

ACP-EEC COUNCIL OF MINISTERS
Brussels

COMPILATION OF TEXTS

XVIII

ACP-EEC CONVENTIONS OF LOMÉ

1 January 1993 — 31 December 1993



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Brussels

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I — ACP-EEC Acts

1. Acts of the Council of Ministers

**DECISION No 1/93
OF THE ACP-EEC COUNCIL OF MINISTERS
of 22 October 1993**

on the application of the Fourth ACP-EEC Convention
to Eritrea

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the Fourth ACP-EEC Convention, signed at Lomé on 15 December 1989,
hereafter referred to as "the Convention",

Whereas Eritrea gained independence on 24 May 1993;

Whereas, before independence, the territorial entity which has become the State of Eritrea was covered by the Convention;

Whereas, in a letter dated 8 October 1993, the Government of Eritrea stated that Eritrea intended, by virtue of the principle of continued application of treaties in the event of State succession, to continue its participation in the Convention as a Contracting Party as from 24 May 1993;

Whereas, in these circumstances, it is necessary for the Contracting Parties to the Convention to agree that the Convention shall continue to apply to the territorial entity which has become the State of Eritrea,

HAS DECIDED AS FOLLOWS:

Article 1

The Convention shall continue to apply to Eritrea which, by virtue of its gaining independence on 24 May 1993, became a Contracting Party as from that date.

Article 2

The particular provisions of the Convention from which the territorial entity which has become the State of Eritrea formerly benefited shall continue to apply to the State of Eritrea, in particular Articles 329, 330 and 331.

Article 3

The ACP States, the Member States and the Community are required to take the measures necessary to implement this Decision.

Article 4

This Decision shall enter into force on the day on which it is adopted.

It shall apply from 24 May 1993.

Hecho en Bruselas, el
Udfærdiget i Bruxelles, den
Geschehen zu Brüssel am
Έγινε στις Βρυξέλλες, στις
Done at Brussels,
Fait à Bruxelles, le
Fatto a Bruxelles, addi'
Gedaan te Brussel,
Feito em Bruxelas, em

22.10.1994

Por el Consejo de Ministros ACP-CEE
På AVS-EØF-Ministerrådets vegne
Im Namen des AKP-EWG-Ministerrates
Για το Συμβούλιο των Υπουργών ΑΚΕ-ΕΟΚ
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 Ministers
Pelo Conselho de Ministros ACP-CEE

El Presidente
Formand
Der Präsident
Ο Πρόεδρος
The President
Le président
Il Presidente
De Voorzitter
O Presidente

W. CLAES

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Os Secretários

Dr Ghebray BERHANE

F. BJØRNEKER

I — ACP-EEC Acts

2. Acts of the Committee of Ambassadors

**DECISION NO 1/93
OF THE ACP-EEC COMMITTEE OF AMBASSADORS
of 22 December 1993**

**adopting the budget
of the Technical Centre for
Agricultural and Rural Co-operation (1994)**

THE ACP-EEC COMMITTEE OF AMBASSADORS,

Having regard to the Fourth ACP-EEC Convention, signed at Lomé on 15 December 1989,
and in particular Article 53(5) thereof,

Having regard to Decision No 1/91 of the ACP-EEC Committee of Ambassadors of
19 April 1991 laying down the rules of operation of the Technical Centre for Agricultural and
Rural Co-operation, and in particular Article 7 thereof,

Having regard to Decision No 2/91 of the ACP-EEC Committee of Ambassadors of 19 April 1991 adopting the Financial Regulation of the Technical Centre for Agricultural and Rural Co-operation, and in particular Articles 6 and 7 thereof,

Whereas, pursuant to Article 6(1) of Decision No 2/91, the Director of the Centre has submitted to the ACP-EEC Subcommittee for Co-operation on Agricultural and Rural Development a preliminary draft annual budget of the Centre (financial year 1994) and the annual work programme of the Centre for 1994;

Whereas the competent Community authority has adopted the financing decision on the said contribution;

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

HAS DECIDED AS FOLLOWS:

Sole Article

The budget for the Technical Centre for Agricultural and Rural Co-operation for the financial year 1994 is hereby definitively adopted as set out in the Annex hereto.

ANNEX

1994 BUDGET - SUMMARY (ECU)

	Budget 1994	Budget 1993
TITLE I - STAFF EXPENDITURE		
<u>Chapter 11 - Staff</u>		
Article 111 - Salaries and wages (39 staff members)	1.775.000	1.713.000
Article 112 - Provision for adjustments of salaries	223.000	70.000
Article 113 - Welfare contributions	672.000	659.000
Article 114 - allowances	525.000	316.000
Article 115 - Training	14.000	14.000
	<hr/>	<hr/>
TOTAL TITLE I	3.209.000	2.772.000
	=====	=====
TITLE II - BUILDING, EQUIPMENT AND MISCELLANEOUS OPERATING EXPENDITURE		
<u>Chapter 21 - Rental of buildings and associated costs</u>		
Article 211 - Rent	177.000	179.000
Article 212 - Associated costs	45.000	42.000
	<hr/>	<hr/>
Total Chapter 21	222.000	221.000
	=====	=====
<u>Chapter 22 - Moveable property and associated costs</u>		
Article 221 - Purchase of office machines and moveable furniture and equipment	66.000	73.000
Article 222 - Rental of furniture and equipment	24.000	29.000
Article 223 - Maintenance of furniture and equipment	12.000	6.000
Article 224 - Maintenance, repair and use of vehicles	35.000	31.000
	<hr/>	<hr/>
Total Chapter 22	137.000	139.000
	=====	=====
<u>Chapter 23 - Current administrative expenditure</u>		
Article 231 - Stationery and office supplies	30.000	28.000
Article 232 - Postage and telecommunications	90.000	85.000
article 234 - Subscriptions to periodicals, etc.	40.000	36.000
Article 235 - Other operating expenditure	150.000	153.000
	<hr/>	<hr/>
Total Chapter 23	310.000	302.000
	=====	=====

(ANNEX)

	Budget 1994	Budget 1993
<u>Chapter 24 - Mission expenses, representation and entertainment expenses</u>		
Article 241 - General expenditure on missions	3.000	3.000
Article 242 - General representation and entertainment expenses	20.000	19.000
	<hr/>	<hr/>
Total Chapter 24	23.000 =====	22.000 =====
<u>Chapter 25 - Brussels Branch Office (excluding staff expenditure)</u>	53.000 =====	50.000 =====
	<hr/>	<hr/>
TOTAL TITLE II	745.000 =====	734.000 =====
TITLE III - ACTIVITIES		
<u>Chapter 31 - Studies, expert reports</u>	600.000 =====	750.000 =====
<u>Chapter 32 - Technical meetings</u>		
Article 321 - Seminars and technical meetings (1984: 3; 1985-1992: 6 per year)	725.000	775.000
Article 322 - Attendance at seminars and meetings	375.000	375.000
	<hr/>	<hr/>
Total Chapter 32	1.100.000 =====	1.150.000 =====
<u>Chapter 33 - Publications and documents</u>	1.110.000 =====	1.200.000 =====
<u>Chapter 34 - Missions</u>		
Article 341 - Programmed missions	400.000 =====	390.000 =====
<u>Chapter 35 - Information and Documentation Centres in ACP States</u>		
Article 351 - Projects to assist and strengthen agricultural information systems in ACP States	1.300.000	1.100.000
Article 352 - Regional branch offices	600.000	550.000
	<hr/>	<hr/>
Total Chapter 35	1.900.000 =====	1.650.000 =====

	Budget 1994	Budget 1993
<u>Chapter 36 - Question and Answer Service</u>	275.000 =====	250.000 =====
<u>Chapter 37 - Dissemination of publications</u>	650.000 =====	660.000 =====
TOTAL TITLE III	6.035.000 =====	5.990.000 =====
<u>TOTAL EXPENDITURE</u>	9.989.000 =====	9.496.000 =====
a. Contribution of the European Development Fund	9.839.000	9.346.000
b. Income taxes and other revenue ⁽¹⁾	150.000	150.000
	-----	-----
TOTAL REVENUE	9.989.000 =====	9.496.000 =====

(¹) Explanatory note

(a) Income taxes = 8% of Article 111 (A) = ECU 139.200

(b) Other revenue = ECU 10.800

TOTAL REVENUE 150.000
=====

Hecho en Bruselas, el
Udfærdiget i Bruxelles, den
Geschehen zu Brüssel am
Έγινε στις Βρυξέλλες, στις
Done at Brussels,
Fait à Bruxelles, le
Fatto a Bruxelles, addi'
Gedaan te Brussel,
Feito em Bruxelas, em

22/12/1993

Por el Comité de Embajadores
På AVS-EØF Ambassadørudvalgets vegne
Im Namen des AKP-EWG-Botschafterausschusses
Για την Επιτροπή των Πρέσβων ΑΚΕ-ΕΟΚ
For the ACP-EEC Committee of Ambassadors
Par le Comité des Ambassadeurs ACP-CEE
Per il Comitato degli Ambasciatori ACP-CEE
Voor de ACS-EEG-Comité van Ambassadeurs
Pelo Comité dos Embaixadores ACP-CEE

El Presidente
Formand
Der Präsident
Ο Πρόεδρος
The President
Le président
Il Presidente
De Voorzitter
O Presidente

de SCHOUTHEETE de Tervarent

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Sekretærerne
Die Sekretäre
Οι Γραμματείς
The Secretaries
Les Secrétaires
I Segretari
De Secretarissen
Os Secretários

I — ACP-EEC Acts

3. Agreements between the EEC and the ACP States

COUNCIL DECISION

of

on the conclusion of the Agreements in the form of an exchange of letters between the European Economic Community and Barbados, Belize, the People's Republic of the Congo, the Republic of Fiji, the Cooperative Republic of Guyana, the Republic of Côte d'Ivoire, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, the Republic of Mauritius, the Republic of Suriname, Saint Kitts and Nevis, the Kingdom of Swaziland, the United Republic of Tanzania, the Republic of Trinidad and Tobago, the Republic of Uganda, the Republic of Zimbabwe, on the guaranteed prices for cane sugar for the 1992/93 delivery period

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 implementation of Protocol 8 on ACP sugar annexed to the Fourth ACP-EEC Convention¹ and of the Agreement between the European Economic Community and the Republic of India on cane sugar² is carried out, in accordance with Article 1(2) of each, within the framework of the management of the common organization of the sugar market;

Whereas it is appropriate to approve the Agreements in the form of an exchange of letters between the Community and, on the one hand, the States referred to in the Protocol and, on the other hand, the Republic of India on the guaranteed prices for cane sugar for the 1992/93 delivery period,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreements in the form of an exchange of letters between the European Economic Community and Barbados, Belize, the People's Republic of the Congo, the Republic of Fiji, the Co-operative Republic of Guyana, the Republic of Côte d'Ivoire, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, the Republic of Mauritius, the Republic of Suriname, Saint Kitts and Nevis, the Kingdom of Swaziland, the United Republic of Tanzania, the Republic of Trinidad and Tobago, the Republic of Uganda, the Republic of Zimbabwe on the guaranteed prices for cane sugar for the 1992/93 delivery period are hereby approved on behalf of the Community.

The text of the Agreements is attached to this Decision.

¹ OJ No L 229, 17.8.1991, p. 216.

² OJ No L 190, 22.7.1975, p. 35.

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 Decision will be published in the Official Journal of the European Communities.

Done at Brussels,

For the Council
The President

AGREEMENT

IN THE FORM OF AN EXCHANGE OF LETTERS
BETWEEN THE EUROPEAN ECONOMIC COMMUNITY AND,
BARBADOS, BELIZE, THE PEOPLE'S REPUBLIC OF THE CONGO,
THE REPUBLIC OF FIJI, THE CO-OPERATIVE REPUBLIC
OF GUYANA, THE REPUBLIC OF CÔTE D'IVOIRE, JAMAICA,
THE REPUBLIC OF KENYA, THE DEMOCRATIC REPUBLIC OF MADAGASCAR,
THE REPUBLIC OF MALAWI, THE REPUBLIC OF MAURITIUS,
THE REPUBLIC OF SURINAM, SAINT-KITTS-AND-NEVIS, THE KINGDOM OF
SWAZILAND, THE UNITED REPUBLIC OF TANZANIA, THE REPUBLIC OF TRINIDAD
AND TOBAGO, THE REPUBLIC OF UGANDA AND
THE REPUBLIC OF ZIMBABWE
ON THE GUARANTEED PRICES FOR CANE SUGAR
FOR THE 1992/1993 DELIVERY PERIOD

A. Letter No 1

Brussels,

Sir,

The representatives of the ACP States referred to in Protocol 8 on ACP sugar annexed to the Fourth ACP-EEC Convention and of the Commission, acting on behalf of the European Economic Community, have agreed, pursuant to the provisions of the said Protocol, on the following:

For the delivery period 1 July 1992 to 30 June 1993, 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 : ECU 43,94 per 100 kilograms;
- (b) for white sugar: ECU 54,22 per 100 kilograms.

These prices shall refer to sugar of standard quality as defined in Community legislation, unpacked, cif, free out of European ports of the Community. The introduction of these prices in no way prejudices the respective positions of the Contracting Parties in respect of the principles appertaining to the determination of the guaranteed prices.

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

B. Letter No 2

Brussels,

Sir,

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

"The representatives of the ACP States referred to in Protocol 8 on ACP sugar annexed to the Fourth ACP-EEC Convention and of the Commission, acting on behalf of the European Economic Community, have agreed, pursuant to the provisions of the said Protocol, on the following:

For the delivery period 1 July 1992 to 30 June 1993, 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 : ECU 43,94 per 100 kilograms;
- (b) for white sugar: ECU 54,22 per 100 kilograms.

These prices shall refer to sugar of standard quality as defined in Community legislation, unpacked, cif, free out of European ports of the Community. The introduction of these prices in no way prejudices the respective positions of the Contracting Parties in respect of the principles appertaining to the determination of the guaranteed prices.

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
of the ACP States
referred to in Protocol 8

Les ruego acepten, Señores, el testimonio de mi mayor consideración.

Modtag, mine herrer, forsikringen om min mest udmærkede højagtelse.

Genehmigen Sie, sehr geehrte Herren, den Ausdruck meiner ausgezeichnetsten Hochachtung.

Παρακαλώ δεχθείτε, Κύριοι, τη διαβεβαίωση της υψηλής εκτιμήσεώς μου.

Please accept, Sirs, the assurance of my highest consideration

Veuillez agréer, Messieurs, l'assurance de ma très haute considération.

Vogliono accettare, Signori, l'espressione della mia profonda stima.

Gelieve, Mijne Heren, de verzekering van mijn zeer bijzondere hoogachting te aanvaarden.

Queiram aceitar, Exmos. Senhores, a expressão da minha mais elevada consideração.

En nombre del Consejo de las Comunidades Europeas
På vegne af Rådet for De Europæiske Fællesskaber
Im Namen des Rates der Europäischen Gemeinschaften
Εξ ονόματος του Συμβουλίου των Ευρωπαϊκών Κοινοτήτων
On behalf of the Council of the European Communities
Au nom du Conseil des Communautés européennes
A nome del Consiglio delle Comunità Europee
Namens de Raad van de Europese Gemeenschappen
Em nome do Conselho das Comunidades Europeias



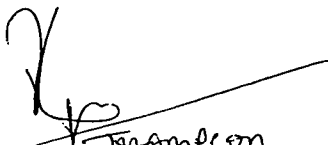
Pour le Gouvernement de la République de Côte d'Ivoire



For the Government of the Republic of Fiji




For the Government of the Cooperative Republic of Guyana



For the Government of Jamaica



For the Government of the Republic of Kenya

A handwritten signature in black ink, appearing to read "R. Richard", with a horizontal line underneath.

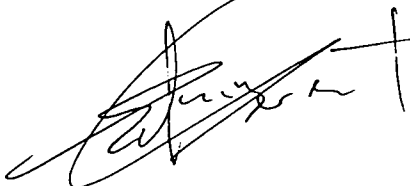
Pour le Gouvernement de la République Démocratique de Madagascar

A handwritten signature in black ink, appearing to read "L. F. Chong", with a horizontal line underneath.

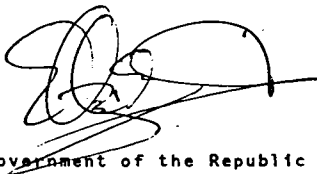
For the Government of the Republic of Malawi

A handwritten signature in black ink, appearing to read "Lawrence Joseph", with a horizontal line underneath.

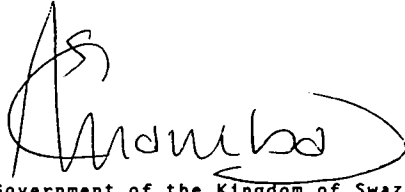
Pour le Gouvernement de l'Île Maurice

A handwritten signature in black ink, appearing to read "Lawrence Joseph", with a horizontal line underneath.

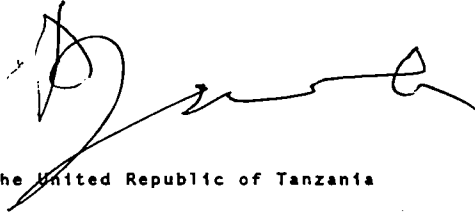
For the Government of Saint Christopher and Nevis

A handwritten signature in black ink, appearing to read "Lawrence Joseph", with a horizontal line underneath.

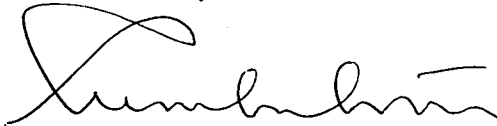
For the Government of the Republic of Suriname



For the Government of the Kingdom of Swaziland



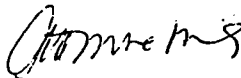
For the Government of the United Republic of Tanzania



For the Government of the Republic of Trinidad and Tobago



For the Government of the Republic of Uganda



For the Government of the Republic of Zimbabwe

I — ACP-EEC Acts

4. Acts of the ACP-EEC Customs Cooperation Committee

**DECISION No 1/93 OF THE ACP-EEC CUSTOMS COOPERATION
COMMITTEE**

of 16 April 1993

**derogating from the definition of the concept of 'originating products' to take
account of the special situation of Lesotho with regard to its production of
certain garments**

(93/319/EEC)

THE ACP-EEC CUSTOMS COOPERATION COMMITTEE,

Having regard to the Fourth ACP-EEC Convention signed at Lomé on 15 December 1989, and in particular Article 31 (9) of Protocol No 1 thereto,

Whereas Article 31 of Protocol No 1 to the Convention concerning the definition of the concept of 'originating products' and methods of administrative cooperation makes provisions for derogations to be made from the said Protocol by the Customs Cooperation Committee, in particular to facilitate the development of existing industries or the creation of new industries;

Whereas Decision No 1/91 of the ACP-EEC Customs Cooperation Committee (1) granted a derogation from the definition set out in Protocol No 1 in respect of certain garments;

Whereas the ACP States have submitted a request from the Government of Lesotho for that Decision to be extended until 1 March 1996;

Whereas an extension has been requested in respect of certain knitted or crocheted garments;

Whereas the requested derogation is justified under the relevant provisions of Protocol No 1 and it cannot cause serious injury to an established Community industry, provided that certain conditions relating to quantities, surveillance or duration are respected,

HAS DECIDED AS FOLLOWS:

Article 1

Notwithstanding the special provisions of Annex II to Protocol No 1, the products listed in the Annex to this Decision manufactured in Lesotho shall be considered as

originating in the ACP States subject to the conditions set out below.

Article 2

The derogation provided for in Article 1 shall relate to products exported from Lesotho to the Community between 1 March 1993 and 28 February 1996, for the annual quantities set out in the Annex.

Article 3

The competent authorities of Lesotho shall take the necessary steps to carry out quantitative checks on exports of the products referred to in Article 1. To this end, all the certificates issued by them under this derogation shall refer to this Decision. The competent authorities of Lesotho shall send 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 numbers of the certificates issued.

Article 4

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

Article 5

This Decision shall enter into force on 16 April 1993.

(1) OJ No L 73, 20. 3. 1991, p. 32.

ANNEX

Item	Product	HS code(s)	Textile category	Annual quantity (pieces)		
				1993	1994	1995
a	T-shirts, knitted or crocheted, of cotton	ex 6109.10	ex 4	180 000	180 000	180 000
b	Men's or boys' trousers, bib and brace overalls, breeches and shorts, of cotton or of synthetic fibres, other than industrial and occupational (*)	ex 6203.42 ex 6203.43	ex 6	800 000 (*)	800 000 (*)	800 000 (*)
c	Men's or boys' shirts of cotton or of man-made fibres	6205.20 6205.30	ex 8	40 200	40 200	40 200
d	Men's or boys' underpants and briefs, of cotton	6107.11	ex 13	1 000 000	1 000 000	1 000 000
e	Men's or boys' jackets and blazers, of cotton or of synthetic fibres, other than industrial and occupational	ex 6203.32 ex 6203.33	ex 17	94 000	94 000	94 000
f	Men's or boys' swimwear	6211.11	ex 72	18 000	18 000	18 000
g	— Men's or boys' trousers, bib and brace overalls, breeches and shorts, of cotton	6103.42	ex 28	500 000	500 000	500 000
	— Women's or girls' trousers, bib and brace overalls, breeches and shorts, of cotton	6104.62	ex 28			
h	— Men's or boys' shirts, knitted or crocheted, of cotton or of man-made fibres	6105.10 6105.20	ex 4	1 200 000	1 400 000	1 700 000
	— Women's or girls' blouses, shirts and shirt-blouses, knitted or crocheted, of cotton or of man-made fibres	6106.10 6106.20	ex 7			
i	— Men's or boys' nightshirts and pyjamas, of cotton or of man-made fibres	6107.21 6107.22	ex 24			
	— Women's or girls' nightdresses and pyjamas, of cotton or of synthetic fibres	6108.31 ex 6108.32	ex 24	100 000	100 000	100 000
j	— Women's or girls' briefs and panties, of cotton or of synthetic fibres	6108.21 ex 6108.22	ex 13			
	— Men's or boys' underpants and briefs, of cotton	6207.11	ex 18	3 000 000	3 000 000	3 500 000
k	Tracksuits, of cotton or of synthetic fibres	6112.11 6112.12	ex 73	100 000	100 000	100 000
l	— Men's or boys' swimwear	6112.31 6112.39	ex 72			
	— Women's or girls' swimwear	6112.41 6112.49	ex 72	50 000	50 000	50 000

(*) Bib and brace overalls fall under textile category 78.

Hecho en Bruselas, el
Udfærdiget i Bruxelles, den
Geschehen zu Brüssel am
Έγινε στις Βρυξέλλες, στις
Done at Brussels,
Fait à Bruxelles, le
Fatto a Bruxelles, addi'
Gedaan te Brussel,
Feito em Bruxelas, em

16/4/1993

Por el Comité de cooperación aduanera
På Toldsamarbejdsudvalgets vegne
Im Namen des Ausschusses für Zusammenarbeit im Zollwesen
Γιά την Επιτροπή Τελωνειακής Συνεργασίας
For the Customs co-operation Committee
Par le Comité de coopération douanière
Per il Comitato di cooperazione doganale
Voor het Comité voor douanesamenwerking
Pelo Comité de Cooperação Aduaneira

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Οι Πρόεδροι
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De Voorzitters
Os Presidentes

Francis K. MUTHAURA

P. WILMOTT

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DECISION No 2/93 OF THE ACP-EEC CUSTOMS COOPERATION COMMITTEE

of 8 September 1993

derogating from the definition of the concept of originating products to take account of the special situation of Mauritius with regard to its production of canned tuna

(93/514/EEC)

THE ACP-EEC CUSTOMS COOPERATION COMMITTEE,
Having regard to the Fourth ACP-EEC Convention,
signed at Lomé on 15 December 1989, and in particular
Article 31 (8) of Protocol 1 thereto,

Whereas derogations may be made from the origin rules
of that Protocol when warranted by the development of
existing industries or the creation of new industries;

Whereas Article 31 (8) of Protocol 1 lays down a special
procedure for derogations concerning canned tuna which
are automatically granted within an annual quota;

Whereas the African, Caribbean and Pacific (ACP) States
have submitted a request under the said Article 31 (8)
from the Government of Mauritius for a derogation from
the definition set out in Protocol 1 in respect of the
canned tuna produced by that State from 1 January 1993
to 31 December 1997;

Whereas Fiji has already been granted a derogation for an
annual quantity for 1 500 tonnes and the Government of
Senegal has requested a derogation for a quantity of 500
tonnes a year;

Whereas in these circumstances a derogation from the
definition of the concept of originating products should
be accorded to Mauritius for an annual quantity of 500
tonnes of canned tuna for the period from 1 January 1993
to 31 December 1997,

HAS DECIDED AS FOLLOWS:

Article 1

By way of derogation from the special provisions of the
list in Annex II to Protocol 1, canned tuna falling within
heading No 16.04 of the Common Customs Tariff and
manufactured by Mauritius shall be considered as

originating in Mauritius under the conditions set out in
this Decision.

Article 2

The derogation provided for in Article 1 shall relate to a
quantity of 500 tonnes of canned tuna falling within
heading No 16.04 of the Common Customs Tariff
produced in and exported from Mauritius in the period
between 1 January 1993 and 31 December 1997.

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 every three months a statement of the
quantities in respect of which EUR. 1 movement
certificates have been issued on the basis of the Decision.

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.

Article 5

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

Hecho en Bruselas, el
Udfærdiget i Bruxelles, den
Geschehen zu Brüssel am
Εγινε στις Βρυξέλλες, στις
Done at Brussels,
Fait à Bruxelles, le
Fatto a Bruxelles, addì
Gedaan te Brussel,
Feito em Bruxelas, em

8/9/1993

Por el Comité de cooperación aduanera
På Toldsamarbejdsudvalgets vegne
Im Namen des Ausschusses für Zusammenarbeit im Zollwesen
Για την Επιτροπή Τελωνειακής Συνεργασίας
For the Customs co-operation Committee
Par le Comité de coopération douanière
Per il Comitato di cooperazione doganale
Voor het Comité voor douanesamenwerking
Pelo Comité de Cooperação Aduaneira

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DECISION No 3/93 OF THE ACP-EEC CUSTOMS COOPERATION
COMMITTEE

of 8 September 1993

derogating from the definition of the concept of 'originating products' to take
account of the special situation of Senegal with regard to its production of
canned tuna

(93/515/EEC)

THE ACP-EEC CUSTOMS COOPERATION COMMITTEE,

Having regard to the Fourth ACP-EEC Convention,
signed at Lomé on 15 December 1989, and in particular
Article 31 (8) of Protocol 1 thereof,

Whereas derogations may be made from the origin rules
of that Protocol when warranted by the development of
existing industries or the creation of new industries;

Whereas Article 31 (8) of Protocol 1 lays down a special
procedure for derogations concerning canned tuna which
are automatically granted within an annual quota;

Whereas the African, Caribbean and Pacific (ACP) States
have submitted a request under the said Article 31 (8)
from the Government of Senegal for a derogation from
the definition set out in Protocol 1 in respect of the
canned tuna produced by that State from 1 January 1993
to 31 December 1997;

Whereas Fiji has already been granted a derogation for an
annual quantity of 1 500 tonnes and the Government of
Mauritius has requested a derogation for a quantity of 500
tonnes a year;

Whereas in these circumstances a derogation from the
definition of the concept of originating products should
be accorded to Senegal for an annual quantity of 500
tonnes of canned tuna for the period from 1 January 1993
to 31 December 1997,

HAS DECIDED AS FOLLOWS:

Article 1

By way of derogation from the special provisions of the
list in Annex II to Protocol 1, canned tuna falling within
heading No 16.04 of the Common Customs Tariff and
manufactured by Senegal shall be considered as origina-

ting in Senegal under the conditions set out in this Deci-
sion.

Article 2

The derogation provided for in Article 1 shall relate to a
quantity of 500 tonnes of canned tuna falling within
heading No 16.04 of the Common Customs Tariff
produced in and exported from Senegal in the period
between 1 January 1993 and 31 December 1997.

Article 3

The competent authorities of Senegal 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 EUR 1 movement certifi-
cates have been issued on the basis of this Decision.

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.

Article 5

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

Hecho en Bruselas, el
Udfærdiget i Bruxelles, den
Geschehen zu Brüssel am
Έγινε στις Βρυξέλλες, στις
Done at Brussels,
Fait à Bruxelles, le
Fatto a Bruxelles, addi'
Gedaan te Brussel,
Feito em Bruxelas, em

8/9/1993

Por el Comité de cooperación aduanera
På Told samarbejdsudvalgets vegne
Im Namen des Ausschusses für Zusammenarbeit im Zollwesen
Για την Επιτροπή Τελωνειακής Συνεργασίας
For the Customs co-operation Committee
Par le Comité de coopération douanière
Per il Comitato di cooperazione doganale
Voor het Comité voor douanesamenwerking
Pelo Comité de Cooperação Aduaneira

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DECISION No 4/93 OF THE ACP-EEC CUSTOMS COOPERATION
COMMITTEE

of 17 December 1993

derogating from the definition of the concept of 'originating products' to take
account of the special situation of the Republic of the Seychelles with regard to
its production of canned tuna

(94/18/EC)

THE ACP-EEC CUSTOMS COOPERATION COMMITTEE,

Having regard to the fourth ACP-EEC Convention,
signed at Lomé on 15 December 1989, and in particular
Article 31 (9) of Protocol 1 thereto,

Whereas Article 31 of Protocol 1 to the Convention on
the definition of the concept of 'originating products' and
on administrative cooperation methods provides that
derogations from this Protocol may be granted by the
Customs Cooperation Committee when warranted by the
development of existing industries or the creation of new
industries;

Whereas the African, Caribbean and Pacific (ACP) States
have submitted a request from the Government of the
Republic of the Seychelles for a derogation from the
definition set out in Protocol 1 in respect of canned tuna;

Whereas there are grounds for the requested derogation
under the relevant provisions of Protocol 1; whereas the
derogation cannot do any serious damage to an industry
established in the Community, subject to compliance
with certain conditions regarding quantities, monitoring
and duration,

HAS DECIDED AS FOLLOWS:

Article 1

By way of derogation from the special provisions of the
list in Annex II to Protocol 1, canned tuna falling within
heading No 16.04 of the Common Customs Tariff and
manufactured in the Republic of the Seychelles shall be
considered as originating in the ACP States under the
conditions set out in this Decision.

Article 2

The derogation provided for in Article 1 shall relate to an
annual quantity of 1 800 tonnes of canned tuna falling
within heading No 16.04 of the Common Customs Tariff

produced in and exported to the Community from the
Republic of the Seychelles between 1 May 1993 and 30
April 1998.

Article 3

The competent authorities of the Republic of the
Seychelles shall take the necessary steps to carry out
quantitative checks on exports of the products referred to
in Article 2.

For this purpose, all certificates issued under this deroga-
tion shall make reference to this Decision. The com-
petent authorities of the Republic of the Seychelles shall
forward to the Commission every three months a state-
ment of the quantities in respect of which EUR.1 move-
ment certificates have been issued on the basis of this
Decision, indicating the numbers of the certificates
issued.

Article 4

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

Article 5

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

Hecho en Bruselas, el
Udfærdiget i Bruxelles, den
Geschehen zu Brüssel am
Εγινε στις Βρυξέλλες, στις
Done at Brussels,
Fait à Bruxelles, le
Fatto a Bruxelles, addi'
Gedaan te Brussel,
Feito em Bruxelas, em

17/12/1993

Por el Comité de cooperación aduanera
På Toldsamarbejdsudvalgets vegne
Im Namen des Ausschusses für Zusammenarbeit im Zollwesen
Γιά την Επιτροπή Τελωνειακής Συνεργασίας
For the Customs co-operation Committee
Par le Comité de coopération douanière
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Voor het Comité voor douanesamenwerking
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Los Presidentes
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De Voorzitters
Os Presidentes

Marcel Eugène IBINGA MAGWANGU
P. WILMOTT

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I — ACP-EEC Acts

5. Acts of the Committee on Industrial Cooperation

DECISION No 1/93/CIC
OF THE ACP-EEC COMMITTEE ON INDUSTRIAL CO-OPERATION
of 23 March 1993
on the appointment of a member
of the Executive Board
of the Centre for the Development of Industry

THE ACP-EEC COMMITTEE ON INDUSTRIAL CO-OPERATION,

Having regard to the Fourth ACP-EEC Convention, signed at Lomé on 15 December 1989,
and in particular Article 92 thereof,

Whereas Article 92(1) of the Convention provides for a Joint Executive Board to advise and
back up the Director of the Centre for the Development of Industry;

Whereas Article 92(2) of the Convention provides that the Executive Board shall be
composed of persons with substantial experience in the private or public industrial or banking
sectors or in industrial development planning and promotion, chosen on the grounds of their
qualifications from among nationals of the States party to the Convention;

Whereas Article 92(2) of the Convention provides that the Executive Board shall be
composed, on a basis of parity, of six members;

Whereas the members of the present Executive Board were appointed for a period of no longer than five years by Decision No 3/90/CIC of 31 October 1990;

Whereas Decision No 4/91 of the ACP-EEC Council of Ministers of 6 May 1991 provides for a mid-term review;

Whereas it is important to ensure both that there is continuity and that the principle of rotation among Member States is observed;

Whereas Mr W.A. DE JONGE (Netherlands) has been nominated, on a proposal from the Community, to replace Mr CENDAN BLANCO (Spain) in his capacity as member of the Executive Board;

Whereas it is for the Committee to appoint members of the Executive Board,

HAS DECIDED AS FOLLOWS:

Article 1

Mr W.A. DE JONGE is hereby appointed, on a proposal from the Community, a member of the Executive Board of the Centre for the Development of Industry within the framework of the Fourth ACP-EEC Convention for a period of three years, in place of Mr CENDAN BLANCO.

Article 2

This Decision shall enter into force on the date of its adoption.

Hecho en Bruselas, el
Udfærdiget i Bruxelles, den
Geschehen zu Brüssel am
Εγινε στις Βρυξέλλες, στις
Done at Brussels,
Fait à Bruxelles, le
Fatto a Bruxelles, addi
Gedaan te Brussel,
Feito em Bruxelas, em

23/3/1993

Por el Comité de cooperacion industrial
For Udvalget for industrisrielt Samarbejde
Im Namen des Ausschusses für industrielle Zusammenarbeit
Για την Επιτροπή Βιομηχανικής Συνεργασίας
For the Committee on Industrial co-operation
Par le Comité de coopération industrielle
Per il Comitato per la cooperazione industriale
Voor het Comité voor industriële samenwerking
Pelo Comité de Cooperação Industrial

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Formænd
Die Präsidenten
Οι Πρόεδροι
The Chairmen
Les présidents
I Presidenti
De Voorzitters
Os Presidentes

N. KOUTRAKOU

M.B. EKPANG

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DECISION No 2/93/CIC
OF THE ACP-EEC COMMITTEE ON INDUSTRIAL CO-OPERATION
of 23 March 1993

on the appointment of a member
of the Advisory Council
of the ACP-EEC Committee on Industrial Co-operation

THE ACP-EEC COMMITTEE ON INDUSTRIAL CO-OPERATION,

Having regard to the Fourth ACP-EEC Convention, signed at Lomé on
15 December 1989, hereinafter referred to as the "Convention", and in
particular Articles 87(1)(d) and Article 88 thereof,

Whereas Article 88 of the Convention provides for a joint Advisory Council to allow the Committee on Industrial Co-operation to take into account the point of view of industrial operators concerning matters referred to in Article 87(1)(a), (b) and (c) of the Convention;

Whereas Article 88 of the Convention provides that the Advisory Council shall be composed of persons drawn from the business world or experts on industrial development;

Whereas Article 88 of the Convention provides that the Advisory Council shall be composed, on a basis of parity, of twenty-four members;

Whereas it is for the Committee on Industrial Co-operation to appoint the members of the Advisory Council;

Whereas Mr M. SHEEHY was appointed a member of the Advisory Council for a maximum period of five years;

Whereas Mr P.J. MORIARTY has been designated, on a proposal from the Community, to replace Mr M. SHEEHY as a member of the Advisory Council for the remainder of the Council's term of office,

HAS DECIDED AS FOLLOWS:

Article 1

On a proposal from the European Community, Mr P.J. MORIARTY (Ireland) is hereby appointed a member of the Advisory Council of the ACP-EEC Committee on Industrial Co-operation in place of Mr M. SHEEHY.

Article 2

The appointment shall take effect as from the date of the adoption of this Decision, for the period expiring on 14 June 1996.

Hecho en Bruselas, el
Udfærdiget i Bruxelles, den
Geschehen zu Brüssel am
Εγινε στις Βρυξέλλες, στις
Done at Brussels,
Fait à Bruxelles, le
Fatto a Bruxelles, addi'
Gedaan te Brussel,
Feito em Bruxelas, em

23/3/1993

Por el Comité de cooperacion industrial
For Udvalget for industrielt Samarbejde
Im Namen des Ausschusses für industrielle Zusammenarbeit
Γιά την Επιτροπή Βιομηχανικής Συνεργασίας
For the Committee on Industrial co-operation
Par le Comité de coopération industrielle
Per il Comitato per la cooperazione industriale
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DECISION No 3/93
OF THE ACP-EEC COMMITTEE ON INDUSTRIAL CO-OPERATION
of 22 December 1993
approving the budget
of the Centre for Industrial Development (1994)

THE ACP-EEC COMMITTEE ON INDUSTRIAL CO-OPERATION,

Having regard to the Fourth ACP-EEC Convention, signed at Lomé on 15 December 1989, and in particular Article 87(1)(d) and Article 92(1)(b)(iii) thereof,

Having regard to Decision No 5/91 of the ACP-EEC Council of Ministers of 6 May 1991 adopting the Financial Regulation of the Centre for Industrial Development, and in particular Articles 6 and 7 thereof,

Whereas, pursuant to Article 6(1) of Decision No 5/91, the Director of the Centre drew up and submitted to the Executive Board of the Centre a draft annual budget for the 1994 financial year;

Whereas the Executive Board, at its meeting on 17 and 18 June 1993, examined that draft, and adopted it in accordance with Article 6(1) of Decision No 5/91;

Whereas the draft budget was submitted to the Committee for approval,

HAS DECIDED AS FOLLOWS:

Sole Article

The budget of the Centre for Industrial Development for the financial year 1994, as contained in the Annex hereto, is hereby approved.

