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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 252/87

of 19 January 1987

on the conclusion of the Agreement amending the Agreement between the European Economic Community and the Government of the Republic of Equatorial Guinea on fishing off the coast of Equatorial Guinea, signed at Malabo on 15 June 1984

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the Act of Accession of Spain and Portugal, and in particular Articles 155 (2) (b) and 167 (3) thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Whereas, pursuant to Article 12 of the Agreement on fishing off the coast of Equatorial Guinea ⁽³⁾, the Community and Equatorial Guinea conducted negotiations to determine the amendments or additions to be made to the Agreement at the end of the first three-year period of application of the Agreement;

Whereas, as a result of those negotiations, an Agreement amending the Agreement was initialled on 25 June 1986;

Whereas under the terms of Article 155 (2) (b) of the Act of Accession it is for the Council to determine the procedures appropriate to take into consideration all or part of the interests of the Canary Islands when it adopts decisions, case by case, particularly with a view to the conclusion of fisheries agreements with third countries; whereas in the case in point, the procedures in question should be determined;

Whereas it is in the Community's interest to conclude this Agreement,

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement amending the Agreement between the European Economic Community and the Government of the Republic of Equatorial Guinea on fishing off the coast of Equatorial Guinea, signed at Malabo on 15 June 1984, is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Regulation.

Article 2

With a view to taking into consideration the interests of the Canary Islands, the Agreement referred to in Article 1 and, in so far as is necessary for its application, the provisions of the common fisheries policy relating to the conservation and management of fishery resources, shall also apply to vessels which sail under the flag of Spain, which are recorded on a permanent basis in the registers of the competent authorities at local level ('registros de base') in the Canary Islands, under the conditions defined in Note 6 to Annex I to Council Regulation (EEC) No 570/86 of 24 February 1986 concerning the definition of the concept of 'originating products' and methods of administrative cooperation in the trade between the customs territory of the Community, Ceuta and Melilla and the Canary Islands ⁽⁴⁾.

⁽¹⁾ OJ No C 268, 24. 10. 1986, p. 8.

⁽²⁾ Opinion delivered on 12 December 1986 (not yet published in the Official Journal).

⁽³⁾ OJ No L 188, 16. 7. 1984, p. 1.

⁽⁴⁾ OJ No L 56, 1. 3. 1986, p. 1.

Article 3

The President of the Council is hereby authorized to designate the persons empowered to sign the Agreement 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.

Done at Brussels, 19 January 1987.

For the Council

The President

P. DE KEERSMAEKER

AGREEMENT

amending the Agreement between the European Economic Community and the Government of the Republic of Equatorial Guinea on fishing off the coast of Equatorial Guinea, signed at Malabo on 15 June 1984

Article 1

The Annex referred to in Article 4 and the Protocol referred to in Article 6 of the Agreement between the European Economic Community and the Government of the Republic of Equatorial Guinea on fishing off the coast of Equatorial Guinea, signed on 15 June 1984 shall be replaced by the texts annexed to this Agreement.

Article 2

This Agreement, drawn up in duplicate in the Danish, German, Greek, English, French, Italian, Dutch, Portuguese and Spanish languages, each of these texts being equally authentic, shall enter into force on the date of signature.

It shall be applicable from 27 June 1986 to 26 June 1989.

ANNEX

CONDITIONS FOR THE PURSUIT OF FISHING ACTIVITIES IN EQUATORIAL GUINEA'S FISHING ZONE BY VESSELS FLYING THE FLAGS OF MEMBER STATES OF THE COMMUNITY

A. Licence application and issuing formalities

The procedure for applications for, and issue of, the licences enabling vessels flying the flags of the Member States of the Community to fish in Equatorial Guinea's fishing zone shall be as follows:

The relevant Community authorities shall present to the Ministry of Water, Forestry and Reafforestation of the Republic of Equatorial Guinea, via the Delegation of the Commission in Equatorial Guinea, an application for each vessel that wishes to fish under this Agreement, at least 30 days before the date of commencement of the period of validity requested.

The applications shall be made on the forms provided for that purpose by the Government of the Republic of Equatorial Guinea, a specimen of which is annexed hereto.

Each licence application shall be accompanied by proof of payment for the period of the licence's validity into the account referred to in Article 3 of the Protocol. Once signed, the licences shall be issued by the Equatorial Guinea authorities to the shipowners or their representatives. Licences must be held on board at all times.

