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(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 301/2002

of 21 January 2002

on the conclusion of the Protocol setting out the fishing opportunities and financial contribution provided for in the Agreement between the European Economic Community and the Republic of Cape Verde on fishing off the coast of Cape Verde for the period from 1 July 2001 to 30 June 2004

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 37 in conjunction with Article 300(2) and the first subparagraph of Article 300(3) thereof,

Having regard to the proposal from the Commission [1],

Having regard to the opinion of the European Parliament [2],

Whereas:

(1) Under the Agreement between the European Economic Community and the Republic of Cape Verde on fishing off the coast of Cape Verde [3], the two Parties have conducted negotiations to determine the amendments or additions to be made to the Agreement.

(2) As a result of these negotiations, a new Protocol setting out the fishing opportunities and financial contribution provided for in the said Agreement for the period from 1 July 2001 to 30 June 2004 was initialled on 7 June 2001.

(3) It is in the Community's interest to approve the said Protocol.

(4) The method for allocating the fishing opportunities among the Member States should be defined,

HAS ADOPTED THIS REGULATION:

Article 1

The Protocol setting out the fishing opportunities and financial contribution provided for in the Agreement between the European Economic Community and the Republic of Cape Verde on fishing off the coast of Cape Verde for the period from 1 July 2001 to 30 June 2004 is hereby approved on behalf of the Community.

The text of the Protocol is attached to this Regulation [4].

Article 2

The fishing opportunities set out in the Protocol shall be allocated among the Member States as follows:

— tuna seiners:	France:	19 vessels
	Spain:	18 vessels
— pole-and-line tuna vessels:	France:	6 vessels
	Spain:	10 vessels
	Portugal:	2 vessels

[1] OJ C 332 E, 27.11.2001, p. 260.
[2] Opinion delivered on 11 December 2001 (not yet published in the Official Journal).
[3] OJ L 212, 9.8.1990, p. 3.
[4] See page 25 of this Official Journal.

— surface longliners:	Spain:	52 vessels
	Portugal:	10 vessels
— bottom longliners:	Portugal:	630 GRT per month, averaged over the year, with no more than four vessels fishing simultaneously

If licence applications from these Member States do not cover all the fishing opportunities fixed by the Protocol, the Commission may consider licence applications from any other Member State.

Article 3

The President of the Council is hereby authorised to designate the person 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, 21 January 2002.

For the Council

The President

M. ARIAS CAÑETE