



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 09.07.1996
COM(96) 323 final

96/0176 (CNS)

Proposal for a
COUNCIL DECISION
on the conclusion of the Agreement in the form of an Exchange of Letters
concerning the provisional application of the Protocol defining for the period
3 May 1996 to 2 May 1999 the fishing opportunities and the financial contribution
provided for by the Agreement between the European Community and
the Republic of Angola on fishing off the coast of Angola

Proposal for a
COUNCIL REGULATION (EC)
on the conclusion of the Protocol defining,
for the period from 3 May 1996 to 2 May 1999,
the fishing opportunities and the financial contribution provided for by
the Agreement between the European Community and the Republic of Angola
on fishing off the coast of Angola

(presented by the Commission)

EXPLANATORY MEMORANDUM

The Protocol annexed to the fisheries agreement between the European Community and Angola expired on 2nd May 1996. A new Protocol was initialled by the two parties on 2nd May 1996 establishing the technical and financial conditions under which Community fishing vessels can fish in Angola waters in the period 3rd May 1996 to 2nd May 1999.

The Commission is accordingly proposing that the Council should adopt:

- by means of a Decision, the draft Agreement in the form of an exchange of letters concerning the provisional application of the new Protocol pending its final entry into force,

- by means of a Regulation, the Protocol establishing the fishing opportunities and the associated technical and financial conditions agreed between the Community and Angola for the period 3rd May 1996 to 2nd May 1999.

Proposal for a
COUNCIL DECISION
on the conclusion of the Agreement in the form of an Exchange of Letters
concerning the provisional application of the Protocol defining for the period
3 May 1996 to 2 May 1999 the fishing opportunities and the financial contribution
provided for by the Agreement between the European Community and
the Republic of Angola on fishing off the coast of Angola

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to the Agreement between the European Community and the Republic of Angola on fishing off Angola ⁽¹⁾,

Having regard to the proposal from the Commission,

Whereas the Community and the Republic of Angola have held negotiations with a view to determining amendments to be made to the abovementioned Agreement at the end of the period of application of the Protocol in force which is annexed to the said Agreement;

Whereas, as a result of these negotiations, a new Protocol was initialled on 2nd May 1996;

Whereas, under that Protocol, Community fishermen have fishing rights in the waters under the sovereignty or jurisdiction of the Republic of Angola for the period 3rd May 1996 to 2nd May 1999;

Whereas, in order to avoid interruption of fishing activities by Community vessels, both parties have initialled an Agreement in the form of an Exchange of Letters providing for the provisional application of the said Protocol from the day following the date of expiry of the Protocol previously in force; whereas the Agreement in the form of an Exchange of Letters should be approved subject to a definitive decision pursuant to Article 43 of the Treaty,

Whereas the allocation of fishing possibilities among the Member States should be determined on the basis of the traditional allocation of fishing possibilities under the fisheries agreement;

⁽¹⁾ OJ No L 341, 3.12.1987, p. 1.

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement in the form of an Exchange of Letters concerning the provisional application of the Protocol defining, for the period 3rd May 1996 to 2nd May 1999, the fishing opportunities and the financial contribution provided for by the Agreement between the European Community and the Republic of Angola on fishing off Angola is hereby approved on behalf of the Community.

The text of the Agreement in the form of an Exchange of Letters is attached to this Decision.

Article 2

The fishing possibilities provided for in the Protocol are allocated among the Member States as follows:

- Shrimp vessels: 6 550 GRT, per month, as an annual average, Spain
- Demersal trawlers: 2 000 GRT, per month, as an annual average, Spain
- Bottom longliners: 1 750 GRT, per month, as an annual average, Portugal
- Freezer tuna seiners: 9 vessels France
- Surface longliners: 2 vessels Portugal, 10 vessels Spain

If licence applications from these Member States do not exhaust the fishing possibilities provided for in the Protocol the Commission may entertain licence applications from any other Member State.

Article 3

The President of the Council is hereby authorized to designate the persons empowered to sign the Agreement in the form of an Exchange of Letters in order to bind the Community.

Done at Brussels,

For the Council

The President

AGREEMENT

IN THE FORM OF AN EXCHANGE OF LETTERS ON THE PROVISIONAL APPLICATION OF THE PROTOCOL DEFINING, FOR THE PERIOD 3 MAY 1996 TO 2 MAY 1999, THE FISHING OPPORTUNITIES AND FINANCIAL COMPENSATION PROVIDED FOR IN THE AGREEMENT BETWEEN THE EUROPEAN COMMUNITY AND THE GOVERNMENT OF THE REPUBLIC OF ANGOLA ON FISHING OFF ANGOLA

A. Letter from the Government of Angola

Sir,

With reference to the Protocol initialled on 2 May 1996 defining the fishing opportunities and financial compensation for the period 3 May 1996 to 2 May 1999, I have the honour to inform you that the Government of Angola is prepared to apply the Protocol on a provisional basis with effect from 3 May 1996, pending its entry into force in accordance with Article 7 thereof, provided that the European Community is disposed to do the same.

This is on the understanding that the first instalment on the financial compensation provided for in Article 2 of the Protocol is to be paid before 30 September 1996.

I should be obliged if you would confirm the Community's agreement to such provisional application of the Protocol.

Please accept, Sir, the assurance of my highest consideration.

