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II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 7 June 1995

amending Decision 92/588/EEC on the multiannual guidance programme for the fishing fleet of France for the period 1993 to 1996

(Only the French text is authentic)

(95/238/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3699/93 of 21 December 1993 laying down the criteria and arrangements regarding Community structural assistance in the fisheries and aquaculture sector and the processing and marketing of its products ⁽¹⁾, and in particular Article 6 (5) and (6) thereof,

Whereas in application of the provisions of point 7 of the Annex to Commission Decision 92/588/EEC ⁽²⁾, as amended by Decision 94/137/EC ⁽³⁾, the Commission considered that a revision of the programme was necessary, in the light of the experience gained and the provisions of national and Community regulations in force, in order to take into account new elements which improve the conditions under which the programmes are executed and thus to ensure that the objectives fixed by the programme are better respected;

Whereas among the new elements mentioned in the first recital it is appropriate to take into account a certain number of new provisions, such as:

- the provisions for the harmonization of fishing vessel measurements in accordance with Council Regulation (EC) No 3259/94 of 22 December 1994 amending Regulation (EEC) No 2930/86 defining the characteristics of fishing vessels ⁽⁴⁾,
- the provisions to express the objectives of the programmes in terms of fishing effort, including the level of activity of the vessels, and the declaration procedures adopted in the framework of Commission Regulation (EC) No 109/94 of 19 January 1994 concerning the fishing vessel register of the Community ⁽⁵⁾,
- the new Community and national regulatory provisions or techniques apply to the management of fleet fishing capacity and activity falling within the scope of the present programme,
- the grouping of fleet segments where this respects the fishing effort reduction rates to be applied on the most sensitive fish stocks;

⁽¹⁾ OJ No L 346, 31. 12. 1993, p. 1.

⁽²⁾ OJ No L 401, 31. 12. 1992, p. 3.

⁽³⁾ OJ No L 61, 4. 3. 1994, p. 22.

⁽⁴⁾ OJ No L 339, 29. 12. 1994, p. 11.

⁽⁵⁾ OJ No L 19, 22. 1. 1994, p. 5.

Whereas in the application of the provisions of Article 11 of Council Regulation (EEC) No 3760/92 ⁽¹⁾ the Council adopted Decision 94/15/EC ⁽²⁾ relating to the objectives and detailed rules for restructuring the Community fisheries sector over the period 1 January 1994 to 31 December 1996 with a view to achieving a lasting balance between the resources and their exploitation; whereas the modifications adopted by the present Commission Decision may not change or reduce the scope of the guidelines adopted by the Council;

Whereas certain Member States were not able to forward before the required deadline all of the data and information to allow the Commission to adopt before 31 December 1994 the draft Decisions concerning the mid-term review of the programmes;

Whereas the measures provided for in the present Decision are in accordance with the opinion of the Management Committee for Fisheries and Aquaculture,

HAS ADOPTED THIS DECISION

Article 1

Decision 92/588/EEC is amended as follows:

1. In Article 2 in the first paragraph 'capacity' is replaced by 'effort'.
2. In Article 4, the sentence 'At the latest by 15 February and 31 July of each year for the previous six-month period ending on 31 December and 30 June respectively ...' is replaced by 'At the latest by 31 March of each year for the previous year ending on 31 December ...'

3. In the Annex:

— In point 1 'Segmentation' the following paragraphs are added:

'Identification of segments

For each segment of the fleet a corresponding list of vessels and their characteristics are transmitted to the Commission by the Member State before 31 December 1994, in accordance with the procedures described in the framework of Commission Regulation (EC) No 109/94 of 19 January 1994 concerning the fishing vessel register of the Community (*), and in particular Annex I thereof and the categories of programmes defined therein.

Grouping of segments

Subject to the agreement of the Commission, the Member State can group several segments of the fleet. In this case, the rate of reduction applied is that corresponding to the most sensitive of the stocks targeted by the group which applies to the new segment thus formed.

Management of segments with polyvalent vessels

For clearly defined fisheries, the Member State can subsegment the fleet composed of polyvalent vessels targeting alternatively demersal, benthic or pelagic stocks. Each subsegment is distinguished by the sum of the fishing effort devoted to it, and registered as such in the table of objectives shown in the Annex to the present Decision. The management of the corresponding fishing effort must be in accordance with the procedures of Article 4 of Regulation (EC) No 109/94.

(*) OJ No L 19, 22. 1. 1994, p. 5.'

— In point 2 'Final objectives by segment':

— the text in brackets in the first paragraph, namely '(tonnage in GRT and engine power in kW)' is replaced by '(tonnage in gross tonnage (GT) and engine power in kilowatts (kW))',

⁽¹⁾ OJ No L 389, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 10, 14. 1. 1994, p. 20.

- the following new paragraph is added at the end of this point:

‘The application of the preceding formula to determine the final objectives in GT by segment takes into account, the estimation of GT as at 1 January 1992 for each of these segments on the basis of the provisions of Commission Decision 95/84/EC (**), and in particular the submission to the Commission by the Member States of the data on the GT of the fleet as at 15 March 1995.

The utilization of these data, segment by segment, to estimate the GT values at the start of the programme takes into account the history of the vessels as recorded in the fishing vessel register of the Community, including the vessels which disappeared or were constructed between 1 January 1992 and 15 December 1994.

The GT of the fleet at 1 January 1992 is the sum of the GT by segment thus obtained.

The value in GT of the global objectives for 31 December 1991 is determined by the application of the following formula:

$$\text{obj. 91 (GT)} = \text{obj. 91 (GRT)} \times \text{sit. 91 (GT)}/\text{sit. 91 (GRT)}$$

where:

obj. 91 (GT) = objective for 31 December 1991 in gross tonnage

obj. 91 (GRT) = objective for 31 December 1991 in gross registered tonnage

sit. 91 (GT) = situation at 1 January 1992 in gross tonnage.

sit. 91 (GRT) = situation at 1 January 1992 in gross registered tonnage

The estimation of GT at 1 January 1992 of vessels which have since been permanently withdrawn from the national and Community fishing vessel registers and for which the remeasurement formulae defined by Decision 95/84/EC cannot be applied, will be made by applying the ratio GT/GRT of existing vessels in the same length class and belonging to the same segment.

(**) OJ No L 67, 25. 3. 1995, p. 33.’

- In point 5 ‘Implementation and monitoring’ the third indent is replaced by the following:
 - data permitting the measures implemented under this programme to be monitored, in accordance with the provisions of Regulation (EC) No 109/94 concerning the fishing vessel register of the Community, and in particular Articles 4 and 5 thereof.’
 - Point 6 ‘Planned measures’ is deleted.
 - Point 7 ‘Revision of the programme’ becomes point 6. The second and third paragraphs are deleted.
4. The table of objectives presented at the end of the Annex is deleted and replaced by the table annexed to the present Decision.

Article 2

This Decision is addressed to the French Republic.

Done at Brussels, 7 June 1995.

For the Commission

Emma BONINO

Member of the Commission

ANNEX

'Zone	Segment	Category of programme	Fleet register situation for 1. 1. 1992 at the time of adoption of the present Decision			Objective for 31. 12. 1991		Reduction by segment (%)	Objective for 31. 12. 1996		
			Number of vessels	GRT	kW	GRT	kW		In capacity	In fishing effort (*)	
Coastal, Community waters, third country and international	Polyvalent, static gears and canners	A10	2 679	25 530	225 606			0	26 893	222 352	
	Polyvalent (trawlers)	A11 and unclassified	2 323	117 357	561 120			20	98 899	442 421	
	Polyvalent static and dredgers	A12	403	3 734	38 190			15	3 343	31 993	
	<i>Subtotal</i>		5 405	146 621	824 916				129 136	696 765	
Mediterranean	Polyvalent (trawlers)	M11	183	8 079	49 012			20	6 808	38 644	
	Pelagic trawl, seiners (tuna) and static gears	M13	2 080	9 542	127 527			0	10 052	125 687	
	<i>Subtotal</i>		2 263	17 621	176 539				16 860	164 331	
Tropical freezer fleet	Seiners (tuna) ⁽¹⁾	H10	35	34 561	87 494			0	34 561	87 494	
	<i>Subtotal</i>		35	34 561	87 494				34 561	87 494	
	<i>Total mainland</i>		7 703	198 803	1 088 949	201 604	1 055 050		180 557	948 591	
French overseas departments ⁽²⁾	Coastal fleet	I10	2 514	18 990	165 387	18 990	165 387		18 990	165 387	
	Tuna fleet								1 200	6 500	
	<i>Subtotal</i>		2 514	18 990	165 387				20 190	171 887	
	<i>Total</i>		10 217	217 793	1 254 336	220 594	1 220 437		200 747	1 120 478	

(*) This refers to the total allowable fishing effort from 1 January 1992 to 31 December 1996, calculated as the sum of the annual intermediate effort objectives over this period. The annual objectives are calculated as the product of the annual intermediate objectives expressed in units of capacity and the baseline number of days at sea as defined in Annex II. For segments for which the objectives are to be met purely by reductions in capacity these columns are left blank, since the activity of vessels in these segments remains subject to the provisions of Article 5 of Regulation (EC) No 109/94.

The services of the Commission will express the objectives of the programmes in GT as Member States fulfil the obligations to reneighbour their fleets as described in Commission Decision 95/84/EC.

(1) Five vessels in this segment were excluded from the objectives of the previous programme. The capacity of these vessels (7 419 GRT, 18 437 kW) was therefore excluded from the situation at 1 January 1992 in order to calculate the objectives for 1996 for the other segments. The objectives for 1996 for this segment are to stabilize capacity to the situation at 1 January 1992.

(2) The figures for the situation at 1 January 1992 for the French overseas departments are provisional and will be revised before 31 December 1995 once the register of the overseas department vessels has been computerized. On the basis of the results of exploratory campaigns on new species in the offshore waters of the overseas departments, and after analysis of these results by the Commission, France may if it is justified increase the objectives for 31 December 1996 for this segment by up to 3 200 kW and 700 GRT. These vessels of the tuna fleet segment are confined to the Indian Ocean and may not be transferred to other fishing activities around the Island of Réunion.

COMMISSION DECISION

of 7 June 1995

amending Decision 92/589/EEC on the multiannual guidance programme for the fishing fleet of Belgium for the period 1993 to 1996

(Only the French and Dutch texts are authentic)

(95/239/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3699/93 of 21 December 1993 laying down the criteria and arrangements regarding Community structural assistance in the fisheries and aquaculture sector and the processing and marketing of its products ⁽¹⁾, and in particular Article 6 (5) and (6) thereof,

Whereas in application of the provisions of point 7 of the Annex to Commission Decision 92/589/EEC ⁽²⁾, as amended by Decision 94/660/EC ⁽³⁾, the Commission considered that a revision of the programme was necessary, in the light of the experience gained and the provisions of national and Community regulations in force, in order to take into account new elements which improve the conditions under which the programmes are executed and thus to ensure that the objectives fixed by the programme are better respected;

Whereas among the new elements mentioned in the first recital it is appropriate to take into account a certain number of new provisions, such as:

- the provisions for the harmonization of fishing vessel measurements in accordance with Council Regulation (EC) No 3259/94 of 22 December 1994 amending Regulation (EEC) No 2930/86 defining the characteristics of fishing vessels ⁽⁴⁾,
- the provisions to express the objectives of the programmes in terms of fishing effort, including the level of activity of the vessels, and the declaration procedures adopted in the framework of Commission Regulation (EC) No 109/94 of 19 January 1994 concerning the fishing vessel register of the Community ⁽⁵⁾,
- the new Community and national regulatory provisions or techniques apply to the management of fleet fishing capacity and activity falling within the scope of the present programme,
- the grouping of fleet segments where this respects the fishing effort reduction rates to be applied on the most sensitive fish stocks;

Whereas in the application of the provisions of Article 11 of Council Regulation (EEC) No 3760/92 ⁽⁶⁾ the Council adopted Decision 94/15/EC ⁽⁷⁾ relating to the objectives and detailed rules for restructuring the Community fisheries sector over the period 1 January 1994 to 31 December 1996 with a view to achieving a lasting balance between the resources and their exploitation; whereas the modifications adopted by the present Commission Decision may not change or reduce the scope of the guidelines adopted by the Council;

⁽¹⁾ OJ No L 346, 31. 12. 1993, p. 1.

⁽²⁾ OJ No L 401, 31. 12. 1992, p. 9.

⁽³⁾ OJ No L 302, 9. 12. 1993, p. 29.

⁽⁴⁾ OJ No L 339, 29. 12. 1994, p. 11.

⁽⁵⁾ OJ No L 19, 22. 1. 1994, p. 5.

⁽⁶⁾ OJ No L 389, 31. 12. 1992, p. 1.

⁽⁷⁾ OJ No L 10, 14. 1. 1994, p. 20.

