

ACP-EEC COUNCIL OF MINISTERS
Brussels

**TEXTS RELATING TO
AGRICULTURAL AND RURAL
COOPERATION**

III

**SECOND ACP-EEC CONVENTION OF LOMÉ
(signed on 31 October 1979)**

1 January — 31 December 1985

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⁽¹⁾ In accordance with Article 88(4) of the second ACP-EEC Convention (Lomé, 31.10.1979) and Article 37(4) of the third ACP-EEC Convention (Lomé, 8.12.1984), the Committee of Ambassadors is the supervisory authority of the TCA the budget of which it, in particular, adopts.

⁽²⁾ Measures taken in order, on expiry of the second Lomé Convention (28.2.1985) and pending the entry into force of the third Convention, to maintain in force the relevant provisions of the second Convention and to ensure the advance implementation, as of 1 March 1985, of certain provisions of the third Convention.

DECISION No 1/85
OF THE ACP-EEC COMMITTEE OF AMBASSADORS
of 7 June 1985

adopting the budget of the
Technical Centre for Agricultural
and Rural Co-operation (1985)

THE ACP-EEC COMMITTEE OF AMBASSADORS,

Having regard to the Second ACP-EEC Convention, signed at Lomé on 31 October 1979, and in particular Article 88(4)(d) thereof,

Having regard to Decision No 1/83 of the ACP-EEC Committee of Ambassadors of 8 June 1983 laying down the rules of operation of the Technical Centre for Agricultural and Rural Co-operation (hereinafter referred to as the "Centre"), and in particular Article 6 thereof,

Having regard to Decision No 2/83 of the ACP-EEC Committee of Ambassadors of 8 June 1983 adopting the Financial Regulation of the Technical Centre for Agricultural and Rural Co-operation, and in particular Articles 5 and 6 thereof,

Having regard to Decision No 2 /85 of the ACP-EEC Council of Ministers of 22 February 1985 on transitional measures valid from 1 March 1985, and in particular Articles 1 and 6 thereof,

Whereas, pursuant to Article 5(1) of Decision No 2/83, the Director of the Centre submitted to the ACP-EEC Subcommittee on Co-operation in Agricultural and Rural Development (hereinafter referred to as the "Subcommittee") a preliminary draft annual budget of the Centre (financial year 1985) and the annual work programme of the Centre for 1985;

Whereas, at its meeting on 19 February 1985, the Subcommittee examined this preliminary draft and, after making amendments agreed jointly by the Community and the ACP States, adopted the draft budget in accordance with Article 6 of Decision No 2/83;

Whereas the draft budget has been forwarded to the Commission which, with regard to the contribution requested from the European Development Fund, has implemented the current Community procedures;

Whereas, on 18 April 1985, the competent Community authority adopted the financing decision on the said contribution;

Whereas, this being so, the Committee is in a position definitively to adopt the budget,

HAS DECIDED AS FOLLOWS:

Sole Article

The budget for the Centre for the financial year 1985 is hereby definitively adopted as it appears in the Annex hereto.

Udfærdiget i Bruxelles, den
Geschehen zu Brüssel am
Έγινε στις Βρυξέλλες, στις
Done at Brussels,
Fait à Bruxelles, le
Fatto a Bruxelles, addi
Gedaan te Brussel,

7. VI. 1985

På AVS-EØF-Ambassadørudvalgets vegne
Im Namen des AKP-EWG-Botschafterausschusses
Γιό τήν Έπιτροπή τών Πρόσθεων ΑΚΕ-ΕΟΚ
For the ACP-EEC Committee of Ambassadors
Par le Comité des Ambassadeurs ACP-CEE
Per il Comitato degli Ambasciatori ACP-CEE
Voor het ACS-EEG-Comité van Ambassadeurs

Formand
Der Präsident
Ο Πρόεδρος
The President
Le Président
Il Presidente
De Voorzitter