1. Provisions applicable to trawlers

- (a) The licences for trawlers shall be issued for a year, six months or three months. They shall be renewable.
- (b) The fees for annual licences shall be set as follows:
 - 55 ECU per grt per year for fin fish trawlers,
 - 75 ECU per grt per year for shrimp trawlers.

The fees for shorter periods shall be set *pro rata temporis*.

2. Provisions applicable to tuna vessels

- (a) The fees shall be set at 20 ECU per tonne caught within Equatorial Guinea's fishing zone.
- (b) Applications for licences for tuna vessels shall be issued following payment to the Ministry of Water, Forestry and Reafforestation of a lump sum of 1 000 ECU a year for each tuna seiner and 200 ECU a year for each pole-and-line tuna vessel, equivalent to the fees for:
 - 50 tonnes of tuna caught per year in the case of seiners,
 - 10 tonnes of tuna caught a year in the case of pole-and-line vessels.

A provisional statement of the fees due for the fishing year shall be drawn up by the Commission of the European Communities at the end of each calendar year on the basis of the catch statements made by each shipowner and forwarded simultaneously to the Equatorial Guinea authorities and the Commission departments responsible. The corresponding amount shall be paid by each shipowner to the Ministry of Water, Forestry and Reafforestation no later than 31 March of the following year in accordance with the procedure for payment set out in Article 3 of the Protocol.

The final statement of the fees due shall be drawn up by the Commission following verification of the volume of catch by a specialist scientific body in the region. The final statement shall be communicated to the Equatorial Guinea authorities and notified to the shipowners, who shall have 30 days to discharge their financial obligations.

However, if the amount of the final statement is lower than the abovementioned advance, the resulting balance shall not be reimbursable.

B. Statement of catch

- 1. Vessels authorized to fish in Equatorial Guinea's waters under the Agreement shall be obliged to make to the Ministry of Water, Forestry and Reafforestation a statement of their catch and send a copy of the statement to the Commission using the procedures set out below:

- trawlers and pole-and-line tuna vessels shall make out a statement according to the specimen annexed hereto, the statements being drawn up monthly and presented at least once every quarter,
 - tuna seiners shall communicate the results of each haul to the radio station at Annobon (call sign 3 CA-24).
2. Any Community vessel fishing in Equatorial Guinea's fishing zone shall allow on board, and assist in the accomplishment of his duties, any official of Equatorial Guinea responsible for inspection and monitoring. Officials should not remain on board any longer than the time required to make spot checks on the catch and carry out any other inspection concerning fishing activities.
3. Should this provision not be adhered to, the Government of Equatorial Guinea reserves the right to suspend the licence of the offending vessel until the formality has been complied with.

C. Landing of catch

Trawlers authorized to fish in the Equatorial Guinea zone shall make a contribution to fish supplies for the local population by landing:

- fin fish trawlers: 6 000 kilograms of fish per vessel per year,
- shrimp trawlers: 4 000 kilograms of fish per vessel per year,

at a price set by the Ministry of Water, Forestry and Reafforestation by mutual agreement with the shipowner on the basis of local market prices and in consultation with the Delegation of the Commission of the European Communities in Equatorial Guinea.

Should the licence be renewed, the fee may be accordingly reduced in relation to the value of the fish landed.

Landings may be made individually or collectively at the most convenient port of Equatorial Guinea.

Any failure to comply with the obligation to land catches shall render the offender liable to the following sanctions on the part of the Equatorial Guinea authorities:

- fine of 1 000 ECU per tonne not landed, and
- withdrawal or non-renewal of the licence of the vessel concerned or another vessel belonging to the same shipowner.

D. Signing-on of seamen

1. Owners of trawlers who have been issued fishing licences under the Agreement shall contribute to the on-the-job vocational training of Equatorial Guinea nationals subject to the conditions and limits set out below:

- one fisherman on vessels of up to 300 grt,
- two fishermen on vessels of more than 300 grt.

2. The wages of these fishermen, to be borne by the shipowners, shall be fixed by mutual agreement between the shipowners and the Equatorial Guinea authorities. Should Equatorial Guinea not have any candidates to put forward, this obligation shall take the form of a lump sum payment equivalent to 30 % of the fishermen's wages.

