ISSN 0378-6986

C 245

Volume 41

5 August 1998

Official Journal

of the European Communities

English edition

Information and Notices

Notice No	Contents	Page
	I Information	
	Commission	
98/C 245/01	Ecu	. 1
98/C 245/02	Information procedure — technical regulations (1)	. 2
98/C 245/03	State aid — C 36/98 (ex N 249/B/97) — Italy (1)	. 3
98/C 245/04	State aid — C 15/96 (ex N 812/95) — Italy (1)	. 10
	II Preparatory Acts Commission	
98/C 245/05	Proposal for a Council Decision on the conclusion of the Agreement in the form of an exchange of letters concerning the provisional application of the Protocol setting out the fishing opportunities and financial contribution provided for in the Agreement between the European Economic Community and the Islamic Federa	3
	Republic of the Comoros on fishing off the Comoros for the period from 28 February 1998 to 27 February 2001	1
	Agreement in the form of an exchange of letters concerning the provisional application of the Protocol setting out the fishing opportunities and financial contribution provided for in the Agreement between the European Economic Community and the Islamic Federal Republic of the Comoros on fishing off the Comoros for the period from 28 February 1998 to 27 February 2001	e f



Notice No	Contents (continued)	Page
98/C 245/06	Proposal for a Council Regulation (EC) relating to the conclusion of the Protoco setting out the fishing opportunities and financial contribution provided for in the Agreement between the European Economic Community and the Islamic Federa Republic of the Comoros on fishing off the Comoros for the period from 28 February 1998 to 27 February 2001	e .l n
	Protocol setting out the fishing opportunities and financial contribution provided for in th Agreement between the European Economic Community and the Islamic Federal Republic of the Comoros on fishing off the Comoros for the period from 28 February 1998 to 27 February 2001	f Y



I

(Information)

COMMISSION

Ecu (1)

4 August 1998

(98/C 245/01)

Currency amount for one unit:

Belgian and		Finnish markka	5,98489
Luxembourg franc	40,5977	Swedish krona	8,82300
Danish krone	7,50367	Pound sterling	0,677167
German mark	1,96879	United States dollar	1,10432
Greek drachma	327,112	Canadian dollar	1,67173
Spanish peseta	167,140	Japanese yen	160,072
French franc	6,60055	Swiss franc	1,65538
Irish pound	0,783042	Norwegian krone	8,38624
Italian lira	1942,43	Icelandic krona	78,8709
Dutch guilder	2,22002	Australian dollar	1,82473
Austrian schilling	13,8526	New Zealand dollar	2,15604
Portuguese escudo	201,473	South African rand	6,87442

The Commission has installed a telex with an automatic answering device which gives the conversion rates in a number of currencies. This service is available every day from 3.30 p.m. until 1 p.m. the following day. Users of the service should do as follows:

- call telex number Brussels 23789,
- give their own telex code,
- type the code 'cccc' which puts the automatic system into operation resulting in the transmission of the conversion rates of the ecu,
- the transmission should not be interrupted until the end of the message, which is marked by the code 'ffff'.

Note: The Commission also has an automatic fax answering service (No 296 10 97/296 60 11) providing daily data concerning calculation of the conversion rates applicable for the purposes of the common agricultural policy.

⁽¹⁾ Council Regulation (EEC) No 3180/78 of 18 December 1978 (OJ L 379, 30.12.1978, p. 1), as last amended by Regulation (EEC) No 1971/89 (OJ L 189, 4.7.1989, p. 1).

Council Decision 80/1184/EEC of 18 December 1980 (Convention of Lomé) (OJ L 349, 23.12.1980, p. 34).

Commission Decision No 3334/80/ECSC of 19 December 1980 (OJ L 349, 23.12.1980, p. 27).

Financial Regulation of 16 December 1980 concerning the general budget of the European Communities (OJ L 345, 20.12.1980, p. 23).

Council Regulation (EEC) No 3308/80 of 16 December 1980 (OJ L 345, 20.12.1980, p. 1).

Decision of the Council of Governors of the European Investment Bank of 13 May 1981 (OJ L 311, 30.10.1981, p. 1).

Information procedure — technical regulations

(98/C 245/02)

(Text with EEA relevance)

- Directive 83/189/EEC of 28 March 1983 laying down a procedure for the provision of information in the field of technical standards and regulations
 (OJ L 109, 26.4.1983, p. 8).
- Directive 88/182/EEC of 22 March 1988 amending Directive 83/189/EEC (OJ L 81, 26.3.1988, p. 75).
- Directive 94/10/EC of the European Parliament and the Council of 23 March 1994 materially amending for the second time Directive 83/189/EEC
 (OJ L 100, 19.4.1994, p. 30).

Notifications of draft national technical regulations received by the Commission.

Reference (1)	Title	End of three-month standstill period (2)
98/297/NL 98/301/DK	Agreement on sustainable building Act amending the Act on taxation of motor vehicles by weight etc and the Act on taxation of certain passenger vehicles according to fuel consumption	5.10.1998 (⁴)
98/312/S 98/302/S	Regulation amending the Regulation (1992:1554) on the control of narcotics SJVFS 1998:10: The [Swedish] National Agricultural Board's administrative provisions on environmental support (environmental support administrative provisions)	23.10.1998 (⁴)

⁽¹⁾ Year — registration number — Member State of origin.

The Commission draws attention to the judgment given on 30 April 1996 in the 'CIA Security' case (C-194/94), in which the Court of Justice ruled that Articles 8 and 9 of Directive 83/189/EEC are to be interpreted as meaning that individuals may rely on them before the national court which must decline to apply a national technical regulation which has not been notified in accordance with the Directive.

This judgment confirms the Commission's communication of 1 October 1986 (OJ C 245, 1.10.1986, p. 4).

Accordingly, breach of the obligation to notify renders the technical regulations concerned inapplicable, so that they are unenforceable against individuals.

Information on these notifications can be obtained from the national administrations, a list of which was published in *Official Journal of the European Communities* C 324 of 30 October 1996.

⁽²⁾ Period during which the draft may not be adopted.

⁽³⁾ No standstill period since the Commission accepts the grounds of urgent adoption invoked by the notifying Member State.

^(*) No standstill period since the measure concerns technical specifications or other requirements linked to fiscal or financial measures, pursuant to the third indent of the second paragraph of Article 1(9) of Directive 93/189/EEC.

⁽⁵⁾ Information procedure closed.

STATE AID

C 36/98 (ex N 249/B/97)

Italy

(98/C 245/03)

(Text with EEA relevance)

(Articles 92 to 94 of the Treaty establishing the European Community)

Commission communication pursuant to Article 93(2) of the EC Treaty to other Member States and interested parties concerning aid which Italy has decided to introduce for small and medium-sized enterprises in Objective 1 regions (Guarantee Fund for SMEs in Objective 1 regions — Article 2 of Law No 341 of 8 August 1995 and the relevant rules of application (CIPE Decision of 10 May 1995) — amendments to the CIPE Decision of 10 May 1995)

By the following letter, the Commission informed the Italian Government of its decision to open the procedure:

By letter dated 10 April 1997, the Office of the Italian Permanent Representative notified the Commission under Article 93(3) of the Treaty of a draft amendment of the CIPE Decision laying down the rules of application for the Guarantee Fund for SMEs in Objective 1 regions referred to in Article 2 of Law No 341 of 8 August 1995.