Whereas certain Member States were not able to forward before the required deadline all of the data and information to allow the Commission to adopt before 31 December 1994 the draft Decisions concerning the mid-term review of the programmes;

Whereas the measures provided for in the present Decision are in accordance with the opinion of the Management Committee for Fisheries and Aquaculture,

HAS ADOPTED THIS DECISION

Article 1

Decision 92/589/EEC is amended as follows:

1. In Article 2 in the first paragraph 'capacity' is replaced by 'effort'.
2. In Article 4, the sentence 'At the latest by 15 February and 31 July of each year for the previous six-month period ending on 31 December and 30 June respectively ...' is replaced by 'At the latest by 31 March of each year for the previous year ending on 31 December ...'
3. In the Annex:

— In point 1 'Segmentation' the following paragraphs are added:

'Identification of segments

For each segment of the fleet a corresponding list of vessels and their characteristics are transmitted to the Commission by the Member State before 31 December 1994, in accordance with the procedures described in the framework of Commission Regulation (EC) No 109/94 of 19 January 1994 concerning the fishing vessel register of the Community (*), and in particular Annex I thereof and the categories of programmes defined therein.

Grouping of segments

Subject to the agreement of the Commission, the Member State can group several segments of the fleet. In this case, the rate of reduction applied is that corresponding to the most sensitive of the stocks targeted by the group which applies to the new segment thus formed.

Management of segments with polyvalent vessels

For clearly defined fisheries, the Member State can subsegment the fleet composed of polyvalent vessels targeting alternatively demersal, benthic or pelagic stocks. Each subsegment is distinguished by the sum of the fishing effort devoted to it, and registered as such in the table of objectives shown in the Annex to the present Decision. The management of the corresponding fishing effort must be in accordance with the procedures of Article 4 of Regulation (EC) No 109/94.

(*) OJ No L 19, 22. 1. 1994, p. 5.'

— In point 2 'Final objectives by segment':

— the text in brackets in the first paragraph, namely '(tonnage in GRT and engine power in kW)' is replaced by '(tonnage in gross tonnage (GT) and engine power in kilowatts (kW))',

- the following new paragraph is added at the end of this point:

'The application of the preceding formula to determine the final objectives in GT by segment takes into account, the estimation of GT as at 1 January 1992 for each of these segments on the basis of the provisions of Commission Decision 95/84/EC (**), and in particular the submission to the Commission by the Member States of the data on the GT of the fleet as at 15 March 1995.

The utilization of these data, segment by segment, to estimate the GT values at the start of the programme takes into account the history of the vessels as recorded in the fishing vessel register of the Community, including the vessels which disappeared or were constructed between 1 January 1992 and 15 December 1994.

The GT of the fleet at 1 January 1992 is the sum of the GT by segment thus obtained.

The value in GT of the global objectives for 31 December 1991 is determined by the application of the following formula:

$$\text{obj. 91 (GT)} = \text{obj. 91 (GRT)} \times \text{sit. 91 (GT)}/\text{sit. 91 (GRT)}$$

where:

obj. 91 (GT) = objective for 31 December 1991 in gross tonnage

obj. 91 (GRT) = objective for 31 December 1991 in gross registered tonnage

sit. 91 (GT) = situation at 1 January 1992 in gross tonnage

sit. 91 (GRT) = situation at 1 January 1992 in gross registered tonnage

The estimation of GT at 1 January 1992 of vessels which have since been permanently withdrawn from the national and Community fishing vessel registers and for which the remeasurement formulae defined by Decision 95/84/EC cannot be applied, will be made by applying the ratio GT/GRT of existing vessels in the same length class and belonging to the same segment.

(**) OJ No L 67, 25. 3. 1995, p. 33.'

- In point 5 'Implementation and monitoring' the third indent is replaced by the following:
 - data permitting the measures implemented under this programme to be monitored, in accordance with the provisions of Regulation (EC) No 109/94 concerning the fishing vessel register of the Community, and in particular Articles 4 and 5 thereof.'
 - Point 6 'Planned measures' is deleted.
 - Point 7 'Revision of the programme' becomes point 6. The second and third paragraphs are deleted
4. The table of objectives presented at the end of the Annex is deleted and replaced by the table annexed to the present Decision.

Article 2

This Decision is addressed to the Kingdom of Belgium.

Done at Brussels, 7 June 1995.

For the Commission

Emma BONINO

Member of the Commission

ANNEX

'Zone	Segment	Category of programme	Fleet register situation for 1. 1. 1992 at the time of adoption of the present Decision			Objective for 31. 12. 1991		Reduction by segment (%)	Objective for 31. 12. 1996 (*)		
			Number of vessels	GRT	kW	GRT	kW		In capacity		In fishing effort (*)
									GRT	kW	
Coastal, Community and international waters	Netters and beam trawlers	C10, C17, E10 + unclassified	181	23 107	70 357				19 744	63 987	
	Demersal trawlers	E13, G14	37	4 580	11 074				1 170	3 870	
	Total		218	27 687	81 431	21 551	70 069		20 914	67 857	

(*) This refers to the total allowable fishing effort from 1 January 1992 to 31 December 1996, calculated as the sum of the annual intermediate effort objectives over this period. The annual objectives are calculated as the product of the annual intermediate objectives expressed in units of capacity and the baseline number of days at sea as defined in Annex II. For segments for which the objectives are to be met purely by reductions in capacity these columns are left blank, since the activity of vessels in these segments remains subject to the provisions of Article 5 of Regulation (EC) No 109/94.

The services of the Commission will express the objectives of the programmes in GT as Member States fulfil the obligations to remeasure their fleets as described in Commission Decision 95/84/EC.

(1) The objectives for 1996 are fixed independently of the rules established in Decision 92/589/EEC. They take account of the modest size of the Belgian fleet and that a minimum global capacity must be safeguarded to prevent it falling below the threshold for the economic viability of the country's fishing industry.

COMMISSION DECISION

of 7 June 1995

amending Decision 92/590/EEC on the multiannual guidance programme for the fishing fleet of the Netherlands for the period 1993 to 1996

(Only the Dutch text is authentic)

(95/240/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3699/93 of 21 December 1993 laying down the criteria and arrangements regarding Community structural assistance in the fisheries and aquaculture sector and the processing and marketing of its products ⁽¹⁾, and in particular Article 6 (5) and (6) thereof,

Whereas in application of the provisions of point 7 of the Annex to Commission Decision 92/590/EEC ⁽²⁾, as amended by Decision 93/473/EEC ⁽³⁾, the Commission considered that a revision of the programme was necessary, in the light of the experience gained and the provisions of national and Community regulations in force, in order to take into account new elements which improve the conditions under which the programmes are executed and thus to ensure that the objectives fixed by the programme are better respected;

Whereas among the new elements mentioned in the first recital it is appropriate to take into account a certain number of new provisions, such as:

- the provisions for the harmonization of fishing vessel measurements in accordance with Council Regulation (EC) No 3259/94 of 22 December 1994 amending Regulation (EEC) No 2930/86 defining the characteristics of fishing vessels ⁽⁴⁾,
- the provisions to express the objectives of the programmes in terms of fishing effort, including the level of activity of the vessels, and the declaration procedures adopted in the framework of Commission Regulation (EC) No 109/94 of 19 January 1994 concerning the fishing vessel register of the Community ⁽⁵⁾,
- the new Community and national regulatory provisions or techniques apply to the management of fleet fishing capacity and activity falling within the scope of the present programme,
- the grouping of fleet segments where this respects the fishing effort reduction rates to be applied on the most sensitive fish stocks;

Whereas in the application of the provisions of Article 11 of Council Regulation (EEC) No 3760/92 ⁽⁶⁾ the Council adopted Decision 94/15/EC ⁽⁷⁾ relating to the objectives and detailed rules for restructuring the Community fisheries sector over the period 1 January 1994 to 31 December 1996 with a view to achieving a lasting balance between the resources and their exploitation; whereas the modifications adopted by the present Commission Decision may not change or reduce the scope of the guidelines adopted by the Council;

⁽¹⁾ OJ No L 346, 31. 12. 1993, p. 1.

⁽²⁾ OJ No L 401, 31. 12. 1992, p. 15.

⁽³⁾ OJ No L 233, 2. 9. 1993, p. 25.

⁽⁴⁾ OJ No L 339, 29. 12. 1994, p. 11.

⁽⁵⁾ OJ No L 19, 22. 1. 1994, p. 5.

⁽⁶⁾ OJ No L 389, 31. 12. 1992, p. 1.

⁽⁷⁾ OJ No L 10, 14. 1. 1994, p. 20.

Whereas certain Member States were not able to forward before the required deadline all of the data and information to allow the Commission to adopt before 31 December 1994 the draft Decisions concerning the mid-term review of the programmes;

Whereas the measures provided for in the present Decision are in accordance with the opinion of the Management Committee for Fisheries and Aquaculture,

HAS ADOPTED THIS DECISION

Article 1

Decision 92/590/EEC is amended as follows:

1. In Article 2 in the first paragraph 'capacity' is replaced by 'effort'.
2. In Article 4, the sentence 'At the latest by 15 February and 31 July of each year for the previous six-month period ending on 31 December and 30 June respectively ...' is replaced by 'At the latest by 31 March of each year for the previous year ending on 31 December ...'
3. In the Annex:

— In point 1 'Segmentation' the following paragraphs are added:

'Identification of segments

For each segment of the fleet a corresponding list of vessels and their characteristics are transmitted to the Commission by the Member State before 31 December 1994, in accordance with the procedures described in the framework of Commission Regulation (EC) No 109/94 of 19 January 1994 concerning the fishing vessel register of the Community (*), and in particular Annex I thereof and the categories of programmes defined therein.

Grouping of segments

Subject to the agreement of the Commission, the Member State can group several segments of the fleet. In this case, the rate of reduction applied is that corresponding to the most sensitive of the stocks targeted by the group which applies to the new segment thus formed.

Management of segments with polyvalent vessels

For clearly defined fisheries, the Member State can subsegment the fleet composed of polyvalent vessels targeting alternatively demersal, benthic or pelagic stocks. Each subsegment is distinguished by the sum of the fishing effort devoted to it, and registered as such in the table of objectives shown in the Annex to the present Decision. The management of the corresponding fishing effort must be in accordance with the procedures of Article 4 of Regulation (EC) No 109/94.

(*) OJ No L 19, 22. 1. 1994, p. 5.'

— In point 2 'Final objectives by segment':

— the text in brackets in the first paragraph, namely '(tonnage in GRT and engine power in kW)' is replaced by '(tonnage in gross tonnage (GT) and engine power in kilowatts (kW))',

— the following new paragraph is added at the end of this point:

‘The application of the preceding formula to determine the final objectives in GT by segment takes into account, the estimation of GT as at 1 January 1992 for each of these segments on the basis of the provisions of Commission Decision 95/84/EC (**), and in particular the submission to the Commission by the Member States of the data on the GT of the fleet as at 15 March 1995.

The utilization of these data, segment by segment, to estimate the GT values at the start of the programme takes into account the history of the vessels as recorded in the fishing vessel register of the Community, including the vessels which disappeared or were constructed between 1 January 1992 and 15 December 1994.

The GT of the fleet at 1 January 1992 is the sum of the GT by segment thus obtained.

The value in GT of the global objectives for 31 December 1991 is determined by the application of the following formula:

$$\text{obj. 91 (GT)} = \text{obj. 91 (GRT)} \times \text{sit. 91 (GT)} / \text{sit. 91 (GRT)}$$

where:

obj. 91 (GT) = objective for 31 December 1991 in gross tonnage

obj. 91 (GRT) = objective for 31 December 1991 in gross registered tonnage

sit. 91 (GT) = situation at 1 January 1992 in gross tonnage

sit. 91 (GRT) = situation at 1 January 1992 in gross registered tonnage

The estimation of GT at 1 January 1992 of vessels which have since been permanently withdrawn from the national and Community fishing vessel registers and for which the remeasurement formulae defined by Decision 95/84/EC cannot be applied, will be made by applying the ratio GT/GRT of existing vessels in the same length class and belonging to the same segment.

(**) OJ No L 67, 25. 3. 1995, p. 33.’

— In point 5 ‘Implementation and monitoring’ the third indent is replaced by the following:

‘— data permitting the measures implemented under this programme to be monitored, in accordance with the provisions of Regulation (EC) No 109/94 concerning the fishing vessel register of the Community, and in particular Articles 4 and 5 thereof.’

— Point 6 ‘Planned measures’ is deleted.

— Point 7 ‘Revision of the programme’ becomes point 6. The second and third paragraphs are deleted

4. The table of objectives presented at the end of the Annex is deleted and replaced by the table annexed to the present Decision.

Article 2

This Decision is addressed to the Kingdom of the Netherlands.

Done at Brussels, 7 June 1995.

For the Commission

Emma BONINO

Member of the Commission

ANNEX

'Zone	Segment	Category of programme	Fleet register situation for 1. 1. 1992 at the time of adoption of the present Decision				Objective for 31. 12. 1991		Reduction by segment (%)	Objective for 31. 12. 1996		
			Number of vessels	GRT	kW	GRT	kW	In capacity		In fishing effort (*)		
								GRT		kW	Σ (G.T × t)	Σ (kW × t)
Community waters	Currers (crustaceans and molluscs) (1)	E12	99	4 394	16 725			0	4 394	16 725		
	Pelagic trawlers (2)	E16	13	46 328	58 796	36 465	46 278	0	36 465	46 278		
	Cutter fleet (excluding molluscs/crustaceans)	E17	428	92 105	371 094	59 031	366 710	15	50 176	311 704		
	Subtotal		540	142 827	446 615	95 496	412 988		91 035	374 707		
	Total		540	142 827	446 615	95 496	412 988		91 035	374 707		

(*) This refers to the total allowable fishing effort from 1 January 1992 to 31 December 1996, calculated as the sum of the annual intermediate effort objectives over this period. The annual objectives are calculated as the product of the annual intermediate objectives expressed in units of capacity and the baseline number of days at sea as defined in Annex II. For segments for which the objectives are to be met purely by reductions in capacity these columns are left blank, since the activity of vessels in these segments remains subject to the provisions of Article 5 of Regulation (EC) No 109/94.