CDI BUDGET 1994

ANNEX

4.1	TITLE I - STAFF	BUDGET 1992 COMMITMENT AT 31/12/92 (11)	BUDGET 1993 LOME IV (12)	BUDGET 1993 (OMF III BAL. (13)	BUDGET 1993 TOTAL (14)	BUDGET 1994 TOTAL (15)	% EVOLUTION (15/12)
ARTICLE 111	SALARIES	3,317,993.63	3,550,000.00	0.00	3,550,000.00	3,854,848.00	8.59%
ARTICLE 112	PROVISION FOR ADJUSTMENT IN SALARIES	46,000.00	35,000.00	0.00	35,000.00	40,223.00	14.92%
ARTICLE 113	SOCIAL CHARGES	1,366,242.26	1,418,000.00	0.00	1,418,000.00	1,642,928.00	8.81%
ARTICLE 114	ALLOWANCES	663,876.42	400,000.00	0.00	400,000.00	392,000.00	2.00%
ARTICLE 115	TRAINING & DEVELOPMENT OF STAFF	38,771.16	60,000.00	0.00	60,000.00	60,000.00	20.00%
ARTICLE 116	EXPENSES FOR STAFF INTEGRATION	3,716.03	6,000.00	0.00	6,000.00	6,000.00	0.00%
ARTICLE 117	MISCELLANEOUS CONSULTANCIES	0.00	0.00	0.00	0.00	156,000.00	
	TOTAL CHAPTER 11	6,314,598.40	6,468,000.00	0.00	6,468,000.00	6,960,000.00	10.85%
	GRAND TOTAL	6,314,598.40	6,468,000.00	0.00	6,468,000.00	6,960,000.00	10.85%

· | No need of outstanding balance from 1991 budget

4.2 TITLE II - BUILDING, EQUIPMENT & MISC. OPERATIONAL EXPENSES		BUDGET 1992 COMMITMENT AT 3/12/92 (11)	BUDGET 1993 LOME IV (12)	BUDGET 1993 LOME III BAL. (13)	BUDGET 1991 TOTAL (14)	BUDGET 1984 TOTAL (15)	% EVOLUTION (16)/(12)
ARTICLE 211	RENT	501,877.11	650,000.00		650,000.00	700,000.00	7.49%
ARTICLE 212	INCIDENTAL EXPENDITURE	353,849.95	700,000.00		700,000.00	714,000.00	12.00%
	TOTAL CHAPTER 21	855,727.06	850,000.00	0.00	850,000.00	914,000.00	8.71%
ARTICLE 221	PURCHASE OF OFFICE EQUIPMENT AND FURNITURE	85,755.71	100,000.00	100,000.00	700,000.00	70,000.00	-30.00%
ARTICLE 222	RENTAL OF FURNITURE AND EQUIPMENT	23,782.20	80,000.00		80,000.00	80,000.00	-25.00%
ARTICLE 223	MAINTENANCE OF FURNITURE AND EQUIPMENT	59,012.73	85,000.00		85,000.00	75,000.00	15.28%
ARTICLE 224	VEHICLES, MAINTENANCE, REPAIRS, USE	8,854.94	15,000.00		15,000.00	10,000.00	-33.33%
ARTICLE 226	DATA PROCESSING	70,000.00	100,000.00	50,000.00	150,000.00	80,000.00	-20.00%
	TOTAL CHAPTER 22	227,385.58	360,000.00	150,000.00	610,000.00	285,000.00	-18.05%
ARTICLE 231	STATIONERY AND OFFICE SUPPLIES	49,740.70	55,000.00		55,000.00	55,000.00	0.00%
ARTICLE 232	POSTAL CHARGES AND TELECOMMUNICATIONS	169,278.02	193,000.00		193,000.00	180,000.00	-6.74%
ARTICLE 233	BANK CHARGES AND EXCHANGE LOSSES	28,000.00	28,000.00		28,000.00	23,000.00	-17.86%
ARTICLE 234	OTHER OPERATING EXPENSES	87,878.17	70,000.00		70,000.00	70,000.00	0.00%
	TOTAL CHAPTER 23	334,896.89	346,000.00	0.00	346,000.00	328,000.00	-6.20%
ARTICLE 241	GENERAL REPRESENTATION AND ENTERTAINMENT EXPENSES	23,451.45	44,000.00		44,000.00	30,000.00	-31.82%
	TOTAL CHAPTER 24	23,451.45	44,000.00	0.00	44,000.00	30,000.00	-31.82%
	GRAND TOTAL	1,441,160.90	1,500,000.00	150,000.00	1,750,000.00	1,577,000.00	-1.44%

*) No need of outstanding balance from 1991 budget

4.3 TITLE III INTERVENTION PROGRAMME		BUDGET 1992 COMMITMENT AT 31/12/92 (11)	BUDGET 1993 LOME IV (2)	BUDGET 1993 LOME IV BAL (3)	BUDGET 1993 TOTAL (4)	BUDGET 1994 LOME IV (5)	BUDGET 1994 LOME IV BAL (6)	BUDGET 1994 TOTAL (7)	% EVOLUTION (8/(7))
ARTICLE 311	CREATION AND STRENGTHEN ACP NETWORK & ASSIST ACP INSTITUTE	488,844.08	585,000.00	376,000.00	910,000.00	900,000.00	160,000.00	1,050,000.00	67.18%
ARTICLE 312	CREATION AND STRENGTHEN EC NETWORK, MOBI. OF EC INSTITUTE.	167,395.46	110,000.00	170,000.00	270,000.00	160,000.00	0.00	160,000.00	38.32%
ARTICLE 313	EXTERNAL COMMUNICATION AND GENERAL PUBLICATIONS	167,726.07	240,000.00	70,000.00	310,000.00	280,000.00	0.00	280,000.00	8.33%
	TOTAL CHAPTER 31	803,465.60	905,000.00	616,000.00	1,470,000.00	1,370,000.00	160,000.00	1,480,000.00	47.76%
ARTICLE 321	PROJECT IDENTIFICATION AND EVALUATION	643,780.63	345,000.00	71,000.00	470,000.00	360,000.00	0.00	360,000.00	1.41%
ARTICLE 322	PROJECT PROMOTION AND FIRST CONTACTS BETWEEN PARTNERS	32,824.16	340,000.00	0.00	340,000.00	370,000.00	0.00	370,000.00	8.82%
ARTICLE 323	DIAGNOSIS, EXPERT. ASSIST. WITH STUDIES, NEGOTIATIONS & THE MOBILISATION OF FINANCIAL RESOURCES + ASSOCIATED CONSULTANTS	273,648.80	980,000.00	0.00	980,000.00	1,010,000.00	160,000.00	1,200,000.00	3.08%
ARTICLE 324	ASSIST THROUGH EXPERT. & STUDIES. HELP FOR MOB. FUNDS (included in article 323 in 1992)	716,428.76	0.00	0.00	0.00	0.00	0.00	0.00	0.00%
ARTICLE 328	DOCUMENTATION (transmitted in article 321 in 1992)	48,000.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00%
	TOTAL CHAPTER 32	1,812,380.33	1,675,000.00	71,000.00	1,780,000.00	1,730,000.00	160,000.00	1,930,000.00	3.28%
ARTICLE 331	DIRECT ASSISTANCE TO ENTREPRENEURS	1,178,610.93	1,860,000.00	0.00	1,860,000.00	1,460,000.00	0.00	1,460,000.00	3.73%
ARTICLE 332	ASSISTANCE TO PILOT AND DEMONSTRATION PROJECTS	381,121.08	100,000.00	200,000.00	300,000.00	100,000.00	0.00	100,000.00	6.00%
ARTICLE 333	PROFESSIONAL METHODS AND ED. TECHNICAL PUBLICATIONS	1,618,731.88	1,660,000.00	200,000.00	1,860,000.00	1,700,000.00	0.00	1,700,000.00	3.01%
ARTICLE 341	MESURES OF THE DIRECTION AND STAFF	280,000.00	360,000.00	0.00	360,000.00	370,000.00	0.00	370,000.00	-11.11%
	TOTAL CHAPTER 34	380,000.00	360,000.00	0.00	360,000.00	370,000.00	0.00	370,000.00	-11.11%
ARTICLE 361	SECONDED EXPERTS	0.00	60,000.00	0.00	60,000.00	0.00	60,000.00	60,000.00	100.00%
	TOTAL CHAPTER 36	0.00	60,000.00	0.00	60,000.00	0.00	60,000.00	60,000.00	100.00%
	GRAND TOTAL	4,172,888.81	4,860,000.00	640,000.00	5,480,000.00	6,080,000.00	700,000.00	6,780,000.00	8.82%

4.4 TITLE IV SUPERVISORY BODIES		BUDGET 1992 COMMITMENT AT 3/12/92 (1)	BUDGET 1993 LOME IV (2)	BUDGET 1993 LOME III BAL. (3)	BUDGET 1993 TOTAL (4)	BUDGET 1994 TOTAL (*) (5)
ARTICLE 411	JOINT EXECUTIVE BOARD	159,100.31	145,000.00		145,000.00	160,000.00
ARTICLE 412	SECRETARIAT TO THE JOINT EXECUTIVE BOARD	0.00	150,000.00		150,000.00	213,000.00
TOTAL CHAPTER 41		159,100.31	295,000.00	0.00	295,000.00	383,000.00
ARTICLE 421	INTERNAL AUDIT BODY	49,144.81	55,000.00		55,000.00	135,000.00
ARTICLE 422	EXTERNAL AUDIT BODY	5,736.00	0.00		0.00	15,000.00
TOTAL CHAPTER 42		54,880.81	55,000.00	0.00	55,000.00	150,000.00
GRAND TOTAL		213,981.12	350,000.00	0.00	350,000.00	513,000.00

title IV did not exist in the previous budget.
 * } No need of outstanding balance from 1991 budget

4.5 SUMMARY OF TITLES I - II - III - IV		BUDGET 1992 COMMITMENT AT 31/12/92 (11)	BUDGET 1993 LOME IV (12)	BUDGET 1993 LOME III BAL. (13)	BUDGET (**) 1993 TOTAL (14)	BUDGET 1994 LOME IV (15)	BUDGET 1994 LOME IV BAL. (16)	BUDGET 1994 TOTAL (17)	% EVOLUTION (18)/(17)
TITLE I	STAFF	6,314,638.40	6,456,000.00	0.00	6,456,000.00	6,050,000.00	0.00	6,050,000.00	10.85%
TITLE II	BUILDING, EQUIPMENT & MISC OPERATIONAL EXPENSES	1,441,180.98	1,600,000.00	150,000.00	1,750,000.00	1,877,000.00	0.00	1,877,000.00	-1.44%
TITLE III	INTERVENTION PROGRAMME	4,122,688.91	4,650,000.00	840,000.00	5,490,000.00	5,040,000.00	700,000.00	5,740,000.00	8.82%
TITLE IV	SUPERVISORY BODIES	213,981.12	350,000.00	0.00	350,000.00	513,000.00	0.00	513,000.00	46.67%
GRAND TOTAL		11,092,327.41	12,056,000.00	990,000.00	13,046,000.00	13,200,000.00	700,000.00	13,900,000.00	9.47%

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22/12/1993

Por el Comité de cooperacion industrial
For Udvalget for industrielt Samarbejde
Im Namen des Ausschusses für industrielle Zusammenarbeit
Για την Επιτροπή Βιομηχανικής Συνεργασίας
For the Committee on Industrial co-operation
Par le Comité de coopération industrielle
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A. TAYMANS

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**II — Community Acts relating to the application
of the Lomé Convention**

A — Safeguard measures

COMMISSION

COMMISSION DECISION

of 29 April 1993

authorizing the French Republic to apply safeguard measures to the importation of bananas originating in the African, Caribbean and Pacific (ACP) States

(Only the French text is authentic)

(93/236/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the fourth ACP-EEC Convention signed in Lomé on 15 September 1989, hereinafter referred to as 'the Convention', and in particular Articles 177 and 178 (3) thereof (1),

Whereas Protocol 4 of the Convention on the implementation of Article 178 and Council Regulation (EEC) No 3705/90 (2) explain how the safeguard measures should be applied;

Whereas on 23 April 1993 the French Government applied to the Commission under Article 178 (3) of the Convention for an authorization to limit its imports of bananas originating in ACP States;

Whereas the French authorities pointed to the existence in recent weeks of an imbalance on the French market due to banana imports from the ACP States in excess of what the market can absorb and of traditional supplies;

Whereas the additional information requested by the Commission confirms that banana prices have indeed fallen sharply in recent week not only on the consumer market but also and above all in the areas of production; whereas this has given rise to exceptional difficulties in marketing bananas from Guadeloupe and Martinique which are liable to harm that sector of the economy in those regions;

Whereas the dire financial situation arising for producers in those regions warrants the authorization of emergency measures;

Whereas, in the light of the above, the French Republic should be authorized to take measures to correct the imbalance on the market;

Whereas these measures should be confined to those which cause minimum disruption to trade between the Community and the ACP States; whereas they should not go beyond what is strictly necessary to remedy the difficulties which have arisen; whereas traditional trade flows between France, and the ACP States should be maintained,

HAS ADOPTED THIS DECISION:

Article 1

The French Republic shall be authorized to limit on its territory, during the months of May and June 1993, imports of fresh bananas falling within CN code ex 0803 00 10 originating in the ACP States to the quantities imported from each of those countries during the same months over the last three years.

Article 2

The French Republic shall notify the Commission of the measures taken to apply this Decision.

Article 3

This Decision shall apply until 30 June 1993.

(1) OJ No L 229, 17. 8. 1991, p. 1.

(2) OJ No L 358, 21. 12. 1990, p. 4.

Article 4

This Decision is addressed to the French Republic.

Done at Brussels, 29 April 1993.

For the Commission
Manuel MARIN
Member of the Commission

COMMISSION REGULATION (EEC) No 2649/93

of 28 September 1993

on the issuing, for the fourth quarter of 1993, of import licences for bananas originating in the ACP States

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 404/93 of 13 February 1993 on the common organization of the market in bananas (1),

Having regard to Commission Regulation (EEC) No 1442/93 of 10 June 1993 laying down detailed rules for the application of the arrangements for importing bananas into the Community (2), as amended by Regulation (EEC) No 2009/93 (3), and in particular Article 16 (2) thereof,

Whereas the quantities which are the subject of applications for licences to import bananas originating in Cameroon substantially exceed half of the traditional quantities fixed in the Annex to Regulation (EEC) No 404/93; whereas it is accordingly necessary to set a single percentage to reduce the quantities applied for in

accordance with Article 16 (2) of Regulation (EEC) No 1442/93,

HAS ADOPTED THIS REGULATION:

Article 1

Import licences issued in respect of the fourth quarter of 1993 pursuant to Article 14 of Regulation (EEC) No 1442/93 for bananas originating in Cameroon shall cover 78,732 % of the quantity applied for.

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 with effect from 20 September 1993.

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

Done at Brussels, 28 September 1993.

For the Commission

René STBICHEN

Member of the Commission

(1) OJ No L 47, 25. 2. 1993, p. 1.
(2) OJ No L 142, 12. 6. 1993, p. 6.
(3) OJ No L 182, 24. 7. 1993, p. 46.

COMMISSION REGULATION (EC) No 3483/93

of 17 December 1993

on the issuing of licences for traditional imports of bananas originating in the ACP States for the first quarter of 1994

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 404/93 of 13 February 1993 on the common organization of the market in bananas⁽¹⁾,

Having regard to Commission Regulation (EEC) No 1442/93 of 10 June 1993 laying down detailed rules for the application of the arrangements for importing bananas into the Community⁽²⁾, as last amended by Regulation (EC) No 3297/93⁽³⁾, and in particular Article 16 (1) and (2) thereof,

Whereas Article 16 (2) of Regulation (EEC) No 1442/93 provides that where the quantities of bananas originating in one and the same ACP State listed in the Annex to Regulation (EEC) No 404/93 for which import licences are applied for exceed the indicative quantity fixed for the period in question, the Commission is to set a single reduction percentage to all licence applications mentioning that country of origin;

Whereas Commission Regulation (EC) No 3298/93⁽⁴⁾ fixes indicative quantities for imports of bananas into the Community for the first quarter of 1994 for imports originating in the ACP States under the traditional quantities imported;

Whereas, for Cameroon, the quantities requested for traditional imports of ACP bananas during the first quarter of

1994 are higher than the quantities fixed by Regulation (EEC) No 3298/93; whereas, as a result, a single reduction percentage should be fixed for each application indicating this country or origin pursuant to Article 16 (2) of Regulation (EEC) No 1442/93;

Whereas this Regulation should take effect without delay in order to allow licences to be issued as quickly as possible,

HAS ADOPTED THIS REGULATION:

Article 1

For the first quarter of 1994, as regards licence applications for traditional imports of bananas originating in the ACP States, import licences shall be issued:

- for the quantity indicated in the licence application, multiplied by a reduction coefficient of 87,6036 % for applications indicating the origin Cameroon,
- in the case of applications indicating other origins, for the quantities indicated in the application.

Article 2

This Regulation shall enter into force on the day 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, 17 December 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 47, 25. 2. 1993, p. 1.

⁽²⁾ OJ No L 142, 12. 6. 1993, p. 6.

⁽³⁾ OJ No L 296, 1. 12. 1993, p. 46.

⁽⁴⁾ OJ No L 296, 1. 12. 1993, p. 48.

**II — Community Acts relating to the application
of the Lomé Convention**

B — Trade

(a) Trade

COMMISSION REGULATION (EC) No 3483/93

of 17 December 1993

on the issuing of licences for traditional imports of bananas originating in the ACP States for the first quarter of 1994

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 404/93 of 13 February 1993 on the common organization of the market in bananas (1),

Having regard to Commission Regulation (EEC) No 1442/93 of 10 June 1993 laying down detailed rules for the application of the arrangements for importing bananas into the Community (2), as last amended by Regulation (EC) No 3297/93 (3), and in particular Article 16 (1) and (2) thereof,

Whereas Article 16 (2) of Regulation (EEC) No 1442/93 provides that where the quantities of bananas originating in one and the same ACP State listed in the Annex to Regulation (EEC) No 404/93 for which import licences are applied for exceed the indicative quantity fixed for the period in question, the Commission is to set a single reduction percentage to all licence applications mentioning that country of origin;

Whereas Commission Regulation (EC) No 3298/93 (4) fixes indicative quantities for imports of bananas into the Community for the first quarter of 1994 for imports originating in the ACP States under the traditional quantities imported;

Whereas, for Cameroon, the quantities requested for traditional imports of ACP bananas during the first quarter of

1994 are higher than the quantities fixed by Regulation (EEC) No 3298/93; whereas, as a result, a single reduction percentage should be fixed for each application indicating this country or origin pursuant to Article 16 (2) of Regulation (EEC) No 1442/93;

Whereas this Regulation should take effect without delay in order to allow licences to be issued as quickly as possible,

HAS ADOPTED THIS REGULATION:

Article 1

For the first quarter of 1994, as regards licence applications for traditional imports of bananas originating in the ACP States, import licences shall be issued:

- for the quantity indicated in the licence application, multiplied by a reduction coefficient of 87,6036 % for applications indicating the origin Cameroon,
- in the case of applications indicating other origins, for the quantities indicated in the application.

Article 2

This Regulation shall enter into force on the day 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, 17 December 1993.

For the Commission

René STEICHEN

Member of the Commission

(1) OJ No L 47, 25. 2. 1993, p. 1.

(2) OJ No L 142, 12. 6. 1993, p. 6.

(3) OJ No L 296, 1. 12. 1993, p. 46.

(4) OJ No L 296, 1. 12. 1993, p. 48.

**II — Community Acts relating to the application
of the Lomé Convention**

B — Trade

(a) Trade

COUNCIL REGULATION (EEC) No 1608/93

of 24 June 1993

introducing an embargo concerning certain trade between the European Economic Community and Haiti

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Whereas the Security Council of the United Nations has determined that the continuation of the situation with regard to Haiti threatens international peace and security in the region ;

Whereas the Community and its Member States, meeting within the framework of political cooperation, have repeatedly expressed their concern about the persistence absence of democracy and the rule of law in Haiti and the need for effective action to end this situation ;

Whereas on 16 June 1993 the Security Council, acting under Chapter VII of the Charter of the United Nations, adopted Resolution 841 (1993) which obliges all States to restrict trade with Haiti in conformity with paragraphs 5 to 14 of the Resolution in order to obtain the solution of the crisis desired by the international community ;

Whereas the Security Council has also decided that this restriction shall apply notwithstanding the existence of any rights or obligations conferred or imposed by any international agreement or any contract entered into or any licence or permit granted prior to 23 June 1993, and therefore the fourth ACP-EEC Convention, to which the Community and Haiti are parties, does not pose an obstacle to the implementation of the said Security Council decision ;

Whereas the Community and its Member States, meeting within the framework of political cooperation, have expressed their strong support for the measures decided by the Security Council ;

Whereas under these conditions the Community has to restrict trade with Haiti ;

Whereas the Community and its Member States have agreed to have recourse to a Community instrument, *inter alia*, in order to ensure uniform implementation throughout the Community of certain of the measures decided by the Security Council ;

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

Having regard to the proposal from the Commission,

HAS ADOPTED THIS REGULATION :

Article 1

As from 00.01 EST (New York time) on 23 June 1993, the following shall be prohibited :

- (a) the sale or supply of petroleum and petroleum products listed in the Annex to any person or body in Haiti or to any person or body for the purpose of any business carried on in, or operated from, Haiti ;
- (b) any activity the object or effect of which is directly or indirectly to promote the transactions mentioned under (a) ;
- (c) the entering of the territory of the territorial sea of Haiti by any means of transport carrying petroleum or petroleum products listed in the Annex.

Article 2

The prohibition imposed by Article 1 shall not apply to the export of petroleum or petroleum products, including propane gas for cooking, when authorized on an exceptional case-by-case basis (under a no-objection procedure by the under Nations Security Council Committee established by paragraph 10 of Resolution 841 (1993)).

Article 3

The sale or supply to Haiti of petroleum and petroleum products which are not prohibited under Article 1 shall be subject to prior authorization to be issued by the competent authorities of the Member States.

Article 4

Article 1 shall apply notwithstanding any rights or applications conferred or imposed by any international agreement or any contract into or any licence or permit granted before 23 June 1993.

Article 5

Each Member State shall determine the sanctions to be imposed where the provisions of this Regulation are infringed.

Article 6

This Regulation shall apply within the territory of the Community, including its air space and in any aircraft or vessel under the jurisdiction of a Member State, and to any person elsewhere who is a national of a Member State and any body elsewhere which is incorporated or constituted under the law of a Member State.

Article 7

This Regulation shall enter into force on the day 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 Luxembourg, 24 June 1993.

For the Council

The President

B. WESTH

ANNEX

CN code	Product description
2709	Petroleum oils and oils obtained from bituminous minerals, crude
2710	Petroleum oils and oils obtained from bituminous minerals, other than crude ; preparations not elsewhere specified or included, containing by weight 70 % or more or petroleum oils or of oils obtained from bituminous minerals, these oils being the basic constituents of the preparations
2711	Petroleum gases and other gaseous hydrocarbons
2712 10	Petroleum jelly
2712 20 00	Paraffin wax containing by weight less than 75 % of oil
ex 2712 90	'Slack wax', 'scale wax'
2713	Petroleum coke, petroleum bitumen and other residues of petroleum oils or of oils obtained from bituminous minerals
2714	Bitumen and asphalt, natural ; bituminous or oil shale and tar sands ; asphaltites and asphaltic rocks
2715	Bituminous mixtures based on natural asphalt, on natural bitumen, on petroleum bitumen, on mineral tar or on mineral tar pitch (for example, bituminous mastics, cut-backs)
2901	Acyclic hydrocarbons
2902 11 00	Cyclohexane
2902 20	Benzene
2902 30	Toluene
2902 41 00	o-Xylene
2902 42 00	m-Xylene
2902 43 00	p-Xylene
2902 44	Mixed xylene isomers
2902 50 00	Styrene
2902 60 00	Ethylbenzene
2902 70 00	Cumene
2905 11 00	Methanol (methyl alcohol)
3403 19 10	Lubricating preparations (including cutting-oil preparations, bolt or nut release preparations, anti-rust or anti-corrosion preparations and mould release preparations, based on lubricants) and preparations containing, as basic constituents, 70 % or more by weight of petroleum oils or of oils obtained from bituminous minerals but not as the basic constituent
3811 21 00	Additives for lubricating oils containing petroleum oils or oils obtained from bituminous minerals
3823 90 10	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

COUNCIL REGULATION (EEC) No 2520/93

of 13 September 1993

suspending the embargo concerning certain trade between the European Economic Community and Haiti

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Whereas Council Regulation (EEC) No 1608/93 of 24 June 1993 introduced an embargo concerning certain trade between the European Economic Community and Haiti⁽¹⁾;

Whereas the Security Council of the United Nations, in response to the report of the Secretary General on the progress made towards the normalization of the political situation in Haiti, adopted, on 27 August 1993, Resolution 861 (1993), suspending the embargo of Haiti decided upon in its Resolution 841 (1993) of 16 June 1993;

Whereas under these conditions the Community has to suspend its Regulation (EEC) No 1608/93;

Whereas this suspension has to take effect as from 27 August 1993 in order to respect the international obligations entered into by the Community within the framework of the Fourth ACP-EEC Convention;

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

Having regard to the proposal from the Commission,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1608/93 is hereby suspended.

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 with effect from 27 August 1993.

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

Done at Brussels, 13 September 1993.

For the Council

The President

Ph. MAYSTADT

⁽¹⁾ OJ No L 155, 26. 6. 1993, p. 2.

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 2967/93
of 25 October 1993
prohibiting the supply of certain goods to Unita

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Whereas the United Nations Security Council, acting under Chapter VII of the Charter of the United Nations, adopted resolution 864 (1993) on 15 September 1993 concerning the measures all States have to take with regard to trade with Angola in order to obtain compliance by Unita with previous demands made by the Council and to implement the 'Acordos de Paz';

Whereas the Security Council has also called upon the United Nations Member States to apply these measures notwithstanding the existence of any rights or obligations conferred or imposed by any international agreement signed, any contract entered into or any licence or permit granted before the date of adoption of the said resolution; whereas, therefore, the fourth ACP-EEC Convention signed in Lomé on 15 December 1989, to which the Community and Angola are parties, does not pose an obstacle to the application of the said Security Council measures;

Whereas the Community and its Member States, meeting within the framework of political cooperation, have expressed their strong support for these measures;

Whereas, under these conditions, it is appropriate for the Community to carry out the said Security Council resolution in its field of trade;

Whereas, pursuant to the said resolution, the measures decided upon are applied by the Member States of the United Nations on the basis of notification, by the Secretary-General of the United Nations, of the points of entry of the territory of Angola which are not affected by the said measures, as communicated to him by the Government of Angola; whereas such notification reached the Community on 7 October 1993;

Whereas the Community and its Member States have agreed to have recourse to a Community instrument in order to ensure, *inter alia*, uniform application of these measures throughout the Community;

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

Having regard to the proposal from the Commission,

HAS ADOPTED THIS REGULATION:

Article 1

1. As from 7 October 1993 the following shall be prohibited:

- the sale or supply of the petroleum and petroleum products listed in Annex I, whether or not originating in the Community, in the territory of Angola through points of entry other than those referred to in Annex II,
- any activity the object or effect of which is, directly or indirectly, to promote the transactions referred to in the first indent.

2. The Commission is hereby empowered to amend the list which appears in Annex II on the basis of the corresponding notifications given by the Secretary-General of the United Nations. Such amendments shall be published in the *Official Journal of the European Communities*.

Article 2

The sale or supply to Angola of the petroleum and petroleum products listed in Annex I which is not prohibited pursuant to Article 1 shall be subject to prior authorization to be issued by the competent authorities of the Member States.

Article 3

This Regulation shall apply notwithstanding any rights conferred or obligations imposed by any international agreement signed or any contract entered into or any licence or permit granted before the entry into force of the Regulation.

Article 4

Each Member State shall determine the sanctions to be imposed where this Regulation is infringed.

Article 5

This Regulation shall apply to the territories of the Member States to which the Treaty establishing the European Economic Community is applicable and under the conditions laid down in that Treaty, including their air space, and on board any aircraft or vessel under the jurisdiction of a Member State, and, elsewhere, to any national

of a Member State and to any body incorporated or constituted under the law of a Member State outside the aforementioned territories.

Article 6

This Regulation shall enter into force on the day 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 Luxembourg, 25 October 1993.

For the Council

The President

Ph. MAYSTADT

ANNEX I

CN code	Product description
2709	Petroleum oils and oils obtained from bituminous minerals, crude
2710	Petroleum oils and oils obtained from bituminous minerals, other than crude; preparations not elsewhere specified or included, containing by weight 70 % or more of petroleum oils or of oils obtained from bituminous minerals, these oils being the basic constituents of the preparations
2711	Petroleum gases and other gaseous hydrocarbons
2712 10	Petroleum jelly
2712 20 00	Paraffin wax containing by weight less than 0,75 % of oil
ex 2712 90	'Slack wax', 'scale wax'
2713	Petroleum coke, petroleum bitumen and other residues of petroleum oils or of oils obtained from bituminous minerals
2714	Bitumen and asphalt, natural; bituminous or oil shale and tar sands; asphaltites and asphaltic rocks
2715 00 00	Bituminous mixtures based on natural asphalt, on natural bitumen, on petroleum bitumen, on mineral tar or on mineral tar pitch (for example, bituminous mastics, cut-backs)
2901	Acyclic hydrocarbons
2902 11 00	Cyclohexane
2902 20	Benzene
2902 30	Toluene
2902 41 00	o-Xylene
2902 42 00	m-Xylene
2902 43 00	p-Xylene
2902 44	Mixed xylene isomers
2902 50 00	Styrene
2902 60 00	Ethylbenzene
2902 70 00	Cumene
2905 11 00	Methanol (methyl alcohol)
3403 19 10	Lubricating preparations (including cutting-oil preparations, bolt or nut release preparations, anti-rust or anti-corrosion preparations and mould release preparations, based on lubricants) and preparations containing, as basic constituents, 70 % or more by weight of petroleum oils or of oils obtained from bituminous minerals but not as the basic constituent
3811 21 00	Additives for lubricating oils containing petroleum oils or oils obtained from bituminous minerals
3823 90 10	Petroleum sulphonates, excluding petroleum sulphonates of alkali metals, of ammonium or of ethanalamines; thiophenated sulphonic acids of oils obtained from bituminous minerals, and their salts

ANNEX II

Points of entry referred to in Article 1

The airports of Luanda and Katumbela (Benguela province) and the ports of Luanda, Malongo (Cabinda province), Lobito (Benguela province) and Namibe (Namibe province).

**COUNCIL REGULATION (EEC) No 3028/93
of 28 October 1993**

repealing the suspension of the embargo concerning certain trade between the European Economic Community and Haiti and amending Regulation (EEC) No 1608/93 introducing this embargo

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Whereas Regulation (EEC) No 1608/93⁽¹⁾ introduced an embargo concerning certain trade between the European Economic Community and Haiti;

Whereas Regulation (EEC) No 2520/93⁽²⁾ suspended this embargo in accordance with Resolution 861 (1993) of the Security Council of the United Nations;

Whereas the Security Council of the United Nations, given the negative developments in the process towards the normalization of the political situation in Haiti, and acting under Chapter VII of the Charter of the United Nations, adopted, on 13 October 1993, Resolution 873 (1993), repealing the abovementioned suspension, while allowing for exemptions from the reinstated embargo, to be decided upon on a case-by-case basis by the Committee established by paragraph 10 of Resolution 841 (1993);

Whereas under these conditions the Community, in order to reactivate the embargo, has to repeal Regulation (EEC) No 2520/93 and to amend Regulation (EEC) No 1608/93 in order to allow for the aforementioned exemptions;

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

Having regard to the proposal from the Commission,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2520/93, suspending the embargo concerning certain trade between the European Economic Community and Haiti, is hereby repealed.

Article 2

The following subparagraph shall be added to Article 2 of Regulation (EEC) No 1608/93:

'Neither shall the prohibition imposed by Article 1 apply to sales or supplies of petroleum and petroleum products listed in the Annex for which the Committee established by paragraph 10 of Security Council Resolution 841 (1993) has granted an exception on a case-by-case basis under the objection procedure in response to requests by President Aristide or Prime Minister Malval of Haiti.'

Article 3

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

It shall be applicable as of 23.59 hours Eastern Standard Time in the United States of America on 18 October 1993.

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

Done at Brussels, 28 October 1993.

For the Council

The President

Ph. MAYSTADT

⁽¹⁾ OJ No L 155, 26. 6. 1993, p. 2.

⁽²⁾ OJ No L 232, 15. 9. 1993, p. 3.

**II — Community Acts relating to the application
of the Lomé Convention**

B — Trade

(b) Agricultural products

COMMISSION REGULATION (EEC) No 236/93

of 3 February 1993

concerning applications for 'ACP' import licences for products falling with CN code 1007 00 90 with advance fixing of the import levy

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1738/92⁽²⁾,

Having regard to Council Regulation (EEC) No 715/90 of 5 March 1990 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the ACP States or in the overseas countries or territories (OCT)⁽³⁾, as amended by Regulation (EEC) No 297/91⁽⁴⁾,

Having regard to Commission Regulation (EEC) No 863/90 of 4 April 1990 laying down detailed rules for the application of the special arrangements for imports of grain sorghum and millet originating in the African, Caribbean and Pacific States (ACP) or in the overseas countries and territories (OCT)⁽⁵⁾, and in particular Article 1 (4) thereof,

Whereas the Commission must fix a single coefficient for reducing the quantities applied for where these quantities

exceed the quantities in the annual quota, on the third working day following submission of the applications at the latest;

Whereas applications for licences submitted on 1 February 1993 relate to 188 010 tonnes and the maximum quantity which may be imported is 100 000 tonnes at a levy reduced by 60 %; whereas the corresponding percentage reduction for import licence applications submitted on 1 February 1993 should be fixed,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for licences for the 'ACP' quota at a levy reduced by 60 % for sorghum falling within CN code 1007 00 90 submitted on 1 February 1993 and forwarded to the Commission, shall be accepted for the tonnages indicated therein multiplied by a coefficient of 0,531887.

Article 2

This Regulation shall enter into force on 4 February 1993.

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

Done at Brussels, 3 February 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.
⁽²⁾ OJ No L 180, 1. 7. 1992, p. 1.
⁽³⁾ OJ No L 84, 30. 3. 1990, p. 85.
⁽⁴⁾ OJ No L 36, 8. 2. 1991, p. 9.
⁽⁵⁾ OJ No L 90, 5. 4. 1990, p. 16.

COMMISSION REGULATION (EEC) No 1802/93

of 6 July 1993

on the arrangement applicable to agricultural products subject to reference quantities and statistical surveillance 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 715/90 of 5 March 1990 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating notably in the African Caribbean and Pacific States⁽¹⁾, as extended by Regulation (EEC) No 444/92⁽²⁾, and in particular Articles 16 and 27 thereof,

Whereas Article 16 of Regulation (EEC) No 715/90 stipulates for certain agricultural products, covered by that Regulation and originating in those countries, the progressive reduction of customs duties as well as control subject to reference quantities and a community surveillance in a set timetable;

Whereas this reduction of the customs duties is made progressively over the same periods and in accordance with the same timetable as those laid down in the Act of Accession of Spain and Portugal for the same products imported from these countries into the Community as constituted on 31 December 1985;

Whereas Commission Regulation (EEC) No 3593/91 of 11 December 1991 abolishing in two stages certain customs duties applicable in trade between the Community of Ten and Spain and Portugal as a result of the Mediterranean agreements⁽³⁾ has foreseen that the residual customs duties applicable in 1991 to products from Spain and Portugal for which the dismantling of tariffs continued after 1 January 1993, were eliminated in two equal instalments on 1 January 1992 and 1 January 1993; whereas the same concession should be granted for the same products originating in ACP States, while keeping in force the controls in the framework of reference quantities and statistical surveillance foreseen by the abovementioned Regulation (EEC) No 715/90;

Whereas, in execution of its international obligations, the Community should open reference quantities and establish a system of statistical surveillance as regards the products shown in the Annex;

Whereas, in order to enable the competent authorities within the Commission to establish an annual trade balance sheet for each of the products and, if necessary, to put into application the arrangement provided for in Article 16 (3) of the abovementioned Regulation (EEC) No 715/90, these products are subject to a statistical surveillance in accordance with Council Regulations (EEC) No 2658/87⁽⁴⁾, as last amended by Commission Regulation (EEC) No 1001/93⁽⁵⁾, and (EEC) No 1736/75⁽⁶⁾, as last amended by Regulation (EEC) No 1629/88⁽⁷⁾;

Whereas to ensure the effectiveness of the surveillance system the Member States must charge against the reference quantities as and when the products are entered with the customs authorities for free circulation; whereas, therefore, it is appropriate for the periods indicated in the Annex to establish reference quantities for those products listed in the Annex;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

1. Imports into the Community of certain products originating in the African, Caribbean and Pacific States shall be subject to reference quantities and to a statistical surveillance.

The products referred to in the first subparagraph, their CN codes, the periods of validity and the levels of the reference quantities are set out in the Annex.

2. Quantities shall be charged against the reference quantities as and when products are entered with customs authorities for free circulation and accompanied by a movement certificate. If the movement certificate is submitted *a posteriori*, the goods shall be charged against the corresponding reference quantity at the moment when the goods are entered for free circulation.

⁽¹⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽²⁾ OJ No L 52, 27. 2. 1992, p. 7.

⁽³⁾ OJ No L 341, 12. 12. 1991, p. 13.

⁽⁴⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽⁵⁾ OJ No L 104, 29. 4. 1993, p. 28.

⁽⁶⁾ OJ No L 183, 14. 7. 1975, p. 3.

⁽⁷⁾ OJ No L 147, 14. 6. 1988, p. 1.

The extent to which the reference quantities are used up shall be determined at Community level on the basis of the imports charged against them in the manner defined in the first subparagraph, as communicated to the Statistical Office of the European Communities in application of Regulations (EEC) No 2658/87 and (EEC) No 1736/75.

Article 2

The Member States and the Commission shall cooperate closely to ensure that this Regulation is complied with.

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

Done at Brussels, 6 July 1993.

Article 3

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

It shall apply with effect from 1 January 1993.

For the Commission
Christiane SCRIVENER
Member of the Commission

ANNEX

<i>(tonnes)</i>					
Order No	CN code	Taric code (1)	Description	Period	Reference quantities
12.0030	ex 0704 90 90	0704 90 90*92	Cabbages, fresh or chilled	1. 11. - 31. 12. 1993	1 000
12.0050	ex 0705 11 10	0705 11 10*21 0705 11 10*33	'Iceberg' lettuce, (<i>Lactuca sativa</i> L, var. <i>capitata</i> L.)	1. 7. - 31. 10. 1993	1 000
12.0060	ex 0709 10 00	0709 10 00*10 0709 10 00*20	Globe artichokes fresh or chilled	1. 10. - 31. 12. 1993	1 000
12.0080	ex 0809 10 00	0809 10 00*10 0809 10 00*20 0809 10 00*30 0809 10 00*40 0809 10 00*80	Apricots, fresh	1. 9. 1993 - 30. 4. 1994	2 000
12.0090 (1)	ex 0809 20 60 ex 0809 20 80	0809 20 60*30 0809 20 80*31 0809 20 80*39	Cherries, fresh	1. 11. 1993 - 31. 3. 1994	2 000
12.0100 (1)	ex 0809 30 10 ex 0809 30 90	0809 30 10*10 0809 30 90*10	Peaches (including nectarines), fresh	1. 12. 1993 - 31. 3. 1994	2 000
12.0110	ex 0809 40 19	0809 40 19*25	Plums, fresh	15. 12. 1993 - 31. 3. 1994	2 000

(1) The Taric codes shown below are those applicable during the period shown as regards each order number.

