

AGREEMENT

in the form of an Exchange of Letters concerning the provisional application of the Protocol setting out for the period 3 May 2000 to 2 May 2002 the fishing opportunities and the financial contribution provided for by the Agreement between the European Community and the Government of the Republic of Angola on fishing off the coast of Angola

A. Letter from the Government of the Republic of Angola

Sir,

With reference to the Protocol initialled on 6 July 2000 setting out the fishing opportunities and financial compensation for the period 3 May 2000 to 2 May 2002, I have the honour to inform you that the Government of the Republic of Angola is prepared to apply the Protocol on a provisional basis with effect from 3 May 2000, pending its entry into force in accordance with Article 7 thereof, provided that the European Community is disposed to do the same.

This is on the understanding that the financial compensation provided for in Article 2 of the Protocol is to be paid before 30 November 2000.

I should be obliged if you would confirm the European Community's agreement to such provisional application.

Please accept, Sir, the assurance of my highest consideration,

For the Government of the Republic of Angola

B. Letter from the Community

Sir,

I have the honour to acknowledge receipt of your letter of today's date which reads as follows:

'With reference to the Protocol initialled on 6 July 2000 setting out the fishing opportunities and financial contribution for the period 3 May 2000 to 2 May 2002, I have the honour to inform you that the Government of the Republic of Angola is prepared to apply the Protocol on a provisional basis with effect from 3 May 2000, pending its entry into force in accordance with Article 7 thereof, provided that the European Community is disposed to do the same.

This is on the understanding that the financial compensation provided for in Article 2 of the Protocol is to be paid before 30 November 2000.

I should be obliged if you would confirm the European Community's agreement to such provisional application.'

I have the honour to confirm the European Community's agreement to such provisional application.

Please accept, Sir, the assurance of my highest consideration,

On behalf of the Council of the European Union

PROTOCOL

setting out for the period 3 May 2000 to 2 May 2002 the fishing opportunities and financial contribution provided for in the Agreement between the European Economic Community and the Government of the People's Republic of Angola on fishing off Angola

Article 1

From 3 May 2000, for a period of two years, the limits referred to in Article 2 of the Agreement shall be as follows:

1. Shrimp vessels:

6 550 gross registered tonnage (GRT) per month, as an annual average (maximum 22 vessels).

However, the quantities to be fished by Community vessels may not exceed 5 000 tonnes of shrimps and prawns per year, of which 30 % shall be prawns and 70 % shrimps.

2. Demersal vessels: (trawlers, bottom longliners, fixed gillnets):

3 750 GRT per month, as an annual average.

Fishing for *Centrophorus granulosus* is forbidden.

3. Freezer tuna seiners: 18 vessels.

4. Surface longliners: 25 vessels.

5. Fishing for pelagic species: 2 vessels.

Because of the nature of this type of fishing, it shall be subject to a trial period of six months starting on the date that this Protocol enters into force.

Article 2

1. The financial contribution provided for in Article 7 of the Agreement for the period referred to in Article 1 of this Protocol is hereby set at EUR 13 975 000 per year (including EUR 9 950 000 per year by way of financial compensation and EUR 4 025 000 per year for the measures referred to in Article 3 of this Protocol) in return for the fishing opportunities set out in Article 1.

The financial compensation shall be payable into a budget account of the Ministry for Fisheries and the Environment.

The financial compensation shall be paid not later than 30 November for the first year of the Protocol and not later than the anniversary date of the Protocol the following year.

2. If vessels withdraw from the Agreement and the Angolan authorities do not agree to their replacement by other vessels, the resulting reduction in fishing opportunities for the Community shall entail a proportional adjustment of the financial contribution provided for in paragraph 1.

3. Angola shall have full discretion regarding the use to which the financial compensation is put.

Article 3

The amount of EUR 4 025 000 earmarked for the specific measures provided for in Article 2(1) each year shall be broken down as follows:

1. Angolan scientific and technical programmes to improve knowledge of fishery and biological resources in Angola's fishing zone: EUR 750 000
2. Quality control programme: EUR 350 000
3. Programme of support for fisheries surveillance: EUR 775 000
4. Programme to develop non-industrial fishing: EUR 150 000
5. Programme of institutional support to the Ministry for Fisheries and the Environment: EUR 500 000
6. Programme to finance fishing schools, study grants, practical training in the various scientific, technical and economic disciplines related to fisheries and participation in international organisations, seminars, symposia and workshops: EUR 1 500 000.