The services of the Commission will express the objectives of the programmes in GT as Member States fulfil the obligations to remeasure their fleets as described in Commission Decision 95/84/EC.

(1) Vessels in this segment were not included in the previous programme and are therefore excluded from the calculations for the objectives for 31 December 1996 for the other segments.

(2) The objective for 1991 in GRT for segment E16 has been calculated from the situation at 1 January 1992 using the ratio: objective for 1991 in kW: situation at 1 January 1992 in kW. This capacity is regulated via fishing plans.

(3) Pursuant to the provisions of the Dutch Multiannual Guidance Programme for the period 1987 to 1991, the results achieved by the limitation of the number of days at sea were calculated to be equivalent to 8,2 % of the capacity at 1 January 1992. The objectives for 1996 for the cutter fleet have been adjusted accordingly.

COMMISSION DECISION

of 7 June 1995

amending Decision 92/591/EEC on the multiannual guidance programme for the fishing fleet of Germany for the period 1993 to 1996

(Only the German text is authentic)

(95/241/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3699/93 of 21 December 1993 laying down the criteria and arrangements regarding Community structural assistance in the fisheries and aquaculture sector and the processing and marketing of its products ⁽¹⁾, and in particular Article 6 (5) and (6) thereof,

Whereas in application of the provisions of point 7 of the Annex to Commission Decision 92/591/EEC ⁽²⁾, the Commission considered that a revision of the programme was necessary, in the light of the experience gained and the provisions of national and Community regulations in force, in order to take into account new elements which improve the conditions under which the programmes are executed and thus to ensure that the objectives fixed by the programme are better respected;

Whereas among the new elements mentioned in the first recital it is appropriate to take into account a certain number of new provisions, such as:

- the provisions for the harmonization of fishing vessel measurements in accordance with Council Regulation (EC) No 3259/94 of 22 December 1994 amending Regulation (EEC) No 2930/86 defining the characteristics of fishing vessels ⁽³⁾,
- the provisions to express the objectives of the programmes in terms of fishing effort, including the level of activity of the vessels, and the declaration procedures adopted in the framework of Commission Regulation (EC) No 109/94 of 19 January 1994 concerning the fishing vessel register of the Community ⁽⁴⁾,
- the new Community and national regulatory provisions or techniques apply to the management of fleet fishing capacity and activity falling within the scope of the present programme,
- the grouping of fleet segments where this respects the fishing effort reduction rates to be applied on the most sensitive fish stocks;

Whereas in the application of the provisions of Article 11 of Council Regulation (EEC) No 3760/92 ⁽⁵⁾ the Council adopted Decision 94/15/EC ⁽⁶⁾ relating to the objectives and detailed rules for restructuring the Community fisheries sector over the period 1 January 1994 to 31 December 1996 with a view to achieving a lasting balance between the resources and their exploitation; whereas the modifications adopted by the present Commission Decision may not change or reduce the scope of the guidelines adopted by the Council;

⁽¹⁾ OJ No L 346, 31. 12. 1993, p. 1.

⁽²⁾ OJ No L 401, 31. 12. 1992, p. 21.

⁽³⁾ OJ No L 339, 29. 12. 1994, p. 11.

⁽⁴⁾ OJ No L 19, 22. 1. 1994, p. 5.

⁽⁵⁾ OJ No L 389, 31. 12. 1992, p. 1.

⁽⁶⁾ OJ No L 10, 14. 1. 1994, p. 20.

Whereas certain Member States were not able to forward before the required deadline all of the data and information to allow the Commission to adopt before 31 December 1994 the draft Decisions concerning the mid-term review of the programmes;

Whereas the measures provided for in the present Decision are in accordance with the opinion of the Management Committee for Fisheries and Aquaculture,

HAS ADOPTED THIS DECISION

Article 1

Decision 92/591/EEC is amended as follows:

1. In Article 2 in the first paragraph 'capacity' is replaced by 'effort'.
2. In Article 4, the sentence 'At the latest by 15 February and 31 July of each year for the previous six-month period ending on 31 December and 30 June respectively ...' is replaced by 'At the latest by 31 March of each year for the previous year ending on 31 December ...'
3. In the Annex:

— In point 1 'Segmentation' the following paragraphs are added:

'Identification of segments

For each segment of the fleet a corresponding list of vessels and their characteristics are transmitted to the Commission by the Member State before 31 December 1994, in accordance with the procedures described in the framework of Commission Regulation (EC) No 109/94 of 19 January 1994 concerning the fishing vessel register of the Community (*), and in particular Annex I thereof and the categories of programmes defined therein.

Grouping of segments

Subject to the agreement of the Commission, the Member State can group several segments of the fleet. In this case, the rate of reduction applied is that corresponding to the most sensitive of the stocks targeted by the group which applies to the new segment thus formed.

Management of segments with polyvalent vessels

For clearly defined fisheries, the Member State can subsegment the fleet composed of polyvalent vessels targeting alternatively demersal, benthic or pelagic stocks. Each subsegment is distinguished by the sum of the fishing effort devoted to it, and registered as such in the table of objectives shown in the Annex to the present Decision. The management of the corresponding fishing effort must be in accordance with the procedures of Article 4 of Regulation (EC) No 109/94.

(*) OJ No L 19, 22. 1. 1994, p. 5.'

— In point 2 'Final objectives by segment':

— the text in brackets in the first paragraph, namely '(tonnage in GRT and engine power in kW)' is replaced by '(tonnage in gross tonnage (GT) and engine power in kilowatts (kW))',

- the following new paragraph is added at the end of this point:

'The application of the preceding formula to determine the final objectives in GT by segment takes into account, the estimation of GT as at 1 January 1992 for each of these segments on the basis of the provisions of Commission Decision 95/84/EC (**), and in particular the submission to the Commission by the Member States of the data on the GT of the fleet as at 15 March 1995.

The utilization of these data, segment by segment, to estimate the GT values at the start of the programme takes into account the history of the vessels as recorded in the fishing vessel register of the Community, including the vessels which disappeared or were constructed between 1 January 1992 and 15 December 1994.

The GT of the fleet at 1 January 1992 is the sum of the GT by segment thus obtained.

The value in GT of the global objectives for 31 December 1991 is determined by the application of the following formula:

$$\text{obj. 91 (GT)} = \text{obj. 91 (GRT)} \times \text{sit. 91 (GT)}/\text{sit. 91 (GRT)}$$

where:

obj. 91 (GT) = objective for 31 December 1991 in gross tonnage

obj. 91 (GRT) = objective for 31 December 1991 in gross registered tonnage

sit. 91 (GT) = situation at 1 January 1992 in gross tonnage

sit. 91 (GRT) = situation at 1 January 1992 in gross registered tonnage

The estimation of GT at 1 January 1992 of vessels which have since been permanently withdrawn from the national and Community fishing vessel registers and for which the remeasurement formulae defined by Decision 95/84/EC cannot be applied, will be made by applying the ratio GT/GRT of existing vessels in the same length class and belonging to the same segment.

(**) OJ No. L 67, 25. 3. 1995, p. 33.'

- In point 5 'Implementation and monitoring' the third indent is replaced by the following:
- data permitting the measures implemented under this programme to be monitored, in accordance with the provisions of Regulation (EC) No 109/94 concerning the fishing vessel register of the Community, and in particular Articles 4 and 5 thereof.'
- Point 6 'Planned measures' is deleted.
- Point 7 'Revision of the programme' becomes point 6. The second and third paragraphs are deleted
4. The table of objectives presented at the end of the Annex is deleted and replaced by the table annexed to the present Decision.

Article 2

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 7 June 1995.

For the Commission

Emma BONINO

Member of the Commission

ANNEX

‘Zone	Segment	Category of programme	Fleet register situation for 1. 1. 1992 at the time of adoption of the present Decision			Objective for 31. 12. 1991 ⁽¹⁾		Reduction by segment (%)	Objective for 31. 12. 1996		
			Number of vessels	GRT	kW	GRT	kW		In capacity		In fishing effort ^(*)
									GRT	kW	
Coastal	Beam trawlers (crustaceans)	C11	278	7 203	40 230			0	7 765	43 762	
	Beam trawlers (flatfish)	C12	52	2 417	9 474			15	2 215	8 760	
	Fixed nets	C19	2 110	7 511	31 737			0	8 098	34 523	
	<i>Subtotal</i>		2 440	17 131	81 441				18 078	87 045	
Community waters, third country and international	Beam trawlers (flatfish)	G11 + G13	14	1 860	7 310			15	1 704	6 759	
	Bottom trawlers (cutters)	G16 + G17	190	12 858	40 925			20	11 090	35 614	
	Longliners (cutters)	G21	7	1 034	2 857			0	1 115	3 108	
	Pelagic trawlers (cutters)	G20	15	1 461	4 636			0	1 575	5 043	
	Pelagic trawlers	G19	4	11 918	11 805			0	12 849	12 841	
	Freezer vessels and wetfish trawlers	G22	19	32 893	40 827			20	28 369	35 529	
	<i>Subtotal</i>		249	62 024	108 360				56 702	98 895	
	Total		2 689	79 155	189 801	85 336	206 465		74 780	185 940	

(*) This refers to the total allowable fishing effort from 1 January 1992 to 31 December 1996, calculated as the sum of the annual intermediate effort objectives over this period. The annual objectives are calculated as the product of the annual intermediate objectives expressed in units of capacity and the baseline number of days at sea as defined in Annex II. For segments for which the objectives are to be met purely by reductions in capacity these columns are left blank, since the activity of vessels in these segments remains subject to the provisions of Article 5 of Regulation (EC) No 109/94.

The services of the Commission will express the objectives of the programmes in GT as Member States fulfil the obligations to remeasure their fleets as described in Commission Decision 95/84/EC.

(1) Figures include the capacity of small fishing vessels added as a result of the redefinition of marine waters. In addition, the objectives for 31 December 1991 have been increased by 1 000 GRT and 7 500 kW to amend targets for the ex-GDR fleet, and by 5 633 GRT and 10 742 kW to include charter vessels not covered by the previous programme.

COMMISSION DECISION

of 7 June 1995

amending Decision 92/592/EEC on the multiannual guidance programme for the fishing fleet of the Italian Republic for the period 1993 to 1996

(Only the Italian text is authentic)

(95/242/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3699/93 of 21 December 1993 laying down the criteria and arrangements regarding Community structural assistance in the fisheries and aquaculture sector and the processing and marketing of its products ⁽¹⁾, and in particular Article 6 (5) and (6) thereof,

Whereas in application of the provisions of point 7 of the Annex to Commission Decision 92/592/EEC ⁽²⁾, the Commission considered that a revision of the programme was necessary, in the light of the experience gained and the provisions of national and Community regulations in force, in order to take into account new elements which improve the conditions under which the programmes are executed and thus to ensure that the objectives fixed by the programme are better respected;

Whereas among the new elements mentioned in the first recital it is appropriate to take into account a certain number of new provisions, such as:

- the provisions for the harmonization of fishing vessel measurements in accordance with Council Regulation (EC) No 3259/94 of 22 December 1994 amending Regulation (EEC) No 2930/86 defining the characteristics of fishing vessels ⁽³⁾,
- the provisions to express the objectives of the programmes in terms of fishing effort, including the level of activity of the vessels, and the declaration procedures adopted in the framework of Commission Regulation (EC) No 109/94 of 19 January 1994 concerning the fishing vessel register of the Community ⁽⁴⁾,
- the new Community and national regulatory provisions or techniques apply to the management of fleet fishing capacity and activity falling within the scope of the present programme,
- the grouping of fleet segments where this respects the fishing effort reduction rates to be applied on the most sensitive fish stocks;

Whereas in the application of the provisions of Article 11 of Council Regulation (EEC) No 3760/92 ⁽⁵⁾ the Council adopted Decision 94/15/EC ⁽⁶⁾ relating to the objectives and detailed rules for restructuring the Community fisheries sector over the period 1 January 1994 to 31 December 1996 with a view to achieving a lasting balance between the resources and their exploitation; whereas the modifications adopted by the present Commission Decision may not change or reduce the scope of the guidelines adopted by the Council;

⁽¹⁾ OJ No L 346, 31. 12. 1993, p. 1.

⁽²⁾ OJ No L 401, 31. 12. 1992, p. 27.

⁽³⁾ OJ No L 339, 29. 12. 1994, p. 11.

⁽⁴⁾ OJ No L 19, 22. 1. 1994, p. 5.

⁽⁵⁾ OJ No L 389, 31. 12. 1992, p. 1.

⁽⁶⁾ OJ No L 10, 14. 1. 1994, p. 20.