For the Government
of the Republic of Angola

B. Letter from the Community

Sir,

I am in receipt of your letter of today's date, which reads as follows:

'With reference to the Protocol initialled on 2 May 1996 defining the fishing opportunities and financial compensation for the period 3 May 1996 to 2 May 1999, I have the honour to inform you that the Government of Angola is prepared to apply the Protocol on a provisional basis with effect from 3 May 1996, pending its entry into force in accordance with Article 7 thereof, provided that the European Community is disposed to do the same.

This is on the understanding that the first instalment of the financial compensation provided for in Article 2 of the Protocol is to be paid before 30 September 1996.

I should be obliged if you would confirm the Community's agreement to such provisional application of the Protocol.'

I have honour to confirm the Community's agreement to such provisional application of the Protocol.

Please accept, Sir, the assurance of my highest consideration.

On behalf of
the Council of the European Union

Proposal for a
COUNCIL REGULATION (EC)

96/0176 (CNS)

on the conclusion of the Protocol defining,
for the period from 3 May 1996 to 2 May 1999,
the fishing opportunities and the financial contribution provided for by
the Agreement between the European Community and the Republic of Angola
on fishing off the coast of Angola.

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 43 thereof, in conjunction with Article 228(2) and (3) first subparagraph thereof,

Having regard to the proposal from the Commission,⁽¹⁾

Having regard to the Opinion of the European Parliament ⁽²⁾,

Whereas, in accordance with the Agreement between the European Community and the Republic of Angola on fishing off Angola⁽³⁾, the Contracting Parties held negotiations with a view to determining amendments to be made to that Agreement at the end of the period of application of the Protocol attached to the said Agreement;

Whereas, as a result of these negotiations, a new Protocol defining for the period from 3 May 1996 to 2 May 1999 the fishing opportunities and the financial contribution provided for by the abovementioned Agreement was initialled on 2 May 1996;

Whereas it is in the Community's interest to approve that Protocol;

Whereas the allocation of fishing possibilities among the Member States should be determined on the basis of the traditional allocation of fishing possibilities under the fisheries agreement;

⁽¹⁾ OJ n° C

⁽²⁾ Opinion delivered on (not yet published in the Official Journal).

⁽³⁾ OJ n° L 341 of 3.12.1987, p. 2.

HAS ADOPTED THIS REGULATION:

Article 1

The Protocol defining, for the period from 3 May 1996 to 2 May 1999, the fishing opportunities and the financial contribution provided for by the Agreement between the European Community and the Republic of Angola on fishing off Angola is hereby approved on behalf of the Community.

The text of the Protocol is attached to this Regulation.

Article 2

The fishing possibilities provided for in the Protocol are allocated among the Member States as follows:

- Shrimp vessels: 6 550 GRT, per month, as an annual average, Spain
- Demersal trawlers: 2 000 GRT, per month, as an annual average, Spain
- Bottom longliners: 1 750 GRT, per month, as an annual average, Portugal
- Freezer tuna seiners: 9 vessels France
- Surface longliners: 2 vessels Portugal, 10 vessels Spain

If licence applications from these Member States do not exhaust the fishing possibilities provided for in the Protocol the Commission may entertain licence applications from any other Member State.

Article 3

The President of the Council is hereby authorized to designate the persons empowered to sign the Protocol in order to bind the Community.

Article 4

This Regulation shall enter into force on the third day following that of 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

PROTOCOL

defining, for the period from 3 May 1996 to 2 May 1999, the fishing opportunities and financial compensation provided for in the Agreement between the European Community and the Government of the Republic of Angola on fishing off Angola

Article 1

From 3 May 1996, for a period of three years, the limits referred to in Article 2 of the Agreement shall be as follows:

1. Shrimp vessels: 6 550 GRT per month, as an annual average (maximum 22 vessels).

However, the quantities to be fished by Community vessels may not exceed 5 000 tonnes of shrimps and prawns per year, of which 30 % shall be prawns and 70 % shrimps.

2. Demersal trawlers: 2 000 GRT per month, as an annual average
3. Bottom longliners, fixed gillnets 1 750 GRT per month, as an annual average

Fishing for *Centrophorus granulosus* is forbidden.

4. Freezer tuna seiners: 9 vessels.
5. Surface longliners: 12 vessels.
6. On a trial basis: fishing of pelagic species - two vessels.

Because of the nature of this type of fishing, it shall be subject to a trial period of six months starting on the date that this Protocol enters into force.

Article 2

1. The financial compensation provided for in Article 7 of the Agreement for the period referred to in Article 1 of this Protocol is hereby set at ECU 31 000 000 payable in three equal annual instalments into an account to be indicated by the Ministry of Fisheries.
2. If vessels withdraw from the Agreement and the Angolan authorities do not agree to their replacement by other vessels, the resulting reduction in fishing opportunities for the Community shall entail a proportional adjustment of the financial compensation provided for in paragraph 1.
3. The use to which this compensation is put shall be the sole responsibility of Angola.

Article 3

During the period referred to in Article 1, the Community shall also contribute ECU 5 000 000 towards the financing of Angolan scientific and technical programmes (equipment, infrastructure, monitoring, seminars, studies, institutional support for non-industrial fishing, etc.). This amount shall be payable in three equal annual instalments to the Research Institute of the Ministry of Fisheries. Part of this amount may be used to cover Angola's contributions to international fisheries organizations.

During the life of this Protocol the Community shall provide ECU 350 000 annually for scientific studies and fishery surveys.

Article 4

The two parties agree that improving the skill and knowledge of persons employed in sea fishing is an essential part of the success of their cooperation. To this end the Community shall provide the Angolan nationals with study and practical training grants in the various scientific, technical and economic disciplines related to fisheries.