COMMISSION REGULATION (EEC) No 2164/93

of 2 August 1993

amending Regulation (EEC) No 1443/93 on transitional measures for the application of the arrangements for importing bananas into the Community in 1993

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 404/93 of 13 February 1993 on the common organization of the market in bananas ⁽¹⁾, and in particular Article 30 thereof,

Whereas Commission Regulation (EEC) No 1443/93 ⁽²⁾, as amended by Commission Regulation (EEC) No 2009/93 ⁽³⁾, lays down transitional measures for the application of the arrangements for importing bananas into the Community in 1993, and, in particular in Article 4 thereof, provides for the provisional allocation of a part of the tariff quota to each operator for the period 1 July to 30 September 1993, and also lays down the arrangements for the issue of licences for the import of traditional bananas from the ACP States during the same period; whereas the import licences issued in this connection are valid until 7 October 1993;

Whereas the provisional quantities allocated in accordance with Article 4 of the Regulation (EEC) No 1443/93 for use of the tariff quota for the period 1 July to 30 September 1993 significantly exceed the volume of imports during this period in previous years; whereas this situation risks causing either disturbances to the market due to imports of third country and non-traditional ACP bananas exceeding the capacity of the Community market to absorb them, or the non-utilization of import licences giving rise to subsequent requests for reallocation; whereas the quantities on the licences issued pursuant to Article 7 of the abovementioned Regulation

for the import of traditional bananas from the ACP States are greater in the case of several States than those normally imported during the same period; whereas, in these circumstances, it is necessary to extend the period of validity of the licences to import under the tariff quota and of the licences issued for the import of traditional quantities from the ACP countries to allow the operators concerned to spread their imports over a longer period;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Bananas,

HAS ADOPTED THIS REGULATION:

Article 1

Article 8 of Regulation (EEC) No 1443/93 is hereby replaced by the following:

'Article 8

The import licences issued in accordance with Titles I and II of this Regulation shall be valid until 31 October 1993.'

Article 2

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, 2 August 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 47, 25. 2. 1993, p. 1.

⁽²⁾ OJ No L 142, 12. 6. 1993, p. 16.

⁽³⁾ OJ No L 182, 24. 7. 1993, p. 46.

COMMISSION REGULATION (EEC) No 3025/93

of 28 October 1993

opening and providing for the administration of Community tariff quotas for certain agricultural 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 715/90 of 5 March 1990 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⁽¹⁾, extended by Regulation (EEC) No 444/92⁽²⁾, and in particular Article 27 thereof,

Whereas Articles 16 of Regulation (EEC) No 715/90 provide for the opening by the Community of quotas for imports of the following :

- 2 000 tonnes of tomatoes, other than cherry tomatoes falling within CN codes ex 0702 00 10, for the period 15 November to 30 April,
- 2 000 tonnes of cherry tomatoes, falling within CN code ex 0702 00 10, for the period 15 November to 30 April,
- 200 tonnes of fresh figs falling within CN code ex 0804 20 10, for the period 1 November to 30 April,
- 1 500 tonnes of fresh strawberries falling within CN code ex 0810 10 90, for the period 1 November to 28 February ;

Whereas within the limits of these tariff quotas, customs duties have been phased out progressively :

- during the same periods and in accordance with the same timetables provided for in Articles 75 and 268 of the Act of Accession of Spain and Portugal, concern-

ing the tariff quotas for chilled tomatoes, fresh figs and, strawberries,

- by 60 % of the said duties concerning the tariff quota in relation to tomatoes other than cherry tomatoes and that these maximal reduction rates have been applied from the moment of entry into force of the present Regulation ;

Whereas it is in particular necessary to ensure that all Community importers enjoy equal and uninterrupted access to the abovementioned quotas and that the rates laid down for those quotas should apply consistently to all imports of the products concerned into all Member States until the quotas have been used up ;

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, all transactions concerning the administration of the quotas may be carried out by any of its members ;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fruit and Vegetables,

HAS ADOPTED THIS REGULATION :

Article 1

The customs duties applicable to imports into the Community of the following products originating in the African, Caribbean and Pacific States shall be suspended at the levels indicated and within the limits of the Community tariff quotas as shown below :

Order No	CN code ⁽¹⁾	Description	Amount of quota (tonnes)	Quota duty (%)
09.1601	ex 0702 00 10	Tomatoes, fresh or chilled, from 15 November 1992 to April 1993	2 000	4,4 min 0,8 ECU/100 kg/net
09.1613	ex 0702 00 10	Cherry tomatoes, fresh or chilled from 15 November 1993 to 30 April 1994	2 000	0
09.1608	ex 0804 20 10	Fresh figs, from 1 November 1993 to 30 April 1994	200	0
09.1603	ex 0810 10 90	Fresh strawberries, from 1 November 1993 to 28 February 1994	1 500	0

⁽¹⁾ Taric codes appear in the Annex.

⁽¹⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽²⁾ OJ No L 52, 27. 2. 1992, p. 7.

Article 2

The tariff quotas referred to in Article 1 shall be managed by the Commission, which may take any appropriate administrative measures to ensure that they are managed efficiently.

Article 3

Where an importer preserves an entry for release for free circulation in a Member State in respect of a product covered by this Regulation, applying to take advantage of the preferential arrangements, and the entry is accepted by the customs authorities, the Member State concerned shall, by notifying the Commission, draw an amount corresponding to requirements from the quota.

Requests for drawings, indicating the data on which the entries were accepted, must be sent to the Commission without delay.

Drawings shall be granted by the Commission in chronological order of the dates on which the customs authorities of the Member States concerned accepted the entries for release for free circulation to the extent that the available balance so permits.

If a Member State does not use a drawing in full it shall return any unused portion to the corresponding quota as soon as possible.

If the quantities requested are greater than the available balance of the quota, the balance shall be allocated among applicants *pro rata*. The Commission shall inform the Member States of the drawings made.

Article 4

Each Member State shall ensure that importers of the products concerned have free access to the quotas for such time as the residual balance of the quotas so permits.

Article 5

The Member States and the Commission shall cooperate closely in order to ensure that this Regulation is complied with.

Article 6

This Regulation shall enter into force on 1 November 1993.

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

Done at Brussels, 28 October 1993.

For the Commission
Christiane SCRIVENER
Member of the Commission

ANNEX

Taric codes (*)

Order No	CN code	Taric code
09.1601	ex 0702 00 10	0702 00 10 * 29 0702 00 10 * 39 0702 00 10 * 49 0702 00 10 * 59 0702 00 10 * 69 0702 00 10 * 79 0702 00 10 * 84
09.1613	ex 0702 00 10	0702 00 10 * 21 0702 00 10 * 31 0702 00 10 * 41 0702 00 10 * 51 0702 00 10 * 61 0702 00 10 * 71 0702 00 10 * 81
09.1608	ex 0804 20 10	0804 20 10 * 10 0804 20 10 * 40
09.1603	ex 0810 10 90	0810 10 90 * 32 0810 10 90 * 33 0810 10 90 * 36 0810 10 90 * 39

(*) The Taric codes shown are those applicable on the date of entry into force of the present Regulation.

COMMISSION REGULATION (EC) No 3207/93
of 23 November 1993

opening and providing for the administration of Community tariff quotas for certain agricultural products originating in the African, Caribbean and Pacific States (1994)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 715/90 of 5 March 1990 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⁽¹⁾, extended by Regulation (EEC) No 444/92⁽²⁾, and in particular Article 27 thereof,

Whereas Articles 16 of Regulation (EEC) No 715/90 provide for the opening by the Community of quotas for imports of the following:

- 1 000 tonnes of fresh apples falling within CN code 0808 10, for the period 1 January to 31 December, and
- 1 000 tonnes of fresh pears falling within CN codes 0808 20 10 to 0808 20 39, for the period 1 January to 31 December,

originating in the countries in question;

Whereas it is in particular necessary to ensure that all Community importers enjoy equal and uninterrupted

access to the abovementioned quotas and that the rates laid down for those quotas should apply consistently to all imports of the products concerned into all Member States until the quotas have been used up;

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, all transactions concerning the administration of the quotas may be carried out by any of its members;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

The customs duties applicable to imports into the Community of the following products originating in the African, Caribbean and Pacific States shall be suspended at the levels indicated and within the limits of the Community tariff quotas as shown below:

Order No	CN code	Description	Amount of quota (tonnes)	Quota duty (%)
09.1610	0808 10 10	Fresh apples, from 1 January to 31 December 1994	1 000	4,5
	0808 10 31			min 0,2 ECU/100 kg/net 7
	0808 10 33			min 1,2 ECU/100 kg/net 7
	0808 10 39			min 1,2 ECU/100 kg/net 7
	0808 10 51			min 1,2 ECU/100 kg/net 4
	0808 10 53			min 1,1 ECU/100 kg/net 4
	0808 10 59			min 1,1 ECU/100 kg/net 4
	0808 10 81			min 1,1 ECU/100 kg/net 3
	0808 10 13			min 0,7 ECU/100 kg/net 3
	0808 10 89			min 0,7 ECU/100 kg/net 3

⁽¹⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽²⁾ OJ No L 52, 27. 2. 1992, p. 7.

Order No	CN code	Description	Amount of quota (tonnes)	Quota duty (%)
09.1612	0808 20 10	Fresh pears, from 1 January to 31 December 1994	1 000	4,5
	0808 20 31			min 0,2 ECU/100 kg/net 5
	0808 20 33			min 0,7 ECU/100 kg/net 2,5
	0808 20 35			min 1 ECU/100 kg/net 5
	0808 20 39			min 0,7 ECU/100 kg/net 6,5 min 1 ECU/100 kg/net

Article 2

The tariff quotas referred to in Article 1 shall be managed by the Commission, which may take any appropriate administrative measures to ensure that they are managed efficiently.

Article 3

Where an importer preserves an entry for release for free circulation in a Member State in respect of a product covered by this Regulation, applying to take advantage of the preferential arrangements, and the entry is accepted by the customs authorities, the Member State concerned shall, by notifying the Commission, draw an amount corresponding to requirements from the quota.

Requests for drawings, indicating the data on which the entries were accepted, must be sent to the Commission without delay.

Drawings shall be granted by the Commission in chronological order of the dates on which the customs authorities of the Member States concerned accepted the entries for release for free circulation to the extent that the available balance so permits.

If a Member State does not use a drawing in full it shall return any unused portion to the corresponding quota as soon as possible.

If the quantities requested are greater than the available balance of the quota, the balance shall be allocated among applicants *pro rata*. The Commission shall inform the Member States of the drawings made.

Article 4

Each Member State shall ensure that importers of the products concerned have free access to the quotas for such time as the residual balance of the quotas so permits.

Article 5

The Member States and the Commission shall cooperate closely in order to ensure that this Regulation is complied with.

Article 6

This Regulation shall enter into force on 1 January 1994.

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

Done at Brussels, 23 November 1993.

For the Commission
Christiane SCRIVENER
Member of the Commission

COMMISSION REGULATION (EC) No 3363/93

of 8 December 1993

opening and providing for the administration of Community tariff quotas for certain agricultural products originating in the African, Caribbean and Pacific States

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 715/90 of 5 March 1990 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the ACP States or in the overseas countries and territories (OCT) ⁽¹⁾, extended by Regulation (EEC) No 444/92 ⁽²⁾, and in particular Article 27 thereof,

Whereas Article 16 of Regulation (EEC) No 715/90 provides for the opening by the Community of quotas for imports of the following :

- 2 000 tonnes of tomatoes, other than cherry tomatoes falling within CN code ex 0702 00 10, for the period 15 November to 30 April,
- 2 000 tonnes of cherry tomatoes, falling within CN code ex 0702 00 10, for the period 15 November to 30 April,
- 200 tonnes of fresh figs falling within CN code ex 0804 20 10, for the period 1 November to 30 April,
- 1 500 tonnes of fresh strawberries falling within CN code ex 0810 10 90, for the period 1 November to 28 February ;

Whereas within the limits of these tariff quotas, customs duties have been phased out progressively :

- during the same periods and in accordance with the same timetables provided for in Articles 75 and 268 of the Act of Accession of Spain and Portugal, concerning the tariff quotas for chilled tomatoes, fresh figs and strawberries,
- by 60 % of the said duties concerning the tariff quota in relation to tomatoes other than cherry tomatoes and that these maximal reduction rates have been applied from the moment of entry into force of the present Regulation ;

Whereas it is in particular necessary to ensure that all Community importers enjoy equal and uninterrupted access to the abovementioned quotas and that the rates laid down for those quotas should apply consistently to all imports of the products concerned into all Member States until the quotas have been used up ;

Whereas Commission Regulation (EEC) No 3025/93 of 28 October 1993 opening and providing for the administration of Community tariff quotas for certain agricultural products originating in the African, Caribbean and Pacific States ⁽³⁾ was published in the *Official Journal of the European Communities* ; whereas the publication of that Regulation took place, by administrative error, without certain normal rules prior to its adoption by the Commission being respected ; whereas that Regulation should be repealed and replaced from 1 November 1993 by the present Regulation ;

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, all transactions concerning the administration of the quotas may be carried out by any of its members ;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fruit and Vegetables,

HAS ADOPTED THIS REGULATION :

Article 1

The customs duties applicable to imports into the Community of the following products originating in the African, Caribbean and Pacific States shall be suspended at the levels indicated and within the limits of the Community tariff quotas as shown below :

⁽¹⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽²⁾ OJ No L 52, 27. 2. 1992, p. 7.

⁽³⁾ OJ No L 270, 30. 10. 1993, p. 68.

Order No	CN code (*)	Description	Amount of quota (tonnes)	Quota duty (%)
09.1601	ex 0702 00 10	Tomatoes, fresh or chilled, from 15 November 1993 to 30 April 1994	2 000	4,4 min 0,8 ECU/100 kg/net
09.1613	ex 0702 00 10	Cherry tomatoes, fresh or chilled from 15 November 1993 to 30 April 1994	2 000	0
09.1608	ex 0804 20 10	Fresh figs, from 1 November 1993 to 30 April 1994	200	0
09.1603	ex 0810 10 90	Fresh strawberries, from 1 November 1993 to 28 February 1994	1 500	0

(*) Taric codes appear in the Annex.

Article 2

The tariff quotas referred to in Article 1 shall be managed by the Commission, which may take any appropriate administrative measures to ensure that they are managed efficiently.

applicants *pro rata*. The Commission shall inform the Member States of the drawings made.

Article 4

Each Member State shall ensure that importers of the products concerned have free access to the quotas for such time as the residual balance of the quotas so permits.

Article 3

Where an importer preserves an entry for release for free circulation in a Member State in respect of a product covered by this Regulation, applying to take advantage of the preferential arrangements, and the entry is accepted by the customs authorities, the Member State concerned shall, by notifying the Commission, draw an amount corresponding to requirements from the quota.

Article 5

The Member States and the Commission shall cooperate closely in order to ensure that this Regulation is complied with.

Requests for drawings, indicating the data on which the entries were accepted, must be sent to the Commission without delay.

Article 6

Regulation (EEC) No 3025/93 is hereby repealed.

Drawings shall be granted by the Commission in chronological order of the dates on which the customs authorities of the Member States concerned accepted the entries for release for free circulation to the extent that the available balance so permits.

Article 7

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

If a Member State does not use a drawing in full it shall return any unused portion to the corresponding quota as soon as possible.

It shall apply with effect from 1 November 1993.

If the quantities requested are greater than the available balance of the quota, the balance shall be allocated among

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

Done at Brussels, 8 December 1993.

For the Commission
Christiane SCRIVENER
Member of the Commission

ANNEX

Taric codes⁽¹⁾

Order No	CN code	Taric code
09.1601	ex 0702 00 10	0702 00 10 * 29 0702 00 10 * 39 0702 00 10 * 49 0702 00 10 * 59 0702 00 10 * 69 0702 00 10 * 79 0702 00 10 * 84
09.1613	ex 0702 00 10	0702 00 10 * 21 0702 00 10 * 31 0702 00 10 * 41 0702 00 10 * 51 0702 00 10 * 61 0702 00 10 * 71 0702 00 10 * 81
09.1608	ex 0804 20 10	0804 20 10 * 10 0804 20 10 * 40
09.1603	ex 0810 10 90	0810 10 90 * 32 0810 10 90 * 33 0810 10 90 * 36 0810 10 90 * 39

⁽¹⁾ The Taric codes shown are those applicable on the date of entry into force of the present Regulation.

II — Community Acts relating to the application of the Lomé Convention

B — Trade

(c) Cereals

COMMISSION REGULATION (EEC) No 2992/93
of 28 October 1993

fixing the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1993 on the common organization of the market in cereals⁽¹⁾, as amended by Regulation (EEC) No 2193/93⁽²⁾, and in particular Article 11 (3) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EEC) No 1544/93⁽⁴⁾, and in particular Article 12 (4) thereof,

Whereas the rules to be applied in calculating the variable component of the import levy on products processed from cereals and rice are laid down in Article 11 (1) (A) of Regulation (EEC) No 1766/92 and Article 12 (1) (a) of Regulation (EEC) No 1418/76; whereas Article 2 of Commission Regulation (EEC) No 1620/93 of 25 June 1993 on the import and export system for products processed from cereals and rice⁽⁵⁾, provides that the incidence on the prime costs of these products of the levies applicable to their basic products should be calculated on the basis of the average of the levies applicable to these basic products for the first 25 days of the month preceding that of importation; whereas this average, adjusted on the basis of the threshold price valid for the basic products in question during the month of importation is calculated on the basis of the quantities of basic products considered to have been used in the manufacture of the processed product or the competing product which serves as a reference for processed products not containing cereals;

Whereas Commission Regulation (EEC) No 1579/74 of 24 June 1974 on the procedure for calculating the import levy on products processed from cereals and from rice and for the advance fixing of this levy for these products and for compound feedstuffs manufactured from cereals⁽⁶⁾, as last amended by Regulation (EEC) No

1740/78⁽⁷⁾, provides that the levy thus determined, increased by the fixed component, is altered where the levy applicable to the basic product concerned differs by not less than ECU 3,02 per tonne from the average of the levies calculated as described above;

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States, the levy relating to them in respect of certain products processed from cereals must be reduced by the amount of the fixed component and, in respect of some of these products, by part of the variable component; whereas this reduction must be made in accordance with Article 14 of Council Regulation (EEC) No 715/90 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the ACP States⁽⁸⁾, extended by Regulation (EEC) No 444/92⁽⁹⁾;

Whereas Article 3 (4) of Council Regulation (EEC) No 3763/91⁽¹⁰⁾, as amended by Regulation (EEC) No 3714/92⁽¹¹⁾, allows that within the limit of an annual quantity of 8 000 tonnes, the levy shall not be applied to imports into the French department of Réunion of wheat bran falling within CN code 2302 30 from the African, Caribbean and Pacific (ACP) States;

Whereas, pursuant to Article 101 (1) of Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community⁽¹²⁾ no levies shall apply on imports of products originating in the overseas countries and territories;

Whereas Council Regulation (EEC) No 3834/90 of 20 December 1990 reducing for 1991 the levies on certain agricultural products originating in developing countries⁽¹³⁾, as last amended by Regulation (EEC) No 1028/93⁽¹⁴⁾, reduces by 50 % the levy or importation into the Community of products of CN code 1108 13 00, within the limit of a fixed amount of 5 000 tonnes a year;

(1) OJ No L 181, 1. 7. 1992, p. 21.

(2) OJ No L 196, 5. 8. 1993, p. 22.

(3) OJ No L 166, 25. 6. 1976, p. 1.

(4) OJ No L 154, 25. 6. 1993, p. 5.

(5) OJ No L 155, 26. 6. 1993, p. 29.

(6) OJ No L 168, 25. 6. 1974, p. 7.

(7) OJ No L 202, 26. 7. 1978, p. 8.

(8) OJ No L 84, 30. 3. 1990, p. 85.

(9) OJ No L 52, 27. 2. 1992, p. 7.

(10) OJ No L 356, 24. 12. 1991, p. 1.

(11) OJ No L 378, 23. 12. 1992, p. 23.

(12) OJ No L 263, 19. 9. 1991, p. 1.

(13) OJ No L 370, 31. 12. 1990, p. 121.

(14) OJ No L 108, 1. 5. 1993, p. 1.

Whereas Council Regulation (EEC) No 430/87 of 9 February 1987 concerning the import arrangements applicable to products falling within CN codes 0714 10 and 0714 90 originating in certain third countries⁽¹⁾, as last amended by Regulation (EEC) No 3909/92⁽²⁾, lay down the terms on which the import levy is limited to 6 % *ad valorem*;

Whereas Council Regulation (EEC) No 2730/75 of 29 October 1975 on glucose and lactose⁽³⁾, as amended by Regulation (EEC) No 222/88⁽⁴⁾, stipulates that the treatment provided for glucose and glucose syrup falling within CN codes 1702 30 91, 1702 30 99 and 1702 40 90 by Regulation (EEC) No 1766/92 it is to be extended to glucose and glucose syrup falling within CN codes 1702 30 51 and 1702 30 59; whereas consequently the levy fixed for products falling within CN codes 1702 30 91, 1702 30 99 and 1702 40 90 also applies to products falling within CN codes 1702 30 51 and 1702 30 59; whereas, to ensure that the provision in question is properly applied, these products and the levy thereon should be explicitly mentioned in the list of levies;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁵⁾ are used to convert amounts expressed in third country currencies

and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93⁽⁶⁾,

HAS ADOPTED THIS REGULATION :

Article 1

The import levies to be charged on the products listed in Article 1 (d) of Regulation (EEC) No 1766/92 and in Article 1 (1) (c) of Regulation (EEC) No 1418/76 and subject to Regulation (EEC) No 1620/93 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 November 1993.

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

Done at Brussels, 28 October 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 43, 13. 2. 1987, p. 9.
⁽²⁾ OJ No L 394, 31. 12. 1992, p. 23.
⁽³⁾ OJ No L 281, 1. 11. 1975, p. 20.
⁽⁴⁾ OJ No L 28, 1. 2. 1988, p. 1.
⁽⁵⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁶⁾ OJ No L 108, 1. 5. 1993, p. 106.

ANNEX

to the Commission Regulation of 28 October 1993 fixing the import levies on products processed from cereals and rice

CN code	(ECU/tonne)		CN code	(ECU/tonne)	
	Import levies (°)			Import levies (°)	
	ACP	Third countries (other than ACP)		ACP	Third countries (other than ACP)
0714 10 10 (°)	118,23	124,88	1104 22 90	93,65	96,67
0714 10 91	121,86 (°) (°)	121,86	1104 23 10	152,54	155,56
0714 10 99	120,05	124,88	1104 23 30	152,54	155,56
0714 90 11	121,86 (°) (°)	121,86	1104 23 90	97,25	100,27
0714 90 19	120,05 (°)	124,88	1104 29 11	115,42	118,44
1102 20 10	171,61	177,65	1104 29 15	152,86	155,88
1102 20 90	97,25	100,27	1104 29 19	164,30	167,32
1102 30 00	135,36	138,38	1104 29 31	138,85	141,87
1102 90 10	219,35	225,39	1104 29 35	183,89	186,91
1102 90 30	165,26	171,30	1104 29 39	164,30	167,32
1102 90 90	104,74	107,76	1104 29 91	88,52	91,54
1103 12 00	165,26	171,30	1104 29 95	117,23	120,25
1103 13 10	171,61	177,65	1104 29 99	104,74	107,76
1103 13 90	97,25	100,27	1104 30 10	65,09	71,13
1103 14 00	135,36	138,38	1104 30 90	71,51	77,55
1103 19 10	206,87	212,91	1106 20 10	118,23 (°)	124,88
1103 19 30	219,35	225,39	1106 20 90	149,87 (°)	174,05
1103 19 90	104,74	107,76	1108 11 00	190,92	211,47
1103 21 00	156,20	162,24	1108 12 00	153,50	174,05
1103 29 10	206,87	212,91	1108 13 00	153,50	174,05 (°)
1103 29 20	219,35	225,39	1108 14 00	76,75	174,05
1103 29 30	165,26	171,30	1108 19 10	194,10	224,93
1103 29 40	171,61	177,65	1108 19 90	76,75 (°)	174,05
1103 29 50	135,36	138,38	1109 00 00	347,12	528,46
1103 29 90	104,74	107,76	1702 30 51	200,21	296,93
1104 11 10	124,30	127,32	1702 30 59	153,50	219,99
1104 11 90	243,72	249,76	1702 30 91	200,21	296,93
1104 12 10	93,65	96,67	1702 30 99	153,50	219,99
1104 12 90	183,62	189,66	1702 40 90	153,50	219,99
1104 19 10	156,20	162,24	1702 90 50	153,50	219,99
1104 19 30	206,87	212,91	1702 90 75	209,75	306,47
1104 19 50	171,61	177,65	1702 90 79	145,87	212,36
1104 19 91	229,86	235,90	2106 90 55	153,50	219,99
1104 19 99	184,84	190,88	2302 10 10	42,56	48,56
1104 21 10	194,98	198,00	2302 10 90	91,19	97,19
1104 21 30	194,98	198,00	2302 20 10	42,56	48,56
1104 21 50	304,65	310,69	2302 20 90	91,19	97,19
1104 21 90	124,30	127,32	2302 30 10	42,56 (°)	48,56
1104 22 10 10 (°)	93,65	96,67	2302 30 90	91,19 (°)	97,19
1104 22 10 90 (°)	165,26	168,28	2302 40 10	42,56	48,56
1104 22 30	165,26	168,28	2302 40 90	91,19	97,19
1104 22 50	146,90	149,92	2303 10 11	190,68	372,02

(1) 6 % *ad valorem*, subject to certain conditions.

(2) In accordance with Regulation (EEC) No 715/90 the levy shall not be charged on the following products originating in the African, Caribbean and Pacific States:

- products falling within CN code ex 0714 10 91,
- products falling within CN code 0714 90 11 and arrow-root falling within CN code 0714 90 19,
- flours and meal of arrow-root falling within CN code 1106 20,
- arrow-root starch falling within CN code 1108 19 90.

(3) Taric code: clipped oats.

(4) Taric code: CN code 1104 22 10, other than 'clipped oats'.

(5) Pursuant to Regulation (EEC) No 3834/90, the levy on importation into the Community of products of CN code 1108 13 00 is reduced by 50 % within the limit of a fixed quantity of 5 000 tonnes.

(6) In accordance with Regulation (EEC) No 715/90 the levies are not applied to products imported directly into the French overseas departments originating in the African, Caribbean and Pacific States.

(7) No import levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.

(8) Under the terms of Regulation (EEC) No 3763/91 the levy does not apply to wheat bran originating in the African, Caribbean and Pacific States (ACP) and directly imported into the French department of Réunion.

Corrigendum to Commission Regulation (EEC) No 2992/93 of 28 October 1993 fixing the import levies on products processed from cereals and rice

(Official Journal of the European Communities No L 268 of 29 October 1993)

On page 64 in the Annex, against CN codes 0714 10 91 and 0714 90 11 in column 'ACP':

for: '(1) (1)';

read: '(1) (1)';

against CN code 0714 90 19 in column 'ACP':

for: '(1)';

read: '(1)';

against CN code 1104 22 10 10 in column 'CN code':

for: '(1)';

read: '(1)';

against CN code 1104 22 10 90 in column 'CN code':

for: '(1)';

read: '(1)';

against CN codes 1106 20 10, 1106 20 90 and 1108 19 90 in column 'ACP':

for: '(1)';

read: '(1)';

against CN code 1108 13 00 in column 'Third countries (other than ACP)':

for: '(1)';

read: '(1)';

against CN codes 2302 30 10 and 2302 30 90 in column 'ACP':

for: '(1)';

read: '(1)';

COMMISSION REGULATION (EEC) No 2993/93
of 28 October 1993
fixing the import levies on compound feedingstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as amended by Regulation (EEC) No 2193/93⁽²⁾, and in particular Article 11 (3) thereof,

Whereas the rules to be applied in calculating the variable component of the import levy on compound feedingstuffs are laid down in Article 11 (1) (A) of Regulation (EEC) No 1766/92; whereas Article 4 of Commission Regulation (EEC) No 1619/93 of 25 June 1993 on the arrangements applicable to cereal-based compound feedingstuffs⁽³⁾ provides that the incidence on the prime costs of those feedingstuffs of the levies applicable to their basic products should be calculated on the basis of the sum of the amounts equal to the average levies applicable during the first 25 days of the month preceding the month of importation to the quantities of basic products, maize and milk powder, considered to have been used in the manufacture of such compound feedingstuffs, the averages being adjusted on the basis of the threshold price for the basic products in question applicable during the month of importation;

Whereas the fixed component is laid down in Article 6 of Regulation (EEC) No 1619/93;

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States, the levy relating to them in respect of certain products processed from cereals must be reduced by the amount of the fixed component and, in respect of some of these products, by part of the variable component; whereas this reduction must be made in accordance with Article 14 of Council Regulation (EEC) No 715/90 of 5 March 1990 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⁽⁴⁾, extended by Regulation (EEC) No 444/92⁽⁵⁾;

Whereas, pursuant to Article 101 (1) of Council Decision 91/482/EEC of 25 July 1991 on the association of the

overseas countries and territories with the European Economic Community⁽⁶⁾, no levies shall apply on imports of products originating in the overseas countries and territories;

Whereas, in addition, account must be taken of Council Decision 93/239/EEC of 15 March 1993 concerning the conclusion of the Agreements in the form of exchanges of letters between the European Economic Community, of the one part, and the Republic of Austria, the Republic of Finland, the Republic of Iceland, the Kingdom of Norway and the Kingdom of Sweden, of the other part, on the provisional application of the Agreements on certain arrangements in the field of agriculture, signed by the said parties in Oporto on 2 May 1992⁽⁷⁾; whereas Commission Regulation (EEC) No 1267/93⁽⁸⁾, lays down detailed rules for the application of the import arrangements for these products originating in Sweden;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁹⁾ are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93⁽¹⁰⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the compound feedingstuffs covered by Regulation (EEC) No 1619/93 and subject to Regulation (EEC) No 1766/92 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 November 1993.

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 196, 5. 8. 1993, p. 22.

⁽³⁾ OJ No L 155, 26. 6. 1993, p. 24.

⁽⁴⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽⁵⁾ OJ No L 52, 27. 2. 1992, p. 7.

⁽⁶⁾ OJ No L 263, 19. 9. 1991, p. 1.

⁽⁷⁾ OJ No L 109, 1. 5. 1993, p. 1.

⁽⁸⁾ OJ No L 129, 27. 5. 1993, p. 14.

⁽⁹⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽¹⁰⁾ OJ No L 108, 1. 5. 1993, p. 106.

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

Done at Brussels, 28 October 1993.

For the Commission
René STEICHEN
Member of the Commission

ANNEX

to the Commission Regulation of 28 October 1993 fixing the import levies on compound feedingstuffs

(ECU/tonne)

CN code	Levies (1)	
	ACP	Third countries (other than ACP)
2309 10 11	15,25	26,13 (2)
2309 10 13	601,00	611,88 (2)
2309 10 31	47,67	58,55 (2)
2309 10 33	633,42	644,30 (2)
2309 10 51	95,34	106,22 (2)
2309 10 53	681,09	691,97 (2)
2309 90 31	15,25	26,13
2309 90 33	601,00	611,88
2309 90 41	47,67	58,55
2309 90 43	633,42	644,30
2309 90 51	95,34	106,22
2309 90 53	681,09	691,97

(1) No import levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.

(2) The levy may be reduced in accordance with the Agreement between the Community and Sweden (OJ No L 109, 1. 5. 1993, p. 39) and Regulation (EEC) No 1267/93 (OJ No L 129, 27. 5. 1993, p. 14).

COMMISSION REGULATION (EC) No 3162/93
of 17 November 1993

on the issuing of standing invitations to tender for the sale of common wheat of breadmaking quality held by the French and German intervention agencies for export to certain ACP countries in the 1993/94 marketing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as amended by Commission Regulation (EEC) No 2193/93⁽²⁾, and in particular Article 5 thereof,

Whereas Commission Regulation (EEC) No 2131/93⁽³⁾ lays down the procedure and conditions for the sale of cereals held by intervention agencies;

Whereas, with a view to supplying the markets of the ACP countries, favoured partners of the Community, significant quantities of common wheat are required; whereas these markets are usually supplied on the basis of annual contracts to ensure stable prices for the ACP countries over a long period; whereas it is therefore necessary to issue a specific invitation to tender to ensure that users in these countries have access to common wheat of breadmaking quality in the 1993/94 marketing year under conditions appropriate to the highly competitive situation on the world market;

Whereas the French and German intervention agencies hold significant stocks of common wheat of high breadmaking quality; whereas part of the wheat coming from the intervention stocks held by the aforementioned agencies should therefore be resold to the ACP countries so as to meet their quantitative and qualitative needs; whereas to avoid encroaching on the economic effects of the following marketing year, the common wheat successfully tendered for must be sent to the countries of destination by 31 August 1994 at the latest;

Whereas the specific nature of the operation and the accounting position of the common wheat in question require greater flexibility in the mechanisms and obligations governing the resale of intervention stocks and also require the exclusion of any refund or monthly increase; whereas special procedures must be laid down to ensure that the operations and their monitoring are properly

effected; whereas to that end provision should be made for a security lodgment scheme which ensures that the aims are met while avoiding excessive costs for the operators; whereas derogations should accordingly be made to certain rules, in particular those laid down in Regulation (EEC) No 2131/93;

Whereas, where removal of the wheat is delayed by more than five days, or the release of one of the securities required is delayed, for reasons imputable to the intervention agency the Member State concerned will have to pay compensation;

Whereas the Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

1. Two standing invitations to tender are hereby issued for the 1993/94 marketing year for the export of:

- 500 000 tonnes of common wheat of breadmaking quality, held by the French intervention agency,
- 100 000 tonnes of common wheat of breadmaking quality, held by the German intervention agency.

2. The common wheat must be exported to an ACP State or to several States within one of the groups of ACP States listed in Annex I.

3. The regions in which the 500 000 tonnes of French and 100 000 tonnes of German common wheat of breadmaking quality are stored are listed in Annex II.

4. The intervention agencies concerned shall prepare a notice of invitation to tender indicating for each lot or, where appropriate, each part lot:

- the location,
- and at least the following features:
 - specific weight,
 - moisture content,
 - Hagberg falling number,
 - impurity contents and sprouted grains,
 - protein content.

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 196, 5. 8. 1993, p. 22.

⁽³⁾ OJ No L 191, 31. 7. 1993, p. 76.

5. They shall publish the notice of invitation to tender at least three days before the date set for the first partial invitation to tender.

Article 2

Subject to the provisions of this Regulation, the sales of common wheat of breadmaking quality referred to in Article 1 shall take place in accordance with the procedure and conditions laid down by Regulation (EEC) No 2131/93.

Article 3

1. The time limit for submitting tenders for the first partial invitations to tender shall be 1 p.m. (Brussels time) on Wednesday 24 November 1993.

2. The time limit for submitting tenders for the subsequent partial invitations to tender shall be 1 p.m. (Brussels time) each Wednesday.

The time limit for the last partial invitation to tender shall be 1 December 1993.

3. Tenders must be submitted to the intervention agency in question.

Article 4

1. Tenders shall only be admissible if:

— the tenderer provides written proof from an official body in the country of destination or a company having its overseas subsidiary in the said country, that he has concluded for the quantity in question a commercial supply contract for common wheat of breadmaking quality for export to an ACP State or to several States within one of the groups of ACP States listed in Annex I. Such proof shall be lodged with the intervention agency at least three working days before the date of the first invitation to tender,

— they are accompanied by an application for an export licence for the destination in question.

The proof provided for in the first indent shall also indicate the quality provided for in the contract, the time limit for delivery and the price terms.

The Member State shall send the Commission a copy of the said proof forthwith, for information.

2. Tenders may not exceed the quantity laid down in the commercial contract submitted. Where on the basis of the said contract the tenderer simultaneously participates in invitations to tender in the two Member States concerned, he shall be required to mention this in his bid.

When transmitting the tenders submitted, the Member States shall inform the Commission of the above,

mentioning if necessary the names of the tenderers involved.

Article 5

1. No export refund shall be granted for exports carried out pursuant to this Regulation.

2. The validity of the export licences issued in accordance with this Regulation shall expire on 30 June 1994.

3. The licence obliges the operator to export to the ACP State or States for which the licence application was submitted. However, up to a limit of 10 % of the quantity for which the licence was issued, the operator may effect his contract at another destination on condition that it belongs to the same group of countries listed in Annex I.

4. The export licences shall be issued as soon as the successful tenderers have been selected.

5. Article 9 of Commission Regulation (EEC) No 3719/88 (*) notwithstanding, the rights deriving from the licence referred to in this Article shall not be transferable.

Article 6

1. The successful tenderer shall notify the storer and the intervention agency in writing of his intention to remove the merchandise at least 10 days in advance.

2. Before the lot tendered for is removed, the intervention agency and the successful tenderer shall take a reference sample in accordance with the method laid down in Commission Regulation (EEC) No 689/92 (*).

Where the final results from analysis of this sample indicate a significant difference between the quality of the wheat to be removed and the quality as described in the notice of invitation to tender referred to in Article 1 of this Regulation, the successful tenderer can refuse the merchandise.

A significant difference shall be a discrepancy of more than a kilo for the specific weight, a percentage point for the moisture content, 10 points for the Hagberg falling index, a percentage point for the protein content, a percentage point for the impurities referred to under B2 and 4 and a percentage point for the impurities referred to under B5, without however modifying the percentages admissible for noxious grains and ergot, of the Annex to Regulation (EEC) No 689/92.

(*) OJ No L 331, 2. 12. 1988, p. 1.

(*) OJ No L 74, 20. 3. 1992, p. 18.

3. Where the successful tenderer refuses the merchandise, as provided for in the second sentence of paragraph 2 above, the intervention agency shall supply him with another lot of intervention common wheat of the requisite quality, without extra charge, within eight days at the most.

4. If removal of the wheat is delayed by more than five days with relation to the date of acceptance of the lot to be removed by the successful tenderer for reasons imputable to the intervention agency, the Member State shall be responsible for the payment of compensation.

5. All risks and storage costs shall be borne by the successful tenderer from the time of removal.

Article 7

The successful tenderer shall pay for the common wheat before removing it at the price indicated in the tender. The payment due for each of the lots to be removed shall be indivisible.

Article 8

1. The security lodged pursuant to Article 13 (4) of Regulation (EEC) No 2131/93 must be released once the export licences have been issued to the successful tenderers.