This sum will be used for the training of fishermen in Equatorial Guinea and is to be paid into an account specified by the Equatorial Guinea authorities.

E. Fishing zones

The freezer trawlers referred to in Article 1 of the Protocol shall be authorized to carry out fishing activities beyond the six-mile limit.

Annex I to the fisheries Law

INFORMATION ON CATCHES RESULTING FROM INDUSTRIAL FISHING

(Article 42 of the Fisheries Law)

1. Name and registration number of vessel:
2. Nationality:
3. Type of vessel:
(i.e. for fresh fish, tuna, etc.)
4. Master's name:
5. Fishing licence issued by:
valid for the period:
6. Type of fishing:
7. Date of leaving port:
Date of entering port:
8. Catches:

Date	Fishing zone	Species caught	Tonnage	Port of landing

I, the undersigned, Master of the vessel cited above, or his representative, hereby declare that the information given above is correct, as witnessed by the observer of the Government.

Witnessed by
The Observer of the Government

Signed
The Master

REPUBLIC OF EQUATORIAL GUINEA

APPLICATIONS FOR A FISHING LICENCE

1. Valid from: to:
2. Name of vessel:
3. Name of shipowner:
4. Port and registration number:
5. Type of fishing:
6. Authorized mesh size:
7. Length of vessel:
8. Width of vessel:
9. Gross registered tonnage:
10. Hold capacity:
11. Engine rating:
12. Type of construction:
13. Usual number of seamen aboard:
14. Radio/electrical equipment:
15. Master's name:

The above information is the sole responsibility of the shipowner or his representative.

Date of application:

PROTOCOL

establishing fishing rights and financial compensation for the period from 27 June 1986
to 26 June 1989

Article 1

From 27 June 1986, for a period of three years, the fishing authorizations granted pursuant to Article 2 of the Agreement shall be as follows:

1. Freezer trawlers: 9 000 per month, annual average;
2. Freezer tuna seiners: 48 vessels;
3. Pole-and-line tuna vessels: 11 vessels.

Article 2

The financial compensation referred to in Article 6 of the Agreement shall be, for the period referred to in Article 1, 5 115 000 ECU, payable as follows: 40 % before 31 December 1986 and the balance in two equal annual instalments on 31 January 1988 and 31 January 1989 at the latest.

Article 3

The use to which the compensation provided for in Article 2 is put shall be the sole responsibility of the Government of the Republic of Equatorial Guinea.

The compensation funds shall be paid into Account No 4280 of the Treasury of Equatorial Guinea, opened at the 'Banque des États d'Afrique Centrale' at Malabo. Any changes shall be communicated to the Commission of the European Communities.

Article 4

At the request of the Community, the fishing rights referred to in Article 1 (1) may be increased by successive instalments of 1 000 grt a month on annual average. In this case, the financial compensation referred to in Article 2 shall be increased proportionately *pro rata temporis*.

Article 5

The Community shall also contribute during the period of application of this Agreement a sum of 200 000 ECU towards the financing of an Equatorial Guinea scientific and technical programme to improve information on the fishery resources within the exclusive economic zone of Equatorial Guinea. One of the aims of the programme shall be to undertake a study that will improve knowledge of shrimp resources.

This sum shall be made available to the Government of the Republic of Equatorial Guinea and paid into the account referred to in Article 3. Half of this sum shall be paid before 31 December 1986, payment of the balance being made in relation to progress on the study.

The competent Equatorial Guinea authorities shall send to the Commission a brief report on the utilization of the funds.

Article 6

The Community shall make it easier for nationals of Equatorial Guinea to find places in establishments in its Member States and shall provide for that purpose, during the period referred to in Article 1, 10 study and training grants of a maximum duration of four years in subjects connected with fisheries. One of these grants will be used to cover expenses for participation in international meetings on fisheries.

Article 7

Should the Community fail to make the payments provided for in this Protocol, the Agreement on fishing shall be suspended.

