

**COUNCIL REGULATION (EC) No 830/2004
of 26 April 2004**

**on the conclusion of the Protocol defining for the period 1 January 2004 to 31 December 2008
the fishing opportunities and the financial contribution provided for in the Agreement between
the European Economic Community and the Government of the Republic of Guinea on fishing off
the Guinean coast**

THE COUNCIL OF THE EUROPEAN UNION,

The text of the Protocol is attached to this Regulation.

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

Article 2

Having regard to the proposal from the Commission,

1. The fishing opportunities provided for in the Protocol shall be allocated among the Member States as follows:

Having regard to the opinion of the European Parliament ⁽¹⁾,

(a) shrimp fishing:

- Spain: 1 050 GRT,
- Portugal: 300 GRT,
- Greece: 150 GRT;

Whereas:

(1) Pursuant to the second paragraph of Article 15 of the Agreement between the European Economic Community and the Government of the Republic of Guinea on fishing off the Guinean coast (Agreement) ⁽²⁾, the two Parties conducted negotiations to determine any amendments or additions to be made to the Agreement at the end of the period of application of the Protocol annexed thereto.

(b) tuna seiners:

- France: 17 vessels,
- Spain: 17 vessels;

(2) As a result of those negotiations, a new Protocol defining for the period 1 January 2004 to 31 December 2008 the fishing opportunities and the financial contribution provided for in the Agreement was initialled on 27 June 2003.

(c) pole-and-line tuna vessels:

- France: 7 vessels,
- Spain: 7 vessels;

(3) The method of allocating the fishing opportunities among the Member States should be defined on the basis of the traditional allocation of fishing opportunities under the Agreement.

(d) Surface longliners:

- Spain: 8,
- Portugal: 1.

(4) It is in the Community's interest to approve that Protocol,

2. The fishing opportunities provided for in the Protocol for fin-fish and cephalod fishing for 2004 shall be allocated among the Member States as follows:

- Spain: 844 GRT
- Italy: 750 GRT
- Greece: 906 GRT

HAS ADOPTED THIS REGULATION:

3. If fishing opportunities are increased from 2005 as compared with 2004 in accordance with Article 1 of the Protocol, these increases shall be allocated in proportion to the fishing opportunities indicated above for 2004.

Article 1

The Protocol defining for the period 1 January 2004 to 31 December 2008 the fishing opportunities and the financial contribution provided for in the Agreement between the European Economic Community and the Government of the Republic of Guinea on fishing off the Guinean coast is hereby approved on behalf of the Community.

4. If licence applications from these Member States do not cover all the fishing opportunities laid down by the Protocol, the Commission may take into consideration licence applications from any other Member State.

Article 3

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

⁽¹⁾ Opinion delivered on 1 April 2004 (not yet published in the Official Journal).

⁽²⁾ OJ L 111, 27.4.1983, p. 1.

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

Done at Luxembourg, 26 April 2004.

For the Council

The President

J. WALSH
