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(Acts whose publication is obligatory)

**COUNCIL REGULATION (EC) No 965/96**

of 28 May 1996

**amending Regulation (EC) No 3699/93 laying down the criteria and arrangements regarding Community structural assistance in the fisheries and aquaculture sector and the processing and marketing of its products**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2080/93 of 20 July 1993 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the Financial Instrument for Fisheries Guidance<sup>(1)</sup>, and in particular Article 6 thereof,

Having regard to the proposal from the Commission<sup>(2)</sup>,

Having regard to the opinion of the European Parliament<sup>(3)</sup>,

Having regard to the opinion of the Economic and Social Committee<sup>(4)</sup>,

Whereas national and Community rules are at the heart of a strengthening of the conditions controlling access to fish resources, in particular by the introduction of systems of fishing licences and permits; whereas those new restrictions on access are having the effect of increasing the scrapping value of vessels, in particular those more than 30 years old; whereas this increase in value has made withdrawals of those fishing vessels more difficult to guarantee than in the past;

Whereas the current system of premiums for scrapping a vessel and for setting up joint enterprises provides for a constant reduction of 1,5 % per year in premiums for vessels more than 15 years old; whereas experience has shown that that year-by-year reduction in premiums has made them insufficient to guarantee the withdrawal of the oldest of the vessels;

Whereas provision should be made to ensure that preference is given to the withdrawal from the fleet of the oldest of the vessels; whereas the premiums should there-

fore be maintained at a sufficiently high level to guarantee the withdrawal of that category of vessels;

Whereas financial aid for FIG in the case of temporary cessation of activities, taking account of this type of intervention, must remain an exceptional measure; whereas it is therefore advisable to set a ceiling on the funds allocated to this measure, without prejudice to possible appeals, on a case-by-case basis, against the specific measures referred to in Article 3 of Regulation (EEC) No 2080/93,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EC) No 3699/93<sup>(5)</sup> is hereby amended as follows:

1. In Article 14, the following paragraph is added:

'This grant cannot exceed, for each calendar year and for each Member State, ECU 350 000 or 0,85 % of the funds foreseen in the financial plan for each Member State for the year concerned, whichever amount is the greater.'

2. In the last indent of Annex IV, point 1.1 (a) the following phrase is hereby added:

'; and up to 30 years old, the age beyond which premiums are limited to the amount for vessels 30 years old.'

*Article 2*

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

<sup>(1)</sup> OJ No L 193, 31. 7. 1993, p. 1.

<sup>(2)</sup> OJ No C 49, 20. 2. 1996, p. 9.

<sup>(3)</sup> OJ No C 141, 13. 5. 1996.

<sup>(4)</sup> Opinion delivered on 27 March 1996 (not yet published in the Official Journal).

<sup>(5)</sup> OJ No L 346, 31. 12. 1993, p. 1. Regulation as last amended by Regulation (EC) No 2719/95 (OJ No L 283, 25. 11. 1995, p. 3).

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

Done at Brussels, 28 May 1996.

*For the Council*

*The President*

R. SERRI

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