The measures and the annual amounts allocated thereto shall be decided on by the Ministry for Fisheries and the Environment, which shall inform the Commission of the European Communities thereof.

The annual amounts shall be made available to the bodies concerned, through a budget account of the Ministry for Fisheries and the Environment, not later than 30 November for the first year and after the anniversary date of the Protocol the following year.

The Ministry for Fisheries and the Environment shall provide the Commission of the European Communities with detailed information in writing. The European Community may reconsider the payments concerned, after consulting the Angolan authorities, in the light of actual progress in implementing the measures.

Article 4

Should there be any significant change in the conditions of exploiting fisheries resources in Angola's exclusive economic zone (EEZ) which prevent the exercise of fishing activities, the European Community reserves the right to stop payment of the financial contribution, on agreement between the parties.

Article 5

A joint scientific meeting shall be held annually to analyse matters relating to the sustainable management of fisheries resources.

Article 6

Should the Community fail to make the payments provided for in Articles 2 and 3 within the time limits laid down, application of the Agreement may be suspended.

Article 7

The Annex to the Agreement between the European Economic Community and the Government of the People's Republic of Angola on fishing off Angola is hereby repealed and replaced by the Annex to this Protocol.

Article 8

This Protocol shall enter into force on the date of its signature. It shall apply from 3 May 2000.

ANNEX

'ANNEX A

Conditions governing fishing activities by Community vessels in Angolan waters**1. LICENCE APPLICATION AND ISSUING FORMALITIES**

- 1.1. The Commission of the European Communities shall present to Angola's fishing authority, via the Delegation of the Commission of the European Communities in Angola, an application made by the shipowner for each vessel wishing fish under this Agreement, at least 15 days before the date of commencement of the period of validity requested. Applications shall be made on forms provided for the purpose by Angola, specimens of which are contained in Appendix 1 and Appendix 2. On first application the form should be accompanied by a tonnage certificate. All licence applications shall be accompanied by proof of payment of the licence fee for the period of its validity.

For the purposes of this Protocol the fishery products caught by Community vessels fishing under this Agreement shall be of Community origin.

- 1.2. Each licence shall be issued to a shipowner for a specific vessel. In cases of proven *force majeure*, at the request of the Commission of the European Communities, the licence for a vessel shall be replaced by a licence valid for another Community vessel of a similar type.
- 1.3. Licences shall be issued by the Angolan authorities to the skipper of the vessel in the port of Luanda after inspection of the vessel by the competent authority. However, in the case of tuna vessels and surface longliners, licences shall be issued to the shipowners or their representatives or agents.
- 1.4. The Delegation of the Commission of the European Communities in Angola shall be notified of the licences issued by Angola's fishing authority.
- 1.5. Licences must be held on board at all times; however, in the case of tuna vessels and surface longliners, the vessel shall be entered on the list of authorised fishing vessels as soon as notification is received that the European Commission has paid the advance to the Angolan authorities and the list shall then be communicated to the Angolan authorities responsible for supervising fisheries. Pending receipt of the licence, a copy may be obtained by fax and should be kept on board.
- 1.6. Licences shall be valid for periods of one year.
- 1.7. Each vessel shall be represented by an agent who is resident in Angola and approved by the Ministry for Fisheries and the Environment.
- 1.8. The Angolan authorities shall communicate, as soon as possible, particulars of the bank accounts and currencies to be used for financial settlements under this Agreement.

2. FEES**2.1. Provisions applicable to licences for shrimp vessels and demersal fishing vessels**

The fees shall be:

- EUR 58/month per GRT for shrimp vessels,
- EUR 205/year per GRT for demersal vessels.

The fees may be paid quarterly or half-yearly. In this case the amount shall be increased by 5 % and 3 % respectively.

2.2. Provisions applicable to tuna vessels and surface longliners

The fees shall be EUR 25 per tonne caught within Angola's fishing zone.

Licences shall be issued following advance payment to Angola at a flat rate of EUR 4 200 a year for each freezer tuna seiner, equivalent to the fees for a catch of 168 tonnes per year, and at a flat rate of EUR 2 100 a year for each surface longliner, equivalent to the fees for a catch of 84 tonnes per year.

The final statement of the fees due for the fishing year shall be drawn up by the Commission of the European Communities at the end of the first quarter of the year following that of the catches on the basis of the catch statements made for each vessel and verified by a specialised scientific body in the region, in particular the Institut de Recherche pour le Développement (IRD), the Instituto Español de Oceanografía (IEO) and the Instituto Português de Investigação Marítima (IPIMAR).