COUNCIL REGULATION (EEC) No 253/87

of 19 January 1987

on the conclusion of the Agreement between the European Economic Community and the Government of the Republic of Guinea amending the Agreement between the European Economic Community and the Government of the Revolutionary People's Republic of Guinea on fishing off the coast of Guinea, signed at Conakry on 7 February 1983

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the Act of Accession of Spain and Portugal, and in particular Articles 155 (2) (b) and 167 (3) thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Whereas, pursuant to the second paragraph of Article 15 of the Agreement on fishing off the coast of Guinea, the Community and the Republic of Guinea conducted negotiations to determine the amendments or additions to be made to the Agreement at the end of the first three-year period of application of the Agreement;

Whereas, as a result of those negotiations, an Agreement amending the Fisheries Agreement was initialled on 12 July 1986;

Whereas under the terms of Article 155 (2) (b) of the Act of Accession, it is for the Council to determine the procedures appropriate to take into consideration all or part of the interests of the Canary Islands when it adopts decisions, case by case, particularly with a view to the conclusion of fisheries agreements with third countries; whereas in the case in point, the procedures in question should be determined;

Whereas it is in the Community's interest to conclude this Agreement,

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

Done at Brussels, 19 January 1987.

Article 1

The Agreement between the European Economic Community and the Government of the Republic of Guinea amending the Agreement between the European Economic Community and the Government of the Revolutionary People's Republic of Guinea on fishing off the coast of Guinea, signed at Conakry on 7 February 1983, is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Regulation.

Article 2

With a view to taking into consideration the interests of the Canary Islands, the Agreement referred to in Article 1 and, in so far as is necessary for its application, the provisions of the common fisheries policy relating to the conservation and management of fishery resources, shall also apply to vessels which sail under the flag of Spain, which are recorded on a permanent basis in the registers of the competent authorities at local level ('registros de base') in the Canary Islands, under the conditions defined in Note 6 to Annex I to Council Regulation (EEC) No 570/86 of 24 February 1986 concerning the definition of the concept of 'originating products' and methods of administrative cooperation in the trade between the customs territory of the Community, Ceuta and Melilla and the Canary Islands ⁽³⁾.

Article 3

The President of the Council is hereby authorized to designate the persons empowered to sign the Agreement 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*.

For the Council

The President

P. DE KEERSMAEKER

⁽¹⁾ OJ No C 294, 20. 11. 1986, p. 6.

⁽²⁾ Opinion delivered 12 December 1986 (not yet published in the Official Journal).

⁽³⁾ OJ No L 56, 1. 3. 1986, p. 1.

AGREEMENT

**between the European Economic Community and the Government of the Republic of Guinea
amending the Agreement between the European Economic Community and the Government of the
Revolutionary People's Republic of Guinea on fishing off the coast of Guinea, signed at Conakry on
7 February 1983**

Article 1

The Agreement between the European Economic Community and the Government of the Republic of Guinea on fishing off the coast of Guinea, signed on 7 February 1983, shall be amended as follows:

- (1) In the title and text of the Agreement the term 'Revolutionary People's Republic of Guinea' shall be replaced by 'Republic of Guinea';
- (2) (This amendment is not relevant to the English text);
- (3) Article 8 (3) shall be replaced by the following:
'The financial compensation shall be used solely to finance projects and services relating to fishing';

(4) Annex I, referred to in Articles 2 and 5 of the Agreement, and Annexes to it, shall be replaced by the text annexed hereto;

(5) The Protocol referred to in Article 8 of the Agreement shall be replaced by the text annexed hereto.

Article 2

1. This Agreement, drawn up in duplicate in the Danish, German, Greek, English, French, Italian, Dutch, Portuguese and Spanish languages, each of these texts being equally authentic, shall enter into force on the date of signature.

2. It shall apply from 8 August 1986.

ANNEX

CONDITIONS FOR THE PURSUIT OF FISHING ACTIVITIES IN GUINEA'S FISHING ZONE BY
COMMUNITY VESSELS

A. Licence application and issuing formalities

The procedure for applications for, and issue of, the licences enabling Community vessels to fish in Guinea's fishing zone shall be as follows:

The relevant Community authorities shall present to the Office of the Secretary of State for Fisheries of the Republic of Guinea, via the Delegation of the Commission in Guinea, an application for each vessel that wishes to fish under this Agreement, at least 10 days before the date of commencement of the period of validity requested.

The applications shall be made on the forms provided for that purpose by the Government of the Republic of Guinea, a specimen of which is annexed hereto.

Each licence application shall be accompanied by proof of payment for the period of the licence's validity.

Licences must be held on board at all times.

I. Provisions applicable to trawlers

1. Before receiving a licence, each vessel must be presented at the port of Conakry for inspection in accordance with the rules and regulations in force. Should the licence be renewed in the same calendar year, vessels shall be exempt from inspection.