Additional information was requested by telex No 52140 dated 5 May 1997, telex No 31756 dated 5 August 1997 and telex No 14/3786 dated 19 September 1997. By telex No 2326 dated 12 January 1998, the Commission asked the Italian authorities to reply to the telex dated 19 September 1997.

The Office of the Italian Permanent Representative sent additional information by letter dated 2 June 1997, received on 5 June 1997, fax dated 21 July 1997, received on 22 July 1997, letter dated 27 November 1997, received on 3 December 1997 and letter dated 18 February 1998, received on 4 March 1998.

Examination of the measures concerned was divided up as follows:

— under N 249/A/97, the Commission examined and authorised under Articles 92 and 93 of the Treaty (Commission letter No SG(97) D/7216 dated 25 August 1997) the amendments to the measures referred to in the CIPE Decision of 10 May 1995, being measures applicable in sectors other than agriculture, fisheries and aquaculture,

— under abovementioned N 249/B/97, the Commission examined under Articles 92 and 93 of the Treaty the measures referred to in Article 2 of Law No 341 of 8 August 1995 (on the general principles of the Fund) and the CIPE Decision of 10 May 1995 (on the rules of application of Article 2 of Law No 341/95) as amended by the provisions notified in the abovementioned letter from the Italian authorities dated 10 April 1997, being measures applicable in the agricultural, fisheries and aquaculture sectors.

This communication solely concerns the applicability of the measures concerned to the sectors referred to in Annex II to the Treaty (i.e. agriculture, either primary production or the processing and marketing of agricultural products, fisheries and aquaculture).

I. DESCRIPTION

The measures involve a system of guarantees for SMEs in Objective 1 regions. The system will apply until 31 December 1999.

The measures are as follows:

- guarantees and interest rate rebates on debt consolidation operations,
- guarantees for equity loans,
- guarantees for contributions from banks and other public or private institutions to the capital of SMEs.
 The aid measures in the form of debt consolidation and equity investments may be cumulated.

The budget is ITL 3 500 billion (approximately ECU 1750 million).

According to the information supplied by the Italian authorities in their letter dated 27 November 1997, the purpose of the measures is to permit the consolidation *una tantum* of short-term debts by reducing the cost of loans available on the market and to facilitate the access of SMEs to new forms of financing by promoting their capitalisation.

I.A. Guarantees for debt consolidation operations

Consolidation must be over a period of six years and repayment can be made up to one year early. The Fund provides the banks concerned with a guarantee equal to 60 % of the consolidated capital. The fee for the guarantee is 2% of the consolidated capital. The guarantee cannot be called on if the undertaking is declared bankrupt during the 18 months following granting of the same. If bankruptcy occurs after that period, the guarantee covers 60 % of the bank loan at the time the undertaking becomes insolvent. The guarantee is paid when debt recovery procedures begin. It is laid down that the banks must follow the debt recovery procedures, in the interests of the Fund as well as their own. The Fund may also grant the undertakings an interest rate rebate of 4,5 % of the annual rate for the consolidation operation. The rebate may not exceed 40 % of the reference rate at the time the contract is concluded.

Consolidation must cover the smallest of the following amounts:

- (a) short-term debts on 30 September 1994,
- (b) short-term debts contained in the last budget,
- (c) 10-times the undertaking's turnover as contained in the last budget.

A condition of the grant of aid is that permanent financial resources may not be less than 0,75% of tangible and intangible assets after consolidation. In no case may the consolidated capital be more than 10 times the undertaking's turnover. Individual cases of consolidation involving more than ITL 40 billion (ECU 20 million) are notified to the Commission under Article 93(3) of the Treaty.

I.B. Guarantees for equity loans and equity investments

The Fund may also give guarantees on equity loans of a maximum of 10 years' duration advanced by banks or other institutions of up to 60 % of their value. The fee is 1 % of the sum loaned. The guarantee cannot be called on if the undertaking is declared bankrupt during the 30 months following granting of the loan. The interest rate on the loan is agreed between the bank and the undertaking.

The Fund may also grant guarantees on public or private equity investments in SMEs, with the exception of equity investments by institutions which are completely controlled, either directly or indirectly, by the State. The fee for the guarantee is 0,75 % of the investment. The investment must be for a maximum of five years.

II. EVALUATION

II.A. Guarantees

The Commission takes the view that guarantees given by the Member States other than under normal market conditions are State aid which can be equated to an interest rate rebate on a loan equal to the amount guaranteed.

On the basis of the information supplied by the Italian authorities in their letter dated 27 November 1997 (¹), the current value of the guarantees, calculated in accordance with the criteria laid down in point 5 of the Annex to the Commission communication on regional aid schemes (OJ C 31, 3.2.1979, p. 9) is:

- 0,20 % in the case of guarantees on loans for debt consolidation,
- 1,20 % in the case of guarantees on equity loans
- 1,45 % in the case of guarantees on equity investments.

⁽¹) Reference rate: 8,20 %, interest rate paid by the State on loans of a similar duration to that used for fixing the reference rate: 6 %, after deduction of the fee paid for the guarantee, i.e. 2 % in the case of debt consolidation, 1 % in the case of equity loans and 0,75 % in the case of equity investments.

The guarantees granted by the Fund therefore provide a benefit covered by the State budget which gives the beneficiaries an advantage over their competitors and which is likely to have a distorting effect on trade between Member States.

As regards mobilisation of 100 % of the guarantee at the time the beneficiary undertaking is declared insolvent, the Commission considers that the arrangements fulfil the criteria laid down in Commission letter No SG(89) D/4328 dated 5 April 1989 on guarantees. Under those criteria, the Commission will consider guarantees acceptable only if their mobilisation is made subject to specific conditions fixed by contract including the possibility of compulsory declaration of bankruptcy by the beneficiary enterprise or an analogous procedure. In this case, in accordance with those criteria, the bankruptcy of the undertaking is a prior condition for mobilisation of the guarantee. Furthermore, in the interest of the Fund, the banks are obliged to follow the procedures necessary for the recovery of the debts.

II.A(a) Guarantees for debt consolidation operations

As regards the aid measures in the form of interest rate rebates which may be granted at the same time as guarantees on loans for debt consolidation, on the basis of the information supplied by the Italian authorities in their letter dated 27 November 1997, the grantequivalent of the measures is 12,9 %. The rate of the aid in the form of reduced-rate loans cumulated with the grant-equivalent of the guarantee is therefore 13,1 % and may reach 100 % of the guaranteed amount in the case of an undertaking in difficulty (2).

As regards the aid measures in the form of loan guarantees, interest rate rebates or both of those measures granted together, all intended for the consolidation of the debts of the beneficiary undertakings, the Italian authorities have stressed on several occasions that the undertakings concerned are viable.

If the Commission takes into account the viability of the undertakings, the guarantees and the aid in the form of interest rate rebates for debt consolidation operations

must be considered as operating aid prohibited under the Treaty, since they cannot be considered to aid the development of agriculture and fisheries to an extent compatible with the common market since they distort the sectors concerned by means of funding which cannot be justified under Article 92(3)(c).

Furthermore, from the information available, it appears that the beneficiary undertakings may be in difficulties, Indeed, point 28 of the CIPE Decision of 20 May 1995 lays down that only SMEs offering a satisfactory prospect of reachieving financial balance may receive consolidation aid. It is therefore implied that beneficiaries may be in a position of financial imbalance at the time of receiving aid.