H. SAHADEO

1985 BUDGET (ECU)

<u>TITLE I - STAFF EXPENDITURE</u>	<u>Appropriations</u> <u>1984</u>	<u>Appropriations</u> <u>1985</u>
Chapter 11 - <u>Staff</u>		
Article 111 - Salaries and wages (17 staff members including 5 new members to be recruited gradually throughout 1985)	300 000	566 000
Article 112 - Provision for the adjustment of salaries (after decision of the Subcommittee pursuant to the third paragraph of Article 27 of Decision No 3/83 of the Committee of Ambassadors)	15 000	28 000
Article 113 - Welfare contributions	120 000	181 000
Article 114 - Allowances	35 000	112 000
Total Chapter 11	<u>470 000</u>	<u>887 000</u>
<u>TOTAL TITLE I</u>	<u>470 000</u>	<u>887 000</u>
<u>TITLE II - BUILDINGS, EQUIPMENT AND MISCELLANEOUS OPERATING EXPENDITURE</u>		
Chapter 21 - <u>Rental of buildings and associated costs</u>		
Article 211 - Rent	65 000	79 000
Article 212 - Associated costs	20 000	15 000
Total Chapter 21	<u>85 000</u>	<u>94 000</u>
Chapter 22 - <u>Movable property and associated costs</u>		
Article 221 - Purchase of office machines and movable furniture and equipment	54 000	43 000
Article 222 - Rental of furniture and equipment	41 000	20 000
Article 223 - Maintenance of furniture and equipment	5 000	5 000
Article 224 - Maintenance and use of vehicles	6 000	5 000
Total Chapter 22	<u>106 000</u>	<u>73 000</u>

Chapter 23 - <u>Current administrative expenditure</u>		
Article 231 - Stationery and office supplies	12 000	15 000
Article 232 - Postage and telecommunication	70 000	50 000
Article 234 - Subscription to periodicals, etc	20 000	25 000
Article 235 - Other operating expenditure	25 000	15 000
Total Chapter 23	<u>127 000</u>	<u>105 000</u>
Chapter 24 - <u>Mission expenses, representation and entertainment expenses</u>		
Article 241 - General expenditure on duty travel	7 000	12 000
Article 242 - General representation and entertainment expenses	7 000	15 000
Total Chapter 24	<u>14 000</u>	<u>27 000</u>
Chapter 25 - <u>Brussels branch office (except for staff expenditure)</u>	30 000	<u>30 000</u>
TOTAL TITLE II	<u>362 000</u>	<u>329 000</u>
<u>TITLE III - ACTIVITIES</u>		
Chapter 31 - <u>Studies, experts' reports</u>	150 000	300 000
Chapter 32 - <u>Seminars</u> (1984: 3; 1985: 6)	200 000	440 000
Chapter 33 - <u>Publications and files</u>	63 000	235 000
Chapter 34 - <u>Missions</u>		
Article 341 - Programmed missions	30 000	66 000
Article 342 - Attendance at seminars and meetings	6 000	24 000
Total Chapter 34	<u>36 000</u>	<u>110 000</u>
TOTAL TITLE III	<u>449 000</u>	<u>1 085 000</u>
<u>GRAND TOTAL OF EXPENDITURE</u>	<u>1 281 000</u>	<u>2 301 000</u>

(a) European Development Fund contribution	1 251 000	2 217 000
(b) Tax on salaries and any other revenue	30 000	84 000
<u>GRAND TOTAL OF REVENUE</u>	<u>1 281 000</u>	<u>2 301 000</u>

DECISION No 2 /85
OF THE ACP-EEC COUNCIL OF MINISTERS
of 22. II. 1985
on transitional measures
valid as from 1 March 1985

THE ACP-EEC COMMITTEE OF AMBASSADORS,

Having regard to the second ACP-EEC Convention signed at Lomé on 31 October 1979, and in particular Article 188(3) thereof,

