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(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 1927/2004

of 21 October 2004

on the conclusion of the Agreement in the form of an Exchange of Letters concerning the extension 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 1 July 2004 to 30 June 2005

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,

Having regard to the Opinion of the European Parliament [1],

Whereas:

(1) Under the Agreement between the European Economic Community and the Republic of Cape Verde on fishing off the coast of Cape Verde [2], the Contracting Parties are to enter into negotiations, before the end of the period of validity of the Protocol to the Agreement, in order to determine by common accord the terms of the Protocol for the following period and, where appropriate, any necessary amendments or additions to the Annex.

(2) Pending negotiations on the amendments to be made to the existing Protocol [3] approved by Regulation (EC) No 301/2002 [4], the two Parties have decided to extend its validity for one year by means of an Agreement in the form of an Exchange of Letters.

(3) It is in the Community's interest to approve this extension.

(4) The allocation of fishing opportunities among the Member States under the Protocol approaching expiry should be confirmed,

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement in the form of an Exchange of Letters concerning the extension 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 1 July 2004 to 30 June 2005 is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Regulation.

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[1] Opinion of 15 September 2004 (not yet published in the Official Journal).
[2] OJ L 212, 9.8.1990, p. 3.
[3] OJ L 47, 19.2.2002, p. 25.
[4] OJ L 47, 19.2.2002, p. 2.

Article 2

The fishing opportunities provided for 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
— 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

Member States whose vessels fish under this Agreement shall notify the Commission of the quantities of each stock caught within the Cape Verde fishing zone in accordance with the procedure laid down in Commission Regulation (EC) No 500/2001 [1].

Article 4

This Regulation shall enter into force on the third day following that of its publication in the *Official Journal of the European Union*.

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

Done at Luxembourg, 21 October 2004.

For the Council
The President
G. ZALM

[1] OJ L 73, 15.3.2001, p. 8.