2. The obligation to export and import into one of the countries of destination listed in Annex I shall be covered by a security amounting to ECU 70 per tonne of which ECU 25 per tonne shall be lodged upon issue of the export licence, with the balance of ECU 45 being lodged before removal of the cereals.

Article 15 (2) of Commission Regulation (EEC) No 3002/92 (*) notwithstanding:

- the amount of ECU 45 per tonne must be released within 20 working days of the date on which the successful tenderer supplies proof that the wheat removed has left the customs territory of the Community,
- the amount of ECU 25 per tonne must be released within 15 working days of the date on which the successful tenderer supplies proof of entry for consumption into the ACP State or States referred to in Article 5 (3). This proof shall be supplied in ac-

cordance with Articles 18 and 47 of Commission Regulation (EEC) No 3665/87 (?).

3. Except in duly substantiated exceptional cases, in particular the opening of an administrative enquiry, any release of the securities provided for in this Article after the time limits specified in this same Article shall confer an entitlement to compensation from the Member State amounting to 0,015 ECU/10 t for each day's delay.

This compensation shall not be charged to the EAGGF.

Article 9

1. Article 12 of Regulation (EEC) No 3002/92 notwithstanding, the documents relating to the sale of common wheat in accordance with this Regulation and in particular the export licence, the removal order referred to in Article 3 (1) (b) of Regulation (EEC) No 3002/92, the export declaration and, where appropriate, the T5 control copy must bear the words:

- Trigo blando panificable de intervención sin derecho a restitución, destinado a (nombre del Estado o de los Estados ACP), Reglamento (CE) n° 3162/93,
- Bageegnet blød hvede fra intervention uden restitutionsydelse bestemt for (navnet på det eller de pågældende AVS-lande), forordning (EF) nr. 3162/93,
- Interventions-Brotweichweizen ohne Ausfuhrerstattung, Bestimmung (Name des AKP-Staates oder der AKP-Staaten) — Verordnung (EG) Nr. 3162/93,
- μαλακός αρτοποιήσιμος σίτος παρέμβασης που δεν παρέχει δικαίωμα επιστροφής, προοριζόμενος για (όνομα της χώρας ΑΚΕ ή των χωρών ΑΚΕ), κανονισμός (ΕΚ) αριθ. 3162/93,
- Intervention common wheat of breadmaking quality not eligible for refund, bound for (name of the ACP State or States), Regulation (EC) No 3162/93,
- Blé tendre d'intervention panifiable ne donnant pas droit à restitution, destiné à (nom de l'État ACP ou des États ACP), règlement (CE) n° 3162/93,
- Frumento tenero d'intervento panificabile non dante diritto a restituzione, destinato al (nome del paese o dei paesi ACP), regolamento (CE) n. 3162/93,
- Zachte broodtarwe uit interventie, zonder recht op restitutie, bestemd voor (naam van de ACS-Staat of de ACS-Staten), Verordening (EG) nr. 3162/93,
- Trigo brando panificável de intervenção que não dá direito a uma restituição, destinado a (nome do Estado ou dos Estados ACP), Regulamento (CE) n° 3162/93.

(*) OJ No L 301, 17. 10. 1992, p. 17.

(?) OJ No L 351, 14. 12. 1987, p. 1.

2. Placement of the common wheat tendered for and removed under one of the customs warehouse or free zone schemes must terminate by 31 August 1994 at the latest.

Article 10

1. The French and German intervention agencies shall inform the Commission of the tenders received within three hours of the expiry of the time limit for submitting tenders. The information must be sent in the form laid

down in Annex III to one of the telex or fax numbers listed in Annex IV.

2. They shall inform the Commission on a monthly basis of the quantities of common wheat removed pursuant to this Regulation.

Article 11

This Regulation shall enter into force on the day 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, 17 November 1993.

For the Commission
René STEICHEN
Member of the Commission

ANNEX I

Groups of ACP States signatories to the Lomé Convention

Group I	Group II	Group III
Mauritania Mali Niger Senegal Burkina Faso Gambia Guinea-Bissau Guinea Cape Verde Sierra Leone Liberia Ivory Coast Ghana Togo	Chad Central African Republic Benin Nigeria Cameroon Equatorial Guinea São Tomé and Príncipe Gabon Congo Zaire Rwanda Burundi	Seychelles Comoros Madagascar Mauritius

ANNEX II

Region of storage	Quantities <i>(tonnes)</i>
FRANCE :	
Châlons	10 000
Dijon	25 000
Nantes	70 000
Paris	25 000
Poitiers	40 000
Orléans	330 000
GERMANY :	
Schleswig-Holstein/Hamburg	
Niedersachsen/Bremen	57 679
Berlin/Brandenburg	
Mecklenburg-Vorpommern	20 922
Sachsen	
Sachsen-Anhalt	
Thüringen	21 393

ANNEX III

Standing invitation to tender for the export of 500 000 tonnes of common wheat of breadmaking quality held by the French intervention agency and 100 000 tonnes of common wheat of breadmaking quality held by the German intervention agency

[Regulation (EC) No 3162/93]

1	2	3	4	5	6	7
Registration number of the tenderer	Lot number	Quantity in tonnes	Offer price (ECU/tonne) (*)	Increases (+) Reductions (-) (ECU/tonne) p.m.	Commercial costs (ECU/tonne)	Destination
1						
2						
3						
etc.						

(*) This price includes the increases and reductions relating to the lot for which the tender is submitted.

ANNEX IV

The only telex and fax numbers in Brussels to be used are :

DG VI/C/1 (for the attention of Mr Thibault/Mr Brus) :

— telex : 22037 AGREC B,
22070 AGREC B (Greek characters),

— fax : 295 25 15
296 10 97
296 20 05.

COMMISSION REGULATION (EC) No 3396/93
of 10 December 1993

on the issuing of standing invitations to tender for the sale of common wheat of breadmaking quality held by the French and German intervention agencies for export to certain ACP countries in the 1993/94 marketing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as amended by Commission Regulation (EEC) No 2193/93⁽²⁾, and in particular Article 5 thereof,

Whereas Commission Regulation (EEC) No 2131/93⁽³⁾ lays down the procedure and conditions for the sale of cereals held by intervention agencies;

Whereas, with a view to supplying the markets of the ACP countries, favoured partners of the Community, significant quantities of common wheat are required; whereas these markets are usually supplied on the basis of annual contracts to ensure stable prices for the ACP countries over a long period; whereas it is therefore necessary to issue a specific invitation to tender to ensure that users in these countries have access to common wheat of breadmaking quality in the 1993/94 marketing year under conditions appropriate to the highly competitive situation on the world market;

Whereas the French and German intervention agencies hold significant stocks of common wheat of high breadmaking quality; whereas part of the wheat coming from the intervention stocks held by the aforementioned agencies should therefore be resold to the ACP countries so as to meet their quantitative and qualitative needs; whereas to avoid encroaching on the economic effects of the following marketing year, the common wheat successfully tendered for must be sent to the countries of destination by 31 August 1994 at the latest;

Whereas the specific nature of the operation and the accounting position of the common wheat in question require greater flexibility in the mechanisms and obligations governing the resale of intervention stocks and also require the exclusion of any refund or monthly increase; whereas special procedures must be laid down to ensure that the operations and their monitoring are properly

effected; whereas to that end provision should be made for a security lodgment scheme which ensures that the aims are met while avoiding excessive costs for the operators; whereas derogations should accordingly be made to certain rules, in particular those laid down in Regulation (EEC) No 2131/93;

Whereas, where removal of the wheat is delayed by more than five days, or the release of one of the securities required is delayed, for reasons imputable to the intervention agency the Member State concerned will have to pay compensation;

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

1. Two standing invitations to tender are hereby issued for the 1993/94 marketing year for the export of:
 - 100 000 tonnes of common wheat of breadmaking quality, held by the French intervention agency,
 - 50 000 tonnes of common wheat of breadmaking quality, held by the German intervention agency.
2. The common wheat must be exported to an ACP State or to several States within one of the groups of ACP States listed in Annex I.
3. The regions in which the 100 000 tonnes of French and 50 000 tonnes of German common wheat of breadmaking quality are stored are listed in Annex II.
4. The intervention agencies concerned shall prepare a notice of invitation to tender indicating for each lot or, where appropriate, each part lot:
 - the location,
 - and at least the following features:
 - specific weight,
 - moisture content,
 - Hagberg falling number,
 - impurity contents and sprouted grains,
 - protein content.

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 196, 5. 8. 1993, p. 22.

⁽³⁾ OJ No L 191, 31. 7. 1993, p. 76.

5. They shall publish the notice of invitation to tender at least two days before the date set for the first partial invitation to tender.

Article 2

Subject to the provisions of this Regulation, the sales of common wheat of breadmaking quality referred to in Article 1 shall take place in accordance with the procedure and conditions laid down by Regulation (EEC) No 2131/93.

Article 3

1. The time limit for submitting tenders for the first partial invitations to tender shall be 9 p.m. (Brussels time) on Thursday 16 December 1993.

2. The time limit for submitting tenders for the second partial invitation to tender shall be 9 p.m. (Brussels time) on the following Thursday.

The time limit for the last partial invitation to tender shall be 6 January 1994.

3. Tenders must be submitted to the intervention agency in question.

Article 4

1. Tenders shall only be admissible if:

— the tenderer provides written proof from an official body in the country of destination or a company having its overseas subsidiary in the said country, that he has concluded for the quantity in question a commercial supply contract for common wheat of breadmaking quality for export to an ACP State or to several States within one of the groups of ACP States listed in Annex I. Such proof shall be lodged with the intervention agency at least two working days before the date of the first invitation to tender,

— they are accompanied by an application for an export licence for the destination in question.

The proof provided for in the first indent shall also indicate the quality provided for in the contract, the time limit for delivery and the price terms.

The Member State shall send the Commission a copy of the said proof forthwith, for information.

2. Tenders may not exceed the quantity laid down in the commercial contract submitted. Where on the basis of the said contract the tenderer simultaneously participates in invitations to tender in the two Member States concerned, he shall be required to mention this in his bid.

When transmitting the tenders submitted, the Member States shall inform the Commission of the above,

mentioning if necessary the names of the tenderers involved.

Article 5

1. No export refund shall be granted for exports carried out pursuant to this Regulation.

2. The validity of the export licences issued in accordance with this Regulation shall expire on 30 June 1994.

3. The licence obliges the operator to export to the ACP State or States for which the licence application was submitted. However, up to a limit of 10 % of the quantity for which the licence was issued, the operator may effect his contract at another destination on condition that it belongs to the same group of countries listed in Annex I.

4. The export licences shall be issued as soon as the successful tenderers have been selected.

5. Article 9 of Commission Regulation (EEC) No 3719/88⁽¹⁾ notwithstanding, the rights deriving from the licence referred to in this Article shall not be transferable.

Article 6

1. The successful tenderer shall notify the storer and the intervention agency in writing of his intention to remove the merchandise at least 10 days in advance.

2. Before the lot tendered for is removed, the intervention agency and the successful tenderer shall take a reference sample in accordance with the method laid down in Commission Regulation (EEC) No 689/92⁽²⁾.

Where the final results from analysis of this sample indicate a significant difference between the quality of the wheat to be removed and the quality as described in the notice of invitation to tender referred to in Article 1 of this Regulation, the successful tenderer can refuse the merchandise.

A significant difference shall be a discrepancy of more than a kilo for the specific weight, a percentage point for the moisture content, 10 points for the Hagberg falling index, a percentage point for the protein content, a percentage point for the impurities referred to under B2 and 4 and a percentage point for the impurities referred to under B5, without however modifying the percentages admissible for noxious grains and ergot, of the Annex to Regulation (EEC) No 689/92.

⁽¹⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽²⁾ OJ No L 74, 20. 3. 1992, p. 18.

3. Where the successful tenderer refuses the merchandise, as provided for in the second sentence of paragraph 2 above, the intervention agency shall supply him with another lot of intervention common wheat of the requisite quality, without extra charge, within eight days at the most.

4. If removal of the wheat is delayed by more than five days with relation to the date of acceptance of the lot to be removed by the successful tenderer for reasons imputable to the intervention agency, the Member State shall be responsible for the payment of compensation.

5. All risks and storage costs shall be borne by the successful tenderer from the time of removal.

Article 7

The successful tenderer shall pay for the common wheat before removing it at the price indicated in the tender. The payment due for each of the lots to be removed shall be indivisible.

Article 8

1. The security lodged pursuant to Article 13 (4) of Regulation (EEC) No 2131/93 must be released once the export licences have been issued to the successful tenderers.

2. The obligation to export and import into one of the countries of destination listed in Annex I shall be covered by a security amounting to ECU 70 per tonne of which ECU 25 per tonne shall be lodged upon issue of the export licence, with the balance of ECU 45 being lodged before removal of the cereals.

Article 15 (2) of Commission Regulation (EEC) No 3002/92 (*) notwithstanding:

— the amount of ECU 45 per tonne must be released within 20 working days of the date on which the successful tenderer supplies proof that the wheat removed has left the customs territory of the Community,

— the amount of ECU 25 per tonne must be released within 15 working days of the date on which the successful tenderer supplies proof of entry for consumption into the ACP State or States referred to in Article 5 (3). This proof shall be supplied in ac-

cordance with Articles 18 and 47 of Commission Regulation (EEC) No 3665/87 (†).

3. Except in duly substantiated exceptional cases, in particular the opening of an administrative enquiry, any release of the securities provided for in this Article after the time limits specified in this same Article shall confer an entitlement to compensation from the Member State amounting to 0,015 ECU/10 tonne for each day's delay.

This compensation shall not be charged to the EAGGF.

Article 9

1. Article 12 of Regulation (EEC) No 3002/92 notwithstanding, the documents relating to the sale of common wheat in accordance with this Regulation and in particular the export licence, the removal order referred to in Article 3 (1) (b) of Regulation (EEC) No 3002/92, the export declaration and, where appropriate, the T5 control copy must bear the words:

— Trigo blando panificable de intervención sin derecho a restitución, destinado a (nombre del Estado o de los Estados ACP), Reglamento (CE) n.º 3396/93,

— Bageegnet blød hvede fra intervention uden restitutionsydelse bestemt for (navnet på det eller de pågældende AVS-lande), forordning (EF) nr. 3396/93,

— Interventions-Brotweichweizen ohne Ausfuhrerstattung, Bestimmung (Name des AKP-Staates oder der AKP-Staaten) — Verordnung (EG) Nr. 3396/93,

— μαλακός αρτοποιήσιμος σίτος παρέμβασης που δεν παρέχει δικαίωμα επιστροφής προοριζόμενος για (όνομα της χώρας ΑΚΕ ή των χωρών ΑΚΕ), κανονισμός (ΕΚ) αριθ. 3396/93,

— Intervention common wheat of breadmaking quality not eligible for refund, bound for (name of the ACP State or States), Regulation (EC) No 3396/93,

— Blé tendre d'intervention panifiable ne donnant pas droit à restitution, destiné à (nom de l'État ACP ou des États ACP), règlement (CE) n.º 3396/93,

— Frumento tenero d'intervento panificabile non dante diritto a restituzione, destinato al (nome del paese o dei paesi ACP), regolamento (CE) n. 3396/93,

— Zachte broodtarwe uit interventie, zonder recht op restitutie, bestemd voor (naam van de ACS-Staat of de ACS-Staten), Verordening (EG) nr. 3396/93,

— Trigo branco panificável de intervenção que não dá direito a uma restituição, destinado a (nome do Estado ou dos Estados ACP), Regulamento (CE) n.º 3396/93.

(*) OJ No L 301, 17. 10. 1992, p. 17.

(†) OJ No L 351, 14. 12. 1987, p. 1.

2. Placement of the common wheat tendered for and removed under one of the customs warehouse or free zone schemes must terminate by 31 August 1994 at the latest.

Article 10

1. The French and German intervention agencies shall inform the Commission of the tenders received within three hours of the expiry of the time limit for submitting tenders. The information must be sent in the form laid

down in Annex III to one of the telex or fax numbers listed in Annex IV.

2. They shall inform the Commission on a monthly basis of the quantities of common wheat removed pursuant to this Regulation.

Article 11

This Regulation shall enter into force on the day 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, 10 December 1993.

For the Commission
René STEICHEN
Member of the Commission

ANNEX I

Group of ACP States signatories to the Lomé Convention

Group I

Angola
Zambia
Malawi
Mozambique
Namibia
Botswana
Zimbabwe
Lesotho
Swaziland

ANNEX II

Region of storage	Quantities <i>(tonnes)</i>
FRANCE : Orléans	100 000
GERMANY : Schleswig-Holstein/Hamburg Niedersachsen/Bremen Berlin/Brandenburg Mecklenburg-Vorpommern Sachsen Sachsen-Anhalt Thüringen	21 331 23 934 4 638

ANNEX III

Standing invitation to tender for the export of 100 000 tonnes of common wheat of breadmaking quality held by the French intervention agency and 50 000 tonnes of common wheat of breadmaking quality held by the German intervention agency

[Regulation (EC) No 3396/93]

1	2	3	4	5	6	7
Registration number of the tenderer	Lot number	Quantity in tonnes	Offer price (ECU/tonne) (1)	Increases (+) Reductions (-) (ECU/tonne) p.m.	Commercial costs (ECU/tonne)	Destination
1 2 3 etc.						

(1) This price includes the increases and reductions relating to the lot for which the tender is submitted.

ANNEX IV

The only telex and fax numbers in Brussels to be used are :

DG VI/C/1 (for the attention of Mr Thibault/Mr Brus) :

— telex : 22037 AGREC B,
22070 AGREC B (Greek characters),

— fax : 295 25 15
296 10 97
296 20 05.

II — Community Acts relating to the application of the Lomé Convention

B — Trade

(d) Beef and veal

COMMISSION DECISION

of 18 December 1992

on import licences in respect of beef and veal products originating in Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia

(93/41/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 715/90 of 5 March 1990 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 (ACP States) or in the overseas countries and territories (OCT) (*), as last amended by Regulation (EEC) No 444/92 (**), and in particular Article 27 thereof,

Having regard to 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 (*), as last amended by Regulation (EEC) No 815/91 (**), and in particular Article 15 (6) (b) (i) thereof,

Whereas Regulation (EEC) No 715/90 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 December 1992, expressed in terms of boned meat, in accordance with Article 15 (1) (b) of Regulation (EEC) No 2377/80, do not exceed, in respect of products originating in Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia, the quantities available from these States; whereas it is therefore possible to issue import licences in respect of the quantities requested;

Whereas the remaining quantities, in respect of which licences may be applied for from 1 January 1993, should be fixed within the scope of the total quantity of 49 600 tonnes;

Whereas it seems expedient to recall that this Decision is without prejudice to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine, ovine and caprine animals and swine and fresh meat or meat-based products from third countries (*), as last amended by Council Regulation (EEC) No 1601/92 (**),

HAS ADOPTED THIS DECISION:

Article 1

The following Member States shall issue on 21 December 1992 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:

Germany:

- 260,00 tonnes originating in Botswana,
- 80,00 tonnes originating in Zimbabwe,
- 187,00 tonnes originating in Namibia;

United Kingdom:

- 30,00 tonnes originating in Botswana,
- 260,00 tonnes originating in Zimbabwe,
- 220,00 tonnes originating in Namibia.

(*) OJ No L 84, 30. 3. 1990, p. 85.

(**) OJ No L 52, 27. 2. 1992, p. 7.

(*) OJ No L 241, 13. 9. 1980, p. 5.

(**) OJ No L 83, 3. 4. 1991, p. 6.

(*) OJ No L 302, 31. 12. 1972, p. 28.

(**) OJ No L 173, 27. 6. 1992, p. 13.

Article 2

Applications for licences may be submitted, in accordance with Article 15 (6) (b) (ii) of Regulation (EEC) No 2377/80 during the first 10 days of January 1993 in respect of the following quantities of boned beef and veal :

— Botswana :	18 916,00 tonnes,
— Kenya :	142,00 tonnes,
— Madagascar :	7 579,00 tonnes,
— Swaziland :	3 363,00 tonnes,
— Zimbabwe :	9 100,00 tonnes,
— Namibia :	10 500,00 tonnes.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 18 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION DECISION

of 22 December 1992

amending Decision 92/25/EEC concerning the animal health conditions and veterinary certification of imports of fresh meat from Zimbabwe

(93/86/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Decision 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine, ovine and caprine animals and swine, fresh meat and meat products from third countries⁽¹⁾, as last amended by Regulation (EEC) No 1601/92⁽²⁾, and in particular Articles 14 and 15 thereof,

Whereas Commission Decision 92/25/EEC⁽³⁾, as last amended by Decision 92/503/EEC⁽⁴⁾, lays down the animal health conditions and veterinary certification of imports of fresh meat from Zimbabwe; whereas this Decision provides that Member States shall authorize imports of boned carcase meat of bovine animals from the regions of Mashonaland West, Mashonaland East, Makoni and Midlands Province in Zimbabwe;

Whereas the situation has improved in relation to foot-and-mouth disease and now it is possible to amend further the regionalization in Zimbabwe thereby allowing importation into the Community of fresh boned meat from Mashonaland Central;

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

In Article 1 (1) 'the veterinary regions of Mashonaland West, Mashonaland East, Makoni and Midlands Province, excluding the districts of Gokwe, Zvishavane and Mberengwa' are replaced by 'the veterinary regions of Mashonaland West, Mashonaland East, Mashonaland Central, Makoni and Midlands Province excluding the districts of Gokwe, Zvishavane and Mberengwa'.

Article 2

The Annex to Decision 92/25/EEC is replaced by the Annex to this Decision.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 22 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽²⁾ OJ No L 173, 27. 6. 1992, p. 13.

⁽³⁾ OJ No L 10, 16. 1. 1992, p. 52.

⁽⁴⁾ OJ No L 307, 23. 10. 1992, p. 55.

ANNEX

ANIMAL HEALTH CERTIFICATE

for boned fresh meat (*) of domestic animals of the bovine species, excluding offal, intended for consignment to the European Economic Community

Country of destination :

Reference number of the public health certificate (?) :

Exporting country : Zimbabwe (veterinary regions of Mashonaland West, Mashonaland East, Mashonaland Central, Makoni and Midlands Province, excluding the districts Gokwe, Zvishavane and Mberengwa)

Ministry :

Department :

Reference :

(Optional)

I. Identification of meat

Meat of :

Nature of cuts (?) :

Nature of packaging :

Number of cuts or packages :

Net weight :

II. Origin of meat

Address(es) and veterinary approval number(s) of the approved slaughterhouse(s) (?) :

.....

Address(es) and veterinary approval number(s) of the approved cutting plant(s) (?) :

.....

Address(es) and veterinary approval number(s) of the approved cold store(s) (?) :

.....

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 (?) :

Name and address of consignor :

.....

Name and address of consignee :

.....

(*) Fresh meat means all parts fit for human consumption from domestic bovine animals, excluding offal, which have not undergone any preserving process; however, chilled and frozen meat shall be considered as fresh meat.

(?) Optional when the country of destination authorizes the importation of fresh meat for uses other than human consumption in application of Article 19 (a) of Directive 72/462/EEC.

(*) Only boned fresh meat from bovine animals, from which all bones and the major accessible lymphatic glands have been removed is authorized for importation.

(*) For railway wagons or lorries the registration number should be given, for aircraft the flight number and for ships the name.

IV. Attestation of health

I, the undersigned, official veterinarian, certify that :

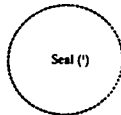
1. the boned fresh meat described above is obtained from :

- (a) animals which were born and reared in the Republic of Zimbabwe and have remained in the veterinary region of Mashonaland West, Mashonaland East, Mashonaland Central, Makoni and Midlands Province, excluding the districts Gokwe, Zvishavane and Mberengwa for at least 12 months preceding slaughter or since birth in the case of animals less than 12 months old ;
- (b) animals which bore, in accordance with the legal provisions, a mark indicating their region of origin that is for the veterinary region of Mashonaland West, northern part brand 'L' and for Mashonaland West, southern part, brand 'HL' for Mashonaland East brand 'H', for Mashonaland Central brand 'C' and Makoni brand 'UM', for Midlands Province, excluding the districts Gokwe, Zvishavane and Mberengwa the brand 'J' or 'JJ' ;
- (c) animals which have not been vaccinated against foot-and-mouth disease during the preceding 12 months ;
- (d) animals which on the way to the slaughterhouse and while awaiting slaughter therein have not come into contact with animals not satisfying the requirements laid down in the decisions of the European Economic Community currently in force 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 ;
- (e) animals which 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 symptoms of foot-and-mouth disease ;
- (f) animals which have been slaughtered on different days from those on which animals which do not comply with the conditions required for export of their meat to the European Economic Community were slaughtered ;
- (g) animals which were slaughtered between and (dates of slaughter) ;

2. the boned fresh meat described above :

- (a) originates from carcasses which have matured at a room temperature of more than + 2 °C for at least 24 hours after slaughter and before the bones were removed ;
- (b) has had the major lymphatic glands removed ;
- (c) has, during all stages of its production, boning, and storage been kept strictly separate from meat not conforming to the requirements laid down in the decisions of the European Economic Community currently in force 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).

Done at on
(Place) (Date)



.....
(Signature of official veterinarian)
(Name in capital letters, title and qualification of signatory)

(*) The colour of the seal/stamp must be different to the colour of the printed text.

COMMISSION DECISION

of 19 January 1993

on import licences in respect of beef and veal products originating in Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia

(93/124/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 715/90 of 5 March 1990 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 (ACP States) or in the overseas countries and territories (OCT) (1), as last amended by Regulation (EEC) No 444/92 (2), and in particular Article 27 thereof,

Having regard to 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 (3), as last amended by Regulation (EEC) No 3662/92 (4), and in particular Article 15 (6) (b) (i) thereof,

Whereas Regulation (EEC) No 715/90 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 January 1993, expressed in terms of boned meat, in accordance with Article 15 (1) (b) of Regulation (EEC) No 2377/80, do not exceed, in respect of products originating in Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia, the quantities available from these States; whereas it is therefore possible to issue import licences in respect of the quantities requested;

Whereas the remaining quantities, in respect of which licences may be applied for from 1 February 1993, should be fixed within the scope of the total quantity of 49 600 tonnes;

Whereas it seems expedient to recall that this Decision is without prejudice to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine, ovine and caprine

animals and swine and fresh meat or meat-based products from third countries (5), as last amended by Regulation (EEC) No 1601/92 (6),

HAS ADOPTED THIS DECISION:

Article 1

The following Member States shall issue on 21 January 1992 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:

United Kingdom:

- 40,00 tonnes originating in Botswana,
- 30,00 tonnes originating in Zimbabwe,
- 50,00 tonnes originating in Namibia.

Article 2

Applications for licences may be submitted, in accordance with Article 15 (6) (b) (ii) of Regulation (EEC) No 2377/80 during the first 10 days of February 1993 in respect of the following quantities of boned beef and veal:

- | | |
|---------------|-------------------|
| — Botswana: | 18 876,00 tonnes, |
| — Kenya: | 142,00 tonnes, |
| — Madagascar: | 7 579,00 tonnes, |
| — Swaziland: | 3 363,00 tonnes, |
| — Zimbabwe: | 9 070,00 tonnes, |
| — Namibia: | 10 450,00 tonnes. |

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 19 January 1993.

For the Commission

René STEICHEN

Member of the Commission

(1) OJ No L 84, 30. 3. 1990, p. 85.

(2) OJ No L 52, 27. 2. 1992, p. 7.

(3) OJ No L 241, 13. 9. 1980, p. 5.

(4) OJ No L 370, 19. 12. 1992, p. 43.

(5) OJ No L 302, 31. 12. 1972, p. 28.

(6) OJ No L 173, 27. 6. 1992, p. 13.

COMMISSION DECISION

of 19 February 1993

on import licences in respect of beef and veal products originating in Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia

(93/161/EBC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 715/90 of 5 March 1990 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 (ACP States) or in the overseas countries and territories (OCT) (1), as last amended by Regulation (EEC) No 444/92 (2), and in particular Article 27 thereof,

Having regard to 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 (3), as last amended by Regulation (EEC) No 3662/92 (4), and in particular Article 15 (6) (b) (i) thereof,

Whereas Regulation (EEC) No 715/90 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 February 1993, expressed in terms of boned meat, in accordance with Article 15 (1) (b) of Regulation (EEC) No 2377/80, do not exceed, in respect of products originating in Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia, the quantities available from these States; whereas it is therefore possible to issue import licences in respect of the quantities requested;

Whereas the remaining quantities, in respect of which licences may be applied for from 1 March 1993, should be fixed within the scope of the total quantity of 52 100 tonnes;

Whereas it seems expedient to recall that this Decision is without prejudice to Council Directive 72/462/EBC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine, ovine and caprine animals and swine and fresh meat or meat-based products

from third countries (5), as last amended by Regulation (EEC) No 1601/92 (6),

HAS ADOPTED THIS DECISION:

Article 1

The following Member States shall issue on 21 February 1992 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:

Federal Republic of Germany:

- 25,00 tonnes originating in Zimbabwe,
- 155,00 tonnes originating in Namibia;

Kingdom of the Netherlands:

- 71,00 tonnes originating in Madagascar;

United Kingdom:

- 68,00 tonnes originating in Botswana,
- 32,00 tonnes originating in Swaziland,
- 400,00 tonnes originating in Zimbabwe,
- 202,00 tonnes originating in Namibia.

Article 2

Applications for licences may be submitted, in accordance with Article 15 (6) (b) (ii) of Regulation (EEC) No 2377/80 during the first 10 days of March 1993 in respect of the following quantities of boned beef and veal:

— Botswana:	18 808,00 tonnes,
— Kenya:	142,00 tonnes,
— Madagascar:	7 508,00 tonnes,
— Swaziland:	3 331,00 tonnes,
— Zimbabwe:	8 645,00 tonnes,
— Namibia:	12 593,00 tonnes.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 19 February 1993.

For the Commission

René STEICHEN

Member of the Commission

(1) OJ No L 84, 30. 3. 1990, p. 85.

(2) OJ No L 52, 27. 2. 1992, p. 7.

(3) OJ No L 241, 13. 9. 1980, p. 5.

(4) OJ No L 370, 19. 12. 1992, p. 43.

(5) OJ No L 302, 31. 12. 1972, p. 28.

(6) OJ No L 173, 27. 6. 1992, p. 13.

COMMISSION REGULATION (EEC) No 690/93
of 25 March 1993

fixing the amounts by which import duties on beef and veal originating in the African, Caribbean and Pacific States (ACP) 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 715/90 of 5 March 1990 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 (ACP) or in the overseas countries and territories (OCT) ⁽¹⁾, as amended by Regulation (EEC) No 297/91 ⁽²⁾, and in particular Article 3 thereof,

Whereas Article 3 of Regulation (EEC) No 715/90 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 3 of Commission

Regulation (EEC) No 970/90 ⁽³⁾, as amended by Regulation (EEC) No 3808/92 ⁽⁴⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The amounts by which import duties on beef and veal are to be reduced pursuant to Article 3 of Regulation (EEC) No 715/90 shall, in respect of importations during the second quarter of 1993 be as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 April 1993.

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

Done at Brussels, 25 March 1993.

For the Commission

René STBICHEN

Member of the Commission

⁽¹⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽²⁾ OJ No L 36, 8. 2. 1991, p. 9.

⁽³⁾ OJ No L 99, 19. 4. 1990, p. 8.

⁽⁴⁾ See page 35 of this Official Journal.

ANEXO — BILAG — ANHANG — ΠΑΡΑΡΤΗΜΑ — ANNEX — ANNEXE — ALLEGATO — BIJLAGE — ANEXO

Código NC KN-kode KN-Code Κωδικός ΣΟ CN code Code NC Codice NC GN-code Código NC	Importe (en ecus/100 kg) Beløb (ECU/100 kg) Betrag (ECU/100 kg) Εισφορά (Ecu/100 kg) Amount (ECU/100 kg) Montant (en écus/100 kg) Importo (ECU/100 kg) Bedrag (ecu/100 kg) Montante (Em ECU/100 kg)
0102 90 05	120,937
0102 90 21	120,937
0102 90 29	120,937
0102 90 41	120,937
0102 90 49	120,937
0102 90 51	120,937
0102 90 59	120,937
0102 90 61	120,937
0102 90 69	120,937
0102 90 71	120,937
0102 90 79	120,937
0201 10 00	229,780
0201 20 20	229,780
0201 20 30	183,823
0201 20 50	275,736
0201 20 90	344,669
0201 30 00	394,254
0202 10 00	173,753
0202 20 10	173,753
0202 20 30	139,002
0202 20 50	217,192
0202 20 90	260,630
0202 30 10	217,192
0202 30 50	217,192
0202 30 90	298,855
0206 10 95	394,254
0206 29 91	298,855
0210 20 10	344,669
0210 20 90	394,254
0210 90 41	394,254
0210 90 90	394,254
1602 50 10	394,254
1602 90 61	394,254

NB: Los códigos NC, incluidas las notas a pie de página, se definen en el Reglamento (CEE) n° 2658/87 modificado.
NB: KN-koderne, herunder henvisninger til fodnoter, er fastsat i den ændrede forordning (EØF) nr. 2658/87.
NB: Die KN-Codes sowie die Verweisungen und Fußnoten sind durch die getänderte Verordnung (EWG) Nr. 2658/87 bestimmt.
NB: Οι κωδικοί της συνδρασμένης ονοματολογίας, συμπεριλαμβανομένων των υποσημειώσεων, καθορίζονται στον τροποποιημένο κανονισμό (ΕΟΚ) αριθ. 2658/87.
NB: The CN codes and the footnotes are defined in amended Regulation (EEC) No 2658/87.
NB: Les codes NC ainsi que les renvois en bas de page sont définis au règlement (CEE) n° 2658/87 modifié.
NB: I codici NC e i relativi richiami in calce sono definiti dal regolamento (CEE) n. 2658/87 modificado.
NB: GN-codes en voetnoten: zie de gewijzigde Verordening (EEG) nr. 2658/87.
NB: Os códigos NC, incluindo as remissões em pé-de-página são definidos no Regulamento (CEE) n° 2658/87 alterado.

COMMISSION DECISION

of 18 March 1993

on import licences in respect of beef and veal products originating in Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia

(93/203/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 715/90 of 5 March 1990 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the ACP States or in the overseas countries and territories (OCT) (1), as last amended by Regulation (EEC) No 444/92 (2), and in particular Article 27 thereof,

Having regard to 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 (3), as last amended by Regulation (EEC) No 3662/92 (4), and in particular Article 15 (6) (b) (i) thereof,

Whereas Regulation (EEC) No 715/90 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 March 1993, expressed in terms of boned meat, in accordance with Article 15 (1) (b) of Regulation (EEC) No 2377/80, do not exceed, in respect of products originating in Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia, the quantities available from these States; whereas it is therefore possible to issue import licences in respect of the quantities requested;

Whereas the remaining quantities, in respect of which licences may be applied for from 1 April 1993, should be fixed within the scope of the total quantity of 52 100 tonnes;

Whereas it seems expedient to recall that this Decision is without prejudice to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine, ovine and caprine animals and swine and fresh meat or meat-based products

from third countries (5), as last amended by Regulation (EEC) No 1601/92 (6),

HAS ADOPTED THIS DECISION:

Article 1

The following Member States shall issue on 21 March 1993 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:

Federal Republic of Germany:

- 330,00 tonnes originating in Botswana,
- 240,00 tonnes originating in Zimbabwe,
- 30,00 tonnes originating in Namibia;

Hellenic Republic:

- 30,00 tonnes originating in Madagascar;

French Republic:

- 15,00 tonnes originating in Madagascar;

Kingdom of the Netherlands:

- 100,00 tonnes originating in Botswana,
- 15,00 tonnes originating in Madagascar;

United Kingdom:

- 510,00 tonnes originating in Botswana,
- 131,00 tonnes originating in Swaziland,
- 475,00 tonnes originating in Zimbabwe,
- 195,00 tonnes originating in Namibia.

Article 2

Applications for licences may be submitted, in accordance with Article 15 (6) (b) (ii) of Regulation (EEC) No 2377/80 during the first 10 days of April 1993 in respect of the following quantities of boned beef and veal:

— Botswana:	17 868,00 tonnes,
— Kenya:	142,00 tonnes,
— Madagascar:	7 448,00 tonnes,
— Swaziland:	3 200,00 tonnes,
— Zimbabwe:	7 930,00 tonnes,
— Namibia:	12 368,00 tonnes.

(1) OJ No L 84, 30. 3. 1990, p. 85.

(2) OJ No L 52, 27. 2. 1992, p. 7.

(3) OJ No L 241, 13. 9. 1980, p. 5.

(4) OJ No L 370, 19. 12. 1992, p. 43.

(5) OJ No L 302, 31. 12. 1972, p. 28.

(6) OJ No L 173, 27. 6. 1992, p. 13.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 18 March 1993.

For the Commission
René STEICHEN
Member of the Commission

COMMISSION DECISION

of 19 April 1993

on import licences in respect of beef and veal products originating in Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia

(93/250/BEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 715/90 of 5 March 1990 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the ACP States or in the overseas countries and territories (OCT) (1), as last amended by Regulation (EEC) No 444/92 (2), and in particular Article 27 thereof,

Having regard to 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 (3), as last amended by Regulation (EEC) No 3662/92 (4), and in particular Article 15 (6) (b) (i) thereof,

Whereas Regulation (EEC) No 715/90 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 April 1993, expressed in terms of boned meat, in accordance with Article 15 (1) (b) of Regulation (EEC) No 2377/80, do not exceed, in respect of products originating in Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia, the quantities available from these States; whereas it is therefore possible to issue import licences in respect of the quantities requested;

Whereas the remaining quantities, in respect of which licences may be applied for from 1 May 1993, should be fixed within the scope of the total quantity of 52 100 tonnes;

Whereas it seems expedient to recall that this Decision is without prejudice to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine, ovine and caprine

animals and swine and fresh meat or meat-based products from third countries (5), as last amended by Regulation (EEC) No 1601/92 (6),

HAS ADOPTED THIS DECISION:

Article 1

The following Member States shall issue on 21 April 1993 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:

Federal Republic of Germany:

- 455,00 tonnes originating in Botswana,
- 60,00 tonnes originating in Madagascar
- 545,00 tonnes originating in Zimbabwe,
- 460,00 tonnes originating in Namibia;

Italian Republic:

- 42,50 tonnes originating in Madagascar;

Kingdom of the Netherlands:

- 370,00 tonnes originating in Botswana,
- 120,80 tonnes originating in Madagascar,
- 17,10 tonnes originating in Zimbabwe;

United Kingdom:

- 490,00 tonnes originating in Botswana,
- 35,00 tonnes originating in Swaziland,
- 1 120,00 tonnes originating in Zimbabwe,
- 525,00 tonnes originating in Namibia.

Article 2

Applications for licences may be submitted, in accordance with Article 15 (6) (b) (ii) of Regulation (EEC) No 2377/80 during the first 10 days of April 1993 in respect of the following quantities of boned beef and veal:

— Botswana:	16 553,00 tonnes,
— Kenya:	142,00 tonnes,
— Madagascar:	7 224,70 tonnes,
— Swaziland:	3 165,00 tonnes,
— Zimbabwe:	6 247,90 tonnes,
— Namibia:	11 383,00 tonnes.

