

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(76) 316 final.

Brussels, 22 June 1976.

Recommendation for a
COUNCIL REGULATION

concluding Agreements in the form of exchanges of letters between the European Economic Community and Barbados, Fiji, the Republic of Guyana, Jamaica, the Republic of Kenya, the Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Uganda, the People's Republic of the Congo, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago, and the Republic of India on the guaranteed prices for cane sugar for 1976/1977.

Recommendation for a
COUNCIL REGULATION

fixing the guaranteed prices for cane sugar originating in the Overseas Countries and Territories (OCT) for 1976/1977

Recommendation for a
COUNCIL DECISION

amending the Decision of 25 February 75, concerning the importation of cane sugar originating in the Overseas Countries and Territories (OCT)

(submitted to the Council by the Commission).

EXPLANATORY MEMORANDUM

1. a) By a decision of the Council, the Commission was authorised to enter into negotiations on the guaranteed prices for cane sugar to apply in 1976/1977 with the states referred to in Protocol No 3 on ACP sugar annexed to the ACP-EEC Convention of Lomé and with the Republic of India .

The outcome of these negotiations requires to be approved by the competent authorities of the Community and of the countries mentioned above.

The Commission therefore recommends to the Council that this outcome should be made the subject of an exchange of letters between the Community, on the one hand, and the ACP states concerned and the Republic of India on the other.

- b)-In a declaration annexed to the Final Act of the ACP-EEC Lomé Convention, the Community undertook to guarantee, for sugar originating in certain Overseas Countries and Territories (OCT), an identical treatment to that provided for in Protocol No 3 upon ACP sugar.

The Commission therefore recommends to the Council that it establishes, for the sugar originating in the countries concerned by the said declaration, for 1976/1977, the same guaranteed prices as those concluded with the ACP States.

-If the Council decision concerning the association of the OCT does not enter into force on 1 July 1976 and noting that the interim regime concerning trade with the OCT expires on 31 July 1976, it is necessary to extend, until this date, the Council decision of 25 February 1975 concerning the import of cane sugar originating in the OCT and to modify the provisions concerning the guaranteed prices laid down for 1975/1976.

2. Annexed herewith are :

- I. A recommendation for a Regulation of the Council on the conclusion of agreements in the form of exchanges of letters on the guaranteed prices for cane sugar in 1976/1977 between the European Economic Community and Barbados, Fiji, the Republic of Guyana, Jamaica, the Republic of Kenya, the Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Uganda, the People's Republic of the Congo, the Kingdom of Swaziland,

the United Republic of Tanzania, Trinidad and Tobago,
and the Republic of India

II. Drafts of the letters to be exchanged

III. Recommendation for a Council Decision fixing the guaranteed prices applicable for cane sugar originating in the Overseas Countries and Territories (OCT) for 1976/1977

IV. Recommendation for a Council Decision amending the Council Decision of 25 February 1975, concerning the imports of cane sugar originating in the Overseas Countries and Territories (OCT).

3. Financial implications

The aforementioned recommendations are the direct consequence of the annual price decisions. From a financial point of view they do not involve elements other than those already considered in the context of the proposals upon agricultural prices (Doc. CCM (75) 600 final II, pages 119 to 130).

Recommendation for a
COUNCIL REGULATION (EEC) No/76

OF

concluding Agreements in the form of exchanges of letters between the European Economic Community and Barbados, Fiji, the Republic of Guyana, Jamaica, the Republic of Kenya, the Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Uganda, the People's Republic of the Congo, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago and the Republic of India on the guaranteed prices for cane sugar for 1976/77.

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 Agreements in the form of exchanges of letters between the Community and the states referred to in Protocol No 3 on ACP sugar annexed to the ACP-EEC Convention of Lomé, and the Republic of India, should be concluded on the guaranteed prices for cane sugar for 1976/77.

HAS ADOPTED THIS REGULATION :

Article 1

There are hereby concluded on behalf of the Community Agreements in the form of exchanges of letters between the Community and Barbados, Fiji, the Republic of Guyana, Jamaica, the Republic of Kenya, the Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Uganda, the People's Republic of the Congo, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago and the Republic of India on the guaranteed prices for cane sugar for 1976/1977.

.../...

The texts of these Agreements are annexed to this Regulation.

Article 2

The President of the Council is hereby authorised to designate the person empowered to sign the Agreements referred to in Article 1 for the purpose of binding the Community.

Article 3

This Regulation shall enter into force 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,

For the Council,

The President.

Annex II

Letter No 1

Brussels,

Sir,

Following the conclusion of the negotiations referred to in Article 5(4) *(1) of Protocol No 3 on ACP sugar annexed to the ACP-CEE Convention of Lomé*, the Commission, on behalf of the European Economic Community, and the *(2) ACP States referred to in the aforesaid Protocol*(3), have agreed as follows :

For the period from 1 April 1976 to 30 June 1977 the guaranteed prices referred to in Article 5(4) of the Protocol *(3) shall be -

- a) for raw sugar, 26.70 units of account per 100 kilogrammes;
- b) for white sugar, 34.14 units of account per 100 kilogrammes.

These prices shall refer to sugar of standard quality as defined in Community rules, unpacked cif European ports of the Community.

The guaranteed price for raw sugar for 1976/1977 contains a premium of 0.48 units of account per 100 kilogrammes white value which will be recoverable from the exporting state concerned to the extent if any, by which the price realised on sale from intervention is less than the guaranteed price for raw sugar.

I should be obliged if you would kindly acknowledge receipt of this letter and confirm that this letter, together with your reply, constitutes an Agreement between your Government and the Community.

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

For the Council of the European Communities.