Whereas certain Member States were not able to forward before the required deadline all of the data and information to allow the Commission to adopt before 31 December 1994 the draft Decisions concerning the mid-term review of the programmes;

Whereas the measures provided for in the present Decision are in accordance with the opinion of the Management Committee for Fisheries and Aquaculture,

HAS ADOPTED THIS DECISION

Article 1

Decision 92/592/EEC is amended as follows:

1. In Article 2 in the first paragraph 'capacity' is replaced by 'effort'.
2. In Article 4, the sentence 'At the latest by 15 February and 31 July of each year for the previous six-month period ending on 31 December and 30 June respectively ...' is replaced by 'At the latest by 31 March of each year for the previous year ending on 31 December ...'
3. In the Annex:

— In point 1 'Segmentation' the following paragraphs are added:

'Identification of segments

For each segment of the fleet a corresponding list of vessels and their characteristics are transmitted to the Commission by the Member State before 31 December 1994, in accordance with the procedures described in the framework of Commission Regulation (EC) No 109/94 of 19 January 1994 concerning the fishing vessel register of the Community (*), and in particular Annex I thereof and the categories of programmes defined therein.

Grouping of segments

Subject to the agreement of the Commission, the Member State can group several segments of the fleet. In this case, the rate of reduction applied is that corresponding to the most sensitive of the stocks targeted by the group which applies to the new segment thus formed.

Management of segments with polyvalent vessels

For clearly defined fisheries, the Member State can subsegment the fleet composed of polyvalent vessels targeting alternatively demersal, benthic or pelagic stocks. Each subsegment is distinguished by the sum of the fishing effort devoted to it, and registered as such in the table of objectives shown in the Annex to the present Decision. The management of the corresponding fishing effort must be in accordance with the procedures of Article 4 of Regulation (EC) No 109/94.

(*) OJ No L 19, 22. 1. 1994, p. 5.'

— In point 2 'Final objectives by segment':

— the text in brackets in the first paragraph, namely '(tonnage in GRT and engine power in kW)' is replaced by '(tonnage in gross tonnage (GT) and engine power in kilowatts (kW))',

— the following new paragraph is added at the end of this point:

'The application of the preceding formula to determine the final objectives in GT by segment takes into account, the estimation of GT as at 1 January 1992 for each of these segments on the basis of the provisions of Commission Decision 95/84/EC (**), and in particular the submission to the Commission by the Member States of the data on the GT of the fleet as at 15 March 1995.

The utilization of these data, segment by segment, to estimate the GT values at the start of the programme takes into account the history of the vessels as recorded in the fishing vessel register of the Community, including the vessels which disappeared or were constructed between 1 January 1992 and 15 December 1994.

The GT of the fleet at 1 January 1992 is the sum of the GT by segment thus obtained.

The value in GT of the global objectives for 31 December 1991 is determined by the application of the following formula:

$$\text{obj. 91 (GT)} = \text{obj. 91 (GRT)} \times \text{sit. 91 (GT)}/\text{sit. 91 (GRT)}$$

where:

obj. 91 (GT) = objective for 31 December 1991 in gross tonnage

obj. 91 (GRT) = objective for 31 December 1991 in gross registered tonnage

sit. 91 (GT) = situation at 1 January 1992 in gross tonnage

sit. 91 (GRT) = situation at 1 January 1992 in gross registered tonnage

The estimation of GT at 1 January 1992 of vessels which have since been permanently withdrawn from the national and Community fishing vessel registers and for which the remeasurement formulae defined by Decision 95/84/EC cannot be applied, will be made by applying the ratio GT/GRT of existing vessels in the same length class and belonging to the same segment.

(**) OJ No L 67, 25. 3. 1995, p. 33.'

— In point 5 'Implementation and monitoring' the third indent is replaced by the following:

— data permitting the measures implemented under this programme to be monitored, in accordance with the provisions of Regulation (EC) No 109/94 concerning the fishing vessel register of the Community, and in particular Articles 4 and 5 thereof.'

— Point 6 'Planned measures' is deleted.

— Point 7 'Revision of the programme' becomes point 6. The second and third paragraphs are deleted

4. The table of objectives presented at the end of the Annex is deleted and replaced by the table annexed to the present Decision.

Article 2

This Decision is addressed to the Republic of Italy.

Done at Brussels, 7 June 1995.

For the Commission

Emma BONINO

Member of the Commission

ANNEX

‘Zone	Segment	Category of programme	Fleet register situation for 1. 1. 1992 at the time of adoption of the present Decision (1)			Objective for 31. 12. 1991		Reduction by segment (%)	Objective for 31. 12. 1996		
			Number of vessels	GRT	kW	GRT	kW		In capacity		In fishing effort (°)
									GRT	kW	
Coastal	Bottom trawlers’ (and volante)	C14	1 541	57 199	285 544			20	45 883	229 200	
	Pelagic pair trawlers	C13	45	1 967	11 352			0	1 972	11 390	
	Seiners (tuna)	C23	88	3 662	20 082			0	3 672	20 150	
	Longliners and liners	C20	72	1 243	9 774			0	1 247	9 807	
	Netters	C18	943	3 655	28 103			0	3 665	28 197	
	Suction dredgers	C16	230	2 348	24 393			0	2 355	24 475	
	Manual dredgers	C15	31	242	2 000			0	243	2 007	
	Polyvalent (trawlers)	C21	171	2 021	16 090			20	1 621	12 915	
	Polyvalent (non-trawlers)	C22	13 358	140 936	1 015 761			0	141 319	1 019 163	
	Subtotal		16 479	213 275	1 413 099				201 979	1 357 303	
Mediterranean	Bottom trawlers	M10	104	17 251	46 821			20	13 838	37 582	
	Polyvalent (non-trawlers)	M12	25	3 360	11 690			0	3 369	11 729	
	Subtotal		129	20 611	58 511				17 207	49 311	
Third country and international	Bottom trawlers	G15	42	24 469	46 912			15	20 855	40 008	
	Tuna fleet	G29	20	9 116	17 997			0	9 141	18 057	
	Subtotal		62	33 585	64 908				29 996	58 065	
	Total		16 670	267 471	1 536 518	268 198	1 541 664		249 182	1 464 680	

^(*) This refers to the total allowable fishing effort from 1 January 1992 to 31 December 1996, calculated as the sum of the annual intermediate effort objectives over this period. The annual objectives are calculated as the product of the annual intermediate objectives expressed in units of capacity and the baseline number of days at sea as defined in Annex II. For segments for which the objectives are to be met purely by reductions in capacity these columns are left blank, since the activity of vessels in these segments remains subject to the provisions of Article 5 of Regulation (EC) No 109/94.

The services of the Commission will express the objectives of the programmes in GT as Member States fulfil the obligations to remeasure their fleets as described in Commission Decision 95/84/EC.

⁽¹⁾ The figures for the situation at 1 January 1992 are provisional and will be revised before 30 September 1995.

COMMISSION DECISION

of 7 June 1995

amending Decision 92/593/EEC on the multiannual guidance programme for the fishing fleet of the United Kingdom for the period 1993 to 1996

(Only the English text is authentic)

(95/243/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3699/93 of 21 December 1993 laying down the criteria and arrangements regarding Community structural assistance in the fisheries and aquaculture sector and the processing and marketing of its products ⁽¹⁾, and in particular Article 6 (5) and (6) thereof,

Whereas in application of the provisions of point 7 of the Annex to Commission Decision 92/593/EEC ⁽²⁾, the Commission considered that a revision of the programme was necessary, in the light of the experience gained and the provisions of national and Community regulations in force, in order to take into account new elements which improve the conditions under which the programmes are executed and thus to ensure that the objectives fixed by the programme are better respected;

Whereas among the new elements mentioned in the first recital it is appropriate to take into account a certain number of new provisions, such as:

- the provisions for the harmonization of fishing vessel measurements in accordance with Council Regulation (EC) No 3259/94 of 22 December 1994 amending Regulation (EEC) No 2930/86 defining the characteristics of fishing vessels ⁽³⁾,
- the provisions to express the objectives of the programmes in terms of fishing effort, including the level of activity of the vessels, and the declaration procedures adopted in the framework of Commission Regulation (EC) No 109/94 of 19 January 1994 concerning the fishing vessel register of the Community ⁽⁴⁾,
- the new Community and national regulatory provisions or techniques apply to the management of fleet fishing capacity and activity falling within the scope of the present programme,
- the grouping of fleet segments where this respects the fishing effort reduction rates to be applied on the most sensitive fish stocks;

Whereas in the application of the provisions of Article 11 of Council Regulation (EEC) No 3760/92 ⁽⁵⁾ the Council adopted Decision 94/15/EC ⁽⁶⁾ relating to the objectives and detailed rules for restructuring the Community fisheries sector over the period 1 January 1994 to 31 December 1996 with a view to achieving a lasting balance between the resources and their exploitation; whereas the modifications adopted by the present Commission Decision may not change or reduce the scope of the guidelines adopted by the Council;

⁽¹⁾ OJ No L 346, 31. 12. 1993, p. 1.

⁽²⁾ OJ No L 401, 31. 12. 1992, p. 33.

⁽³⁾ OJ No L 339, 29. 12. 1994, p. 11.

⁽⁴⁾ OJ No L 19, 22. 1. 1994, p. 5.

⁽⁵⁾ OJ No L 389, 31. 12. 1992, p. 1.

⁽⁶⁾ OJ No L 10, 14. 1. 1994, p. 20.

Whereas certain Member States were not able to forward before the required deadline all of the data and information to allow the Commission to adopt before 31 December 1994 the draft Decisions concerning the mid-term review of the programmes;

Whereas the measures provided for in the present Decision are in accordance with the opinion of the Management Committee for Fisheries and Aquaculture,

HAS ADOPTED THIS DECISION

Article 1

Decision 92/593/EEC is amended as follows:

1. In Article 2 in the first paragraph 'capacity' is replaced by 'effort'.
2. In Article 4, the sentence 'At the latest by 15 February and 31 July of each year for the previous six-month period ending on 31 December and 30 June respectively ...' is replaced by 'At the latest by 31 March of each year for the previous year ending on 31 December ...'
3. In the Annex:

— In point 1 'Segmentation' the following paragraphs are added:

'Identification of segments

For each segment of the fleet a corresponding list of vessels and their characteristics are transmitted to the Commission by the Member State before 31 December 1994, in accordance with the procedures described in the framework of Commission Regulation (EC) No 109/94 of 19 January 1994 concerning the fishing vessel register of the Community (*), and in particular Annex I thereof and the categories of programmes defined therein.

Grouping of segments

Subject to the agreement of the Commission, the Member State can group several segments of the fleet. In this case, the rate of reduction applied is that corresponding to the most sensitive of the stocks targeted by the group which applies to the new segment thus formed.

Management of segments with polyvalent vessels

For clearly defined fisheries, the Member State can subsegment the fleet composed of polyvalent vessels targeting alternatively demersal, benthic or pelagic stocks. Each subsegment is distinguished by the sum of the fishing effort devoted to it, and registered as such in the table of objectives shown in the Annex to the present Decision. The management of the corresponding fishing effort must be in accordance with the procedures of Article 4 of Regulation (EC) No 109/94.

(*) OJ No L 19, 22. 1. 1994, p. 5.'

— In point 2 'Final objectives by segment':

- the text in brackets in the first paragraph, namely '(tonnage in GRT and engine power in kW)' is replaced by '(tonnage in gross tonnage (GT) and engine power in kilowatts (kW))',

- the following new paragraph is added at the end of this point:

'The application of the preceding formula to determine the final objectives in GT by segment takes into account, the estimation of GT as at 1 January 1992 for each of these segments on the basis of the provisions of Commission Decision 95/84/EC (**), and in particular the submission to the Commission by the Member States of the data on the GT of the fleet as at 15 March 1995.

The utilization of these data, segment by segment, to estimate the GT values at the start of the programme takes into account the history of the vessels as recorded in the fishing vessel register of the Community, including the vessels which disappeared or were constructed between 1 January 1992 and 15 December 1994.

The GT of the fleet at 1 January 1992 is the sum of the GT by segment thus obtained.

The value in GT of the global objectives for 31 December 1991 is determined by the application of the following formula:

$$\text{obj. 91 (GT)} = \text{obj. 91 (GRT)} \times \text{sit. 91 (GT)}/\text{sit. 91 (GRT)}$$

where:

obj. 91 (GT) = objective for 31 December 1991 in gross tonnage

obj. 91 (GRT) = objective for 31 December 1991 in gross registered tonnage

sit. 91 (GT) = situation at 1 January 1992 in gross tonnage

sit. 91 (GRT) = situation at 1 January 1992 in gross registered tonnage

The estimation of GT at 1 January 1992 of vessels which have since been permanently withdrawn from the national and Community fishing vessel registers and for which the remeasurement formulae defined by Decision 95/84/EC cannot be applied, will be made by applying the ratio GT/GRT of existing vessels in the same length class and belonging to the same segment.

(**) OJ No L 67, 25. 3. 1995, p. 33.'

- In point 5 'Implementation and monitoring' the third indent is replaced by the following:
- data permitting the measures implemented under this programme to be monitored, in accordance with the provisions of Regulation (EC) No 109/94 concerning the fishing vessel register of the Community, and in particular Articles 4 and 5 thereof.'
- Point 6 'Planned measures' is deleted.
- Point 7 'Revision of the programme' becomes point 6. The second and third paragraphs are deleted
4. The table of objectives presented at the end of the Annex is deleted and replaced by the table annexed to the present Decision.