It is also laid down that permanent means of financing must not be less than 0,75 % of tangible and intangible assets after consolidation (point 29 of the CIPE Decision of 20 May 1995). The fact that this is a condition that must be met after consolidation rather than when aid is granted also implies that beneficiary undertakings may be in difficulties and can only achieve satisfactory financial balance as a result of the consolidation operation.

If the difficulties that beneficiaries may find themselves in are taken into account, the measures in question must be examined in the light of point 3.1 of the Community guidelines on State aid for rescuing and restructuring firms in difficulty (OJ C 283, 19.9.1997, p. 2). For the sectors referred to in Annex II to the Treaty, those guidelines replace those previously in force from 1 January 1998 (OJ C 368, 23.12.1994, p. 12).

It must be pointed out that, under point 2.2 of the previous guidelines, in the case of products listed in Annex II to the Treaty, the Member State concerned could, as an alternative, apply the special rules for the agricultural sector to individual beneficiaries. Since 1 January 1998, this has no longer been permitted (point 4.4 of the new guidelines, OJ C 283, 19.9.1997, p. 2).

As regards application of the measures for debt consolidation in the fisheries and aquaculture sector, in their letter dated 18 February 1998, the Italian authorities affirmed that the special criteria for agriculture, which, as already stated, were not applicable after 1 January 1998, were being met.

⁽²) Commission communication to the Member States concerning the application of Articles 92 and 93 of the EC Treaty and of Article 5 of Commission Directive 80/723/EEC to public undertakings in the manufacturing sector (OJ C 307, 13.11.1993, p. 3).

Consequently, the debt consolidation measures for both the agricultural and the fisheries sectors were evaluated in the light of the provisions on rescuing firms in difficulty laid down in point 3.1 of the current Community guidelines on State aid for rescuing and restructuring firms in difficulty (OJ C 283, 19.9.1997, p. 2).

According to those guidelines, rescue aid must:

- comprise liquidity aid in the form of loan guarantees or loans bearing normal commercial interest rates,
- be restricted to the amount needed to keep a firm in business (for example, covering wage and salary costs and routine supplies),
- be paid only for the time needed (generally not exceeding six months) to devise the necessary and feasible rescue plan,
- be warranted on the grounds of serious social difficulties and have no undue adverse effects on the industrial situation in other Member States.

The measures in question do not fully meet the above conditions. The aid in the form of interest rate rebates is not repayable. Furthermore, the Italian authorities have not supplied the information nesessary for verifying whether the aid is restricted to the amount needed to keep the beneficiary firms in business.

As regards the third condition for the grant of rescue aid, i.e. that the aid must be paid only for the time needed (generally not exceeding six months) to devise the necessary and feasible rescue plan, the measures concerned do not meet this criterion. The consolidation operation is for a minimum of six years. Grant of aid is not linked to any rescue measures. The only conditions concerning the viability of the undertaking are that the guarantee cannot be called on if bankruptcy occurs within 18 months of the grant of aid and, after consolidation, permanent sources of financing must not be less than 0,75 % of tangible and intangible assets.

As regards the provisions on restructuring firms in difficulty laid down in point 3.2 of the Community guidelines on State aid for rescuing and restructuring firms in difficulty (OJ C 283, 19.9.1997, p. 2), these cannot be taken into account in evaluating the measures in question since there is no requirement to draw up a restructuring plan. Beneficiary undertakings make no contribution from their own resources and no reductions are made in productive capacity.

In view of the above, at this stage of the procedure, the Commission doubts that the aid in question can be considered as facilitating the development of agriculture and fisheries to an extent compatible with the common market since it could disturb the sectors concerned by means of unjustified financing which could constitute operating aid which cannot be justified under Article 92(3)(c) of the Treaty and is therefore prohibited by the Treaty.

Consequently, the Commission has decided to open the procedure provided for in Article 93(2) of the Treaty in respect of Article 2 of Law No 341 of 8 August 1995 and its implementing provisions (CIPE Decision of 10 May 1995) and amendments thereof concerning debt consolidation operations, since they are applicable to undertakings in the sectors referred to in Annex II to the Treaty (agriculture, fisheries and aquaculture) which are not undergoing financial difficulties or, where the undertakings concerned are in difficulty, because the measures concerned are not compatible with Community rules on rescue aid for such firms laid down in the Community guidelines on State aid for rescuing and restructuring firms in difficulty (OJ C 368, 23.12.1984, p. 12).

II.A(b) Guarantees on equity loans granted by banks and on public or private equity investments in undertakines

The measures concerned also provide for guarantees on equity loans and public or private equity investments in undertakings. The guarantees on equity loans are an alternative to the debt consolidation measures, while the guarantees on public or private equity investments may be cumulated with the debt consolidation measures. Consequently, on the basis of the information available to the Commission, the guarantees on equity loans and on public or private equity investments in undertakings

may be granted for both undertakings in difficulty and undertakings not in difficulty.

The guarantees on public equity investments and those investments themselves must be evaluated under the competition rules. Public equity investments may involve aid if they are not made under the same conditions as private investments, in particular if they are made in firms in difficulty or if they promise a return below normal levels (3).

As regards the guarantees on equity loans and on public or private equity investments in undertakings, since the guarantees in question, for the reasons given in point II.A, are State aid within the meaning of Article 92(1) of the Treaty, the aid consists in the interest rate rebate for the loans and investments covered by the guarantee and may be up to 100 % of the amount covered by the guarantee in the case of firms in difficulty (4).

As regards the guarantees on equity loans and on public or private equity investments in SMEs referred to in point 20 of the draft amendment of the CIPE Decision of 10 May 1995, in cases where the beneficiary undertakings are not in difficulty, State guarantees on equity loans and public or private equity investments in undertakings in the sectors referred to in Annex II to the Treaty may generally be authorised provided that the equity is intended solely for investments and that the conditions and restrictions laid down in the relevant Community rules are complied with (for investments in the processing and marketing of agricultural products, see the Guidelines for State aid in connection with investments in the processing and marketing of agricultural products (OJ C 29, 2.2.1996), for investments in primary agricultural production in general and for measures to which Articles 8(4), 25, 26 or 29(2) of Regulation (EC) No 950/97 apply (OJ L 142, 2.6.1997), a limit of 35 % applies (75 % in less-favoured areas within the meaning of Articles 22 to 25 of Regulation (EC) No 950/97) and for investments in the fisheries sector, see the Guidelines for the examination of State aid to fisheries and aquaculture (OJ C 100, 27.3.1997, p. 12) and Regulation (EC) No 3699/93 of 21.12.1993 (OJ L 346, 31.12.1993, p. 1)).

In point 5 of its telex No 31756 dated 5 August 1997 (point 3 of telex No 14/3786 dated 19 September 1997 as regards the fisheries sector), the Commission asked the Italian authorities:

- to confirm that the abovementioned public equity investments and State guarantees were intended solely for investments,
- to confirm that, where the above measures were applied separately or together in the agricultural and fisheries products processing and marketing sectors, the conditions, maximum rates and restrictions laid down in the rules governing this type of aid were respected,
- to state whether the equity measures for investments in the agricultural sector involved solely the processing and marketing of agricultural products or also primary agricultural production.

