

Convention
ACP-EEC of Lomé

COLLECTED ACTS

2
Vol. II

SECRETARIAT OF THE COUNCIL
OF THE EUROPEAN COMMUNITIES

Preliminary remark

Collected Acts ACP-EEC Convention

Volume 2

This volume is a chronological sequel to the acts pertaining to the ACP-EEC Convention of Lomé between the African, Caribbean and Pacific States and the European Economic Community which appear in Volume 1 of the Collected Acts ACP-EEC Convention.

The general lay-out of Volume 1 having been maintained, titles, headings, abbreviations (except TRADE, which now reads TRADE CO-OP) etc. remain the same.

The only innovation is a list, with cross-references to the Official Journal of the European Communities, of general Community acts relating to the Common Customs Tariff which may be of interest to the African, Caribbean and Pacific States, i.e. Community Regulations concerning tariff preferences for certain products originating in developing countries (see TRADE CO-OP IV below).

It should be noted that a minor change has been made in Volume 2 to the reference at the top of each page : the following new feature has been added :

"Vol. 2",

in order to avoid confusion between the two volumes.

Directions for use

1. Acts listed in the Collection

In addition to the text of the Convention signed in Lomé on 28.2.1975, the Collected Acts pertaining to the ACP-EEC Convention of Lomé between the African, Caribbean and Pacific States and the European Economic Community contain all the acts adopted pursuant to that Convention by the various Institutions of the Convention between the African, Caribbean and Pacific States (ACP) and the European Economic Community (EEC) as well as the acts adopted by the EEC with regard to the ACP States.

The African, Caribbean and Pacific States signatory to the ACP-EEC Convention of Lomé are :

The Bahamas, Barbados, People's Republic of Benin, Botswana, Burundi, Cameroon, Cape Verde, Central African Empire, Comoro State, People's Republic of the Congo, Djibouti (Jibuti), Dominica, Ethiopia, Fiji, Gabon, the Gambia, Ghana, Grenada, Equatorial Guinea, Guinea, Guinea-Bissau, Guyana, Ivory Coast, Jamaica, Kenya, Kiribati, Lesotho, Liberia, Madagascar, Malawi, Mali, Mauritania, Mauritius, the Niger, Nigeria, Papua New Guinea, Rwanda, Western Samoa, Sao Tomé and Príncipe, Senegal, Seychelles, Sierra Leone, Solomon Islands, Somalia, Saint Vincent and the Grenadines, St Lucia, Sudan, Suriname, Swaziland, Tanzania, Togo, Tonga, Trinidad and Tobago, Tuvalu, Uganda, Upper Volta, Zaire, Zambia.

Some acts of the Institutions of the ACP-EEC Convention of Lomé are not given because of their nature, e.g. budgets, individual acts (such as appointments), etc.

2. General lay-out of the Collected Acts

The acts are classified in 7 basic series with the following abbreviations and titles in order of classification :

GEN	- General matters
TRADE CO-OP	- Trade co-operation
EXP	- Export earnings
IND	- Industrial co-operation
FINTECH	- Financial and technical co-operation
ESTAB	- Establishment, services, payments and capital movements
INST	- Institutions

Each series of acts is separated from the others by a guide card with the abbreviated title of the series indicated on the tab.

In some series the acts are subdivided into headings with Roman numerals and a list is given on the first page of each series.

In each heading and in each series which is not subdivided into headings the acts appearing in the Collected Acts are classified in chronological order according to the dates of their adoption.

General table of the series and headings in the Collected Acts
pertaining to the
ACP-EEC CONVENTION OF LOME

Series	Headings
General matters (GEN)	<ul style="list-style-type: none"> O - Convention and related texts I - Internal Community provisions relating to the Convention
Trade co-operation TRADE CO-OP	<ul style="list-style-type: none"> I - Trade II - Trade promotion III - Customs co-operation IV - List of Community regulations on tariff preferences for certain products originating in developing countries
Export earnings (EXP)	<ul style="list-style-type: none"> I - Stabilization of export earnings II - Sugar
Industrial co-operation (IND)	
Financial and technical co-operation (FINTECH)	
Establishment, services, payments and capital move- ments (ESTAB)	
Institutions (INST)	<ul style="list-style-type: none"> I - Council of Ministers and Committee of Ambassadors II - Consultative Assembly III - Institutional questions peculiar to the Community and the Member States IV - Questions peculiar to the ACP States

3. Pagination

In order that new acts can be added at any time, the Collected Acts are arranged in loose-leaf form.

Each page is headed by a reference composed of the following : an abbreviation indicating the series, a Roman numeral indicating the heading, consecutive Arabic numerals indicating pages within the heading and an abbreviation indicating the relevant volume of the Collected Acts.

Example : GEN I 6 Vol. 2

GEN indicates the "General matters" series ;
I indicates the heading "I Convention and related texts" ;
6 indicates page 6 of that heading ;
Vol. 2 indicates Volume 2 of the Collected Acts.

If a page has to be amended following an alteration, a replacement sheet will be supplied. This will be marked at the bottom right-hand corner to distinguish it from the page to be removed from the Collected Acts.

References showing that one act is related to another are given in footnotes.

Some acts qualify for inclusion in several places. The full text is given once only, and in the other places there simply references to where the full text may be found.

4. Tables

At the beginning of each heading or of each series which is not subdivided into headings there is a table listing the titles of the acts contained in it. This table will be brought up to date at regular intervals.

In addition to this compilation, there are also the Collected Acts :

Co-operation between the EEC and the People's Democratic Republic of Algeria,
Co-operation between the EEC and the Arab Republic of Egypt,
Co-operation between the EEC and the State of Israel,
Co-operation between the EEC and the Hashemite Kingdom of Jordan,
Co-operation between the EEC and the Lebanese Republic,
Co-operation between the EEC and the Kingdom of Morocco,
Co-operation between the EEC and the Syrian Arab Republic,
Co-operation between the EEC and the Republic of Tunisia,

the Collected Acts :

Association between the EEC and the Republic of Cyprus,
Association between the EEC and Greece (until 31.12.1980),
Association between the EEC and Malta,
Association between the EEC and Turkey,

and the acts concerning the OCT/FOD.

General matters

Subdivision:

O. Convention and related texts

I. Internal Community provisions relating to
the Convention

Convention and
related texts

Table

1

Subject	Pages in the Collected Acts
Decision No 4/76 of the ACP-EEC Council of Ministers of 14 July 1976 approving the accession of the Republic of Surinam to the ACP-EEC Convention of Lomé	1 - 3
Decision No 5/76 of the ACP-EEC Council of Ministers of 14 July 1976 approving the accession of the Republic of Seychelles to the ACP-EEC Convention of Lomé	4 - 6
Decision No 6/76 of the ACP-EEC Council of Ministers of 14 July 1976 approving the accession of the Comoro State to the ACP-EEC Convention of Lomé	7 - 9
Decision No 7/76 of the ACP-EEC Council of Ministers of 14 July 1976 approving the request by the Democratic Republic of Sao Tomé and Príncipe for accession to the ACP-EEC Convention of Lomé	10 - 12
Decision No 8/78 of the ACP-EEC Council of Ministers of 14 July 1976 approving the request by Papua New Guinea for accession to the ACP-EEC Convention of Lomé	13 - 15
Decision No 9/76 of the ACP-EEC Council of Ministers of 14 July 1976 approving the request by the Republic of Cape Verde for accession to the ACP-EEC Convention of Lomé	16 - 18
Accession of the Republic of Surinam, the Republic of Seychelles, and the Comoro State to the ACP-EEC Convention of Lomé	19
77/155/EEC :	
Council Decision of 14 February 1977 adjusting Decision 76/568/EEC on the association of the overseas countries and territories with the European Economic Community	20 - 21
Decision No 3/77 of the ACP-EEC Council of Ministers of 14 April 1977 adding certain products to the list in Article 17 (1) of the ACP-EEC Convention of Lomé	22 - 24
Decision No 4/77 of the ACP-EEC Council of Ministers of 14 April 1977 regarding the scope of article 17 (4) of the ACP-EEC Convention of Lomé	25
Decision No 10/77 of the ACP-EEC Council of Ministers of 14 April 1977 amending the list of least developed ACP States	26 - 27

Table

Subject	Pages in the Collected Acts
<p>77/474/EEC : Council Decision of 26 July 1977 on the provisional application to the Republic of Djibouti of the arrangements provided for in Decision 76/568/EEC on the association of the overseas countries and territories with the European Economic Community</p>	<p>28</p>
<p>Council Decision of 21 December 1977 on the request for accession to the ACP-EEC Convention of Lomé submitted by the Republic of Djibouti</p>	<p>29 - 30</p>
<p>Accession of the Republic of Jibuti to the ACP-EEC Convention of Lomé</p>	<p>31</p>
<p>78/465/EEC : Council Decision of 30 May 1978 adjusting Decision 76/568/EEC on the association of the overseas countries and territories with the European Economic Community</p>	<p>32 - 33</p>
<p>ACP-EEC Council of Ministers Decision No 1/78 of 14 March 1978 amending Protocol 1 to the ACP-EEC Convention of Lomé concerning the concept of 'originating products' and methods of administrative cooperation</p>	<p>34 - 81</p>
<p>Agreement in the form of an exchange of letters between the European Economic Community and Barbados, the People's Republic of the Congo, Fiji, the Cooperative Republic of Guyana, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Surinam, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago and the Republic of Uganda, on the guaranteed prices for cane sugar for 1978/79</p>	<p>82 - 83</p>
<p>78/634/EEC : Council Decision of 18 July 1978 replacing a deputy member of the Administrative Islands, after becoming independent, of the arrangements provided for in Decision 76/568/EEC on the association of the overseas countries and territories with the European Economic Community</p>	<p>84 - 85</p>
<p>Decision No 3/78 of the ACP-EEC Council of Ministers of 24 July 1978 approving the accession of the Solomon Islands to the ACP-EEC Convention of Lomé</p>	<p>86 - 87</p>
<p>Agreement on the accession of the Republic of Cape Verde to the ACP-EEC Convention of Lomé</p>	<p>88 - 93</p>
<p>Final Act</p>	<p>94 - 97</p>

Table

3

Subject	Pages in the Collected Acts
Agreement on the accession of Papua New Guinea to the ACP-EEC Convention of Lomé	98 - 103
Final Act	104 - 107
Agreement on the accession of the Democratic Republic of Sao Tome and Principe to the ACP-EEC Convention of Lomé	108 - 113
Final Act	114 - 117
Entry into force of the Agreements on the accession of the Republic of Cape Verde, Papua New Guinea and the Democratic Republic of Sao Tome and Principe to the ACP-EEC Lomé Convention	118
78/827/EEC :	
Council Decision of 10 October 1978 on the provisional application to Tuvalu after its independence of the arrangements provided for in Decision 76/568/EEC	119
Information on the accession of the Solomon Islands to the ACP-EEC Convention of Lomé	120
78/976/EEC :	
Council Decision of 20 November 1978 on the provisional application to Dominica after its independence of the arrangements provided for in Decision 76/568/EEC on the association of the overseas countries and territories with the European Economic Community	120A - 120B
Decision No 6/78 of the ACP-EEC Council of Ministers of 21 December 1978 approving the accession of Dominica to the ACP-EEC Convention of Lomé	121 - 123
Decision No 7/78 of the ACP-EEC Council of Ministers of 21 December 1978 approving the accession of Tuvalu to the ACP-EEC Convention of Lomé	124 - 126
Information on the accession of Tuvalu to the ACP-EEC Convention of Lomé	127
Information concerning the accession of Dominica to the ACP-EEC Convention of Lomé	128
Decision No 1/79 of the ACP-EEC Council of Ministers of 7 March 1979 regarding the scope of Article (4) of the ACP-EEC Convention of Lomé	129 - 131
79/280/EEC :	
Council Decision of 5 March 1979 on the provisional application to St Lucia after its independence of the arrangements provided for in Decision 76/568/EEC on the association of the overseas countries and territories with the European Economic Community	132

Table

Subject	Pages in the Collected Acts
79/310/EEC :	
Council Decision of 19 March 1979 adjusting Decision 76/568/EEC on the association of the overseas countries and territories with the European Economic Community	133 - 134
Decision No 3/79 of the ACP-EEC Council of Ministers of 23 March 1979 approving the accession of St Lucia to the ACP-EEC Convention of Lomé	135 - 136
Decision No 4/79 of the ACP-EEC Council of Ministers of 23 March 1979 amending the list of least developed ACP States	137 - 138
79 569/EEC:	
Council Decision of 12 June 1979 concerning the conclusion of the Agreement in the form of an exchange of letters on the provisional application of the Agreement between the Government of the Republic of Senegal and the European Economic Community on fishing off the coast of Senegal and of the Protocol and the exchanges of letters relating thereto	139
Agreement in the form of an exchange of letters on the provisional application of the Agreement between the Government of the Republic of Senegal and the European Economic Community on fishing off the coast of Senegal and of the Protocol and the exchanges of letters relating thereto	140 - 141
Information concerning the accession of St Lucia to the ACP-EEC Convention of Lomé	142
79/719/EEC :	
Council Decision of 1 August 1979 on the provisional application to the Republic of Kiribati (formerly the Gilbert Islands) of the arrangements provided for in Decision 76/568/EEC	143 - 144
Decision No 8/79 of the ACP-EEC Council of Ministers of 11 October 1979 approving the accession of the Republic of Kiribati to the ACP-EEC Convention of Lomé	145 - 146
Agreement in the form of an exchange of letters between the European Economic Community and Barbados, the People's Republic of the Congo, Fiji, the Cooperative Republic of Guyana, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Surinam, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago and the Republic of Uganda on the guaranteed prices for cane sugar for 1979/80	147 - 148

Table

5

Subject	Pages in the Collected Acts
Decision No 10/79 of the ECP-EEC Council of Ministers of 31 October 1979 delegating powers to the ACP-EEC Committee of Ambassadors in connection with the adoption of transitional measures on the expiry of the Convention of Lomé	149
Announcement regarding the accession of the Republic of Kiribati (formerly called 'The Gilbert Islands') to the ACP-EEC Convention of Lomé signed on 28 February 1975	150
80/14/EEC : Council Decision of 18 December 1979 on the provisional application to Saint Vincent and the Grenadines (formerly Saint Vincent) of the arrangements provided for in Decision 76/568/EEC on the association of the overseas countries and territories with the European Economic Community	151
Annex: Decision No 1/80 of the ACP-EEC Council of Ministers of 18 January 1980 on transitional measures to be applied from 1 March 1980	152 - 153
80/255/EEC : Council Decision of 26 February 1980 concerning the conclusion of the Agreement in the form of an exchange of letters on the provisional application of the Agreement between the Government of the Republic of Guinea Bissau and the European Economic Community on fishing off the coast of Guinea Bissau and of the two exchanges of letters relating thereto	154
Agreement in the form of an exchange of letters on the provisional application of the Agreement between the Government of the Republic of Guinea Bissau and the European Economic Community on fishing off the coast of Guinea Bissau and of the two exchanges of letters relating thereto	155 - 156
Notice concerning the accession of St Vincent and the Grenadines to the ACP-EEC Convention of Lomé signed on 28 February 1975	157
Agreement between the Government of the Republic of Senegal and the European Economic Community on fishing off the coast of Senegal	158 - 168
Protocol between the European Economic Community and the Government of the Republic of Senegal	169 - 173

Table

6

Subject	Pages in the Collected Acts
Agreement between the Government of the Republic of Guinea Bissau and the European Economic Community on fishing off the coast of Guinea Bissau	174 - 181
Protocol between the European Economic Community and the Government of the Republic of Guinea Bissau	182
Agreement in the form of exchanges of letters between the Government of the Republic of Guinea Bissau and the European Economic Community on fishing off the coast of Guinea Bissau	183 - 186
Decision No 2/80 of the ACP-EEC Council of Ministers of 7 February 1980 approving the accession of St. Vincent and the Grenadines to the ACP-EEC Convention of Lomé	187
Decision No 5/80 of the ACP-EEC Council of Ministers of 9 May 1980 amending the list of least developed ACP States	188
Decision No 6/80 of the ACP-EEC Council of Ministers of 9 May 1980 approving the request by the Republic of Zimbabwe to accede to the second ACP-EEC Convention of Lomé	189
Decision No 7/80 of the ACP-EEC Council of Ministers of 9 May 1980 on Article 18(5) of the ACP-EEC Convention of Lomé signed on 28 February 1975	190
Decision No 8/80 of the ACP-EEC Council of Ministers of 9 May 1980 adding sesame seed to the list set out in Article 17(1) of the ACP-EEC Convention of Lomé signed on 28 February 1975	191
Agreement in the form of an exchange of letters between the European Economic Community and Barbados, the People's Republic of the Congo, Fiji, the Cooperative Republic of Guyana, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Surinam, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago and the Republic of Uganda, on the guaranteed prices for cane sugar for 1980/81. . .	192 - 193

DECISION No 4/76 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 14 JULY 1976

approving the accession
of the Republic of Surinam
to the ACP-EEC Convention of Lomé

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé signed on
28 February 1975, and in particular Article 89 thereof,

Whereas on 12 March 1976 the Republic of Surinam submitted a request for accession to the ACP-EEC Convention of Lomé, and whereas this request was brought to the attention of the ACP-EEC Council of Ministers;

Whereas the provisions of Part Four of the Treaty establishing the European Economic Community apply to that country;

Whereas the Republic of Surinam has become independent,

HAS DECIDED AS FOLLOWS:

Article 1

The request for accession to the ACP-EEC Convention of Lomé by the Republic of Surinam is hereby approved, in accordance with the arrangements to be laid down by the European Economic Community and the Republic of Surinam.

Article 2

This Decision shall enter into force on 16 July 1976.

Done at Brussels, 14 July 1976
For the ACP-EEC Council of Ministers
The President

(s.) KING

Certified true copy

.....
DODOO LESORT
.....

Secretaries

of the ACP-EEC Council of Ministers

DECISION No 5/76 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 14 JULY 1976

approving the accession
of the Republic of Seychelles
to the ACP-EEC Convention of Lomé

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé signed on
28 February 1975, and in particular Article 89 thereof,

Whereas on 10 June 1976 the Republic of Seychelles submitted a request for accession to the ACP-EEC Convention of Lomé, and whereas this request was brought to the attention of the ACP-EEC Council of Ministers;

Whereas the provisions of Part Four of the Treaty establishing the European Economic Community apply to that country;

Whereas the Republic of Seychelles has become independent,

HAS DECIDED AS FOLLOWS:

Article 1

The request for accession to the ACP-EEC Convention of Lomé by the Republic of Seychelles is hereby approved, in accordance with the arrangements to be laid down by the European Economic Community and the Republic of Seychelles.

Article 2

This Decision shall enter into force on 16 July 1976.

Done at Brussels, 14 July 1976
For the ACP-EEC Council of Ministers
The President

(s.) KING

Certified true copy

DODOO LESORT
Secretaries
of the ACP-EEC Council of Ministers

DECISION No 6/76 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 14 JULY 1976

approving the accession
of the Comoro State
to the ACP-EEC Convention of Lomé

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé signed on
28 February 1975, and in particular Article 89 thereof,

Whereas on 21 November 1975 the Comoro State submitted a request for accession to the ACP-EEC Convention of Lomé, and whereas this request was brought to the attention of the ACP-EEC Council of Ministers;

Whereas the provisions of Part Four of the Treaty establishing the European Economic Community apply to that country;

Whereas the Comoro State has become independent,

HAS DECIDED AS FOLLOWS:

Article 1

The request for accession to the ACP-EEC Convention of Lomé by the Comoro State is hereby approved, in accordance with the arrangements to be laid down by the European Economic Community and the Comoro State.

Article 2

This Decision shall enter into force on 16 July 1976.

Done at Brussels, 14 July 1976
For the ACP-EEC Council of Ministers
The President

(s.) KING

Certified true copy

DODOO LESORT

Secretaries
of the ACP-EEC Council of Ministers

DECISION No 7/76 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 14 JULY 1976

approving the request
by the Democratic Republic of Sao Tomé and Príncipe
for accession to the
ACP-EEC Convention of Lomé

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé signed on
28 February 1975, and in particular Article 90 thereof,

Whereas on 16 August 1975 the Democratic Republic of Sao Tomé and Príncipe submitted a request for accession to the ACP-EEC Convention of Lomé;

Whereas the economic structure and production of the Democratic Republic of Sao Tomé and Príncipe are comparable with those of the ACP States,

HAS DECIDED AS FOLLOWS:

Article 1

The request for accession to the ACP-EEC Convention of Lomé submitted by the Democratic Republic of Sao Tomé and Príncipe is hereby approved. That State may accede to the Convention by concluding an agreement with the European Economic Community.

Article 2

This Decision shall enter into force on 16 July 1976.

Done at Brussels, 14 July 1976
For the ACP-EEC Council of Ministers
The President

(s.) KING

Certified true copy

DODOO LESORT
Secretaries
of the ACP-EEC Council of Ministers

DECISION No 8/76 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 14 JULY 1976

approving the request
by Papua New Guinea
for accession to the
ACP-EEC Convention of Lomé

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé signed on
28 February 1975, and in particular Article 90 thereof,

Whereas on 3 December 1975 Papua New Guinea submitted a request for accession to the ACP-EEC Convention of Lomé;

Whereas the economic structure and production of Papua New Guinea are comparable with those of the ACP States,

HAS DECIDED AS FOLLOWS:

Article 1

The request for accession to the ACP-EEC Convention of Lomé submitted by Papua New Guinea is hereby approved. That State may accede to the Convention by concluding an agreement with the European Economic Community.

Article 2

This Decision shall enter into force on 16 July 1976.

Done at Brussels, 14 July 1976
For the ACP-EEC Council of Ministers
The President

(s.) KING

Certified true copy

DODOO LESORT
Secretaries
of the ACP-EEC Council of Ministers

DECISION No 9/76 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 14 JULY 1976

approving the request
by the Republic of Cape Verde
for accession to the
ACP-EEC Convention of Lomé

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé signed on
28 February 1975, and in particular Article 90 thereof,

Whereas on 11 October 1975 the Republic of Cape Verde submitted a request for accession to the ACP-EEC Convention of Lomé;

Whereas the economic structure and production of the Republic of Cape Verde are comparable with those of the ACP States,

HAS DECIDED AS FOLLOWS :

Article 1

The request for accession to the ACP-EEC Convention of Lomé submitted by the Republic of Cape Verde is hereby approved. That State may accede to the Convention by concluding an agreement with the European Economic Community.

Article 2

This Decision shall enter into force on 16 July 1976.

Done at Brussels, 14 July 1976
For the ACP-EEC Council of Ministers
The President

(s.) KING

Certified true copy

DODOO LESORT
Secretaries
of the ACP-EEC Council of Ministers

Accession of the Republic of Surinam, the Republic of Seychelles and the Comoro State to the ACP-EEC Convention of Lomé

- The Republic of Surinam, in accordance with Article 89 of the ACP-EEC Convention of Lomé, acceded to the Convention on 16 July 1976 by depositing its instrument of accession.

Consequently, with effect from that date, any mention of the 'ACP States' in the acts of the Community Institutions also applies to the Republic of Surinam.

- The Republic of Seychelles, in accordance with Article 89 of the ACP-EEC Convention of Lomé, acceded to the Convention on 27 August 1976 by depositing its instrument of accession.

Consequently, with effect from that date, any mention of the 'ACP States' in the acts of the Community Institutions also applies to the Republic of Seychelles.

- The Comoro State, in accordance with Article 89 of the ACP-EEC Convention of Lomé, acceded to the Convention on 13 September 1976 by depositing its instrument of accession.

Consequently, with effect from that date, any mention of the 'ACP States' in the acts of the Community Institutions also applies to the Comoro State.

COUNCIL DECISION

of 14 February 1977

adjusting Decision 76/568/EEC on the association of the overseas countries and territories with the European Economic Community

(77/155/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Decision 76/568/EEC of 29 June 1976 on the association of the overseas countries and territories with the European Economic Community⁽¹⁾, and in particular Article 56 thereof,

Having regard to the proposal from the Commission,

Whereas Decision 76/568/EEC provides that adjustments must be made to it where an overseas country or territory which has become independent accedes to the ACP-EEC Convention of Lomé, hereinafter called the 'Convention';

Whereas the Republic of Surinam, the Republic of the Seychelles and the Comoro State, which are listed in Annex I to Decision 76/568/EEC, having become independent, requested to accede to the Convention; whereas the ACP-EEC Council of Ministers approved these requests at its first meeting; whereas these States deposited their instruments of ratification with the General Secretariat of the Council and thus acceded to the Convention on 16 July, 27 August and 13 September 1976 respectively;

Whereas the various lists contained in Decision 76/568/EEC and the amounts stated in Article 30 thereof should therefore be adjusted,

⁽¹⁾ OJ No L 176, 1. 7. 1976, p. 8.

HAS DECIDED AS FOLLOWS:

Article 1

1. The following shall be deleted in Article 23 (5) and Article 26 of Decision 76/568/EEC:

- 'the Comoros', and
- 'Seychelles'.

2. The following shall be deleted in Annex I to Decision 76/568/EEC:

- 'the Comoros',
- 'Seychelles', and
- 'Surinam'.

3. The following shall be deleted in Article 2 of Annex IV to Decision 76/568/EEC: 'Surinam: 4 000'.

Article 2

The text of Article 30 of Decision 76/568/EEC is replaced by the following text:

'Article 30

The following provisions shall apply with effect from 16 July 1976:

1. The aggregate amount of the Community's aid shall be reduced to 128.40 million European units of account.

2. This amount comprises :

(a) 118.40 million European units of account from the European Development Fund (1975), hereinafter called the 'Fund', allocated as follows :

(i) for the purposes set out in Article 28, 98.40 million European units of account, consisting of :

- 45 million European units of account in the form of grants,
- 34.40 million European units of account in the form of special loans,
- 4 million European units of account in the form of risk capital,
- 15 million European units of account in the form of a reserve ;

(ii) 20 million European units of account, likewise from the Fund, in the form of transfers to the countries and territories for the stabilization of export earnings.

(b) For the purposes set out in Article 28, up to 10 million European units of account in the form of loans from the Bank, made from its own resources on the terms and conditions provided for in its statute and supplemented, as a general rule, by a 3 % interest rate subsidy, under the conditions laid down in Article 4 of Annex V.

The total cost of the interest rate subsidies shall be charged against the amounts of aid provided for in point 2 (a) (i).

3. Following the accession of the Republic of Surinam, the Republic of the Seychelles and the Comoro State to the Convention, the amounts provided for in the form of grants, special loans, and a reserve, initially allocated in three equal parts among the French overseas territories and departments and the Netherlands and United Kingdom overseas countries and territories, shall be reduced in accordance with Decision 77/155/EEC.

4. (a) Of the portion allocated to the French overseas territories and departments :

— 13 million European units of account shall remain blocked until the entry into force of the Agreement amending the Internal Agreement on the financing and administration of aid signed on 11 July 1975 ;

— 7.70 million European units of account shall be allocated to the French overseas departments ;

— 1.50 million European units of account shall remain allocated as financial aid to the least-favoured overseas countries and territories, irrespective of the zones within which they fall.

(b) The sums allocated to the French overseas territories shall amount to 14.50 million European units of account, consisting of :

— 12.50 million European units of account taken from the share allocated to the French overseas territories and departments ;

— 2 million European units of account pursuant to Decision 76/569/EEC.

Article 3

This Decision shall enter into force on 16 July 1976.

However, Article 1 shall take effect in respect of each of the States which have become independent only on the date of its accession to the Convention.

Article 4

This Decision shall be published in the *Official Journal of the European Communities*.

Done at Brussels, 14 February 1977.

For the Council

The President

J. SILKIN

DECISION No 3 /77 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 14 APRIL 1977

adding certain products
to the list in Article 17(1)
of the ACP-EEC Convention of Lomé

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé, hereinafter
called the "Convention", and in particular Article 17(3)
thereof,

.../...

Whereas the 12-month period referred to in Article 17(3) has elapsed and whereas the other conditions laid down in that paragraph have been met in respect of certain products and whereas these products should therefore be added to the list contained in Article 17(1) of the Convention,

HAS DECIDED AS FOLLOWS:

Article 1

The following products shall be included in the list contained in Article 17(1) of the Convention:

cloves
gum arabic
wool
mohair
pyrethrum
vanilla
ilang-ilang.

Article 2

The ACP States, the Member States and the Community shall be bound, for their part, to take the measures necessary to implement this Decision.

Article 3

This Decision shall enter into force on 16 April 1977.

It shall apply to exports of the products referred to in Article 1 effected in 1976.

Done at Suva, 14 April 1977
For the ACP-EEC Council of Ministers
The President

(s.) Ratu Sir K.K.T. MARA K.B.E.

Certified true copy

KONATE

LESORT

The Secretaries

ACP-EEC Council of Ministers

DECISION No 4 /77 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 14 APRIL 1977

regarding the scope of
Article 17(4) of the ACP-EEC Convention of Lomé
(see TRADE I 443 - 445)

DECISION No 10/77 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 14 APRIL 1977

amending the list
of least developed ACP States

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé ⁽¹⁾ signed on 28 February 1975, hereinafter called the "Convention", and in particular Article 48(2) and (3) thereof,

Having regard to the accession of Comoro State and the Republic of Seychelles to the Convention.

(1) GEN 0 2

Whereas Comoro State and the Republic of Seychelles are in an economic situation comparable to that of the ACP States listed in Article 48(2) of the Convention and they should accordingly be added to the list of ACP States in Article 48(2) of the Convention,

HAS DECIDED AS FOLLOWS:

Article 1

Comoro State and the Republic of Seychelles shall be added to the list of ACP States in Article 48(2) of the Convention.

Article 2

This Decision shall enter into force on 16 April 1977.

Article 3

The ACP States, the Member States and the Community shall, for their part, take the measures necessary to implement this Decision.

Done at Suva, 14 April 1977
For the ACP-EEC Council of Ministers
The President

(s.) Ratu Sir K.K.T. MARA K.B.E.

Certified true copy

KONATE

LESORT

The Secretaries

ACP-EEC Council of Ministers

COUNCIL DECISION

of 26 July 1977

on the provisional application to the Republic of Djibouti of the arrangements provided for in Decision 76/568/EEC on the association of the overseas countries and territories with the European Economic Community

(77/474/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Decision 76/568/EEC of 29 June 1976 on the association of the overseas countries and territories with the European Economic Community⁽¹⁾, hereinafter referred to as the 'Decision', as amended by Decision 77/155/EEC⁽²⁾, and in particular the second subparagraph of Article 55 (2) thereof,

Whereas, pursuant to that provision of the Decision, the arrangements provided for therein may continue to apply provisionally, under conditions laid down by the Council, to countries and territories which become independent;

Whereas the Territory of the Afars and Issas mentioned in Annex I relating to the list of countries and territories referred to in the Decision has achieved independence and became the Republic of Djibouti on 27 June 1977;

Whereas it should be decided to continue to apply provisionally the arrangements provided for in the Decision to the Republic of Djibouti and to lay down the conditions for such application without prejudice to subsequent recourse to the first subparagraph of Article 55 (2) and to Article 56 thereof;

Whereas the ACP-EEC Convention of Lomé signed on 28 February 1975 is open, in accordance with the procedure laid down in Article 89 thereof, to the accession of a country or territory to which Part Four of the Treaty applies and which becomes independent; whereas such accession can take place only following a request by the State concerned and with the consent of the ACP-EEC Council of Ministers;

Whereas the Republic of Djibouti has given notice of its intention to seek accession to the ACP-EEC Convention of Lomé;

Whereas, nevertheless, the continued application of the Decision to the Republic of Djibouti should be restricted to a reasonable period,

HAS DECIDED AS FOLLOWS:

Article 1

The arrangements provided for in the Decision shall remain provisionally applicable to the Republic of Djibouti until the latter accedes to the ACP-EEC Convention of Lomé, and not later than 26 June 1978.

Article 2

Questions relating to the application of the Decision to the Republic of Djibouti shall be dealt with, as necessary, by direct contact between the competent authorities of the Republic of Djibouti and of the Community.

Article 3

This Decision shall be applicable as from 27 June 1977.

It shall be published in the *Official Journal of the European Communities*.

Done at Brussels, 26 July 1977.

For the Council

The President

H. SIMONET

⁽¹⁾ OJ No L 176, 1. 7. 1976, p. 1.

⁽²⁾ OJ No L 46, 18. 2. 1977, p. 15.

COUNCIL DECISIONOF 21 DECEMBER 1977

on the request for accession
to the ACP-EEC Convention of Lomé
submitted by the Republic of Djibouti

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Convention of Lomé, and in particular
Article 89 thereof,

Having regard to the request for accession to the Convention
submitted by the Republic of Djibouti,

Considering the Joint Declaration in Annex VI to the Final Act of
the ACP-EEC Convention of Lomé, wherein the Community and the
ACP States have expressed their willingness to allow countries
and territories referred to in Part Four of the EEC Treaty, which
have subsequently become independent, to accede to the Convention
if they so desire,

Whereas the Community and the ACP States have agreed that the
procedure by correspondence provided for in Article 7 of the Rules
of Procedure of the ACP-EEC Council of Ministers shall be followed
for approving the request submitted by the Republic of Djibouti,

HAS DECIDED AS FOLLOWS:

Article 1

The request for accession to the ACP-EEC Convention of Lomé
submitted by the Republic of Djibouti is hereby approved.

Article 2

This Decision shall enter into force on 21 December 1977.

Done at Brussels, 21 December 1977
For the Council
The President

(s.) J. CHABERT

Certified true copy

HOMMEL
Secretary-General

Accession of the Republic of Jibuti to the ACP-EEC Convention of Lomé

The Republic of Jibuti, by depositing its instrument of accession in accordance with Article 89 of the ACP-EEC Convention of Lomé, acceded to the Convention on 2 February 1978.

Consequently, with effect from that date, any reference to the 'ACP States' in the acts of the Community institutions also applies to the Republic of Jibuti.

COUNCIL DECISION

of 30 May 1978

adjusting Decision 76/568/EEC on the association of the overseas countries and territories with the European Economic Community

(78/465/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Decision 76/568/EEC of 29 June 1976 on the association of the overseas countries and territories with the European Economic Community⁽¹⁾, as amended by Decision 77/155/EEC⁽²⁾, and in particular Article 56 thereof,

Having regard to the proposal from the Commission,

Whereas Decision 76/568/EEC provides that adjustment must be made to it where an overseas country or territory which has attained independence accedes to the ACP-EEC Convention of Lomé⁽³⁾, hereinafter referred to as the 'Convention';

Whereas the Territory of the Afars and Issas, which is listed in Annex I to Decision 76/568/EEC and has attained independence as the Republic of Jibuti, has applied to accede to the Convention; whereas the ACP-EEC Council of Ministers has approved this application; whereas this State deposited its instrument of accession and thus acceded to the Convention on 2 February 1978;

Whereas the various lists contained in Decision 76/568/EEC and the amounts specified in Article 30 thereof should therefore be adjusted,

HAS DECIDED AS FOLLOWS:

Article 1

The following shall be deleted in Article 23 (5), Article 26 and from the list in Annex I to Decision 76/568/EEC: 'Territory of the Afars and Issas'.

Article 2

Article 30 of Decision 76/568/EEC shall be replaced by the following:

(¹) OJ No L 176, 1. 7 1976, p. 8.
(²) OJ No L 46, 18. 2 1977, p. 15
(³) OJ No L 25, 30. 1 1976, p. 1

'Article 30

The following provisions shall apply with effect from 2 February 1978:

1. The overall amount of Community aid shall be set at 126 million European units of account.

2. This amount shall comprise:

(a) 115.65 million European units of account from the European Development Fund (1975), hereinafter called the 'Fund', allocated as follows:

(i) for the purposes set out in Article 28, 95.65 million European units of account, consisting of:

- 42.83 million European units of account in the form of grants;
- 34.40 million European units of account in the form of special loans;
- 4.00 million European units of account in the form of risk capital;
- 14.42 million European units of account in the form of a reserve;

(ii) 20 million European units of account, likewise from the Fund, in the form of transfers to the countries and territories for the stabilization of export earnings;

(b) for the purposes set out in Article 28, up to 10 million European units of account in the form of loans from the Bank, made from its own resources on the terms and conditions provided for in its statute and supplemented, as a general rule, by a 3% interest rate subsidy, under the conditions laid down in Article 4 of Annex V.

The total cost of the interest rate subsidies shall be charged against the amount of the grants provided for in point 2 (a) (i).

3. Following the accession of the Republic of Jibuti to the Convention, the amounts provided for in the form of grants, special loans and a reserve, initially allocated in three equal parts among the French overseas territories and departments and the Netherlands and United Kingdom overseas countries and territories, shall be reduced in accordance with Decision 78/465/EEC.

4. (a) Of the portion allocated to the French overseas territories and departments :

- 13·00 million European units of account shall remain frozen until the entry into force of the Agreement amending the Internal Agreement on the financing and administration of Community aid signed on 11 July 1975 ;
- 7·70 million European units of account shall be allocated to the French overseas departments ;
- 1·15 million European units of account shall remain allocated as financial aid to the least favoured overseas countries and territories, irrespective of the zones within which they fall.

(b) The sums allocated to the French overseas territories shall amount to 12·10 million European units of account, consisting of :

- 10·10 million European units of account taken from the share allocated to the French overseas territories and departments ;
- 2·00 million European units of account pursuant to Decision 76/569/EEC.

Article 3

This Decision shall apply from 2 February 1978.

Article 4

This Decision shall be published in the *Official Journal of the European Communities*.

Done at Brussels, 30 May 1978.

For the Council

The President

I. NØRGAARD

ACP-EEC COUNCIL OF MINISTERS DECISION No 1/78

of 14 March 1978

amending Protocol 1 to the ACP-EEC Convention of Lomé concerning the concept of 'originating products' and methods of administrative cooperation

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé signed on 28 February 1975, and in particular Article 9 (2) thereof,

Whereas it is desirable to replace the model movement certificate EUR.1 and the model form EUR.2 used under the ACP-EEC Convention of Lomé with the model movement certificate EUR.1 and model form EUR.2 used under the preferential agreements;

Whereas it is desirable to provide, as in the preferential agreements, for the replacement of one or more certificates EUR.1 by one or more other certificates EUR.1 so as to introduce a system equivalent to that in use under the preferential agreements;

Whereas the Customs Cooperation Council has adopted a recommendation amending the Nomenclature and it is accordingly necessary to adapt lists A and B in Annexes II and III to Protocol 1 to the ACP-EEC Convention of Lomé, hereinafter called 'Protocol 1', and to introduce a specific rule for the origin of goods put up in sets,

HAS DECIDED AS FOLLOWS:

Article 1

The model movement certificate EUR.1 in Annex V to Protocol 1 shall be replaced by that in Annex I hereto.

Movement certificates EUR.1 made out on the forms previously in force may continue to be issued until 30 June 1979.

Article 2

The model form EUR.2 in Annex VI to Protocol 1 shall be replaced by that in Annex II hereto.

The forms EUR.2 previously in force may continue to be used until 30 June 1979.

Article 3

It shall at any time be possible to replace one or more movement certificates EUR.1 by one or more other movement certificates EUR.1 provided that this is done at the customs office where the goods are located.

Article 4

List A in Annex II to Protocol 1 shall be replaced by the List A in Annex III hereto.

Article 5

List B in Annex III to Protocol 1 shall be replaced by the List B in Annex IV hereto.

Article 6

Sets, as defined in General Rule 3 of the Customs Cooperation Council Nomenclature, shall be regarded as originating when all component articles are originating products. Nevertheless, when a set is composed of originating and non-originating articles, the set as a whole shall be regarded as originating provided that the value of the non-originating articles does not exceed 15 % of the total value of the set.

Article 7

The ACP States, the Member States and the Community shall be required, each for its own part, to take the necessary steps to implement this Decision.

Article 8

This Decision shall apply from 1 January 1978.

Done at Brussels, 14 March 1978.

For the ACP-EEC Council of Ministers

The President

L. ØSTERGAARD

ANNEX I
MOVEMENT CERTIFICATE

<p>1. Exporter (Name, full address, country)</p>	<p>EUR. 1 No A 000.000</p>	
<p>See notes overleaf before completing this form</p>		
<p>3. Consignee (Name, full address, country) (Optional)</p>	<p>2. Certificate used in preferential trade between</p> <p style="text-align: center;">..... and</p> <p style="text-align: center;">(insert appropriate countries, groups of countries or territories)</p>	
<p>4. Country, group of countries or territory in which the products are considered as originating</p>		<p>5. Country, group of countries or territory of destination</p>
<p>6. Transport details (Optional)</p>	<p>7. Remarks</p>	
<p>8. Item number; Marks and numbers; Number and kind of packages ⁽¹⁾; Description of goods</p>	<p>9. Gross weight (kg) or other measure (litres, m³, etc.)</p>	<p>10. Invoices (Optional)</p>
<p>11. CUSTOMS ENDORSEMENT</p> <p>Declaration certified</p> <p>Export document ⁽²⁾ Stamp</p> <p>Form No</p> <p>Customs office</p> <p>Issuing country or territory</p> <p>Date</p> <p style="text-align: center;">(Signature)</p>		<p>12. DECLARATION BY THE EXPORTER</p> <p>I, the undersigned, declare that the goods described above meet the conditions required for the issue of the attached certificate.</p> <p>Place and date:</p> <p style="text-align: center;">(Signature)</p>

⁽¹⁾ If goods are not packed, indicate number of articles or state 'in bulk' as appropriate.

⁽²⁾ Complete only where the regulations of the exporting country or territory require.

<p>13. REQUEST FOR VERIFICATION, to</p>	<p>14. RESULT OF VERIFICATION,</p>
<p>Verification of the authenticity and accuracy of this certificate is requested.</p>	<p>Verification carried out shows that this certificate ⁽¹⁾</p> <p><input type="checkbox"/> was issued by the customs office indicated and that the information contained therein is accurate.</p> <p><input type="checkbox"/> does not meet the requirements as to authenticity and accuracy (see remarks appended).</p>
<p>..... (Place and date) Stamp</p>	<p>..... (Place and date) Stamp</p>
<p>..... (Signature)</p>	<p>..... (Signature) ⁽¹⁾ Insert X in the appropriate box.</p>

NOTES

1. Certificates must not contain erasures or words written over one another. Any alterations must be made by deleting the incorrect particulars and adding any necessary corrections. Any such alteration must be initialled by the person who completed the certificate and endorsed by the customs authorities of the issuing country or territory.
2. No spaces must be left between the items entered on the certificate and each item must be preceded by an item number. A horizontal line must be drawn immediately below the last item. Any unused space must be struck through in such a manner as to make any later additions impossible.
3. Goods must be described in accordance with commercial practice and with sufficient detail to enable them to be identified.

APPLICATION FOR A MOVEMENT CERTIFICATE

<p>1. Exporter (Name, full address, country)</p>	<p>EUR. 1 No A 000.000</p>		
<p>3. Consignee (Name, full address, country) (Optional)</p>	<p>See notes overleaf before completing this form</p>		
<p>6. Transport details (Optional)</p>	<p>2. Application for a certificate to be used in preferential trade between</p> <p>..... and (insert appropriate countries, groups of countries or territories)</p>		
	<p>4. Country, group of countries or territory in which the products are considered as originating</p>	<p>5. Country, group of countries or territory of destination</p>	<p>7. Remarks</p>
<p>8. Item number; Marks and numbers; Number and kind of packages⁽¹⁾; Description of goods</p>	<p>9. Gross weight (kg) or other measure (litres, m³, etc.)</p>	<p>10. Invoices (Optional)</p>	

(¹) If goods are not packed, indicate number of articles or state 'in bulk' as appropriate.

DECLARATION BY THE EXPORTER

I, the undersigned, exporter of the goods described overleaf,

DECLARE that the goods meet the conditions required for the issue of the attached certificate;

SPECIFY as follows the circumstances which have enabled these goods to meet the above conditions:

SUBMIT the following supporting documents (1):

UNDERTAKE to submit, at the request of the appropriate authorities, any supporting evidence which these authorities may require for the purpose of issuing the attached certificate, and undertake, if required, to agree to any inspection of my accounts and to any check on the processes of manufacture of the above goods, carried out by the said authorities;

REQUEST the issue of the attached certificate for these goods.

(Place and date)

(Signature)

(1) For example: import documents, movement certificates, invoices, manufacturer's declarations, etc., referring to the products used in manufacture or to the goods re-exported in the same state.

ANNEX II

(RECTO)
 Before completing this form read carefully the instructions on the other side.

FORM EUR. 2 No		1 Form used in preferential trade between (1) and	
2 Exporter (Name, full address, country)		3 Declaration by exporter I, the undersigned, exporter of the goods described below, declare that the goods comply with the requirements for the completion of this form and that the goods have obtained the status of originating products within the provisions governing preferential trade shown in box 1.	
4 Consignee (Name, full address, country)		5 Place and date	
7 Remarks (2)		6 Signature of exporter	
11 Marks; Numbers of consignment; Description of goods		8 Country of origin (1)	9 Country of destination (4)
		10 Gross weight (kg)	
11 Marks; Numbers of consignment; Description of goods		12 Authority in the exporting country (4) responsible for verification of the declaration by the exporter	

- (1) Insert the countries, groups of countries or territories concerned
- (2) Refer to any verification already carried out by the appropriate authorities.
- (3) The term 'country of origin' means country, group of countries or territory where the goods are considered to be originating.
- (4) The term 'country' means country, group of countries or territory of destination.

<p>13 Request for verification</p> <p>The verification of the declaration by the exporter on the front of this form is requested (*)</p> <p>..... 19..... (Place and date) Stamp</p> <p>..... (Signature)</p>	<p>14 Result of verification</p> <p>Verification carried out shows that (1)</p> <p><input type="checkbox"/> the statements and particulars given in this form are accurate.</p> <p><input type="checkbox"/> this form does not meet the requirements as to accuracy and authenticity (see remarks appended.)</p> <p>..... 19..... (Place and date) Stamp</p> <p>..... (Signature)</p> <p>(1) Insert X in the appropriate box.</p>
--	--

(*) Subsequent verifications of forms EUR. 2 shall be carried out at random or whenever the customs authorities of the importing State have reasonable doubt as to the accuracy of the information regarding the authenticity of the forms and the true origin of the goods in question.

Instructions for the completion of form EUR. 2

1. A form EUR. 2 may be made out only for goods which in the exporting country fulfil the conditions specified by the provisions governing the trade referred to in box 1. These provisions must be studied carefully before the form is completed.
2. In the case of a consignment by parcel post the exporter attaches the form to the dispatch note. In the case of a consignment by letter post he encloses the form in a package. The reference 'EUR. 2' and the serial number of the form should be stated on the customs green label declaration C1 or on the customs declaration C2/CP3, as appropriate.
3. These instructions do not exempt the exporter from complying with any other formalities required by customs or postal regulations.
4. An exporter who uses this form is obliged to submit to the appropriate authorities any supporting evidence which they may require and to agree to any inspection by them of his accounts and of the processes of manufacture of the goods described in box 11 of this form.

(VERSO)

ANNEX III

LIST A

List of working or processing operations which result in a change of tariff heading without conferring the status of 'originating products' on the products undergoing such operations, or conferring this status only subject to certain conditions

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
02.06	Meat and edible meat offals (except poultry liver), salted, in brine, dried or smoked	Salting, placing in brine, drying or smoking of meat and edible meat and edible meat offals of heading Nos 02.01 and 02.04	
03.02	Fish, dried, salted or in brine; smoked fish, whether or not cooked before or during the smoking process	Drying, salting, placing in brine; smoking of fish, whether cooked or not	
04.02	Milk and cream, preserved, concentrated or sweetened	Preserving, concentrating, or adding sugar to milk or cream of heading No 04.01	
04.03	Butter	Manufacture from milk or cream	
04.04	Cheese and curd	Manufacture from products of heading Nos 04.01, 04.02 and 04.03	
07.02	Vegetables (whether or not cooked), preserved by freezing	Freezing of vegetables	
07.03	Vegetables provisionally preserved in brine, in sulphur water or in other preservative solutions, but not specially prepared for immediate consumption	Placing in brine or in other solutions of vegetables of heading No 07.01	
07.04	Dried, dehydrated or evaporated vegetables, whole cut, sliced, broken or in powder, but not further prepared	Drying, dehydration, evaporation, cutting, grinding, powdering of vegetables of heading Nos 07.01 to 07.03	
08.10	Fruit (whether or not cooked), preserved by freezing, not containing added sugar	Freezing of fruit	
08.11	Fruit provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption	Placing in brine or in other solutions of fruit of heading Nos 08.01 to 08.09	

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
08.12	Fruit, dried, other than that falling within heading No 08.01, 08.02, 08.03, 08.04 or 08.05	Drying of fruit	
11.01	Cereal flours	Manufacture from cereals	
11.02	Cereal groats and cereal meal; other worked cereal grains (for example, rolled flaked, polished, pearled or kibbled, but not further prepared), except rice falling within heading No 10.06; germ of cereals, whole, rolled, flaked or ground	Manufacture from cereals	
11.04	Flour of the dried leguminous vegetables falling within heading No 07.05 or of the fruits falling within any heading in Chapter 8; flour and meal of sago and of roots and tubers falling within heading No 07.06	Manufacture from dried leguminous vegetables of heading No 07.05, products of heading No 07.06 or of fruit of Chapter 8	
11.05	Flour, meal and flakes of potato	Manufacture from potatoes	
11.07	Malt, roasted or not	Manufacture from cereals	
11.08	Starches; inulin	Manufacture from cereals of Chapter 10, or from potatoes or other products of Chapter 7	
11.09	Wheat gluten, whether or not dried	Manufacture from wheat or wheat flours	
15.01	Lard, other pig fat and poultry fat, rendered or solvent-extracted	Manufacture from products of heading No 02.05	
15.02	Fats of bovine cattle, sheep or goats, unrendered; rendered or solvent-extracted fats (including 'premier jus') obtained from those unrendered fats	Manufacture from products of heading Nos 02.01 and 02.06	
15.04	Fats and oils, of fish and marine mammals, whether or not refined	Manufacture from fish or marine mammals	
15.06	Other animal oils and fats (including neat's-foot oil and fats from bones or waste)	Manufacture from products of Chapter 2	

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
ex 15.07	Fixed vegetable oils, fluid or solid, crude, refined or purified, but not including Chinawood oil, myrtle-wax, Japan wax or oil of tung nuts, oleococca seeds or oiticia seeds; also not including oils of a kind used in machinery or mechanical appliances or for industrial purposes other than the manufacture of edible products	Manufacture from products of Chapters 7 and 12	
16.01	Sausages and the like, of meat, meat offal or animal blood	Manufacture from products of Chapter 2	
16.02	Other prepared or preserved meat or meat offal	Manufacture from products of Chapter 2	
16.04	Prepared or preserved fish, including caviar and caviar substitutes	Manufacture from products of Chapter 3	
16.05	Crustaceans and molluscs, prepared or preserved	Manufacture from products of Chapter 3	
ex 17.01	Beet sugar and cane sugar, in solid form, flavoured or coloured	Manufacture from other products of Chapter 17 the value of which exceeds 30 % of the value of the finished product	
ex 17.02	Other sugars, in solid form, flavoured or coloured	Manufacture from other products of Chapter 17 the value of which exceeds 30 % of the value of the finished product	
ex 17.02	Other sugars, in solid form, not flavoured or coloured; sugar syrups, not flavoured or coloured; artificial honey, whether or not mixed with natural honey; caramel	Manufacture from any product	
ex 17.03	Molasses, flavoured or coloured	Manufacture from other products of Chapter 17 the value of which exceeds 30 % of the value of the finished product	
17.04	Sugar confectionery, not containing cocoa	Manufacture from other products of Chapter 17 the value of which exceeds 30 % of the value of the finished product	
18.06	Chocolate and other food preparations containing cocoa	Manufacture from products of Chapter 17 the value of which exceeds 30 % of the value of the finished product	
ex 19.02	Malt extract	Manufacture from products of heading No 11.07	

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
ex 19.02	Preparations of flour, meal, starch or malt extract, of a kind used as infant food or for dietetic or culinary purposes, containing less than 50 % by weight of cocoa	Manufacture from cereals and derivatives thereof, meat and milk, or in which the value of products of Chapter 17 used exceeds 30 % of the value of the finished product	
19.03	Macaroni, spaghetti and similar products		Manufacture from durum wheat
19.04	Tapioca and sago; tapioca and sago substitutes obtained from potato or other starches	Manufacture from potato starch	
19.05	Prepared foods obtained by the swelling or roasting of cereals or cereal products (puffed rice, cornflakes and similar products)	Manufacture from any product other than of Chapter 17 ⁽¹⁾ or in which the value of the products of Chapter 17 used exceeds 30 % of the value of the finished product	
19.07	Bread, ships' biscuits and other ordinary bakers' wares, not containing added sugar, honey, eggs, fats, cheese or fruit; communion wafers, cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products	Manufacture from products of Chapter 11	
19.08	Pastry, biscuits, cakes and other fine bakers' wares, whether or not containing cocoa in any proportion	Manufacture from products of Chapter 11	
20.01	Vegetables and fruit, prepared or preserved by vinegar or acetic acid, with or without sugar, whether or not containing salt, spices or mustard	Preserving vegetables, fresh or frozen or preserved temporarily or preserved in vinegar	
20.02	Vegetables prepared or preserved otherwise than by vinegar or acetic acid	Preserving vegetables fresh or frozen	
20.03	Fruit preserved by freezing, containing added sugar	Manufacture from products of Chapter 17 of which the value exceeds 30 % of the value of the finished product	
20.04	Fruit, fruit-peel and parts of plants, preserved by sugar (drained, glacé or crystallized)	Manufacture from products of Chapter 17 of which the value exceeds 30 % of the value of the finished product	
ex 20.05	Jams, fruit jellies, marmalades, fruit purées and fruit pastes, being cooked preparations, containing added sugar	Manufacture from products of Chapter 17 of which the value exceeds 30 % of the value of the finished product	

⁽¹⁾ This rule does not apply where the use of maize of the 'zea indurata' type or durum wheat is concerned.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
20.06	Fruit otherwise prepared or preserved, whether or not containing added sugar or spirit: A. Nuts B. Other fruits		Manufacture, without added sugar or spirit, in which the value of the constituent originating products of heading Nos 08.01, 08.05 and 12.01, represents at least 60 % of the value of the finished product
ex 20.07	Fruit juices (including grape must), whether or not containing added sugar, but unfermented and not containing spirit	Manufacture from products of Chapter 17 of which the value exceeds 30 % of the value of the finished product	
ex 21.02	Roasted chicory and extracts thereof	Manufacture from chicory roots, fresh or dried	
21.05	Soups and broths in liquid, solid or powder form; homogenized food preparations	Manufacture from products of heading No 20.02	
ex 21.07	Sugar syrups, flavoured or coloured	Manufacture from products of Chapter 17 of which the value exceeds 30 % of the value of the finished product	
22.02	Lemonade, flavoured spa waters and flavoured aerated waters, and other non-alcoholic beverages, not including fruit and vegetable juices falling within heading No 20.07	Manufacture from fruit juices ⁽¹⁾ or in which the value of products of Chapter 17 used exceeds 30 % of the value of the finished product	
22.06	Vermouths, and other wines of fresh grapes flavoured with aromatic extracts	Manufacture from products of heading No 08.04, 20.07, 22.04 or 22.05	
22.08	Ethyl alcohol or neutral spirits, undenatured, of a strength of 80° or higher; denatured spirits (including ethyl alcohol and neutral spirits) of any strength	Manufacture from products of heading No 08.04, 20.07, 22.04 or 22.05	
22.09	Spirits (other than those of heading No 22.08); liqueurs and other spirituous beverages; compound alcoholic preparations (known as 'concentrated extracts') for the manufacture of beverages	Manufacture from products of heading No 08.04, 20.07, 22.04 or 22.05	

⁽¹⁾ This rule does not apply where fruit juices of pineapple, lime and grapefruit are concerned.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
22.10	Vinegar and substitutes for vinegar	Manufacture from products of heading No 08.04, 20.07, 22.04 or 22.05	
ex 23.03	Residues from the manufacture of maize starch (excluding concentrated steeping liquors), of a protein content, calculated on the dry product, exceeding 40 % by weight	Manufacture from maize or maize flour	
23.04	Oil-cake and other residues (except dregs) resulting from the extraction of vegetable oils	Manufacture from various products	
23.07	Sweetened forage; other preparations of a kind used in animal feeding	Manufacture from cereals and derived products, meat, milk, sugar and molasses	
ex 24.02	Cigarettes, cigars, smoking tobacco		Manufacture from products of heading No 24.01 of which at least 70 % by quantity are originating products
ex 28.38	Aluminium sulphate		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product
30.03	Medicaments (including veterinary medicaments)		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product
31.05	Other fertilizers; goods of the present Chapter in tablets, lozenges and similar prepared forms or in packings of a gross weight not exceeding 10 kg		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product
32.06	Colour lakes	Manufacture from materials of heading No 32.04 or 32.05 ⁽¹⁾	
32.07	Other colouring matter; inorganic products of a kind used as luminophores	Mixing of oxides or salts of Chapter 28 with extenders such as barium sulphate, chalk barium carbonate and satin white ⁽¹⁾	
ex 33.06	Aqueous distillates and aqueous solutions of essential oils, including such products suitable for medicinal uses	Manufacture from essential oils (terpeneless or not), concretes, absolutes or resinoids ⁽¹⁾	

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
35.05	Dextrins and dextrin glues; soluble or roasted starches; starch glues		Manufacture from maize or potatoes
ex 35.07	Preparations used for clarifying beer, composed of papain and bentonite; enzymatic preparations for desizing textiles		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product
37.01	Photographic plates and film in the flat, sensitized, unexposed, of any material other than paper, paperboard or cloth	Manufacture from products of heading No 37.02 ⁽¹⁾	
37.02	Film in rolls, sensitized, unexposed, perforated or not	Manufacture from products of heading No 37.01 ⁽¹⁾	
37.04	Sensitized plates and film, exposed but not developed, negative or positive	Manufacture from products of heading No 37.01 or 37.02 ⁽¹⁾	
38.11	Disinfectants, insecticides, fungicides, rat poisons, herbicides, anti-sprouting products, plant growth regulators and similar products, put up in forms or packings for sale by retail or as preparations or as articles (for example, sulphur-treated bands, wicks and candles, fly-papers)		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product
38.12	Prepared glazings, prepared dressings and prepared mordants, of a kind used in the textile, paper, leather or like industries		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product
38.13	Pickling preparations for metal surfaces; fluxes and other auxiliary preparations for soldering, brazing or welding; soldering, brazing or welding powders and pastes consisting of metal and other materials; preparations of a kind used as cores or coatings for welding rods and electrodes		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product
ex 38.14	Anti-knock preparations, oxidation inhibitors, gum inhibitors, viscosity improvers, anti-corrosive preparations and similar prepared additives for mineral oils, excluding prepared additives for lubricants		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
38.15	Prepared rubber accelerators		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product
38.17	Preparations and charges for fire-extinguishers; charged fire-extinguishing grenades		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product
38.18	Composite solvents and thinners for varnishes and similar products		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product
ex 38.19	<p>Chemical products and preparations of the chemical or allied industries (including those consisting of mixtures of natural products), not elsewhere specified or included; residual products of the chemical or allied industries, not elsewhere specified or included, excluding:</p> <ul style="list-style-type: none"> — Fusel oil and dippel's oil; — Naphthenic acids and their water-insoluble salts; esters of naphthenic acids; — Sulphonaphthenic acids and their water-insoluble salts; esters of sulphonaphthenic acids; — Petroleum sulphonates, excluding petroleum sulphonates of alkali metals, of ammonium or of ethanolamines, thiophenated sulphonic acids of oils obtained from bituminous minerals, and their salts; — Mixed alkylbenzenes and mixed alkylnaphthalenes; — Ion exchangers; — Catalysts; — Getters for vacuum tubes; — Refractory cements or mortars and similar compositions; — Alkaline iron oxide for the purification of gas; — Carbon (excluding that in artificial graphite of heading No 38.01) in metal-graphite or other compounds, in the form of small plates, bars or other semi-manufactures 		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
ex 38.19 (cont'd)	— Sorbitol other than that of heading No 29.04 — Ammoniacal gas liquors and spent oxide produced in coal gas purification		
ex 39.02	Polymerization products		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product
ex 39.07	Articles of materials of the kinds described in heading Nos 39.01 to 39.06 with the exception of fans and hand screens, non-mechanical, frames and handles therefor and parts of such frames and handles, and corset busks and similar supports for articles of apparel or clothing accessories		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product
40.05	Plates, sheets and strip, of unvulcanized natural or synthetic rubber, other than smoked sheets and crepe sheets of heading No 40.01 or 40.02; granules of unvulcanized natural or synthetic rubber compounded ready for vulcanization; unvulcanized natural or synthetic rubber, compounded before or after coagulation either with carbon black (with or without the addition of mineral oil) or with silica (with or without the addition of mineral oil), in any form, of a kind known as masterbatch		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product
41.08	Patent leather and imitation patent leather; metallized leather		Varnishing or metallizing of leather of heading Nos 41.02 to 41.06 (other than skin leather of crossed Indian sheep and Indian goat or kid, not further prepared than vegetable tanned, or if otherwise prepared obviously unsuitable for immediate use in the manufacture of leather articles) in which the value of the skin leather used does not exceed 50 % of the value of the finished product
43.03	Articles of furskin	Making up from furskin in plates, crosses and similar forms (heading No ex 43.02) ⁽¹⁾	

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
ex 44.21	Complete wooden packing cases, boxes, crates, drums and similar packings, excepting those made of fibreboard		Manufacture from boards not cut to size
ex 44.28	Match splints; wooden pegs or pins for footwear	Manufacture from drawn wood	
45.03	Articles of natural cork		Manufacture from products of heading No 45.01
ex 48.07	Paper and paperboard, ruled, lined, or squared, but not otherwise printed, in rolls or sheets		Manufacture from paper pulp
48.14	Writing blocks, envelopes, letter cards, plain postcards, correspondence cards; boxes, pouches, wallets and writing compendiums, of paper or paperboard, containing only an assortment of paper stationery		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product
48.15	Other paper and paperboard, cut to size or shape		Manufacture from paper pulp
ex 48.16	Boxes, bags and other packing containers, of paper or paperboard		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product
49.09	Picture postcards, Christmas and other picture greeting cards, printed by any process, with or without trimmings	Manufacture from products of heading No 49.11	
49.10	Calendars of any kind, of paper or paperboard, including calendar blocks	Manufacture from products of heading No 49.11	
50.04 ⁽¹⁾	Silk yarn, other than yarn of noil or other waste silk, not put up for retail sale		Manufacture from products other than those of heading No 50.04
50.05 ⁽¹⁾	Yarn spun from noil or other waste silk, not put up for retail sale		Manufacture from products of heading No 50.03
ex 50.07 ⁽¹⁾	Silk yarn and yarn spun from noil or other waste silk, put up for retail sale		Manufacture from products of heading Nos 50.01 to 50.03

⁽¹⁾ For yarn composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which yarns of the other textile materials of which the mixed yarn is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10 % of the total weight of textile materials incorporated.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
ex 50.07 ⁽¹⁾	Imitation catgut of silk		Manufacture from products of heading No 50.01 or of heading No 50.03 neither carded nor combed
50.09 ⁽²⁾	Woven fabrics of silk, of noil or of other waste silk		Manufacture from products of heading No 50.02 or 50.03
51.01 ⁽¹⁾	Yarn of man-made fibres (continuous), not put up for retail sale		Manufacture from chemical products or textile pulp
51.02 ⁽¹⁾	Monofil, strip (artificial straw and the like) and imitation catgut, of man-made fibre materials		Manufacture from chemical products or textile pulp
51.03 ⁽¹⁾	Yarn of man-made fibres (continuous), put up for retail sale		Manufacture from chemical products or textile pulp
51.04 ⁽²⁾	Woven fabrics of man-made fibres (continuous), including woven fabrics of monofil or strip of heading No 51.01 or 51.02		Manufacture from chemical products or textile pulp
52.01 ⁽¹⁾	Metallized yarn, being textile yarn spun with metal or covered with metal by any process		Manufacture from chemical products, from textile pulp or from natural textile fibres, discontinuous man-made fibres or their waste, neither carded nor combed
52.02 ⁽²⁾	Woven fabrics of metal thread or of metallized yarn, of a kind used in articles of apparel, as furnishing fabrics or the like		Manufacture from chemical products, from textile pulp or from natural textile fibres, discontinuous man-made fibres or their waste
53.06 ⁽¹⁾	Yarn of carded sheep's or lambs' wool (woollen yarn), not put up for retail sale		Manufacture from products of heading No 53.01 or 53.03

⁽¹⁾ For yarn composed of two or more textile materials, the conditions shown in the list must also be met in respect of each of the headings under which yarns of the other textile materials of which the mixed yarn is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10 % of the total weight of textile materials incorporated.

⁽²⁾ For fabrics composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which fabric of the other textile materials of which the mixed fabric is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10 % of the total weight of textile materials incorporated. This percentage shall be increased:

— to 20 % where the material in question is yarn made of polyurethane segmented with flexible segments of polyester, whether or not gimped, falling within heading Nos ex 51.01 and ex 58.07;

— to 30 % where the material in question is yarn of a width not exceeding 5 mm, formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material, whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
53.07 ⁽¹⁾	Yarn of combed sheep's or lambs' wool (worsted yarn), not put up for retail sale		Manufacture from products of heading No 53.01 or 53.03
53.08 ⁽¹⁾	Yarn of fine animal hair (carded or combed), not put up for retail sale		Manufacture from raw fine animal hair of heading No 53.02
53.09 ⁽¹⁾	Yarn of horsehair or of other coarse animal hair, not put up for retail sale		Manufacture from raw coarse animal hair of heading No 53.02 or from raw horsehair of heading No 05.03
53.10 ⁽¹⁾	Yarn of sheep's or lambs' wool of horsehair or of other animal hair (fine or coarse), put up for retail sale		Manufacture from materials of heading Nos 05.03 and 53.01 to 53.04
53.11 ⁽²⁾	Woven fabrics of sheep's or lambs' wool or of fine animal hair		Manufacture from materials of heading Nos 53.01 to 53.05
53.12 ⁽²⁾	Woven fabrics of horsehair or of other coarse animal hair		Manufacture from products of heading Nos 53.02 to 53.05 or from horsehair of heading No 05.03
54.03 ⁽¹⁾	Flax or ramie yarn, not put up for retail sale		Manufacture either from products of heading No 54.01 neither carded nor combed or from products of heading No 54.02
54.04 ⁽¹⁾	Flax or ramie yarn, put up for retail sale		Manufacture from materials of heading No 54.01 or 54.02
54.05 ⁽²⁾	Woven fabrics of flax or of ramie		Manufacture from materials of heading No 54.01 or 54.02
55.05 ⁽¹⁾	Cotton yarn, not put up for retail sale		Manufacture from materials of heading No 55.01 or 55.03
55.06 ⁽¹⁾	Cotton yarn, put up for retail sale		Manufacture from materials of heading No 55.01 or 55.03
55.07 ⁽²⁾	Cotton gauze		Manufacture from materials of heading No 55.01, 55.03 or 55.04

⁽¹⁾ For yarn composed of two or more textile materials, the conditions shown in the list must also be met in respect of each of the headings under which yarns of the other textile materials of which the mixed yarn is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10 % of the total weight of textile materials incorporated.

⁽²⁾ For fabrics composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which fabric of the other textile materials of which the mixed fabric is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10 % of the total weight of textile materials incorporated. This percentage shall be increased:

- to 20 % where the material in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within heading Nos ex 51.01 and ex 58.07;
- to 30 % where the material in question is yarn of a width not exceeding 5 mm, formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material, whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
55.08 ⁽¹⁾	Terry towelling and similar terry fabrics, of cotton		Manufacture from materials of heading No 55.01, 55.03 or 55.04
55.09 ⁽¹⁾	Other woven fabrics of cotton		Manufacture from materials of heading No 55.01, 55.03 or 55.04
56.01	Man-made fibres (discontinuous), not carded, combed or otherwise prepared for spinning		Manufacture from chemical products or textile pulp
56.02	Continuous filament tow for the manufacture of man-made fibres (discontinuous)		Manufacture from chemical products or textile pulp
56.03	Waste (including yarn waste and pulled or garnetted rags) of man-made fibres (continuous or discontinuous), not carded, combed or otherwise prepared for spinning		Manufacture from chemical products or textile pulp
56.04	Man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning		Manufacture from chemical products or textile pulp
56.05 ⁽²⁾	Yarn of man-made fibres (discontinuous or waste), not put up for retail sale		Manufacture from chemical products or textile pulp
56.06 ⁽²⁾	Yarn of man-made fibres (discontinuous or waste), put up for retail sale		Manufacture from chemical products or textile pulp
56.07 ⁽¹⁾	Woven fabrics of man-made fibres (discontinuous or waste)		Manufacture from products of heading Nos 56.01 to 56.03
57.06 ⁽²⁾	Yarn of jute or of other textile bast fibres of heading No 57.03		Manufacture from raw jute, jute tow or from other raw textile bast fibres of heading No 57.03
ex 57.07 ⁽²⁾	Yarn of true hemp		Manufacture from true hemp, raw

⁽¹⁾ For fabrics composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which fabric of the other textile materials of which the mixed fabric is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10 % of the total weight of textile materials incorporated. This percentage shall be increased:

- to 20 % where the material in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within heading Nos ex 51.01 and ex 58.07;
- to 30 % where the material in question is yarn of a width not exceeding 5 mm formed, of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material, whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.

⁽²⁾ For yarn composed of two or more textile materials, the conditions shown in the list must also be met in respect of each of the headings under which yarns of the other textile materials of which the mixed yarn is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10 % of the total weight of textile materials incorporated.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
ex 57.07 ⁽¹⁾	Yarn of other vegetable textile fibres, excluding yarn of true hemp		Manufacture from raw vegetable textile fibres of heading Nos 57.02 to 57.04
ex 57.07	Paper yarn		Manufacture from products of Chapter 47, from chemical products, textile pulp or from natural textile fibres, discontinuous man-made fibres or their waste, neither carded nor combed
57.10 ⁽²⁾	Woven fabrics of jute or of other textile bast fabrics of heading No 57.03		Manufacture from raw jute, jute tow or from other raw textile bast fibres of heading No 57.03
ex 57.11 ⁽²⁾	Woven fabrics of other vegetable textile fibres		Manufacture from materials of heading No 57.01, 57.02 or 57.04 or from coir yarn of heading No 57.07
ex 57.11	Woven fabrics of paper yarn		Manufacture from paper, from chemical products, textile pulp or from natural textile fibres, discontinuous man-made fibres or their waste
58.01 ⁽³⁾	Carpets, carpeting and rugs knotted (made up or not)		Manufacture from materials of heading Nos 50.01 to 50.03, 51.01, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or 57.01 to 57.04
58.02 ⁽³⁾	Other carpets, carpeting, rugs, mats and matting, and 'Kelem', 'Schumacks' and 'Karamanie' rugs and the like (made up or not)		Manufacture from materials of heading Nos 50.01 to 50.03, 51.01, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03, 57.01 to 57.04 or from coir yarn of heading No 57.07

⁽¹⁾ For yarn composed of two or more textile materials, the conditions shown in the list must also be met in respect of each of the headings under which yarns of the other textile materials of which the mixed yarn is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10 % of the total weight of textile materials incorporated.

⁽²⁾ For fabrics composed of two or more textile materials, the conditions shown in this list must also be met in respect of each of the headings under which fabric of the other textile materials of which the mixed fabric is composed would be classified. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10 % of the total weight of textile materials incorporated. This percentage shall be increased:

- to 20 % where the material in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within heading Nos ex 51.01 and ex 58.07;
- to 30 % where the material in question is yarn of a width not exceeding 5 mm, formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material, whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.

⁽³⁾ For products composed of two or more textile materials, the conditions shown in column 4 must be met in respect of each of the textile materials of which the mixed product is composed. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10 % of the total weight of textile materials incorporated. This percentage shall be increased:

- to 20 % where the material in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within heading Nos ex 51.01 and ex 58.07;
- to 30 % where the material in question is yarn of a width not exceeding 5 mm, formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material, whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
58.04 ⁽¹⁾	Woven pile fabrics and chenille fabrics (other than terry towelling or similar terry fabrics of cotton falling within heading No 55.08 and fabrics falling within heading No 58.05)		Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03, 57.01 to 57.04 or from chemical products or textile pulp
58.05 ⁽¹⁾	Narrow woven fabrics, and narrow fabrics (bolduc) consisting of warp without weft assembled by means of an adhesive, other than goods falling within heading No 58.06		Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or 57.01 to 57.04 or from chemical products or textile pulp
58.06 ⁽¹⁾	Woven labels, badges and the like, not embroidered, in the piece, in strips or cut to shape or size		Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or from chemical products or textile pulp
58.07 ⁽¹⁾	Chenille yarn (including flock chenille yarn), gimped yarn (other than metallized yarn of heading No 52.01 and gimped horsehair yarn); braids and ornamental trimmings in the piece; tassels, pompons and the like		Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or from chemical products or textile pulp
58.08 ⁽¹⁾	Tulle and other net fabrics (but not including woven, knitted or crocheted fabrics), plain		Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or from chemical products or textile pulp
58.09 ⁽¹⁾	Tulle and other net fabrics (but not including woven, knitted or crocheted fabrics), figured; hand or mechanically made lace, in the piece, in strips or in motifs		Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or from chemical products or textile pulp
58.10	Embroidery, in the piece, in strips or in motifs		Manufacture in which the value of the product used does not exceed 50 % of the value of the finished product
59.01 ⁽¹⁾	Wadding and articles of wadding; textile flock and dust and mill neps		Manufacture either from natural fibres or from chemical products or textile pulp

⁽¹⁾ For products composed of two or more textile materials, the conditions shown in column 4 must be met in respect of each of the textile materials of which the mixed product is composed. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10 % of the total weight of textile materials incorporated. This percentage shall be increased:

- to 20 % where the material in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within heading Nos ex 51.01 and ex 58.07;
- to 30 % where the material in question is yarn of a width not exceeding 5 mm, formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material, whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
ex 59.02 ⁽¹⁾	Felt and articles of felt, with the exception of needled felt, whether or not impregnated or coated		Manufacture either from natural fibres or from chemical products or textile pulp
ex 59.02 ⁽¹⁾	Needled felt, whether or not impregnated or coated		Manufacture either from natural fibres or from chemical products or textile pulp or from fibre or continuous polypropylene filament of which the denomination of the filaments is less than eight denier and of which the value does not exceed 40 % of the value of the finished product
59.03 ⁽¹⁾	Bonded fibre fabrics, similar bonded yarn fabrics, and articles of such fabrics, whether or not impregnated or coated		Manufacture either from natural fibres or from chemical products or textile pulp
59.04 ⁽¹⁾	Twine, cordage, ropes and cables, plaited or not		Manufacture either from natural fibres or from chemical products or textile pulp or from coir yarn of heading No 57.07
59.05 ⁽¹⁾	Nets and netting made of twine, cordage or rope, and made up fishing nets of yarn, twine, cordage or rope		Manufacture either from natural fibres or from chemical products or textile pulp or from coir yarn of heading No 57.07
59.06 ⁽¹⁾	Other articles made from yarn, twine, cordage, rope or cables, other than textile fabrics and articles made from such fabrics		Manufacture either from natural fibres or from chemical products or textile pulp or from coir yarn of heading No 57.07
59.07	Textile fabrics coated with gum or amylaceous substances, of a kind used for the outer covers of books and the like; tracing cloth; prepared painting canvas; buckram and similar fabrics for hat foundations and similar uses		Manufacture from yarn
59.08	Textile fabrics impregnated, coated, covered or laminated with preparations of cellulose derivatives or of other artificial plastic materials		Manufacture from yarn

⁽¹⁾ For products composed of two or more textile materials, the conditions shown in column 4 must be met in respect of each of the textile materials of which the mixed product is composed. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10 % of the total weight of textile materials incorporated. This percentage shall be increased:

- to 20 % where the material in question is yarn made of polyurethane segmented with flexible segments or polyether, whether or not gimped, falling within heading Nos ex 51.01 and ex 58.07;
- to 30 % where the material in question is yarn of a width not exceeding 5 mm, formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material, whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
59.10 ⁽¹⁾	Linoleum and materials prepared on a textile base in a similar manner to linoleum, whether or not cut to shape or of a kind used as floor coverings; floor coverings consisting of a coating applied on a textile base, cut to shape or not		Manufacture either from yarn or from textile fibres
ex 59.11	Rubberized textile fabrics, other than rubberized knitted or crocheted goods, with the exception of those consisting of fabric of continuous synthetic textile fibres, or of fabric composed of parallel yarns of continuous synthetic textile fibres, impregnated or covered with rubber latex, containing at least 90 % by weight of textile materials and used for the manufacture of tyres or for other technical uses		Manufacture from yarn
ex 59.11	Rubberized textile fabrics, other than rubberized knitted or crocheted goods, consisting of fabric of continuous synthetic textile fibres or of fabric composed of parallel yarns of continuous synthetic textile fibres, impregnated or covered with rubber latex, containing at least 90 % by weight of textile materials and used for the manufacture of tyres or for other technical uses		Manufacture from chemical products
59.12	Textile fabrics otherwise impregnated or coated; painted canvas being theatrical scenery, studio back-cloths or the like		Manufacture from yarn
59.13 ⁽¹⁾	Elastic fabrics and trimmings (other than knitted or crocheted goods) consisting of textile materials combined with rubber threads		Manufacture from single yarn
59.15 ⁽¹⁾	Textile hosepiping and similar tubing, with or without lining, armour or accessories of other materials		Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or 57.01 to 57.04 or from chemical products or textile pulp

⁽¹⁾ For products composed of two or more textile materials, the conditions shown in column 4 must be met in respect of each of the textile materials of which the mixed product is composed. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10 % of the total weight of textile materials incorporated. This percentage shall be increased:

- to 20 % where the material in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within heading Nos ex 51.01 and ex 58.07;
- to 30 % where the material in question is yarn of a width not exceeding 5 mm, formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material, whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
59.16 ⁽¹⁾	Transmission, conveyor or elevator belts or belting, of textile material, whether or not strengthened with metal or other material		Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or 57.01 to 57.04 or from chemical products or textile pulp
59.17 ⁽¹⁾	Textile fabrics and textile articles, of a kind commonly used in machinery or plant		Manufacture from materials of heading Nos 50.01 to 50.03, 53.01 to 53.05, 54.01, 55.01 to 55.04, 56.01 to 56.03 or 57.01 to 57.04 or from chemical products or textile pulp
ex Chapter 60 ⁽¹⁾	Knitted and crocheted goods, excluding knitted or crocheted goods obtained by sewing or by the assembly of pieces of knitted or crocheted goods (cut or obtained directly to shape)		Manufacture from natural fibres, carded or combed, from materials of heading Nos 56.01 to 56.03 or from chemical products or textile pulp
ex 60.02	Gloves, mittens and mitts, knitted or crocheted, not elastic or rubberized, obtained by sewing or by the assembly of pieces of knitted or crocheted goods (cut or obtained directly to shape)		Manufacture from yarn ⁽²⁾
ex 60.03	Stockings, understockings, socks, ankle-socks, sockettes and the like, knitted or crocheted, not elastic or rubberized, obtained by sewing or by the assembly of pieces of knitted or crocheted goods (cut or obtained directly to shape)		Manufacture from yarn ⁽²⁾
ex 60.04	Under garments, knitted or crocheted, not elastic or rubberized, obtained by sewing or by the assembly of pieces of knitted or crocheted goods (cut or obtained directly to shape)		Manufacture from yarn ⁽²⁾

⁽¹⁾ For products composed of two or more textile materials, the conditions shown in column 4 must be met in respect of each of the textile materials of which the mixed product is composed. This rule, however, does not apply to any one or more mixed textile materials whose weight does not exceed 10 % of the total weight of textile materials incorporated. This percentage shall be increased:

- to 20 % where the product in question is yarn made of polyurethane segmented with flexible segments of polyether, whether or not gimped, falling within heading Nos ex 51.01 and ex 58.07;
- to 30 % where the product in question is yarn of a width not exceeding 5 mm, formed of a core consisting either of a thin strip of aluminium or of a film of artificial plastic material, whether or not covered with aluminium powder, this core having been inserted and glued by means of a transparent or coloured glue between two films of artificial plastic material.

⁽²⁾ Trimmings and accessories used (excluding linings and interlining) which change tariff heading do not remove the originating status of the product obtained if their weight does not exceed 10 % of the total weight of all the textile materials incorporated.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
ex 60.05	Outer garments and other articles, knitted or crocheted, not elastic or rubberized, obtained by sewing or by the assembly of pieces of knitted or crocheted goods (cut or obtained directly to shape)		Manufacture from yarn ⁽¹⁾
ex 60.06	Other articles, knitted or crocheted, elastic or rubberized (including elastic knee-caps and elastic stockings), obtained by sewing or by the assembly of pieces of knitted or crocheted goods (cut or obtained directly to shape)		Manufacture from yarn ⁽¹⁾
ex 61.01	Men's and boys' outer garments, excluding fire resistant equipment of cloth covered by foil of aluminized polyester		Manufacture from yarn ⁽¹⁾ ⁽²⁾
ex 61.01	Fire resistant equipment of cloth covered by foil of aluminized polyester		Manufacture from uncoated cloth of which the value does not exceed 40 % of the value of the finished product ⁽¹⁾ ⁽²⁾
ex 61.02	Women's, girls' and infants' outer garments, not embroidered, excluding fire resistant equipment of cloth covered by foil of aluminized polyester		Manufacture from yarn ⁽¹⁾ ⁽²⁾
ex 61.02	Fire resistant equipment of cloth covered by foil of aluminized polyester		Manufacture from uncoated cloth of which the value does not exceed 40 % of the value of the finished product ⁽¹⁾ ⁽²⁾
ex 61.02	Women's, girls' and infants' outer garments, embroidered		Manufacture from fabrics, not embroidered, the value of which does not exceed 40 % of the value of the finished product ⁽¹⁾
61.03	Men's and boys' under garments, including collars, shirt fronts and cuffs		Manufacture from yarn ⁽¹⁾ ⁽²⁾
61.04	Women's, girls' and infants' under garments		Manufacture from yarn ⁽¹⁾ ⁽²⁾

⁽¹⁾ Trimmings and accessories (excluding linings and interlining) which change tariff heading do not remove the originating status of the product obtained if their weight does not exceed 10 % of the total weight of all the textile materials incorporated.

⁽²⁾ These provisions do not apply where the products are obtained from printed fabric in accordance with the conditions shown in List B.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
ex 61.05	Handkerchiefs, not embroidered		Manufacture from unbleached single yarn ⁽¹⁾ ⁽²⁾ ⁽³⁾
ex 61.05	Handkerchiefs, embroidered		Manufacture from fabrics, not embroidered, the value of which does not exceed 40 % of the value of the finished product ⁽¹⁾
ex 61.06	Shawls, scarves, mufflers, mantillas, veils and the like, not embroidered		Manufacture from unbleached single yarn of natural textile fibres or discontinuous man-made fibres or their waste or from chemical products or textile pulp ⁽¹⁾ ⁽²⁾
ex 61.06	Shawls, scarves, mufflers, mantillas, veils and the like, embroidered		Manufacture from fabrics, not embroidered, the value of which does not exceed 40 % of the value of the finished product ⁽¹⁾
61.07	Ties, bow ties and cravats		Manufacture from yarn ⁽¹⁾ ⁽²⁾
61.09	Corsets, corset-belts, suspender-belts, brassières, braces, suspenders, garters and the like (including such articles of knitted or crocheted fabric), whether or not elastic		Manufacture from yarn ⁽¹⁾ ⁽²⁾
ex 61.10	Gloves, mittens, mitts, stockings, socks and sockettes, not being knitted or crocheted goods, excluding fire resistant equipment of cloth covered by foil of aluminized polyester		Manufacture from yarn ⁽¹⁾ ⁽²⁾
ex 61.10	Fire resistant equipment of cloth covered by foil of aluminized polyester		Manufacture from uncoated cloth of which the value does not exceed 40 % of the value of the finished product ⁽¹⁾ ⁽²⁾
ex 61.11	Made up accessories for articles of apparel (for example, dress shields, shoulder and other pads, belts, muffs, sleeve protectors, pockets) with the exception of collars, tuckers, fallals, bodice-fronts, jabots, cuffs, flounces, yokes and similar accessories and trimmings for women's and girls' garments, embroidered		Manufacture from yarn ⁽¹⁾ ⁽²⁾

⁽¹⁾ Trimmings and accessories used (excluding linings and interlining) which change tariff heading do not remove the originating status of the product obtained if their weight does not exceed 10 % of the total weight of all the textile materials incorporated.

⁽²⁾ These provisions do not apply where the products are obtained from printed fabric in accordance with the conditions shown in List B.

⁽³⁾ For products obtained from two or more textile materials, this rule does not apply to one or more of the mixed textile materials if its or their weight does not exceed 10 % of the total weight of all the textile materials incorporated.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
ex 61.11	Collars, tuckers, fallals, bodice-fronts, jabots, cuffs, flounces, yokes and similar accessories and trimmings for women's and girls' garments, embroidered		Manufacture from fabrics, not embroidered, the value of which does not exceed 40 % of the value of the finished product ⁽¹⁾
62.01	Travelling rugs and blankets		Manufacture from unbleached yarn of Chapters 50 to 56 ⁽²⁾ ⁽³⁾
ex 62.02	Bed linen, table linen, toilet linen and kitchen linen; curtains and other furnishing articles; not embroidered		Manufacture from unbleached single yarn ⁽²⁾ ⁽³⁾
ex 62.02	Bed linen, table linen, toilet linen and kitchen linen; curtains and other furnishing articles; embroidered		Manufacture from fabrics, not embroidered, the value of which does not exceed 40 % of the value of the finished product
62.03	Sacks and bags, of a kind used for the packing of goods		Manufacture from chemical products, textile pulp or from natural textile fibres, discontinuous man-made fibres or their waste ⁽²⁾ ⁽³⁾
62.04	Tarpaulins, sails, awnings, sunblinds, tents and camping goods		Manufacture from single unbleached yarn ⁽²⁾ ⁽³⁾
ex 62.05	Other made up textile articles (including dress patterns) excluding fans and hand-screens, non-mechanical, frames and handles therefor and parts of such frames and handles		Manufacture in which the value of the products used does not exceed 40 % of the value of the finished product
64.01	Footwear with outer soles and uppers of rubber or artificial plastic material	Manufacture from assemblies of uppers affixed to inner soles or to other sole components, but without outer soles, of any material except metal	
64.02	Footwear with outer soles of leather or composition leather; footwear (other than footwear falling within heading No 64.01) with outer soles of rubber or artificial plastic material	Manufacture from assemblies of uppers affixed to inner soles or to other sole components, but without outer soles, of any material except metal	
64.03	Footwear with outer soles of wood or of cork	Manufacture from assemblies of uppers affixed to inner soles or to other sole components, but without outer soles, of any material except metal	

⁽¹⁾ Trimmings and accessories used (excluding lining and interlining) which change tariff heading do not remove the originating status of the product obtained if their weight does not exceed 10 % of the total weight of all the textile materials incorporated.

⁽²⁾ These provisions do not apply where the products are obtained from printed fabric in accordance with the conditions shown in List B.

⁽³⁾ For products obtained from two or more textile materials, this rule does not apply to one or more of the mixed textile materials if its or their weight does not exceed 10 % of the total weight of all the textile materials incorporated.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
64.04	Footwear with outer soles of other materials	Manufacture from assemblies of uppers affixed to inner soles or to other sole components, but without outer soles, of any material except metal	
65.03	Felt hats and other felt headgear, being headgear made from the felt hoods and plateaux falling within heading No 65.01, whether or not lined or trimmed		Manufacture from textile fibres
65.05	Hats and other headgear (including hair nets), knitted or crocheted, or made up from lace, felt or other textile fabric in the piece (but not from strips), whether or not lined or trimmed		Manufacture either from yarn or from textile fibres
66.01	Umbrellas and sunshades (including walking-stick umbrellas, umbrella tents, and garden and similar umbrellas)		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product
ex 70.07	Cast, rolled, drawn or blown glass (including flashed or wired glass) cut to shape other than rectangular shape, or bent or otherwise worked (for example, edge worked or engraved) whether or not surface ground or polished; multiple-walled insulating glass	Manufacture from drawn, cast or rolled glass of heading Nos 70.04 to 70.06	
70.08	Safety glass consisting of toughened or laminated glass, shaped or not	Manufacture from drawn, cast or rolled glass of heading Nos 70.04 to 70.06	
70.09	Glass mirrors (including rear-view mirrors), unframed, framed or backed	Manufacture from drawn, cast or rolled glass of heading Nos 70.04 to 70.06	
71.15	Articles consisting of, or incorporating, pearls, precious or semi-precious stones (natural, synthetic or reconstructed)		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product ⁽¹⁾
73.07	Blooms, billets, slabs and sheet bars (including tinplate bars), of iron or steel; pieces roughly shaped by forging, of iron or steel	Manufacture from products of heading No 73.06	
73.08	Iron or steel coils for re-rolling	Manufacture from products of heading No 73.07	

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
73.09	Universal plates of iron or steel	Manufacture from products of heading No 73.07 or 73.08	
73.10	Bars and rods (including wire rod), of iron or steel, hot-rolled, forged, extruded, cold-formed or cold-finished (including precision-made); hollow mining drill steel	Manufacture from products of heading No 73.07	
73.11	Angles, shapes and sections, of iron or steel, hot-rolled, forged, extruded, cold-formed or cold-finished; sheet piling of iron or steel, whether or not drilled, punched or made from assembled elements	Manufacture from products of heading Nos 73.07 to 73.10, 73.12 or 73.13	
73.12	Hoop and strip, of iron or steel, hot-rolled or cold-rolled	Manufacture from products of heading Nos 73.07 to 73.09 or 73.13	
73.13	Sheets and plates, of iron or steel, hot-rolled or cold-rolled	Manufacture from products of heading Nos 73.07 to 73.09	
73.14	Iron or steel wire, whether or not coated, but not insulated	Manufacture from products of heading No 73.10	
73.16	Railway and tramway track construction material of iron or steel, the following: rails, check-rails, switch blades, crossings (or frogs), crossing pieces, point rods, rack rails, sleepers, fish-plates, chairs, chair wedges, sole plates (base plates), rail clips, bed-plates, ties and other materials specialized for joining or fixing rails		Manufacture from products of heading No 73.06
73.18	Tubes and pipes and blanks therefor, of iron (other than of cast iron) or steel, excluding high-pressure hydroelectric conduits		Manufacture from products of heading Nos 73.06 and 73.07 or heading No 73.15 in the forms specified in heading Nos 73.06 and 73.07
74.03	Wrought bars, rods, angles, shapes and sections, of copper; copper wire		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product ⁽¹⁾

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
74.04	Wrought plates, sheets and strip, of copper		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product ⁽¹⁾
74.05	Copper foil (whether or not embossed, cut to shape, perforated, coated, printed, or backed with paper or other reinforcing material), of a thickness (excluding any backing) not exceeding 0.15 mm		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product ⁽¹⁾
74.06	Copper powders and flakes		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product ⁽¹⁾
74.07	Tubes and pipes and blanks therefor, of copper; hollow bars of copper		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product ⁽¹⁾
74.08	Tube and pipe fittings (for example, joints, elbows, sockets and flanges), of copper		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product ⁽¹⁾
74.10	Stranded wire, cables, cordage, ropes, plaited bands and the like, of copper wire, but excluding insulated electric wires and cables		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product ⁽¹⁾
74.11	Gauze, cloth, grill, netting, fencing, reinforcing fabric and similar materials (including endless bands), of copper wire; expanded metal, of copper		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product ⁽¹⁾
74.15	Nails, tacks, staples, hook-nails, spiked cramps, studs, spikes and drawing pins, of copper, or of iron or steel with heads of copper; bolts and nuts (including bolt ends and screw studs), whether or not threaded or tapped, and screws (including screw hooks and screw rings), of copper; rivets, cotters, cotter-pins, washers and spring washers, of copper		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product ⁽¹⁾

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
74.16	Springs, of copper		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product ⁽¹⁾
74.17	Cooking and heating apparatus of a kind used for domestic purposes, not electrically operated, and parts thereof, of copper		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product ⁽¹⁾
74.18	Other articles of a kind commonly used for domestic purposes, sanitary ware for indoor use, and parts of such articles and ware, of copper		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product ⁽¹⁾
74.19	Other articles of copper		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product ⁽¹⁾
75.02	Wrought bars, rods, angles, shapes and sections, of nickel; nickel wire		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product ⁽¹⁾
75.03	Wrought plates, sheets and strip, of nickel; nickel foil; nickel powders and flakes		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product ⁽¹⁾
75.04	Tubes and pipes and blanks therefor, of nickel; hollow bars, and tube and pipe fittings (for example, joints, elbows, sockets and flanges), of nickel		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product ⁽¹⁾
75.05	Electro-plating anodes, of nickel, wrought or unwrought, including those produced by electrolysis		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product ⁽¹⁾
75.06	Other articles of nickel		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product ⁽¹⁾
76.02	Wrought bars, rods, angles, shapes and sections, of aluminium; aluminium wire		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product
76.03	Wrought plates, sheets and strip, of aluminium		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
76.04	Aluminium foil (whether or not embossed, out to shape, perforated, coated, printed, or backed with paper or other reinforcing material), of a thickness (excluding any backing) not exceeding 0.20 mm		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product
76.05	Aluminium powders and flakes		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product
76.06	Tubes and pipes and blanks therefor, of aluminium; hollow bars of aluminium		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product
76.07	Tube and pipe fittings (for example, joints, elbows, sockets and flanges), of aluminium		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product
76.08	Structures and parts of structures (for example, hangars and other buildings, bridges and bridge-sections, towers, lattice masts, roofs, roofing frameworks, door and window frames, balustrades, pillars and columns), of aluminium; plates, rods, angles, shapes, sections, tubes and the like, prepared for use in structures, of aluminium		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product
76.09	Reservoirs, tanks, vats and similar containers, for any material (other than compressed or liquefied gas), of aluminium, of a capacity exceeding 300 litres, whether or not lined or heat-insulated, but not fitted with mechanical or thermal equipment		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product
76.10	Casks, drums, cans, boxes and similar containers (including rigid and collapsible tubular containers), of aluminium, of a description commonly used for the conveyance or packing of goods		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product
76.11	Containers, of aluminium, for compressed or liquefied gas		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
76.12	Stranded wire, cables, cordage, ropes, plaited bands and the like, of aluminium wire, but excluding insulated electric wires and cables		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product
76.15	Articles of a kind commonly used for domestic purposes, sanitary ware for indoor use, and parts of such articles and ware, of aluminium		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product
76.16	Other articles of aluminium		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product
77.02	Wrought bars, rods, angles, shapes and sections, of magnesium; magnesium wire; wrought plates, sheets and strip, of magnesium; magnesium foil; raspings and shavings of uniform size, powders and flakes, of magnesium; tubes and pipes and blanks therefor, of magnesium; hollow bars of magnesium; other articles of magnesium		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product
78.02	Wrought bars, rods, angles, shapes and sections, of lead; lead wire		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product ⁽¹⁾
78.03	Wrought plates, sheets and strip, of lead		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product ⁽¹⁾
78.04	Lead foil (whether or not embossed, cut to shape, perforated, coated, printed, or backed with paper or other reinforcing material), of a weight (excluding any backing) not exceeding 1.7 kg/m ² ; lead powders and flakes		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product ⁽¹⁾
78.05	Tubes and pipes and blanks therefor, of lead; hollow bars, and tube and pipe fittings (for example, joints, elbows, sockets, flanges and S-bends), of lead		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product ⁽¹⁾
78.06	Other articles of lead		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product ⁽¹⁾

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
79.02	Wrought bars, rods, angles, shapes and sections, of zinc; zinc wire		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product
79.03	Wrought plates, sheets and strip, of zinc; zinc foil; zinc powders and flakes		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product
79.04	Tubes and pipes and blanks therefor, of zinc; hollow bars, and tube and pipe fittings (for example, joints, elbows, sockets and flanges), of zinc		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product
79.06	Other articles of zinc		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product
80.02	Wrought bars, rods, angles, shapes and sections, of tin; tin wire		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product
80.03	Wrought plates, sheets and strip, of tin		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product
80.04	Tin foil (whether or not embossed, cut to shape, perforated, coated, printed, or backed with paper or other reinforcing material), of a weight (excluding any backing) not exceeding 1 kg/m ² ; tin powders and flakes		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product
80.05	Tubes and pipes and blanks therefor, of tin; hollow bars, and tube and pipe fittings (for example, joints, elbows, sockets and flanges), of tin		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
82.05	Interchangeable tools for hand tools, for machine tools or for power-operated hand tools (for example, for pressing, stamping, drilling, tapping, threading, boring, broaching, milling, cutting, turning, dressing, morticing or screw-driving), including dies for wire drawing, extrusion dies for metal, and rock drilling bits		Working, processing or assembly in which the value of the materials and parts used does not exceed 40 % of the value of the finished product ⁽¹⁾
82.06	Knives and cutting blades, for machines or for mechanical appliances		Working, processing or assembly in which the value of the materials and parts used does not exceed 40 % of the value of the finished product ⁽¹⁾
ex Chapter 84	Boilers, machinery and mechanical appliances and parts thereof, excluding refrigerators and refrigerating equipment (electrical and other) (No 84.15) and sewing machines, including furniture specially designed for sewing machines (ex No 84.41)		Working, processing or assembly in which the value of the materials and parts used does not exceed 40 % of the value of the finished product
84.15	Refrigerators and refrigerating equipment (electrical and other)		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40 % of the value of the finished product, and provided that at least 50 % in value of the materials and parts ⁽²⁾ used are originating products
ex 84.41	Sewing machines, including furniture specially designed for sewing machines		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40 % of the finished product, and provided that: <ul style="list-style-type: none"> — at least 50 % in value of the materials and parts ⁽²⁾ used for the assembly of the head (motor excluded) are originating products, and — the thread tension, crochet and zigzag mechanisms are originating products

⁽¹⁾ These provisions do not apply where the products are obtained from products which have acquired the status of originating products in accordance with the conditions laid down in List B.

⁽²⁾ In determining the value of products, materials and parts, the following must be taken into account:

(a) in respect of originating products, materials and parts, the first verifiable price paid, or the price which would be paid in case of sale, for the said products on the territory of the country where working, processing or assembly is carried out;

(b) in respect of other products, materials and parts, the provisions of Article 4 of this Protocol determining:

— the value of imported products,
— the value of products of undetermined origin.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
ex Chapter 85	Electrical machinery and equipment; parts thereof; excluding products of heading No 85.14 or 85.15		Working, processing or assembly in which the value of the non-originating material and parts used do not exceed 40 % of the value of the finished product
85.14	Microphones and stands therefor; loudspeakers; audio-frequency electric amplifiers		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40 % of the value of the finished product, and provided that: <ul style="list-style-type: none"> — at least 50 % in value of the materials and parts ⁽¹⁾ used are originating products, and — the value of the non-originating transistors used does not exceed 3 % of the value of the finished product ⁽²⁾
85.15	Radiotelegraphic and radiotelephonic transmission and reception apparatus; radio-broadcasting and television transmission and reception apparatus (including receivers incorporating sound recorders or reproducers) and television cameras; radio navigational aid apparatus, radar apparatus and radio remote control apparatus		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40 % of the value of the finished product, and provided that: <ul style="list-style-type: none"> — at least 50 % in value of the materials and parts ⁽¹⁾ used are originating products, and — the value of the non-originating transistors used does not exceed 3 % of the value of the finished product ⁽²⁾
Chapter 86	Railway and tramway locomotives, rolling-stock and parts thereof; railway and tramway track fixtures and fittings; traffic signalling equipment of all kinds (not electrically powered)		Working, processing or assembly in which the value of the materials and parts used does not exceed 40 % of the value of the finished product
ex Chapter 87	Vehicles, other than railway or tramway rolling-stock, and parts thereof, excluding products of heading No 87.09		Working, processing or assembly in which the value of the materials and parts used does not exceed 40 % of the value of the finished product

⁽¹⁾ In determining the value of products, materials and parts, the following must be taken into account:

(a) in respect of originating products, materials and parts, the first verifiable price paid, or the price which would be paid in case of sale, for the said products on the territory of the country where working, processing or assembly is carried out;

(b) in respect of other products, materials and parts, the provisions of Article 4 of this Protocol determining:

- the value of imported products,
- the value of products of undetermined origin.