This statement shall be communicated to the Angolan authorities and to the shipowners at the same time. The shipowners shall make any additional payment, within 30 days of notification of the final statement at the latest, into an account opened with a financial institution or any other body specified by the Angolan authorities.

However, if the amount of the final statement is lower than the advance referred to above, the balance shall not be reimbursed to the shipowners.

3. BIOLOGICAL REST-PERIOD

Each year there is the possibility that a closed season on shrimp fishing may be decided for reasons of biological recovery in the light of the findings of scientific surveys. The Commission and shipowners shall be notified not less than three months in advance of any such closed season. Shipowners shall not pay for the licence fee during this period.

4. BY-CATCHES

The by-catches of shrimp vessels shall be the property of the shipowners. They shall be authorised to catch up to 500 tonnes of crab per year.

5. LANDINGS

Community surface longliners shall endeavour to help supply Angolan tuna-canning factories, in accordance with their fishing effort in the zone, at a price to be jointly agreed between the shipowners and the Angolan fishing authorities based on current international market prices. Payment shall be made in convertible currency.

6. TRANSSHIPMENT

All transshipments shall be notified to the competent Angolan fishing authorities eight days in advance and shall take place in one of the bays of Luanda or Lobito in the presence of the tax authorities.

A copy of the documentation relating to transshipments shall be forwarded to the Inspection and Monitoring Department of the Ministry for Fisheries and the Environment 15 days before the end of each month for the preceding month.

7. DECLARATIONS OF CATCHES

7.1. Shrimp vessels and demersal vessels

7.1.1. At the end of each fishing campaign these vessels must forward to the Fisheries Research Institute in Luanda, via the Delegation of the Commission of the European Communities, the daily catch reports drawn up by the skipper in accordance with the specimen contained in Appendices 3 and 4.

Furthermore, each vessel shall present a monthly report to the planning, studies and statistics office of the Ministry for Fisheries and the Environment, via the delegation of the Commission of the European Communities, listing the catches made during the month and quantities on board on the last day of the month. This report shall be presented no later than the 45th day following the end of the month concerned.

In the event of failure to comply with this provision, Angola reserves the right to apply the penalties provided for in its legislation.

7.1.2. These vessels must also inform Luanda radio station daily of their geographical position and the previous day's catches. Shipowners shall be notified of the call sign at the time of issue of the fishing licence. In cases where radio communication cannot be used, vessels may use alternative means, such as telex or telegram.

Before leaving Angola's fishing zone, these vessels must obtain authorisation from the Department of Inspection and Monitoring of the Ministry for Fisheries and the Environment and have the catches on board checked.

7.2. Tuna vessels and surface longliners

Every three days during the fishing period in Angola's fishing zone, vessels shall inform Luanda radio station of their position and their catches. On entering and leaving Angola's fishing zone, the vessels shall inform Luanda radio station of their position and the volume of the catches on board.

In cases where radio communication cannot be used, vessels may use alternative means, such as telex or telegram.

In addition, the skipper shall keep a fishing log book, in accordance with Appendix 5, for each fishing period spent in Angola's fishing zone.

This form must be completed legibly and be signed by the skipper of the vessel and sent to the Department of Inspection and Monitoring of the Ministry for Fisheries and the Environment via the Delegation of the Commission of the European Communities within 45 days of the end of the fishing campaign.

In the event of failure to comply with this provision, Angola reserves the right to apply the penalties provided for in its legislation.

8. FISHING ZONES

8.1. The fishing zones accessible to shrimp vessels shall comprise all waters under the sovereignty or the jurisdiction of the Republic of Angola north of 12°20' prime and beyond the first 12 nautical miles measured from the base lines.

8.2. The fishing zones accessible to freezer tuna seiners and surface longliners shall comprise all waters under the sovereignty or the jurisdiction of the republic of Angola beyond the first 12 nautical miles measured from the base lines.

8.3. The fishing zones accessible to vessels engaged in demersal fishing shall comprise all waters under the sovereignty or the jurisdiction of the Republic of Angola:

- trawlers: beyond the first 12 nautical miles measured from the base lines and restricted northwards by 13°00' prime and south and southwards by a line five miles north of the limit between the exclusive economic zones (EEZs) of Angola and Namibia,
- other types of vessels: beyond the first eight nautical miles measured from the base lines and restricted northwards by a line five miles north of the limit between the EEZs of Angola and Namibia.