These grants may also be used in any state linked to the Community by a cooperation agreement. The total cost of these grants shall not exceed ECU 3 000 000. This amount shall be transferred to the account indicated by the Ministry of Fisheries in three equal annual installments. The Ministry shall administer all the grants and other activities thus funded.

Article 5

Should the Community fail to make the payments provided for in Articles 2, 3 and 4 within the time limits laid down, application of the Agreement may be suspended.

Article 6

The Annex to the Agreement between the European Community and the Government of the Republic of Angola on fishing off Angola is hereby repealed and replaced by the Annex to this Protocol.

Article 7

This Protocol shall enter into force on the date of its signing. It shall apply from 3 May 1996.


ANNEX A

Conditions governing fishing activities in Angolan waters by Community vessels

A. LICENCE APPLICATION AND ISSUING FORMALITIES

- (a) The Commission of the European Communities shall present to Angola's fishing authority, via the Delegation of the Commission of the European Communities in Angola, an application made by the shipowner for each vessel that wishes to fish under this Agreement, at least 15 days before the date of commencement of the period of validity requested. Applications shall be made on forms provided for the purpose by Angola, specimens of which are contained in Appendix 1 and Appendix 2. On first application the form should be accompanied by a tonnage certificate. All licence applications shall be accompanied by proof of payment of the licence fee for the period of its validity.

For the purposes of this Protocol the fishery products caught by Community vessels fishing under this Agreement shall be of Community origin.

- (b) Each licence shall be issued to the shipowner for one designated vessel. At the request of the Commission of the European Communities the licence for a vessel shall, in cases of proven force majeure, be replaced by a licence valid for another Community vessel of a similar type.
- (c) Licences shall be issued by the Angolan authorities to the skipper of the vessel in the port of Luanda after inspection of the vessel by the competent authority. However, in the case of tuna vessels and surface longliners, licences shall be issued to the shipowners or their representatives or agents.
- (d) The Delegation of the Commission of the European Communities in Angola shall be notified of the licences issued by Angola's fishing authority.
- (e) The licence document must be held on board at all times. However, in the case of tuna vessels and surface longliners, the vessel shall be entered on the list of authorized fishing vessels as soon as notification is received of payment of the advance by the European Commission to the Angolan authorities and the list shall then be communicated to the Angolan authorities responsible for supervising fisheries. Pending receipt of the licence, a copy may be obtained by fax and should be kept on board.
- (f) Licences shall be valid for periods of one year.
- (g) Each vessel shall be represented by an agent who is resident in Angola and approved by the Ministry of Fisheries.
- (h) The Angolan authorities shall communicate, as soon as possible, particulars of the bank accounts and currencies to be used for financial settlements under this Agreement.
- 

B. LICENCE FEES

I. Provisions applicable to trawlers

The fees shall be:

- shrimp vessels: ECU 56/month per GRT
- demersal vessels: ECU 195/year per GRT

The fees may be paid quarterly or half-yearly. In this case the amount shall be increased by 5 and 3 % respectively.

II. Provisions applicable to tuna vessels and surface longliners

The fees shall be ECU 20 per tonne caught within Angola's fishing zone.

Licences shall be issued following advance payment to Angola at a flat rate of ECU 4 000 a year for each freezer tuna seiner, equivalent, to the fees for a catch of 200 tonnes per year, and at a flat rate of ECU 2 000 a year for each surface longliner, equivalent to the fees for 100 tonnes of catch per year.

The final statement of the fees due for the fishing year shall be drawn up by the Commission of the European Communities at the end of the first quarter of the year following that of the catches on the basis of the catch statements made for each vessel and verified by a specialized scientific body in the region.

This statement shall be communicated to the Angolan authorities and to the shipowners at the same time. The shipowners shall make any additional payment, within 30 days of notification of the final statement at the latest, into an account opened with a financial institution or any other body specified by the Angolan authorities.

However, if the amount of the final statement is lower than the advance referred to above, the balance shall not be reimbursed to the shipowners.

C. BIOLOGICAL RECOVERY

Each year there is the possibility that a closed season on shrimp fishing may be decided for reasons of biological recovery in the light of the findings of scientific surveys. The Commission and shipowners shall be notified not less than three months in advance of any such closed season. Shipowners shall not pay for the licence fee during this period.

D. BY-CATCHES

The by-catches of shrimp vessels shall be the property of the shipowners. They shall be authorized to catch up to 500 tonnes of crab per annum.

E. LANDINGS

Community surface longliners shall endeavour to help supply Angolan tuna-canning factories, in accordance with their fishing effort in the zone, at a price to be jointly agreed between the shipowners and the Angolan fishing authorities based on current international market prices. Payment shall be in a convertible currency.

F. TRANSHIPMENTS

All transshipments shall be notified to the competent Angolan fishing authorities eight days in advance and shall take place in one of the bays of Luanda or Lobito in the presence of the tax authorities. A copy of the documentation relating to transshipments shall be forwarded to the Inspection and Monitoring Department of the Ministry of Fisheries 15 days before the end of each month for the preceding month.

G. STATEMENT OF CATCHES

1. *Shrimp vessels and demersal trawlers*

- (a) At the end of each fishing campaign these vessels must forward to the Fisheries Research Institute in Luanda, via the Delegation of the European Communities, the daily catch reports drawn up by the skipper in accordance with the specimen contained in Appendices 3 and 4.

