II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 24 April 1985

on the multiannual guidance programme in respect of the fishing fleet submitted by the Federal Republic of Germany pursuant to Council Regulation (EEC) No 2908/83

(Only the German text is authentic)

(85/277/(EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2908/83 of 4 October 1983 on a common measure for restructuring, modernizing and developing the fishing industry and for developing aquaculture (1), and in particular Article 5 thereof,

Whereas on 15 June 1984 the German Government forwarded a multiannual guidance programme in respect of the fishing industry, hereinafter referred to as 'the programme'; whereas on 24 January 1985 it forwarded the latest additional information concerning the programme;

Whereas, in accordance with the first paragraph of Article 3 of Regulation (EEC) No 2908/83, the time required for the execution of the programme covers at least the proposed duration of the common measure;

Whereas the programme contains the information referred to in Article 4 of the Regulation;

Whereas the German fleet must undergo further restructuring if its present fishing capacity is to be maintained in reasonable economic conditions;

Whereas, given the particular difficulties encountered as regards the profitability of the inshore fleet, special attention must be paid to its restructuring;

Whereas the programme may, having regard to production potential, the measures for the conservation and management of fish stocks, the demand for the products concerned and the guidelines of the common fisheries policy, constitute a suitable framework for projects which may qualify for financial support from the Community;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee for the Fishing Industry,

HAS ADOPTED THIS DECISION:

Article 1

The multiannual guidance programme in respect of the fishing fleet forwarded by the German Government on 15 June 1984, as last supplemented on 24 January 1985, the main features of which are set out in Annex I hereto, is hereby approved subject to the provisions set out in Annex II hereto.

Article 2

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 24 April 1985.

For the Commission
Frans ANDRIESSEN
Vice-President

(1) OJ No L 290, 22. 10. 1983, p. 1.

ANNEX I

MAIN FEATURES OF THE MULTIANNUAL GUIDANCE PROGRAMME IN RESPECT OF THE FISHING FLEET DRAWN UP BY THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY WITHIN THE FRAMEWORK OF COUNCIL REGULATION (EEC) No 2908/83

1. **Purpose of the programme**

— maintenance of fishing capacity throughout the period of application of the programme at the 1982 level as regards the inshore fleet (cutter fleet), i.e. 23 300 grt and 126 000 hp (position at 31 December 1982), and at the end 1983 level as regards the distant water fleet, i.e. 55 179 grt and 56 000 hp (position at 31 December 1983),

— safeguarding the viability of mussel-fishing enterprises.

2. **Areas concerned**

The programme is applicable to the four coastal Länder: Bremen, Hamburg, Lower Saxony and Schleswig-Holstein.

3. **Duration**

The programme is valid for three years, from 1 January 1983 to 31 December 1985.

4. **Objective of the programme**

The objective of the programme is to:

— ensure a high level of profitability for the fishing fleet,

— safeguard employment,

— remedy supply shortages,

— help maintain processing concerns.

5. **The following measures are to attain this objective**

5.1. *Construction*

Fishing capacity will be maintained by offsetting fleet additions by withdrawals of overall equivalence.

5.2. *Modernization*

Modernization projects will consist exclusively of work relating to crew safety and comfort and the improvement of on-board working conditions and must not entail any increase in engine power.

5.3. *Shellfish-farming*

Modernization of mussel-fishing enterprises by aid for vessel modernization, and provision of aid for the development of oyster-farming.

6. **Estimated investments required to attain the objectives set out in point 4 above**

6.1. *For vessel construction*

— annual addition to the fleet of 21 vessels, totalling 900 grt and 6 750 hp,

— annual withdrawal of 30 vessels, totalling 900 grt and 7 500 hp.

6.2. *For vessel modernization*

20 vessels per year.

6.3. *Aquaculture*

Modernization and extension of one mussel-farming undertaking and establishment of one oyster-farming undertaking.

7. **Investment forecasts (million ECU)**

Total planned investments:

— for new vessels: 14 million ECU,

— for modernization: 1,34 million ECU,

— for shellfish and oyster farming: 0,6 million ECU.

Planned annual national aid: 3,588 million ECU.

The financial data, as well as the breakdown between various measures, are indicative.

ANNEX II

FINAL CONCLUSIONS

1. The Commission considers that the programme submitted by the German Government as a framework for future Community or national financing schemes constitutes an initial measure, following the adoption of the common fisheries policy, to restructure the fleet in the medium term, to ensure satisfactory economic conditions for the fishing industry and to improve the incomes of those employed in it.

However, the aim of maintaining fishing capacity at its 1982 level as regards the inshore fleet (cutter fleet), and at its 1983 level as regards the distant-water fleet must be accompanied by a permanent system of management of fishing capacity in association with the management of fish resources.

However, the aim of maintaining fishing capacity at its 1982 level as regards the inshore fleet and at its 1984 level as regards the distant-water fleet must be accompanied by a permanent system of management of stocks and capacity. This system, which should be introduced as soon as possible, will have to involve surveillance of initiatives as regards construction of new vessels and modernization of existing ones, to ensure a balance between additions to and withdrawals from the fleet. The arrangements for applying this system must be notified to the Commission in the framework of the annual review of the programme. The Commission considers that the system should include a procedure for monitoring the effects of vessel modernization on capacity.

2. The Commission requests the German Government to ensure that measures taken by the regional or local authorities are compatible with this programme.

3. The Commission points out that the investment requirement contained in this programme does not imply any commitment as regards financial support form the Community.

4. The Commission considers that the programme targets and their attainment should from the subject of a more detailed analysis within the framework of the annual review referred to in Article 6 of Regulation (EEC) No 2908/83 in the light of developments in the structural and economic situation of fishing undertakings in Germany.
