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(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 188/92

of 27 January 1992

on the conclusion of Protocol 2 establishing for the period 1 April 1991 to 29 February 1992 the crawfish fishing opportunities and corresponding financial compensation provided for in the Agreement on relations in the sea fisheries sector between the European Economic Community and the Kingdom of Morocco

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 155 (2) (b) thereof,

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

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

Whereas, pursuant to the Agreement on relations in the sea fisheries sector between the European Economic Community and the Kingdom of Morocco, signed in Rabat on 26 May 1988 (3), the two Parties conducted negotiations to determine the amendments or additions to be made to the Agreement at the end of the period of application of Protocol 2;

Whereas, as a result of these negotiations, a new Protocol 2 establishing the crawfish fishing opportunities and corresponding financial compensation provided for in the abovementioned Agreement for the period from 1 April 1991 to 29 February 1992 was initialled on 19 March 1991;

Whereas, pursuant to Article 155 (2) (b) of the Act of Accession, it is for the Council to determine the appropriate procedures to take into consideration all or part of the interests of the Canary Islands when it adopts decisions, case by case, particularly with a view to the conclusion of fisheries agreements with third countries; whereas the case in point calls for the said procedures to be determined;

Whereas it is in the Community's interest to conclude the Protocol,

HAS ADOPTED THIS REGULATION:

Article 1

Protocol 2 establishing for the period 1 April 1991 to 29 February 1992 the crawfish fishing opportunities and corresponding financial compensation provided for in the Agreement on relations in the sea fisheries sector between the European Economic Community and the Kingdom of Morocco is hereby approved on behalf of the Community.

The text of Protocol 2 is attached to this Regulation.

Article 2

With a view to taking into consideration the interests of the Canary Islands, the Agreement referred to in Article 1 and, in so far as is necessary for its application, the provisions of the common fisheries policy relating to the conservation and management of fishery resources shall also apply to vessels which sail under the flag of Spain, which are recorded on a permanent basis in the registers of the relevant authorities at local level ('registros de base') in the Canary Islands, under the conditions specified in Note 6 to Annex I to Council Regulation (EEC) No 1135/88 of 7 March 1988 concerning the definition of the concept of originating products and methods of administrative cooperation in trade between the customs territory of the Community, Ceuta and Melilla and the Canary Islands (4).

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.*

(1) OJ No C 142, 31. 5. 1991, p. 5.
(2) OJ No C 13, 20. 1. 1992.
(3) OJ No L 181, 12. 7. 1988, p. 1.
(4) OJ No L 114, 2. 5. 1988, p. 1. Regulation as amended by Regulation (EEC) No 3902/89 (OJ No L 375, 23. 12. 1989, p. 5).

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

Done at Brussels, 27 January 1992.

For the Council

The President

A. MARQUES DA CUNHA

PROTOCOL No 2

establishing for the period 1 April 1991 to 29 February 1992 the crawfish fishing opportunities and corresponding financial compensation provided for in the agreement on relations in the sea fisheries sector between the European Economic Community and the Kingdom of Morocco

THE PARTIES TO THIS PROTOCOL:

Having regard to the Agreement on relations in the sea fisheries sector between the European Economic Community and the Kingdom of Morocco, signed in Rabat on 26 May 1988,

HAVE AGREED AS FOLLOWS:

Article 1

From 1 April 1991 to 29 February 1992 five crawfish fishing licences using only pots shall be granted each month for a total GRT not exceeding an average of 600 in the southern zone. Unused GRT in the course of one three-month period may be offset during the following three-month periods.

Vessels holding a crawfish fishing licence may only retain pots on board.

Article 2

At the request of Morocco and with a view to increasing knowledge of crawfish stocks, vessels authorized under this Protocol undertake to take on board a scientific observer designated by the Moroccan Ministry of Maritime Fishing and the Merchant Navy.

The observer's conditions on board shall be those provided for in the Annex to the abovementioned Agreement.

Article 3

In accordance with the relevant Moroccan regulations, vessels authorized under this Protocol shall not fish for crawfish in the period 1 July to 30 September of each year, corresponding to the peak reproduction period of these species.

Article 4

The financial compensation for the period provided for in Article 1 shall be set at ECU 360 000, payable to the account of the Ministry for Maritime Fishing and the Merchant Navy at the Moroccan Treasury.

Article 5

Protocol 2 annexed to the Agreement on relations in the sea fisheries sector between the European Economic Community and the Kingdom of Morocco for the period 1 April 1990 to 31 March 1991 is hereby replaced by this Protocol.

Article 6

This Protocol shall enter into force on the date on which it is signed. It shall be provisonally applicable from 1 April 1991.