Article 2

This Decision is addressed to the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 7 June 1995.

For the Commission

Emma BONINO

Member of the Commission

ANNEX

'Zone	Segment	Category of programme	Fleet register situation for 1. 1. 1992 at the time of adoption of the present Decision ⁽¹⁾				Objective for 31. 12. 1991		Reduction by segment (%)	Objective for 31. 12. 1996		
			Number of vessels	GRT	kW	GRT	kW	In capacity		In fishing effort ^(*)		
								GRT			kW	
Coastal and Community third country and international waters	Pelagic trawl	F12	88	25 178	80 858			0	22 633	72 060		
	Beam trawl	F10	200	23 062	107 542			15	17 621	81 465		
	Demersal trawl and seiners	F11, F20	1 379	71 956	368 194			20	51 746	262 505		
	Nephrops trawl ⁽²⁾	F16	648	18 140	100 142			0	16 306	89 246		
	Netters, liners and other static gears	F15	237 106	5 859 6 262	35 073 23 430			0	10 896	52 137		
	Shellfish mobile ⁽²⁾	F14	169	6 007	34 725			0	5 400	30 947		
	Shellfish fixed	F13	137	2 636	18 397			0	2 370	16 395		
	Distant water	F17	17	10 987	23 829			0	9 876	21 236		
	Mixed (non-trawlers) < 10 m	F19	7 538	24 438	304 630			0	21 968	271 484		
	Others > 10 m	F18	892	20 208	132 102			0	18 165	117 728		
	Subtotal		11 411	214 733	1 228 922				176 981	1 015 204		
	Total		11 411	214 733	1 228 922	193 027	1 095 206		176 981	1 015 204		

^(*) This refers to the total allowable fishing effort from 1 January 1992 to 31 December 1996, calculated as the sum of the annual intermediate effort objectives over this period. The annual objectives are calculated as the product of the annual intermediate objectives expressed in units of capacity and the baseline number of days at sea as defined in Annex II. For segments for which the objectives are to be met purely by reductions in capacity these columns are left blank, since the activity of vessels in these segments remains subject to the provisions of Article 5 of Regulation (EC) No 109/94.

The services of the Commission will express the objectives of the programmes in GT as Member States fulfil the obligations to restructure their fleets as described in Commission Decision 95/84/EC.

⁽¹⁾ Figures for the situation at 1 January 1992 may be revised when the Channel Islands and Isle of Man vessels have been fully integrated into the declarations to the fishing vessel register of the Community.

⁽²⁾ The reduction rates applied to these segments have been set at 0 % in the light of information on the by-catch rates of demersal fish species.

COMMISSION DECISION

of 7 June 1995

amending Decision 92/594/EEC on the multiannual guidance programme for the fishing fleet of Ireland for the period 1993 to 1996

(Only the English text is authentic)

(95/244/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3699/93 of 21 December 1993 laying down the criteria and arrangements regarding Community structural assistance in the fisheries and aquaculture sector and the processing and marketing of its products ⁽¹⁾, and in particular Article 6 (5) and (6) thereof,

Whereas in application of the provisions of point 7 of the Annex to Commission Decision 92/594/EEC ⁽²⁾, the Commission considered that a revision of the programme was necessary, in the light of the experience gained and the provisions of national and Community regulations in force, in order to take into account new elements which improve the conditions under which the programmes are executed and thus to ensure that the objectives fixed by the programme are better respected;

Whereas among the new elements mentioned in the first recital it is appropriate to take into account a certain number of new provisions, such as:

- the provisions for the harmonization of fishing vessel measurements in accordance with Council Regulation (EC) No 3259/94 of 22 December 1994 amending Regulation (EEC) No 2930/86 defining the characteristics of fishing vessels ⁽³⁾,
- the provisions to express the objectives of the programmes in terms of fishing effort, including the level of activity of the vessels, and the declaration procedures adopted in the framework of Commission Regulation (EC) No 109/94 of 19 January 1994 concerning the fishing vessel register of the Community ⁽⁴⁾,
- the new Community and national regulatory provisions or techniques apply to the management of fleet fishing capacity and activity falling within the scope of the present programme,
- the grouping of fleet segments where this respects the fishing effort reduction rates to be applied on the most sensitive fish stocks;

Whereas in the application of the provisions of Article 11 of Council Regulation (EEC) No 3760/92 ⁽⁵⁾ the Council adopted Decision 94/15/EC ⁽⁶⁾ relating to the objectives and detailed rules for restructuring the Community fisheries sector over the period 1 January 1994 to 31 December 1996 with a view to achieving a lasting balance between the resources and their exploitation; whereas the modifications adopted by the present Commission Decision may not change or reduce the scope of the guidelines adopted by the Council;

⁽¹⁾ OJ No L 346, 31. 12. 1993, p. 1.

⁽²⁾ OJ No L 401, 31. 12. 1992, p. 39.

⁽³⁾ OJ No L 339, 29. 12. 1994, p. 11.

⁽⁴⁾ OJ No L 19, 22. 1. 1994, p. 5.

⁽⁵⁾ OJ No L 389, 31. 12. 1992, p. 1.

⁽⁶⁾ OJ No L 10, 14. 1. 1994, p. 20.

Whereas certain Member States were not able to forward before the required deadline all of the data and information to allow the Commission to adopt before 31 December 1994 the draft Decisions concerning the mid-term review of the programmes;

Whereas the measures provided for in the present Decision are in accordance with the opinion of the Management Committee for Fisheries and Aquaculture,

HAS ADOPTED THIS DECISION

Article 1

Decision 92/594/EEC is amended as follows:

1. In Article 2 in the first paragraph 'capacity' is replaced by 'effort'.
2. In Article 4, the sentence 'At the latest by 15 February and 31 July of each year for the previous six-month period ending on 31 December and 30 June respectively ...' is replaced by 'At the latest by 31 March of each year for the previous year ending on 31 December ...'

3. In the Annex:

— In point 1 'Segmentation' the following paragraphs are added:

'Identification of segments

For each segment of the fleet a corresponding list of vessels and their characteristics are transmitted to the Commission by the Member State before 31 December 1994, in accordance with the procedures described in the framework of Commission Regulation (EC) No 109/94 of 19 January 1994 concerning the fishing vessel register of the Community (*), and in particular Annex I thereof and the categories of programmes defined therein.

Grouping of segments

Subject to the agreement of the Commission, the Member State can group several segments of the fleet. In this case, the rate of reduction applied is that corresponding to the most sensitive of the stocks targeted by the group which applies to the new segment thus formed.

Management of segments with polyvalent vessels

For clearly defined fisheries, the Member State can subsegment the fleet composed of polyvalent vessels targeting alternatively demersal, benthic or pelagic stocks. Each subsegment is distinguished by the sum of the fishing effort devoted to it, and registered as such in the table of objectives shown in the Annex to the present Decision. The management of the corresponding fishing effort must be in accordance with the procedures of Article 4 of Regulation (EC) No 109/94.

(*) OJ No L 19, 22. 1. 1994, p. 5.'

— In point 2 'Final objectives by segment':

— the text in brackets in the first paragraph, namely '(tonnage in GRT and engine power in kW)' is replaced by '(tonnage in gross tonnage (GT) and engine power in kilowatts (kW))',

- the following new paragraph is added at the end of this point:

'The application of the preceding formula to determine the final objectives in GT by segment takes into account, the estimation of GT as at 1 January 1992 for each of these segments on the basis of the provisions of Commission Decision 95/84/EC (**), and in particular the submission to the Commission by the Member States of the data on the GT of the fleet as at 15 March 1995.

The utilization of these data, segment by segment, to estimate the GT values at the start of the programme takes into account the history of the vessels as recorded in the fishing vessel register of the Community, including the vessels which disappeared or were constructed between 1 January 1992 and 15 December 1994.

The GT of the fleet at 1 January 1992 is the sum of the GT by segment thus obtained.

The value in GT of the global objectives for 31 December 1991 is determined by the application of the following formula:

$$\text{obj. 91 (GT)} = \text{obj. 91 (GRT)} \times \text{sit. 91 (GT)}/\text{sit. 91 (GRT)}$$

where:

obj. 91 (GT) = objective for 31 December 1991 in gross tonnage

obj. 91 (GRT) = objective for 31 December 1991 in gross registered tonnage

sit. 91 (GT) = situation at 1 January 1992 in gross tonnage

sit. 91 (GRT) = situation at 1 January 1992 in gross registered tonnage

The estimation of GT at 1 January 1992 of vessels which have since been permanently withdrawn from the national and Community fishing vessel registers and for which the remeasurement formulae defined by Decision 95/84/EC cannot be applied, will be made by applying the ratio GT/GRT of existing vessels in the same length class and belonging to the same segment.

(**) OJ No L 67, 25. 3. 1995, p. 33.'

- In point 5 'Implementation and monitoring' the third indent is replaced by the following:
 - '— data permitting the measures implemented under this programme to be monitored, in accordance with the provisions of Regulation (EC) No 109/94 concerning the fishing vessel register of the Community, and in particular Articles 4 and 5 thereof.'
 - Point 6 'Planned measures' is deleted.
 - Point 7 'Revision of the programme' becomes point 6. The second and third paragraphs are deleted
4. The table of objectives presented at the end of the Annex is deleted and replaced by the table annexed to the present Decision.

Article 2

This Decision is addressed to Ireland.

Done at Brussels, 7 June 1995.

For the Commission

Emma BONINO

Member of the Commission

ANNEX

'Zone	Segment	Category of programme	Fleet register situation for 1. 1. 1992 at the time of adoption of the present Decision			Objective for 31. 12. 1991 ⁽¹⁾		Reduction by segment (%)	Objective for 31. 12. 1996 ⁽²⁾		
			Number of vessels	GRT	kW	GRT	kW		In capacity	In fishing effort (*)	
Coastal and Community waters	Polyvalent ⁽³⁾	E18, E19		28 164	120 777				GRT	$\Sigma (GT \times t)$	$\Sigma (kW \times t)$
	Beam trawlers	E11		1 624	7 742				30 555	129 260	
	Pelagic trawlers	E15		20 905	47 556				1 140	6 113	
				50 693	176 075				19 500	44 359	
	<i>Subtotal</i>								51 195	179 732	
	Total			50 693	176 075	48 750	197 011		51 195	179 732	

(*) This refers to the total allowable fishing effort from 1 January 1992 to 31 December 1996, calculated as the sum of the annual intermediate effort objectives over this period. The annual objectives are calculated as the product of the annual intermediate objectives expressed in units of capacity and the baseline number of days at sea as defined in Annex II. For segments for which the objectives are to be met purely by reductions in capacity these columns are left blank, since the activity of vessels in these segments remains subject to the provisions of Article 5 of Regulation (EC) No 109/94.

The services of the Commission will express the objectives of the programmes in GT as Member States fulfil the obligations to remeasure their fleets as described in Commission Decision 95/84/EC.

⁽¹⁾ 4 809 GRT has been added to the objective for 31 December 1991 following revised estimates of the situation in 1985. For kW the situation in 1985 was adjusted by the same proportion resulting in the addition of 19 435 kW to the objective for 31 December 1991. An additional capacity of approximately 3 000 GRT and 10 800 kW may be added to the situation at 1 January 1992 and/or the objectives for 31 December 1991 on the basis of further information to be supplied before 31 December 1996.

⁽²⁾ The objectives for 1996 have been established according to the particular requirements of the Irish fleet and are independent of the objectives for 31 December 1991.

⁽³⁾ The capacity of this segment is frozen at its November 1992 level until the end of 1996 at the latest, allowing a scientific assessment of the objectives to be achieved. The 20 vessels which entered the fleet after 1 January 1992 and provided for under the Irish government's special whitefish licensing scheme will not be permitted to fish in ICES Area VI or in ICES Divisions VII a and VII g. This preclusion may be open to review in the light of the development of stocks and the Irish fleet otherwise operating in these areas. The list of these 20 vessels has been supplied to the Commission.