⁽²⁾ This percentage is not cumulative with the 40 %.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
87.09	Motor-cycles, auto-cycles and cycles fitted with an auxiliary motor, with or without side-cars; side-cars of all kinds		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40 % of the finished product, and provided that at least 50 % in value of the materials and parts ⁽¹⁾ used are originating products
ex Chapter 90	Optical, photographic, cinematographic, measuring, checking, precision, medical and surgical instruments and apparatus and parts thereof, excluding products of heading Nos 90.05, 90.07 (except electrically ignited photographic flashbulbs), 90.08, 90.12 and 90.26		Working, processing or assembly in which the value of the materials and parts used does not exceed 40 % of the value of the finished product
90.05	Refracting telescopes (monocular and binocular), prismatic or not		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40 % of the finished product, and provided that at least 50 % in value of the materials and parts ⁽¹⁾ used are originating products
ex 90.07	Photographic cameras; photographic flashlight apparatus and flashbulbs other than discharge lamps of heading No 85.20, with the exception of electrically ignited photographic flashbulbs		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40 % of the finished product, and provided that at least 50 % in value of the materials and parts ⁽¹⁾ used are originating products
90.08	Cinematographic cameras, projectors, sound recorders and sound reproducers but not including re-recorders or film editing apparatus; any combination of these articles		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40 % of the value of the finished product, and provided that at least 50 % in value of the materials and parts ⁽¹⁾ used are originating products

⁽¹⁾ In determining the value of products, materials and parts, the following must be taken into account:

- (a) in respect of originating products, materials and parts, the free market price paid, or the price which would be paid in case of sale, for the said products on the territory of the country where working, processing or assembly is carried out;
- (b) in respect of other products, materials and parts, the provisions of Article 4 of this Protocol determining:
 - the value of imported products,
 - the value of products of undetermined origin.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
90.12	Compound optical microscopes, whether or not provided with means for photographing or projecting the image		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40 % of the value of the finished product, and provided that at least 50 % in value of the materials and parts ⁽¹⁾ used are originating products
90.26	Gas, liquid and electricity supply or production meters; calibrating meters therefor		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40 % of the value of the finished product, and provided that at least 50 % in value of the materials and parts ⁽¹⁾ used are originating products
ex Chapter 91	Clocks and watches and parts thereof, excluding products of heading No 91.04 or 91.08		Working, processing or assembly in which the value of the materials and parts used does not exceed 40 % of the value of the finished product
91.04	Other clocks		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40 % of the value of the finished product, and provided that at least 50 % in value of the materials and parts ⁽¹⁾ used are originating products
91.08	Clock movements, assembled		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40 % of the value of the finished product and provided that at least 50 % in value of the materials and parts ⁽¹⁾ used are originating products
ex Chapter 92	Musical instruments, sound recorders or reproducers, television image and sound recorders or reproducers; parts and accessories of such articles, excluding products of heading No 92.11		Working, processing or assembly in which the value of the materials and parts used does not exceed 40 % of the value of the finished product

⁽¹⁾ In determining the value of products, materials and parts, the following must be taken into account:

- (a) in respect of originating products, materials and parts, the first verifiable price paid, or the price which would be paid in case of sale, for the said products on the territory of the country where working, processing or assembly is carried out;
- (b) in respect of other products, materials and parts, the provisions of Article 4 of this Protocol determining:
 - the value of imported products,
 - the value of products of undetermined origin.

Products obtained		Working or processing that does not confer the status of originating products	Working or processing that confers the status of originating products when the following conditions are met
CCT heading No	Description		
92.11	Gramophones, dictating machines and other sound recorders or reproducers, including record-players and tape decks, with or without sound-heads; television image and sound recorders or reproducers		Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40 % of the value of the finished product, and provided that: <ul style="list-style-type: none"> — at least 50 % in value of the materials and parts ⁽¹⁾ used are originating products, and — the value of the non-originating transistors used does not exceed 3 % of the value of the finished product ⁽²⁾
Chapter 93	Arms and ammunition; parts thereof		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product
ex 96.01	Other brooms and brushes (including brushes of a kind used as parts of machines); paint rollers; squeegees (other than roller squeegees) and mops		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product
97.03	Other toys; working models of a kind used for recreational purposes		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product
98.01	Buttons and button moulds, studs, cuff-links, and press-fasteners, including snap-fasteners and press-studs, blanks and parts of such articles		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product
98.08	Typewriter and similar ribbons, whether or not on spools; ink-pads, with or without boxes		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product

⁽¹⁾ In determining the value of products, materials and parts, the following must be taken into account:

- (a) in respect of originating products, materials and parts, the first verifiable price paid, or the price which would be paid in case of sale, for the said products on the territory of the country where working, processing or assembly is carried out;
- (b) in respect of other products, materials and parts, the provisions of Article 4 of this Protocol determining:
- the value of imported products,
 - the value of products of undetermined origin.

⁽²⁾ This percentage is not cumulative with the 40 %.

ANNEX IV

LIST B

List of working or processing operations which do not result in a change of tariff heading, but which do confer the status of 'originating products' on the products undergoing such operations

Finished products		Working or processing that confers the status of originating products
CCT heading No	Description	
		Incorporation of non-originating materials and parts in boilers, machinery, mechanical appliances, etc., of Chapters 84 to 92 in boilers and radiators of heading No 73.37 and in the products contained in heading Nos 97.07 and No 98.03 does not make such products lose their status of originating products, provided that the value of these products does not exceed 5 % of the value of the finished product
13.02	Shellac, seed lac, stick lac and other lacs; natural gums, resins, gums-resins and balsams	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 50 % of the value of the finished product
ex 15.10	Fatty alcohols	Manufacture from fatty acids
ex 17.01	Beet sugar and cane sugar, in solid form, flavoured or coloured	Manufacture from beet sugar and cane sugar in solid form without flavouring or colouring of which the value does not exceed 30 % of the value of the finished product
ex 17.02	Lactose, glucose, maple or other sugars, in solid form, flavoured or coloured	Manufacture from other sugars in solid form without flavouring or colouring of which the value does not exceed 30 % of the value of the finished product
ex 17.03	Molasses, flavoured or coloured	Manufacture from products without flavouring or colouring of which the value does not exceed 30 % of the value of the finished product
ex 21.03	Prepared mustard	Manufacture from mustard flour
ex 22.09	Whisky of an alcoholic strength of less than 50°	Manufacture from alcohol deriving exclusively from the distillation of cereals and in which the value of the non-originating constituent products does not exceed 15 % of the value of the finished product
ex 25.15	Marble squared by sawing, of a thickness not exceeding 25 cm	Sawing into slabs or sections, polishing, grinding and cleaning of marble, including marble not further worked than roughly split, roughly squared or squared by sawing, of a thickness exceeding 25 cm
ex 25.16	Granite, porphyry, basalt, sandstone and other monumental and building stone, squared by sawing, of a thickness not exceeding 25 cm	Sawing of granite, porphyry, basalt, sandstone and other building stone, including such stone not further worked than roughly split, roughly squared or squared by sawing, of a thickness exceeding 25 cm

Finished products		Working or processing that confers the status of originating products
CCT heading No	Description	
ex 25.18	Calcined dolomite; agglomerated dolomite (including tarred dolomite)	Calcination of unworked dolomite
ex 25.19	Other magnesium oxide, whether or not chemically pure	Manufacture from natural magnesium carbonate (magnesite)
ex 25.32	Earth colours, calcined or powdered	Crushing and calcination or powdering of earth colours
ex Chap. 28 to 37	Products of the chemical and allied industries, excluding sulphuric anhydride (ex 28.13), calcined, crushed and powdered natural aluminium calcium phosphates, treated thermally (ex 31.03), tannins (ex 32.01), essential oils, resinoids and terpenic by-products (ex 33.01), preparations used for tenderizing meat, preparations used for clarifying beer composed of papain and bentonite and enzymatic preparations for the desizing of textiles (ex 35.07)	Working or processing in which the value of the non-originating products used does not exceed 20 % of the value of the finished product
ex 28.13	Sulphuric anhydride	Manufacture from sulphur dioxide
ex 31.03	Calcined, crushed and powdered natural aluminium calcium phosphates, treated thermally	Crushing and powdering of calcined natural aluminium calcium phosphates, treated thermally
ex 32.01	Tannins (tannic acids), including water-extracted gall-nut tannin, and their salts, ethers, esters and other derivatives	Manufacture from tanning extracts of vegetable origin
ex 33.01	Essential oils (terpeneless or not), concretes and absolutes; resinoids; terpenic by-products of the deterpenation of essential oils	Manufacture from concentrates of essential oils in fats, in fixed oils, or in waxes or the like, obtained by cold absorption or by maceration
ex 35.07	Preparations used for tenderizing meat, preparations used for clarifying beer, composed of papain and bentonite, enzymatic preparations for the desizing of textiles	Manufacture from enzymes or prepared enzymes of which the value does not exceed 50 % of the value of the finished product
ex Chap. 38	Miscellaneous chemical products, other than refined tall oil (ex 38.05), spirits of sulphate turpentine, purified (ex 38.07) and wood pitch (wood tar pitch) (ex 38.09)	Working or processing in which the value of the non-originating materials used does not exceed 20 % of the value of the finished product
ex 38.05	Refined tall oil	Refining of crude tall oil
ex 38.07	Sulphate turpentine, purified	Purification consisting of the distillation or refining of raw sulphate turpentine
ex 38.09	Wood pitch (wood tar pitch)	Distillation of wood tar
ex Chap. 39	Artificial resins and plastic materials, cellulose esters and ethers; articles thereof, excepting films of ionomers (ex 39.02)	Working or processing in which the value of the non-originating materials used does not exceed 20 % of the value of the finished product
ex 39.02	Ionomer film	Manufacture from a thermoplastic partial salt which is a copolymer of ethylene and methacrylic acid partly neutralized with metal ions, mainly zinc and sodium

Finished products		Working or processing that confers the status of originating products
CCT heading No	Description	
ex 40.01	Slabs of crepe rubber for soles	Lamination of crepe sheets of natural rubber
ex 40.07	Vulcanized rubber thread and cord, textile covered	Manufacture from vulcanized rubber thread or cord, not textile covered
ex 41.01	Sheepskins and lambskins without the wool	Removing wool from sheepskins and lambskins in the wool
ex 41.02	Retanned bovine cattle leather (including buffalo leather) and equine leather prepared but not parchment-dressed except leather falling within heading Nos 41.06 and 41.08	Retanning of bovine cattle leather (including buffalo leather) and equine leather, not further prepared than tanned
ex 41.03	Retanned sheepskin and lambskin leather, prepared but not parchment-dressed, except leather falling within heading Nos 41.06 and 41.08	Retanning of sheepskin and lambskin leather, not further prepared than tanned
ex 41.04	Retanned goatskin and kidskin leather, prepared but not parchment-dressed, except leather falling within heading Nos 41.06 and 41.08	Retanning of goatskin and kidskin leather, not further prepared than tanned
ex 41.05	Other kinds of retanned leather, prepared but not parchment-dressed, except leather falling within heading Nos 41.06 and 41.08	Retanning of other kinds of leather, not further prepared than tanned
ex 43.02	Assembled furskins	Bleaching, dyeing, dressing, cutting and assembling of tanned or dressed furskins
ex 44.22	Casks, barrels, vats, tubs, buckets and other cooper's products and parts thereof	Manufacture from riven staves of wood, not further prepared than sawn on one principal surface; sawn staves of wood, of which at least one principal surface has been cylindrically sawn, not further prepared than sawn
ex 50.03	Silk waste carded or combed	Carding or combing waste silk
ex 50.09 ex 51.04 ex 53.11 ex 53.12 ex 54.05 ex 55.07 ex 55.08 ex 55.09 ex 56.07	Printed fabrics	Printing accompanied by finishing operations (bleaching, dressing, drying, steaming, burling, mending, impregnating, sanforizing, mercerizing) of fabrics the value of which does not exceed 47.5 % of the value of the finished product
ex 59.14	Incandescent gas mantles	Manufacture from tubular gas-mantle fabric
ex 67.01	Feather dusters	Manufacture from feathers, parts of feathers or down
ex 68.03	Articles of slate, including articles of agglomerated slate	Manufacture of articles of slate
ex 68.04	Hand-polishing stones, whetstones, oilstones, hones and the like, of natural stone, of agglomerated natural or artificial abrasives, or of pottery	Cutting, adjusting and glueing of abrasive materials, which, owing to their shape, are not recognizable as being intended for hand use

Finished products		Working or processing that confers the status of originating products
CCT heading No	Description	
ex 68.13	Articles of asbestos; articles of mixtures with a basis of asbestos or of mixtures with a basis of asbestos and magnesium carbonate	Manufacture of articles of asbestos or of mixtures with a basis of asbestos, or of mixtures with a basis of asbestos and magnesium carbonate
ex 68.15	Articles of mica, including bonded mica splittings on a support of paper or fabric	Manufacture of articles of mica
ex 70.10	Cut-glass bottles	Cutting of bottles the value of which does not exceed 50 % of the value of the finished product
70.13	Glassware (other than articles falling within heading No 70.19) of a kind commonly used for table, kitchen, toilet or office purposes, for indoor decoration, or similar uses	Cutting of glassware the value of which does not exceed 50 % of the value of the finished product or decoration, with the exception of silk-screen printing, carried out entirely by hand, of hand-blown glassware the value of which does not exceed 50 % of the value of the finished product
ex 70.20	Articles made from glass fibre	Manufacture from unworked glass fibre
ex 71.02	Precious and semi-precious stones, cut or otherwise worked, but not mounted, set or strung (except ungraded stones temporarily strung for convenience of transport)	Manufacture from unworked precious and semi-precious stones
ex 71.03	Synthetic or reconstructed precious or semi-precious stones, cut or otherwise worked, but not mounted, set or strung (except ungraded stones temporarily strung for convenience of transport)	Manufacture from unworked synthetic or reconstructed precious or semi-precious stones
ex 71.05	Silver and silver alloys, including silver gilt and platinum-plated silver, semi-manufactured	Rolling, drawing, beating or grinding of unwrought silver and silver alloys
ex 71.05	Silver, including silver gilt and platinum-plated silver, unwrought	Alloying or electrolytic separation of unwrought silver and silver alloys
ex 71.06	Rolled silver, semi-manufactured	Rolling, drawing, beating or grinding of unwrought rolled silver
ex 71.07	Gold, including platinum-plated gold, semi-manufactured	Rolling, drawing, beating or grinding of unwrought gold, including platinum-plated gold
ex 71.07	Gold, including platinum-plated gold, unwrought	Alloying or electrolytic separation of unwrought gold or gold alloys
ex 71.08	Rolled gold on base metal or silver, semi-manufactured	Rolling, drawing, beating or grinding of unwrought rolled gold on base metal or silver
ex 71.09	Platinum and other metals of the platinum group, semi-manufactured	Rolling, drawing, beating or grinding of unwrought platinum or other metals of the platinum group
ex 71.09	Platinum and other metals of the platinum group, unwrought	Alloying or electrolytic separation of unwrought platinum or other metals of the platinum group

Finished products		Working or processing that confers the status of originating products
CCT heading No	Description	
ex 71.10	Rolled platinum or other platinum group metals, on base metal or precious metal, semi-manufactured	Rolling, drawing, beating or grinding of unwrought rolled platinum or other unwrought platinum group metals, on base metal or precious metal
ex 73.15	Alloy steel and high carbon steel: — in the forms mentioned in heading Nos 73.07 to 73.13 — in the forms mentioned in heading No 73.14	Manufacture from products in the forms mentioned in heading No 73.06 Manufacture from products in the forms mentioned in heading No 73.06 or 73.07
ex 74.01	Unrefined copper (blister copper and other)	Smelting of copper matte
ex 74.01	Refined copper	Fire-refining or electrolytic refining of unrefined copper (blister copper and other) copper waste or scrap
ex 74.01	Copper alloy	Fusion and thermal treatment of refined copper, copper waste or scrap
ex 75.01	Unwrought nickel (excluding electro-plating anodes of heading No 75.05)	Refining by electrolysis, by fusion or chemically, of nickel mattes, nickel speiss and other intermediate products of nickel metallurgy
ex 75.01	Unwrought nickel except nickel alloys	Refining of waste by electrolysis, by melting or by chemical means of waste and scrap
ex 76.01	Unwrought aluminium	Manufacture by thermal or electrolytic treatment of unalloyed aluminium, waste and scrap
76.16	Other articles of aluminium	Manufacture in which gauze, cloth, grill, netting, fencing, reinforcing fabric and similar materials (including endless bands) of aluminium wire, or expanded metal of aluminium, are used the value of which does not exceed 50 % of the value of the finished product
ex 77.02	Other articles of magnesium	Manufacture from wrought bars, rods, angles, shapes and sections, plates, sheets and strip, wire, foil, raspings and shavings of uniforms size, powders and flakes, tubes and pipes and blanks therefor, hollow bars, of magnesium, the value of which does not exceed 50 % of the value of the finished product
ex 77.04	Beryllium, wrought	Rolling, drawing or grinding of unwrought beryllium the value of which does not exceed 50 % of the value of the finished product
ex 78.01	Refined lead	Manufacture by thermal refining from bullion lead
ex 81.01	Tungsten, wrought	Manufacture from unwrought tungsten the value of which does not exceed 50 % of the value of the finished product
ex 81.02	Molybdenum, wrought	Manufacture from unwrought molybdenum the value of which does not exceed 50 % of the value of the finished product

Finished products		Working or processing that confers the status of originating products
CCT heading No	Description	
ex 81.03	Tantalum, wrought	Manufacture from unwrought tantalum the value of which does not exceed 50 % of the value of the finished product
ex 81.04	Other base metals, wrought	Manufacture from other base metals, unwrought, the value of which does not exceed 50 % of the value of the finished product
ex 82.09	Knives with cutting blades, serrated or not (including pruning knives) other than knives falling within heading No 82.06	Manufacture from knife blades
ex 83.06	Indoor ornaments made from base metals other than statuettes	Working or processing in which the value of the non-originating materials used does not exceed 30 % of the value of the finished product
ex 84.05	Steam engines (including mobile engines, but not steam tractors falling within heading No 87.01 or mechanically propelled road rollers) with self-contained boilers	Working, processing or assembly in which the value of the products used does not exceed 40 % of the value of the finished product
84.06	Internal combustion piston engines	Working, processing or assembly in which the value of the materials and parts used does not exceed 40 % of the value of the finished product
ex 84.08	Engines and motors, excluding reaction engines and gas turbines	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40 % of the value of the finished product, and provided that at least 50 % in value of the materials and parts ⁽¹⁾ used are originating products
84.16	Calendering and similar rolling machines (other than metal-working and metal-rolling machines and glass-working machines) and cylinders therefor	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 25 % of the value of the finished product
ex 84.17	Machinery, plant and similar laboratory equipment, whether or not electrically heated, for the treatment of materials by a process involving a change of temperature, for wood, paper pulp, paper and paperboard manufacturing industries	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 25 % of the value of the finished product
84.31	Machinery for making or finishing cellulosic pulp, paper or paperboard	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 25 % of the value of the finished product
84.33	Paper or paperboard cutting machines of all kinds; other machinery for making up paper pulp, paper or paperboard	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 25 % of the value of the finished product

⁽¹⁾ In determining the value of products, materials and parts, the following must be taken into account:

- (a) in respect of originating products, materials and parts, the first verifiable price paid, or the price which would be paid in case of sale, for the said products on the territory of the country where working, processing or assembly is carried out;
- (b) in respect of other products, materials and parts, the provisions of Article 4 of this Protocol determining:
 - the value of imported products,
 - the value of products of undetermined origin.

Finished products		Working or processing that confers the status of originating products
CCT heading No	Description	
ex 84.41	Sewing machines, including furniture specially designed for sewing	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40 % of the value of the finished product, and provided that — at least 50 % in value of the materials and parts ⁽¹⁾ used for assembly of the head (motor excluded) are originating products — and the thread tension, crochet and zigzag mechanisms are originating products
85.14	Microphones and stands therefor; loudspeakers; audio-frequency electric amplifiers	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40 % of the value of the finished product and provided that at least 50 % of the materials and parts used are originating products ⁽²⁾
85.15	Radiotelegraphic and radiotelephonic transmission and reception apparatus; radio-broadcasting and television transmission and reception apparatus (including receivers incorporating sound recorders or reproducers) and television cameras; radio navigational aid apparatus, radar apparatus and radio remote control apparatus	Working, processing or assembly in which the value of the non-originating materials and parts used does not exceed 40 % of the value of the finished product and provided that at least 50 % of the materials and parts used are originating products ⁽²⁾
87.06	Parts and accessories of the motor vehicles falling within heading No 87.01, 87.02 or 87.03	Working, processing or assembly in which the value of the materials and parts used does not exceed 15 % of the value of the finished product
ex 94.01	Chairs and other seats (other than those falling within heading No 94.02), whether or not convertible into beds, made of base metals	Working, processing or assembly in which unstuffed cotton cloth is used of a weight of 300 g/m ² or less in the form ready to use, of which the value does not exceed 25 % of the value of the finished product ⁽³⁾
ex 94.03	Other furniture of base metal	Working, processing or assembly in which unstuffed cotton cloth is used of a weight of 300 g/m ² or less in the form ready to use, of which the value does not exceed 25 % of the value of the finished product ⁽³⁾
ex 95.05	Articles in tortoise shell, mother of pearl, ivory, bone, horn, coral (natural or agglomerated) and other animal carving material	Manufacture from tortoise shell, mother of pearl, ivory, bone, horn, coral (natural or agglomerated) and other animal carving material; worked
ex 95.08	Articles in vegetable carving material (for example corozo), meerschaum and amber, natural or reconstituted, jet (and mineral substitutes for jet)	Manufacture from vegetable carving material (for example corozo), meerschaum and amber, natural or reconstituted, jet (and mineral substitutes for jet); worked

⁽¹⁾ In determining the value of products, materials and parts, the following must be taken into account:

(a) in respect of originating products, materials and parts, the first verifiable price paid, or the price which would be paid in case of sale, for the said products on the territory of the country where working, processing or assembly is carried out;

(b) in respect of other products, materials and parts, the provisions of Article 4 of this Protocol determining:

— the value of imported products,
— the value of products of undetermined origin.

⁽²⁾ The application of this rule must not have the effect of allowing the exceeding of the percentage of 3 % for the originating transistors laid down in List A for the same tariff heading.

⁽³⁾ This rule does not apply when the general rule of change of tariff heading is applied to the other non-originating parts which are part of the composition of the final product.

Finished products		Working or processing that confers the status of originating products
CCT heading No	Description	
ex 96.01	Brushes and brooms	Manufacture using prepared knots and tufts for broom or brush making the value of which does not exceed 50 % of the value of the finished product
ex 98.11	Smoking pipes, pipe bowls, of wood, root or other materials	Manufacture from roughly shaped blocks

AGREEMENT

in the form of an exchange of letters between the European Economic Community and Barbados, the People's Republic of the Congo, Fiji, the Cooperative Republic of Guyana, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Surinam, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago and the Republic of Uganda, on the guaranteed prices for cane sugar for 1978/79

Letter No 1

Brussels,

Sir,

1. The representatives of the ACP States referred to in Protocol 3 on ACP sugar annexed to the ACP-EEC Convention of Lomé, and of the Commission, on behalf of the European Economic Community, have, within the framework of the negotiations provided for in Article 5 (4) of the said Protocol, agreed the following:
 - For the period 1 July 1978 to 30 June 1979, the guaranteed prices referred to in Article 5 (4) of the Protocol shall, for the purposes of intervention within the terms of Article 6 of the Protocol, be
 - (a) for raw sugar, 27.81 units of account per 100 kilograms;
 - (b) for white sugar, 34.49 units of account per 100 kilograms.
- These prices, which represent an increase of about 2 % over those of last year, shall refer to sugar of standard quality as defined in Community legislation, unpacked, cif European ports of the Community.
2. Having regard to market conditions generally, and to other relevant factors, it is expected that the above guaranteed prices for ACP sugar will enable the ACP States concerned to secure on Community markets, during the delivery period 1978/79, prices in excess of the market prices for the delivery period 1977/78, as estimated at the time of last year's negotiations.
3. It is agreed that the decision not to provide for retroactivity in respect of the 1978/79 prices does not prejudice the position of the ACP States in relation to retroactivity in any future negotiations in accordance with Article 4 (3) of Protocol 3 to the Convention of Lomé.
4. The ACP States point out that, as long as the above prices refer to sugar offered on a cif European port basis, they will have to carry the full burden of freight charges. As a result, their ex-factory prices have been substantially lower than the ex-factory prices of European beet producers. The ACP States therefore request that the Community consider appropriate ways and means of providing some compensation for these charges. The Community takes note of this request.

I should be obliged if you would acknowledge receipt of this letter and confirm that this letter and your reply constitute an Agreement between the Governments of the ACP States referred to in the said Protocol and the Community.

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

*For the Council
of the European Communities*

Letter No 2

Brussels,

Sir,

I have the honour to acknowledge receipt of your letter of today which reads as follows :

1. The representatives of the ACP States referred to in Protocol 3 on ACP sugar annexed to the ACP-EEC Convention of Lomé, and of the Commission, on behalf of the European Economic Community, have, within the framework of the negotiations provided for in Article 5 (4) of the said Protocol, agreed the following :

— For the period 1 July 1978 to 30 June 1979, the guaranteed prices referred to in Article 5 (4) of the Protocol shall, for the purposes of intervention within the terms of Article 6 of the Protocol, be

(a) for raw sugar, 27.81 units of account per 100 kilograms ;

(b) for white sugar, 34.49 units of account per 100 kilograms.

These prices, which represent an increase of about 2 % over those of last year, shall refer to sugar of standard quality as defined in Community legislation, unpacked, cif European ports of the Community.

2. Having regard to market conditions generally, and to other relevant factors, it is expected that the above guaranteed prices for ACP sugar will enable the ACP States concerned to secure on Community markets, during the delivery period 1978/79, prices in excess of the market prices for the delivery period 1977/78, as estimated at the time of last year's negotiations.
3. It is agreed that the decision not to provide for retroactivity in respect of the 1978/79 prices does not prejudice the position of the ACP States in relation to retroactivity in any future negotiations in accordance with Article 4 (3) of Protocol 3 to the Convention of Lomé.
4. The ACP States point out that, as long as the above prices refer to sugar offered on a cif European port basis, they will have to carry the full burden of freight charges. As a result, their ex-factory prices have been substantially lower than the ex-factory prices of European beet producers. The ACP States therefore request that the Community consider appropriate ways and means of providing some compensation for these charges. The Community takes note of this request.

I should be obliged if you would acknowledge receipt of this letter and confirm that this letter and your reply constitute an Agreement between the Governments of the ACP States referred to in the said Protocol and the Community.

I have the honour to confirm the agreement of the ACP States referred to in the said Protocol with the foregoing.

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

*For the Governments
of the ACP States*

27. 7. 78

Official Journal of the European Communities

No L 203/33

COUNCIL DECISION

of 18 July 1978

on the provisional application to the Solomon Islands, after becoming independent, of the arrangements provided for in Decision 76/568/EEC on the association of the overseas countries and territories with the European Economic Community

(78/634/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Decision 76/568/EEC of 29 June 1976 on the association of the overseas countries and territories with the European Economic Community⁽¹⁾, as last amended by Decision 78/465/EEC⁽²⁾, and in particular the second subparagraph of Article 55 (2) thereof,

Whereas, pursuant to the latter provision of Decision 76/568/EEC the arrangements provided for therein may continue to apply provisionally, under conditions laid down by the Council, to countries and territories which become independent;

Whereas the Solomon Islands mentioned in Annex I relating to the list of countries and territories referred to by that Decision achieved independence on 7 July 1978;

Whereas it should be decided to continue to apply provisionally the arrangements provided for in the abovementioned Decision to this State and to lay down the conditions for such application without prejudice to subsequent recourse to the first subparagraph of Article 55 (2) and to Article 56 thereof;

⁽¹⁾ OJ No L 176, 1. 7. 1976, p. 8.

⁽²⁾ OJ No L 147, 3. 6. 1978, p. 39.

Whereas the ACP-EEC Convention of Lomé is open, in accordance with the procedure laid down in Article 89 thereof, to the accession of a country or territory to which Part Four of the Treaty applies and which has become independent; whereas such accession can take place only following a request by the State concerned and with the approval of the ACP-EEC Council of Ministers;

Whereas the Solomon Islands have submitted a request for accession to the ACP-EEC Convention of Lomé;

Whereas the provisional application of Decision 76/568/EEC with regard to that State should be limited in time;

Whereas in order to avoid any break in continuity in financing decisions in favour of the Solomon Islands, between their accession to the ACP-EEC Convention of Lomé and the entry into force of the Decision adjusting the amounts made available to the European Development Fund which the Council is to take pursuant to Article 1 (4) of the Internal Agreement on the financing and administration of Community aid of 1975, the Solomon Islands should be permitted to continue to benefit until the date of the entry into force of the said Decision from the provisions of Decision 76/568/EEC relating to financial and technical cooperation,

HAS DECIDED AS FOLLOWS:

Article 1

The arrangements laid down by Decision 76/568/EEC shall remain provisionally applicable to the Solomon Islands, until the latter accedes to the ACP-EEC Convention of Lomé and not later than 6 July 1979.

However, the Solomon Islands shall continue to benefit from the provisions of the said Decision relating to financial and technical cooperation until the date of entry into force of the Decision adjusting the amounts made available to the European Development Fund which the Council is to take pursuant to Article 1 (4) of the Internal Agreement on the financing and administration of Community aid signed on 11 July 1975.

Article 2

Questions relating to the application of Decision 76/568/EEC to the Solomon Islands, after they have

become independent, shall be dealt with, as necessary, by direct contact between the competent authorities of that State and of the Community.

Article 3

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

It shall apply from 7 July 1978.

Done at Brussels, 18 July 1978.

For the Council

The President

M. LAHNSTEIN

DECISION No 3/78 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 24 JULY 1978

approving the accession of the Solomon Islands
to the ACP-EEC Convention of Lomé

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé signed on
28 February 1975, and in particular Article 89 thereof,

Whereas a request for accession to the ACP-EEC Convention of Lomé has been submitted by the Solomon Islands;

Whereas the provisions of Part Four of the Treaty establishing the European Economic Community apply to that country;

Whereas the Solomon Islands became independent on 7 July 1978,

HAS DECIDED AS FOLLOWS:

Article 1

The request for accession to the ACP-EEC Convention of Lomé submitted by the Solomon Islands is hereby approved.

Article 2

This Decision shall enter into force on 22 July 1978.

Done at Brussels, 24 July 1978

For the ACP-EEC Council of Ministers

The President

(s.) P.J. PATTERSON

Certified true copy

KONATE

LESORT

Secretaries of the

ACP-EEC Council of Ministers

27. 9. 78

Official Journal of the European Communities

No L 271/3

AGREEMENT**on the accession of the Republic of Cape Verde to the ACP-EEC Convention of Lomé**

HIS MAJESTY THE KING OF THE BELGIANS,

HER MAJESTY THE QUEEN OF DENMARK,

THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY,

THE PRESIDENT OF THE FRENCH REPUBLIC,

THE PRESIDENT OF IRELAND,

THE PRESIDENT OF THE ITALIAN REPUBLIC,

HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBOURG,

HER MAJESTY THE QUEEN OF THE NETHERLANDS,

HER MAJESTY THE QUEEN OF THE UNITED KINGDOM OF GREAT BRITAIN AND
NORTHERN IRELAND,Contracting Parties to the Treaty establishing the European Economic Community, signed at Rome on
25 March 1957 (hereinafter called the 'Treaty'), whose States are hereinafter called 'Member States',

and

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

of the one part, and

THE PRESIDENT OF THE REPUBLIC OF CAPE VERDE,

of the other part,

HAVING REGARD to the Treaty establishing the European Economic Community,

HAVING REGARD to the ACP-EEC Convention of Lomé, signed at Lomé on 28 February 1975
(hereinafter called the 'Convention'), and in particular Article 90 thereof,**WHEREAS** the Republic of Cape Verde has applied to accede to the Convention;**WHEREAS** the ACP-EEC Council of Ministers has approved this application;**HAVE DECIDED** to conclude this Agreement and to this end have designated as their Plenipotentiaries:**HIS MAJESTY THE KING OF THE BELGIANS:****Joseph VAN DER MEULEN,**
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative to the European Communities;**HER MAJESTY THE QUEEN OF DENMARK:****Erik B. LYRTOFT-PETERSEN,**
Minister-Counsellor,
Permanent Representation to the European Communities;

THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY:

Walter KITTEL,
Minister Plenipotentiary,
Deputy Permanent Representative to the European Communities;

THE PRESIDENT OF THE FRENCH REPUBLIC:

Luc de La BARRE de NANTEUIL,
Ambassador of France,
Permanent Representative to the European Communities;

THE PRESIDENT OF IRELAND:

Brendan DILLON,
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative to the European Communities;

THE PRESIDENT OF THE ITALIAN REPUBLIC:

Paolo Massimo ANTICI,
Minister Plenipotentiary,
Deputy Permanent Representative to the European Communities;

HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBOURG:

Jean DONDELINGER,
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative of Luxembourg;

HER MAJESTY THE QUEEN OF THE NETHERLANDS:

E. J. KORTHALS ALTES,
Minister Plenipotentiary,
Deputy Permanent Representative to the European Communities;

HER MAJESTY THE QUEEN OF THE UNITED KINGDOM OF GREAT BRITAIN AND
NORTHERN IRELAND:

Sir Donald MAITLAND, C.M.G., O.B.E.,
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative to the European Communities;

THE COUNCIL OF THE EUROPEAN COMMUNITIES:

Sir Donald MAITLAND, C.M.G., O.B.E.,
Ambassador,
Permanent Representative of the United Kingdom,
Chairman of the Permanent Representatives Committee;
Claude CHEYSSON,
Member of the Commission of the European Communities;

THE PRESIDENT OF THE REPUBLIC OF CAPE VERDE:

José BRITO,
State Secretary for cooperation and planning;

WHO, having exchanged their full powers, found in good and due form,

HAVE AGREED AS FOLLOWS:

Article 1

1. Under this Agreement, the Republic of Cape Verde, hereinafter called 'Cape Verde', shall accede to the Convention.

2. Save as otherwise provided in this Agreement, the Convention and the decisions and other implementing measures taken by the institutions of the Convention shall apply to Cape Verde.

Article 2

For the purpose of the application of Article 7 (2) (a) of the Convention, Cape Verde shall not discriminate among the Member States as from the date of entry into force of this Agreement.

Regarding the obligation to grant to the Community treatment no less favourable than the most-favoured-nation treatment, Cape Verde shall have a transitional period of two years and six months from the date on which this Agreement is signed in which to make the appropriate adjustments to its customs tariff.

Article 3

The time limits laid down by the Convention and calculated from the entry into force of the Convention shall, for the purpose of application to Cape Verde, be calculated from the entry into force of this Agreement.

Article 4

1. As regards the Community, this Agreement shall be validly concluded by a decision of the Council of the

European Communities taken in accordance with the provisions of the Treaty and notified to the Parties.

It will be ratified by the Signatory States in accordance with their respective constitutional requirements.

2. The instruments of ratification and the act of notification of the conclusion of this Agreement shall be deposited, as concerns Cape Verde, with the Secretariat of the Council of the European Communities and, as concerns the Community and the Member States, with the Secretariat of the ACP States. The Secretariats shall forthwith give notice thereof to the Signatory States and the Community.

Article 5

This Agreement shall enter into force on the first day of the second month following the date of deposit of the instruments of ratification of the Member States and of Cape Verde, and of the act of notification of the conclusion of this Agreement by the Community.

Article 6

The Protocol annexed to this Agreement shall form an integral part thereof.

Article 7

This Agreement, drawn up in two copies in the Danish, Dutch, English, French, German and Italian languages, all texts being equally authentic, shall be deposited in the archives of the Secretariat of the Council of the European Communities and the Secretariat of the ACP States, which shall both transmit a certified copy to the Government of each of the Signatory States.

Til bekræftelse heraf har undertegnede befuldmægtigede underskrevet denne aftale.

Zu Urkund dessen haben die unterzeichneten Bevollmächtigten ihre Unterschriften unter dieses Abkommen gesetzt.

In witness whereof, the undersigned Plenipotentiaries have affixed their signatures below this Agreement.

En foi de quoi, les plénipotentiaires soussignés ont apposé leurs signatures au bas du présent accord.

In fede di che, i plenipotenziari sottoscritti hanno apposto le loro firme in calce al presente accordo.

Ten blijke waarvan de ondergetekende gevolmachtigden hun handtekening onder deze Overeenkomst hebben gesteld.

Udfærdiget i Bruxelles, den otteogtyvende marts nitten hundrede og syvoghalvfjerds.

Geschehen zu Brüssel am achtundzwanzigsten März neunzehnhundertsiebenundsiebzig.

Done at Brussels on the twenty-eighth day of March in the year one thousand nine hundred and seventy-seven.

Fait à Bruxelles, le vingt-huit mars mil neuf cent soixante-dix-sept.

Fatto a Bruxelles, addì ventotto marzo millenovecentosettantasette.

Gedaan te Brussel, de achtentwintigste maart negentienhonderd zevenenzeventig.

Pour Sa Majesté le roi des Belges

Voor Zijne majesteit de Koning der Belgen

J. Van der Meulen

For Hendes Majestæt Danmarks Dronning

C. Gynter-Rasmussen

Für den Präsidenten der Bundesrepublik Deutschland

W. Ritter

Pour le président de la République française

J. M. L.

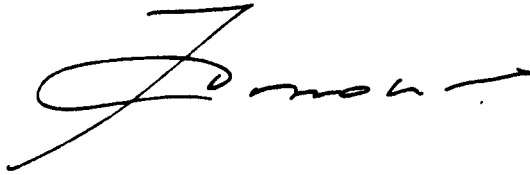
For the President of Ireland

Brendan Dillon

Per il presidente della Repubblica italiana

Paolo M. L. L.

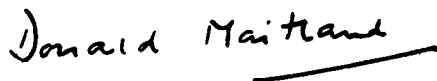
Pour son Altesse Royale le grand-duc de Luxembourg



Voor Hare Majesteit de Koningin der Nederlanden



For Her Majesty the Queen of the United Kingdom of Great Britain and Northern Ireland



For Rådet for De europæiske Fællesskaber


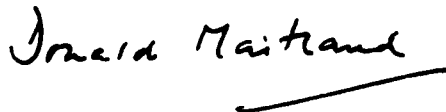
Für den Rat der Europäischen Gemeinschaften

For the Council of the European Communities

Pour le Conseil des Communautés européennes

Per il Consiglio delle Comunità europee

Voor de Raad van de Europese Gemeenschappen



Pour le président de la république du Cap-Vert



PROTOCOL**concerning the transitional arrangements for the issue of certificates of origin****THE HIGH CONTRACTING PARTIES**

HAVE AGREED UPON THE FOLLOWING PROVISIONS, WHICH ARE ANNEXED TO THE AGREEMENT:

Goods which conform to the provisions of Protocol 1 to the ACP-EEC Convention of Lomé on the concept of 'originating' products and which, on the date of entry into force of the Agreement, are being either transported or held in the Community or in an ACP State in temporary storage, in bonded warehouses or in free zones (including free ports and free warehouses) may be allowed to benefit under the provisions of the Agreement, subject to the submission to the customs authorities in the importing State, within four months of the said date, of:

- (a) a movement certificate EUR.1 issued retrospectively by the customs authorities in the exporting State, or
 - (b) a certificate of origin issued by the competent authorities in that State,
- and, in either case, any documents which provide supporting evidence of direct transport.

27. 9. 78

Official Journal of the European Communities

No L 271/9

FINAL ACT

The Plenipotentiaries of

HIS MAJESTY THE KING OF THE BELGIANS,

HER MAJESTY THE QUEEN OF DENMARK,

THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY,

THE PRESIDENT OF THE FRENCH REPUBLIC,

THE PRESIDENT OF IRELAND,

THE PRESIDENT OF THE ITALIAN REPUBLIC,

HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBOURG,

HER MAJESTY THE QUEEN OF THE NETHERLANDS,

HER MAJESTY THE QUEEN OF THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND

and

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

of the one part, and

The Plenipotentiary of

THE PRESIDENT OF THE REPUBLIC OF CAPE VERDE,

of the other part,

meeting at Brussels on 28 March 1977 for the purpose of signing the Agreement on the accession of the Republic of Cape Verde to the ACP-EEC Convention of Lomé,

HAVE ADOPTED THE FOLLOWING TEXTS:

the Agreement on the accession of the Republic of Cape Verde to the ACP-EEC Convention of Lomé and the Protocol on the transitional arrangements for the issue of certificates of origin.

The Plenipotentiary of the President of the Republic of Cape Verde has stated that the Republic of Cape Verde associates itself with the following declarations, in so far as they continue to apply:

- the Joint Declaration on fishing activities annexed to the ACP-EEC Convention of Lomé,
- the Joint Declarations contained in Annexes I to XIII of the Final Act of the ACP-EEC Convention of Lomé.

He has also taken note of the declarations contained in Annexes XIV to XXIV of the Final Act of the ACP-EEC Convention of Lomé and the following declarations by the European Economic Community:

I. Declaration by the Community on the entry into force of the Accession Agreement

- '1. The Community considers that it is highly desirable that the Agreement of Accession to the Lomé Convention signed with the Republic of Cape Verde should enter into force on the same date as the other Accession Agreements signed this day with the Democratic Republic of Sao Tome and Principe and Papua New Guinea.

To this end it intends to carry out the procedures provided for in Article 4 of the said Agreement on the same date for all three Accession Agreements.

2. In view of the fact that the Lomé Convention is due to expire on 1 March 1980 and that in accordance with Article 91 thereof the parties to the Convention should, 18 months before that date, enter into negotiations in order to examine what provisions shall subsequently govern relations between them, the Community considers that the accession of the new States to the Convention should become effective within a reasonable period.

Consequently, if any of the three States which have today signed an Agreement of Accession to the Lomé Convention has not deposited its instrument of ratification within the following 18 months, the Community reserves the right to take all necessary measures, in particular to permit the Accession Agreements signed by the State or States which have already deposited an instrument of ratification to enter into force separately.'

II. Measures to permit immediate application of certain financial provisions upon entry into force of the Agreement

'In the field of financial and technical cooperation, the European Economic Community will take measures, with particular reference to the programming of aid, such as to permit the effective application of the relevant provisions of the Convention as soon as the Agreement on the accession of the Republic of Cape Verde to the ACP-EEC Convention of Lomé enters into force.'

Udfærdiget i Bruxelles, den otteogtyvende marts nitten hundrede og syvoghalvfjerds.

Geschehen zu Brüssel am achtundzwanzigsten März neunzehnhundertsiebenundsiebzig.

Done at Brussels on the twenty-eighth day of March in the year one thousand nine hundred and seventy-seven.

Fait à Bruxelles, le vingt-huit mars mil neuf cent soixante-dix-sept.

Fatto a Bruxelles, addì ventotto marzo millenovecentosettantasette.

Gedaan te Brussel, de achtentwintigste maart negentienhonderd zevenenzeventig.

Pour Sa Majesté le roi des Belges

Voor Zijne Majesteit de Koning der Belgen

J. Van der Meulen

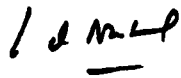
For Hendes Majestæt Danmarks Dronning

L. Gyldenløve-Petersen

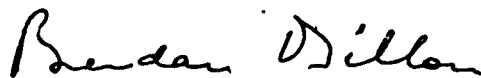
Für den Präsidenten der Bundesrepublik Deutschland



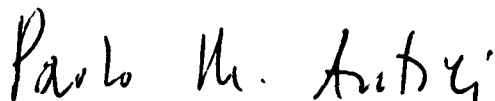
Pour le président de la République française



For the President of Ireland



Per il presidente della Repubblica italiana



Pour Son Altesse Royale le grand-duc de Luxembourg



Voor Haré Majesteit de Koningin der Nederlanden



For Her Majesty the Queen of the United Kingdom of Great Britain and Northern Ireland



For Rådet for De europæiske Fællesskaber
Für den Rat der Europäischen Gemeinschaften
For the Council of the European Communities
Pour le Conseil des Communautés européennes
Per il Consiglio delle Comunità europee
Voor de Raad van de Europese Gemeenschappen

Jonard Maitland
C.C. Heyman _____

Pour le président de la république du Cap-Vert

[Signature]

27. 9. 78

Official Journal of the European Communities

No L 271/13

AGREEMENT**on the accession of Papua New Guinea to the ACP-EEC Convention of Lomé**

HIS MAJESTY THE KING OF THE BELGIANS,

HER MAJESTY THE QUEEN OF DENMARK,

THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY,

THE PRESIDENT OF THE FRENCH REPUBLIC,

THE PRESIDENT OF IRELAND,

THE PRESIDENT OF THE ITALIAN REPUBLIC,

HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBOURG,

HER MAJESTY THE QUEEN OF THE NETHERLANDS,

HER MAJESTY THE QUEEN OF THE UNITED KINGDOM OF GREAT BRITAIN AND
NORTHERN IRELAND,Contracting Parties to the Treaty establishing the European Economic Community, signed at Rome on
25 March 1957 (hereinafter called the 'Treaty'), whose States are hereinafter called 'Member States',

and

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

of the one part, and

THE HEAD OF STATE OF PAPUA NEW GUINEA

of the other part,

HAVING REGARD to the Treaty establishing the European Economic Community,

HAVING REGARD to the ACP-EEC Convention of Lomé, signed at Lomé on 28 February 1975
(hereinafter called the 'Convention'), and in particular Article 90 thereof,

WHEREAS Papua New Guinea has applied to accede to the Convention;

WHEREAS the ACP-EEC Council of Ministers has approved this application;

HAVE DECIDED to conclude this Agreement and to this end have designated as their Plenipotentiaries:

HIS MAJESTY THE KING OF THE BELGIANS:

Joseph VAN DER MEULEN,
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative to the European Communities;

HER MAJESTY THE QUEEN OF DENMARK:

Erik B. LYRTOFT-PETERSEN,
Minister-Counsellor,
Permanent Representative to the European Communities;

THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY:

Walter KITTEL,
Minister Plenipotentiary,
Deputy Permanent Representative to the European Communities;

THE PRESIDENT OF THE FRENCH REPUBLIC:

Luc de La BARRE de NANTEUIL,
Ambassador of France,
Permanent Representative to the European Communities;

THE PRESIDENT OF IRELAND:

Brendan DILLON,
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative to the European Communities;

THE PRESIDENT OF THE ITALIAN REPUBLIC:

Paolo Massimo ANTICI,
Minister Plenipotentiary,
Deputy Permanent Representative to the European Communities;

HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBOURG:

Jean DONDELINGER,
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative of Luxembourg;

HER MAJESTY THE QUEEN OF THE NETHERLANDS:

E. J. KORTHALS ALTES,
Minister Plenipotentiary,
Deputy Permanent Representative to the European Communities;

HER MAJESTY THE QUEEN OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND:

Sir Donald MAITLAND, C.M.G., O.B.E.,
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative to the European Communities;

THE COUNCIL OF THE EUROPEAN COMMUNITIES:

Sir Donald MAITLAND, C.M.G., O.B.E.,
Ambassador,
Permanent Representative of the United Kingdom,
Chairman of the Permanent Representatives Committee;
Claude CHEYSSON,
Member of the Commission of the European Communities;

THE HEAD OF STATE OF PAPUA NEW GUINEA:

Peter Dickson DONIGI,
Chargé d'Affaires;

WHO, having exchanged their full powers, found in good and due form,

HAVE AGREED AS FOLLOWS:

Article 1

1. Under this Agreement, Papua New Guinea shall accede to the Convention.
2. Save as otherwise provided in this Agreement, the Convention and the decisions and other implementing measures taken by the institutions of the Convention shall apply to Papua New Guinea.

Article 2

The time limits laid down by the Convention and calculated from the entry into force of the Convention shall, for the purpose of application to Papua New Guinea, be calculated from the entry into force of this Agreement.

Article 3

1. As regards the Community, this Agreement shall be validly concluded by a decision of the Council of the

European Communities taken in accordance with the provisions of the Treaty and notified to the Parties.

It will be ratified by the Signatory States in accordance with their respective constitutional requirements.

2. The instruments of ratification and the act of notification of the conclusion of this Agreement shall be deposited, as concerns Papua New Guinea, with the Secretariat of the Council of the European Communities and, as concerns the Community and the Member States, with the Secretariat of the ACP States. The Secretariats shall forthwith give notice thereof to the Signatory States and the Community.

Article 4

This Agreement shall enter into force on the first day of the second month following the date of deposit of the

instruments of ratification of the Member States and of Papua New Guinea, and of the act of notification of the conclusion of this Agreement by the Community.

Article 5

The Protocol annexed to this Agreement shall form an integral part thereof.

Article 6

This Agreement, drawn up in two copies in the Danish, Dutch, English, French, German and Italian languages, all texts being equally authentic, shall be deposited in the archives of the Secretariat of the Council of the European Communities and the Secretariat of the ACP States, which shall both transmit a certified copy to the Government of each of the Signatory States.

Til bekræftelse heraf har undertegnede befuldmægtigede underskrevet denne aftale.

Zu Urkund dessen haben die unterzeichneten Bevollmächtigten ihre Unterschriften unter dieses Abkommen gesetzt.

In witness whereof, the undersigned Plenipotentiaries have affixed their signatures below this Agreement.

En foi de quoi, les plénipotentiaires soussignés ont apposé leurs signatures au bas du présent accord.

In fede di che, i plenipotenziari sottoscritti hanno apposto le loro firme in calce al presente accordo.

Ten blijke waarvan de ondergetekende gevolmachtigden hun handtekening onder deze Overeenkomst hebben gesteld.

Udfærdiget i Bruxelles, den otteogtyvende marts nitten hundrede og syvoghalvfjerds.

Geschehen zu Brüssel am achtundzwanzigsten März neunzehnhundertsiebenundsiebzig.

Done at Brussels on the twenty-eighth day of March in the year one thousand nine hundred and seventy-seven.

Fait à Bruxelles, le vingt-huit mars mil neuf cent soixanté-dix-sept.

Fatto a Bruxelles, addì ventotto marzo millenovecentosettantasette.

Gedaan te Brussel, de achtentwintigste maart negentienhonderd zevenenzeventig.

Pour Sa Majesté le roi des Belges
Voor Zijne Majesteit de Koning der Belgen

J. Van der Meulen

For Hendes Majestæt Danmarks Dronning

C. Lyngby-Rasmussen

Für den Präsidenten der Bundesrepublik Deutschland

W. Mittel

Pour le président de la République française

J. M. L.

For the President of Ireland

Brendan Dillon

Per il presidente della Repubblica italiana

Paolo M. Aniasi

Pour Son Altesse Royale le grand-duc de Luxembourg

J. J. J.

Voor Hare Majesteit de Koningin der Nederlanden

H. J. J.

For Her Majesty the Queen of the United Kingdom of Great Britain and Northern Ireland

Donald Maitland

For Rådet for De europæiske Fællesskaber

Für den Rat der Europäischen Gemeinschaften

For the Council of the European Communities

Pour le Conseil des Communautés européennes

Per il Consiglio delle Comunità europee

Voor de Raad van de Europese Gemeenschappen

Donald Maitland
C. Cheyrou

For the Head of State of Papua New Guinea

Jong

PROTOCOL

concerning the transitional arrangements for the issue of certificates of origin

THE HIGH CONTRACTING PARTIES

HAVE AGREED UPON THE FOLLOWING PROVISIONS, WHICH ARE ANNEXED TO THE AGREEMENT:

Goods which conform to the provisions of Protocol 1 to the ACP-EEC Convention of Lomé on the concept of 'originating' products and which, on the date of entry into force of the Agreement, are being either transported or held in the Community or in an ACP State in temporary storage, in bonded warehouses or in free zones (including free ports and free warehouses) may be allowed to benefit under the provisions of the Agreement, subject to the submission to the customs authorities in the importing State, within four months of the said date, of:

- (a) a movement certificate EUR.1 issued retrospectively by the customs authorities in the exporting State, or
- (b) a certificate of origin issued by the competent authorities in that State,

and, in either case, any documents which provide supporting evidence of direct transport.

FINAL ACT

The Plenipotentiaries of

HIS MAJESTY THE KING OF THE BELGIANS,

HER MAJESTY THE QUEEN OF DENMARK,

THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY,

THE PRESIDENT OF THE FRENCH REPUBLIC,

THE PRESIDENT OF IRELAND,

THE PRESIDENT OF THE ITALIAN REPUBLIC,

HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBOURG,

HER MAJESTY THE QUEEN OF THE NETHERLANDS,

HER MAJESTY THE QUEEN OF THE UNITED KINGDOM OF GREAT BRITAIN AND
NORTHERN IRELAND

and

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

of the one part, and

The Plenipotentiary of

THE HEAD OF STATE OF PAPUA NEW GUINEA,

of the other part,

meeting at Brussels on 28 March 1977 for the purpose of signing the Agreement on the accession of Papua New Guinea to the ACP-EEC Convention of Lomé,

HAVE ADOPTED THE FOLLOWING TEXTS:

the Agreement on the accession of Papua New Guinea to the ACP-EEC Convention of Lomé and the Protocol on the transitional arrangements for the issue of certificates of origin.

The Plenipotentiary of the Head of State of Papua New Guinea has stated that Papua New Guinea associates itself with the following declarations, in so far as they continue to apply:

- the Joint Declaration on fishing activities annexed to the ACP-EEC Convention of Lomé,
- the Joint Declarations contained in Annexes I to XIII of the Final Act of the ACP-EEC Convention of Lomé.

He has also taken note of the declarations contained in Annexes XIV to XXIV of the Final Act of the ACP-EEC Convention of Lomé and the following declarations by the European Economic Community:

I. Declaration by the Community on the entry into force of the Accession Agreement

- '1. The Community considers that it is highly desirable that the Agreement of Accession to the Lomé Convention signed with Papua New Guinea should enter into

force on the same date as the other Accession Agreements signed this day with the Democratic Republic of Sao Tome and Principe and the Republic of Cape Verde.

To this end it intends to carry out the procedures provided for in Article 3 of the said Agreement on the same date for all three Accession Agreements.

2. In view of the fact that the Lomé Convention is due to expire on 1 March 1980 and that in accordance with Article 91 thereof the parties to the Convention should, 18 months before that date, enter into negotiations in order to examine what provisions shall subsequently govern relations between them, the Community considers that the accession of the new States to the Convention should become effective within a reasonable period.

Consequently, if any of the three States which have today signed an Agreement of Accession to the Lomé Convention has not deposited its instrument of ratification within the following 18 months, the Community reserves the right to take all necessary measures, in particular to permit the Accession Agreements signed by the State or States which have already deposited an instrument of ratification to enter into force separately.'

II. Measures to permit immediate application of certain financial provisions upon entry into force of the Agreement

'In the field of financial and technical cooperation, the European Economic Community will take measures, with particular reference to the programming of aid, such as to permit the effective application of the relevant provisions of the Convention as soon as the Agreement on the accession of Papua New Guinea to the ACP-EEC Convention of Lomé enters into force.'

Udfærdiget i Bruxelles, den otteogtyvende marts nitten hundrede og syvoghalvfjerds.

Geschehen zu Brüssel am achtundzwanzigsten März neunzehnhundertsiebenundsiebzig.

Done at Brussels on the twenty-eighth day of March in the year one thousand nine hundred and seventy-seven.

Fait à Bruxelles, le vingt-huit mars mil neuf cent soixante-dix-sept.

Fatto a Bruxelles, addì ventotto marzo millenovecentosettantasette.

Gedaan te Brussel, de achtentwintigste maart negentienhonderd zevenenzeventig.

Pour Sa Majesté le roi des Belges

Voor Zijne Majesteit de Koning der Belgen

J. Van der Meulen

For Hendes Majestæt Danmarks Dronning

Co. Lyngby - Stals

Für den Präsidenten der Bundesrepublik Deutschland

H. Mitter

Pour le président de la République française

J. Mitter

For the President of Ireland

Brendan Dillon

Per il presidente della Repubblica italiana

Paolo M. Artigiani

Pour Son Altesse Royale le grand-duc de Luxembourg

J. Mitter

Voor Hare Majesteit de Koningin der Nederlanden

Beatrix

For Her Majesty the Queen of the United Kingdom of Great Britain and Northern Ireland

Donald Maitland

For Rådet for De europæiske Fællesskaber
Für den Rat der Europäischen Gemeinschaften
For the Council of the European Communities
Pour le Conseil des Communautés européennes
Per il Consiglio delle Comunità europee
Voor de Raad van de Europese Gemeenschappen

Jonas Maitland

C. Cheymon

For the Head of State of Papua New Guinea

Simon

27. 9. 78

Official Journal of the European Communities

No L 271/23

AGREEMENT**on the accession of the Democratic Republic of Sao Tome and Principe to the ACP-EEC Convention of Lomé**

HIS MAJESTY THE KING OF THE BELGIANS,
HER MAJESTY THE QUEEN OF DENMARK,
THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY,
THE PRESIDENT OF THE FRENCH REPUBLIC,
THE PRESIDENT OF IRELAND,
THE PRESIDENT OF THE ITALIAN REPUBLIC,
HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBOURG,
HER MAJESTY THE QUEEN OF THE NETHERLANDS,
HER MAJESTY THE QUEEN OF THE UNITED KINGDOM OF GREAT BRITAIN AND
NORTHERN IRELAND,

Contracting Parties to the Treaty establishing the European Economic Community, signed at Rome on 25 March 1957 (hereinafter called the 'Treaty'), whose States are hereinafter called 'Member States',

and

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

of the one part, and

THE PRESIDENT OF THE DEMOCRATIC REPUBLIC OF SAO TOME AND PRINCIPE,

of the other part,

HAVING REGARD to the Treaty establishing the European Economic Community,

HAVING REGARD to the ACP-EEC Convention of Lomé, signed at Lomé on 28 February 1975 (hereinafter called the 'Convention'), and in particular Article 90 thereof,

WHEREAS the Democratic Republic of Sao Tome and Principe has applied to accede to the Convention;

WHEREAS the ACP-EEC Council of Ministers has approved this application;

HAVE DECIDED to conclude this Agreement and to this end have designated as their Plenipotentiaries:

HIS MAJESTY THE KING OF THE BELGIANS:

Joseph VAN DER MEULEN,
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative to the European Communities;

HER MAJESTY THE QUEEN OF DENMARK:

Erik B. LYRTOFT-PETERSEN,
Minister-Counsellor,
Permanent Representative to the European Communities;

THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY:

Walter KITTEL,
Minister Plenipotentiary,
Deputy Permanent Representative to the European Communities;

THE PRESIDENT OF THE FRENCH REPUBLIC:

Luc de La BARRE de NANTEUIL,
Ambassador of France,
Permanent Representative to the European Communities;

THE PRESIDENT OF IRELAND:

Brendan DILLON,
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative to the European Communities;

THE PRESIDENT OF THE ITALIAN REPUBLIC:

Paolo Massimo ANTICI,
Minister Plenipotentiary,
Deputy Permanent Representative to the European Communities;

HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBOURG:

Jean DONDELINGER,
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative of Luxembourg;

HER MAJESTY THE QUEEN OF THE NETHERLANDS:

E. J. KORTHALS ALTES,
Minister Plenipotentiary,
Deputy Permanent Representative to the European Communities;

HER MAJESTY THE QUEEN OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND:

Sir Donald MAITLAND, C.M.G., O.B.E.,
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative to the European Communities;

THE COUNCIL OF THE EUROPEAN COMMUNITIES:

Sir Donald MAITLAND, C.M.G., O.B.E.,
Ambassador,
Permanent Representative of the United Kingdom,
Chairman of the Permanent Representative Committee;
Claude CHEYSSON,
Member of the Commission of the European Communities;

THE PRESIDENT OF THE DEMOCRATIC REPUBLIC OF SAO TOME AND PRINCIPE:

Leonel MARIO DALVA,
Minister for Foreign Affairs;

WHO, having exchanged their full powers, found in good and due form,

HAVE AGREED AS FOLLOWS:

Article 1

1. Under this Agreement, the Democratic Republic of Sao Tome and Principe, hereinafter called 'Sao Tome and Principe', shall accede to the Convention.

2. ~~Save as otherwise provided in this Agreement, the Convention and the decisions and other implementing measures taken by the institutions of the Convention shall apply to Sao Tome and Principe.~~

Article 2

For the purpose of the application of Article 7 (2) (a) of the Convention, Sao Tome and Principe shall not discriminate among the Member States as from the date of entry into force of this Agreement.

Regarding the obligation to grant to the Community treatment no less favourable than the most-favoured-nation treatment, Sao Tome and Principe shall have a transitional period of two years and six months from the date on which this Agreement is signed in which to make the appropriate adjustments to its customs tariff.

Article 3

The time limits laid down by the Convention and calculated from the entry into force of the Convention shall, for the purpose of application to Sao Tome and Principe, be calculated from the entry into force of this Agreement.

Article 4

1. As regards the Community, this Agreement shall be validly concluded by a decision of the Council of the European Communities taken in accordance with the provisions of the Treaty and notified to the Parties.

It will be ratified by the Signatory States in accordance with their respective constitutional requirements.

2. The instruments of ratification and the act of notification of the conclusion of this Agreement shall be deposited, as concerns Sao Tome and Principe, with the Secretariat of the Council of the European Communities and, as concerns the Community and the Member States, with the Secretariat of the ACP States. The Secretariats shall forthwith give notice thereof to the Signatory States and the Community.

Article 5

This Agreement shall enter into force on the first day of the second month following the date of deposit of the instruments of ratification of the Member States and of Sao Tome and Principe, and of the act of notification of the conclusion of this Agreement by the Community.

Article 6

The Protocol annexed to this Agreement shall form an integral part thereof.

Article 7

This Agreement, drawn up in two copies in the Danish, Dutch, English, French, German and Italian languages, all texts being equally authentic, shall be deposited in the archives of the Secretariat of the ACP States, which shall both transmit a certified copy to the Government of each of the Signatory States.

Til bekræftelse heraf har undertegnede befuldmægtigede underskrevet denne aftale.

Zu Urkund dessen haben die unterzeichneten Bevollmächtigten ihre Unterschriften unter dieses Abkommen gesetzt.

In witness whereof, the undersigned Plenipotentiaries have affixed their signatures below this Agreement.

En foi de quoi, les plénipotentiaires soussignés ont apposé leurs signatures au bas du présent accord.

In fede di che, i plenipotenziari sottoscritti hanno apposto le loro firme in calce al presente accordo.

Ten blijke waarvan de ondergetekende gevolmachtigden hun handtekening onder deze Overeenkomst hebben gesteld.

Udfærdiget i Bruxelles, den otteogtyvende marts nitten hundrede og syvoghalvfjerds.

Geschehen zu Brüssel am achtundzwanzigsten März neunzehnhundertsiebenundsiebzig.

Done at Brussels on the twenty-eighth day of March in the year one thousand nine hundred and seventy-seven.

Fait à Bruxelles, le vingt-huit mars mil neuf soixante-dix-sept.

Fatto a Bruxelles, addì ventotto marzo millenovecentosettantasette.

Gedaan te Brussel, de achtentwintigste maart negentienhonderd zevenenzeventig.

Pour Sa Majesté le roi des Belges

Voor Zijne Majesteit de Koning der Belgen

J. Van der Meulen

For Hendes Majestæt Danmarks Dronning

C. Lyngby-Rasmussen

Für den Präsidenten der Bundesrepublik Deutschland

W. Mittel

Pour le président de la République française

J. M. L.

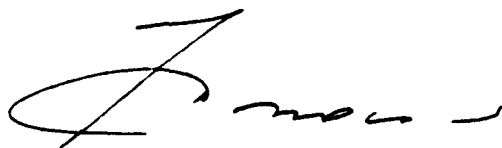
For the President of Ireland

Brendan Dillon

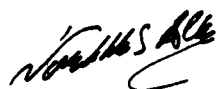
Per il presidente della Repubblica italiana

Paolo M. Aniasi

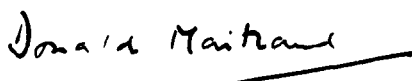
Pour Son Altesse Royale le grand-duc de Luxembourg



Voor Hare Majesteit de Koningin der Nederlanden



For Her Majesty the Queen of the United Kingdom of Great Britain and Northern Ireland



For Rådet for De europæiske Fællesskaber

Für den Rat der Europäischen Gemeinschaften

For the Council of the European Communities

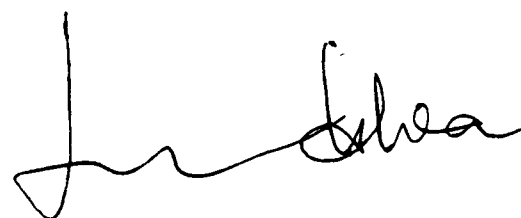
Pour le Conseil des Communautés européennes

Per il Consiglio delle Comunità europee

Voor de Raad van de Europese Gemeenschappen



Pour le président de la republique démocratique de São Tomé et Prince



PROTOCOL**concerning the transitional arrangements for the issue of certificates of origin****THE HIGH CONTRACTING PARTIES**

HAVE AGREED UPON THE FOLLOWING PROVISIONS, WHICH ARE ANNEXED TO THE AGREEMENT:

Goods which conform to the provisions of Protocol 1 to the ACP-EEC Convention of Lomé on the concept of 'originating' products and which, on the date of entry into force of the Agreement, are being either transported or held in the Community or in an ACP State in temporary storage, in bonded warehouses or in free zones (including free ports and free warehouses) may be allowed to benefit under the provisions of the Agreement, subject to the submission to the customs authorities in the importing State within four months of the said date, of:

- (a) a movement certificate EUR.1 issued retrospectively by the customs authorities in the exporting State, or
- (b) a certificate of origin issued by the competent authorities in that State,

and, in either case, any documents which provide supporting evidence of direct transport.

FINAL ACT

The Plenipotentiaries of

HIS MAJESTY THE KING OF THE BELGIANS,

HER MAJESTY THE QUEEN OF DENMARK,

THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY,

THE PRESIDENT OF THE FRENCH REPUBLIC,

THE PRESIDENT OF IRELAND,

THE PRESIDENT OF THE ITALIAN REPUBLIC,

HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBOURG,

HER MAJESTY THE QUEEN OF THE NETHERLANDS,

HER MAJESTY THE QUEEN OF THE UNITED KINGDOM OF GREAT BRITAIN AND
NORTHERN IRELAND

and

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

of the one part, and

The Plenipotentiary of

THE PRESIDENT OF THE DEMOCRATIC REPUBLIC OF SAO TOME AND PRINCIPE,

of the other part,

meeting at Brussels on 28 March 1977 for the purpose of signing the Agreement on the accession of the Democratic Republic of Sao Tome and Principe to the ACP-EEC Convention of Lomé,

HAVE ADOPTED THE FOLLOWING TEXTS:

the Agreement on the accession of the Democratic Republic of Sao Tome and Principe to the ACP-EEC Convention of Lomé and the Protocol on the transitional arrangements for the issue of certificates of origin.

The Plenipotentiary of the President of the Democratic Republic of Sao Tome and Principe has stated that the Democratic Republic of Sao Tome and Principe associates itself with the following declarations, in so far as they continue to apply:

- the Joint Declaration on fishing activities annexed to the ACP-EEC Convention of Lomé,
- the Joint Declarations contained in Annexes I to XIII of the Final Act of the ACP-EEC Convention of Lomé.

He has also taken note of the declarations contained in Annexes XIV to XXIV of the Final Act of the ACP-EEC Convention of Lomé and the following declarations by the European Economic Community:

I. Declaration by the Community on the entry into force of the Accession Agreement

1. The Community considers that it is highly desirable that the Agreement of Accession to the Lomé Convention signed with the Democratic Republic of Sao Tome and

Principe should enter into force on the same date as the other Accession Agreements signed this day with the Republic of Cape Verde and Papua New Guinea.

To this end it intends to carry out the procedures provided for in Article 4 of the said Agreement on the same date for all three Accession Agreements.

2. In view of the fact that the Lomé Convention is due to expire on 1 March 1980 and that in accordance with Article 91 thereof the parties to the Convention should, 18 months before that date, enter into negotiations in order to examine what provisions shall subsequently govern relations between them, the Community considers that the accession of the new States to the Convention should become effective within a reasonable period.

Consequently, if any of the three States which have today signed an Agreement of Accession to the Lomé Convention has not deposited its instrument of ratification within the following 18 months, the Community reserves the right to take all necessary measures, in particular to permit the Accession Agreements signed by the State or States which have already deposited an instrument of ratification to enter into force separately.'

II. Measures to permit immediate application of certain financial provisions upon entry into force of the Agreement

'In the field of financial and technical cooperation, the European Economic Community will take measures, with particular reference to the programming of aid, such as to permit the effective application of the relevant provisions of the Convention as soon as the Agreement on the accession of the Democratic Republic of Sao Tome and Principe to the ACP-EEC Convention of Lomé enters into force.'

Udfærdiget i Bruxelles, den otteogtyvende marts nitten hundrede og syvoghalvfjerds.

Geschehen zu Brüssel am achtundzwanzigsten März neunzehnhundertsiebenundsiebzig.

Done at Brussels on the twenty-eighth day of March in the year one thousand nine hundred and seventy-seven.

Fait à Bruxelles, le vingt-huit mars mil neuf cent soixante-dix-sept.

Fatto a Bruxelles, addì ventotto marzo millenovecentosettantasette.

Gedaan te Brussel, de achtentwintigste maart negentienhonderd zevenenzeventig.

Pour Sa Majesté le roi des Belges

Voor Zijne Majesteit de Koning der Belgen

J. Van der Meulen

For Hendes Majestæt Danmarks Dronning

B. Gyssels - Andersen

Für den Präsidenten der Bundesrepublik Deutschland

W. Ritter

Pour le président de la République française

J. de Neufville

For the President of Ireland

Brendan Dillon

Per il presidente della Repubblica italiana

Paolo M. Aniasi

Pour Son Altesse Royale le grand-duc de Luxembourg

J. de Noailles

Voor Hare Majesteit de Koningin der Nederlanden

W. A. G. van der Stoep

For Her Majesty the Queen of the United Kingdom of Great Britain and Northern Ireland

Donald Maitland

For Rådet for De europæiske Fællesskaber
Für den Rat der Europäischen Gemeinschaften
For the Council of the European Communities
Pour le Conseil des Communautés européennes
Per il Consiglio delle Comunità europee
Voor de Raad van de Europese Gemeenschappen

Jonald Maitland

C. Chygnon

Pour le président de la république démocratique de São Tomé et Prince

J. Silva

Entry into force of the Agreements on the accession of the Republic of Cape Verde, Papua New Guinea and the Democratic Republic of Sao Tome and Principe to the ACP-EEC Lomé Convention

The instruments of ratification and the act of notification of the conclusion of the Agreements on the accession to the ACP-EEC Lomé Convention of the Republic of Cape Verde, Papua New Guinea and the Democratic Republic of Sao Tome and Principe, signed in Brussels on 28 March 1977, have been deposited pursuant to Articles 4 (2), 3 (2) and 4 (2) respectively of those Agreements.

Accordingly, these Agreements, together with the Protocols annexed thereto, will enter into force on 1 November 1978.

COUNCIL DECISION

of 10 October 1978

on the provisional application to Tuvalu after its independence of the arrangements provided for in Decision 76/568/EEC

(78/827/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Decision 76/568/EEC of 29 June 1976 on the association of the overseas countries and territories with the European Economic Community⁽¹⁾, as last amended by Decision 78/465/EEC⁽²⁾, and in particular the second subparagraph of Article 55 (2) thereof,

Whereas, pursuant to the abovementioned provision of Decision 76/568/EEC the arrangements provided for therein may continue to apply provisionally, under conditions laid down by the Council, to countries and territories which become independent;

Whereas Tuvalu, which appears in Annex I relating to the list of countries and territories referred to by that Decision, achieved independence on 1 October 1978;

Whereas it should be decided to continue to apply provisionally the arrangements provided for in the abovementioned Decision to that State and to lay down the conditions for such application, without prejudice to subsequent recourse to the first subparagraph of Article 55 (2) and to Article 56 thereof;

Whereas the ACP-EEC Convention of Lomé is open, in accordance with the procedure laid down in Article 89 thereof, to the accession of a country or territory to which Part Four of the Treaty applies and which has become independent; whereas such accession can take place only following a request by the State concerned and with the approval of the ACP-EEC Council of Ministers;

Whereas Tuvalu has submitted a request for accession to the ACP-EEC Convention of Lomé;

Whereas the period of provisional application of Decision 76/568/EEC to that State should be limited;

Whereas, in order to avoid any break in continuity in the financing of decisions in favour of Tuvalu between its accession to the ACP-EEC Convention of Lomé and the entry into force of the decision adjusting the amounts made available to the European Development Fund which the Council is to take pursuant to

Article 1 (4) of the Internal Agreement on the financing and administration of Community aid signed on 11 July 1975, Tuvalu should be permitted to continue to benefit until the date of the entry into force of that decision from the provisions of Decision 76/568/EEC relating to financial and technical cooperation,

HAS DECIDED AS FOLLOWS:

Article 1

The arrangements laid down by Decision 76/568/EEC shall remain provisionally applicable to Tuvalu until the latter accedes to the ACP-EEC Convention of Lomé but until 30 September 1979 at the latest.

However, Tuvalu shall continue to benefit from the provisions of the said Decision relating to financial and technical cooperation until the date of entry into force of the decision adjusting the amounts made available to the European Development Fund which the Council is to take pursuant to Article 1 (4) of the Internal Agreement on the financing and administration of Community aid signed on 11 July 1975.

Article 2

Questions relating to the application of Decision 76/568/EEC to Tuvalu after it has become independent shall be dealt with as necessary by direct contact between the competent authorities of that State and of the Community.

Article 3

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

It shall apply from 1 October 1978.

Done at Luxembourg, 10 October 1978.

For the Council

The President

R. OFFERGELD

⁽¹⁾ OJ No L 176, 1. 7. 1976, p. 8.

⁽²⁾ OJ No L 147, 3. 6. 1978, p. 39.

Information on the accession of the Solomon Islands to the ACP-EEC Convention of Lomé

On 27 September 1978 the Solomon Islands acceded to the ACP-EEC Convention of Lomé, under Article 89 thereof and thus became from that date an 'ACP State' within the meaning of those Acts of the Community institutions which employ this term.

COUNCIL DECISION

of 20 November 1978

on the provisional application to Dominica after its independence of the arrangements provided for in Decision 76/568/EEC on the association of the overseas countries and territories with the European Economic Community

(78/976/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Decision 76/568/EEC of 29 June 1976 on the association of the overseas countries and territories with the European Economic Community⁽¹⁾, as last amended by Decision 78/465/EEC, and in particular the second subparagraph of Article 55 (2) thereof,

Whereas, pursuant to the second subparagraph of Article 55 (2) of Decision 76/568/EEC, the arrangements provided for therein may continue to apply provisionally, under conditions laid down by the Council, to countries and territories which achieve independence;

Whereas Dominica, which appears in Annex I relating to the list of countries and territories referred to by that Decision, achieved independence on 3 November 1978;

Whereas it should be decided to continue to apply provisionally the arrangements provided for in the abovementioned Decision to that State and to lay down the conditions for such application, without prejudice to subsequent recourse to the first subparagraph of Article 55 (2) and to Article 56 thereof;

⁽¹⁾ OJ No L 176, 1. 7. 1976, p. 8.

Whereas the ACP-EEC Convention of Lomé is open, in accordance with the procedure laid down in Article 89 thereof, to the accession of a country or territory to which part four of the Treaty applies and which has become independent; whereas such accession can take place only following a request by the State concerned and with the approval of the ACP-EEC Council of Ministers;

Whereas Dominica has submitted a request for accession to the ACP-EEC Convention of Lomé;

Whereas the period of provisional application of Decision 76/568/EEC to that State should be limited;

Whereas, in order to avoid any break in continuity in the financing of decisions in favour of Dominica between its accession to the ACP-EEC Convention of Lomé and the entry into force of the decision adjusting the amounts made available to the European Development Fund which the Council is to take pursuant to Article 1 (4) of the Internal Agreement on the financing and administration of Community aid signed on 11 July 1975, Dominica should be permitted to continue to benefit until the date of the entry into force of that Decision from the provisions of Decision 76/568/EEC relating to financial and technical cooperation,

HAS DECIDED AS FOLLOWS :

Article 1

The arrangements laid down by Decision 76/568/EEC shall remain provisionally applicable to Dominica until the latter accedes to the ACP-EEC Convention of Lomé but until 2 November 1979 at the latest.

Dominica shall, moreover, continue to benefit from the provisions of the said Decision relating to financial and technical cooperation until the date of entry into force of the decision adjusting the amounts made available to the European Development Fund which the Council is to take pursuant to Article 1 (4) of the Internal Agreement on the financing and administration of Community aid signed on 11 July 1975.

Article 2

Questions relating to the application of Decision 76/568/EEC to Dominica after it has achieved in-

dependence shall be dealt with as necessary by direct contact between the competent authorities of that State and of the Community.

Article 3

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

It shall apply from 3 November 1978.

Done at Brussels, 20 November 1978.

For the Council

The President

K. von DOHNANYI

DECISION N° 6/78 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 21 DECEMBER 1978

approving the accession of Dominica
to the ACP-EEC Convention of Lomé

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé signed on
28 February 1975, and in particular Article 89 thereof,

Whereas a request for accession to the ACP-EEC Convention of Lomé has been submitted by Dominica;

Whereas the provisions of Part Four of the Treaty establishing the European Economic Community apply to that country;

Whereas Dominica achieved independence on 3 November 1978,

HAS DECIDED AS FOLLOWS:

Article 1

The request for accession to the ACP-EEC Convention of Lomé submitted by Dominica is hereby approved.

Article 2

This Decision shall enter into force on

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

På AVS-EØF Ministerrådets vegne
Im Namen des AKP-EWG Ministerrates
For the ACP-EEC Council of Ministers
Par le Conseil des Ministres ACP-CEE
Per il Consiglio dei Ministri ACP-CEE
Voor de ACS-EEG Raad van Minister

Formand
Der Präsident
The President
Le président
Il Presidente
De Voorzitter

Sekretærene
Die Sekretäre
The Secretaries
Les Secrétaires
I Segretari
De Secretarissen

DECISION N° 7/78 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 21 DECEMBER 1978

approving the accession of Tuvalu
to the ACP-EEC Convention of Lomé

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé signed on
28 February 1975, and in particular Article 89 thereof,

Whereas a request for accession to the ACP-EEC Convention of Lomé has been submitted by Tuvalu;

Whereas the provisions of Part Four of the Treaty establishing the European Economic Community apply to that country;

Whereas Tuvalu became independent on 1 October 1978,

HAS DECIDED AS FOLLOWS:

Article 1

The request for accession to the ACP-EEC Convention of Lomé submitted by Tuvalu is hereby approved.

Article 2

This Decision shall enter into force on 21 DEC. 1978

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

På AVS-EØF Ministerrådets vegne
Im Namen des AKP-EWG Ministerrates
For the ACP-EEC Council of Ministers
Par le Conseil des Ministres ACP-CEE
Per il Consiglio dei Ministri ACP-CEE
Voor de ACS-EEG Raad van Minister

Formand
Der Präsident
The President
Le président
Il Presidente
De Voorzitter

Sekretærerne
Die Sekretäre
The Secretaries
Les Secrétaires
I Segretari
De Secretarissen

Information on the accession of Tuvalu to the ACP-EEC Convention of Lomé

On 17 January 1979 Tuvalu acceded to the ACP-EEC Convention of Lomé under Article 89 thereof and thus became from that date an 'ACP State' within the meaning of those Acts of the Community institutions which employ this term.

Information concerning the accession of Dominica to the ACP-EEC Convention of Lomé

In accordance with Article 89 of the ACP-EEC Convention of Lomé, Dominica acceded to that Convention on 26 February 1979, and accordingly became, as from that date, an 'ACP State' within the meaning of the acts of the Community institutions containing that reference.

DECISION No 1 /79
OF THE ACP-EEC COUNCIL OF MINISTERS
OF 7 MARCH 1979

regarding the scope
of Article 17(4)
of the ACP-EEC Convention of Lomé

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé, signed on
28 February 1975, hereinafter called "Convention", and in
particular Article 17(4) thereof,

Whereas the export earnings to which the stabilization system applies are those accruing from the exportation, by the ACP States to the Community, of the products listed in Article 17(1) of the Convention but whereas, pursuant to Article 17(4), in certain special cases the system is to apply to exports of the products in question irrespective of destination;

Whereas the ACP States to which Article 17(4) applies were specified in the joint statement regarding Article 17(4), which is annexed to the minutes of the final ACP-EEC negotiations, and in Decision No 4/77 of the ACP-EEC Council of Ministers; whereas, pursuant to the aforementioned statement, it may be decided by common agreement that the list of these countries is to be amended;

Whereas, at its second meeting on 13 and 14 April 1977, the ACP-EEC Council of Ministers agreed that a decision extending the list of countries benefiting from the derogation provided for in Article 17(4) of the Convention should be taken in respect of Cape Verde as soon as that country's accession to the Convention had become fully effective; whereas the accession of the Republic of Cape Verde took effect on 1 November 1978 and the decision in question should therefore be adopted;

Whereas, moreover, prior to their accession, the Solomon Islands and Tuvalu benefited from an identical special arrangement by virtue of their association with the European Economic Community as overseas territories and should therefore continue to benefit therefrom,

HAS DECIDED AS FOLLOWS:

Article 1

The Republic of Cape Verde, the Solomon Islands and Tuvalu shall be included in the list of ACP States benefiting from the special arrangement provided for in Article 17(4) of the Convention.

Article 2

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

Article 3

This Decision shall apply to the Republic of Cape Verde, to the Solomon Islands and to Tuvalu from the respective dates on which they become parties to the Convention.

Done at Brussels, 27. III. 1979

For the ACP-EEC Council of Ministers
By the ACP-EEC Committee of Ambassadors
The Chairman

(s.) L. de La BARRE de NANTEUIL

Certified true copy

KONATE

LESORT

Secretaries

of the ACP-EEC Council of Ministers

COUNCIL DECISION

of 5 March 1979

on the provisional application to St Lucia after its independence of the arrangements provided for in Decision 76/568/EEC on the association of the overseas countries and territories with the European Economic Community

(79/280/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Decision 76/568/EEC of 29 June 1976 on the association of the overseas countries and territories with the European Economic Community⁽¹⁾, as last amended by Decision 78/465/EEC, and in particular the second subparagraph of Article 55 (2) thereof,

Whereas, pursuant to the second subparagraph of Article 55 (2) of Decision 76/568/EEC, the arrangements provided for therein may continue to apply provisionally, under conditions laid down by the Council, to countries and territories which achieve independence;

Whereas St Lucia which appears in Annex I relating to the list of countries and territories referred to by that Decision, achieved independence on 22 February 1979;

Whereas it should be decided to continue to apply provisionally the arrangements provided for in the abovementioned Decision to that State and to lay down the conditions for such application, without prejudice to subsequent recourse to the first subparagraph of Article 55 (2) and to Article 56 thereof;

Whereas the ACP-EEC Convention of Lomé is open, in accordance with the procedure laid down in Article 89 thereof, to the accession of a country or territory to which Part Four of the Treaty applies and which has become independent; whereas such accession can take place only following a request by the State concerned and with the approval of the ACP-EEC Council of Ministers;

Whereas St Lucia has submitted a request for accession to the ACP-EEC Convention of Lomé;

Whereas the period of provisional application of Decision 76/568/EEC to that State should be limited;

Whereas, in order to avoid any break in continuity in the financing of decisions in favour of St Lucia between its accession to the ACP-EEC Convention of Lomé and the entry into force of the decision adjusting the amounts made available to the European

Development Fund which the Council is to take pursuant to Article 1 (4) of the Internal Agreement on the financing and administration of Community aid signed on 11 July 1975, St Lucia should be permitted to continue to benefit until the date of the entry into force of that decision from the provisions of Decision 76/568/EEC relating to financial and technical cooperation,

HAS DECIDED AS FOLLOWS:

Article 1

The arrangements laid down by Decision 76/568/EEC shall remain provisionally applicable to St Lucia until the latter accedes to the ACP-EEC Convention of Lomé but until 21 February 1980 at the latest.

St Lucia shall, moreover, continue to benefit from the provisions of the said Decision relating to financial and technical cooperation until the date of entry into force of the decision adjusting the amounts made available to the European Development Fund which the Council is to take pursuant to Article 1 (4) of the Internal Agreement on the financing and administration of Community aid.

Article 2

Questions relating to the application of Decision 76/568/EEC to St Lucia after it has achieved independence shall be dealt with as necessary by direct contact between the competent authorities of that State and of the Community.

Article 3

This Decision shall enter into force on the day of its signature.

It shall apply from 22 February 1979.

Done at Brussels, 5 March 1979.

For the Council

The President

J. FRANÇOIS-PONCET

⁽¹⁾ OJ No L 176, 1. 7. 1976, p. 8.

COUNCIL DECISION

of 19 March 1979

adjusting Decision 76/568/EEC on the association of the overseas countries and territories with the European Economic Community

(79/310/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Decision 76/568/EEC of 29 June 1976 on the association of the overseas countries and territories with the European Economic Community⁽¹⁾, as last amended by Decision 78/465/EEC, and in particular Article 56 thereof,

Having regard to the proposal from the Commission,

Whereas Decision 76/568/EEC provides for its adjustment where an overseas country or territory which has become independent accedes to the ACP-EEC Convention of Lomé, hereinafter referred to as the 'Convention';

Whereas the Solomon Islands, Tuvalu and Dominica, which appear in the list set out in Annex I to Decision 76/568/EEC, having become independent, have applied to accede to the Convention; whereas the ACP-EEC Council of Ministers has approved these applications; whereas these States, having deposited their instruments of accession, thus acceded to the Convention on 27 September 1978, 17 January 1979 and 26 February 1979;

Whereas the various lists contained in Decision 76/568/EEC and the amounts specified in Article 30 thereof should therefore be adjusted in the light also of the amendments made by the Agreement of 28 March 1977⁽²⁾ to the Internal Agreement on the financing and administration of Community aid⁽³⁾ signed on 11 July 1975 as a result of former accessions to the Convention,

HAS DECIDED AS FOLLOWS:

Article 1

The following shall be deleted from Articles 23 (5) and 26 and from the list in Annex I to Decision 76/568/EEC: 'Dominica', 'Solomon Islands' and 'Tuvalu'.

⁽¹⁾ OJ No L 176, 1. 7. 1976, p. 8.

⁽²⁾ OJ No L 287, 13. 10. 1978, p. 22.

⁽³⁾ OJ No L 25, 30. 1. 1976, p. 168.

Article 2

Article 30 of Decision 76/568/EEC, shall be replaced by the following:

Article 30

The following provisions shall apply with effect from 26 February 1979:

1. The overall amount of Community aid shall be reduced to 101·733 million European units of account.

2. This amount shall comprise:

(a) 91·733 million European units of account from the European Development Fund (1975), hereinafter referred to as the 'Fund', allocated as follows:

(i) for the purposes set out in Article 28, 71·733 million European units of account consisting of:

— 31·692 million European units of account in the form of grants,

— 23·915 million European units of account in the form of special loans,

— 4·000 million European units of account in the form of risk capital,

— 12·126 million European units of account in the form of a reserve;

(ii) 20 million European units of account, likewise from the Fund, in the form of transfers to the countries and territories for the stabilization of export earnings;

(b) For the purposes set out in Article 28, up to 10 million European units of account in the form of loans from the Bank, made from its own resources on the terms and conditions provided for in its Statute and supplemented, as a general rule, by a 3 % interest rate subsidy, under the conditions laid down in Article 4 of Annex V.

The total cost of the interest rate subsidies shall be charged against the amount of the grants provided for in 2 (a) (i).

3. Following the accession of the Solomon Islands, Tuvalu and Dominica to the Convention, the amounts provided for in the form of grants, special loans and a reserve, initially allocated in three equal parts among the French overseas territories and departments and the Netherlands and United Kingdom overseas countries and territories, shall be reduced in accordance with Decision 79/309/EEC.
4. (a) Of the portion allocated to the French overseas territories and departments :
- 7.70 million European units of account shall be allocated to the French overseas departments,
 - 620 000 European units of account shall remain allocated as financial aid to the least favoured overseas countries and territories, irrespective of the zones within which they fall ;
- (b) The sums allocated to the French overseas territories shall amount to 12.10 million European units of account, consisting of :
- 10.10 million European units of account taken from the portion allocated to the French overseas territories and departments,
 - 2.00 million European units of account pursuant to Decision 76/569/EEC.

Article 3

This Decision shall be published in the *Official Journal of the European Communities*.

Done at Brussels, 19 March 1979.

For the Council

The President

R. MONORY

DECISION No 3/79 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 23 MARCH 1979

approving the accession of St Lucia
to the ACP-EEC Convention of Lomé

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé and in
particular Article 89 thereof,

Whereas a request for accession to the ACP-EEC Convention of Lomé was submitted by St Lucia on 16 February 1979;

Whereas the provisions of Part Four of the Treaty establishing the European Economic Community apply to that country;

Whereas St Lucia achieved independence on 22 February 1979,

HAS DECIDED AS FOLLOWS:

Article 1

The request for accession to the ACP-EEC Convention of Lomé submitted by St Lucia is hereby approved.

Article 2

This Decision shall enter into force on the day of its signature.

It shall apply from 22 February 1979.

Done at Freeport on 23 March 1979
For the ACP-EEC Council of Ministers
The President
(s.) J. FRANCOIS-PONCET

Certified true copy

KONATE LESORT
Secretaries
of the ACP-EEC Council of Ministers

DECISION No 4/79
OF THE ACP-EEC COUNCIL OF MINISTERS
OF 23 MARCH 1979

amending the list of least-
developed ACP States.

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé, signed on 28 February 1975, hereinafter referred to as the "Convention", and in particular Article 48(2) and (3) thereof,

Whereas the Republic of Djibouti acceded to the Convention on 2 February 1978; the Solomon Islands on 27 September 1978, the Democratic Republic of Sao Tomé and Príncipe on 1 November 1978, the Republic of Cape Verde on 1 November 1978, Tuvalu on 17 January 1979 and Dominica on 26 February 1979; whereas these States are in an economic situation comparable to that of the ACP States listed in Article 48(2) of the Convention and whereas they should therefore be added to the list appearing in Article 48(2) of the Convention,

HAS DECIDED AS FOLLOWS:

Article 1

The Republic of Djibouti, the Solomon Islands, the Democratic Republic of Sao Tomé and Príncipe, the Republic of Cape Verde, Tuvalu and Dominica shall be added to the list of ACP States appearing in Article 48(2) of the Convention, as from their date of accession.

Article 2

The ACP States, the Member States and the Community shall within their respective areas of competence, take the necessary steps to implement this Decision.

Done at Freeport, 23 March 1979

For the ACP-EEC Council of Ministers

The President

(s.) J. FRANCOIS-PONCET

Certified true copy

KONATE

LESORT

Secretaries

of the ACP-EEC Council of Ministers

COUNCIL DECISION

of 12 June 1979

concerning the conclusion of the Agreement in the form of an exchange of letters on the provisional application of the Agreement between the Government of the Republic of Senegal and the European Economic Community on fishing off the coast of Senegal and of the Protocol and the exchanges of letters relating thereto

(79/569/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 103 thereof,

Having regard to the proposal from the Commission,

Whereas the European Economic Community and the Government of the Republic of Senegal are to sign on 15 June 1979 an Agreement on fishing off the coast of Senegal and a Protocol and exchanges of letters relating thereto;

Whereas under this Agreement and the texts relating thereto the Government of Senegal authorizes Community fishermen to fish off the coast of Senegal;

Whereas the year for fishing off the coast of Senegal is to open in the very near future and the interests of Community fishermen render imperative, in the absence of any alternative fishing prospects, that they have access to these waters; whereas it is therefore vital that the Agreement with Senegal be applied at the earliest opportunity;

Whereas for this reason the two parties have agreed on the provisional application of the Agreement and of the texts relating thereto by means of an exchange of letters to be effected on 15 June 1979;

Whereas it is appropriate that approval be given to this Agreement in the form of an exchange of letters based

on Article 103 of the Treaty, pending final approval of the Agreement on the basis of Article 43 of the Treaty,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement in the form of an exchange of letters on the provisional application of the Agreement between the Government of the Republic of Senegal and the European Economic Community on fishing off the coast of Senegal and of the Protocol and exchanges of letters relating thereto is hereby approved on behalf of the Community.

The text of this exchange of letters is annexed to this Decision.

Article 2

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

Done at Luxembourg, 12 June 1979.

For the Council

The President

J. FRANÇOIS-PONCET

AGREEMENT

in the form of an exchange of letters on the provisional application of the Agreement between the Government of the Republic of Senegal and the European Economic Community on fishing off the coast of Senegal and of the Protocol and the exchanges of letters relating thereto

A. Letter from the Government of the Republic of Senegal

Sir,

With reference to the Agreement between the Government of the Republic of Senegal and the European Economic Community on fishing off the coast of Senegal signed today between the European Economic Community and the Government of the Republic of Senegal, I have the honour to inform you that the Government of Senegal is prepared to apply the Agreement and its Protocol from this day until it enters into force in accordance with Article 18 of the Agreement and Article 6 of the Protocol, provided that the European Economic Community is prepared to do likewise.

It is understood that, in this case, the first instalment of the compensation laid down in Article 2 of the Protocol must be paid within eight weeks of today.

I should be obliged if you would confirm that the European Economic Community agrees to provisional application as indicated above.

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

*For the Government of
the Republic of Senegal*

B. Letter from the European Economic Community

Sir,

I have the honour to acknowledge receipt of your letter of today's date, which reads as follows:

'With reference to the Agreement between the Government of the Republic of Senegal and the European Economic Community on fishing off the coast of Senegal signed today between the European Economic Community and the Government of the Republic of Senegal, I have the honour to inform you that the Government of Senegal is prepared to apply the Agreement and its Protocol from this day until it enters into force in accordance with Article 18 of the Agreement and Article 6 of the Protocol, provided that the European Economic Community is prepared to do likewise.

It is understood that, in this case, the first instalment of the compensation laid down in Article 2 of the Protocol must be paid within eight weeks of today.

I should be obliged if you would confirm that the European Economic Community agrees to provisional application as indicated above.'

I have the honour to inform you that the Community accepts the provisional application of the Agreement and its Protocol under the conditions referred to in your letter.

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

*For the Council of
the European Communities*

**Information concerning the accession of St Lucia to the ACP—EEC Convention
of Lomé**

In accordance with Article 89 of the ACP—EEC Convention of Lomé, St Lucia acceded to the Convention on 28 June 1979 and accordingly became from that date an ACP State for the purposes of the Acts of Community institutions employing that term.

COUNCIL DECISION

of 1 August 1979

on the provisional application to the Republic of Kiribati (formerly the Gilbert Islands) of the arrangements provided for in Decision 76/568/EEC

(79/719/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Decision 76/568/EEC of 29 June 1976 on the association of the overseas countries and territories with the European Economic Community⁽¹⁾, as last amended by Decision 79/310/EEC⁽²⁾, and in particular the second subparagraph of Article 55 (2) thereof,

Whereas, pursuant to the abovementioned provision of Decision 76/568/EEC the arrangements provided for therein may continue to apply provisionally, under conditions laid down by the Council, to countries and territories which become independent ;

Whereas the Gilbert Islands, which appear in Annex I relating to the list of the countries and territories referred to by that Decision, achieved independence on 12 July 1979 as the Republic of Kiribati ;

Whereas it should be decided to continue to apply provisionally the arrangements provided for in the abovementioned Decision to that State and to lay down the conditions for such application, without prejudice to subsequent recourse to the first subparagraph of Article 55 (2) and to Article 56 thereof ;

Whereas the ACP-EEC Convention of Lomé is open, in accordance with the procedure laid down in Article 89 thereof, to the accession of a country or territory to which Part Four of the Treaty applies and which has become independent ; whereas such accession can

take place only following a request by the State concerned and with the approval of the ACP-EEC Council of Ministers ;

Whereas the Gilbert Islands have submitted a request for accession to the ACP-EEC Convention of Lomé as the Republic of Kiribati ;

Whereas the period of provisional application of Decision 76/568/EEC with regard to that State should be limited ;

Whereas, in order to avoid any break in continuity in the financing decisions in favour of the Republic of Kiribati between its accession to the ACP-EEC Convention of Lomé and the entry into force of the Decision adjusting the amounts made available to the European Development Fund which the Council is to take pursuant to Article 1 (4) of the Internal Agreement on the financing and administration of Community aid signed on 11 July 1975, the Republic of Kiribati should be permitted to continue to benefit, until the date of the entry into force of that Decision, from the provisions of Decision 76/568/EEC relating to financial and technical cooperation,

HAS DECIDED AS FOLLOWS :

Article 1

The arrangements laid down by Decision 76/568/EEC shall remain provisionally applicable to the Republic of Kiribati until the latter accedes to the ACP-EEC Convention of Lomé, but until 1 March 1980 at the latest.

⁽¹⁾ OJ No L 176, 1. 7. 1976, p. 8.

⁽²⁾ OJ No L 72, 23. 3. 1979, p. 33.

No L 208/24

Official Journal of the European Communities

17. 8. 79

However, the Republic of Kiribati shall continue to benefit from the provisions of the said Decision relating to financial and technical cooperation until the date of entry into force of the decision adjusting the amounts made available to the European Development Fund which the Council is to take pursuant to Article 1 (4) of the Internal Agreement on the financing and administration of Community aid signed on 11 July 1975.

Article 2

Questions relating to the application of Decision 76/568/EEC to the Republic of Kiribati shall be dealt with as necessary by direct contact between the competent authorities of that State and of the Community.

Article 3

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

It shall apply from 12 July 1979.

Done at Brussels, 1 August 1979.

For the Council

The President

M. O'KENNEDY

DECISION No 8/79 OF THE ACP-EEC COUNCIL OF MINISTERS

OF 11 OCTOBER 1979

approving the accession of the Republic of Kiribati
to the ACP-EEC Convention of Lomé

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé signed on
28 February 1975, and in particular Article 89 thereof,

Whereas a request for accession to the ACP-EEC Convention of Lomé was submitted by the Republic of Kiribati on 25 September 1979;

Whereas the provisions of Part Four of the Treaty establishing the European Economic Community apply to that country;

Whereas the Republic of Kiribati became independent on 12 July 1979,

HAS DECIDED AS FOLLOWS:

Article 1

The request for accession to the ACP-EEC Convention of Lomé submitted by the Republic of Kiribati is hereby approved.

Article 2

This Decision shall enter into force on 11 October 1979.

Done at Brussels, 11 October 1979
For the ACP-EEC Council of Ministers
The President

(s.) M. O'KENNEDY

Certified true copy

KONATE - LESORT
Secretaries
of the ACP-EEC Council of Ministers

AGREEMENT

in the form of an exchange of letters between the European Economic Community and Barbados, the People's Republic of the Congo, Fiji, the Cooperative Republic of Guyana, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Surinam, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago and the Republic of Uganda, on the guaranteed prices for cane sugar for 1979/80

Letter No 1

Brussels,

Sir,

1. The representatives of the ACP States referred to in Protocol 3 on ACP sugar annexed to the ACP-EEC Convention of Lomé, of the Republic of Surinam, and of the Commission, on behalf of the European Economic Community, have agreed within the framework of the negotiations provided for in Article 5 (4) of the said Protocol, on the following :

— for the period 1 July 1979 to 30 June 1980 the guaranteed prices referred to in Article 5 (4) of the Protocol shall, for the purpose of intervention within the terms of Article 6 of the Protocol, be :

- (a) for raw sugar, 34.13 ECU per 100 kilograms ;
- (b) for white sugar, 42.30 ECU per 100 kilograms.

These prices, which represent an increase of 1.5 % over those of the preceding year, shall refer to sugar of standard quality as defined in Community legislation, unpacked, cif European ports of the Community.

2. It is noted by the parties to the Agreement that, having regard to market conditions generally and to other relevant factors and following discussions with the importers, the ACP States concerned strongly hoped that it would be possible to secure, in addition to the agreed guaranteed prices, a premium on Community markets during the delivery period 1979/80.
3. Although retroactivity is not provided for in respect of the 1979/80 prices, it is agreed that this year's decision does not prejudice the position of the ACP States in relation to retroactivity in any future negotiation in accordance with Article 4 (3) of Protocol 3 annexed to the ACP-EEC Convention of Lomé.
4. It was noted that the Council of Ministers of the Community had not authorized the inclusion of any factor in respect of freight charges in the determination of the guaranteed prices for the delivery period 1979/80. The ACP States reiterated their concern at the burden of these charges and requested that the subject should remain open for further consideration. The Community took note of this request.

I should be obliged if you would acknowledge receipt of this letter and confirm that this letter and your reply constitute an Agreement between the Governments of the abovementioned ACP States and the Community.

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

*For the Council of
the European Communities*

Letter No 2

Brussels,

Sir,

I have the honour to acknowledge receipt of your letter of today which reads as follows

1. The representatives of the ACP States referred to in Protocol 3 on ACP sugar annexed to the ACP-EEC Convention of Lomé, of the Republic of Surinam, and of the Commission, on behalf of the European Economic Community, have agreed within the framework of the negotiations provided for in Article 5 (4) of the said Protocol, on the following :

— for the period 1 July 1979 to 30 June 1980 the guaranteed prices referred to in Article 5 (4) of the Protocol shall, for the purpose of intervention within the terms of Article 6 of the Protocol, be :

(a) for raw sugar, 34.13 ECU per 100 kilograms .