Having regard to Decision No 7/84 of the ACP-EEC Council of Ministers of 19 December 1984 delegating powers to the ACP-EEC Committee of Ambassadors in connection with the adoption of transitional measures upon expiry of the second ACP-EEC Convention,

Having regard to the Agreement on products within the province of the European Coal and Steel Community signed in Lomé on 31 October 1979,

Whereas appropriate transitional measures, to apply until the entry into force of the Third ACP-EEC Convention, signed at Lomé on 8 December 1984, should be adopted to maintain in force the relevant provisions of the Second ACP-EEC Convention,

HAS DECIDED AS FOLLOWS:

Article 1

The following provisions and the acts adopted pursuant thereto shall remain applicable after 28 February 1985 until the entry into force of new provisions relating to the same areas, and until 28 February 1986 at the latest, unless an extension is decided by common accord;

(1) as regards the Second ACP-EEC Convention:

- (a) subject to Article 4 of this Decision, the provisions on trade co-operation in Title I and Protocol No 1;
- (b) subject to the second paragraph of Article 8 of this Decision, the provisions on the export earnings stabilization system in Chapter 1 of Title II;
- (c) the provisions on mineral products in Title III; however, requests for financial aid pursuant to Chapter 1 of Title III must be submitted not later than 31 October 1985;

- (d) the provisions on investments in Title IV;
 - (e) the provisions on industrial co-operation in Title V;
 - (f) the provisions on agricultural co-operation in Title VI;
 - (g) the provisions on financial and technical co-operation in Title VII;
 - (h) the provisions on the least developed, landlocked and island ACP States in Title VIII;
 - (i) the provisions relating to payments and capital movements, establishment and services in Title IX;
 - (j) the general and final provisions in Articles 179, 180, 184, 185, 186, 188(3), 189, 190, 191 and in Protocol No 3.
- (2) the Agreement on products within the province of the European Coal and Steel Community signed at Lomé on 31 October 1979.

Article 2

From 1 March 1985 until the entry into force of the new provisions on the same subject and not later than 28 February 1986 unless an extension is decided by common accord, the provisions on trade co-operation in Chapters 1 and 2 of Title I, of the Second ACP-EEC Convention and those of Protocol No 1 annexed to that Convention shall apply between the Community and any new ACP State signatory to the Third ACP-EEC Convention.

Article 3

The provisions on institutions in Articles 22, 23, 24 and 25 of the Third ACP-EEC Convention signed on 8 December 1984, those in Part Four of the said Convention, in Protocol No 2 annexed thereto, the provisions in Article 284 of that Convention concerning the procedure to be followed when a State accedes to the Community and the provisions in Annexes I and IX of the Final Act of that Convention shall be applicable in advance from 1 March 1985, except for the third paragraph of Annex IX and the joint declaration on Article 2 of Protocol No 2 contained in Annex XXXI.

Article 4

The provisions concerning the procedure for derogating from the rules of origin, contained in Article 30 of Protocol No 1 to the Third ACP-EEC Convention, shall be applied in advance as from 1 March 1985.

However, requests that have at present already been lodged shall be examined in accordance with the procedures of the Second Convention.

Article 5

The Committee on Industrial Co-operation is hereby authorized to exercise the powers necessary to ensure the continued operation of the Centre for the Development of Industry until the entry into force of the Third ACP-EEC Convention and to prepare the entry into force of the new provisions, and in particular to set up the Governing Board provided for in Article 73 of that Convention.

Article 6

Under the authority of the Committee of Ambassadors the Subcommittee on Co-operation for Agricultural and Rural Development shall exercise the powers necessary to ensure the continued operation of the Technical Centre for Agricultural and Rural Co-operation until the entry into force of the Third ACP-EEC Convention and to prepare for the introduction of new provisions, and in particular to set up the Advisory Committee provided for in Article 37(6) thereof.

Article 7

Article 47 of the Third ACP-EEC Convention relating to the Agricultural Commodities Committee shall apply as from 1 March 1985.