In their letter dated 27 November 1997 (letter dated 18 February as regards the fisheries sector), the Italian authorities replied that "... the aid scheme does not cover the situations referred to in point 5" of the Commission telex dated 5 August 1997 (point 3 of the telex dated 19 September 1997 as regards the fisheries sector).

On the basis of the information supplied by the Italian authorities, it is impossible to say whether the aid in question, i.e. the State guarantees on public and private equity loans and on public and private equity investments in undertakings, does not apply to the agricultural and fisheries sectors, or whether it applies to those sectors but not in accordance with the conditions and restrictions accepted in constant Commission practice and laid down in the Community rules referred to above.

If State aid in the form of guarantees on equity loans and on equity investments in firms not in difficulty is not intended for investments, it constitutes operating aid not justified under Article 92(3)(c) and therefore prohibited under the Treaty.

⁽³⁾ See note 2.

⁽⁴⁾ See note 2.

Furthermore, in their letters dated 27 November 1997 and 18 February 1998, the Italian authorities stated that "the debt consolidation scheme in question is not linked to investments, either past or future". Since the equity investments may be cumulated with the debt consolidation measures carried out for the same purposes, that statement raises doubts that the guarantees on equity investments are granted in accordance with the relevant Community rules referred to above.

Consequently, on the basis of the information supplied by the Italian authorities, the Commission questions whether the measures in question may legitimately be applied in the agricultural and fisheries sectors and is of the opinion that they constitute operating aid which cannot be justified under Article 92(3)(c) and that they are therefore prohibited by the Treaty.

In the light of the above, the Commission has decided to open the procedure provided for in Article 93(2) of the Treaty with respect to Article 2 of Law No 341 of 8 August 1995 and the relevant rules of application (CIPE Decision of 10 May 1995) and amendments thereof on guarantees on equity loans and public and private equity investments, since, in the case of firms not in difficulty, they do not appear to be compatible with the special criteria and the Community rules applicable in the sectors referred to in Annex II referred to above.

In the case of guarantees on equity loans and public and private equity investments in firms in difficulty, the considerations and conclusions set out in point II.A(a) apply.

Consequently, the Commission has decided to open the procedure provided for in Article 93(2) of the Treaty with respect to Article 2 of Law No 341 of 8 August 1995 and the relevant rules of application (CIPE Decision of 10 May 1995) and amendments thereof on guarantees on equity loans and public and private equity investments, since where they are cumulable with debt consolidation measures or are granted as an alternative to those measures in the case of firms in difficulty, they are not compatible with Community rules on rescue aid for such firms laid down in the Community Guidelines

on State aid for rescuing and restructuring firms in difficulty (OJ C 368, 23.12.1994, p. 12, point 3.1) (see evaluation given in point II.A(a).

Point 18 of the CIPE Decision rules out aid from the Guarantee Fund for equity investments by companies entirely controlled, either directly or indirectly, by the State.

However, the amendments notified by the Italian authorities contain the following (point 20 of the CIPE Decision of 10 May 1995 on public equity investments):

"... RIBS Spa, may therefore, as a public holding, within the meaning of Law 662/96 and solely in the agricultural processing food sector, participate in capitalisation operations; it shall present an annual report on operations carried out and the relevant rates to the Ministry of Agriculture which shall inform the CIPE thereof".

In response to a Commission request for an explanation of that amendment for public equity investments carried out via RIBS Spa, in their letter dated 18 February 1998, the Italian authorities said that these were not guaranteed by the Fund and that they were carried out under market conditions in accordance with Law No 662/97.

The Commission notes the fact that the Fund does not guarantee equity investments made by RIBS Spa but takes the view that the reference to the activities of RIBS Spa in point 20 of the CIPE Decision concerned contradicts the previous clauses.

As regards the statement by the Italian authorities that RIBS Spa measures do not constitute State aid within the meaning of Article 92(1) of the Treaty, the Commission refers to its telex dated 2 March 1997 which states, in response to the notification by the Italian authorities of Article 2(132) of Law No 662/96 (1997 Budget Act), that:

"... on the basis of the information available to the Commission at this stage, the applicability of Articles 92 and 93 of the Treaty to application of the provision concerned cannot be ruled out;

an evaluation of the compatibility of any aid involved in application of the provision can only be carried out on the basis of more detailed information regarding the conditions applied in one or more specific cases (individual cases or schemes);

the duties of the Member State to inform the Commission about each case of application are set out in the above Commission communication (notifications under Article 93(3) of the Treaty, *post facto* information under point 4.2 of the above communication (5), prior information under point 4.4 of that same communication).

Given that Article 2(132) of Law No 663/96 does not lay down any measures which are immediately applicable (i.e. without the adoption of other acts laying down the scope and conditions of application), the aid notified in the letter dated 7 March 1997 from the Office of the Italian Permanent Representative has not for the moment been entered on the register of aids. The Italian authorities are requested to notify the Commission of any subsequent provision adopted in application of that Article."

The Italian authorities have made no such notification and the Commission therefore requests them to state whether the rules for the application of Article 2(132) of Law No 662/97 have been adopted and, if so, to forward them to the Commission as requested in the above telex dated 20 March 1997.

In the light of the above, the Commission, under the procedure provided for in Article 93(2) of the Treaty, requests the Italian Government to forward any comments and any information which may be of use in evaluating these measures within one month of receipt of this letter and asks that a copy of this letter be sent to all potential beneficiaries of the aid.

The Commission reminds the Italian authorities of the suspensive effect of Article 93(3) of the EC Treaty and draws their attention to the letter it sent to all Member States on 22 February 1995 which stated that any aid granted illegally could be the subject of a request for reimbursement and/or a refusal to charge to the EAGGF budget expenditure on national measures directly affecting Community measures. Any repayment must be made in accordance with Italian law and include interest calculated on the basis of the interest rate used as the reference rate for evaluating regional aid schemes and commencing on the date on which the illegal aid was paid.

The Commission hereby informs the Italian Government that it will inform the other Member States and interested parties by publishing this letter in the *Official Journal of the European Communities*. It will also inform interested parties in the EFTA States belonging to the EEA by publishing a notice in the EEA Supplement to the Official Journal and the EFTA Surveillance Authorities by sending them a copy of this letter. All the parties concerned will be invited to send their comments within one month of publication.

If this letter contains confidential information which must not be published, the Commission should be informed within 15 working days of receipt. If the Commission does not receive a reasoned request within that time, it will assume agreement to publication of the full text of this letter. Such request and the above information requested by the Commission should be sent by registered mail or fax to:

European Commission, Directorate-General for Agriculture, DG VI. B.I, Rue de la Loi/Wetstraat 200, B-1049 Brussels. Fax (32-2) 296 21 51'

The Commission hereby gives notice to the other Member States and interested parties to submit their comments on the measures in question within one month of the date of publication of this notice to:

European Commission, Rue de la Loi/Wetstraat 200, B-1049 Brussels.

Comments will be forwarded to the Italian Government.

⁽⁵⁾ Commission communication on provision of capital by public authorities (Bull. EC 9-1984).

STATE AID C 15/96 (ex N 812/95) Italy

(98/C 245/04)

(Text with EEA relevance)

(Articles 92 to 94 of the Treaty establishing the European Community)

Commission communication under Article 93(2) of the EC Treaty addressed to the other Member States and other interested parties concerning the proposal to award aid to Olivetti SpA for the development of portable multimedia personal computers for individual and group

The Commission has sent the Italian Government the following letter, informing it that it has decided to terminate proceedings.