(b) for white sugar, 42.30 ECU per 100 kilograms

These prices, which represent an increase of 1.5 % over those of the preceding year, shall refer to sugar of standard quality as defined in Community legislation, unpacked, cif European ports of the Community

2. It is noted by the parties to the Agreement that, having regard to market conditions generally and to other relevant factors and following discussions with the importers, the ACP States concerned strongly hoped that it would be possible to secure, in addition to the agreed guaranteed prices, a premium on Community markets during the delivery period 1979/80.

3. Although retroactivity is not provided for in respect of the 1979/80 prices, it is agreed that this year's decision does not prejudice the position of the ACP States in relation to retroactivity in any future negotiation in accordance with Article 4 (3) of Protocol 3 annexed to the ACP-EEC Convention of Lomé.

4. It was noted that the Council of Ministers of the Community had not authorized the inclusion of any factor in respect of freight charges in the determination of the guaranteed prices for the delivery period 1979/80. The ACP States reiterated their concern at the burden of these charges and requested that the subject should remain open for further consideration. The Community took note of this request.

I should be obliged if you would acknowledge receipt of this letter and confirm that this letter and your reply constitute an Agreement between the Governments of the abovementioned ACP States and the Community.'

I have the honour to confirm the agreement of the Governments of the ACP States referred to in this letter with the foregoing.

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

For the Governments

DECISION No 10/79
OF THE ACP-EEC COUNCIL OF MINISTERS
OF 31 October 1979

delegating powers to the
ACP-EEC Committee of Ambassadors in connection with
the adoption of transitional measures on the expiry
of the Convention of Lomé

(see INST I 46 - 47 Vol. 2)

Announcement regarding the accession of the Republic of Kiribati (formerly called 'The Gilbert Islands') to the ACP-EEC Convention of Lomé signed on 28 February 1975

In accordance with Article 89 of the ACP-EEC Convention of Lomé, the Republic of Kiribati acceded to the Convention on 30 October 1979 and hence from that date became an 'ACP State' within the meaning of the Acts of the Community institutions which refer to them.

COUNCIL DECISION

of 18 December 1979

on the provisional application to Saint Vincent and the Grenadines (formerly Saint Vincent) of the arrangements provided for in Decision 76/568/EEC on the association of the overseas countries and territories with the European Economic Community

(80/14/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Decision 76/568/EEC of 29 June 1976 on the association of the overseas countries and territories with the European Economic Community⁽¹⁾, as last amended by Decision 79/310/EEC⁽²⁾, and in particular the second subparagraph of Article 55 (2) thereof,

Whereas, pursuant to the second subparagraph of Article 55 (2) of Decision 76/568/EEC, the arrangements provided for therein may continue to apply provisionally, under conditions laid down by the Council, to countries and territories which become independent;

Whereas Saint Vincent, which appears in Annex I relating to the list of the countries and territories referred to by that Decision, achieved independence on 27 October 1979 as Saint Vincent and the Grenadines;

Whereas it should be decided to continue to apply provisionally the arrangements provided for in the abovementioned Decision to that State and to lay down the conditions for such application, without prejudice to subsequent recourse to the first subparagraph of Article 55 (2) and to Article 56 thereof,

Whereas the ACP-EEC Convention of Lomé is open, in accordance with the procedure laid down in Article 89 thereof, to the accession of a country or territory to which Part Four of the Treaty applies and which has become independent; whereas such accession can take place only following a request by the State concerned and with the approval of the ACP-EEC Council of Ministers;

Whereas Saint Vincent has submitted a request for accession to the ACP-EEC Convention of Lomé as Saint Vincent and the Grenadines;

Whereas the period of provisional application of Decision 76/568/EEC to that State should not continue beyond the expiry of that Decision;

Whereas, in order to avoid any break in continuity in the financing decisions in favour of Saint Vincent and the Grenadines between its accession to the ACP-EEC Convention of Lomé and the entry into force of the

Decision adjusting the amounts made available to the European Development Fund which the Council is to take pursuant to Article 1 (4) of the Internal Agreement on the financing and administration of Community aid signed on 11 July 1975, Saint Vincent and the Grenadines should be permitted to continue to benefit, until the date of the entry into force of that Decision, from the provisions of Decision 76/568/EEC relating to financial and technical cooperation,

HAS DECIDED AS FOLLOWS:

Article 1

The arrangements laid down by Decision 76/568/EEC shall remain provisionally applicable to Saint Vincent and the Grenadines until the latter accedes to the ACP-EEC Convention of Lomé but in any event not beyond the expiry of that Decision.

However, Saint Vincent and the Grenadines shall continue to benefit from the provisions of the said Decision relating to financial and technical cooperation until the date of entry into force of the Decision adjusting the amounts made available to the European Development Fund which the Council is to take pursuant to Article 1 (4) of the Internal Agreement on the financing and administration of Community aid signed on 11 July 1975.

Article 2

Questions relating to the application of Decision 76/568/EEC to Saint Vincent and the Grenadines shall be dealt with as necessary by direct contact between the competent authorities of that State and of the Community.

Article 3

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

Done at Brussels, 18 December 1979.

For the Council

The President

B. LENIHAN

⁽¹⁾ OJ No L 176, 1. 7. 1976, p. 8.

⁽²⁾ OJ No L 72, 23. 3. 1979, p. 33.

ANNEX

DECISION No 1/80 OF THE ACP—EEC COUNCIL OF MINISTERS

of 18 January 1980

on transitional measures to be applied from 1 March 1980

THE ACP—EEC COMMITTEE OF AMBASSADORS,

Having regard to the ACP—EEC Convention of Lomé signed on 28 February 1975, and in particular the third paragraph of Article 91 thereof,

Having regard to the Agreement on products within the province of the European Coal and Steel Community signed at Lomé on 28 February 1975,

Having regard to Decision No 10/79 of the ACP—EEC Council of Ministers of 31 October 1979 delegating powers to the ACP—EEC Committee of Ambassadors in connection with the adoption of transitional measures on the expiry of the Convention of Lomé.

Whereas appropriate transitional measures, to apply from 1 March 1980, should be adopted to maintain in force the relevant provisions of the ACP—EEC Convention of Lomé of 1975,

HAS DECIDED AS FOLLOWS:

Article 1

The following provisions and the acts adopted pursuant thereto shall remain applicable after 1 March 1980 until the entry into force of new provisions relating to the same areas, or until 31 December 1980, whichever is the earlier:

1. As regards the ACP—EEC Convention of Lomé signed on 28 February 1975:

- (a) the provisions on trade cooperation in Title I and Protocol 1;
- (b) subject to Article 4 (2) of this Decision, the provisions on the export earnings stabilization system in Chapter 1 of Title II;
- (c) the provisions on industrial cooperation in Title III;

(d) the provisions on establishment, services, payments and capital movements in Title V;

(e) the provisions on institutions in Title VI and Protocol 4;

(f) the general and final provisions in Articles 84, 85, 88, 89, 90, 91 (third paragraph), 92, 93 and 94 and Protocol 5.

- 2. The Agreement on products within the province of the European Coal and Steel Community, signed at Lomé on 28 February 1975.

Article 2

For the purposes of applying transitional measures, the ACP—EEC Committee of Ambassadors may, where necessary, exercise the powers conferred on the ACP—EEC Council of Ministers by the ACP—EEC Convention of Lomé of 1975.

Article 3

The Committee on Industrial Cooperation is hereby authorized to exercise the powers necessary to ensure the continued operation of the Centre for Industrial Development until the entry into force of the new ACP—EEC Convention.

Article 4

The export earnings stabilization system and financial and technical cooperation under the ACP—EEC Convention of Lomé of 1975 shall continue to be implemented under the same conditions as those laid down in that Convention.

Article 18 (5) of the said Convention shall continue to apply, pending a final decision by the ACP—EEC Council of Ministers.

28. 7. 80

Official Journal of the European Communities

No L 55/3

Article 5

Done at Brussels, 18 January 1980.

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

Article 6

This Decision shall enter into force on 1 March 1980.

For the ACP - EEC Committee of Ambassadors

The Chairman

F. PLAJA

COUNCIL DECISION

of 26 February 1980

concerning the conclusion of the Agreement in the form of an exchange of letters on the provisional application of the Agreement between the Government of the Republic of Guinea Bissau and the European Economic Community on fishing off the coast of Guinea Bissau and of the two exchanges of letters relating thereto

(80/255/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 103 thereof,

Having regard to the proposal from the Commission,

Whereas the European Economic Community and the Government of the Republic of Guinea Bissau are to sign on 27 February 1980 an Agreement on fishing off the coast of Guinea Bissau and two exchanges of letters relating thereto ;

Whereas under this Agreement and the texts relating thereto the Government of Guinea Bissau authorizes Community fishermen to fish off the coast of Guinea Bissau ;

Whereas the year for fishing off the coast of Guinea Bissau is currently in operation and the interests of Community fishermen render imperative, in the absence of any alternative sufficient fishing prospects, that they have access to these waters ; whereas it is therefore vital that the Agreement with Guinea Bissau be applied at the earliest opportunity ;

Whereas, for this reason, the two parties have agreed on the provisional application of the Agreement and of the texts relating thereto by means of an exchange of letters to be effected on the date of signature of the Agreement ;

Whereas it is appropriate that approval be given to this Agreement in the form of an exchange of letters

based on Article 103 of the Treaty, pending final approval of the Agreement on the basis of Article 43 of the Treaty,

HAS DECIDED AS FOLLOWS :

Article 1

The Agreement in the form of an exchange of letters on the provisional application of the Agreement between the Government of the Republic of Guinea Bissau and the European Economic Community on fishing off the coast of Guinea Bissau and of the two exchanges of letters relating thereto is hereby approved on behalf of the Community.

The text of the Agreement is annexed to this Decision.

Article 2

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

Done at Brussels, 26 February 1980.

For the Council

The President

G. ZAMBERLETTI

AGREEMENT

in the form of an exchange of letters on the provisional application of the Agreement between the Government of the Republic of Guinea Bissau and the European Economic Community on fishing off the coast of Guinea Bissau and of the two exchanges of letters relating thereto

*Letter No 1***A. Letter from the Government of the Republic of Guinea Bissau**

Sir,

With reference to the Agreement between the Government of the Republic of Guinea Bissau and the European Economic Community on fishing off the coast of Guinea Bissau signed today between the European Economic Community and the Government of the Republic of Guinea Bissau, I have the honour to inform you that the Government of Guinea Bissau is prepared to apply the Agreement and its Protocol from this day until it enters into force in accordance with Article 18 of the Agreement and Article 6 of the Protocol, provided that the European Economic Community is prepared to do likewise.

It is understood that, in this case, the first instalment of the compensation laid down in Article 2 of the Protocol must be paid within eight weeks of today.

I should be obliged if you would confirm that the European Economic Community agrees to provisional application as indicated above.

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

*For the Government
of the Republic of Guinea Bissau*

*Letter No 2***B. Letter from the European Economic Community**

Sir,

I have the honour to acknowledge receipt of your letter of today's date, which reads as follows :

'With reference to the Agreement between the Government of the Republic of Guinea Bissau and the European Economic Community on fishing off the coast of Guinea Bissau signed today between the European Economic Community and the Government of the Republic of Guinea Bissau, I have the honour to inform you that the Government of Guinea Bissau is prepared to apply the Agreement and its Protocol from this day until it enters into force in accordance with Article 18 of the Agreement and Article 6 of the Protocol, provided that the European Economic Community is prepared to do likewise.

It is understood that, in this case, the first instalment of the compensation laid down in Article 2 of the Protocol must be paid within eight weeks of today

I should be obliged if you would confirm that the European Economic Community agrees to provisional application as indicated above.'

I have the honour to inform you that the Community accepts the provisional application of the Agreement and its Protocol under the conditions referred to in your letter

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

*On behalf of the Council
of the European Communities*

**Notice concerning the accession of St Vincent and the Grenadines to the
ACP-EEC Convention of Lomé signed on 28 February 1975**

In accordance with Article 89 of the ACP-EEC Convention of Lomé, St Vincent and the Grenadines acceded to that Convention on 27 February 1980 and has therefore become, since that date, an ACP State within the meaning of the acts of the institutions of the Community which refer to the ACP States.

29. 8. 80

Official Journal of the European Communities

No L 226/17

AGREEMENT**between the Government of the Republic of Senegal and the European Economic Community on fishing off the coast of Senegal**

THE GOVERNMENT OF THE REPUBLIC OF SENEGAL AND THE EUROPEAN ECONOMIC COMMUNITY (hereinafter referred to as 'the Community'),

RECALLING the close relations between the Community and the Republic of Senegal;

IN THE SPIRIT of cooperation resulting from the Lomé Convention, symbolizing the Parties' common desire to intensify friendly relations between the African, Caribbean and Pacific States and the Community;

CONSIDERING their mutual interest in the rational management, conservation and optimum utilization of fish stocks, notably in the Central East Atlantic;

WHEREAS the Republic of Senegal exercises its sovereignty or jurisdiction over a zone extending up to 200 nautical miles from its coast, particularly in respect of sea fishing;

TAKING INTO ACCOUNT the fact that vessels flying the flags of Member States of the Community habitually engage in fishing activities in that zone;

TAKING INTO ACCOUNT the work of the Third United Nations Conference on the Law of the Sea;

AFFIRMING that the exercise by coastal States of their sovereign rights in the waters within their jurisdiction for the purposes of exploring, exploiting, conserving and managing the living resources thereof must be in accordance with the principles of international law;

WHEREAS fishing activities in the waters under the sovereignty or jurisdiction of the Republic of Senegal are governed by its Sea Fishing Code;

DETERMINED TO CONDUCT their relations in a spirit of mutual trust and respect for each other's interests in the sphere of sea fishing;

DESIROUS of establishing the terms and conditions governing fishing activities of mutual interest to the Parties,

HAVE AGREED AS FOLLOWS:

Article 1

The purpose of this Agreement is to establish the principles and rules which will govern in future, in all respects, the fishing activities of vessels flying the flags of Member States of the Community, hereinafter referred to as 'Community vessels', in the waters over which the Republic of Senegal has sovereignty or jurisdiction in respect of fisheries, hereinafter referred to as 'Senegal's fishing zone'.

Article 2

The Government of the Republic of Senegal undertakes to authorize Community vessels to fish in Senegal's fishing zone in accordance with the terms

of this Agreement, in particular those stipulated in Annex I, and with the Sea Fishing Code and other laws and regulations in force in Senegal.

Article 3

1. The Community undertakes to take all appropriate steps to ensure that its vessels adhere to the provisions of this Agreement and the rules and regulations governing fishing activities in Senegal's fishing zone.

2. The authorities of Senegal shall notify the Commission of the European Communities in advance of any changes to the said rules and regulations.

Article 4

1. Fishing activities by Community vessels in Senegal's fishing zone shall be subject to the possession of a licence issued at the Community's request by the authorities of Senegal.
2. The authorities of Senegal shall issue fishing licences within the limits laid down by category of vessel in the Protocol referred to in Article 9.
3. Licences shall be valid in the zones defined in Annex I.E., depending on the activity and the type of vessel in question.
4. Licences shall be valid from the day of issue until 31 December of the year in which they are issued.
5. A licence shall be issued for a given vessel and shall not be transferable.
6. Where a vessel in possession of a licence is prevented from using it by *force majeure*, the licence may be replaced at the Community's request by another one which shall be valid for a vessel of the same category.

Article 5

1. Licences shall be issued by the authorities of the Republic of Senegal upon payment of a fee by the shipowner concerned.

2. For those vessels that are obliged to land their entire catch at Senegalese ports, the fee shall be that laid down by the Senegalese rules and regulations in force. For those vessels that are not obliged to land their entire catch in Senegal, the fee shall be double that mentioned in the preceding sentence.

The amounts payable are set out in Annex I.A.

Licences shall be paid for in full when they are issued or declared valid; the fees for licences assessed on the basis of the quantity of fish caught shall be payable at the close of the year.

3. The fee for a licence issued under Article 4 (6) shall be in proportion to the remainder of the year.

Article 6

The Parties undertake to concert action, either directly or within international organizations, to ensure the management and conservation of the living resources, particularly in the Central East Atlantic, and to facilitate the relevant scientific research.

Article 7

Vessels authorized to fish in Senegalese waters under this Agreement shall be obliged to forward to the relevant Senegalese authorities statements of catches in accordance with the arrangements set out in Annex I.B. to this Agreement.

Article 8

Wet trawlers and tuna boats, authorized under this Agreement to fish in Senegal's fishing zone, shall be obliged to land their entire catch.

Freezer trawlers and tuna boats shall be obliged to land part of their catch in accordance with the arrangements set out in Annex I.C. to this Agreement.

Article 9

In return for the fishing opportunities accorded under this Agreement, the Community shall pay the Republic of Senegal compensation as set out in the Protocol to this Agreement.

This compensation, which shall be paid without prejudice to financing accorded to the Republic of Senegal under the Lomé Convention, shall be mobilized in accordance with the special procedure described in the said Protocol.

The compensation shall be used to finance projects and services of a rural nature, in particular relating to sea fishing.

Article 10

The Parties agree to consult in the event of a dispute concerning the interpretation or application of this

29. 8. 80

Official Journal of the European Communities

No L 226/19

Agreement, where appropriate in accordance with the procedure set out in Annex II.

Article 11

A Joint Committee shall be set up to ensure that this Agreement is applied correctly.

The Committee shall meet once a year, alternating between Senegal and the Community, and shall hold special meetings at the request of either Contracting Party.

Article 12

Should the authorities of Senegal decide, as a result of an unforeseeable change in the state of the fish stocks, to take new conservation measures which, in the opinion of the Community, have a considerable effect on the fishing activities of Community vessels, consultations must be held between the Parties in order to adapt Annex I and the Protocol referred to in Article 9.

Such consultations shall be based on the principle that any reduction in the fishing opportunities provided for in the said Protocol shall be offset by other fishing opportunities of equivalent value, account being taken of compensation already paid by the Community.

Article 13

Nothing in this Agreement shall affect or prejudice in any manner the views of either Party with respect to any matter relating to the Law of the Sea.

Article 14

This Agreement shall apply, on the one hand, to the territories in which the Treaty establishing the Euro-

pean Economic Community is applied and under the conditions laid down in that Treaty and, on the other hand, to the territory of the Republic of Senegal.

Article 15

The Parties agree to examine this Agreement upon the conclusion of the negotiations for a Multilateral Treaty which are being conducted within the framework of the Third United Nations Conference on the Law of the Sea.

Article 16

The Annexes form an integral part of this Agreement and, unless otherwise specified, a reference to this Agreement constitutes a reference to its Annexes.

Article 17

This Agreement shall be concluded for an initial period of two years running from the date of its entry into force. In the event of the Agreement not being terminated by either Party through notice of termination given at least six months before the expiry of that two-year period, it shall remain in force for additional periods of one year, provided that notice of termination has not been given at least three months before the expiry of each yearly term.

Negotiations shall then take place between the Parties to determine by mutual agreement the amendments or additions to be made to the Annexes or the Protocol referred to in Article 9.

Article 18

This Agreement shall enter into force on the date on which the Parties notify one another of the completion of the procedures necessary for this purpose.

ANNEX I

CONDITIONS FOR THE PURSUIT OF FISHING ACTIVITIES IN SENEGAL'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 annual licences enabling vessels flying the flags of Member States of the Community to fish in Senegalese waters shall be as follows:

1. The relevant Community authorities must present to the relevant Senegalese authorities (MDR) ⁽¹⁾ an application for each vessel that wishes to fish under the Agreement.

The application shall be made on the forms provided for that purpose by the Government of Senegal. A specimen is annexed hereto.

The fees are set according to the following scale:

- (a) trawlers landing their entire catch: CFA 7 500 per gross register ton per year;
- (b) trawlers not landing their entire catch: CFA 15 000 per gross register ton per year;
- (c) tuna boats landing their entire catch: CFA 1 per kg of fish caught per year;
- (d) tuna boats not landing their entire catch: CFA 2 per kg of fish caught per year.

2. The fee shall be for one year, regardless of the period for which the licence is valid, except in the case referred to in Article 4 (6) of the Agreement and in that referred to in paragraph 3 below.
3. For licences issued between the date when the Agreement becomes operative and 1 January following that date, the fee shall be in proportion to the period for which they are valid.
4. The relevant Senegalese authorities shall examine each application to see that it complies with the Agreement and with Senegalese legislation and shall apply the scale of fees to be paid.

The relevant Senegalese authorities shall inform the Community authorities of these decisions.

5. The licences issued upon payment of the fees shall be valid for a given vessel and shall not be transferable.
6. Should there be any difficulties or additional information needed when applications are examined and licences issued, consultations shall be held between the representatives of the Contracting Parties, in particular through the Direction de l'Océanographie et des Pêches maritimes (Directorate for Oceanography and Sea Fisheries) and the Delegation of the Commission of the European Communities in Dakar.

B. Statement of catch

All vessels authorized to fish in Senegalese waters under the Agreement shall be obliged to forward to the Direction de l'Océanographie et des Pêches maritimes a statement of their catch made out according to the attached specimen.

A statement of catch must be presented after each trip for wet vessels or every month for freezer vessels, and in this case before the end of the following month.

⁽¹⁾ Ministère du développement rural (Ministry of Rural Development).

Should these provisions not be adhered to, the Government of Senegal reserves the right to suspend the licence of the offending vessel until the formality has been complied with. In addition, the penalty provided for under Article 49 of Senegal's Sea Fishing Code shall be inflicted upon the owner of the said vessel.

C. Landing of catch

Vessels authorized to fish in Senegalese waters under the Agreement shall be obliged to land part or all of their catch, depending on the type of fishing practised.

1. Wet trawlers and tuna boats shall land their entire catch in Senegal. Where catches are made in fishing zones that are not under Senegal's sovereignty or jurisdiction, the Parties shall consult within the Joint Committee in order to set the percentage of the catch to be landed in Senegal.
2. During the first year of application of the Agreement, freezer tuna boats may be obliged to land up to 4 000 tonnes of tuna on price terms to be worked out between the shipowners and the users concerned on the basis of the selling prices charged by those same shipowners on their market; the terms for landings in subsequent years shall be determined within the Joint Committee by mutual agreement with the shipowners concerned on the basis of catches made during the preceding year in Senegal's fishing zone.
3. Every six months, freezer trawlers shall land 100 kg of fish and crustaceans per gross register ton.

Any failure to comply with the obligation to land catches shall render the shipowner liable to the following sanctions on the part of the Senegalese authorities:

1. fine of CFA 25 000 per tonne not landed;
2. withdrawal of the licence, which shall not be renewed until the quantities due have been delivered.

D. Training grants

The two Parties agree that an essential condition for the success of their cooperation is that the competence and know-how of persons engaged in sea fishing should be improved. To this end, the Community shall make it easier for Senegalese nationals to find places in establishments in its Member States and shall provide study and training grants for the purpose in the various scientific, technical and economic disciplines connected with fisheries.

E. Fishing zones

The fishing zones referred to in Article 4 of the Agreement shall be as follows:

- (a) wet trawlers and freezer vessels engaged in near-water fishing as defined in Article 5 of Senegal's Sea Fishing Code shall be authorized to fish outside the limit of the first six nautical miles of the waters under Senegalese jurisdiction;
- (b) freezer trawlers engaged in distant-water fishing shall be authorized to fish outside the limit of the first 12 nautical miles of the waters under Senegalese jurisdiction;
- (c) wet and freezer tuna boats shall be authorized to fish throughout the waters under Senegalese jurisdiction.

The extent of the waters under Senegalese jurisdiction is measured from the baselines defined in Décret No 72-756 of 5 July 1972.

REPUBLIC OF SENEGAL
One people — One goal — One faith

Addendum to Annex I — A.1

MINISTRY OF RURAL DEVELOPMENT AND
WATER ENGINEERING

DIRECTORATE FOR OCEANOGRAPHY AND
SEA FISHERIES

**APPLICATION FORM
FOR FISHING LICENCE**

APPLICANT

- Name and first name:
- Date of birth:
- Occupation:
- Trade Register No:
- Style of firm:
- Number of employees:
- Permanent:
- Temporary:
- Annual turnover:
- Address:

VESSEL

- Name:
- Registration No:
- Date and place of construction:
- Original nationality:
- Date of transfer to Senegalese flag:
- Lengths:
- Widths:
- Gross register tons:

- Net register tons:
- Engine type and rating:
- Number of seamen aboard:
- Type of fishing:
- A. Trawling:
- Length of trawl:
- Opening:
- Mesh size in the body:
- Mesh size in the wings:
- B. Sardine fishing:
- Length of net:
- Depth of net:
- C. Tuna fishing:
- Number of poles:
- Length of net:
- Number of bait tanks:
- Volume of bait tanks:
- Live bait?
- Purse-seine?
- Is the vessel a freezer vessel?
- If so:
- Total freezing power:
- Freezing capacity:
- Storage capacity:

SHORE INSTALLATIONS

- Address and permit No:
- Style of firm:
- Activities:
- Domestic wholesale fish trading:

- Exploitation export wholesaling:
 - Type and No of wholesale trader's card:
 - Description of cold store and technical installations:
 - Number of employees:
 - Permanent:
 - Temporary:
-

Technical notes by the Director for Fisheries

Authorization of the Minister for Rural Development

NAME OF VESSEL

STATEMENT OF CATCH

Shipowner:

Consignee:

Licence No:

Engine rating:

Gross register tons:

FISHING TACKLE USED

Trawl	Seine	Other tackle
Type and number	Type	
Mesh size in cod end	Mesh size	
Head line	Length	
Rigging	Depth	

INFORMATION ON FISHING ACTIVITIES

Date out:

Date in:

Date	Fishing zone	Sounding	Time spent fishing	Species caught	Weight landed
1st day				1)	
2nd day				2)	
3rd day				3)	
4th day				4)	
5th day				5)	
6th day				6)	
7th day				7)	
8th day				8)	
9th day				9)	
10th day				10)	
11th day				11)	
12th day				12)	
13th day				13)	
14th day				14)	
15th day				15)	

Addendum to Annex I — B.II

REPUBLIC OF SENEGAL
 MINISTRY OF RURAL DEVELOPMENT
 DIRECTORATE FOR OCEANOGRAPHY AND
 SEA FISHERIES

STATEMENT OF FISHING ACTIVITIES

Name of vessel:

Type of fishing:

Permit No:

Home port:

Catches:

Species	Tonnage landed	Tonnage not landed	Total
Albacore or bigeye			
Skipjack			
Other tuna			
Total			

I, the undersigned, owner of the above vessel or his duly authorized representative, hereby certify that the above statement conforms to the actual catches made by my vessel.

Done at

signature and stamp of shipowner

*ANNEX II***PROCEDURE FOR SETTLEMENT OF DISPUTES**

The two Parties undertake to submit any disputes that may occur between them as to the interpretation or the application of the Agreement, apart from those relating to the exercise by Senegal of its sovereign rights over the waters off its coast, to the following arbitration procedure, should it prove impossible to settle them under Article 10:

1. Within two months of the date on which either Party formally requests that a dispute be submitted to arbitration in accordance with this Annex, each Contracting Party shall appoint one member of the arbitration tribunal and these two members shall, within three months of the same date, appoint, by mutual agreement and on behalf of the two Parties, a national of a third State as the third member of the tribunal.
2. The Contracting Party requesting arbitration shall submit, when its request is treated, a statement of its claim and the grounds on which such claim is based.
3. The arbitration tribunal shall reach its decisions by majority vote, basing them on the Agreement and on the other rules of international law. Decisions shall be binding on the two Parties. The cost of arbitration shall normally be borne by the two Contracting Parties in equal shares.

PROTOCOL**between the European Economic Community and the Government of the Republic of Senegal**

THE PARTIES TO THIS PROTOCOL,

Having regard to the Agreement between the European Economic Community and the Government of the Republic of Senegal on fishing off the coast of Senegal, signed on 15 June 1979,

HAVE AGREED AS FOLLOWS:

Article 1

The limits referred to in Article 4 of the abovementioned Agreement shall be set as follows for the first two years of application of that Agreement:

1. tuna boats obliged		3 300 gross register tons,
2. trawlers obliged	to land their entire catch in Senegal:	1 600 gross register tons,
3. tuna boats not obliged		23 000 gross register tons,
4. trawlers not obliged		12 300 gross register tons.

Article 2

The compensation referred to in Article 9 of the Agreement shall be set for the first two years of application of the Agreement at CFA 2 500 000 000.

Article 3

1. The use to which the compensation provided for in Article 2 is put shall be the sole responsibility of the Government of Senegal.
2. The Government of Senegal shall inform the European Economic Community of the programme for the use of the compensation.

Article 4

1. The compensation provided for in Article 2 shall be mobilized in accordance with a procedure to be laid down in an exchange of letters.
2. The compensation shall be paid into an account opened with a financial institution chosen by the Government of Senegal or in the books of the Treasurer-General of Senegal.

29. 8. 80

Official Journal of the European Communities

No L 226/29

Article 5

If the European Economic Community fails to make the payments provided for in this Protocol, the Agreement on Fishing shall be suspended.

Article 6

This Protocol shall enter into force on the date on which the Parties notify one another of the completion of the procedures necessary for this purpose.

A. *Letter from the Government of the Republic of Senegal*

Sir,

With reference to the Agreement between the Government of the Republic of Senegal and the European Economic Community signed today, I have the honour to inform you that my Government reserves the right to make the granting of fishing licences to vessels flying the flag of a Member State of the Community and fishing under the Agreement on fishing negotiated between us subject to the obligation to take on board Senegalese nationals under the following conditions:

1. Vessels authorized to fish in Senegalese waters under the Agreement on fishing shall be obliged to take on board Senegalese registered seamen up to a proportion of 33 % of their crew. The personnel at present available have the following qualifications:
 - (a) first mate of vessel up to 300 GRT;
 - (b) first engineer of vessel up to 800 CV;
 - (c) deck officer of vessel up to 500 GRT;
 - (d) engineer officer of vessel up to 3 500 CV;
 - (e) boatswain of vessel up to 300 GRT;
 - (f) seaman;
 - (g) ship's greaser;
 - (h) ship's cook and steward.

Where a vessel authorized to fish in Senegalese waters has at least three crew officers in the deck or engine-room service, the crew of that vessel must include at least one Senegalese national having one of the qualifications mentioned under (a) or (b) above.

2. The number of seamen whom freezer tunny boats shall be obliged to take on shall be determined in overall terms, account being taken of the scale of their activities in Senegal's fishing zone and the number of crew members of other nationalities from countries whose fishing zones the fleet frequents.

I should be obliged if you would acknowledge receipt of this letter.

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

*For the Government
of the Republic of Senegal*

B. Letter from the European Economic Community

Sir,

I am in receipt of your letter of today's date, which reads as follows:

'With reference to the Agreement between the Government of the Republic of Senegal and the European Economic Community signed today, I have the honour to inform you that my Government reserves the right to make the granting of fishing licences to vessels flying the flag of a Member State of the Community and fishing under the Agreement on fishing negotiated between us subject to the obligation to take on board Senegalese nationals under the following conditions:

1. Vessels authorized to fish in Senegalese waters under the Agreement on fishing shall be obliged to take on board Senegalese registered seamen up to a proportion of 33 % of their crew. The personnel at present available have the following qualifications:
 - (a) first mate of vessel up to 300 GRT;
 - (b) first engineer of vessel up to 800 CV;
 - (c) deck officer of vessel up to 500 GRT;
 - (d) engineer officer of vessel up to 3 500 CV;
 - (e) boatswain of vessel up to 300 GRT;
 - (f) seaman;
 - (g) ship's greaser;
 - (h) ship's cook and steward.

Where a vessel authorized to fish in Senegalese waters has at least three crew officers in the deck or engine-room service, the crew of that vessel must include at least one Senegalese national having one of the qualifications mentioned under (a) or (b) above.

2. The number of seamen whom freezer tunny boats shall be obliged to take on shall be determined in overall terms, account being taken of the scale of their activities in Senegal's fishing zone and the number of crew members of other nationalities from countries whose fishing zones the fleet frequents.

I should be obliged if you would acknowledge receipt of this letter.'

I have the honour to inform you that the Community will have the letter published in order to bring its content to the attention of the shipowners concerned.

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

*On behalf of the Council
of the European Communities*

A. Letter from the European Economic Community

Sir,

With reference to the Protocol between the European Economic Community and the Government of the Republic of Senegal annexed to the Agreement on fishing signed today, I have the honour to confirm that the amount of the compensation laid down in that Protocol for the first two years of application of the Agreement on fishing is by way of being an agreed amount and in no way prejudices what could be agreed for the following years on the basis of precise statistical and economic data on the catches made by the different categories of vessel in Senegal's fishing zone.

I should be obliged if you would confirm that your Government is in agreement with this interpretation.

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

*On behalf of the
Council
of the European Communities*

B. Letter from the Government of the Republic of Senegal

Sir,

I am in receipt of your letter of today's date, which reads as follows:

'With reference to the Protocol between the European Economic Community and the Government of the Republic of Senegal annexed to the Agreement on fishing signed today, I have the honour to confirm that the amount of the compensation laid down in that Protocol for the first two years of application of the Agreement on fishing is by way of being an agreed amount and in no way prejudices what could be agreed for the following years on the basis of precise statistical and economic data on the catches made by the different categories of vessel in Senegal's fishing zone.

I should be obliged if you would confirm that your Government is in agreement with this interpretation.'

I have the honour to confirm that the Government of the Republic of Senegal is in agreement with this interpretation.

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

*For the Government
of the Republic of Senegal*

AGREEMENT

between the Government of the Republic of Guinea Bissau and the European Economic Community on fishing off the coast of Guinea Bissau

THE GOVERNMENT OF THE REPUBLIC OF GUINEA BISSAU AND THE EUROPEAN ECONOMIC COMMUNITY (hereinafter referred to as 'the Community');

RECALLING the close relations between the Community and the Republic of Guinea Bissau;

IN THE SPIRIT of cooperation resulting from the Lomé Convention, symbolizing the Parties' common desire to intensify friendly relations between the African, Caribbean and Pacific States and the Community.

CONSIDERING their mutual interest in the rational management, conservation and optimum utilization of fish stocks, notably in the Central East Atlantic;

WHEREAS the Republic of Guinea Bissau exercises its sovereignty or jurisdiction, in respect of sea fishing, over a zone extending up to 200 nautical miles from its coast;

TAKING INTO ACCOUNT the fact that vessels flying the flags of Member States of the Community habitually engage in fishing activities in that zone;

TAKING INTO ACCOUNT the work of the Third United Nations Conference on the Law of the Sea;

AFFIRMING that the exercise by coastal States of their sovereign rights in the waters within their jurisdiction for the purposes of exploring, exploiting, conserving and managing the living resources thereof must be in accordance with the principles of international law;

DETERMINED to conduct their relations in a spirit of mutual trust and respect for each other's interests in the sphere of sea fishing;

DESIROUS of establishing the terms and conditions governing fishing activities of mutual interest to the Parties,

HAVE AGREED AS FOLLOWS:

Article 1

The purpose of this Agreement is to establish the principles and rules which will govern in future, in all respects, the fishing activities of vessels flying the flags of Member States of the Community, herein after referred to as 'Community vessels', in the waters over which the Republic of Guinea Bissau has jurisdiction in respect of fisheries, hereinafter referred to as 'Guinea Bissau's fishing zone'.

Article 2

The Government of the Republic of Guinea Bissau undertakes to authorize Community vessels to fish in Guinea Bissau's fishing zone in accordance with

the terms of this Agreement, in particular those stipulated in the Annex.

Article 3

1. The Community undertakes to take all appropriate steps to ensure that its vessels adhere to the provisions of this Agreement and the rules and regulations governing fishing activities in Guinea Bissau's zone.

2. The authorities of Guinea Bissau shall notify the Commission of the European Communities in advance of any changes to the said rules and regulations.

29. 8. 80

Official Journal of the European Communities

No L 226/35

Article 4

1. Fishing activities by Community vessels in Guinea Bissau's fishing zone shall be subject to the possession of a licence issued at the Community's request by the authorities of Guinea Bissau.
2. The authorities of Guinea Bissau shall issue fishing licences within the limits laid down by category of vessel in the Protocol referred to in Article 9.
3. Licences shall be valid from the day of issue until 31 December of the year in which they are issued, or during a period of six months from 1 January to 30 June or 1 July to 31 December of any year.
4. A licence shall be issued for a given vessel and shall not be transferable.
5. Where a vessel in possession of a licence is prevented from using it by *force majeure*, the licence may be replaced at the Community's request by another one which shall be valid for a vessel of the same category.

Article 5

1. Licences shall be issued by the authorities of the Republic of Guinea Bissau subject to payment of a fee by the shipowner concerned.
2. The fees payable for each category of vessel are given in the Annex under A.1. The fees shall be paid in full before the licences are issued; however, the fees assessed on the basis of the quantity of fish caught in Guinea Bissau's fishing zone, in accordance with the provisions of point A.2 in the Annex, shall be paid in the form of an advance lump sum, accompanied by a banker's guarantee to cover any additional amount necessary to make up the final total fees due at the end of each season.
3. The fees shall be set in proportion to the period for which the licence is valid.

Article 6

The Parties undertake to concert action, either directly or within international organizations, to ensure the management and conservation of the living resources, particularly in the Central East Atlantic, and to facilitate the relevant scientific research.

Article 7

Vessels authorized to fish in Guinea Bissau's fishing zone under this Agreement shall be obliged to forward to the relevant authorities of Guinea Bissau statements of catches in accordance with the arrangements set out under B in the Annex to this Agreement.

Article 8

The vessels, authorized under this Agreement to fish in Guinea Bissau's fishing zone, may be obliged to land a proportion of the fish caught in that zone at ports in Guinea Bissau.

The quantities and conditions for the landings shall be determined within the Joint Committee provided for in Article 11.

Article 9

In return for the fishing opportunities accorded under this Agreement, the Community shall pay the Republic of Guinea Bissau compensation as set out in the Protocol to this Agreement.

This compensation, which shall be paid without prejudice to financing accorded to the Republic of Guinea Bissau under the Convention, shall be mobilized in accordance with the special procedure described in the said Protocol.

The compensation shall be used to finance projects, relating to sea and fresh-water fishing.

Article 10

The Parties agree to consult in the event of a dispute concerning the interpretation or application of this Agreement.

Article 11

A Joint Committee shall be set up to ensure that this Agreement is applied correctly.

The Committee shall meet once a year, alternating between Guinea Bissau and the Community, and shall hold special meetings at the request of either Contracting Party.

The Joint Committee shall meet in particular once new legislation has been adopted governing fishing in Guinea Bissau's waters in order to see whether the Annex should be amended.

Article 12

Should the authorities of Guinea Bissau decide, as a result of an unforeseeable change in the state of the fish stocks, to take new conservation measures which, in the opinion of the Community, have a considerable effect on the fishing activities of Community vessels, consultations must be held between the Parties in order to adapt the Annex and the Protocol referred to in Article 9.

Such consultations shall be based on the principle that any reduction in the fishing opportunities provided for in the said Protocol shall be offset by other fishing opportunities of equivalent value, account being taken of compensation already paid by the Community.

Article 13

Nothing in this Agreement shall affect or prejudice in any manner the views of either Party with respect to any matter relating to the Law of the Sea.

Article 14

This Agreement shall apply, on the one hand, to the territories in which the Treaty establishing the European Economic Community is applied and under the conditions laid down in that Treaty and, on the other hand, to the territory of the Republic of Guinea Bissau.

Article 15

The Parties agree to examine this Agreement upon the conclusion of the negotiations for a Multilateral Treaty which are being conducted within the framework of the Third United Nations Conference on the Law of the Sea.

Article 16

The Annex and the Protocol form an integral part of this Agreement and, unless otherwise specified, a reference to this Agreement constitutes a reference to them.

Article 17

This Agreement shall be concluded for an initial period of two years running from the date of its entry into force. In the event of the Agreement not being terminated by either Party through notice of termination given at least six months before the expiry of that two-year period, it shall remain in force for additional periods of one year, provided that notice of termination has not been given at least three months before the expiry of each yearly term.

Negotiations shall then take place between the Parties to determine by mutual agreement the amendments or additions to be made to the Annex or the Protocol.

Article 18

This Agreement shall enter into force on the date on which the Parties notify one another of the completion of the procedures necessary for this purpose.

ANNEX

CONDITIONS FOR THE PURSUIT OF FISHING ACTIVITIES IN GUINEA BISSAU'S 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 annual licences enabling vessels flying the flags of Member States of the Community to fish in Guinea Bissau's fishing zone shall be as follows:

1. The relevant Community authorities shall present to the Office of the Secretary of State for Fisheries of the Republic of Guinea Bissau, via the Delegation of the Commission of the European Communities in Guinea Bissau, an application for each vessel that wishes to fish under this Agreement.

The applications shall be made on the forms provided for that purpose by the Government of Guinea Bissau. A specimen is given under A.1 below.

The fees shall be set according to the following scale:

- (a) bottom trawlers:
FF 420 per grt per year;
 - (b) freezer tuna boats:
FF 0.04 per kg of fish caught.
2. Applications for licences for tuna boats shall be accompanied by proof of payment of a lump sum equivalent to a catch of 1 000 tonnes of tuna for the whole fleet and by a banker's guarantee covering payment at the end of each season of any sums due in respect of catches in excess of the abovementioned quantity.

In case of landings agreed under Article 8 of the Agreement, payments of a smaller amount will be fixed by the Joint Committee.

3. The relevant authorities of Guinea Bissau shall examine each application to see that it complies with this Agreement and with the legislation of Guinea Bissau and shall apply the scale of fees to be paid.

The relevant authorities of Guinea Bissau shall inform the Community authorities of their decisions.

4. The licences issued upon payment of the fees shall be valid for a given vessel and shall not be transferable.
5. Should there be any difficulties or additional information needed when applications are examined and licences issued, consultations shall be held between the representatives of the Contracting Parties, in particular through the Office of the Secretary of State for Fisheries and the Delegation of the Commission of the European Communities in Guinea Bissau.

B. Statement of catch

1. All vessels authorized to fish in Guinea Bissau's waters under this Agreement shall be obliged to forward to the Office of the Secretary of State for Fisheries a statement of their catch made out according to the specimen given under B.1 below.

A statement of catch must be drawn up for each month and presented at least once every three months.

Should these provisions not be adhered to, the Government of Guinea Bissau reserves the right to suspend the licence of the offending vessel until the formality has been accomplished.

2. Any Community vessel fishing in Guinea Bissau's fishing zone shall allow on board, and assist in the accomplishment of his duties, any official of Guinea Bissau responsible for inspecting and monitoring compliance with the provisions of this Agreement.

C. Training grants

The two Parties agree that an essential condition for the success of their cooperation is that the competence and know-how of persons engaged in sea fishing should be improved. To this end, the European Economic Community shall make it easier for nationals of Guinea Bissau to find places in establishments in its Member States and shall provide study and training grants for that purpose in the various scientific, technical and economic subjects connected with fisheries.

29. 8. 80

Official Journal of the European Communities

No L 226/39

A.I.

REPUBLIC OF GUINEA BISSAU

OFFICE OF THE SECRETARY OF STATE FOR FISHERIES

APPLICATION FOR A FISHING LICENCE (1)

- 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:

(1) The original application form is issued in French and Portuguese only.

OFFICE OF THE SECRETARY OF STATE FOR FISHERIES

STATISTICS ON CATCH AND ACTIVITY

Month:

Year:

Name of vessel:	
Nationality (flag):	

Engine rating:	
Gross registered tonnage:	

Fishing method:	
Port of landing:	

Date	Fishing zone		Number of fishing operations	Number of fishing hours	Species of fish							
	Longitude	Latitude								Other	Totals	
1/												
2/												
3/												
4/												
5/												
6/												
7/												
8/												
9/												
10/												
11/												
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29. 8. 80

Official Journal of the European Communities

No L 226/41

*B.1. page 2***INSTRUCTIONS FOR FILLING IN THE LOG-BOOK**

Each ship's master shall be responsible for the information supplied every month to the Office of the Secretary of State for Fisheries. He shall fill in this log-book in a spirit of frank cooperation.

The following information is requested:

1. Month: Year:
2. Name of vessel:
Nationality (flag):
3. Engine rating in HP:
Gross registered tonnage (GRT):
4. Fishing method (gear):
Port of landing:

The statistical table of catches and fishing activity is divided into two parts.

The first part shows the daily fishing activity (each horizontal line corresponds to a day's activity). The first page should be used for the first half of the month and the second page for the last half.

The master should indicate the fishing zone by noting the latitude and longitude. He should note the number of times the net is thrown per day. He should give the total number of fishing hours for each day.

The second part of the log is for information on catches, in kilograms or in tonnes. It should be clearly stated whether the figure is in kilograms or tonnes. There are seven columns, one for each species. Only the six most important species fished should be entered in the log. The column before the total (headed 'other') should be reserved for the sum of all other species fished.

The monthly logs, once filled in, should be sent every month to the Office of the Secretary of State for Fisheries for those vessels landing their catches in Bissau. For other vessels, the monthly logs should be sent, duly filled in, to the Office of the Secretary of State for Fisheries every three months.

PROTOCOL

between the European Economic Community and the Government of the Republic of Guinea Bissau

THE PARTIES TO THIS PROTOCOL,

Having REGARD to the Agreement between the European Economic Community and the Government of the Republic of Guinea Bissau on fisheries off the coast of Guinea Bissau, signed on 27 February 1980,

HAVE AGREED AS FOLLOWS:

Article 1

The limits referred to in Article 4 of the abovementioned Agreement shall be set as follows for the first two years of application of that Agreement:

- | | |
|------------------------|-------------|
| 1. Bottom trawlers: | 6 500 grt, |
| 2. Freezer tuna boats: | 23 300 grt. |

Article 2

The compensation referred to in Article 9 of the Agreement shall be set for the first two years of application of the Agreement at FF 12 800 000.

Article 3

1. The use to which the compensation provided for in Article 2 is put shall be the sole responsibility of the Government of Guinea Bissau.
2. The Government of Guinea Bissau shall inform the European Economic Community of the programme for the use of the compensation.

Article 4

1. The compensation shall be mobilized in two equal annual instalments.
2. The compensation shall be paid into an account opened with a financial institution chosen by the Government of Guinea Bissau.

Article 5

If the European Economic Community fails to make the payments provided for in this Protocol, the Agreement on fisheries shall be suspended.

Article 6

This Protocol shall enter into force on the date on which the Parties notify each other of the completion of the procedures necessary for this purpose.

29. 8. 80

Official Journal of the European Communities

No L 226/43

AGREEMENT**in the form of exchanges of letters between the Government of the Republic of Guinea Bissau and the European Economic Community on fishing off the coast of Guinea Bissau****Exchange of letters No 1****A. Letter from the Government of the Republic of Guinea Bissau**

Sir,

With reference to the Agreement between the Government of the Republic of Guinea Bissau and the European Economic Community signed today, I have the honour to remind you that my Government decided to approve the signing of the Agreement provided that the shipowners to whom fishing licences are granted under the Agreement contribute towards the practical vocational training of nationals of Guinea Bissau on the following terms and within the following limits:

1. Trawlers authorized under the Agreement to fish in waters over which the Republic of Guinea Bissau has sovereignty or jurisdiction may be obliged to take on board seamen of Guinea Bissau up to a proportion of 25 % of that part of their crew representing uncertificated personnel of the bridge, machines and general services (seamen, trainees, cleaners, greasers, galley boys, etc. . .).
2. Owners of freezer tuna boats authorized under the Agreement to fish in the waters referred to in point 1 above shall be responsible for employing nationals of Guinea Bissau either on board the tuna boats or in suitable positions ashore, following approval of the said positions by the authorities of Guinea Bissau. The number of positions referred to in this paragraph shall be determined in overall terms, account being taken of the scale of the tuna boats' activities in Guinea Bissau's fishing zone and the number of crew members of other nationalities from countries whose fishing zones the fleet frequents.

My Government would like the shipowners' contribution towards the vocational training of Guinea Bissau nationals to be examined by the Joint Committee referred to in Article 11 of the Agreement.

I should be obliged if you would acknowledge receipt of this letter.

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

*For the Government of
the Republic of Guinea Bissau*

B. Letter from the European Economic Community

Sir,

I am in receipt of your letter of today's date, which reads as follows:

'With reference to the Agreement between the Government of the Republic of Guinea Bissau and the European Economic Community signed today, I have the honour to remind you that my Government decided to approve the signing of the Agreement provided that the shipowners to whom fishing licences are granted under the Agreement contribute towards the practical vocational training of nationals of Guinea Bissau on the following terms and within the following limits:

1. Trawlers authorized under the Agreement to fish in waters over which the Republic of Guinea Bissau has sovereignty or jurisdiction may be obliged to take on board seamen of Guinea Bissau up to a proportion of 25 % of that part of their crew representing uncertificated personnel of the bridge, machines and general services (seamen, trainees, cleaners, greasers, galley boys, etc. . .).
2. Owners of freezer tuna boats authorized under the Agreement to fish in the waters referred to in point 1 above shall be responsible for employing nationals of Guinea Bissau either on board the tuna boats or in suitable positions ashore, following approval of the said positions by the authorities of Guinea Bissau. The number of positions referred to in this paragraph shall be determined in overall terms, account being taken of the scale of the tuna boats' activities in Guinea Bissau's fishing zone and the number of crew members of other nationalities from countries whose fishing zones the fleet frequents.

My Government would like the shipowners' contribution towards the vocational training of Guinea Bissau nationals to be examined by the Joint Committee referred to in Article 11 of the Agreement.'

I have the honour to inform you that the Community will have the letter published in order to bring its content to the attention of the shipowners concerned.

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

*On behalf of the Council
of the European Communities*

29. 8. 80

Official Journal of the European Communities

No L 226/45

Exchange of letters No 2**A. Letter from the European Economic Community**

Sir,

With reference to the Agreement on fisheries between the Government of the Republic of Guinea Bissau and the European Economic Community, and in particular Article 8 thereof, signed today, may I request that you confirm your agreement to the following conditions, decided upon to govern future landings of catches in Guinea Bissau.

The Joint Committee shall meet at the request of the Government of Guinea Bissau in order to determine the quantities and conditions for landings of fish, taking into consideration the requirements and the processing capacities of the shore installations in Guinea Bissau and the scale of landings by vessels of other nationalities fishing in Guinea Bissau's fishing zone.

In addition, should there be any landings of tuna, the fee shall be reduced by half and the economic conditions offered to the fishermen shall be comparable to those offered to the same vessels for the quantities landed at Dakar.

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

*On behalf of the Council
of the European Communities*

B. Letter from the Government of the Republic of Guinea Bissau

Sir,

I am in receipt of your letter of today's date, which reads as follows:

'With reference to the Agreement on fisheries between the Government of the Republic of Guinea Bissau and the European Economic Community, and in particular Article 8 thereof, signed today, may I request that you confirm your agreement to the following conditions, decided upon to govern future landings of catches in Guinea Bissau.

The Joint Committee shall meet at the request of the Government of Guinea Bissau in order to determine the quantities and conditions for landings of fish, taking into consideration the requirements and the processing capacities of the shore installations in Guinea Bissau and the scale of landings by vessels of other nationalities fishing in Guinea Bissau's fishing zone.

In addition, should there be any landings of tuna, the fee shall be reduced by half and the economic conditions offered to the fishermen shall be comparable to those offered to the same vessels for the quantities landed at Dakar.'

I have the honour to confirm that my Government is in agreement with the conditions for future landings of catches as stated in that letter.

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

*For the Government of the
Republic of Guinea Bissau*

DECISION No 2/80 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 7 FEBRUARY 1980

approving the accession of
St. Vincent and the Grenadines to
the ACP-EEC Convention of Lomé

(see INST I 49 Vol. 2)

DECISION No 5 /80 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 9 MAY 1980

amending the list of
least developed ACP States

(see INST I 54 Vol. 2)

DECISION No 6/80
OF THE ACP-EEC COUNCIL OF MINISTERS
OF 9 MAY 1980

approving the request by the
Republic of Zimbabwe to accede to the second
ACP-EEC Convention of Lomé

(see INST I 56 Vol. 2)

DECISION No 7/80 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 9 MAY 1980

on Article 18(5) of the
ACP-EEC Convention of Lomé
signed on 28 February 1975

(see INST I 59 Vol. 2)

DECISION No 8 /80 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 9 MAY 1980

adding sesame seed
to the list set out in Article 17(1)
of the ACP-EEC Convention of Lomé
signed on 28 February 1975

(see INST I 62 Vol. 2)

AGREEMENT

in the form of an exchange of letters between the European Economic Community and Barbados, the People's Republic of the Congo, Fiji, the Cooperative Republic of Guyana, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Surinam, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago and the Republic of Uganda, on the guaranteed prices for cane sugar for 1980/81

Letter No 1

Brussels.

Sir,

1. The representatives of the ACP States referred to in Protocol 3 on ACP sugar annexed to the ACP-EEC Convention of Lomé, of the Republic of Surinam, and of the Commission, on behalf of the European Economic Community, have agreed within the framework of the negotiations provided for in Article 5 (4) of the said Protocol, on the following :

— for the period 1 July 1980 to 30 June 1981 the guaranteed prices referred to in Article 5 (4) of the Protocol shall, for the purpose of intervention within the terms of Article 6 of the Protocol, be :

- (a) for raw sugar, 35.89 ECU per 100 kilograms ;
- (b) for white sugar, 44.48 ECU per 100 kilograms.

These prices, which represent an increase of 5.16 % over those of the preceding year, shall refer to sugar of standard quality as defined in Community legislation, unpacked, cif European ports of the Community.

2. Although retroactivity is not provided for in respect of the 1980/81 prices, it is agreed that this year's decision does not prejudice the position of the ACP States in relation to retroactivity in any future negotiation in accordance with Article 4 (3) of Protocol 3 annexed to the ACP-EEC Convention of Lomé.
3. It was noted that despite the concern expressed by the ACP States the previous year over the burden of freight charges the Council of Ministers of the Community had not authorized the inclusion of any factor in respect of freight charges in the determination of the guaranteed prices for the delivery period 1980/81. The ACP States explained that this cost had risen by almost 60 % since last year, thus constituting an important factor, and requested that the Community should give serious consideration to the possibility of alleviating the effect of these charges on the ACP States. The Community, while reiterating that Article 5 (4) set the guaranteed price at the cif stage, recognized the ACP States' concern at the increasing levels of freight rates, and undertook to reconsider the ACP requirements.

I should be obliged if you would acknowledge receipt of this letter and confirm that this letter and your reply constitute an Agreement between the Governments of the abovementioned ACP States and the Community.

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

*For the Council
of the European Communities*

Letter No 2

Brussels,

Sir,

I have the honour to acknowledge receipt of your letter of today which reads as follows :

1. The representatives of the ACP States referred to in Protocol 3 on ACP sugar annexed to the ACP-EEC Convention of Lomé, of the Republic of Surinam, and of the Commission, on behalf of the European Economic Community, have agreed within the framework of the negotiations provided for in Article 5 (4) of the said Protocol, on the following :

— for the period 1 July 1980 to 30 June 1981 the guaranteed prices referred to in Article 5 (4) of the Protocol shall, for the purpose of intervention within the terms of Article 6 of the Protocol, be :

- (a) for raw sugar, 35.89 ECU per 100 kilograms ;
- (b) for white sugar, 44.48 ECU per 100 kilograms.

These prices, which represent an increase of 5.16 % over those of the preceding year, shall refer to sugar of standard quality as defined in Community legislation, unpacked, cif European ports of the Community.

2. Although retroactivity is not provided for in respect of the 1980/81 prices, it is agreed that this year's decision does not prejudice the position of the ACP States in relation to retroactivity in any future negotiation in accordance with Article 4 (3) of Protocol 3 annexed to the ACP-EEC Convention of Lomé.
3. It was noted that despite the concern expressed by the ACP States the previous year over the burden of freight charges the Council of Ministers of the Community had not authorized the inclusion of any factor in respect of freight charges in the determination of the guaranteed prices for the delivery period 1980/81. The ACP States explained that this cost had risen by almost 60 % since last year, thus constituting an important factor, and requested that the Community should give serious consideration to the possibility of alleviating the effect of these charges on the ACP States. The Community, while reiterating that Article 5 (4) set the guaranteed price at the cif stage, recognized the ACP States' concern at the increasing levels of freight rates and undertook to reconsider the ACP request.

I should be obliged if you would acknowledge receipt of this letter and confirm that this letter and your reply constitute an Agreement between the Governments of the abovementioned ACP States and the Community.'

I have the honour to confirm the agreement of the Governments of the ACP States referred to in this letter with the foregoing.

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

For the Governments

Internal Community
provisions relating
to the Convention

Table

1

Subject	Pages in the Collected Acts
Council Regulation (EEC) No 744/77 of 5 April 1977 on the advance implementation of certain provisions of the ACP-EEC Convention of Lomé relating to trade in respect of certain States which have signed Agreements of Accession to the Convention	1
Council Regulation (EEC) No 595/78 of 20 March 1978 extending Regulation (EEC) No 744/77 on the advance implementation of certain provisions of the ACP-EEC Convention of Lomé relating to trade in respect of certain States that have signed Accession Agreements to that Convention	2
Council Regulation (EEC) No 1484/78 of 19 June 1978 concerning the application of Decision No 1/78 of the ACP-EEC Council of Ministers amending Protocol 1 to the ACP-EEC Convention of Lomé concerning the definition of the concept of 'originating products' and methods of administrative cooperation	3
Council Regulation (EEC) No 1746/78 of 24 July 1978 on the conclusion of the Agreements in the form of exchanges of letters between the European Economic Community and Barbados, the People's Republic of the Congo, Fiji, the Co-operative Republic of Guyana, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Surinam, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago, the Republic of Uganda, and also the Republic of India, on the guaranteed prices for cane sugar for 1978/79	4
Council Regulation (EEC) No 2236/78 of 25 September 1978 concerning the conclusion of the Agreements on the accession of the Republic of Cape Verde, Papua New Guinea and the Democratic Republic of Sao Tome and Principe to the Lomé Convention	5 - 6
Council Regulation (EEC) No 2298/79 of 15 October 1979 on the conclusion of the Agreements in the form of exchanges of letters between the European Economic Community and Barbados, the People's Republic of the Congo, Fiji, the Co-operative Republic of Guyana, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Surinam, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago, the Republic of Uganda, and also the Republic of India, on the guaranteed prices for cane sugar for 1979/80	7
Council Regulation (EEC) No 434/80 of 18 February 1980 concerning the application of Decision No 1/80 of the ACP-EEC Council of Ministers on transitional measures to be applied from 1 March 1980	8
Council Regulation (EEC) No 1470/80 of 9 June 1980 on the safeguard measures provided for in the second ACP-EEC Convention	9

Table

2

Subject	Pages in the Collected Acts
<p>Council Regulation (EEC) No 2212/80 of 27 June 1980 on the conclusion of the Agreement between the Government of the Republic of Senegal and the European Economic Community on fishing off the coast of Senegal, of the Protocol, and of the exchanges of letters referring thereto</p>	10
<p>Council Regulation (EEC) No 2213/80 of 27 June 1980 on the conclusion of the Agreement between the Government of the Republic of Guinea Bissau and the European Economic Community on fishing off the coast of Guinea Bissau, and of the two exchanges of letters referring thereto</p>	11
<p>Council Regulation (EEC) No 3185/80 of 4 December 1980 on the conclusion of the Agreements in the form of exchanges of letters between the European Economic Community and Barbados, the People's Republic of the Congo, Fiji, the Cooperative Republic of Guyana, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Surinam, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago, the Republic of Uganda, and also the Republic of India, on the guaranteed prices for cane sugar for 1980/81 . . .</p>	12

8. 4. 77

Official Journal of the European Communities

No L 90/5

COUNCIL REGULATION (EEC) No 744/77

of 5 April 1977

on the advance implementation of certain provisions of the ACP-EEC Convention of Lomé relating to trade in respect of certain States which have signed Agreements of Accession to the Convention

(see TRADE CO-OP I 441 - 442)

COUNCIL REGULATION (EEC) No 595/78

of 20 March 1978

extending Regulation (EEC) No 744/77 on the advance implementation of certain provisions of the ACP-EEC Convention of Lomé relating to trade in respect of certain States that have signed Accession Agreements to that Convention

(see TRADE CO-OP I 648)

30. 6. 78

Official Journal of the European Communities

No L 177/1

COUNCIL REGULATION (EEC) No 1484/78

of 19 June 1978

concerning the application of Decision No 1/78 of the ACP-EEC Council of Ministers amending Protocol 1 to the ACP-EEC Convention of Lomé concerning the definition of the concept of 'originating products' and methods of administrative cooperation

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

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

Article 1

Having regard to the proposal from the Commission,

Decision No 1/78 of the ACP-EEC Council of Ministers shall apply in the Community.

Whereas the ACP-EEC Council of Ministers set up by the ACP-EEC Convention of Lomé, adopted, pursuant to Article 9 (2) of the Convention, Decision No 1/78 of 14 March 1978, amending Protocol 1 to the ACP-EEC Convention of Lomé concerning the definition of the concept of 'originating products' and methods of administrative cooperation;

The text of the Decision is annexed hereto.

Article 2

Whereas it is necessary, in accordance with Article 74 (3) of the Convention, to take measures to carry out this Decision,

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

It shall apply from 1 January 1978.

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

Done at Luxembourg, 19 June 1978.

For the Council

The President

P. DALSGER

**COUNCIL REGULATION (EEC) No 1746/78
of 24 July 1978**

on the conclusion of the Agreements in the form of exchanges of letters between the European Economic Community and Barbados, the People's Republic of the Congo, Fiji, the Cooperative Republic of Guyana, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Surinam, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago, the Republic of Uganda, and also the Republic of India, on the guaranteed prices for cane sugar for 1978/79

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the recommendation from the Commission,

Whereas Protocol 3 on ACP sugar annexed to the ACP-EEC Convention of Lomé and the Agreement between the European Economic Community and the Republic of India on cane sugar (¶), are implemented in the context of the management of the common organization of the sugar market;

Whereas it is appropriate to approve the Agreements in the form of exchanges of letters between the European Economic Community and the States referred to in Protocol 3 on ACP sugar and the Republic of Surinam, and also the Republic of India, on the guaranteed prices for cane sugar for 1978/79,

HAS ADOPTED THIS REGULATION :

Article 1

The Agreement in the form of exchange of letters between the European Economic Community and

Barbados, the People's Republic of the Congo, Fiji, the Cooperative Republic of Guyana, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Surinam, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago and the Republic of Uganda on the guaranteed prices for cane sugar for 1978/79, and the Agreement in the form of an exchange of letters between the European Economic Community and the Republic of India on the guaranteed prices for cane sugar for 1978/79, are hereby approved on behalf of the Community.

The texts of these Agreements are annexed to this Regulation.

Article 2

The President of the Council is authorized to designate the person empowered to sign the Agreements referred to in Article 1 so as to bind the Community.

Article 3

This Regulation shall enter into force on the 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, 24 July 1978.

For the Council

The President

J. ERTL

(¶) OJ No L 190, 23. 7. 1975, p. 36.

27. 9. 78

Official Journal of the European Communities

No L 271/1

COUNCIL REGULATION (EEC) No 2236/78

of 25 September 1978

concerning the conclusion of the Agreements on the accession of the Republic of Cape Verde, Papua New Guinea and the Democratic Republic of Sao Tome and Principe to the Lomé Convention

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 238 thereof,

Having regard to the recommendation from the Commission,

Having regard to the opinion of the European Parliament,

Whereas three Agreements on the accession of the Republic of Cape Verde, Papua New Guinea and the Democratic Republic of Sao Tome and Principe to the ACP-EEC Convention of Lomé (1), hereinafter referred to as the 'Convention', and a Final Act were signed in Brussels on 28 March 1977 by these States and the European Economic Community;

Whereas these Agreements should be concluded,

HAS ADOPTED THIS REGULATION:

Article 1

The Agreements on the accession of the Republic of Cape Verde, Papua New Guinea and the Democratic

Republic of Sao Tome and Principe to the Convention, and the Final Act and declarations annexed thereto, are hereby approved on behalf of the European Economic Community.

The texts referred to in the first paragraph are annexed to this Regulation.

Article 2

The President of the Council, as regards the Community, shall deposit the act of notification of the approval of the Agreements, in accordance with Article 3 (2) of the Agreement on the accession of Papua New Guinea, and with Article 4 (2) of the Agreements on the accession of the Republic of Cape Verde and the Democratic Republic of Sao Tome and Principe .

Article 3

Save where otherwise provided, any mention of the ACP States in the acts of the Institutions of the Community shall also refer to the Republic of Cape Verde, Papua New Guinea and the Democratic Republic of Sao Tome and Principe.

Article 4

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

(1) GEN 0 2

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

Done at Brussels, 25 September 1978.

For the Council

The President

J. ERTL

COUNCIL REGULATION (EEC) No 2298/79
of 15 October 1979

on the conclusion of the Agreements in the form of exchanges of letters between the European Economic Community and Barbados, the People's Republic of the Congo, Fiji, the Cooperative Republic of Guyana, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Surinam, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago, the Republic of Uganda, and also the Republic of India, on the guaranteed prices for cane sugar for 1979/80

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the recommendation from the Commission,

Whereas Protocol 3 on ACP sugar annexed to the ACP-EEC Convention of Lome⁽¹⁾, and the Agreement between the European Economic Community and the Republic of India on cane sugar⁽²⁾, are implemented in the context of the management of the common organization of the sugar market;

Whereas it is appropriate to approve the Agreements in the form of exchanges of letters between the European Economic Community and the States referred to in Protocol 3 on ACP sugar and the Republic of Surinam, and also the Republic of India, on the guaranteed prices for cane sugar for 1979/80,

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement in the form of exchange of letters between the European Economic Community and

Barbados, the People's Republic of the Congo, the Cooperative Republic of Guyana, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Surinam, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago and the Republic of Uganda on the guaranteed prices for cane sugar for 1979/80, and the Agreement in the form of an exchange of letters between the European Economic Community and the Republic of India on the guaranteed prices for cane sugar for 1979/80, are hereby approved on behalf of the Community.

The texts of these Agreements are annexed to this Regulation.

Article 2

The President of the Council is authorized to designate the person empowered to sign the Agreements referred to in Article 1 so as to bind the Community.

Article 3

This Regulation shall enter into force on the 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 Luxembourg, 15 October 1979.

For the Council
The President
J. GIBBONS

⁽¹⁾ OJ No L 25, 30. 1. 1976, p. 1.

⁽²⁾ OJ No L 190, 23. 7. 1975, p. 36.

28. 2. 80

Official Journal of the European Communities

No L 55/1

COUNCIL REGULATION (EEC) No 434/80

of 18 February 1980

concerning the application of Decision No 1/80 of the ACP—EEC Council of Ministers on transitional measures to be applied from 1 March 1980

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,

Having regard to the opinion of the European Parliament,

Whereas the ACP—EEC Convention of Lomé, signed on 28 February 1975, expires on 1 March 1980;

Whereas the second ACP—EEC Convention, signed at Lomé on 31 October 1979, cannot enter into force on the same date;

Whereas the Committee of Ambassadors established by the 1975 ACP—EEC Convention of Lomé has adopted, under the powers delegated to it by Decision No 10/79 of the ACP—EEC Council of Ministers and by virtue of

the third paragraph of Article 91 of that Convention, the transitional measures to be applied from 1 March 1980 until the entry into force of the second ACP—EEC Convention;

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

HAS ADOPTED THIS REGULATION:

Article 1

Decision No 1/80 of the ACP—EEC Council of Ministers annexed to this Regulation shall apply in the Community with effect from 1 March 1980 and shall expire not later than 31 December 1980.

Article 2

This Regulation shall enter into force on 1 March 1980.

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

Done at Brussels, 18 February 1980.

For the Council

The President

G. MARCORA

COUNCIL REGULATION (EEC) No 1470/80
of 9 June 1980
on the safeguard measures provided for in the second ACP-EEC Convention

(see TRADE CO-OP I 74 Vol. 2)

COUNCIL REGULATION (EEC) No 2212/80

of 27 June 1980

on the conclusion of the Agreement between the Government of the Republic of Senegal and the European Economic Community on fishing off the coast of Senegal, of the Protocol, and of the exchanges of letters referring theretoTHE COUNCIL OF THE EUROPEAN
COMMUNITIES,Having regard to the Treaty establishing the Euro-
pean Economic Community, and in particular
Article 43 thereof,Having regard to the proposal from the Commis-
sion,Having regard to the opinion of the European Par-
liament ,Whereas it is in the Community's interest to approve
the Agreement between the European Economic
Community and the Government of the Republic of
Senegal on fishing off the coast of Senegal, the Pro-
tocol and the exchange of letters referring thereto,
signed in Brussels on 15 June 1979;Whereas the conclusion of this Agreement renders
nugatory Council Decision 79/569/EEC of 12 June
1979 concerning the conclusion of the Agreement in
the form of an exchange of letters on the provisional
application of the Agreement between the Govern-
ment of the Republic of Senegal and the European
Economic Community on fishing off the coast of
Senegal and of the Protocol and the exchanges of
letters relating thereto (1),

HAS ADOPTED THIS REGULATION:

*Article 1*The Agreement between the Government of the
Republic of Senegal and the European Economic
Community on fishing off the coast of Senegal, the
Protocol and the exchanges of letters referring there-
to are approved on behalf of the Community.The instruments referred to in the preceding para-
graph are annexed to this Regulation.*Article 2*The President of the Council shall give the notifica-
tion provided for in Article 18 of the Agreement .*Article 3*

Decision 79/569/EEC is hereby repealed.

*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, 27 June 1980.

*For the Council**The President*

A. SARTI

(1) GEN O 139 Vol. 2

29. 8. 80

Official Journal of the European Communities

No L 226/33

COUNCIL REGULATION (EEC) No 2213/80

of 27 June 1980

on the conclusion of the Agreement between the Government of the Republic of Guinea Bissau and the European Economic Community on fishing off the coast of Guinea Bissau, and of the two exchanges of letters referring thereto

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 proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas it is in the Community's interest to approve the Agreement between the European Economic Community and the Government of the Republic of Guinea Bissau on fishing off the coast of Guinea Bissau, and the two exchanges of letters referring thereto, signed in Brussels on 27 February 1980;

Whereas the conclusion of this Agreement renders nugatory Council Decision 80/255/EEC of 26 February 1980, concerning the conclusion of the Agreement in the form of an exchange of letters on the provisional application of the Agreement between the Government of the Republic of Guinea Bissau and of the two exchanges of letters relating thereto (1);

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

Done at Brussels, 27 June 1980.

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement between the Government of the Republic of Guinea Bissau and the European Economic Community on fishing off the coast of Guinea Bissau, and the two exchanges of letters referring thereto are approved on behalf of the Community.

The instruments referred to in the preceding paragraph are annexed to this Regulation.

Article 2

The President of the Council shall give the notification provided for in Article 18 of the Agreement.

Article 3

Decision 80/255/EEC is hereby repealed.

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

A. SARTI

(1) GEN O 154 Vol. 2

**COUNCIL REGULATION (EEC) No 3185/80
of 4 December 1980**

on the conclusion of the Agreements in the form of exchanges of letters between the European Economic Community and Barbados, the People's Republic of the Congo, Fiji, the Cooperative Republic of Guyana, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Surinam, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago, the Republic of Uganda, and also the Republic of India, on the guaranteed prices for cane sugar for 1980/81

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the recommendation from the Commission,

Whereas Protocol 3 on ACP sugar annexed to the ACP-EEC Convention of Lomé⁽¹⁾, and the Agreement between the European Economic Community and the Republic of India on cane sugar⁽²⁾, are implemented in the context of the management of the common organization of the sugar market;

Whereas it is appropriate to approve the Agreements in the form of exchanges of letters between the European Economic Community and the States referred to in Protocol 3 on ACP sugar, the Republic of Surinam and the Republic of India, on the guaranteed prices for cane sugar for 1980/81,

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement in the form of exchange of letters between the European Economic Community and

Barbados, the People's Republic of the Congo, Fiji, the Cooperative Republic of Guyana, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Surinam, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago and the Republic of Uganda on the guaranteed prices for cane sugar for 1980/81, and the Agreement in the form of an exchange of letters between the European Economic Community and the Republic of India on the guaranteed prices for cane sugar for 1980/81, are hereby approved on behalf of the Community.

The texts of these Agreements are annexed to this Regulation.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreements referred to in Article 1 in order to bind the Community.

Article 3

This Regulation shall enter into force on the day following that of 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, 4 December 1980.

For the Council

The President

J. BARTHEL

⁽¹⁾ GEN O 112 Vol. 1.
⁽²⁾ OJ No L 190, 23. 7. 1975, p. 36.

Table

1

I. Trade

Subject	Pages in the Collected Acts
Council Regulation (EEC) No 2993/78 of 19 December 1978 extending the period of validity of Regulation (EEC) No 3328/75 renewing the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States	1 - 2
Commission Regulation (EEC) No 3006/78 of 20 December 1978 laying down detailed rules for the application of Regulation (EEC) No 3328/75 renewing the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States	3 - 5
Commission Regulation (EEC) No 3098/78 of 28 December 1978 fixing the amounts by which import charges on beef and veal originating in the African, Caribbean and Pacific States are to be reduced	6 - 7
Council Regulation (EEC) No 215/79 of 5 February 1979 regarding the application of Decision No 4/78 of the ACP-EEC Council of Ministers derogating from the definition of the concept of 'originating products' to take into account the special situation of Kenya with regard to certain items of fishing tackle (fishing flies)	8
Decision No 4/78 of the ACP-EEC Council of Ministers of 21 December 1978 derogating from the definition of the concept of 'originating products' to take into account the special situation of Kenya with regard to certain items of fishing tackle (fishing flies)	9
Council Regulation (EEC) No 216/79 of 5 February 1979 regarding the application of Decision No 5/78 of the ACP-EEC Council of Ministers derogating from the definition of the concept of 'originating products' to take into account the special situation of Malawi with regard to certain items of fishing tackle (fishing flies)	10
Decision No 5/78 of the ACP-EEC Council of Ministers of 21 December 1978 derogating from the definition of the concept of 'originating products' to take into account the special situation of Malawi with regard to certain items of fishing tackle (fishing flies)	11
Council Regulation (EEC) No 527/79 of 19 March 1979 amending the list of countries and territories in Regulation (EEC) No 706/76 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories, concerning the list of countries and territories	12
Commission Regulation (EEC) No 631/79 of 30 March 1979 fixing the amounts by which import charges on beef and veal originating in the African, Caribbean and Pacific States are to be reduced	13 - 14

Table

2

Subject	Pages in the Collected Acts
Council Regulation (EEC) No 927/79 of 8 May 1979 on the application of Decision No 2/79 of the ACP-EEC Council of Ministers derogating from the concept of 'originating products' to take account of the special situation of Mauritius with regard to its production of canned tuna	15
Decision No 2/79 of the ACP-EEC Council of Ministers of 23 March 1979 derogating from the concept of 'originating products' to take account of the special situation of Mauritius with regard to its production of canned tuna	16
79 569 110	
Council Decision of 12 June 1979 concerning the conclusion of the Agreement in the form of an exchange of letters on the provisional application of the Agreement between the Government of the Republic of Senegal and the European Economic Community on fishing off the coast of Senegal and of the Protocol and the exchanges of letters relating thereto	17
Agreement in the form of an exchange of letters on the provisional application of the Agreement between the Government of the Republic of Senegal and the European Economic Community on fishing off the coast of Senegal and of the Protocol and the exchanges of letters relating thereto	18
Council Regulation (EEC) No 1253/79 of 25 June 1979 opening, allocating and providing for the administration of a Community tariff quota for rum, arrack and tafia, falling within subheading 22.09 C I of the Common Customs Tariff and originating in the ACP States (1979/80)	19 - 20
Commission Regulation (EEC) No 1339/79 of 29 June 1979 fixing the amounts by which import charges on beef and veal originating in the African, Caribbean and Pacific States are to be reduced	21 - 22
Commission Regulation (EEC) No 1358/79 of 29 June 1979 derogating from Regulation (EEC) No 3006/78 as regards the calculation of the amount of the reduction of import charges for beef and veal products from the African, Caribbean and Pacific States for the period beginning 2 July 1979	23
Commission Regulation (EEC) No 1359/79 of 29 June 1979 fixing the amounts by which import charges on beef and veal originating in the African, Caribbean and Pacific States are to be reduced	24 - 25
Commission Regulation (EEC) No 1373/79 of 2 July 1979 correcting Regulation (EEC) No 1359/79 fixing the amounts by which import charges on beef and veal originating in the African, Caribbean and Pacific States are to be reduced	26 - 27

Table

3

Subject	Pages in the Collected Acts
Commission Regulation (EEC) No 2095/79 of 26 September 1979 fixing the amounts by which import charges on beef and veal originating in the African, Caribbean and Pacific States are to be reduced	28 - 29
Council Regulation (EEC) No 2430/79 of 29 October 1979 opening, allocating and providing for the administration of a Community tariff quota for fresh or chilled tomatoes falling within subheading ex 07.01 M I of the Common Customs Tariff, originating in the African, Caribbean and Pacific States and in the overseas countries and territories (1979/80)	30 - 31
Commission Regulation (EEC) No 2944/79 of 27 December 1979 fixing the amounts by which import charges on beef and veal originating in the African, Caribbean and Pacific States are to be reduced	32 - 33
Council Regulation (EEC) No 279/80 of 5 February 1980 amending the list of countries and territories in Regulation (EEC) No 706/76 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories	34
Council Regulation (EEC) No 435/80 of 18 February 1980 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States and the overseas countries and territories	35 - 49
Council Regulation (EEC) No 436/80 of 18 February 1980 opening, allocating and providing for the administration of a Community tariff quota for fresh or chilled tomatoes, falling within subheading ex 07.01 M I of the Common Customs Tariff and originating in the African, Caribbean and Pacific States (March/April 1980)	50 - 51
Council Regulation (EEC) No 437/80 of 18 February 1980 establishing ceilings and Community surveillance for imports of carrots and onions, falling within subheading ex 07.01 of the Common Customs Tariff and originating in the ACP States (1980)	52 - 54
Council Regulation (EEC) No 438/80 of 18 February 1980 opening, allocating and providing for the administration of a Community tariff quota for rum, arrack and tafia, falling within subheading 22.09 C I of the Common Customs Tariff and originating in the ACP States (March/June 1980)	55 - 56

Table

4

Subject	Pages in the Collected Acts
<p>Commission Regulation (EEC) No 485/80 of 28 February 1980 amending Regulation (EEC) No 571/78 in respect of the issue of import licences for products of the beef and veal sector originating in the African, Caribbean and Pacific States or in the overseas countries and territories</p>	<p>57 - 59</p>
<p>Commission Regulation (EEC) No 486/80 of 28 February 1980 laying down detailed rules for the application in the beef and veal sector of Regulation (EEC) No 435/80 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories</p>	<p>60</p>
<p>Commission Regulation (EEC) No 518/80 of 28 February 1980 fixing the amounts by which import duties on beef and veal originating in the African, Caribbean and Pacific States are to be reduced</p>	<p>61 - 62</p>
<p>80/255/EEC :</p>	
<p>Council Decision of 26 February 1980 concerning the conclusion of the Agreement in the form of an exchange of letters on the provisional application of the Agreement between the Government of the Republic of Guinea Bissau and the European Economic Community on fishing off the coast of Guinea Bissau and of the two exchanges of letters relating thereto</p>	<p>63</p>
<p>Agreement in the form of an exchange of letters on the provisional application of the Agreement between the Government of the Republic of Guinea Bissau and the European Economic Community on fishing off the coast of Guinea Bissau and of the two exchanges of letters relating thereto</p>	<p>64</p>
<p>Council Regulation (EEC) No 551/80 of 3 March 1980 derogating from the definition of the concept of 'originating products' to take into account the special situation of Malawi and Kenya with regard to certain items of fishing tackle (fishing flies)</p>	<p>65 - 66</p>
<p>Council Regulation (EEC) No 552/80 of 3 March 1980 derogating from the concept of 'originating products' to take into account the special situation of Mauritius with regard to its production of canned tuna</p>	<p>67 - 68</p>
<p>Commission Regulation (EEC) No 769/80 of 28 March 1980 fixing the amounts by which import duties on beef and veal originating in the African, Caribbean and Pacific States are to be reduced</p>	<p>69 - 70</p>

Table

5

Subject	Pages in the Collected Acts
Commission Regulation (EEC) No 1382/80 of 5 June 1980 derogating from Regulation (EEC) No 486/80 as regards the calculation of the amount of the reduction of import duties for beef and veal products from the African, Caribbean and Pacific States for the period beginning 2 June 1980	71
Commission Regulation (EEC) No 1383/80 of 5 June 1980 fixing the amounts by which import duties on beef and veal originating in the African, Caribbean and Pacific States are to be reduced	72 - 73
Council Regulation (EEC) No 1470/80 of 9 June 1980 on the safeguard measures provided for in the second ACP-EEC Convention	74 - 75
Commission Regulation (EEC) No 1606/80 of 25 June 1980 amending Regulation (EEC) No 2849/75 on measures relating to imports of rice and broken rice originating in the African, Caribbean and Pacific States or in the overseas countries and territories	76 - 77
Council Regulation (EEC) No 1638/80 of 24 June 1980 on the system for guaranteeing the stabilization of earnings from certain commodities exported by the ACP States and the overseas countries and territories associated with the Community	78 - 81
Council Regulation (EEC) No 1640/80 of 24 June 1980 concerning the application of Decision No 3/80 of the ACP-EEC Council of Ministers derogating from the concept of originating products to take account of the special situation of Malawi and Kenya with regard to certain items of fishing tackle (fishing flies)	82
Decision No 3/80 of the ACP-EEC Council of Ministers of 27 February 1980 derogating from the definition of the concept of originating products to take account of the special situation of Malawi and Kenya with regard to certain items of fishing tackle (fishing flies)	83
Commission Regulation (EEC) No 1651/80 of 27 June 1980 fixing the amounts by which import duties on beef and veal originating in the African, Caribbean and Pacific States are to be reduced	84 - 85
Council Regulation (EEC) No 1711/80 of 27 June 1980 opening, allocating and providing for the administration of a Community tariff quota for rum, arrack and tafia falling within subheading 22.09 C I of the Common Customs Tariff and originating in the ACP States (1980/81)	86 - 88

Table

6

Subject	Pages in the Collected Acts
80/644/EEC : Commission Decision of 18 June 1980 on the issue of import licences in respect of beef and veal products originating in Botswana, Kenya, Madagascar and Swaziland	89
Commission Regulation (EEC) No 2118/80 of 30 July 1980 on measures concerning imports of rice and broken rice originating in the African, Caribbean and Pacific States or the overseas countries and territories . .	90 - 92
80/771/EEC : Commission Decision of 18 July 1980 on the issue of import licences in respect of beef and veal products originating in Botswana, Kenya, Madagascar and Swaziland	93
Council Regulation (EEC) No 2212/80 of 27 June 1980 on the conclusion of the Agreement between the Government of the Republic of Senegal and the European Economic Community on fishing off the coast of Senegal, of the Protocol, and of the exchanges of letters referring thereto	94
Agreement between the Government of the Republic of Senegal and the European Economic Community on fishing off the coast of Senegal	95
Protocol between the European Economic Community and the Government of the Republic of Senegal	96
Council Regulation (EEC) No 2213/80 of 27 June 1980 on the conclusion of the Agreement between the Government of the Republic of Guinea Bissau and the European Economic Community on fishing off the coast of Guinea Bissau, and of the two exchanges of letters referring thereto	97
Agreement between the Government of the Republic of Guinea Bissau and the European Economic Community on fishing off the coast of Guinea Bissau	98
Protocol between the European Economic Community and the Government of the Republic of Guinea Bissau	99
Agreement in the form of exchanges of letters between the Government of the Republic of Guinea Bissau and the European Economic Community on fishing off the coast of Guinea Bissau	100

Table

7

Subject	Pages in the Collected Acts
Commission Regulation (EEC) No 2377/80 of 4 September 1980 on special detailed rules for the application of the system of import and export licences in the beef and veal sector.	100 A - 100 N
80/858/EEC : Commission Decision of 19 August 1980 on the issue of import licences in respect of beef and veal products originating from Botswana, Kenya, Madagascar and Swaziland	101
Commission Regulation (EEC) No 2510/80 of 30 September 1980 fixing the amounts by which import duties on beef and veal originating in the African, Caribbean and Pacific States are to be reduced	102 - 103
Decision No 8/80 of the ACP-EEC Council of Ministers of 9 May 1980 adding sesame seed to the list set out in Article 17(1) of the ACP-EEC Convention of Lomé signed on 28 February 1975	104
80/942/EEC : Commission Decision of 18 September 1980 on the issue of import licences in respect of beef and veal products originating from Botswana, Kenya, Madagascar and Swaziland	105
Commission Regulation (EEC) No 2824/80 of 31 October 1980 opening, allocating and providing for the administration of a Community tariff quota for fresh or chilled tomatoes, falling within subheading ex 07.01 M I of the Common Customs Tariff and originating in the African, Caribbean and Pacific States (1980/81)	106 - 107
Commission Regulation (EEC) No 2850/80 of 31 October 1980 establishing ceilings and Community surveillance for imports of carrots and onions falling within heading No ex 07.01 of the Common Customs Tariff and originating in the ACP States (1981)	108 - 109
80/1029/EEC : Commission Decision of 21 October 1980 on the issue of import licences in respect of beef and veal products originating from Botswana, Kenya, Madagascar and Swaziland	110
Commission Regulation (EEC) No 3159/80 of 5 December 1980 temporarily suspending the issues of import licences for preserved mushrooms from Kenya	111
80/1133/EEC : Commission Decision of 21 November 1980 on the issue of import licences in respect of beef and veal products originating from Botswana, Kenya, Madagascar and Swaziland	112

COUNCIL REGULATION (EEC) No 2993/78

of 19 December 1978

extending the period of validity of Regulation (EEC) No 3328/75 renewing the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States

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 proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas certain signatory States of the ACP-EEC Convention of Lomé are traditional suppliers of beef and veal to the Community; whereas the production of beef and veal is an essential factor in their economies, which are highly dependent upon these exports; whereas, since the States concerned are the least developed among the States which export beef and veal to the Community, special measures could contribute to maintaining a regular flow of imports;

Whereas this situation has been taken into account by Council Regulation (EEC) No 3328/75 of 18 December 1975 renewing the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States, as last amended by Regulation (EEC) No 2570/77; whereas the arrangements introduced by this Regulation provide that, subject to the ACP States applying an export tax of a corresponding amount, there is partial compensation of the import charges other than customs duties in respect of the products referred to in Article 1 (a) of Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EEC) No 425/77⁽²⁾; whereas these arrangements expire on 31 December 1978;

Whereas in particular the world market situation and price levels in the ACP States and in the Community have not been sufficiently adjusted; whereas the beef and veal sector is of vital importance to the above-mentioned countries, whereas these special measures

should be extended from 1 January 1979 to 1 March 1980 for the ACP States which export beef and veal to the Community,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3328/75 is hereby amended as follows:

(a) Article 2 shall read:

Article 2

The reduction provided for in Article 1 shall be limited:

— from 1 January to 31 December 1979 to a quantity of 27 532 tonnes, expressed in terms of boned meat, allocated as follows:

Botswana	17 360 tonnes,
Kenya	130 tonnes,
Madagascar	6 956 tonnes,
Swaziland	3 086 tonnes;

— from 1 January to 1 March 1980 to a quantity of 4 595 tonnes, expressed in terms of boned meat, allocated as follows:

Botswana	2 895 tonnes,
Kenya	25 tonnes,
Madagascar	1 160 tonnes,
Swaziland	515 tonnes.

(b) In the second subparagraph of Article 4, '31 December 1978' shall read '1 March 1980'.

Article 2

This Regulation shall enter into force on 1 January 1979.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 61, 5. 3. 1977, p. 1.

No L 357/6

Official Journal of the European Communities

21. 12. 78

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

Done at Brussels, 19 December 1978.

For the Council

The President

H.-D. GENSCHER

**COMMISSION REGULATION (EEC) No 3006/78
of 20 December 1978**

**laying down detailed rules for the application of Regulation (EEC) No 3328/75
renewing the arrangements for the reduction of import charges on beef and veal
products originating in the African, Caribbean and Pacific States**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC)
No 3328/75 of 18 December 1975 renewing the arrange-
ments for the reduction of import charges on beef
and veal products originating in the African, Carib-
bean and Pacific States, as last amended by Regula-
tion (EEC) No 2993/78, and in particular Article 3
(1) and (2) thereof,

Having regard to Council Regulation No 129 on the
value of the unit of account and the exchange rates to
be applied for the purposes of the common agricul-
tural policy⁽¹⁾, as last amended by Regulation (EEC)
No 2543/73⁽²⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary
Committee,

Whereas the arrangements for the reduction of import
charges on beef and veal products originating in the
African, Caribbean and Pacific States provided for in
Regulation (EEC) No 3328/75 have been renewed
until 1 March 1980 by Regulation (EEC)
No 2993/78;

Whereas Article 1 of Regulation (EEC) No 3328/75
lays down that the charges on imports of beef and
veal originating in the African, Caribbean and Pacific
States are to be reduced, provided that a tax of a corres-
ponding amount was levied when the goods were
exported from the country of origin;

Whereas the import charges result from the level of
the levy applicable and that levy may be adjusted by
monetary compensatory amounts; whereas, having
regard to the monetary trends in the individual
Member States, the amount of the reduction should be
calculated separately for each Member State on the
basis of the monetary compensatory amount appli-
cable to imports in the Member State concerned;

⁽¹⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽²⁾ OJ No L 263, 19. 9. 1973, p. 1.

Whereas the reduction consists of levy and monetary
compensatory amount components; whereas, more-
over, the fixing of the reduction in units of account
may create problems, especially for the exporting
country, as regards the exchange rate to be used;
whereas, consequently, the amount of the reduction
should be fixed in national currency for each Member
State of destination;

Whereas it appears useful to outline the manner in
which the amount to be actually levied on imports is
calculated;

Whereas the amount by which the import charges are
reduced is fixed quarterly; whereas this amount may
vary during transport to the Community; whereas at
the time of export the exporting country, when calcu-
lating the export tax to be levied, can only base itself
on the reduction in force; whereas the export tax
must be compared to the reduction applicable at the
time of export;

Whereas the amount representing import charges is
that applicable on the day of acceptance of the entry
of the goods for home use; whereas these charges are
reduced by the reduction applicable on that date;

Whereas proof that the export tax provided for in
Regulation (EEC) No 3328/75 has been collected may
be furnished by entering the relevant amount on the
EUR 1 certificate for the movement of goods referred
to in Article 6 of Protocol No 1 to the Convention of
Lomé;

Whereas detailed rules for the application of the
system of import licences for beef and veal products
are laid down in Commission Regulation (EEC)
No 193/75⁽³⁾, as last amended by Regulation (EEC)
No 1624/78⁽⁴⁾, and in Commission Regulation (EEC)
No 571/78⁽⁵⁾, as last amended by Regulation (EEC)
No 1559/78⁽⁶⁾; whereas, however, it is appropriate to
prescribe special rules for licences granted under the
present Regulation;

⁽³⁾ OJ No L 25, 31. 1. 1975, p. 10.

⁽⁴⁾ OJ No L 190, 13. 7. 1978, p. 14.

⁽⁵⁾ OJ No L 78, 22. 3. 1978, p. 10.

⁽⁶⁾ OJ No L 184, 6. 7. 1978, p. 18.

21. 12. 78

Official Journal of the European Communities

No L 357/45

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION :

Article 1

1. Import licences shall be issued for beef and veal products originating in Botswana, Kenya, Madagascar and Swaziland under the conditions laid down in this Regulation and within the limits of the quantities, expressed in tonnes of boned meat, fixed in Regulation (EEC) No 3328/75.

2. For the purposes of this Regulation 100 kilograms of boned meat shall be equivalent to 130 kilograms of unboned meat.

Article 2

1. Applications for import licences may be submitted only during the first 10 days of each month.

2. On the working day following the last working day of the period for the submission of applications, Member States shall inform the Commission by telex, in respect of each of the non-member countries concerned, of the total quantity covered by the applications referred to in paragraph 1.

3. The Commission shall decide in respect of each non-member country concerned to what extent the applications can be accepted. If the quantities of products originating in a non-member country in respect of which licences are applied for exceed the quantity available from that non-member country, the Commission shall fix a single percentage for the reduction of the quantities applied for.

4. If the total quantity covered by applications relating to a non-member country is lower than that available from that non-member country, the Commission shall determine the amount of the balance remaining.

5. Licences shall be issued on the 21st day of each month. If that is not a working day in the Member State in which the applications were submitted, however, licences shall be issued on the first working day thereafter.

6. The import licence shall be valid from the day of issue as specified in paragraph 5 for :

- (a) 90 days in respect of frozen meat ;
- (b) 45 days in respect of fresh or chilled meat.

7. The application for a licence and the licence itself shall be drawn up in accordance with Article 7 of Regulation (EEC) No 571/78.

8. Subject to the provisions of Article 18 of Regulation (BEC) No 193/75, the security shall be released

immediately in respect of the quantity for which no import licence has been issued.

Article 3

Importation under the system of import charge reductions may take place only if the origin of the products concerned is certified by the competent authorities of the exporting countries in accordance with the rules of origin applicable to the products in question pursuant to Protocol No 1 to the Convention of Lomé.

Article 4

1. The amount provided for in Article 1 of Regulation (EEC) No 3328/75 for each product intended for importation into a Member State shall be equal to 90 % of the amount of the levy, adjusted as appropriate by the monetary compensatory amount valid for imports into that Member State during the week preceding that in which the quarter for which the reduction is calculated begins.

The reduction shall be fixed for each Member State in its national currency.

2. The reduction shall be deducted from the levy valid on the day on which the customs import formalities are completed in the Member State concerned, adjusted as appropriate by the monetary coefficient shown in Annex II to the Commission Regulation fixing the monetary compensatory amounts and by the monetary compensatory amount valid in the Member State concerned on the same date.

Article 5

1. The import charges shall be reduced by the amount fixed in accordance with Article 4 only if :

- (a) an export tax at least equal to that amount has been levied ;
- (b) the EUR 1 certificate for the movement of goods referred to in Article 6 of Protocol No 1 to the Convention of Lomé indicates :

- in box 7, the amount of the export tax levied per 100 kilograms,
- in box 8, the Common Customs Tariff subheading for the products in question.

A separate certificate shall be drawn up for each subheading of the Common Customs Tariff.

2. At the time of the completion of customs import formalities for the entry of goods into home use, the amount of the export tax levied per 100 kilograms shall be compared with the amount, fixed in accordance with Article 4 in respect of the importing Member State, which was applicable at the time when the EUR 1 certificate for the movement of goods was issued.

No L 357/46

Official Journal of the European Communities

21. 12. 78

If the amount of the export tax levied is expressed in a currency other than that of the importing Member State, the exchange rate used shall be the most recent selling rate recorded on the most representative exchange market or markets of that Member State.

The export tax levied shall be considered as corresponding to the amount fixed in accordance with Article 4 when the comparison shows that the export tax expressed in the currency of the importing Member State is not lower than the said amount.

3. The amount by which the import charges shall be reduced shall be that applicable on the date on which the entry of the goods for home use is accepted.

4. The application of this Regulation may in no case result in the granting of an amount.

Article 6

In respect of quantities imported pursuant to Article 2 (4) of Regulation (EEC) No 193/75, the levies fixed in accordance with Articles 10 to 13 of Regulation (EEC) No 805/68 shall be charged in full.

Article 7

This Regulation shall enter into force on 1 January 1979.

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

Done at Brussels, 20 December 1978.

For the Commission

Finn GUNDELACH

Vice-President

**COMMISSION REGULATION (EEC) No 3098/78
of 28 December 1978**

**fixing the amounts by which import charges on beef and veal originating in the
African, Caribbean and Pacific States are to be reduced**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
3328/75 of 18 December 1975 renewing the arrange-
ments for the reduction of import charges on beef and
veal products originating in the African, Caribbean
and Pacific States, as last amended by Regulation
(EEC) No 2993/78, and in particular Article 1
thereof,

Whereas Article 1 (1) of Regulation (EEC) No 3328/75
provides for a 90 % reduction in the import charges
on beef and veal; whereas the amount of this reduc-
tion must be calculated in conformity with Article 4
of Commission Regulation (EEC) No 3006/78,

HAS ADOPTED THIS REGULATION .

Article 1

The amounts by which import charges on beef and
veal are to be reduced pursuant to Article 1 (1) of
Regulation (EEC) No 3328/75 shall, in respect of
importations during the first quarter of 1979, be as
shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 January
1979.

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

Done at Brussels, 28 December 1978.

For the Commission

Finn GUNDELACH

Vice-President

29. 12. 78

Official Journal of the European Communities

No L 369/35

ANNEXE — ANNEX — ANHANG — ALLEGATO — BIJLAGE — BILAG

Numéro du tarif douanier commun CCT heading No Nummer des Gemeinsamen Zolltarifs Numero della tariffa doganale comune Nr. van het gemeenschappelijk douanetarief Position i den fælles toldtarif	Deutschland DM/100 kg	Belgique Luxembourg FB/Flux/100 kg	Nederland Fl/100 kg	United Kingdom £/100 kg	Ireland £ Ir/100 kg	Italia Lit/100 kg	France FF/100 kg	Danmark dkr/100 kg
01.02 A II	203,85	2 824,30	194,74	29,421	43,543	57 911	325,31	480,16
02.01 A II a) 1	387,32	5 366,21	370,01	55,901	82,733	110 031	618,10	912,30
02.01 A II a) 2	309,84	4 292,96	296,01	44,720	66,186	88 025	494,48	729,85
02.01 A II a) 3	464,78	6 439,42	444,02	67,081	99,280	132 037	741,72	1 094,76
02.01 A II a) 4 aa)	548,92	7 907,18	545,21	98,789	125,473	181 557	984,71	1 368,45
02.01 A II a) 4 bb)	642,28	9 108,53	628,06	106,291	142,907	200 261	1 100,51	1 565,32
02.01 A II b) 1	355,29	4 942,68	340,81	52,584	76,442	102 643	574,25	841,91
02.01 A II b) 2	284,24	3 954,13	272,66	42,067	61,153	82 115	459,41	673,53
02.01 A II b) 3	444,11	6 178,37	426,02	65,731	95,552	128 305	717,81	1 052,40
02.01 A II b) 4 aa)	504,43	7 287,69	502,51	92,165	115,884	168 652	912,58	1 262,88
02.01 A II b) 4 bb) 11	444,11	6 178,37	426,02	65,731	95,552	128,305	717,81	1 052,40
02.01 A II b) 4 bb) 22 ⁽¹⁾	444,11	6 178,37	426,02	65,731	95,552	128 305	717,81	1 052,40
02.01 A II b) 4 bb) 33	584,31	8 382,63	578,00	102,935	132,628	190 352	1 035,84	1 448,10
02.06 C I a) 1	548,92	7 907,18	545,21	98,789	125,473	181 557	984,71	1 368,45
02.06 C I a) 2	627,77	9 044,21	623,62	113,053	143,528	207 734	1 126,57	1 565,32
16.02 B III b) 1 aa)	627,77	9 044,21	623,62	113,053	143,528	207 734	1 126,57	1 565,32

⁽¹⁾ L'admission dans cette sous-position est subordonnée à la présentation d'un certificat délivré dans les conditions prévues par les autorités compétentes des Communautés européennes.

⁽¹⁾ Entry under this subheading is subject to the production of a certificate issued on conditions laid down by the competent authorities of the European Communities.

⁽¹⁾ Die Zulassung zu dieser Tarifstelle ist abhängig von der Vorlage einer Bescheinigung die den von den zuständigen Stellen der Europäischen Gemeinschaften festgesetzten Voraussetzungen entspricht.

⁽¹⁾ L'ammissione in questa sottovoce è subordinata alla presentazione di un certificato conformemente alle condizioni stabilite dalle autorità competenti delle Comunità europee.

⁽¹⁾ Indeling onder deze ondervdeling is onderworpen aan de voorwaarde dat een certificaat wordt voorgelegd, hetwelk is afgegeven onder de voorwaarden en bepalingen, vastgesteld door de bevoegde autoriteiten van de Europese Gemeenschappen.

⁽¹⁾ Henførsel under denne underposition er betinget, af, at der fremlægges en licens, der opfylder de betingelser, der er fastsat af de kompetente myndigheder i De europæiske Fællesskaber.

COUNCIL REGULATION (EEC) No 215/79
of 5 February 1979

regarding the application of Decision No 4/78 of the ACP-EEC Council of Ministers derogating from the definition of the concept of 'originating products' to take into account the special situation of Kenya with regard to certain items of fishing tackle (fishing flies)

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the ACP-EEC Council of Ministers set up under the ACP-EEC Convention of Lomé⁽¹⁾ signed on 28 February 1975, adopted, pursuant to Article 9 (2) of the Convention, Decision No 4/78 derogating from the concept of 'originating products' to take into account the special situation of Kenya with regard to certain items of fishing tackle (fishing flies),

Whereas it is necessary, in accordance with Article 74 (3) of the said Convention, to take the measures required to implement that Decision,

HAS ADOPTED THIS REGULATION

Article 1

Decision No 4/78 of the ACP-EEC Council of Ministers annexed to this Regulation shall apply in the Community

Article 2

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

It shall apply from 1 June 1978 until 31 December 1979.