(1) OJ No L 84, 30. 3. 1990, p. 85.

(2) OJ No L 52, 27. 2. 1992, p. 7.

(3) OJ No L 241, 13. 9. 1980, p. 5.

(4) OJ No L 370, 19. 12. 1992, p. 43.

(5) OJ No L 302, 31. 12. 1972, p. 28.

(6) OJ No L 173, 27. 6. 1992, p. 13.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 19 April 1993.

For the Commission
René STEICHEN
Member of the Commission

COMMISSION DECISION

of 18 May 1993

on import licences in respect of beef and veal products originating in Botswana,
Kenya, Madagascar, Swaziland, Zimbabwe and Namibia

(93/339/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 715/90 of
5 March 1990 on the arrangements applicable to agricul-
tural 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⁾, as last amended by Regulation
(EEC) No 444/92⁽²⁾, and in particular Article 27 thereof,

Having regard to 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⁽³⁾, as last amended by
Regulation (EEC) No 3662/92⁽⁴⁾, and in particular
Article 15 (6) (b) (i) thereof,

Whereas Regulation (EEC) No 715/90 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 May 1993, expressed in terms of boned
meat, in accordance with Article 15 (1) (b) of Regulation
(EEC) No 2377/80, do not exceed, in respect of products
originating in Botswana, Kenya, Madagascar, Swaziland,
Zimbabwe and Namibia, the quantities available from
these States; whereas it is therefore possible to issue
import licences in respect of the quantities requested;

Whereas the remaining quantities, in respect of which
licences may be applied for from 1 June 1993, should be
fixed within the scope of the total quantity of 52 100
tonnes;

Whereas it seems expedient to recall that this Decision is
without prejudice to Council Directive 72/462/EEC of
12 December 1972 on health and veterinary inspection

(1) OJ No L 84, 30. 3. 1990, p. 85.

(2) OJ No L 52, 27. 2. 1992, p. 7.

(3) OJ No L 241, 13. 9. 1980, p. 5.

(4) OJ No L 370, 19. 12. 1992, p. 43.

problems upon importation of bovine animals and swine
and fresh meat from third countries⁽⁵⁾, as last amended by
Council Regulation (EEC) No 1601/92⁽⁶⁾,

HAS ADOPTED THIS DECISION:

Article 1

The following Member States shall issue on 21 May 1993
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:

Federal Republic of Germany:

- 1 065,00 tonnes originating in Botswana,
- 30,00 tonnes originating in Madagascar,
- 191,00 tonnes originating in Zimbabwe,
- 340,00 tonnes originating in Namibia;

Kingdom of the Netherlands:

- 300,00 tonnes originating in Botswana,
- 53,00 tonnes originating in Madagascar,
- 10,00 tonnes originating in Namibia;

United Kingdom:

- 1 045,00 tonnes originating in Botswana,
- 100,00 tonnes originating in Swaziland,
- 790,00 tonnes originating in Zimbabwe,
- 350,00 tonnes originating in Namibia.

Article 2

Applications for licences may be submitted, in accordance
with Article 15 (6) (b) (ii) of Regulation (EEC) No 2377/80
during the first 10 days of June 1993 in respect of the
following quantities of boned beef and veal:

- Botswana : 14 143,00 tonnes,
- Kenya : 142,00 tonnes,
- Madagascar : 7 141,70 tonnes,
- Swaziland : 3 065,00 tonnes,
- Zimbabwe : 5 266,90 tonnes,
- Namibia : 10 683,00 tonnes.

(5) OJ No L 302, 31. 12. 1972, p. 28.

(6) OJ No L 173, 27. 6. 1992, p. 13.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 18 May 1993.

For the Commission
René STEICHEN
Member of the Commission

COMMISSION REGULATION (EEC) No 1650/93
of 28 June 1993

fixing the amounts by which import duties on beef and veal originating in the
African, Caribbean and Pacific States (ACP) 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 715/90 of
5 March 1990 on the arrangements applicable to agricul-
tural products and certain goods resulting from the
processing of agricultural products originating in the
African, Caribbean and Pacific States (ACP) or in the
overseas countries and territories (OCT) (1), as amended by
Regulation (EEC) No 297/91 (2), and in particular Article
3 thereof,

Whereas Article 3 of Regulation (EEC) No 715/90
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 3 of Commission

Regulation (EEC) No 970/90 (3), as last amended by Regu-
lation (EEC) No 3808/92 (4),

HAS ADOPTED THIS REGULATION :

Article 1

The amounts by which import duties on beef and veal are
to be reduced pursuant to Article 3 of Regulation (EEC)
No 715/90 shall, in respect of importations during the
third quarter of 1993 be as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 July 1993:

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

Done at Brussels, 28 June 1993.

For the Commission

René STEICHEN

Member of the Commission

(1) OJ No L 84, 30. 3. 1990, p. 85.
(2) OJ No L 36, 8. 2. 1991, p. 9.

(3) OJ No L 99, 19. 4. 1990, p. 8.
(4) OJ No L 384, 30. 12. 1992, p. 33.

ANEXO — BILAG — ANHANG — ΠΑΡΑΡΤΗΜΑ — ANNEX — ANNEXE — ALLEGATO — BIJLAGE — ANEXO

Código NC KN-kode KN-Code Κωδικός ΣΟ CN code Code NC Codice NC GN-code Código NC	Importe (en ecu/100 kg) Beløb (ECU/100 kg) Betrag (ECU/100 kg) Εισφορά (Ecu/100 kg) Amount (ECU/100 kg) Montant (en écus/100 kg) Importo (ECU/100 kg) Betrag (ecu/100 kg) Montante (Eim ECU/100 kg)
0102 90 05	118,290
0102 90 21	118,290
0102 90 29	118,290
0102 90 41	118,290
0102 90 49	118,290
0102 90 51	118,290
0102 90 59	118,290
0102 90 61	118,290
0102 90 69	118,290
0102 90 71	118,290
0102 90 79	118,290
0201 10 00	224,751
0201 20 20	224,751
0201 20 30	179,800
0201 20 50	269,700
0201 20 90	337,125
0201 30 00	385,624
0202 10 00	156,968
0202 20 10	156,968
0202 20 30	125,574
0202 20 50	196,210
0202 20 90	235,452
0202 30 10	196,210
0202 30 50	196,210
0202 30 90	269,985
0206 10 95	385,624
0206 29 91	269,985
0210 20 10	337,125
0210 20 90	385,624
0210 90 41	385,624
0210 90 90	385,624
1602 50 10	385,624
1602 90 61	385,624

NB: Los códigos NC, incluidas las notas a pie de página, se definen en el Reglamento (CEE) n° 2658/87 modificado.

NB: KN-koderne, herunder henvisninger til fodnoter, er fastsat i den ændrede forordning (EØF) nr. 2658/87.

NB: Die KN-Codes sowie die Verweisungen und Fußnoten sind durch die geänderte Verordnung (EWG) Nr. 2658/87 bestimmt.

NB: Οι κωδικοί της συνδυασμένης ονοματολογίας, συμπεριλαμβανομένων των υποσημειώσεων, καθορίζονται στον τροποποιημένο κανονισμό (ΕΟΚ) αριθ. 2658/87.

NB: The CN codes and the footnotes are defined in amended Regulation (EEC) No 2658/87.

NB: Les codes NC ainsi que les renvois en bas de page sont définis au règlement (CEE) n° 2658/87 modifié.

NB: I codici NC e i relativi richiami in calce sono definiti dal regolamento (CEE) n. 2658/87 modificato.

NB: GN-codes en voetnoten: zie de gewijzigde Verordening (EEG) nr. 2658/87.

NB: Os códigos NC, incluindo as remissões em pé-de-página são definidos no Regulamento (CEE) n° 2658/87 alterado.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 17 June 1993

on import licences in respect of beef and veal products originating in Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia

(93/390/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 715/90 of 5 March 1990 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⁾, as last amended by Regulation (EEC) No 444/91⁽²⁾, and in particular Article 27 thereof,

Having regard to 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⁽³⁾, as last amended by Regulation (EEC) No 3662/92⁽⁴⁾, and in particular Article 15 (6) (b) (i) thereof,

Whereas Regulation (EEC) No 715/90 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 1993, expressed in terms of boned

meat, in accordance with Article 15 (1) (b) of Regulation (EEC) No 2377/80, do not exceed, in respect of products originating in Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia, the quantities available from these States; whereas it is therefore possible to issue import licences in respect of the quantities requested;

Whereas the remaining quantities, in respect of which licences may be applied for from 1 July 1993, should be fixed within the scope of the total quantity of 52 100 tonnes;

Whereas it seems expedient to recall that this Decision is without prejudice 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⁽⁵⁾, as last amended by Council Regulation (EEC) No 1601/92⁽⁶⁾,

HAS ADOPTED THIS DECISION:

Article 1

The following Member States shall issue on 21 June 1993 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⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽²⁾ OJ No L 52, 27. 2. 1992, p. 7.

⁽³⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁴⁾ OJ No L 370, 19. 12. 1992, p. 43.

⁽⁵⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽⁶⁾ OJ No L 173, 27. 6. 1992, p. 13.

Federal Republic of Germany:

- 840,00 tonnes originating in Botswana,
- 30,00 tonnes originating in Madagascar,
- 395,00 tonnes originating in Zimbabwe,
- 340,00 tonnes originating in Namibia;

Hellenic Republic:

- 45,00 tonnes originating in Madagascar;

Italian Republic:

- 70,00 tonnes originating in Madagascar;

Kingdom of the Netherlands:

- 602,00 tonnes originating in Botswana,
- 135,00 tonnes originating in Madagascar;

United Kingdom:

- 1 710,00 tonnes originating in Botswana,
- 127,00 tonnes originating in Swaziland,
- 710,00 tonnes originating in Zimbabwe,
- 530,00 tonnes originating in Namibia.

Article 2

Applications for licences may be submitted, in accordance with Article 15 (6) (b) (ii) of Regulation (EEC) No 2377/80 during the first 10 days of July 1993 in respect of the following quantities of boned beef and veal:

— Botswana :	10 991,00 tonnes,
— Kenya :	142,00 tonnes,
— Madagascar :	6 861,70 tonnes,
— Swaziland :	2 938,00 tonnes,
— Zimbabwe :	4 161,90 tonnes,
— Namibia :	9 813,00 tonnes.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 17 June 1993.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION DECISION

of 19 July 1993

on import licences in respect of beef and veal products originating in Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia

(93/450/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 715/90 of 5 March 1990 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⁾, as last amended by Regulation (EEC) No 444/92⁽²⁾, and in particular Article 27 thereof,

Having regard to 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⁽³⁾, as last amended by Regulation (EEC) No 3662/92⁽⁴⁾, and in particular Article 15 (6) (b) (i) thereof,

Whereas Regulation (EEC) No 715/90 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 1993, expressed in terms of boned meat, in accordance with Article 15 (1) (b) of Regulation (EEC) No 2377/80, do not exceed, in respect of products originating in Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia, the quantities available from these States; whereas it is therefore possible to issue import licences in respect of the quantities requested;

Whereas the remaining quantities, in respect of which licences may be applied for from 1 August 1993, should be fixed within the scope of the total quantity of 52 100 tonnes;

Whereas it seems expedient to recall that this Decision is without prejudice 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⁽⁵⁾, as last amended by Council Regulation (EEC) No 1601/92⁽⁶⁾,

HAS ADOPTED THIS DECISION:

Article 1

The following Member States shall issue on 21 July 1993 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:

Federal Republic of Germany:

- 570,00 tonnes originating in Botswana,
- 15,00 tonnes originating in Madagascar,
- 1 470,00 tonnes originating in Zimbabwe,
- 685,00 tonnes originating in Namibia;

French Republic:

- 45,00 tonnes originating in Madagascar;

Kingdom of the Netherlands:

- 300,00 tonnes originating in Botswana,
- 100,00 tonnes originating in Madagascar,
- 360,00 tonnes originating in Zimbabwe,
- 125,00 tonnes originating in Namibia;

United Kingdom:

- 1 230,00 tonnes originating in Botswana,
- 70,00 tonnes originating in Swaziland,
- 1 150,00 tonnes originating in Zimbabwe,
- 418,00 tonnes originating in Namibia.

Article 2

Applications for licences may be submitted, in accordance with Article 15 (6) (b) (ii) of Regulation (EEC) No 2377/80 during the first 10 days of August 1993 in respect of the following quantities of boned beef and veal:

- | | |
|---------------|------------------|
| — Botswana: | 8 891,00 tonnes, |
| — Kenya: | 142,00 tonnes, |
| — Madagascar: | 6 701,70 tonnes, |
| — Swaziland: | 2 868,00 tonnes, |
| — Zimbabwe: | 1 818,90 tonnes, |
| — Namibia: | 8 584,50 tonnes. |

⁽¹⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽²⁾ OJ No L 52, 27. 2. 1992, p. 7.

⁽³⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁴⁾ OJ No L 370, 19. 12. 1992, p. 43.

⁽⁵⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽⁶⁾ OJ No L 173, 27. 6. 1992, p. 13.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 19 July 1993.

For the Commission
René STEICHEN
Member of the Commission

COMMISSION DECISION

of 19 August 1993

amending Decision 93/450/EEC on import licences in respect of beef and veal products originating in Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia

(93/482/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 715/90 of 5 March 1990 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 (ACP) or in the overseas countries and territories (OCT) ⁽¹⁾, as last amended by Regulation (EEC) No 444/92 ⁽²⁾, and in particular Article 27 thereof,

Having regard to 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 ⁽³⁾, as last amended by Regulation (EEC) No 3662/92 ⁽⁴⁾, and in particular Article 15 (6) (b) (i) thereof,

Whereas Regulation (EEC) No 715/90 provides for the possibility of import licences being issued for beef and veal products; whereas, however, imports must not exceed the quantities laid down for each of those exporting third countries;

Whereas quantities expressed in terms of boned meat in accordance with Article 15 (1) (b) of Regulation (EEC) No 2377/80 covered by licence applications submitted between 1 and 10 July 1993 do not exceed the quantities available for products originating in Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia; whereas import licences for the quantities applied for may accordingly be issued;

Whereas, as a result of an administrative error, certain quantities applied for under these arrangements are wrongly transcribed; whereas Commission Decision 93/450/EEC ⁽⁵⁾ should be amended to take account of these quantities,

HAS ADOPTED THIS DECISION:

Article 1

Decision 90/450/EEC is amended as follows:

1. In Article 1, for the Federal Republic of Germany:
 - the quantity of '570,00 tonnes originating in Botswana' is replaced by '1 220,00 tonnes',
 - the quantity of '1 470,00 tonnes originating in Zimbabwe' is replaced by '820,00 tonnes'.
2. In Article 2 the quantity for Botswana is replaced by '8 241,00 tonnes' and the quantity for Zimbabwe is replaced by '1 831,90 tonnes'.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 19 August 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽²⁾ OJ No L 52, 27. 2. 1992, p. 7.

⁽³⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁴⁾ OJ No L 370, 19. 12. 1992, p. 43.

⁽⁵⁾ OJ No L 209, 20. 8. 1993, p. 37.

COMMISSION DECISION

of 19 August 1993

on import licences in respect of beef and veal products originating in Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia

(93/483/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty establishing the European Economic Community,

Article 1

Having regard to Council Regulation (EEC) No 715/90 of 5 March 1990 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⁾, as last amended by Regulation (EEC) No 444/92⁽²⁾, and in particular Article 27 thereof,

The following Member States shall issue on 21 August 1993 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:

Federal Republic of Germany:

- 350,00 tonnes originating in Botswana,
- 45,00 tonnes originating in Madagascar,
- 750,00 tonnes originating in Namibia;

Hellenic Republic:

- 47,00 tonnes originating in Madagascar;

Italian Republic:

- 37,00 tonnes originating in Madagascar;

Kingdom of the Netherlands:

- 200,00 tonnes originating in Botswana,
- 145,000 tonnes originating in Madagascar,
- 90,00 tonnes originating in Namibia;

United Kingdom:

- 1 150,00 tonnes originating in Botswana,
- 16,00 tonnes originating in Madagascar,
- 500,00 tonnes originating in Zimbabwe,
- 800,00 tonnes originating in Namibia.

Article 2

Whereas Regulation (EEC) No 715/90 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;

Applications for licences may be submitted, in accordance with Article 15 (6) (b) (ii) of Regulation (EEC) No 2377/80 during the first 10 days of September 1993 in respect of the following quantities of boned beef and veal:

Whereas the applications for import licences submitted between 1 and 10 August 1993, expressed in terms of boned meat, in accordance with Article 15 (1) (b) of Regulation (EEC) No 2377/80, do not exceed, in respect of products originating in Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia, the quantities available from these States; whereas it is therefore possible to issue import licences in respect of the quantities requested;

Whereas the remaining quantities, in respect of which licences may be applied for from 1 September 1993, should be fixed within the scope of the total quantity of 52 100 tonnes;

Whereas it seems expedient to recall that this Decision is without prejudice 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⁽³⁾, as last amended by Council Regulation (EEC) No 1601/92⁽⁴⁾,

- Botswana : 6 541,00 tonnes,
- Kenya : 142,00 tonnes,
- Madagascar : 6 411,70 tonnes,
- Swaziland : 2 868,00 tonnes,
- Zimbabwe : 1 331,90 tonnes,
- Namibia : 6 944,50 tonnes.

⁽¹⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽²⁾ OJ No L 52, 27. 2. 1992, p. 7.

⁽³⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁴⁾ OJ No L 370, 19. 12. 1992, p. 43.

⁽⁵⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽⁶⁾ OJ No L 173, 27. 6. 1992, p. 13.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 19 August 1993.

For the Commission
René STEICHEN
Member of the Commission

COMMISSION REGULATION (EEC) No 2640/93

of 27 September 1993

fixing the amounts by which import duties on beef and veal originating in the African, Caribbean and Pacific States (ACP) 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 715/90 of 5 March 1990 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 (ACP) or in the overseas countries and territories (OCT) ⁽¹⁾, as amended by Regulation (EEC) No 297/91 ⁽²⁾, and in particular Article 3 thereof,

Whereas Article 3 of Regulation (EEC) No 715/90 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 3 of Commission

Regulation (EEC) No 970/90 ⁽³⁾, as last amended by Regulation (EEC) No 3808/92 ⁽⁴⁾,

HAS ADOPTED THIS REGULATION :

Article 1

The amounts by which import duties on beef and veal are to be reduced pursuant to Article 3 of Regulation (EEC) No 715/90 shall, in respect of importations during the fourth quarter of 1993 be as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 October 1993.

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

Done at Brussels, 27 September 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽²⁾ OJ No L 36, 8. 2. 1991, p. 9.

⁽³⁾ OJ No L 99, 19. 4. 1990, p. 8.

⁽⁴⁾ OJ No L 384, 30. 12. 1992, p. 33.

ANEXO — BILAG — ANHANG — ΠΑΡΑΡΤΗΜΑ — ANNEX — ANNEXE — ALLEGATO — BIJLAGE — ANEXO

Código NC KN-kode KN-Code Κωδικός ΣΟ CN code Code NC Codice NC GN-code Código NC	Importe (en ecu/100 kg) Beløb (ECU/100 kg) Betrag (ECU/100 kg) Εισφορά (Ecu/100 kg) Amount (ECU/100 kg) Montant (en écu/100 kg) Importo (ECU/100 kg) Bedrag (ecu/100 kg) Montante (Em ECU/100 kg)
0102 90 05	118,290
0102 90 21	118,290
0102 90 29	118,290
0102 90 41	118,290
0102 90 49	118,290
0102 90 51	118,290
0102 90 59	118,290
0102 90 61	118,290
0102 90 69	118,290
0102 90 71	118,290
0102 90 79	118,290
0201 10 00	224,751
0201 20 20	224,751
0201 20 30	179,800
0201 20 50	269,700
0201 20 90	337,125
0201 30 00	385,624
0202 10 00	149,581
0202 20 10	149,581
0202 20 30	119,664
0202 20 50	186,976
0202 20 90	224,371
0202 30 10	186,976
0202 30 50	186,976
0202 30 90	257,279
0206 10 95	385,624
0206 29 91	257,279
0210 20 10	337,125
0210 20 90	385,624
0210 90 41	385,624
0210 90 90	385,624
1602 50 10	385,624
1602 90 61	385,624

NB: Los códigos NC, incluidas las notas a pie de página, se definen en el Reglamento (CEE) n° 2658/87 modificado.

NB: KN-kodeme, herunder henvisninger til fodnoter, er fastsat i den ændrede forordning (EØF) nr. 2658/87.

NB: Die KN-Codes sowie die Verweisungen und Fußnoten sind durch die geänderte Verordnung (EWG) Nr. 2658/87 bestimmt.

NB: Οι κωδικοί της συνδυασμένης ονοματολογίας, συμπεριλαμβανομένων των υποσημασιών, καθορίζονται στον τροποποιημένο κανονισμό (ΕΟΚ) αριθ. 2658/87.

NB: The CN codes and the footnotes are defined in amended Regulation (EEC) No 2658/87.

NB: Les codes NC ainsi que les renvois en bas de page sont définis au règlement (CEE) n° 2658/87 modifié.

NB: I codici NC e i relativi richiami in calce sono definiti dal regolamento (CEE) n. 2658/87 modificato.

NB: GN-codes en voetnoten: zie de gewijzigde Verordening (EEG) nr. 2658/87.

NB: Os códigos NC, incluindo as remissões em pé-de-página são definidos no Regulamento (CEE) n° 2658/87 alterado.

COMMISSION DECISION

of 20 September 1993

on import licences in respect of beef and veal products originating in Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia

(93/518/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 715/90 of 5 March 1990 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), as last amended by Regulation (EEC) No 444/92 (²), and in particular Article 27 thereof,

Having regard to 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 (³), as last amended by Regulation (EEC) No 3662/92 (⁴), and in particular Article 15 (6) (b) (i) thereof,

Whereas Regulation (EEC) No 715/90 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 1993, expressed in terms of boned meat, in accordance with Article 15 (1) (b) of Regulation (EEC) No 2377/80, do not exceed, in respect of products originating in Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia, the quantities available from these States; whereas it is therefore possible to issue import licences in respect of the quantities requested;

Whereas the remaining quantities, in respect of which licences may be applied for from 1 October 1993, should be fixed within the scope of the total quantity of 52 100 tonnes;

Whereas it seems expedient to recall that this Decision is without prejudice to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine animals and swine

(¹) OJ No L 84, 30. 3. 1990, p. 85.
(²) OJ No L 52, 27. 2. 1992, p. 7.
(³) OJ No L 241, 13. 9. 1980, p. 5.
(⁴) OJ No L 370, 19. 12. 1992, p. 43.

and fresh meat from third countries (⁵), as last amended by Council Regulation (EEC) No 1601/92 (⁶).

HAS ADOPTED THIS DECISION:

Article 1

The following Member States shall issue on 21 September 1993 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:

Federal Republic of Germany:

- 330,00 tonnes originating in Botswana,
- 60,00 tonnes originating in Madagascar,
- 295,00 tonnes originating in Zimbabwe,
- 160,00 tonnes originating in Namibia;

Spain:

- 1,00 tonne originating in Madagascar;

Kingdom of the Netherlands:

- 160,00 tonnes originating in Botswana,
- 150,00 tonnes originating in Madagascar,
- 380,00 tonnes originating in Namibia;

United Kingdom:

- 450,00 tonnes originating in Botswana,
- 58,00 tonnes originating in Swaziland,
- 1 036,00 tonnes originating in Zimbabwe,
- 500,00 tonnes originating in Namibia.

Article 2

Applications for licences may be submitted, in accordance with Article 15 (6) (b) (ii) of Regulation (EEC) No 2377/80 during the first 10 days of October 1993 in respect of the following quantities of boned beef and veal:

- | | |
|---------------|------------------|
| — Botswana: | 5 601,00 tonnes, |
| — Kenya: | 142,00 tonnes, |
| — Madagascar: | 6 200,70 tonnes, |
| — Swaziland: | 2 810,00 tonnes, |
| — Zimbabwe: | 0,90 tonnes, |
| — Namibia: | 5 904,50 tonnes. |

(⁵) OJ No L 302, 31. 12. 1972, p. 28.
(⁶) OJ No L 173, 27. 6. 1992, p. 13.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 20 September 1993.

For the Commission
René STEICHEN
Member of the Commission

COMMISSION DECISION

of 19 October 1993

on import licences in respect of beef and veal products originating in Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia

(93/548/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 715/90 of 5 March 1990 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⁾, amended by Regulation (EEC) No 297/91⁽²⁾, in particular Article 27 thereof,

Having regard to 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⁽³⁾, as last amended by Regulation (EEC) No 3662/92⁽⁴⁾, and in particular Article 15 (6) (b) (i) thereof,

Whereas Regulation (EEC) No 715/90 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 application for import licences submitted between 1 and 10 October 1993, expressed in terms of boned meat, in accordance with Article 15 (1) (b) of Regulation (EEC) No 2377/80, do not exceed, in respect of products originating from Botswana, Kenya, Madagascar, Swaziland and Namibia the quantities available from these States; whereas it is therefore possible to issue import licences in respect of the quantities requested for those countries; whereas the quantities available from Zimbabwe are insufficient to cover the applications for import licences; whereas, therefore, the quantities applied for should be reduced on a proportional basis;

Whereas the remaining quantities, in respect of which licences may be applied for from 1 November 1993, should be fixed within the scope of the total quantity of 52 100 tonnes;

⁽¹⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽²⁾ OJ No L 52, 27. 2. 1992, p. 7.

⁽³⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁴⁾ OJ No L 370, 19. 12. 1992, p. 43.

Whereas it seems expedient to recall that this Decision is without prejudice 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⁽⁵⁾, as last amended by Council Regulation (EEC) No 1601/92⁽⁶⁾,

HAS ADOPTED THIS DECISION:

Article 1

The following Member States shall issue on 21 October 1993 import licences concerning beef and veal products, expressed in terms of boned meat, originating for certain African, Caribbean and Pacific States, in respect of the quantities and the countries of origin stated:

Federal Republic of Germany:

- 260,00 tonnes originating in Botswana,
- 90,00 tonnes originating in Madagascar,
- 0,23 tonne originating in Zimbabwe,
- 930,00 tonnes originating in Namibia;

Hellenic Republic:

- 50,00 tonnes originating in Madagascar;

Kingdom of the Netherlands:

- 300,00 tonnes originating in Botswana,
- 0,07 tonne originating in Zimbabwe,
- 50,00 tonnes originating in Namibia;

United Kingdom:

- 60,00 tonnes originating in Botswana,
- 90,00 tonnes originating in Swaziland,
- 0,60 tonne originating in Zimbabwe,
- 800,00 tonnes originating in Namibia.

⁽⁵⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽⁶⁾ OJ No L 173, 27. 6. 1992, p. 13.

Article 2

Applications for licences may be submitted, in accordance with Article 15 (6) (b) (ii) of Regulation (EEC) No 2377/80 during the first 10 days of November 1993 in respect of the following quantities of boned beef and veal:

— Botswana :	4 981,00 tonnes
— Kenya :	142,00 tonnes
— Madagascar :	6 060,70 tonnes
— Swaziland :	2 720,00 tonnes
— Namibia :	4 124,50 tonnes.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 19 October 1993.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION DECISION

of 18 November 1993

on import licences in respect of beef and veal products originating in Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia

(93/608/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 715/90 of 5 March 1990 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⁾, as last amended by Regulation (EEC) No 444/92 ⁽²⁾, in particular Article 27 thereof,

Having regard to 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 ⁽³⁾, as last amended by Regulation (EEC) No 2867/93 ⁽⁴⁾, and in particular Article 15 (6) (b) (i) thereof,

Whereas Regulation (EEC) No 715/90 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 application for import licences submitted between 1 and 10 November 1993, expressed in terms of boned meat, in accordance with Article 15 (1) (b) of Regulation (EEC) No 2377/80, do not exceed, in respect of products originating from Botswana, Kenya, Madagascar, Swaziland and Namibia the quantities available from these States; whereas it is therefore possible to issue import licences in respect of the quantities;

Whereas the remaining quantities, in respect of which licences may be applied for from 1 December 1993, should be fixed within the scope of the total quantity of 52 100 tonnes;

Whereas it seems expedient to recall that this Decision is without prejudice 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 ⁽⁵⁾, as last amended by Regulation (EEC) No 1601/92 ⁽⁶⁾,

HAS ADOPTED THIS DECISION:

Article 1

The following Member States shall issue on 21 November 1993 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:

Federal Republic of Germany:

- 240,00 tonnes originating in Botswana,
- 45,00 tonnes originating in Madagascar,
- 145,00 tonnes originating in Namibia;

French Republic:

- 15,00 tonnes originating in Madagascar;

Italian Republic:

- 42,00 tonnes originating in Madagascar;

Kingdom of the Netherlands:

- 115,00 tonnes originating in Botswana,
- 45,00 tonnes originating in Zimbabwe,
- 80,00 tonnes originating in Namibia;

United Kingdom:

- 310,00 tonnes originating in Botswana,
- 35,00 tonnes originating in Swaziland,
- 630,00 tonnes originating in Namibia.

⁽¹⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽²⁾ OJ No L 52, 27. 2. 1992, p. 7.

⁽³⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁴⁾ OJ No L 262, 21. 10. 1993, p. 26.

⁽⁵⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽⁶⁾ OJ No L 173, 27. 6. 1992, p. 13.

Article 2

Applications for licences may be submitted, in accordance with Article 15 (6) (b) (ii) of Regulation (EEC) No 2377/80 during the first 10 days of December 1993 in respect of the following quantities of boned beef and veal:

— Botswana :	4 316,00 tonnes
— Kenya :	142,00 tonnes
— Madagascar :	5 913,70 tonnes
— Swaziland :	2 685,00 tonnes
— Namibia :	3 269,50 tonnes.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 18 November 1993.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EC) No 3527/93
of 21 December 1993

fixing the amounts by which import duties on beef and veal originating in the
African, Caribbean and Pacific States (ACP) are to be reduced

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European
Community,

Having regard to Council Regulation (EEC) No 715/90 of
5 March 1990 on the arrangements applicable to agricul-
tural products and certain goods resulting from the
processing of agricultural products originating in the
African, Caribbean and Pacific States (ACP) or in the
overseas countries and territories (OCT) ⁽¹⁾, as amended by
Regulation (EEC) No 297/91 ⁽²⁾, and in particular Article
3 thereof,

Whereas Article 3 of Regulation (EEC) No 715/90
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 3 of Commission

Regulation (EEC) No 970/90 ⁽³⁾, as last amended by Regu-
lation (EEC) No 3808/92 ⁽⁴⁾,

HAS ADOPTED THIS REGULATION :

Article 1

The amounts by which import duties on beef and veal are
to be reduced pursuant to Article 3 of Regulation (EEC)
No 715/90 shall, in respect of importations during the
first quarter of 1994 be as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 January 1994.

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

Done at Brussels, 21 December 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 84, 30. 3. 1990, p. 85.
⁽²⁾ OJ No L 36, 8. 2. 1991, p. 9.

⁽³⁾ OJ No L 99, 19. 4. 1990, p. 8.
⁽⁴⁾ OJ No L 384, 30. 12. 1992, p. 33.

ANEXO — BILAG — ANHANG — ΠΑΡΑΡΤΗΜΑ — ANNEX — ANNEXE — ALLEGATO — BIJLAGE — ANEXO

Código NC KN-kode KN-Code Κωδικός ΕΟ CN code Code NC Codice NC GN-code Código NC	Importe (en ecus/100 kg) Beløb (ECU/100 kg) Betrag (ECU/100 kg) Εισφορά (Ecu/100 kg) Amount (ECU/100 kg) Montant (en écus/100 kg) Importo (ECU/100 kg) Bedrag (ecus/100 kg) Montante (Bm ECU/100 kg)
0102 90 05	118,290
0102 90 21	118,290
0102 90 29	118,290
0102 90 41	118,290
0102 90 49	118,290
0102 90 51	118,290
0102 90 59	118,290
0102 90 61	118,290
0102 90 69	118,290
0102 90 71	118,290
0102 90 79	118,290
0201 10 00	224,751
0201 20 20	224,751
0201 20 30	179,800
0201 20 50	269,700
0201 20 90	337,125
0201 30 00	385,624
0202 10 00	155,737
0202 20 10	155,737
0202 20 30	124,589
0202 20 50	194,671
0202 20 90	233,605
0202 30 10	194,671
0202 30 50	194,671
0202 30 90	267,867
0206 10 95	385,624
0206 29 91	267,867
0210 20 10	337,125
0210 20 90	385,624
0210 90 41	385,624
0210 90 90	385,624
1602 50 10	385,624
1602 90 61	385,624

NB: Los códigos NC, incluidas las notas a pie de página, se definen en el Reglamento (CEE) n° 2658/87 modificado.

NB: KN-koderne, herunder henvisninger til fodnoter, er fastsat i den ændrede forordning (EØF) nr. 2658/87.

NB: Die KN-Codes sowie die Verweisungen und Fußnoten sind durch die geänderte Verordnung (EWG) Nr. 2658/87 bestimmt.

NB: Οι κωδικοί της συνδυασμένης ονοματολογίας, συμπεριλαμβανομένων των υποσημειώσεων, καθορίζονται στον τροποποιημένο κανονισμό (ΕΟΚ) αριθ. 2658/87.

NB: The CN codes and the footnotes are defined in amended Regulation (EEC) No 2658/87.

NB: Les codes NC ainsi que les renvois en bas de page sont définis au règlement (CEE) n° 2658/87 modifié.

NB: I codici NC e i relativi richiami in calce sono definiti dal regolamento (CEE) n. 2658/87 modificato.

NB: GN-codes en voetnoten: zie de gewijzigde Verordening (EEG) nr. 2658/87.

NB: Os códigos NC, incluindo as remissões em pé-de-página são definidos no Regulamento (CEE) n° 2658/87 alterado.

COMMISSION DECISION

of 17 December 1993

on import licences in respect of beef and veal products originating in Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia

(93/702/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

be fixed within the scope of the total quantity of 52 100 tonnes;

Having regard to the Treaty establishing the European Community,

Whereas it seems expedient to recall that this Decision is without prejudice 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 Regulation (EEC) No 1601/92⁽²⁾,

Having regard to Council Regulation (EEC) No 715/90 of 5 March 1990 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⁽³⁾, as last amended by Regulation (EEC) No 444/92⁽⁴⁾, in particular Article 27 thereof,

HAS ADOPTED THIS DECISION:

Having regard to 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⁽⁵⁾, as last amended by Regulation (EEC) No 2867/93⁽⁶⁾, and in particular Article 15 (6) (b) (i) thereof,

Article 1

The following Member States shall issue on 21 December 1993 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:

Whereas Regulation (EEC) No 715/90 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;

Federal Republic of Germany:

— 100,00 tonnes originating in Namibia;

Hellenic Republic:

— 4,00 tonnes originating in Madagascar;

Whereas the application for import licences submitted between 1 and 10 December 1993, expressed in terms of boned meat, in accordance with Article 15 (1) (b) of Regulation (EEC) No 2377/80, do not exceed, in respect of products originating from Botswana, Kenya, Madagascar, Swaziland and Namibia the quantities available from these States; whereas it is therefore possible to issue import licences in respect of the quantities;

Kingdom of the Netherlands:

— 115,00 tonnes originating in Madagascar;

United Kingdom:

- 140,00 tonnes originating in Botswana,
- 25,00 tonnes originating in Swaziland,
- 430,00 tonnes originating in Namibia.

Whereas the remaining quantities, in respect of which licences may be applied for from 1 January 1994, should

(1) OJ No L 84, 30. 3. 1990, p. 85.
(2) OJ No L 52, 27. 2. 1992, p. 7.
(3) OJ No L 241, 13. 9. 1980, p. 5.
(4) OJ No L 262, 21. 10. 1993, p. 26.

(5) OJ No L 302, 31. 12. 1972, p. 28.
(6) OJ No L 173, 27. 6. 1992, p. 13.

Article 2

Applications for licences may be submitted, in accordance with Article 15 (6) (b) (ii) of Regulation (EEC) No 2377/80 during the first 10 days of January 1994 in respect of the following quantities of boned beef and veal:

— Botswana :	18 916,00 tonnes
— Kenya :	142,00 tonnes
— Madagascar :	7 579,00 tonnes
— Swaziland :	3 363,00 tonnes
— Zimbabwe :	9 100,00 tonnes
— Namibia :	13 000,00 tonnes.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 17 December 1993.

For the Commission

René STEICHEN

Member of the Commission

II — Community Acts relating to the application of the Lomé Convention

B — Trade

(e) Milk products

COMMISSION REGULATION (EEC) No 70/93
of 15 January 1993

on import licences for milk and milk products originating in the African,
Caribbean and Pacific States (ACP States)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 715/90 of
5 March 1990 on the arrangements applicable to agricul-
tural products and certain goods resulting from the
processing of agricultural goods originating in the ACP
States or in the overseas countries and territories (OCT) ⁽¹⁾,
as last amended by Regulation (EEC) No 444/92 ⁽²⁾, and
in particular Article 27 thereof,

Whereas Article 4 (4) of Commission Regulation (EEC)
No 1150/90 ⁽³⁾, as amended by Regulation (EEC) No
2975/90 ⁽⁴⁾, provides that the Commission is to decide to
what extent quantities may be awarded in respect of
applications for import licences; whereas, however,
imports must not exceed the quotas;

Whereas a single licence application was lodged from 1 to
10 January 1993;

Whereas Article 4 (4) of Regulation (EEC) No 1150/90
provides that if the total quantity for which applications
have been submitted is less than that available the
Commission is to calculate the quantity remaining, which

is to be added to that available for the following half;
whereas under these circumstances the quantity available
for the second half of 1993 of the products referred to in
Article 7 of Regulation (EEC) No 715/90 should be deter-
mined,

HAS ADOPTED THIS REGULATION:

Article 1

1. Licence applications lodged pursuant to Article 4 of
Regulation (EEC) No 1150/90 from 1 to 10 January 1993
are hereby accepted.
2. Further licence applications may be lodged during
the first 10 days of July 1993 for the following quantities:
— 500 tonnes of products falling within CN code 0402,
— 496 tonnes of products falling within CN code 0406.

Article 2

This Regulation shall enter into force on 16 January
1993.

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

Done at Brussels, 15 January 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽²⁾ OJ No L 52, 27. 2. 1992, p. 7.

⁽³⁾ OJ No L 114, 5. 5. 1990, p. 21.

⁽⁴⁾ OJ No L 283, 16. 10. 1990, p. 16.