9. SIGNING-ON OF SEAMEN

Owners of all vessels, except freezer tuna seiners and surface longliners, to whom fishing licences have been issued under this Agreement shall contribute to the on-the-job vocational training of at least six Angolan seamen on board each vessel, who shall be freely chosen from a list drawn up by the Ministry for Fisheries and the Environment.

Should an observer be taken on board at Angola's request, he shall be included among the six seamen referred to above.

Community shipowners shall endeavour to increase the number of seamen and improve their vocational skills.

The seamen's wages shall be borne by the shipowners in accordance with the terms mutually agreed and shall be paid into an account opened with a financial institution designated by the Ministry for Fisheries and the Environment. This pay shall include life insurance against all risks.

10. SCIENTIFIC OBSERVERS

10.1. Any vessel may be asked to take on board a scientific observer designated and employed by the Ministry for Fisheries and the Environment. Observers shall not normally remain on board for more than one trip.

10.2. The time spent on board by the observer shall be fixed by the Angolan authorities, but, as a general rule, it should not exceed the time required to carry out his duties.

10.3. Observers shall be treated as officers. They shall:

- observe the fishing activities of the vessels,
- perform biological sampling in the context of scientific programmes,
- note the fishing gear used,
- verify the catch data for Angola's zone recorded in the logbook,
- report fishing data by radio once a week.

While on board, observers shall:

- take all appropriate steps to ensure that the conditions under which they are taken on board and their presence on board do not interrupt or hamper fishing activities,
- respect the material and equipment on board and the confidentiality of all documents belonging to the said vessel,
- draft an activity report to be transmitted to the competent Angolan authorities.

The terms of observers' embarkation are to be agreed between the shipowner or his agent and the Angolan authorities. Their wages and social insurance contributions are to be paid by the Ministry for Fisheries and the Environment. Shipowners, through their agents, shall pay the Ministry for Fisheries and Environment EUR 15 for each day spent by an observer on board a vessel. Shipowners who are unable to take observers aboard and put them off at an Angolan port agreed by common accord with the Angolan authorities shall bear the cost of taking the observers aboard and putting them ashore.

If the observer is not present at the time and place agreed and during the twelve hours following the time agreed, shipowners shall be automatically absolved of their obligation to take the observer on board.

11. INSPECTION AND MONITORING

Community vessels fishing under the Agreement shall be monitored by satellite in accordance with conditions to be agreed between the parties.

At the request of the Angolan authorities, Community fishing vessels fishing under the Agreement shall allow on board any Angolan officials responsible for the inspection and monitoring of fishing activities and facilitate the accomplishment of their duties.

These officials shall remain on board no longer than is necessary for the accomplishment of their duties.

12. FUEL SUPPLIES, REPAIRS AND OTHER SERVICES

All vessels, except tuna vessels, operating in Angola's fishing zone under this Agreement must obtain their fuel and water supplies and have shipyard repairs and maintenance carried out in Angola wherever possible.

Subject to these same conditions, the transport of crews shall be undertaken by the Angolan national airline, TAAG.

Fuel shall not be taken on board outside the ports of Luanda or Lobito without authorisation from the Department of Inspection and Monitoring of the Ministry for Fisheries and the Environment.

13. MESH SIZE

The minimum size of the mesh used shall be:

- 13.1. for shrimp fishing: 40 mm until 1 March 2001 and 50 mm from that date onward.
- 13.2. 110 mm for demersal fishing.
- 13.3. The introduction of new mesh sizes shall apply to Community vessels from the sixth month following notification to the Commission of the European Communities.

14. BOARDING

- 14.1. The Delegation of the Commission of the European Communities in Luanda shall be informed within 48 hours of the boarding of any fishing vessel flying the flag of a Member State of the Community within Angola's fishing zone and operating under an Agreement concluded between the Community and a third country, and shall at the same time receive a report of the circumstances and reasons for the boarding of the vessel.

- 14.2. In the case of vessels authorised to fish in Angolan waters, before any measures regarding the master or the crew of the vessel of any action regarding the cargo and equipment of the vessel are considered, other than those to safeguard evidence relating to the presumed infringement, a consultation meeting shall be held, within 48 hours of receipt of the abovementioned information, between the Delegation of the Commission of the European Communities, the Ministry for Fisheries and the Environment and the inspection authorities, possibly attended by a representative of the Member State concerned.

At the meeting, the parties shall exchange any relevant documentation or information, in particular automatically registered data showing the vessel's positions during the trip up to the time of boarding, helping to clarify the circumstances of the established facts.

The shipowner or his representative shall be informed of the outcome of the meeting and of any measures resulting from the boarding.