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

Done at Brussels, 5 February 1979.

For the Council

The President

P MEHAIGNERIE

⁽¹⁾ GEN 0 2 Vol. 1

DECISION No 4/78 OF THE ACP-EEC COUNCIL OF MINISTERS**of 21 December 1978****derogating from the definition of the concept of 'originating products' to take into account the special situation of Kenya with regard to certain items of fishing tackle (fishing flies)**

(see INST I 33 Vol. 2)

COUNCIL REGULATION (EEC) No 216/79**of 5 February 1979****regarding the application of Decision No 5/78 of the ACP-EEC Council of Ministers derogating from the definition of the concept of 'originating products' to take into account the special situation of Malawi with regard to certain items of fishing tackle (fishing flies)**

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the ACP-EEC Council of Ministers set up under the ACP-EEC Convention of Lomé⁽¹⁾ signed on 28 February 1975, adopted, pursuant to Article 9 (2) of the Convention, Decision No 5/78 derogating from the concept of 'originating products' to take into account the special situation of Malawi with regard to certain items of fishing tackle (fishing flies);

Whereas it is necessary, in accordance with Article 74 (3) of the said Convention, to take the measures required to implement that Decision,

HAS ADOPTED THIS REGULATION :

Article 1

Decision No 5/78 of the ACP-EEC Council of Ministers annexed to this Regulation shall apply in the Community.

Article 2

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

It shall apply from 1 June 1978 until 31 December 1979.

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

Done at Brussels, 5 February 1979.

For the Council

The President

P. MEHAIGNERIE

⁽¹⁾ GEN O 2 Vol. 1

DECISION No 5/78 OF THE ACP-EEC COUNCIL OF MINISTERS**of 21 December 1978****derogating from the definition of the concept of 'originating products' to take into account the special situation of Malawi with regard to certain items of fishing tackle (fishing flies)**

(see INST I 34 Vol. 2)

COUNCIL REGULATION (EEC) No 527/79
of 19 March 1979

amending the list of countries and territories in Regulation (EEC) No 706/76 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories, concerning the list of countries and territories

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the the Treaty establishing the European Economic Community, and in particular Articles 43 and 113 thereof,

Having regard to Council Regulation (EEC) No 1059/69 of 28 May 1969 laying down trade arrangements applicable to certain goods resulting from the processing of agricultural products ⁽¹⁾, as last amended by Regulation (EEC) No 3058/75 ⁽²⁾, and in particular Article 12 thereof,

Having regard to the proposal from the Commission, Having regard to the opinion of the European Parliament,

Whereas Regulation (EEC) No 706/76 laid down the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories;

Whereas the Solomon Islands, Tuvalu and Dominica, which appear in the list of countries and territories set

out in Annex I to that Regulation, have become independent;

Whereas these States acceded to the ACP-EEC Convention of Lomé ⁽³⁾ on 27 September 1978 ⁽⁴⁾, 17 January 1979 ⁽⁵⁾ and 26 February 1979 ⁽⁶⁾ respectively and should consequently be counted among the ACP States referred to in Article 1 of Regulation (EEC) No 706/76; whereas the list in Annex I to that Regulation should therefore be amended,

HAS ADOPTED THIS REGULATION:

Article 1

In Annex I to Regulation (EEC) No 706/76, the words 'Dominica', 'Solomon Islands' and 'Tuvalu' shall be deleted.

Article 2

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 March 1979.

For the Council

The President

R. MONORY

⁽¹⁾ OJ No L 141, 12. 6. 1969, p. 1.
⁽²⁾ OJ No L 306, 26. 11. 1975, p. 3.

⁽³⁾ GEN 0 2 Vol. 1
⁽⁴⁾ GEN 0 120 Vol. 2
⁽⁵⁾ GEN 0 121 Vol. 2
⁽⁶⁾ OJ No L 55, 6. 3. 1979, p. 8.

COMMISSION REGULATION (EEC) No 631/79
of 30 March 1979

fixing the amounts by which import charges on beef and veal originating in the
African, Caribbean and Pacific States are to be reduced

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
3328/75 of 18 December 1975 renewing the arrange-
ments for the reduction of import charges on beef and
veal products originating in the African, Caribbean
and Pacific States, as last amended by Regulation
(EEC) No 2993/78, and in particular Article 1
thereof,

Whereas Article 1 (1) of Regulation (EEC) No 3328/75
provides for a 90 % reduction in the import charges
on beef and veal; whereas the amount of this reduc-
tion must be calculated in conformity with Article 4
of Commission Regulation (EEC) No 3006/78,

HAS ADOPTED THIS REGULATION

Article 1

The amounts by which import charges on beef and
veal are to be reduced pursuant to Article 1 (1) of
Regulation (EEC) No 3328/75 shall, in respect of
importations during the second quarter of 1979, be as
shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 April
1979.

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

Done at Brussels, 30 March 1979.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX — ANNEX — ANHANG — ALLGATO — BIJLAGE — BILAG

Numero du tarif douanier commun CCF heading No Nummer des Gemeinsamen Zolltarifs Numero della tariffa doganale comune Nr van het gemeenschappelijk douanetarief Position i den fælles toldtarif	Deutschland DM/100 kg	Belgique Luxembourg FB Flux/100 kg	Nederland Fl/100 kg	United Kingdom £/100 kg	Ireland £ Ir/100 kg	Italia Lit/100 kg	France FF/100 kg	Danmark dkr/100 kg
01.02 A II	191,21	2 625,53	181,04	26,522	40,389	51 518	296,63	444,47
02.01 A II a) 1	363,29	4 988,52	343,97	50,392	76,739	98 262	563,61	844,51
02.01 A II a) 2	290,63	3 990,77	275,18	40,313	61,390	78 609	450,87	675,59
02.01 A II a) 3	435,96	5 986,22	412,77	60,470	92,086	117 914	676,33	1 013,41
02.01 A II a) 4 aa)	512,89	7 340,70	506,15	89,530	116,069	165 212	902,98	1 266,76
02.01 A II a) 4 bb)	601,07	8 460,49	583,37	96,147	132,334	180 975	1 007,01	1 448,98
02.01 A II b) 1	310,46	4 237,64	292,19	41,503	64,921	81 723	472,53	715,35
02.01 A II b) 2	248,36	3 390,14	233,77	33,203	51,937	65 379	378,03	572,28
02.01 A II b) 3	388,07	5 297,07	365,25	51,879	81,151	102 154	590,66	894,19
02.01 A II b) 4 aa)	437,18	6 230,13	429,59	74,656	98,238	138 435	760,01	1 073
02.01 A II b) 4 bb) 11	388,07	5 297,07	365,25	51,879	81,151	102 154	590,66	894,
02.01 A II b) 4 bb) 22 (1)	388,07	5 297,07	365,25	51,879	81,151	102 154	590,66	894,19
02.01 A II b) 4 bb) 33	507,18	7 169,95	494,39	83,042	112,468	155 462	860,88	1 230,40
02.06 C I a) 1	512,89	7 340,70	506,15	89,530	116,069	165 212	902,98	1 266,76
02.06 C I a) 2	586,56	8 396,16	578,93	102,458	132,770	189 040	1 033,07	1 448,98
16.02 B III b) 1 aa)	586,56	8 396,16	578,93	102,458	132,770	189 040	1 033,07	1 448,98

- (1) L'admission dans cette sous position est subordonnée à la présentation d'un certificat délivré dans les conditions prévues par les autorités compétentes des Communautés européennes
- (1) Entry under this subheading is subject to the production of a certificate issued on conditions laid down by the competent authorities of the European Communities
- (1) Die Zulassung zu dieser Tarifstelle ist abhängig von der Vorlage einer Bescheinigung, die den von den zuständigen Stellen der Europäischen Gemeinschaften festgesetzten Voraussetzungen entspricht
- (1) L'ammissione in questa sottovoce è subordinata alla presentazione di un certificato conformemente alle condizioni stabilite dalle autorità competenti delle Comunità europee
- (1) Indeling onder deze onderverdeling is onderworpen aan de voorwaarde dat een certificaat wordt voorgelegd hetwelk is afgegeven onder de voorwaarden en bepalingen, vastgesteld door de bevoegde autoriteiten van de Europese Gemeenschappen
- (1) Henførsel under denne underposition er betinget, af, at der fremlægges en licens, der opfylder de betingelser, der er fastsat af de kompetente myndigheder i De europæiske Fællesskaber

12. 5. 79

Official Journal of the European Communities

No L 117/1

COUNCIL REGULATION (EEC) No 927/79

of 8 May 1979

on the application of Decision No 2/79 of the ACP-EEC Council of Ministers derogating from the concept of 'originating products' to take account of the special situation of Mauritius with regard to its production of canned tunaTHE COUNCIL OF THE EUROPEAN
COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the ACP-EEC Council of Ministers set up under the ACP-EEC Convention of Lomé⁽¹⁾, signed on 28 February 1975, adopted, pursuant to Article 9 (2) of the said Convention, Decision No 2/79 derogating from the concept of 'originating products' to take account of the special situation of Mauritius with regard to its production of canned tuna;

Whereas it is necessary, in accordance with Article 74 (3) of the Convention, to take the measures required to implement that Decision,

HAS ADOPTED THIS REGULATION.

Article 1

Decision No 2/79 of the ACP-EEC Council of Ministers shall apply in the Community.

The text of the Decision is annexed to this Regulation.

*Article 2*This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Communities*.

It shall apply from 25 November 1978 until 24 November 1979.

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

Done at Brussels, 8 May 1979.

*For the Council**The President*

P. MEHAIGNERIE

⁽¹⁾ GEN O 2 Vol. 1

DECISION No 2/79 OF THE ACP-EEC COUNCIL OF MINISTERS

23 March 1979

derogating from the concept of 'originating products' to take account of the special situation of Mauritius with regard to its production of canned tuna

(see INST I 35 Vol. 2)

COUNCIL DECISION

of 12 June 1979

concerning the conclusion of the Agreement in the form of an exchange of letters on the provisional application of the Agreement between the Government of the Republic of Senegal and the European Economic Community on fishing off the coast of Senegal and of the Protocol and the exchanges of letters relating thereto

(79/569/EEC)

(see GEN 0 139 Vol. 2)

AGREEMENT

in the form of an exchange of letters on the provisional application of the Agreement between the Government of the Republic of Senegal and the European Economic Community on fishing off the coast of Senegal and of the Protocol and the exchanges of letters relating thereto

(see GEN O 140 - 141 Vol. 2)

COUNCIL REGULATION (EEC) No 1253/79

of 25 June 1979

opening, allocating and providing for the administration of a Community tariff quota for rum, arrack and tafia, falling within subheading 22.09 C I of the Common Customs Tariff and originating in the ACP States (1979/80)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas, under the ACP-EEC Convention of Lomé signed on 28 February 1975, hereinafter referred to as 'the Convention', and in particular under Protocol 7 thereto, products originating in the ACP States which fall within subheading 22.09 C I (rum, arrack, tafia), shall, until the entry into force of a common organization of the market in spirits, be imported into the Community free of customs duties under conditions such as to permit the development of traditional trade flows between the ACP States and the Community and between the Member States; whereas the Community shall fix each year the quantities which may be imported free of customs duties on the basis of the largest quantities imported annually from the ACP States into the Community in the last three years for which statistics are available, increased by an annual growth rate of 40 % on the market of the United Kingdom and 13 % on the other markets of the Community, these growth rates being based on foreseeable internal demand in each Member State;

Having regard to the levels reached by imports of the products concerned into the Community and the Member States during the last three years for which statistics are available;

Whereas, because the Convention is due to expire on 1 March 1980, a *pro rata temporis* reduction to eight-twelfths should be introduced; whereas the size of the tariff quota for the period 1 July 1979 to 29 February 1980 should therefore be fixed at 117 404 hectolitres of pure alcohol;

Whereas the above principles also apply to the allocation of the tariff quota;

Whereas it seems likely that arrangements for using the Community tariff quota based on allocation between the United Kingdom and the other Member States would reconcile the application of the growth rates provided for in Protocol 7 with the uninter-

rupted application of the duty-free entry arrangements in respect of the said quota to all imports of the products concerned into the Member States until the quota is exhausted; whereas, in order to reflect as closely as possible the actual trends on the markets in the products concerned, such allocation should be made in accordance with the requirements of the Member States;

Whereas measures should be laid down to ensure that Protocol 7 is implemented under conditions such as to permit the development of traditional flows between the ACP States and the Community and between the Member States;

Whereas, owing to the special character of the products in question and their sensitivity on Community markets, exceptional provision should be made for a method of use based on a single division among Member States;

Whereas since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and represented by the Benelux Economic Union, all transactions concerning the administration of shares allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 July 1979 until 29 February 1980, rum, arrack and tafia, falling within subheading 22.09 C I of the Common Customs Tariff and originating in the ACP States shall be imported duty free into the Community within the limits of a Community tariff quota of 117 404 hectolitres of pure alcohol.

Article 2

1. The tariff quota referred to in Article 1 shall be divided into two instalments. The first instalment of 81 789 hectolitres of pure alcohol shall be for United Kingdom consumption. The second instalment of 35 615 hectolitres of pure alcohol shall be allocated among the other Member States.

28. 6. 79

Official Journal of the European Communities

No L 160/5

2. The shares of each of the Member States to which the second instalment is allocated pursuant to paragraph 1 shall consist of the following quantities :

	<i>(hectolitres of pure alcohol)</i>
Benelux	4 542
Denmark	2 446
Germany	22 332
France	4 238
Ireland	1 777
Italy	280

Article 3

1. Member States shall manage the shares allocated to them in accordance with their own arrangements.

2. The extent to which the Member States have used up their shares shall be determined on the basis of the imports of the products in question, originating in the ACP States, entered for home use.

Article 4

1. Member States shall inform the Commission each month of imports actually charged against the tariff quota.

2. The United Kingdom shall take the steps necessary to ensure that the quantities imported from the ACP States under the conditions laid down in Articles 1 and 2 are restricted to those meeting its domestic consumption requirements.

3. The Commission shall regularly inform the Member States of the extent to which the tariff quota has been used up.

4. Where necessary, consultations may be held at the request of a Member State or on the initiative of the Commission.

Article 5

The Commission shall take all necessary measures, in close cooperation with the Member States, to ensure the implementation of this Regulation.

Article 6

Council Regulation (EEC) No 157/76 of 20 January 1976 on the safeguard measures provided for in the ACP-EEC Convention of Lomé shall apply in respect of the products covered by this Regulation.

Article 7

This Regulation shall enter into force on 1 July 1979.

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

Done at Luxembourg, 25 June 1979.

For the Council

The President

J. LE THEULE

COMMISSION REGULATION (EEC) No 1339/79**of 29 June 1979****fixing the amounts by which import charges on beef and veal originating in the African, Caribbean and Pacific States are to be reduced**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3328/75 of 18 December 1975 renewing the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States, as last amended by Regulation (EEC) No 2993/78, and in particular Article 1 thereof,

Whereas Article 1 (1) of Regulation (EEC) No 3328/75 provides for a 90 % reduction in the import charges on beef and veal; whereas the amount of this reduc-

tion must be calculated in conformity with Article 4 of Commission Regulation (EEC) No 3006/78,

HAS ADOPTED THIS REGULATION .

Article 1

The amounts by which import charges on beef and veal are to be reduced pursuant to Article 1 (1) of Regulation (EEC) No 3328/75 shall, in respect of importations during the third quarter of 1979, be as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 July 1979.

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

Done at Brussels, 29 June 1979.

For the Commission

Finn GUNDELACH

Vice-President

ANNEXE — ANNEX — ANHANG — ALLEGATO — BIJLAGE — BILAG

Numero du tarif douanier commun CCI heading No Nummer des Gemeinsamen Zolltarifs Numero della tariffa doganale comune Nr van het gemeenschappelijk douanetarief Position i den fælles toldtarif	Deutschland DM/100 kg	Belgique Luxembourg FB Flux/100 kg	Nederland Fl/100 kg	United Kingdom £/100 kg	Ireland £ Ir/100 kg	Italia Lit/100 kg	France FF/100 kg	Danmark Dkr/100 kg
01.02 A II	183,98	2 511,93	173,21	29,601	39,072	55 108	310,08	424,08
02.01 A II a) 1	349,57	4 772,68	329,09	56,242	74,236	104 706	589,15	805,75
02.01 A II a) 2	279,65	3 818,16	263,27	44,995	59,389	83 766	471,32	644,61
02.01 A II a) 3	419,49	5 727,25	394,91	67,492	89,084	125 648	706,99	966,92
02.01 A II a) 4 aa)	479,48	6 960,06	479,92	94,310	111,353	171 600	926,19	1 208,63
02.01 A II a) 4 bb)	577,51	8 090,20	557,85	101,436	127,373	186 870	1 031,93	1 382,51
02.01 A II b) 1	285,54	3 845,93	265,19	43,760	59,428	81 972	466,24	645,03
02.01 A II b) 2	228,44	3 076,74	212,16	35,007	47,543	65 578	372,99	519,02
02.01 A II b) 3	356,93	4 807,46	331,49	54,700	74,285	102 466	582,80	80
02.01 A II b) 4 aa)	388,40	5 591,98	385,59	74,488	89,142	135 894	737,13	96
02.01 A II b) 4 bb) 11	356,93	4 807,46	331,49	54,700	74,285	102 466	582,80	806,29
02.01 A II b) 4 bb) 22 (1)	356,93	4 807,46	331,49	54,700	74,285	102 466	582,80	806,29
02.01 A II b) 4 bb) 33	464,34	6 496,25	447,93	81,208	102,217	149 678	827,29	1 109,46
02.06 C I a) 1	479,48	6 960,06	479,92	94,310	111,353	171 600	926,19	1 208,63
02.06 C I a) 2	563,00	8 025,88	553,41	104,653	127,373	191 571	1 045,67	1 382,51
16.02 B III b) 1 aa)	563,00	8 025,88	553,41	104,653	127,373	191 571	1 045,67	1 382,51

(1) L'admission dans cette sous position est subordonnée à la présentation d'un certificat délivré dans les conditions prévues par les autorités compétentes des Communautés européennes

(1) Entry under this subheading is subject to the production of a certificate issued on conditions laid down by the competent authorities of the European Communities

(1) Die Zulassung zu dieser Tarifstelle ist abhängig von der Vorlage einer Bescheinigung, die den von den zuständigen Stellen der Europäischen Gemeinschaften festgesetzten Voraussetzungen entspricht

(1) L'ammissione in questa sottovoce è subordinata alla presentazione di un certificato conformemente alle condizioni stabilite dalle autorità competenti delle Comunità europee

(1) Indeling onder deze onderverdeling is onderworpen aan de voorwaarde dat een certificaat wordt voorgelegd hetwelk is afgegeven onder de voorwaarden en bepalingen, vastgesteld door de bevoegde autoriteiten van de Europese Gemeenschappen

(1) Hentfærsel under denne underposition er betinget, af, at der fremlægges en bevis, der er fastsat af de kompetente myndigheder i De europæiske Fællesskaber

COMMISSION REGULATION (EEC) No 1358/79**of 29 June 1979****derogating from Regulation (EEC) No 3006/78 as regards the calculation of the amount of the reduction of import charges for beef and veal products from the African, Caribbean and Pacific States for the period beginning 2 July 1979**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3328/75 of 18 December 1975 renewing the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States, as last amended by Regulation (EEC) No 2993/78, and in particular Article 3 (2) thereof,

Whereas Article 4 of Commission Regulation (EEC) No 3006/78 stipulates that the amount of the reduction of the import charges referred to in Article 1 (1) of Regulation (EEC) No 3328/75 shall be calculated taking into account the levies and the monetary compensatory amounts that are valid during the week preceding that in which the quarter for which the amount of the reduction is calculated commences;

Whereas Article 3 (2) of Regulation (EEC) No 3328/75 provides for a possible derogation from the rules concerning the quarterly fixing and the reference period for the calculation of that amount, especially when the transition from one marketing year to the next makes it necessary; whereas it is important to

take into account the levies and monetary compensatory amounts calculated on the basis of the new price;

Whereas the beginning of the 1979/80 marketing year has been fixed for 2 July 1979 by Council Regulation (EEC) No 639/79 (1);

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

Article 1

By way of derogation from Article 4 of Regulation (EEC) No 3006/78, the amount of the reduction of import charges for beef and veal products originating in the African, Caribbean and Pacific States, as referred to in Article 1 (1) of Regulation (EEC) No 3328/75, shall be fixed for the period beginning 2 July 1979 and calculated on the basis of the levies and monetary compensatory amounts applicable from that date.

Article 2

This Regulation shall enter into force on 2 July 1979.

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

Done at Brussels, 29 June 1979.

For the Commission

Finn GUNDELACH

Vice-President

(1) OJ No L 82, 31. 3. 1979, p. 1.

COMMISSION REGULATION (EEC) No 1359/79
of 29 June 1979

fixing the amounts by which import charges on beef and veal originating in the African, Caribbean and Pacific States are to be reduced

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3328/75 of 18 December 1975 renewing the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States, as last amended by Regulation (EEC) No 2993/78, and in particular Article 1 thereof,

Whereas Article 1 (1) of Regulation (EEC) No 3328/75 provides for a 90 % reduction in the import charges on beef and veal; whereas the amount of this reduction must be calculated in conformity with Article 4 of Commission Regulation (EEC) No 3006/78;

whereas, however, pursuant to Commission Regulation (EEC) No 1358/79, the levies and compensatory amounts used for calculating that reduction are to be those in force on 2 July 1979,

HAS ADOPTED THIS REGULATION:

Article 1

The amounts by which import charges on beef and veal are to be reduced pursuant to Article 1 (1) of Regulation (EEC) No 3328/75 shall, in respect of importations from 2 July to 30 September 1979, be as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 2 July 1979.

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

Done at Brussels, 29 June 1979.

For the Commission

Finn GUNDELACH

Vice-President

ANNEXE — ANNEX — ANHANG — ALLEGATO — BIJLAGE — BILAG

Numéro du tarif douanier commun CCT heading No Nummer des Gemeinsamen Zolltarifs Numero della tariffa doganale comune Nr van het gemeenschappelijk douanetarief Position i den fælles toldtarif	Deutschland DM/100 kg	Belgique Luxembourg FB/Flux/100 kg	Nederland Fl/100 kg	United Kingdom £/100 kg	Ireland £ Irl/100 kg	Italia Lit/100 kg	France FF/100 kg	Danmark dkr/100 kg
01.02 A II	180,91	2 488,28	171,58	40,785	39,050	72 327	364,73	423,85
02.01 A II a) 1	343,72	4 727,74	325,99	77,492	74,195	137 420	692,99	805,32
02.01 A II a) 2	274,99	3 782,18	260,79	61,994	59,356	109 937	554,39	644,25
02.01 A II a) 3	412,47	5 673,28	391,19	92,991	89,034	164 903	831,58	966,38
02.01 A II a) 4 aa)	474,72	6 921,32	477,24	111,011	111,293	197 800	1 008,93	1 207,97
02.01 A II a) 4 bb)	569,48	8 027,28	553,51	130,366	127,303	231 650	1 173,84	1 381,75
02.01 A II b) 1	244,08	3 236,14	223,14	53,795	49,962	95 108	476,07	542,29
02.01 A II b) 2	195,26	2 588,93	178,52	43,036	39,970	76 087	380,86	433,83
02.01 A II b) 3	305,10	4 045,17	278,93	67,244	62,452	118 886	595,09	677,85
02.01 A II b) 4 aa)	329,76	4 702,71	324,26	76,043	74,942	135 251	686,93	813,42
02.01 A II b) 4 bb) 11	305,10	4 045,17	278,93	67,244	62,452	118 886	595,09	677,85
02.01 A II b) 4 bb) 22 (1)	305,10	4 045,17	278,93	67,244	62,452	118 886	595,09	677,85
02.01 A II b) 4 bb) 33	395,41	5 464,42	376,79	89,405	85,934	158 610	800,60	932,72
02.06 C I a) 1	474,72	6 921,32	477,24	111,011	111,293	197 800	1 008,93	1 207,97
02.06 C I a) 2	556,27	7 972,23	549,71	128,676	127,303	228 956	1 163,97	1 381,75
16.02 B III b) 1 aa)	556,27	7 972,23	549,71	128,676	127,303	228 956	1 163,97	1 381,75

(1) L'admission dans cette sous-position est subordonnée à la présentation d'un certificat délivré dans les conditions prévues par les autorités compétentes des Communautés européennes.

(1) Entry under this subheading is subject to the production of a certificate issued on conditions laid down by the competent authorities of the European Communities.

(1) Die Zulassung zu dieser Tarifstelle ist abhängig von der Vorlage einer Bescheinigung, die den von den zuständigen Stellen der Europäischen Gemeinschaften festgesetzten Voraussetzungen entspricht.

(1) L'ammissione in questa sottovoce è subordinata alla presentazione di un certificato conformemente alle condizioni stabilite dalle autorità competenti delle Comunità europee.

(1) Indeling onder deze onderverdeling is onderworpen aan de voorwaarde dat een certificaat wordt voorgelegd, hetwelk is afgegeven onder de voorwaarden en bepalingen, vastgesteld door de bevoegde autoriteiten van de Europese Gemeenschappen.

(1) Henførsel under denne underposition er betinget af, at der fremlægges en licens, der opfylder de betingelser, der er fastsat af de kompetente myndigheder i De europæiske Fællesskaber.

COMMISSION REGULATION (EEC) No 1373/79

of 2 July 1979

correcting Regulation (EEC) No 1359/79 fixing the amounts by which import charges on beef and veal originating in the African, Caribbean and Pacific States are to be reduced

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3328/75 of 18 December 1975 renewing the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States, as last amended by Regulation (EEC) No 2993/78, and in particular Article 1 thereof,

Whereas the amounts by which the import charges on beef and veal originating in ACP countries are to be reduced were fixed by Regulation (EEC) No 1359/79; whereas, on verification, it appears that there is an error in the Annex to the said Regulation

in the columns headed 'United Kingdom', 'Italia' and 'France'; whereas the said Regulation should accordingly be corrected,

HAS ADOPTED THIS REGULATION:

Article 1

The amounts by which the import charges on beef and veal are to be reduced, fixed in the Annex to Regulation (EEC) No 1359/79 in the columns headed 'United Kingdom', 'Italia' and 'France', are hereby replaced by the amounts given in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 3 July 1979.

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

Done at Brussels, 2 July 1979.

For the Commission

Finn GUNDELACH

Vice-President

ANNEXE — ANNEX — ANHANG — ALLEGATO — BIJLAGE — BILAG

Numéro du tarif douanier commun CCT heading No Nummer des Gemeinsamen Zolltarifs Numero della tariffa doganale comune Nr van het gemeenschappelijk douanetarief Position i den fælles toldtarif	United Kingdom £/100 kg	Italia Lit/100 kg	France FF/100 kg
01.02 A II	32,925	59 799	318,79
02.01 A II a) 1	62,557	113 617	605,69
02.01 A II a) 2	50,045	90 983	484,55
02.01 A II a) 3	75,068	136 339	726,82
02.01 A II a) 4 aa)	99,062	178 756	939,09
02.01 A II a) 4 bb)	109,929	199 076	1 054,40
02.01 A II b) 1	40,511	73 935	398,42
02.01 A II b) 2	32,409	59 149	318,74
02.01 A II b) 3	50,639	92 418	498,03
02.01 A II b) 4 aa)	65,416	118 313	624,82
02.01 A II b) 4 bb) 11	50,639	92 418	498,03
02.01 A II b) 4 bb) 22 ⁽¹⁾	50,639	92 418	498,03
02.01 A II b) 4 bb) 33	72,800	132 143	703,54
02.06 C I a) 1	99,062	178 756	939,09
02.06 C I a) 2	111,619	201 769	1 064,27
16.02 B III b) 1 aa)	111,619	201 769	1 064,27

⁽¹⁾ L'admission dans cette sous-position est subordonnée à la présentation d'un certificat délivré dans les conditions prévues par les autorités compétentes des Communautés européennes

⁽¹⁾ Entry under this subheading is subject to the production of a certificate issued on conditions laid down by the competent authorities of the European Communities.

⁽¹⁾ Die Zulassung zu dieser Tarifstelle ist abhängig von der Vorlage einer Bescheinigung, die den von den zuständigen Stellen der Europäischen Gemeinschaften festgesetzten Voraussetzungen entspricht

⁽¹⁾ L'ammissione in questa sottovoce è subordinata alla presentazione di un certificato conformemente alle condizioni stabilite dalle autorità competenti delle Comunità europee.

⁽¹⁾ Indeling onder deze onderverdeling is onderworpen aan de voorwaarde dat een certificaat wordt voorgelegd, hetwelk is afgegeven onder de voorwaarden en bepalingen, vastgesteld door de bevoegde autoriteiten van de Europese Gemeenschappen

⁽¹⁾ Henførsel under denne underposition er betinget af, at der fremlægges en licens, der opfylder de betingelser, der er fastsat af de kompetente myndigheder i De europæiske Fællesskaber.

COMMISSION REGULATION (EEC) No 2095/79
of 26 September 1979

fixing the amounts by which import charges on beef and veal originating in the African, Caribbean and Pacific States are to be reduced

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

HAS ADOPTED THIS REGULATION.

Having regard to the Treaty establishing the European Economic Community,

Article 1

Having regard to Council Regulation (EEC) No 3328/75 of 18 December 1975 renewing the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States, as last amended by Regulation (EEC) No 2993/78, and in particular Article 1 thereof,

The amounts by which import charges on beef and veal are to be reduced pursuant to Article 1 (1) of Regulation (EEC) No 3328/75 shall, in respect of importations during the fourth quarter of 1979, be as shown in the Annex hereto.

Whereas Article 1 (1) of Regulation (EEC) No 3328/75 provides for a 90 % reduction in the import charges on beef and veal; whereas the amount of this reduction must be calculated in conformity with Article 4 of Commission Regulation (EEC) No 3006/78,

Article 2

This Regulation shall enter into force on 1 October 1979.

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

Done at Brussels, 26 September 1979.

For the Commission

Finn GUNDELACH

Vice-President

28. 9. 79

Official Journal of the European Communities

No L 245/13

ANNEXE — ANNEX — ANHANG — ALLEGATO — BIJLAGE — BILAG

Numéro du tarif douanier commun CCT heading No Nummer des Gemeinsamen Zolltarifs Numero della tariffa doganale comune Nr van het gemeenschappelijk douanetarief Position i den fælles toldtarif	Deutschland DM/100 kg	Belgique Luxembourg FB/Flux/100 kg	Nederland Fl/100 kg	United Kingdom £/100 kg	Ireland £ IrI/100 kg	Italia Lit/100 kg	France FF/100 kg	Danmark Dkr/100 kg
01.02 A II	180,91	2488,28	171,58	32,771	39,050	60,352	318,79	423,85
02.01 A II a) 1	343,72	4727,74	325,99	62,265	74,195	114,670	605,69	805,32
02.01 A II a) 2	274,99	3 782,18	260,79	49,811	59,356	91,736	484,55	644,25
02.01 A II a) 3	412,47	5 673,28	391,19	74,717	89,034	137,604	726,82	966,38
02.01 A II a) 4 aa)	474,72	6 921,32	477,24	99,060	111,293	178,765	939,09	1 207,97
02.01 A II a) 4 bb)	569,48	8 027,28	553,51	109,643	127,303	200,104	1 054,40	1 381,75
02.01 A II b) 1	213,17	2 750,33	189,64	32,558	41,924	61,662	328,08	455,04
02.01 A II b) 2	170,53	2 200,25	151,71	26,046	33,539	49,328	262,47	364,03
02.01 A II b) 3	266,46	3 437,90	237,06	40,697	52,404	77,077	410,10	568,80
02.01 A II b) 4 aa)	283,39	3 974,00	274,01	53,874	62,886	98,503	519,30	682,56
02.01 A II b) 4 bb) 11	266,46	3 437,90	237,06	40,697	52,404	77,077	410,10	568,80
02.01 A II b) 4 bb) 22 ⁽¹⁾	266,46	3 437,90	237,06	40,697	52,404	77,077	410,10	568,80
02.01 A II b) 4 bb) 33	342,23	4 628,85	319,18	59,382	72,109	110,094	582,55	782,67
02.06 C I a) 1	474,72	6 921,32	477,24	99,060	111,293	178,765	939,09	1 207,97
02.06 C I a) 2	556,27	7 972,23	549,71	111,474	127,303	202,019	1 064,27	1 381,75
16.02 B III b) 1 aa)	556,27	7 972,23	549,71	111,474	127,303	202,019	1 064,27	1 381,75

⁽¹⁾ L'admission dans cette sous-position est subordonnée à la présentation d'un certificat délivré dans les conditions prévues par les autorités compétentes des Communautés européennes

⁽¹⁾ Entry under this subheading is subject to the production of a certificate issued on conditions laid down by the competent authorities of the European Communities

⁽¹⁾ Die Zulassung zu dieser Tarifstelle ist abhängig von der Vorlage einer Bescheinigung, die den von den zuständigen Stellen der Europäischen Gemeinschaften festgesetzten Voraussetzungen entspricht

⁽¹⁾ L'ammissione in questa sottovoce è subordinata alla presentazione di un certificato conformemente alle condizioni stabilite dalle autorità competenti delle Comunità europee

⁽¹⁾ Indeling onder deze onderverdeling is onderworpen aan de voorwaarde dat een certificaat wordt voorgelegd hetwelk is afgegeven onder de voorwaarden en bepalingen, vastgesteld door de bevoegde autoriteiten van de Europese Gemeenschappen

⁽¹⁾ Henførsel under denne underposition er betinget, af at der fremlægges en licens, der opfylder de betingelser, der er fastsat af de kompetente myndigheder i De europæiske Fællesskaber

COUNCIL REGULATION (EEC) No 2430/79

of 29 October 1979

opening, allocating and providing for the administration of a Community tariff quota for fresh or chilled tomatoes falling within subheading ex 07.01 M I of the Common Customs Tariff, originating in the African, Caribbean and Pacific States and in the overseas countries and territories (1979/80)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 113 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas Article 1 of Council Regulation (EEC) No 430/78 provides for the opening by the Community of a Community tariff quota of 1 000 tonnes of fresh or chilled tomatoes falling within subheading ex 07.01 M I of the Common Customs Tariff, originating in the African, Caribbean and Pacific States and in the overseas countries and territories; whereas the quota period runs from 15 November to 15 April; whereas the customs duty applicable to the quota is set at 4.4%, with a minimum charge of two units of account per 100 kilograms net weight; whereas this Regulation is valid only until 29 February 1980; whereas, therefore, the *pro rata temporis* clause is applicable for the fixing of the quota volume for the period 15 November 1979 to 29 February 1980; whereas a Community tariff quota of 700 tonnes should therefore be opened for the period in question;

Whereas it is necessary in particular to ensure to all Community importers equal and uninterrupted access to the abovementioned quota, and uninterrupted application of the rates laid down for that quota to all imports of the products concerned into all Member States until the quota has been used up; whereas, however, since the tariff quota involved is of a rela-

tively low volume and the period of application is very short, it seems possible to allocate the whole quota volume to the Community reserve and to provide for the possibility of those Member States in which needs might arise drawing appropriate quantities from that reserve; whereas the shares thus drawn from the reserve must be valid until the end of the quota period, whereas this method of management requires close cooperation between the Member States and the Commission and the latter must in particular be able to monitor the rate at which the quota is used up and inform the Member States thereof;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and represented by the Benelux Economic Union, any operation relating to the administration of the shares allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. For the period 15 November 1979 to 29 February 1980, a Community tariff quota of 700 tonnes shall be opened in the Community for fresh or chilled tomatoes falling within subheading ex 07.01 M I of the Common Customs Tariff, originating in the African, Caribbean and Pacific States and in the overseas countries and territories.

Within this tariff quota the Common Customs Tariff duty applicable to the products shall be suspended at 4.4% with a minimum charge of two units of account per 100 kilograms net weight.

2. The volume of the tariff quota referred to in paragraph 1 shall constitute a reserve.

3. If the need should arise for the products in question in a Member State, the latter shall draw an appropriate share from the reserve, providing that the size of the reserve so permits.

4. The shares drawn pursuant to paragraph 3 shall be valid until 29 February 1980.

Article 2

1. The Member States shall take all measures necessary to ensure that shares drawn pursuant to Article 1 are opened in such a way that changes may be made without interruption against their accumulated shares of the Community quota.

2. Member States shall ensure that importers of the said products established in their territory have free access to the shares allocated to them.

3. The Member States shall charge imports of the said goods against their shares as and when the goods are entered with customs authorities for home use.

4. The extent to which a Member State has used up its share shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 3

At the request of the Commission, Member States shall inform it of imports actually charged against their shares.

Article 4

The Member States and the Commission shall cooperate closely in order to ensure that this Regulation is complied with.

Article 5

The rules of origin applicable to the products imported under this Regulation shall be, respectively, those of Protocol 1 annexed to the ACP-EEC Convention of Lomé concerning the definition of the concept of 'originating products' and the methods of administrative cooperation, and those of Annex II to Council Decision 76/568/EEC of 29 June 1976 on the association of the overseas countries and territories with the European Economic Community⁽¹⁾.

Article 6

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 Luxembourg, 29 October 1979.

For the Council

The President

M. O'KENNEDY

⁽¹⁾ OJ No L 176, 1. 7. 1976, p. 8.

COMMISSION REGULATION (EEC) No 2944/79

of 27 December 1979

fixing the amounts by which import charges on beef and veal originating in the African, Caribbean and Pacific States are to be reduced

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3328/75 of 18 December 1975 renewing the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States, as last amended by Regulation (EEC) No 2993/78, and in particular Article 1 thereof,

Whereas Article 1 (1) of Regulation (EEC) No 3328/75 provides for a 90 % reduction in the import charges on beef and veal; whereas the amount of this reduction must be calculated in conformity with Article 4 of Commission Regulation (EEC) No 3006/78,

HAS ADOPTED THIS REGULATION:

Article 1

The amounts by which import charges on beef and veal are to be reduced pursuant to Article 1 (1) of Regulation (EEC) No 3328/75 shall, in respect of importations from 1 January 1980, be as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 January 1980.

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

Done at Brussels, 27 December 1979.

For the Commission

Finn GUNDELACH

Vice-President

ANNEXE — ANNEX — ANHANG — ALLEGATO — BIJLAGE — BILAG

Numero di tariffa doganale comune CCT heading No. Nummer des Gemeinsamen Zolltarifs Numero della tariffa doganale comune Nr. van het gemeensch. heffelijk douanetarief Posisjon i den fælles toldtarif	Deutschland DM/100 kg	Belgique Luxembourg FB-Flux/100 kg	Nederland Fl./100 kg	United Kingdom £/100 kg	Ireland £ Ir./100 kg	Italia Lit./100 kg	France FF/100 kg	Danmark Dkr./100 kg
01 02 A II	176,43	2 397,92	165,34	34,718	38,258	63 415	311,81	488,19
02.01 A II a) 1	335,22	4 556,04	314,15	65,963	72,690	120 490	592,44	851,56
02.01 A II a) 2	268,17	3 644,83	251,32	52,771	58,152	96 393	473,96	681,25
02.01 A II a) 3	402,26	5 467,27	376,98	79,156	87,229	144 589	710,93	1 021,88
02.01 A II a) 4 aa)	461,94	6 718,45	463,26	102,190	109,035	184 586	919,54	1 277,34
02.01 A II a) 4 bb)	554,88	7 759,94	535,07	114,790	124,721	208 648	1 031,82	1 461,11
02.01 A II b) 1	274,99	3 684,99	254,09	52,763	58,571	96 626	473,67	686,16
02.01 A II b) 2	219,99	2 947,93	203,27	42,210	46,857	77 300	378,94	548,92
02.01 A II b) 3	343,74	4 606,20	317,62	65,953	73,213	120 783	592,09	857,69
02.01 A II b) 4 aa)	376,13	5 424,54	374,04	82,031	87,856	148 363	737,97	1 029,23
02.01 A II b) 4 bb) 11	343,74	4 606,20	317,62	65,953	73,213	120 783	592,09	857,69
02.01 A II b) 4 bb) 22 (*)	343,74	4 606,20	317,62	65,953	73,213	120 783	592,09	857,69
02.01 A II b) 4 bb) 33	448,57	6 269,06	432,27	92,689	100,742	168 496	833,16	1 180,19
02.06 C I a) 1	461,94	6 718,45	463,26	102,190	109,035	184 586	919,54	1 277,34
02.06 C I a) 2	541,67	7 722,50	532,49	115,839	124,721	209 893	1 041,80	1 461,11
16.02 B III b) 1 aa)	541,67	7 722,50	532,49	115,839	124,721	209 893	1 041,80	1 461,11

(*) L'admission dans cette sous-position est subordonnée à la présentation d'un certificat délivré dans les conditions prévues par les autorités compétentes des Communautés européennes.

(*) Entry under this subheading is subject to the production of a certificate issued on conditions laid down by the competent authorities of the European Communities.

(*) Die Zulassung zu dieser Tarifstelle ist abhängig von der Vorlage einer Bescheinigung, die den von den zuständigen Stellen der Europäischen Gemeinschaften festgesetzten Voraussetzungen entspricht.

(*) L'ammissione in questa sottovoce è subordinata alla presentazione di un certificato conformemente alle condizioni stabilite dalle autorità competenti delle Comunità europee.

(*) Indeling onder deze onderverdeling is onderworpen aan de voorwaarde dat een certificaat wordt voorgelegd hetwelk is afgegeven onder de voorwaarden en bepalingen, vastgesteld door de bevoegde autoriteiten van de Europese Gemeenschappen.

(*) Hentfærel under denne underposition er betinget, af at der fremlægges en licens, der opfylder de betingelser, der er fastsat af de kompetente myndigheder i De europæiske Fællesskaber.

COUNCIL REGULATION (EEC) No 279/80
of 5 February 1980

amending the list of countries and territories in Regulation (EEC) No 706/76 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 113 thereof,

Having regard to Council Regulation (EEC) No 1059/69 of 28 May 1969 laying down trade arrangements applicable to certain goods resulting from the processing of agricultural products⁽¹⁾, as last amended by Regulation (EEC) No 3058/75⁽²⁾, and in particular Article 12 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas Regulation (EEC) No 706/76 laid down the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories;

Whereas Saint Lucia and the Gilbert Islands, which appear in the list of countries and territories set out in Annex I to that Regulation, have become independent;

Whereas these States acceded to the ACP-EEC Convention of Lomé⁽³⁾ on 28 June and 30 October 1979 and should consequently be counted among the ACP States referred to in Article 1 of Regulation (EEC) No 706/76; whereas the list in Annex I to that Regulation should, therefore, be amended,

HAS ADOPTED THIS REGULATION:

Article 1

In Annex I to Regulation (EEC) No 706/76, the words 'Saint Lucia' and 'Gilbert Islands' are deleted.

Article 2

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, 5 February 1980.

For the Council

The President

G. ZAMBERLETTI

⁽¹⁾ OJ No L 141, 12. 6. 1969, p. 1.

⁽²⁾ OJ No L 306, 26. 11. 1975, p. 3.

⁽³⁾ GEN O 2 Vol. 1

COUNCIL REGULATION (EEC) No 435/80

of 18 February 1980

on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 113 thereof,

Having regard to Council Regulation (EEC) No 1059/69 of 28 May 1969 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products ⁽¹⁾, as last amended by Regulation (EEC) No 152/78 ⁽²⁾, and in particular Article 12 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas the second ACP—EEC Convention of Lomé, hereinafter referred to as 'the Convention', between the African, Caribbean and Pacific States, hereinafter referred to as 'the ACP States', and the European Economic Community was signed on 31 October 1979;

Whereas Article 2 (2) (a) of the Convention lays down that products originating in the ACP States:

- listed in Annex II to the Treaty when they come under a common organization of the market within the meaning of Article 40 of the Treaty, or
- subject, on importation into the Community, to specific rules introduced as a result of the implementation of the common agricultural policy,

shall be imported into the Community, notwithstanding the general arrangements applied in respect of third countries, in accordance with the following provisions:

- (i) those products shall be imported free of customs duties for which Community provisions in force at

⁽¹⁾ OJ No L 141, 12. 6. 1969, p. 1.

⁽²⁾ OJ No L 23, 28. 1. 1978, p. 1.

the time of import do not provide, apart from customs duties, for the application of any other measure relating to their import,

- (ii) for products other than those referred to under (i), the Community shall take the necessary measures to ensure more favourable treatment than that applied to third countries benefiting from the most-favoured-nation clause for the same products;

Whereas it is laid down in Article 2 (2) (c) of the Convention that the arrangements referred to under paragraph (2) (a) shall enter into force at the same time as the Convention and shall remain applicable for its duration;

Whereas the Community has agreed to start applying autonomously the arrangements set out in Article 2 (2) (a) of the Convention, on trade in agricultural products and foodstuffs, as of 1 March 1980, that is to say before the Convention enters into force;

Whereas:

- Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽³⁾, as last amended by Regulation (EEC) No 2916/79 ⁽⁴⁾,
- Council Regulation (EEC) No 100/76 of 19 January 1976 on the common organization of the market in fishery products ⁽⁵⁾, as last amended by Regulation (EEC) No 2903/78 ⁽⁶⁾,
- Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats ⁽⁷⁾, as last amended by Regulation (EEC) No 590/79 ⁽⁸⁾,
- Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽⁹⁾, as last amended by Regulation (EEC) No 1547/79 ⁽¹⁰⁾,

⁽³⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽⁴⁾ OJ No L 329, 24. 12. 1979, p. 15.

⁽⁵⁾ OJ No L 20, 28. 1. 1976, p. 1.

⁽⁶⁾ OJ No L 347, 12. 12. 1978, p. 1.

⁽⁷⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽⁸⁾ OJ No L 78, 30. 3. 1979, p. 1.

⁽⁹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽¹⁰⁾ OJ No L 188, 26. 7. 1979, p. 1.

28.2.80

Official Journal of the European Communities

No L 55/5

- Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 113/80 ⁽²⁾.
- Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables ⁽³⁾, as last amended by Regulation (EEC) No 1301/79 ⁽⁴⁾.
- Council Regulation (EEC) No 516/77 of 14 March 1977 on the common organization of the market in products processed from fruit and vegetables ⁽⁵⁾, as last amended by Regulation (EEC) No 2999/79 ⁽⁶⁾.
- Council Regulation (EEC) No 337/79 of 5 February 1979 on the common organization of the market in wine ⁽⁷⁾, as last amended by Regulation (EEC) No 1303/79 ⁽⁸⁾.
- Council Regulation (EEC) No 727/70 of 21 April 1970 on the common organization of the market in raw tobacco ⁽⁹⁾, as last amended by Regulation (EEC) No 1579/79 ⁽¹⁰⁾.
- Regulation (EEC) No 1059/69,
- Council Regulation (EEC) No 1308/70 of 29 June 1970 on the common organization of the markets in flax and hemp ⁽¹¹⁾, as last amended by Regulation (EEC) No 814/76 ⁽¹²⁾.
- Council Regulation (EEC) No 1696/71 of 26 July 1971 on the common organization of the market in hops ⁽¹³⁾, as last amended by Regulation (EEC) No 235/79 ⁽¹⁴⁾.
- Council Regulation (EEC) No 234/68 of 27 February 1968 on the establishment of a common organization of the market in live trees and other plants, bulbs, roots and the like, cut flowers and ornamental foliage ⁽¹⁵⁾, as last amended by Regulation (EEC) No 1225/79 ⁽¹⁶⁾.

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 16, 22. 1. 1980, p. 1.

⁽³⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽⁴⁾ OJ No L 162, 30. 6. 1979, p. 26.

⁽⁵⁾ OJ No L 73, 21. 3. 1977, p. 1.

⁽⁶⁾ OJ No L 341, 31. 12. 1979, p. 1.

⁽⁷⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽⁸⁾ OJ No L 162, 30. 6. 1979, p. 28.

⁽⁹⁾ OJ No L 94, 28. 4. 1970, p. 1.

⁽¹⁰⁾ OJ No L 189, 27. 7. 1979, p. 1.

⁽¹¹⁾ OJ No L 146, 4. 7. 1970, p. 1.

⁽¹²⁾ OJ No L 94, 9. 4. 1976, p. 4.

⁽¹³⁾ OJ No L 175, 4. 8. 1971, p. 1.

⁽¹⁴⁾ OJ No L 34, 9. 2. 1979, p. 4.

⁽¹⁵⁾ OJ No L 55, 2. 3. 1968, p. 1.

⁽¹⁶⁾ OJ No L 155, 22. 6. 1979, p. 10.

— Council Regulation (EEC) No 2358/71 of 26 October 1971 on the common organization of the market in seed ⁽¹⁷⁾, as last amended by Regulation (EEC) No 2878/79 ⁽¹⁸⁾.

— Council Regulation (EEC) No 827/68 of 28 June 1968 on the common organization of the market in certain products listed in Annex II to the Treaty ⁽¹⁹⁾, as last amended by Regulation (EEC) No 114/80 ⁽²⁰⁾, and

— Council Regulation (EEC) No 1117/78 of 22 May 1978 on the common organization of the market in dried fodder ⁽²¹⁾, as last amended by Regulation (EEC) No 114/80.

establish trade arrangements with third countries;

Whereas, for the purposes of this Regulation, the concept of import duties shall be that set out in Article 1 (2) (a) of Regulation (EEC) No 1430/79 ⁽²²⁾;

Whereas, on the one hand, these trade arrangements provide only for the application of customs duties on the import of a number of products; whereas, on the other hand, these arrangements involve the application of customs duties and import levies on beef and veal and on products processed from fruit and vegetables, the charging of levies in respect of cereals, rice and products processed from cereals and rice, the charging of an *ad valorem* duty and a variable component on certain goods resulting from the processing of agricultural products, the application of customs duties and other measures in respect of imports of fishery products, certain fruit and vegetables, and oils and fats; whereas the obligations of the Community towards the ACP States under Article 2 (2) (a) of the Convention may be fulfilled by granting total or partial exemption from import duties for the products in question where they originate in the ACP States;

Whereas it should be specified that the advantages resulting from Article 2 (2) (a) of the Convention are accorded only to originating products within the meaning of Protocol 1 concerning the definition of the concept of originating products and methods of administrative cooperation, annexed to the ACP—EEC Convention of Lome, signed on 28 February 1975 ⁽²³⁾, hereinafter referred to as 'the 1975 Convention', application of which was extended by Regulation (EEC) No 434/80 ⁽²⁴⁾.

Whereas, upon entry into force of the Convention, Protocol 1 annexed thereto, will become applicable in respect of the rules of origin;

⁽¹⁷⁾ OJ No L 246, 5. 11. 1971, p. 1.

⁽¹⁸⁾ OJ No L 325, 21. 12. 1979, p. 1.

⁽¹⁹⁾ OJ No L 151, 30. 6. 1968, p. 16.

⁽²⁰⁾ OJ No L 16, 22. 1. 1980, p. 3.

⁽²¹⁾ OJ No L 142, 30. 5. 1978, p. 1.

⁽²²⁾ OJ No L 175, 12. 7. 1979, p. 1.

⁽²³⁾ OJ No L 25, 31. 1. 1976, p. 1.

⁽²⁴⁾ GEN I 8 Vol. 2

Whereas, furthermore, these advantages should be combined with certain conditions and limited to certain annual and multiannual quantities on a case-by-case basis;

Whereas there have traditionally been trade flows from the ACP States to the French overseas departments; whereas measures should therefore be introduced to encourage the importation of certain products originating in the ACP States into these French overseas departments to cover local consumption requirements, including consumption following processing; whereas provision should be made for altering the arrangements governing access to the markets in products originating in the ACP States referred to in Article 2 (2) of the Convention, particularly in the light of the said departments' economic development requirements;

Whereas it should be stipulated that the safeguard clauses provided for in the Regulations on the common organization of the agricultural markets and in the specific rules introduced as a result of the implementation of the common agricultural policy are applicable; whereas pursuant to the transitional application of certain provisions of the 1975 Convention the provisions of Article 10 thereof apply and will be replaced by those of Article 12 (1) of the Convention when it enters into force; whereas these provisions are complementary to and are implemented in accordance with Council Regulation (EEC) No 157/76 of 20 January 1976 on the safeguard measures provided for in the ACP—EEC Convention of Lomé ⁽¹⁾ and the Regulation which will replace it upon entry into force of the Convention;

Whereas the association of the Community with the overseas countries and territories, hereinafter referred to as 'the countries and territories', is governed by Decision 76/568/EEC ⁽²⁾, the period of validity of which was extended by Decision 80/162/EEC ⁽³⁾, in respect of the import arrangements for agricultural products and certain goods resulting from the processing of agricultural products and in respect of the rules of origin, and whose safeguard clauses apply as complementary measures; whereas upon the entry into force of a new Decision the provisions which it sets out will be applicable,

HAS ADOPTED THIS REGULATION:

Article 1

1. This Regulation shall apply to products originating in the ACP States listed in Annex I or in the countries and territories listed in Annex II.

⁽¹⁾ OJ No L 18, 27. 1. 1976, p. 1.

⁽²⁾ OJ No L 176, 1. 7. 1976, p. 8.

⁽³⁾ OJ No L 35, 12. 2. 1980, p. 26.

2. The rules of origin applicable to such of these products as are imported from the ACP States or the countries and territories shall be respectively those set out in Protocol 1 annexed to the 1975 Convention and those in Annex II to Decision 76/568/EEC. These provisions shall cease with effect from the entry into force of the similar rules contained in the Convention and in the Decision to be taken on the association of the countries and territories.

3. If there is a change in the status of the countries and territories listed in Annex II, the list of States, countries and territories referred to in Annexes I and II shall be adapted by the Council, acting by a qualified majority on a proposal from the Commission.

TITLE I

Beef and veal

Article 2

The products of the beef and veal sector referred to in Article 1 of Regulation (EEC) No 805/68 shall be imported free of customs duties.

Article 3

Where, in the course of a year, imports into the Community of products falling within subheadings 02.01 A II and 16.02 B III b) 1 aa) of the Common Customs Tariff originating in an ACP State or country or territory, exceed a quantity equivalent to imports into the Community during the year, between 1969 and 1974, in which Community imports of products of that origin were highest, plus an annual growth rate of 7 %, exemption from customs duties on the products of that origin shall be partially or totally suspended in accordance with the procedure laid down in Article 23.

In that event the Commission shall report to the Council which, acting by a qualified majority on a proposal from the Commission, shall determine the arrangements to be applied to the imports in question.

Article 4

1. Within the limits of the quantities referred to in Article 5, import duties, other than customs duties, applied to products originating in the ACP States referred to in Article 1 (a) of Regulation (EEC)

No 805/68 shall be reduced by an amount to be fixed quarterly by the Commission and corresponding to 90 % of the average import duties applicable during a reference period.

2. Paragraph 1 shall apply only to imports for which the importer provides proof that an export charge of an amount equivalent to the reduction referred to in the said paragraph has been collected by the exporting country.

Article 5

1. The reduction in import duties provided for in Article 4 shall be subject to a maximum, expressed in terms of boned or boneless meat, of 30 000 tonnes per calendar year, allocated as follows:

Botswana	18 916 tonnes,
Kenya	142 tonnes,
Madagascar	7 579 tonnes,
Swaziland	3 363 tonnes.

Depending on the dates of entry into force and expiry of this Regulation, the quantities shown above, expressed by calendar year, shall be calculated *pro rata temporis*.

2. However, if the ACP States referred to in paragraph 1 should so request during a given year, the total quantity may be broken down differently among those States for that or the following year, in accordance with the procedure laid down in Article 23.

TITLE II

Fishery products

Article 6

The fishery products referred to in Article 1 of Regulation (EEC) No 100/76 shall be imported free of customs duties.

TITLE III

Oils and fats

Article 7

The oil and fat products referred to in Article 1 (2) (a) and (b) of Regulation No 136/66/EEC shall be imported free of customs duties.

TITLE IV

Cereals

Article 8

1. The levy applicable to imports of maize falling within subheading 10.05 B of the Common Customs Tariff shall be that fixed in accordance with Article 13 of Regulation (EEC) No 2727/75, reduced by 1.81 ECU per tonne.

2. The levy applicable to imports of millet falling within subheading 10.07 B of the Common Customs Tariff and of grain sorghum falling within subheading 10.07 C of the Common Customs Tariff shall be that fixed in accordance with Article 13 of Regulation (EEC) No 2727/75, reduced by 50 %.

TITLE V

Rice

Article 9

The levy applicable to imports of rice falling within subheading 10.06 B of the Common Customs Tariff shall be equal, per 100 kilograms of product, to the levy applicable to imports of rice from third countries, reduced as follows:

(a) in the case of paddy rice falling within subheading 10.06 B I a) of the Common Customs Tariff:

- by 50 %, and
- by 0.36 ECU;

(b) in the case of husked rice falling with subheading 10.06 B I b) of the Common Customs Tariff:

- by 50 %, and
- by 0.36 ECU;

(c) in the case of semi-milled rice falling within subheading 10.06 B II a) of the Common Customs Tariff:

- by the amount for the protection of the industry referred to in Article 14 (3) of Regulation (EEC) No 1418/76 converted by reference to the conversion rate between milled rice and semi-milled rice referred to in the third indent of Article 19 (a) of that Regulation,
- by 50 % of the levy thus reduced, and
- by 0.54 ECU;

(d) in the case of wholly milled rice falling within subheading 10.06 B II b) of the Common Customs Tariff:

- by the amount for the protection of the industry referred to in Article 14 (3) of Regulation (EEC) No 1418/76,
- by 50 % of the levy thus reduced, and
- by 0.54 ECU;

(e) in the case of broken rice falling within subheading 10.06 B III of the Common Customs Tariff:

- by 50 %, and
- by 0.30 ECU.

Article 10

1. Article 9 shall apply only if the cif export price of a given quantity, increased by the levy applicable to imports of rice originating in the ACP States or in the countries and territories is, at the time of exportation, for that quantity, equal to or more than;

- in the case of husked rice, milled rice and broken rice, the threshold price less, respectively, 0.36, 0.54 and 0.30 ECU,
- in the case of paddy rice, the threshold price of husked rice adjusted by reference to the conversion rate, processing costs and the value of the by-products to be taken for conversion from the husked state to the paddy state, less 0.36 ECU,
- in the case of semi-milled rice, the threshold price of milled rice adjusted by reference to the conversion rate, processing costs and the value of the by-products to be taken for conversion from the round grain milled state to the round grain semi-milled state less 0.54 ECU.

2. In order to permit the necessary checks, the documents accompanying the products must show the cif price at which the product is sold and the date of export, together with all details regarding quality enabling the product to be defined. These documents must be stamped by the competent authorities of the exporting ACP States, countries or territories.

Article 11

1. Article 13 (2) of Regulation (EEC) No 1418/76 shall not apply to the levies to be charged on imports of rice originating in the ACP States or in the countries and territories.

2. As regards such imports, however, the levy applicable, on the day of export shall be applied, if the applicant so requests when applying for the licence referred to in Article 10 (1) of Regulation (EEC) No 1418/76, to an import to be effected during the period of validity of the licence.

Article 12

Where, in the course of a year, imports into the Community of rice originating in an ACP State or in a country or territory exceed a quantity equivalent to the average quantity of annual imports into the Community of the origin in question over the last three years for which statistics are available, plus 5 %, the provisions of Article 9 shall be totally or partially suspended in respect of products of the origin in question in accordance with the procedure laid down in Article 23.

In such a case, the Commission shall report to the Council, which, acting by a qualified majority on a proposal from the Commission, shall decide on the treatment to be applied to the imports concerned.

TITLE VI

Products processed from cereals and rice

Article 13

1. The levy applicable to imports of the products listed in Annex A to Regulation (EEC) No 2727/75 and of the products listed in Article 1 (1) (c) of Regulation (EEC) No 1418/76 shall be equal to the levy applicable to imports of those products from third countries reduced by the fixed component specified for each of the products in question.

2. The variable component of the levy shall be reduced:

- by 0.181 ECU per 100 kilograms for products falling within subheading 07.06 A of the Common Customs Tariff, excluding arrowroot,
- 0.363 ECU per 100 kilograms for products falling within subheading 11.04 C of the Common Customs Tariff, excluding flour and meal of arrowroot,
- by 50 % for products falling within subheading 11.08 A V of the Common Customs Tariff, excluding arrowroot starch.

28. 2. 80

Official Journal of the European Communities

No L 55/9

3. The variable component of the levy shall not be charged in respect of imports of:

— flour and meal of arrowroot falling within subheading 11.04 C of the Common Customs Tariff,

— arrowroot falling within subheading 07.06 A of the Common Customs Tariff,

— arrowroot starch falling within subheading 11.08 A V of the Common Customs Tariff.

TITLE VII

Fruit and vegetables

Article 14

1. The products listed below shall be imported free of customs duties:

CCT heading No	Description
07.01	Vegetables, fresh or chilled: F. Leguminous vegetables, shelled or unshelled G. Carrots, turnips, salad beetroot, salsify, celeriac, radishes and similar edible roots: ex IV. Other: — Radishes (<i>Raphanus sativus</i>), known as 'Mooli' S. Sweet peppers T. Other
08.02	Citrus fruit, fresh or dried: D. Grapefruit E. Other
08.08	Berries, fresh: E. Papaws F Other: ex II. Passion fruit
08.09	Other fruit, fresh

2. Subject to the special provisions laid down in paragraph 3, customs duties shall be reduced as follows for the products listed below:

CCT heading No	Description	Rate of reduction
07.01	Vegetables, fresh or chilled: G. Carrots, turnips, salad beetroot, salsify, celeriac, radishes and similar edible roots: ex II. Carrots and turnips: — Carrots, from 1 January to 31 March	40 %

CCT heading No	Description	Rate of reduction
07.01 (cont.)	ex H. Onions, shallots and garlic: — Onions, from 15 February to 15 May	60 %
	ex K. Asparagus: — From 15 August to 31 January	40 %
	M. Tomatoes: ex I. From 1 November to 14 May (from 15 November to 30 April (within the annual limit of a Community tariff quota of 2 000 tonnes))	60 % *
	Q. Mushrooms and truffles: IV. Other	40 %
	08.02	Citrus fruit, fresh or dried: A. Oranges B. Mandarins (including tangerines and satsumas); clementines, wilkings and other similar citrus hybrids

3. Imports of carrots falling within subheading ex 07.01 G II of the Common Customs Tariff and of onions falling within subheading ex 07.01 H of the Common Customs Tariff at the reduced rates of customs duty shown in paragraph 2 shall be subject to annual ceilings of 500 tonnes for each of these products, above which the customs duties actually applied in respect of third countries shall be restored.

TITLE VIII

Products processed from fruit and vegetables

Article 15

1. The products listed in Article 1 of Regulation (EEC) No 516/77 shall be imported free of customs duties.

2. Levies shall not be charged on imports of the products listed below:

CCT heading No	Description
20.06	Fruit otherwise prepared or preserved, whether or not containing added sugar or spirit: B. Other: 1. Containing added spirit: b) Pineapples, in immediate packings of a net capacity: 1. Of more than 1 kg: aa) With a sugar content exceeding 17 % by weight 2. Of 1 kg or less: aa) With a sugar content exceeding 19 % by weight e) Other fruits: 1. With a sugar content exceeding 9 % by weight:

CCT heading No	Description
20.06 (cont.)	<p>ex aa) Of an actual alcoholic strength by mass not exceeding 11.85 % mass:</p> <ul style="list-style-type: none"> — Grapefruit segments — Passion fruit — Guavas <p>ex bb) Other:</p> <ul style="list-style-type: none"> — Grapefruit segments — Passion fruit — Guavas <p>f) Mixtures of fruit:</p> <ol style="list-style-type: none"> 1. With a sugar content exceeding 9 % by weight: <ul style="list-style-type: none"> ex aa) Of an actual alcoholic strength by mass not exceeding 11.85 % mass: <ul style="list-style-type: none"> — Mixtures of pineapples, papaws and passion fruit ex bb) Other: <ul style="list-style-type: none"> — Mixtures of pineapples, papaws and passion fruit <p>II. Not containing added spirit:</p> <ol style="list-style-type: none"> a) Containing added sugar, in immediate packings of a net capacity of more than 1 kg: <ol style="list-style-type: none"> 2. Grapefruit segments 5. Pineapples: <ul style="list-style-type: none"> aa) With a sugar content exceeding 17 % by weight: ex 8. Other fruits: <ul style="list-style-type: none"> — Passion fruit — Guavas 9. Mixtures of fruit: <ul style="list-style-type: none"> ex aa) Mixtures in which no single fruit exceeds 50 % of the total weight of the fruits: <ul style="list-style-type: none"> — Mixtures of pineapples, papaws and passion fruit ex bb) Other: <ul style="list-style-type: none"> — Mixtures of pineapples, papaws and passion fruit b) Containing added sugar, in immediate packings of a net capacity not exceeding 1 kg: <ol style="list-style-type: none"> 2. Grapefruit segments 5. Pineapples: <ul style="list-style-type: none"> aa) With a sugar content exceeding 19 % by weight ex 8. Other fruits: <ul style="list-style-type: none"> — Passion fruit — Guavas 9. Mixtures of fruit: <ul style="list-style-type: none"> ex aa) Mixtures in which no single fruit exceeds 50 % of the total weight of the fruits: <ul style="list-style-type: none"> — Mixtures of pineapples, papaws and passion fruit ex bb) Other: <ul style="list-style-type: none"> — Mixtures of pineapples, papaws and passion fruit

CCT heading No	Description
20.07	<p>Fruit juices (including grape must) and vegetable juices, whether or not containing added sugar, but unfermented and not containing spirit:</p> <p>A. Of a specific gravity exceeding 1.33 at 15 °C:</p> <p>III. Other:</p> <p>b) Of a value of 30 EUA or less per 100 kg net weight:</p> <p>ex 1. With an added sugar content exceeding 30 % by weight:</p> <ul style="list-style-type: none"> — Pineapple — Passion fruit — Guavas — Mixtures of pineapples, papaws and passion fruit <p>B. Of a specific gravity of 1.33 or less at 15 °C:</p> <p>II. Other:</p> <p>b) Of a value of 30 EUA or less per 100 kg net weight:</p> <p>5. Pineapple juice:</p> <p>aa) With an added sugar content exceeding 30 % by weight</p> <p>7. Other fruit and vegetable juices :</p> <p>ex aa) With an added sugar content exceeding 30 % by weight:</p> <ul style="list-style-type: none"> — Passion fruit — Guavas <p>8. Mixtures:</p> <p>bb) Other</p> <p>ex 11. With an added sugar content exceeding 30 % by weight:</p> <ul style="list-style-type: none"> — Pineapple, papaws and passion fruit juice

TITLE IX

Wine

Article 16

The products listed below shall be imported free of customs duties:

CCT heading No	Description
20.07	<p>Fruit juices (including grape must) and vegetable juices, whether or not containing added sugar, but unfermented and not containing spirit:</p> <p>A. Of a specific gravity exceeding 1.33 at 15 °C:</p> <p>I. Grape juice (including grape must):</p> <p>ex a) Of a value exceeding 22 EUA per 100 kg net weight:</p> <ul style="list-style-type: none"> — With an added sugar content exceeding 30 % by weight <p>b) Of a value not exceeding 22 EUA per 100 kg net weight:</p> <p>1. With an added sugar content exceeding 30 % by weight</p>

CCT heading No	Description
20.07 (cont'd)	B. Of a specific gravity of 1.33 or less at 15 °C: I. Grape, apple and pear juice (including grape must); mixtures of apple and pear juice: a) Of a value exceeding 18 EUA per 100 kg net weight: 1. Grape juice (including grape must): aa) Concentrated: 11. With an added sugar content exceeding 30 % by weight bb) Other: 11. With an added sugar content exceeding 30 % by weight b) Of a value of 18 EUA or less per 100 kg net weight: 1. Grape juice (including grape must): aa) Concentrated: 11. With an added sugar content exceeding 30 % by weight bb) Other: 11. With an added sugar content exceeding 30 % by weight

TITLE X

Raw tobacco*Article 17*

The tobacco products listed in Article 1 of Regulation (EEC) No 727/70 shall be imported free of customs duties.

Article 18

If serious disturbances occur as a result of a large increase in duty-free imports of products falling within heading No 24.01 of the Common Customs Tariff originating in the ACP States or in the countries and territories, or if these imports create difficulties which bring about a deterioration in the economic situation of a region of the Community, the Community may, without prejudice to Article 26, take measures to counteract any deflection of trade.

TITLE XI

Goods to which Regulation (EEC) No 1059/69 applies*Article 19*

1. No fixed component shall be charged on imports of goods to which Regulation (EEC) No 1059/69 applies.
2. The variable component shall not be charged on imports of the goods listed below:

CCT heading No	Description
17.04	Sugar confectionery, not containing cocoa: C White chocolate
18.06	Chocolate and other food preparations containing cocoa. C Chocolate and chocolate goods, whether or not filled; sugar confectionery and substitutes therefor made from sugar substitution products containing cocoa
19.02	Malt extract; preparations of flour, meal, starch or malt extract, of a kind used as infant food or for dietetic or culinary purposes, containing less than 50 % by weight of cocoa: B Other: II Other: a) Containing no milk fats or containing less than 1.5 % by weight of such fats. 4 Containing 45 % or more but less than 65 % by weight of starch
19.04	Tapioca and sago; tapioca and sago substitutes obtained from potato or other starches
19.07	Bread, ships' biscuits and other ordinary bakers' wares, not containing added sugar, honey, eggs, fats, cheese or fruit; communion wafers, cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products : D Other, containing by weight of starch ex II 50 % or more, excluding ships' biscuits
19.08	Pastry, biscuits, cakes and other fine bakers' wares, whether or not containing cocoa in any proportion: B. Other: IV. Containing 50 % or more but less than 65 % by weight of starch: a) Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose): ex I. Containing no milk fats or containing less than 1.5 % by weight of such fats: --- Biscuits V. Containing 65 % or more by weight of starch: ex a) Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose): --- Biscuits ex b) Other: --- Biscuits

TITLE XII

Other markets subject to common organization

Article 20

The products covered by Regulations (EEC) No 1308/70, (EEC) No 1696/71, (EEC) No 234/68, (EEC) No 2358/71, (EEC) No 827/68 and (EEC) No 1117/78, shall be imported free of customs duties.

TITLE XIII

Provisions relating to the French overseas departments

Article 21

1. Subject to the provisions of paragraphs 2 and 3, the levies shall not be applied to direct imports into the French overseas departments of the products listed below originating in the ACP States or in the countries and territories:

C.C.T. heading No	Description
01.02	Live animals of the bovine species: A. Domestic species: II. Other
02.01	Meat and edible offals of the animals falling within heading No 01.01, 01.02, 01.03 or 01.04, fresh, chilled or frozen: A. Meat: II. Of bovine animals:
10.05 B	Maize
10.06 B	Rice

2. If imports into the French overseas departments of maize originating in the ACP States or in the countries and territories have exceeded 25 000 tonnes in a year, and if such imports are causing or are likely to cause serious disturbances on those markets, the Commission shall, at the request of a Member State or on its own initiative, take the necessary measures.

Any Member State may, within three working days of notification of the measure taken by the Commission, refer that measure to the Council. The Council shall meet forthwith. It may, acting by a qualified majority, amend or annul the measure in question.

3. This Article shall apply to products released for home use in the French overseas departments. Such products may not be re-exported. If necessary, measures to ensure this may be taken in accordance with the procedure laid down in Article 23.

— the variable components of levies, where the levies contain such components,

— in other cases, the levies,

applicable to imports from third countries into the Community as at present constituted.

However, during the period of application of accession compensatory amounts in trade between the Community as at present constituted and new Member States, measures to prevent deflections of trade shall be taken in accordance with the procedure laid down in Article 23, if this proves necessary.

Article 23

1. If necessary, detailed rules for the application of this Regulation shall be adopted in accordance with the procedure laid down in Article 26 of Regulation (EEC) No 2727/75 or, as the case may be, in the corresponding Articles of the other Regulations on the common organization of agricultural markets.

2. In the case of beef and veal, these detailed rules shall relate in particular to:

TITLE XIV

General and final provisions

Article 22

The reductions provided for by this Regulation shall be calculated by reference to:

- a) the basis for calculation and the reference period to be taken into consideration for fixing the amount by which the import duties are to be reduced;
- b) the arrangements for fixing the corresponding amount to be collected by the exporting country;
- c) the issue of import licences;
- d) the forms of proof acceptable and checking procedures.

Article 24

On the basis of the economic development requirements of the French overseas departments, the Council, acting by a qualified majority on a proposal from the Commission, may alter the arrangements governing access to those departments' markets for the products covered by this Regulation.

Article 25

This Regulation shall be without prejudice to the operation of Article 72 of the Act concerning the conditions of accession of the Hellenic Republic and the adjustments to the Treaties.

Article 26

The safeguard clauses provided for in the Regulations on the common organization of the

agricultural markets and in the specific rules introduced as a result of the implementation of the common agricultural policy shall be applicable to the products covered by this Regulation.

2. As regards relations with the ACP States, the provisions of Regulation (EEC) No 157/76 shall apply as complementary measures, as shall the provisions which replace them upon entry into force of the Convention.

3. As regards the countries and territories, the provisions of Article 12 of Decision 76/568/EEC and of Annex III thereto shall apply as complementary measures, as shall the provisions which replace them as from the entry into force of the new Decision on the association of the countries and territories.

Article 27

This Regulation shall enter into force on 1 March 1980. It shall apply until 31 December 1980.

The Council, acting by a qualified majority on a proposal from the Commission, may decide to extend this Regulation beyond that date.

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

Done at Brussels, 18 February 1980.

For the Council

The President

G. MARCORA

ANNEX I

List of the ACP States referred to in Article 1

Bahamas	Malawi
Barbados	Mali
Benin	Mauritania
Botswana	Mauritius
Burundi	Niger
Cameroon	Nigeria
Cape Verde	Papua New Guinea
Central African Republic	Rwanda
Chad	Sao Tome and Principe
Comoros	Senegal
Congo	Seychelles
Dominica	Sierra Leone
Ethiopia	Solomon Islands
Equatorial Guinea	Somalia
Fiji	St Lucia
Gabon	St Vincent and the Grenadines ⁽¹⁾
Gambia	Sudan
Ghana	Surinam
Grenada	Swaziland
Guinea	Tanzania
Guinea Bissau	Togo
Guyana	Tonga
Ivory Coast	Trinidad and Tobago
Jamaica	Tuvalu
Jibuti	Uganda
Kenya	Upper Volta
Kiribati	Western Samoa
Lesotho	Zaire
Liberia	Zambia
Madagascar	

⁽¹⁾ St Vincent and the Grenadines is included in Annex I on the assumption that it will have acceded to the 1975 Convention before 1 March 1980.

ANNEX II

List of the countries and territories referred to in Article 1

(This list is without prejudice to the status of these countries and territories now or in the future.)

1. Overseas countries of the Kingdom of the Netherlands:
 - the Netherlands Antilles (Aruba, Bonaire, Curaçao, St Martin, Saba, St Eustatius).
 2. Overseas territories of the French Republic:
 - Mayotte,
 - New Caledonia and dependencies,
 - Wallis and Futuna Islands,
 - French Polynesia,
 - French Southern and Antarctic Territories.
 3. Overseas countries and territories of the United Kingdom of Great Britain and Northern Ireland:
 - Belize,
 - Brunei,
 - Associated States in the Caribbean (Antigua, St Kitts, Nevis and Anguilla),
 - Cayman Islands
 - Falkland Islands and dependencies,
 - British Virgin Islands,
 - Montserrat,
 - Pitcairn,
 - St Helena and dependencies,
 - British Antarctic Territory,
 - British Indian Ocean Territory.
 4. Anglo-French Condominium of the New Hebrides.
-

COUNCIL REGULATION (EEC) No 436/80

of 18 February 1980

opening, allocating and providing for the administration of a Community tariff quota for fresh or chilled tomatoes, falling within subheading ex 07.01 M I of the Common Customs Tariff and originating in the African, Caribbean and Pacific States (March/April 1980)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas Article 14 of Council Regulation (EEC) No 435/80 provides for the opening by the Community of a Community tariff quota of 2 000 tonnes of fresh or chilled tomatoes, falling within subheading ex 07.01 M I of the Common Customs Tariff and originating in the African, Caribbean and Pacific States; whereas the quota period runs from 15 November to 30 April; whereas the customs duty applicable to the quota is set at 4.4 %, with a minimum charge of 0.8 European units of account per 100 kilograms net weight; whereas this Regulation enters into force from 1 March 1980 only; whereas, therefore, the *pro rata temporis* clause is applicable to the quota of 727 tonnes should, therefore, be opened for the period in question;

Whereas it is necessary, in particular, to ensure to all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rates laid down for that quota to all imports of the products concerned into all Member States, until the quota has been used up; whereas, however, since the tariff quota involved is of a relatively low volume and the period of application is very short, it seems possible to allocate the whole quota volume to the Community reserve and to provide for the possibility that those Member States in which needs might arise should draw appropriate quantities from the reserve; whereas the shares thus drawn from the reserve must be valid until the end of the quota period; whereas this method of management requires close cooperation between the Member States and the Commission; whereas the latter must, in particular, be able to monitor the rate at which the quota is used up and inform the Member States thereof;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and represented by, the Benelux Economic Union, any operation relating to the administration of the shares allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. For the period 1 March to 30 April 1980, a Community tariff quota of 727 tonnes shall be opened in the Community for fresh or chilled tomatoes, falling within subheading ex 07.01 M I of the Common Customs Tariff and originating in the African, Caribbean and Pacific States.

Within this tariff quota, the Common Customs Tariff duty applicable to the products shall be suspended at 4.4 % with a minimum charge of 0.8 European units of account per 100 kilograms net weight.

2. The volume of the tariff quota referred to in paragraph 1 shall constitute a reserve.

3. If the need should arise for the products in question in a Member State, the latter shall draw an appropriate share from the reserve, providing that the size of the reserve so permits.

4. The shares drawn pursuant to paragraph 3 shall be valid until 30 April 1980.

Article 2

1. The Member States shall take all measures necessary to ensure that shares drawn pursuant to Article 1 are opened in such a way that changes may be made without interruption against their accumulated shares of the Community quota.

2. Member States shall ensure that importers of the said products established in their territory have free access to the shares allocated to them.

3. The Member States shall charge imports of the said goods against their shares as and when the goods are entered with customs authorities for free circulation.

4. The extent to which a Member State has used up its share shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 3

At the request of the Commission, Member States shall inform it of imports actually charged against their shares.

Article 4

The Member States and the Commission shall cooperate closely in order to ensure that this Regulation is complied with.

Article 5

This Regulation shall enter into force on 1 March 1980.

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

Done at Brussels, 18 February 1980.

For the Council

The President

G. MARCORA

COUNCIL REGULATION (EEC) No 437/80

of 18 February 1980

establishing ceilings and Community surveillance for imports of carrots and onions, falling within subheading ex 07.01 of the Common Customs Tariff and originating in the ACP States (1980)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas Article 14 of Regulation (EEC) No 435/80 stipulates that, for the period 1 January to 31 March 1980, carrots, falling within subheading ex 07.01 G II of the Common Customs Tariff and, for the period 15 February to 15 May 1980 onions, falling within subheading ex 07.01 H of the Common Customs Tariff and originating in the African, Caribbean and Pacific States, are subject on importation into the Community to the reduced rates of duty of 10.2 and 4.8 % respectively; whereas such reduction of duties applies only to imports up to ceilings above which the customs duties actually applicable to third countries are reintroduced; whereas the aforesaid Regulation is to enter into force on 1 March 1980; whereas the *pro rata temporis* clause is, therefore, applicable to the ceilings concerned;

Whereas the application of ceilings requires the Community to be regularly informed of the trend of imports of the relevant products originating in these countries; whereas imports should, therefore, be made subject to a system of surveillance;

Whereas this objective may be achieved by means of an administrative procedure based on offsetting imports of the products in question against the ceilings at Community level as and when these products are entered with customs authorities for free circulation; whereas this administrative procedure must make provision for the possible reintroduction of customs tariff duties as soon as the ceilings are reached at Community level;

Whereas this administrative procedure requires close and particularly swift cooperation between the Member States and the Commission; whereas the latter must, in particular, be able to follow the progress of quantities charged against the ceilings and keep the Member States informed; whereas this cooperation has to be particularly close since the Commission must be able to take the appropriate measures to reintroduce customs tariff duties if one of the ceilings is reached,

HAS ADOPTED THIS REGULATION:

Article 1

1. Imports of the products, originating in the African, Caribbean and Pacific States, which are listed in the Annex shall be subject to ceilings and to Community surveillance.

The products referred to in the first subparagraph, their tariff headings, the customs duties applicable, the periods of validity and the levels of the ceilings are set out in the said Annex.

2. Quantities shall be charged against the ceilings as and when products are entered with customs authorities for free circulation, accompanied by a movement certificate.

Products may be charged against a ceiling only if the movement certificate is submitted before the date on which customs duties are reintroduced.

The extent to which a ceiling is used up shall be determined at Community level on the basis of the imports charged against it, as defined in the preceding subparagraphs.

Member States shall inform the Commission, at the intervals and within the time limits specified in paragraph 4, of imports effected in accordance with the above procedures.

3. As soon as a ceiling has been reached, the Commission, shall adopt a Regulation reintroducing, until the end of its period of validity, the customs duties applicable to third countries.

Article 2

The Commission shall take all appropriate measures, in close cooperation with the Member States, to ensure the implementation of this Regulation.

4. Member States shall send the Commission statements of the quantities charged for periods of 10 days, to be forwarded within five clear days of the end of each 10-day period.

Article 3

This Regulation shall enter into force on 1 March 1980.

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

Done at Brussels, 18 February 1980.

For the Council

The President

G. MARCORA

ANNEX

Order No	CCI heading No	Description	Customs duty applicable	Level of coline tomes
	07.01	Vegetables, fresh or chilled:		
		G. Carrots, turnips, salad beetroot, salsify, celeriac, radishes and similar edible roots:		
ACP 1		ex II. Carrots and turnips:		
		— Carrots, from 1 March to 31 March	10.2 %	166
ACP 2		ex H. Onions, shallots and garlic:		
		— Onions, from 1 March to 15 May	4.8 %	416

COUNCIL REGULATION (EEC) No 438/80

of 18 February 1980

opening, allocating and providing for the administration of a Community tariff quota for rum, arrack and tafia, falling within subheading 22.09 C.I of the Common Customs Tariff and originating in the ACP States (March/June 1980)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the ACP—EEC Convention of Lomé signed on 28 February 1975 expires on 29 February 1980; whereas, pending the entry into force of the second ACP—EEC Convention signed at Lomé on 31 October 1979, it is appropriate to apply the provisions of Protocol 5 to the latter Convention in advance, from 1 March 1980; whereas that Protocol provides that, until the entry into force of a common organization of the market in spirits, products of subheading 22.09 C.I originating in the ACP States, shall be imported duty-free into the Community under conditions such as to permit the development of traditional trade flows between the ACP States and the Community and between the Member States; whereas the Community shall each year fix the quantities which may be imported free of customs duties on the basis of the largest quantities imported annually from the ACP States into the Community in the last three years for which statistics are available, increased by an annual growth rate of 40 % on the market of the United Kingdom and 18 % on the other markets of the Community, these growth rates being based on foreseeable internal demand in each Member State;

Whereas the levels reached by imports of the products concerned into the Community and the Member States during the last three years for which statistics are available should be taken into consideration;

Whereas the first quota period should end on 30 June 1980 and a *pro rata temporis* reduction of the quota volume to four-twelfths should, therefore, be introduced; whereas the size of the tariff quota for the period 1 March to 30 June 1980 should, therefore, be fixed at 59 433 hectolitres of pure alcohol,

Whereas the above principles also apply to the allocation of the tariff quota;

Whereas it seems likely that arrangements for using the Community tariff quota based on allocation between the United Kingdom and the other Member States would reconcile the application of the growth rates provided for in Protocol 5 with the uninterrupted application of the duty-free entry arrangements in respect of the said quota to all imports of the products concerned into the Member States until the quota is exhausted; whereas, in order to reflect as closely as possible the actual trends on the markets in the products concerned, such allocation should be made in accordance with the requirements of the Member States; whereas the tariff quota should be allocated among the Member States on the basis of the largest quantities imported annually into each Member State during the past three years, taking into account the abovementioned growth rates;

Whereas measures should be laid down to ensure that Protocol 5 is implemented under conditions such as to permit the development of traditional trade flows between the ACP States and the Community and between the Member States;

Whereas, owing to the special character of the products in question and their sensitivity on Community markets, exceptional provision should be made for a method of use based on a single division among Member States;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are jointly represented by the Benelux Economic Union, any measure concerning the administration of the share allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 March until 30 June 1980, rum, arrack and tafia, falling within subheading 22.09 C.I of the Common Customs Tariff and originating in the ACP States, shall be imported duty-free into the Community within the limits of a Community tariff quota of 59 433 hectolitres of pure alcohol.

Article 2

1. The tariff quota referred to in Article 1 shall be divided into two instalments. The first instalment, of 40 856 hectolitres of pure alcohol, shall be for United Kingdom consumption. The second instalment, of 18 577 hectolitres of pure alcohol, shall be allocated among the other Member States.

2. The shares of each of the Member States to which the second instalment is allocated pursuant to paragraph 1 shall consist of the following quantities:

	<i>(in hectolitres of pure alcohol)</i>
Benelux	2 370
Denmark	1 276
Germany	11 647
France	2 211
Ireland	927*
Italy	146

Article 3

1. Member States shall manage the shares allocated to them in accordance with their own arrangements.

2. The extent to which the Member States have used up their shares shall be determined on the basis of the imports of the products in question, originating in the ACP States, entered for free circulation.

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

Done at Brussels, 18 February 1980.

Article 4

1. Member States shall inform the Commission each month of imports actually charged against the tariff quota.

2. The United Kingdom shall take the steps necessary to ensure that the quantities imported from the ACP States under the conditions laid down in Articles 1 and 2 are restricted to those meeting its domestic consumption requirements.

3. The Commission shall regularly inform the Member States of the extent to which the tariff quota has been used up.

4. Where necessary, consultations may be held at the request of a Member State or on the initiative of the Commission.

Article 5

The Commission shall take all necessary measures, in close cooperation with the Member States, to ensure the implementation of this Regulation.

Article 6

Council Regulation (EEC) No 157/76 of 20 January 1976 on the safeguard measures provided for in the ACP—EEC Convention of Lomé⁽¹⁾ shall apply in respect of the products covered by this Regulation.

Article 7

This Regulation shall enter into force on 1 March 1980.

For the Council

The President

G. MARCORA

⁽¹⁾ OJ No L 18, 27. 1. 1976, p. 1.

COMMISSION REGULATION (EEC) No 485/80

of 28 February 1980

amending Regulation (EEC) No 571/78 in respect of the issue of import licences for products of the beef and veal sector originating in the African, Caribbean and Pacific States or in the overseas countries and territories

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EEC) No 2916/79⁽²⁾, and in particular Articles 15 (2) and 25 thereof,

Having regard to Council Regulation (EEC) No 435/80 of 18 February 1980 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories, and in particular Article 23 thereof,

Whereas detailed rules should be laid down for the issue of import licences for products of the beef and veal sector to which the arrangements introduced by Regulation (EEC) No 435/80 apply;

Whereas it is accordingly necessary to amend Commission Regulation (EEC) No 571/78, as last amended by Regulation (EEC) No 301/80⁽³⁾;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

Article 1

Article 7 of Regulation (EEC) No 571/78 is hereby amended to read as follows:

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

Done at Brussels, 28 February 1980.

Article 7

1. An application for an import licence in respect of products to be imported duty free pursuant to Article 2 of Regulation (EEC) No 435/80 and qualifying, as appropriate, either for a partial reduction of import duties other than customs duties in accordance with Article 4 of the said Regulation, or free of levies in accordance with Article 21 of the said Regulation, and the licence itself, shall contain:

(a) in section 12, one of the following endorsements:

- "ACP-OCT product (Regulation (EEC) No 435/80)",
- "AVS/OLT-varer (forordning (EØF) nr. 435/80)",
- "AKP-ULG-Erzeugnis (Verordnung (EWG) Nr. 435/80)",
- "Produit ACP/PTOM (règlement (CEE) n° 435/80)",
- "Prodotto ACP/PTOM (regolamento (CEE) n. 435/80)",
- "ACS-LGO-produkt (Verordening (EEG) nr. 435/80)",

(b) in section 14, the name of the State, country or territory in which the product originated.

2. Every import licence so endorsed shall carry with it an obligation to import under Regulation (EEC) No 435/80 from the State, country or territory entered thereon.

Article 2

This Regulation shall enter into force on 1 March 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.
⁽²⁾ OJ No L 329, 24. 12. 1979, p. 15.
⁽³⁾ OJ No L 32, 9. 2. 1980, p. 31.

COMMISSION REGULATION (EEC) No 486/80

of 28 February 1980

laying down detailed rules for the application in the beef and veal sector of Regulation (EEC) No 435/80 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 435/80 of 18 February 1980 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories, and in particular Article 23 thereof,

Having regard to Council Regulation No 129 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy (1), as last amended by Regulation (EEC) No 2543/73 (2), and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 4 of Regulation (EEC) No 435/80 lays down that the duties on imports of beef and veal originating in the African, Caribbean and Pacific States are to be reduced, provided that a tax of a corresponding amount was levied when the goods were exported from the country of origin;

Whereas the amount of the import duties depends upon the level of the levy applicable, and that levy may be adjusted by monetary compensatory amounts; whereas, having regard to the monetary trends in the individual Member States, the amount of the reduction should be calculated separately for each Member State on the basis of the monetary compensatory amount applicable to imports into the Member State concerned;

Whereas the reduction consists of levy and monetary compensatory amount components; whereas, moreover, the fixing of the reduction in ECU may create problems, especially for the exporting country, as

(1) OJ No 106, 30. 10. 1962, p. 2553/62.

(2) OJ No L 263, 19. 9. 1973, p. 1.

regards the exchange rate to be used; whereas, consequently, the amount of the reduction should be fixed in national currency for each Member State of destination;

Whereas it appears useful to outline the manner in which the amount to be actually levied on imports is calculated;

Whereas the amount by which the import duties are reduced is fixed quarterly; whereas this amount may vary during transport to the Community; whereas at the time of export the exporting country, when calculating the export tax to be levied, can only base itself on the reduction in force; whereas the export tax must be compared to the reduction applicable at the time of export;

Whereas the amount representing import duties is that applicable on the day of acceptance of the entry of the goods for home use; whereas these duties are reduced by the reduction applicable on that date;

Whereas proof that the export tax provided for in Regulation (EEC) No 435/80 has been collected may be furnished by entering the relevant amount on the EUR 1 certificate for the movement of goods referred to in Article 6 of Protocol 1 to the ACP-EEC Convention of Lomé signed on 28 February 1975 (3);

Whereas detailed rules for the application of the system of import licences for beef and veal products are laid down in Commission Regulation (EEC) No 193/75 (4), as last amended by Regulation (EEC) No 2971/79 (5), and in Commission Regulation (EEC) No 571/78 (6), as last amended by Regulation (EEC) No 485/80; whereas, however, it is appropriate to prescribe special rules for licences granted under the present Regulation;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

(3) GEN O 2 Vol. 1

(4) OJ No L 25, 31. 1. 1975, p. 10.

(5) OJ No L 336, 29. 12. 1979, p. 34.

(6) OJ No L 78, 22. 3. 1978, p. 10.

HAS ADOPTED THIS REGULATION :

Article 1

1. Import licences shall be issued for beef and veal products originating in Botswana, Kenya, Madagascar and Swaziland under the conditions laid down in this Regulation and within the limits of the quantities, expressed in tonnes of boned meat, fixed in Regulation (EEC) No 435/80.

2. For the purposes of this Regulation, 100 kilograms of boned meat shall be equivalent to 130 kilograms of unboned meat.

Article 2

1. Applications for import licences may be submitted only during the first 10 days of each month.

2. On the working day following the last working day of the period for the submission of applications, Member States shall inform the Commission by telex, in respect of each of the non-member countries concerned, of the total quantity covered by the applications referred to in paragraph 1.

3. The Commission shall decide in respect of each non-member country concerned to what extent applications can be accepted. If the quantities of products originating in a non-member country in respect of which licences are applied for exceed the quantity available from that non-member country, the Commission shall fix a single percentage for the reduction of the quantities applied for.

4. If the total quantity covered by applications relating to a non-member country is lower than that available from that non-member country, the Commission shall determine the amount of the balance remaining.

5. Licences shall be issued on the 21st day of each month. If that is not a working day in the Member State in which the applications were submitted, licences shall be issued on the first working day thereafter.

6. Import licences shall be valid for 90 days from the day of issue as specified in paragraph 5.

7. The application for a licence and the licence itself shall be drawn up in accordance with Article 7 of Regulation (EEC) No 571/78.

8. Subject to the provisions of Article 18 of Regulation (EEC) No 193/75, the security shall be released immediately in respect of any quantity for which no import licence has been issued.

Article 3

Importation under the arrangements for import duty reductions may take place only if the origin of the

products concerned is certified by the competent authorities of the exporting countries in accordance with the rules of origin applicable to the products in question pursuant to Protocol 1 to the Convention of Lomé of 28 February 1975.

Article 4

1. The amount provided for in Article 4(1) of Regulation (EEC) No 435/80 for each product intended for importation into a Member State shall be equal to 90 % of the amount of the levy, adjusted as appropriate by the monetary compensatory amount valid for imports into that Member State during the week preceding that in which the quarter for which the reduction is calculated begins.

The reduction shall be fixed for each Member State in its national currency.

2. The reduction shall be deducted from the levy valid on the day on which the customs import formalities are completed in the Member State concerned, adjusted as appropriate by the monetary coefficient shown in Annex II to the relevant Commission Regulation fixing the monetary compensatory amounts and by the monetary compensatory amount valid in the Member State concerned on the same date.

Article 5

1. The import duties shall be reduced by the amount fixed in accordance with Article 4 only if :

- (a) an export tax at least equal to that amount has been levied ;
- (b) the EUR 1 certificate for the movement of goods referred to in Article 6 of Protocol 1 to the Convention of Lomé of 28 February 1975 indicates :
 - in box 7, the amount of the export tax levied per 100 kilograms,
 - in box 8, the Common Customs Tariff subheading for the products in question.

A separate certificate shall be drawn up for each subheading of the Common Customs Tariff.

2. At the time of the completion of customs import formalities for the release of the goods for free circulation, the amount of the export tax levied per 100 kilograms shall be compared with the amount, fixed in accordance with Article 4 in respect of the importing Member State, which was applicable at the time when the EUR 1 certificate for the movement of goods was issued.

If the amount of the export tax levied is expressed in a currency other than that of the importing Member State, the exchange rate used shall be the most recent selling rate recorded on the most representative exchange market or markets of that Member State.

No L 56/24

Official Journal of the European Communities

29. 2. 80

The export tax levied shall be considered as corresponding to the amount fixed in accordance with Article 4 when the comparison shows that the export tax expressed in the currency of the importing Member State is not lower than the said amount.

3. The amount by which the import duties shall be reduced shall be that applicable on the date on which the entry of the goods for release for free circulation is accepted.

4. The application of this Regulation may in no case result in the granting of an amount.

Article 6

In respect of quantities imported pursuant to Article 2 (4) of Regulation (EEC) No 193/75, the levies fixed in accordance with Articles 10 to 13 of Regulation (EEC) No 805/68 shall be charged in full.

Article 7

Regulation (EEC) No 3006/78 is hereby repealed.

Article 8

This Regulation shall enter into force on 1 March 1980.

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

Done at Brussels, 28 February 1980.

For the Commission

Finn GUNDELACH

Vice-President

1. 3. 80

Official Journal of the European Communities

No L 58/67

COMMISSION REGULATION (EEC) No 518/80

of 28 February 1980

fixing the amounts by which import duties on beef and veal originating in the African, Caribbean and Pacific States are to be reducedTHE COMMISSION OF THE EUROPEAN
COMMUNITIES,Having regard to the Treaty establishing the European
Economic Community,Having regard to Council Regulation (EEC) No
435/80 of 18 February 1980 on the arrangements
applicable to agricultural products and certain goods
resulting from the processing of agricultural products
originating in the African, Caribbean and Pacific
States or in the overseas countries and territories ,
and in particular Article 4 thereof,Whereas Article 4 (1) of Regulation (EEC) No 435/80
provides for a 90 % reduction in the import duties on
beef and veal ; whereas the amount of this reduction
must be calculated in conformity with Article 4 of
Commission Regulation (EEC) No 486/80 ,

HAS ADOPTED THIS REGULATION :

*Article 1*The amounts by which import duties on beef and veal
are to be reduced pursuant to Article 4 (1) of Regula-
tion (EEC) No 435/80 shall, in respect of importations
during the month of March 1980, be as shown in the
Annex hereto.*Article 2*This Regulation shall enter into force on 1 March
1980.This Regulation shall be binding in its entirety and directly applicable in all Member
States.

Done at Brussels, 28 February 1980.

For the Commission

Finn GUNDELACH

Vice-President

ANNEXE — ANNEX — ANHANG — ALLEGATO — BIJLAGE — BILAG

Numero du tarif douanier commun CCT heading No Nummer des Gemeinsamen Zolltarifs Numero della tariffa doganale comune Nr van het gemeenschappelijk douanetarief Position i den fælles toldtarif	Deutschland DM/100 kg	Belgique Luxembourg FB/Flux/100 kg	Nederland Fl/100 kg	United Kingdom £/100 kg	Ireland £ Ir/100 kg	Italia Lit/100 kg	France FF 100 kg	Danmark Dkr/100 kg
01.02 A II	176,43	2 397,92	165,34	34,718	38,258	63 415	311,81	488,19
02.01 A II a) 1	335,22	4 556,04	314,15	65,963	72,690	120 490	592,44	851,56
02.01 A II a) 2	268,22	3 644,83	251,32	52,771	58,152			
					96 393	473,96	681,25	
02.01 A II a) 3	402,26	5 467,27	376,98	79,156	87,229	144 589	710,93	1 021,88
02.01 A II a) 4 aa)	461,94	6 718,45	463,26	102,190	109,035	184 586	919,54	1 277,34
02.01 A II a) 4 bb)	554,88	7 759,94	535,07	114,7 0	124,721	208 648	1 031,82	1 461,11
02.01 A II b) 1	274,99	3 684,99	254,09	52,763	58,571	96 626	473,67	686,16
02.01 A II b) 2	219,99	2 947,93	203,27	42,210	46,857	77 300	378,94	548,97
02.01 A II b) 3	343,74	4 606,20	317,62	65 953	73,213	120 783	592,09	857,
02.01 A II b) 4 aa)	376,13	5 424,54	374,04	82,031	87,856	148 363	737,97	1 029,23
02.01 A II b) 4 bb) 11	343,74	4 606,20	317,62	65,953	73,213	120 783	592,09	857,69
02.01 A II b) 4 bb) 22 ⁽¹⁾	3 3,74	4 606,20	317,62	65,953	73,213	120 783	592,09	857,69
02.01 A II b) 4 bb) 33	448,57	6 269,06	432,27	92,689	100,742	168 496	833,16	1 180,19
02.06 C I a) 1	461,94	6 718,45	463,26	102,190	109,035	184 586	919,54	1 277,34
02.06 C I A) 2	541,67	7 722,50	532,49	115,839	124,721	209 893	1 041,80	1 461,11
16.02 B III b) 1 aa)	541,67	7 722,50	532,49	115,839	124,721	209 893	1 041,80	1 461,11

(1) L'admission dans cette sous-position est subordonnée à la présentation d'un certificat délivré dans les conditions prévues par les autorités compétentes des Communautés européennes.

(1) Entry under this subheading is subject to the production of a certificate issued on conditions laid down by the competent authorities of the European Communities.

(1) Die Zulassung zu dieser Tarifstelle ist abhängig von der Vorlage einer Bescheinigung, die den von den zuständigen Stellen der Europäischen Gemeinschaften festgesetzten Voraussetzungen entspricht.

(1) L'ammissione in questa sottovoce è subordinata alla presentazione di un certificato conformemente alle condizioni stabilite dalle autorità competenti delle Comunità europee.

(1) Indeling onder deze onderverdeling is onderworpen aan de voorwaarde dat een certificaat wordt voorgelegd hetwelk is afgegeven onder de voorwaarden en bepalingen, vastgesteld door de bevoegde autoriteiten van de Europese Gemeenschappen.

(1) Henførsel under denne underposition er betinget af, at der fremlægges en licens, der opfylder de betingelser, der er fastsat af de kompetente myndigheder i De europæiske Fællesskaber.

