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CT/AGR2012.1/Circ.4
16 February 2015

**CAPE TOWN AGREEMENT OF 2012 ON THE IMPLEMENTATION OF THE PROVISIONS
OF THE TORREMOLINOS PROTOCOL OF 1993 RELATING TO THE TORREMOLINOS
INTERNATIONAL CONVENTION FOR THE SAFETY OF FISHING VESSELS, 1977**

Declaration by the Netherlands (European part)

The Secretary-General of the International Maritime Organization has the honour to refer to the Cape Town Agreement of 2012 on the Implementation of the Provisions of the Torremolinos Protocol of 1993 relating to the Torremolinos International Convention for the Safety of Fishing Vessels, 1977 and to state that he received, on 29 January 2015, a declaration in accordance with article 3(5) of the Torremolinos Protocol of 1993 relating to the Torremolinos International Convention for the Safety of Fishing Vessels, 1977, as follows:

"As part of a regional arrangement authorised under article 3(5) of the Torremolinos Protocol, the European part of the Netherlands is bound by relevant European Union legislation, namely Council Directive 97/70/EC of 11 December 1997 setting up a harmonised safety regime for fishing vessels of 24 metres in length and over. Consequently the European part of the Netherlands will apply the provisions of the Torremolinos Protocol regarding safety standards to third country fishing vessels of 24 metres in length and over which operate in its internal or territorial waters or which land catch in one of its ports, subject to the terms laid down in the above-mentioned Directive. Under that regional arrangement, the exemptions provided for in regulation 1(6) of chapter I of the annex to the Cape Town Agreement in relation to annual surveys and in regulation 3(3) of chapter I of the annex thereto concerning a common fishing zone or exclusive economic zone shall not apply to the fishing vessels of the European part of the Netherlands, and to third country fishing vessels of 24 metres in length and over while operating in the common fishing zone of the European part of the Netherlands, its exclusive economic zone, or landing catch at its ports. Exemptions issued under regulation 3(3) of chapter I of the annex to the Cape Town Agreement, concerning a common fishing zone or an exclusive economic zone, to fishing vessels falling within the scope of application of regulation 1 of chapter I of the annex to the Cape Town Agreement, shall not be accepted."

The Kingdom of the Netherlands, for the European part of the Netherlands, acceded to the Cape Town Agreement on 7 May 2014 (circular CT/AGR2012.1/Circ.3 refers).