



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 02.04.1997
COM(97) 138 final

Proposal for a
COUNCIL DECISION

authorizing the Kingdom of Spain to extend until 7 March 1998 the Agreement
on mutual fishery relations with the Republic of South Africa

(presented by the Commission)

EXPLANATORY MEMORANDUM

1. On 14 August 1979, the Kingdom of Spain signed an agreement on mutual fisheries relations with the Republic of South Africa which entered into force on the 8 March 1982 for an initial period of ten years, and which it was envisaged should subsequently rest in force for an indeterminate period unless it were to be denounced with twelve months notice. Under this fisheries agreement, annual fisheries licences can be granted to vessels flying the Spanish flag. This was the case since 1989.
2. Article 167 (2) of the Act of Accession of Spain and Portugal lays down that the rights and obligations for the Kingdom of Spain following from fisheries agreements concluded with third countries shall not to be affected during the period for which the provisions of such agreements are provisionally maintained. Under Article 167 (3) of the Act of Accession, the Council, acting by a qualified majority on a proposal from the Commission, is to adopt the decisions appropriate for the continuation of fishing activities resulting from such agreements. This may include prolonging them for periods not exceeding one year.
3. In order to avoid interruption in the fishing activities of the Community vessels concerned, the Decision put forward in this proposal authorises Spain to extend the fisheries agreement referred to above until 7 March 1998.

COUNCIL DECISION
of
**authorizing the Kingdom of Spain to extend until 7 March 1998 the Agreement
on mutual fishery relations with the Republic of South Africa**

THE COUNCIL OF THE EUROPEAN UNION.

Having regard to the Treaty establishing the European Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 167 (3) thereof,

Having regard to the proposal from the Commission,

Whereas the Agreement on mutual fishery relations between the Government of the Kingdom of Spain and the Government of the Republic of South Africa, signed on 14 August 1979, entered into force on 8 March 1982 for an initial period of 10 years; whereas the Agreement remains in force for an indeterminate period if it is not denounced by the giving of 12 months' notice;

Whereas Article 167 (2) of the Act of Accession laying down that the rights and obligations flowing, for the Kingdom of Spain, from fisheries agreements concluded with third countries, shall not be affected during the period for which the provisions of such agreements are provisionally maintained;

Whereas, pursuant to Article 167 (3) of the said Act, the Council is to adopt, before the expiry of the fisheries agreements concluded by the Kingdom of Spain with third countries, decisions appropriate for the continuation of fishing activities resulting therefrom, including the

possibility of prolonging for periods not exceeding one year; whereas the abovementioned Agreement has been extended until 7 March 1997⁽¹⁾;

Whereas, in order to avoid fishing by the Community vessels concerned being interrupted, it appears appropriate to authorize the Kingdom of Spain to renew the Agreement in question until 7 March 1998.

HAS ADOPTED THIS DECISION:

Article 1

The Kingdom of Spain is hereby authorized to extend until 7 March 1998 the Agreement on mutual fishery relations with the Republic of South Africa which entered into force on 8 March 1982.

Article 2

This Decision is addressed to the Kingdom of Spain.

Done at

For the Council

The President

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