COMMISSION REGULATION (EEC) No 1924/93
of 16 July 1993

on import licences for milk and milk products originating in the African, Caribbean and Pacific States (ACP States) or in the overseas countries and territories (OCT)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 715/90 of 5 March 1990 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural goods originating in the ACP States or in the overseas countries and territories (OCT) ⁽¹⁾, as modified by Regulation (EEC) No 297/91 ⁽²⁾, and in particular Article 27 thereof,

Whereas Article 4 (4) of Commission Regulation (EEC) No 1150/90 ⁽³⁾, as modified by Regulation (EEC) No 2975/90 ⁽⁴⁾, provides that the Commission is to decide to what extent quantities may be awarded in respect of applications for import licences; whereas, however, imports must not exceed the quotas;

Whereas applications for licences have been made for a total quantity not greater than that available; whereas, therefore, all applications submitted should be accepted,

HAS ADOPTED THIS REGULATION:

Article 1

Licence applications lodged pursuant to Article 4 of Regulation (EEC) No 1150/90 from 1 to 10 July 1993 and notified to the Commission shall be accepted.

Article 2

This Regulation shall enter into force on 23 July 1993.

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

Done at Brussels, 16 July 1993.

For the Commission

Rene STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽²⁾ OJ No L 36, 8. 2. 1991, p. 9.

⁽³⁾ OJ No L 114, 5. 5. 1990, p. 21.

⁽⁴⁾ OJ No L 283, 16. 10. 1990, p. 16.

II — Community Acts relating to the application of the Lomé Convention

B — Trade

(f) Rum

I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EEC) No 1806/93
of 30 June 1993**

**opening and providing for the administration of a Community tariff quota for
rum, tafia and arrack originating in the African, Caribbean and Pacific (ACP)
States (1993 to 1994)**

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 Fourth ACP-EEC Convention⁽¹⁾ entered into force on 1 September 1991;

Whereas Protocol 6 of the said Convention stipulates that products originating in the African, Caribbean and Pacific (ACP) States which fall within CN codes 2208 40 10, 2208 40 90, 2208 90 19 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 traffic flows between the ACP States and the Community, on the one hand, and between the Member States, on the other; whereas, the Community shall, until 31 December 1995, fix each year the quantities which may be imported free of customs duties; whereas, according to that protocol, these quantities are to be fixed for 1993 on the basis of the largest quantities imported annually from the ACP States into the Community during the past three years for which statistics are available, whereas, for 1994, the quota will be the same as that for the previous year increased by 20 000 hectolitres of pure alcohol;

Whereas, having regard to the levels reached by imports of the products concerned into the Community during the past three years for which statistics are available, on the one hand, and as a result of the application of the new method of calculation in force from 1 January 1994, on the other, the annual quota volume for the period from 1 July 1993 to 30 June 1994 must be fixed at 224 827 hectolitres of pure alcohol;

Whereas this volume is calculated using the following criteria:

- for the second half of 1993, the quota volume shall be equivalent to the level reached by imports into the Community during the second half of 1991, namely, 107 693 hectolitres of pure alcohol, this being the largest volume of imports attained during the corres-

ponding periods of the three previous years for which full statistics are available,

- for the first half of 1994, the quota volume shall be equivalent to that of the first half of 1993, namely, 107 134 hectolitres of pure alcohol, increased by 10 000 hectolitres of pure alcohol;

Whereas equal and continuous access to the said quota should be ensured for all Community importers and the rates laid down for this quota should be applied consistently to all imports of the products in question into all the Member States until the quota is exhausted; whereas the decision for the opening of tariff quotas in fulfilment of its international obligations should be taken by the Community; whereas, to ensure the efficient common administration of these quotas, however, there is no obstacle to authorizing the Member States to draw from the quota volumes the necessary quantities corresponding to actual imports; whereas, however, this method of administration 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 are used up and inform the Member States accordingly;

Whereas measures should be laid down to ensure that Protocol 6 is implemented under conditions which permit the development of traditional trade flows between the ACP States and the Community, on the one hand, and between the Member States, on the other;

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 concerning the administration of the quotas may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 July 1993 to 30 June 1994, the following products originating in the ACP States shall be imported into the Community free of customs duty within the limits of the relevant Community tariff quota shown below:

(1) OJ No L 229, 17. 8. 1991, p. 3.

Order No	CN code	Description	Quota volume (in hl of pure alcohol)	Quota duty
09.1605	2208 40 10 2208 40 90 2208 90 11 2208 90 19	Rum, tafin and arrack	224 827	Free

Article 2

The tariff quota referred to in Article 1 shall be administered by the Commission, which may take all appropriate administrative measures to ensure the effective administration thereof.

Article 3

If an importer presents, in a Member State, a declaration of entry for free circulation together with a request for preferential treatment for a product covered by this Regulation, and if the declaration is accepted by the customs authorities, the Member State concerned shall inform the Commission and draw an amount corresponding to these requirements from the quota volume.

Requests to draw from the quota, indicating the date of acceptance of the said declaration, must be transmitted to the Commission without delay.

Drawings shall be granted by the Commission by reference to the date of acceptance, by the customs authorities of the Member State concerned, of the declarations of entry for free circulation, provided the residual balance so permits.

If a Member State does not use the quantities drawn, it shall return them to the quota as soon as possible.

If the quantities requested are greater than the available balance of the quota volume, allocation shall be made on

a pro rata basis. The Member States shall be informed by the Commission of the drawings granted.

Article 4

Each Member State shall ensure that importers of the products concerned have equal and continuous access to the quota as long as the residual balance of the quota volume so permits.

Article 5

The Member States and the Commission shall cooperate closely to ensure that this Regulation is complied with.

Article 6

Council Regulation (EEC) No 3705/90 of 18 December 1990 on the safeguard measures provided for in the Fourth ACP-BEC Convention⁽¹⁾ shall apply to the products covered by this Regulation.

Article 7

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 July 1993.

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

Done at Luxembourg, 30 June 1993.

For the Council
The President
S. BERGSTEIN

⁽¹⁾ OJ No L 358, 21. 12. 1990, p. 4.

II — Community Acts relating to the application of the Lomé Convention

C — Financial and technical cooperation

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL RECOMMENDATION

of 15 March 1993

concerning the discharge to be given to the Commission in respect of the implementation of the operations of the European Development Fund (1979) (Fifth EDF) for the financial year 1991

(93/163/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 Second ACP-BEC Convention, signed at Lomé on 31 October 1979,

Having regard to Council Decision 80/1186/EEC of 16 December 1980 on the association of the overseas countries and territories with the European Economic Community⁽¹⁾,

Having regard to the 1979 Internal Agreement on the financing and administration of Community aid⁽²⁾, signed on 20 November 1979, and in particular Article 29 (3) thereof,

Having regard to the Financial Regulation of 17 March 1981 applicable to the Fifth European Development Fund⁽³⁾, and in particular Articles 66 to 70 thereof,

Having examined the revenue and expenditure account and the balance sheet relating to the operations of the European Development Fund (1979) (Fifth EDF) as at 31 December 1991 and the Court of Auditors' report relating to the financial year 1991 together with the Commission's replies⁽⁴⁾,

Whereas, pursuant to Article 29 (3) of the Internal Agreement, the discharge for the management of the European Development Fund (1979) (Fifth EDF) must be given to the Commission by the European Parliament on a recommendation from the Council;

Whereas the overall implementation by the Commission of the operations of the European Development Fund (1979) (Fifth EDF) during the financial year 1991 has been satisfactory,

HEREBY RECOMMENDS that the European Parliament give the Commission a discharge in respect of the implementation of the operations of the European Development Fund (1979) (Fifth EDF) for the financial year 1991.

Done at Brussels, 15 March 1993.

For the Council

The President

M. JELVED

⁽¹⁾ OJ No L 361, 31. 12. 1980, p. 1.

⁽²⁾ OJ No L 347, 22. 12. 1980, p. 210.

⁽³⁾ OJ No L 101, 11. 4. 1981, p. 12.

⁽⁴⁾ OJ No C 320, 15. 12. 1992, pp. 266 and 432.

COUNCIL RECOMMENDATION

of 15 March 1993

concerning the discharge to be given to the Commission in respect of the implementation of the operations of the European Development Fund (1984) (Sixth EDF) for the financial year 1991

(93/164/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 Third ACP-BEC Convention, signed at Lomé on 8 December 1984,

Having regard to Council Decision 86/283/EEC of 30 June 1986 on the association of the overseas countries and territories with the European Economic Community⁽¹⁾,

Having regard to the Internal Agreement on the financing and administration of Community aid⁽²⁾, signed in Brussels on 19 February 1985, as amended by Decision 86/281/EEC⁽³⁾, and in particular Article 29 (3) thereof,

Having regard to the Financial Regulation of 11 November 1986 applicable to the Sixth European Development Fund⁽⁴⁾, and in particular Articles 66 to 73 thereof,

Having examined the revenue and expenditure account and the balance sheet relating to the operations of the European Development Fund (1984) (Sixth EDF) as at 31 December 1991 and the Court of Auditors' report relating to the financial year 1991 together with the Commission's replies⁽⁵⁾,

Whereas, pursuant to Article 29 (3) of the Internal Agreement, the discharge for the management of the European Development Fund (1984) (Sixth EDF) must be given to the Commission by the European Parliament on a recommendation from the Council;

Whereas the overall implementation by the Commission of the operations of the European Development Fund (1984) (Sixth EDF) during the financial year 1991 has been satisfactory,

HEREBY RECOMMENDS that the European Parliament give the Commission a discharge in respect of the implementation of the operations of the European Development Fund (1984) (Sixth EDF) for the financial year 1991.

Done at Brussels, 15 March 1993.

For the Council

The President

M. JELVED

⁽¹⁾ OJ No L 175, 1. 7. 1986, p. 1.
⁽²⁾ OJ No L 86, 31. 3. 1986, p. 210.
⁽³⁾ OJ No L 178, 2. 7. 1986, p. 13.
⁽⁴⁾ OJ No L 325, 20. 11. 1986, p. 42.
⁽⁵⁾ OJ No C 320, 15. 12. 1992, pp. 266 and 432.

COUNCIL RECOMMENDATION

of 15 March 1993

concerning the discharge to be given to the Commission in respect of the implementation of the operations of the European Development Fund (1989) (Seventh EDF) for the financial year 1991

(93/165/EBC)

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 Fourth ACP-BEC Convention, signed at Lomé on 15 December 1989,

Having regard to Council Decision 91/482/EBC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community⁽¹⁾,

Having regard to the Internal Agreement on the financing and administration of Community aid⁽²⁾, signed in Brussels on 16 July 1990, and in particular Article 33 (3) thereof,

Having regard to the Financial Regulation of 29 July 1991 applicable to the Seventh European Development Fund⁽³⁾, and in particular Articles 69 to 77 thereof,

Having examined the revenue and expenditure account and the balance sheet relating to the operations of the European Development Fund (1989) (Seventh EDF) as at 31 December 1991 and the Court of Auditors' report relating to the financial year 1991 together with the Commission's replies⁽⁴⁾,

Whereas, pursuant to Article 33 (3) of the Internal Agreement, the discharge for the management of the European Development Fund (1989) (Seventh EDF) must be given to the Commission by the European Parliament on a recommendation from the Council;

Whereas the overall implementation by the Commission of the operations of the European Development Fund (1989) (Seventh EDF) during the financial year 1991 has been satisfactory,

HEREBY RECOMMENDS that the European Parliament give the Commission a discharge in respect of the implementation of the operations of the European Development Fund (1989) (Seventh EDF) for the financial year 1991.

Done at Brussels, 15 March 1993.

For the Council

The President

M. JELVED

⁽¹⁾ OJ No L 263, 19. 9. 1991, p. 1.

⁽²⁾ OJ No L 229, 17. 8. 1991, p. 288.

⁽³⁾ OJ No L 266, 21. 9. 1991, p. 1.

⁽⁴⁾ OJ No C 330, 15. 12. 1992, pp. 266 and 432.

DECISION OF THE EUROPEAN PARLIAMENT

of 22 April 1993

giving discharge to the Commission in respect of the financial management of the fifth European Development Fund for the 1991 financial year

(93/367/EBC)

THE EUROPEAN PARLIAMENT

- Having regard to the EEC Treaty,
 - Having regard to the second ACP-EEC Convention⁽¹⁾,
 - Having regard to the balance sheets and revenue and expenditure accounts of the fifth, sixth and seventh European Development Funds for the 1991 financial year (COM(92)0256),
 - Having regard to the report of the Court of Auditors concerning the 1991 financial year and the replies of the institutions⁽²⁾,
 - Having regard to the recommendation of the Council of 15 March 1993⁽³⁾ (C3-0133/93),
 - Having regard to the report of the Committee on Budgetary Control and the opinion of the Committee on Development and Cooperation (A3-0094/93),
1. Grants discharge to the Commission in respect of the financial management of the fifth European Development Fund for the 1991 financial year on the basis of the following amount:
Annual expenditure: ECU 136 419 243,92;
 2. Records its observations in the resolution which forms part of this Decision;
 3. Instructs its President to forward this Decision and the resolution containing its observations to the Commission, the Council, the Court of Auditors and the European Investment Bank and to have them published in the *Official Journal of the European Communities* (L series).

Done at Strasbourg, 22 April 1993.

The Secretary-General

Enrico VINCI

The President

Dr Egon KLEPSCH

⁽¹⁾ OJ No L 347, 22. 12. 1980, p. 1.

⁽²⁾ OJ No C 330, 15. 12. 1992, p. 1.

⁽³⁾ OJ No L 69, 20. 3. 1993, p. 39.

DECISION OF THE EUROPEAN PARLIAMENT

of 22 April 1993

giving discharge to the Commission in respect of the financial management of the sixth European Development Fund for the 1991 financial year

(93/368/EEC)

THE EUROPEAN PARLIAMENT

- Having regard to the EEC Treaty,
 - Having regard to the second ACP-EEC Convention (1),
 - Having regard to the balance sheets and revenue and expenditure accounts of the fifth, sixth and seventh European Development Funds for the 1991 financial year (COM(92)0256),
 - Having regard to the report of the Court of Auditors concerning the 1991 financial year and the replies of the institutions (2),
 - Having regard to the recommendation of the Council of 15 March 1993 (3) (C3-0134/93),
 - Having regard to the report of the Committee on Budgetary Control and the opinion of the Committee on Development and Cooperation (A3-0094/93),
1. Grants discharge to the Commission in respect of the financial management of the fifth European Development Fund for the 1991 financial year on the basis of the following amount:
Annual revenue
Contributions paid: ECU 1 510 664 535,68,
Sundry receipts: ECU 24 062 810,83,
Annual expenditure: ECU 859 344 620,44 ;
 2. Records its observations in the resolution which forms part of this Decision ;
 3. Instructs its President to forward this Decision and the resolution containing its observations to the Commission, the Council, the Court of Auditors and the European Investment Bank and to have them published in the *Official Journal of the European Communities* (L series).

Done at Strasbourg, 22 April 1993.

The Secretary-General

Enrico VINCI

The President

Dr Egon KLEPSCH

(1) OJ No L 86, 31. 3. 1986, p. 1.
(2) OJ No C 330, 15. 12. 1992, p. 1.
(3) OJ No L 69, 20. 3. 1993, p. 40.

DECISION OF THE EUROPEAN PARLIAMENT

of 22 April 1993

giving discharge to the Commission in respect of the financial management of the seventh European Development Fund for the 1991 financial year

(93/369/EBC)

THE EUROPEAN PARLIAMENT

- Having regard to the EEC Treaty,
 - Having regard to the second ACP-EEC Convention⁽¹⁾,
 - Having regard to the balance sheets and revenue and expenditure accounts of the fifth, sixth and seventh European Development Funds for the 1991 financial year (COM(92)0256),
 - Having regard to the report of the Court of Auditors concerning the 1991 financial year and the replies of the institutions⁽²⁾,
 - Having regard to the recommendation of the Council of 15 March 1993⁽³⁾ (C3-0135/93),
 - Having regard to the report of the Committee on Budgetary Control and the opinion of the Committee on Development and Cooperation (A3-0094/93),
1. Grants discharge to the Commission in respect of the financial management of the fifth European Development Fund for the 1991 financial year on the basis of the following amount:
Annual expenditure: ECU 195 538 099,11;
 2. Records its observations in the resolution which forms part of this Decision;
 3. Instructs its President to forward this Decision and the resolution containing its observations to the Commission, the Council, the Court of Auditors and the European Investment Bank and to have them published in the *Official Journal of the European Communities* (L series).

Done at Strasbourg, 22 April 1993.

The Secretary-General

Enrico VINCI

The President

Dr Egon KLEPSCH

⁽¹⁾ OJ No L 229, 17. 8. 1991, p. 1.

⁽²⁾ OJ No C 330, 15. 12. 1992, p. 1.

⁽³⁾ OJ No L 69, 20. 3. 1993, p. 41.

RESOLUTION

containing the comments which form part of the decisions granting discharge to the Commission in respect of the financial management of the fifth, sixth and seventh European Development Funds for the 1991 financial year

THE EUROPEAN PARLIAMENT,

- Having regard to Articles 137 and 206b of the EEC Treaty,
 - Having regard to Articles 70, 73 and 77 of the Financial Regulations applicable respectively to the fifth, sixth and seventh European Development Funds (EDF), under which the Commission is required to take all appropriate steps to act on the observations appearing in the discharge decisions,
 - Having regard to the report of the Committee on Budgetary Control and the opinion of the Committee on Development and Cooperation (A3-0094/93),
- A. Noting that, under the abovementioned Articles 70, 73 and 77, the Commission is also required, at the European Parliament's request, to produce a report on the steps taken as a result of Parliament's observations and, in particular, on the instructions given by the Commission to the services responsible for managing the European Development Funds;
- B. Having decided to express the observations referred to in Articles 70, 73 and 77 in this resolution, which forms part of the respective decisions granting discharge in respect of the financial management of the European Development Funds for the 1991 financial year;
- C. Also adopting this resolution in the exercise of the powers which are essential for it to carry out its monitoring function, with a view to remedying the shortcomings noted in the study relating to the discharge and to improving the management of the European Development Funds;
1. Notes along with the Court of Auditors and the Commission that the economic and social problems of many developing countries are continuing to worsen on a tragic and worrying scale;
 2. Notes furthermore that:
 - (a) the Community is increasing the volume of its financing and diversifying the arrangements for it;
 - (b) bilateral aid to these countries is stagnating overall or even, in some instances, falling and poses problems of coordination;
 - (c) the rate of implementation of appropriations is slowing down;
 3. Does not agree with the conclusion drawn by the Court of Auditors from these facts, and takes the view that it is specious to establish a causal connection between the worsening of the situation of the ACP countries and trends in Community aid in view of the differences in scales and areas concerned, e.g. growing indebtedness, collapse in raw material prices, protectionism by the industrialized countries, desertification;
 4. Maintains its fundamental position that, in every respect, it is an aberration for the EDFs not to be budgetized, and calls for an end to this as soon as possible and no later than the conclusion of the inter-institutional agreement on the financial perspective;
 5. Calls on the Commission to carry out the groundwork now for a revision of the EDF's financial organization, focusing on:
 - increasing and improving global monitoring of appropriations,
 - controlling performance of contracts,so that the new structure can be taken into account in the Financial Regulation for the eighth EDF and budgetization can proceed in parallel with management reorganization;

6. Calls on the Commission to submit a report to it, by 1 October 1993, on the action taken in response to the discharge decisions for 1989, 1990 and 1991 and, in particular, to its call concerning the separation of the duties of authorizing officer and accounting officer;
 7. Notes that sound EDF management, in particular as regards budgetary questions, assessment and monitoring of contracts, has suffered for several years as a result of a serious shortage; stresses once more that it is the Commission's responsibility to deploy the human resources at its disposal on the basis of management requirements;
 8. Repeats its call for the delegations to be significantly augmented, in particular in terms of staff qualified in finance, verification of contract performance and project evaluation;
 9. Notes that, as the law stands at present, it is unable to exercise satisfactory control over the remuneration paid to the European Investment Bank (EIB) for its EDF-related activities; will shortly submit proposals for establishing democratic control over all EIB activities as part of a more political development of the EIB's role;
 10. Takes the view that, in this area, management by the EIB both of EDF resources and of its own resources must be guided more by development considerations; calls in particular for risk capital not to be used for operations managed by public authorities;
 11. Calls on the Commission to include in the EDP's financial statements the information required for carrying out checks on the utilization of counterpart funds;
 12. Calls on the Commission to set up an independent Inspection Service for development cooperation as was asked for in previous discharge reports and has been called for in the 1993 budget procedure;
 13. Instructs its President to forward this resolution containing its observations to the Commission, the Council, the Court of Auditors and the European Investment Bank and to have it published in the *Official Journal of the European Communities* (L series).
-

**III — Community Acts relating to bilateral relations between
the Community and certain ACP States**

Fisheries

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 593/93
of 8 March 1993

on the conclusion of the Protocol establishing, for the period 1 January 1992 to 30 September 1993, the fishing opportunities and the financial contribution provided for in the Agreement between the European Economic Community and the Government of the People's Republic of Mozambique on fisheries relations

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Whereas it is in the Community's interest to approve this Protocol,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

HAS ADOPTED THIS REGULATION:

Having regard to the proposal from the Commission,

Article 1

The Protocol establishing, for the period 1 January 1992 to 30 September 1993, the fishing opportunities and the financial contribution provided for in the Agreement between the European Economic Community and the Government of the People's Republic of Mozambique on fisheries relations is hereby approved on behalf of the Community.

Having regard to the opinion of the European Parliament⁽¹⁾,

The text of the Protocol is attached to this Regulation.

Whereas, in accordance with the Agreement between the European Economic Community and the Government of the People's Republic of Mozambique on fisheries relations, signed in Maputo on 30 September 1988, the Contracting Parties held negotiations with a view to determining the amendments to be made to the Protocol to the Agreement at the end of the period of application of the first Protocol;

Article 2

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

Whereas, as a result of these negotiations, a new Protocol establishing, for the period 1 January 1992 to 30 September 1993 the fishing opportunities and the financial contribution provided for by the said Agreement, was initialled on 15 October 1991;

Article 3

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, 8 March 1993.

For the Council
The President
N. HELVEG PETERSEN

⁽¹⁾ Opinion delivered on 12 February 1993 (not yet published in the *Official Journal*).

PROTOCOL

establishing, for the period from 1 January 1992 to 30 September 1993 the fishing opportunities and financial contribution provided for in the Agreement between the European Economic Community and the People's Republic of Mozambique on fisheries relations

THE CONTRACTING PARTIES,

Having regard to the Agreement between the European Economic Community and the People's Republic of Mozambique on fisheries relations, signed on 30 September 1988,

HAVE AGREED AS FOLLOWS:

Article 1

Pursuant to Article 2 of the Agreement, licences authorizing simultaneous fishing in Mozambican waters shall be granted to 42 ocean-going freezer tuna vessels for a period from 1 January 1992 to 30 September 1993.

Article 2

1. The financial contribution referred to in Article 8 of the Agreement shall be fixed at ECU 300 000 for the period provided for in Article 1 of this Protocol, payable in two equal annual instalments. That amount shall cover a catch of 6 000 tonnes of tuna in Mozambican waters. If the tuna caught by Community vessels in Mozambican waters exceeds that weight, the abovementioned amount shall be increased proportionately.

2. The purpose to which the compensation is to be put shall fall within the exclusive competence of the Government of the People's Republic of Mozambique.

Article 3

1. The Community shall also contribute during the period referred to in Article 1 to the financing of Mozambican scientific or technical programmes (equipment, infrastructure, reinforcement of administrative or training structures in the fishing sector, etc.) designed to improve knowledge of fishery resources in Mozambican waters.

2. That contribution shall be ECU 180 000 for the duration of this Protocol.

3. The Mozambican authorities shall forward a brief report on the way that amount is used to the Commission's departments.

4. The Community's contribution to the scientific or technical programmes shall be paid to an account indicated on each occasion by the Ministry of Fisheries.

5. At the request of Mozambican authorities, part of this amount not exceeding ECU 50 000 may be used to finance the expenses of participation in international conferences, not necessarily related to the said scientific programme, destined to improve the knowledge of fisheries resources.

Article 4

Should the Community fail to make the payments provided for in Articles 2 and 3 of this Protocol, the Fisheries Agreement may be suspended.

Article 5

The Protocol to the Agreement between the European Economic Community and the People's Republic of Mozambique on fisheries relations is hereby repealed and replaced by this Protocol.

Article 6

This Protocol shall enter into force on the date of its signature.

It shall apply from 1 January 1992.

COUNCIL REGULATION (EEC) No 594/93

of 8 March 1993

on the conclusion of the Protocol defining, for the period 3 May 1992 to 2 May 1994, the fishing opportunities and financial compensation provided for in the Agreement between the European Economic Community and the Government of the People's Republic of Angola on fishing off Angola

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 the two parties have held negotiations pursuant to the Agreement between the European Economic Community and the Government of the People's Republic of Angola on fishing off Angola (*), signed in Luanda on 1 February 1989, to determine the amendments or additions to be made to the Agreement on the expiry of the application period of the third Protocol annexed thereto;

Whereas, as a result of those negotiations, a new Protocol defining, for the period 3 May 1992 to 2 May 1994, the fishing opportunities and financial compensation provided for in the said Agreement was initialled on 12 June 1992;

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

Done at Brussels, 8 March 1993.

Whereas it is in the Community's interest to approve the Protocol,

HAS ADOPTED THIS REGULATION:

Article 1

The Protocol defining, for the period 3 May 1992 to 2 May 1994, the fishing opportunities and financial compensation provided for in the Agreement between the European Economic Community and the Government of the People's Republic of Angola on fishing off Angola is hereby approved on behalf of the Community.

The text of the protocol is attached to this Regulation.

Article 2

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

Article 3

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

N. HELVEG PETERSEN

(*) OJ No C 188, 25. 7. 1992, p. 9.

(†) Opinion delivered on 12 February 1992 (not yet published in the Official Journal).

(‡) OJ No L 341, 3. 12. 1987, p. 2.

PROTOCOL

defining, for the period from 3 May 1992 to 2 May 1994, the fishing possibilities and financial compensation provided for in the Agreement between the European Community and the Government of the People's Republic of Angola on fishing off Angola

Article 1

From 3 May 1992, for a period of two years, the limits referred to in Article 2 of the Agreement shall be as follows:

1. Shrimp vessels:

7 350 GRT per month, as an annual average (maximum 22 vessels).

However, the quantities to be fished by Community vessels may not exceed 5 000 tonnes of shrimps and prawns per year, of which 30 % shall be prawns and 70 % shrimps.

2. Demersal trawlers:

1 880 GRT per month, as an annual average (maximum five vessels).

3. Freezer tuna seiners:

27 vessels.

4. Surface longliners:

five vessels.

Article 2

1. The financial compensation provided for in Article 7 of the Agreement for the period referred to in Article 1 of this Protocol is hereby fixed at ECU 13 900 000 payable in two equal annual instalments into an account to be indicated by the Ministry of Fisheries.

2. The use to which this compensation is put shall be the sole responsibility of Angola.

Article 3

During the period referred to in Article 1, the Community shall also contribute ECU 2 800 000 towards

the financing of Angolan scientific and technical programmes (equipment, infrastructure, monitoring, seminars, studies, etc.). This amount shall be payable in two equal annual instalments to the Research Centre of the Ministry of Fisheries. Part of this amount may be used to cover Angola's contributions to international fisheries organizations.

Article 4

The two parties agree that improving the skill and knowledge of persons employed in sea fishing is an essential part of the success of their cooperation. To this end the Community shall provide the Angolan nationals with study and practical training grants in the various scientific, technical and economic disciplines related to fisheries.

These grants may also be used in any state linked to the Community by a cooperation agreement. The total cost of these grants shall not exceed ECU 1 800 000. This amount shall be transferred to the account indicated by the Ministry of Fisheries in two equal annual instalments. The Ministry shall administer all the grants and other activities thus funded.

Article 5

Should the Community fail to make the payments provided for in Articles 2, 3 and 4 within the time limits laid down, application of the Agreement may be suspended.

Article 6

The Annex to the Agreement between the European Community and the Government of the People's Republic of Angola on fishing off Angola is hereby repealed and replaced by the Annex to this Protocol.

Article 7

This Protocol shall enter into force on the date of its signature. It shall apply from 3 May 1992.

ANNEX

Conditions governing fishing activities in Angolan waters by Community vessels

A. LICENCE APPLICATION AND ISSUING FORMALITIES

- (a) The Commission of the European Communities shall present to Angola's fishing authority, via the Delegation of the Commission of the European Communities in Angola, an application made by the shipowner for each vessel that wishes to fish under this Agreement, at least 15 days before the date of commencement of the period of validity requested. Applications shall be made on forms provided for the purpose by Angola, specimens of which are contained in Appendix 1 and Appendix 2. Each licence application shall be accompanied by proof of payment of the licence fee for the period of its validity.
- (b) Each licence shall be issued to the shipowner for one designated vessel. At the request of the Commission of the European Communities the licence for a vessel shall, in cases of proven *force majeure*, be replaced by a licence valid for another Community vessel.
- (c) Licences shall be issued by the authorities of Angola to the skipper of the vessel in the port of Luanda after inspection of the vessel by the competent authority. However, in the case of tuna vessels and surface longliners, licences shall be issued to the shipowners or their representatives or agents.
- (d) The Delegation of the Commission of the European Communities in Angola shall be notified of the licences issued by Angola's fishing authority.
- (e) The licence document must be held on board at all times.
- (f) Licences shall be valid for periods of one year or, in the case of shrimp vessels, until the quota laid down in Article 1 of the Protocol is exhausted.
- (g) Each vessel shall be represented by an agent approved by the Ministry of Fisheries.
- (h) The Angolan authorities shall communicate, as soon as possible, particulars of the bank accounts and currencies to be used for financial settlements under this Agreement.

B. LICENCE FEES

I. Provisions applicable to trawlers

The fees shall be:

- Shrimp vessels: ECU 66 per GRT per month,
- Demersal vessels: ECU 230 per GRT per month.

The fees may be paid quarterly or half-yearly. In this case the amount shall be increased by 5 and 3 % respectively.

During the period covered by this Protocol, shipowners of the shrimp fleet shall contribute ECU 350 000 per annum towards the carrying out of scientific studies.

II. Provisions applicable to tuna vessels and surface longliners

The fees shall be ECU 20 per tonne caught within Angola's fishing zone.

Licences shall be issued following advance payment to Angola at a flat rate of ECU 4 000 a year for each freezer tuna seiner, equivalent, to the fees for 200 tonnes caught per year, and at a flat rate of ECU 2 000 a year for each surface longliner, equivalent to the fees for 100 tonnes caught per year.

The final statement of the fees due for the fishing year shall be drawn up by the Commission of the European Communities at the end of the first quarter of the year following that of the catches on the basis of the catch statements made for each vessel and verified by a specialized scientific body in the region.

This statement shall be communicated to the Angolan authorities and to the shipowners at the same time. The shipowners shall make any additional payment, within 30 days of notification of the final statement at the latest, into an account opened with a financial institution or any other body specified by the Angolan authorities.

However, if the amount of the final statement is lower than the advance referred to above, the balance shall not be reimbursable to the shipowners.

C. BY-CATCHES

The by-catches of shrimp vessels shall be the property of the shipowners. They shall be authorized to catch up to 500 tonnes of crab per annum.

D. LANDINGS

Community surface longliners shall endeavour to contribute to supplying Angolan tuna-canning factories, in accordance with their fishing effort in the zone, at a price to be jointly agreed between the shipowners and the Angolan fishing authorities based on current international market prices. Payment shall be in a convertible currency.

E. TRANSHIPMENTS

All transshipments shall be notified to the competent Angolan fishing authorities eight days in advance and shall take place in one of the bays of Luanda or Lobito in the presence of the tax authorities.

A copy of the documentation relating to transshipments shall be forwarded to the Inspection and Monitoring Department of the Ministry of Fisheries 15 days before the end of each month for the preceding month.

F. STATEMENT OF CATCHES

1. *Shrimp vessels and demersal trawlers*

- (a) At the end of each fishing campaign these vessels must forward to the Fisheries Investigation Centre in Luanda, via the Delegation of the European Communities, a daily catch report drawn up by the skipper in accordance with the specimen contained in Appendix 3.

Furthermore, each vessel shall present a monthly report to the cabinet of the Minister for Planning or Ministry of Fisheries, via the Delegation of the European Communities, listing the catches made during the month and the quantities on board on the last day of the month. This report shall be presented no later than the 45th day following the end of the month concerned. In the event of failure to comply with this provision, Angola reserves the right to apply the penalties provided for in Article 12 of Decree No 12-A/80 of 6 February 1980.

- (b) These vessels must also inform Luanda radio station on a daily basis of their geographical position and the previous day's catches. Shipowners shall be notified of the call sign at the time of issue of the fishing licence. If it is not possible to use the radio, vessels may use alternative means of communication such as telex or telegraph.

Before leaving Angola's fishing zone, these vessels must obtain authorization from the Department of Inspection and Monitoring of the Ministry of Fisheries and have the catches on board checked.

2. *Tuna vessels and surface longliners*

Every three days during the fishing period in Angola's fishing zone, vessels shall inform Luanda radio station of their position and their catches. On entering and leaving Angola's fishing zone, the vessels shall inform Luanda radio station of their position and the volume of the catches on board.

If it is not possible to use the radio, vessels may use alternative means of communication such as telex or telegraph.

In addition, the skipper shall keep a fishing log book, in accordance with Appendix 4, for each fishing period spent in Angola's fishing zone.

This form must be completed legibly and be signed by the skipper of the vessel and sent to the Department of Inspection and Monitoring of the Ministry of Fisheries via the Delegation of the European Communities within 45 days of the end of the fishing campaign.

In the event of failure to comply with this provision, Angola reserves the right to apply the penalties provided for in Article 12 of Decree No 12-A/80 of 6 February 1980.

G. FISHING ZONES

- (a) The fishing zones accessible to shrimp vessels shall comprise all waters under the sovereignty or the jurisdiction of the People's Republic of Angola north of 12°20' and beyond the first 12 nautical miles measured from the base lines.
- (b) The fishing zones accessible to freezer tuna seiners and surface longliners shall comprise all waters under the sovereignty or the jurisdiction of the People's Republic of Angola beyond the first 12 nautical miles measured from the base lines.
- (c) The fishing zones accessible to demersal trawlers shall comprise all waters under the sovereignty or the jurisdiction of the People's Republic of Angola beyond the first 12 nautical miles measured from the base lines and restricted northwards by 13°00' south and southwards by a line five miles north of the border between the exclusive economic zones (EEZs) of Angola and Namibia.

H. SIGNING OF CREWS

Owners of all vessels, except freezer tuna seiners and surface longliners, to whom fishing licences have been issued under this Agreement shall contribute to the on-the-job vocational training of four Angolan seamen on board each vessel.

The seamen's wages, set in accordance with Angolan scales, and other forms of remuneration shall be borne by the shipowners and shall be paid into an account opened with a financial institution designated by the Ministry of Fisheries.

Should shipowners wish to take on further Angolan crew members they can do so by applying to the Ministry of Fisheries.

I. SCIENTIFIC OBSERVERS

Any vessel may be asked to take on board a scientific observer designated and employed by the Ministry of Fisheries.

The scientific observer shall receive, as far as possible, the same treatment as the ship's officers. The observer shall be given all facilities necessary for him to carry out his duties. The scientific observer's presence and work shall neither interrupt nor hinder the fishing activities.

An amount of ECU 8/GRT a year is included in the fee paid by shipowners for each vessel fishing in Angolan waters to cover the cost to Angola of placing observers on vessels.

J. INSPECTION AND MONITORING

At the request of the Angolan authorities, Community fishing vessels operating under the Agreement shall allow on board any Angolan officials responsible for the inspection and monitoring of fishing activities and facilitate the accomplishment of their duties.

These officials shall remain on board no longer than is necessary for the accomplishment of their duties.

K. FUEL SUPPLIES, REPAIRS AND OTHER SERVICES

All vessels, except tuna vessels, operating in Angola's fishing zone under this Agreement must obtain their fuel and water supplies and have shipyard repairs and maintenance carried out in Angola wherever possible.

Subject to these same conditions, the transport of crews shall be undertaken by the Angolan national airline.

Fuel shall not be taken on board outside the roads of Luanda or Lobito without authorization from the Department of Inspection and Monitoring of the Ministry of Fisheries.

L. MESH SIZES

The minimum size of the mesh used shall be:

- (a) 40mm for shrimp fishing; and
- (b) 60mm for demersal fishing.

The introduction of new mesh sizes shall apply to Community vessels from the sixth month following notification to the Commission of the European Communities.

M. BOARDING PROCEDURE

The Delegation of the Commission in Luanda shall be informed within 48 hours of the boarding of any fishing vessel flying the flag of a Member State of the Community within Angola's fishing zone, and shall at the same time receive a report of the circumstances and reasons for the boarding of the vessel.

Appendix 1

APPLICATION FOR A LICENCE TO FISH FOR SHRIMP AND DEMERSAL SPECIES IN THE WATERS OF ANGOLA

PART A

1. Name of owner:
2. Nationality of owner:
3. Business address of owner:
.....
.....
4. Chemical additives which may be used (brand name and composition):
.....
.....
.....

PART B

To be completed for each vessel

1. Period of validity:
2. Name of vessel:
3. Year of construction:
4. Original flag country:
5. Currently flying the flag of:
6. Date of acquisition of current flag:
7. Year of acquisition:
8. Port and registration number:
9. Fishing method:
10. Gross registered tonnage:
11. Radio call sign:
12. Overall length (m):
13. Bow (m):
14. Depth (m):
15. Construction material of the hull:
16. Engine power (bhp):
17. Speed (knots):
18. Capacity of refrigeration chamber:
19. Capacity of fuel tanks (m³):
20. Capacity of fish holds (m³):
21. Colour of the hull:
22. Colour of the superstructure:

23. Communication equipment on board:

Type	Brand	Power (Watt)	Year of construction	Frequencies	
				Reception	Transmission

24. Navigation and detection equipment installed:

Type	Brand	Model	Range

25. Name of captain:

26. Nationality of captain:

To be annexed:

- three colour photographs of the vessel (side view),
- diagram and detailed description of fishing gear used,
- document giving proof of authority for the owner's representative to sign this application.