- 14.3. Before any judicial procedure, an attempt shall be made to resolve the presumed infringement through a compromise procedure. This procedure shall be completed no later than three working days after the boarding.
- 14.4. Should the case not be settled by means of compromise, and therefore be brought before a competent judicial body, a bank security payable by the shipowner shall be fixed by the relevant authority within 48 hours following the conclusion of the compromise procedure, pending the judicial decision. The amount of the security must not exceed the amount of the penalty laid down under national legislation for the presumed infringement in question. The bank security shall be returned to the shipowner by the relevant authority once the case is settled without incrimination of the master of the vessel concerned.
- 14.5. The vessel and its crew shall be released:
- at the end of the consultation meeting, if the established facts permit, or
 - once the obligations arising under the compromise have been fulfilled, or
 - once a bank security is deposited by the shipowner (judicial procedure).
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ANNEX B

Conditions governing fishing activities by European Community vessels fishing for pelagic species in Angolan waters

1. LICENCE APPLICATION AND ISSUING FORMALITIES

- 1.1. The Commission of the European Communities shall present to Angola's fishing authority, via the Delegation of the Commission of the European Communities in Angola, an application made by the shipowner for each vessel wishing fish under this Agreement, at least 15 days before the date of commencement of the period of validity requested. Applications shall be made on forms provided for the purpose by Angola, specimens of which are contained in Appendix 1. On first application the form should be accompanied by a tonnage certificate. All licence applications shall be accompanied by proof of payment of the licence fee for the period of its validity.

When renewing the licence, only proof of payment of the fee for the period in question need be presented to the Angolan authorities; the other documents referred to above are presented only with the first application or when the technical characteristics of the vessel have changed.

- 1.2. Each licence shall be issued to a shipowner for a specific vessel. In cases of proven *force majeure*, at the request of the Commission of the European Communities, the licence for a vessel shall be replaced by a licence valid for another Community vessel of a similar type.
- 1.3. Licences shall be issued by the Angolan authorities to the skipper of the vessel in the nearest port after inspection of the vessel by the competent authority.
- 1.4. The Delegation of the Commission of the European Communities in Angola shall be notified of the licences issued by Angola's fishing authority.
- 1.5. Licences must be held on board at all times; however the vessel shall be entered on the list of authorised fishing vessels as soon as notification is received that the Commission of the European Communities has paid the advance to the Angolan authorities and the list shall then be communicated to the Angolan authorities responsible for supervising fisheries. Pending receipt of the licence, a copy may be obtained by fax and should be kept on board.
- 1.6. Licences shall be valid for a minimum period of one month and be renewable.
- 1.7. Each vessel shall be represented by an agent who is resident in Angola and approved by the Ministry for Fisheries and the Environment.
- 1.8. The Angolan authorities shall communicate particulars of the bank accounts and currencies to be used for payment of fees before the entry into force of this Protocol.
- 1.9. Licences shall authorise the fishing of mackerel and horse mackerel. A by-catch of up to 10 % is authorised.

2. FEES

The fee shall be set at EUR 3/month per GRT.

After the trial period the conditions governing fishing shall be laid down by common agreement of the shipowners and the Angolan authorities in the light of the results of this period.

3. TRANSSHIPMENT

All transshipments shall be notified to the competent Angolan fishing authorities eight days in advance and shall take place in one of the bays of Luanda or Lobito in the presence of the tax authorities.

A copy of the documentation relating to transshipments shall be forwarded to the Inspection and Monitoring Department of the Ministry for Fisheries and the Environment 15 days before the end of each month for the preceding month.

4. DECLARATIONS OF CATCHES

- 4.1. At the end of each fishing campaign these vessels must forward to the Fisheries Research Institute in Luanda, via the Delegation of the Commission of the European Communities, the daily catch reports drawn up by the skipper in accordance with the specimen contained in Appendix 6.

Furthermore, each vessel shall present a monthly report to the planning, studies and statistics office of the Ministry for Fisheries and the Environment, via the delegation of the Commission of the European Communities, listing the catches made during the month and quantities on board on the last day of the month. This report shall be presented no later than the 45th day following the end of the month concerned.

- 4.2. Before leaving Angola's fishing zone, these vessels must obtain authorisation from the Department of Inspection and Monitoring of the Ministry for Fisheries and the Environment and have the catches on board checked.

In the event of failure to comply with this provision, Angola reserves the right to apply the penalties provided for in its legislation.

5. FISHING ZONES

The fishing zones accessible to vessels fishing pelagic species shall comprise all waters under the sovereignty or the jurisdiction of the Republic of Angola beyond the first 12 nautical miles.