Article 8

The export earnings stabilization system under the Second ACP-EEC Convention shall continue to be implemented as provided for in that Convention.

Article 35 of the said Convention shall continue to apply, except for the duration thereof, which shall be extended until the Third ACP-EEC Convention enters into force.

The new provisions in Article 160 of the Third ACP-EEC Convention, on the method of calculating the transfer bases in ECU, shall be applied in advance for the 1984 year of application.

Article 9

Financial and technical co-operation and the system providing aid for mining projects and programmes under the Second ACP-EEC Convention shall continue to be implemented as provided for in that Convention.

In accordance with Article 137(3)(c) and by way of derogation from Article 154 of the Second ACP-EEC Convention, the Community is hereby authorized to continue fulfilling its commitments in respect of emergency aid and risk capital until the Third ACP-EEC Convention enters into force.

In order that the Council of Ministers may take the decision provided for in Article 51(2) of the Second ACP-EEC Convention concerning the allocation of any balances remaining from the overall amount of the special financing facility with all the necessary information to hand, the time-limit set in that Article shall be extended until 28 February 1986. However, the appraisal of requests pending may be completed.

Article 10

The ACP States, the Member States and the Community shall, each to the extent concerned, take the measures necessary to implement this Decision.

Article 11

This Decision shall enter into force on 1 March 1985.

Udfærdiget i Bruxelles, den
Geschehen zu Brüssel am
Έγινε στις Βρυξέλλες, στις
Done at Brussels,
Fait à Bruxelles, le
Fatto a Bruxelles, addì
Gedaan te Brussel,

22. 11. 1985

For AVS-EØF Ministerrådets vegne
Für den AKP-EWG-Ministerrat
Γιά το Συμβούλιο των Υπουργών ΑΚΕ-ΕΟΚ
For the ACP-EEC Council of Ministers
Pour le Conseil des Ministres ACP-CEE
Per il Consiglio dei Ministri ACP-CEE
Voor de ACS-EEG-Raad van Ministers

På AVS-EØF-Ambassadørudvalgets vegne
Im Namen des AKP-EWG-Botschafterausschusses
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Per il Comitato degli Ambasciatori ACP-CEE
Voor het ACS-EEG-Comité van Ambassadeurs

Formanden
Der Präsident
Ο Πρόεδρος
The President
Le président
Il Presidente
De Voorzitter

(s.) P. CALAMIA

COUNCIL REGULATION (EEC) No 485/85
of 26 February 1985
concerning the application of Decision No 2/85 of the ACP-EEC Council of Ministers on
transitional measures valid from 1 March 1985

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 113 and 235 thereof,

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

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

Whereas the second ACP-EEC Convention, signed at Lomé on 31 October 1979, expires on 28 February 1985;

Whereas the third ACP-EEC Convention, signed at Lomé on 8 December 1984, cannot enter into force on that date;

Whereas the Committee of Ambassadors established by the second ACP-EEC Convention has adopted, under the powers delegated to it by Decision No 7/84 of the ACP-EEC Council of Ministers and pursuant to Article 188 (3) of the said Convention, the transitional

measures valid from 1 March 1985 until the third ACP-EEC Convention enters into force;

Whereas the measures required to implement that Decision should be taken,

HAS ADOPTED THIS REGULATION:

Article 1

Decision No 2/85 of the ACP-EEC Council of Ministers, annexed to this Regulation, shall apply in the Community with effect from 1 March 1985 until the entry into force of the third ACP-EEC Convention and no later than 28 February 1986, without prejudice to more favourable autonomous provisions to be adopted by the Community in respect of imports of ACP products.

Article 2

This Regulation shall enter into force on 1 March 1985.

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

Done at Brussels, 26 February 1985.

For the Council

The President

F. PANDOLFI

⁽¹⁾ OJ No C 42, 14. 2. 1985, p. 4.

⁽²⁾ Opinion delivered on 15 February 1985 (not yet published in the Official Journal).

European Communities — Council

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