.....
(Date of application)

.....
(Signature of owner's representative)

Appendix 2

APPLICATION FOR A LICENCE TO FISH FOR TUNA IN THE WATERS OF ANGOLA

PART A

1. Name of owner:
2. Nationality of owner:
3. Business address of owner:
-
-

PART B

To be completed for each vessel

1. Period of validity:
2. Name of vessel:
3. Year of construction:
4. Original flag country:
5. Currently flying the flag of:
6. Date of acquisition of current flag:
7. Year of acquisition:
8. Ports and registration number:
9. Fishing method:
10. Gross registered tonnage:
11. Radio call sign:
12. Overall length (m):
13. Bow (m):
14. Depth (m):
15. Construction material of the hull:
16. Engine power (bhp):
17. Speed (knots):
18. Cabin capacity:
19. Capacity of fuel tanks (m³):
20. Capacity of fish holds (m³):
21. Freezing capacity (tonnes/24 hours) and freezing system used:
-
22. Colour of the hull:
23. Colour of the superstructure:

24. Communication equipment on board:

Type	Brand	Model	Power (Watt)	Year of construction	Frequencies	
					Reception	Transmission

25. Navigation and detection equipment installed:

Type	Brand	Model

26. Auxiliary vessels used (for each vessel):

26.1. Gross registered tonnage:

26.2. Overall length (m):

26.3. Bow (m):

26.4. Depth (m):

26.5. Construction material of the hull:

26.6. Engine power (bhp):

26.7. Speed (knots):

27. Auxiliary aerial fish detection equipment (even if not based on board):

28. Home port:

29. Name of captain:

30. Nationality of captain:

To be annexed:

- three colour photographs of the vessel (side view) and of auxiliary fishing vessels and of auxiliary aerial equipment for fish detection,
- diagram and detailed description of fishing gear used,
- document giving proof of authority for the owner's representative to sign this application.

.....
(Date of application)

.....
(Signature of owner's representative)

Appendix 3
STATISTICS ON CATCH AND ACTIVITY

MINISTRY FOR FISHERIES

Month: _____ Year: _____

Name of vessel:	
Nationality (flag):	

Engine rating:	
Gross registered tonnage:	

Fishing method:	
Port of landing:	

Date	Fishing zone		Number of hauls	Number of fishing hours	Species (kg)			Total	Fish	Total
	Longitude	Latitude			Shrimp and crab		Total			
					Shrimp	Crab				
1/										
2/										
3/										
4/										
5/										
6/										
7/										
8/										
9/										
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31/										
TOTAL:										

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 983/93

of 6 April 1993

relating to the conclusion of the Protocol defining, for the period 21 May 1992 to 20 May 1995 the fishing opportunities and the financial contribution provided for by the Agreement between the European Community and the Government of the Democratic Republic of Madagascar on fishing off Madagascar

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, in accordance with the Agreement between the European Economic Community and the Government of the Democratic Republic of Madagascar on fishing off Madagascar (*), the Contracting Parties held negotiations with a view to determining amendments or additions to be made to the Agreement at the end of the period of application of the first Protocols;

Whereas, as a result of these negotiations, a new Protocol defining, for the period 21 May 1992 to 20 May 1995, the fishing opportunities and the financial contribution provided for by the said Agreement was initialled on 14 May 1992;

Whereas it is in the Community's interest to approve this Protocol,

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

Done at Brussels, 6 April 1993.

HAS ADOPTED THIS REGULATION:

Article 1

The Protocol defining, for the period 21 May 1992 to 20 May 1995, the fishing opportunities and the financial contribution provided for by the Agreement between the European Economic Community and the Government of the Democratic Republic of Madagascar on fishing off Madagascar is hereby approved on behalf of the Community.

The text of the Protocol is attached to this Regulation.

Article 2

The President of the Council is hereby authorized to designate the persons empowered to sign the Protocol in order to bind the Community (*).

Article 3

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

J. ANDERSEN

(*) OJ No C 201, 8. 8. 1992, p 19.

(**) Opinion delivered on 12 March 1993 (not yet published in the Official Journal).

(*) OJ No L 73, 18. 3. 1986, p. 26.

(*) The date of entry into force of the Protocol will be published in the *Official Journal of the European Communities* by the General Secretariat of the Council.

PROTOCOL

defining, for the period 21 May 1992 to 20 May 1995, the fishing opportunities and the financial contribution provided for by the Agreement between the European Community and the Government of the Democratic Republic of Madagascar on fishing off Madagascar

Article 1

Pursuant to Article 2 of the Agreement, licences authorizing simultaneous fishing in Madagascar's fishing zone shall be granted to 42 freezer tuna seiners and eight surface longliners for a period of three years beginning on 21 May 1992.

Article 2

The amount of the contribution referred to in Article 7 of the Agreement shall be fixed at a flat rate of at least ECU 1 350 000 for the duration of the Protocol, payable in three equal annual instalments. This amount is to cover the fishing activities referred to in Article 1 up to a total annual catch of 9 000 tonnes of tuna in Madagascar's fishing zone; if the tuna caught by Community vessels in Madagascar's fishing zone exceeds this weight, the amount referred to above shall be proportionately increased; however, irrespective of the amount actually caught, financial compensation shall not exceed ECU 750 000 per year.

Article 3

The Community shall also, during the period referred to in Article 1, contribute ECU 375 000 to finance a Malagasy scientific programme to improve knowledge of the highly migratory species existing in the Indian Ocean around Madagascar.

At the request of the Government of Madagascar, this contribution may take the form of assistance with the

costs of international meetings to improve knowledge of those species and the management of fishery resources.

Article 4

The Contracting Parties hereby agree that increasing the skills and knowledge of those concerned with sea fishing is essential to the success of their cooperation. The Community shall therefore facilitate the entry of Malagasy nationals to educational establishments in its Member States, and for this purpose shall make available to them study or practical training awards lasting a maximum of five years in the various scientific, technical and economic fields linked to fishing. The total cost of these grants may not exceed ECU 450 000, equivalent to approximately 450 grant months. The grants may also be used in any other country linked to the Community by a cooperation agreement.

Article 5

The Annex to the Agreement between the European Economic Community and the Government of the Democratic Republic of Madagascar on fishing off Madagascar is hereby repealed and replaced by the Annex to this Protocol.

Article 6

This Protocol shall enter into force on the date of its signature.

It shall apply from 21 May 1992.

ANNEX

CONDITIONS GOVERNING FISHING ACTIVITIES BY COMMUNITY VESSELS IN
MADAGASCAR'S FISHING ZONE

1. Formalities concerning applications for, and issue of, licences

After payment of the fees by shipowners, the competent Community authorities shall present to the competent Malagasy authorities an application form in respect of each vessel wishing to fish under the Agreement. The application must be made on the form provided by Madagascar for this purpose, according to the model shown in Appendix I.

The Malagasy authorities shall then send the licence provided for in Article 4 of the Agreement to the Delegation of the Commission of the European Communities in Antananarivo within 15 working days.

Owners of tuna vessels shall be obliged to be represented by an agent in Madagascar.

2. Validity of licences

The licences shall be valid for one year. They shall be renewable. Each licence shall be issued for a specific vessel and shall not be transferable. However, in the event of *force majeure*, a licence for one vessel may be replaced by a licence for another vessel of similar characteristics should the Community so request. The owner of the vessel being replaced shall return the cancelled licence to the Malagasy Ministry with responsibility for fisheries via the Delegation of the Commission of the European Communities.

The new licence shall indicate:

- the date of issue,
- the fact that it cancels and replaces the licence of the previous vessel.

3. Payment for licences

The fee provided for by Article 5 of the Agreement shall be set at ECU 20 per tonne of tuna caught in Madagascar's fishing zone.

Licences shall be issued on advance payment to the Malagasy Treasury of a fixed annual sum of ECU 1 000 per tuna seiner and ECU 500 per surface longliner.

4. Declaration of catches and breakdown of fees due by shipowners

The captain shall complete a fishing form corresponding to the model given in Appendix 2 for each period spent fishing in Madagascar's fishing zone. The form may be replaced during the period of application of the Protocol by another document devised for the same purpose by an international organization responsible for tuna fishing in the Indian Ocean after the agreement of the Joint Committee referred to in Article 9 of the Fisheries Agreement.

The form, which must be legible and signed by the captain of the ship, shall be sent without delay to l'Office de la recherche scientifique et technique d'outre-mer (Office of Overseas Scientific and Technical Research) or El Instituto Oceanográfico Español (Spanish Oceanographical Institute) for processing. After they have been processed by the scientific institutes, the European Community shall send the forms every three months to the Malagasy Ministry with responsibility for fisheries or at the latest three months after the end of each fishing year.

In the event of failure to comply with these provisions, the Malagasy authorities reserve the right to suspend the licence of the offending vessel until the formalities have been completed.

Member States shall inform the Commission of the European Communities before 15 April of the tonnages caught during the past year, as confirmed by the scientific institutes. On the basis of those figures the Commission shall establish a breakdown of the fees due in respect of a fishing year which it shall then send to the Malagasy authorities for their comments.

Shipowners shall be notified by the Commission of the European Communities of this breakdown by the end of April at the latest and shall have 30 days in which to meet their financial obligations. The shipowner cannot recover the balance in cases where the amount payable in respect of actual fishing operations is less than the advance payment.

5. Radio communications

The captain shall notify the coastal radio station at Antananarivo or send a telex at least 24 hours in advance of his intention of bringing his vessel into Madagascar's fishing zone.

The radio frequency to be used and the telex number will be indicated on the licence.

6. Observers

At the request of the Malagasy authorities, tuna vessels shall take an observer on board. The time spent on board by the observer shall be fixed by the Malagasy authorities, but, as a general rule, an observer must not be present for longer than the time required to carry out his duties.

The shipowner shall, via his agent, make a payment of ECU 10 to the Malagasy Government for each day spent by an observer aboard a tuna boat.

Should a tuna boat with a Malagasy observer on board leave Madagascar's fishing zone, every step shall be taken to ensure that the observer returns to Madagascar as soon as possible, at the shipowner's expense.

7. Employment of seamen

For the tuna seiner fleet, two Malagasy seamen shall be signed on permanently for the duration of the fishing season.

Should Madagascar not put forward any candidates, this commitment shall be replaced by a flat-rate sum equivalent to 50 % of the seamen's wages, in proportion to the duration of the season; this sum will be used for the training of Malagasy fishermen.

8. Fishing zones

Community vessels shall have access to all waters under Madagascar's jurisdiction outside the two-mile zone.

Should the Malagasy authorities decide to install experimental fish concentration devices (FCDs), they shall inform the Commission of the European Communities and the agents of the shipowners concerned, indicating the geographical position of the devices.

From the 30th day after such notification, it shall be forbidden to approach within 1,5 nautical miles of the devices. The dismantling of any device must be immediately notified to the same parties.

9. Use of port facilities

The authorities of Madagascar and the beneficiaries of the Agreement shall lay down the conditions for using port facilities.

10. Inspection and monitoring of fishing activities

Vessels holding a licence shall permit and assist any Malagasy official responsible for the inspection and monitoring of fishing activities to board the ship and carry out his duties.

11. Transshipment

When fish are transhipped, freezer tuna seiners shall hand over the fish which they do not intend to keep to a company or organization nominated by the Malagasy authorities in charge of fisheries.

Appendix 1

APPLICATION FORM FOR A FISHING LICENCE

1. Period of validity: from to
2. Name and flag of vessel:
3. Name of shipowner:
4. Port of registration and registration number:
5. Type of fishing:
6. Authorized mesh size:
7. Length of vessel:
8. Breadth of vessel:
9. Gross registered tonnage:
10. Hold capacity:
11. Power of engine:
12. Type of construction:
13. Number of crew normally carried:
14. Radio equipment:
15. Radio call sign:
16. Name of captain:

The shipowner, or his representative, is entirely responsible for the accuracy of this information.

LOGAN LOGBOOK FOR TUNA FISHERY

Appendix 2

Vessel name		Gross tonnage	
Flag country	Capacity (M.T.)	month	year
Registration No.	Captain	day	18
Company or Owner	No. of crew	month	year
Address	Reporting date	month	year
	Reported by		
	Boat RETURNED	Day	18 --
	Boat LEFT		
	Number of days at sea	TID number	
	Number of fishing days or number of sets made	Day	18 --

- Longline
- Setnet
- Purse seine
- Trawl
- Other

Page of pages

C A T C H E S

Date	Area			Depth (m - * = Surf Water Temp.)	Depth sun (Number of hauls used)	Swath sun (Thermal stratum or number)		Volume sun (Thermal stratum)		Volume barn (Thermal stratum)		Volume turn (Thermal stratum)		Volume above (Thermal stratum)		Second (Depth strata)		First (Depth strata)		Third (Depth strata)		Fourth (Depth strata)		Fifth (Depth strata)		Sixth (Depth strata)		Seventh (Depth strata)		Eighth (Depth strata)		Ninth (Depth strata)		Tenth (Depth strata)		Boat used					
	Latitude		Longitude			No.		Kg		No.		Kg		No.		Kg		No.		Kg		No.		Kg		No.		Kg		No.		Kg		No.			Species	Remarks	Measurment system	Date lost (in 19__)	Lot no.
	N or S	E or W				No.	Kg	No.	Kg	No.	Kg	No.	Kg	No.	Kg	No.	Kg	No.	Kg	No.	Kg	No.	Kg	No.	Kg	No.	Kg	No.	Kg	No.	Kg	No.	Kg								
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Landings weight (in kg)																																									

Remarks

- Use one sheet per month, and one line per day.
- Give the month and day of the log to your correspondent or to CODA. General code 17, March 1, Spain.
- Day refers to the day you set the log.
- Fishing area refers to the main position of the boat, round off minutes, and record degree of latitude and longitude. Be sure to record N/S and E/W.
- Record temperature at the surface of the water and at the end of the log. Actual weight at the time of shooting should be recorded.
- All information reported herein will be kept strictly confidential.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 17 May 1993

on the conclusion of the Agreement in the form of an exchange of letters concerning the provisional application of the Protocol defining for the period 18 January 1993 to 17 January 1996 the fishing opportunities and the financial contribution provided for by the Agreement between the European Community and the Republic of Seychelles on fishing off the coast of Seychelles

(93/322/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Agreement between the European Economic Community and the Republic of Seychelles on fishing off Seychelles⁽¹⁾, signed in Brussels on 28 October 1987,

Having regard to the proposal from the Commission,

Whereas the Community and the Republic of Seychelles have held negotiations with a view to determining amendments to be made to the abovementioned Agreement at the end of the period of application of the Protocol in force which is annexed to the said Agreement;

Whereas, as a result of these negotiations, a new Protocol was initialled on 14 January 1993, by virtue of which Community fishermen are to enjoy fishing opportunities in the waters falling within the sovereignty or jurisdiction of the Republic of Seychelles for the period 18 January 1993 to 17 January 1996;

Whereas, in order to avoid interruption of fishing activities by Community vessels, both parties have initialled an Agreement in the form of an exchange of letters providing for the provisional application of the said Protocol from the day following the date of expiry of the Protocol previously in force; whereas the Agreement in the form of an exchange of letters should be approved subject to a

definitive decision pursuant to Article 43 of the EEC Treaty.

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement in the form of an exchange of letters concerning the provisional application of the Protocol defining, for the period 18 January 1993 to 17 January 1996, the fishing opportunities and the financial contribution provided for by the Agreement between the European Community and the Republic of Seychelles on fishing off Seychelles is hereby approved on behalf of the Community.

The text of the Agreement in the form of an exchange of letters is attached to this decision.

Article 2

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

Done at Brussels, 17 May 1993.

For the Council

The President

J. HILDEN

⁽¹⁾ OJ No L 119, 7. 5. 1987, p. 26.

AGREEMENT

in the form of an exchange of letters concerning the provisional application of the Protocol defining, for the period 18 January 1993 to 17 January 1996, the fishing opportunities and the financial contribution provided for by the Agreement between the European Community and the Republic of Seychelles on fishing off Seychelles

A. Letter from the Republic of Seychelles

Sir,

With reference to the draft Protocol, initialled in Victoria on 14 January 1993, establishing the fishing opportunities and the financial contribution for the period 18 January 1993 to 17 January 1996, I have the honour to inform you that the Republic of Seychelles is ready to apply this Protocol on a provisional basis, with effect from 18 January 1993, pending its entry into force in accordance with Article 6 of the Protocol, provided that the European Community is prepared to do the same.

This is on the understanding that a first instalment equal to one-third of the financial compensation specified in Article 2 of the Protocol is to be paid by 31 May 1993.

I should be obliged if you would confirm the European Community's agreement to such provisional application.

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

*For the
Republic of Seychelles*

B. Letter from the European Community

Sir,

I am in receipt of your letter of today's date, which reads as follows:

'With reference to the draft Protocol, initialled in Victoria on 14 January 1993, establishing the fishing opportunities and the financial contribution for the period 18 January 1993 to 17 January 1996, I have the honour to inform you that the Republic of Seychelles is ready to apply this Protocol on a provisional basis, with effect from 18 January 1993, pending its entry into force in accordance with Article 6 of the Protocol, provided that the European Community is prepared to do the same.

This is on the understanding that a first instalment equal to one-third of the financial compensation specified in Article 2 of the Protocol is to be paid by 31 May 1993.

I should be obliged if you would confirm the European Community's agreement to such provisional application.'

I have the honour to confirm the European Community's agreement to such provisional application of the Protocol.

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

*On behalf of the
Council of the European Communities*

COUNCIL REGULATION (EEC) No 2718/93
of 28 September 1993

on the conclusion of the Protocol defining, for the period 18 January 1993 to 17 January 1996, the fishing opportunities and the financial contribution provided for by the Agreement between the European Community and the Republic of Seychelles on fishing off Seychelles

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament⁽¹⁾,

Whereas, in accordance with the Agreement between the European Economic Community and the Republic of Seychelles on fishing off Seychelles, signed in Brussels on 28 October 1987, the Contracting Parties held negotiations with a view to determining amendments to be made to that Agreement at the end of the period of application of the Protocol attached to the said Agreement;

Whereas, as a result of these negotiations, a new Protocol defining for the period 18 January 1993 to 17 January 1996 the fishing opportunities and the financial contribution provided for by the abovementioned Agreement was initialled on 14 January 1993;

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

Done at Brussels, 28 September 1993.

Whereas it is in the Community's interest to approve that Protocol,

HAS ADOPTED THIS REGULATION:

Article 1

The Protocol defining, for the period 18 January 1993 to 17 January 1996, the fishing opportunities and the financial contribution provided for by the Agreement between the European Community and the Republic of Seychelles on fishing off Seychelles is hereby approved on behalf of the Community.

The text of the Protocol is attached to this Regulation.

Article 2

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

Article 3

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

G. COEME

⁽¹⁾ OJ No C 194, 19. 7. 1993.

PROTOCOL

defining for the period 18 January 1993 to 17 January 1996 the fishing opportunities and the financial contribution provided for by the Agreement between the European Community and the Republic of Seychelles on fishing off Seychelles

Article 1

1. Pursuant to Article 2 of the Agreement, and notwithstanding Article 12 of the Agreement relating to further periods of the Agreement, licences to fish simultaneously in Seychelles' waters shall be granted to 40 ocean-going tuna seiners for a period of three years beginning on 18 January 1993.

2. Furthermore fishing licences may also be granted for tuna trollers and surface tuna longliners not exceeding 18 metres length overall.

Article 2

The financial contribution referred to in Article 6 of the Agreement shall be fixed at ECU 6 900 000 for the period provided for in Article 1 of this Protocol, payable in three equal annual instalments. The financial contribution corresponds to a catch of 46 000 tonnes of tuna per year in Seychelles' waters. If the tuna caught by Community vessels in Seychelles' waters exceeds 46 000 tonnes, the Community shall increase the financial contribution proportionately.

Article 3

The Community shall also pay, during the period referred to in Article 1, a contribution of ECU 2 700 000 payable in three equal annual instalments, towards the financing of scientific programmes in Seychelles to gain greater knowledge of fish stocks concerning the region of the Indian Ocean surrounding the Seychelles islands, particularly in respect of highly migratory species, and the purchase or maintenance or both, as Seychelles may think

fit, of equipment to improve the administrative structure relating to fisheries in Seychelles.

The Seychelles authorities shall forward a brief report on the way that amount is used to the Commission services.

Article 4

The two parties hereby agree that an essential condition for the success of their cooperation is that the skills and know-how of persons engaged in sea fishing be improved. To this end, the Community will assist Seychellois nationals in finding places in establishments in its Member States or States with which it has concluded cooperation agreements and will make available an amount of ECU 300 000 for study or practical training awards with a maximum duration of five years in the various scientific, technical and economic subjects relating to fisheries. Of this amount, up to ECU 100 000 may be used, at the request of the Seychelles' authorities, to cover the cost of attending international meetings relating to fisheries.

Article 5

The Protocol and Annex I, dated 18 and 17 January 1990 respectively, to the Agreement which came into force on 28 October 1987 between the European Community and the Republic of Seychelles on fishing off Seychelles are hereby repealed and replaced by this Protocol and Annex I.

Article 6

This Protocol and Annex I shall enter into force on the date of their signature.

This Protocol and Annex I shall be applicable from 18 January 1993.

ANNEX I

Conditions for the pursuit of fishing activities by Community vessels in Seychelles' waters

1. *Licence application and issuing formalities*

The procedure for applications for, and issue of, licences enabling Community vessels to fish in Seychelles' waters shall be as follows:

- (a) the Commission of the European Communities shall present to the Seychelles Fishing Authority, via the representative of the Commission of the European Communities in Seychelles, an application, made by the shipowner, for each vessel that wishes to fish under this Agreement, at least 20 days before the date of commencement of the period of validity requested. The application shall be made on the form provided for that purpose by the Seychelles, a specimen of which is annexed hereto;
- (b) every licence shall be issued for one designated vessel. At the request of the Commission of the European Communities, the licence for a vessel may, and, in cases of *force majeure*, will be replaced by a licence for another Community vessel;
- (c) the licences shall be delivered by the Seychelles' authorities to the shipowners, or their representatives or agents. The representative of the Commission of the European Communities shall be notified of the licences granted by the authorities of Seychelles;
- (d) the licence document must be held on board at all times;
- (e) the Seychelles' authorities shall communicate before the date of entry into force of the Agreement the arrangements for payment of the licence fees, and in particular the details of the bank accounts and the currencies to be used.

2. *Validity of licences and payment*

- (a) Licences shall be valid for a period of one year. They are renewable.
- (b) As far as tuna seiners are concerned, the fees shall be set at ECU 20 per tonne caught within Seychelles' waters. Licences for these vessels shall be issued following advance payment to Seychelles of a lump sum of ECU 3 000 per year for each vessel, equivalent to the fees for 250 tonnes of tuna caught within the Seychelles' waters per year.
- (c) For small tuna trollers and surface tuna longliners mentioned in Article 1 of the Protocol, the licence fee is fixed at ECU 20 per tonne caught in Seychelles' waters. The licences shall be issued following advance payment to Seychelles of a lump sum of ECU 500 a year per vessel, equivalent to the fees due for 25 tonnes of tuna caught in Seychelles' waters per year.
- (d) A provisional statement of the fees due for the fishing year shall be drawn up by the Commission of the European Communities at the end of each calendar year on the basis of the catch statements made by the shipowners and forwarded simultaneously to the Seychelles' authorities and the Commission of the European Communities. The corresponding amount shall be paid by the shipowners to the Seychelles' Treasury no later than 31 March of the following year. The final statement of the fees due in respect of a fishing year shall be drawn up by the Commission of the European Communities, taking into account available scientific opinion, particularly of FAO, Orstom and the Spanish Institute of Oceanography (IEO) experts established in the Seychelles, and any statistical data which can be gathered by an international fishing organization in the Indian Ocean and any comments or data supplied by the Seychelles authorities to the Commission. The shipowners shall be notified by the Commission of the European Communities of the statement and shall have 30 days in which to meet their financial obligations. If the amount of the sum due for actual fishing operations is less than the advance payment, the Seychelles authorities shall retain the balance.

3. *Observers*

Tuna seiner vessels shall, at the request of the Seychelles' authorities, take on board an observer designated by the said authorities in order to check catches made in Seychelles' waters. Observers shall have all facilities necessary for the performance of these duties, including access to places and documents. An observer must not be present for longer than the time required to fulfil his duties. Observers shall be provided with suitable food and accommodation while on board. Should a tuna seiner with a Seychellois observer on board leave Seychelles' waters, every step will be taken to ensure that the observer returns to Seychelles as soon as possible, at the shipowners' expense.

4. *Employment of fishermen*

Each tuna seiner shall take on board at least two Seychelles' fishermen designated by the Seychelles' authorities, in agreement with the shipowners, during its fishing campaign. The employment contracts of the fishermen shall be drawn up in Victoria between the shipowners' representatives and the fishermen in agreement with the Seychelles Ministry responsible for Employment. This contract shall cover the social security arrangements applicable to the fishermen including life, accident and sickness insurance.

5. *Landing*

Tuna seiners landing in the port of Victoria will endeavour to make their by-catches available to the Seychellois authorities at the local market prices. Furthermore the Community tuna seiners shall participate in supplying tuna to the Seychelles canneries at international market prices.

6. *Radio communications*

While they are engaged in fishing activities in the Seychelles' waters, vessels shall communicate their position and catches every three days to the Seychelles' authorities via Victoria radio station and, at the end of each trip, the result of their catches.

7. *Fishing zone*

To avoid any adverse effect on small-scale fisheries in Seychelles' waters, fishing by Community vessels shall not be authorized in the zones defined in the Seychelles regulations nor within three miles around any fish-aggregating device placed by the Seychelles authorities, the geographical positions of which have been communicated to the shipowners' representative or agent.

8. *Port equipment and use of supplies and services*

Community vessels shall endeavour to procure in Seychelles all supplies and services required for their operations. The Seychelles' authorities will lay down, in agreement with the shipowners, the conditions for using port equipment and, if necessary, supplies and services.

9. *Catch statements*

Community vessels shall be required to complete a fishing log book for each fishing period in Seychelles' waters. Failure to complete this logbook, duly proven falsification of the details required to be entered therein or failure to pay any fees due by any Community vessel under this Agreement may be penalized by suspension, revocation or non-renewal of the vessel's fishing licence. Suspension or revocation of a fishing licence shall be regarded as force majeure for the purpose of point 1 (b) of this Annex.

Before any licence is suspended or revoked, the Commission of the European Communities will be fully informed of all the relevant facts.

APPLICATION FOR A FOREIGN FISHING VESSEL LICENCE

Name of applicant:

Address of applicant:

Name and address of charterer of vessel if different from above:

Name and address of other legal representative in Seychelles:

Name and address of master of vessel:

Name of vessel:

Type of vessel:

Length and registered net tonnage of vessel:

Engine type, horse power and gross registered tonnage:

Port and country of registry:

Registration number:

Fishing vessel external identification:

Radio call sign/signal letters:

Frequency:

Particulars of equipment:

Number and nationality of crew:

Proposed fishing area and species of fish:

Description of fishing operations, joint ventures and other contractual arrangements:

I certify that the above particulars are correct.

Date:

Signature:

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 12 July 1993

on the conclusion of the Agreement in the form of an Exchange of Letters concerning the provisional application of the Protocol establishing, for the period 1 June 1993 to 31 May 1996, the fishing rights and financial compensation provided for in the Agreement between the European Economic Community and the Government of the Democratic Republic of São Tomé e Príncipe on fishing off São Tomé e Príncipe

(93/394/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Agreement between the European Economic Community and the Government of the Democratic Republic of São Tomé e Príncipe on fishing off São Tomé e Príncipe⁽¹⁾, which entered into force on 18 April 1985,

Having regard to the proposal from the Commission, Whereas negotiations have been held between the Community and São Tomé e Príncipe to determine the amendments or additions to be introduced into the Agreement on fishing off São Tomé e Príncipe at the end of the period of application of the Protocol;

Whereas, as a result of these negotiations, a new Protocol was initialled on 10 February 1993;

Whereas, under that Protocol, Community fishermen have fishing rights in the waters under the sovereignty or jurisdiction of São Tomé e Príncipe for the period 1 June 1993 to 31 May 1996;

Whereas in order to avoid any interruption in the fishing activities of Community vessels, it is essential that the new Protocol be applied as soon as possible; whereas, for this reason, the two Parties initialled an Agreement in the form of an Exchange of Letters providing for the provisional application of the initialled Protocol from the day following the date of expiry of the Protocol in question;

whereas the Agreement in the form of an Exchange of Letters should be approved, pending a final decision taken under Article 43 of the Treaty,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement in the form of an Exchange of Letters concerning the provisional application of the Protocol establishing, for the period 1 June 1993 to 31 May 1996, the fishing rights and financial compensation provided for in the Agreement between the European Economic Community and the Government of the Democratic Republic of São Tomé e Príncipe on fishing off São Tomé e Príncipe is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Decision.

Article 2

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

Done at Brussels, 12 July 1993.

For the Council

The President

Ph. MAYSTADT

⁽¹⁾ OJ No L 54, 25. 2. 1984, p. 1.

AGREEMENT

in the form of an Exchange of Letters concerning the provisional application of the Protocol establishing, for the period 1 June 1993 to 31 May 1996, the fishing rights and financial compensation provided for in the Agreement between the European Economic Community and the Government of the Democratic Republic of São Tomé e Príncipe on fishing off São Tomé e Príncipe

A. Letter from the Government of the Democratic Republic of São Tomé e Príncipe

Sir,

With reference to the Protocol initialled on 10 February 1993 establishing fishing rights and financial compensation for the period 1 June 1993 to 31 May 1996, I have the honour to inform you that the Government of the Democratic Republic of São Tomé e Príncipe is ready to apply this Protocol on a provisional basis, with effect from 1 June 1993, pending its entry into force in accordance with Article 7 of the said Protocol, provided that the European Economic Community is prepared to do the same.

This is on the understanding that a first instalment equal to one third of the financial compensation specified in Article 2 of the Protocol is paid by 31 October 1993.

I should be obliged if you would confirm the European Economic Community's agreement to such provisional application.

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

*For the Government
of the Democratic Republic of São Tomé e Príncipe*

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 Protocol initialled on 10 February 1993 establishing fishing rights and financial compensation for the period 1 June 1993 to 31 May 1996, I have the honour to inform you that the Government of the Democratic Republic of São Tomé e Príncipe is ready to apply this Protocol on a provisional basis, with effect from 1 June 1993, pending its entry into force in accordance with Article 7 of the said Protocol, provided that the European Economic Community is prepared to do the same.

This is on the understanding that a first instalment equal to one third of the financial compensation specified in Article 2 of the Protocol is paid by 31 October 1993.

I should be obliged if you would confirm the European Economic Community's agreement to such provisional application.'

I have the honour to confirm the European Economic Community's agreement to this provisional application of the Protocol.

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

*On behalf of the Council
of the European Communities*

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 3221/93

of 22 November 1993

on the conclusion of the Protocol establishing, for the period 1 June 1993 to 31 May 1996, the fishing rights and financial compensation provided for in the Agreement between the European Economic Community and the Government of the Democratic Republic of São Tomé e Príncipe on fishing off São Tomé e Príncipe

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament⁽¹⁾,

Whereas, in accordance with the Agreement between the European Economic Community and the Government of the Democratic Republic of São Tomé e Príncipe on fishing off São Tomé e Príncipe⁽²⁾, which entered into force on 18 April 1985, the two Parties negotiated to determine the amendments or additions to be introduced into the said Agreement at the end of the period of application of the Protocol⁽³⁾;

Whereas, as a result of these negotiations, a new Protocol establishing, for the period 1 June 1993 to 31 May 1996, the fishing rights and financial compensation provided for in the abovementioned Agreement was initialled on 10 February 1993;

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

Done at Brussels, 22 November 1993.

Whereas it is in the Community's interest to approve the Protocol referred to in this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The Protocol establishing, for the period 1 June 1993 to 31 May 1996, the fishing rights and financial compensation provided for in the Agreement between the European Economic Community and the Government of the Democratic Republic of São Tomé e Príncipe on fishing off São Tomé e Príncipe is hereby approved on behalf of the Community.

The text of the Protocol is attached to this Regulation.

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.

Article 3

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

Ph. MAYSTADT

⁽¹⁾ Opinion delivered on 29 October 1993 (not yet published in the *Official Journal*).

⁽²⁾ OJ No L 54, 25. 2. 1984, p. 1.

⁽³⁾ Regulation (EEC) No 1295/91, 14. 5. 1991 (OJ No L 123, 18. 5. 1991, p. 1).

PROTOCOL

establishing fishing rights and financial compensation provided for in the Agreement between the European Economic Community and the Government of the Democratic Republic of São Tomé e Príncipe on fishing off São Tomé e Príncipe for the period 1 June 1993 to 31 May 1996

Article 1

For a period of three years from 1 June 1993, the fishing rights granted pursuant to Article 2 of the Agreement shall be 40 freezer tuna seiners and eight pole-and-line wet tuna vessels or surface long-liners.

Article 2

1. The financial compensation referred to in Article 6 of the Agreement shall be, for the period referred to in Article 1, ECU 1 650 000, payable in three equal annual instalments. That amount shall cover an annual catch of 9 000 tonnes in São Tomé e Príncipe waters. If the tuna caught by Community vessels in São Tomé e Príncipe waters exceeds that weight, the abovementioned amount shall be increased proportionately.

2. The use to which this compensation is put shall be the sole responsibility of the Government of the Democratic Republic of São Tomé e Príncipe. It shall be paid into an account with the National Bank of São Tomé e Príncipe.

Article 3

1. The Community shall contribute during the period referred to in Article 1 the sum of ECU 250 000 towards the financing of scientific and technical programmes to improve biological and fishery resource information as regards the exclusive economic zone of São Tomé e Príncipe.

2. These programmes shall be drawn up jointly by the competent authorities of São Tomé e Príncipe and the Community, which will, if necessary, participate in their implementation. Once the content of the programmes has been approved, they shall be financed by payments into an account indicated by the competent authorities of São Tomé e Príncipe.

3. The competent authorities of São Tomé e Príncipe shall send to the Commission of the European Communities a report on the implementation of the approved programmes and the results obtained. The Commission of the European Communities reserves the right to request any further scientific information from the authorities of São Tomé e Príncipe.

Article 4

1. The two Parties agree that improving the skills and knowledge of those involved in sea fishing is a vital element in the success of their cooperation. To that end, the Community shall:

- (a) make it easier for nationals of São Tomé e Príncipe to find places in establishments in its Member States and shall provide for that purpose awards for study and practical training in the various scientific, technical and economic disciplines relating to fisheries. These awards may also be used by any State linked to the Community by a Cooperation Agreement;
- (b) cover São Tomé e Príncipe's participation in the Regional Fisheries Committee for the Gulf of Guinea and Iccat;
- (c) bear the costs of participation in international meetings or training courses on fisheries.

2. The cost of these measures may not exceed ECU 275 000. This sum shall be paid to the account indicated by the Ministry of Commerce, Industry, Tourism and Fisheries in three equal annual instalments. That Ministry shall manage all the measures financed in this way referred to in paragraph 1 and shall submit to the Commission a detailed report on the use made of these funds.

Article 5

Should the Community fail to make the payments provided for in Articles 2 and 3, the application of this Protocol may be suspended.

Article 6

The Annex to the Agreement between the European Community and the Government of the Democratic Republic of São Tomé e Príncipe on fishing off São Tomé e Príncipe is hereby repealed and replaced by the Annex to this Protocol.

Article 7

This Protocol shall enter into force on the date on which it is signed.

It shall apply from 1 June 1993.

ANNEX

Conditions for the exercise of fishing activities by Community vessels in São Tomé e Príncipe's fishing zone

1. The procedure for applications for, and issue of, the licences referred to in Article 4 of the Agreement shall be as follows :

the relevant Community authorities shall present to the Ministry for Commerce, Industry, Tourism and Fisheries of São Tomé e Príncipe, via the Commission Delegation responsible for São Tomé e Príncipe, an application for each vessel that wishes to fish under the Agreement, at least 20 days before the date of commencement of the period of validity requested.

The applications shall be made on the forms provided for that purpose by the Government of the Democratic Republic of São Tomé e Príncipe, a specimen of which is attached hereto (Appendix 1).

Licences shall be issued by the São Tomé e Príncipe authorities within 20 days of submission of the application to the shipowners or their representatives via the Delegation of the Commission of the European Communities responsible for São Tomé e Príncipe.

Licences shall be issued for a specific vessel and shall not be transferable. However, where *force majeure* is proved and at the request of the Commission of the European Communities, a vessel's licence shall be replaced by a new licence for another vessel whose features are similar to those of the first vessel. The owner of the first vessel shall return the cancelled licence to the Ministry of Commerce, Industry, Tourism and Fisheries of São Tomé e Príncipe via the Delegation of the Commission of the European Communities responsible for São Tomé e Príncipe.

The new licence shall indicate :

- the date of issue,
- the fact that this licence replaces that of the first vessel, for the period of validity remaining.

In this case, no new lump sum as laid down in paragraph 5 shall be due.

The licences must be held on board at all times ;

2. licences shall be valid for one year and shall be renewable ;
3. the fees provided for in Article 4 of the Agreement shall be set at ECU 20 per tonne caught in São Tomé e Príncipe's fishing zone ;
4. the competent authorities of São Tomé e Príncipe shall indicate the detailed rules for payment of the fees, in particular the bank accounts and currencies to be used ;
5. licences shall be issued following payment to the National Bank of São Tomé e Príncipe of a lump sum of ECU 1 500 for each freezer tuna seiner per year and ECU 200 for each pole-and-line tuna vessel or surface long-liner per year, equivalent to the fees for :
 - 75 tonnes of tuna caught per freezer tuna seiner per year,
 - 10 tonnes of tuna caught per pole-and-line tuna vessel or surface long-liner per year ;
6. the final statement of the fees due for the fishing period shall be drawn up by the Commission of the European Communities at the end of each calendar year on the basis of the catch statements made for each vessel and confirmed by the competent scientific institutes, namely the French institut de la recherche scientifique et technique d'outre-mer (Orstom) and the Instituto Español de Oceanografía (IEO). The statement shall be forwarded simultaneously to the competent authorities of São Tomé e Príncipe and to the shipowners. Any additional payment due shall be made by the shipowners to the National Bank of São Tomé e Príncipe no later than 30 days after notification of the final statement. However, if the amount of the final statement is lower than the advance referred to in paragraph 5, the resulting balance shall not be reimbursable to the shipowner ;
7. Community vessels shall keep a fishing log, in accordance with the model in Appendix 2, for each fishing period spent in São Tomé e Príncipe's fishing zone. The form shall be sent to the Ministry of Commerce, Industry, Tourism and Fisheries, via the Delegation of the Commission of the European Communities responsible for São Tomé e Príncipe, within 45 days of the end of the fishing trip spent in the São Tomé e Príncipe fishing zone.

Forms must be completed legibly and signed by the master of the vessel ;

8. every time they enter or leave São Tomé e Príncipe's fishing zone, Community vessels shall communicate the volume of catch held on board at that time to the radio station on São Tomé e Príncipe. The call sign shall be communicated to shipowners when the licence is issued.

A vessel caught fishing without having notified the radio of São Tomé e Príncipe shall be considered an unlicensed vessel.