6. SIGNING-ON OF SEAMEN

Vessels fishing for pelagic species during the trial period shall not be subject to the requirement to sign on Angolan seamen.

7. SCIENTIFIC OBSERVERS

- 7.1. Any vessel may be asked to take on board a scientific observer designated and employed by the Ministry for Fisheries and the Environment. Observers shall not normally remain on board for more than one trip.
- 7.2. The time spent on board by the observer shall be fixed by the Angolan authorities, but, as a general rule, it should not exceed the time required to carry out his duties.
- 7.3. Observers shall be treated as officers. They shall:
- observe the fishing activities of the vessels,
 - perform biological sampling in the context of scientific programmes,
 - note the fishing gear used,
 - verify the catch data for Angola's zone recorded in the logbook,
 - report fishing data by radio once a week.

While on board, observers shall:

- take all appropriate steps to ensure that the conditions under which they are taken on board and their presence on board do not interrupt or hamper fishing activities,
- respect the material and equipment on board and the confidentiality of all documents belonging to the said vessel,
- draft an activity report to be transmitted to the competent Angolan authorities.

The terms of observers' embarkation are to be agreed between the shipowner or his agent and the Angolan authorities. Their wages and social insurance contributions are to be paid by the Ministry for Fisheries and the Environment. Shipowners, through their agents, shall pay the Ministry for Fisheries and Environment EUR 15 for each day spent by an observer on board a vessel. Shipowners who are unable to take observers aboard and put them off at an Angolan port agreed by common accord with the Angolan authorities shall bear the cost of taking the observers aboard and putting them ashore.

If the observer is not present at the time and place agreed and during the twelve hours following the time agreed, shipowners shall be automatically absolved of their obligation to take the observer on board.

8. INSPECTION AND MONITORING

Community vessels fishing under the Agreement shall be monitored by satellite in accordance with conditions to be agreed between the parties.

At the request of the Angolan authorities, Community fishing vessels operating under the Agreement shall allow on board any Angolan officials responsible for the inspection and monitoring of fishing activities and facilitate the accomplishment of their duties.

These officials shall remain on board no longer than is necessary for the accomplishment of their duties.

9. FUEL SUPPLIES, REPAIRS AND OTHER SERVICES

All vessels operating in Angola's fishing zone under this Agreement must obtain their fuel and water supplies and have shipyard repairs and maintenance carried out in Angola wherever possible.

Subject to these same conditions, the transport of crews shall be undertaken by the Angolan national airline, TAAG.

Fuel shall not be taken on board outside the ports of Luanda or Lobito without authorisation from the Department of Inspection and Monitoring of the Ministry for Fisheries and the Environment.

10. MESH SIZE

The minimum size of the mesh used shall be that laid down by Angolan law.

11. BOARDING

11.1. The Delegation of the Commission of the European Communities in Luanda shall be informed within 48 hours of the boarding of any fishing vessel flying the flag of a Member State of the Community within Angola's fishing zone and operating under an Agreement concluded between the Community and a third country, and shall at the same time receive a report of the circumstances and reasons for the boarding of the vessel.

11.2. In the case of vessels authorised to fish in Angolan waters, before any measures regarding the master or the crew of the vessel of any action regarding the cargo and equipment of the vessel are considered, other than those to safeguard evidence relating to the presumed infringement, a consultation meeting shall be held, within 48 hours of receipt of the abovementioned information, between the Delegation of the Commission of the European Communities, the Ministry for Fisheries and the Environment and the inspection authorities, possibly attended by a representative of the Member State concerned.

At the meeting, the parties shall exchange any relevant documentation or information, in particular automatically registered data showing the vessel's positions during the trip up to the time of boarding, helping to clarify the circumstances of the established facts.

The shipowner or his representative shall be informed of the outcome of the meeting and of any measures resulting from the boarding.

11.3. Before any judicial procedure, an attempt shall be made to resolve the presumed infringement through a compromise procedure. This procedure shall be completed no later than three working days after the boarding.

11.4. Should the case not be settled by means of compromise, and therefore be brought before a competent judicial body, a bank security payable by the shipowner shall be fixed by the relevant authority within 48 hours following the conclusion of the compromise procedure, pending the judicial decision. The amount of the security must not exceed the amount of the penalty laid down under national legislation for the presumed infringement in question. The bank security shall be returned to the shipowner by the relevant authority once the case is settled without incrimination of the master of the vessel concerned.