2. Each vessel must be represented by a factor approved by the Office of the Secretary of State for Fisheries.

3. The licence fees shall be equivalent to the following annual amounts:

- 110 ECU/grt for fin fish trawlers, or 250 kg/grt of fish landed at a Guinean port,
- 130 ECU/grt for cephalopod vessels,
- 133 ECU/grt for shrimp trawlers and trawlers taking mixed catches including over 30 % of shrimps by weight.

These fees shall be paid in the currency indicated by the Guinean authorities and fixed on a *pro rata* basis relating to the period of validity of the licence.

The chosen fee is indicated by the shipowner when introducing the licence application.

Deliveries of fish shall be made according to a programme established when the licences are issued, at least every other month, each delivery being declared to the Guinean authorities at least five days in advance.

II. Provisions applicable to tuna vessels and longliners

1. The fees shall be set at 20 ECU per tonne caught within Guinea's fishing zone.

2. Applications for licences for tuna vessels and longliners shall be issued following payment to the Office of the Secretary of State for Fisheries of a lump sum of 1 000 ECU a year for each tuna seiner, 200 ECU a year for each pole-and-line tuna vessel and 200 ECU a year for each longliner, equivalent to the fees for:

- 50 tonnes of tuna caught per year in the case of seiners,
- 10 tonnes of tuna caught per year in the case of pole-and-line vessels,
- 10 tonnes of swordfish caught per year in the case of longliners.

A provisional statement of the fees due for the fishing year shall be drawn up by the Commission of the European Communities at the end of each calendar year on the basis of the catch statements made by the shipowners and forwarded simultaneously to the Guinean authorities and the Commission departments responsible. The corresponding amount shall be paid by the shipowners to the Office of the Secretary of State for Fisheries no later than 31 March of the following year.

The final statement of the fees due shall be drawn up by the Commission following verification of the volume of catch by a specialist scientific body in the region. The final statement shall be communicated to the Guinean authorities and notified to the shipowners, who shall have 30 days to discharge their financial obligations.

However, if the amount of the final statement is lower than the abovementioned advance, the resulting balance shall not be reimbursable.

B. Statement of catch

All vessels authorized to fish in Guinea's waters under the Agreement shall be obliged to forward to the Office of the Secretary of State for Fisheries, via the Commission delegation at Conakry, a statement of their catch made out according to the specimen in Annex II to the Agreement.

These statements of catch must be drawn up for each month and presented at least once every quarter.

C. Signing-on of seamen

Shipowners who have been issued fishing licences under the Agreement shall contribute to the on-the-job vocational training of Guinean nationals subject to the conditions and limits set out below:

1. Each trawler owner shall undertake to employ:

- two fishermen, including one fisherman/observer, on vessels of up to 300 grt and on all cephalopod vessels,
- a number, including one observer/fisherman, equivalent to 25 % of the fishermen on board vessels of more than 300 grt.

2. Six Guinean seamen shall be signed on permanently for the fleet of tuna seiners.

In the case of the pole-and-line tuna vessels, eight Guinean seamen shall be signed on for the tuna fishing season in Guinean waters. There may not, however, be more than one Guinean seaman per vessel.

These obligations may instead take the form of an annual lump sum equivalent to the seamen's wages; this sum will be used for the training of Guinean fishermen.

3. The seamen's wages, set in accordance with Guinean scales, and other forms of remuneration shall be borne by the shipowners.

D. Fishing zones

The fishing zones accessible to Community vessels shall comprise all waters under Guinea jurisdiction beyond:

- (1) Three nautical miles as regards shrimp vessels not exceeding 135 grt;
- (2) Six nautical miles as regards shrimp vessels of between 135 and 300 grt;
- (3) Six nautical miles as regards cephalopod vessels during the first year's application of the current Protocol.

At the end of this period specific provisions on access for cephalopod vessels may be adopted by the Joint Committee;
- (4) 12 nautical miles as regards shrimp vessels exceeding 300 grt;
- (5) 15 nautical miles as regards fin fish trawlers.

E. Meshes authorized

1. The mesh authorized for the trawl body (mesh fully extended) shall be:

- (a) 60 mm for fin fish vessels;
- (b) 40 mm for cephalopod vessels;
- (c) 25 mm for shrimp vessels.