1. 3. 80

Official Journal of the European Communities

No L 58/73

COUNCIL DECISION

of 26 February 1980

concerning the conclusion of the Agreement in the form of an exchange of letters on the provisional application of the Agreement between the Government of the Republic of Guinea Bissau and the European Economic Community on fishing off the coast of Guinea Bissau and of the two exchanges of letters relating thereto

(80/255/EEC)

(see GEN 0 154 Vol. 2)

AGREEMENT

in the form of an exchange of letters on the provisional application of the Agreement between the Government of the Republic of Guinea Bissau and the European Economic Community on fishing off the coast of Guinea Bissau and of the two exchanges of letters relating thereto

(see GEN 0 155 Vol. 2)

COUNCIL REGULATION (EEC) No 551/80

of 3 March 1980

derogating from the definition of the concept of 'originating products' to take into account the special situation of Malawi and Kenya with regard to certain items of fishing tackle (fishing flies)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas, pursuant to Decision No 1/80 of the ACP-EEC Council of Ministers on transitional measures to be applied from 1 March 1980, the provisions on commercial cooperation contained in Title I of and in Protocol 1 to the ACP-EEC Convention of Lomé signed on 28 February 1975, hereinafter referred to as the 1975 Lomé Convention, continue to apply after that date until the entry into force of the new provisions relating to the same sectors and up to 31 December 1980 at the latest;

Whereas, when adopting the said Decision, the Community made a statement to the effect that after expiry of the 1975 Lomé Convention certain provisions of the second ACP-EEC Convention, signed at Lomé on 31 October 1979, hereinafter referred to as the 1979 Lomé Convention, could be implemented in advance and by means of autonomous decisions;

Whereas Article 30 of Protocol 1 to the 1979 Lomé Convention, concerning the definition of the concept of 'originating products' and methods of administrative cooperation, makes provision for derogations from the rules of origin in particular to facilitate the development of existing industries or the creation of new industries;

Whereas the ACP States have submitted a request for a derogation from the definition set out in Protocol 1 to the 1975 Lomé Convention for items of fishing tackle manufactured in Malawi and Kenya;

Whereas the possibilities offered by the cumulation system on origin do not provide a solution to the origin problem for items of fishing tackle manufactured in Malawi and Kenya;

Whereas it is necessary to provide a derogation for the period between 1 March and 31 December 1980;

Whereas any possible deflection of trade should be avoided; whereas this can be achieved by fixing a maximum percentage of non-originating products incorporated in the finished product,

HAS ADOPTED THIS REGULATION:

Article 1

By way of derogation from Protocol 1 to the 1975 Lomé Convention, items of fishing tackle manufactured in Malawi or Kenya and falling within heading No ex 97.07 'fishing flies' of the Common Customs Tariff, shall be considered as originating in Malawi or Kenya provided that the value of non-originating fish-hooks used for their manufacture, falling within heading No ex 97.07 of the Common Customs Tariff, does not exceed 25 % of the value of the finished product.

Article 2

The competent authorities of the Republic of Malawi and the Republic of Kenya shall forward to the Commission every three months a statement of the quantities in respect of which movement certificates EUR. 1 have been issued pursuant to this Regulation, indicating the Member States of destination.

Article 3

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

It shall apply from 1 March 1980 until the entry into force of the 1979 Lomé Convention, but in any case not after 31 December 1980.

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

Done at Brussels, 3 March 1980.

For the Council

The President

G. MARCORA

**COUNCIL REGULATION (EEC) No 552/80
of 3 March 1980**

derogating from the concept of 'originating products' to take into account the special situation of Mauritius with regard to its production of canned tuna

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas, under Decision No 1/80 of the ACP-EEC Council of Ministers on the transitional measures to be applied from 1 March 1980, the trade cooperation provisions of the ACP-EEC Convention of Lomé, signed on 28 February 1975, hereinafter referred to as the 1975 Lomé Convention, contained in Title I and in Protocol 1 remain applicable beyond that date until the entry into force of new provisions in the same area or until 31 December 1980 at the latest;

Whereas, when adopting the said Decision, the Community made a statement to the effect that after the expiry of the 1975 Lomé Convention certain provisions of the second ACP-EEC Convention, signed at Lomé on 31 October 1979, hereinafter referred to as the 1979 Lomé Convention, could be implemented in advance and by means of autonomous decisions;

Whereas Article 30 of Protocol 1 to the 1979 Lomé Convention, concerning the definition of the concept of 'originating products' and methods of administrative cooperation states that derogations from the rules of origin may be made in order, in particular, to facilitate the development of existing industries or the creation of new industries;

Whereas the ACP States have submitted a request from the Mauritian Government for a derogation from the definition set out in Protocol 1 to the 1975 Lomé Convention in respect of canned tuna produced by Mauritius;

Whereas, in order to catch fish for its canneries, Mauritius has decided to set up its own fleet of vessels, so that the finished products may acquire the label of originating products;

Whereas this fleet will become operational only in about six months;

Whereas the derogation from the concept of originating products should not exceed six months;

Whereas, in these circumstances, a temporary derogation may be made from the definition of the concept of originating products;

Whereas, as a result of unforeseeable circumstances, canned tuna exports from Mauritius were halted for the period 25 November 1979 to 29 February 1980,

HAS ADOPTED THIS REGULATION:

Article 1

By way of derogation from the special provisions of List A of Annex II to Protocol 1 to the 1975 Lomé Convention, canned tuna manufactured in Mauritius and falling within heading No ex 16.04 of the Common Customs Tariff shall be considered as originating in Mauritius, subject to the following conditions.

Article 2

The derogation referred to in Article 1 shall relate to 800 tonnes of canned tuna falling within heading No ex 16.04 of the Common Customs Tariff and exported from Mauritius between 1 March and 31 August 1980.

Article 3

The competent authorities of Mauritius shall take the necessary steps to carry out quantitative checks on exports of the products referred to in Article 2 and shall forward to the Commission a statement of the quantities in respect of which movement certificates EUR. 1 have been issued pursuant to this Regulation.

Article 4

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

It shall apply from 1 March to 31 August 1980.

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

Done at Brussels, 3 March 1980.

For the Council

The President

G. MARCORA

29. 3. 80

Official Journal of the European Communities

No L 85/27

COMMISSION REGULATION (EEC) No 769/80**of 28 March 1980****fixing the amounts by which import duties on beef and veal originating in the African, Caribbean and Pacific States are to be reduced**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 435/80 of 18 February 1980 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories⁽¹⁾, and in particular Article 4 thereof,

Whereas Article 4 (1) of Regulation (EEC) No 435/80 provides for a 90 % reduction in the import duties on beef and veal ; whereas the amount of this reduction must be calculated in conformity with Article 4 of Commission Regulation (EEC) No 486/80⁽²⁾,

HAS ADOPTED THIS REGULATION :

Article 1

The amounts by which import duties on beef and veal are to be reduced pursuant to Article 4 (1) of Regulation (EEC) No 435/80 shall, in respect of importations during the second quarter of 1980, be as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 April 1980.

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

Done at Brussels, 28 March 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 55, 28. 2. 1980, p. 4.

⁽²⁾ OJ No L 56, 29. 2. 1980, p. 22

ANNEXE — ANNEX — ANHANG — ALLEGATO — BIJLAGE — BILAG

Numéro du tarif douanier commun CCT heading No Nummer des Gemeinsamen Zolltarifs Numero della tariffa doganale comune Nr. van het gemeenschappelijk douanetarief Position i den fælles toldtarif	Deutschland DM/100 kg	Belgique Luxembourg FB/Flux/100 kg	Nederland Fl/100 kg	United Kingdom £/100 kg	Ireland £ Ir/100 kg	Italia Lit/100 kg	France FF/100 kg	Danmark Dkr/100 kg
01.02 A II	179,42	2 445,35	168,62	36,637	39,043	65 373	318,68	457,39
02.01 A II a) 1	340,89	4 646,12	320,36	69,611	74,182	124 210	605,50	869,03
02.01 A II a) 2	273,06	3 716,87	256,28	55,688	59,345	99 366	484,40	695,22
02.01 A II a) 3	409,07	5 575,32	384,43	83,533	89,017	149 052	726,60	1 042,84
02.01 A II a) 4 aa)	470,46	6 853,54	472,56	104,416	111,272	188 489	939,12	1 303,54
02.01 A II a) 4 bb)	564,62	7 914,42	545,72	119,437	127,279	214 196	1 054,22	1 491,07
02.01 A II b) 1	281,17	3 783,04	260,85	56,486	60,195	100 547	487,89	705,18
02.01 A II b) 2	224,94	3 026,39	208,68	45,188	48,155	80 438	390,31	564,14
02.01 A II b) 3	351,47	4 728,78	326,07	70,607	75,243	125 683	609,86	881
02.01 A II b) 4 aa)	385,40	5 571,64	384,18	84,729	90,292	152 756	759,29	1 057,76
02.01 A II b) 4 bb) 11	351,47	4 728,78	326,07	70,607	75,243	125 683	609,86	881,47
02.01 A II b) 4 bb) 22 ⁽¹⁾	351,47	4 728,78	326,07	70,607	75,243	125 683	609,86	881,47
02.01 A II b) 4 bb) 33	459,21	6 437,73	443,91	97,155	103,534	174 240	857,60	1 212,90
02.06 C I a) 1	470,46	6 853,54	472,56	104,416	111,272	188 489	939,12	1 303,54
02.06 C I a) 2	551,40	7 876,98	543,14	119,437	127,279	214 900	1 064,21	1 491,07
16.02 B III b) 1 aa)	551,40	7 876,98	543,14	119,437	127,279	214 900	1 064,21	1 491,07

(¹) L'admission dans cette sous-position est subordonnée à la présentation d'un certificat délivré dans les conditions prévues par les autorités compétentes des Communautés européennes

(¹) Entry under this subheading is subject to the production of a certificate issued on conditions laid down by the competent authorities of the European Communities

(¹) Die Zulassung zu dieser Tarifstelle ist abhängig von der Vorlage einer Bescheinigung, die den von den zuständigen Stellen der Europäischen Gemeinschaften festgesetzten Voraussetzungen entspricht

(¹) L'ammissione in questa sottovoce è subordinata alla presentazione di un certificato conformemente alle condizioni stabilite dalle autorità competenti delle Comunità europee

(¹) Indeling onder deze onderverdeling is onderworpen aan de voorwaarde dat een certificaat wordt voorgelegd hetwelk is afgegeven onder de voorwaarden en bepalingen, vastgesteld door de bevoegde autoriteiten van de Europese Gemeenschappen

(¹) Hentførsel under denne underposition er betinget af, at der fremlægges en licens, der opfylder de betingelser, der er fastsat af de kompetente myndigheder i De europæiske Fællesskaber

COMMISSION REGULATION (EEC) No 1382/80

of 5 June 1980

derogating from Regulation (EEC) No 486/80 as regards the calculation of the amount of the reduction of import duties for beef and veal products from the African, Caribbean and Pacific States for the period beginning 2 June 1980

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 435/80 of 18 February 1980 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories, and in particular Article 23 thereof,

Whereas Article 4 (1) of Commission Regulation (EEC) No 486/80 stipulates that the amount of the reduction of the import duties referred to in Article 4 (1) of Regulation (EEC) No 435/80 shall be calculated taking into account the levies and the monetary compensatory amounts that are valid during the week preceding that in which the quarter for which the amount of the reduction is calculated commences;

Whereas it is appropriate to derogate from the rules concerning the quarterly fixing and the reference period for the calculation of that amount, especially when the transition from one marketing year to the next makes it necessary; whereas it is important to take into account the levies and monetary compensatory amounts calculated on the basis of the new price;

Whereas the beginning of the 1980/81 marketing year has been fixed for 2 June 1980 by Council Regulation (EEC) No 1031/80 (1);

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

Article 1

By way of derogation from Article 4 (1) of Regulation (EEC) No 486/80, the amount of the reduction of import duties for beef and veal products originating in the African, Caribbean and Pacific States, as referred to in Article 4 (1) of Regulation (EEC) No 435/80, shall be fixed for the period beginning 2 June 1980 and calculated on the basis of the levies and monetary compensatory amounts applicable from that date.

Article 2

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

It shall apply as from 2 June 1980.

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

Done at Brussels, 5 June 1980.

For the Commission

Finn GUNDELACH

Vice-President

(1) OJ No L 110, 29. 4. 1980, p. 2.

COMMISSION REGULATION (EEC) No 1383/80**of 5 June 1980****fixing the amounts by which import duties on beef and veal originating in the African, Caribbean and Pacific States are to be reduced**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 435/80 of 18 February 1980 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories, and in particular Article 4 thereof,

Whereas Article 4 (1) of Regulation (EEC) No 435/80 provides for a 90 % reduction in the import duties on beef and veal; whereas the amount of this reduction must be calculated in conformity with Article 4 of Commission Regulation (EEC) No 486/80; whereas, however, pursuant to Commission Regulation (EEC) No 1382/80, the levies and compensa-

tory amounts used for calculating that reduction are to be those in force on 2 June 1980,

HAS ADOPTED THIS REGULATION:

Article 1

The amounts by which import duties on beef and veal are to be reduced pursuant to Article 4 (1) of Regulation (EEC) No 435/80 shall, in respect of importations from 2 to 30 June 1980, be as shown in the Annex hereto.

Article 2

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

It shall apply as from 2 June 1980.

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

Done at Brussels, 5 June 1980.

For the Commission

Finn GUNDELACH

Vice-President

ANNEXE — ANNEX — ANHANG — ALLEGATO — BIJLAGE — BILAG

Numéro du tarif douanier commun CCT heading No Nummer des Gemeinsamen Zolltarifs Numero della tariffa doganale comune Nr. van het gemeenschappelijk douanetarief Position i den fælles toldtarif	Deutschland DM/100 kg	Belgique Luxembourg PB/Flux/100 kg	Nederland Fl/100 kg	United Kingdom £/100 kg	Ireland £ Irl/100 kg	Italia Lit/100 kg	France FF/100 kg	Danmark Dkr/100 kg
01.02 A II	188,42	2 620,94	180,72	40,017	42,045	73 839	372,90	492,56
02.01 A II a) 1	358,02	4 979,80	343,37	76,033	79,888	140 296	708,51	935,88
02.01 A II a) 2	286,42	3 983,81	274,70	60,827	63,910	112 236	566,81	748,70
02.01 A II a) 3	429,62	5 975,78	412,05	91,239	95,865	168 355	850,21	1 123,06
02.01 A II a) 4 aa)	499,28	7 362,31	507,65	112,410	119,831	210 443	1 062,77	1 403,82
02.01 A II a) 4 bb)	595,56	8 491,02	585,48	129,643	137,070	246 717	1 215,66	1 605,77
02.01 A II b) 1	297,81	4 101,83	282,83	62,627	65,635	115 267	582,11	768,92
02.01 A II b) 2	238,25	3 281,47	226,26	50,102	52,508	92 213	465,69	615,13
02 II b) 3	372,26	5 127,29	353,54	78,285	82,044	144 083	727,64	961,15
02 II b) 4 aa)	413,14	6 057,23	417,66	92,483	98,453	172 899	873,16	1 153,37
02.01 A II b) 4 bb) 11	372,26	5 127,29	353,54	78,285	82,044	144 083	727,64	961,15
02.01 A II b) 4 bb) 22 ⁽¹⁾	372,26	5 127,29	353,54	78,285	82,044	144 083	727,64	961,15
02.01 A II b) 4 bb) 33	489,69	6 990,99	482,04	106,740	112,892	198 257	1 001,22	1 322,53
02.06 C I a) 1	499,28	7 362,31	507,65	112,410	119,831	210 443	1 062,77	1 403,82
02.06 C I a) 2	583,35	8 456,28	583,08	129,113	137,070	240 717	1 215,66	1 605,77
16.02 B III b) 1 aa)	583,35	8 456,28	583,08	129,113	137,070	240 717	1 215,66	1 605,77

(1) L'admission dans cette sous-position est subordonnée à la présentation d'un certificat délivré dans les conditions prévues par les autorités compétentes des Communautés européennes

(1) Entry under this subheading is subject to the production of a certificate issued on conditions laid down by the competent authorities of the European Communities.

(1) Die Zulassung zu dieser Tarifstelle ist abhängig von der Vorlage einer Bescheinigung, die den von den zuständigen Stellen der Europäischen Gemeinschaften festgesetzten Voraussetzungen entspricht.

(1) L'ammissione in questa sottovoce è subordinata alla presentazione di un certificato conformemente alle condizioni stabilite dalle autorità competenti delle Comunità europee.

(1) Indeling onder deze onderverdeling is onderworpen aan de voorwaarde dat een certificaat wordt voorgelegd hetwelk is afgegeven onder de voorwaarden en bepalingen, vastgesteld door de bevoegde autoriteiten van de Europese Gemeenschappen.

(1) Henførsel under denne underposition er betinget af, at der fremlægges en licens, der opfylder de betingelser, der er fastsat af de kompetente myndigheder i De europæiske Fællesskaber

COUNCIL REGULATION (EEC) No 1470/80

of 9 June 1980

on the safeguard measures provided for in the second ACP-EEC Convention

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the detailed rules for implementing the safeguard clauses provided for in Chapter 1 of Title I of the second ACP-EEC Convention signed in Lomé on 31 October 1979 (hereinafter called 'the Convention') should be such as to enable the Community and the Member States to comply with the obligations they have assumed in this connection;

Whereas this Regulation lays down specific provisions in relation to the general rules provided for in particular in Council Regulation (EEC) No 926/79 of 8 May 1979 on common rules for imports⁽¹⁾ in so far as this is made necessary by the provisions of the Convention;

Whereas, when examining whether a safeguard measure should be introduced, account should be taken of the undertakings given in Articles 12 (2) (3) and (4) and 15 of the Convention and in the Community declaration on Article 12 (3);

Whereas the procedures concerning the safeguard clauses provided for in the Treaty establishing the European Economic Community and in the Regulations on the common organization of agricultural markets are also applicable;

Whereas these provisions replace those of Council Regulation (EEC) No 157/76 of 20 January 1976 on the safeguard measures provided for in the ACP-EEC Convention of Lomé,

HAS ADOPTED THIS REGULATION:

Article 1

1. Where a Member State asks the Commission to apply safeguard measures as provided for in Article 12 of the Convention, the Commission shall inform the Council within three working days of the action which it intends to take on this request.

If the Commission decides not to apply safeguard measures, any Member State may refer this decision to

the Council within 10 working days of notification of the Commission's position. The Council shall meet without delay. Acting by a qualified majority, it may amend the decision taken by the Commission.

2. Where the Commission, at the request of a Member State or on its own initiative decides that safeguard measures as provided for in Article 12 of the Convention should be applied:

- it shall inform the Member States forthwith,
- at the same time it shall inform the ACP States and shall notify them of the opening of the consultations referred to in Article 13 (1) of the Convention,
- at the same time it shall also supply the ACP States with all the information necessary for these consultations.

3. The Commission shall be assisted during the consultations by a Committee composed of representatives of the Member States and chaired by a Commission representative.

The consultations shall, at all events be deemed completed after 21 days have succeeded the notification provided for in paragraph 2.

Following the consultations, or as the case may be, on expiry of this period of 21 days, and if it has not been possible to conclude any other arrangement, the Commission may take appropriate measures to implement Article 12 of the Convention.

4. These measures shall be notified immediately to the Member States and to the ACP States.

They shall be applicable immediately.

5. Any Member State may refer a Commission decision adopted pursuant to paragraph 3 to the Council within 10 working days of notification of these measures.

6. If the Commission has not taken a decision within 10 working days following the end of the consultations or, as the case may be, the end of the period of 21 days, any Member State which has referred the matter to the Commission in accordance with paragraph 1 may refer it to the Council.

7. In the cases referred to in paragraphs 5 and 6 the Council shall meet without delay. Acting by a quali-

⁽¹⁾ OJ No L 131, 29. 5. 1979, p. 15.

13. 6. 80

Official Journal of the European Communities

No L 147/5

fied majority, it may confirm, amend or annul the measures in question.

8. This Article shall apply without prejudice to Articles 2 and 3.

Article 2

1. Should special factors arise within the meaning of Article 13 (3) of the Convention, the Commission may take, or may authorize a Member State to take, immediate safeguard measures.

2. If the Commission receives a request from a Member State, it shall take a decision thereon within three working days following receipt of the request.

The Commission's decision shall be notified to all Member States.

3. Any Member State may refer the Commission's decision to the Council in accordance with the procedure provided for in Article 1 (5).

The measures taken by a Member State in implementation of the decision of the Commission or, as the case may be, of the Council, and any amendment which it makes thereto, shall be notified to the other Member States and to the Commission.

Article 3

1. Without prejudice to the application of Articles 1 and 2, the Member State or States concerned may, in an emergency, introduce safeguard measures. They shall notify the other Member States and the Commission of such measures forthwith.

Using an emergency procedure the Commission shall, within five working days following the notification referred to in the first subparagraph, decide whether the measures are to be retained, amended or abolished.

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

Done at Luxembourg, 9 June 1980.

The Commission's decision shall be notified to all Member States. It shall be immediately enforceable.

2. Any Member State may refer the Commission's decision to the Council within 10 working days following notification of that decision. The Council shall meet without delay. Acting by a qualified majority, it may amend or annul the decision taken by the Commission.

If the matter is referred to the Council by the Member State which has taken the measures, the Commission's decision shall be suspended. The suspension shall cease to apply 30 days after the matter has been referred to the Council if the latter has not by then amended or annulled the Commission's decision.

Article 4

This Regulation shall not preclude the application of Regulations establishing a common organization of agricultural markets or of Community or national administrative provisions derived therefrom or of the specific rules adopted under Article 235 of the Treaty for processed agricultural products; it shall be implemented as a complement to those instruments.

Article 5

Community notifications, as provided for in Article 12 of the Convention, shall be made to the ACP-EEC Council of Ministers by the Commission.

Article 6

Regulation (EEC) No 157/76 is hereby repealed.

Article 7

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

For the Council

The President

F. PANDOLFI

COMMISSION REGULATION (EEC) No 1606/80

of 25 June 1980

amending Regulation (EEC) No 2849/75 on measures relating to imports of rice and broken rice originating in the African, Caribbean and Pacific States or in the overseas countries and territories

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION :

Having regard to the Treaty establishing the European Economic Community,

Article 1

Having regard to Council Regulation (EEC) No 435/80 of 18 February 1980 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States and the overseas countries and territories, and in particular Article 23 thereof,

The following Article 1a is inserted in Regulation (EEC) No 2849/75 :

Article 1a

Having regard to Council Regulation (EEC) No 878/77 of 26 April 1977 on the exchange rates to be applied in agriculture (1), as last amended by Regulation (EEC) No 779/80 (2), and in particular Article 4 (3) thereof,

For the purpose of application of the provisions of Article 10 of Regulation (EEC) No 435/80, the rate to be used for converting the cif export price into the national currency of the importing Member State shall be the spot rate for the sale of that currency ascertained on the currency market of the importing Member State on the day of export.

Whereas Article 10 of Regulation (EEC) No 435/80 stipulates that in order for a reduced levy on importation into the Community to be applied to rice originating in the ACP States or the overseas countries and territories the cif export price must, after being increased by the amount of the levy, reach a level corresponding to the threshold price reduced by a fixed amount; whereas this mechanism in its present form may if certain changes occur in the conversion rates prove defective and the full levy rate may be applied when there is no economic reason for this; whereas this situation should be remedied in order not to compromise the operation of the agreements linking the Community with the ACP States and the overseas countries and territories;

If the interested party makes use of the advance fixing provision of Article 11 (2) of Regulation (EEC) No 435/80, the representative rate to be used for converting the levy into national currency shall be that valid on the day when the import licence application is lodged.

Whereas Commission Regulation (EEC) No 2849/75 should be amended accordingly;

Article 2

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

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

(1) OJ No L 106, 29. 4. 1977, p. 27.

(2) OJ No L 85, 29. 3. 1980, p. 45.

(3) OJ No L 188, 1. 8. 1968, p. 1.

26. 6. 80

Official Journal of the European Communities

No L 160/41

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

Done at Brussels, 25 June 1980.

For the Commission

Finn GUNDELACH

Vice-President

**COUNCIL REGULATION (EEC) No 1638/80
of 24 June 1980**

on the system for guaranteeing the stabilization of earnings from certain commodities exported by the ACP States and the overseas countries and territories associated with the Community

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 213 thereof,

Having regard to the recommendation from the Commission,

Whereas Decision No 1/80 of the ACP-EEC Council of Ministers of 18 January 1980 stipulates that the provisions concerning the system for the stabilization of export earnings contained in Title II, Chapter 1 of the ACP-EEC Convention of Lomé signed on 28 February 1975 shall remain applicable after 1 March 1980 or until 31 December 1980, whichever is the earlier;

Whereas Decision 80/162/EEC⁽¹⁾ maintains in force after 1 March 1980 or until 31 December 1980, whichever is the earlier, the provisions applicable under Council Decision 76/568/EEC of 29 June 1976 on the association of the overseas countries and territories with the European Economic Community⁽²⁾;

Whereas Article 25 of the second ACP-EEC Convention signed in Lomé on 31 October 1979 establishes a list of products covered by the system for the stabilization of export earnings provided for in Title II, Chapter 1 thereof;

Whereas it is necessary to adapt accordingly the notification system provided for in Regulation (EEC) No 2478/77 so as to allow the Commission to obtain the necessary data as from 1 January 1980 with a view to the implementation of this stabilization system; whereas the said Regulation should be repealed to that end;

Whereas this stabilization system should be extended to cover the overseas countries and territories associated with the European Economic Community,

HAS ADOPTED THIS REGULATION:

Article 1

With effect from 1 February 1980, Member States shall forward to the Commission before the end of each month a statement of all the products listed in Annex I imported during the previous month:

- from the ACP States listed in Annex II,
- from the countries and territories listed in Annex III.

Article 2

The statement referred to in Article 1 shall give details of all products:

- which are put into free circulation in the Member State concerned,
- which are brought under the inward processing arrangements in that State for subsequent re-exportation in the form of compensating products.

Article 3

The statement referred to in Article 1 shall show the country of origin of the products, according to the common geographical code in force, the quantities imported and the cif values of these imports in the national currencies of the Member States or in European units of account.

Article 4

Regulation (EEC) No 2478/77 is hereby repealed.

Article 5

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 Luxembourg, 24 June 1980.

For the Council
The President
S. FORMICA

⁽¹⁾ OJ No L 35, 12. 2. 1980, p. 26.

⁽²⁾ OJ No L 176, 1. 7. 1976, p. 8.

ANNEX I

Products referred to in Article 1

	NIMEXE code
1. Groundnuts, shelled or not	12.01-31 to 12.01-35
2. Groundnut oil	15.07-74 and 15.07-87
3. Cocoa beans	18.01-00
4. Cocoa paste	18.03-10 to 18.03-30
5. Cocoa butter	18.04-00
6. Raw or roasted coffee	09.01-11 to 09.01-17
7. Extracts, essences or concentrates of coffee	21.02-11 to 21.02-15
8. Cotton, not carded or combed	55.01-10 to 55.01-90
9. Cotton linters	55.02-10 to 55.02-90
10. Coconuts	08.01-71 to 08.01-75
11. Copra	12.01-42
12. Coconut oil	15.07-29, 15.07-77 and 15.07-92
13. Palm oil	15.07-19, 15.07-61 and 15.07-63
14. Palm nut and kernel oil	15.07-31, 15.07-78 and 15.07-93
15. Palm nuts and kernels	12.01-44
16. Raw hides and skins	41.01-11 to 41.01-95
17. Bovine cattle leather	41.02-05 to 41.02-98
18. Sheep and lamb skin leather	41.03-10 to 41.03-99
19. Goat and kid skin leather	41.04-10 to 41.04-99
20. Wood in the rough	44.03-20 to 44.03-99
21. Wood roughly squared or half-squared, but not further manufactured	44.04-20 to 44.04-98
22. Wood sawn lengthwise, but not further prepared	44.05-10 to 44.05-79
23. Fresh bananas	08.01-31
24. Tea	09.02-10 to 09.02-90
25. Raw sisal	57.04-10
26. Vanilla	09.05-00
27. Cloves — whole fruit, cloves and stems	09.07-00
28. Sheep's or lambs' wool, not carded or combed	53.01-10 to 53.01-40
29. Fine animal hair of Angora goats — mohair	53.02-95
30. Gum arabic	13.02-91
31. Pyrethrum — flowers, leaves, stems, peel and roots; saps and extracts from pyrethrum	12.07-10 and 13.03-15
32. Essential oils, not terpenes, of cloves, of niaouli and of ylang-ylang	33.01-23
33. Sesame seed	12.01-68
34. Cashew nuts and kernels	08.01-77
35. Pepper	09.04-11 and 09.04-70
36. Shrimps and prawns	03.03-43
37. Squid	03.03-68
38. Cotton seeds	ex 12.01-98
39. Oil-cake	23.04-01 to 23.04-99
40. Rubber	40.01-20 to 40.01-60
41. Peas	07.01-41 to 07.01-43, 07.05-11, 07.05-19 and 07.05-61
42. Beans	07.01-45 to 07.01-47, 07.05-25 and 07.05-65
43. Lentils	07.05-30 and 07.05-70
44. Iron ore (ores, concentrates, and roasted iron pyrites)	26.01-12 to 26.01-18

*ANNEX II***ACP States referred to in Article 1***1. African States*

Mauritania, Mali, Upper Volta, Niger, Senegal, Ivory Coast, Togo, Benin, Cameroon, Chad, Central Africa, Gabon, Congo, Rwanda, Burundi, Somalia, Zaire, Kenya, Uganda, Tanzania, Botswana, Lesotho, Swaziland, Gambia, Ghana, Malawi, Nigeria, Sierra Leone, Zambia, Ethiopia, Guinea, Equatorial Guinea, Guinea Bissau, Liberia, Sudan, Cape Verde, Sao Tome and Principe, Jibuti.

2. Caribbean States

Barbados, Guyana, Jamaica, Bahamas, Grenada, Trinidad and Tobago, Surinam, Dominica, St Lucia, St Vincent.

3. Pacific States

Fiji, Western Samoa, Tonga, Papua New Guinea, Tuvalu, Kiribati, Solomon Islands.

4. Indian Ocean States

Madagascar, Mauritius, the Comoros, Seychelles.

*ANNEX III***Countries and territories referred to in Article 1**

1. *Overseas countries of the Kingdom of the Netherlands*
 - Netherlands Antilles (Aruba, Bonaire, Curaçao, St Martin, Saba, St Eustatius).
 2. *Overseas territories of the French Republic*
 - New Caledonia and dependencies,
 - Wallis and Futuna Islands,
 - French Polynesia,
 - French Southern and Antarctic Territories.
 3. *Territorial collectivity of the French Republic*
 - Mayotte.
 4. *Overseas countries and territories of the United Kingdom of Great Britain and Northern Ireland*
 - Belize,
 - Associated States in the Caribbean (Anguilla, Antigua, St Kitts-Nevis),
 - Cayman Islands,
 - Falkland Islands and dependencies,
 - Turks and Caicos Islands,
 - British Virgin Islands,
 - Monserrat,
 - Pitcairn,
 - St Helena and dependencies,
 - British Antarctic territory,
 - British Indian Ocean territory.
 5. *Country having special relations with the United Kingdom of Great Britain and Northern Ireland*
 - Brunei.
 6. *Anglo-French Condominium of the New Hebrides*
-

**COUNCIL REGULATION (EEC) No 1640/80
of 24 June 1980**

concerning the application of Decision No 3/80 of the ACP-EEC Council of Ministers derogating from the concept of originating products to take account of the special situation of Malawi and Kenya with regard to certain items of fishing tackle (fishing flies)

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the ACP-EEC Council of Ministers set up under the ACP-EEC Convention of Lomé⁽¹⁾, signed on 28 February 1975, adopted, pursuant to Article 9 (2) of the said Convention, Decision No 3/80 derogating from the concept of originating products to take account of the special situation of Malawi and Kenya with regard to certain items of fishing tackle (fishing flies);

Whereas it is necessary, in accordance with Article 74 (3) of the said Convention, to take such measures as are required to implement that Decision,

HAS ADOPTED THIS REGULATION:

Article 1

Decision No 3/80 of the ACP-EEC Council of Ministers, which is annexed to this Regulation, shall apply in the Community.

Article 2

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

It shall be applicable from 1 January until 29 February 1980.

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

Done at Luxembourg, 24 June 1980.

For the Council

The President

S. FORMICA

⁽¹⁾ GEN 0 2 Vol. 1

28. 6. 80

Official Journal of the European Communities

No L 163/11

DECISION No 3/80 OF THE ACP-BEC COUNCIL OF MINISTERS

of 27 February 1980

derogating from the definition of the concept of originating products to take account of the special situation of Malawi and Kenya with regard to certain items of fishing tackle (fishing flies)

(see INST I 51 Vol. 2)

28. 6. 80

Official Journal of the European Communities

No L 163/39

COMMISSION REGULATION (EEC) No 1651/80**of 27 June 1980****fixing the amounts by which import duties on beef and veal originating in the African, Caribbean and Pacific States are to be reduced**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 435/80 of 18 February 1980 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories, and in particular Article 4 thereof,

Whereas Article 4 (1) of Regulation (EEC) No 435/80 provides for a 90 % reduction in the import duties on beef and veal; whereas the amount of this reduction

must be calculated in conformity with Article 4 of Commission Regulation (EEC) No 486/80,

HAS ADOPTED THIS REGULATION :

Article 1

The amounts by which import duties on beef and veal are to be reduced pursuant to Article 4 (1) of Regulation (EEC) No 435/80 shall, in respect of importations during the third quarter of 1980, be as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 July 1980.

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

Done at Brussels, 27 June 1980.

For the Commission

Finn GUNDELACH

Vice-President

ANNEXE — ANNEX — ANHANG — ALLEGATO — BIJLAGE — BILAG

Numéro du tarif douanier commun CCT heading No Nummer des Gemeinsamen Zolltarifs Numero della tariffa doganale comune Nr. van het gemeenschappelijk douanetarief Position i den fælles toldtarif	Deutschland DM/100 kg	Belgique Luxembourg FB/Flux/100 kg	Nederland Fl/100 kg	United Kingdom £/100 kg	Ireland £ Irl/100 kg	Italia Lit/100 kg	France FF/100 kg	Danmark Dkr/100 kg
01.02 A II	188,42	2 620,94	180,72	40,017	42,045	73 220	372,90	492,56
02.01 A II a) 1	358,02	4 979,80	343,37	76,033	79,888	139 121	708,51	935,88
02.01 A II a) 2	286,42	3 983,81	274,70	60,827	63,910	111 296	566,81	748,70
02.01 A II a) 3	429,62	5 975,78	412,05	91,239	95,865	166 945	850,21	1 123,06
02.01 A II a) 4 aa)	499,28	7 362,31	507,65	112,410	119,831	210 484	1 062,77	1 403,82
02.01 A II a) 4 bb)	595,56	8 491,02	585,48	129,643	137,070	239 596	1 215,66	1 605,77
02.01 A II b) 1	297,81	4 101,83	282,83	62,627	65,635	114 127	582,11	768,92
2.01 A II b) 2	238,25	3 281,47	226,26	50,102	52,508	91 301	465,69	615,13
02.01 A II b) 3	372,26	5 127,29	353,54	78,285	82,044	142 657	727,64	961,15
02.01 A II b) 4 aa)	413,14	6 057,23	417,66	92,483	98,453	172 794	873,16	1 153,37
02.01 A II b) 4 bb) 11	372,26	5 127,29	353,54	78,285	82,044	142 657	727,64	961,15
02.01 A II b) 4 bb) 22 ⁽¹⁾	372,26	5 127,29	353,54	78,285	82,044	142 657	727,64	961,15
02.01 A II b) 4 bb) 33	489,69	6 990,99	482,04	106,740	112,892	197 374	1 001,22	1 322,53
02.06 C I a) 1	499,28	7 362,31	507,65	112,410	119,831	210 484	1 062,77	1 403,82
02.06 C I a) 2	583,35	8 456,28	583,08	129,113	137,070	240 180	1 215,66	1 605,77
16.02 B III b) 1 aa)	583,35	8 456,28	583,08	129,113	137,070	240 180	1 215,66	1 605,77

(1) L'admission dans cette sous-position est subordonnée à la présentation d'un certificat délivré dans les conditions prévues par les autorités compétentes des Communautés européennes.

(1) Entry under this subheading is subject to the production of a certificate issued on conditions laid down by the competent authorities of the European Communities.

(1) Die Zulassung zu dieser Tarifstelle ist abhängig von der Vorlage einer Bescheinigung, die den von den zuständigen Stellen der Europäischen Gemeinschaften festgesetzten Voraussetzungen entspricht.

(1) L'ammissione in questa sottovoce è subordinata alla presentazione di un certificato conformemente alle condizioni stabilite dalle autorità competenti delle Comunità europee.

(1) Indeling onder deze onderverdeling is onderworpen aan de voorwaarde dat een certificaat wordt voorgelegd hetwelk is afgegeven onder de voorwaarden en bepalingen, vastgesteld door de bevoegde autoriteiten van de Europese Gemeenschappen.

1) Henførsel under denne underposition er betinget af, at der fremlægges en licens, der opfylder de betingelser, der er fastsat af de kompetente myndigheder i De europæiske Fællesskaber.

COUNCIL REGULATION (EEC) No 1711/80

of 27 June 1980

opening, allocating and providing for the administration of a Community tariff quota for rum, arrack and tafia falling within subheading 22.09 C I of the Common Customs Tariff and originating in the ACP States (1980/81)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas a new Convention was signed on 31 October 1979 between the European Economic Community and the African, Caribbean and Pacific States; whereas pending the entry into force of that Convention it is appropriate to apply in advance, for the period 1 July 1980 to 30 June 1981, the provisions of Protocol 5 thereto; whereas that Protocol provides that products originating in the ACP States which fall within subheading 22.09 C I of the Common Customs Tariff shall, until the entry into force of a common organization of the market in spirits, be allowed into the Community free of customs duties under conditions such as to permit the development of traditional trade flows between the ACP States and the Community and between the Member States; whereas the Community shall fix each year the quantities which may be imported free of customs duties on the basis of the largest quantities imported annually from the ACP States into the Community in the past three years for which statistics are available, increased by an annual growth rate of 40 % on the market of the United Kingdom and 18 % on the other markets of the Community;

Whereas, having regard to the levels reached by imports of the products concerned into the Community and the Member States during the past three years for which statistics are available, the size of the tariff quota for the period 1 July 1980 to 30 June 1981 should be fixed at 178 300 hectolitres of pure alcohol;

Whereas, during the past three years for which statistics are available, the corresponding imports by each of the Member States represent the following percentages of the imports into the Community from the countries in question of the products concerned:

Member States	1977	1978	1979
Benelux	4.5	4.6	3.7
Denmark	1.9	1.2	1.3
Germany	18.3	22.8	18.7
France	5.3	2.0	2.2
Ireland	1.8	1.8	1.8
Italy	0.2	0.3	0.3
United Kingdom	68.0	67.3	72.0

Whereas, in view of these factors, of market forecasts for the products in question and in particular of the estimates submitted by certain Member States, initial quota shares may be fixed approximately at the following percentages:

Benelux	4.28
Denmark	1.37
Germany	20.03
France	3.05
Ireland	1.80
Italy	0.30
United Kingdom	69.17

Whereas an arrangement for using the Community tariff quota based on an allocation between the United Kingdom on the one hand and the other Member States on the other would seem likely to reconcile the application of the growth rates provided for in Protocol 5 with the uninterrupted application of the duty-free entry arrangements in respect of the said quota to all imports of the products concerned into the Member States until the quota is exhausted; whereas, in order to reflect as closely as possible the actual trends on the markets in the products concerned, such allocation should be made in accordance with the requirements of the Member States; whereas in this case the tariff quota should be allocated amongst the Member States on the basis of the largest quantities imported annually into each Member State during the past three years and taking into account the abovementioned growth rates;

Whereas measures should be laid down to ensure that Protocol 5 is implemented under conditions such as to

permit the development of traditional trade flows between the ACP States and the Community and between the Member States;

Whereas, owing to the special character of the products in question and their sensitivity on Community markets, exceptional provision should be made for a method of use based on a single division among Member States;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any measure concerning the administration of the share allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 July 1980 to 30 June 1981, rum, arrack and tafia falling within subheading 22.09 C I of the Common Customs Tariff and originating in the ACP States, shall be imported duty free into the Community within the limits of a Community tariff quota of 178 300 hectolitres of pure alcohol.

Article 2

1. The tariff quota referred to in Article 1 shall be divided into two instalments. The first instalment, of 123 330 hectolitres of pure alcohol, shall be for United Kingdom consumption. The second instalment, of 54 970 hectolitres of pure alcohol, shall be allocated among the other Member States.

2. The shares of each of the Member States to which the second instalment is allocated pursuant to paragraph 1 shall consist of the following quantities:

	<i>(hectolitres of pure alcohol)</i>
Benelux	7 631
Denmark	2 443
Germany	35 714
France	5 438
Ireland	3 209
Italy	535

Article 3

1. Member States shall manage the shares allocated to them in accordance with their own arrangements.

2. The extent to which the Member States have used up their shares shall be determined on the basis of the imports of the products in question, originating in the ACP States, entered at customs in declarations for free circulation.

Article 4

1. Member States shall inform the Commission each month of imports actually charged against the tariff quota.

2. The United Kingdom shall take the steps necessary to ensure that the quantities imported from the ACP States under the conditions laid down in Articles 1 and 2 are restricted to those meeting its domestic consumption requirements.

3. The Commission shall regularly inform the Member States of the extent to which the tariff quota has been used up.

4. Where necessary, consultations may be held at the request of a Member State or on the initiative of the Commission.

Article 5

The Commission shall take all necessary measures, in close cooperation with the Member States, to ensure the implementation of this Regulation.

Article 6

Council Regulation (EEC) No 1470/80 of 9 June 1980 on the safeguard measures provided for in the second ACP-EEC Convention shall apply in respect of the products covered by this Regulation.

Article 7

This Regulation shall enter into force on 1 July 1980.

1. 7. 80

Official Journal of the European Communities

No L 167/47

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

Done at Brussels, 27 June 1980.

For the Council

The President

A. SARTI

COMMISSION DECISION

of 18 June 1980

on the issue of import licences in respect of beef and veal products originating in Botswana, Kenya, Madagascar and Swaziland

(80/644/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 435/80 of 18 February 1980 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories, and in particular Article 23 thereof,

Having regard to Commission Regulation (EEC) No 486/80 of 28 February 1980 laying down detailed rules for the application in the beef and veal sector of Regulation (EEC) No 435/80, and in particular Article 2 (3) thereof,

Whereas Regulation (EEC) No 435/80 provides for the possibility of issuing import licences for beef and veal products; whereas, however, imports must take place within the limits of the quantities specified for each of these exporting non-member countries;

Whereas the applications for import licences submitted between 1 and 10 June 1980, expressed in terms of boned meat, in accordance with Article 2 (1) of Regulation (EEC) No 486/80, do not exceed, in respect of products originating in Botswana, Kenya, Madagascar and Swaziland, the quantities available from these States; whereas it is therefore possible to issue import licences in respect of the quantities requested; whereas, in the case of Botswana, Decision 80/354/EEC of 17 March 1980⁽¹⁾ currently subjects imports to health measures;

Whereas the quantities in respect of which it will be possible to apply for licences from 1 July 1980 should be fixed,

HAS ADOPTED THIS DECISION:

Article 1

The following Member States shall issue on 21 June 1980 import licences concerning beef and veal products, expressed in terms of boned meat, originating in certain African, Caribbean and Pacific States, in respect of the quantities and the countries of origin stated:

1. Germany:
 - 5.1 tonnes originating in Madagascar,
 - 46.7 tonnes originating in Swaziland;
2. United Kingdom:
 - 198.3 tonnes originating in Swaziland.

Article 2

Applications for licences may be submitted, in accordance with Article 2 (4) of Regulation (EEC) No 486/80, during the first 10 days of July 1980, in respect of the following quantities of boned beef and veal:

Botswana:	15 763.0 tonnes
Kenya:	118.0 tonnes
Madagascar:	5 730.9 tonnes
Swaziland:	1 651.8 tonnes

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 18 June 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ TRADE CO-OP III 11 Vol. 2

COMMISSION REGULATION (EEC) No 2118/80

of 30 July 1980

on measures concerning imports of rice and broken rice originating in the African, Caribbean and Pacific States or the overseas countries and territories

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 435/80 of 18 February 1980 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or the overseas countries and territories, and in particular Article 23 thereof,

Having regard to Council Regulation (EEC) No 878/77 of 26 April 1977 on the exchange rates to be applied in agriculture (1), as last amended by Regulation (EEC) No 1366/80 (2), and in particular Article 4 (3) thereof,

Whereas, with effect from the 1980/81 marketing year, a system of prices has been introduced common to the varieties of round grain and long grain rice; whereas the corrective amounts intended to cover the difference in value between the various varieties of long grain rice and the variety of round grain rice corresponding to the standard quality have been discontinued with effect from 1 September 1980;

Whereas correct application of Article 10 of Regulation (EEC) No 435/80 means that the cif export prices for the various qualities of rice must be rendered comparable to the standard quality in respect of which the threshold price is fixed before the adjustments provided for in that Article are made; whereas, to that end, it is necessary to apply the corrective amounts provided for in Commission Regulation (EEC) No 1613/71 of 26 July 1971 laying down detailed rules for fixing cif prices and levies on rice and broken rice and the corrective amounts relating thereto (3), as last amended by Regulation (EEC) No 2117/80 (4);

Whereas Article 10 of Regulation (EEC) No 435/80 provides that, in order to be eligible for a reduced levy on import into the Community, rice originating in the ACP States and in the overseas countries and territories must, after application of that levy to the cif

export price, reach a minimum level corresponding to the threshold price, less a certain amount; whereas, in order that the system may operate correctly, it is necessary, at the time when observance of the minimum level is being checked, to have rules sufficiently firm to ensure that the objective contained in the agreements binding the Community to the ACP States and to the overseas countries and territories may not be jeopardized by alterations in conversion rates;

Whereas this Regulation incorporates the provisions of Commission Regulation (EEC) No 2849/75, as amended by Regulation (EEC) No 1606/80; whereas the said Regulation should accordingly be repealed;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

For the purposes of Article 10 of Regulation (EEC) No 435/80, the cif export price of a given lot of rice or broken rice, before being increased by the levy, shall be adjusted in accordance with the following rules:

1. If the cif export price relates to a product in sacks, that price shall be decreased by 7.25 ECU per tonne.
2. In the case of the Makalioka, Vary Lava, Surinam and Alicambo qualities, the cif export price shall be adjusted:
 - (a) as regards the Makalioka or Vary Lava quality by increasing it by:
 - 3.87 ECU per tonne of rice presented in the form of paddy rice,
 - 4.84 ECU per tonne of rice presented in the form of husked rice,
 - 6.54 ECU per tonne of rice presented in the form of semi-milled rice,
 - 7.01 ECU per tonne of rice presented in the form of wholly-milled rice;

(1) OJ No L 106, 29. 4. 1979, p. 27.

(2) OJ No L 140, 5. 6. 1980, p. 19.

(3) OJ No L 168, 27. 7. 1971, p. 28.

(4) OJ No L 206, 8.8.1980

- (b) as regards the Surinam and Alicambo qualities, by decreasing it :
- as regards rice presented in the form of paddy rice, by :
 - 10.64 ECU per tonne of rice of the Surinam quality,
 - 20.31 ECU per tonne of rice of the Alicambo quality,
 - as regards rice presented in the form of husked rice, by :
 - 13.30 ECU per tonne of rice of the Surinam quality,
 - 25.39 ECU per tonne of rice of the Alicambo quality,
 - as regards rice presented in the form of semi-milled rice, by :
 - 17.97 ECU per tonne of rice of the Surinam quality,
 - 34.32 ECU per tonne of rice of the Alicambo quality,
 - as regards rice presented in the form of wholly-milled rice, by :
 - 19.27 ECU per tonne of rice of the Surinam quality,
 - 36.79 ECU per tonne of rice of the Alicambo quality.
3. In the case of the qualities of rice originating in the ACP States and in the overseas countries and territories other than those listed in paragraph 2, the cif export price shall be adjusted :
- (a) as regards round grain rice, by applying :
- in the case of husked rice, the corrective amount referred to in Annex I to Regulation (EEC) No 1613/71,
 - in the case of rice presented in a form other than husked, the corrective amount referred to in Annex I to Regulation (EEC) No 1613/71, this amount having previously been multiplied by the coefficient of :
 - 0.8000 for a paddy rice,
 - 1.2121 for a semi-milled rice,
 - 1.2903 for a wholly-milled rice ;
- (b) as regards long grain rice :
- in the case of husked rice, by applying the corrective amount referred to in Annex II to Regulation (EEC) No 1613/71,

— in the case of rice presented in a form other than husked, by applying the corrective amount referred to in Annex II to Regulation (EEC) No 1613/71, this amount having previously been multiplied by the coefficient of :

- 0.8000 for a paddy rice,
- 1.3513 for a semi-milled rice,
- 1.4493 for a wholly-milled rice ;

(c) as regards broken rice, by applying the corrective amount referred to in Annex III to Regulation (EEC) No 1613/71.

Article 2

For the purposes of Article 10 of Regulation (EEC) No 435/80, the rate to be used for converting the cif export price into the national currency of the importing Member State shall be the spot rate for the sale of that currency ascertained on the currency market of the importing Member State on the day of export.

Where use is made of the advance fixing provision of Article 11 (2) of Regulation (EEC) No 435/80, the representative rate to be used for converting the levy into national currency shall be that valid on the day when the import licence application is lodged.

In cases where, between the day when the application was lodged and the day on which import customs formalities are completed, a change in the representative rate occurs that was not known on the day of advance fixing, the levy referred to in the preceding subparagraph shall, by way of derogation from the provisions of Article 4 of Council Regulation (EEC) No 1134/68 ⁽¹⁾, not be adjusted.

Article 3

Regulation (EEC) No 2849/75 is hereby repealed with effect from 1 September 1980.

Article 4

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

It shall apply with effect from 1 September 1980.

⁽¹⁾ OJ No L 188, 1. 8. 1968, p. 1.

8. 8. 80

Official Journal of the European Communities

No L 206/19

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

Done at Brussels, 30 July 1980.

For the Commission

Finn GUNDELACH

Vice-President

22. 8. 80

Official Journal of the European Communities

No L 221/19

COMMISSION DECISION

of 18 July 1980

on the issue of import licences in respect of beef and veal products originating in Botswana, Kenya, Madagascar and Swaziland

(80/771/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 435/80 of 18 February 1980 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories, and in particular Article 23 thereof,

Having regard to Commission Regulation (EEC) No 486/80 of 28 February 1980 laying down detailed rules for the application in beef and veal of Regulation (EEC) No 435/80, and in particular Article 2 (3) thereof,

Whereas Regulation (EEC) No 435/80 provides for the possibility of issuing import licences for beef and veal products; whereas, however, imports must take place within the limits of the quantities specified for each of these exporting non-member countries;

Whereas the applications for import licences submitted between 1 and 10 July 1980, expressed in terms of boned meat, in accordance with Article 2 (1) of Regulation (EEC) No 486/80, do not exceed, in respect of products originating from Botswana, Kenya, Madagascar and Swaziland, the quantities available from these States; whereas it is therefore possible to issue import licences in respect of the quantities requested; whereas, in the case of Botswana, Decision 80/354/EEC of 17 March 1980⁽¹⁾ currently subjects imports to health measures;

Whereas the quantities in respect of which it will be possible to apply for licences from 1 August 1980 should be fixed,

HAS ADOPTED THIS DECISION:

Article 1

The following Member States shall issue on 21 July 1980 import licences concerning beef and veal

products, expressed in terms of boned meat, originating in certain African, Caribbean and Pacific States, in respect of the quantities and the countries of origin stated:

1. Germany:

477.7 tonnes originating in Madagascar
156.0 tonnes originating in Swaziland

2. United Kingdom:

176.8 tonnes originating in Swaziland.

3. Italy:

150.0 tonnes originating in Madagascar.

Article 2

Applications for licences may be submitted, in accordance with Article 2 (4) of Regulation (EEC) No 486/80 during the first 10 days of August 1980, in respect of the following quantities of boned beef and veal:

Botswana:	15 763.0 tonnes
Kenya:	118.0 tonnes
Madagascar:	5 103.2 tonnes
Swaziland:	1 319.0 tonnes

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 18 July 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ TRADE CO-OP III 11 Vol. 2

COUNCIL REGULATION (EEC) No 2212/80

of 27 June 1980

on the conclusion of the Agreement between the Government of the Republic of Senegal and the European Economic Community on fishing off the coast of Senegal, of the Protocol, and of the exchanges of letters referring thereto

(see GEN I 9 Vol. 2)

29. 8. 80

Official Journal of the European Communities

No L 226/17

AGREEMENT

**between the Government of the Republic of Senegal and the European Economic
Community on fishing off the coast of Senegal**

(see GEN 0 158 Vol. 2)

PROTOCOL

between the European Economic Community and the Government of the Republic of Senegal

(see GEN 0 169 Vol. 2)

29. 8. 80

Official Journal of the European Communities

No L 226/33

COUNCIL REGULATION (EEC) No 2213/80

of 27 June 1980

on the conclusion of the Agreement between the Government of the Republic of Guinea Bissau and the European Economic Community on fishing off the coast of Guinea Bissau, and of the two exchanges of letters referring thereto

(see GEN I 10 Vol. 2)

AGREEMENT

**between the Government of the Republic of Guinea Bissau and the European Economic
Community on fishing off the coast of Guinea Bissau**

(see GEN 0 174 Vol. 2)

PROTOCOL

**between the European Economic Community and the Government of the Republic of
Guinea Bissau**

(see GEN 0 182 Vol. 2)

29. 8. 80

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AGREEMENT

in the form of exchanges of letters between the Government of the Republic of Guinea Bissau and the European Economic Community on fishing off the coast of Guinea Bissau

(see GEN 0 183 Vol. 2)

COMMISSION REGULATION (EEC) No 2377/80

of 4 September 1980

on special detailed rules for the application of the system of import and export licences in the beef and veal sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EEC) No 2916/79⁽²⁾, and in particular Articles 13 (4) (b), 14 (4), 15 (2), 16 (4), 18 (6) and 25 thereof,

Having regard to Council Regulation (EEC) No 2957/79 of 20 December 1979 opening a Community tariff quota for fresh, chilled or frozen high-quality beef and veal falling within subheadings 02.01 A II a) and 02.01 A II b) of the Common Customs Tariff⁽³⁾, and in particular Article 2 thereof,

Having regard to Council Regulation (EEC) No 435/80 of 18 February 1980 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories and in particular Article 23 thereof,

Whereas special detailed rules for the application of the system of import and export licences in the beef and veal sector need to be adopted; whereas these rules either supplement or derogate from the provisions of Commission Regulation (EEC) No 193/75 of 17 January 1975 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products⁽⁴⁾, as last amended by Regulation (EEC) No 1576/80⁽⁵⁾;

Whereas, under the first subparagraph of Article 15 (1) of Regulation (EEC) No 805/68, products subject to levies may not be imported into the Community except on presentation of an import licence; whereas experience has shown the need to monitor the foreseeable trend of trade in all products in the beef and veal

sector that are of special importance to the balance of this particularly sensitive market; whereas, therefore, with a view to the more efficient management of the market, import licences should also be required for products falling within subheading 16.02 B III b) 1 bb) of the Common Customs Tariff, and export licences should be required for all products for which import licences are required, and also for pure-bred bovine breeding animals falling within subheading 01.02 A I of the Common Customs Tariff;

Whereas the general arrangements for duty-free importation of products of the beef and veal sector originating in and coming from the African, Caribbean and Pacific States or overseas countries and territories are laid down in Regulation (EEC) No 435/80; whereas duty-free importation of certain of these products is subject to annual quotas; whereas to enable the quantities imported under these arrangements to be monitored, provision should be made for a special entry on the import licence in respect of the nature and origin of the products in question;

Whereas the application of special import arrangements for young male bovine animals for fattening and for frozen beef for processing requires strict surveillance of imports and effective checks as to their use and destination; whereas, when young male bovine animals are imported for fattening, the risk of deflection from such use or destination can be reduced if the import licence in such cases is made personal to applicants who are agricultural producers or their professional organizations;

Whereas it is necessary to incorporate in this Regulation provisions relative to special export arrangements provided for by Commission Regulation (EEC) No 2973/79⁽⁶⁾;

Whereas Member States shall periodically communicate to the Commission certain information concerning the import and export licences they issue in the beef and veal sector; whereas this task could be simplified if the nature and content of such returns should be precisely laid down and codes used;

(1) OJ No L 148, 28. 6. 1968, p. 24.

(2) OJ No L 329, 24. 12. 1979, p. 15.

(3) OJ No L 336, 29. 12. 1979, p. 5.

(4) OJ No L 25, 31. 1. 1975, p. 10.

(5) OJ No L 161, 26. 6. 1980, p. 15.

(6) OJ No L 336, 29. 12. 1979, p. 44.

Whereas this Regulation incorporates provisions in Commission Regulations (EEC) No 2973/79 and (EEC) No 486/80 ; whereas these provisions should be repealed ;

Whereas Commission Regulation (EEC) No 571/78 , as last amended by Regulation (EEC) No 485/80 , has often been amended ; whereas, therefore, in the interests of clarity and administrative efficiency it is advisable to consolidate the rules in question in a single text ;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION :

TITLE I

General provisions

Article 1

This Regulation lays down special detailed rules for the application of the system of import and export licences in the beef and veal sector.

Article 2

1. A licence shall be required for the import into the Community and export therefrom of any of the products referred to in Article 1 (1) (a) of Regulation (EEC) No 805/68 and of any products falling within subheading 16.02 B III b) 1 bb) of the Common Customs Tariff.

2. A licence shall be required for the export from the Community of products falling within subheading 01.02 A I of the Common Customs Tariff.

TITLE II

Licences

Article 3

The following licences shall be applicable to beef and veal :

- (a) import licences with advance fixing of the levy or export licences with advance fixing of the refund as referred to in Article 15 of Regulation (EEC) No 805/68 ;
- (b) licences confirming entitlement to any of the special import or export arrangements introduced by Community legislation, as referred to in Title IV ;

- (c) other import or export licences as referred to in Regulation (EEC) No 805/68.

Article 4

Import licences shall be valid for the following periods :

- (a) import licences with advance fixing of the levy :
 - (i) for 30 days from their day of issue within the meaning of Article 9 (1) of Regulation (EEC) No 193/75 for products falling within subheading 02.01 A II a) of the Common Customs Tariff, originating in and coming from Argentina or Uruguay,
 - (ii) for 60 days from that date for products falling within subheading 02.01 A II b) of the Common Customs Tariff, originating in and coming from Argentina, Australia, New Zealand or Uruguay,
 - (iii) for 45 days from that date for products falling within subheading 02.01 A II b) of the Common Customs Tariff, originating in and coming from Romania ;
- (b) import licences referred to in Article 3 (b) for 90 days from their actual day of issue ;
- (c) other import licences for 90 days from their day of issue within the meaning of Article 9 (1) of Regulation (EEC) No 193/75.

Article 5

Export licences shall be valid for the following periods :

- (a) export licences referred to in Article 3 (b) for 90 days from their actual day of issue but not beyond 31 December of the year of issue ;
- (b) other export licences for 90 days from their day of issue within the meaning of Article 9 (1) of Regulation (EEC) No 193/75.

Article 6

1. The amount of security in respect of import licences with advance fixing of the levy shall be 10 ECU per 100 kilograms net.

2. The amount of security in respect of other import licences shall be :

- (a) 3 ECU per head for live animals ;
- (b) 2 ECU per 100 kilograms net for other products.

3. The amount of security in respect of export licences referred to in Article 3 (b) and export licences with advance fixing of the refund shall be :

- (a) 15 ECU per head for live animals ;
- (b) 10 ECU per 100 kilograms net for other products.

4. The amount of security in respect of other export licences shall be :

- (a) 3 ECU per head for live animals ;
- (b) 2 ECU per 100 kilograms net for other products.

5. Where quantities applied for under special import or export arrangements are reduced, the security shall be released forthwith for any quantity for which the application is not granted.

6. Without prejudice to the conditions laid down in Article 17 (2) (b) of Regulation (EEC) No 193/75, the security given in respect of licences conferring entitlement to the special export arrangements referred to in Article 14 shall be released only on presentation of proof — as specified in Article 18 (5) of Regulation (EEC) No 193/75 — that the product has reached its destination.

TITLE III

Endorsements

Article 7

1. Where an application is made for an import licence with advance fixing of the levy, Sections 13 and 14 of the licence application and of the licence itself shall contain one of the following endorsements :

- (a) 'ARGENTINA' or 'URUGUAY', for products referred to in Article 4 (a) (i) ;
- (b) 'ARGENTINA' or 'AUSTRALIA' or 'NEW ZEALAND' or 'URUGUAY', for products referred to in Article 4 (a) (ii) ;
- (c) 'ROMANIA' for products referred to in Article 4 (a) (iii).

2. The licence shall carry with it an obligation to import from the country in question.

Article 8

1. When advance fixing of the refund for certain or all destinations is possible only in respect of part of the products falling within a subheading of the Common Customs Tariff, Section 12 of the licence application and of the licence itself shall give the description of the products eligible for advance fixing of the refund, and the subheading of the Common Customs Tariff entered in Section 8 shall be preceded by the expression 'ex'.

2. The licence shall be valid only for the products thus described.

3. Where the description of products according to the nomenclature used for refunds relates to products

covered by two subheadings of the Common Customs Tariff, the licence shall be issued for both the subheadings concerned.

TITLE IV

Licences under special arrangements

Article 9

1. In order to qualify for the special import arrangements referred to in Article 13 of Regulation (EEC) No 805/68 :

- (a) the applicant shall be a natural or legal person who has been engaged professionally in the livestock and meat sector for at least 12 months prior to submitting the licence application ;
- (b) the licence application shall relate to a quantity equal to or exceeding 50 animals ;
- (c) the licence application and the licence shall relate to :
 - either young male bovine animals of a weight per head not exceeding 300 kilograms, or
 - young male bovine animals of a weight per head of from 220 to 300 kilograms, originating in and coming from Yugoslavia.

In the latter case Sections 13 and 14 of the licence application and of the licence itself shall include the following entry :

'YUGOSLAVIA'

The licence shall carry with it an obligation to import from that country ;

- (d) when lodging an application for a licence the applicant shall undertake in writing to carry out himself, or to have carried out under his responsibility, in the Member State where the application is lodged and where the animals will be put into free circulation, the fattening referred to in Article 13 of Regulation (EEC) No 805/68. For the purposes of this requirement, Section 12 of the licence application and of the licence itself shall contain one of the following endorsements :

'Licence valid in ...' (issuing Member State),

'Licens gyldig i ...',

'Lizenz gültig in ...',

'Certificat valable en ...',

'Titolo valido in ...',

'Certificaat geldig in ...' ;

- (e) Section 12 of the licence application and of the licence itself shall also contain one of the following endorsements :

'Young male bovine animals intended for fattening',

'Ungtyre bestemt til opfedning',

'Männliche zum Mästen bestimmte Jungrinder',

'Jeunes bovins mâles destinés à l'engraissement',

'Giovani bovini maschi destinati all'ingrasso',

'Jonge mannelijke runderen bestemd voor de mesterij'.

This endorsement shall be followed by :

— either one of the following endorsements :

'weight per head not exceeding 300 kg',

'højeste vægt pr. dyr 300 kg',

'Stückgewicht höchstens 300 kg',

'poids par tête, jusqu'à 300 kg',

'peso per capo, fino a 300 kg',

'gewicht per dier, ten hoogste 300 kg';

— or, where a rate of suspension of the levy is laid down separately for each category of animal specified in Article 13 (4) of Regulation (EEC) No 805/68, one of the following endorsements as appropriate :

'weight per head less than 80 kg' or 'weight per head 80 to less than 220 kg' or 'weight per head 220 to 300 kg',

'vægt pr. dyr under 80 kg' eller 'vægt pr. dyr fra 80 til under 220 kg' eller 'vægt pr. dyr 220 til 300 kg',

'Stückgewicht weniger als 80 kg' or 'Stückgewicht 80 bis weniger als 220 kg' or 'Stückgewicht 220 bis 300 kg',

'poids par tête inférieur à 80 kg' or 'poids par tête de 80 à moins de 220 kg' or 'poids par tête de 220 à 300 kg',

'peso per capo inferiore a 80 kg' or 'peso per capo da 80 a meno di 220 kg' or 'peso per capo da 220 a 300 kg',

'gewicht per dier minder dan 80 kg' or 'gewicht per dier 80 tot minder dan 220 kg' or 'gewicht per dier 220 tot en met 300 kg'.

The licence shall apply only to the product thus described ;

(f) Section 20 of the licence shall contain one of the following endorsements :

'Levy reduced by ... %. Licence valid in respect of ... (quantity in figures and words) animals',

'Nedsættelse af importafgiften med ... %. Licens gyldig for ... dyr',

'Verminderung der Abschöpfung um ... v. H. Lizenz gültig für ... Tiere',

'Prélèvement réduit de ... %. Certificat valable pour ... animaux',

'Prelievo ridotto del ... %. Titolo valido per ... animali',

'Heffing verminderd met ... %. Certificaat geldig voor ... dieren'.

The percentage reduction in the levy to be shown in the endorsement shall be that valid for the quarter in which the application for a licence is lodged :

— either for young male bovine animals of a weight per head of from 220 to 300 kilograms being imported from Yugoslavia, or

— for other young male bovine animals being imported under the special import arrangements.

2. By way of derogation from Article 3 of Regulation (EEC) No 193/75, the rights arising from the import licences referred to in paragraph 1 applied for by and issued to agricultural producers or their professional organizations shall not be transferable.

Article 10

1. In order to qualify for the special import arrangements referred to in Article 14 (1) (a) of Regulation (EEC) No 805/68 :

(a) the applicant shall be a natural or legal person who has been engaged, in the manufacture of the preserved foods referred to in Article 14 (1) (a) of Regulation (EEC) No 805/68 for at least 12 months prior to submitting the special licence application, and who is officially registered in a Member State ;

(b) the licence application or applications lodged by any one applicant shall relate to a total quantity corresponding to not less than five tonnes of bone-in meat and not more than 10 % of the quantity fixed pursuant to Article 14 (4) (a) of Regulation (EEC) No 805/68 in respect of the arrangements in question for the quarter during which the application or applications are lodged ; 100 kilograms of bone-in meat correspond to 77 kilograms of boned meat ;

(c) when lodging an application for a licence the applicant shall undertake in writing to carry out himself, in the Member State where the application is lodged and where the goods will be put into free circulation, in the establishment designated in his application the manufacture of the preserved foods referred to in Article 14 (1) (a) of Regulation (EEC) No 805/68. For the purposes of this requirement, Section 12 of the licence application and of the licence itself shall contain one of the following endorsements :

'Licence valid in ...' (issuing Member State),

'Licens gyldig i ...',

'Lizenz gültig in ...',

'Certificat valable en ...',

'Titolo valido in ...',

'Certificaat geldig in ...' ;

- (d) Section 12 of the licence application and of the licence itself shall also contain one of the following endorsements :

'Meat intended for the manufacture of preserved food — system (a) — at ... (exact designation of the establishment where manufacture is to take place)',

'Kød bestemt til fremstilling af konserver — ordning (a) — i ...',

'Fleisch zur Herstellung von Konserven bestimmt — Regelung (a) — bei ...',

'Viandes destinées à la fabrication de conserves — régime (a) — auprès de ...',

'Carni destinate alla fabbricazione di conserve — regime (a) — presso ...',

'Vlees bestemd voor de vervaardiging van conserven — regeling (a) — door ...',

- (e) Section 20 of the licence shall contain one of the following endorsements :

'Levy suspended. Licence valid for ... (quantity in figures and words) kg',

'Importafgift suspenderet. Licens gyldig for ... kg',

'Aussetzung der Abschöpfung. Lizenz gültig für ... kg',

'Prélèvement suspendu. Certificat valable pour ... kg',

'Prelievo sospeso. Titolo valido per ... kg',

'Heffing geschorst. Certificaat geldig voor ... kg'.

2. Where the applicant has lodged several licence applications, and where the suspension of the levy is authorized only in respect of a part of the quantities applied for, he may, at the latest two working days prior to the actual issue of the licences, request that the quantities qualifying for the suspension of the levy be allocated to one or more of the licences applied for, provided that the quantity on each licence does not exceed that originally applied for.

Article 11

1. In order to qualify for the special import arrangement referred to in Article 14 (1) (b) of Regulation (EEC) No 805/68 :

- (a) the applicant shall be a natural or legal person who has been engaged in the manufacture of the products referred to in Article 14 (1) (b) of Regulation (EEC) No 805/68 for at least 12 months prior to submitting the special licence application, and who is officially registered in a Member State ;
- (b) the licence application or applications lodged by any one applicant shall relate to a total quantity corresponding to not less than five tonnes of bone-in meat and not more than 10 % of the

quantity fixed pursuant to Article 14 (4) (a) of Regulation (EEC) No 805/68 in respect of the arrangements in question for the quarter during which the application or applications are lodged ; 100 kilograms of bone-in meat corresponds to 77 kilograms of boned meat ;

- (c) when lodging an application for a licence the applicant shall undertake in writing to carry out himself, in the Member State where the application is lodged and where the goods will be put into free circulation, in the establishment designated in his application the processing of the products referred to in Article 14 (1) (b) of Regulation (EEC) No 805/68. For the purposes of this requirement Section 12 of the licence application and of the licence itself shall contain one of the following endorsements :

'Licence valid in ...' (issuing Member State),

'Licens gyldig i ...',

'Lizenz gültig in ...',

'Certificat valable en ...',

'Titolo valido in ...',

'Certificaat geldig in ...' ;

- (d) Section 12 of the licence application and of the licence itself shall also contain one of the following endorsements :

'Meat intended for processing — system (b) — at ... (exact designation of the establishment where the processing is to take place)',

'Kød bestemt til forarbejdning — ordning (b) — i ...',

'Zur Verarbeitung bestimmtes Fleisch — Regelung (b) — bei ...',

'Viandes destinées à la transformation — régime (b) — auprès de ...',

'Carni destinate alla trasformazione — regime (b) — presso ...',

'Vlees bestemd voor verwerking — regeling (b) — door ...' ;

- (e) Section 20 of the licence shall contain one of the following endorsements :

'Levy reduced by ... %. Licence valid for ... (quantity in figures and words) kg',

'Nedsættelse af importafgiften med ... %. Licens gyldig for ... kg',

'Verminderung der Abschöpfung um ... v.H. Lizenz gültig für ... kg',

'Prélèvement réduit de ... %. Certificat valable pour ... kg',

'Prelievo ridotto del ... %. Titolo valido per ... kg',

'Heffing verminderd met ... %. Certificaat geldig voor ... kg'.

The percentage reduction in the levy shall be that valid for the quarter in which the licence application is lodged.

2. Where the applicant has lodged several licence applications, and where the suspension of the levy is authorized only in respect of a part of the quantities applied for, he may, at the latest two working days prior to the actual issue of the licences, request that the quantities qualifying for the suspension of the levy be transferred to one or more of the licences applied for, provided that the quantity on each licence does not exceed that originally applied for.

Article 12

1. In order to qualify for the special import arrangements referred to in Article 1 (1) (d) of Regulation (EEC) No 2972/79⁽¹⁾:

(a) the licence application or applications lodged by any one applicant shall relate to a total quantity corresponding to not less than five tonnes of meat by product weight and not more than 10 % of the quantity fixed pursuant to Article 7 of Regulation (EEC) No 2972/79 in respect of the arrangements in question for the quarter during which the application or applications are lodged.

(b) Section 12 of the licence application and of the licence itself shall contain one of the following endorsements:

'High-quality beef/veal (Regulation (EEC) No 2972/79)',

'Oksekød af høj kvalitet (forordning (EØF) nr. 2972/79)',

'Qualitätsrindfleisch (Verordnung (EWG) Nr. 2972/79)',

'Viande bovine de haute qualité (règlement (CEE) n° 2972/79)',

'Carni bovine di alta qualità (regolamento (CEE) n. 2972/79)',

'Kwaliteitsrundvlees (Verordening (EEG) nr. 2972/79).

2. For the purposes of these special arrangements, where the quantities imported come within the terms of Article 2 (4) of Regulation (EEC) No 193/75, the levy fixed in accordance with Article 12 of Regulation (EEC) No 805/68 shall be charged on the quantities exceeding those indicated in the import licence.

For the purposes of the above subparagraph, Section 20 of the licence shall contain one of the following endorsements:

⁽¹⁾ OJ No L 336, 29. 12. 1979, p. 37.

'Levy suspended. Licence valid for ... (quantity in figures and words) kg',

'Importafgift suspenderet. Licens gyldig for ... kg',

'Aussetzung der Abschöpfung. Lizenz gültig für ... kg',

'Prélèvement suspendu. Certificat valable pour ... kg',

'Prelievo sospeso. Titolo valido per ... kg',

'Heffing geschorst. Certificat geldig voor ... kg'.

Article 13

1. Applications for import licences for products to be imported duty free pursuant to Article 2 of Regulation (EEC) No 435/80 and qualifying, as appropriate, for either a reduction of import duties other than customs duties in accordance with Article 4 of the said Regulation or exemption from levies in accordance with Article 21 of the said Regulation and the licences themselves shall contain:

(a) in Section 12, one of the following endorsements:

'ACP/OCT product (Regulation (EEC) No 435/80)',

'AVS/OLT-varer (forordning (EØF) nr. 435/80)',

'AKP/ULG-Erzeugnis (Verordnung (EWG) Nr. 435/80)',

'Produit ACP/PTOM (règlement (CEE) n° 435/80)',

'Prodotto ACP/PTOM (regolamento (CEE) n. 435/80)',

'ACS/LGO-product (Verordening (EEG) nr. 435/80)';

(b) in Section 14, the name of the State, country or territory in which the product is to originate.

2. The licence shall carry with it an obligation to import from the State, country or territory in question.

3. For the purposes of these special arrangements where the quantities imported come within the terms of Article 2 (4) of Regulation (EEC) No 193/75, the levy fixed in accordance with Article 12 of Regulation (EEC) No 805/68 shall be charged on the quantities exceeding those indicated in the import licence.

Article 14

1. Applications for export licences for the products referred to in Article 1 of Regulation (EEC) No 2973/79 may be lodged only in a Member State where the health requirements of the importing country can be met.

2. Section 13 of the licence application and of the licence itself shall contain the endorsement 'USA'. The licence shall carry with it the obligation to export from the Member State of issue to that country.

3. Notwithstanding Article 2 (4) of Regulation (EEC) No 193/75, the exported quantities shall not exceed the quantities indicated in the licence.

4. Section 18 of the licence shall contain one of the following endorsements :

'Fresh, chilled or frozen beef — Agreement between the EEC and the USA. Valid only in ... (Member State of issue). Quantity to be exported may not exceed ... (quantity in figures and words) kg';

'Fersk, kolet eller frosset oksekod — Aftale mellem EØF og USA. Kun gyldig i ... Mængden, der skal udfores, må ikke overstige ... kg'.

Article 15

1. Applications for licences under special arrangements may be lodged only as follows :

- (a) applications under Articles 9 to 12 during the first 10 days of each quarter. When the total quantity for which applications have been lodged during this period is less than the quantity laid down for the quarter in question, it may be decided that further applications may be lodged during one or more periods within that quarter. In that case new dates shall be fixed for the communication referred to in paragraph 4 (a) and for the issue of licences referred to in paragraph 5 (a) ;
- (b) applications under Article 13, during the first 10 days of each month ;
- (c) applications under Article 14 may be lodged at any time.

2. Applications for licences under special arrangements shall be considered only if :

- (a) the special arrangements indicated therein are applicable on the day designated for the actual issue of the licences, and
- (b) in the case of special arrangements under Articles 9 to 12 the applicant declares in writing that in respect of the current quarter he has not lodged and will not lodge any application under the same special arrangements in any Member State other than that where his present application is lodged ; if an applicant lodges applications in respect of the same special arrangements in two or more Member States, no such application shall be considered.

3. For each set of the special arrangements referred to in Articles 10 to 12 all applications from any one applicant shall be regarded as a single application. In the case of applications under the special arrangements referred to in Article 9, all applications from one applicant which relate to the same category of weight and the same rate of reduction of the levy shall be regarded as a single application.

4. Member States shall communicate to the Commission information about the applications lodged as follows :

- (a) in respect of applications lodged under Article 9, on the 18th day of each quarter the quantities for which licences have been requested, and on the 20th day a list of applicants, in the applications lodged during the period referred to in paragraph 1 (a), giving separate details on the applications made in respect of each of the categories referred to in Article 9 (1) (c), where appropriate, the categories of liveweight ;
- (b) in respect of applications lodged under Articles 10 to 12, on the 18th day of each quarter, a list of applicants and the quantities for which licences have been requested during the period referred to in paragraph 1 (a), specifying the import arrangements concerned ;
- (c) in respect of applications lodged under Article 13, on the second working day following the last day of the period for the submission of applications the total quantity for which applications referred to in paragraph 1 (b) have been lodged for each of the third countries concerned ;
- (d) in respect of applications lodged under Article 14, on the third working day of each month, a list of applicants and the quantities of products for which applications referred to in paragraph 1 (c) have been lodged during the previous month.

All communications, including nil returns, shall be made by telex and shall be sent before 4 p.m. on the stipulated working day.

5. Licences under special arrangements shall, subject to the Commission having decided that applications be accepted, be issued as follows :

- (a) licences under Articles 9 to 12 on the 30th day of each quarter ;
- (b) licences under Article 13, on the 21st day of each month ;
- (c) licences under Article 14, on the 15th day of each month.

6. (a) The quantities applied for under Articles 9 to 12 may be reduced by a fixed percentage :

(b) (i) The Commission shall decide in respect of each third country concerned to what extent applications under Article 13 can be accepted. If the quantities of products originating in a third country in respect of which licences are requested exceed the quantity available for that country, the Commission shall reduce the quantities requested by a fixed percentage.

(ii) If the total quantity requested by applications relating to a third country is lower than that available for that country, the Commission shall determine the amount of the balance remaining.

(c) The Commission will decide to what extent applications under Article 14 will be accepted. If the quantities for which licences are requested exceed the quantities available, the Commission shall reduce the amounts requested by a fixed percentage.

TITLE V

Returns

Article 16

Before the fifth day of each month the Member States shall communicate to the Commission by telex, in accordance with Annex I and using the codes indicated, the quantity of products for which import or export licences were issued during the previous calendar month. Additional information may be asked for by the Commission.

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

Done at Brussels, 4 September 1980.

TITLE VI

Final provisions

Article 17

1. Regulation (EEC) No 571/78 is hereby repealed.
2. In all Community instruments in which reference is made to Regulation (EEC) No 571/78 or to Articles of that Regulation, such references shall be treated as references to this Regulation or to the corresponding Articles thereof. A table of equivalence in respect of those Articles is given in Annex II.

Article 18

1. Articles 2 and 7 of Regulation (EEC) No 2973/79 are hereby repealed.
2. Articles 2 and 6 of Regulation (EEC) No 486/80 are hereby repealed.

Article 19

This Regulation shall enter into force on 1 October 1980.

It shall be applicable to all licences applied for from 1 October 1980. Regulation (EEC) No 571/78 shall remain applicable to licences applied for before 1 October 1980.

The export of products falling within subheading 01.02 A I of the Common Customs Tariff covered by a certificate of advance fixing of the refund applied for before 1 October 1980 shall not be subject to the presentation of an export licence.

For the Commission

Finn GUNDELACH

Vice-President

13. 9. 80

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ANNEX I

LICENCE RETURNS

(Where a code is indicated it should be used)

SECTION I: IMPORT LICENCES

Member State :

Application of Article 16 of Regulation (EEC) No 2377/80

Quantities of products for which import licences have been issued

From :

To :

1. ACP/OCT products

(Under Regulation (EEC) No 435/80⁽¹⁾)*(expressed in tonnes of boned meat)*

CCT heading No	Code	From			
		Madagascar	Botswana	Swaziland	Kenya
		370	391	393	346
02.01 A II a)	110				
02.01 A II b)	120				

2. With advance fixing of the levy

(Referred to in Article 16 (2) of Regulation (EEC) No 805/68⁽¹⁾)*(tonnes)*

CCT heading No	Code	From				
		Argentina	Uruguay	Australia	New Zealand	Romania
		528	524	800	804	066
02.01 A II a)	210					
02.01 A II b)	220					

3. Other

(Under

- (a) *GATT* quota for frozen beef and veal falling within subheading 02.01 A II b) of the Common Customs Tariff.
- (b) *Young bovine animals* for fattening referred to in Article 13 of Regulation (EEC) No 805/68.
- (c) *Article 14 (1)(a)* of Regulation (EEC) No 805/68 being beef imports intended for the manufacture of preserves.
- (d) *Article 14 (1)(b)* of Regulation (EEC) No 805/68 being beef imports intended for the manufacture of other products.
- (e) *USA beef* referred to in Article 1 (1)(d) of Regulation (EEC) No 2972/79.
- (f) *Other* licences not covered by paragraphs 1 and 2 or 3 (a) to (e) above⁽¹⁾.

⁽¹⁾ Does not form part of the return.

(tonnes)

CCT heading No		GATT	Young bovine	Article 14 (1) (a)	Article 14 (1) (b)	US beef	Others
	Code	301	302	303	304	305	306
01.02 A II (heads)	310	—	—	—	—	—	—
02.01 A II a) 1	311						
A II a) 2	312						
A II a) 3	313		—				
A II a) 4 aa)	314						
A II a) 4 bb)	315						
02.01 A II b) 1	316						
A II b) 2	317						
A II b) 3	318		—				
A II b) 4 aa)	319						
A II b) 4 bb)	320						
02.06 C I a) 1	321		—				
C I a) 2	322						
16.02 B III b) 1 aa)	323		—				
b) 1 bb)	324						

13. 9. 80

Official Journal of the European Communities

No L 241/15

SECTION II : EXPORT LICENCES

Member State :

Application of Article 16 of Regulation (EEC) No 2377/80

Quantities of products for which export licences have been issued

From :

To :

1 With advance fixing of the refund

(Referred to in Article 18 (4) of Regulation (EEC) No 805/68 ; excluding licences referred to in Article 2 of Regulation (EEC) No 2973/79 (1))

(tonnes)

CCT heading No	Code	Destination
		(?)
01.02 A II (heads)	410	
02.01 A II a) 1	411	
A II a) 2	412	
A II a) 3	413	
A II a) 4 aa)	414	
A II a) 4 bb)	415	
02.01 A II b) 1	416	
A II b) 2	417	
A II b) 3	418	
A II b) 4 aa)	419	
A II b) 4 bb)	420	
02.06 C I a) 1	421	
C I a) 2	422	
16.02 B III b) 1 aa)	423	
b) 1 bb)	424	

2. Special exports to the USA

(Referred to in Article 2 of Regulation (EEC) No 2973/79 (1))

(tonnes)

CCT heading No	Code	With advance fixed refunds			Without advance fixed refunds		
		500			502		
02.01 A II a) 1	510						
A II a) 2	512						
A II a) 3	513						
A II a) 4 aa)	514						
A II a) 4 bb)	515						
02.01 A II b) 1	516						
A II b) 2	517						
A II b) 3	518						
A II b) 4 aa)	519						
A II b) 4 bb)	520						

3. Other

(Not covered by paragraphs 1 and 2 above ⁽¹⁾)

(tonnes)

CCT heading No	Code	Destination
		(²)
01.02 A II (heads)	610	
02.01 A II a) 1	611	
A II a) 2	612	
A II a) 3	613	
A II a) 4 aa)	614	
A II a) 4.bb)	615	
02.01 A II b) 1	616	
A II b) 2	617	
A II b) 3	618	
A II b) 4 aa)	619	
A II b) 4 bb)	620	
02.06 C I a) 1	621	
C I a) 2	622	
16.02 B III b) 1 aa)	623	
b) 1 bb)	624	

⁽¹⁾ Does not form part of the return

⁽²⁾ Destination code as in the Annex to Regulation (EEC) No 2566/79 (OJ No L 294, 21 11 1979, p. 5) except that where no code equivalent for the destination is indicated the destination should be shown uncoded

ANNEX II

TABLE OF EQUIVALENCE

This Regulation	Regulation (EEC) No 571/78	Regulation (EEC) No 2973/79	Regulation (EEC) No 486/80
Article 1	—	—	—
Article 2 (1)	Article 1	—	—
Article 2 (2)	—	—	—
Article 3	—	—	—
Article 4 (a)	Article 2 (2)	—	—
Article 4 (b)	Article 2 (1) (b)	—	Article 2 (6)
Article 4 (c)	Article 2 (1) (a)	—	—
Article 5 (a)	—	Article 2 (6)	—
Article 5 (b)	Article 3 (1)	—	—
Article 6 (1)	Article 4 (2)	—	—
Article 6 (2)	Article 4 (1)	—	—
Article 6 (3)	Article 4 (4) and (5)	Article 7 (1)	—
Article 6 (4)	Article 4 (3)	—	—
Article 6 (5)	Article 11 (6)	Article 2 (7)	Article 2 (8)
Article 6 (6)	—	Article 7 (2)	—
Article 7	Article 6	—	—
Article 8 (1)	Article 5 (2) first subparagraph	—	—
Article 8 (2)	Article 5 (2) second subparagraph	—	—
Article 8 (3)	Article 5 (3)	—	—
Article 9 (1) (a)	Article 11 (1) (b) first indent and (1) (d)	—	—
Article 9 (1) (b)	Article 8 (a)	—	—
Article 9 (1) (c)	—	—	—
Article 9 (1) (d)	Article 11 (9) (a) and (10)	—	—
Article 9 (1) (e)	Article 8 (b)	—	—
Article 9 (1) (f)	Article 8 (c)	—	—
Article 9 (2)	Article 11 (8)	—	—
Article 10 (1) (a)	Article 11 (1) (b) second indent and (1) (d)	—	—
Article 10 (1) (b)	Article 9 (1) (a)	—	—
Article 10 (1) (c)	Article 11 (9) (b) and (10)	—	—
Article 10 (1) (d)	Article 9 (1) (b)	—	—
Article 10 (1) (e)	Article 9 (1) (c)	—	—
Article 10 (2)	Article 9 (2)	—	—
Article 11 (1) (a)	Article 11 (1) (b) second indent and (1) (d)	—	—
Article 11 (1) (b)	Article 10 (1) (a)	—	—
Article 11 (1) (c)	Article 11 (9) (b) and (10)	—	—
Article 11 (1) (d)	Article 10 (1) (b)	—	—
Article 11 (1) (e)	Article 10 (1) (c)	—	—
Article 11 (2)	Article 10 (2)	—	—
Article 12	Article 10 (a)	—	—
Article 13 (1) and (2)	Article 7	—	—
Article 13 (3)	—	—	Article 6
Article 14 (1)	—	Article 2 (1)	—
Article 14 (2)	—	Article 2 (2)	—
Article 14 (3)	—	Article 2 (8)	—
Article 14 (4)	—	Article 2 (9)	—
Article 15 (1) (a)	Article 11 (1) first sentence and (7)	—	—
Article 15 (1) (b)	—	—	Article 2 (1)
Article 15 (1) (c)	—	—	—
Article 15 (2) (a)	Article 11 (1) (a)	—	—

Article 15 (2) (b)	Article 11 (1) (c)	—	—
Article 15 (3)	Article 11 (5)	—	—
Article 15 (4) (a)	Article 11 (2)	—	—
Article 15 (4) (b)	Article 11 (2)	—	—
Article 15 (4) (c)	—	—	Article 2 (2)
Article 15 (4) (d)	—	Article 2 (3)	—
Article 15 (5) (a)	Article 11 (3)	—	—
Article 15 (5) (b)	—	—	Article 2 (5)
Article 15 (5) (c)	—	Article 2 (5)	—
Article 15 (6) (a)	Article 11 (4)	—	—
Article 15 (6) (b) (i)	—	—	Article 2 (3)
Article 15 (6) (b) (ii)	—	—	Article 2 (4)
Article 15 (6) (c)	—	Article 2 (4)	—
Article 16 (1)	Article 13	—	—

COMMISSION DECISION

of 19 August 1980

on the issue of import licences in respect of beef and veal products originating from Botswana, Kenya, Madagascar and Swaziland

(80/858/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 435/80 of 18 February 1980 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories, and in particular Article 23 thereof,

Having regard to Commission Regulation (EEC) No 486/80 of 28 February 1980 laying down detailed rules for the application in beef and veal of Regulation (EEC) No 435/80, and in particular Article 2 (3) thereof,

Whereas Regulation (EEC) No 435/80 provides for the possibility of issuing import licences for beef and veal products; whereas, however, imports must take place within the limits of the quantities specified for each of these exporting non-member countries;

Whereas the applications for import licences submitted between 1 and 10 August 1980, expressed in terms of boned meat, in accordance with Article 2 (1) of Regulation (EEC) No 486/80, do not exceed, in respect of products originating from Botswana, Kenya, Madagascar and Swaziland, the quantities available from these States; whereas it is therefore possible to issue import licences in respect of the quantities requested; whereas, in the case of Botswana, Decision 80/354/EEC of 7 March 1980⁽¹⁾ currently subjects imports to health measures;

Whereas the quantities in respect of which it will be possible to apply for licences from 1 September 1980 should be fixed,

HAS ADOPTED THIS DECISION:

Article 1

The following Member States shall issue on 21 August 1980 import licences concerning beef and veal products, expressed in terms of boned meat, originating from certain African, Caribbean and Pacific States, in respect of the quantities and the countries of origin stated:

1. Germany :
223.7 tonnes originating from Madagascar.
2. United Kingdom :
53.9 tonnes originating from Swaziland.

Article 2

Applications for licences may be submitted, in accordance with Article 2 (4) of Regulation (EEC) No 486/80 during the first 10 days of September 1980, in respect of the following quantities of boned beef and veal:

Botswana :	15 763.0 tonnes,
Kenya :	118.0 tonnes,
Madagascar :	4 879.5 tonnes,
Swaziland :	1 265.1 tonnes.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 19 August 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ TRADE CO-OP III 11 Vol. 2

COMMISSION REGULATION (EEC) No 2510/80**of 30 September 1980****fixing the amounts by which import duties on beef and veal originating in the African, Caribbean and Pacific States are to be reduced**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 435/80 of 18 February 1980 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories, and in particular Article 4 thereof,

Whereas Article 4 (1) of Regulation (EEC) No 435/80 provides for a 90 % reduction in the import duties on beef and veal; whereas the amount of this reduction must be calculated in conformity with Article 4 of Commission Regulation (EEC) No 486/80,

HAS ADOPTED THIS REGULATION :

Article 1

The amounts by which import duties on beef and veal are to be reduced pursuant to Article 4 (1) of Regulation (EEC) No 435/80 shall, in respect of importations during the fourth quarter of 1980, be as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 October 1980.

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

Done at Brussels, 30 September 1980.

For the Commission

Finn GUNDELACH

Vice-President

ANNEXE — ANNEX — ANHANG — ALLEGATO — BIJLAGE — BILAG

Numéro du tarif douanier commun CCT heading No Nummer des Gemeinsamen Zolltarifs Numero della tariffa doganale comune Nr. van het gemeenschappelijk douanetarief Position i den fælles toldtarif	Deutschland DM/100 kg	Belgique Luxembourg FB/Flux/100 kg	Nederland Fl/100 kg	United Kingdom £/100 kg	Ireland £ Irl/100 kg	Italia Lit/100 kg	France FF/100 kg	Danmark Dkr/100 kg
01.02 A II	188,42	2 620,94	180,72	40,811	42,045	73 220	372,90	492,56
02.01 A II a) 1	358,02	4 979,80	343,37	77,540	79,888	139 121	708,51	935,88
02.01 A II a) 2	286,42	3 983,81	274,70	62,032	63,910	111 296	566,81	748,70
02.01 A II a) 3	429,62	5 975,78	412,05	93,047	95,865	166 945	850,21	1 123,06
02.01 A II a) 4 aa)	499,28	7 362,31	507,65	112,356	119,831	210 484	1 062,77	1 403,82
02.01 A II a) 4 bb)	595,56	8 491,02	585,48	131,080	137,070	239 596	1 215,66	1 605,77
02.01 A II b) 1	297,81	4 101,83	282,83	64,090	65,635	114 127	582,11	768,92
02.01 A II b) 2	238,25	3 281,47	226,26	51,271	52,508	91 301	465,69	615,13
02.01 A II b) 3	372,26	5 127,29	353,54	80,113	82,044	142 657	727,64	961,15
02.01 A II b) 4 aa)	413,14	6 057,23	417,66	92,617	98,453	172 794	873,16	1 153,37
02.01 A II b) 4 bb) 11	372,26	5 127,29	353,54	80,113	82,044	142 657	727,64	961,15
02.01 A II b) 4 bb) 22 ⁽¹⁾	372,26	5 127,29	353,54	80,113	82,044	142 657	727,64	961,15
02.01 A II b) 4 bb) 33	489,69	6 990,99	482,04	107,873	112,892	197 374	1 001,22	1 322,53
02.06 C I a) 1	499,28	7 362,31	507,65	112,356	119,831	210 484	1 062,77	1 403,82
02.06 C I a) 2	583,35	8 456,28	583,08	129,802	137,070	240 180	1 215,66	1 605,77
16.02 B III b) 1 aa)	583,35	8 456,28	583,08	129,802	137,070	240 180	1 215,66	1 605,77

(¹) L'admission dans cette sous-position est subordonnée à la présentation d'un certificat délivré dans les conditions prévues par les autorités compétentes des Communautés européennes.

(¹) Entry under this subheading is subject to the production of a certificate issued on conditions laid down by the competent authorities of the European Communities.

(¹) Die Zulassung zu dieser Tarifstelle ist abhängig von der Vorlage einer Bescheinigung, die den von den zuständigen Stellen der Europäischen Gemeinschaften festgesetzten Voraussetzungen entspricht.

(¹) L'ammissione in questa sottovoce è subordinata alla presentazione di un certificato conformemente alle condizioni stabilite dalle autorità competenti delle Comunità europee.

(¹) Indeling onder deze onderverdeling is onderworpen aan de voorwaarde dat een certificaat wordt voorgelegd hetwelk is afgegeven onder de voorwaarden en bepalingen, vastgesteld door de bevoegde autoriteiten van de Europese Gemeenschappen.

(¹) Henførsel under denne underposition er betinget af, at der fremlægges en licens, der opfylder de betingelser, der er fastsat af de kompetente myndigheder i De europæiske Fællesskaber.

DECISION No 8 /80 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 9 MAY 1980

adding sesame seed
to the list set out in Article 17(1)
of the ACP-EEC Convention of Lomé
signed on 28 February 1975

(see INST I 62 Vol. 2)

9. 10. 80

Official Journal of the European Communities

No L 265/33

COMMISSION DECISION

of 18 September 1980

on the issue of import licences in respect of beef and veal products originating from Botswana, Kenya, Madagascar and Swaziland

(80/942/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 435/80 of 18 February 1980 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories, and in particular Article 23 thereof,

Having regard to Commission Regulation (EEC) No 486/80 of 28 February 1980 laying down detailed rules for the application in beef and veal of Regulation (EEC) No 435/80, and in particular Article 2 (3) thereof,

Whereas Regulation (EEC) No 435/80 provides for the possibility of issuing import licences for beef and veal products; whereas, however, imports must take place within the limits of the quantities specified for each of these exporting non-member countries;

Whereas the applications for import licences submitted between 1 and 10 September 1980, expressed in terms of boned meat, in accordance with Article 2 (1) of Regulation (EEC) No 486/80, do not exceed, in respect of products originating from Botswana, Kenya, Madagascar and Swaziland, the quantities available from these States; whereas it is therefore possible to issue import licences in respect of the quantities requested; whereas, in the case of Botswana, Decision 80/354/EEC of 7 March 1980⁽¹⁾ currently subjects imports to health measures;

Whereas the quantities in respect of which it will be possible to apply for licences from 1 October 1980 should be fixed,

HAS ADOPTED THIS DECISION:

Article 1

The following Member States shall issue on 22 September 1980 import licences concerning beef and

veal products, expressed in terms of boned meat, originating from certain African, Caribbean and Pacific States, in respect of the quantities and the countries of origin stated:

1. Germany:
 - (a) 495.4 tonnes originating from Madagascar;
 - (b) 61.2 tonnes originating from Swaziland.
2. United Kingdom:

43.1 tonnes originating from Swaziland.
3. Italy:

110.0 tonnes originating from Madagascar.

Article 2

Applications for licences may be submitted, in accordance with Article 2 (4) of Regulation (EEC) No 486/80 during the first 10 days of October 1980, in respect of the following quantities of boned beef and veal:

Botswana:	15 763.0 tonnes
Kenya:	118.0 tonnes
Madagascar:	4 274.1 tonnes
Swaziland:	1 160.8 tonnes

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 18 September 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ TRADE CO-OP III 11 Vol. 2

COMMISSION REGULATION (EEC) No 2824/80

of 31 October 1980

opening, allocating and providing for the administration of a Community tariff quota for fresh or chilled tomatoes, falling within subheading ex 07.01 M I of the Common Customs Tariff and originating in the African, Caribbean and Pacific States (1980/81)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 435/80 of 18 February 1980 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States and the overseas countries and territories, and in particular Article 23 thereof,

Whereas Article 14 of Council Regulation (EEC) No 435/80 provides for the opening by the Community of a Community tariff quota of 2 000 tonnes of fresh or chilled tomatoes, falling within subheading ex 07.01 M I of the Common Customs Tariff and originating in the African, Caribbean and Pacific States; whereas the quota period runs from 15 November to 30 April; whereas the customs duty applicable to the quota is set at 4.4 %, with a minimum charge of 0.8 European units of account per 100 kilograms net weight; whereas, in accordance with the provisions of the Act of Accession of Greece (1), that country shall apply as from 1 January 1981 the provisions of this Regulation; whereas, within the limits of this quota, that Member State is required to apply duties in accordance with the relevant provisions in the Act of Accession; whereas accordingly a Community tariff quota of 2 000 tonnes should be opened for the period in question.

Whereas it is necessary, in particular, to ensure to all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rates laid down for that quota to all imports of the products concerned into all Member States, until the quota has been used up; whereas, however, since the tariff quota involved is of a relatively low volume and the period of application is very short, it seems possible to allocate the whole quota volume to the Community reserve and to provide for the possibility that those Member States in which needs might arise should draw appropriate quantities from the reserve; whereas the shares thus drawn from the reserve must be valid until the end of the quota

period; whereas this method of management requires close cooperation between the Member States and the Commission; whereas the latter must, in particular, be able to monitor the rate at which the quota is used up and inform the Member States thereof;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any operation relating to the administration of the shares allocated to that economic union may be carried out by any one of its members;

Whereas the Management Committee for Fruit and Vegetables has not delivered an opinion within the time limit imposed by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

1. For the period 15 November 1980 to 30 April 1981 a Community tariff quota of 2 000 tonnes shall be opened in the Community for fresh or chilled tomatoes, falling within subheading ex 07.01 M I of the Common Customs Tariff and originating in the African, Caribbean and Pacific States.

Within this tariff quota, the Common Customs Tariff duty applicable to the products shall be suspended at 4.4 % with a minimum charge of 0.8 European units of account per 100 kilograms net weight.

Within this tariff quota, Greece shall apply, as from 1 January 1981, duties calculated in accordance with the relevant provisions in the Act of Accession.

2. The volume of the tariff quota referred to in paragraph 1 shall constitute a reserve.

3. If the need should arise for the products in question in a Member State — including Greece as from 1 January 1981 — the latter shall draw an appropriate share from the reserve, providing that the size of the reserve so permits.

4. The shares drawn pursuant to paragraph 3 shall be valid until 30 April 1981.

(1) OJ No L 291, 19. 11. 1979, p. 17.

1. 11. 80

Official Journal of the European Communities

No L 292/57

Article 2

1. The Member States shall take all measures necessary to ensure that shares drawn pursuant to Article 1 are opened in such a way that changes may be made without interruption against their shares of the Community quota.

2. Member States shall ensure that importers of the said products established in their territory have free access to the shares allocated to them.

3. The Member States shall charge imports of the said goods against their shares as and when the goods are entered with customs authorities for free circulation.

4. The extent to which a Member State has used up its share shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 3

At the request of the Commission, Member States shall inform it of imports actually charged against their shares.

Article 4

The Member States and the Commission shall cooperate closely in order to ensure that this Regulation is complied with.

Article 5

This Regulation shall enter into force on 15 November 1980.

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

Done at Brussels, 31 October 1980.