Furthermore, each vessel shall present a monthly report to the planning office of the Ministry of Fisheries, via the Delegation of the European Communities, listing the catches made during the month and the quantities on board on the last day of the month. This report shall be presented no later than the 45th day following the end of the month concerned. In the event of failure to comply with this provision, Angola reserves the right to apply the penalties provided for in its legislation.

- (b) These vessels must also inform Luanda radio station on a daily basis of their geographical position and the previous day's catches. Shipowners shall be notified of the call sign at the time of issue of the fishing licence. If it is not possible to use the radio, vessels may use alternative means of communication such as telex or telegraph.

Before leaving Angola's fishing zone, these vessels must obtain authorization from the Department of Inspection and Monitoring of the Ministry of Fisheries and have the catches on board checked.

2. *Tuna vessels and surface longliners*

Every three days during the fishing period in Angola's fishing zone, vessels shall inform Luanda radio station of their position and their catches. On entering and leaving Angola's fishing zone, the vessels shall inform Luanda radio station of their position and the volume of the catches on board. If it is not possible to use the radio, vessels may use alternative means of communication such as telex or telegraph.

In addition, the skipper shall keep a fishing log book, in accordance with Appendix 5, for each fishing period spent in Angola's fishing zone.

This form must be completed legibly and be signed by the skipper of the vessel and sent to the Department of Inspection and Monitoring of the Ministry of Fisheries via the Delegation of the European Communities within 45 days of the end of the fishing campaign.

In the event of failure to comply with this provision, Angola reserves the right to apply the penalties provided for in its legislation.

H. FISHING ZONES

- (a) The fishing zones accessible to shrimp vessels shall comprise all waters under the sovereignty or the jurisdiction of the Republic of Angola north of 12°20' prime and beyond the first 12 nautical miles measured from the base lines.
- (b) The fishing zones accessible to freezer tuna seiners and surface longliners shall comprise all waters under the sovereignty or the jurisdiction of the Republic of Angola beyond the first 12 nautical miles measured from the base lines.
- (c) The fishing zones accessible to vessels engaged in demersal fishing shall comprise all waters under the sovereignty or the jurisdiction of the Republic of Angola:
 - trawlers: beyond the first 12 nautical miles measured from the base lines and restricted northwards by 13°00' prime and south and southwards by a line five miles north of the limit between the exclusive economic zones (EEZs) of Angola and Namibia.
 - other types of vessels: beyond the first eight nautical miles measured from the base lines and restricted southwards by a line five miles north of the limit between the EEZs of Angola and Namibia.

I. SIGNING OF CREWS

Owners of all vessels, except freezer tuna seiners and surface longliners, to whom fishing licences have been issued under this Agreement shall contribute to the on-the-job vocational training of at least five Angolan seamen on board each vessel, who shall be freely chosen from a list drawn up by the Ministry of Fisheries.

Should an observer be taken on board at Angola's request, he shall be included among the five seamen referred to above.

Community shipowners shall endeavour to increase the number of seamen and improve their vocational skills.

The seamen's wages shall be borne by the shipowners in accordance with the terms mutually agreed and shall be paid into an account opened with a financial institution designated by the Ministry of Fisheries. This pay shall include life insurance against all risks.

J. SCIENTIFIC OBSERVERS

Any vessel may be asked to take on board a scientific observer designated and employed by the Ministry of Fisheries.

The scientific observer shall receive the same treatment as the ship's officers. The observer shall be given all facilities necessary for him to carry out his duties. The scientific observer's presence and work should neither interrupt nor hinder the fishing activities.

ECU 15 shall be paid by shipowners for each day spent on board by an observer on duty to cover the cost to Angola of placing observers on vessels. The period spent on board a vessel by a scientific observer shall be the length of a trip.

K. INSPECTION AND MONITORING

At the request of the Angolan authorities, Community fishing vessels operating under the Agreement shall allow on board any Angolan officials responsible for the inspection and monitoring of fishing activities and facilitate the accomplishment of their duties.

These officials shall remain on board no longer than is necessary for the accomplishment of their duties.

L. FUEL SUPPLIES, REPAIRS AND OTHER SERVICES

All vessels, except tuna vessels, operating in Angola's fishing zone under this Agreement must obtain their fuel and water supplies and have shipyard repairs and maintenance carried out in Angola wherever possible.

Subject to these same conditions, the transport of crews shall be undertaken by the Angolan national airline, TAAG.

Fuel shall not be taken on board outside the ports of Luanda or Lobito without authorization from the Department of Inspection and Monitoring of the Ministry of Fisheries.

M. MESH SIZES

The minimum size of the mesh used shall be:

(a) 40mm for shrimp fishing; and

(b) 110mm for demersal fishing.

The introduction of new mesh sizes shall apply to Community vessels from the sixth month following notification to the Commission of the European Communities.

N. BOARDING PROCEDURE

The Delegation of the Commission in Luanda shall be informed within 48 hours of the boarding of any fishing vessel flying the flag of a Member State of the Community within Angola's fishing zone, and shall at the same time receive a report of the circumstances and reasons for the boarding of the vessel.

ANNEX B

Conditions governing the fishing of pelagic species in Angolan waters by Community vessels

A. LICENCE APPLICATION AND ISSUING FORMALITIES

- (a) The Commission of the European Communities shall present to Angola's fishing authority, via the Delegation of the Commission of the European Communities in Angola, an application made by the shipowner for each vessel that wishes to fish under this Agreement, at least 15 days before the date of commencement of the period of validity requested. Applications shall be made on forms provided for the purpose by Angola, specimens of which are contained in Appendix 1. On first application the form should be accompanied by a tonnage certificate. All licence applications shall be accompanied by proof of payment of the licence fee for the period of its validity.