* for India

- (1) of the Agreement between the European Economic Community and the Republic of India on cane sugar
- (2) the Republic of India
- (3) Agreement

Letter No 2

Brussels,

Sir,

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

" Following the conclusion of the negotiations referred to
" in Article 5(4) *(1) of Protocol No 3 on ACP sugar annexed to the ACP-CEE
" Convention of Lomé*, the Commission, on behalf of the European Economic
" Community, and the *(2) ACP States referred to in the aforesaid Protocol*(3)
" have agreed as follows :

" For the period from 1 April 1976 to 30 June 1977 the guaranteed
" prices referred to in Article 5(4) of the Protocol *(3) shall be -

" a) for raw sugar, 26.70 units of account per 100 kilogrammes;

" b) for white sugar, 34.14 units of account per 100 kilogrammes.

" These prices shall refer to sugar of standard quality as defined
" in Community rules, unpacked cif European ports of the Community.

" The guaranteed price for raw sugar for 1976/1977 contains a premium
" of 0,48 units of account per 100 kilogrammes white value which will
" be recoverable from the exporting state concerned to the extent,
" if any, by which the price realised on sale from intervention is less
" than the guaranteed price for raw sugar.

" I should be obliged if you would kindly acknowledge receipt
" of this letter and confirm that this letter, together with your reply, cons-
" titutes 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 Barbados (X)

* for India, see previous page.

(X) A similar exchange of letters took place mutatis mutandis between the Community and the following states : Fiji, Barbados, the Republic of Guyana, Jamaica, the Republic of Kenya, the Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Uganda, the People's Republic of the Congo, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago, and the Republic of India*.

Recommendation for a
COUNCIL REGULATION (EEC) No/76

OF

fixing the guaranteed prices for cane sugar
originating in the Overseas Countries and Territories (OCT)
for 1976/1977

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, under Annex XXI of the Final Act of
the ACP-EEC Lomé Convention of 28 February 1975 (1) the Community guaran-
tees, for cane sugar originating in the Overseas Countries and Territories
mentioned in the said Annex, the same treatment as provided for
in Protocol No 3 on ACP sugar annexed to the said Convention ;

Whereas, the Council Decision regarding the Association
of the Overseas Countries and Territories (OCT) (2) involve the application
of this principle ; whereas under Article 4 (4) of Annex IV to this
Decision the guaranteed prices are laid down each year;
down each year ;

Whereas the guaranteed prices for 1976/1977 for cane sugar originating
in the ACP States have been agreed with the relevant ACP States in Agreements
in the form of exchanges of letters ; whereas the Council should now fix the
same guaranteed prices for sugar originating in the OCT concerned,

HAVE ADOPTED THIS REGULATION :

(1) OJ No L 25 of 30.1.1976, p. 142
(2) OJ No

Article 1

For the period from 1 April 1976 to 30 June 1977, the guaranteed prices referred to in Article 4(4) of Annex IV to the Decision of shall be

- a) for raw sugar, 26 70 units of account per 100 kilogrammes ;
- b) for white sugar, 34,14 units of account per 100 kilogrammes.

These prices shall refer to sugar of standard quality as defined in Community rules, unpacked cif European ports of the Community.

The guaranteed price for raw sugar for 1976/1977 contains a premium of 0,48 units of account per 100 kilogrammes white value which will be recoverable from the competent authority of the exporting country concerned to the extent, if any, by which the price realised on sale from intervention is less than the guaranteed price for raw sugar.

Article 2

This Regulation shall enter into force the third day following its publication in the Official Journal of the European Community.

It shall apply with effect from 1 April 1976.

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

Done at Brussels,

For the Council,

The President

(In the event of the non-adoption of the proposed regulation referred to in Annex III)

Recommendation for a

COUNCIL DECISION

OF

amending the Decision of 25 February 1975,
concerning the importation of cane sugar
originating in the Overseas Countries and Territories (OCT)

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, under Annex XXI of the Final Act of the ACP-EEC Lomé Convention of 28 February 1975 (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 No 3 on ACP sugar annexed to the said Convention ;

Whereas the Council Decision of 25 February 1975 concerning the importation of cane sugar originating in the Overseas Countries and Territories (OCT) (2), which applies this principle, applies until the entry into force of the Decision concerning the Association of CCT until the Community and at the latest until 30 June 1976 ;

Whereas the said Decision will not enter into force on 30 June 1976 and the period of validity of the Council Decision of 25 February 1975 should be extended until 31 July 1976;

Whereas the guaranteed prices for 1976/1977 for cane sugar originating in the ACP states have been agreed with the relevant ACP states in agreements in the form of exchanges of letters; the Council should now fix the guaranteed prices for sugar originating in the OCT at the same level for the extended period of the Council Decision of 25 February 1975 ,

(1) OJ No L 25 of 30.1.1976, p. 142

(2) OJ No L 268 of 17.10.1975, p. 43

HAS DECIDED AS FOLLOWS :

Article 1

The text of Article 4(5) of the Decision of 25 February 1975 is hereby replaced by the following text :

"For the period from 1 April 1976 to 31 July 1976 the guaranteed prices shall be -

- a) for raw sugar, 26.70 units of account per 100 kilogrammes;
- b) for white sugar, 34.14 units of account per 100 kilogrammes.

These prices shall refer to sugar of standard quality as defined in Community rules, unpacked cif European ports of the Community.

The guaranteed price for raw sugar for 1976/1977 contains a premium of 0.48 units of account per 100 kilogrammes, which will be recoverable from the exporting state concerned to the extent, if any, by which concerned to the extent that the price realised on sale from intervention is less than the guaranteed price for raw sugar. "

Article 2

In Article 7 of the said Decision, the date "30 June 1976" is hereby replaced by "31 July 1976".

Article 3

This Decision shall apply with effect from 1 April 1976.

Done at

For the Council

The President.