

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(94) 568 final
Brussels, 06.12.1994

94/ 0281 (CNS)

Proposal for a

COUNCIL REGULATION (EC)

amending Regulation (EC) No 3699/93 laying down the criteria and arrangements regarding Community structural assistance in the fisheries and aquaculture sector and the processing and marketing of its products.

(presented by the Commission)

Explanatory memorandum

Reference: Council Regulation (EC) No94 of .../.../1994¹ amending Council Regulation (EEC) No 2930/86 of 22 September 1986 defining the characteristics of fishing vessels.

1. Consequences of the remeasurement of the tonnage of fishing vessels.

The implementation of the provisions of the London Convention (ITC 69) concerning the remeasurement of the tonnage of fishing vessels in gross tonnes (GT) as well as the extension of its provisions to all the fishing vessels of the European Union following the adoption of Regulation (EEC) No 2930/86 last amended on .../.../...¹, make it necessary for the Commission to modify a certain number of texts that use vessel tonnage as a parameter in its structural measures.

The Commission is thus led to modify certain provisions of Regulation 3699/93 (FIFG application regulation).

2. Content of the modification.

2.1. modification of article 8 and of annex III of the FIFG regulation: this aims to replace the expression in GRT of the tonnage threshold for access to certain measures by its expression in GT.

Paragraph 2 of point 2 of article 8 and paragraph 1.2 a) of annex III of the FIFG regulation state that only fishing vessels of tonnage greater than 25 GRT are eligible for aid for exportation, transfer to other activities, or the formation of a joint enterprise or a temporary joint venture.

This expression of tonnage can be used throughout the remeasurement period, but the tonnage in GT for vessels of the same size should be introduced as soon as possible. At the end of the transitional period only the reference to tonnage in GT should be maintained.

¹ This regulation is currently a draft in the process of adoption. It will be adopted by the Council before the end of 1994.

From a statistical analysis of a sample of vessels for which tonnages in both GT and GRT were available, it was estimated that a vessel of 25 GRT corresponds to a vessel of 27.6 GT. It is reasonable to round this figure to 28 GT.

2.2 modification of the scales of assistance relating to fishing fleets in annex IV of the FIFG regulation: this aims to eventually replace the scales of premiums expressed in ecus/GRT by scales of premiums expressed in ecus/GT.

Tables 1 and 2 of annex IV of FIFG give by tonnage class the values of the premiums in ecus/GRT spent by the public bodies under measures for permanent withdrawal, the formation of joint enterprises, temporary cessation or temporary joint ventures.

The change of units from GRT to GT is necessary because of the remeasurement of all fishing vessels in the new unit of tonnage.

Since the ratio GT/GRT varies with the size and form of the vessels, it was not possible to maintain the same classes of tonnage as those initially used in the FIFG application regulation. Nevertheless, the exercise aimed to derive new scales in ecus/GT for which the financial cost for the Union and the Member States will be identical to that which would have resulted from the application of the old scale.

This was done using the sample of vessels representative of the Community fleet for which the values of both GRT and GT were available to the services.

In comparison with the old regime, the cost of the new regime of premiums for this sample of vessels will be +3% for permanent withdrawal and joint enterprises and -3% for temporary cessation and TJV.

However over the intermediate period when owners are permitted to choose on or other of the scales, the additional costs are respectively +9% and +4% until 1 January 2004.

2.3 correction of an error in article 5: the reference to the committee which allows the adoption of the multiannual guidance programmes must be changed.

The Committees envisaged in Regulation (EC) No 3699/93 relate to the structural funds regulations applicable to fisheries (article 8 of R.2080/93) and to the basic regulations of the Common Fisheries Policy (article 18 of R.3760/92).

Since reference is made to the procedures for the adoption and modification of the Multiannual Guidance Programmes in articles 5 and 6 of R.3699/93 it is logical to refer to article 18 of R.3760/92.

Article 5 however refers to article 8 of Regulation 2080/93. This error can be easily put right.

COUNCIL REGULATION No .../94 of

amending Regulation (EC) No 3699/93 laying down the criteria and arrangements regarding Community structural assistance in the fisheries and aquaculture sector and the processing and marketing of its products.

THE COUNCIL OF THE EUROPEAN UNION

Having regard to the treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2080/93 of 20 July 1993 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the financial instrument for fisheries guidance, and in particular Article 6 thereof,

Having regard to the proposal from the Commission¹,

Having regard to the opinion of the European Parliament²,

Having regard to the opinion of the Economic and Social Committee³,

Whereas the provisions of the London Convention (ITC 69) were extended to all fishing vessels by Council Regulation (EEC) No 2930/86⁴ of 22 September 1986, last amended by Council Regulation (EC) No .../... of .../.../... , and whereas the implementation of the provisions of the said Convention generalised, by 1 January 2004 at the latest, the use of gross tonnage as the unit of tonnage to all vessels of the fishing fleet of the Union,

whereas this usage makes it essential to modify the provisions of Council Regulation (EEC) No 3699/93⁵ of 21 December 1993 since they refer to vessel tonnage, and in particular tables 1 and 2 of annex IV of this regulation,

whereas it is appropriate to ensure the harmonisation of the procedures envisaged by articles 5 and 6 of Regulation (EC) No 3699/93

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HAS ADOPTED THIS REGULATION

First article

Regulation (EC) No 3699/93 is modified as follows:

1. The following part-sentence is added to article 8, point 2, paragraph 2 and to the first line of the first paragraph of point 1.2.a) in annex III, after the reference in the text to "25 GRT":

" or 28 GT"

2. In article 5, point 2, paragraph 1, the reference to "**article 8 of Regulation (EC) No 2080/93**" is replaced by a reference to "**article 18 of Regulation (EEC) No 3760/92**"

3. The following new provision is added to article 16:

"From 1.1.2004 only reference to the GT unit of tonnage will be possible in the present regulation."

4. Tables 1 b and 2 b shown in the annex to the present regulation are added to annex IV.

Article 2

This regulation shall enter into force on the 7th day following its publication in the Official Journal of the European Communities.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Council
The President

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Scales and rates of assistance relating to fishing fleets (Title II) under FIG

Permanent withdrawal and joint enterprises

TABLE 1b

Class of vessel by GT	Maximum amount of premium for a 15 year old vessel measured in GT
0 < 10	7100 x GT
10 < 25	4600 x GT + 25000
25 < 100	3571 x GT + 50700
100 < 300	2348 x GT + 173000
300 < 500	1891 x GT + 317400
500 and over	1230 x GT + 650000

Temporary cessation of fishing activities and temporary joint ventures

TABLE 2b

Class of vessel by GT	Maximum amount of premium per vessel per day for a vessel measured in GT
0 < 10	5.20 x GT + 20
10 < 25	4.07 x GT + 31
25 < 50	3.16 x GT + 54
50 < 100	2.54 x GT + 85
100 < 250	1.93 x GT + 146
250 < 500	1.49 x GT + 255
500 < 1500	1.10 x GT + 450
1500 < 2500	0.90 x GT + 750
2500 and over	0.69 x GT + 1275

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