COMMISSION DECISION

of 7 June 1995

amending Decision 92/595/EEC on the multiannual guidance programme for the fishing fleet of Denmark for the period 1993 to 1996

(Only the Danish text is authentic)

(95/245/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3699/93 of 21 December 1993 laying down the criteria and arrangements regarding Community structural assistance in the fisheries and aquaculture sector and the processing and marketing of its products ⁽¹⁾, and in particular Article 6 (5) and (6) thereof,

Whereas in application of the provisions of point 7 of the Annex to Commission Decision 92/595/EEC ⁽²⁾, the Commission considered that a revision of the programme was necessary, in the light of the experience gained and the provisions of national and Community regulations in force, in order to take into account new elements which improve the conditions under which the programmes are executed and thus to ensure that the objectives fixed by the programme are better respected;

Whereas among the new elements mentioned in the first recital it is appropriate to take into account a certain number of new provisions, such as:

- the provisions for the harmonization of fishing vessel measurements in accordance with Council Regulation (EC) No 3259/94 of 22 December 1994 amending Regulation (EEC) No 2930/86 defining the characteristics of fishing vessels ⁽³⁾,
- the provisions to express the objectives of the programmes in terms of fishing effort, including the level of activity of the vessels, and the declaration procedures adopted in the framework of Commission Regulation (EC) No 109/94 of 19 January 1994 concerning the fishing vessel register of the Community ⁽⁴⁾,
- the new Community and national regulatory provisions or techniques apply to the management of fleet fishing capacity and activity falling within the scope of the present programme,
- the grouping of fleet segments where this respects the fishing effort reduction rates to be applied on the most sensitive fish stocks;

Whereas in the application of the provisions of Article 11 of Council Regulation (EEC) No 3760/92 ⁽⁵⁾ the Council adopted Decision 94/15/EC ⁽⁶⁾ relating to the objectives and detailed rules for restructuring the Community fisheries sector over the period 1 January 1994 to 31 December 1996 with a view to achieving a lasting balance between the resources and their exploitation; whereas the modifications adopted by the present Commission Decision may not change or reduce the scope of the guidelines adopted by the Council;

⁽¹⁾ OJ No L 346, 31. 12. 1993, p. 1.

⁽²⁾ OJ No L 401, 31. 12. 1992, p. 45.

⁽³⁾ OJ No L 339, 29. 12. 1994, p. 11.

⁽⁴⁾ OJ No L 19, 22. 1. 1994, p. 5.

⁽⁵⁾ OJ No L 389, 31. 12. 1992, p. 1.

⁽⁶⁾ OJ No L 10, 14. 1. 1994, p. 20.

Whereas certain Member States were not able to forward before the required deadline all of the data and information to allow the Commission to adopt before 31 December 1994 the draft Decisions concerning the mid-term review of the programmes;

Whereas the measures provided for in the present Decision are in accordance with the opinion of the Management Committee for Fisheries and Aquaculture,

HAS ADOPTED THIS DECISION

Article 1

Decision 92/595/EEC is amended as follows:

1. In Article 2 in the first paragraph 'capacity' is replaced by 'effort'.
2. In Article 4, the sentence 'At the latest by 15 February and 31 July of each year for the previous six-month period ending on 31 December and 30 June respectively ...' is replaced by 'At the latest by 31 March of each year for the previous year ending on 31 December ...'
3. In the Annex:

— In point 1 'Segmentation' the following paragraphs are added:

Identification of segments

For each segment of the fleet a corresponding list of vessels and their characteristics are transmitted to the Commission by the Member State before 31 December 1994, in accordance with the procedures described in the framework of Commission Regulation (EC) No 109/94 of 19 January 1994 concerning the fishing vessel register of the Community (*), and in particular Annex I thereof and the categories of programmes defined therein.

Grouping of segments

Subject to the agreement of the Commission, the Member State can group several segments of the fleet. In this case, the rate of reduction applied is that corresponding to the most sensitive of the stocks targeted by the group which applies to the new segment thus formed.

Management of segments with polyvalent vessels

For clearly defined fisheries, the Member State can subsegment the fleet composed of polyvalent vessels targeting alternatively demersal, benthic or pelagic stocks. Each subsegment is distinguished by the sum of the fishing effort devoted to it, and registered as such in the table of objectives shown in the Annex to the present Decision. The management of the corresponding fishing effort must be in accordance with the procedures of Article 4 of Regulation (EC) No 109/94.

(*) OJ No L 19, 22. 1. 1994, p. 5.

— In point 2 'Final objectives by segment':

- the text in brackets in the first paragraph, namely '(tonnage in GRT and engine power in kW)' is replaced by '(tonnage in gross tonnage (GT) and engine power in kilowatts (kW))',

- the following new paragraph is added at the end of this point:

'The application of the preceding formula to determine the final objectives in GT by segment takes into account, the estimation of GT as at 1 January 1992 for each of these segments on the basis of the provisions of Commission Decision 95/84/EC (**), and in particular the submission to the Commission by the Member States of the data on the GT of the fleet as at 15 March 1995.

The utilization of these data, segment by segment, to estimate the GT values at the start of the programme takes into account the history of the vessels as recorded in the fishing vessel register of the Community, including the vessels which disappeared or were constructed between 1 January 1992 and 15 December 1994.

The GT of the fleet at 1 January 1992 is the sum of the GT by segment thus obtained.

The value in GT of the global objectives for 31 December 1991 is determined by the application of the following formula:

$$\text{obj. 91 (GT)} = \text{obj. 91 (GRT)} \times \text{sit. 91 (GT)}/\text{sit. 91 (GRT)}$$

where:

obj. 91 (GT) = objective for 31 December 1991 in gross tonnage

obj. 91 (GRT) = objective for 31 December 1991 in gross registered tonnage

sit. 91 (GT) = situation at 1 January 1992 in gross tonnage

sit. 91 (GRT) = situation at 1 January 1992 in gross registered tonnage

The estimation of GT at 1 January 1992 of vessels which have since been permanently withdrawn from the national and Community fishing vessel registers and for which the remeasurement formulae defined by Decision 95/84/EC cannot be applied, will be made by applying the ratio GT/GRT of existing vessels in the same length class and belonging to the same segment.

(**) OJ No L 67, 25. 3. 1995, p. 33.'

- In point 5 'Implementation and monitoring' the third indent is replaced by the following:

— data permitting the measures implemented under this programme to be monitored, in accordance with the provisions of Regulation (EC) No 109/94 concerning the fishing vessel register of the Community, and in particular Articles 4 and 5 thereof.'

- Point 6 'Planned measures' is deleted.

- Point 7 'Revision of the programme' becomes point 6. The second and third paragraphs are deleted

4. The table of objectives presented at the end of the Annex is deleted and replaced by the table annexed to the present Decision.

Article 2

This Decision is addressed to the Kingdom of Denmark.

Done at Brussels, 7 June 1995.

For the Commission

Emma BONINO

Member of the Commission

ANNEX

'Zone	Segment	Category of programme	Fleet register situation for 1. 1. 1992 at the time of adoption of the present Decision			Objective for 31. 12. 1991		Reduction by segment (%)	Objective for 31. 12. 1996 ⁽¹⁾		
			Number of vessels	GRT	kW	GRT	kW		In capacity		In fishing effort ^(*)
									GRT	kW	
Coastal Community and international waters	Nets etc.	B13	1 255	15 056	88 239			0	16 433	93 998	
	Trawlers and Danish seine	B12	1 498	89 139	364 429			20	77 894	314 439	
	Pelagic fishing ⁽²⁾	B09							2 300	5 700	
	Trawlers (Greenland)	B10	2	3 480	3 810			0	3 480	3 810	
	Purse seiners	B17	11	6 946	15 668			0	7 813	17 312	
	Vessels < 5 GRT ⁽³⁾	B08							3 718	36 503	
	<i>Subtotal</i>		2 766	114 621	472 146				111 639	471 762	
	Total		2 766	114 621	472 146	119 188	514 716		111 639	471 762	

^(*) This refers to the total allowable fishing effort from 1 January 1992 to 31 December 1996, calculated as the sum of the annual intermediate effort objectives over this period. The annual objectives are calculated as the product of the annual intermediate objectives expressed in units of capacity and the baseline number of days at sea as defined in Annex II. For segments for which the objectives are to be met purely by reductions in capacity these columns are left blank, since the activity of vessels in these segments remains subject to the provisions of Article 5 of Regulation (EC) No 109/94.

The services of the Commission will express the objectives of the programmes in GT as Member States fulfil the obligations to remeasure their fleets as described in Commission Decision 95/84/EC.

⁽¹⁾ The credit from the previous programme has been allocated to the segments "trawlers and Danish seine" and "Purse seiners" in proportion to the size of these segments.

⁽²⁾ This segment can be combined with the purse seiners segment (B17) or the trawlers segment (B12) without change to the reduction rate.

⁽³⁾ The capacity of these vessels at 1 January 1992 is unknown. The objectives for 1996 are to limit the capacity of this segment to its level in December 1994. Data on the capacity of this segment will be forwarded by Denmark to the Commission before 31 December 1995.*

(*) This refers to the total allowable fishing effort from 1 January 1992 to 31 December 1996, calculated as the sum of the annual intermediate effort objectives over this period. The annual objectives are calculated as the product of the annual intermediate objectives expressed in units of capacity and the baseline number of days at sea as defined in Annex II. For segments for which the objectives are to be met purely by reductions in capacity these columns are left blank, since the activity of vessels in these segments remains subject to the provisions of Article 5 of Regulation (EC) No 109/94.

The services of the Commission will express the objectives of the programmes in GT as Member States fulfil the obligations to remeasure their fleets as described in Commission Decision 95/84/EC.

(1) The credit from the previous programme has been allocated to the segments "trawlers and Danish seine" and "Purse seiners" in proportion to the size of these segments.

(2) This segment can be combined with the purse seiners segment (B17) or the trawlers segment (B12) without change to the reduction rate.

(3) The capacity of these vessels at 1 January 1992 is unknown. The objectives for 1996 are to limit the capacity of this segment to its level in December 1994. Data on the capacity of this segment will be forwarded by Denmark to the Commission before 31 December 1995.

COMMISSION DECISION

of 7 June 1995

amending Decision 92/596/EEC on the multiannual guidance programme for the fishing fleet of Greece for the period 1993 to 1996

(Only the Greek text is authentic)

(95/246/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3699/93 of 21 December 1993 laying down the criteria and arrangements regarding Community structural assistance in the fisheries and aquaculture sector and the processing and marketing of its products ⁽¹⁾, and in particular Article 6 (5) and (6) thereof,

Whereas in application of the provisions of point 7 of the Annex to Commission Decision 92/596/EEC ⁽²⁾, as amended by Decision 93/474/EC ⁽³⁾, the Commission considered that a revision of the programme was necessary, in the light of the experience gained and the provisions of national and Community regulations in force, in order to take into account new elements which improve the conditions under which the programmes are executed and thus to ensure that the objectives fixed by the programme are better respected;

Whereas among the new elements mentioned in the first recital it is appropriate to take into account a certain number of new provisions, such as:

- the provisions for the harmonization of fishing vessel measurements in accordance with Council Regulation (EC) No 3259/94 of 22 December 1994 amending Regulation (EEC) No 2930/86 defining the characteristics of fishing vessels ⁽⁴⁾,
- the provisions to express the objectives of the programmes in terms of fishing effort, including the level of activity of the vessels, and the declaration procedures adopted in the framework of Commission Regulation (EC) No 109/94 of 19 January 1994 concerning the fishing vessel register of the Community ⁽⁵⁾,
- the new Community and national regulatory provisions or techniques apply to the management of fleet fishing capacity and activity falling within the scope of the present programme,
- the grouping of fleet segments where this respects the fishing effort reduction rates to be applied on the most sensitive fish stocks;

Whereas in the application of the provisions of Article 11 of Council Regulation (EEC) No 3760/92 ⁽⁶⁾ the Council adopted Decision 94/15/EC ⁽⁷⁾ relating to the objectives and detailed rules for restructuring the Community fisheries sector over the period 1 January 1994 to 31 December 1996 with a view to achieving a lasting balance between the resources and their exploitation; whereas the modifications adopted by the present Commission Decision may not change or reduce the scope of the guidelines adopted by the Council;

⁽¹⁾ OJ No L 346, 31. 12. 1993, p. 1.

⁽²⁾ OJ No L 401, 31. 12. 1992, p. 51.

⁽³⁾ OJ No L 223, 2. 9. 1993, p. 27.

⁽⁴⁾ OJ No L 339, 29. 12. 1994, p. 11.

⁽⁵⁾ OJ No L 19, 22. 1. 1994, p. 5.

⁽⁶⁾ OJ No L 389, 31. 12. 1992, p. 1.

⁽⁷⁾ OJ No L 10, 14. 1. 1994, p. 20.

Whereas certain Member States were not able to forward before the required deadline all of the data and information to allow the Commission to adopt before 31 December 1994 the draft Decisions concerning the mid-term review of the programmes;

Whereas the measures provided for in the present Decision are in accordance with the opinion of the Management Committee for Fisheries and Aquaculture,

HAS ADOPTED THIS DECISION

Article 1

Decision 92/596/EEC is amended as follows:

1. In Article 2 in the first paragraph 'capacity' is replaced by 'effort'.
2. In Article 4, the sentence 'At the latest by 15 February and 31 July of each year for the previous six-month period ending on 31 December and 30 June respectively ...' is replaced by 'At the latest by 31 March of each year for the previous year ending on 31 December ...'

3. In the Annex:

— In point 1 'Segmentation' the following paragraphs are added:

'Identification of segments

For each segment of the fleet a corresponding list of vessels and their characteristics are transmitted to the Commission by the Member State before 31 December 1994, in accordance with the procedures described in the framework of Commission Regulation (EC) No 109/94 of 19 January 1994 concerning the fishing vessel register of the Community (*), and in particular Annex I thereof and the categories of programmes defined therein.

Grouping of segments

Subject to the agreement of the Commission, the Member State can group several segments of the fleet. In this case, the rate of reduction applied is that corresponding to the most sensitive of the stocks targeted by the group which applies to the new segment thus formed.