2. These mesh sizes apply under Guinean regulations to all ships flying the Guinean or any other flag and may be changed in the light of recommendations formulated by international scientific organizations.

F. Inspection and monitoring of fishing activities

Any Community vessel fishing in Guinea's fishing zone shall allow on board, and assist in the accomplishment of his duties, any official of Guinea responsible for inspection and monitoring.

G. Penalties

Infringements shall be penalized as follows:

- (1) payment of a fine of 500 000 to 1 500 000 Guinean francs, payable in ECU, for non-compliance with mesh size or fishing zones;
- (2) non-renewal of fishing licence for failure to supply statements of catch;
- (3) payment of a fine of 1 000 ECU per tonne of fish not landed.

Specimen provided for in A I ⁽¹⁾

SECRETARIAT OF STATE FOR FISHERIES

REPUBLIC OF GUINEA

DIRECTORATE-GENERAL OF FISHERIES

Labour — Justice — Solidarity

PARTICULARS TO BE FURNISHED IN SUPPORT OF AN APPLICATION FOR A FISHING LICENCE

Applicant

Name

Occupation or style of firm

Registered office

Subscribed capital

Address

Vessels for which licence is sought:

1.

2.

3.

4.

5.

Name and address of Master

Validity of licence applied for

Vessel

Name

Registration No

Call sign

Date and place of construction

Nationality (flag)

Length: 1. o.a.: 2. b.p.

Breadth: 1. o.a. 2. moulded breadth

⁽¹⁾ The application must be submitted on a form in French.

Gross registered tonnage:

Net registered tonnage:

Engine type and rating:

Port of registry:

Crew:

Type of fishing:

Payment formula (fin fish vessels):

A. Trawling

Length of trawl

Opening

Mesh size in the body

Mesh size in the wings

B. Tuna fishing

Number of lines

Length of net

Number of bait tanks

Volume of bait tanks

Live baits

Purse seine

Is the vessel a freezer vessel?

If so, state:

— total refrigerating power

— freezing capacity

— storage capacity

Technical remarks and opinion of the Director of Fisheries:

.....
.....
.....
.....

PROTOCOL

establishing fishing rights and financial compensation for the period from 8 August 1986 to 7 August 1989

Article 1

From 8 August 1986, for a period of three years, the fishing authorizations granted pursuant to Article 2 of the Agreement shall be as follows:

1. Trawlers — 12 000 (twelve thousand) grt per month, annual average;
2. Freezer tuna seiners — 45 vessels;
3. Wet pole-and-line tuna vessels — 25 vessels;
4. Longliners — six vessels.

Article 2

1. The financial compensation referred to in Article 8 of the Agreement shall be, for the period referred to in Article 1, 8 600 000 (eight million six hundred thousand) ECU, payable in three annual instalments.
2. The use to which this compensation is put shall be the sole responsibility of the Government of the Republic of Guinea.
3. The compensation shall be paid into an account opened at a financial institution or any other body designated by the Government of the Republic of Guinea.

Article 3

At the request of the Community, the fishing rights referred to in Article 1 (1) may be increased by successive instalments of 1 000 grt a month on annual average. In this case, the financial compensation referred to in Article 2 shall be increased proportionately *pro rata temporis*.

Article 4

1. The Community shall also contribute during the period referred to in Article 1 up to 350 000 (three hundred and fifty thousand) ECU towards the financing of Guinean scientific and technical programmes (equipment, infrastructure, etc.) to improve information on the fishery resources within the exclusive economic zone of Guinea.
2. The competent Guinean authorities shall send to the Commission a report on the utilization of the funds.
3. The Community's contribution to the scientific and technical programmes shall be paid on each occasion into an account specified by the Office of the Secretary of State for Fisheries.

Article 5

The Community shall make it easier for nationals of Guinea to find places in establishments in its Member States or in the ACP States and shall provide for that purpose, during the period referred to in Article 1, 11 (eleven) three-year study and training grants in the various scientific, technical and economic subjects connected with fisheries.

Two of these three-year grants, equivalent to a sum of no more than 55 000 (fifty-five thousand) ECU may be used to finance study trips and cover the expenses of participation by officials of the Office of the Secretary of State for Fisheries in conferences and seminars held in the Member States and the ACP States.

Article 6

Should the Community fail to make the payments provided for in this Protocol, the Agreement on fishing may be suspended.