'By letter (registered 15 December 1995), the authorities, pursuant to Article 93(3) of the Treaty, notified proposed State aid to Olivetti SpA for the development of portable multimedia personal computers for individual and group use.

The main aim of the project was the development of two new lines of portable personal computers able to process multimedia information (sound and images from compact discs, and voice information acquired and processed by the appropriate digital signal processors). The so-called "price sensitive" line was aimed at the mass consumer market, and the "features sensitive" line placed emphasis on advanced facilities for complex operations rather than low cost.

The legal basis for the proposed aid is the Applied Research Fund (Italian Laws 46/1982 and 346/1988, approved by the Commission in 1989). According to the notification of December 1995, the full cost of the project was estimated to be about ECU 44 million, with allowable costs under the Applied Research Fund claimed to be some ECU 37 million, with 20 % attributed to basic research and 80 % attributed to applied research geared to the development of specific products. The proposed form of the State aid was a soft loan of ECU 37 million to have been granted in 1996 and repaid over a 10-year period at an interest rate more favourable than the market rate. According to the figures provided by the authorities, this would amount to an aid element of ECU 7,7 million, corresponding to a gross grant equivalent aid intensity of 20,75 %.

The research and development programme in question was stated to have begun in March 1993, to continue until January 1998.

On 30 April 1996, the Commission initiated the procedure provided for in Article 93(2) of the EC Treaty. In opening the procedure, the Commission expressed its serious doubts regarding the necessity for

the aid, the incentive effect, and the precompetitive development nature of the work proposed. In accordance with that procedure, the Commission (by letter dated 26 June 1996) invited the Italian Government to submit its observations. The other Member States and interested parties were informed of the Commission's decision to initiate proceedings and invited to submit their observations by publication of a notice in the Official Journal of the European Communities (1).

Following the opening of the procedure, a meeting took place between the Commission services, Olivetti representatives and the authorities on 18 July 1996. At this point it was indicated that the project, originally of duration March 1993 to January 1998, had been stopped by Olivetti in June 1995, and prior to the notification by the authorities to the Commission in December 1995. The project was stopped because of cost/revenue considerations, and Olivetti took on a Taiwanese partner in research and development and production.

The authorities' observations to the opening of the Article 93(2) procedure were submitted to the Commission by letter registered on 12 September 1996. Within the framework of the Article 93(2) procedure, the authorities submitted a scaled-down project of duration March 1993 to June 1995, not formally constituting a new notification, but with eligible costs reduced from ECU 37 million to ECU 17 million. The aid proposal was then to grant a soft loan of ECU 11 million to be repaid over a 10-year period, amounting to an aid element of ECU 2,3 million, and corresponding to a gross grant equivalent aid intensity of 20,75 % (similar to the initial aid proposal).

Following publication in the Official Journal of the European Communities on 15 October 1996 of the letter to the Italian Government initiating the procedure, a further meeting took place between the Commission services and Olivetti representatives on 29 October 1996, and a written submission was made by Olivetti on 18 November 1996 as a concerned party.

⁽¹⁾ OJ C 306, 15.10.1996, pp. 9 to 12.

On the basis of the Olivetti submission and the authorities' response to the opening of the Article 93(2) procedure in which a scaled-down project is presented (letter of 12 September 1996) the authorities were asked (letter of 21 November 1996) if they wished to withdraw the initial notification and not grant the aid as described in this notification, since based on the information in the Commission's possession, the proposed aid was not in conformity with the Community research and development guidelines (²), and did not qualify for any of the derogations laid down in Article 92(2) and (3) of the EC Treaty. Neither did a scaled-down project falling below the aid threshold(s) for notification automatically mean that the proposed aid was compatible with the common market.

By letter registered 18 December 1996, the authorities indicated that they wished to maintain the initial notification, but with scaled-down project costs. Furthermore

(by letter registered 14 March 1997) the authorities stated that only the Istituto Mobiliare Italiano SpA (hereafter IMI) and not the Ministry, was informed by letter of 7 December 1995 of the intention of Olivetti to halt the project. The formal submission by Olivetti stopping the project was made by letter received by IMI on 11 March 1996. Therefore, and contrary to Olivetti's claim, the authorities were not aware of Olivetti's scaled-down project prior to the project notification to the Commission.

However, since Olivetti (by letter dated 8 April 1997) have stated that they do not wish to receive the aid, the authorities by letter dated 29 April 1997, have now withdrawn the notification and communicated to the Commission that the State aid will not be paid.

Accordingly, the Commission is obliged to simply close the Article 93(2) proceedings in respect of proposed aid to Olivetti SpA for the development of portable multimedia personal computers for individual and group use without taking a negative decision.'

⁽²⁾ Community Framework for State aid for research and development, OJ C 45, 17.2.1996, pp. 5 to 16.

Π

(Preparatory Acts)

COMMISSION

Proposal for a Council Decision on the conclusion of the Agreement in the form of an exchange of letters concerning the provisional application of the Protocol setting out the fishing opportunities and financial contribution provided for in the Agreement between the European Economic Community and the Islamic Federal Republic of the Comoros on fishing off the Comoros for the period from 28 February 1998 to 27 February 2001

(98/C 245/05)

COM(1998) 264 final — 98/0144(CNS)

(Submitted by the Commission on 7 May 1998)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to the Agreement between the European Economic Community and the Islamic Federal Republic of the Comoros on fishing off the Comoros (1), and in particular Article 12 thereof,

Having regard to the proposal from the Commission,

Whereas, in accordance with Article 12 of the abovementioned Agreement, the Community and the Islamic Federal Republic of the Comoros held negotiations to determine amendments or additions to be made to the Agreement at the end of the period of application of the Protocol to the Agreement;

Whereas, as a result of those negotiations, a new Protocol was initialled on 27 February 1998;

Whereas, under that Protocol, Community fishermen enjoy fishing opportunities in the waters falling within the sovereignty or jurisdiction of the Islamic Federal Republic of the Comoros for the period from 28 February 1998 to 27 February 2001;

Whereas the new Protocol must come into force as soon as possible to enable Community vessels to resume fishing; whereas both parties therefore initialled an Agreement in the form of an exchange of letters, temporarily applying the Protocol from 28 February 1998;

Whereas the Agreement in the form of an exchange of letters should be approved subject to a definitive decision pursuant to Article 43 of the Treaty;

Whereas the method for allocating the fishing opportunities among the Member States should be defined on the basis of the traditional allocation of fishing opportunities under the fisheries Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement in the form of an exchange of letters concerning the provisional application of the Protocol setting out the fishing opportunities and financial contribution provided for in the Agreement between the European Economic Community and the Islamic Federal Republic of the Comoros on fishing off the Comoros for the period from 28 February 1998 to 27 February 2001 is hereby approved on behalf of the Community.

The text of the Agreement in the form of an exchange of letters and the Protocol are attached to this Decision.

Article 2

The fishing opportunities fixed in the Protocol shall be allocated among the Member States as follows:

(a) Tuna seiners:

Spain: 22 vessels
France: 21 vessels
Italy: one vessel

(b) Surface longliners:

Spain: 13 vessels
Portugal: three vessels

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

Article 3

The President of the Council is hereby authorised to designate the persons empowered to sign the Agreement in order to bind the Community.

