

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(78) 715 final

Brussels, 11 January 1979

Proposal for a
COUNCIL DECISION

authorizing extension of tacit renewal of certain
Trade Agreements concluded between Member States
and third countries

(submitted to the Council by the Commission)

COM(78) 715 final

EXPLANATORY MEMORANDUM

In implementation of Article 3 of the Council Decision of 14 December 1969 (1) on the progressive standardization of agreements concerning commercial relations between Member States and third countries and on negotiation of Community agreements, the Commission proposes to the Council that the Member States should be authorized to extend, expressly or tacitly, the trade agreements annexed to the attached proposal for a Council decision. The agreements in question constitute the first batch for 1979 and expire or are due to be terminated between 1st February and 30 April 1979.

The prior consultation specified in Article 2 of this Decision was executed by written procedure. The outcome was the recognition on 15 November 1978 that the conditions under which the agreements could be extended for a further year had been fulfilled.

2. The Commission considers it appropriate to point out, moreover, that the proposals for authorizing the Member States to renew or extend, expressly or tacitly, certain agreements in this batch for a further one-year period are by no means indicative of any position it might adopt next time these agreements come up for renewal.

(1) OJ No L 326 of 29.12.1969, p. 39.

Proposal for a
COUNCIL DECISION

authorizing extension or tacit renewal of certain Trade
Agreements concluded between Member States and third countries

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 Council Decision 69/494/EEC of 16 December 1969
on the progressive standardization of agreements concerning commercial
relations between Member States and third countries and on the negotiation
of Community Agreements,⁽¹⁾ and in particular Article 3 thereof,

Having regard to the proposal from the Commission;

Whereas extension or tacit renewal beyond the end of the transitional
period has already been authorized in the case of the Agreements and
Protocols listed in the Annex, most recently by Council Decision 78/147/EEC⁽²⁾;

(1) OJ No L 326, 29.12.1969, p. 39

(2) OJ No L 44, 15.02.1978, p. 26

Whereas the Member States concerned have requested authorization to extend or renew these Agreements with a view to avoiding interruption in their commercial relations with the third countries concerned based on agreement;

Whereas authorization has to be granted only for the maintenance of trade relations between the Member States and the third countries concerned, based on agreements, pending their replacement by Community Agreements to be negotiated; whereas such authorization would not, therefore in any way modify the obligation of the Member States to avoid and, where appropriate, eliminate any incompatibility between such agreements and the provisions of Community Law;

Whereas furthermore, the provisions of the instruments to be either extended or renewed should not, during the period under consideration, constitute an obstacle to the implementation of the common commercial policy;

Whereas the Member States concerned have declared that the extension or tacit renewal of these Agreements would prevent neither the opening of Community negotiations with the third countries concerned nor the transfer of the commercial fabric thereof to Community Agreements, nor would it, during the period envisaged, hinder the adoption of the measures necessary to complete the standardization of the import systems of the Member States;

Whereas, at the conclusion of the consultations provided for in Article 2 of the Decision 69/494/EEC, it was established, as the aforesaid declarations by the Member States confirm, that the provisions of the Agreements to be extended or renewed would not, during the period envisaged, constitute an obstacle to the implementation of the common commercial policy;

Whereas, in these circumstances, the Agreements may be either extended or tacitly renewed for a limited period,

HAS ADOPTED THIS DECISION :

Article 1

The trade Agreements and Protocols listed in the Annex hereto between Member States and third countries may be extended or tacitly renewed up to the dates specified in each case in the said Annex.

Article 2

This Decision is addressed to the Member States.

Done at,

For the Council
The President

BILAG - ANHANG - ANNEX - ANNEXE - ALLEGATO - BIJLAGE -

Medlemsstat	Tredjeland	Aftalens art og datering	Udløb efter forlængelse eller stiltiende videreførelse
Mitgliedstaat	Drittland	Art und Datum des Abkommens	Ablauf nach Verlängerung oder stillschweigender Verlängerung
Member State	Third country	Type and date of agreement	Prolonged or tacitly renewed until
Etat membre	Pays tiers	Nature et date de l'accord	Echéance après prorogation ou tacite reconduction
Stato membro	Paese terzo	Natura e data dell'accordo	Scadenza dopo la proroga o il tacito rinnovo
Lid-Staat	Derde land	Aard en datum van het akkoord	Vervaldatum na dan niet stilzwijgende verlenging
<u>BENELUX</u>	Honduras	Handelsakkoord 30.01.1959	27.05.1980
	Joegoslavië	Handelsakkoord 18.06.1958	30.06.1980
	Marokko	Handelsakkoord 05.08.1958	30.06.1980
<u>DANMARK</u>	Indonesien	Handelsaftale 09.09.1952	30.06.1980
	Madagaskar	Handelsaftale 10.12.1965	25.06.1980
	Marokko	Handelsaftale 26.07.1961	30.06.1980
	Senegal	Handelsaftale 11.04.1962	10.07.1980
	Spanien	Handelsaftale 01.07.1960	30.06.1980
	Tunesien	Handelsaftale 08.06.1960	31.05.1980
<u>DEUTSCHLAND</u>	Afghanistan	Handelsabkommen 31.01.1958	31.05.1980
	Island	Handelsabkommen 20.05.1954	30.06.1980
	Jugoslavien	Handelsabkommen 11.06.1952) 30.06.1980
		Protokoll 16.07.1964	
	Philippinen	Handelsabkommen 28.02.1964) 12.08.1980
		Abkommen über Warenverkehr 16.02.1952	
<u>FRANCE</u>	Grèce	Accord commercial 09.06.1962	30.06.1980
	RAE (République arabe d'Egypte)	Accord commercial 10.07.1964	10.07.1980
<u>ITALIA</u>	Austria	Accordo commerciale 19.06.1949) 30.06.1980
		Scambio di lettere 14.11.1961	
	Colombia	Modus vivendi 19.06.1952	19.06.1980
	Grecia	Accordo commerciale 10.11.1954	30.06.1980
	Somalia	Accordo commerciale 01.07.1960) 30.06.1980
		e di cooperazione economica e tecnica	
	Spagna	Accordo commerciale 28.06.1960) 08.06.1980
Processo verbale 01.04.1967			
Turchia	Accordo commerciale 24.01.1952	31.05.1980	