11.5. The vessel and its crew shall be released:

- at the end of the consultation meeting, if the established facts permit, or
- once the obligations arising under the compromise have been fulfilled, or
- once a bank security is deposited by the shipowner (judicial procedure).

Appendix 1

APPLICATION FOR A LICENCE TO FISH FOR SHRIMP AND DEMERSAL SPECIES IN ANGOLAN WATERS

SECTION A

1. Name of shipowner:
2. Nationality of shipowner:
3. Business address of shipowner:
4. Chemical additives which may be used (name and composition):
.....
.....
.....

SECTION B

To be completed for each vessel

1. Period of validity:
2. Name of vessel:
3. Year of construction:
4. Original flag:
5. Current flag:
6. Date on which current flag acquired:
7. Year acquired:
8. Port and registration number:
9. Type of fishing:
10. Gross tonnage:
11. Call sign:
12. Length overall (m):
13. Bow height (m):
14. Depth (m):
15. Hull construction material:
16. Engine power:
17. Speed (knots):
18. Capacity of the cold storage chamber:
19. Capacity of tanks (m³):
20. Capacity of fish holds (m³):
21. Colour of hull:
22. Colour of superstructure:

23. On-board communication equipment:

Type	Make	Power (Watts)	Year of construction	Frequencies	
				Reception	Transmission

24. Navigating and sounding equipment:

Type	Make	Model	Range

25. Skipper:

26. Nationality of skipper:

Include:

- Three colour photographs of vessel (side view),
- an illustration and detailed description of the fishing gear used,
- a document proving that the representative of the shipowner is empowered to sign this application.

(Date of application)

(Signature of representative of shipowner)

Appendix 2

APPLICATION FOR A LICENCE TO FISH FOR TUNA IN ANGOLAN WATERS

SECTION A

1. Name of shipowner:
2. Nationality of shipowner:
3. Business address of shipowner:
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.....
.....

SECTION B

To be completed for each vessel

1. Period of validity:
2. Name of vessel:
3. Year of construction:
4. Original flag:
5. Current flag:
6. Date on which current flag acquired:
7. Year acquired:
8. Port and registration number:
9. Type of fishing:
10. Gross tonnage:
11. Call sign:
12. Length overall (m):
13. Bow height (m):
14. Depth (m):
15. Hull construction material:
16. Engine power:
17. Speed (knots):
18. Cabins:
19. Capacity of tanks (m³):
20. Capacity of fish holds (m³):
21. Freezing capacity in tonnes/24 hours and system used:
22. Colour of hull:
23. Colour of superstructure:

24. On-board communication equipment:

Type	Make	Model	Power (Watts)	Year of construction	Frequencies	
					Reception	Transmission

25. Navigating and sounding equipment:

Type	Make	Model

26. Auxiliary boats used (for each vessel):

26.1. Gross tonnage:

26.2. Length overall (m):

26.3. Bow height (m):

26.4. Depth (m):

26.5. Hull construction material:

26.6. Engine power:

26.7. Speed (knots):

27. Auxiliary aerial equipment used to detect fish (even if not installed on board):

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28. Home port:

29. Skipper:

30. Nationality of skipper:

Include:

— three colour photographs of vessel (side view), additional boats used for fishing and additional out-of-water equipment for detecting fish,

— an illustration and detailed description of the fishing gear used,

— a document proving that the representative of the shipowner is empowered to sign this application.

(Date of application)

(Signature of representative of shipowner)

TRIP

Call sign (1)			Departure (6)	Arrival (7)
Registration (2)		Date		
Name of vessel (3)		Port		
Nationality (4)		Skipper's name and signature (8)		
Shipowner (5)				

FISHING GEAR (Specify and give measurements) (9)

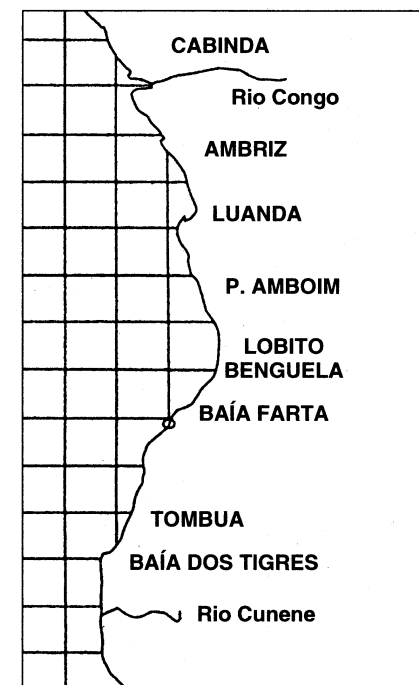
Gear	Headline (m) (g)	Footrope (m)	Codend mesh size (mm)
Demersal trawl (a)			
Pelagic trawl (b)			
Shrimp trawl (c)			
	Floatline	Depth (m)	
Seine (d)			
	Length (m)	No of hooks used	
Longline (e)			
	Length (m)	Depth (m)	
Gillnet/trammel net (f)			
Other (specify)			