AGREEMENT

in the form of an exchange of letters concerning the provisional application of the Protocol setting out the fishing opportunities and financial contribution provided for in the Agreement between the European Economic Community and the Islamic Federal Republic of the Comoros on fishing off the Comoros for the period from 28 February 1998 to 27 February 2001

A. Letter from the Government of the Comoros

Sir,

With reference to the Protocol initialled on 27 February 1998 establishing fishing rights and financial compensation for the period from 28 February 1998 to 27 February 2001, I have the honour to inform you that the Government of the Islamic Federal Republic of the Comoros is prepared to apply the Protocol on a provisional basis with effect from 28 February 1998, pending its entry into force in accordance with Article 7 of the said Protocol, provided that the European Community is disposed to do the same.

In this case, the first annual financial compensation stipulated in Article 2 of the Protocol must be paid before 1 September 1998.

I should be grateful if you would confirm the European Community's agreement to the foregoing.

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

For the Government of the Comoros

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 27 February 1998 establishing fishing rights and financial compensation for the period from 28 February 1998 to 27 February 2001, I have the honour to inform you that the Government of the Islamic Federal Republic of the Comoros is prepared to apply the Protocol on a provisional basis with effect from 28 February 1998, pending its entry into force in accordance with Article 7 of the said Protocol, provided that the European Community is disposed to do the same.

In this case, the first annual financial compensation stipulated in Article 2 of the Protocol must be paid before 1 September 1998.

I should be grateful if you would confirm the European Community's agreement to the foregoing.'

I have the honour to confirm that the Community is in agreement with the contents of this letter.

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

On behalf of the Council of the European Union

Proposal for a Council Regulation (EC) relating to the conclusion of the Protocol setting out the fishing opportunities and financial contribution provided for in the Agreement between the European Economic Community and the Islamic Federal Republic of the Comoros on fishing off the Comoros for the period from 28 February 1998 to 27 February 2001

(98/C 245/06)

COM(1998) 264 final — 98/0144(CNS)

(Submitted by the Commission on 7 May 1998)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 43, in conjunction with Articles 228(2) first sentence and the first subparagraph of Article 228(3) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas, pursuant to the Agreement between the European Economic Community and the Islamic Federal Republic of the Comoros on fishing off the Comoros (1), the two Parties conducted negotiations to determine the amendments or additions to be made to the Agreement at the end of the period of application of the Protocol to the Agreement;

Whereas, as a result of these negotiations, a new Protocol establishing the fishing opportunities and financial compensation provided for in the abovementioned Agreement for the period from 28 February 1998 to 27 February 2001 was initialled on 27 February 1998;

Whereas it is in the Community's interest to approve the said Protocol;

Whereas the method for allocating the fishing opportunities among the Member States should be defined on the basis of the traditional allocation of fishing opportunities under the fisheries Agreement,

HAS ADOPTED THIS REGULATION:

Article 1

The Protocol setting out the fishing opportunities and financial contribution provided for in the Agreement

between the European Economic Community and the Islamic Federal Republic of the Comoros on fishing off the Comoros for the period from 28 February 1998 to 27 February 2001 is hereby approved on behalf of the Community.

The text of the Protocol is attached to this Regulation.

Article 2

The fishing opportunities fixed in the Protocol shall be allocated among the Member States as follows:

a) Tuna seiners:

Spain: 22 vessels
France: 21 vessels
Italy: one vessel

b) Surface longliners:

Spain: 13 vessels

Portugal: three vessels

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

Article 3

The President of the Council is hereby authorised to designate the persons empowered to sign the Protocol in order to bind the Community.

Article 4

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

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

⁽¹⁾ OJ L 137, 2.6.1988, p. 19.

PROTOCOL

setting out the fishing opportunities and financial contribution provided for in the Agreement between the European Economic Community and the Islamic Federal Republic of the Comoros on fishing off the Comoros for the period from 28 February 1998 to 27 February 2001

Article 1

Pursuant to Article 2 of the Agreement, licenses authorising simultaneous fishing in Comorian waters shall be granted to 44 freezer tuna seiners and 16 surface longliners for a period of three years beginning on 28 February 1998.

Article 2

- 1. The financial compensation referred to in Article 6 of the Agreement shall be fixed at ECU 180 000 per year, to be paid not later than 1 September each year.
- 2. This financial compensation shall cover catches of 4 500 tonnes per year in Comorian waters. If the volume of tuna caught by Community vessels in Comorian waters exceeds this volume, the amount of the financial compensation shall be increased by ECU 50 per additional tonne.
- 3. The financial compensation shall be paid into an account to be indicated by the Government of the Comoros, in the name of the Public Treasury.
- 4. The use to which the compensation is to be put shall fall within the exclusive competence of the Government of the Comoros.

Article 3

During the period covered by the Protocol, the Community shall contribute an additional ECU 540 000 to finance the measures described below, allocated as follows:

- 1. the financing of scientific and technical programmes (equipment, infrastructure, improved fisheries-related administrative and training structures, etc.) to increase knowledge of the fishery resources in Comorian waters: ECU 250 000;
- 2. support for the structures responsible for fisheries surveillance: ECU 70 000;
- 3. interinstitutional support to the Ministry responsible for fisheries: ECU 50 000;
- 4. the financing of study grants, practical training courses or seminars in the various scientific, technical and economic fields linked to fishing: 60 000;

- 5. the Comoros' contribution to the international fisheries organisations: ECU 70 000;
- the expenses of Comorian delegates participating in international meetings concerning fisheries: ECU 40 000.

The measures will be adopted by the Ministry responsible for fisheries, which will inform the Commission thereof.

The amounts allocated shall be made available to the Government of the Comoros and paid into the bank accounts indicated by it, except the amounts referred to in points 4 and 6, which shall be paid as they are used.

The Ministry responsible for fisheries shall transmit an annual report on the implementation of these measures and the results achieved to the Delegation of the European Commission in the Comoros, not later than three months after the anniversary date of the Protocol. The Commission reserves the right to request additional information on these results from the Ministry responsible for fisheries and to review the payments concerned in the light of the actual implementation of the measures.

Article 4

Should the Community fail to make the payments provided for in Articles 2 and 3, the Fisheries Agreement may be suspended.

Article 5

The Protocol to the Agreement between the European Economic Community and the Islamic Federal Republic of the Comoros on fishing off the Comoros is hereby repealed and replaced by this Protocol.

Article 6

This Protocol shall enter into force on the date of its signing.

It shall apply from 28 February 1998.

ANNEX

CONDITIONS FOR THE PURSUIT OF FISHING ACTIVITIES BY COMMUNITY VESSELS IN COMORIAN WATERS

1. Application for and issue of licences

The procedure for application for, and issue of, the licences allowing Community vessels to fish in Comorian waters shall be as follows:

- 1.1. The European Commission through its representative in the Comoros, shall submit to the Comorian Ministry responsible for fisheries, at least 20 days before the date of commencement of the period of validity requested, an application in respect of each vessel wishing to fish under this Agreement, drawn up by the owner. The applications shall be made on the forms provided for that purpose by the Comoros, a specimen of which is attached.
- 1.2. Licences shall be issued to shipowners for a specific vessel. At the request of the European Commission, a licence issued for one vessel may, and in cases of *force majeure* shall, be replaced by a licence issued for another Community vessel.
- 1.3. Licences shall be issued by the Ministry responsible for fisheries to the Commission's representative in the Comoros.
- 1.4. Licences must be held on board at all times; however, fishing shall be authorised as soon as the Comorian Ministry responsible for fisheries has received notification from the European Commission that the advance payment has been made. Pending receipt of the original of the licence, a copy of the licence that has been drawn up may be issued by fax to be held on board the vessel.
- 1.5. Licences shall be valid for one year. They shall be renewable.
- 1.6. The licence fee shall be set at ECU 20/tonne of tuna caught in Comorian waters.
- 1.7. Licences shall be issued following advance payment to the Comoros of a lump sum of ECU 1750 a year for each tuna seiner and ECU 750 a year for each surface longliner.
- 1.8. Before the entry into force of the Agreement the Comorian authorities shall communicate the arrangements for payment of the licence fees, in particular the details of the bank account and the currency to be used.