For the Commission

Étienne DAVIGNON

Member of the Commission

COMMISSION REGULATION (EEC) No 2850/80

of 31 October 1980

establishing ceilings and Community surveillance for imports of carrots and onions, falling within heading No ex 07.01 of the Common Customs Tariff and originating in the ACP States (1981)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 435/80 of 18 February 1980 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States and the overseas countries and territories, and in particular Article 23,

Whereas Article 14 of Regulation (EEC) No 435/80 stipulates that, for the period 1 January to 31 March, carrots, falling within subheading ex 07.01 G II of the Common Customs Tariff and, for the period 15 February to 15 May, onions, falling within subheading ex 07.01 H of the Common Customs Tariff and originating in the African, Caribbean and Pacific States, are subject on importation into the Community to the reduced rates of duty of 10.2 and 4.8 % respectively; whereas such reduction of duties applies only to imports up to ceilings above which the customs duties actually applicable to third countries are reintroduced;

Whereas the application of ceilings requires the Community to be regularly informed of the trend of imports of the relevant products originating in these countries; whereas imports should, therefore, be made subject to a system of surveillance;

Whereas this objective may be achieved by means of an administrative procedure based on offsetting imports of the products in question against the ceilings at Community level as and when these products are entered with customs authorities for free circulation; whereas this administrative procedure must make provision for the possible reintroduction of customs tariff duties as soon as the ceilings are reached at Community level;

Whereas this administrative procedure requires close and particularly swift cooperation between the Member States and the Commission; whereas the latter must, in particular, be able to follow the

progress of quantities charged against the ceilings and keep the Member States informed; whereas this cooperation has to be particularly close since the Commission must be able to take the appropriate measures to reintroduce customs tariff duties if one of the ceilings is reached;

Whereas the Management Committee for Fruit and Vegetables has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

1. Imports of the products, originating in the African, Caribbean and Pacific States, which are listed in the Annex shall be subject to ceilings and to Community surveillance.

The products referred to in the first subparagraph, their tariff headings, the customs duties applicable, the periods of validity and the levels of the ceilings are set out in the said Annex.

2. Quantities shall be charged against the ceilings as and when products are entered with customs authorities for free circulation, accompanied by a movement certificate.

Products may be charged against a ceiling only if the movement certificate is submitted before the date on which customs duties are reintroduced.

The extent to which a ceiling is used up shall be determined at Community level on the basis of the imports charged against it, as defined in the preceding subparagraphs.

Member States shall inform the Commission, at the intervals and within the time limits specified in paragraph 4, of imports effected in accordance with the above procedures.

3. As soon as a ceiling has been reached, the Commission shall adopt a Regulation reintroducing, until the end of its period of validity, the customs duties applicable to third countries.

No L 296/6

Official Journal of the European Communities

5. 11. 80

In the case of such a reintroduction Greece introduces the levying of the duties which it applies to third countries at the date in question.

4. Member States shall send the Commission statements of the quantities charged for periods of 10 days, to be forwarded within five clear days of the end of each 10-day period.

Article 2

The Commission shall take all appropriate measures, in close cooperation with the Member States, to ensure the implementation of this Regulation.

Article 3

This Regulation shall enter into force on 1 January 1981.

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

Done at Brussels, 31 October 1980.

For the Commission

Étienne DAVIGNON

Member of the Commission

ANNEX

Order No	CCT heading No	Description	Customs duty applicable	Level of ceiling (tonnes)
	07.01	Vegetables, fresh or chilled :		
		G. Carrots, turnips, salad beetroot, salsify, celeriac, radishes and similar edible roots :		
ACP 1		ex II. Carrots and turnips :		
		— Carrots, from 1 January to 31 March 1981	10.2 %	500
ACP 2		ex H. Onions, shallots and garlic :		
		— Onions, from 15 February to 15 May 1981	4.8 %	500

COMMISSION DECISION

of 21 October 1980

on the issue of import licences in respect of beef and veal products originating from Botswana, Kenya, Madagascar and Swaziland

(80/1029/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 435/80 of 18 February 1980 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories, and in particular Article 23 thereof,

Having regard to Commission Regulation (EEC) No 486/80 of 28 February 1980 laying down detailed rules for the application in beef and veal of Regulation (EEC) No 435/80, and in particular Article 2 (3) thereof,

Whereas Regulation (EEC) No 435/80 provides for the possibility of issuing import licences for beef and veal products; whereas, however, imports must take place within the limits of the quantities specified for each of these exporting non-member countries;

Whereas the applications for import licences submitted between 1 and 10 October 1980, expressed in terms of boned meat, in accordance with Article 2 (1) of Regulation (EEC) No 486/80, do not exceed, in respect of products originating from Botswana, Kenya, Madagascar and Swaziland, the quantities available from these States; whereas it is therefore possible to issue import licences in respect of the quantities requested; whereas, in the case of Botswana, Decision 80/354/EEC of 17 March 1980⁽¹⁾ currently subjects imports to health measures;

Whereas the quantities in respect of which it will be possible to apply for licences from 1 November 1980 should be fixed;

HAS ADOPTED THIS DECISION:

Article 1

The following Member States shall issue on 21 October 1980 import licences concerning beef and veal products, expressed in terms of boned meat, originating from certain African, Caribbean and Pacific States, in respect of the quantities and the countries of origin stated:

Germany:

- (a) 729.1 tonnes originating from Madagascar;
- (b) 67.6 tonnes originating from Swaziland.

Article 2

Applications for licences may be submitted, in accordance with Article 2 (4) of Regulation (EEC) No 486/80 during the first 10 days of November 1980, in respect of the following quantities of boned beef and veal:

Botswana:	15 763 tonnes
Kenya:	118 tonnes
Madagascar:	3 545 tonnes
Swaziland:	1 093.2 tonnes

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 21 October 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ TRADE CO-OP III 11 Vol. 2

COMMISSION REGULATION (EEC) No 3159/80

of 5 December 1980

temporarily suspending the issues of import licences for preserved mushrooms from Kenya

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 516/77 of 14 March 1977 on the common organization of the market in products processed from fruit and vegetables⁽¹⁾, as amended by Regulation (EEC) No 2021/80⁽²⁾, and in particular Article 14 (2) thereof,

Whereas Commission Regulation (EEC) No 547/80 of 4 March 1980⁽³⁾, relaxed the protective measures against the importation of preserved mushrooms by allowing limited quantities of these products to be imported into the Community until 15 May 1980; whereas since 16 May 1980 the importation of preserved mushrooms *inter alia* from Kenya has been regulated by the import licence system alone;

Whereas over the last few days applications for import licences for large quantities of preserved mushrooms from Kenya have been lodged; whereas these quantities are very much in excess of the normal volume of imports from a minor supplier;

Whereas this situation is such that imports of preserved mushrooms from Kenya threaten the Community market with serious disturbances which could jeopardize the objectives of Article 39 of the Treaty; whereas, in these circumstances the issue of import licences should be temporarily suspended and all pending applications rejected,

HAS ADOPTED THIS REGULATION:

Article 1

1. The issue of import licences for preserved mushrooms within subheading 20.02 A of the Common Customs Tariff, from Kenya, shall be suspended for the period 8 December 1980 to 31 January 1981.
2. Applications for licences in respect of the same products, which are being processed at the time of entry into force of this Regulation, shall be rejected.

Article 2

This Regulation shall enter into force on 8 December 1980.

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

Done at Brussels, 5 December 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 73, 21. 3. 1977, p. 1.

⁽²⁾ OJ No L 98, 31. 7. 1980, p. 1.

⁽³⁾ OJ No L 60, 5. 3. 1980, p. 16.

COMMISSION DECISION

of 21 November 1980

on the issue of import licences in respect of beef and veal products originating from Botswana, Kenya, Madagascar and Swaziland

(80/1133/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 435/80 of 18 February 1980 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories, and in particular Article 23 thereof,

Having regard to Commission Regulation (EEC) No 486/80 of 28 February 1980 laying down detailed rules for the application in beef and veal of Regulation (EEC) No 435/80, and in particular Article 2 (3) thereof,

Whereas Regulation (EEC) No 435/80 provides for the possibility of issuing import licences for beef and veal products; whereas, however, imports must take place within the limits of the quantities specified for each of these exporting non-member countries;

Whereas the applications for import licences submitted between 1 and 10 November 1980, expressed in terms of boned meat, in accordance with Article 2 (1) of Regulation (EEC) No 486/80, do not exceed, in respect of products originating from Botswana, Kenya, Madagascar and Swaziland, the quantities available from these States; whereas it is therefore possible to issue import licences in respect of the quantities requested; whereas, in the case of Botswana, Decision 80/354/EEC of 17 March 1980 currently subjects imports to health measures;

Whereas the quantities in respect of which it will be possible to apply for licences from 1 December 1980 should be fixed,

HAS ADOPTED THIS DECISION:

Article 1

The following Member States shall issue on 21 November 1980 import licences concerning beef and

veal products, expressed in terms of boned meat, originating from certain African, Caribbean and Pacific States, in respect of the quantities and the countries of origin stated:

1. Germany :
1 546.4 tonnes originating from Madagascar.
2. France :
198.9 tonnes originating from Madagascar.
3. Italy :
80.0 tonnes originating from Madagascar.

Article 2

Applications for licences may be submitted, in accordance with Article 2 (4) of Regulation (EEC) No 486/80 during the first 10 days of December 1980, in respect of the following quantities of boned beef and veal:

Botswana :	15 763.0 tonnes
Kenya :	118.0 tonnes
Madagascar :	1 719.7 tonnes
Swaziland :	1 093.2 tonnes

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 21 November 1980.

For the Commission

Finn GUNDELACH

Vice-President

III. Customs Cooperation

Table

1

Subject	Pages in the Collected Acts
78/642/EEC : Council Decision of 25 July 1978 on health protection measures in respect of the Republic of Botswana	1 - 4
78/771/EEC : Commission Decision of 13 September 1978 amending Council Decision 78/642/EEC on health protection measures in respect of the Republic of Botswana	5 - 6
Decision No 6/79 of the ACP-EEC Council of Ministers of 23 March 1979 on the fiscal and customs arrangements applicable in the ACP States to contracts financed by the Community.	7
79/456/EEC : Commission Decision of 2 May 1979 amending Council Decision 78/642/EEC on health protection measures in respect of Botswana	8
80/2/EEC : Commission Decision of 19 December 1979 amending Council Decision 78/642/EEC on health protection measures in respect of the Republic of Botswana.	9 - 10
80/354/EEC : Commission Decision of 7 March 1980 suspending the option provided for by Decision 78/642/EEC of authorizing imports of fresh meat from the Republic of Botswana	11

COUNCIL DECISION

of 25 July 1978

on health protection measures in respect of the Republic of Botswana

(78/642/EEC)

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Directive 72/462/EEC of 12
December 1972 on health and veterinary inspection
problems upon importation of bovine animals and
swine and fresh meat from third countries⁽¹⁾, as last
amended by Directive 77/98/EEC⁽²⁾, and in particular
Article 15 thereof,

Having regard to the proposal from the Commission,

Whereas outbreaks of exotic foot-and-mouth disease
have occurred in certain northern areas of the Repu-
blic of Botswana ; whereas, however, other parts of the
country have been free of the disease for a number of
years ;

Whereas strict measures, in particular the prohibition
of movements of livestock from contaminated regions
to disease-free areas, are applied in the country ;
whereas the contaminated regions are clearly demar-
cated and separated from the disease-free areas ;
whereas measures are applied throughout the country
to monitor the movements of livestock and to detect
any outbreak of the disease ;

Whereas contaminated regions and adjacent areas
must not be allowed to export fresh meat to Member
States ; whereas, having regard to the present location
of the disease, to the measures adopted by the authori-
ties of the Republic of Botswana against the disease
and to the information obtained by Community veteri-
nary experts sent to inquire into the organization of
veterinary services and animal health controls, the
country may be authorized to export to the Commu-
nity fresh meat obtained from animals originating in
regions which have been free of foot-and-mouth
disease for a number of years ;

⁽¹⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽²⁾ OJ No L 26, 31. 1. 1977, p. 81.

Whereas the animal health requirements of Member
States pursuant to Article 16 of Directive 72/462/EEC
relating to imports of meat from Botswana have not
yet been laid down at Community level and enter into
force only two years after their adoption ; whereas,
pending the entry into force of such requirements, the
Member States are free to prohibit imports of fresh
meat from Botswana ;

Whereas, since the Standing Veterinary Committee
has not given its assent, the Commission is unable to
adopt the provisions which it had envisaged on this
matter under the procedure provided for in Article 29
of Directive 72/462/EEC,

HAS ADOPTED THIS DECISION :

Article 1

The prohibition provided for in Article 14 (2) of Direc-
tive 72/462/EEC shall not apply to the following
districts of the Republic of Botswana : Kweneng,
Kgatlend, South-East, Southern and Kgalagadi.

Article 2

If a Member State authorizes the importation into its
own territory of fresh meat exclusively from de-boned
carcasses of animals of the bovine species originating
in the districts referred to in Article 1 and slaughtered
in one of these districts, the following conditions shall
apply :

- the meat shall satisfy the requirements of the spec-
imen health certificate annexed hereto ; the certifi-
cate shall accompany the meat during transport to
the importing Member State,
- the meat shall not enter the importing Member
State's territory for at least 21 days from the date
of slaughter,
- the competent authority of the Republic of Bots-
wana shall give assurances that it will notify the
importing Member State and the Commission
immediately of any new outbreak of foot-and-
mouth disease in the country.

Article 3

Done at Brussels, 25 July 1978.

In the light of any developments in the situation, this Decision shall be amended in accordance with the procedure laid down in Article 29 of Directive 72/462/EEC.

Article 4

This Decision is addressed to the Member States.

For the Council

The President

H. J. ROHR

ANNEX

ANIMAL HEALTH CERTIFICATE

For fresh meat (1) from deboned carcasses (2) of bovine animals from Botswana

Reference number of the public health certificate

Exporting country

Ministry

Department

Reference (Optional)

I. Identification of meat

Meat (2) of (Animal species)

Nature of cuts (4)

Nature of packaging

Number of cuts or packages

Net weight

II. Origin of meat

Address and veterinary approval number of the approved slaughterhouse

Address and veterinary approval number of the approved cutting plant

III. Destination of meat

The meat will be sent from (Place of loading)

to (Country and place of destination)

by the following means of transport (5)

Name and address of consignor

Name and address of consignee

IV. Attestation of health

I, the undersigned, official veterinarian, certify that :

1. the fresh de-boned carcass meat described above :

(a) originates from cattle which:

— were born and reared in the Republic of Botswana and which, since October 1977 or since birth, have remained in one or more of the following districts: Kweneng, Kgatleng, South-East, Southern, Kgalegadi, these districts having been free of exotic foot-and-mouth disease for at least the past 12 months,

- bore, in accordance with the legal provisions, a mark indicating their region of origin,
 - had not been vaccinated against foot-and-mouth disease within the past 12 months,
 - on the way to the slaughterhouse did not come into contact with animals not satisfying the requirements laid down in Council Decision 78/642/EEC as regards export of their meat to a Member State, and if they were conveyed by vehicle or container, the latter was cleaned and disinfected before loading,
 - when subjected to an *ante-mortem* health inspection at the slaughterhouse during the 24 hours preceding slaughter, which included examination of the mouth and feet, showed no symptom of foot-and-mouth disease,
 - were slaughtered after the entry into force of Council Decision 78/642/EEC (date of slaughter :);
- (b) was obtained in a slaughterhouse in which no case of exotic foot-and-mouth disease has been detected for at least three months ;
- (c) has been kept strictly separate from meat not conforming to the requirements for export to a Member State laid down in Council Decision 78/642/EEC ;
- (d) has had as many lymphatic glands as possible removed ;
- (e) originates from carcasses which were matured at an ambient temperature of more than + 2 °C for at least 48 hours after slaughter and before de-boning.
2. During the period between arrival of the cattle at the slaughterhouse and completion of the packing of the meat of the same cattle for export to a Member State in boxes or cartons, no animal or meat not conforming to the requirements laid down in Council Decision 78/642/EEC as regards export of meat to a Member State (with the exception of meat packed in boxes or cartons and kept in special storage areas) was present in the slaughterhouse or cutting plant.

Done at , on

.....
(Signature of official veterinarian)

(1) 'Fresh meat' means all parts of domestic bovine animals fit for human consumption which have not undergone any preserving process ; however, chilled and frozen meat shall be considered to be fresh meat.

(2) 'Carcass' means the whole body of a slaughtered animal after bleeding, evisceration, removal of the limbs at the carpus and tarsus, removal of the head, tail and mammary gland and in addition, in the case of bovine animals, after skinning.

(3) Only fresh de-boned carcass meat of bovine animals from which the major accessible lymphatic glands have been removed is authorized for importation.

(4) Fresh carcass meat is authorized for importation only if all bones have been removed.

(5) For railway wagons or lorries, the vehicle registration number should be stated, for aircraft the flight number and for vessels the name.

COMMISSION DECISION

of 13 September 1978

amending Council Decision 78/642/EEC on health protection measures in respect of the Republic of Botswana

(78/771/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat from third countries⁽¹⁾, as last amended by Directive 77/98/EEC⁽²⁾, and in particular Article 1.5 thereof,

Whereas, since the Standing Veterinary Committee has not given its assent, the Commission is unable to adopt the provisions which it had proposed in this matter, in accordance with the procedure laid down in Article 29 of Directive 72/462/EEC, regarding imports into Member States of fresh meat from the Republic of Botswana; whereas, since no assent had been given, the Commission presented a proposal to the Council on the measures to be taken; whereas the Council adopted the measures in Decision 78/642/EEC of 25 July 1978;

Whereas the Council Decision referred to above, taking into account the health situation in the Republic of Botswana and the measures adopted by the authorities of that country to combat foot-and-mouth disease and to prevent the disease spreading into other uncontaminated areas, permitted Member States to import into their territory, under certain conditions and from specified districts, fresh meat from that country;

Whereas, according to the information received from the authorities of the Republic of Botswana, the north-eastern zone has been separated from the zone immediately adjacent since May 1978; whereas these two zones have remained free of foot-and-mouth disease; whereas, consequently, the possibility of exporting fresh meat to Member States should be extended to include meat from the north-east area of the Republic of Botswana which has been free of the disease for many years, while retaining a buffer-zone free of the disease between that area and the contaminated zones;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

⁽¹⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽²⁾ OJ No L 26, 31. 1. 1977, p. 81.

HAS ADOPTED THIS DECISION:

Article 1

Decision 78/642/EEC is hereby amended as follows:

1. Article 1 shall read:

'The prohibition provided for in Article 14 (2) of Directive 72/462/EEC shall not apply to the following districts of the Republic of Botswana: Kwaneng, Kgatlend, South-East, Southern, Kgalagadi or to that part of the country to the east of the railway line connecting Dibete and the Rhodesian border.'

2. In the first sentence of Article 2, after the words 'originating in the districts' the words 'or part of the country referred to in Article 1 and' shall be inserted.

3. In Point IV of the Animal Health Certificate set out in the Annex:

(a) in paragraph 1 (a):

— the first indent shall read:

'were born and reared in the Republic of Botswana and which:

— since October 1977 or since birth, have remained in one or more of the following districts: Kwaneng, Kgatlend, South-East, Southern, Kgalagadi

or

— since May 1978 or since birth, have remained in that part of the country to the east of the railway line connecting Dibete and the Rhodesian border,

those areas having been free of exotic foot-and-mouth disease for at least the past 12 months;

— in the fourth indent, the expression 'Council Decision 78/642/EEC' is replaced by 'the Decisions of the European Economic Community currently in force';

— at the end of the fourth indent, the following is added:

'and, in the case of animals from that part of the country to the east of the railway line connecting Dibete and the Rhodesian border, were transported from that area to the slaughterhouses by road or by rail and that these bovine animals, in the 24 hours prior to loading, were subjected by a veterinarian to a clinical examination during which no symptom of foot-and-mouth disease was found;'

(b) in paragraph 1 (c) the expression 'in Council Decision 78/642/EEC' is replaced by 'in the Decisions of the European Economic Community currently in force'.

(c) point (e) shall read: 'originates from carcasses which were matured at a room

temperature of more than + 2 °C for at least 24 hours before de-boning'.

(d) in paragraph 2 the expression 'in Council Decision 78/642/EEC' is replaced by 'in the Decisions of the European Economic Community currently in force'.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 13 September 1978.

For the Commission

Finn GUNDELACH

Vice-President

DECISION N° 6/79 OF THE ACP-EEC COUNCIL OF MINISTERS

OF 23 MARCH 1979

**on the fiscal and customs arrangements
applicable in the ACP States
to contracts financed
by the Community**

(see FINTECH 40 - 45 Vol. 2)

COMMISSION DECISION

of 2 May 1979

amending Council Decision 78/642/EEC on health protection measures in respect of Botswana

(79/456/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat from third countries⁽¹⁾, as last amended by Directive 77/98/EEC⁽²⁾, and in particular Article 15 thereof,

Having regard to Council Decision 78/642/EEC of 25 July 1978 on health protection measures in respect of Botswana, as amended by Commission Decision 78/771/EEC, and in particular Article 3 thereof,

Whereas the abovementioned Decision, taking into account the health situation in Botswana and of the measures adopted by the authorities of that country to combat foot-and-mouth disease and to prevent this disease spreading into other uncontaminated areas, permitted Member States to import into their territory, under certain conditions and from specified districts, fresh meat from that country;

Whereas, according to the information received from the authorities of Botswana, the Ghanzi district has been free of foot-and-mouth disease since 1934; whereas that district is clearly separated from the areas of Botswana where foot-and-mouth disease appeared; whereas, moreover, the situation in these areas, as

regards this disease, has improved; whereas it is possible, therefore, to allow the Ghanzi district to export fresh meat to Member States;

Whereas the measures adopted in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

Decision 78/642/EEC is amended as follows:

1. In Article 1 the name 'Ghanzi' shall be inserted before the name 'Kweneng'.
2. In point IV (1) (a), first indent, of the health certificate set out in the Annex, the name 'Ghanzi' shall be inserted before the name 'Kweneng'.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 2 May 1979.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽²⁾ OJ No L 26, 31. 1. 1977, p. 81.

COMMISSION DECISION**of 19 December 1979****amending Council Decision 78/642/EEC on health protection measures in respect of the Republic of Botswana**

(80/2/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat from third countries⁽¹⁾, as last amended by Directive 77/98/EEC⁽²⁾, and in particular Article 15 thereof,

Having regard to Council Decision 78/642/EEC of 25 July 1978 on health protection measures in respect of the Republic of Botswana⁽³⁾, as last amended by Commission Decision 79/456/EEC⁽⁴⁾, and in particular Article 3 thereof,

Whereas Decision 78/642/EEC, taking into account the health situation in the Republic of Botswana and the measures adopted by the authorities of that country to combat foot-and-mouth disease and to prevent the disease spreading into other uncontaminated areas, permitted Member States to import into their territory, under certain conditions and from specified districts, fresh meat from that country;

Whereas one area should be precluded from exporting fresh meat to Member States, on account of its proximity to a region in which foot-and-mouth disease has reappeared;

Whereas vaccinations have been carried out against foot-and-mouth disease in a district of the Republic of

Botswana which had been authorized to export fresh meat to the Member States primarily by virtue of the fact that the district was free from that disease; whereas exports of fresh meat from that district to the Member States should not be authorized, in view of the provisions of Directive 72/462/EEC, which provide that Member States may authorize the importation of fresh meat only if it comes from non-member States in which no vaccinations have been carried out for 12 months against exotic foot-and-mouth disease save where a decision to the contrary has been taken in accordance with Community procedure;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION :

Article 1

Decision 78/642/EEC is hereby amended as follows :

1. Article 1 is replaced by the following :

"The prohibition provided for in Article 14 (2) of Directive 72/462/EEC shall not apply to the following districts of the Republic of Botswana : Ghanzi (with the exclusion of its north-west sector called "Ghanzi-Farms"), Kweneng, Kgatlend, South-East, Southern, Kgalagadi or to that part of the country situated between : to the north, Palapye

(¹) OJ No L 302, 31. 12. 1972, p. 28.

(²) OJ No L 26, 31. 1. 1977, p. 81.

(³) OJ No L 213, 3. 8. 1978, p. 15.

(⁴) OJ No L 116, 11. 5. 1979, p. 31.

Sherwood Cordon Fence, to the east, the border of the Republic of South Africa, to the south, Dibete Cordon Fence, and to the west, the railway line connecting Dibete and Palapye.'

2. In point IV of the animal health certificate set out in the Annex :

(a) in the first indent of paragraph 1 (a) :

— insert after the name 'Ghanzi' the following phrase :

'(with the exclusion of its north-western sector known as "Ghanzi Farms")',

— that part of the sentence which reads 'since May 1978 or since birth, have remained in that part of the country to the east of the railway line connecting Dibete and the Rhodesian border' is replaced by the following : 'since May 1978 or since birth, have remained in that part of the country situated between : to the north, Palapye Sherwood Cordon Fence, to the east, the border of the Republic of South Africa, to the south, Dibete Cordon Fence, and to the west, the railway line connecting Dibete and Palapye' ;

(b) in the fourth indent of paragraph 1 (a) that part of the sentence which reads 'and, in the case of

animals from that part of the country to the east of the railway line connecting Dibete and the Rhodesian border' is replaced by the following : 'and, in the case of animals from that part of the country between : to the north, Palapye Sherwood Cordon Fence, to the east, the border of the Republic of South Africa, to the south, Dibete Cordon Fence, and to the west, the railway line connecting Dibete and Palapye' ;

(c) the sixth indent of paragraph 1 (a) is replaced by the following : 'were slaughtered after 15 January 1980 (date of slaughter : . . .)'.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 19 December 1979.

For the Commission

Finn GUNDELACH

Vice-President

COMMISSION DECISION

of 7 March 1980

suspending the option provided for by Decision 78/642/EEC of authorizing imports of fresh meat from the Republic of Botswana

(80/354/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat from third countries, as last amended by Directive 77/98/EEC, and in particular Article 15 thereof,

Whereas Council Decision 78/642/EEC⁽¹⁾, as last amended by Commission Decision 80/2/EEC⁽²⁾, granted the Member States the option of authorizing imports into their territory, under certain conditions and from certain regions, of fresh meat from the Republic of Botswana, taking into account in particular the existing health situation in that country and the measures taken by that country's authorities to combat foot-and-mouth disease and to avoid its spreading into other unaffected regions;

Whereas information received from the authorities of the Republic of Botswana suggests that a new outbreak of foot-and-mouth disease has occurred in a region which was hitherto unaffected and which was intended to serve as a buffer zone to protect the regions authorized for the export of fresh meat to the Community; whereas this accordingly means that there is a serious danger that the disease will spread into the regions authorized for the export of fresh meat to the Community;

Whereas, until such time in particular as the results of the surveys required to ensure that the disease is not

present in the regions which were authorized for export are available, it is necessary to suspend imports of fresh meat from the entire territory of the Republic of Botswana in order to avoid any risk of introducing this disease into the Community;

Whereas the suspension of imports from the Republic of Botswana will be reviewed in accordance with the changing situation in respect of the disease;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

The option provided for in Decision 78/642/EEC of authorizing imports of fresh meat from certain districts of the Republic of Botswana is hereby provisionally suspended.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 7 March 1980.

For the Commission

Finn GUNDELACH

Vice-President

(1) OJ No L 302, 31. 12. 1972, p. 28.

(2) OJ No L 26, 31. 1. 1977, p. 81.

IV, List of Community regulations on tariff preferences
for certain products originating in
developing countries

Subject	N° of the Official Journal of the EC
Council Regulation (EEC) No 2800/78 of 27 November 1978 amending Regulation (EEC) No 950/68 on the Common Customs Tariff	L 335/1978
Commission Regulation (EEC) No 2972/78 of 15 December 1978 re-establishing the levying of customs duties on wood sawn lengthwise, sliced or peeled but not further prepared, etc., falling within subheading 44.14 B and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2705/77 apply	L 355/1978
Commission Regulation (EEC) No 2978/78 of 15 December 1978 re-establishing the levying of customs duties on thermionic, cold cathode and photo-cathode valves and tubes, etc., falling within subheadings 85.21 A, B and C and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2705/77 apply	"
Commission Regulation (EEC) No 2979/78 of 15 December 1978 re-establishing the levying of customs duties on appliances, apparatus, accessories and requisites for gymnastics or athletics, etc., falling within subheading 97.06 B and C and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2705/77 apply	"
Commission Regulation (EEC) No 3035/78 of 21 December 1978 re-establishing the levying of customs duties on sewing machines, falling within subheading 84.41 A I b) and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2705/77 apply	L 359/1978
Council Regulation (EEC) No 3154/78 of 29 December 1978 opening, allocating and providing for the administration of Community tariff quotas for certain products originating in developing countries	L 375/1978
Council Regulation (EEC) No 3155/78 of 29 December 1978 opening and providing for the administration of preferential Community tariff ceilings for certain products originating in developing countries	"
Council Regulation (EEC) No 3156/78 of 29 December 1978 opening preferential tariffs for certain products originating in developing countries	"
Council Regulation (EEC) No 3157/78 of 29 December 1978 opening, allocating and providing for the administration of Community tariff preferences for textile products originating in developing countries and territories	"

List of Community regulations on tariff preferences
for certain products originating in
developing countries

Subject	N° of the Official Journal of the EC
Council Regulation (EEC) No 3159/78 of 29 December 1978 opening, allocating and providing for the administration of a Community tariff quota for raw or unmanufactured Virginia type tobaccos originating in developing countries	L 375/1978
Council Regulation (EEC) No 3160/78 of 29 December 1978 opening preferential tariffs for developing countries for raw or unmanufactured tobaccos falling within subheading 24.01 A ex II of the Common Customs Tariff	"
Council Regulation (EEC) No 3161/78 of 29 December 1978 establishing in respect of certain products falling within Chapters 1 to 24 of the Common Customs Tariff a scheme of generalized preferences in favour of developing countries	"
Council Regulation (EEC) No 3162/78 of 29 December 1978 opening, allocating and providing for the administration of a Community tariff quota for cocoa butter and a tariff quota for soluble coffee originating in developing countries	"
Council Regulation (EEC) No 3163/78 of 29 December 1978 opening, allocating and providing for the administration of a Community tariff quota for preserved pineapples, other than in slices, half slices or spirals, originating in developing countries	"
Council Regulation (EEC) No 3164/78 of 29 December 1978 opening, allocating and providing for the administration of a Community tariff quota for preserved pineapples, in slices, half slices or spirals, originating in developing countries	"
78/1037/ECSC:	
Decision of the representatives of the Governments of the Member States of the European Coal and Steel Community, meeting within the Council, of 29 December 1978 opening, allocating and providing for the administration of tariff quotas for certain steel products originating in developing countries	"
78/1038/ECSC:	
Decision of the representatives of the Governments of the Member States of the European Coal and Steel Community, meeting within the Council, of 29 December 1978 opening tariff preferences for certain steel products originating in developing countries	"

List of Community regulations on tariff preferences
for certain products originating in
developing countries

Subject	N° of the Official Journal of the EC
Commission Regulation (EEC) No 664/79 of 4 April 1979 re-establishing the levying of customs duties on cotton yarn, put up for retail sale, falling within heading No 55.06 and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3157/78 apply	L 85/1979
Commission Regulation (EEC) No 666/79 of 4 April 1979 re-establishing the levying of customs duties on nets and netting made of twine, cordage or rope, etc., falling within heading No 59.05 and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3157/78 apply	"
Commission Regulation (EEC) No 668/79 of 4 April 1979 re-establishing the levying of customs duties on tarpaulins, sails, awnings, etc., falling within heading No 62.04 and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3157/78 apply	"
Commission Regulation (EEC) No 669/79 of 4 April 1979 re-establishing the levying of customs duties on glass inners for vacuum flasks or for other vacuum vessels, falling within heading No 70.12 and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3156/78 apply	"
Commission Regulation (EEC) No 670/79 of 4 April 1979 re-establishing the levying of customs duties on spoons, forks, etc., of stainless steel, falling within subheading 82.14 A and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3156/78 apply	"
Commission Regulation (EEC) No 741/79 of 11 April 1979 re-establishing the levying of customs duties on urea, falling within subheading 31.02 B and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3156/78 apply	L 93/1979
Commission Regulation (EEC) No 778/79 of 19 April 1979 re-establishing the levying of customs duties on methyl alcohol, falling within subheading 29.04 A I and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3156/78 apply	L 99/1979

**List of Community regulations on tariff preferences
for certain products originating in
developing countries**

Subject	N° of the Official Journal of the EC
Commission Regulation (EEC) No 780/79 of 19 April 1979 re-establishing the levying of customs duties on woven fabrics of silk, of noil or other waste silk, falling within heading No 50.09 and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3157/78 apply	L 99/1979
Commission Regulation (EEC) No 781/79 of 19 April 1979 re-establishing the levying of customs duties on cotton yarn, not put up for retail sale, falling within subheading 55.05 A and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3157/78 apply	"
Commission Regulation (EEC) No 782/79 of 19 April 1979 re-establishing the levying of customs duties on woven fabrics of regenerated textile fibres, falling within subheading 56.07 B and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3157/78 apply	"
Commission Regulation (EEC) No 783/79 of 19 April 1979 re-establishing the levying of customs duties on gloves, mittens and mitts, knitted or crocheted, not elastic or rubberized, falling within heading No 60.02 and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3157/78 apply	"
Commission Regulation (EEC) No 784/79 of 19 April 1979 re-establishing the levying of customs duties on sacks and bags, of a kind used for the packing of goods, falling within subheadings 62.03 B I a), ex b) and ex II and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3157/78 apply	"
Commission Regulation (EEC) No 886/79 of 3 May 1979 re-establishing the levying of customs duties on other goat and kid skin leather, other, falling within subheading 41.04 B II and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3156/78 apply	L 111/1979
Commission Regulation (EEC) No 889/79 of 3 May 1979 re-establishing the levying of customs duties on artificial flowers, foliage or fruit and parts thereof, falling within heading No 67.02 and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3156/78 apply	"
Commission Regulation (EEC) No 890/79 of 3 May 1979 re-establishing the levying of customs duties on knives with cutting blades, serrated or not, falling within heading No ex 82.09 and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3156/78 apply	"

List of Community regulations on tariff preferences
for certain products originating in
developing countries

Subject	N° of the Official Journal of the EC
Commission Regulation (EEC) No 973/79 of 16 May 1979 re-establishing the levying of customs duties on dioctyl phthalates, falling within subheading 29.15 C ex III and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3156/78 apply	L 122/1979
Commission Regulation (EEC) No 974/79 of 16 May 1979 re-establishing the levying of customs duties on other sheep and lamb skin leather, other, falling within subheading 41.03 B II and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3156/78 apply	"
Commission Regulation (EEC) No 976/79 of 16 May 1979 re-establishing the levying of customs duties on carpets, whether tufted or not, other than of jute or other textile bast fibres of heading No 57.03 or coir, falling within subheading 58.02 ex A and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3157/78 apply	"
Commission Regulation (EEC) No 1094/79 of 1 June 1979 re-establishing the levying of customs duties on gloves, including mittens and mitts, protective, for all trades, falling within subheading 42.03 B I and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3156/78 apply	L 136/1979
Commission Regulation (EEC) No 1096/79 of 1 June 1979 re-establishing the levying of customs duties on terry towelling and similar terry fabrics of cotton, falling within heading No 55.08 and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3157/78 apply	"
Council Regulation (EEC) No 1195/79 of 12 June 1979 opening, allocating and providing for the administration of Community tariff preferences for textile products originating in developing countries and territories	L 154/1979
Commission Regulation (EEC) No 1464/79 of 13 July 1979 on the definition of the concept of originating products for the purposes of the application of the tariff preferences granted by the European Economic Community in respect of certain textile products from developing countries	L 177/1979
Commission Regulation (EEC) No 1625/79 of 26 July 1979 re-establishing the levying of customs duties on glazed setts, flags and paving, hearth and wall tiles, falling within heading No 69.08 and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3155/78 apply	L 190/1979

List of Community regulations on tariff preferences
for certain products originating in
developing countries

Subject	N° of the Official Journal of the EC
Commission Regulation (EEC) No 1690/79 of 31 July 1979 re-establishing the levying of customs duties on wood (including blocks, strips and freizes for parquet or wood block flooring, not assembled), planed, tongued, grooved, rebated, chambered, V-jointed, centre V-jointed, beaded, centre-beaded or the like, but not further manufactured, falling within heading No 44.13 and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3156/78 apply	L 196/1979
Commission Regulation (EEC) No 1691/79 of 31 July 1979 re-establishing the levying of customs duties on household utensils of wood, falling within heading No 44.24 and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3156/78 apply	"
Commission Regulation (EEC) No 1694/79 of 31 July 1979 re-establishing the levying of customs duties on lead-acid accumulators, falling within subheading 85.04 A and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3156/78 apply	"
Commission Regulation (EEC) No 1695/79 of 31 July 1979 re-establishing the levying of customs duties on equipment for parlour, table and funfair games, falling within heading No 97.04 and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3156/78 apply	"
Commission Regulation (EEC) No 1721/79 of 3 August 1979 re-establishing the levying of customs duties on umbrellas and sunshades (including walking-stick umbrellas, umbrella tents, and garden and similar umbrellas), falling within heading No 66.01 and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3156/78 apply	L 198/1979
Commission Regulation (EEC) No 1751/79 of 8 August 1979 re-establishing the levying of customs duties on chamois-dressed leather, falling within heading No 41.06 and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3156/78 apply	L 201/1979
Commission Regulation (EEC) No 1851/79 of 20 August 1979 re-establishing the levying of customs duties on gloves, mittens and mitts, knitted or crocheted, not elastic or rubberized, falling within heading No 60.02 and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 1195/79 apply	L 214/1979

List of Community regulations on tariff preferences
for certain products originating in
developing countries

Subject	N° of the Official Journal of the EC
Commission Regulation (EEC) No 1876/79 of 24 August 1979 re-establishing the levying of customs duties on wooden broom and brush handles, falling within subheading 44.25 ex B and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3156/78 apply	L 217/1979
Commission Regulation (EEC) No 1877/79 of 24 August 1979 re-establishing the levying of customs duties on tableware and other articles of a kind commonly used for domestic or toilet purposes, of other kinds of pottery, earthenware or fine pottery, falling within subheading 69.12 C and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3156/78 apply	"
Commission Regulation (EEC) No 1957/79 of 5 September 1979 re-establishing the levying of customs duties on gloves, mittens, mitts, stockings, socks and sockettes, not being knitted or crocheted goods, falling within heading No 61.10 and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 1195/79 apply	L 226/1979
Commission Regulation (EEC) No 2527/79 of 14 November 1979 re-establishing the levying of customs duties on woven fabrics of regenerated man-made fibres, falling within subheading 56.07 B and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 1195/79 apply	L 289/1979
Commission Regulation (EEC) No 2587/79 of 22 November 1979 re-establishing the levying of customs duties on articles of jewellery and parts thereof, of precious metal, falling within subheading 71.12 A and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3156/78 apply	L 296/1979
Commission Regulation (EEC) No 2687/79 of 29 November 1979 re-establishing the levying of customs duties on woven fabrics of silk, of noil or other waste silk, falling within heading No 50.09 and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 1195/79 apply	L 305/1979
Commission Regulation (EEC) No 2688/79 of 29 November 1979 re-establishing the levying of customs duties on yarn of synthetic textile fibres and other yarn of regenerated textile fibres, falling within subheading 51.01 A and B II and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 1195/79 apply	"
Commission Regulation (EEC) No 2689/79 of 29 November 1979 re-establishing the levying of customs duties on yarn of combed sheep's or lambs' wool (worsted yarn), not put up for retail sale, falling within heading No 53.07 and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 1195/79 apply	"

List of Community regulations on tariff preferences
for certain products originating in
developing countries

Subject	N° of the Official Journal of the EC
Commission Regulation (EEC) No 2889/79 of 20 December 1979 re-establishing the levying of customs duties on tubes and pipes, pipes and blanks therefor, of copper : hollow bars of copper, falling within heading No 74.07 and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3156/78 apply	L 325/1979
Commission Regulation (EEC) No 2890/79 of 20 December 1979 re-establishing the levying of customs duties on filament lamps for lighting, falling within sub-heading 85.20 A and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3156/78 apply	"
Council Regulation (EEC) No 2787/79 of 10 December 1979 opening, allocating and providing for the administration of Community tariff quotas for certain products originating in developing countries	L 328/1979
Council Regulation (EEC) No 2788/79 of 10 December 1979 opening and providing for the administration of preferential Community tariff ceilings for certain products originating in developing countries	"
Council Regulation (EEC) No 2789/79 of 10 December 1979 opening preferential tariffs for certain products originating in developing countries	"
Council Regulation (EEC) No 2790/79 of 10 December 1979 opening, allocating and providing for the administration of a Community tariff quota for raw or unmanufactured Virginia type tobaccos originating in developing countries	"
Council Regulation (EEC) No 2791/79 of 10 December 1979 opening preferential tariffs for developing countries for raw or unmanufactured tobaccos, other than Virginia type, falling within subheadings 24.01 ex A and ex B of the Common Customs Tariff	"
Council Regulation (EEC) No 2792/79 of 10 December 1979 establishing in respect of certain products falling within Chapters 1 to 24 of the Common Customs Tariff a scheme of generalized preferences in favour of developing countries	"
Council Regulation (EEC) No 2793/79 of 10 December 1979 opening, allocating and providing for the administration of a Community tariff quota for cocoa butter and a tariff quota for soluble coffee originating in developing countries	"
Council Regulation (EEC) No 2794/79 of 10 December 1979 opening, allocating and providing for the administration of a Community tariff quota for preserved pineapples, other than in slices, half slices or spirals, originating in developing countries	"

List of Community regulations on tariff preferences
for certain products originating in
developing countries

Subject	N° of the Official Journal of the EC
Council Regulation (EEC) No 2795/79 of 10 December 1979 opening, allocating and providing for the administration of a Community tariff quota for preserved pineapples, in slices, half slices or spirals, originating in developing countries	L 328/1979
70/1061/ECSC:	
Decision of the representatives of the Governments of the Member States of the European Coal and Steel Community, meeting within the Council, of 10 December 1979 opening, allocating and providing for the administration of tariff quotas for certain steel products originating in developing countries	"
79/1062/ECSC:	
Decision of the representatives of the Governments of the Member States of the European Coal and Steel Community, meeting within the Council, of 10 December 1979 opening tariff preferences for certain steel products originating in developing countries	"
Council Regulation (EEC) No 2894/79 of 10 December 1979 opening, allocating and providing for the administration of Community tariff preferences for textile products originating in developing countries and territories	L 332/1979
Council Regulation (EEC) No 3000/79 of 20 December 1979 amending Regulation (EEC) No 950/68 on the Common Customs Tariff	L 342/1979
Commission Regulation (EEC) No 3067/79 of 20 December 1979 on the definition of the concept of originating products for purposes of the application of tariff preferences granted by the European Economic Community in respect of certain products from developing countries	L 349/1979
Commission Regulation (EEC) No 3068/79 of 20 December 1979 derogating in respect of the countries of the Association of South East Asian Nations from Articles 1, 6 and 13 of Commission Regulation (EEC) No 3067/79 of 20 December 1979 on the definition of the concept of originating products for purposes of the application of tariff preferences granted by the European Economic Community in respect of certain products from developing countries	"
Commission Regulation (EEC) No 3069/79 of 20 December 1979 derogating in respect of the countries of the Central American Common Market from Articles 1, 6 and 13 of Commission Regulation (EEC) No 3067/79 of 20 December 1979 on the definition of the concept of originating products for purposes of the application of tariff preferences granted by the European Economic Community in respect of certain products from developing countries	"
Commission Regulation (EEC) No 3070/79 of 20 December 1979 derogating in respect of the countries which have signed the Cartagena Agreement (Andean Group) from Articles 1, 6 and 13 of Commission Regulation (EEC) No 3067/79 of 20 December 1979 on the definition of the concept of originating products for purposes of the application of tariff preferences granted by the European Economic Community in respect of certain products from developing countries	"

List of Community regulations on tariff preferences
for certain products originating in
developing countries

Subject	N° of the Official Journal of the EC
<p>Commission Regulation (EEC) No 515/80 of 28 February 1980 re-establishing the levying of customs duties on artificial flowers, foliage or fruit and parts thereof, falling within heading No 67.02 and originating in developing countries to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2789/79 apply</p>	<p>L 58 /1980</p>
<p>Commission Regulation (EEC) No 659/80 of 19 March 1980 re-establishing the levying of customs duties on gloves, including mittens and mitts, falling within subheading 42.03 B I and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2789/79 apply</p>	<p>L 74 /1980</p>
<p>Commission Regulation (EEC) No 660/80 of 19 March 1980 re-establishing the levying of customs duties on glass inners for vacuum flasks or for other vacuum vessels, falling within heading No 70.12 and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2789/79 apply</p>	<p>"</p>
<p>Commission Regulation (EEC) No 770/80 of 28 March 1980 re-establishing the levying of customs duties on methanol (methyl alcohol), falling within subheading 29.04 A I and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2789/79 apply</p>	<p>L 85 /1980</p>
<p>Commission Regulation (EEC) No 898/80 of 11 April 1980 re-establishing the levying of customs duties on goat and kidskin leather, except leather falling within heading No 41.06 or 41.08, other, other, falling within subheading 41.04 B II and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2789/79 apply</p>	<p>L 97 /1980</p>
<p>Commission Regulation (EEC) No 899/80 of 11 April 1980 re-establishing the levying of customs duties on image projectors (other than cinematographic projectors); photographic (except cinematographic) enlargers and reducers, falling within heading No 90.09 and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2789/79 apply</p>	<p>"</p>
<p>Commission Regulation (EEC) No 946/80 of 14 April 1980 re-establishing the levying of customs duties on knives, falling within subheading 82.09 A, originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2788/79 apply</p>	<p>L 101/1980</p>

List of Community regulations on tariff preferences
for certain products originating in
developing countries

Subject	N° of the Official Journal of the EC
Commission Regulation (EEC) No 1199/80 of 12 May 1980 re-establishing the levying of customs duties on tube and pipes and blanks therefor, of copper; hollow bars of copper, falling within heading No 74.07 and originating in developing countries to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2789/79 apply	L 121/1980
Commission Regulation (EEC) No 1399/80 of 3 June 1980 re-establishing the levying of customs duties on dioctyl phthalates, falling within subheading 29.15 C ex III, originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2789/79 apply	L 138/1980
Commission Regulation (EEC) No 1502/80 of 16 June 1980 re-establishing the levying of customs duties on rubber tyres, tyre cases, other (including tyre cases with sewn-in inner tubes, for racing bicycles, and tyre flaps), falling within heading No ex 40.11 and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2789/79 apply	L 149/1980
Commission Regulation (EEC) No 1507/80 of 16 June 1980 re-establishing the levying of customs duties on carpets, carpeting, rugs, mats and matting, of sisal, of other fibres, etc., products of category 142 (code 1420), originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2894/79 apply	"
Commission Regulation (EEC) No 1508/80 of 16 June 1980 re-establishing the levying of customs duties on twine, cordage, ropes and cables of abaca (Manila hemp) or of true hemp, products of category 145 (code 1450), originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2894/79 apply	"
Commission Regulation (EEC) No 1626/80 of 26 June 1980 re-establishing the levying of customs duties on inner tubes and tyre cases (new or used) of the kind used on bicycles, etc., falling within heading No ex 40.11 and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2789/79 apply	L 162/1980

**List of Community regulations on tariff preferences
for certain products originating in
developing countries**

Subject	N° of the Official Journal of the EC
Council Regulation (EEC) No 1712/80 of 27 June 1980 opening, allocating and providing for the administration of a Community tariff quota for rum, arrack and tafia falling within subheading 22.09 C I of the Common Customs Tariff and originating in the overseas countries and territories associated with the European Economic Community (1980/81)	L 167/1980
Commission Regulation (EEC) No 1761/80 of 4 July 1980 re-establishing the levying of customs duties on articles of jewellery and parts thereof, of precious metal, falling within subheading 71.12 A and originating in developing countries to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2789/79 apply	L 172/1980
Commission Regulation (EEC) No 1846/80 of 11 July 1980 re-establishing the levying of customs duties on melamine, falling within subheading 29.35 ex Q and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2789/79 apply	L 181/1980
Commission Regulation (EEC) No 1847/80 of 11 July 1980 re-establishing the levying of customs duties on wood (including blocks, strips and friezes for parquet or wood block flooring, not assembled), planed, tongued, grooved, rebated, chamfered, V-jointed, centre V-jointed, beaded, centre-beaded or the like, but not further manufactured, falling within heading No 44.13 and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2789/79 apply	"
Commission Regulation (EEC) No 1848/80 of 11 July 1980 re-establishing the levying of customs duties on umbrellas and sunshades (including walking-stick umbrellas, umbrella tents, and garden and similar umbrellas), falling within heading No 66.01 and originating in Singapore, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2789/79 apply	"
Commission Regulation (EEC) No 1932/80 of 18 July 1980 re-establishing the levying of customs duties on wooden broom and brush handles, falling within subheading 44.25 ex B and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2789/79 apply	L 186/1980
Commission Regulation (EEC) No 2074/80 of 1 August 1980 re-establishing the levying of customs duties on flax or ramie yarn, not put up for retail sale, products of category 115 (code 1150), originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2894/79 apply	L 202/1980

**List of Community regulations on tariff preferences
for certain products originating in
developing countries**

Subject	N° of the Official Journal of the EC
Commission Regulation (EEC) No 2205/80 of 19 August 1980 re-establishing the levying of customs duties on glutamic acid and its salts, falling within subheading 29.23 D III and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2788/79 apply	L 220/1980
Commission Regulation (EEC) No 2256/80 of 27 August 1980 re-establishing the levying of customs duties on benzoic acid and its salts and esters, falling within subheading 29.14 D I and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2789/79 apply	L 227/1980
Commission Regulation (EEC) No 2257/80 of 27 August 1980 re-establishing the levying of customs duties on charmois-dressed leather, falling within heading No 41.06 and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2789/79 apply	"
Commission Regulation (EEC) No 2337/80 of 8 September 1980 re-establishing the levying of customs duties on citric acid, falling within subheading 29.16 A IV a) and originating in developing countries to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2789/79 apply	L 236/1980
Commission Regulation (EEC) No 2338/80 of 8 September 1980 re-establishing the levying of customs duties on umbrellas and sunshades, etc., falling within heading No 66.01 and originating in developing countries to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2789/79 apply	"
Commission Regulation (EEC) No 2428/80 of 22 September 1980 re-establishing the levying of customs duties on electrical capacitors, fixed or variable, falling within heading No 85.18 and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2789/79 apply	L 251/1980
Commission Regulation (EEC) No 2505/80 of 30 September 1980 re-establishing the levying of customs duties on wrought plates, sheets and strip, of copper, falling within heading No 74.04 and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2789/79 apply	L 256/1980

List of Community regulations on tariff preferences
for certain products originating in
developing countries

Subject	N° of the Official Journal of the EC
<p>Commission Regulation (EEC) No 2581/80 of 8 October 1980 re-establishing the levying of customs duties on other articles of iron or steel, falling within heading No 73.40 and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2789/79 apply</p>	<p>L 265/1980</p>
<p>Commission Regulation (EEC) No 2623/80 of 13 October 1980 re-establishing the levying of customs duties on salicylic acid, falling within subheading 29.16 B I a) and originating in developing countries to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2789/79 apply</p>	<p>L 269/1980</p>
<p>Commission Regulation (EEC) No 2710/80 of 23 October 1980 re-establishing the levying of customs duties on filament lamps for lighting, falling within subheading 85.20 A and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2789/79 apply</p>	<p>L 280/1980</p>
<p>Commission Regulation (EEC) No 2787/80 of 30 October 1980 re-establishing the levying of customs duties on carboxyimide-function compounds, falling within subheading 29.26 A I and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2789/79 apply</p>	<p>L 288/1980</p>
<p>Commission Regulation (EEC) No 2788/80 of 30 October 1980 re-establishing the levying of customs duties on glazed setts, flags and paving, hearth and wall tiles, falling within heading No 69.08 and originating in developing countries to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2788/79 apply</p>	<p>"</p>
<p>Commission Regulation (EEC) No 2902/80 of 10 November 1980 re-establishing the levying of customs duties on ethylene glycol, falling within subheading 29.04 C ex I and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2789/79 apply</p>	<p>L 301/1980</p>

**List of Community regulations on tariff preferences
for certain products originating in
developing countries**

Subject	N° of the Official Journal of the EC
Commission Regulation (EEC) No 2907/80 of 11 November 1980 re-establishing the levying of customs duties on other woods, sawn, etc., falling within subheading 44.14 B, originating in developing countries to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2789/79 apply	L 302/1980
Commission Regulation (EEC) No 2908/80 of 11 November 1980 re-establishing the levying of customs duties on tableware and other articles of a kind commonly used for domestic or toilet purposes, of porcelain or china (including biscuit porcelain and parian), falling within heading No 69.11, originating in developing countries to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2789/79 apply	"
Commission Regulation (EEC) No 2909/80 of 11 November 1980 re-establishing the levying of customs duties on appliances, apparatus, accessories and requisites for gymnastics or athletics, or for sports and outdoor games, falling within subheading 97.06 B and C, originating in developing countries to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2789/79 apply	"
Commission Regulation (EEC) No 2959/80 of 14 November 1980 re-establishing the levying of customs duties on lead borosilicates, falling within subheading 32.08 ex B, originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2789/79 apply	L 306/1980
Commission Regulation (EEC) No 3001/80 of 20 November 1980 re-establishing the levying of customs duties on fibre building boards of wood or other vegetable material, falling within heading No 44.11 and originating in developing countries, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2789/79 apply	L 311/1980
Council Regulation (EEC) No 3000/80 of 28 October 1980 amending Regulation (EEC) No 950/68 on the Common Customs Tariff	L 315/1980
Commission Regulation (EEC) No 3129/80 of 3 December 1980 re-establishing the levying of customs duties on builders' carpentry and joinery, falling within heading No 44.23 and originating in developing countries to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2789/79 apply	L 328/1980

List of Community regulations on tariff preferences
for certain products originating in
developing countries

Subject	N° of the Official Journal of the EC
<p>Commission Regulation (EEC) No 3138/80 of 4 December 1980 re-establishing the levying of customs duties on raw or unmanufactured tobaccos other than Virginia type, falling within subheadings 24.01 ex A and ex B and originating in developing countries to which the preferential tariff arrangements set out in Council Regulation (EEC) No 2791/79 apply . .</p>	<p>I 329/1980</p>

Export earnings

Subdivision:

I. Stabilization of export earnings

II. Sugar

I. Stabilization of
export earnings

Table

1

Subject	Pages in the Collected Acts
Decision No 9/79 of the ACP-EEC Council of Ministers of 31 October 1979 concerning the use in advance of a portion of the 1979 instalment of the resources allocated to the stabilization system for earnings from exports set up by the Convention of Lomé	1 - 2
Council Regulation (EEC) No 1638/80 of 24 June 1980 on the system for guaranteeing the stabilization of earnings from certain commodities exported by the ACP States and the overseas countries and territories associated with the Community	3

DECISION N° 9/79
OF THE ACP-EEC COUNCIL OF MINISTERS
OF 31 OCTOBER 1979

concerning the use in advance
of a portion of the 1979 instalment of the resources
allocated to the stabilization system for earnings
from exports set up by
the Convention of Lomé

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to Article 18(2) of the Lomé Convention,

Whereas the amount of resources available for the transfers under the stabilization system for earnings from exports renders it impossible to remain within the limit of the annual instalment for the financial year 1978;

Whereas therefore the Council of Ministers should authorize the use in advance of a portion of the 1979 instalment;

HAS DECIDED AS FOLLOWS :

Article 1

The use in advance of part of the instalment for 1979 is hereby authorized for the purposes of the transfers to be set against the 1978 financial year under the system of Stabilization of export earnings.

Article 2

The Commission is authorized to take the decisions required for implementing the transfers referred to in Article 1.

Done at Lomé, 31 October 1979
For the ACP-EEC Council of Ministers
The President

(s.) M. O'KENNEDY

Certified true copy

KONATE LESORT
Secretaries
of the ACP-EEC Council of Ministers

28. 6. 80

Official Journal of the European Communities

No L 163/3

COUNCIL REGULATION (EEC) No 1638/80

of 24 June 1980

on the system for guaranteeing the stabilization of earnings from certain commodities exported by the ACP States and the overseas countries and territories associated with the Community

(see TRADE CO-OP I 78-81 Vol. 2)

II. Sugar

Table

1

Subject	Pages in the Collected Acts
Commission Regulation (EEC) No 2782/76 of 17 November 1976 laying down detailed implementing rules for the importation of preferential sugar	1 - 4
Commission Regulation (EEC) No 2783/76 of 17 November 1976 amending as regards imports of preferential sugar Regulation (EEC) No 955/70 on communications from Member States	5 - 6
Council Regulation (EEC) No 1394/77 of 27 June 1977 on the conclusion of the Agreement in the form of an exchange of letters between the European Economic Community and Barbados, the People's Republic of the Congo, Fiji, the Cooperative Republic of Guyana, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Surinam, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago and the Republic of Uganda concerning the agreed quantities of cane sugar for certain ACP States	7
Agreement in the form of an exchange of letters between the European Economic Community and Barbados, the People's Republic of the Congo, Fiji, the Cooperative Republic of Guyana, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Surinam, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago and the Republic of Uganda concerning the agreed quantities of cane sugar for certain ACP States	8 - 9
Council Regulation (EEC) No 1508/77 of 5 July 1977 on the conclusion of the Agreements in the form of exchanges of letters between the European Economic Community and Barbados, the People's Republic of the Congo, Fiji, the Cooperative Republic of Guyana, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Surinam, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago, the Republic of Uganda, and also the Republic of India, on the guaranteed prices for cane sugar for 1977/78	10
Agreements in the form of exchanges of letters between the European Economic Community and Barbados, the People's Republic of the Congo, Fiji, the Cooperative Republic of Guyana, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Surinam, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago and the Republic of Uganda, on the guaranteed prices for cane sugar for 1977/78	11 - 12
Council Regulation (EEC) No 1509/77 of 5 July 1977 fixing the guaranteed prices applicable for cane sugar originating in the overseas countries and territories (OCT) for 1977/78	13

Table

2

Subject	Pages in the Collected Acts
Council Regulation (EEC) No 1396/78 of 20 June 1978 amending Regulation (EEC) No 3330/74 on the common organization of the market in sugar	14 - 15
Council Regulation (EEC) No 1745/78 of 24 July 1978 fixing the guaranteed prices applicable for cane sugar originating in the overseas countries and territories (OCT) for 1978/79	16
Council Regulation (EEC) No 1746/78 of 24 July 1978 on the conclusion of the Agreements in the form of exchanges of letters between the European Economic Community and Barbados, the People's Republic of the Congo, Fiji, the Cooperative Republic of Guyana, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Surinam, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago, the Republic of Uganda, and also the Republic of India, on the guaranteed prices for cane sugar for 1978/79	17
Agreement in the form of an exchange of letters between the European Economic Community and Barbados, the People's Republic of the Congo, Fiji, the Cooperative Republic of Guyana, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Surinam, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago and the Republic of Uganda, on the guaranteed prices for cane sugar for 1978/79	18
Council Regulation (EEC) No 2298/79 of 15 October 1979 on the conclusion of the Agreements in the form of exchanges of letters between the European Economic Community and Barbados, the People's Republic of the Congo, Fiji, the Cooperative Republic of Guyana, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Surinam, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago, the Republic of Uganda, and also the Republic of India, on the guaranteed prices for cane sugar for 1979/80	19
Agreement in the form of an exchange of letters between the European Economic Community and Barbados, the People's Republic of the Congo, Fiji, the Cooperative Republic of Guyana, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Surinam, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago and the Republic of Uganda on the guaranteed prices for cane sugar for 1979/80	20

COMMISSION REGULATION (EEC) No 2782/76

of 17 November 1976

laying down detailed implementing rules for the importation of preferential sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3330/74 of 19 December 1974 on the common organization of the market in sugar⁽¹⁾, as last amended by Regulation (EEC) No 1487/76, and in particular Articles 12 (2), 34 and 47 (2) thereof,

Whereas Article 7 of Protocol 3 on ACP sugar annexed to the ACP-EEC Convention of Lomé⁽²⁾, hereinafter referred to as the 'Protocol', and Article 7 of the Agreement on cane sugar between the European Economic Community and the Republic of India⁽³⁾, hereinafter referred to as the 'Agreement', lay down provisions to be applied when, in respect of preferential sugar, the delivery undertaking of a State concerned, hereinafter referred to as the 'exporting State', is not fulfilled in any delivery period; whereas Article 6 of Annex IV to Council Decision 76/568/EEC of 29 June 1976, hereinafter referred to as the 'Annex to the Decision', concerning the importation of cane sugar originating in the overseas countries and territories (OCT)⁽⁴⁾, hereinafter referred to as the 'exporting countries and territories', lays down similar provisions in respect of preferential sugar deliveries from the OCT; whereas for the purpose of applying the aforesaid provisions it is necessary to prescribe the methods for establishing the date of delivery of a consignment of preferential sugar;

Whereas unforeseen delays outside the control of the exporting States, countries and territories can occur between the shipment of a consignment of preferential sugar and its delivery; whereas, therefore, it is desirable to allow a certain tolerance to take account of such delays; whereas, in addition, it is appropriate, following normal commercial practice, to provide a certain tolerance with respect to total quantities delivered in any delivery period;

Whereas in respect of sugar imported into the Community under the provisions of the Agreement the rules of origin are those laid down in Council Regulation (EEC) No 802/68 of 27 June 1968 on the common definition of the concept of the origin of goods⁽⁵⁾, as amended by Regulation (EEC) No 1318/71⁽⁶⁾; whereas, therefore, in order to permit

statistical and other checks to be kept on such imports, certain additional vouchers are required;

Whereas Article 1 of respectively the Protocol, the Agreement and the Annex to the Decision obliges the Community to import the preferential sugar which the exporting States, countries and territories deliver to it; whereas, therefore, it is appropriate to reduce to a minimum the period between the date of delivery and the date of importation of this sugar;

Whereas it is necessary to derogate from certain provisions of Commission Regulation (EEC) No 2048/75 of 25 July 1975 on special detailed rules for the application of the system of import and export licences for sugar⁽⁷⁾, as last amended by Regulation (EEC) No 719/76⁽⁸⁾;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

1. For the purposes of this Article 'consignment' means a quantity of preferential sugar, raw or white, which is on a specific vessel and which is actually unloaded in a single specified European port of the Community.

2. The date on which a consignment is recorded as having been delivered shall be:

either

— the date on which the consignment is conveyed, within the meaning of Article 2 (2) of Council Directive 68/312/EEC of 30 July 1968⁽⁹⁾, to a customs office in the European territory of the Community,

or

— the date on which the summary declaration referred to in Article 3 (1) of the said Directive is stamped by the customs authorities.

However, if the consignment concerned was ready to be discharged in the port in question before the date recorded in accordance with the provisions of the preceding subparagraph, then the date indicated in the document referred to in the second subparagraph of paragraph 3 shall be recorded as the date of delivery.

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ GEN O 2

⁽³⁾ OJ No L 190, 23. 7. 1975, p. 35.

⁽⁴⁾ OJ No L 176, 1. 7. 1976, p. 8.

⁽⁵⁾ OJ No L 148, 28. 6. 1968, p. 1.

⁽⁶⁾ OJ No L 139, 25. 6. 1971, p. 6.

⁽⁷⁾ OJ No L 213, 11. 8. 1975, p. 31.

⁽⁸⁾ OJ No L 84, 31. 3. 1976, p. 27.

⁽⁹⁾ OJ No L 194, 6. 8. 1968, p. 13.

3. Proof of the date referred to in the first subparagraph of paragraph 2 shall be established by production of the copy referred to in Article 6 (2) or Article 7 (3), as appropriate, relating to the consignment in question.

The document referred to in the second subparagraph of paragraph 2 shall be produced by the importer and shall consist of a written declaration by the master of the vessel concerned, certified by the competent port authority, indicating that the consignment concerned is ready to be discharged in the port in question. This declaration shall indicate the date on which the consignment was ready to be discharged.

Article 2

For the purposes of this Regulation 'relevant agreed quantity' means the agreed quantity, subject to any adjustments pursuant to Article 7 (3) or (4) of the Protocol or of Article 7 (2) of the Agreement or to Article 6 (3) or (4) of the Annex to the Decision, applicable to a given delivery period.

Article 3

1. Where a quantity of preferential sugar representing the whole or part of a relevant agreed quantity is delivered after the end of the delivery period concerned the Commission shall attribute it to that period provided that the loading of the quantity in question in the port of exportation was completed in time, having regard to the normal shipping time between that port and the port of importation.

However, the preceding subparagraph shall not apply to any quantity not delivered during the delivery period concerned which has been the subject of a Decision by the Commission under Article 7 (1) or (2) of the Protocol or of the Agreement or under Article 6 (1) or (2) of the Annex to the Decision.

2. For the purposes of paragraph 1 'normal shipping time' means the number of days obtained by dividing by 480 the distance in nautical miles between the two ports concerned by the normal shipping route.

Article 4

1. Subject as provided in paragraph 2, where in respect of any exporting State, country or territory the total quantity of preferential sugar attributed by the Commission to a given delivery period is less than the relevant agreed quantity, the relevant provisions of Article 7 of the Protocol or of the Agreement or of Article 6 of the Annex to the Decision shall apply.

2. Paragraph 1 shall not apply where the difference between the relevant agreed quantity and the total quantity of preferential sugar attributed by the

Commission does not exceed 5% of the relevant agreed quantity of 5 000 metric tons white value, whichever is the smaller. In that case the said difference shall be deducted by the Commission from the total quantity of preferential sugar attributed to the following delivery period.

Article 5

Where in respect of any exporting State, country or territory the total quantity of preferential sugar covered by certificates as referred to in Article 6 (1), or, as the case may be, by vouchers as referred to in Article 7 (2), to be attributed to a given delivery period exceeds the relevant agreed quantity taken together with any shortfall share allocated under Article 7 (2) of the Protocol or under Article 6 (2) of the Annex to the Decision, the Commission shall attribute the excess quantity to the following delivery period.

Article 6

1. The movement certificate EUR.1, a specimen of which is given in Annex V to Protocol 1 to the Convention and in Annex 5 to Annex II to Council Decision 76/568/EEC of 29 June 1976, shall contain:

- in section 7, one of the following endorsements:
 - 'Regulation (EEC) No 2782/76 refers',
 - 'Application du règlement (CEE) n° 2782/76',
 - 'Anwendung von Verordnung (EWG) Nr. 2782/76',
 - 'Applicazione del regolamento (CEE) n. 2782/76',
 - 'Toepassing van Verordening (EEG) nr. 2782/76',
 - 'Anvendelse af forordning (EØF) nr. 2782/76'.

The certificate shall also indicate in section 7 the date of shipment of the goods and the relevant delivery period as defined for the purposes of the undertakings given in respect of preferential sugar. The stated delivery period shall not, however, affect the validity of the certificate at the time of importation;

- in section 8, the subheading in the Common Customs Tariff for the goods in question.

2. Copies, supplied by the persons concerned, of the EUR.1 certificates and, where appropriate, of the declarations referred to in the second subparagraph of Article 1 (3), shall be forwarded by Member States to the Commission in accordance with the relevant provisions of Regulation (EEC) No 955/70⁽¹⁾, as last amended by Regulation (EEC) No 2783/76.

The competent authorities of the Member States shall insert in section 8 of the copies of EUR.1 certificates:

- the date, as ascertained from the relevant shipping document, on which the loading of the sugar was completed in the port of exportation;

⁽¹⁾ OJ No L 114, 27. 5. 1970, p. 16.

- one of the dates referred to in the first subparagraph of Article 1 (2);
- particulars of the importation concerned and the *tel quel* quantities actually imported.

Article 7

1. For the purposes of this Regulation preferential sugar originating in India is sugar for which evidence of such origin has been given by the production of a certificate of origin fulfilling the conditions laid down in Article 9 of Regulation (EEC) No 802/68.

2. The importer of preferential sugar originating in India shall, in addition, submit to the customs authorities of the Community a voucher duly endorsed by the competent authority of India.

This voucher shall:

- bear one of the following endorsements:
 - 'Regulation (EEC) No 2782/76 refers',
 - 'Application du règlement (CEE) n° 2782/76',
 - 'Anwendung von Verordnung (EWG) Nr. 2782/76',
 - 'Applicazione del regolamento (CEE) n. 2782/76',
 - 'Toepassing van Verordening (EEG) nr 2782/76',
 - 'Anvendelse af forordning (EØF) nr. 2782/76',
- indicate the date of shipment of the goods and the relevant delivery period as defined for the purposes of the undertakings given in respect of preferential sugar. The stated delivery period shall not, however, affect the validity, at the time of importation, of the certificate of origin referred to in paragraph 1;
- indicate the subheading in the Common Customs Tariff of the goods in question.

3. Copies, supplied by the persons concerned, of the vouchers referred to in paragraph 2, and where appropriate of the declarations referred to in the second subparagraph of Article 1 (3), shall be forwarded by Member States to the Commission in accordance with the relevant provisions of Regulation (EEC) No 955/70.

The competent authorities of the Member States shall insert on copies of vouchers:

- the date, as ascertained from the relevant shipping document, on which the loading of the sugar was completed in the port of exportation;
- one of the dates referred to in the first subparagraph of Article 1 (2);
- particulars of the importation concerned and the *tel quel* quantities actually imported.

Article 8

By way of derogation from Article 10 (1) of Regulation (EEC) No 2048/75, an import licence issued in

respect of preferential sugar shall be valid for three months from its day of issue within the meaning of Article 9 (1) of Regulation (EEC) No 193/75⁽¹⁾, as last amended by Regulation (EEC) No 2219/76⁽²⁾.

Article 9

In respect of each consignment of preferential sugar unloaded in a European port of the Community the importer shall lodge the declaration of release for free circulation not later than the time at which unloading of the consignment concerned is completed.

Article 10

Where a differential charge has been made on raw preferential sugar which is subsequently refined in a refinery, an amount equal to that of the charge shall be paid to the refiner concerned by the Member State in which the raw sugar is refined, in the currency of that Member State, on production of proof:

- (a) that the sugar in question has been refined in a refinery, and
- (b) that the differential charge was made at the time of the importation of the sugar.

Article 11

Preferential raw sugar falling within subheading 17.01 B II of the Common Customs Tariff and in respect of which the differential charge is not applicable shall be subject to customs or an equivalent administrative control until it is established that such sugar cannot be used for refining.

Article 12

1. The security referred to in the second indent of Article 46 (2) (a) of Regulation (EEC) No 3330/74 may, at the option of the person concerned, be lodged in the form either of a cash deposit or of a guarantee provided by an institution approved by the Member State in which the customs formalities of importation are completed.

2. Except in case of *force majeure* the security shall be forfeit and treated as a differential charge as regards any quantity of preferential raw sugar in respect of which the person concerned has not within 12 months from the date of importation furnished proof that the sugar in question has been refined in a refinery.

3. Where the security is to be released this shall be done forthwith.

Article 13

Regulation (EEC) No 2850/75 is hereby repealed.

(1) OJ No L 25, 31. 1. 1975, p. 10.

(2) OJ No L 250, 14. 9. 1976, p. 5.

Article 14

In Article 11 of Regulation (EEC) No 2048/75 all references to Regulation (EEC) No 2850/75 shall be treated as references to this Regulation.

Article 15

Movement certificates and vouchers produced to the competent authorities up to 31 January 1977 which conform to the provisions of Regulation (EEC) No 2850/75 shall remain valid.

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

Done at Brussels, 17 November 1976.

For the Commission

P. J. LARDINOIS

Member of the Commission

COMMISSION REGULATION (EEC) No 2783/76
of 17 November 1976

**amending as regards imports of preferential sugar Regulation (EEC) No 955/70
on communications from Member States**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
3330/74 of 19 December 1974 on the common organi-
zation of the market in sugar ⁽¹⁾, as last amended by
Regulation (EEC) No 1487/76 ², and in particular
Article 34 thereof,

Whereas, having regard to the publication, in Regula-
tion (EEC) No 2782/76 laying down detailed rules for
the importation of preferential sugar ³, of a new
version of the detailed rules applying to the importa-
tion of preferential sugar, and in the interests of
clarity and efficiency, it is appropriate that the provi-
sions concerning communications relating to the
importation of this sugar should be grouped together
in Commission Regulation (EEC) No 955/70 of 26
May 1970 on communications from Member States
concerning intervention and trade in the sugar
sector ⁴, as last amended by Regulation (EEC) No
720/76 ⁵; whereas, therefore, that Regulation should
be amended accordingly;

Whereas the measures provided for in this Regulation
are in accordance with the opinion of the Manage-
ment Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

Article 5 (1) of Regulation (EEC) No 955/70 is
amended to read as follows:

- '1. each week, in respect of the preceding week:
- (a) of the quantities of white sugar, raw sugar and
molasses for which an import or export licence
has been issued,
 - (b) of the quantities of white sugar and raw sugar
for which an export licence and an import
licence have been issued under Article 14a of
Regulation (EEC) No 2048/75.'

Article 2

An Article 7a as follows is inserted in Regulation
(EEC) No 955/70:

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 114, 27. 5. 1970, p. 16.

⁽³⁾ OJ No L 84, 31. 3. 1976, p. 31.

Article 7a

With regard to imports of preferential sugar each
Member State shall:

1. notify the Commission not later than the 21st
of each month, in respect of the preceding
calendar month, of the quantities of preferen-
tial sugar, broken down by State, country or
territory of origin, for which an import licence
has been issued with a view to importation in
accordance with Regulation (EEC) No
2782/76;
2. forward to the Commission not later than the
21st of each month, in respect of the preceding
calendar month:
 - (a) copies of the movement certificates EUR.1,
 - (b) copies of the voucher provided for in
Article 7 (2) of Regulation (EEC) No
2782/76,
 - (c) where appropriate, copies of the declaration
referred to in the second subparagraph of
Article 1 (3) of Regulation (EEC) No
2782/76;
3. notify the Commission not later than the end
of August of each year of:
 - (a) the total quantity of white sugar in metric
tons, and
 - (b) the total quantity of raw sugar in metric
tons *tel quel* actually imported into the
Member State in question in the delivery
period ended 30 June of the year in ques-
tion.

In addition, for the quantity referred to in (b), it
shall notify the weighted average polarization to
six decimal places.

Separate particulars shall be furnished in respect of
each State, country or territory of origin.

Any nil return in respect of the quantities referred
to in (a) and (b) shall also be furnished.'

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

Done at Brussels, 17 November 1976.

For the Commission
P. J. LARDINOIS
Member of the Commission

29. 6. 77

Official Journal of the European Communities

No L 158/17

COUNCIL REGULATION (EEC) No 1394/77

of 27 June 1977

on the conclusion of the Agreement in the form of an exchange of letters between the European Economic Community and Barbados, the People's Republic of the Congo, Fiji, the Cooperative Republic of Guyana, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Surinam, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago and the Republic of Uganda concerning the agreed quantities of cane sugar for certain ACP States

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the recommendation from the Commission,

Whereas, having regard to the initial difficulties inherent in implementing Protocol 3 on ACP sugar annexed to the ACP-EEC Convention of Lomé⁽¹⁾ and Annex IV to the Council Decision of 29 June 1976 on the association of the overseas countries and territories with the European Economic Community⁽²⁾, it is appropriate that an Agreement be approved in the form of an exchange of letters between the European Economic Community and the States referred to in the said Protocol and the Republic of Surinam, in order to restore the agreed quantities originally provided for in the said Protocol in respect of the People's Republic of the Congo, the Republic of Kenya and the Republic of Uganda and in respect of the Republic of Surinam in the context of the said Decision,

HAS ADOPTED THIS REGULATION:

Article 1

The agreement in the form of an exchange of letters between the European Economic Community and

Barbados, the People's Republic of the Congo, Fiji, the Cooperative Republic of Guyana, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Surinam, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago and the Republic of Uganda concerning the agreed quantities of cane sugar for certain ACP States, is hereby approved on behalf of the Community.

The text of the Agreement is annexed to this Regulation.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement referred to in Article 1 so that it shall be binding on the Community.

Article 3

This Regulation shall enter into force on the 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 Luxembourg, 27 June 1977.

For the Council

The President

J. SILKIN

⁽¹⁾ GEN O 112

⁽²⁾ OJ No L 176, 1. 7. 1976, p. 8.

AGREEMENT

in the form of an exchange of letters between the European Economic Community and Barbados, the People's Republic of the Congo, Fiji, the Cooperative Republic of Guyana, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Surinam, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago and the Republic of Uganda, concerning the agreed quantities of cane sugar for certain ACP States

Letter No 1

Brussels,

Sirs,

I have the honour to inform you as follows :

Further to the statement by the Council of the European Communities, made at the meeting of the ACP-EEC Council of Ministers in Fiji on 14 April 1977, on the non-delivery by the People's Republic of the Congo, the Republic of Kenya, the Republic of Uganda and the Republic of Surinam of certain agreed quantities of cane sugar during the period 1975/76, the agreed quantities of cane sugar for these States to which Protocol 3 on ACP sugar annexed to the ACP-EEC Convention of Lomé applies shall, with effect from the 1976/77 delivery period, be as follows, expressed in tonnes of white sugar :

People's Republic of the Congo :	10 000,
Kenya :	5 000,
Uganda :	5 000,
Surinam :	4 000.

The abovementioned quantities to be supplied in respect of the delivery period 1976/77 shall be delivered to the Community not later than 31 December 1977.

I should be obliged if you would acknowledge receipt of this letter and confirm that this letter and your reply constitute an Agreement between your Governments and the Community.

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

*For the Council
of the European Communities*

Letter No 2

Sir,

We have the honour to acknowledge receipt of your letter of today's date, reading as follows :

I have the honour to inform you as follows :

Further to the statement by the Council of the European Communities, made at the meeting of the ACP-EEC Council of Ministers in Fiji on 14 April 1977, on the non-delivery by the People's Republic of the Congo, the Republic of Kenya, the Republic of Uganda and the Republic of Surinam of certain agreed quantities of cane sugar during the period 1975/76, the agreed quantities of cane sugar for these States to which Protocol 3 on ACP sugar annexed to the ACP-EEC Convention of Lomé applies shall, with effect from the 1976/77 delivery period, be as follows, expressed in tonnes of white sugar :

People's Republic of the Congo :	10 000,
Kenya :	5 000,
Uganda :	5 000,
Surinam :	4 000.

The abovementioned quantities to be supplied in respect of the delivery period 1976/77 shall be delivered to the Community not later than 31 December 1977.

I should be obliged if you would acknowledge receipt of this letter and confirm that this letter and your reply constitute an Agreement between your Governments and the European Economic Community.'

We have the honour to confirm the agreement of our Governments with the foregoing.

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

For the Governments of

COUNCIL REGULATION (EEC) No 1508/77
of 5 July 1977

on the conclusion of the Agreements in the form of exchanges of letters between the European Economic Community and Barbados, the People's Republic of the Congo, Fiji, the Cooperative Republic of Guyana, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Surinam, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago, the Republic of Uganda, and also the Republic of India, on the guaranteed prices for cane sugar for 1977/78

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the recommendation from the Commission,

Whereas Protocol 3 on ACP sugar annexed to the ACP-EEC Convention of Lomé⁽¹⁾, and the Agreement between the European Economic Community and the Republic of India on cane sugar⁽²⁾, are implemented in the context of the management of the common organization of the sugar market;

Whereas it is appropriate to approve the Agreements in the form of exchanges of letters between the European Economic Community and the States referred to in Protocol 3 on ACP sugar and the Republic of Surinam, and also the Republic of India, on the guaranteed prices for cane sugar for 1977/78,

HAS ADOPTED THIS REGULATION:

Article 1

The Agreements in the form of exchanges of letters between the European Economic Community and

Barbados, the People's Republic of the Congo, Fiji, the Cooperative Republic of Guyana, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Surinam, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago and the Republic of Uganda, on the guaranteed prices for cane sugar for 1977/78, and the Agreement in the form of an exchange of letters between the the European Economic Community and the Republic of India on the guaranteed prices for cane sugar 1977/78, are hereby approved on behalf of the Community.

The texts of these Agreements are annexed to this Regulation.

Article 2

The President of the Council is authorized to designate the person empowered to sign the Agreements referred to in Article 1 so as to bind the Community.

Article 3

This Regulation shall enter into force on the 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, 5 July 1977.

For the Council

The President

H. SIMONET

⁽¹⁾ GEN O 2

⁽²⁾ OJ No L 190, 23. 7. 1975, p. 36.

AGREEMENTS

in the form of exchanges of letters between the European Economic Community and Barbados, the People's Republic of the Congo, Fiji, the Cooperative Republic of Guyana, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Surinam, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago and the Republic of Uganda, on the guaranteed prices for cane sugar for 1977/78

Letter No 1

Brussels,

Sir,

1. In the negotiations referred to in Article 5 (4) of Protocol 3 annexed to the ACP-EEC Convention of Lomé the representatives of the ACP States referred to in that Protocol and the Commission, on behalf of the European Economic Community, acknowledged the joint obligations and responsibilities deriving from the Convention and reaffirmed their determination fully to implement the provisions of the Protocol.

Following the conclusions of the said negotiations the parties have agreed as follows :

For the period 1 May 1977 to 30 June 1978 the guaranteed prices referred to in Article 5 (4) of the Protocol shall be :

- (a) for raw sugar, 27.25 units of account per 100 kilograms ;
- (b) for white sugar, 33.83 units of account per 100 kilograms.

These prices shall refer to sugar of standard quality as defined in Community rules, unpacked, and cif European ports of the Community.

2. Having regard to the change in the definition of the Community's intervention prices and other relevant factors, the Community expects that the guaranteed price for ACP raw sugar and the adoption of the special self-balancing storage levy system for preferential sugar will enable the ACP States to secure on the Community market during the 1977/78 delivery period a price of not less than 28.20 units of account per 100 kilograms.
3. In respect of ACP white sugar the Community expects that the guaranteed price will result in a market price of 35.60 units of account per 100 kilograms.

I take the opportunity to inform you that the Community has just adopted amending legislation in order that a special self-balancing storage levy system shall apply to imported preferential sugar with effect from 1 July 1977.

I should be obliged if you would acknowledge receipt of this letter and confirm that this letter and your reply constitute an Agreement between your Government and the Community.

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

*For the Council
of the European Communities*

Letter No 2

Brussels,

Sir,

I have the honour to acknowledge receipt of your letter of today which reads as follows :

1. In the negotiations referred to in Article 5 (4) of Protocol 3 annexed to the ACP-EEC Convention of Lomé the representatives of the ACP States referred to in that Protocol and the Commission, on behalf of the European Economic Community, acknowledged the joint obligations and responsibilities deriving from the Convention and reaffirmed their determination fully to implement the provisions of the Protocol.

Following the conclusions of the said negotiations the parties have agreed as follows :

For the period 1 May 1977 to 30 June 1978 the guaranteed prices referred to in Article 5 (4) of the Protocol shall be :

- (a) for raw sugar, 27.25 units of account per 100 kilograms ;
- (b) for white sugar, 33.83 units of account per 100 kilograms.

These prices shall refer to sugar of standard quality as defined in Community rules, unpacked, and cif European ports of the Community.

2. Having regard to the change in the definition of the Community's intervention prices and other relevant factors, the Community expects that the guaranteed price for ACP raw sugar and the adoption of the special self-balancing storage levy system for preferential sugar will enable the ACP States to secure on the Community market during the 1977/78 delivery period a price of not less than 28.20 units of account per 100 kilograms.
3. In respect of ACP white sugar the Community expects that the guaranteed price will result in a market price of 35.60 units of account per 100 kilograms.

I take the opportunity to inform you that the Community has just adopted amending legislation in order that a special self-balancing storage levy system shall apply to imported preferential sugar with effect from 1 July 1977.

I should be obliged if you would acknowledge receipt of this letter and confirm that this letter and your reply constitute an Agreement between your Government and the Community.

I have the honour to confirm the agreement of my Government with the foregoing. Please accept, Sir, the assurance of my highest consideration.

For the Government of⁽¹⁾

⁽¹⁾ This exchange of letters shall take place *mutatis mutandis* between the Community and the following ACP States : Barbados, the People's Republic of the Congo, Fiji, the Cooperative Republic of Guyana, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Surinam, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago, and the Republic of Uganda.

COUNCIL REGULATION (EEC) No 1509/77
of 5 July 1977

fixing the guaranteed prices applicable for cane sugar originating in the overseas countries and territories (OCT) for 1977/78

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 136 thereof,

Having regard to the recommendation from the Commission,

Whereas, in accordance with the terms of Annex XXI to the Final Act of the ACP-EEC Convention of Lomé⁽¹⁾, the Community guarantees, for cane sugar originating in the overseas countries and territories mentioned in the said Annex, the same treatment as provided for in Protocol 3 on ACP sugar annexed to the said Convention;

Whereas Council Decision 76/568/EEC of 29 June 1976 on the association of the overseas countries and territories with the European Economic Community⁽²⁾ embodies the application of this principle; whereas in accordance with Article 4 (4) of Annex IV to that Decision the guaranteed prices are fixed annually;

Whereas the guaranteed prices valid for 1977/78 for cane sugar originating in the ACP States have been fixed by Agreements in the form of exchanges of letters with the relevant ACP States; whereas it is now

necessary for the Council to fix the same guaranteed prices for cane sugar originating in the overseas countries and territories concerned,

HAS ADOPTED THIS REGULATION :

Article 1

For the period 1 May 1977 to 30 June 1978 the guaranteed prices referred to in Article 4 (4) of Annex IV to Decision 76/568/EEC shall be as follows :

- (a) for raw sugar, 27.25 units of account per 100 kilograms ;
- (b) for white sugar, 33.83 units of account per 100 kilograms.

These prices shall refer to sugar of standard quality as defined in Community rules, unpacked, and cif European ports of the Community.

Article 2

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

It shall apply with effect from 1 May 1977.

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

Done at Brussels, 5 July 1977.

For the Council

The President

H. SIMONET

⁽¹⁾ GEN O 2

⁽²⁾ OJ No L 176, 1. 7. 1976, p. 8.

27. 6. 78

Official Journal of the European Communities

No L 170/1

COUNCIL REGULATION (EEC) No 1396/78

of 20 June 1978

amending Regulation (EEC) No 3330/74 on the common organization of the market in sugar

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 proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas Article 8 of Council Regulation (EEC) No 3330/74 of 19 December 1974 on the common organization of the market in sugar ⁽¹⁾, as last amended by Regulation (EEC) No 705/78 ⁽²⁾, which establishes the system of reimbursement of storage costs, does not apply to syrups produced after the crystallizing stage manufactured from beet or cane harvested in the Community or to syrups produced from preferential sugar; whereas market trends in these syrups show a significant increase in demand which requires constantly increasing production and storage; whereas for this reason the system of reimbursement of storage costs should be extended to cover these syrups;

Whereas Article 38 (2a) of Regulation (EEC) No 3330/74 authorizes Italy to grant during the 1977/78 sugar year adaptation aid of 9.9 units of account which is higher than the aid provided for in paragraph 1 of that Article; whereas, since the grounds for this measure still exist, a similar measure should be adopted for the 1978/79 sugar year but should be adapted to the current situation in the beet and sugar sector in Italy,

HAS ADOPTED THIS REGULATION:

Article 1

Article 8 of Regulation (EEC) No 3330/74 shall be replaced by the following:

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 94, 8. 4. 1978, p. 1.

Article 8

1. Subject to Article 31 (2), the storage costs in respect of:

- white sugar,
- raw sugar,
- syrups obtained prior to the crystallizing stage, and
- syrups obtained by dissolving crystallized sugar,

manufactured from beet or cane harvested in the Community shall be reimbursed at a flat rate by the Member States.

The storage costs shall also be reimbursed at a flat rate by the Member States in the case of preferential sugar:

- imported in the form of raw sugar,
 - imported in the form of white sugar,
- and in the case of
- white sugar produced by the refining of preferential raw sugar in the Community,
 - syrups obtained after the dissolving of preferential sugar in the Community,
 - syrups obtained directly from preferential raw sugar in the Community.

The Member States shall, according to the circumstances, impose a levy:

(a) on each sugar manufacturer, as appropriate:

- by unit of weight of sugar produced,
- by unit of weight of syrups referred to in the first subparagraph, produced prior to the crystallizing stage and marketed in their natural state;

- (b) on each importer of preferential sugar, by unit of weight of sugar imported and marketed in its natural state ;
- (c) on each refiner of preferential sugar, by unit of weight of refined sugar, the manufacture of syrups obtained directly from preferential raw sugar being regarded, for the purposes of imposing the levy, as refining.

The amount of the reimbursement shall be the same for the entire Community. This rule shall also apply in respect of the levy applicable in each of the cases referred to in (a) on the one hand and (b) and (c) on the other hand.

2. Paragraph 1 shall not apply to flavoured or coloured sugar falling within heading No 17.01 nor to flavoured or coloured syrups falling within subheading 21.07 F IV of the Common Customs Tariff.

3. The Council, acting by a qualified majority on a proposal from the Commission, shall :

- (a) adopt the general rules for the implementation of this Article ;
- (b) fix the reimbursement amount simultaneously with the derived intervention prices.

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

Done at Luxembourg, 20 June 1978.

The amount of the levy shall be fixed annually in accordance with the procedure laid down in Article 36. The other detailed rules for implementation of the present Article shall be laid down in accordance with the same procedure.'

Article 2

Article 38 (2a) of Regulation (EEC) No 3330/74 shall be replaced by the following :

'2a. By way of derogation from paragraphs 1 and 2, during the 1978/79 sugar year the amount referred to in the first subparagraph of paragraph 1 shall be 11 units of account, a portion of which may be granted to the processing industry. Such a grant shall be made only with respect to the quantity of sugar beet used to produce 1 400 000 tonnes of white sugar.'

Article 3

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

It shall apply from 1 July 1978.

For the Council

The President

P. DALSAGER

COUNCIL REGULATION (EEC) No 1745/78
of 24 July 1978

fixing the guaranteed prices applicable for cane sugar originating in the overseas countries and territories (OCT) for 1978/79

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 136 thereof,

Having regard to the recommendation from the Commission,

Whereas, in accordance with the terms of Annex XXI to the Final Act of the ACP-EEC Convention of Lomé⁽¹⁾, the Community guarantees, for cane sugar originating in the overseas countries and territories mentioned in the said Annex, the same treatment as provided for in Protocol 3 on ACP sugar annexed to the said Convention;

Whereas Council Decision 76/568/EEC of 29 June 1976 on the association of the overseas countries and territories with the European Economic Community⁽²⁾, embodies the application of this principle; whereas in accordance with Article 4 (4) of Annex IV to that Decision the guaranteed prices are fixed annually;

Whereas the guaranteed prices valid for 1978/79 for cane sugar originating in the ACP States have been fixed by Agreements in the form of exchanges of letters with the relevant ACP States; whereas it is now

necessary for the Council to fix the same guaranteed prices for cane sugar originating in the overseas countries and territories concerned,

HAS ADOPTED THIS REGULATION:

Article 1

For the period from 1 July 1978 to 30 June 1979, the guaranteed prices referred to in Article 4 (4) of Annex IV to Decision 76/568/EEC shall be as follows:

- (a) for raw sugar, 27.81 units of account per 100 kilograms;
- (b) for white sugar, 34.49 units of account per 100 kilograms.

These prices shall refer to sugar of standard quality as defined in Community rules, unpacked, and cif European ports of the Community.

Article 2

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

It shall apply with effect from 1 July 1978.

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

Done at Brussels, 24 July 1978.

For the Council

The President

J. ERTL

⁽¹⁾ GEN O 2

⁽²⁾ OJ No L 176, 1. 7. 1976, p. 8.

COUNCIL REGULATION (EEC) No 1746/78**of 24 July 1978**

on the conclusion of the Agreements in the form of exchanges of letters between the European Economic Community and Barbados, the People's Republic of the Congo, Fiji, the Cooperative Republic of Guyana, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Surinam, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago, the Republic of Uganda, and also the Republic of India, on the guaranteed prices for cane sugar for 1978/79

(See GEN I 4)

AGREEMENT

in the form of an exchange of letters between the European Economic Community and Barbados, the People's Republic of the Congo, Fiji, the Cooperative Republic of Guyana, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Surinam, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago and the Republic of Uganda, on the guaranteed prices for cane sugar for 1978/79

(See GEN 0 82 - 83)

**COUNCIL REGULATION (EEC) No 2298/79
of 15 October 1979**

on the conclusion of the Agreements in the form of exchanges of letters between the European Economic Community and Barbados, the People's Republic of the Congo, Fiji, the Cooperative Republic of Guyana, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Surinam, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago, the Republic of Uganda, and also the Republic of India, on the guaranteed prices for cane sugar for 1979/80

(see GEN I 7 Vol. 7)

AGREEMENT

in the form of an exchange of letters between the European Economic Community and Barbados, the People's Republic of the Congo, Fiji, the Cooperative Republic of Guyana, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Surinam, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago and the Republic of Uganda, on the guaranteed prices for cane sugar for 1979/80

(see GEN 0 147 - 148 Vol. 2)

Industrial
Cooperation

Table

1

Subject	Pages in the Collected Acts
Decision No 1/76 of the ACP-EEC Council of Ministers of 14 July 1976 on the composition of the Committee on Industrial Co-operation and its rules of operation	1 - 5
Decision No 2/76 of the ACP-EEC Council of Ministers of 14 July 1976 laying down the statutes and rules of operation of the Centre for Industrial Development	6 - 14
Decision No 3/77/CIC of the Committee on Industrial Co-operation of 15 February 1977 adopting the Financial Regulation of the ACP-EEC Centre for Industrial Development	14A - 14M
Decision No 4/77/CIC of the Committee on Industrial Co-operation of 28 July 1977 giving final approval to the budget of the Centre for Industrial Development for the financial year 1977	14N - 14T
Decision No 5/77 of the ACP-EEC Council of Ministers of 14 April 1977 amending Decision No 1/76 of the ACP-EEC Council of Ministers of 14 July 1976 on the composition of the Committee on Industrial Co-operation and its rules of operation	15 - 17
Decision No 6/77 of the ACP-EEC Council of Ministers of 14 April 1977 on the arrangements applicable to the staff of the Centre for Industrial Development as regards taxation, social security and jurisdiction	18 - 26
Decision No 7/77 of the ACP-EEC Council of Ministers of 14 April 1977 amending Decision No 2/76 of the ACP-EEC Council of Ministers of 14 July 1976 laying down the statutes and rules of operation of the Centre for Industrial Development	27 - 29
Decision No 1/78/CIC of the ACP-EEC Committee on Industrial Co-operation of 14 February 1978 giving final approval to the budget of the Centre for Industrial Development for the financial year 1978	30 - 37
Decision No 2/78/CIC on the ACP-EEC Committee on Industrial Co-operation of 19 June 1978 on the appointment of the members of the Advisory Council of the Centre for Industrial Development	38 - 40
Decision No 3/78/CIC on the ACP-EEC Committee on Industrial Co-operation of 19 June 1978 on the appointment for an auditor for the Centre for Industrial Development	41 - 42

Table

2

Subject	Pages in the Collected Acts
Decision No 4/78/CIC of the Committee on Industrial Co-operation of 11 October 1978 replacing a member of the Advisory Council of the Centre for Industrial Development	43 - 44
Decision No 5/78/CIC of the Committee on Industrial Co-operation of 27 October 1978 on the adjustment of the remuneration laid down in Article 3 of the Decision No 2/77/CIC laying down the conditions of employment of the staff of the Centre for Industrial Development	45 - 46
Decision No 1/79/CIC of the ACP-EEC Committee on Industrial Co-operation of 13 February 1979 giving final approval to the budget of the Centre for Industrial Development for the financial year 1979	47 - 56
Decision No 2/79/CIC of the Committee on Industrial Co-operation of 5 March 1979 on the adjustment of the remuneration laid down in Article 3 of Decision No 2/77/CIC laying down the conditions of employment of the staff of the Centre for Industrial Development	57 - 58
Decision No 3/79/CIC of the Committee on Industrial Co-operation of 13 November 1979 on the adjustment of the remuneration laid down in Article 3 of Decision No 2/77/CIC laying down the conditions of employment of the staff of the Centre for Industrial Development	59 - 61
Decision No 4/79/CIC of the Committee on Industrial Co-operation of 13 November 1979 giving a discharge to the Director of the Centre for Industrial Co-operation in respect of the implementation of the Centre's budget for the financial year 1977	62 - 66
Decision No 5/79/CIC of the Committee on Industrial Co-operation of 13 November 1979 replacing a member of the Advisory Council of the Centre for Industrial Development	67 - 68
Decision No 1/80/CIC of the Committee on Industrial Co-operation of 20 February 1980 giving a discharge to the Director of the Centre for Industrial Development in respect of the implementation of the Centre's budget for the financial year 1978	69 - 72
Decision No 2/80/CIC of the ACP-EEC Committee on Industrial Co-operation of 30 May 1980 giving final approval to the budget of the Centre for Industrial Development for the financial year 1980	73 - 82
Decision No 3/80 of the Committee on Industrial Co-operation of 1 July 1980 on the appointment of the Director and the Deputy Director of the Centre for Industrial Development and the drawing up of their contracts	83 - 85

DECISION No 1/76 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 14 JULY 1976

on the composition of the Committee on Industrial Co-operation
and its Rules of Operation

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé, signed on
18 February 1975 (hereinafter referred to as "the Convention")
and in particular Article 35 thereof.

Having regard to the proposal from the Committee of Ambassador,

Anxious to ensure the fulfilment of the objectives which the ACP States and the Community have set themselves under Title III of the Convention;

Having regard to the contribution that effective industrial co-operation between the ACP States and the Community can make to the industrial development of the former;

HAS ADOPTED the following composition for and rules of operation of the Committee on Industrial Co-operation,

Article 1

1. The Committee on Industrial Co-operation set up by Article 35 of the Convention (hereinafter referred to as "the Committee") shall be composed, on the one hand, of representatives of the nine Member States of the European Economic Community, a representative of the Commission of the European Communities and a representative of the European Investment Bank and, on the other hand, of fifteen representatives of the ACP States.
2. The term of office of the representatives of the ACP States shall be one year and shall be renewable.

Article 2

As set out in Article 35(2) of the Convention, the Committee shall:

- (a) see to the implementation of Title III of the Convention;

- (b) examine the problems in the field of industrial co-operation submitted to it by the ACP States and/or by the Community, and suggest appropriate solutions;
- (c) guide, supervise and control the activities of the Centre for Industrial Development referred to in Article 36 of the Convention and report to the Committee of Ambassadors and, through it, to the Council of Ministers;
- (d) submit from time to time reports and recommendations which it considers appropriate to the Committee of Ambassadors;
- (e) perform such other functions as may be assigned to it by the Committee of Ambassadors.

The Committee shall also carry out such other tasks as may be entrusted to it by the Council of Ministers, pursuant, in particular, to Decision No 2/76 laying down the Statutes and rules of operation of the Centre for Industrial Development.

Article 3

The office of Chairman of the Committee shall be held alternately, for periods of six months, by the ACP States and the Community.

Article 4

Meetings of the Committee shall be convened by the Chairman under the conditions set out in the Rules of Procedure laid down in Article 7.

Article 5

Without prejudice to Article 1, any ACP State which is not a member of the Committee may participate in meetings of the Committee as an observer.

Article 6

Within the framework of its duties, the Committee shall act by mutual agreement between the ACP States on the one hand and the Community on the other.

Article 7

The Committee shall adopt its own rules of procedure.

Article 8

The regional economic groupings of the ACP States referred to in Annex V to the Final Act of the Convention as well as any other regional economic groupings between ACP States as may be approved by the Council of Ministers may be represented at meetings of the Committee as observers.

Article 9

The Centre for Industrial Development shall be represented at the meetings of the Committee at which the latter lays down guidelines and defines the periodic reviews of the activities of the Centre.

Article 10

The Committee shall lay down detailed arrangements for the regular consultation of the economic and social sectors of the ACP States and of the Community.

Article 11

The ACP States, the Member States and the Community shall, each for their own part, take the measures necessary to implement this Decision.

Article 12

This Decision shall enter into force on 16 July 1976.

Done at Brussels, 14 July 1976.

For the ACP-EEC Council of Ministers
The President

(s.) KING

Certified true copy

DODOO LESORT
Secretaries

of the Council of ACP-EEC Ministers

DECISION No 2/76 OF THE ACP-EEC COUNCIL OF MINISTERS

OF 14 JULY 1976

laying down the statutes
and rules of operation of
the Centre for Industrial Development

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé signed on
28 February 1975 (hereinafter referred to as "the Convention"), and
in particular Article 36 thereof,

Having regard to the proposal from the Committee of Ambassadors,

Anxious to ensure the fulfilment of the objectives which the ACP States and the Community have set themselves,

Having regard to the contribution that effective industrial co-operation between the ACP States and the Community can make to the industrial development of the former and, amongst others, the need for information, promotion and technical co-operation in the industrial field,

HAS ADOPTED the following Statutes and rules of operation of the Centre for Industrial Development:

Article 1

1. The Centre for Industrial Development set up by Article 36 of the Convention (hereinafter referred to as "the Centre") shall enjoy in each of the States which are Parties to the Convention the most extensive legal capacity accorded to legal persons.
2. The Centre shall be non-profit-making. It shall have its seat in Brussels.
3. The functions of the Centre, as set out in Article 36 of the Convention, are as follows:
 - (a) to gather and disseminate in the Community and the ACP States all relevant information on the conditions of and opportunities for industrial co-operation;

- (b) to have, at the request of the Community and the ACP States, studies carried out on the possibilities and potential for industrial development of the ACP States, bearing in mind the necessity for adaptation of technology to their needs and requirements, and to ensure their follow-up;
- (c) to organize and facilitate contacts and meetings of all kinds between Community and ACP States' industrial policy-makers, promoters and firms and financial institutions;
- (d) to provide specific industrial information and support services;
- (e) to help to identify, on the basis of needs indicated by the ACP States, the opportunities for industrial training and applied research in the Community and in the ACP States, and to provide relevant information and recommendations.