When renewing the licence, only proof of payment of the fee for the period in question need be presented to the Angolan authorities; the other documents referred to above are presented only with the first application or when the technical characteristics of the vessel have changed.

- (b) A licence will be issued to the shipowner for one designated vessel. At the request of the Commission of the European Communities the licence for a vessel shall, in cases of proven force majeure, be replaced by a licence valid for another Community vessel of a similar type.
- (c) On first application licences shall be issued by the Angolan authorities to the skipper of the vessel in the nearest port after inspection of the vessel by the competent authority.
- (d) The Delegation of the Commission of the European Communities in Angola shall be notified of the licences issued by Angola's fishing authority.
- (e) The licence document must be held on board at all times. However, the vessel shall be entered on the list of authorized fishing vessels as soon as notification is received of payment of the advance by the European Commission to the Angolan authorities and the list shall then be communicated to the Angolan authorities responsible for supervising fisheries. Pending receipt of the licence, a copy may be obtained by fax and should be kept on board.
- (f) Licences shall be valid for a minimum period of one month and be renewable.
- (g) Each vessel shall be represented by an agent who is resident in Angola and approved by the Ministry of Fisheries.
- (h) The Angolan authorities shall communicate particulars of the bank accounts and currencies to be used for payment of fees before the entry into force of this Protocol.

- (i) Licences shall authorize the fishing of mackerel and horse mackerel. A by-catch of up to 10% is authorized.

B. LICENCE FEES

The fee shall be set at ECU 2/month per GT.

After the trial period the conditions governing fishing shall be laid down by common agreement of the shipowners and the Angolan authorities in the light of the results of this period.

C. TRANSHIPMENTS

All transhipments shall be notified to the competent Angolan fishing authorities eight days in advance and shall take place in one of the bays of Luanda or Lobito in the presence of the tax authorities. A copy of the documentation relating to transhipments shall be forwarded to the Inspection and Monitoring Department of the Ministry of Fisheries 15 days before the end of each month for the preceding month.

D. STATEMENT OF CATCHES

- (a) At the end of each fishing campaign these vessels must forward to the Fisheries Research Institute in Luanda, via the Delegation of the European Communities, the daily catch reports drawn up by the skipper in accordance with the specimen contained in Appendix 6.

Furthermore, each vessel shall present a monthly report to the planning office of the Ministry of Fisheries, via the Delegation of the European Communities, listing the catches made during the month and the quantities on board on the last day of the month. This report shall be presented no later than the 45th day following the end of the month concerned.

- (b) Before leaving Angola's fishing zone, these vessels must obtain authorization from the Department of Inspection and Monitoring of the Ministry of Fisheries and have the catches on board checked.

In the event of failure to comply with this provision, Angola reserves the right to apply the penalties provided for in its legislation.

E. FISHING ZONES

The fishing zones accessible to vessels fishing pelagic species shall comprise all waters under the sovereignty or the jurisdiction of the Republic of Angola beyond the first 12 nautical miles.

F. SIGNING ON OF CREWS

Vessels fishing for pelagic species during the trial period shall not be subject to the requirement to sign on Angolan fishermen.

G. SCIENTIFIC OBSERVERS

Any vessel may be asked to take on board a scientific observer designated and employed by the Ministry of Fisheries.

The scientific observer shall receive the same treatment as the ship's officers. The observer shall be given all facilities necessary for him to carry out his duties. The scientific observer's presence and work should neither interrupt nor hinder the fishing activities.

ECU 15 shall be paid by shipowners for each day spent on board by an observer on duty to cover the cost to Angola of placing observers on vessels. The period spent on board a vessel by a scientific observer shall be the length of a trip.

H. INSPECTION AND MONITORING

At the request of the Angolan authorities, Community fishing vessels operating under the Agreement shall allow on board any Angolan officials responsible for the inspection and monitoring of fishing activities and facilitate the accomplishment of their duties.

These officials shall remain on board no longer than is necessary for the accomplishment of their duties.

I. FUEL SUPPLIES, REPAIRS AND OTHER SERVICES

All vessels operating in Angola's fishing zone under this Agreement must obtain their fuel and water supplies and have shipyard repairs and maintenance carried out in Angola wherever possible.

Subject to these same conditions, the transport of crews shall be undertaken by the Angolan national airline, TAAG.

Fuel shall not be taken on board outside the ports of Luanda or Lobito without authorization from the Department of Inspection and Monitoring of the Ministry of Fisheries.

J. MESH SIZES

The minimum size of the mesh used shall be that laid down by Angolan law

K. BOARDING PROCEDURE

The Delegation of the Commission in Luanda shall be informed within 48 hours of the boarding of any fishing vessel flying the flag of a Member State of the Community within Angola's fishing zone, and shall at the same time receive a report of the circumstances and reasons for the boarding of the vessel.