MAIN SPECIES FISHED (Please state name or serial number) (10)

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Please enter the TOTAL NUMBER OF FISHING DAYS in each box in the diagram opposite (11)

TOTAL CATCH (KG) (Weight of all fish on board) (12)



Appendix 4.1

FISHING LOGBOOK

(for all shrimp vessels)

INSTITUTO DE INVESTIGAÇÃO PESQUEIRA

Haul (13)	No	No	No	No	No
Date (14)					
Latitude (15)					
Longitude (16)					
Sounding (m) (17)					
Duration (h) (18)					
Total catch (kg) (19)					

	1. Deepwater shrimps					
	2. Deep-water rose shrimp					
	3. Blue-and-red shrimp					
	4. Lobster					
	5. Crabs					
	6.					
	7.					
	8.					
	9.					
	10.					
	11.					
	12.					
	13.					

NB: See attached table to confirm the common name of the species in your language.

Total quantity of fish processed (kg)

Species	Heads off	Others

Discards

[illegible]

TRIP

Call sign (1)			Departure (6)	Arrival (7)
Registration (2)		Date		
Name of vessel (3)		Port		
Nationality (4)		Skipper's name and signature (8)		
Shipowner (5)				

FISHING GEAR (Specify and give measurements) (9)

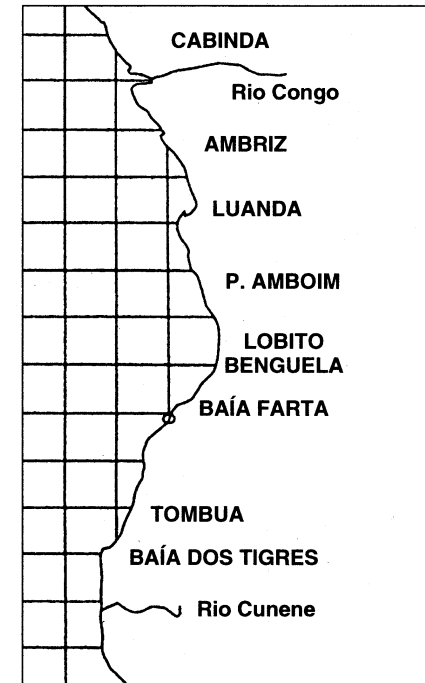
Gear	Headline (m) (g)	Footrope (m)	Codend mesh size (mm)
Demersal trawl (a)			
Pelagis trawl (b)			
Shrimp trawl (c)			
	Floatline	Depth (m)	
Seine (d)			
	Length (m)	No of hooks used	
Longline (e)			
	Length (m)	Depth (m)	
Gillnet/trammel net (f)			
Other (specify)			

MAIN SPECIES FISHED (Please state name or serial number) (10)

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Please enter THE TOTAL NUMBER OF FISHING DAYS in each box in the diagram opposite (11)

TOTAL CATCH (KG) (Weight of all fish on board) (12)



FISHING LOG BOOK FOR TUNA BOATS

[illegible]

1 - At the end of each trip forward a copy of the log to Ministry of Fisheries

2 - Fishing area refers to the position of the set. Round off minutes and record degree of latitude and longitude

3 - The bottom line -landing weight- should be completed only at the End of the trip. Actual weight at the time of unloading should be recorded

4 – All information reported herein will be kept strictly confidential

STATISTICS ON DEEP-SEA FISHING ACTIVITIES

MINISTRY FOR FISHERIES

Month:

Year:

Name of vessel:	
Nationality (flag):	

Engine rating	
Gross registered tonnage (GRT)	

Fishing method	
Home port	

Date	Fishing zone		Number of sets	Number of fishing hours	Species (kg)					
	Longitude	Latitude			Mackerel and horse mackerel		Total	Other fish		Total
					Mackerel	Horse mackerel				
1)										
2)										
3)										
4)										
5)										
6)										
7)										
8)										
9)										
10)										
11)										
12)										
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24)										
25)										
26)										
27)										
28)										
29)										
30)										
31)										
		TOTAL'								