Article 2

The activities of the Centre shall be guided, supervised and controlled by the Committee on Industrial Co-operation (hereinafter referred to as "the Committee") in accordance with Article 35 of the Convention.

Article 3

1. The Centre shall be headed by a Director, appointed by the Committee.
2. The Director shall be assisted by a Deputy Director appointed by the Committee.

3. The Director shall be the legal representative of the Centre.

Article 4

1. An Advisory Council (hereinafter referred to as "the Council") shall be established to advise the Director.

The Council shall assist the Director and be consulted by him on all matters of major importance deriving from the work programme of the Centre. It may also, on its own initiative, raise such matters and any other matters relating thereto with the Director. In the event of disagreement between the Director and the Council, the Committee shall be informed of the views of the Council.

2. The Council shall be composed of 12 members with industrial experience, chosen on the individual basis from nationals of the States which are parties to the Convention on the grounds of their qualifications and experience.

They shall be appointed by the Committee.

3. Members of the Council shall be appointed for a period of two years. Their term of office may be extended.
4. Members of the Council shall select from among their number a Chairman who shall hold office for one year.

5. The Council shall lay down the number of meetings it shall hold each year. It shall also meet whenever necessary for the execution of its tasks, either at the request of the Director or on its own initiative when so requested by at least 2/3 of its members.
6. The Director or his representative shall take part in the proceedings of the Council. The Centre shall prepare the Council's meetings and provide the secretariat thereof.
7. The Council may invite experts from outside the Centre to give opinions on specific questions.
8. The Council shall adopt its own rules of procedure and submit them to the Committee for approval.

Article 5

1. The Director, after consulting the Council, shall submit the annual work programme of the Centre to the Committee for approval together with the opinion of the Council.
2. The Director shall regularly inform the Committee of the activities of the Centre.
3. The Director shall each year draw up a general report on the activities of the Centre and, after consulting the Council, shall submit it to the Committee.

4. The Director shall be responsible for the management of the Centre.
5. The Committee shall adopt the staff regulations.

Article 6

1. The Director shall, on the basis of the work programme referred to in Article 5(1) and after consulting the Council, draw up a preliminary annual draft budget for the Centre which he shall submit, together with the opinion of the Council, to the Committee.
2. All expenditure and all revenue to cover such expenditure shall be the subject of detailed estimates for each financial year and must be entered in the budget.

The estimates of the expenditure shall include its recurrent and capital expenditure.

The estimates of the revenue shall include the contribution expected from the European Development Fund and from any other sources.

3. The draft budget finalized by the Committee shall be forwarded to the Commission of the European Communities, which shall initiate the Community procedures in force as regards the contribution requested from the European Development Fund. The budget shall be finally approved by the Committee in the light of the decision taken on the contribution from the Fund.

4. The financial year shall in principle run from 1 January to 31 December of each year.

Expenditure entered in the budget shall be authorized for a period of one financial year. However, the Director shall be authorized to carry forward appropriations which have not been used up at the end of a financial year to the following financial year only.

5. If, at the beginning of a financial year, the budget has not yet been adopted, the Director may incur current expenditure monthly, provided that such expenditure does not exceed one-twelfth of the appropriations entered under this heading in the budget for the previous financial year and that this arrangement does not have the effect of placing at his disposal appropriations in excess of one-twelfth of those provided for in the draft budget.
6. The Director shall ensure that the budget is implemented on his own responsibility and within the limit of the appropriations allocated. He shall report to the Committee on the administration of the budget.
7. The expenditure of the Centre shall be effected in accordance with the provisions of the Financial Regulations adopted by the Committee.
8. The Committee shall appoint an auditor.

The task of the auditor shall be to audit the books and the cash of the Centre, to verify that the inventories and balance sheets have been drawn up in a regular manner and in good faith and to ensure that the information given regarding **the accounts of the Centre is correct.**

The purpose of the audit, which shall be based on records and, if necessary, performed on the spot, shall be to establish that all revenue has been received and all expenditure incurred in a lawful and regular manner and that the financial management has been sound.

After the close of each financial year the auditor shall draw up a report to the Committee on the manner in which he has carried out his task.

On the basis of this report and the balance sheet for the financial year, the Committee shall give the Director a discharge in respect of the implementation of the budget.

Article 7

Members of the Council, the Director, the staff and all other persons participating in the activities of the Centre shall be bound, even after their duties have ceased, not to disclose information of the kind covered by the obligation of professional secrecy.

Article 8

Protocol No 5 on Privileges and Immunities annexed to the Convention shall apply to the staff of the Centre as provided for in Article 1 of the said Protocol.

Article 9

These Statutes may be amended by the Council of Ministers on the recommendation of the Committee of Ambassadors.

Article 10

Article 91 of the Convention shall apply to the Centre.

Article 11

The ACP States, the Member States and the Community shall, each for their own part, take the measures necessary to implement this Decision.

Article 12

This Decision shall enter into force on 16 July 1976.

Done at Brussels, 14 July 1976

For the ACP-EEC Council of Ministers
The President

(s.) KING

Certified true copy

DODOO LESORT

Secretaries

of the Council of the ACP-EEC Ministers

DECISION No 3/77/CIC
of the Committee on Industrial Co-operation
OF 15 FEBRUARY 1977
adopting the Financial Regulation of the
ACP-EEC Centre
for Industrial Development

THE COMMITTEE ON INDUSTRIAL CO-OPERATION,

Having regard to the ACP-EEC Convention of Lomé signed on
28 February 1975, and in particular Articles 35 and 36 thereof,

Having regard to Decision No 2/76 of the ACP-EEC Council of Ministers
of 14 July 1976 laying down the statutes and rules of operation of
the Centre for Industrial Development, hereinafter called "Centre",
and in particular Article 6 thereof,

Whereas, pursuant to paragraph 7 of the said Article, the expenditure of the Centre shall be effected in accordance with the provisions of the Financial Regulation adopted by the Committee,

HAS DECIDED TO ADOPT THIS FINANCIAL REGULATION OF THE CENTRE:

I. GENERAL PRINCIPLES

Article 1

1. All items of revenue and expenditure of the Centre shall be included in estimates to be drawn up for each financial year and shall be shown in the budget.
2. The revenue and expenditure shown in the budget shall be in balance.

Article 2

The budget shall be drawn up in European Units of Account, hereinafter called "EUA".

Article 3

Revenue shall include the contribution by the European Development Fund and from any other sources.

Article 4

1. The estimates of the expenditure shall include recurrent and capital expenditure.
2. The financial year shall run from 1 January to 31 December of each year.

Expenditure entered in the budget shall be authorized for a period of one financial year. However, the Director of the Centre, hereinafter called "Director", shall be authorized to carry forward appropriations which have not been used up at the end of a financial year to the following financial year only.

3. If, at the beginning of a financial year, the budget has not yet been adopted, the Director may incur current expenditure monthly, provided that such expenditure does not exceed one-twelfth of the appropriations entered under this heading in the budget for the previous financial year and that this arrangement does not have the effect of placing at his disposal appropriations in excess of one-twelfth of those provided for in the draft budget.

II. ESTABLISHMENT OF THE BUDGETArticle 5

1. The Director shall, on the basis of the annual work programme of the Centre and after consulting the Advisory Council of the Centre, draw up a preliminary draft annual budget for the Centre which he shall submit, together with the opinion of the Advisory Council, to the Committee.

2. The budget shall include a schedule for the paying in of revenue.

The dates for the payment of the contribution to be made by the European Development Fund shall be fixed by agreement with the Commission of the European Communities, hereinafter called "Commission".

3. The budget shall be subdivided into titles, chapters, articles and items according to the nature or purpose of the revenue or expenditure.

Article 6

The draft budget, -drawn up as far as possible within the framework of multiannual estimates, shall be finalized by the Committee. It shall be forwarded to the Commission, which shall initiate the Community procedures in force as regards the contribution requested from the European Development Fund. The budget shall be finally adopted by the Committee in the light of the decisions taken on the contribution from the Fund.

Article 7

Where necessary the Director may submit a draft supplementary or rectifying budget which shall be submitted, examined, established and finally adopted in the same form and according to the same procedure as the budget of which it amends the estimates.

III. IMPLEMENTATION OF THE BUDGET

Article 8

1. The Director shall ensure that the budget is implemented on his own responsibility and within the limit of the appropriations allocated. He shall report to the Committee on the administration of the budget.
2. The Director must apply the budget appropriations in accordance with the principles of economy and sound financial management.

Article 9

No revenue expenditure may be effected unless charged to the appropriate Article of the Budget.

Save where otherwise provided in this Financial Regulation, no expenditure may be committed in excess of the appropriations authorized for the financial year concerned or of the authorizations granted in respect of subsequent financial years.

No expenditure shall be authorized in excess of the limit of the appropriations allocated. The entire amount of proceeds shall be recorded as revenue without any setting-off between revenue and expenditure.

Article 10

Transfers from one chapter to another shall be decided by the Committee.

Transfers from one article to another within a chapter shall be decided by the Director who shall inform the Committee accordingly.

Article 11

The revenue of the Centre shall be paid into one or more accounts opened in the name of the Centre.

IV. ADMINISTRATION OF THE BUDGETArticle 12

1. The budget of the Centre shall be administered in accordance with the principle that authorizing officers and accounting officers fulfil separate functions. The appropriations shall be administered by the authorizing officer, who alone shall have the power to enter into commitments regarding expenditure, establish sums due to be collected and issue revenue and payment orders.
2. Collection and payment operations shall be carried out by the accounting officer.
3. The authorizing officer may not exercise the functions of accounting officer.

Article 13

1. All measures which may give rise to expenditure payable by the Centre must be preceded by a commitment on the part of the authorizing officer.
2. A provisional commitment may be entered into in respect of current expenditure.
3. An account shall be kept of commitments and authorizations.

Article 14

1. The purpose of clearance of expenditure by the authorizing officer shall be:
 - (a) to verify the existence of the rights of the creditor;
 - (b) to determine or verify the existence and the amount of the debt;
 - (c) to verify the conditions under which payment falls due.
2. Clearance of any expenditure shall be subject to the submission of supporting documents showing the creditor's claim and, where appropriate, the service rendered.

Article 15

1. Authorization shall be the act whereby the authorizing officer, by the issue of a payment order, authorizes the accounting officer to pay an item of expenditure which he has cleared.
2. The payment order shall be accompanied by the original supporting documents, which shall bear or be accompanied by the approval of the authorizing officer confirming that the amounts to be paid are correct, that the supplies have been received or that the service has been performed.
3. Copies of the supporting documents, certified as true copies by the authorizing officer, may, in some cases, be accepted in place of the originals.

Article 16

1. Payment shall be the final act whereby the Centre is discharged of its obligations towards its creditors.
2. Payment shall be made by the accounting officer within the limits of the funds available.

In the event of an error of substance or of the validity of the discharge being contested or of failure to comply with the procedures prescribed by this Financial Regulation, the accounting officer must suspend payment.

3. Payments shall, as a general rule, be effected through a bank or post office giro account.

4. Cheques and post office or bank transfer orders shall bear two signatures, one of which must be that of the accounting officer.
5. A receipt shall be obtained in respect of cash payments.
6. The conversion rates to be used for the calculation in EUA of payments to be made or of revenue to be collected shall be those in force on the effective date of such operations. This date shall correspond to that on which the account or accounts of the Centre were debited or credited.

Article 17

1. The Director shall be the authorizing officer for the appropriations allocated to the Centre.
2. The Director may delegate his powers to the Deputy Director or to an agent under his authority. Each decision to delegate powers shall state the duration and extent of the mandate.

Article 18

The collection of revenue and the payment of expenditure shall be carried out by the accounting officer, who shall alone be empowered to manage funds and assets. He shall be responsible for their care.

Article 19

1. The recovery of any sum due to the Centre shall give rise to the issue, by the authorizing officer, of a revenue order.
2. The accounting officer shall assume responsibility for revenue orders forwarded to him by the authorizing officer.
3. A receipt shall be issued in respect of all cash payments made to the accounting officer.

V. AUDITORArticle 20

The Committee shall appoint an auditor.

The task of the auditor shall be to audit the books and the cash of the Centre, to verify that the inventories and balance sheets have been drawn up in a regular manner and in good faith and to ensure that the information given regarding the accounts of the Centre is correct.

The purpose of the audit, which shall be based on records and, if necessary, performed on the spot, shall be to establish that all revenue has been received and all expenditure incurred in a lawful and regular manner and that the financial management has been sound.

After the close of each financial year the auditor shall draw up a report to the Committee on the manner in which he has carried out his task.

On the basis of this report and the balance sheet for the financial year, the Committee shall give the Director a discharge in respect of the implementation of the budget.

VI. GENERAL PROVISIONS

Article 21

Contracts relating to purchases of supplies, equipment and movable property, the provision of services, or works shall be concluded following an invitation to tender.

However, they may be concluded by direct agreement

- (a) where the amount of the contract does not exceed 2,000 EUA;
- (b) where, because of the extremely urgent nature of the supplies, services or works concerned there is no time to use the tendering procedure, provided that prior approval is obtained from the Chairman of the Committee;
- (c) exceptionally, where the nature or specialized character of the operation necessitates recourse to specific equipment or to a specific expert.

Article 22

1. A permanent quantitative inventory shall be kept of all movable and immovable property belonging to the Centre.

Only movable property whose value is 10 EUA or more shall be entered in the inventory.

The inventory number shall be entered on each invoice before the latter is paid.

2. The sale of movable property and equipment of a unit purchase value in excess of 500 EUA shall be suitably advertised.
3. A record signed by both the Director of the Centre and the person responsible for the equipment shall be drawn up whenever any property or article in the inventory is disposed of, scrapped or is missing on account of loss, theft, or any other reason.

Article 23

1. The accounts shall be kept, expressed in EUA, by the double entry method and on the basis of the calendar year. They shall show all revenue and expenditure between 1 January and 31 December of each year and shall include the supporting documents.

2. Entries shall be made on the basis of an accounting system comprising a nomenclature of budgetary items which makes a clear distinction between the accounts which permit the balance sheet to be drawn up and those which permit the revenue and expenditure account to be drawn up. These entries shall be recorded in books or on cards, which shall make it possible to draw up a general monthly balance.
3. Each quarter a statement shall be drawn up showing the situation of the current budget and the expenditure effected.
4. The balance sheet and the revenue and expenditure account shall be submitted to the Committee in EUA.

Done at Brussels, 15 February 1977

For the Committee on Industrial
Co-operation

The Chairman

J.L.C. MARTIN

Certified true copy


KONATE


LESORT

Secretaries
of the ACP-EEC Council of Ministers



DECISION No 4/77/CIC
OF THE COMMITTEE ON INDUSTRIAL CO-OPERATION
OF 28 JULY 1977

giving final approval to the budget of the
Centre for Industrial Development
for the financial year 1977

THE COMMITTEE ON INDUSTRIAL CO-OPERATION,

Having regard to the ACP-EEC Convention of Lomé, and in particular Articles 35 and 36 thereof,

Having regard to Decision No 2/76 of the ACP-EEC Council of Ministers of 14 July 1976 laying down the statutes and rules of operation of the Centre for Industrial Development, and in particular Article 6(1), (2) and (3) thereof,

Having regard to Decision No 3/77/CIC of the Committee on Industrial Co-operation of 15 February 1977 laying down the Financial Regulation of the Centre for Industrial Development, hereinafter called the "Centre",

Whereas the Committee on Industrial Co-operation has drawn up a draft budget on the basis of the preliminary draft budget prepared by the Director of the Centre and of the opinion of the Advisory Council on that preliminary draft;

Whereas the Community procedures in force have been implemented as regards the contribution requested from the European Development Fund; whereas on 13 July 1977 the Commission of the European Communities adopted a financing decision covering an amount of 1,300,000 European units of account,

HAS DECIDED AS FOLLOWS:

Sole Article

The budget of the Centre for the financial year 1977 as it appears in the Annex hereto is hereby finally approved.

Done at Brussels, 28 July 1977
For the Committee
on Industrial Co-operation
The Chairman

(s.) Gabriel O. IJEWERE

Certified true copy

KONATE

LESORT

Secretaries
of the ACP-EEC Council of Ministers

ANNEX

BUDGET
OF THE CENTRE
FOR INDUSTRIAL DEVELOPMENT
FOR THE FINANCIAL YEAR 1977

I. EXPENDITUREA. Administrative expenditure

	<u>Amount in EUA</u>	
(a) <u>Personnel</u>	<u>Net</u>	<u>Gross</u>
Director, Deputy Director		
5 technical advisers		
2 special duty officers	241,000	
2 assistants, 1 accountant	33,875	
5 secretaries, 1 messenger	48,000	
	<u>322,875</u>	
TOTAL salaries	322,875	398,655 ⁽¹⁾
Plus: 50% social charges and related benefits (Social security + pension)	161,437	
Installation and removal allowances and travel	33,780	
	<u>573,092</u>	
TOTAL personnel	573,092	
(b) <u>Office expenses</u>		
Rent		⁽²⁾
Joint Services with ACP Group (provision to cover sharing of costs of electricity, heating, water, insurance, curtains etc.)	15,000	
Telephone installation + rent	8,887	
Telex installation + rent	1,000	
Telephone + telex calls	4,000	
	<u>13,887</u>	
TOTAL telephone + telex	13,887	

⁽¹⁾ Staff are liable to tax on their gross salaries. This tax is deducted at source and retained for the benefit of the Centre and is therefore not an additional charge on the overall budget here presented. Total tax payable estimated at 75,780 EUA or 23% of total salary bill.

⁽²⁾ Symbolic rent of 1 BF payable to ACP Group.

(ANNEX)

		<u>Amount in EUA</u>
Photoconier rent		1,300
Stationery (including printing + office supplies)		5,000
Postage (including customs)		4,000
Subscriptions + publications		2,500
Cleaning		5,000
Insurance: office contents		100
Repairs + maintenance + sundries		5,000
TOTAL office expenses		<u>51,787</u>
(c) <u>Transport, travel + representation</u>		
European trips		8,750
ACP trips		30,000
Contingency travel (car hire, taxis etc., emergency travel)	8,000	
Representation (entertainment)	8,000	16,000
TOTAL travel + representation		<u>54,750</u>
Advisory Council expenses		28,750
TOTAL transport + representation		<u>83,500</u>
(d) <u>Office furniture + equipment</u>		
Basic furniture (including additions to original order)	18,500	
Cloakroom - cupboard	898	
Typewriters	6,000	
Adding machines	140	
Refrigerator	125	
Dictaphones	3,000	
Extra furniture + equipment (unforeseen)	3,000	
TOTAL furniture + equipment		<u>31,663</u>
TOTAL Administrative expenditure		<u>740,042</u>
	SAY	<u>740,000</u> =====

(ANNEX)

B. Programme Expenditure

	<u>Amount in EUA</u>
(a) <u>Promotional contacts and meetings</u> 55 man-months at 4,000 EUA each	220,000
(b) <u>Information and press relations</u>	30,000
(c) <u>Contribution to pre-feasibility studies</u> 10 studies at an average 10,000 EUA	100,000
(d) <u>Short-term expertises</u> 12 expertises at an average 8,000 EUA	96,000
(e) <u>Assistance to existing industries</u> (management diagnosis and therapy) 2 missions at 10,000 EUA 4 missions at 20,000 EUA	100,000
(f) <u>Training programme</u>	14,000
TOTAL	<u>560,000</u>

GRAND TOTAL (A + B)

Administrative expenditure	740,000
Programme expenditure	560,000
	<u>1,300,000</u>

(ANNEX)

II. REVENUE

	<u>Amount in EUA</u>
(a) Contribution from the European Development Fund	1,300,000
(b) Other resources	Token entry

(ANNEX)

DECISION No 5 /77 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 14 APRIL 1977

amending Decision No 1/76
of the ACP-EEC Council of Ministers of 14 July 1976
on the composition of the Committee on Industrial Co-operation
and its Rules of Operation

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé, hereinafter
called the "Convention", and in particular Article 35 thereof,

Whereas Article 1 of Decision No 1/76 of the ACP-EEC Council of Ministers of 14 July 1976 provides that the Committee on Industrial Co-operation set up under Article 35 of the Convention (hereinafter called the "Committee") shall be composed, on the one hand, of representatives of the nine Member States of the European Economic Community, a representative of the Commission of the European Communities and a representative of the European Investment Bank and, on the other hand, of fifteen representatives of the ACP States;

Whereas, in order to ensure more appropriate representation of the ACP States on the Committee following the accessions to the Convention, the number of representatives of these States should be increased from 15 to 17,

HAS DECIDED AS FOLLOWS:

Article 1

Article 1(1) of Decision No 1/76 of the ACP-EEC Council of Ministers of 14 July 1976 is replaced by the following:

"The Committee on Industrial Co-operation set up under Article 35 of the Convention (hereinafter called the "Committee") shall be composed, on the one hand, of representatives of the nine Member States of the European Economic Community, a representative of the Commission of the European Communities and a representative of the European Investment Bank and, on the other hand, of seventeen representatives of the ACP States."

Article 2

The ACP States, the Member States and the Community shall, for their part, take the measures necessary to implement this Decision.

Article 3

This Decision shall enter into force on 16 April 1977.

Done at Suva, 14 April 1977
For the ACP-EEC Council of Ministers
The President

(s.) Ratu Sir K.K.T. MARA K.B.E.

Certified true copy

KONATE

LESORT

The Secretaries

ACP-EEC Council of Ministers

DECISION No 6/77 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 14 APRIL 1977

on the arrangements applicable to the staff
of the Centre for Industrial Development
as regards taxation, social security and jurisdiction

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the Lomé Convention, and in particular
Article 36 thereof,

Having regard to the proposal from the Committee of
Ambassadors,

Whereas steps should be taken to ensure the proper functioning of the Centre for Industrial Development and to determine the conditions under which Protocol No 5 to the Lomé Convention, on privileges and immunities, can be applied to certain staff of that Centre;

Whereas by its Decision No 2/76 of 14 July 1976 the ACP-EEC Council of Ministers laid down the Statutes and rules of operation of the Centre for Industrial Development and gave the Committee on Industrial Co-operation a mandate to adopt the conditions of employment of the staff; whereas those conditions of employment are to be adopted very shortly by that Committee;

Whereas, as provided for in the said Protocol No 5, the staff of the Centre for Industrial Development shall enjoy the customary privileges, immunities and facilities in the territory of the Member States and of the ACP States, in particular, whilst carrying out their duties; whereas these privileges, immunities and facilities must be treated as comparable to those of similar institutions operating under like conditions.

HAS DECIDED AS FOLLOWS:

Article 1

The Director, the Deputy Director and the staff of the Centre for Industrial Development and, to the extent necessary, members of their families, shall, as regards social security schemes, be subject to the law of the State in whose territory the Centre has its headquarters, unless they opt for the application of the law of the State of which they are nationals. However, this right of option may be exercised once only and must be exercised within the six months following the date of appointment; it shall take effect on the date of entry into service.

Article 2

1. The Director, the Deputy Director and the staff of the Centre for Industrial Development shall be liable to a tax for the benefit of the Centre on salaries, wages and emoluments paid by the Centre.

The conditions and procedures for applying this tax are laid down in the Annex. The Committee on Industrial Co-operation shall be empowered to amend that Annex if necessary.

2. Tax shall be collected by the Centre by means of deduction at source. The proceeds of the tax shall be entered as revenue in the budget of the Centre.
3. The persons referred to in paragraph 1 shall be exempt from national tax on salaries, wages and emoluments paid by the Centre.

Article 3

1. In the event of a dispute between the Director, the Deputy Director or the staff of the Centre on the one hand and the Centre on the other, the dispute shall be brought to the attention of the Committee, which, with a view to seeking a solution, shall examine it in accordance with the arrangements and procedures which it shall lay down.

2. If the Committee is unable to reach a solution acceptable to the parties to the dispute within two months of its notification either party may initiate arbitration proceedings. To this end one party shall inform the other of the nomination of an arbitrator. The other party shall then be required to nominate a second arbitrator within one month. The two arbitrators shall choose a third arbitrator.
3. The decisions taken by the arbitration body shall be binding on the parties and, to the extent necessary, shall be rendered enforceable for the relevant authorities of the Member States and for the institutions and bodies set up under the Convention.
4. The disputes referred to in paragraph 1 may not be subject to any other method of settlement.

Article 4

This Decision shall enter into force on 16 April 1977.

Article 5

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

Done at Suva, 14 April 1977
For the ACP-EEC Council of Ministers
The President

(s.) Ratu Sir K.K.T. MARA K.B.E.

Certified true copy

KONATE

LESORT

The Secretaries
ACP-EEC Council of Ministers

ANNEX IConditions and procedure for applying the tax for the benefit
of the Centre for Industrial Development

1. The Director, the Deputy Director and the Staff of the Centre, excluding local staff, shall be liable to the tax for the benefit of the Centre referred to in Article 2 of the Decision.

The tax shall be payable each month on salaries and emoluments of any kind paid by the Centre to each person liable.

However, monies and allowances, whether lump sums or not, which represent compensation for expenses incurred in the performance of official duties, shall be excluded from the basic taxable amount.

2. Family allowances and social benefits shall be deducted from the basic taxable amount.
3. An abatement of 10% for occupational and personal expenses shall be made from the amount obtained by applying the preceding provisions.

An additional abatement equivalent to twice the amount of the allowance for a dependent child paid to the person liable shall be made for each child or person dependent on the person liable.

Sums paid by persons liable on account of the social legislation to which he is subject shall be deducted from the basic taxable amount.

4. The tax shall be calculated on the taxable amount obtained by applying paragraph 3, disregarding any amount not exceeding Bfrs 803 and by applying the rate of:

8	% to amounts between Bfrs	803 and 14,178
10	% to amounts between Bfrs	14,179 and 19,528
12.50	% to amounts between Bfrs	19,529 and 22,380
15	% to amounts between Bfrs	22,381 and 25,413
17.50	% to amounts between Bfrs	25,414 and 28,265
20	% to amounts between Bfrs	28,266 and 31,030
22.50	% to amounts between Bfrs	31,031 and 33,883
25	% to amounts between Bfrs	33,884 and 36,648
27.50	% to amounts between Bfrs	36,649 and 39,500
30	% to amounts between Bfrs	39,501 and 42,265
32.50	% to amounts between Bfrs	42,266 and 45,118
35	% to amounts between Bfrs	45,119 and 47,883
40	% to amounts between Bfrs	47,884 and 50,735
45	% to amounts above Bfrs	50,735.

The amount of tax shall be rounded down to the lower unit.

5. By way of derogation from paragraphs 3 and 4, sums paid as compensation for overtime shall be taxed at the rate which, in the month preceding that of payment, was applied to the highest portion of the taxable amount of the employee's remuneration.

Payments made on account of termination of service shall be taxed, after applying the abatements laid down in the first two subparagraphs of paragraph 3, at a rate equal to two thirds of the ratio existing, at the time of last salary payment, between:

- the amount of tax payable and
- the basic taxable amount as defined in paragraphs 1, 2 and 3.

6. When the taxable payment covers a period of less than one month the rate of the tax shall be that which is applicable to the corresponding monthly payment.

When the taxable payment covers a period of more than one month the tax shall be calculated as if this payment had been spread evenly over the months to which it relates.

Corrective payments not related to the month during which they are paid shall be subject to the tax to which they would have been subject had they been made at the proper time.

7. The Committee on Industrial Co-operation shall adopt any necessary provisions concerning the application of the arrangements laid down in this Annex.

The Director of the Centre shall ensure that these arrangements are applied.

Where necessary he shall refer by analogy to the relevant arrangements applicable to officials of the European Communities and in particular to Council Regulation (EEC, Euratom, ECSC) No 260/68 of 29 February 1968.

ANNEX IISTATEMENT TO BE RECORDED IN THE COUNCIL MINUTES
CONCERNING ARTICLE 2 OF THE DECISION

It is understood that any amendment by the Committee on Industrial Co-operation to the conditions and procedure for applying the tax referred to in that Article will be conditional upon an amendment to Regulation (EEC, Euratom, ECSC) No 260/68 of the Council of the European Communities.

DECISION No 7 /77 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 14 APRIL 1977

amending Decision No 2/76
of the ACP-EEC Council of Ministers of 14 July 1976
laying down the statutes and rules of operation of
the Centre for Industrial Development

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé, hereinafter
called the "Convention", and in particular Article 36 thereof,

Whereas Article 4 of Decision No 2/76 establishes an Advisory Council composed of twelve members with industrial experience, chosen on an individual basis from nationals of the States which are parties to the Convention on the grounds of their qualifications and experience;

Whereas, in order to ensure more appropriate representation of the ACP States on this Council following the accessions to the Convention, the number of its members should be increased from 12 to 14,

HAS DECIDED AS FOLLOWS:

Article 1

The first subparagraph of Article 4(2) of Decision No 2/76 of the ACP-EEC Council of Ministers of 14 July 1976 is replaced by the following:

"The Council shall be composed of 14 members with industrial experience, chosen on an individual basis from nationals of the States which are parties to the Convention on the grounds of their qualifications and experience."

Article 2

The ACP States, the Member States and the Community shall, for their part, take the measures necessary to implement this Decision.

Article 3

This Decision shall enter into force on 16 April 1977.

Done at Suva, 14 April 1977
For the ACP-EEC Council of Ministers
The President

(s.) Ratu Sir K.K.T. MARA K.B.E.

Certified true copy

KONATE

LESORT

The Secretaries

ACP-EEC Council of Ministers

DECISION No 1/78/CIC
OF THE ACP-EEC COMMITTEE ON INDUSTRIAL CO-OPERATION
OF 14 FEBRUARY 1978

giving final approval to the budget of the
Centre for Industrial Development
for the financial year 1978

THE ACP-EEC COMMITTEE ON INDUSTRIAL CO-OPERATION,

Having regard to the ACP-EEC Convention of Lomé, and in particular Articles 35 and 36 thereof,

Having regard to Decision No 2/76 of the ACP-EEC Council of Ministers of 14 July 1976 laying down the statutes and rules of operation of the Centre for Industrial Development, and in particular Article 6(1), (2) and (3) thereof,

Having regard to Decision No 3/77/CIC of the ACP-EEC Committee on Industrial Co-operation of 15 February 1977 laying down the Financial Regulation of the Centre for Industrial Development, hereinafter called the "Centre",

Whereas the ACP-EEC Committee on Industrial Co-operation has drawn up a draft budget on the basis of the preliminary draft budget prepared by the Director of the Centre and of the opinion of the Advisory Council on that preliminary draft;

Whereas the Community procedures in force have been implemented as regards the contribution requested from the European Development Fund; whereas the Commission of the European Communities informed the Committee on this date of its intention to adopt a financing decision covering an amount of 2,252,000 European units of account,

HAS DECIDED AS FOLLOWS:

Sole Article

The budget of the Centre for the financial year 1978 as it appears in the Annex hereto is hereby finally approved.

Done at Brussels, 14 February 1978

For the ACP-EEC Committee
on Industrial Co-operation

The Chairman

(s.) ABRAHAMSEN

Certified true copy

KONATE

LESORT

Secretaries

to the ACP-EEC Council of Ministers

ANNEX

B U D G E T
O F T H E C E N T R E
F O R I N D U S T R I A L D E V E L O P M E N T
F O R 1 9 7 8

EXPENDITURE

TITLE 1. <u>Staff expenditure</u>	1978 appropriations (EUA)	1977 appropriations (EUA)
Chapter 11 - Staff		
Art. 110. Salaries		
1. Existing staff:		
Director, Deputy Director	119,700	
3 Technical advisers 3 A	144,900	
2 Technical advisers 3 B	86,400	
2 Special duties officers 4 A	76,200	
1 Accountant 5 A	25,200	
2 Assistants 5 A	40,512	
5 Secretaries 5 B	61,500	
1 Messenger Local	6,744	
	<u>561,156</u>	
<u>Salaries for existing staff:</u>		
2. New staff: 1978:		
1 Special duties officer 4 A	38,100	
1 Assistant 5 A	20,256	
1 Secretary 5 B	12,300	
1 Chauffeur Local	6,000	
	<u>76,656</u>	
<u>Salaries for new staff:</u>		
TOTAL salaries	637,812	(322,875)
Art. 113. Social charges ⁽¹⁾	252,667	(161,437)
Including reimbursement of social and medical services provided by outside bodies:	2,000	
Art. 114. Miscellaneous allowances and grants ⁽²⁾	43,000	(88,780)
Including reimbursement of school fees:	13,800	
Art. 116. Provision for increase ⁽³⁾	<u>65,000</u>	
TOTAL CHAPTER 11:	998,479	(573,092)

⁽¹⁾ Estimated at approximately 35% of salaries.

⁽²⁾ This item is intended to cover allowances and grants decided for the staff of the Centre.

⁽³⁾ This item is intended to take account of the increase in the cost of living for the year ending 30 June 1978, after authorization by the Committee on Industrial Co-operation.

	1978 appropriations (EUA)	1977 appropriations (EUA)
<u>Chapter 13</u> - Mission and duty travel expenses		
- Expenses in Europe and the ACP States	125,000	(46,750)
<u>TOTAL TITLE 1:</u>	<u>1,123,479</u>	<u>620,900</u>
<u>TITLE 2. Buildings, equipment and miscellaneous operating expenditure</u>		
<u>Chapter 21</u> - Rental of buildings and incidental expenditure		
Art. 210 Rent ⁽¹⁾		
Arts. 211 to 214 - Insurance, water, gas, electricity, heating, cleaning and maintenance, fitting out of premises	58,200	
	<u>1977</u>	<u>1978</u>
- joint services with ACP:	(15,000)	45,000
- services independent of ACP:	(10,000)	13,200
TOTAL Chapter 21:	58,200	(25,100)
<u>Chapter 22</u> - Moveable property and incidental expenditure		
Arts. 220 to 222 Office machinery, furniture, technical equipment and installations		
- Purchase		13,500
	<u>1977</u>	<u>1978</u>
Basic furniture	(18,500)	-
Cloakroom cupboard	(898)	-
Telecopier	-	3,500
Typewriters	(6,000)	5,000
Adding machine	(140)	-
Refrigerator	(125)	-
Dictating machines	(3,000)	-
Extra furniture and miscellaneous office equipment	(3,000)	5,000
	<u>(31,663)</u>	<u>13,500</u>

⁽¹⁾ The ACP Group is to be paid a token rent of BF 1.

	<u>1977</u>	<u>1978</u>	1978 appropriations (EUA)	1977 appropriations (EUA)								
- Rental (photoconier)	(1,300)	1,250										
- Repairs, maintenance see Art. 214		-										
- Unforeseeable expenditure on equipment		4,000										
Total Articles 220 to 222:	(32,963)			18,750								
Art. 223. Transport												
- Purchase of a service car (1)		6,000										
- Maintenance, use and repair		2,000										
Total Article 223				8,000								
Art. 225. Documentation and library expenses												
- Subscriptions, publications	(2,500)		<u>5,000</u>									
Total Chapter 22			31,750	(35,463)								
<u>Chapter 23 - Current administrative operating expenditure</u>												
Art. 230. Stationery and office supplies (2)	(5,000)			7,500								
Art. 231. Postal charges and tele- communications				49,726								
- postage (3)	(4,000)	4,000										
- Telephone, telegraph, telex (4)	(13,787)	45,726										
<table border="0" style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> ⁽¹⁾ An average family break type ⁽²⁾ Stationery, including printing and office supplies ⁽³⁾ Postage, (postal charges, including customs) ⁽⁴⁾ Telephone: installation and rental Telex: installation and rental Telephone and telex: calls Telex: data programme expenditure </td> <td style="width: 20%; text-align: center; vertical-align: bottom;"> 1977 (8,887) { 900 } (4,000) - <u> </u> </td> <td style="width: 20%; text-align: center; vertical-align: bottom;"> 1978 4,500 2,000 33,226 6,000 <u> </u> </td> </tr> <tr> <td></td> <td style="text-align: center;">(13,787)</td> <td style="text-align: center;">45,726</td> <td></td> <td></td> </tr> </table>					⁽¹⁾ An average family break type ⁽²⁾ Stationery, including printing and office supplies ⁽³⁾ Postage, (postal charges, including customs) ⁽⁴⁾ Telephone: installation and rental Telex: installation and rental Telephone and telex: calls Telex: data programme expenditure	1977 (8,887) { 900 } (4,000) - <u> </u>	1978 4,500 2,000 33,226 6,000 <u> </u>		(13,787)	45,726		
⁽¹⁾ An average family break type ⁽²⁾ Stationery, including printing and office supplies ⁽³⁾ Postage, (postal charges, including customs) ⁽⁴⁾ Telephone: installation and rental Telex: installation and rental Telephone and telex: calls Telex: data programme expenditure	1977 (8,887) { 900 } (4,000) - <u> </u>	1978 4,500 2,000 33,226 6,000 <u> </u>										
	(13,787)	45,726										

	1977	1978	1978 appropriations (EUA)	1977 appropriations (EUA)
Article 235. Other operating expenditure				
- Translation costs	-	6,000	8,000	
- Miscellaneous administrative expenses	-	<u>2,000</u>		
Total Chapter 23			65,226	(22,787)
<u>Chapter 24</u> - Entertainment and representation expenditure				
Total Chapter 24			8,000	(8,000)
<u>Chapter 25</u> - Advisory Council expenditure ⁽¹⁾				
Total Chapter 25			<u>45,000</u>	(28,750)
TOTAL TITLE 2:			<u>208,176</u>	(120,100)
<u>TITLE 3. Programme expenditure</u>				
1. Promotional contacts and meetings			300,000	(220,000)
2. Information and press relations			40,000	(30,000)
3. Studies			468,345	(200,000)
(a) Industrial modular projects				
(b) Preliminary studies on projects				
(c) Agro-industries				
(d) Existing industries				
(e) Extension industries				
4. Short-term expertises			100,000	(96,000)
5. Training			100,000	(14,000)
6. Data services			20,000	-
TOTAL TITLE 3:			<u>1,028,345</u>	(560,000)

⁽¹⁾ Expenditure of the Advisory Council calculated on the basis of three meetings at 15,000 EUA each.

SUMMARY OF EXPENDITURE

(a) TITLES 1 and 2	1978 appropriations	1977 appropriations
Operating expenditure		
Title 1: 1,123,479		
Title 2: 208,176	1,331,655	(740,000)
(b) TITLE 3		
Programme expenditure	1,028,345	(560,000)
	<hr/>	<hr/>
GRAND TOTAL EXPENDITURE	2,360,000 -----	(1,300,000) -----

REVENUE

(a) Contribution from the European Development Fund	2,252,000	(1,300,000)
(b) Tax on salaries (estimate)	108,000	-
	<hr/>	<hr/>
TOTAL REVENUE	2,360,000 -----	(1,300,000) -----

DECISION No 2/78/CIC
ON THE ACP-EEC COMMITTEE ON INDUSTRIAL CO-OPERATION
OF 19 JUNE 1978

on the appointment of the members
of the Advisory Council of
the Centre for Industrial Development

THE ACP-EEC COMMITTEE ON INDUSTRIAL CO-OPERATION,

Having regard to the ACP-EEC Convention of Lomé, and in particular
Articles 35 and 36 thereof,

Having regard to Decision No 2/76 of the Council of Ministers laying down the statutes and rules of operation of the Centre for Industrial Development, as amended by Decision No 7/77 of the Council of Ministers, and in particular Article 4(2) thereof,

Whereas it is the responsibility of the Committee on Industrial Co-operation to appoint the members of the Advisory Council of the Centre for Industrial Development; whereas these members are to be appointed for a period of two years; whereas the Lomé Convention is due to expire on 1 March 1980;

Whereas the Advisory Council is to be composed of fourteen members with industrial experience, chosen on an individual basis from nationals of the States which are parties to the Convention on the grounds of their qualifications and experience;

Whereas the members of the Advisory Council have been chosen from nationals of the Member States of the Community and from nationals of the ACP States,

HAS DECIDED AS FOLLOWS:

Sole Article

The following are hereby appointed members of the Advisory Council of the Centre for Industrial Development for the period to 1 March 1980:

Mr A. BELLO
Mr Andrew Leo CHITULANG'OMA
Mr Peter COLDRICK
His Excellency S. Othello COLEMAN
Mr Michel DELEFORTRIE
Mr Karel FIBBE
Mr Nils FOSS
Mr Jean-Paul GARDINIER
Mr Mark ISRAEL
Mr F.M. KAZAURA
Mr Roderick RAINFORD
Mr Morgan SHEEHY
Mr Ulf R. SIEBEL
Mr Angelo TRONTI

Done at Brussels, 19 June 1978
For the ACP-EEC Committee on Industrial Co-operation
The Chairman

G.O. IJEWERE

DECISION No 3/78/CIC
ON THE ACP-EEC COMMITTEE ON INDUSTRIAL CO-OPERATION
OF 19 JUNE 1978

on the appointment of an auditor for the
Centre for Industrial Development

THE ACP-EEC COMMITTEE ON INDUSTRIAL CO-OPERATION,

Having regard to the ACP-EEC Convention of Lomé, and in particular
Articles 35 and 36 thereof,

Having regard to Decision No 2/76 of the ACP-EEC Council of
Ministers laying down the statutes and rules of operation of the
Centre for Industrial Development, and in particular Article 6(8)
thereof,

Whereas it is the responsibility of the Committee on Industrial Co-operation to appoint the auditor of the Centre in order to comply with the terms of reference set out in the second, third and fourth subparagraphs of Article 6(8) of Decision No 2/76;

Whereas the Community on the one hand and the ACP States on the other have each announced the name of the person they propose for the discharge of the duties of auditor, and whereas each party has agreed to the proposal of the other,

HAS DECIDED AS FOLLOWS:

Sole Article

Mr Bernard CHANDRA and Mr Eduard RUPPERT are hereby appointed to discharge jointly the duties of Auditor of the Centre for Industrial Development.

Done at Brussels, 19 June 1978
For the ACP-EEC Committee on Industrial Co-operation
The Chairman

G.O. IJEWERE

DECISION No 4 /78/CIC
OF THE COMMITTEE ON INDUSTRIAL CO-OPERATION
OF 11 OCTOBER 1978

replacing a member
of the Advisory Council of the Centre
for Industrial Development

THE COMMITTEE ON INDUSTRIAL CO-OPERATION,

Having regard to the ACP-EEC Convention of Lomé, and in particular Articles 35 and 36 thereof,

Having regard to Decision No 2/76 of the ACP-EEC Council of Ministers of 14 July 1976 laying down the statutes and rules of operation of the Centre for Industrial Development, as amended by Decision 7/77 of the ACP-EEC Council of Ministers, and in particular Article 4(2) thereof,

Having regard to Decision No 2/78/CIC of the Committee on Industrial Co-operation of 19 June 1978 on the appointment of the members of the Advisory Council of the Centre for Industrial Development,

Whereas a seat as member of the Advisory Council of the above-mentioned Centre has become vacant;

Having regard to the nomination submitted on 5 July 1978,

HAS DECIDED AS FOLLOWS:

Sole Article

Mr Mbangi MUMBWE is hereby appointed a member of the Advisory Council of the Centre for Industrial Development in place of Mr Andrew L. CHITULANGOMA for the remainder of the latter's term of office, which runs until 1 March 1980.

Done at Brussels, 11 October 1978
For the Committee on Industrial co-operation
The President

(s.) H. NEUFELDT

Certified true copy

KONATE LESORT
Secretaries
to the ACP-EEC Council of Ministers

DECISION No 5 /78/CIC
OF THE COMMITTEE ON INDUSTRIAL CO-OPERATION
OF 27 OCTOBER 1978

on the adjustment of the remuneration
laid down in Article 3 of Decision
No 2/77/CIC laying down the conditions of employment
of the staff of the Centre for
Industrial Development

THE COMMITTEE ON INDUSTRIAL CO-OPERATION,

Having regard to the ACP-EEC Convention of Lomé, and in particular Articles 35 and 36 thereof,

Having regard to Decision No 2/76 of the ACP-EEC Council of Ministers of 14 July 1976 laying down the statutes and rules of operation of the Centre for Industrial Development, as amended by Decision No 7/77 of the ACP-EEC Council of Ministers, and in particular Article 5(5) thereof,

Having regard to Decision No 2/77/CIC of the Committee on Industrial Co-operation of 28 July 1977 laying down the conditions of employment of the staff of the Centre for Industrial Development, and in particular the third paragraph of Article 27 thereof,

Whereas under the third paragraph of Article 27 of Decision No 2/77/CIC the Committee may decide, on a proposal from the Director, to adjust the remuneration laid down in Article 3 thereof in order to take account of trends in the cost of living and in purchasing power;

Whereas the Director has submitted a proposal to that effect;

Whereas it appears desirable, in order to take account of trends in the cost of living and in purchasing power in Brussels, which is the seat of the Centre, to adjust the remuneration of the staff of the Centre on the basis of the variation in the general consumer price index in Belgium during the Centre's first year of operation; whereas this index increased from 119.01 in January 1977 to 125.25 in December 1977, which represents an increase of 5.24%,

HAS DECIDED AS FOLLOWS:

Article 1

With effect from 1 January 1978 the remuneration laid down in Article 3 of Decision No 2/77/CIC shall be increased by 5.24%.

Article 2

This Decision shall enter into force on the day of its adoption.

Done at Brussels, 27 October 1978

For the Committee on Industrial co-operation

The President

(s.) H. NEUFELDT

Certified true copy

KONATE LESORT

Secretaries

to the ACP-EEC Council of Ministers

DECISION No 1/79/CIC
OF THE ACP-EEC COMMITTEE ON INDUSTRIAL CO-OPERATION
OF 13 FEBRUARY 1979

giving final approval to the budget of the
Centre for Industrial Development
for the financial year 1979

THE ACP-EEC COMMITTEE ON INDUSTRIAL CO-OPERATION,

Having regard to the ACP-EEC Convention of Lomé, and in particular Articles 35 and 36 thereof,

Having regard to Decision No 2/76 of the ACP-EEC Council of Ministers of 14 July 1976 laying down the statutes and rules of operation of the Centre for Industrial Development, and in particular Article 6(1), (2) and (3) thereof,

Having regard to Decision No 3/77/CIC of the ACP-EEC Committee on Industrial Co-operation of 15 February 1977 laying down the Financial Regulation of the Centre for Industrial Development, hereinafter called the "Centre",

Whereas the ACP-EEC Committee on Industrial Co-operation has drawn up a draft budget on the basis of the preliminary draft budget prepared by the Director of the Centre and of the opinion of the Advisory Council on that preliminary draft;

Whereas the Community procedures in force have been implemented as regards the contribution requested from the European Development Fund; whereas the Commission of the European Communities informed the Committee on this date of its intention to adopt a financing decision covering an amount of 2,581,000 European units of account,

HAS DECIDED AS FOLLOWS:

Sole Article

The budget of the Centre for the financial year 1979 as it appears in the Annex hereto is hereby finally approved.

Done at Brussels, 13 February 1979

For the ACP-EEC Committee
on Industrial Co-operation

The Chairman

C. BLANCHEMAISON

Certified true copy

KONATE - LESORT

Secretaries
of the ACP-EEC Council of Ministers

ANNEX

B U D G E T
O F T H E C E N T R E
F O R I N D U S T R I A L D E V E L O P M E N T
F O R 1 9 7 9

EXPENDITURETITLE 1. Staff Expenditure1979
appropriations
(EUA)

Chapter 11 - Staff

Art. 110. Salaries

1. Existing staff :

Director, Deputy Director		137.950
3 Technical advisers	3 A	164.054
2 Technical advisers	3 B	96.461
3 Special duties officers	4 Aa	114.093
1 Accountant.	5 A	29.004
3 Assistants	5 A	70.011
6 Secretaries	5 B	74.675
1 Chauffeur	(local)	9.546
1 Messenger	(local)	7.380
* Holiday allowance		46.878

Salaries for existing staff : 750.052

2. New staff in 1979 :

XX 1 Technical adviser	3 Ba	5.909
by promotion of 4 A to 3 B		
XXX 1 Special duties officer		38.100
(translation)		
XXI 1 Secretary	5B	14.175
Holiday allowance for above		<u>3.978</u>
<u>Salaries for new staff</u>		62.162

TOTAL salaries 812.214

Art. 113. Social charges 283.700

* Binding pursuant to Belgian Law

XX Promotion of a Special Duties Officer to
Technical Adviser (in charge of the Administration)XXX Creation of a translator's post - essential - the
assistance of the EEC being only temporary
whilst the CID is set-up.XXII Creation of an extra secretary's post so as to regularise a
situation that has arisen as a result of the request of one
of the assistants to work part-time.

(ANNEX)

**1979
appropriations
(EUA)**

Art. 114. Miscellaneous Allowances & grants

Education allowance	26,000	
Transport allowance	1,800	
Resettlement allowance	18,000	
Installation allowance	3,500	
Allowance for periodic home leave	20,000	
	69,300	69,300

Art. 116. Provision for increase

Rise in the cost of living, 1/1/79 up to 30/6/79	11,369 *	
Increase for allocation of a higher grade (5 secretaries) and biennial increase with the exception of the Director, Deputy- Director and Heads of Division occupying the senior grade.	1,185	
Social charges on above increase	14,986	
	9,971	
	37,511	37,511

TOTAL, CHAPTER 11 : 1,202,725

* This item is intended to take account of the increase of the cost of living for the year ending 30th June 1978, after authorization by the Committee on Industrial Cooperation.

(ANNEX)

1979
appropriations
(EUA)

**TITLE 2. Buildings, equipment and
miscellaneous operating expenditure**

**Chapter 21 - Rental of building and
incidental expenditure**

Art. 210. Rent (1) (2) 20,000

Art. 211-214 - Insurance
water, gas
electricity
heating
cleaning and maintenance
fitting out of premises

	<u>1978</u>	<u>1979</u>
- joint services with the ACP :	45,000	48,522
- services independ- ent of ACP :	13,200	16,344

TOTAL, CHAPTER 21 **84,866**

**Chapter 22 - Moveable property and
incidental expenditure**

Art. 220 to
222. Office machinery, furni-
ture, technical equipment
and installations.

- Purchase	<u>1978</u>	<u>1979</u>
Basic furniture	-	5,500
Cloakroom cupboard	-	-
Telecopier	-	-
Typewriters	-	2,488
Adding machine	-	249
Refrigerater	-	-
Dictating machines	-	-
Extra furniture and miscellaneous office equipment	-	200

- (1) The ACP Group is to be paid a token rent of 1 BF.
- (2) Rental of offices for the ACP Information Service and ACP experts (training and joint evaluation of specific projects. The ACP Secretariat recovering the offices on the 2nd floor of the Building Georges Henri temporarily loaned to the CID).

(ANNEX)

	<u>1978</u>	<u>1979</u>	requested for 1979 (EUA)
- Rental (photocopier)	(1.250)	3.065	
- Repairs, maintenance	-	6.701	
- Unforeseeable expenditure on equipment	(4.000)	4.280	
 Total, Articles 220 to 222			
Art. 223. Transport			
- Purchase of a service car	-	-	
- Maintenance, use and repair	(2.000)	3.000	
 Total, Article 223			
 Art. 225. Documentation & library expenses			
- Subscriptions, publications	(5.000)	5.000	
 TOTAL, CHAPTER 22			 30.483
 Chapter 23 - Current administrative operating expenditure			
Art. 230. Stationery & office supplies (1)			
	(7.500)	17.500	
Art. 231. Postal charges & telecommunications			
- postage (2)	(4.000)	10.000	
- Telephone, telegraph, telex	(45.726)	50.000	

(1) Stationery, including printing and small office supplies. The increase can be explained by an underestimation of expenditure for 1978, by the increase of cost of living ($\pm 7\%$) by the development of "Stagiaires" and Business Opportunities programme.

(2) Postage (postal charges, including customs). The increase can be explained by the rise in postage ($\pm 25\%$). The underestimation of the expenditure for 1978 as a result of the underestimation of volume and the cost of mail to the ACP countries and by the development of "Business Opportunities and "Modular Projects" programmes for 1979.

(ANNEX)

		appropriations requested for 1979 (EUA)	
	<u>1978</u>	<u>1979</u>	
Art. 235. Other operating expenditure			
- Translation costs	(6.000)	6.500	
- Miscellaneous administrative expenses	(2.000)	5.000	
TOTAL, CHAPTER 23			89.000
Chapter 24 - Mission expenses, representation + entertainment expenditure			
Art. 240. Mission + duty travel expenses (Europe and ACP countries)	133.750		
Art. 241. Representation + enter- tainment expenses	15.500		
TOTAL, CHAPTER 24			149.250
TOTAL, TITLE 2 :			353.599

(ANNEX)

Appropriations
(EUA)

TITLE 3. Programme Expenditure

Chapter 1 - Promotional contacts, information,
meetings, training

Art. 10. Concerted ACP/EEC industrial promotion action and setting up a central reception structure	315,000
Art. 11. Cooperation with regional ACP institutions, missions in order to identify preliminarily evaluated viable projects (4 X 30,000)	120,000
Art. 12. ACP/EEC Information Service	100,000
Art. 13. Training (10 Experts x 7,500)	75,000
Art. 14. In-plant industrial training support services	20,000
Art. 15. Adapted technology inventory	40,000
Art. 16. ACP Engineering Centres (5 X 5,000)	25,000

Chapter 2 - Studies

Art. 21. Industrial modular projects	60,000
Art. 22. Preliminary studies on industrial projects	240,000
Art. 23. Rehabilitation of existing industries in the ACP States (in collaboration with technological EEC partners)	80,000
Art. 24. Short term expertises (10 X 5.000)	50,000

Chapter 3 - Advisory Council expenditure and
supervisory body

	48,122
Art. 31. Advisory Council expenditure	47,122
Art. 32. Supervisory body expenditure	1,000

TOTAL, TITLE 3

1,173,122

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(ANNEX)

SUMMARY OF EXPENDITURE

a) TITLES 1 & 2	1979 appropriations (EUA)	1978 appropriations (EUA)
Operating expenditure		
Title 1 : 1.202.725	1,556,324	(1,331,655)
Title 2 : 353.599		
b) TITLE 3		
Programme expenditure	1,173,122	(1,028,345)
GRAND TOTAL	<u>2,729,446</u>	<u>2,360,000</u>

REVENUE

a) Contribution from the European Development Fund	2,581,000	(2,252,000)
b) Tax on salaries (estimate)	148,446	108,000
TOTAL REVENUE	<u>2,729,446</u>	<u>2,360,000</u>

(ANNEX)

DECISION No 2/79/CIC
OF THE COMMITTEE ON INDUSTRIAL CO-OPERATION
OF 5 MARCH 1979

on the adjustment of the remuneration
laid down in Article 3 of Decision
No 2/77/CIC laying down the conditions of employment
of the staff of the Centre for
Industrial Development

THE COMMITTEE ON INDUSTRIAL CO-OPERATION,

Having regard to the ACP-EEC Convention of Lomé, and in particular Articles 35 and 36 thereof,

Having regard to Decision No 2/76 of the ACP-EEC Council of Ministers of 14 July 1976 laying down the statutes and rules of operation of the Centre for Industrial Development, as amended by Decision No 7/77, and in particular Article 5(5) thereof,

Having regard to Decision No 2/77/CIC of the Committee on Industrial Co-operation of 28 July 1977 laying down the conditions of employment of the staff of the Centre for Industrial Development, and in particular the third paragraph of Article 27 thereof,

Whereas under the third paragraph of Article 27 of Decision No 2/77/CIC the Committee may decide, on a proposal from the Director, to adjust the remuneration laid down in Article 3 thereof in order to take account of trends in the cost of living and in purchasing power;

Whereas an adjustment of 5.24% was first made by Decision No 5/78/CIC;

Whereas the Director has submitted a proposal of further adjustment;

Whereas it appears desirable, in order to take account of trends in the cost of living and in purchasing power in Brussels, which is the seat of the Centre, to adjust the remuneration of the staff of the Centre on the basis of the variation in the general consumer price index in Belgium between 1 January and 31 August 1978; whereas this index increased from 125.25 in December 1977 to 128.26 in August 1978, which represents an increase of 2.40%,

HAS DECIDED AS FOLLOWS:

Article 1

With effect from 1 September 1978 the remuneration laid down in Article 3 of Decision No 2/77/CIC shall be increased by 7.77%.

Article 2

This Decision shall enter into force on the day of its adoption.

Done at Brussels, 5. III. 1979

For the Committee on Industrial
Co-operation
The Chairman

(s.) C. BLANCHEMAISON

Certified true copy

KONATE

LESORT

Secretaries

of the ACP-EEC Council of Ministers

DECISION No 3/79/CIC
OF THE COMMITTEE ON INDUSTRIAL CO-OPERATION
OF 13 NOVEMBER 1979

on the adjustment of the remuneration
laid down in Article 3 of Decision
No 2/77/CIC laying down the conditions of employment
of the staff of the Centre for
Industrial Development

THE COMMITTEE OF INDUSTRIAL CO-OPERATION,

Having regard to the ACP-EEC Convention of Lomé, and in particular Articles 35 and 36 thereof,

Having regard to Decision No 2/76 of the ACP-EEC Council of Ministers of 14 July 1976 laying down the statutes and rules of operation of the Centre for Industrial Development, as amended by Decision No 7/77, and in particular Article 5(5) thereof,

Having regard to Decision No 2/77/CIC of the Committee on Industrial Co-operation of 28 July 1977 laying down the conditions of employment of the staff of the Centre for Industrial Development, and in particular the third paragraph of Article 27 thereof,

Whereas under the third paragraph of Article 27 of Decision No 2/77/CIC the Committee may decide, on a proposal from the Director, to adjust the remuneration laid down in Article 3 thereof in order to take account of trends in the cost of living and in purchasing power;

Whereas adjustments were made by Decisions No 5/78/CIC and No 2/79/CIC;

Whereas the Director has submitted a proposal of further adjustment;

Whereas it appears desirable, in order to take account of trends in the cost of living and in purchasing power in Brussels, which is the seat of the Centre, to adjust the remuneration of the staff of the Centre on the basis of the variation in the general consumer price index in Belgium between 1 September 1978 and 28 February 1979; whereas this index increased from 128.26 in August 1978 to 131.29 in February 1979, which represents an increase of 2.36%,

HAS DECIDED AS FOLLOWS:

Article 1

With effect from 1 March 1979 the remuneration laid down in Article 3 of Decision No 2/77/CIC shall be increased by 10.32%.

Article 2

This Decision shall enter into force on the day of its adoption.

Done at Brussels, 13 November 1979
For the Committee on Industrial Co-operation,
The Chairman
(s.) Sean MURRAY

Certified true copy

KONATE - LESORT

Secretaries
of the ACP-EEC Council of Ministers

DECISION No 4/79/CIC
OF THE COMMITTEE ON INDUSTRIAL CO-OPERATION
OF 13 NOVEMBER 1979

giving a discharge to the Director of the Centre
for Industrial Co-operation in respect of
the implementation of the Centre's budget
for the financial year 1977

THE COMMITTEE ON INDUSTRIAL CO-OPERATION,

Having regard to the ACP-EEC Convention of Lomé, and in
particular Articles 35 and 36 thereof,

Having regard to Decision No 2/76 of the ACP-EEC Council of
Ministers of 14 July 1976 laying down the statutes and rules of
operation of the Centre for Industrial Development, as amended
by Decision No 7/77, and in particular Article 6 thereof,

Having regard to Decision No 3/77/CIC of the Committee on Industrial Co-operation of 15 February 1977 adopting the Financial Regulation of the ACP-EEC Centre for Industrial Development, and in particular Article 20 thereof,

Having regard to the balance sheet for the financial year, drawn up at 31 December 1977,

Having regard to the Auditors' Report on the accounts for the financial year 1977,

Having noted the replies given by the Director to the comments made by the Auditors, and his formal commitment to conform with the financial regulation;

Whereas it is for the Committee to give a discharge to the Director in respect of the implementation of the Centre's budget;

Whereas revenue for the financial year 1977 consisted mainly of a contribution of 982,389.39 European units of account from the European Development Fund;

Whereas the Director's overall implementation of the Centre's budget during the financial year 1977 was such that he should be given a discharge in respect of the implementation of that budget,

HAS DECIDED AS FOLLOWS:

Article 1

The Committee on Industrial Co-operation shall adopt the balance sheet of the Centre for Industrial Development as at 31 December 1977, showing the amount of 984,127.79 European units of account both for revenue and expenditure.

Article 2

The Committee shall express itself on the comments contained in the Auditors' Report on the accounts for the financial year 1977, as indicated in the Annex.

Article 3

The Committee shall give a discharge to the Director of the Centre in respect of the implementation of the Centre's Budget for the financial year 1977.

Done at Brussels, 13 November 1979
For the Committee on Industrial Co-operation
The Chairman

(s.) Sean MURRAY

Certified true copy

KONATE LESORT
Secretaries
of the ACP-EEC Council of Ministers

ANNEX

Comments of the Committee
accompanying the Decision
giving a discharge in respect of the budget
of the Centre for Industrial Development
(financial year 1977)

Although the Committee is aware that certain financial regulations concerning the Centre were only adopted during the financial year under consideration, it asks the Director to ensure that the rules applicable to the accounts of the Centre are correctly applied and in particular if this has not already been done since the end of that financial year, to take steps to ensure compliance with:

- Article 10 (procedures for the transfer of appropriations and carrying over at the end of the financial year),
- Article 13 (double entry accounting of commitments and authorizations),
- Article 15 (the need for supporting documents),
- Article 17(2) (delegation by the Director of power to authorize appropriations),
- Article 23 (concerning the drawing up in EUA of a balance sheet and of a revenue and expenditure account at the end of the financial year),

of the Centre's Financial Regulation.

In this connection, it also asks the Director to adopt more precise rules on the re-imbursing of taxi expenses, recovery of the cost of private telephone communications, and the re-imbursing of incidental costs and of other assistance to officials of the Centre.

DECISION No 5/79/CIC
OF THE COMMITTEE ON INDUSTRIAL CO-OPERATION
OF 13 NOVEMBER 1979

replacing a member
of the Advisory Council of the Centre
for Industrial Development

THE COMMITTEE ON INDUSTRIAL CO-OPERATION,

Having regard to the ACP-EEC Convention of Lomé, and in particular Articles 35 and 36 thereof,

Having regard to Decision No 2/76 of the ACP-EEC Council of Ministers of 14 July 1976 laying down the statutes and rules of operation of the Centre for Industrial Development, as amended by Decision 7/77 and in particular Article 4(2) thereof,

Having regard to Decision No 2/78/CIC of the Committee on Industrial Co-operation of 19 June 1978 on the appointment of the members of the Advisory Council of the Centre for Industrial Development,

Having regard to Decision No 4/78/CIC of the Committee on Industrial Co-operation of 11 October 1978 replacing a member of the Advisory Council of the Centre for Industrial Development,

Whereas a seat as member of the Advisory Council of the above Centre has become vacant;

Having regard to the nomination submitted by the ACP States,

HAS DECIDED AS FOLLOWS:

Sole Article

Mr Leo Marsan CHILESHE is hereby appointed a member of the Advisory Council of the Centre for Industrial Development in place of Mr Mbangi MUMBWE for the remainder of the latter's term of office, which runs until 1 March 1980.

Done at Brussels, 13 November 1979
For the Committee on Industrial Co-operation
The Chairman

(s.) Sean MURRAY

Certified true copy

KONATE - LESORT
Secretaries

f the ACP-EEC Council of Ministers

DECISION No 1/80/CIC
OF THE COMMITTEE ON INDUSTRIAL CO-OPERATION
OF 20 FEBRUARY 1980

giving a discharge to the Director of the Centre
for Industrial Development in respect of
the implementation of the Centre's budget
for the financial year 1978

THE COMMITTEE ON INDUSTRIAL CO-OPERATION,

Having regard to the ACP-EEC Convention of Lomé, and in particular Articles 35 and 36 thereof,

Having regard to Decision No 2/76 of the ACP-EEC Council of Ministers of 14 July 1976 laying down the statutes and rules of operation of the Centre for Industrial Development, as amended by Decision No 7/77, and in particular Article 6 thereof,

Having regard to Decision No 3/77/CIC of the Committee on Industrial Co-operation of 15 February 1977 adopting the Financial Regulation of the ACP-EEC Centre for Industrial Development, and in particular Article 20 thereof,

Having regard to the balance sheet for the financial years 1977/1978 drawn up at 31 December 1978,

Having regard to the Auditors' Report on the accounts for the financial year 1978,

Having noted the replies given by the Director to the comments made by the Auditors, and the willingness expressed by him to ensure a full application of the provisions of the financial regulation;

Referring also to the comments of the Committee accompanying the Decision giving a discharge for the financial year 1977 (Decision No 4/79/CIC of 13 November 1979);

Whereas it is for the Committee to give a discharge to the Director in respect of the implementation of the Centre's budget;

Whereas revenue for the financial year 1978 consisted of a contribution from the European Development Fund, together with a sum from the tax on the salaries and emoluments paid by the Centre and other resources;

Whereas the Director's overall implementation of the Centre's budget during the financial year 1978 was such that he should be given a discharge in respect of the implementation of that budget,

HAS DECIDED AS FOLLOWS:

Article 1

The Committee on Industrial Co-operation shall adopt the balance sheet of the Centre for Industrial Development as at 31 December 1978, showing the amount of 2,777,612.91 European units of account both for revenue and expenditure.

Article 2

The Committee shall express itself on the comments contained in the Auditors' Report on the accounts for the financial year 1978, as indicated in the Annex.

Article 3

The Committee shall give a discharge to the Director of the Centre in respect of the implementation of the Centre's Budget for the financial year 1978.

Done at Brussels; 20 February 1980
For the Committee on Industrial Co-operation
The Chairman

(s.) F. FABBRI

Certified true copy

KONATE

LESORT

Secretaries
of the ACP-EEC Council of Ministers

ANNEX

Comments of the Committee
accompanying the Decision
giving a discharge in respect of the budget
of the Centre for Industrial Development
(financial year 1978)

The Committee again asks the Director to ensure that the rules applicable to the accounts of the Centre are correctly applied and considers that to this end the Director should in particular:

- ensure that the terms of the contracts concluded by the Centre with external bodies ("Olympic circles" responsible for external missions, training programmes etc.) are more precise, with particular reference to the definition of tasks and the corresponding conditions of payment;
 - strictly apply the rule concerning the separation of the functions of authorizing officer and accounting officer;
 - ensure that the carry-over of uncommitted appropriations from one financial year to the next is limited as far as possible.
-

DECISION No 2/80/CIC
OF THE ACP-EEC COMMITTEE ON INDUSTRIAL CO-OPERATION
OF 30 MAY 1980

giving final approval to the budget of the
Centre for Industrial Development
for the financial year 1980

THE ACP-EEC COMMITTEE ON INDUSTRIAL CO-OPERATION,

Having regard to the ACP-EEC Convention of Lomé, and in particular Articles 35 and 36 thereof,

Having regard to Decision No 2/76 of the ACP-EEC Council of Ministers of 14 July 1976 laying down the statutes and rules of operation of the Centre for Industrial Development, and in particular Article 6(1), (2) and (3) thereof,

Having regard to Decision No 3/77/CIC of the ACP-EEC Committee on Industrial Co-operation of 15 February 1977 laying down the Financial Regulation of the Centre for Industrial Development, hereinafter called the "Centre",

Having regard to Decision No 1/80 of the ACP-EEC Council of Ministers of 18 January 1980 on transitional measures to be applied from 1 March 1980,

Whereas the ACP-EEC Committee on Industrial Co-operation, to which a preliminary draft budget was submitted by the Director of the Centre together with the opinion of the Advisory Council on that preliminary draft, has drawn up a draft budget;

Whereas the Community procedures in force have been implemented as regards the contribution requested from the European Development Fund; whereas the Commission of the European Communities has adopted the corresponding financing decisions covering an amount of 2,286,290 European units of account,

HAS DECIDED AS FOLLOWS:

Sole Article

The budget of the Centre for the financial year 1980 as it appears in the Annex hereto is hereby finally approved.

Done at Brussels, 30 May 1980

For the ACP-EEC Committee
on Industrial Co-operation

The Chairman

(s.) Chief P. AFOLABI

Certified true copy

KONATE

LESORT

Secretaries
of the ACP-EEC Council of Ministers

ANNEX

ANNUAL BUDGET
OF THE CENTRE FOR INDUSTRIAL
DEVELOPMENT
(1980)

EXPENDITURE

	Appropriations	
	1979 (EUA)	1980 (EUA)
<u>TITLE 1 - STAFF EXPENDITURE</u>		
<u>Chapter 11 - Staff</u>		
<u>Article 110 - Salaries</u>	812,214	860,004
Existing Staff:		
- Director - Deputy Director		
- 3 Technical Advisers 3A		
- 3 Technical Advisers 3B		
- 3 Special Duties Officers 4A		
- 1 Accountant 5A		
- 3 Assistants 5A		
- 7 Secretaries 5B		
- 1 Driver (local)		
- 1 Messenger (local)		
- Holiday Allowance for above		
<u>Article 112 - Provision for increase</u>	37,511	74,468
- Biennial increase	25,278 (1)	
- Rise in the cost of living (1 September 1979 to 31 August 1980)	44,264 (2)	
- Holiday Allowance for above	4,926	
	<u>74,468</u>	
<u>Article 113 - Social Charges</u>	283,700	306,750

(1) According to Article 27, Decision 2/77/CIC of 28 July 1977
(2) This item is intended to cover rises in the cost of living after authorization by the Committee on Industrial Co-operation in accordance with Article 27, third paragraph, Decision 2/77/CIC of 28 July 1977

			Appropriations	Appropriations
			1979	1980
			(BIA)	(BIA)
<u>Article 114 - Miscellaneous allowances</u>				
<u>and grants</u>			69,300	74,800
		Estimates		
	<u>1979</u>	<u>1980</u>		
- Education allowance	26,000	28,000		
- Transport allowance	1,800	1,800		
- Resettlement allowance (¹)	18,000	25,000		
- Installation allowance	3,500	-		
- Allowance for periodic home leave	<u>20,000</u>	<u>20,000</u>		
	69,300	74,800		
TOTAL CHAPTER 11			1,202,725	1,316,022
TOTAL TITLE I			1,202,725	1,316,022

(¹) This estimated appropriation does not make any allowance for the possible replacement in 1980 of all expatriate staff members.

TITLE 2 - BUILDINGS, EQUIPMENT AND MISCELLANEOUS EXPENDITURE

Chapter 21 - Rental of building and incidental expenditure

Art. 210 - Rent

Art. 211 - Incidental expenditure

Estimates

	<u>1979</u>	<u>1980</u>
- Joint services with the ACP	48,522	50,000
- Services independent of ACP	16,344	15,000
	<u>64,866</u>	<u>65,000</u>

Total Chapter 21

Chapter 22 - Moveable property and incidental expenditure

Art. 220 - Purchase of office machinery and furniture

Unforeseeable equipment expenditure

Art. 221 - Rental of furniture and equipment

Art. 222 - Maintenance of furniture and equipment

Art. 223 - Transport equipment, maintenance, repairs, use

Art. 224 - Documentation expenses

Total Chapter 22

	<u>Appropriations</u> <u>1979</u> (ECU)	<u>Appropriations</u> <u>1980</u> (ECU)
	20,000	21,000 ⁽¹⁾
	64,866	65,000
	<u>84,866</u>	<u>86,000</u>
	8,437	
	4,280	4,000
	3,065	3,000
	6,701	12,500 ⁽²⁾
	3,000	4,000 ⁽³⁾
	5,000	3,000
	<u>30,483</u>	<u>26,500</u>

⁽¹⁾ Indexation of rent - Additional offices rented in Sud Brand Whitlock with the agreement of the CIC.

⁽²⁾ Additional documents to be photocopied due to development of Information Department.

⁽³⁾ Increase in oil price.

	Appropriations	
	1979 (EUA)	1980 (EUA)
<u>Chapter 23 - Current administrative operating expenditure</u>		
<u>Art. 230 - Stationery and office supplies</u>	17,500	15,000
<u>Art. 231 - Postal charges and telecommunications</u>	60,000	63,000
	Estimates	
	<u>1979</u>	<u>1980</u>
- Postage	10,000	13,400
- Telephone, telegraph, telex	50,000	50,000
<u>Art. 235 - Other operating expenditure</u>	11,500	7,000
	Estimates	
	<u>1979</u>	<u>1980</u>
- Translation, costs	6,500	2,000
- Miscellaneous administrative expenses	5,000	5,000
Total Chapter 23	89,000	85,000
<u>Chapter 24 - Mission expenses, representation and entertainment expenditure</u>		
<u>Art. 240 - Mission and duty travel expenses (Europe and ACP countries)</u>	133,750	120,000
<u>Art. 241 - Representation and entertainment expenses</u>	15,500	10,000
Total Chapter 24	149,250	130,000
TOTAL TITLE 2	353,599	327,500

	Appropriations 1979 — (EUA)	Appropriations 1980 — (EUA)
<u>TITLE 3 - PROGRAMME EXPENDITURE</u> ⁽¹⁾		
<u>Chapter 31 - Promotional contacts, information, meetings, training</u>		
<u>Article 310 - Concerted ACP-EEC industrial promotion action</u>	315,000	150,000
<u>Article 311 - Co-operation with regional ACP institutions, regional seminar on industrial co-operation</u>	120,000	109,500
<u>Article 312 - ACP-EEC Information Service</u>	100,000	56,377
<u>Article 313 - Training (10 Experts x 7,500) ... (Assistance in Industrial Promotion within the CID)</u>	75,000	75,000
<u>Article 314 - In-plant industrial training support services</u>	20,000	17,692
<u>Article 315 - Adapted industrial technology profiles</u>	40,000	30,399
<u>Article 316 - Industrial Services Centres</u>	25,000	25,000
TOTAL CHAPTER 31	695,000	463,968
<u>Chapter 32 - Studies</u>		
<u>Article 321 - Assistance to applied research and development projects</u>	60,000	18,000
<u>Article 322 - Preliminary studies on industrial projects</u>	240,000	217,352
<u>Article 323 - Rehabilitation of existing industries in the ACP States (in collaboration with EEC technological partners)</u>	80,000	26,415
<u>Article 324 - Short-term expertises (10 x 5,000)</u>	50,000	38,479
TOTAL CHAPTER 32	430,000	300,246

⁽¹⁾ Taking into account the appropriations carried over from 1979

	Estimates		Appropriations 1979	Appropriations 1980
	1979	1980	(EUA)	(EUA)
<u>Chapter 33 - Advisory Council expenditure and supervisory body</u>			48,122	27,000
<u>Article 331 - Advisory Council</u>	47,122	47,000		
<u>Article 332 - Supervisory body</u>	1,000	1,000		-
TOTAL CHAPTER 33				27,000
TOTAL TITLE 3			1,173,122	791,214

SUMMARY OF EXPENDITURE

	Appropriations	Appropriations
	1979 (EUA)	1980 (EUA)
(a) TITLES 1 and 2		
Operating expenditure	1,556,324	1,643,522
Title 1: 1,316,022		
Title 2: 327,500		
(b) TITLE 3		
Programme expenditure	1,173,122	791,214 ⁽¹⁾
GRAND TOTAL	<u>2,729,446</u>	<u>2,434,736</u>
	<u>REVENUE</u>	
(a) Contribution from the European Development Fund	2,581,000	2,286,290
(b) Revenues (estimates), in particular taxes on salaries	<u>148,446</u>	<u>148,446</u>
TOTAL REVENUE	<u>2,729,446</u>	<u>2,434,736</u>

⁽¹⁾ Taking into account the appropriations carried over from 1979.

DECISION No 3/80 OF THE COMMITTEE ON INDUSTRIAL CO-OPERATION
OF 1 JULY 1980

on the
appointment of the Director and the Deputy Director
of the Centre for Industrial Development
and the drawing up of their contracts

THE COMMITTEE ON INDUSTRIAL CO-OPERATION,

Having regard to the first ACP-EEC Convention of Lomé, and in particular Articles 35, 36 and 91, third subparagraph thereof,

Having regard to Decision No 2/76 of the Council of Ministers laying down the statutes and rules of operation of the Centre for Industrial Development, and in particular Article 3(1) and (2) thereof,

Having regard to Decision No 1/80 of the Council of Ministers of 18 January 1980 on transitional measures to be applied from 1 March 1980,

Whereas, pursuant to the said Decision, the Committee on Industrial Co-operation is authorized to exercise the powers necessary to ensure the continued operation of the Centre for Industrial Development;

Whereas, as provided for in Article 1(1) and (2) of the Decision No 2/76 now embodied in Article 81(2) of the second ACP-EEC Convention signed on 31 October 1979 at Lomé, the Centre shall be headed by a Director assisted by a Deputy Director both of whom shall be appointed by the Committee;

Whereas the European Economic Community has proposed to the Committee on Industrial Co-operation that Mr Jens MOSGARD be appointed to the post of Director of the Centre for Industrial Development, and the ACP States have proposed that Dr Isaac Adedayo AKINRELE be appointed to the post of Deputy Director of the Centre;

Whereas the authority empowered to sign the contracts of the Director and the Deputy Director of the Centre should be designated; whereas the Committee on Industrial Co-operation is the supervisory authority of the Centre and whereas its Chairman is therefore in a position to act on behalf of the Centre to appoint the Director and Deputy Director thereof,

HAS DECIDED AS FOLLOWS:

Article 1

1. With effect from 1 July 1980, Mr Jens MOSGARD is hereby appointed Director of the Centre for Industrial Development.

2. With effect from 1 July 1980, Dr Isaac Adedayo AKINRELE is hereby appointed Deputy Director of the Centre for Industrial Development.

Article 2

The Committee on Industrial Co-operation empowers its Chairman and the spokesman of the delegation which will be the next to hold the office of Chairman, in accordance with Article 3 of Decision No 1/76 of the ACP-EEC Council of Ministers, jointly to sign the contracts of the Director and the Deputy Director on behalf of the Centre for Industrial Development.

Done at Brussels, 1 July 1980
For the Committee on Industrial Co-operation
The President

(s.) P. AFOLABI

Certified true copy

KONATE LESORT
Secretaries
of the ACP-EEC Council of Ministers

Financial and
technical
cooperation

Table

1

Subject	Pages in the Collected Acts
77/156/EEC : Council Decision of 14 February 1977 adjusting the amounts made available to the European Development Fund (1975) for the ACP States on the one hand, and for the overseas countries and territories and the French overseas departments on the other	1
Council Decision of 22 March 1977 on the allocation of 7, 438, 500 European units of account to the European Development Fund (1975)	2 - 4
Resolution of the ACP-EEC Council of Ministers on financial and technical co-operation adopted on 14 April 1977	5 - 13
Decision No 8/77 of the ACP-EEC Council of Ministers of 14 April 1977 delegating to the Committee of Ambassadors the authority to adopt the rules for settlement of any dispute arising between the authorities of an ACP State and a contractor or supplier in the course of execution of a contract financed by the EDF	14 - 16
Decision No 9/77 of the ACP-EEC Council of Ministers of 14 April 1977 delegating to the Committee of Ambassadors the authority to adopt the general provisions and conditions applicable to the placing and performance of public works contracts financed by the EDF	17 - 19
Council Decision of 7 February 1978 reviewing the amounts which the European Investment Bank may commit in the form of risk capital for the purpose of applying the ACP-EEC Convention of Lomé and the Decision on the association of the overseas countries and territories with the European Economic Community	20 - 22
Decision No 2/78 of the ACP-EEC Council of Ministers of 14 March 1978 on the measures to be taken regarding examination of the results of financial and technical co-operation for the financial years 1976 and 1977	23 - 26
78/464/EEC : Council Decision of 30 May 1978 adjusting the amounts made available to the European Development Fund (1975) for the ACP States and for the overseas countries and territories and the French overseas departments	27 - 28

Table

2

Subject	Pages in the Collected Acts
78/824/EEC :	
Agreement amending the Internal Agreement on the financing and administration of Community aid signed on 11 July 1975	29 - 33
Entry into force of the Agreement, signed in Brussels on 28 March 1977, amending the Internal Agreement on the financing and administration of Community aid, signed on 11 July 1975	34
78/900/EEC :	
Council Decision of 30 October 1978 giving a discharge to the Commission in respect of the implementation of the operations of the European Development Fund (1963) (Second EDF) for the financial year 1976	35
78/901/EEC :	
Council Decision of 30 October 1978 giving a discharge to the Commission in respect of the implementation of the operations of the European Development Fund (1969) (Third EDF) for the financial year 1976	36 - 37
79/309/EEC :	
Council Decision of 19 March 1979 adjusting the amounts made available to the European Development Fund (1975) for the ACP States and for the overseas countries and territories and the French overseas departments	38 - 39
Decision No 6/79 of the ACP-EEC Council of Ministers of 23 March 1979 on the fiscal and customs arrangements applicable in the ACP States to contracts financed by the Community	40 - 45
79/468/EEC :	
Council Decision of 8 May 1979 giving a discharge to the Commission in respect of the implementation of the operations of the European Development Fund (1963) (Second EDF) for the financial year 1977	46
79/469/EEC :	
Council Decision of 8 May 1979 giving a discharge to the Commission in respect of the implementation of the operations of the European Development Fund (1969) (Third EDF) for the financial year 1977	47
79/506/EEC :	
Council Decision of 24 May 1979 amending the Decision of 18 December 1978 laying down the schedule for Member States' contributions to the Third European Development Fund (1969) for the financial year 1979	48 - 49

Table

3

Subject	Pages in the Collected Acts
<p>79/507/EEC : Council Decision of 24 May 1979 amending the Decision of 18 December 1978 laying down the schedule for Member States' contributions to the Fourth European Development Fund (1975) for the financial year 1979</p>	50
<p>79/1069/EEC : Decision of the European Parliament of 16 November 1979 on the discharge to be granted to the Commission of the European Communities in respect of the implementation of the activities of the Fourth European Development Fund for the 1977 financial year</p>	51
<p>80/160/EEC : Council Decision of 5 February 1980 adjusting the amounts made available to the European Development Fund (1975) for the ACP States and for the overseas countries and territories and the French overseas departments</p>	52 - 53
<p>80/458/EEC : Council Decision of 22 April 1980 giving a discharge to the Commission in respect of the implementation of the operations of the European Development Fund (1963) (Second EDF) for the financial year 1978</p>	54
<p>80/459/EEC : Council Decision of 22 April 1980 giving a discharge to the Commission in respect of the implementation of the operations of the European Development Fund (1969) (Third EDF) for the financial year 1978</p>	55
<p>80/460/EEC : Council recommendation of 22 April 1980 concerning the discharge to be given to the Commission in respect of the implementation of the operations of the European Development Fund (1975) (Fourth EDF) for the financial year 1978</p>	56
<p>Resolution of the ACP-EEC Council of Ministers on financial and technical co-operation</p>	57 - 59
<p>Resolution of the ACP-EEC Council of Ministers concerning investments in public health and public drinking-water supplies</p>	60
<p>Decision No 4/80 of the ACP-EEC Council of Ministers of 9 May 1980 on raising the ceiling for the financing of microprojects</p>	61

Table

3

Subject	Pages in the Collected Acts
<p>79/507/EEC : Council Decision of 24 May 1979 amending the Decision of 18 December 1978 laying down the schedule for Member States' contributions to the Fourth European Development Fund (1975) for the financial year 1979</p>	50
<p>79/1069/EEC : Decision of the European Parliament of 16 November 1979 on the discharge to be granted to the Commission of the European Communities in respect of the implementation of the activities of the Fourth European Development Fund for the 1977 financial year</p>	51
<p>80/160/EEC : Council Decision of 5 February 1980 adjusting the amounts made available to the European Development Fund (1975) for the ACP States and for the overseas countries and territories and the French overseas departments</p>	52 - 53
<p>80/458/EEC : Council Decision of 22 April 1980 giving a discharge to the Commission in respect of the implementation of the operations of the European Development Fund (1963) (Second EDF) for the financial year 1978</p>	54
<p>80/459/EEC : Council Decision of 22 April 1980 giving a discharge to the Commission in respect of the implementation of the operations of the European Development Fund (1969) (Third EDF) for the financial year 1978</p>	55
<p>80/460/EEC : Council recommendation of 22 April 1980 concerning the discharge to be given to the Commission in respect of the implementation of the operations of the European Development Fund (1975) (Fourth EDF) for the financial year 1978</p>	56

COUNCIL DECISION

of 14 February 1977

adjusting the amounts made available to the European Development Fund (1975) for the ACP States on the one hand, and for the overseas countries and territories and the French overseas departments on the other

(77/156/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Internal Agreement on the financing and administration of Community aid, signed on 11 July 1975, hereinafter called the 'Internal Agreement', and in particular Article 1 (4) thereof,

Having regard to the proposal from the Commission,

Whereas the Republic of Surinam, the Republic of the Seychelles and the Comoro State, which are former overseas countries and territories associated with the Community by virtue of Decision 76/568/EEC (4), having become independent, requested to accede to the Convention of Lomé pursuant to Article 89 thereof; whereas the ACP-EEC Council of Ministers approved these requests at its first meeting; whereas these States deposited their instruments of accession with the General Secretariat of the Council and thus acceded to the ACP-EEC Convention of Lomé on 16 July, 27 August and 13 September 1976 respectively;

Whereas, therefore, in accordance with Article 1 (4) of the Internal Agreement, the amounts provided for the overseas countries and territories in Article 1 (3) (b) of the said Internal Agreement should be reduced and those provided for the ACP States in subparagraph (a) of that paragraph correspondingly increased,

HAS DECIDED AS FOLLOWS:

Article 1

The text of Article 1 (3) (a) and (b) of the Internal Agreement shall be replaced by the following text:

(a) 3 031.60 million European units of account for the ACP States, comprising:

2 124 million European units of account in the form of grants,

436.60 million European units of account in the form of special loans,

96 million European units of account in the form of risk capital,

375 million European units of account in the form of transfers pursuant to Title II of the Convention;

(b) 98.40 million European units of account for the countries and territories and the French overseas departments, comprising:

45 million European units of account in the form of grants,

34.40 million European units of account in the form of special loans,

4 million European units of account in the form of risk capital,

15 million European units of account in the form of a reserve.

Article 2

This Decision shall enter into force on 16 July 1976.

Article 3

This Decision shall be published in the *Official Journal of the European Communities*.

Done at Brussels, 14 February 1977.

For the Council

The President

J. SILKIN

(4) OJ No L 176, 1. 7. 1976, p. 8.

COUNCIL DECISIONOF 22 MARCH 1977

on the allocation
of 7,438,500 European units of account
to the European Development Fund (1975)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Internal Agreement on the Financing and Administration of Community Aid (¹), signed in Brussels on 11 July 1975, hereinafter called "Internal Agreement", and in particular Article 10(1) thereof,

Having regard to Council Decision 76/569/EEC of 29 June 1976 on the allocation of two million units of account to the French overseas territories pursuant to Article 10 of the Internal Agreement (²),

Having regard to the proposal from the Commission,

(¹) OJ No L 176, 1.7.1976, p. 98

Whereas the Democratic Republic of Sao Tomé and Príncipe, the Republic of Cape Verde and Papua New Guinea have submitted requests for accession to the ACP-EEC Convention of Lomé (1), pursuant to Article 90 thereof; whereas the Accession Agreements between the Community and these three States will be signed in the near future;

Whereas the Internal Agreement will be amended on the occasion of the accession of these three States to the ACP-EEC Convention of Lomé and will provide for the payment of additional contributions by the Member States to the European Development Fund (1975);

Whereas use should be made of the possibilities provided by Article 10(1) of the Internal Agreement in respect of the additional contributions of the original Member States,

HAS DECIDED AS FOLLOWS:

Article 1

The payments, proceeds and income referred to in Article 10(1) of the Internal Agreement which have accrued, as from 1 August 1975, from operations financed from the resources of the second and third European Development Funds (1963 and 1969), less any commission due to the European Investment Bank, shall be allocated as follows:

593,750 European units of account to Belgium,
2,465,250 European units of account to Germany,
2,465,250 European units of account to France,
1,140,000 European units of account to Italy,
19,000 European units of account to Luxembourg,
755,250 European units of account to the Netherlands,
i.e. a total of 7,438,500 European units of account;

(1) ~~CONF~~ ● 2

these allocations shall be made in order to cover in part the contributions which those States will be required to pay to the Commission under the schedules of calls for contributions laid down by the Council pursuant to Article 7 of the Internal Agreement and the procedures laid down in Article 2 of the Financial Regulation of 27 July 1975 applicable to the fourth European Development Fund .

Article 2

These amounts shall be paid by the European Investment Bank, at the request of the Commission, within the limits of sums and currencies actually available.

The rates of exchange from these currencies to the European Unit of Account shall be those obtaining on the second working day before the payment.

Article 3

This Decision shall be published in the Official Journal of the European Communities.

It shall be applicable from the date of entry into force of the Agreement amending the Internal Agreement.

Done at Brussels, 22 March 1977

For the Council
The President

Certified true copy

(s.) J. HART

HOMMEL

Secretary-General

RESOLUTION OF THE ACP-EEC COUNCIL OF MINISTERS

on financial and technical co-operation

adopted on 14 April 1977

I. OVERALL ORIENTATION OF EFFORTS

1. So that financial and technical co-operation can have immediate and lasting effects for the ACP States, the Council requests the Community to take all necessary steps to expedite the implementation of national indicative programmes, the projects which they comprise, as well as the implementation of the regional and inter-regional projects of the ACP States.

With a view to rendering financial and technical co-operation more effective, the efforts should tend to:

- (a) organize economic development rationally, by increasing and diversifying production,
 - make judicious use of the resources available and
 - strengthen intra-ACP co-operation, inter alia by developing transport and telecommunications infrastructures with a view widening their markets and diversifying their economies;
- (b) encourage and promote, within this framework, such schemes and efforts as are indispensable to contribute to the balanced development of all sectors of the economy;

(c) stimulate efforts by producers and firms in the countries concerned, as well as new capital investments, so that existing firms may expand and new enterprises be set up;

(d) contribute to the promotion of joint undertakings.

2. The Council recommends that the Commission include in its Annual Report appropriate information on the financing and administrative expenses of the EDF and that this be considered by the joint ACP-EEC subcommittee on Technical and Financial Co-operation, under the provisions of Article 41 of the Convention. This information will also be provided in respect of the implementation of projects financed by the EDF not included in the national indicative programmes.

3. In order that all the procedures provided for in Article 41 of the Lomé Convention may be completed, all necessary steps should be taken so that a meeting can be called for the second half of October 1977 at the latest between the persons responsible in the ACP States and in the Community for planning and implementing financial and technical co-operation, with the participation of representatives of regional and inter-regional groupings, so that a comprehensive balance-sheet can be drawn up of all activities in the context of financial and technical co-operation.

II. APPLICATION OF CERTAIN SPECIFIC PROVISIONS OF THE
LOME CONVENTION

1. Measures in favour of the least developed ACP States.

The Council of Ministers takes note of the financial commitments from which several ACP States listed in Article 48 have benefited up to 31 December 1976.

It recommends:

- that these commitments be intensified in all the States on the list;
- that appropriate schemes be put in hand in order to remove specific barriers to the development of the least developed, landlocked and island countries.

Moreover, the Council of Ministers recommends that the most flexible and effective means of action authorized under the Lomé Convention be applied in order to implement projects in the said States.

To this end, the Council recommends that a joint ACP-EEC Subcommittee be set up to study the specific development problems confronting the least developed ACP States, in particular the landlocked and island countries.

2. Regional co-operation

With a view to increasing the effectiveness of regional co-operation, the Council of Ministers recommends:

- that closer co-operation be set up between the ACP States and the EEC on the basis of the provisions laid down in Article 47 of the Lomé Convention in favour of regional co-operation so that a genuine regional development process can be set in motion and strengthened;
- that the funds available for regional co-operation be used in such a way as to play a stimulating and catalysing role so that resources may be diversified and augmented.

3. Microprojects

The Council notes the existence of simplified procedures which will have to be applied in order to ensure that microprojects are implemented as soon as possible after the submission of programmes by the ACP States, and the power given to those States to decide on projects themselves, with the agreement of the Commission Delegate, within the framework of the programmes approved by the Community.

These microprojects are of special importance to the least developed, landlocked and island countries.

4. Financing for small and medium-sized undertakings, technical assistance and transfer of technology

The Council recommends to the ACP States and the EEC that they do all in their power to ensure that the opportunities available under the Lomé Convention as regards the "two-tier" financing of small and medium-sized undertakings, technical assistance and transfer of technology are put to the best use for the development of the ACP States and that they complement the efforts undertaken in other areas of financial and technical co-operation.

III. TRAINING OF SUPERVISORY STAFF AND VOCATIONAL TRAINING

The Council of Ministers recommends:

- that training of personnel be undertaken on the basis of general and specific programmes drawn up by the ACP States,
- that the programmes drawn up by the ACP States be financed by the Community taking into account the priorities stated by the ACP States,
- that sufficient flexibility be maintained in implementing these programmes so as to take account of possible bottle-necks,

- that activities undertaken in connection with the training of supervisory staff, in particular middle-level administrators and civil servants, and those concerning vocational training, be intensified and, where appropriate, be more closely linked with the various development projects financed by the Community in each ACP State so that they can progressively be taken on totally and smoothly by the national administrators of the ACP States.

The Council of Ministers feels that in this way it will be possible to expedite the replacement of technical assistants and to ensure the efficient management of investments made.

IV. OPERATION AND MAINTENANCE OF INVESTMENTS

The Council of Ministers recommends that, when projects are selected, particular attention be paid, in the implementation of financial and technical co-operation, to the problem of the operation and maintenance of investments carried out with the help of Community financing. It considers that the use of economic and social infrastructures necessitates action by qualified local staff and the mobilization of adequate budgetary resources.

With this in mind, the Council recommends, as is stipulated in Article 58(2) of the Lomé Convention, that, exceptionally, supplementary aid be provided temporarily and on a diminishing scale in order to ensure that full use is made of investments which are of special importance for the economic and social development of the ACP States concerned and the running of which temporarily constitutes a truly excessive burden for the ACP States or other beneficiaries.

V. PARTICIPATION OF THE ACP STATES IN THE PERFORMANCE OF EDF CONTRACTS

The Council of Ministers recommends that in every case and as far as possible optimal use be made of the human and physical resources of the ACP States and that technology which corresponds to the needs and adaptability of the populations be adopted.

For the practical application of this principle the Council of Ministers lays emphasis on those provisions of the Lomé Convention whose application affords ACP firms the possibility of effective participation in studies on and the execution of projects.

VI. ASSESSMENT OF COMPLETED SCHEMES

To ensure that the objectives laid down in the Lomé Convention in the field of financial and technical co-operation as well as in the national indicative programmes and in the projects are attained and to ensure that the means of action brought into play are as effective as possible, the relevant departments of the Community and of the ACP States shall regularly carry out appraisals, taking into account the provisions of Article 50 of the Convention, of the effects and results of all completed projects as well as of the material condition of each investment carried out. They will carry out these appraisals jointly and inform the Council of Ministers, if possible as from 1978, of the initial conclusions which can be drawn from the joint appraisals.

DECISION No 8 /77 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 14 APRIL 1977

delegating to the Committee of Ambassadors
the authority to adopt
the rules for settlement of any dispute
arising between the authorities of an ACP State
and a contractor or supplier in the course of execution
of a contract financed by the EDF

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé ⁽¹⁾ signed on
28 February 1975, and in particular Article 75, Article 23 of
Protocol No 2 and Annex X to the Final Act thereof,

⁽¹⁾ OJ No L 25, 30.1.1976, p. 1

Whereas any dispute arising between the authorities of an ACP State and a contractor or supplier **in the course of** execution of a contract financed by **the EDF must be settled** by arbitration in accordance with the rules of procedure to be adopted by a decision of the ACP-EEC Council of Ministers not later than its second meeting following the entry into force of the Convention of Lomé;

Whereas, pending this Decision of the Council of Ministers, the institutional rules of conciliation and arbitration of the International Chamber of Commerce referred to in Annex X to the Final Act of the Convention will continue to be applied;

Whereas the Council of Ministers was unable to adopt the rules of arbitration at its second meeting; whereas the entry into force of these rules should not, however, be deferred until a later meeting;

Whereas it is therefore necessary for the Council to delegate to the Committee of Ambassadors the authority to adopt the said rules as soon as possible,

HAS DECIDED AS FOLLOWS:

Article 1

The Council of Ministers hereby delegates to the Committee of Ambassadors the authority to adopt the rules of procedure provided for in Article 23 of Protocol No 2 to the Convention of Lomé.

Article 2

The ACP States, the Member States and the Community shall, for their part, take the steps necessary to implement this Decision.

Article 3

This Decision shall enter into force on 16 April 1977.

Done at Suva, 14 April 1977
For the ACP-EEC Council of Ministers
The President

(s.) Ratu Sir K.K.T. MARA K.B.E.

Certified true copy

KONATE

LESORT

The Secretaries

ACP-EEC Council of Ministers

DECISION No 9 /77 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 14 APRIL 1977

delegating to the Committee of Ambassadors
the authority to adopt the general provisions
and conditions applicable to the
placing and performance of
public works contracts financed by the EDF

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé ⁽¹⁾ signed on
28 February 1975, and in particular Article 75, Article 22 of
Protocol No 2 and Annex IX to the Final Act thereof,

⁽¹⁾ OJ No L 25, 30.1.1976, p. 1

Whereas the general provisions and conditions applicable to the placing and performance of public works contracts financed by the EDF are to be adopted, on a proposal from the Commission, by a Decision of the Council of Ministers at its second meeting following the date of entry into force of the Convention of Lomé;

Whereas, pending this Decision of the Council of Ministers, the arrangements provided for in Annex IX to the Final Act of the Convention will continue to apply;

Whereas the Council of Ministers was unable to adopt the said Decision at its second meeting; whereas the entry into force of that Decision should not, however, be deferred until a later meeting;

Whereas it is therefore necessary for the Council to delegate to the Committee of Ambassadors the authority to adopt this Decision as soon as possible,

HAS DECIDED AS FOLLOWS:

Article 1

The Council of Ministers hereby delegates to the Committee of Ambassadors the authority to adopt, in accordance with Article 22 of Protocol No 2 to the Convention of Lomé, the Decision on the general provisions and conditions applicable to the placing and performance of public works contracts financed by the EDF.

Article 2

The ACP States, the Member States and the Community shall, for their part, take the steps necessary to implement this Decision.

Article 3

This Decision shall enter into force on 16 April 1977.

Done at Suva, 14 April 1977
For the ACP-EEC Council of Ministers
The President

(s.) Ratu Sir K.K.T. MARA K.B.E.

Certified true copy

KONATE

LESORT

The Secretaries

ACP-EEC Council of Ministers

COUNCIL DECISIONOF 7 FEBRUARY 1978

reviewing the amounts
which the European Investment Bank
may commit in the form of risk capital
for the purpose of applying the ACP-EEC Convention of Lomé
and the Decision on the association
of the overseas countries and territories
with the European Economic Community

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Internal Agreement on the financing and administration of Community aid ⁽¹⁾ (hereinafter called "the Internal Agreement"), signed on 11 July 1975, and in particular Article 4 thereof,

(1) OJ No L 25, 30.1.1976, p. 168

Whereas both the ACP-EEC Convention of Lomé ⁽¹⁾ and the Decision on the association of the overseas countries and territories with the European Economic Community ⁽²⁾ make provision for the grant of aid in the form of risk capital to the ACP States, the overseas countries and territories and the French overseas departments;

Whereas the Commission of the European Communities and the European Investment Bank (hereinafter called "the Bank") has submitted to the Council a joint report on the experience recorded in the use of the 40 million European units of account which could be committed in the form of risk capital during the first two years of application of the above-mentioned Convention;

Whereas in the light of this report, this experience may be regarded as positive and it therefore seems advisable to make available to the Bank the remainder of the 100 million European units of account intended under the Internal Agreement for financial aid in the form of risk capital for the ACP States and the overseas countries and territories and the French overseas departments;

Whereas these States, overseas countries and territories and overseas departments should be enabled to continue, without interrupting their industrialization, to receive the benefit of the risk capital assistance administered by the Bank, pursuant to the Internal Agreement,

HAS DECIDED AS FOLLOWS:

⁽¹⁾ GEN 0 2
⁽²⁾ OJ No L 176, 1.7.1976, p. 8

Sole Article

The, as yet uncommitted, balance of the 100 million European units of account earmarked in Article 1(3)(a) and (b) of the Internal Agreement for risk capital operations shall be made available to the Bank for allocation to these operations from 1 April 1978.