2. Statement of catch and statement of fees due from shipowners

The captain shall complete a fishing form corresponding to the specimen in Appendix 2 for each period spent fishing in the Comorian fishing zone. The form may be replaced during the period of application of the Protocol by another document devised for the same purpose by an international organisation responsible for tuna fishing in the Indian Ocean.

The form, which must be legible and signed by the captain of the ship, shall be sent to the Office of Overseas Scientific and Technical Research and the Spanish Oceanographic Institute for processing within one month of the end of each calendar quarter.

If these provisions are not complied with, the Comorian Ministry responsible for fisheries reserves the right to suspend the licence of the offending vessel until these formalities have been carried out and to apply the penalties provided for under national law.

Member States shall inform the European Commission before 15 April of the tonnages caught during the past year, as confirmed by the scientific institutes. On the basis of those figures the Commission shall establish a breakdown of the fees due in respect of a fishing year, which it shall then send to the Comorian Ministry responsible for fisheries for its comments.

Shipowners shall be notified of this breakdown by the European Commission by the end of April at the latest and shall have 30 days in which to meet their financial obligations. Shipowners cannot recover the balance in cases where the amount payable in respect of actual fishing operations is less than the advance payment.

3. Inspection and monitoring

Community vessels fishing in the Comorian fishing zone shall permit and facilitate the boarding and fulfilment of the tasks of Comorian officials responsible for the inspection and monitoring of fishing activities. These officials should not remain on board any longer than the time required to verify catches by sampling and carry out any other inspections relating to fishing activities.

4. Observers

At the request of the Comorian Ministry responsible for fisheries, tuna vessels shall take on board an observer designated by the former to check catches made in Comorian waters. Observers shall have all the facilities needed for the performance of their duties, including access to parts of the ship and documents. Observers shall not remain on board for longer than the time required to carry out their duties. Observers shall be provided with suitable food and accommodation while on board. Should a tuna vessel with a Comorian observer on board leave Comorian waters, every step shall be taken to ensure that the observer returns to the Comoros as soon as possible, at the shipowner's expense.

5. Communication of information

Fishing vessels shall communicate the date and time directly to the Comorian Ministry responsible for fisheries immediately on entering or leaving the Comorian fishing zone and their position and catches held on board within three hours of entering or leaving the zone and every three days while engaged in fishing activities in Comorian waters. This information should preferably be communicated by fax or, for vessels not equipped with a fax, by radio.

The Comorian Ministry responsible for fisheries shall inform vessels of the relevant fax number and radio frequency when the fishing licence is issued.

The Comorian Ministry responsible for fisheries and the shipowners shall keep a copy of fax communications or a recording of radio communications until both parties have agreed to the final statement of fees due referred to in point 2.

A vessel found to be fishing without having informed the Comorian Ministry responsible for fisheries shall be regarded as a vessel without a licence.

6. Fishing zones

To avoid adverse effects on small-scale fisheries in Comorian waters, Community tuna vessels shall not be allowed to fish within 10 nautical miles of any of the islands nor within a radius of three nautical miles of fish aggregating devices placed by the Comorian Ministry responsible for fisheries, the position of which have been communicated to the representative of the European Commission in the Comoros.

These provisions may be reviewed by the Joint Committee referred to in Article 7 of the Agreement.

7. Ownership of rare species

Any coelacanth *Latimeria chalumnae* caught by a Community vessel authorised to fish in Comorian waters under the Agreement remains the property of the Comoros and must be turned over, without charge, to the port authorities of Moroni or Mutsamudu immediately in the best state possible.

8. Transhipment

Community vessel owners must give consideration to the existence of the harbour facilities of Mutsamudu for any transhipment operations.

Appendix 1

LICENCE APPLICATION FORM FOR A FOREIGN FISHING VESSEL

Name of applicant:
Address of applicant:
Name and address of charterer of vessel (if different from above):
Name and address of representative (agent) in the Comoros:
Name of vessel:
Type of vessel:
Country of registry:
Port and registration number:
Vessel's external identification:
Radio call sign and frequency:
Length of vessel:
Width of vessel:
Engine type and horse power:
Gross registered tonnage of vessel:
Net registered tonnage of vessel:
Minimum crew:
Type of fishing:
Proposed catch species:
Period of validity requested:
I, the undersigned, certify that the above particulars are correct.
Date: Signature:

