



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 17.10.2005
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2005/0205 (CNS)

Proposal for a

COUNCIL REGULATION

repealing Regulation (EC) No 3690/93 establishing a Community system laying down rules for the minimum information to be contained in fishing licences

(presented by the Commission)

EXPLANATORY MEMORANDUM

Council Regulation No 3690/93¹ established a Community system laying down rules for the minimum information to be contained in fishing licences on the basis of Regulation (EC) No. 3760/92 establishing a Community system for fisheries and aquaculture which was repealed by Regulation (EC) No. 2371/2002.

The fishing licence constitutes a relevant fleet management tool, in particular concerning the capacity limitations as laid down in Articles 12 and 13 of Regulation (EC) No. 2371/2002 and in Council Regulation (EC) No. 639/2004 of 30 March 2004 on the management of fishing fleets registered in the Community outermost regions. It is therefore necessary to adapt the rules on fishing licenses to this new situation on the basis of Article 13, paragraph 3, and Article 22, paragraph 3 of regulation (EC) No. 2371/2002.

A proposal for a Commission Regulation on this subject has received a favourable opinion in the Committee for Fisheries and Aquaculture on 6 July 2005 and has been adopted and shall apply from the date of repeal of Council Regulation No 3690/93.

It is therefore necessary to repeal this regulation without delay.

¹ OJ L 341, 31.12.1993 p.93.

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repealing Regulation (EC) No 3690/93 establishing a Community system laying down rules for the minimum information to be contained in fishing licences

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 37 thereof,

Having regard to the proposal from the Commission²,

Having regard to the opinion of the European Parliament³,

Whereas:

- (1) Council Regulation (EC) No 3690/93 of 20 December 1993, establishing a Community system laying down rules for the minimum information to be contained in fishing licences⁴ is based on Council Regulation (EEC) No 3760/92 of 20 December 1992 establishing a Community system for fisheries and aquaculture⁵ which has been replaced by Council Regulation (EC) No 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy⁶. The references and provisions contained in Regulation (EC) No 3690/93 are no longer compatible with this new Regulation which establishes new rules on the management of fishing capacity as expressed in fishing licences.
- (2) Article 22, paragraph 3, and Article 13, paragraph 3 of Regulation (EC) No. 2371/2002 empower the Commission to lay down implementing rules for the management of fishing licences and fishing capacities.
- (3) The Commission has adopted Regulation (EC) No. 1281/2005 of 3 August 2005 on the management of fishing licences and the minimal information to be contained therein⁷ which is to apply from the date of repeal of Regulation (EC) No. 3690/93.
- (4) Regulation (EC) No. 3690/93 should therefore be repealed.

² OJ C , , p. .

³ OJ C , , p. .

⁴ OJ L 341, 31.12.1993 p. 93.

⁵ OJ L 389, 31.12.1992, p. 1.

⁶ OJ L 358, 31.12.2002, p. 59.

⁷ OJ L 203, 4.8.2005, p.3

HAS ADOPTED THIS REGULATION:

Article 1

1. Regulation (EC) No 3690/93 is repealed.
2. References to the repealed Regulation shall be construed as references to Regulation (EC) No 1281/2005 and shall be read in accordance with the correlation table set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the 7th day following that of its publication in the *Official Journal of the European Union*.

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

Done at Brussels,

For the Council
The President

ANNEX

CORRELATION TABLE

Regulation (EC) No 3690/93	Regulation (EC) No 1281/2005
Article 1	Articles 1 and 3
Article 2	Article 5
Article 3	Article 4
Article 4	Article 5
Article 5	Article 6
Article 6	-
Article 7	-
Article 8	-
Article 9	-
Article 10	Articles 8 and 9