Management of segments with polyvalent vessels

For clearly defined fisheries, the Member State can subsegment the fleet composed of polyvalent vessels targeting alternatively demersal, benthic or pelagic stocks. Each subsegment is distinguished by the sum of the fishing effort devoted to it, and registered as such in the table of objectives shown in the Annex to the present Decision. The management of the corresponding fishing effort must be in accordance with the procedures of Article 4 of Regulation (EC) No 109/94.

(*) OJ No L 19, 22. 1. 1994, p. 5.'

— In point 2 'Final objectives by segment':

— the text in brackets in the first paragraph, namely '(tonnage in GRT and engine power in kW)' is replaced by '(tonnage in gross tonnage (GT) and engine power in kilowatts (kW))',

— the following new paragraph is added at the end of this point:

'The application of the preceding formula to determine the final objectives in GT by segment takes into account, the estimation of GT as at 1 January 1992 for each of these segments on the basis of the provisions of Commission Decision 95/84/EC (**), and in particular the submission to the Commission by the Member States of the data on the GT of the fleet as at 15 March 1995.

The utilization of these data, segment by segment, to estimate the GT values at the start of the programme takes into account the history of the vessels as recorded in the fishing vessel register of the Community, including the vessels which disappeared or were constructed between 1 January 1992 and 15 December 1994.

The GT of the fleet at 1 January 1992 is the sum of the GT by segment thus obtained.

The value in GT of the global objectives for 31 December 1991 is determined by the application of the following formula:

$$\text{obj. 91 (GT)} = \text{obj. 91 (GRT)} \times \text{sit. 91 (GT)}/\text{sit. 91 (GRT)}$$

where:

obj. 91 (GT) = objective for 31 December 1991 in gross tonnage

obj. 91 (GRT) = objective for 31 December 1991 in gross registered tonnage

sit. 91 (GT) = situation at 1 January 1992 in gross tonnage

sit. 91 (GRT) = situation at 1 January 1992 in gross registered tonnage

The estimation of GT at 1 January 1992 of vessels which have since been permanently withdrawn from the national and Community fishing vessel registers and for which the remeasurement formulae defined by Decision 95/84/EC cannot be applied, will be made by applying the ratio GT/GRT of existing vessels in the same length class and belonging to the same segment.

(**) OJ No L 67, 25. 3. 1995, p. 33.'

— In point 5 'Implementation and monitoring' the third indent is replaced by the following:

— data permitting the measures implemented under this programme to be monitored, in accordance with the provisions of Regulation (EC) No 109/94 concerning the fishing vessel register of the Community, and in particular Articles 4 and 5 thereof.'

— Point 6 'Planned measures' is deleted.

— Point 7 'Revision of the programme' becomes point 6. The second and third paragraphs are deleted

4. The table of objectives presented at the end of the Annex is deleted and replaced by the table annexed to the present Decision.

Article 2

This Decision is addressed to the Republic of Greece.

Done at Brussels, 7 June 1995.

For the Commission

Emma BONINO

Member of the Commission

ANNEX

Zone	Segment	Category of programme	Fleet register situation for 1. 1. 1992 at the time of adoption of the present Decision				Objective for 31. 12. 1991		Reduction by segment (%)	Objective for 31. 12. 1996			
			Number of vessels	GRT	kW	GRT	kW	In capacity		In fishing effort (*)			
								GRT		kW	Σ (GT × t)	Σ (kW × t)	
Coastal and Mediterranean	Fixed gear and seiners	E20+Z14	21 298	72 850	508 286				0	72 667	523 820		
	Bottom trawlers	E14	416	27 935	116 412				20	22 292	95 976		
	Subtotal		21 714	100 785	624 698	100 532	643 790			94 959	619 796		
Third country and international	Trawlers	G18	82	29 588	39 495				15	22 097	37 751		
	Subtotal		82	29 588	39 495	25 996	44 413			22 097	37 751		
	Total		21 796	130 373	664 193	126 528	688 203			117 056	657 547		

(*) This refers to the total allowable fishing effort from 1 January 1992 to 31 December 1996, calculated as the sum of the annual intermediate effort objectives over this period. The annual objectives are calculated as the product of the annual intermediate objectives expressed in units of capacity and the baseline number of days at sea as defined in Annex II. For segments for which the objectives are to be met purely by reductions in capacity these columns are left blank, since the activity of vessels in these segments remains subject to the provisions of Article 5 of Regulation (EC) No 109/94.

The services of the Commission will express the objectives of the programmes in GT as Member States fulfil the obligations to remeasure their fleets as described in Commission Decision 95/84/EC.

COMMISSION DECISION

of 7 June 1995

amending Decision 92/597/EEC on the multiannual guidance programme for the fishing fleet of Spain for the period 1993 to 1996

(Only the Spanish text is authentic)

(95/247/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3699/93 of 21 December 1993 laying down the criteria and arrangements regarding Community structural assistance in the fisheries and aquaculture sector and the processing and marketing of its products ⁽¹⁾, and in particular Article 6 (5) and (6) thereof,

Whereas in application of the provisions of point 7 of the Annex to Commission Decision 92/597/EEC ⁽²⁾, the Commission considered that a revision of the programme was necessary, in the light of the experience gained and the provisions of national and Community regulations in force, in order to take into account new elements which improve the conditions under which the programmes are executed and thus to ensure that the objectives fixed by the programme are better respected;

Whereas among the new elements mentioned in the first recital it is appropriate to take into account a certain number of new provisions, such as:

- the provisions for the harmonization of fishing vessel measurements in accordance with Council Regulation (EC) No 3259/94 of 22 December 1994 amending Regulation (EEC) No 2930/86 defining the characteristics of fishing vessels ⁽³⁾,
- the provisions to express the objectives of the programmes in terms of fishing effort, including the level of activity of the vessels, and the declaration procedures adopted in the framework of Commission Regulation (EC) No 109/94 of 19 January 1994 concerning the fishing vessel register of the Community ⁽⁴⁾,
- the new Community and national regulatory provisions or techniques apply to the management of fleet fishing capacity and activity falling within the scope of the present programme,
- the grouping of fleet segments where this respects the fishing effort reduction rates to be applied on the most sensitive fish stocks;

Whereas in the application of the provisions of Article 11 of Council Regulation (EEC) No 3760/92 ⁽⁵⁾ the Council adopted Decision 94/15/EC ⁽⁶⁾ relating to the objectives and detailed rules for restructuring the Community fisheries sector over the period 1 January 1994 to 31 December 1996 with a view to achieving a lasting balance between the resources and their exploitation; whereas the modifications adopted by the present Commission Decision may not change or reduce the scope of the guidelines adopted by the Council;

⁽¹⁾ OJ No L 346, 31. 12. 1993, p. 1.

⁽²⁾ OJ No L 401, 31. 12. 1992, p. 57.

⁽³⁾ OJ No L 339, 29. 12. 1994, p. 11.

⁽⁴⁾ OJ No L 19, 22. 1. 1994, p. 5.

⁽⁵⁾ OJ No L 389, 31. 12. 1992, p. 1.

⁽⁶⁾ OJ No L 10, 14. 1. 1994, p. 20.

Whereas certain Member States were not able to forward before the required deadline all of the data and information to allow the Commission to adopt before 31 December 1994 the draft Decisions concerning the mid-term review of the programmes;

Whereas the measures provided for in the present Decision are in accordance with the opinion of the Management Committee for Fisheries and Aquaculture,

HAS ADOPTED THIS DECISION

Article 1

Decision 92/597/EEC is amended as follows:

1. In Article 2 in the first paragraph 'capacity' is replaced by 'effort'.
2. In Article 4, the sentence 'At the latest by 15 February and 31 July of each year for the previous six-month period ending on 31 December and 30 June respectively ...' is replaced by 'At the latest by 31 March of each year for the previous year ending on 31 December ...'
3. In the Annex:

— In point 1 'Segmentation' the following paragraphs are added:

'Identification of segments

For each segment of the fleet a corresponding list of vessels and their characteristics are transmitted to the Commission by the Member State before 31 December 1994, in accordance with the procedures described in the framework of Commission Regulation (EC) No 109/94 of 19 January 1994 concerning the fishing vessel register of the Community (*), and in particular Annex I thereof and the categories of programmes defined therein.

Grouping of segments

Subject to the agreement of the Commission, the Member State can group several segments of the fleet. In this case, the rate of reduction applied is that corresponding to the most sensitive of the stocks targeted by the group which applies to the new segment thus formed.

Management of segments with polyvalent vessels

For clearly defined fisheries, the Member State can subsegment the fleet composed of polyvalent vessels targeting alternatively demersal, benthic or pelagic stocks. Each subsegment is distinguished by the sum of the fishing effort devoted to it, and registered as such in the table of objectives shown in the Annex to the present Decision. The management of the corresponding fishing effort must be in accordance with the procedures of Article 4 of Regulation (EC) No 109/94.

(*) OJ No L 19, 22. 1. 1994, p. 5.'

— In point 2 'Final objectives by segment':

— the text in brackets in the first paragraph, namely '(tonnage in GRT and engine power in kW)' is replaced by '(tonnage in gross tonnage (GT) and engine power in kilowatts (kW))',

- the following new paragraph is added at the end of this point:

'The application of the preceding formula to determine the final objectives in GT by segment takes into account, the estimation of GT as at 1 January 1992 for each of these segments on the basis of the provisions of Commission Decision 95/84/EC (**), and in particular the submission to the Commission by the Member States of the data on the GT of the fleet as at 15 March 1995.

The utilization of these data, segment by segment, to estimate the GT values at the start of the programme takes into account the history of the vessels as recorded in the fishing vessel register of the Community, including the vessels which disappeared or were constructed between 1 January 1992 and 15 December 1994.

The GT of the fleet at 1 January 1992 is the sum of the GT by segment thus obtained.

The value in GT of the global objectives for 31 December 1991 is determined by the application of the following formula:

$$\text{obj. 91 (GT)} = \text{obj. 91 (GRT)} \times \text{sit. 91 (GT)}/\text{sit. 91 (GRT)}$$

where:

obj. 91 (GT) = objective for 31 December 1991 in gross tonnage

obj. 91 (GRT) = objective for 31 December 1991 in gross registered tonnage

sit. 91 (GT) = situation at 1 January 1992 in gross tonnage

sit. 91 (GRT) = situation at 1 January 1992 in gross registered tonnage

The estimation of GT at 1 January 1992 of vessels which have since been permanently withdrawn from the national and Community fishing vessel registers and for which the remeasurement formulae defined by Decision 95/84/EC cannot be applied, will be made by applying the ratio GT/GRT of existing vessels in the same length class and belonging to the same segment.

(**) OJ No L 67, 25. 3. 1995, p. 33.'

- In point 5 'Implementation and monitoring' the third indent is replaced by the following:
 - data permitting the measures implemented under this programme to be monitored, in accordance with the provisions of Regulation (EC) No 109/94 concerning the fishing vessel register of the Community, and in particular Articles 4 and 5 thereof.'
 - Point 6 'Planned measures' is deleted.
 - Point 7 'Revision of the programme' becomes point 6. The second and third paragraphs are deleted
4. The table of objectives presented at the end of the Annex is deleted and replaced by the table annexed to the present Decision.

Article 2

This Decision is addressed to the Kingdom of Spain.

Done at Brussels, 7 June 1995.

For the Commission
Emma BONINO
Member of the Commission

ANNEX

'Zone	Segment	Category of programme	Fleet register situation for 1. 1. 1992 at the time of adoption of the present Decision			Objective for 31. 12. 1991		Reduction by segment (%)	Objective for 31. 12. 1996			
			Number of vessels	GRT	kW	GRT	kW		In capacity		In fishing effort (*)	
									GRT	kW	Σ (GT × t)	Σ (kW × t)
Coastal, Community waters and Mediterranean	Trawlers and polyvalent ⁽¹⁾ dredgers	D10 + unclassified	2 730	150 775	505 286			20	136 748	442 193		
	Pelagic seiners, netters etc. and Canaries ⁽²⁾	D11	15 840	140 596	616 059			0	146 742	628 246		
	<i>Subtotal</i>		18 570	291 371	1 121 345				283 490	1 070 439		
Third country and international	Trawlers and polyvalent ⁽³⁾	G12	837	263 274	570 207			15	233 565	494 264		
	Pelagic seiners, netters etc.	G26	392	31 810	99 131			0	33 201	101 092		
	Tuna fleet ⁽⁴⁾	G28	51	58 648	126 759				67 918	138 133		
	<i>Subtotal</i>		1 280	353 732	796 097				334 684	733 489		
	Total		19 850	645 103	1 917 442	673 303	1 955 372		618 174	1 803 927		

(*) This refers to the total allowable fishing effort from 1 January 1992 to 31 December 1996, calculated as the sum of the annual intermediate effort objectives over this period. The annual objectives are calculated as the product of the annual intermediate objectives expressed in units of capacity and the baseline number of days at sea as defined in Annex II. For segments for which the objectives are to be met purely by reductions in capacity these columns are left blank, since the activity of vessels in these segments remains subject to the provisions of Article 5 of Regulation (EC) No 109/94.

The services of the Commission will express the objectives of the programmes in GT as Member States fulfil the obligations to remeasure their fleets as described in Commission Decision 95/84/EC.

⁽¹⁾ Reduction rate does not apply to the capacity of vessels pursuant to Article 158 of the Treaty of Accession. These vessels will be fully integrated into the programme on 1 January 1996.