APPLICATION FOR A LICENCE TO FISH FOR SHRIMP AND DEMERSAL SPECIES IN THE WATERS OF ANGOLA

PART A

1. Name of owner:
2. Nationality of owner:
3. Business address of owner:
4. Chemical additives which may be used (brand name and composition):

PART B

To be completed for each vessel

1. Period of validity:
2. Name of vessel:
3. Year of construction:
4. Original flag country:
5. Currently flying the flag of:
6. Date of acquisition of current flag:
7. Year of acquisition:
8. Port and registration number:
9. Fishing method:
10. Gross registered tonnage:
11. Radio call sign:
12. Overall length (m):
13. Bow (m):
14. Depth (m):
15. Construction material of the hull:
16. Engine power (bhp):
17. Speed (knots):
18. Capacity of refrigeration chamber:
19. Capacity of fuel tanks (m³):
20. Capacity of fish holds (m³):
21. Colour of the hull:
22. Colour of the superstructure:

23. Communication equipment on board:

Type	Brand	Power (Watt)	Year of construction	Frequencies	
				Reception	Transmission

24. Navigation and detection equipment installed:

Type	Brand	Model	Range

25. Name of captain:

26. Nationality of captain:

To be annexed:

- three colour photographs of the vessel (side view),
- diagram and detailed description of fishing gear used,
- document giving proof of authority for the owner's representative to sign this application.

.....
(Date of application)

.....
(Signature of owner's representative)

Appendix 2

APPLICATION FOR A LICENCE TO FISH FOR TUNA IN THE WATERS OF ANGOLA

PART A

1. Name of owner:
2. Nationality of owner:
3. Business address of owner:
.....
.....

PART B

To be completed for each vessel

1. Period of validity:
2. Name of vessel:
3. Year of construction:
4. Original flag country:
5. Currently flying the flag of:
6. Date of acquisition of current flag:
7. Year of acquisition:
8. Ports and registration number:
9. Fishing method:
10. Gross registered tonnage:
11. Radio call sign:
12. Overall length (m):
13. Bow (m):
14. Depth (m):
15. Construction material of the hull:
16. Engine power (bhp):
17. Speed (knots):
18. Cabin capacity:
19. Capacity of fuel tanks (m³):
20. Capacity of fish holds (m³):
21. Freezing capacity (tonnes/24 hours) and freezing system used:
.....
22. Colour of the hull:
23. Colour of the superstructure:

24. Communication equipment on board:

Type	Brand	Model	Power (Watt)	Year of construction	Frequencies	
					Reception	Transmission

25. Navigation and detection equipment installed:

Type	Brand	Model

26. Auxiliary vessels used (for each vessel):

26.1. Gross registered tonnage:

26.2. Overall length (m):

26.3. Bow (m):

26.4. Depth (m):

26.5. Construction material of the hull:

26.6. Engine power (bhp):

26.7. Speed (knots):

27. Auxiliary aerial fish detection equipment (even if not based on board):

28. Home port:

29. Name of captain:

30. Nationality of captain:

To be annexed:

- three colour photographs of the vessel (side view) and of auxiliary fishing vessels and of auxiliary aerial equipment for fish detection,
- diagram and detailed description of fishing gear used,
- document giving proof of authority for the owner's representative to sign this application.

.....
(Date of application)

.....
(Signature of owner's representative)

Appendix 3.1

DAILY CATCH REPORT
(for all demersal trawlers)

INSTITUTO DE INVESTIGAÇÃO PESQUEIRA

Haul	(13)	No	No	No	No	No
Date	(14)					
Latitude	(15)					
Longitude	(16)					
Sounding (m)	(17)					
Duration (h)	(18)					
Total catch (kg)	(19)					

1. Carapau					
2. Sardinelas					
3. Espadas					
4. Marionga					
5. Cachucho					
6. Tico tico					
7. Dentão					
8. Bicuda					
9. Pescada					
10. Calafate					
11. Corvinas					
12. Dentinho					
13. Roncador					
14. Raias					
15. Tubarões					
16. Camarões					
17. Chocos					
18. Lulas					

Total of processed fish (kg)

Species	Whole	Fillets	Heads off

Rejected fish

Species	Total (kg)

Appendix 3.2

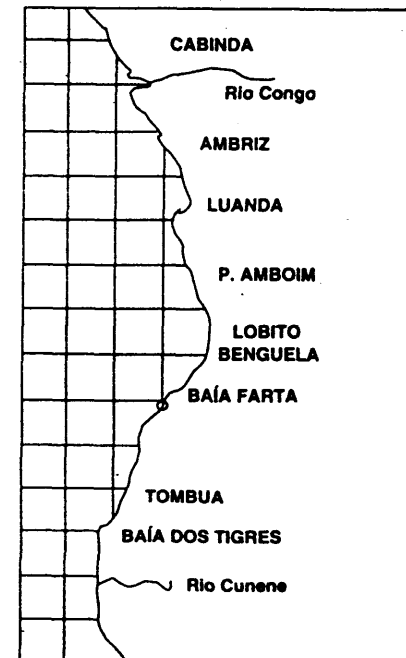
TRIP

Radio call signal (1)	
Registration (2)	
Name of the vessel (3)	
Nationality (4)	
Owner (5)	

	Departure (6)	Arrival (7)
Date		
Port		
Skipper's name and signature (8)		

FISHING GEAR (Record the dimensions) (9)

Gear	Headline (m) (g)	Footrope (m)	Codend mesh size (mm)
Demersal trawl (a)			
Pelagic trawl (b)			
Shrimp trawl (c)			
	Floatline	Depth (m)	
Seine (d)			
	Length (m)	No of hooks	
Longline (e)			
	Length (m)	Depth (m)	
Gillnet/Trammel net (f)			
Other (specify)			



MAIN SPECIES FISHED (please enter name or number) (10)

--	--	--	--

Please enter in the adjacent diagram the TOTAL NUMBER OF FISHING DAYS in each box (11)

TOTAL CATCH KG (Weight of all fish on board) (12)	
---	--

25

Appendix 4.1

DAILY CATCH REPORT
(for all shrimp vessels)

INSTITUTO DE INVESTIGAÇÃO PESQUEIRA

Haul	(13)	No	No	No	No	No	No
Date	(14)						
Latitude	(15)						
Longitude	(16)						
Sounding	(17)						
Duration	(18)						
Total catches (kg)	(19)						

1. Gamba							
2. Alistado							
3. Carabineiro							
4. Lagostinho							
5. Caranguejo							
6.							
7.							
8.							
9.							
10.							
11.							
12.							
13.							