Articles 22 and 23 of the Internal Agreement shall apply immediately to this amount. However, decisions granting approved aid shall not take effect and the corresponding contracts shall not be signed before 1 April 1978.

Done at Brussels,
For the Council
The President

DECISION No 2 /78 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 14 MARCH 1978

**on the measures to be taken regarding
examination of the results of financial and technical
co-operation for the financial years 1976 and 1977**

THE ACP-EEC COUNCIL OF MINISTERS,

**Having regard to the ACP-EEC Convention of Lomé ⁽¹⁾ signed
on 28 February 1975, and in particular Articles 41 and 75
thereof,**

(1) GEN 0 2

Whereas pursuant to Article 41 of the Convention the Council of Ministers must examine at least once a year, on the basis of information submitted both by the Community and by the ACP States, whether the objectives referred to in Article 40 are being attained; whereas it must also define the policy and guidelines of financial and technical co-operation and formulate resolutions on the measures to be taken by the Community and the ACP States in order to ensure that the objectives of such co-operation are attained;

Whereas the Council of Ministers adopted a Resolution on financial and technical co-operation at its second meeting on 14 April 1977;

Whereas, under this Resolution, a meeting was to be called in October 1977 in order to draw up, on the basis of the data for the financial year 1976, a comprehensive balance-sheet of all activities in the context of financial and technical co-operation, and whereas it was impossible to call this meeting on the scheduled date;

Whereas the Commission report on the management of financial and technical co-operation in 1977 was not forwarded to the Council of Ministers until 6 March 1978 and whereas the Council of Ministers, at its meeting on 13 and 14 March 1978, was therefore unable to carry out a detailed examination of this report on the basis of a prior examination by the experts;

Whereas it would be advisable for the ACP States to submit their observations, information or proposals on the problems concerning the implementation of economic, financial and technical co-operation in their respective countries, and also on the general problems of this co-operation;

Whereas, therefore, the Council of Ministers should, in order to complete the examination of the management report for 1976, renew the terms of reference given to the experts under the Resolution of 14 April 1977 and instruct them to examine the management report for 1977 at the same time;

Whereas the Council of Ministers should delegate to the Committee of Ambassadors the power to adopt a Resolution on financial and technical co-operation,

HAS DECIDED AS FOLLOWS:

Article 1

1. The meeting provided for in point 3 of Chapter I of the Resolution of the ACP-EEC Council of Ministers on financial and technical co-operation, adopted in Fiji on 14 April 1977, shall be called after the third meeting of the ACP-EEC Council of Ministers.
2. At that meeting, a comprehensive balance-sheet of all activities in the context of financial and technical co-operation shall be drawn up in the light of the Commission reports on the management of financial and technical co-operation for 1976 and 1977.
3. The Commission report for the financial year 1977 shall also be examined in detail at this meeting.

4. If it seems necessary, a draft Resolution on financial and technical co-operation (1977) shall be drawn up at the meeting with a view to applying Article 2.
5. The work referred to in paragraphs 2, 3 and 4 shall be the subject of a report to the ACP-EEC Committee of Ambassadors.

Article 2

The ACP-EEC Council of Ministers hereby delegates to the ACP-EEC Committee of Ambassadors the power to adopt, in accordance with Article 41 of the Convention, a Resolution on the measures to be taken by the Community and the ACP States in order to ensure that the objectives of financial and technical co-operation are attained.

Article 3

The ACP States, the Member States and the Community shall be required, each for its own part, to take the necessary steps to implement this Decision.

Article 4

This Decision shall enter into force on 15 March 1978.

Done at Brussels, 14 March 1978
For the ACP-EEC Council of Ministers
The President
(s.) L. ØSTERGAARD

Certified true copy

KONATE LESORT
Secretaries

of the ACP-EEC Council of Ministers

COUNCIL DECISION

of 30 May 1978

**adjusting the amounts made available to the European Development Fund (1975)
for the ACP States and for the overseas countries and territories and the French
overseas departments**

(78/464/EEC)

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to the Internal Agreement on the
financing and administration of Community aid⁽¹⁾,
signed on 11 July 1975, hereinafter referred to as the
'Internal Agreement', and in particular Article 1 (4)
thereof,

Having regard to the proposal from the Commission,

Whereas the Republic of Jibuti, which as the Terri-
tory of the Afars and Issas was one of the former over-
seas territories associated with the Community under
Decision 76/568/EEC⁽²⁾, has attained independence
and has applied to accede to the Convention of Lomé
pursuant to Article 89 thereof; whereas the ACP-EEC
Council of Ministers has approved this application;
whereas this State deposited its instrument of acces-
sion with the General Secretariat of the Council and
thus acceded to the ACP-EEC Convention of Lomé
on 2 February 1978;

Whereas, therefore, in accordance with Article 1 (4) of
the Internal Agreement, the amounts provided for the
overseas countries and territories in Article 1 (3) (b) of
the said Internal Agreement should be reduced and
those provided for the ACP States in subparagraph (a)
of that paragraph correspondingly increased;

⁽¹⁾ OJ No L 25, 30. 1. 1976, p. 168.

⁽²⁾ OJ No L 176, 1. 7. 1976, p. 8.

Whereas this adjustment must be made on the basis
of the amounts specified in Decision 77/156/EEC
which first adjusted the amounts made available to the
European Development Fund following the accession
of three former associated overseas countries and terri-
tories to the Convention of Lomé,

HAS DECIDED AS FOLLOWS:

Article 1

Article 1 (3) (a) and (b) of the Internal Agreement shall
be replaced by the following:

- '(a) 3 034.35 million European units of account for
the ACP States, comprising:
- 2 126.75 million European units of
account in the form of grants,
 - 436.60 million European units of
account in the form of special
loans,
 - 96.00 million European units of
account in the form of risk
capital,
 - 375.00 million European units of
account in the form of trans-
fers pursuant to Title II of the
Convention;

(b) 95.65 million European units of account for the countries and territories and the French overseas departments, comprising:

- 42.83 million European units of account in the form of grants,
- 34.40 million European units of account in the form of special loans,
- 4.00 million European units of account in the form of risk capital,
- 14.42 million European units of account in the form of a reserve.

Article 2

This Decision shall apply from 2 February 1978.

Article 3

This Decision shall be published in the *Official Journal of the European Communities*.

Done at Brussels, 30 May 1978.

For the Council

The President

I. NØRGAARD

AGREEMENT**amending the Internal Agreement on the financing and administration of
Community aid signed on 11 July 1975**

(78/824/EEC)

THE REPRESENTATIVES OF THE GOVERNMENTS OF
THE MEMBER STATES, MEETING WITHIN THE
COUNCIL,

Having regard to the Treaty establishing the European
Economic Community,

Whereas the ACP-EEC Convention of Lomé, hereinafter called the 'Convention', laid down in its Article 42 the aggregate amount of Community aid to the original ACP States signatory thereto; whereas pursuant to Articles 89 and 90 of that Convention the accession of a State shall not adversely affect the advantages accruing to the ACP States signatory to the said Convention under the provisions on financial and technical cooperation and the stabilization of export earnings;

Whereas, with a view to the Decision which the Council was to adopt on 29 June 1976 on the association of the overseas countries and territories with the European Economic Community, the Internal Agreement on the financing and administration of Community aid, signed on 11 July 1975, hereinafter called the 'Internal Agreement', laid down the aggregate amount of Community aid to the overseas countries and territories and to the French overseas departments; whereas the same Agreement empowered the Council to adjust the amounts laid down therein for the ACP States and for the OCT and FOD if an overseas country or territory which became independent acceded to the Convention;

Whereas, following the accession of the Republic of Surinam, the Republic of Seychelles and the Comoro State to the Convention on 16 July, 27 August and 13 September 1976 respectively, the Council made an

adjustment to the amounts made available to the European Development Fund (1975) for the ACP States on the one hand and the countries and territories and the French overseas departments on the other by its Decision of 14 February 1977;

Whereas the Agreements between the European Economic Community and the Democratic Republic of Sao Tome and Principe, the Republic of Cape Verde and Papua New Guinea respectively, hereinafter called 'Accession Agreements', provided for the accession of those three States to the Convention;

Whereas the amount of aid for the ACP States should therefore be increased; whereas to that end the total amount for the ACP States should be increased by the amount of 13 million European units of account provided for in the Council Decision on the association of the overseas countries and territories and which has to date remained frozen; whereas this amount should be supplemented by a contribution from the Member States broken down in accordance with the scale laid down in the Internal Agreement;

Whereas, pursuant to Article 10 (1) of the Internal Agreement and in order to facilitate the fulfilment of the obligations thus assumed by the Member States, the Council assigned to the European Investment Bank, hereinafter called 'Bank', the task of transferring to the European Development Fund, hereinafter called 'Fund', payments made to the Bank in respect of the operations referred to in that Article, up to the amount of the contributions which Belgium, Germany, France, Italy, Luxembourg and the Netherlands are called upon to make available to the Fund as from the date of entry into force of the three Accession Agreements; whereas Denmark, Ireland and the

United Kingdom, which did not participate in the financing of the previous Development Funds, are to pay their contributions directly to the Fund ;

Whereas the Internal Agreement should accordingly be amended ;

Whereas this Agreement should apply as soon as the ratification and notification procedures of any one of the three Accession Agreements have been completed ; whereas, however, in the event of one or more acceding States not completing the ratification procedures of the Accession Agreement it has signed within a reasonable period, the Council should be empowered to carry out the appropriate adjustment of the amount of aid for the ACP States ;

Having consulted the Commission of the European Communities,

HAVE AGREED AS FOLLOWS :

Article 1

The following paragraph is inserted after Article 1 (2) of the Internal Agreement :

'2a From the entry into force of the new Agreement the Fund shall consist of 3 159.50 million European units of account. In addition to the 3 150 million European units of account provided for in paragraph 2 this amount shall include 9.50 million European units of account composed of additional contributions from the Member States as follows :

Belgium	593 750	European units of account
Denmark	228 000	European units of account
Germany	2 465 250	European units of account
France	2 465 250	European units of account
Ireland	57 000	European units of account
Italy	1 140 000	European units of account
Luxembourg	19 000	European units of account
Netherlands	755 250	European units of account
United Kingdom	1 776 500	European units of account.'

Article 2

The following paragraphs are inserted after Article 1 (3) of the Internal Agreement :

'3a From the entry into force of the new Agreement the amount of 3 159.50 million European

units of account referred to in paragraph 2a shall be allocated as follows :

(a) 3 054.10 million European units of account for the ACP States, consisting of :

— 3 000 million European units of account from the amount initially provided for in paragraph 3a for the original ACP States,

— 9.50 million European units of account from the amount provided for in paragraph 2a,

— 13 million European units of account from the amount stated in Article 30 (4) (a), first indent, as introduced by the Council Decision of 14 February 1977 adjusting Decision 76/568/EEC on the association of the overseas countries and territories with the European Economic Community,

— 31.60 million European units of account from the amount transferred from the appropriation for the OCT to that for the ACP under the Council Decision of 14 February 1977 adjusting the amounts made available to the European Development Fund (1975) for the ACP States on the one hand and for the overseas countries and territories and the French overseas departments on the other, following the accession of the Republic of Surinam, the Republic of Seychelles and the Comoro State to the Convention ;

(b) 105.40 million European units of account for the overseas countries and territories and the French overseas departments from the amounts originally laid down in paragraphs 3b and 3c, taking into account the reduction made under the Decision referred to in the fourth indent of subparagraph (a).

3b (a) The amount stated in paragraph 3a (a) for the ACP States shall be allocated as follows :

2 137.00 million European units of account in the form of grants

440.10 million European units of account in the form of special loans

97.00 million European units of account in the form of risk capital

380.00 million European units of account in the form of transfers pursuant to Title II of the Convention.

- (b) The amount stated in paragraph 3a (b) for the overseas countries, territories and departments shall be allocated as follows:
- 37.00 million European units of account in the form of grants
 - 29.40 million European units of account in the form of special loans
 - 4.00 million European units of account in the form of risk capital
 - 15.00 million European units of account in the form of a reserve
 - 20.00 million European units of account in the form of transfers for the countries and territories, pursuant to those provisions of the Decision which concern the system for stabilizing export earnings.'

Article 3

This Agreement amending the Internal Agreement shall be approved by each Member State in accordance with its own constitutional requirements. The Government of each Member State shall notify the General Secretariat of the Council of the European

Communities when the procedures required for its entry into force have been completed.

Provided that the provisions of the preceding paragraph have been satisfied, this Agreement shall enter into force on the date on which the Community deposits with the Secretariat of the ACP States the first of the three acts of notification of the conclusion of one of the Agreements on accession to the Convention.

In the event of one or more States which have signed accession Agreements with the Community not having deposited its instrument of ratification within the time limit provided for in the Community declaration annexed to the Final Act of each Accession Agreement the Council, acting unanimously, will carry out the appropriate adjustment to the amount of the aid for the ACP States.

Article 4

This Agreement, drawn up in a single original in the Danish, Dutch, English, French, German and Italian languages, all six texts being equally authentic, shall be deposited in the archives of the General Secretariat of the Council of the European Communities, which shall transmit a certified copy to the Government of each of the Signatory States.

Udfærdiget i Bruxelles, den otteogtyvende marts nitten hundrede og syvoghalvfjerds.

Geschehen zu Brüssel am achtundzwanzigsten März neunzehnhundertsiebenundsiebzig.

Done at Brussels on the twenty-eighth day of March in the year one thousand nine hundred and seventy-seven.

Fait à Bruxelles, le vingt-huit mars mil neuf cent soixante-dix-sept.

Fatto a Bruxelles; addì ventotto marzo millenovecentosettantasette.

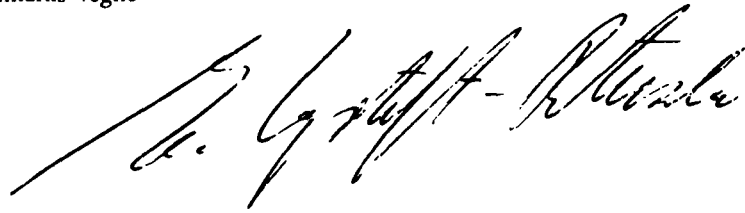
Gedaan te Brussel, de achtentwintigste maart negentienhonderd zevenenzeventig.

Pour le gouvernement du royaume de Belgique

Voor de Regering van het Koninkrijk België

T. Van der Meulen

På kongeriget Danmarks vegne



Für die Regierung der Bundesrepublik Deutschland



Pour le gouvernement de la République française



For the Government of Ireland



Per il governo della Repubblica italiana



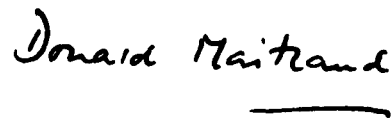
Pour le gouvernement du grand-duché de Luxembourg



Voor de Regering van het Koninkrijk der Nederlanden



For the Government of the United Kingdom of Great Britain and Northern Ireland



13. 10. 78

Official Journal of the European Communities

No L 287/27

**Entry into force of the Agreement, signed in Brussels on 28 March 1977,
amending the Internal Agreement on the financing and administration of
Community aid, signed on 11 July 1975**

As the procedures required under Article 3 of the Agreement, signed in Brussels on 28 March 1977, amending the Internal Agreement on the financing and administration of Community aid, signed on 11 July 1975, have been completed, this Agreement entered into force on 27 September 1978.

COUNCIL DECISION

of 30 October 1978

giving a discharge to the Commission in respect of the implementation of the operations of the European Development Fund (1963) (Second EDF) for the financial year 1976

(78/900/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Convention of Association between the European Economic Community and the African States and Madagascar associated with the Community⁽¹⁾, signed at Yaoundé on 20 July 1963,

Having regard to Council Decision 64/349/EEC of 25 February 1964 relating to the association of the overseas countries and territories with the European Economic Community⁽²⁾,

Having regard to the Internal Agreement on the financing and administration of Community aid⁽³⁾, signed at Yaoundé on 20 July 1963, and in particular Article 17 thereof,

Having regard to the Financial Regulation of the European Development Fund set up under the Internal Agreement on the financing and administration of Community aid⁽⁴⁾, and in particular Articles 7 and 8 thereof,

Having regard to the Council Decision of 30 May 1972 on the transfer and utilization of the unexpended balances of the Development Fund for the overseas countries and territories set up by the Implementing Convention annexed to the Treaty establishing the European Economic Community,

Having regard to the revenue and expenditure account and the balance sheet relating to the operations of the European Development Fund (1963) (Second EDF) as at 31 December 1976⁽⁵⁾,

Having regard to the report of the Audit Board on the accounts for the financial year 1976, to which report are annexed the Commission's replies to the comments made by the Audit Board,

Having regard to the resolution of the European Parliament of 4 July 1978,

Recalling that, in accordance with the provisions applicable to the implementation of the European Development Fund (1963) (Second EDF), only the Council, acting by a qualified majority, should give a discharge to the Commission in respect of the financial administration of the Fund,

Whereas revenue for the financial year 1976 consisted of the contributions of the Member States, amounting to 730 000 000-00 European units of account, and of miscellaneous revenue of the Fund;

Whereas pursuant to the abovementioned Council Decision of 30 May 1972 an amount of 10 553 354-69 European units of account was transferred as the unexpended balance from the First Fund to the Second EDF;

Whereas an advance of 30 274 120-34 European units of account was paid to the European Development Fund (1975) (Fourth EDF);

Whereas the overall implementation by the Commission of the operations of the European Development Fund (1963) (Second EDF) during the financial year 1976 was such as to warrant its being given a discharge in respect of the implementation of these operations,

HAS DECIDED AS FOLLOWS:

Article 1

The Council closes the revenue and expenditure account of the European Development Fund (1963) (Second EDF) as at 31 December 1976 as follows:

Revenue at the sum of 740 638 508-73 European units of account,

Expenditure (payments) at the sum of 698 080 435-55 European units of account.

Article 2

The Council hereby gives a discharge to the Commission in respect of the implementation of the operations of the European Development Fund (1963) (Second EDF) for the financial year 1976.

Done at Luxembourg, 30 October 1978.

For the Council

The President

J. ERTL

⁽¹⁾ OJ No 93, 11. 6. 1964, p. 1431/64.

⁽²⁾ OJ No 93, 11. 6. 1964, p. 1472/64.

⁽³⁾ OJ No 93, 11. 6. 1964, p. 1493/64.

⁽⁴⁾ OJ No 93, 11. 6. 1964, p. 1498/64.

⁽⁵⁾ OJ No C 254, 24. 10. 1977.

COUNCIL DECISION

of 30 October 1978

giving a discharge to the Commission in respect of the implementation of the operations of the European Development Fund (1969) (Third EDF) for the financial year 1976

(78/901/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Convention of Association between the European Economic Community and the African States and Madagascar associated with the Community⁽¹⁾, signed at Yaoundé on 29 July 1969,

Having regard to Council Decision 70/549/EEC of 29 September 1970 on the association of the overseas countries and territories with the European Economic Community⁽²⁾,

Having regard to the Internal Agreement on the financing and administration of Community aid⁽³⁾, signed at Yaoundé on 29 July 1969, and in particular Article 22 thereof,

Having regard to the Financial Regulation of the European Development Fund (1969) set up under the internal Agreement on the financing and administration of Community aid⁽⁴⁾, and in particular Article 7 and 8 thereof,

Having regard to the revenue and expenditure account and the balance sheet relating to the operations of the European Development Fund (1969) (Third EDF) as at 31 December 1976⁽⁵⁾,

Having regard to the report of the Audit Board on the accounts for the financial year 1976, to which report are annexed the Commission's replies to the comments made by the Audit Board,

Having regard to the resolution of the European Parliament of 4 July 1978,

Recalling that, in accordance with the provisions applicable to the implementation of the European Development Fund (1969) (Third EDF), only the Council, acting by a qualified majority, should give a discharge to the Commission in respect of the financial administration of the Fund,

Whereas revenue for the financial year 1976 consisted mainly of the contributions of the Member States,

amounting to 724 452 686.44 European units of account, and of miscellaneous revenue of the Fund;

Whereas the overall implementation by the Commission of the operations of the European Development Fund (1969) (Third EDF) during the financial year 1976 was such as to warrant its being given a discharge in respect of the implementation of those operations,

HAS DECIDED AS FOLLOWS:

Article 1

The Council closes the revenue and expenditure account of the European Development Fund (1969) (Third EDF) as at 31 December 1976 as follows:

Revenue at the sum of 729 112 577.80 European units of account,

Expenditure (payments) at the sum of 617 817 774.24 European units of account.

Article 2

The Council states the position set out in the Annex hereto on comments No 144 and No 145 in the report of the Audit Board on the accounts for the financial year 1976.

Article 3

The Council hereby gives a discharge to the Commission in respect of the implementation of the operations of the European Development Fund (1969) (Third EDF) for the financial year 1976.

Done at Luxembourg, 30 October 1978.

For the Council

The President

J. ERTL

⁽¹⁾ OJ No L 282, 28. 12. 1970, p. 2.

⁽²⁾ OJ No L 282, 28. 12. 1970, p. 83.

⁽³⁾ OJ No L 282, 28. 12. 1970, p. 47.

⁽⁴⁾ OJ No L 31, 8. 2. 1971, p. 1.

⁽⁵⁾ OJ No C 254, 24. 10. 1977.

*ANNEX***Council comment appended to the Decision giving a discharge in respect of the Third EDF (financial year 1976)**

- 1 The Council makes the following statement on comment No 144 of the Audit Board concerning the criteria for awarding scholarships :

The Council invites the Commission to take the necessary steps to ensure that the procedure for awarding scholarships is objective.

- 2 The Council makes the following statement on comment No 145 of the Audit Board concerning resident and technical supervision :

The Council repeats the comment appended to the Decision giving a discharge in respect of the Third EDF (financial year 1975).

In particular, the Council requests the Commission to ensure the progressive integration of EAC officials under special contract into the statutory staff complement of the Commission.

It notes the intention of the Commission not to replace, by the granting of further special contracts, those EAC officials who have been so integrated.

COUNCIL DECISION

of 19 March 1979

adjusting the amounts made available to the European Development Fund (1975) for the ACP States and for the overseas countries and territories and the French overseas departments

(79/309/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Internal Agreement on the financing and administration of Community aid, signed at Brussels on 11 July 1975, hereinafter referred to as the 'Internal Agreement', and in particular Article 1 (4) thereof, amended by the Agreement of 28 March 1977,

Having regard to the proposal from the Commission,

Whereas the Solomon Islands, Tuvalu and Dominica, former overseas countries and territories associated with the Community under Decision 76/568/EEC⁽¹⁾, have become independent and have requested to accede to the ACP-EEC Convention of Lomé, hereinafter referred to as the 'Convention', pursuant to Article 89 thereof; whereas the ACP-EEC Council of Ministers has approved these requests; whereas these States deposited their instruments of accession with the General Secretariat of the Council on 27 September 1978, 17 January 1979 and 26 February 1979 respectively, and thus acceded to the Convention on these dates;

Whereas, therefore, in accordance with Article 1 (4) of the Internal Agreement, the amounts provided for the overseas countries and territories and the French overseas departments in Article 1 (3a) (b) of the said

Internal Agreement should be reduced and those provided for the ACP States in (a) of that paragraph correspondingly increased;

Whereas this adjustment must be made on the basis of the amounts specified in Decision 78/465/EEC⁽²⁾ which last adjusted the amounts made available to the European Development Fund following the accession of former associated overseas countries and territories to the Commission,

HAS DECIDED AS FOLLOWS:

Article 1

Article 1 (3a) and (3b) of the Internal Agreement shall be replaced by the following:

'3a. From 26 February 1979 the amount of 3 159.50 million European units of account referred to in paragraph 2a shall be allocated as follows:

- (a) 3 067.767 million European units of account for the ACP States, consisting of:
 - 3 000 million European units of account from the appropriation initially provided for in paragraph 3 (a) for the original ACP States,
 - 9.50 million European units of account from the amount provided for in paragraph 2a,

⁽¹⁾ OJ No L 176, 1. 7. 1976, p. 8.

⁽²⁾ GEN O 32 Vol. 2

- 13 million European units of account from the amount appearing in Article 30 (4) (a), first indent, as introduced by the Council Decision 77/155/EEC of 14 February 1977 adjusting Decision 76/568/EEC on the association of the overseas countries and territories with the European Economic Community⁽¹⁾.
- 45 267 million European units of account from the amount transferred from the appropriation for the OCT to that for the ACP under Decisions 77/156/EEC⁽²⁾ and 78/464/EEC⁽³⁾, adjusting the amounts made available to the European Development Fund (1975) for the ACP States on the one hand and for the overseas countries and territories and the French overseas departments on the other, following the accession of the Republic of Surinam, the Republic of Seychelles, the Comoro State, the Republic of Jibuti, the Solomon Islands, Tuvalu and Dominica to the Convention.
- (b) 91 733 million European units of account for the overseas countries and territories and the French overseas departments from the amounts originally laid down in paragraph 3 (b) and (c), taking into account the reduction made under the Decision referred to in the fourth indent of (a)
- 3b (a) The amount stated in paragraph 3a (a) for the ACP States shall be allocated as follows:
- 2 145 182 million European units of account in the form of grants,
 - 445 585 million European units of account in the form of special loans,
 - 97 000 million European units of account in the form of risk capital,

- 380 000 million European units of account in the form of transfers pursuant to Title II of the Convention
- (b) The amount stated in paragraph 3a (b) for the overseas countries, territories and departments shall be allocated as follows:
- 31 692 million European units of account in the form of grants,
 - 23 915 million European units of account in the form of special loans,
 - 4 000 million European units of account in the form of risk capital,
 - 12 126 million European units of account in the form of a reserve,
 - 20 000 million European units of account in the form of transfers for the countries and territories, pursuant to those provisions of the Decision which concern the system for stabilizing export earnings

⁽¹⁾ OJ No L 46, 18 2 1977, p. 15

⁽²⁾ OJ No L 46, 18 2 1977, p. 17

⁽³⁾ OJ No L 147, 3 6 1978, p. 37

Article 2

This Decision shall be published in the *Official Journal of the European Communities*

Done at Brussels, 19 March 1979.

For the Council

The President

R. MONORY

DECISION N° 6/79 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 23 MARCH 1979

on the fiscal and customs arrangements
applicable in the ACP States
to contracts financed
by the Community

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé (¹), signed
on 28 February 1975, and in particular Article 60 thereof,

(¹) OJ No L 25, 30.1.1976, p. 1

Whereas the fiscal and customs arrangements applicable in the ACP States to contracts financed by the Community should be adopted,

HAS DECIDED AS FOLLOWS:

Article 1

1. The ACP States shall apply to contracts financed by the Community fiscal and customs arrangements no less favourable than those applied vis-à-vis the most favoured State or most favoured international development organization.

For the purposes of applying the first subparagraph no account shall be taken of arrangements applied to ACP States or other developing countries.

2. Subject to paragraph 1 the ACP States shall apply to contracts financed by the Community the arrangements laid down in Articles 2 to 12 of this Decision.

Article 2

1. Contracts financed by the Community shall not be subject in the beneficiary ACP State to stamp or registration duties or fiscal charges having equivalent effect, whether such charges exist or are to be instituted.

They may, however, be subject to the formality of registration, in accordance with the laws in force in the ACP States. This formality may entail the collection of fees which do not exceed the cost of the deed and which correspond to payment for the service provided, in accordance with the legal provisions in force in each ACP State concerned.

2. By way of derogation from paragraph 1 and until 1 March 1980 at the latest, those ACP States which on 1 January 1978 applied to contracts financed by the Community stamp and registration duties or fiscal charges having equivalent effect may, on a temporary basis, continue to apply them provided that they have by 31 December 1979 notified the ACP-EEC Council of Ministers of the laws or regulations applicable in the matter at 1 January 1978.

Article 3

1. Study, inspection or supervision contracts financed by the Community shall not give rise to turnover tax in the beneficiary ACP State.
2. Profits arising from carrying out works, study, inspection or supervision contracts financed by the Community shall be taxable according to the internal fiscal arrangements of the ACP State concerned, provided that the natural or legal persons who realized such profits in that State have a permanent place of business there or that the contracts take longer than six months to carry out.

Article 4

1. Imports under a supply contract financed by the Community shall cross the customs frontier of the beneficiary ACP State without being subject to customs duties, import duties, taxes or fiscal charges having equivalent effect.

2. Where a supply contract financed by the Community involves a product originating in the beneficiary ACP State, the contract shall be concluded on the basis of the ex-works price of the supplies in question, to which shall be added the internal fiscal charges applicable in the ACP State to those supplies.
3. The exemptions shall be expressly provided for in the text of the contract.

Article 5

Fuels, lubricants and hydrocarbon binders and, in general, all materials used in the performance of a works contract financed by the Community shall be deemed to have been purchased on the local market and shall be subject to the fiscal rules applicable under the national legislation in force in the beneficiary ACP State.

Article 6

Firms which must import professional equipment in order to carry out works contracts shall, if they so request, benefit from the system of temporary admission as defined by the national legislation of the beneficiary ACP State in respect of the said equipment.

Article 7

Professional equipment necessary for carrying out tasks defined in a study, inspection or supervision contract shall be temporarily admitted into the beneficiary ACP State or States free of fiscal, import and customs duties and of other charges having equivalent effect where these duties and charges do not constitute remuneration for services rendered.

Article 8

1. Personal and household effects imported for personal use by natural persons, other than those recruited locally, engaged in carrying out tasks defined in a study, inspection or supervision contract shall be exempt from customs duties, import duties, taxes and other fiscal charges having equivalent effect, within the limits of the national legislation of the beneficiary ACP State.
2. These provisions shall also apply to members of the families of the persons referred to in paragraph 1.

Article 9

1. The Commission Delegate and the staff appointed to the Delegations, with the exception of staff recruited locally, shall be exempt from all direct taxes in the ACP State in which they are installed.
2. The staff referred to in paragraph 1 shall also be covered by Article 8.

Article 10

The ACP States shall grant exemption from all national or local duties or fiscal charges on the interest, commission and amortization due on assistance given by the Community in the form of special loans, subordinated or conditional loans through risk capital or loans from the own resources of the Bank, as referred to in Article 3, Article 4(3) and Article 5 of Protocol No 2 to the Convention on the application of financial and technical co-operation.

Article 11

Any matter not covered by this Decision shall remain subject to the national legislation of the States party to the Convention.

Article 12

The above provisions shall apply to the performance of all contracts financed by the Community and concluded subsequent to the entry into force of this Decision.

Article 13

The ACP States, the Member States and the Community shall be required, each for its own part, to take the necessary steps to implement this Decision.

Article 14

This Decision shall enter into force on 23 March 1979.

Done at Freeport, 23 March 1979

For the ACP-EEC Council of Ministers

The President

(s.) J. FRANCOIS-PONCET

Certified true copy

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LESORT

Secretaries

of the ACP-EEC Council of Ministers

COUNCIL DECISION

of 8 May 1979

giving a discharge to the Commission in respect of the implementation of the operations of the European Development Fund (1963) (Second EDF) for the financial year 1977

(79/468/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Convention of Association between the European Economic Community and the African States and Madagascar associated with the Community⁽¹⁾, signed at Yaoundé on 20 July 1963,

Having regard to Council Decision 64/349/EEC of 25 February 1964 relating to the association of the overseas countries and territories with the European Community⁽²⁾,

Having regard to the Internal Agreement on the financing and administration of Community aid⁽³⁾, signed at Yaoundé on 20 July 1963, and in particular Article 17 thereof,

Having regard to the Financial Regulation of the European Development Fund set up under the Internal Agreement on the financing and administration of Community aid⁽⁴⁾, and in particular Articles 7 and 8 thereof,

Having regard to the Council Decision of 30 May 1972 on the transfer and utilization of the unexpended balances of the Development Fund for the overseas countries and territories set up by the Implementing Convention annexed to the Treaty establishing the European Economic Community,

Having regard to the revenue and expenditure account and the balance sheet relating to the operations of the European Development Fund (1963) (Second EDF) as at 31 December 1977⁽⁵⁾,

Having regard to the report of the Court of Auditors for the financial year 1977, together with the Commission's replies,

Recalling that, in accordance with the provisions applicable to the implementation of the European Development Fund (1963) (Second EDF), only the Council, acting by a qualified majority, should give a discharge to the Commission in respect of the financial administration of the Fund;

Whereas revenue for the financial year 1976 consisted of the contributions of the Member States, amounting

to 730 000 000-00 European units of account, and of miscellaneous revenue of the Fund;

Whereas pursuant to the abovementioned Council Decision of 30 May 1972 an amount of 10 669 793-57 European units of account was transferred as the unexpended balance from the First Fund to the Second EDF;

Whereas an advance of 14 575 576-14 European units of account was paid to the European Development Fund (1975) (Fourth EDF);

Whereas the overall implementation by the Commission of the operations of the European Development Fund (1963) (Second EDF) during the financial year 1977 was such as to warrant its being given a discharge in respect of the implementation of these operations,

HAS DECIDED AS FOLLOWS:

Article 1

The Council closes the revenue and expenditure account of the European Development Fund (1963) (Second EDF) as at 31 December 1977 as follows:

Revenue at the sum of 740 754 947-61 European units of account,

Expenditure (payments) at the sum of 714 423 954-77 European units of account.

Article 2

The Council hereby gives a discharge to the Commission in respect of the implementation of the operations of the European Development Fund (1963) (Second EDF) for the financial year 1977.

Done at Brussels, 8 May 1979.

For the Council

The President

P. BERNARD-REYMOND

⁽¹⁾ OJ No 93, 11. 6. 1964, p. 1431/64.

⁽²⁾ OJ No 93, 11. 6. 1964, p. 1472/64.

⁽³⁾ OJ No 93, 11. 6. 1964, p. 1493/64.

⁽⁴⁾ OJ No 93, 11. 6. 1964, p. 1498/64.

⁽⁵⁾ OJ No C 313, 30. 12. 1978, p. 1.

16. 5. 79

Official Journal of the European Communities

No L 120/23

COUNCIL DECISION

of 8 May 1979

giving a discharge to the Commission in respect of the implementation of the operations of the European Development Fund (1969) (Third EDF) for the financial year 1977

(79/469/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Convention of Association between the European Economic Community and the African States and Madagascar associated with the Community⁽¹⁾, signed at Yaoundé on 29 July 1969,

Having regard to Council Decision 70/549/EEC of 29 September 1970 on the association of the overseas countries and territories with the European Economic Community⁽²⁾,

Having regard to the Internal Agreement on the financing and administration of Community aid⁽³⁾, signed at Yaoundé on 29 July 1969, and in particular Article 22 thereof,

Having regard to the Financial Regulation of the European Development Fund (1969) set up under the Internal Agreement on the financing and administration of Community aid, and in particular Articles 7 and 8 thereof,

Having regard to the revenue and expenditure account and the balance sheet relating to the operations of the European Development Fund (1969) (Third EDF) as at 31 December 1977⁽⁴⁾,

Having regard to the report of the Court of Auditors for the financial year 1977, together with the Commission's replies,

Recalling that, in accordance with the provisions applicable to the implementation of the European Development Fund (1969) (Third EDF), only the Council, acting by a qualified majority, should give a discharge to the Commission in respect of the financial administration of the Fund;

Whereas revenue for the financial year 1976 consisted mainly of the contributions of the Member States,

amounting to 870 000 000-00 European units of account, and of miscellaneous revenue of the Fund;

Whereas an advance of 160 173 153-06 European units of account was paid to the European Development Fund (1975) (Fourth EDF);

Whereas the overall implementation by the Commission of the operations of the European Development Fund (1969) (Third EDF) during the financial year 1977 was such as to warrant its being given a discharge in respect of the implementation of those operations,

HAS DECIDED AS FOLLOWS.

Article 1

The Council closes the revenue and expenditure account of the European Development Fund (1969) (Third EDF) as at 31 December 1977 as follows:

Revenue at the sum of 870 218 464-94 European units of account,

Expenditure (payments) at the sum of 617 895 236-93 European units of account.

Article 2

The Council hereby gives a discharge to the Commission in respect of the implementation of the operations of the European Development Fund (1969) (Third EDF) for the financial year 1977.

Done at Brussels, 8 May 1979.

For the Council

The President

P. BERNARD-REYMOND

⁽¹⁾ OJ No L 282, 28. 12. 1970, p. 2.

⁽²⁾ OJ No L 282, 28. 12. 1970, p. 83.

⁽³⁾ OJ No L 282, 28. 12. 1970, p. 47.

⁽⁴⁾ OJ No C 313, 30. 12. 1978, p. 1.

COUNCIL DECISION

of 24 May 1979

amending the Decision of 18 December 1978 laying down the schedule for Member States' contributions to the Third European Development Fund (1969) for the financial year 1979

(79/506/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession, and in particular Article 114 thereof,

Having regard to the Convention of Association between the European Economic Community and the African States and Madagascar associated with the Community⁽¹⁾, signed on 29 July 1969,

Having regard to the Association Agreement concerning the accession of Mauritius to the said Convention⁽²⁾,

Having regard to Council Decision 70/549/EEC of 29 September 1970 on the association of the overseas countries and territories with the European Economic Community⁽³⁾,

Having regard to the Internal Agreement on the financing and administration of Community aid⁽⁴⁾, signed on 29 July 1969, and in particular Article 3 (1) and (2) first subparagraph thereof,

Having regard to the Agreement amending the Internal Agreement on the financing and administration of Community aid⁽⁵⁾, signed at Yaoundé on 29 July 1969,

Having regard to the Financial Regulation of the European Development Fund (1969), set up by the Internal

Agreement on the financing and administration of Community aid⁽⁴⁾, and in particular Article 2 (1), (2) and (3) thereof,

Whereas the Council Decision of 18 December 1978 laid down the schedule for Member States' contributions to the Third European Development Fund for the financial year 1979;

Whereas on 26 April 1979 the Commission presented the Council with a request for supplementary contributions to the Fourth European Development Fund for the financial year 1979;

Whereas the Council will in due course be called upon to take a decision on this request;

Whereas, pending such decision, an advance call should be issued for the payment, on 1 June 1979, of the second instalment of Member States' contributions for the financial year 1979, originally due on 2 July 1979,

HAS DECIDED AS FOLLOWS

Sole Article

The second instalment of the Member States' contributions to the Third European Development Fund, as laid down by the Decision of 18 December 1978, shall be payable on 1 June 1979.

⁽¹⁾ OJ No L 282, 28. 12. 1970, p. 2.

⁽²⁾ OJ No L 288, 15. 10. 1973, p. 2.

⁽³⁾ OJ No L 282, 28. 12. 1970, p. 83.

⁽⁴⁾ OJ No L 282, 28. 12. 1970, p. 47.

⁽⁵⁾ OJ No L 288, 15. 10. 1973, p. 13.

⁽⁶⁾ OJ No L 31, 8. 2. 1971, p. 1

30. 5. 79

Official Journal of the European Communities

No L 132/21

The amounts shall be as follows :

Done at Brussels, 24 May 1979.

Member States	Contributions to be called for on 1 June 1979 (in EUA)
Belgium	889 000
Germany	3 317 000
France	3 317 000
Italy	1 561 000
Luxembourg	27 000
Netherlands	889 000
	10 000 000

*For the Council**The President*

J FRANÇOIS-PONCET

1

COUNCIL DECISION

of 24 May 1979

amending the Decision of 18 December 1978 laying down the schedule for Member States' contributions to the Fourth European Development Fund (1975) for the financial year 1979

(79/507/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the ACP-EEC Convention of Lomé⁽¹⁾ signed on 28 February 1975, and to the Agreements signed on 28 March 1977 whereby the Republic of Cape Verde, Papua New Guinea and the Democratic Republic of Sao Tome and Principe acceded to that Convention,

Having regard to Council Decision 76/568/EEC of 29 June 1976 on the association of the overseas countries and territories with the European Economic Community⁽²⁾, as adapted by Decision 77/155/EEC⁽³⁾ and 78/465/EEC⁽⁴⁾,

Having regard to Council Decision 75/250/EEC of 21 April 1975 on the definition and conversion of the European unit of account used for expressing the amounts of aid mentioned in Article 42 of the ACP-EEC Convention of Lomé,

Having regard to the Internal Agreement on the financing and administration of Community aid⁽⁵⁾, signed on 11 July 1975, and in particular Article 7 (2) second subparagraph thereof, and to the Agreement amending that Agreement⁽⁶⁾, signed on 28 March 1977,

Having regard to the Financial Regulation of 27 July 1976 applicable to the Fourth European Development Fund, and in particular Article 2 thereof,

Whereas the Council Decision of 18 December 1978 laid down the schedule for Member States' contributions to the Fourth European Development Fund for the financial year 1979;

Whereas on 26 April 1979 the Commission presented the Council with a request for supplementary contributions to the Fourth European Development Fund for the financial year 1979;

Whereas the Council will in due course be called upon to take a decision on this request;

Whereas, pending such decision, an advance call should be issued for the payment, on 1 June 1979, of the second instalment of Member States' contributions for the financial year 1979, originally due on 2 July 1979,

HAS DECIDED AS FOLLOWS:

Sole Article

The second instalment of the Member States' contributions to the Fourth European Development Fund, as laid down by the Decision of 18 December 1978, shall be payable on 1 June 1979.

The amounts shall be as follows:

Member States	Contributions to be called for on 1 June 1979 (in EUA)
Belgium	12 500 000
Denmark	4 800 000
Germany	51 900 000
France	51 900 000
Ireland	1 200 000
Italy	24 000 000
Luxembourg	400 000
Netherlands	15 900 000
United Kingdom	37 400 000
	200 000 000

Done at Brussels, 24 May 1979.

For the Council

The President

J. FRANÇOIS-PONCET

⁽¹⁾ GEN O 2 Vol. 1

⁽²⁾ OJ No L 176, 1. 7. 1976, p. 8.

⁽³⁾ OJ No L 46, 18. 2. 1977, p. 17.

⁽⁴⁾ OJ No L 147, 3. 6. 1978, p. 39.

⁽⁵⁾ OJ No L 25, 30. 1. 1976, p. 168.

⁽⁶⁾ OJ No L 287, 13. 10. 1978, p. 22.

DECISION OF THE EUROPEAN PARLIAMENT

of 16 November 1979

on the discharge to be granted to the Commission of the European Communities in respect of the implementation of the activities of the Fourth European Development Fund for the 1977 financial year

(79/1069/EEC)

THE EUROPEAN PARLIAMENT,

- Having regard to the Treaty establishing the European Economic Community, and in particular Article 206b thereof,
 - Having regard to the ACP-EEC Convention of Lomé,
 - Having regard to the Internal Agreement on the financing and administration of Community aid,
 - Having regard to the revenue and expenditure account, the balance sheet and the report on the activities of the Fourth European Development Fund adopted on 31 December 1977,
 - Having regard to the report of the Court of Auditors on the accounts for the 1977 financial year and the answers of the institutions to the report,
 - Having regard to the recommendation of the Council of the European Communities (Doc. 188/79),
 - Having regard to the report of the Committee on Budgetary Control (Doc. 1-463/79),
1. Grants a discharge to the Commission in respect of the following amounts shown in the revenue and expenditure accounts for the 1977 financial year:
- revenue: amounting to 319 546 526.24 European units of account,
 - expenditure (payments): amounting to 154 585 115.44 European units of account.
2. Instructs its President to communicate this Decision to the Commission of the European Communities, to forward it to the other institutions and to arrange for its publication in the *Official Journal of the European Communities*.

Done at Strasbourg, 16 November 1979.

The Secretary-General

H.-J. OPITZ

The President

Simone VEIL

COUNCIL DECISION

of 5 February 1980

adjusting the amounts made available to the European Development Fund (1975) for the ACP States and for the French overseas countries and territories and the French overseas departments

(80/160/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Internal Agreement on the financing and administration of Community aid⁽¹⁾, signed at Brussels on 11 July 1975, hereinafter referred to as 'the Internal Agreement', as amended by the Agreement of 28 March 1977⁽²⁾, and in particular Article 1 (4) thereof,

Having regard to the proposal from the Commission,

Whereas Saint Lucia and the Republic of Kiribati, former overseas countries and territories associated with the Community under Decision 76/568/EEC⁽³⁾, have become independent and have applied to accede to the ACP-EEC Convention of Lomé pursuant to Article 89 thereof; whereas the ACP-EEC Council of Ministers has approved these requests; whereas these States deposited their instruments of accession with the General Secretariat of the Council of the European Communities on 28 June and 30 October 1979 respectively, thereby acceding to the Convention on those dates;

Whereas, therefore, in accordance with Article 1 (4) of the Internal Agreement, the amount provided for the overseas countries and territories and the French overseas departments in Article 1 (3a) (b) should be reduced and those provided for the ACP States in (a) of that paragraph correspondingly increased;

Whereas this adjustment must also be made on the basis of the amounts made available to the European Development Fund following the accession of former associated overseas countries and territories to the ACP-EEC Convention of Lomé,

HAS DECIDED AS FOLLOWS:

Article 1

Article 1 (3a) and (3b) of the Internal Agreement shall be replaced by the following:

⁽¹⁾ OJ No L 25, 30. 1. 1976, p. 168.

⁽²⁾ OJ No L 287, 13. 10. 1978, p. 22.

⁽³⁾ OJ No L 176, 1. 7. 1976, p. 8.

'3a. From 30 October 1979, the amount of 3 159.50 million EUA referred to in paragraph 2a, shall be allocated as follows:

(a) 3 074.4355 million EUA for the ACP States, consisting of:

— 3 000 million EUA from the amount initially provided for in paragraph 3 (a) for the original ACP States,

— 9.50 million EUA from the amount provided for in paragraph 2a,

— 13 million EUA from the amount stated in Article 30 (4) (a), first indent, as introduced by Decision 77/155/EEC adjusting Decision 76/568/EEC on the association of the overseas countries and territories with the European Economic Community⁽⁴⁾,

— 51.9355 million EUA from the amount transferred from the appropriation for the OCT to that for the ACP under Decisions 77/156/EEC, 78/464/EEC and 79/309/EEC, adjusting the amounts made available to the European Development Fund (1975) for the ACP States on the one hand and for the overseas countries and territories and the French overseas departments on the other, following the accession of the Republic of Surinam, the Republic of Seychelles, the Comoro State, the Republic of Jibuti, the Solomon Islands, Tuvalu, Dominica, Saint Lucia and the Republic of Kiribati to the Convention;

(b) 85.0645 million EUA for the overseas countries and territories and the French overseas departments from the amounts originally laid down in paragraph 3 (b) and (c), taking into account the reduction made under the Decisions referred to in the fourth indent of (a).

⁽⁴⁾ OJ No L 46, 18. 2. 1977, p. 15.

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Official Journal of the European Communities

No L 35/23

3b (a) The amount stated in paragraph 3a (a) for the ACP States shall be allocated as follows :

- 2 149·8505 million EUA in the form of grants,
- 445·585 million EUA in the form of special loans,
- 99·000 million EUA in the form of risk capital,
- 380·000 million EUA in the form of transfers pursuant to Title II of the Convention.

(b) The amount stated in paragraph 3a (b) for the overseas countries and territories and the French overseas departments shall be allocated as follows :

- 28·1375 million EUA in the form of grants,
- 23·915 million EUA in the form of special loans,
- 2·000 million EUA in the form of risk capital,

- 11·0120 million EUA in the form of a reserve,
- 20·000 million EUA in the form of transfers for the countries and territories, pursuant to those provisions concerning the system for stabilizing export earnings.

Article 2

This Decision shall apply from 1 November 1979.

Done at Brussels, 5 February 1980.

For the Council

The President

G. ZAMBERLETTI

COUNCIL DECISION

of 22 April 1980

giving a discharge to the Commission in respect of the implementation of the operations of the European Development Fund (1963) (Second EDF) for the financial year 1978

(80/458/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Convention of Association between the European Economic Community and the African States and Madagascar associated with the Community⁽¹⁾, signed at Yaoundé on 20 July 1963,

Having regard to Council Decision 64/349/EEC of 25 February 1964 relating to the association of the overseas countries and territories with the European Economic Community⁽²⁾,

Having regard to the Internal Agreement on the financing and administration of Community aid⁽³⁾, signed at Yaoundé on 20 July 1963, and in particular Article 17 thereof,

Having regard to the Financial Regulation of the European Development Fund set up under the Internal Agreement on the financing and administration of Community aid⁽⁴⁾, and in particular Articles 7 and 8 thereof,

Having regard to the Council Decision of 30 May 1972 on the transfer and utilization of the unexpended balances of the Development Fund for the overseas countries and territories set up by the Implementing Convention annexed to the Treaty establishing the European Economic Community,

Having regard to the revenue and expenditure account and the balance sheet relating to the operations of the European Development Fund (1963) (Second EDF) as at 31 December 1978,

Having regard to the report of the Court of Auditors for the financial year 1978, together with the Commission's replies,

Recalling that, in accordance with the provisions applicable to the implementation of the European Development Fund (1963) (Second EDF), only the Council, acting by a qualified majority, shall give a discharge to the Commission in respect of the financial administration of the Fund,

Whereas revenue for the financial year 1978 consisted mainly of the contributions of the Member States,

amounting to 730 000 000-00 European units of account, and of miscellaneous revenue of the Fund;

Whereas, pursuant to the abovementioned Council Decision of 30 May 1972, an amount of 11 150 825-84 European units of account was transferred as the unexpended balance from the First Fund to the Second EDF;

Whereas an advance of 7 760 298-48 European units of account was paid to the European Development Fund (1975) (Fourth EDF);

Whereas the overall implementation by the Commission of the operations of the European Development fund (1963) (Second EDF) during the financial year 1978 was such as to warrant its being given a discharge in respect of the implementation of these operations,

HAS DECIDED AS FOLLOWS:

Article 1

The Council shall close the revenue and expenditure accounts of the European Development Fund (1963) (Second EDF) as at 31 December 1978 as follows:

- revenue: at the sum of 741 235 979-88 European units of account,
- expenditure (payments): at the sum of 722 324 266-86 European units of account.

Article 2

The Council hereby gives a discharge to the Commission in respect of the implementation of the operations of the European Development Fund (1963) (Second EDF) for the financial year 1978.

Done at Luxembourg, 22 April 1980.

For the Council

The President

G ZAMBERLETTI

⁽¹⁾ OJ No 93, 11. 6. 1964, p. 1431/64.

⁽²⁾ OJ No 93, 11. 6. 1964, p. 1472/64.

⁽³⁾ OJ No 93, 11. 6. 1964, p. 1493/64.

⁽⁴⁾ OJ No 93, 11. 6. 1964, p. 1498/64.

COUNCIL DECISION

of 22 April 1980

giving a discharge to the Commission in respect of the implementation of the operations of the European Development Fund (1969) (Third EDF) for the financial year 1978

(80/459/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Convention of Association between the European Economic Community and the African States and Madagascar associated with the Community⁽¹⁾, signed at Yaounde on 29 July 1969,

Having regard to Council Decision 70/549/EEC of 29 September 1970 on the association of the overseas countries and territories with the European Economic Community⁽²⁾,

Having regard to the Internal Agreement on the financing and administration of Community aid⁽³⁾, signed at Yaounde on 29 July 1969, and in particular Article 22 thereof,

Having regard to the Financial Regulation of the European Development Fund (1969) set up under the Internal Agreement on the financing and administration of Community aid⁽⁴⁾, and in particular Articles 7 and 8 thereof,

Having regard to the revenue and expenditure account and the balance sheet relating to the operations of the European Development Fund (1969) (Third EDF) as at 31 December 1978,

Having regard to the Council Decisions of 30 May 1972 and 30 October 1978 on the transfer and utilization of the unexpended balances of the First and Second EDF,

Having regard to the report of the Court of Auditors for the financial year 1978, together with the Commission's replies,

Recalling that, in accordance with the provisions applicable to the implementation of the European Development Fund (1969) (Third EDF), only the Council, acting by a qualified majority, shall give a discharge to the Commission in respect of the financial administration of the Fund,

Whereas revenue for the financial year 1978 consisted mainly of the contributions of the Member States,

amounting to 878 500 000.00 European units of account, and of miscellaneous revenue of the Fund,

Whereas an advance of 105 886 632.88 European units of account has been paid to the European Development Fund (1975) (Fourth EDF);

Whereas, pursuant to the abovementioned Council Decisions of 30 May 1972 and 30 October 1978, an amount of 6 242 605.25 European units of account was transferred as the unexpended balances of the First and Second EDF to the Third EDF;

Whereas the implementation by the Commission of the operations of the European Development Fund (1969) (Third EDF) during the financial year 1978 was such as to warrant its being given a discharge in respect of the implementation of those operations,

HAS DECIDED AS FOLLOWS

Article 1

The Council shall close the revenue and expenditure accounts of the European Development Fund (1969) (Third EDF) as at 31 December 1978 as follows:

- revenue at the sum of 884 961 070.19 European units of account,
- expenditure (payments): at the sum of 763 906 356.65 European units of account.

Article 2

The Council hereby gives a discharge to the Commission in respect of the implementation of the operations of the European Development Fund (1969) (Third EDF) for the financial year 1978.

Done at Luxembourg, 22 April 1980.

For the Council

The President

G ZAMBERLETTI

⁽¹⁾ OJ No L 282, 28.12.1970, p. 2

⁽²⁾ OJ No L 282, 28.12.1970, p. 83

⁽³⁾ OJ No L 282, 28.12.1970, p. 47

⁽⁴⁾ OJ No L 31, 8.2.1971, p. 1

COUNCIL RECOMMENDATION

of 22 April 1980

concerning the discharge to be given to the Commission in respect of the implementation of the operations of the European Development Fund (1975) (Fourth EDF) for the financial year 1978

(80/460/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 206b thereof,

Having regard to the ACP-EEC Convention of Lomé⁽¹⁾, signed on 28 February 1975,

Having regard to Council Decision 76/568/EEC of 29 June 1976 on the association of the overseas countries and territories with the European Economic Community⁽²⁾,

Having regard to the Internal Agreement on the financing and administration of Community aid, signed on 11 July 1975, and in particular Article 31 (3) thereof,

Having regard to the Financial Regulation of 27 July 1976 applicable to the Fourth European Development Fund, and in particular Articles 64 to 67 thereof,

Having examined the revenue and expenditure account and the balance sheet relating to the operations of the European Development Fund (1975) (Fourth EDF) as at 31 December 1978 and the Court

of Auditors' report relating to the financial year 1978, accompanied by the Commission's replies;

Whereas, pursuant to Article 31 of the Internal Agreement, the discharge for the management of the European Development Fund (1975) (Fourth EDF) must be given to the Commission according to the procedure provided for in Article 206 of the Treaty;

Whereas the overall implementation by the Commission of the operations of the European Development Fund (1975) (Fourth EDF) during the financial year 1978 has been satisfactory,

RECOMMENDS that the European Parliament give the Commission a discharge in respect of the implementation of the operations of the European Development Fund (1975) (Fourth EDF) for the financial year 1978.

Done at Luxembourg, 22 April 1980.

For the Council

The President

G. ZAMBERLETTI

⁽¹⁾ GEN O 2 Vol. 1

⁽²⁾ OJ No L 176, 1. 7. 1976, p. 8.

RESOLUTION

of the ACP-EEC Council of Ministers
on financial and technical co-operation

THE ACP-EEC COUNCIL OF MINISTERS, meeting in Nairobi on
8 and 9 May 1980,

1. HAVING EXAMINED the joint report of ACP-EEC Experts on the management of financial and technical co-operation in the context of the application of the Convention of Lomé I;
2. HAVING NOTED the difficulties which the partners, in particular the ACP States, have encountered in the implementation of financial and technical co-operation in the context of the Convention of Lomé I;
3. CONSIDERING concerted action to be a basic principle of financial and technical co-operation;
4. TAKES NOTE of the conclusions of the Working Party of Experts, reached after detailed proceedings and discussions;

5. CALLS UPON all the parties concerned to take greater account of the recommendations of those Experts in the further implementation of financial and technical co-operation;
6. INSISTS in particular on the need urgently to appraise the Commission's report on the management of financial and technical co-operation for 1979;
7. MANDATES THE ACP-EEC Committee of Ambassadors
 - to propose urgently to the ACP-EEC Council all necessary measures for setting up the ACP-EEC Committee provided for in Article 108 of the second Lomé Convention in order that the said Committee is rendered fully operational when the Convention comes into force;
 - to convene the first meeting of this Committee as soon as the Convention comes into force to examine all necessary measures for effective implementation of the general and specific provisions laid down in the second Lomé Convention in favour of the least-developed, landlocked and island ACP States and to ensure that practical measures are taken to solve the problems of these countries;

- to ensure that the ACP States concerned are really involved in all stages of the implementation of regional co-operation;
- to encourage the ACP States to take all necessary measures for ensuring that local staff are trained in order to rapidly reduce dependence on technical assistance;
- to use all appropriate means for:
 - = reducing the cost of technical assistance without jeopardizing its quality;
 - = ensuring that special attention be paid to the terms of reference given to consultants in order to promote the maximum use of relevant technology and to put the human and material resources of the ACP States to good effect.

Done at Nairobi, 9 May 1980
For the ACP-EEC Council of Ministers
The President

(s.) Noel LEVI

Certified true copy

KONATE LESORT
Secretaries
of the ACP-EEC Council of Ministers

RESOLUTION

of the ACP-EEC Council of Ministers
concerning investments in public health
and public drinking-water supplies

The ACP-EEC Council of Ministers takes note of the sectoral "basic principles" which emerge from the Commission's evaluation and which take account of the experience of the relevant experts from the ACP States and the Community Member States in the fields of investment in public health and public drinking-water supplies.

It strongly recommends the responsible departments of the partners in financial and technical co-operation to take these basic principles into account in the planning, appraisal, implementation, management and evaluation of new projects to be financed by the Community in these two sectors.

It hereby instructs the ACP-EEC Committee of Ambassadors to report to it by the end of 1982 on the application of these basic principles.

Done at Nairobi, 9 May 1980
For the ACP-EEC Council of Ministers
The President

(s.) Noel LEVI

Certified true copy

KONATE LESORT
Secretaries
of the ACP-EEC Council of Ministers

DECISION No 4 /80 OF THE ACP-EEC COUNCIL OF MINISTERS

OF 9 MAY 1980

on raising the ceiling
for the financing of microprojects

(see INST 52 Vol. 2)

Establishment, services, payments
and capital movements
(removed)

Institutions

Subdivision:

- I. Council of Ministers and Committee of Ambassadors
- II. Consultative Assembly (removed)
- III. Institutional questions peculiar to the Community and the Member States (removed)
- IV. Questions peculiar to the ACP States (removed)

I. Council of Ministers
and Committee of
Ambassadors

Table

1

Subject	Pages in the Collected Acts
Decision No 1/76 of the ACP-EEC Council of Ministers of 14 July 1976 on the composition of the Committee on Industrial Co-operation and its rules of operation	1
Decision No 2/76 of the ACP-EEC Council of Ministers of 14 July 1976 laying down the statutes and rules of operation of the Centre for Industrial Development	2
Decision 3/76 of the ACP-CEE Council of Ministers of 14 July 1976 derogating from the concept of "originating products" to take account of the special situation of Mauritius with regard to certain products of the textile industry	3
Decision No 4/76 of the ACP-EEC Council of Ministers of 14 July 1976 approving the accession of the Republic of Surinam to the ACP-EEC Convention of Lomé	4
Decision No 5/76 of the ACP-EEC Council of Ministers of 14 July 1976 approving the accession of the Republic of Seychelles to the ACP-EEC Convention of Lomé	5
Decision No 6/76 of the ACP-EEC Council of Ministers of 14 July 1976 approving the accession of the Comoro State to the ACP-EEC Convention of Lomé	6
Decision No 7/76 of the ACP-EEC Council of Ministers of 14 July 1976 approving the request by the Democratic Republic of Sao Tomé and Principe for accession to the ACP-EEC Convention of Lomé	7
Decision No 8/76 of the ACP-EEC Council of Ministers of 14 July 1976 approving the request by Papua New Guinea for accession to the ACP-EEC Convention of Lomé	8
Decision No 9/76 of the ACP-EEC Council of Ministers of 14 July 1976 approving the request by the Republic of Cape Verde for accession to the ACP-EEC Convention of Lomé	9
Decision No 10/76 of the ACP-EEC Council of Ministers of 15 July 1976 delegating to the Committee of Ambassadors the authority to adopt the fiscal and customs arrangements applicable in the ACP States to contracts financed by the Community	10 - 12

Table

2

Subject	Pages in the Collected Acts
Decision No 11/76 of the ACP-EEC Council of Ministers of 15 July 1976 on the delegation of certain powers to the ACP-EEC Committee of Ambassadors	13 - 16
ACP-EEC Council of Ministers Decision 1/77 of 14 April 1977 derogating from the concept of 'originating products' to take into account the special situation of the Republic of Malawi with regard to certain items of fishing tackle (fishing flies)	17
ACP-EEC Council of Ministers Decision 2/77 of 14 April 1977 derogating from the concept of 'originating products' to take into account the special situation of the Republic of Kenya with regard to certain items of fishing tackle (fishing flies)	18
Decision No 3/77 of the ACP-EEC Council of Ministers of 14 April 1977 adding certain products to the list in Article 17 (1) of the ACP-EEC Convention of Lomé	19
Decision No 4/77 of the ACP-EEC Council of Ministers of 14 April 1977 regarding the scope of article 17 (4) of the ACP-EEC Convention of Lomé	20
Decision No 5/77 of the ACP-EEC Council of Ministers of 14 April 1977 amending Decision No 1/76 of the ACP-EEC Council of Ministers of 14 July 1976 on the composition of the Committee on Industrial Co-operation and its rules of operation	21
Decision No 6/77 of the ACP-EEC Council of Ministers of 14 April 1977 on the arrangements applicable to the staff of the Centre for Industrial Development as regards taxation, social security and jurisdiction	22
Decision No 7/77 of the ACP-EEC Council of Ministers of 14 April 1977 amending Decision No 2/76 of the ACP-EEC Council of Ministers of 14 July 1976 laying down the statutes and rules of operation of the Centre for Industrial Development	23
Decision No 8/77 of the ACP-EEC Council of Ministers of 14 April 1977 delegating to the Committee of Ambassadors the authority to adopt the rules for settlement of any dispute arising between the authorities of an ACP State and a contractor or supplier in the course of execution of a contract financed by the EDF	24

Table

3

Subject	Pages in the Collected Acts
Decision No 9/77 of the ACP-EEC Council of Ministers of 14 April 1977 delegating to the Committee of Ambassadors the authority to adopt the general provisions and conditions applicable to the placing and performance of public works contracts financed by the EDF	25
Decision No 10/77 of the ACP-EEC Council of Ministers of 14 April 1977 amending the list of least developed ACP States	26
Resolution of the ACP-EEC Council of Ministers on financial and technical co-operation adopted on 14 April 1977	27
Decision No 11/77 of the ACP-EEC Council of Ministers of 23 November 1977 derogating from the concept of "originating products" to take account of the special situation of Mauritius with regard to certain products of the textile industry	28
Decision No 12/77 of the ACP-EEC Council of Ministers of 23 November 1977 derogating from the concept of 'originating products' to take account of the special situation of Mauritius with regard to its production of canned tuna	29
ACP-EEC Council of Ministers Decision No 1/78 of 14 March 1978 amending Protocol 1 to the ACP-EEC Convention of Lomé concerning the concept of 'originating products' and methods of administrative cooperation	30
Decision No 2/78 of the ACP-EEC Council of Ministers of 14 March 1978 on the measures to be taken regarding examination of the results of financial and technical co-operation for the financial years 1976 and 1977	31
Decision No 3/78 of the ACP-EEC Council of Ministers of 24 July 1978 approving the accession of the Solomon Islands to the ACP-EEC Convention of Lomé	32

Table

Subject	Pages in the Collected Acts
Decision No 4/78 of the ACP-EEC Council of Ministers of 21 December 1978 derogating from the definition of the concept of 'originating products' to take into account the special situation of Kenya with regard to certain items of fishing tackle (fishing flies)	33
Decision No 5/78 of the ACP-EEC Council of Ministers of 21 December 1978 derogating from the definition of the concept of 'originating products' to take into account the special situation of Malawi with regard to certain items of fishing tackle (fishing flies)	34
Decision No 6/78 of the ACP-EEC Council of Ministers of 21 December 1978 approving the accession of Dominica to the ACP-EEC Convention of Lomé	35
Decision No 7/78 of the ACP-EEC Council of Ministers of 21 December 1978 approving the accession of Tuvalu to the ACP-EEC Convention of Lomé	36
Decision No 1/79 of the ACP-EEC Council of Ministers of 7 March 1979 regarding the scope of Article (4) of the ACP-EEC Convention of Lomé	37
Decision No 2/79 of the ACP-EEC Council of Ministers of 23 March 1979 derogating from the concept of 'originating products' to take account of the special situation of Mauritius with regard to its production of canned tuna	38
Decision No 3/79 of the ACP-EEC Council of Ministers of 23 March 1979 approving the accession of St Lucia to the ACP-EEC Convention of Lomé	39
Decision No 4/79 of the ACP-EEC Council of Ministers of 23 March 1979 amending the list of least developed ACP States	40
Decision No 6/79 of the ACP-EEC Council of Ministers of 23 March 1979 on the fiscal and customs arrangements applicable in the ACP States to contracts financed by the Community	41
Decision No 7/79 of the ACP-EEC Council of Ministers of 23 March 1979 delegating to the Committee of Ambassadors the authority to adopt the annual report of the Council of Ministers	42 - 43

Table

5

Subject	Pages in the Collected Acts
Decision No 8/79 of the ACP-EEC Council of Ministers of 11 October 1979 approving the accession of the Republic of Kiribati to the ACP-EEC Convention of Lomé	44
Decision No 9/79 of the ACP-EEC Council of Ministers of 31 October 1979 concerning the use in advance of a portion of the 1979 instalment of the resources allocated to the stabilization system for earnings from exports set up by the Convention of Lomé	45
Decision No 10/79 of the ECP-EEC Council of Ministers of 31 October 1979 delegating powers to the ACP-EEC Committee of Ambassadors in connection with the adoption of transitional measures on the expiry of the Convention of Lomé	45 - 47
Decision No 1/80 of the ACP-EEC Council of Ministers of 18 January 1980 on transitional measures to be applied from 1 March 1980	48
Decision No 2/80 of the ACP-EEC Council of Ministers of 7 February 1980 approving the accession of St. Vincent and the Grenadines to the ACP-EEC Convention of Lomé	49 - 50
Decision No 3/80 of the ACP-EEC Council of Ministers of 27 February 1980 derogating from the definition of the concept of originating products to take account of the special situation of Malawi and Kenya with regard to certain items of fishing tackle (fishing flies)	51
Decision No 4/80 of the ACP-EEC Council of Ministers of 9 May 1980 on raising the ceiling for the financing of microprojects	52 - 53
Decision No 5/80 of the ACP-EEC Council of Ministers of 9 May 1980 amending the list of least developed ACP States	54 - 55
Decision No 6/80 of the ACP-EEC Council of Ministers of 9 May 1980 approving the request by the Republic of Zimbabwe to accede to the second ACP-EEC Convention of Lomé	56 - 58
Decision No 7/80 of the ACP-EEC Council of Ministers of 9 May 1980 on Article 18(5) of the ACP-EEC Convention of Lomé signed on 28 February 1975	59 - 61
Decision No 8/80 of the ACP-EEC Council of Ministers of 9 May 1980 adding sesame seed to the list set out in Article 17(1) of the ACP-EEC Convention of Lomé signed on 28 February 1975	62 - 63
Decision No 9/80 of the ACP-EEC Council of Ministers of 9 May 1980 delegating to the ACP-EEC Committee of Ambassadors the authority to adopt the report from the ACP-EEC Council of Ministers (1976-1980)	64 - 65

DECISION No 1/76 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 14 JULY 1976

on the composition of the Committee on Industrial Co-operation
and its Rules of Operation

(see IND 1 - 5)

DECISION No 2/76 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 14 JULY 1976

laying down the statutes
and rules of operation of
the Centre for Industrial Development

(see IND 6 - 14)

DECISION 3/76 OF THE ACP-EEC COUNCIL OF MINISTERS

of 14 July 1976

derogating from the concept of 'originating products' to take account of the special situation of Mauritius with regard to certain products of the textile industry

(see TRADE I 236 - 237)

DECISION No 4/76 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 14 JULY 1976

approving the accession
of the Republic of Surinam
to the ACP-EEC Convention of Lomé

(see GEN 0 1 - 3)

DECISION No 5/76 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 14 JULY 1976

approving the accession
of the Republic of Seychelles
to the ACP-EEC Convention of Lomé

(see GEN O 4 - 6)

DECISION No 6/76 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 14 JULY 1976

approving the accession
of the Comoro State
to the ACP-EEC Convention of Lomé

(see GEN 0 7 - 9)

DECISION No 7/76 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 14 JULY 1976

approving the request
by the Democratic Republic of Sao Tomé and Príncipe
for accession to the
ACP-EEC Convention of Lomé

(see GEN O 10 - 12)

DECISION No 8/76 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 14 JULY 1976

approving the request
by Papua New Guinea
for accession to the
ACP-EEC Convention of Lomé

(see GEN O 13 - 15)

DECISION No 9/76 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 14 JULY 1976

approving the request
by the Republic of Cape Verde
for accession to the
ACP-EEC Convention of Lomé

(see GEN O 16 - 18)

DECISION No 10/76 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 15 JULY 1976

delegating to
the Committee of Ambassadors
the authority to adopt the fiscal and customs arrangements
applicable in the ACP States
to contracts financed by the Community

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé, signed on
28 February 1975 ⁽¹⁾, and in particular Articles 60 and 75 thereof,

(1) GEN 0 2

Whereas the fiscal and customs arrangements applicable in the ACP States to contracts financed by the Community are to be adopted by a decision of the Council of Ministers at its first meeting following the date of entry into force of the Convention of Lomé;

Whereas, pending this decision of the Council of Ministers, the arrangements in force as at 31 January 1975 in the ACP States parties to the Convention signed at Yaoundé on 29 July 1969 will continue to apply; whereas the remaining ACP States are to allow the Community to benefit from the most favourable arrangements which they grant to international organizations;

Whereas the Council of Ministers was unable to adopt the said decision at its first meeting; whereas the entry into force of that decision should not, however, be deferred until a later meeting;

Whereas it is therefore necessary for the Council to delegate to the Committee of Ambassadors the authority to adopt this decision as soon as possible,

HAS DECIDED AS FOLLOWS:

Article 1

The Council of Ministers hereby delegates to the Committee of Ambassadors the authority to adopt, in accordance with Article 60 of the Convention of Lomé, the decision on the fiscal and customs arrangements applicable in the ACP States to contracts financed by the Community.

Article 2

The ACP States, the Member States and the Community shall be bound, each to the extent to which they are concerned, to take the necessary steps to implement this decision.

Article 3

This Decision shall enter into force on 16 July 1976.

Done at Brussels, 15 July 1976
By the ACP-EEC Council of Ministers
The President

(s.) KING

Certified true copy

DODOO LESORT
Secretaries
of the ACP-EEC Council of Ministers

DECISION No 11/76 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 15 JULY 1976

on the delegation of certain powers
to the ACP-EEC Committee of Ambassadors

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé signed on
28 February 1975 ⁽¹⁾, and in particular Article 75 thereof,

(1) GEN 0 2

Whereas the Convention makes provision for only one ordinary meeting of the Council of Ministers each year;

Whereas application of the Convention raises multifarious problems which must be resolved in the interval between two ordinary meetings;

Whereas, although the possibility of extraordinary meetings of the Council of Ministers is provided for in the Convention, it is nevertheless necessary for the sake of simplicity and speed for the Council to delegate certain of its powers to the Committee of Ambassadors in accordance with Article 75;

Whereas, however, in spite of such delegation of powers, the Council of Ministers should itself be able to discuss matters which have been delegated if the Community or the ACP States deem it necessary,

HAS DECIDED AS FOLLOWS:

Article 1

1. Without prejudice to any other delegations of powers granted in individual cases, the Council shall delegate to the Committee of Ambassadors the powers referred to in Article 2(2)(b), Articles 5, 6, 8, 10, 11, 12 and 17(4), Article 23(1), Article 48 (3), Articles 57, 64 and 68, Article 74(9) and Article 88 of the Convention, Article 27 of Protocol No 1, Article 8 of Protocol No 3, Article 3 of Protocol No 4, Article 9 of Protocol No 5, paragraph 2(d) of Protocol No 7, and Annex II and the first sentence of Annex V to the Final Act.

2. The Convention, and in particular Article 70(2) and (3) and Article 73(1) thereof, and Articles 11 to 14 of the Rules of Procedure of the Council of Ministers shall apply to acts adopted by the Committee of Ambassadors on the basis of this Article.
3. At the request of the Community or of the ACP States, any item concerning an issue in respect of which power was delegated to the Committee of Ambassadors by the Council of Ministers pursuant to paragraph 1 and which is placed on the provisional agenda of a meeting of the Committee may be struck off that agenda and included on the agenda of the Council of Ministers.
4. The Council of Ministers may, if the Community or the ACP States deem it necessary, decide to discuss matters which have been the subject of a delegation of powers.

Article 2

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

Done at Brussels, 15 July 1976
For the ACP-EEC Council of Ministers
The President

(s.) KING

Certified true copy

DOUOQ LESORT

Secretaries
of the ACP-EEC Council of Ministers

ACP-EEC COUNCIL OF MINISTERS DECISION 1/77

of 14 April 1977

derogating from the concept of 'originating products' to take into account the special situation of the Republic of Malawi with regard to certain items of fishing tackle (fishing flies)

(see TRADE I 454)

7. 6. 77

Official Journal of the European Communities

No L 139/25

ACP-EEC COUNCIL OF MINISTERS DECISION 2/77

of 14 April 1977

derogating from the concept of 'originating products' to take into account the special situation of the Republic of Kenya with regard to certain items of fishing tackle (fishing flies)

(see TRADE I 456)

DECISION No 3 /77 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 14 APRIL 1977

adding certain products
to the list in Article 17(1)
of the ACP-EEC Convention of Lomé
(see GEN O 22 - 24)

DECISION No 4 /77 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 14 APRIL 1977

regarding the scope of
Article 17(4) of the ACP-EEC Convention of Lomé

(see TRADE I 443 - 445)

DECISION No 5 /77 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 14 APRIL 1977

amending Decision No 1/76
of the ACP-EEC Council of Ministers of 14 July 1976
on the composition of the Committee on Industrial Co-operation
and its Rules of Operation

(see IND 15 - 17)

DECISION No 6 / 77 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 14 APRIL 1977

on the arrangements applicable to the staff
of the Centre for Industrial Development
as regards taxation, social security and jurisdiction

(see IND 18 - 26)

DECISION No 7 /77 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 14 APRIL 1977

amending Decision No 2/76
of the ACP-EEC Council of Ministers of 14 July 1976
laying down the statutes and rules of operation of
the Centre for Industrial Development

(see IND 27 - 29)

DECISION No 8 /77 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 14 APRIL 1977

delegating to the Committee of Ambassadors
the authority to adopt
the rules for settlement of any dispute
arising between the authorities of an ACP State
and a contractor or supplier in the course of execution
of a contract financed by the EDF

(see FINTECH 14 - 16)

DECISION No 9 /77 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 14 APRIL 1977

delegating to the Committee of Ambassadors
the authority to adopt the general provisions
and conditions applicable to the
placing and performance of
public works contracts financed by the EDF

(see FINTECH 17 - 19)

DECISION No 10/77 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 14 APRIL 1977

amending the list
of least developed ACP States

(see GEN O 26 - 27)

RESOLUTION OF THE ACP-EEC COUNCIL OF MINISTERS

on financial and technical co-operation

adopted on 14 April 1977

(see FINTECH 5 - 13)

DECISION No 11/77 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 23 NOVEMBER 1977

**derogating from the concept of "originating products"
to take account of the special situation of Mauritius
with regard to certain products
of the textile industry**

(see TRADE CO-OP I 640)

DECISION No 12/77 OF THE ACP-EEC COUNCIL OF MINISTERS

of 23 November 1977

derogating from the concept of 'originating products' to take account of the special situation of Mauritius with regard to its production of canned tuna

(see TRADE CO-OP I 642)

ACP-EEC COUNCIL OF MINISTERS DECISION No 1/78

of 14 March 1978

**amending Protocol 1 to the ACP-EEC Convention of Lomé concerning the concept of
'originating products' and methods of administrative cooperation**

(see GEN 0 34 - 81)

DECISION No 2 /78 OF THE ACP-EEC COUNCIL OF MINISTERS

OF 14 MARCH 1978

**on the measures to be taken regarding
examination of the results of financial and technical
co-operation for the financial years 1976 and 1977**

(see FINTECH 23 - 26)

DECISION No 3/78 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 24 JULY 1978

**approving the accession of the Solomon Islands
to the ACP-EEC Convention of Lomé**

(see GEN O 86 - 87)

DECISION No 4/78 OF THE ACP-EEC COUNCIL OF MINISTERS

of 21 December 1978

derogating from the definition of the concept of 'originating products' to take into account the special situation of Kenya with regard to certain items of fishing tackle (fishing flies)

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé, signed on 28 February 1975 (hereinafter referred to as 'the Convention'), and in particular Article 9 (2) thereof,

Whereas Article 27 of Protocol 1 to the Convention, concerning the definition of the concept of 'originating products' and methods of administrative cooperation, makes provision for derogations from the rules of origin in particular to facilitate the development of existing industries or the creation of new industries,

Whereas the ACP States have submitted a request from the Government of the Republic of Kenya for a derogation from the definition set out in Protocol 1 for items of fishing tackle manufactured in that State;

Whereas, in accordance with Article 27 of Protocol 1, the Customs Cooperation Committee has adopted a report on this request;

Whereas in order to take into account the special situation of the Republic of Kenya and to enable the relevant industrial sector to develop its industry and to examine the possibility of using Community products for the manufacture of the articles in question, a derogation should be made for 18 months, which should meet this request;

Whereas any possible deflection of trade should be avoided; whereas this aim can be achieved by fixing a maximum percentage of non-originating products incorporated in the finished product,

HAS DECIDED AS FOLLOWS:

Article 1

By way of derogation from the provisions of Protocol 1, items of fishing tackle manufactured in Kenya and falling within CCT heading No ex 97.07 'fishing flies', shall be considered as originating in Kenya provided that the value of the non-originating fish-hooks used for their manufacture, falling within CCT heading No

ex 97.07, does not exceed 25 % of the value of the finished product.

Article 2

The movement certificates EUR 1 issued for originating products by virtue of the derogation contained in Article 1 shall contain in box 7 'remarks' one of the following endorsements:

- 'Derogation fishing flies',
- 'Undtagelse fluer til fiskeri',
- 'Afwijking kunstvliegen voor de visserij',
- 'Dérégation mouches pour la pêche',
- 'Abweichung Fliegen zum Flugangeln',
- 'Deroga mosche per la pesca'.

Article 3

The competent authorities of the Republic of Kenya shall forward to the Commission every three months a statement of the quantities in respect of which movement certificates EUR 1 have been issued pursuant to this Decision, indicating the Member States of destination.

Article 4

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

Article 5

This Decision shall enter into force on 1 June 1978. It shall apply until 31 December 1979.

Done at Brussels, 21 December 1978.

*For the ACP-EEC Council
of Ministers*

The President

K. von DOHNANYI

DECISION No 5/78 OF THE ACP-EEC COUNCIL OF MINISTERS

of 21 December 1978

derogating from the definition of the concept of 'originating products' to take into account the special situation of Malawi with regard to certain items of fishing tackle (fishing flies)

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé, signed on 28 February 1975 (hereinafter referred to as 'the Convention'), and in particular Article 9 (2) thereof,

Whereas Article 27 of Protocol 1 to the Convention, concerning the definition of the concept of 'originating products' and methods of administrative cooperation, makes provision for derogations from the rules of origin in particular to facilitate the development of existing industries or the creation of new industries,

Whereas the ACP States have submitted a request from the Government of the Republic of Malawi for a derogation from the definition set out in Protocol 1 for items of fishing tackle manufactured in that State,

Whereas, in accordance with Article 27 of Protocol 1, the Customs Cooperation Committee has adopted a report on this request,

Whereas, in order to take into account the special situation of the Republic of Malawi and to enable the relevant industrial sector to develop its industry and to examine the possibility of using Community products for the manufacture of the articles in question, a derogation should be made for 18 months which should meet this request;

Whereas any possible deflection of trade should be avoided; whereas this aim can be achieved by fixing a maximum percentage of non-originating products incorporated in the finished product,

HAS DECIDED AS FOLLOWS:

Article 1

By way of derogation from the provisions of Protocol 1, items of fishing tackle manufactured in Malawi and falling within CCT heading No ex 97.07 'fishing flies', shall be considered as originating in Malawi, provided that the value of the non-originating fish-hooks used for their manufacture, falling within CCT heading No

ex 97.07, does not exceed 25% of the value of the finished product.

Article 2

The movement certificates EUR 1 issued for originating products by virtue of the derogation contained in Article 1 shall contain in box 7 'remarks' one of the following endorsements:

- 'Derogation fishing flies',
- 'Derogation mouches pour la pêche',
- 'Undtagelse fluer til fiskeri',
- 'Abweichung Fliegen zum Flugangeln',
- 'Deroga mosche per la pesca',
- 'Afwijking kunstvliegen voor de visserij'.

Article 3

The competent authorities of the Republic of Malawi shall forward to the Commission every three months a statement of the quantities in respect of which movement certificates EUR 1 have been issued pursuant to this Decision indicating the Member States of destination.

Article 4

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

Article 5

This Decision shall enter into force on 1 June 1978. It shall apply until 31 December 1979.

Done at Brussels, 21 December 1978.

*For the ACP-EEC Council
of Ministers*

The President

K. von DOHNANYI

DECISION N° 6/78 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 21 DECEMBER 1978

approving the accession of Dominica
to the ACP-EEC Convention of Lomé

(see GEN O 121 - 123 Vol. 2)

DECISION N° 7/78 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 21 DECEMBER 1978

approving the accession of Tuvalu
to the ACP-EEC Convention of Lomé

(see GEN 0 124 - 126 Vol. 2)

DECISION No 1 /79
OF THE ACP-EEC COUNCIL OF MINISTERS
OF 7 MARCH 1979

regarding the scope
of Article 17(4)
of the ACP-EEC Convention of Lomé

(see GEN 0 129 - 131 Vol. 2)

DECISION No 2/79 OF THE ACP-EEC COUNCIL OF MINISTERS

23 March 1979

derogating from the concept of 'originating products' to take account of the special situation of Mauritius with regard to its production of canned tuna

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé signed on 28 February 1975 hereinafter called 'the Convention', and in particular Article 9 (2) thereof,

Whereas Article 27 of Protocol No 1 to the Convention concerning the definition of the concept of 'originating products' and methods of administrative cooperation, states that derogations from the rules of origin may be made, in particular to facilitate the development of existing industries or the creation of new industries;

Whereas the ACP States have submitted a request from the Government of Mauritius for a derogation from the definition set out in the said Protocol for canned tuna produced by that State;

Whereas in order to catch fish for its canneries Mauritius has decided to set up its own fleet of vessels so that the finished products are originating products within the meaning of Protocol No 1 to the Convention;

Whereas the fleet will become operational only in about one year's time;

Whereas, in accordance with Article 27 of Protocol No 1, the Customs Cooperation Committee has adopted a report on the said request;

Whereas the derogation accorded for 1978, taken together with that envisaged for 1979, represents a period of time sufficient to allow the Mauritian authorities to resolve their problem in obtaining originating raw materials; whereas the present derogation is therefore to be limited to a maximum period of 12 months;

Whereas in these circumstances a temporary derogation may be made from the definition of the concept of originating products,

HAS DECIDED AS FOLLOWS:

Article 1

By way of derogation from the special provisions of List A in Annex II to Protocol No 1, canned tuna manufactured in Mauritius and falling within heading No ex 16.04 of the Common Customs Tariff shall be considered as originating in Mauritius subject to the following conditions.

Article 2

This derogation shall relate to 1 600 tonnes of canned tuna falling within heading No ex 16.04 of the Common Customs Tariff and exported from Mauritius between 25 November 1978 and 24 November 1979.

Article 3

The movement certificates EUR 1 issued for originating products by virtue of the derogation contained in Article 1 shall contain in box 7 'Remarks' one of the following endorsements:

- 'Dérégation thons',
- 'Abweichung Thunfisch',
- 'Derogation tuna fish',
- 'Deroga tonno',
- 'Afwijking tonijn',
- 'Undtagelse tunfisk'.

Article 4

The competent authorities of Mauritius shall take the necessary steps to carry out quantitative checks on exports of the products referred to in Article 2 and shall forward to the Commission every three months a statement of the quantities in respect of which movement certificates EUR 1 have been issued pursuant to this Decision.

Article 5

The ACP States, the Member States and the Community shall be required, each for its own part, to take the necessary steps to implement this Decision.

Article 6

This Decision shall enter into force on 25 November 1978. It shall apply until 24 November 1979.

Done at Freeport, 23 March 1979.

*For the ACP-EEC
Council of Ministers*

The President

J. FRANÇOIS-PONCET

DECISION No 3/79 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 23 MARCH 1979

**approving the accession of St Lucia
to the ACP-EEC Convention of Lomé**

(see GEN 0 135 - 136 Vol. 2)

DECISION No 4/79
OF THE ACP-EEC COUNCIL OF MINISTERS
OF 23 MARCH 1979

amending the list of least-
developed ACP States.

(see GEN 0 137 - 138 Vol. 2)

DECISION N° 6/79 OF THE ACP-EEC COUNCIL OF MINISTERS

OF 23 MARCH 1979

on the fiscal and customs arrangements
applicable in the ACP States
to contracts financed
by the Community

(see FINTECH 40 - 45 Vol. 2)

DEGISION No 7/79 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 23 MARCH 1979

delegating to
the Committee of Ambassadors
the authority to adopt the annual report of
the Council of Ministers

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé, signed on 28 February 1975, and in particular Articles 74(5), 80(4) and 75 thereof,

Whereas, under these Articles, the Council of Ministers shall each year submit a report on its activities to the Consultative Assembly, and shall publish an annual report and such other information as it considers appropriate,

Whereas it has seemed advisable that these reports should also concern the most recent activities of the Council of Ministers, including those at its meeting on 22 March 1979, and whereas, therefore, the Council of Ministers was unable to adopt these reports at the said meeting,

Whereas the Council of Ministers may, where necessary, delegate any of its powers to the Committee of Ambassadors,

Whereas it is therefore necessary for the Council to delegate to the Committee of Ambassadors the authority to adopt the report on the activities of the Council of Ministers to the Consultative Assembly and to decide on its publication as an annual report as soon as possible,

HAS DECIDED AS FOLLOWS:

Article 1

The Council of Ministers hereby delegates to the Committee of Ambassadors the authority to adopt, in accordance with Article 80(4) of the Convention, the annual report on the activities of the Council of Ministers (1978/1979) to the Consultative Assembly and to decide on its publication as an annual report in accordance with Article 74(5) of the Convention.

Article 2

The ACP States, the Member States and the Community shall be bound, each to the extent to which they are concerned, to take the necessary steps to implement this Decision.

Done at Freeport, 23 March 1979

For the ACP-EEC Council of Ministers

The President

(s.) J. FRANCOIS-PONCET

Certified true copy

KONATE

LESORT

Secretaries

of the ACP-EEC Council of Ministers

DECISION No 8/79 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 11 OCTOBER 1979

approving the accession of the Republic of Kiribati
to the ACP-EEC Convention of Lomé

(see GEN O 144 - 145 Vol. 2)

DECISION N° 9/79
OF THE ACP-EEC COUNCIL OF MINISTERS
OF 31 OCTOBER 1979

concerning the use in advance
of a portion of the 1979 instalment of the resources
allocated to the stabilization system for earnings
from exports set up by
the Convention of Lomé

(see EXP I 1 - 2 Vol. 2)

DECISION No 10/79
OF THE ACP-EEC COUNCIL OF MINISTERS
OF 31 OCTOBER 1979

delegating powers to the
ACP-EEC Committee of Ambassadors in connection with
the adoption of transitional measures on the expiry
of the Convention of Lomé

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé signed on
28 February 1975, hereinafter referred to as the "Convention
of Lomé", and in particular Article 75 and Article 91,
third paragraph thereof,

Whereas the Convention of Lomé expires on 1 March 1980;

Whereas provision should be made for the adoption of the necessary transitional measures in the event that the new Convention, which was signed on 31 October 1979, does not enter into force on the date of expiry of the Convention of Lomé,

HAS DECIDED AS FOLLOWS:

Article 1

The Council shall delegate to the Committee of Ambassadors the powers referred to in Article 91, third paragraph of the Convention of Lomé to take the necessary transitional measures until the entry into force of the Second Convention of Lomé.

Article 2

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

Done at Lomé, **31. X. 1979**

For the ACP-EEC Council of Ministers
The President

(s.) **M. O'KENNEDY**

Certified true copy

KONATE

LESORT

Secretaries
of the ACP-EEC Council of Ministers

DECISION No 1/80 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 18 JANUARY 1980

on transitional measures
to be applied from 1 March 1980

(see GEN O 152 Vol. 2)

DECISION No 2/80 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 7 FEBRUARY 1980

approving the accession of
St. Vincent and the Grenadines to
the ACP-EEC Convention of Lomé

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé signed on
28 February 1975, and in particular Article 89 thereof,

Whereas a request for accession to the ACP-EEC Convention of Lomé was submitted by St. Vincent and the Grenadines on 26 November 1979;

Whereas the provisions of Part Four of the Treaty establishing the European Economic Community apply to that country;

Whereas St. Vincent and the Grenadines became independent on 27 October 1979,

HAS DECIDED AS FOLLOWS:

Article 1

The request for accession to the ACP-EEC Convention of Lomé submitted by St. Vincent and the Grenadines is hereby approved.

Article 2

This Decision shall enter into force on 31 January 1980.

Done at Brussels, 7 February 1980
For the ACP-EEC Council of Ministers
The President

(s.) A. RUFFINI

Certified true copy

KONATE LESORT
Secretaries
of the ACP-EEC Council of Ministers

DECISION No 3/80 OF THE ACP-EEC COUNCIL OF MINISTERS
of 27 February 1980

derogating from the definition of the concept of originating products to take account of the special situation of Malawi and Kenya with regard to certain items of fishing tackle (fishing flies)

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé, signed on 28 February 1975 (hereinafter referred to as 'the Convention'), and in particular Article 9 (2) thereof,

Whereas Article 27 of Protocol 1 to the Convention concerning the definition of the concept of originating products and methods of administrative co-operation, makes provision for derogations from the rules of origin in particular to facilitate the development of existing industries or the creation of new industries;

Whereas the ACP States have submitted a request for a derogation from the definition set out in Protocol 1 for items of fishing tackle manufactured in Malawi and Kenya;

Whereas, in accordance with Article 27 of Protocol 1, the Customs Cooperation Committee has adopted a report on this request;

Whereas the possibilities offered by the cumulation system on origin do not provide a solution to the origin problem for items of fishing tackle manufactured in Malawi and Kenya;

Whereas a further derogation for two years has been requested by the ACP States for Malawi and Kenya;

Whereas this Convention expires on 29 February 1980 and it is consequently necessary to limit the period of validity of this Decision so that it does not extend beyond that date;

Whereas any possible deflection of trade should be avoided; whereas this can be achieved by fixing a maximum percentage of non-originating products incorporated in the finished products,

HAS DECIDED AS FOLLOWS:

Article 1

By way of derogation from the provisions of Protocol 1, items of fishing tackle manufactured in Malawi and

Kenya falling within tariff heading No ex 97.07, 'fishing flies', shall be considered as originating in Malawi and Kenya provided that the value of the non-originating fish-hooks used for their manufacture, falling within tariff heading No ex 97.07, does not exceed 25 % of the value of the finished product.

Article 2

The competent authorities of the Republic of Malawi and the Republic of Kenya shall forward to the Commission every quarter a statement of the quantities in respect of which movement certificates EUR 1 have been issued pursuant to this Decision, indicating the Member States of destination.

Article 3

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

Article 4

This Decision shall enter into force on 1 January 1980.

It shall apply until 29 February 1980.

Done at Brussels, 27 February 1980.

*For the ACP-EEC
Council of Ministers*

The President

A. RUFFINI

DECISION No 4 /80 OF THE ACP-EEC COUNCIL OF MINISTERS

OF 9 MAY 1980

on raising the ceiling
for the financing of microprojects

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé, signed on
28 February 1975, hereinafter referred to as the "Convention",
and in particular Article 14(2) of Protocol No 2 annexed thereto,

Whereas in pursuance of the said Article the ACP-EEC Council of Ministers must, at the end of the second year after the entry into force of the Convention, decide on the follow-up to the experiment of financing microprojects;

Whereas a number of ACP States have indicated their intention to amend their indicative programmes to allow for the possibility of financing projects;

Whereas, therefore, the ceiling of 20 million European Units of Account laid down in Article 14(1) of Protocol No 2 is not sufficient to cover all the actions envisaged in this sector and whereas an additional amount of 5 million European Units of Account is necessary,

HAS DECIDED AS FOLLOWS:

Sole Article

The ceiling laid down in Article 14(1) of Protocol No 2 annexed to the Convention is hereby raised from 20 million European Units of Account to 25 million European Units of Account to cover commitments relating to the financing of microprojects.

Done at Nairobi, 9 May 1980

For the ACP-EEC Council of Ministers
The President

(s.) Noel LEVI

Certified true copy

KONATE LESORT

Secretaries

of the ACP-EEC Council of Ministers

DECISION No 5 /80 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 9 MAY 1980

amending the list of
least developed ACP States

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé signed on 28 February 1975, hereinafter referred to as the "Convention", and in particular Article 48(2) and (3) thereof,

Having regard to Decision No 1/80 of the ACP-EEC Council of Ministers of 18 January 1980 on the transitional measures to apply from 1 March 1980,

Whereas Saint Lucia acceded to the Convention on 28 June 1979 and the Republic of Kiribati on 30 October 1979; whereas these States are in a situation comparable to that of the ACP States listed in Article 48(2) of the Convention and should therefore be added to the list set out therein,

HAS DECIDED AS FOLLOWS:

Article 1

Saint Lucia and the Republic of Kiribati are hereby added with effect from the date of their accession to the Convention to the list of ACP States in Article 48(2) of that Convention.

Article 2

The ACP States, the Member States and the Community shall, each to the extent to which it is concerned, take the necessary steps to implement this Decision.

Done at Nairobi, 9 May 1980
For the ACP-EEC Council of Ministers
The President

(s.) Noel LEVI

Certified true copy

KONATE LESORT
Secretaries
of the ACP-EEC Council of Ministers

DECISION No 6/80
OF THE ACP-EEC COUNCIL OF MINISTERS
OF 9 MAY 1980

approving the request by the
Republic of Zimbabwe to accede to the second
ACP-EEC Convention of Lomé

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé signed on 28 February 1975, hereinafter referred to as the "first ACP-EEC Convention", and in particular the third paragraph of Article 91 thereof,

Having regard to Decision No 1/80 of the ACP-EEC Council of Ministers of 18 January 1980 on the transitional measures to be applied from 1 March 1980, and in particular Article 1(e) and (f) thereof,

Having regard to the second ACP-EEC Convention signed in Lomé on 31 October 1979, hereinafter referred to as the "second ACP-EEC Convention", and in particular Article 186 thereof,

Whereas the Republic of Zimbabwe has submitted a request for accession to the second ACP-EEC Convention and whereas that request should be rapidly acceded to;

Whereas the said Article 186 stipulates that any such request shall require approval by the Council of Ministers ... and whereas the State concerned may thereafter accede to the second ACP-EEC Convention by concluding an agreement with the European Economic Community, but whereas the said Convention has not yet entered into force;

Whereas pending its entry into force the Republic of Zimbabwe and the Community should be put in a position to negotiate an accession agreement to the second ACP-EEC Convention;

Whereas, under the third paragraph of Article 91 of the first ACP-EEC Convention, the Council of Ministers has the power necessary to adopt any transitional measures that may be required until the second ACP-EEC Convention enters into force and whereas the request by the Republic of Zimbabwe to accede should be approved during this transitional period,

HAS DECIDED AS FOLLOWS:

Article 1

The request for accession to the second ACP-EEC Convention signed on 31 October 1979 submitted by the Republic of Zimbabwe is hereby approved. That State may accede to the Convention after its entry into force by concluding an agreement with the European Economic Community.

Article 2

This Decision shall enter into force on 9 May 1980.

Done at Nairobi, 9 May 1980
For the ACP-EEC Council of Ministers
The President

(s.) Noel LEVI

Certified true copy

KONATE LESORT
Secretaries
of the ACP-EEC Council of Ministers

DECISION No 7/80 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 9 MAY 1980

on Article 18(5) of the
ACP-EEC Convention of Lomé
signed on 28 February 1975

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé, (hereinafter referred to as the "Convention"), and in particular Article 18(5) thereof,

Whereas, in accordance with Article 4(2) of Decision No 1/80 of the ACP-EEC Council of Ministers on transitional measures to be applied from 1 March 1980, a decision concerning Article 18(5) of the Convention may be taken even after the expiry of that Convention;

Whereas, at the moment this decision must be adopted, the amounts referred to in Article 18(5) of the Convention cannot be known,

HAS DECIDED AS FOLLOWS:

Article 1

If, after termination of operations relating to the final year of application of the system of stabilization of export earnings set up by the Convention, there is a remaining balance from the total amount mentioned in Article 18(1) of the said Convention, this remaining balance shall be assigned to the first annual instalment of the fund laid down by the system of stabilization of export earnings of the second ACP-EEC Convention.

Article 2

If, during the period mentioned in Article 21(2) of the Convention, payments are made by ACP States in replenishment of the resources made available to the system by the Community, the amounts thus repaid shall be added to the amount referred to in Article 31 of the second ACP-EEC Convention signed at Lomé on 31 October 1979.

Article 3

This Decision shall enter into force on 9 May 1980.

Article 4

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

Done at Nairobi, 9 May 1980

For the ACP-EEC Council of Ministers
The President

(s.) Noel LEVI

Certified true copy

KONATE

LESORT

Secretaries
of the ACP-EEC Council of Ministers

DECISION No 8 /80 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 9 MAY 1980

adding sesame seed
to the list set out in Article 17(1)
of the ACP-EEC Convention of Lomé
signed on 28 February 1975

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé signed on
28 February 1975, and in particular Article 17(3) thereof,

Having regard to Decision No 1/80 of the ACP-EEC Council of
Ministers on transitional measures to be applied from
1 March 1980, and in particular Article 1(1)(b) thereof,

Whereas the twelve-month period provided for in Article 17(3) of the Convention has elapsed and whereas the other conditions laid down in that paragraph exist as regards sesame seed; whereas, therefore, in accordance with the draft Decision of the ACP-EEC Committee of Ambassadors of 7 March 1979, this product should be added to the list set out in Article 17(1),

HAS DECIDED AS FOLLOWS:

Article 1

Sesame seed shall be included in the list set out in Article 17(1) of the Convention.

Article 2

The ACP States, the Member States and the Community shall be bound, for their part, to take the measures necessary to implement this Decision.

Article 3

This Decision shall enter into force on 9.5.1980.

It shall apply to exports of the product referred to in Article 1 as from 1.1.1978.

Done at Nairobi, 9 May 1980
For the ACP-EEC Council of Ministers
The President

(s.) Noel LEVI

Certified true copy

KONATE LESORT
Secretaries
of the ACP-EEC Council of Ministers

DECISION No 9/80
OF THE ACP-EEC COUNCIL OF MINISTERS
of 9 May 1980
delegating to the
ACP-EEC Committee of Ambassadors
the authority to adopt the report
from the ACP-EEC Council of Ministers
(1976-1980)

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé signed on 28 February 1975, hereinafter referred to as the "Convention", and in particular Article 75 thereof,

Having regard to Decision No 1/80 of the ACP-EEC Council of Ministers of 18 January 1980 on transitional measures to be applied from 1 March 1980, and in particular Article 1(1)(e) thereof,

Whereas, under Article 74(5) of the Convention, the Council of Ministers publishes an annual report and whereas under Article 80(4) of the same Convention the Council of Ministers submits each year a report on its activities to the Consultative Assembly; whereas it has seemed advisable that the final report to be submitted under the Convention should include an analysis of ACP-EEC co-operation and a study of its prospects,

Whereas authority should be delegated to the Committee of Ambassadors to adopt the report from the ACP-EEC Council of Ministers (1976-1980),

HAS DECIDED AS FOLLOWS:

Article 1

The Council of Ministers hereby delegates to the Committee of Ambassadors the authority to adopt, in accordance with Article 80(4) of the Convention, the report from the ACP-EEC Council of Ministers (1976-1980) to the Consultative Assembly and to decide on its publication as an annual report in accordance with Article 74(5) of the Convention.

Article 2

This Decision shall enter into force on 9 May 1980.

Article 3

The ACP States, the Member States and the Community shall be bound, each to the extent to which it is concerned, to take the necessary steps to implement this Decision.

Done at Nairobi, 9 May 1980
For the ACP-EEC Council of Ministers
The President

(s.) Noel LEVI

Certified true copy

KONATE LESORT
Secretaries
of the ACP-EEC Council of Ministers

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