⁽²⁾ Including vessels pursuant to Article 160 of the Treaty of Accession, for which the limitation of fishing effort is governed by other provisions until 31 December 1995.

⁽³⁾ Including 30 252 GRT and 78 930 kW for vessels operating in the NAFO zone, to which the maximum rate of reduction specified in this programme must be applied.

⁽⁴⁾ Stabilization of the tuna fleet to the objectives specified in the 1992 transitional programme. The figures in this table are provisional and will be revised before 30 June 1995.

COMMISSION DECISION

of 7 June 1995

amending Decision 92/598/EEC on the multiannual guidance programme for the fishing fleet of Portugal for the period 1993 to 1996

(Only the Portuguese text is authentic)

(95/248/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3699/93 of 21 December 1993 laying down the criteria and arrangements regarding Community structural assistance in the fisheries and aquaculture sector and the processing and marketing of its products ⁽¹⁾, and in particular Article 6 (5) and (6) thereof,

Whereas in application of the provisions of point 7 of the Annex to Commission Decision 92/598/EEC ⁽²⁾, the Commission considered that a revision of the programme was necessary, in the light of the experience gained and the provisions of national and Community regulations in force, in order to take into account new elements which improve the conditions under which the programmes are executed and thus to ensure that the objectives fixed by the programme are better respected;

Whereas among the new elements mentioned in the first recital it is appropriate to take into account a certain number of new provisions, such as:

- the provisions for the harmonization of fishing vessel measurements in accordance with Council Regulation (EC) No 3259/94 of 22 December 1994 amending Regulation (EEC) No 2930/86 defining the characteristics of fishing vessels ⁽³⁾,
- the provisions to express the objectives of the programmes in terms of fishing effort, including the level of activity of the vessels, and the declaration procedures adopted in the framework of Commission Regulation (EC) No 109/94 of 19 January 1994 concerning the fishing vessel register of the Community ⁽⁴⁾,
- the new Community and national regulatory provisions or techniques apply to the management of fleet fishing capacity and activity falling within the scope of the present programme,
- the grouping of fleet segments where this respects the fishing effort reduction rates to be applied on the most sensitive fish stocks;

Whereas in the application of the provisions of Article 11 of Council Regulation (EEC) No 3760/92 ⁽⁵⁾ the Council adopted Decision 94/15/EC ⁽⁶⁾ relating to the objectives and detailed rules for restructuring the Community fisheries sector over the period 1 January 1994 to 31 December 1996 with a view to achieving a lasting balance between the resources and their exploitation; whereas the modifications adopted by the present Commission Decision may not change or reduce the scope of the guidelines adopted by the Council;

⁽¹⁾ OJ No L 346, 31. 12. 1993, p. 1.

⁽²⁾ OJ No L 401, 31. 12. 1992, p. 63.

⁽³⁾ OJ No L 339, 29. 12. 1994, p. 11.

⁽⁴⁾ OJ No L 19, 22. 1. 1994, p. 5.

⁽⁵⁾ OJ No L 389, 31. 12. 1992, p. 1.

⁽⁶⁾ OJ No L 10, 14. 1. 1994, p. 20.

Whereas certain Member States were not able to forward before the required deadline all of the data and information to allow the Commission to adopt before 31 December 1994 the draft Decisions concerning the mid-term review of the programmes;

Whereas the measures provided for in the present Decision are in accordance with the opinion of the Management Committee for Fisheries and Aquaculture,

HAS ADOPTED THIS DECISION

Article 1

Decision 92/598/EEC is amended as follows:

1. In Article 2 in the first paragraph 'capacity' is replaced by 'effort'.
2. In Article 4, the sentence 'At the latest by 15 February and 31 July of each year for the previous six-month period ending on 31 December and 30 June respectively ...' is replaced by 'At the latest by 31 March of each year for the previous year ending on 31 December ...'

3. In the Annex:

— In point 1 'Segmentation' the following paragraphs are added:

'Identification of segments

For each segment of the fleet a corresponding list of vessels and their characteristics are transmitted to the Commission by the Member State before 31 December 1994, in accordance with the procedures described in the framework of Commission Regulation (EC) No 109/94 of 19 January 1994 concerning the fishing vessel register of the Community (*), and in particular Annex I thereof and the categories of programmes defined therein.

Grouping of segments

Subject to the agreement of the Commission, the Member State can group several segments of the fleet. In this case, the rate of reduction applied is that corresponding to the most sensitive of the stocks targeted by the group which applies to the new segment thus formed.

Management of segments with polyvalent vessels

For clearly defined fisheries, the Member State can subsegment the fleet composed of polyvalent vessels targeting alternatively demersal, benthic or pelagic stocks. Each subsegment is distinguished by the sum of the fishing effort devoted to it, and registered as such in the table of objectives shown in the Annex to the present Decision. The management of the corresponding fishing effort must be in accordance with the procedures of Article 4 of Regulation (EC) No 109/94.

(*) OJ No L 19, 22. 1. 1994, p. 5.'

— In point 2 'Final objectives by segment':

— the text in brackets in the first paragraph, namely '(tonnage in GRT and engine power in kW)' is replaced by '(tonnage in gross tonnage (GT) and engine power in kilowatts (kW))',

- the following new paragraph is added at the end of this point:

‘The application of the preceding formula to determine the final objectives in GT by segment takes into account, the estimation of GT as at 1 January 1992 for each of these segments on the basis of the provisions of Commission Decision 95/84/EC (**), and in particular the submission to the Commission by the Member States of the data on the GT of the fleet as at 15 March 1995.

The utilization of these data, segment by segment, to estimate the GT values at the start of the programme takes into account the history of the vessels as recorded in the fishing vessel register of the Community, including the vessels which disappeared or were constructed between 1 January 1992 and 15 December 1994.

The GT of the fleet at 1 January 1992 is the sum of the GT by segment thus obtained.

The value in GT of the global objectives for 31 December 1991 is determined by the application of the following formula:

$$\text{obj. 91 (GT)} = \text{obj. 91 (GRT)} \times \text{sit. 91 (GT)} / \text{sit. 91 (GRT)}$$

where:

obj. 91 (GT) = objective for 31 December 1991 in gross tonnage

obj. 91 (GRT) = objective for 31 December 1991 in gross registered tonnage

sit. 91 (GT) = situation at 1 January 1992 in gross tonnage

sit. 91 (GRT) = situation at 1 January 1992 in gross registered tonnage

The estimation of GT at 1 January 1992 of vessels which have since been permanently withdrawn from the national and Community fishing vessel registers and for which the remeasurement formulae defined by Decision 95/84/EC cannot be applied, will be made by applying the ratio GT/GRT of existing vessels in the same length class and belonging to the same segment.

(**) OJ No L 67, 25. 3. 1995, p. 33.’

- In point 5 ‘Implementation and monitoring’ the third indent is replaced by the following:
- ‘— data permitting the measures implemented under this programme to be monitored, in accordance with the provisions of Regulation (EC) No 109/94 concerning the fishing vessel register of the Community, and in particular Articles 4 and 5 thereof.’
- Point 6 ‘Planned measures’ is deleted.
- Point 7 ‘Revision of the programme’ becomes point 6. The second and third paragraphs are deleted
4. The table of objectives presented at the end of the Annex is deleted and replaced by the table annexed to the present Decision.

Article 2

This Decision is addressed to the Republic of Portugal.

Done at Brussels, 7 June 1995.

For the Commission

Emma BONINO

Member of the Commission

ANNEX

'Mainland

Zone	Segment	Category of programme	Fleet register situation for 1. 1. 1992 at the time of adoption of the present Decision			Objective for 31. 12. 1991		Reduction by segment (%)	Objective for 31. 12. 1996			
			Number of vessels	GRT	kW	GRT	kW		In capacity	In fishing effort (*)		
Coastal and Community waters	Trawlers	B11 + unclassified	150	20 554	73 620			20	18 054	62 749		
	Polyvalent (non-trawlers) ⁽¹⁾	B15	11 341	47 567	203 101			0	52 227	216 388		
	Purse seine (sardines)	B19	265	11 723	53 056			0	12 871	56 527		
	<i>Subtotal</i>		11 756	79 844	329 777	87 666	351 351		83 152	335 664		
Third country and international	Polyvalent, trawlers and purse seine (tuna) ⁽²⁾	G24+G27	96	80 676	108 313			15	83 966	103 390		
	<i>Subtotal</i>		96	80 676	108 313	98 783	121 635		83 966	103 390		
	Total		11 852	160 520	438 090	186 449	472 986		167 118	439 054		

(*) This refers to the total allowable fishing effort from 1 January 1992 to 31 December 1996, calculated as the sum of the annual intermediate effort objectives over this period. The annual objectives are calculated as the product of the annual intermediate objectives expressed in units of capacity and the baseline number of days at sea as defined in Annex II. For segments for which the objectives are to be met purely by reductions in capacity these columns are left blank, since the activity of vessels in these segments remains subject to the provisions of Article 5 of Regulation (EC) No 109/94.

The services of the Commission will express the objectives of the programmes in GT as Member States fulfil the obligations to rearm their fleets as described in Commission Decision 95/84/EC.

⁽¹⁾ The objectives for 31 December 1991 have been increased by 11 843 kW to take into account the remotORIZATION of vessels < 9 metres equipped with outboard motors.

⁽²⁾ Including 35 880 GRT and 43 868 kW for vessels operating in the NAFO area, to which the maximum rate of reduction specified in this programme must be applied. The capacity of these vessels and of those vessels operating in third country and international waters based in the Azores will be treated as a single segment for the purposes of this programme.

Madeira

Zone	Segment	Category of programme	Fleet register situation for 1. 1. 1992 at the time of adoption of the present Decision			Objective for 31. 12. 1991		Reduction by segment (%)	Objective for 31. 12. 1996			
			Number of vessels	GRT	kW	GRT	kW		In capacity		In fishing effort (*)	
									GRT	kW	$\Sigma (GT \times t)$	$\Sigma (kW \times t)$
Coastal and Community waters	Polyvalent (non-trawlers) (1)	B16	656	4 009	15 222			0	5 024	19 438		
	Purse seiners	B18	5	208	916			0	261	1 170		
	Subtotal		661	4 217	16 138	5 285	20 608		5 285	20 608		
Third country and international	Polyvalent (tuna)	G25	3	715	1 670				1 200	2 550		
	Subtotal		3	715	1 670	715	1 670		1 200	2 550		
	Total		664	4 932	17 808	6 000	22 278		6 485	23 158		

(*) This refers to the total allowable fishing effort from 1 January 1992 to 31 December 1996, calculated as the sum of the annual intermediate effort objectives over this period. The annual objectives are calculated as the product of the annual intermediate objectives expressed in units of capacity and the baseline number of days at sea as defined in Annex II. For segments for which the objectives are to be met purely by reductions in capacity these columns are left blank, since the activity of vessels in these segments remains subject to the provisions of Article 5 of Regulation (EC) No 109/94.

The services of the Commission will express the objectives of the programmes in GT as Member States fulfil the obligations to reneasure their fleets as described in Commission Decision 95/84/EC.

⁽¹⁾ The objectives for 31 December 1991 have been increased by 408 kW to take into account the remotorization of vessels < 9 metres equipped with outboard motors.

Azores

Zone	Segment	Category of programme	Fleet register situation for 1. 1. 1992 at the time of adoption of the present Decision			Objective for 31. 12. 1991		Reduction by segment (%)	Objective for 31. 12. 1996		
			Number of vessels	GRT	kW	GRT	kW		In capacity	In fishing effort (*)	
Coastal and Community waters	Polyvalent ⁽¹⁾	B14	1 888	11 263	42 642			0	GRT	$\Sigma (GT \times t)$	$\Sigma (kW \times t)$
	<i>Subtotal</i>		1 888	11 263	42 642	13 653	53 397		13 653	53 397	
Third country and international	Polyvalent ⁽²⁾	G23	5	5 245	5 017			15	4 614	4 264	
	<i>Subtotal</i>		5	5 245	5 017	5 428	5 017		4 614	4 264	
	Total		1 893	16 508	47 659	19 081	58 414		18 267	57 661	

(*) This refers to the total allowable fishing effort from 1 January 1992 to 31 December 1996, calculated as the sum of the annual intermediate effort objectives over this period. The annual objectives are calculated as the product of the annual intermediate objectives expressed in units of capacity and the baseline number of days at sea as defined in Annex II. For segments for which the objectives are to be met purely by reductions in capacity these columns are left blank, since the activity of vessels in these segments remains subject to the provisions of Article 5 of Regulation (EC) No 109/94.

The services of the Commission will express the objectives of the programmes in GT as Member States fulfil the obligations to remeasure their fleets as described in Commission Decision 95/84/EC.

⁽¹⁾ The objectives for 31 December 1991 have been increased by 444 kW to take into account the reauthorization of vessels < 9 metres equipped with outboard motors.

⁽²⁾ Including 2 745 GRT and 3 053 kW for vessels operating in the NAFO area, to which the maximum rate of reduction specified in this programme must be applied. The capacity of these vessels and of those vessels operating in third country and international waters based on the Portuguese mainland will be treated as a single segment for the purposes of this programme.