NB: See figure annexed for confirmation of the common name of the species in your language.

Total of processed fish (kg)

Species	Nobbed	Other

Discards

Species	Total (kg)

Appendix 4.2

TRIP

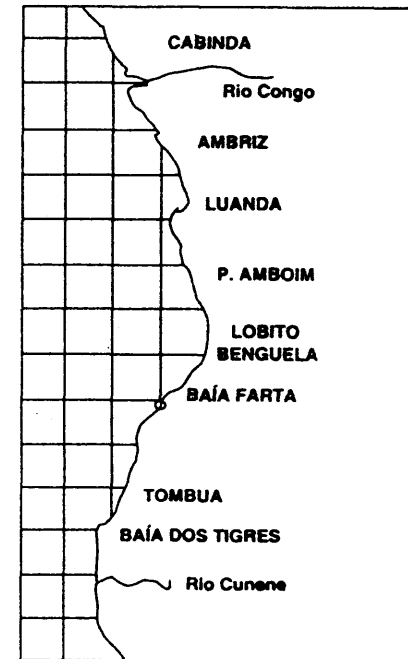
Radio call signal (1)	
Registration (2)	
Name of the vessel (3)	
Nationality (4)	
Owner (5)	

	Departure (6)	Arrival (7)
Date		
Port		
Skipper's name and signature (8)		

FISHING GEAR (Record the dimensions) (9)

Gear	Headline (m) (g)	Footrope (m)	Codend mesh size (mm)
Demersal trawl (a)			
Pelagic trawl (b)			
Shrimp trawl (c)			
	Floatline	Depth (m)	
Seine (d)			
	Length (m)	No of hooks	
Longline (e)			
	Length (m)	Depth (m)	
Gillnet / Trammel net (f)			
Other (specify)			

28



MAIN SPECIES FISHED (please enter name or number) (10)

--	--	--	--

Please enter in the adjacent diagram the TOTAL NUMBER OF FISHING DAYS in each box (11)

TOTAL CATCH KG (Weight of all fish on board) (12)	
---	--

IIP
MINISTÉRIO DAS PESCAS

Apêndice 5
DIÁRIO DE PESCA PARA ATUNEIRO
(TUNA BOATS FISHING LOG BOOK)

MODALIDADE DE PESCA (FISHING METHOD)	
<input type="checkbox"/>	PALANGRE (LONGLINE)
<input type="checkbox"/>	ISCO VIVO (BAITBOAT)
<input type="checkbox"/>	REDE DE CERCO (PURSE SEINE)
<input type="checkbox"/>	CORRICO (TROL) (TROLLING)
<input type="checkbox"/>	OUTROS (OTHERS)

NOME DO NAVIO (VESSEL NAME)		TONELAGEM ARQUEAÇÃO BRUTA (GROSS TONS)		MÊS (MONTH)	DIA (DAY)	ANO (YEAR)	PORTO (PORT)
NACIONALIDADE (FLAG COUNTRY)		CAPACIDADE (TM) (CAPACITY - TM)		SAÍDA (BOAT LEFT)			
Nº DE REGISTO (REGISTRATION No.)		CAPITÃO ou MESTRE (CAPTAIN)		CHEGADA (BOAT RETURNED)			
ARMADOR ou AFRETADOR (COMPANY or OWNER)		Nº DE TRIPULANTES (No. of CREW)		Nº DE DIAS NO MAR (No. of DAYS AT SEA)		Nº DE DIAS DE PESCA (No. of fishing days)	
ENDEREÇO (ADDRESS)		DATA DE COMUNICAÇÃO (REPORTING DATE)		Nº DE LANÇOS EFECTUADOS (No. of sets made)		Nº DE VIAGEM (TRIP NUMBER)	
		COMUNICADO POR (REPORTED BY)					

DATAS (DATES)		ÁREA		ESFORÇO DE PESCA (Effort) (Número de anzóis usados) (No. of hooks used)	CAPTURAS (CATCHES)																				ISCO USADO NA PESCA (BAIT USED)										
DIA/MÊS DAY/MONTH	Nº DE OPERAC. SET No.	LATTITUDE N/S	LONGITUDE E/W		ATUM, RABILHO ou RABIL (BLUEFIN TUNA) <i>Thunnus Maccoyi</i>		ALBACORA (YELLOWFIN TUNA) <i>Thunnus Albacares</i>		PATUDO (BIGEYE TUNA) <i>Thunnus Obesus</i>		VOADOR (ALBACORE) <i>Thunnus Aialunga</i>		ESPADARTE (SWORDFISH) <i>Xiphias gladius</i>		ESPADIM (STRIP, MARLIN) (WHITE MARLIN) <i>Tetrapturus Audaux</i>		ESPADIM NEGRO (BLACK MARLIN) <i>Makaris indica</i>		VELEIRO (SAILFISH) <i>Istiophorus sp</i>		GAIADO (SKIPJACK) <i>Katsuwonus Pelamis</i>		DIVERSOS (Miscellaneous Fishes)		TOTAL DIÁRIO (DAILY TOTAL) APENAS EM KG (In Weight kg Only)		AGULHÃO (SAURY)	LULA (SQUID)	ISCO VIVO (LIVEBAIT)	OUTROS (OTHERS)					
					TEMP. AGUA-SUP 1' 'C (SURF WATER TEMP) (°C)	Nº	KG	Nº	KG	Nº	KG	Nº	KG	Nº	KG	Nº	KG	Nº	KG	Nº	KG	Nº	KG	Nº	KG	Nº	KG								