																		Apper	ıdix	2						IC	CA	\T	L(DG	BO	O	(1	or	T	UN	A	FI	SH	ER	P									
Ves:	sel name				Gross tonnes														1																								Long	gline						
Flag	country		Capacity (MT)													1																								Baltb										
\vdash								Captain											1						Month Day Year Port											\neg	☐ Purse seine													
\vdash																											WOTILIT	<u>' </u>		Day	4			 		FUI			_					Trolli Othe	•					
Con	npany or	Owner							Num	ber o	f crev	v								В	Boat LEFT											19													rs					
Add									Rep	orting	date								Boat RETURNED																					Page		Page of				—	pag			
Add	11622							Rep	orted	by									Number of days at sea						da	ays		Nu nu	Number of fishing da number of sets mad			ays or e						Trip num		number		19								
	ates		Area		့င)																						C A 1	тсн	E S																				Balt	used
ے		o de	n l	itude W	tce Water	Effort (Number of hooks used)	er Blu Thunn or		in tur s thy naccoj			Yellowfin Thunnus al				Bigey Thunnu				Albac nus a	ore alalung	ıa		wordfi		-	Whi Tetrap	ned ma ite ma iturus albidu	arlin <i>audax</i>	x		Black marlin akaira indica		Sellfish Istiophorus albicans or platypterus			Kats		pjack uwonus lamis		Miscella fish				Daily total		.		alt	
Month	Day	Latitude	o Z	Longitude E or W	S	useu)		mber ish	We in	ight kg	N	lo	kg			No		kg	No		kg		No		kg		No	kg			No	No kg		No		kg) No			kg		Sp		kg		kg only)			Squid	Liveb
П	0 1				ÌП		П							П									П	T				ÌТ									П		Ħ	П			\top	П	\top	П	\top	П	Т	П
	0 2																																																	
Ш	0 3						Ш							Ш									Ш													Ш				Ш				Ш		Ш				
Ш	0 4				Ш									Ш														Ш											Ш	Ш			\perp	Ц	\perp	Ш	_	Ш	\perp	Ш
Ш	0 5		\perp	$\perp \! \! \perp$	Ш		Ш				Ш			Ш	_			$\perp \! \! \perp \! \! \perp$	$\perp \! \! \perp$				Ш					Ш	Ш			Ш	Ш			Ш	$\perp \perp$	$\perp \! \! \perp$	Ш	Ш	_		4	Ш	\perp	$\perp \perp$	\perp	Ш	\perp	Ш
Ш	0 6		\perp		Ш		\perp			Ш	Ш	_		Н	_		Ш	$\perp \perp \perp$	\perp	_		Ш	Ш	\perp				Ш	Ш			\sqcup	Ш.	Ш	Ш	Ш	\sqcup		$\perp \! \! \perp$	\perp	_		\bot	\sqcup	4	$\perp \perp$	_	\sqcup	4	Н
Н	0 7		\perp	$+\!\!+\!\!\!+$	Ш		\perp							Ш	-			+	\dashv	_																	\perp	++	\perp		4		4	\vdash	+	+	+	4	+	Н
\vdash	0 8		+	++	+++		+							\vdash	+				\perp	+			\perp	+													++	+	+	+	+		+	\dashv	+	++	+	\vdash	+	\vdash
H	1 0		+	++	+		+							++	+					+			+	+					+							\vdash	++	+	+	+	+		+	\forall	+	++	+	++	+	+
H	1 1	\vdash	+	++	Н		+			\vdash	++	+		\vdash	+	\vdash	\vdash	+	++	+		\vdash	++	++	+	\vdash	\vdash	++	+		\vdash	\vdash	\vdash		\vdash	₩	++	++	++	+	+		+	\forall	+	++	+	\vdash	+	\vdash
H	1 2		+	++	ш		+				++	+		\vdash	+	\vdash		+	++	+			++	++			H	++	+		\vdash	\vdash	\vdash			++	++	++	++	+	+		+	\forall	+	++	+	\vdash	+	\forall
H	1 3		+		+		\forall			H	$\forall t$	+		\forall	+	H	H			+		\vdash	††	$\forall t$	+	\vdash	\vdash		$\forall \exists$	\top		\vdash	\vdash		\vdash	$\forall t$	++		$\forall t$	$\forall \exists$	+		+	\forall	+	++	+	H	+	H
\Box	1 4		\top		$^{++}$		Ħ				H			Ħ	\top		Ħ			\top		Ħ	T	$\forall \exists$					\top			Ħ				Ħ	$\dagger \dagger$		$\dagger \dagger$	\forall	\top		+	Ħ	+	++	+	Ħ	\top	H
П	1 5				Ш		П							Ħ																							Ħ						\top	Ħ	\top	\top	\top	Ħ	\top	Ħ
	1 6						П				П			Ħ									Ħ	\top												П	\Box			\top			\top	П	\top	\top		П	Т	П
	1 7																																											П		\Box			T	П
	1 8																																													Ш				П
Ш	1 9						Ш							Ш																						Ш							\perp	Ш	l	Ш				Ц
Ш	2 0				Ш						Ш			Ш			Ш	Ш					Ш				Ш		Ш			Ш				Ш	Ш		Ш	Ш			\perp	Ш	┵	Ш		Ш		Ш
ш	2 1		Ш		Ш		Ш			Ш	Ш	\perp		Ш	\perp	Ш	Ш		\perp	\perp		Ш	Ш	Ш		Ш	Ш		Ш			Ш	Ш		Ш	Ш	Ш		Ш	Ш	\perp		\perp	Ц	\perp	$\perp \! \! \perp$	4	Ш	\perp	Ц
Ш	2 2			$\perp \! \! \perp$	Ш						Ш			Ш	1			$\perp \perp \perp$	$\perp \! \! \perp \! \! \perp$				Ш					Ш	Ш							Ш	Ш	$\perp \perp$	Ш	Ш	4		4	\sqcup	4	44	_	1	\perp	\sqcup
Н	2 3		\perp	\perp	Ш	$\perp \perp \perp$	\perp			Ш	Ш	_		Н	\perp	Ш	Ш		\perp	_		Ш	Н	\perp			Ш		Ш		Ш		Ш.		Ш	Ш	\sqcup	$\perp \perp$	$\perp \! \! \perp$	\perp	_		\bot	\sqcup	+	$\bot\!\!\!\!\!\bot$	\bot	\vdash	4	Н
\vdash	2 4	$\sqcup \sqcup$	\perp	$+\!\!+\!\!\!+$	++	\Box	\perp			Ш	\sqcup	+		\vdash	\perp	Н	Н	+	+	\perp		\sqcup	\sqcup	\perp	\perp		Н	\perp	\sqcup	\perp	Н	Н	Н	Н	Н	Н	$\perp \downarrow$	+	\sqcup	\perp	+		4	\dashv	+	#	+	\vdash	+	\vdash
\vdash	2 5	++	+	+	+++	+++	+	\square	\perp	\vdash	\vdash	+	\vdash	$\vdash \vdash$	+	\vdash	\vdash	+ + +	+	+	\vdash	\vdash	\vdash	+	+	\vdash	\vdash	+	+	+	\vdash	\vdash	\vdash	\vdash	\vdash	+	++	++	$+\!\!+\!\!\!+$	\dashv	+		+	\dashv	+	+	+	\dashv	+	\vdash
H	2 6	$\vdash \vdash$	+	$+\!\!+$	++	+++	+		\perp		\vdash	\perp		\vdash	+	H	Н	+H	+	+		\vdash	\vdash	+	+		H	+	+	+	H	H		\vdash	Н	Н	+	+	+	+	+		+	\dashv	+	++	+	\vdash	+	\vdash
+	2 8	++	+	++	+		+	\vdash	+	\vdash	+	+	\vdash	\vdash	+	\vdash	\vdash		++	+	\vdash	+	+	++	+	\vdash	\vdash	+	+	+	\vdash	+	\vdash	\vdash	\vdash	+	++	++	+	+	+		+	\dashv	+	++	+	\vdash	+	\vdash
+	2 9	++	+	$+\!\!+$	+++	+++	+	+	+	+	++	+	+	++	+	\vdash	\vdash	+ + +	+	+	\vdash	+	+	+	+	\vdash	+	++	+	+	\vdash	+	+	+	\vdash	+	++	$+\!+$	+	+	+		+	\dashv	+	++	+	\vdash	+	+
H	3 0	+++	+	+	+++		+	\Box	+		+	+		+	+	H	H	+H	+	+			+	+	+		H	+	+	+	H	H		\vdash	H	H	+	+	+	+	+		+	+	+	++	+	+	+	+
\perp	_ات	-		\perp	\perp		\perp			$\perp \perp$	\perp		\perp	\perp	\perp	$\perp \perp$	$\perp \perp$	\perp	\perp		$\sqcup \!\!\! \perp$	\perp	\perp	\perp	\perp	ш	$\perp \perp$	\bot	\perp	-	$\sqcup \sqcup$	$\perp \perp$		$\perp \perp$	$\perp \perp$	$\perp \perp$	$\perp \perp$	\perp	\perp	\perp			\perp	ш						$\perp \perp$

Remarks:

Landing weight (in kg)

- Use one sheet per month, and one line per day.
 At the end of each trip, forward a copy of the log to your correspondent or to ICCAT, General Mola 17, Madrid 1, Spain.
 'Day' refers to the day you set the line.

- Fishing area refers to the noon position of the boat. Round off minutes, and record degrees of latitude and longitude. Be sure to record N/S and E/W.
 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.
 All information reported herein will be kept strictly confidential.