1 - No fim de cada viagem enviar uma cópia do Diário de Pesca ao Ministério das Pescas
(At the end of each trip forward a copy of the log to Ministry of Fisheries)

2 - "ÁREA" significa a posição de operação com arredondamento dos minutos e registando graus de latitude e longitude
(Fishing area refers to the position of the set. Round off minutes and record degrees of latitude and longitude)

3 - A última linha «Quantidade descarregada» deve ser preenchida só no fim da viagem. Deve ser registado o peso real na altura da descarga.
(The bottom line «landing weight» should be completed only at the end of the trip. Actual weight at the time of unloading should be recorded)

4 - Toda a informação aqui registada será mantida estritamente confidencial.
(All information reported herein will be kept strictly confidential)

Appendix 6
**STATISTICS ON THE FISHING
 OF PELAGIC SPECIES**

MINISTRY FOR FISHERIES

Name of vessel:	
Nationality (flag):	

Engine rating:	
Gross reg. tonnage:	

Month	Year:
Fishing method:	
Port of landing	

Date	Fishing zone		Number of hauls	Number of fishing hours	Specie (kg)					
	Longitude	Latitude			Mackerel and horse mackerel		Total	Other fish	Total	
					Mackerel	Horse mackerel				
1)										
2)										
3)										
4)										
5)										
6)										
7)										
8)										
9)										
10)										
11)										
12)										
13)										
14)										
15)										
16)										
17)										
18)										
19)										
20)										
21)										
22)										
23)										
24)										
25)										
26)										
27)										
28)										
29)										
30)										
31)										
		TOTAL								

629

FINANCIAL STATEMENT

1. **TITLE OF OPERATION:** New financial Protocol EC/Angola
2. **BUDGET HEADING INVOLVED:** B7-800
3. **LEGAL BASIS:** Treaty art.43, in conjunction with art.228(2) and (3) first subpar.
EC/Angola Agreement (OJ No L 341 3.12.87)

4. **DESCRIPTION OF OPERATION**

4.1 General objective: Protocol and Annex for a 3-year period

4.2 Period covered and arrangements for renewal or extension:

3.5. 1996 to 2.5.1999

Arrangements for renewal by negotiations before the Protocol expires.

5. **Classification of expenditure or revenue**

5.1 Compulsory

5.2 Differentiated

6. **Type of expenditure or revenue**

- *Other:* Financial compensation to a third country in exchange for fishing opportunities granted by it and laid down in the Protocol.

7. **FINANCIAL IMPACT**

7.1 Method of calculating total cost of operation (definition of unit costs)
see complement to the Protocol

7.2 Itemised breakdown of cost

current ECUs

Breakdown	1996	1997	1998		TOTAL
protocol art.2	10.333.333	10.333.333	10.333.333		31.000.000
protocol art.3	2.016.666	2.016.666	2.016.666		6.050.000
protocol art.4	1.000.000	1.000.000	1.000.000		3.000.000
TOTAL	13.350.000	13.350.000	13.350.000		40.050.000

7.3 Schedule for proposed new operation

current ECUs

	1996	1997	1998		TOTAL
Commitment appropriations	13.350.000	13.350.000	13.350.000		40.050.000
Payment appropriations					
1996	13.350.000				13.350.000
1997		13.350.000			13.350.000
1998			13.350.000		13.350.000
TOTAL	13.350.000	13.350.000	13.350.000		40.050.000

8. FRAUD PREVENTION MEASURES; RESULTS OF MEASURES TAKEN:

Since the financial contributions are made by the Community in direct exchange for the fishing possibilities offered, the third country uses them for whatever end it chooses. The exception to this rule is the case of programmes, such as the scientific programmes, where under the dispositions of the Agreement, Mauritania will furnish reports to the Community.

In addition, the Member States whose vessels operate under this Agreement must certify to the Commission the exactitude of the data indicated in the tonnage certificates of the vessels so that the licence fees may be calculated on a guaranteed basis. To that end, the Agreement includes catch declarations for Community vessels.

9. ELEMENTS OF COST-EFFECTIVENESS ANALYSIS:

In terms of the benefits of this agreement, it is clear that the value of the catches of the main commercial species far exceeds the cost of 40,05 MECU.

In addition to the direct commercial value of the catches of the vessels concerned, there are the following evident benefits from this Agreement:

- guaranteed employment aboard the fishing vessels;
- multiplier employment effect in the ports, auctions rooms, processing factories, shipyards, service industries, etc.;
- these employment opportunities are in regions where no other opportunities are available;
- contribution to the supply of fish to the Community.

Obviously, in addition to those benefits, one must take account of the importance of our relations with Angola in the fisheries field and our overall political relations.

10. ADMINISTRATIVE EXPENDITURE (part A of the budget):

No incidence on administrative expenditure.

ISSN 0254-1475

COM(96) 323 final

DOCUMENTS

EN

03 11

Catalogue number : CB-CO-96-328-EN-C

ISBN 92-78-05985-4

Office for Official Publications of the European Communities

L-2985 Luxembourg