In cases where this radio communication cannot be used, vessels may use alternative means such as telex or fax ;

9. tuna seiners shall endeavour on a voluntary basis to make any by-catches available to the São Tomé e Príncipe authorities at a price fixed by mutual agreement ;
10. vessels shall allow on board observers at the request of the authorities of São Tomé e Príncipe. Observers should not remain on board any longer than the time needed to carry out spot checks on the catch. The master of the vessel shall take all necessary steps to facilitate the task of the observers on board.
At the request of the authorities of São Tomé e Príncipe, owners of tuna fishing vessels shall endeavour to sign on three São Tomé e Príncipe seamen for all the Community tuna seiners, all such seamen to be assigned to different vessels. The conditions of employment and remuneration shall be fixed by mutual agreement between the shipowners and representatives of the seamen ;
11. the international standards on tuna fishing as recommended by Iccat shall apply ;
12. the Delegation of the Commission of the European Communities responsible for São Tomé e Príncipe shall be notified within 48 hours of any boarding within São Tomé e Príncipe's fishing zone of a fishing vessel flying the flag of a Member State of the Community and operating under this Agreement.
A brief report of the circumstances and reasons leading to the boarding must be submitted within 72 hours.

Appendix 1

DEMOCRATIC REPUBLIC OF SÃO TOMÉ E PRÍNCIPE
MINISTRY OF COMMERCE, INDUSTRY, TOURISM AND FISHERIES
FISHING LICENCE APPLICATION No

Name of applicant :

Address of applicant :

.....

Name and address of shipowner :

.....

Name and address of any representative in São Tomé e Príncipe :

.....

Name of vessel :

Type of vessel :

Country of registration :

Port and registration number :

External identification of vessel :

Radio call sign and frequency :

Length of vessel :

Width of vessel :

Engine type and rating :

Hold capacity :

Minimum crew :

Type of fishing :

Species to be fished :

.....

Period of validity sought :

'I hereby certify that this information is correct and that I know and agree with and undertake to observe and enforce the laws of the Democratic Republic of São Tomé e Príncipe concerning fishing and the sea, and all applicable international legislation.'

Date :

THE APPLICANT

.....

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 2296/93

of 22 July 1993

on the conclusion of the Protocol defining, for the period 2 October 1992 to 1 October 1994, the fishing rights and financial compensation provided for in the Agreement between the European Economic Community and the Government of the Republic of Senegal on fishing off the coast of Senegal

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

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

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

Whereas, pursuant to the second subparagraph of Article 17 of the Agreement between the European Economic Community and the Government of the Republic of Senegal on fishing off the coast of Senegal ⁽³⁾, the two Parties entered into negotiations to determine the amendments or additions to be made to the Agreement on the expiry of the application period of the Protocol annexed thereto;

Whereas, as a result of these negotiations, a Protocol setting out the fishing rights and financial compensation provided for in the said Agreement for the period from 2 October 1992 to 1 October 1994 was initialled on 1 October 1992;

Whereas it is in the Community's interest to approve the said Protocol,

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

Done at Brussels, 22 July 1993.

For the Council

The President

M. OFFICCIERS-VAN DE WIELE

⁽¹⁾ OJ No C 335, 18. 12. 1992, p. 19.

⁽²⁾ Opinion delivered on 12 July 1993 (not yet published in the Official Journal).

⁽³⁾ OJ No L 226, 29. 8. 1980, p. 17.

PROTOCOL

defining, for the period 2 October 1992 to 1 October 1994, the fishing rights and financial compensation provided for in the Agreement between the European Economic Community and the Government of the Republic of Senegal on fishing off the coast of Senegal

THE PARTIES TO THIS PROTOCOL,

8. tuna canners: 11 vessels;
9. freezer tuna seiners: 57 vessels;
10. surface longliners: 11 vessels.

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,

Article 2

HAVE AGREED AS FOLLOWS:

1. The financial compensation referred to in Article 9 of the Agreement is hereby fixed, for the period referred to in Article 1, at ECU 31 200 000 payable in two equal annual instalments.

2. The compensation shall be paid into the account of Senegal's Treasurer General.

Article 1

From 2 October 1992, for a period of two years, the limits referred to in the second subparagraph of Article 4 of the Agreement shall be as follows:

Article 3

1. wet-fish trawlers (inshore demersal fishing for fish and cephalopods) landing and selling their entire catch in Senegal: 1 000 GRT/year;
2. trawlers (inshore demersal fishing for fish and cephalopods) not landing their catch in Senegal: 2 500 GRT/year, including 1 250 GRT/year with freezing facilities;
3. ocean-going trawlers (deep-water demersal species) not landing their catch in Senegal and fishing for a period of four months: 12 000 GRT/year in an average year, including 6 000 GRT/year with freezing facilities;
4. freezer trawler (inshore demersal fishing for fish and cephalopods) landing and selling part of their catch in Senegal: 6 500 GRT/year;
5. freezer trawlers (inshore demersal fishing for fish and cephalopods) landing part of their catch in Senegal and fishing over a four-month period specified for each vessel in an overall fishing plan to be notified to the Senegalese Government by the Community every six months: 1 000 GRT/year in an average year;
6. ocean-going shrimp freezer trawlers (demersal) not landing their catch in Senegal: 6 100 GRT/year;
7. bottom longliners (experimental): 1 500 GRT/year;

The fishing opportunities provided for in Article 1 may be increased, at the request of the Community, by successive annual instalments of 1 000 GRT/year. In such case the financial compensation provided for in Article 2 shall be increased proportionately *pro rata temporis*.

Article 4

In addition, during the period referred to in Article 1, the Community shall contribute the sum of ECU 600 000 to the financing of Senegal's scientific programmes intended to improve knowledge of fish stocks in Senegal's exclusive economic zone. This sum shall be made available to the Centre de Recherches Océanographiques de Dakar-Thiaroye (Crodt). The competent authorities in Senegal shall send the Commission summary reports on the programmes carried out.

Article 5

The two Parties agree that an essential factor 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 will make it easier for nationals of Senegal to find places in establishments in its Member States and shall provide for that purpose study

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 2296/93

of 22 July 1993

on the conclusion of the Protocol defining, for the period 2 October 1992 to 1 October 1994, the fishing rights and financial compensation provided for in the Agreement between the European Economic Community and the Government of the Republic of Senegal on fishing off the coast of Senegal

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

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

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

Whereas, pursuant to the second subparagraph of Article 17 of the Agreement between the European Economic Community and the Government of the Republic of Senegal on fishing off the coast of Senegal ⁽³⁾, the two Parties entered into negotiations to determine the amendments or additions to be made to the Agreement on the expiry of the application period of the Protocol annexed thereto;

Whereas, as a result of these negotiations, a Protocol setting out the fishing rights and financial compensation provided for in the said Agreement for the period from 2 October 1992 to 1 October 1994 was initialled on 1 October 1992;

Whereas it is in the Community's interest to approve the said Protocol,

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

Done at Brussels, 22 July 1993.

Article 1

The Protocol defining, for the period from 2 October 1992 to 1 October 1994 the fishing rights and financial compensation provided for in the Agreement between the European Economic Community and the Government of the Republic of Senegal on fishing off the coast of Senegal is hereby approved on behalf of the Community.

The text of the Protocol is attached to this Regulation.

Article 2

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

Article 3

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

M. OFFECIERS-VAN DE WIELE

⁽¹⁾ OJ No C 335, 18. 12. 1992, p. 19.

⁽²⁾ Opinion delivered on 12 July 1993 (not yet published in the Official Journal).

⁽³⁾ OJ No L 226, 29. 8. 1980, p. 17.

PROTOCOL

defining, for the period 2 October 1992 to 1 October 1994, the fishing rights and financial compensation provided for in the Agreement between the European Economic Community and the Government of the Republic of Senegal on fishing off the coast of Senegal

THE PARTIES TO THIS PROTOCOL,

8. tuna canners: 11 vessels;
9. freezer tuna seiners: 57 vessels;
10. surface longliners: 11 vessels.

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,

Article 2

HAVE AGREED AS FOLLOWS:

1. The financial compensation referred to in Article 9 of the Agreement is hereby fixed, for the period referred to in Article 1, at ECU 31 200 000 payable in two equal annual instalments.

2. The compensation shall be paid into the account of Senegal's Treasurer General.

Article 1

Article 3

From 2 October 1992, for a period of two years, the limits referred to in the second subparagraph of Article 4 of the Agreement shall be as follows:

The fishing opportunities provided for in Article 1 may be increased, at the request of the Community, by successive annual instalments of 1 000 GRT/year. In such case the financial compensation provided for in Article 2 shall be increased proportionately *pro rata temporis*.

1. wet-fish trawlers (inshore demersal fishing for fish and cephalopods) landing and selling their entire catch in Senegal: 1 000 GRT/year;
2. trawlers (inshore demersal fishing for fish and cephalopods) not landing their catch in Senegal: 2 500 GRT/year, including 1 250 GRT/year with freezing facilities;
3. ocean-going trawlers (deep-water demersal species) not landing their catch in Senegal and fishing for a period of four months: 12 000 GRT/year in an average year, including 6 000 GRT/year with freezing facilities;
4. freezer trawler (inshore demersal fishing for fish and cephalopods) landing and selling part of their catch in Senegal: 6 500 GRT/year;
5. freezer trawlers (inshore demersal fishing for fish and cephalopods) landing part of their catch in Senegal and fishing over a four-month period specified for each vessel in an overall fishing plan to be notified to the Senegalese Government by the Community every six months: 1 000 GRT/year in an average year;
6. ocean-going shrimp freezer trawlers (demersal) not landing their catch in Senegal: 6 100 GRT/year;
7. bottom longliners (experimental): 1 500 GRT/year;

Article 4

In addition, during the period referred to in Article 1, the Community shall contribute the sum of ECU 600 000 to the financing of Senegal's scientific programmes intended to improve knowledge of fish stocks in Senegal's exclusive economic zone. This sum shall be made available to the Centre de Recherches Océanographiques de Dakar-Thiaroye (Crodt). The competent authorities in Senegal shall send the Commission summary reports on the programmes carried out.

Article 5

The two Parties agree that an essential factor 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 will make it easier for nationals of Senegal to find places in establishments in its Member States and shall provide for that purpose study

and practical training awards in various scientific, technical and economic disciplines connected with fisheries. These awards may be used also in any other State linked to the Community by a cooperation agreement. The total cost of the awards may not exceed ECU 200 000. This amount shall be payable as and when it is used.

Article 6

Failure by the Community to make the payments provided for in Articles 2 and 4 of this Protocol may result in the suspension of the Fisheries Agreement.

Article 7

The Annex 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, is hereby repealed and replaced by the one which appears in the Annex to this Protocol.

Article 8

This Protocol shall enter into force on the date of its signing.

It shall apply with effect from 2 October 1992.

ANNEX

'ANNEX I'

CONDITIONS GOVERNING FISHING ACTIVITIES IN SENEGAL'S FISHING ZONE BY VESSELS
FLYING THE FLAG OF A MEMBER STATE OF THE COMMUNITY

A. Application for and issue of licences

- 1.1. The relevant Community authorities shall present to the Senegalese Ministry responsible for sea fisheries an application in respect of each vessel wishing to fish under the Agreement.

The application, accompanied by a tonnage certificate, shall be made on the forms provided for that purpose by the Government of Senegal, a specimen of which is at Appendix 1.

- 1.2. The technical services of the Ministry responsible for sea fisheries shall establish the fee payable by the shipowner for the licence and inform the delegation of the Commission of the European Communities in Dakar.

Fees shall include all national and local charges with the exception of port charges and the costs of services.

After payment of the fee, the licence shall be signed and forwarded to the delegation of the Commission of the European Communities in Dakar.

If within two weeks of notification of the amount due the fee has not been paid, the Community may make fresh licence application for the tonnage concerned.

- 1.3. Licences shall be valid from the date of issue until 31 December of the year in which they are issued or until the expiry of the Protocol in its last year of application.

Trawlers fishing demersal species may, within the limits laid down in points 3 and 5 of Article 1 of the Protocol, obtain special licences valid for four months.

- 1.4. The fees and advances shall be for one year, except those for the licences referred to in point 1.3. However, in the first and last years of application of the Protocol, the fees and advances shall be in proportion to the period of validity of the Agreement. The fees shall be set as follows:

A. Fees for trawlers

1. Wet-fish trawlers (inshore demersal fishing for fish and cephalopods) landing and selling their entire catch in Senegal: CFAF 20 000 per GRT/year.
2. Trawlers (inshore demersal fishing for fish and cephalopods) not landing their catch in Senegal: CFAF 50 000 per GRT/year.
3. Ocean-going trawlers (demersal) not landing their catch in Senegal and fishing for a period of four months: CFAF 12 500 per GRT/four months for wet fish trawlers and CFAF 15 000 per GRT/four months for freezer trawlers.
4. Freezer trawlers (inshore demersal fishing for fish and cephalopods) landing and selling part of their catch in Senegal: CFAF 40 000 per GRT/year.
5. Freezer trawlers (inshore demersal fishing for fish and cephalopods) landing part of their catch in Senegal and fishing over a four-month period specified for each vessel in an overall fishing plan to be notified to the Senegalese Government by the Community every six months: CFAF 23 000 per GRT/four months.
6. Ocean-going shrimp freezer trawlers (demersal) not landing their catch in Senegal: CFAF 40 000 per GRT/year.
7. Bottom longliners: CFAF 40 000 per GRT/year.

B. Fees for tuna vessels and longliners

1. Tuna cannery: CFAF 2/kilogram of fish caught in Senegal's fishing zone.
2. Freezer tuna seiners: CFAF 7/kilogram of fish caught in Senegal's fishing zone.
3. Surface longliners: CFAF 15/kilogram of fish caught in Senegal's fishing zone.

Licences for vessels referred to in 2 and 3 shall be issued following advance payment to the Receveur des Domaines for those fees of a lump sum of CFAF 350 000 for each tuna seiner and CFAF 750 000 for each surface longliner, which corresponds to 50 tonnes of tuna per vessel per year.

The final statement of the fees due for the fishing year shall be drawn up at the end of each calendar year by the Commission of the European Communities on the basis of catch statements made by the shipowners for each vessel and confirmed by the Centre de Recherches Océanographiques de Dakar-Thiaroye (Crodt). The statement shall be forwarded simultaneously to the Senegalese authorities and the shipowners. Each additional payment, if any, shall be made by the shipowners to the Receveur des Domaines not later than 30 days following the notification of the final statement.

However, where the sum due as set out in the final statement is less than the advance, the shipowner will not be reimbursed the difference.

B. Statements of catch

All vessels authorized to fish in Senegalese waters under the Agreement shall be required to forward to the Direction de l'Océanographie et des Pêches Maritimes, with a copy to the delegation of the Commission of the European Communities in Dakar, a statement of their catch made out according to Appendices 2, 3 and 4. These statements must be presented after each voyage in the case of wet trawlers. For freezer trawlers, monthly catch statements must be forwarded before the end of the month following the vessel's return.

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 completed and to apply the sanction provided for under Article 58 of Senegal's sea fisheries code. In this case, the delegation of the Commission of the European Communities at Dakar shall be informed.

C. Landing of catch

- (a) Freezer trawlers (inshore demersal fishing) in category 4 shall land, for local market prices, 130 kilograms of fish and shrimp per GRT every half year.

These landings may be made individually or collectively.

Any failure to comply with the requirements to land catches may incur the following sanctions:

- a fine of CFAF 300 000 for each tonne not landed,
- withdrawal without renewal of the licence of the vessel concerned or another vessel of the same shipowner.

In order to ensure payment of the fine, the issuing of a licence shall be subject to the lodging in Senegal of a banker's guarantee of CFAF 39 000 per GRT for every half-year.

The Senegalese authorities shall release this security as soon as a vessel has met its landing requirements in full.

- (b) In the case of tuna cannery, the target set by the two Parties shall be to land not less than 3 500 tonnes of tuna a year in Senegalese ports at the international price applicable.

If, during the fishing year, total landings by the fleet concerned fall short of this minimum quantity as a result of an unforeseeable change in the state of fish stocks or the structure of the fleet, the two Parties shall enter into consultations without delay in order to establish the appropriate action to achieve the said quantity and ensure its implementation.

(c) Freezer tuna seiners shall land 12 500 tonnes of tuna a year at the prevailing international price and in accordance with a programme to be established by agreement between Community shipowners and Senegalese canners. In the event of disagreement on the timetable for landings, the Joint Committee referred to in Article 11 of the Agreement shall hold a special meeting at the request of either of the Parties.

(d) Community shipowners shall endeavour to land a total of 24 000 tonnes.

D. Signing-on of seamen

1. Trawlers and longliners authorized to fish in Senegalese waters under the Agreement shall be required to take on 33 % of their crew from among Senegalese seamen. This percentage shall include the observer or seaman/observer referred to at point H.

If the vessel holds a valid fishing licence issued by another country in the subregion (Mauritania, Gambia, Guinea-Bissau or Guinea), it shall be required to take on board a number of Senegalese seamen equivalent to 33 % of the non-officer crew assigned to sail the vessel.

2. In the case of freezer tuna seiners, the overall requirement to take on board seamen shall be established on the basis of the scale of activity in Senegal's fishing zone and the employment of crew from other countries, the fisheries of which are frequented by that fleet.

3. Before licences are issued, the salary of these seamen/observers shall be determined by common agreement between the shipowners and their representatives and the Ministry responsible for sea fisheries. It shall be paid by the shipowners and shall include social security applicable to the seaman (e. g. life, accident and sickness insurance).

E. Special equipment and supplies and services

Wherever possible, Community vessels shall procure the supplies and services they require, including dry dock facilities and regular maintenance, in Senegal.

F. Fishing zones

1. Wet trawlers (inshore demersal fishing) of less than 300 GRT and inshore freezer trawlers (demersal species) of less than 250 GRT shall be authorized to fish:

(a) from six nautical miles off the baselines between the Senegal-Mauritania border and the latitude of Cape Manuel (14°36'00"N);

(b) from seven nautical miles off the baselines between the latitude of Cape Manuel (14°36'00"N) and the northern Senegal-Gambia border;

(c) from six nautical miles off the baselines between the southern Senegal-Gambia border and the Senegal-Guinea Bissau border.

2. Wet trawlers (inshore demersal fishing) of more than 300 GRT, freezer trawlers (inshore demersal fishing) of more than 250 GRT and bottom longliners shall be authorized to fish beyond 12 nautical miles from the baselines of the waters under Senegal's jurisdiction.

3. Ocean-going trawlers for demersal species shall be authorized to fish:

(a) from 12 nautical miles off the baselines between the Senegal-Mauritania border and latitude 15°00'N;

(b) from six nautical miles off the baselines between latitude 15°00'N and the latitude of Portudal (14°27'00"N);

(c) from 25 nautical miles off the baselines between the latitude of Portudal (14°27'00"N) and the northern Senegal-Gambia border;

- (d) from 35 nautical miles off the baselines between the southern Senegal-Gambia border and the Senegal-Guinea Bissau border.
- 4. Tuna cannery and freezer tuna seiners shall be authorized to fish for bait and tuna in all waters under Senegal's jurisdiction.
- 5. Surface longliners shall be authorized to drop their lines:
 - (a) from 15 nautical miles off the baselines between the Senegal-Mauritania border and the latitude of Portudal (14°27'00"N);
 - (b) from 25 nautical miles off the baselines between the latitude of Portudal (14°27'00"N) and the northern Senegal-Gambia border;
 - (c) from 25 nautical miles off the baselines between the southern Senegal-Gambia border and the Senegal-Guinea Bissau border.

G. Radio communications

Any Community vessel intending to carry out fishing activities in Senegal's fishing zone shall notify the radio station of the *Projet de Protection et de Surveillance de Pêche au Sénégal (PSPS)* of each entry into or exit from the fishing zone. Shipowners will be informed of the call sign when the fishing licence is issued. Any vessel found fishing without having notified the PSPS of its presence shall be considered an unlicensed vessel.

H. Observers

- 1. (a) When fishing in Senegal's waters, all Community trawlers and longliners of more than 300 GRT shall accept on board an observer designated by Senegal. The captain shall facilitate the work of the observer, who shall enjoy all the facilities provided for the officers of the vessel concerned.
 - (b) The Senegal authorities shall communicate to the Commission of the European Communities the names of the designated observers.
 - (c) Subject to the restrictions imposed by the vessel, observers shall be provided with board and accommodation at the shipowner's expense. Their meals shall be served in the officers' messroom and they shall be accommodated in the areas provided for the officers or, if this is impossible, in a living area distinct from that provided for the crew.
- 2. (a) Trawlers and longliners of less than 300 GRT shall take on board a seaman designated by Senegal who shall act as seaman/observer.
 - (b) In the case of freezer tuna seiners, one of the Senegalese seamen on board may be designated seaman/observer.
 - (c) Captains shall facilitate the work of the seamen/observers that is additional to actual fishing operations. Seamen/observers shall receive the normal seaman's rate of pay from the shipowner.
- 3. Owners of trawlers or longliners shall make a flat-rate payment to the Senegalese government of CFAF 3 500 for seamen/observers and CFAF 8 000 for observers for each day spent on board.
- 4. In principle the observer shall be taken on board for a maximum period of 60 days. This period may be extended where the duration of a voyage by the vessel on which the observer is taken on board exceeds that period.

In such case, the observer shall leave the vessel on its return. A deposit equivalent to 60 days' activity at sea shall be lodged before the boarding of the observer or seaman/observer. Settlement is to be made after each voyage.
- 5. The taking on board and disembarkation of observers shall not interrupt or hinder fishing operations. Observers may therefore be taken on board and/or leave the vessel in a port elsewhere than in Senegal provided that their travel and other expenses are reimbursed by the shipowner.

The deposit equivalent to 60 days' activity at sea is to be considered an advance on the payment of the observer's allowance. The latter shall be paid after the observer has left the vessel. A final statement of advances made shall be drawn up at the end of the calendar year.

I. Minimum authorized mesh

The minimum authorized mesh sizes for industrial fishing gear are as follows (mesh opening):

- purse seines with live bait: 16 mm,
- standard otter trawls (fish or cephalopods): 65 mm,
- standard otter trawls (black hake): 60 mm,
- deep-sea shrimp trawls: 40 mm.

In the case of tuna, the international standards recommended by the International Commission for the Conservation of Atlantic Tuna (ICCAT) are to be applied.

J. Boarding

The delegation of the Commission of the European Communities in Dakar shall be notified within 48 hours of the arrival at the Marine National base of the boarding of any fishing vessel flying the flag of a Member State of the Community fishing under the Fisheries Agreement between Senegal and the European Community, and of the circumstances and reasons leading to such boarding.

Appendix 1

REPUBLIC OF SENEGAL

MINISTRY RESPONSIBLE FOR MARITIME FISHING

DIRECTORATE OF OCEANOGRAPHY
AND MARITIME FISHING

APPLICATION
FORM FOR A
FISHING LICENCE

For official use only	Remarks
Nationality:
Licence No:
Date of signing:
Date of issue:

APPLICANT

Name of firm:
Number and date of authorization of the company:
Trade register No (*):
First name and surname of applicant:
Date and place of birth:
Occupation:
Number of levy payer's account (*):
Address:
.....
No of employees (*): Permanent (*): Temporary (*):.....
Name and address of co-signatory:
.....
Annual turnover figure (*):

VESSEL

Type of vessel: Registration No:
New name: Former name:
Date and place of construction (*):
Original nationality:
Date of assumption of Senegalese flag (*):
Provisional Period granted Permanent
Length: Beam: Hold:
Gross tonnage: Net tonnage:
Type of building materials: Draught:
Make of main engine: Type: Ratings:
Propeller: Fixed Variable Ducted
Transit speed:
Call sign:..... Call frequency:

LIST OF NAVIGATION, SOUNDING AND TRANSMISSION INSTRUMENTS

Radar Sonar VHF radio
Satellite navigation Netsonde HF, BLU radio
Automatic pilot Scanmar Telex
Route plotter
Other:
.....

(*) Optional for foreign vessels.

CONSERVATION

Packed in ice

Ice + refrigeration

Freezing in brine

Dry

Refrigerated sea water

Total refrigerating power:

Freezing capacity in tonnes/24 hours:

Hold capacity:

TYPE OF FISHING

A. Inshore demersal

Shrimp

Fish and cephalopod

Type of fishing gear: Fish

Shrimps

Long line fishing

1. Length of trawl: Headline:

Mesh size in the body: In the wings:

2. Length of line: Number of hooks:

Number of lines: Size of hooks:

B. Deep-sea demersal

Shrimp

Fish

Type of fishing gear: Shrimp

Fish

Long line fishing

1. Length of trawl: Headline:

Mesh size in the body: In the wings:

2. Length of line: Number of hooks:

Number of lines: Size of hooks:

C. Inshore pelagic

Pelagic trawler

Seine

1. Length of trawl: Headline:

Mesh size in the body:

2. Length of seine: Depth of seine:

Mesh dimension (drawn):

D. Deep sea pelagic (tuna)

Type of fishing gear: Seine Pole and line Long line

1. Length of seine: Depth of seine:

Mesh dimension (drawn):

2. Number of poles and lines:

3. Long line

Length of lines: Number of hooks:

Number of lines: Size of hooks:

Number of pots: Capacity in tonnes:

E. Longlines and pots

Number of pots: Material:

Length (base diameter): Width (upper diameter):

Diameter of openings: Method of cover:

Mesh (cover):

SHORE INSTALLATIONS (*)

Address and permit No:

Name of firm:

Activities:

Domestic wholesale fish trade Export

Type and No of wholesale trader's card:

Description of processing and conservation plant:

.....

.....

.....

.....

.....

No of employees: Senegalese: Foreigners:

Permanent: Temporary:

(*) Optional for foreign vessels.

Technical remarks of the Director of Fisheries

Authorization of the State Secretariat for Animal Resources

Appendix 3

STATEMENT OF CATCH BY BOTTOM TRAWLERS

Voyage from: to:

NAME OF VESSEL:

TYPE: Wet or freezer

NATIONALITY:

Species	Dates						
Fishing zone ⁽¹⁾							
Sounder							
Time of fishing							
Total weight of catch							
Total weight thrown back							

⁽¹⁾ Dakar North, Petite-Côte or Casamance.

Appendix 4

STATEMENT OF CATCH BY TUNA VESSELS

Voyage from: to:

NAME OF VESSEL:

TYPE: Pole and line or seine

NATIONALITY:

Catch from Senegal's economic zone

(in tonnes)

Species	Tonnage landed	Tonnage not landed	Thrown back	Total
Albacore				
Skipjack				
Bigeye				
Thunnidae + Bonito				
Other species				
Total				

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 29 October 1993

on the conclusion of an Agreement in the form of an exchange of letters concerning the provisional application of the Protocol establishing the fishing rights and financial compensation provided for in the Agreement between the European Economic Community and the Government of the Republic of the Gambia on fishing off the Gambia for the period 1 July 1993 to 30 June 1996

(93/567/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Agreement between the European Economic Community and the Government of the Republic of the Gambia on fishing off the Gambia⁽¹⁾, which entered into force on 1 July 1987,

Having regard to the proposal from the Commission,

Whereas the Community and the Republic of the Gambia conducted negotiations to determine the amendments or additions to be made to the abovementioned Agreement at the end of the period of application of the Protocol annexed thereto;

Whereas, as a result of those negotiations, a new Protocol was initialled on 17 June 1993;

Whereas, under that Protocol, Community fishermen enjoy fishing rights in the waters under the sovereignty or jurisdiction of the Republic of the Gambia for the period 1 July 1993 to 30 June 1996;

Whereas, in order to avoid any interruption in the fishing activities of Community vessels, it is indispensable that the new Protocol be applied as soon as possible; whereas, for this reason, the two parties initialled an Agreement in the form of an exchange of letter providing for the provisional application of the initialled Protocol from the day following the date of expiry of the Protocol in force;

whereas that Agreement should be approved pending a final decision taken 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 concerning the provisional application of the Protocol establishing the fishing rights and financial compensation provided for in the Agreement between the European Economic Community and the Government of the Republic of the Gambia on fishing off the Gambia for the period 1 July 1993 to 30 June 1996 is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Decision.

Article 2

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

Done at Brussels, 29 October 1993.

For the Council

The President

R. URBAIN

(¹) OJ No L 146, 6. 6. 1987, p. 1.

AGREEMENT

in the form of an exchange of letters concerning the provisional application of the Protocol establishing, for the period 1 July 1993 to 30 June 1996, the fishing rights and financial compensation provided for in the Agreement between the European Economic Community and the Government of the Republic of the Gambia on fishing off the Gambia

A. Letter from the Government of the Republic of the Gambia

Sir,

With reference to the Protocol initialled on 17 June 1993 establishing fishing rights and financial compensation for the period 1 July 1993 to 30 June 1996, I have the honour to inform you that the Government of the Republic of the Gambia is ready to apply this Protocol on a provisional basis, with effect from 1 July 1993, pending its entry into force in accordance with Article 8 of the said Protocol, provided that the European Community is disposed to do the same.

This is on the understanding that a first instalment, equal to one third of the financial compensation specified in Article 3 of the Protocol, is paid by 31 October 1993.

I should be obliged if you would confirm the European Community's agreement to such provisional application.

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

*For the Government of the Republic of the
Gambia*

B. Letter from the Community

Sir,

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

With reference to the Protocol initialled on 17 June 1993 establishing fishing rights and financial compensation for the period 1 July 1993 to 30 June 1996, I have the honour to inform you that the Government of the Republic of the Gambia is ready to apply this Protocol on a provisional basis, with effect from 1 July 1993, pending its entry into force in accordance with Article 8 of the said Protocol, provided that the European Community is disposed to do the same.

This is on the understanding that a first instalment, equal to one third of the financial compensation specified in Article 3 of the Protocol, is paid by 31 October 1993.

I should be obliged if you would confirm the European Community's agreement to such provisional application.

I have the honour to confirm the European Community's agreement to this provisional application of the Protocol.

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

*On behalf of the
Council of the European Communities*

COUNCIL DECISION

of 29 October 1993

on the conclusion of the Agreement in the form of an exchange of letters concerning the provisional application of the Protocol establishing for the period 16 June 1993 to 15 June 1995 the fishing rights and financial compensation provided for in the Agreement between the European Economic Community and the Government of the Republic of Guinea-Bissau on fishing off the coast of Guinea-Bissau

(93/568/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Agreement between the European Economic Community and the Government of the Republic of Guinea-Bissau on fishing off the coast of Guinea-Bissau signed in Bissau on 27 February 1980⁽¹⁾,

Having regard to the proposal from the Commission,

Whereas the Community and the Republic of Guinea-Bissau conducted negotiations to determine the amendments or additions to be made to the said Agreement at the end of the period of application of the Protocol referred to in Article 9 of the Agreement;

Whereas, as a result of these negotiations, a new Protocol was initialled on 5 May 1993;

Whereas, under that Protocol, Community fishermen have fishing rights in the waters under the sovereignty or jurisdiction of Guinea-Bissau for the period 15 June 1993 to 15 June 1995;

Whereas, in order to avoid any interruption in the fishing activities of Community vessels, it is essential that the Protocol in question be approved as soon as possible; whereas, for this reason, the two parties initialled an Agreement in the form of an exchange of letters providing for the provisional application for the initialled Protocol from the day following the date of expiry of the Protocol in force; whereas this Agreement should be

approved pending a final decision taken on the basis of Article 43 of the Treaty,

HAS DECIDED AS FOLLOWS:

Article 1

The Argument in the form of an exchange of letters concerning the provisional application of the Protocol establishing for the period 16 June 1993 to 15 June 1995 the fishing rights and financial compensation provided for in the agreement between the European Economic Community and the Government of the Republic of Guinea-Bissau on fishing off the coast of Guinea-Bissau is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Decision.

Article 2

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

Done at Brussels, 29 October 1993.

For the Council

The President

R. URBAIN

(1) OJ No L 226, 29. 8. 1980, p. 33.

AGREEMENT

in the form of an exchange of letters concerning the provisional application of the Protocol defining, for the period 16 June 1993 to 15 June 1995, the fishing rights and the financial compensation provided for by the Agreement between the European Economic Community and the Government of the Republic of Guinea-Bissau on fishing off the coast of Guinea-Bissau

A. Letter from the Government of the Republic of Guinea-Bissau

Sir,

With reference to the Protocol, initialled on 5 May 1993, establishing the fishing rights and the financial compensation for the period 16 June 1993 to 15 June 1995, I have the honour to inform you that the Government of the Republic of Guinea-Bissau is ready to apply this Protocol on a provisional basis, with effect from 16 June 1993, pending its entry into force in accordance with Article 8 of the Protocol, provided that the Community is prepared to do the same.

The licences of present vessels or of vessels which had a licence in 1993 shall be automatically extended should the vessels so require. To this end, a list of vessels requiring this shall be sent by 15 June 1993 at the latest. The licence fees shall be paid prior to 30 June 1993. It is understood that holding new licence documents does not necessarily mean that fishing activities will be carried out.

This is on the understanding that in this case a first instalment equal to 50 % of the financial compensation specified in Article 2 of the Protocol is to be paid prior to 15 November 1993.

I should be obliged if you would confirm the Community's agreement to such provisional application.

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

*For the Government
of the Republic of Guinea-Bissau*

B. *Letter from the Community*

Sir,

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

'With reference to the Protocol, initialled on 5 May 1993, establishing the fishing rights and the financial compensation for the period 16 June 1993 to 15 June 1995, I have the honour to inform you that the Government of the Republic of Guinea-Bissau is ready to apply this Protocol on a provisional basis, with effect from 16 June 1993, pending its entry into force in accordance with Article 8 of the Protocol, provided that the Community is prepared to do the same.

The licences of present vessels or of vessels which had a licence in 1993 shall be automatically extended should the vessels so require. To this end, a list of vessels requiring this shall be sent by 15 June 1993 at the latest. The licence fees shall be paid prior to 30 June 1993. It is understood that holding new licence documents does not necessarily mean that fishing activities will be carried out.

This is on the understanding that in this case a first instalment equal to 50 % of the financial compensation specified in Article 2 of the Protocol is to be paid prior to 15 November 1993.

It should be obliged if you would confirm the Community's agreement to such provisional application.'

I have the honour to confirm the Community's agreement to this provision application of the Protocol.

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

*On behalf of
the Council of the European Communities*

COUNCIL DECISION

of 5 November 1993

on the conclusion of the Agreement in the form of an exchange of letters concerning the provisional application of the Protocol setting out the fishing opportunities and financial contribution provided for in the Agreement between the European Economic Community and the Islamic Republic of Mauritania on fishing off the coast of Mauritania for the period 1 August 1993 to 31 July 1996

(93/605/EC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Agreement between the European Economic Community and the Islamic Republic of Mauritania on fishing off the coast of Mauritania (*),

Having regard to the proposal from the Commission,

Whereas negotiations have been held between the Community and the Islamic Republic of Mauritania, in accordance with the second paragraph of Article 13 of the abovementioned Agreement, to determine the amendments or additions to be introduced into the Annex to the Agreement and into the Protocol at the end of the period of application of the Protocol (*);

Whereas, as a result of these negotiations, a new Protocol was initialled on 10 June 1993;

Whereas, under that Protocol, Community fishermen have fishing rights in the waters under the sovereignty or jurisdiction of Mauritania;

Whereas, in order to avoid any interruption in the fishing activities of Community vessels, it is essential that the new Protocol be applied as soon as possible; whereas, for this reason, the two Parties initialled an Agreement in the form of an exchange of letters providing for the provisional application of the initialled

Protocol from the day following the date of expiry of the Protocol in force; whereas this Agreement should be approved, pending a final decision taken under Article 43 of the Treaty,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement in the form of an exchange of letters concerning the provisional application of the Protocol setting out the fishing opportunities and financial contribution provided for in the Agreement between the European Economic Community and the Islamic Republic of Mauritania on fishing off the coast of Mauritania for the period 1 August 1993 to 31 July 1996 is hereby approved on behalf of the Community.

The texts of the Agreement in the form of an exchange of letters and of the Protocol are attached to this Decision.

Article 2

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

Done at Brussels, 5 November 1993.

For the Council

The President

E. TOMAS

(*) OJ No L 388, 31. 12. 1987, p. 1.

(*) OJ No L 117, 10. 5. 1991, p. 1.

AGREEMENT

in the form of an exchange of letters concerning the provisional application of the Protocol setting out the fishing opportunities and financial contribution provided for in the Agreement between the European Community and the Islamic Republic of Mauritania of fishing off the coast of Mauritania for the period 1 August 1993 to 31 July 1996

A. Letter from the Islamic Republic of Mauritania

Sir,

With reference to the Protocol initialled on 10 June 1993 setting out the fishing opportunities and financial contribution for the period 1 August 1993 to 31 July 1996, I have the honour to inform you that the Islamic Republic of Mauritania is ready to apply this Protocol on a provisional basis, with effect from 1 August 1993, pending its entry into force in accordance with Article 9 of the said Protocol, provided that the European Community is disposed to do the same.

This is on the understanding that a first instalment equal to one-third of the financial compensation specified in Article 2 of the Protocol is paid by 30 November 1993.

I should be obliged if you would confirm the European Community's agreement to such provisional application.

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

*For the
Islamic Republic of Mauritania*

B. Letter from the Community

Sir,

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

'With reference to the Protocol initialled on 10 June 1993 setting out the fishing opportunities and financial contribution for the period 1 August 1993 to 31 July 1996, I have the honour to inform you that the Islamic Republic of Mauritania is ready to apply this Protocol on a provisional basis, with effect from 1 August 1993, pending its entry into force in accordance with Article 9 of the said Protocol, provided that the European Community is disposed to do the same.

This is on the understanding that a first instalment equal to one-third of the financial compensation specified in Article 2 of the Protocol is paid by 30 November 1993.

I should be obliged if you would confirm the European Community's agreement to such provisional application.'

I have the honour to confirm the European Community's agreement to this provisional application of the Protocol.

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

*On behalf of the Council
of the European Communities*

PROTOCOL

setting out the fishing opportunities and financial contribution provided for in the Agreement between the European Community and the Islamic Republic of Mauritania on fishing off the coast of Mauritania for the period 1 August 1993 to 31 July 1996

Article 1

For a period of three years from 1 August 1993, the fishing opportunities granted pursuant to Article 2 of the Agreement shall be as follows:

1. Specialized vessels

- (a) fishing vessels specializing in crustaceans, with the exception of crawfish: 4 500 GRT/month annual average;
- (b) black hake trawlers and bottom longliners: 12 000 GRT/month annual average;
- (c) vessels fishing for demersal species other than black with gear other than trawls (fixed gillnet, longliner, line): 2 600 GRT/month annual average;
- (d) trawlers fishing for deepwater demersal species other than black hake: 4 200 GRT/month annual average;
- (e) pot vessels (crawfish): 300 GRT/month annual average.

Vessels with licences for crawfish fishing may keep on board no fishing gear other than pots. These vessels are not authorized for live-bait fishing.

In addition, crawfish fishing shall be prohibited between 1 July and 30 September each year, since this is the height of the breeding season for these species.

2. Vessels fishing for highly migratory species

- Pole-and-line tuna vessels and surface longliners: 11 vessels
- Freezer tuna seiners: 34 vessels.

Pole-and-line tuna vessels are authorized to fish with live bait within the limits and under the conditions (zones and mesh sizes) laid down in the Annex to the Agreement.

Article 2

1. The total financial compensation referred to in Article 6 of the Agreement shall be, for the period referred to in Article 1, ECU 26 000 000, payable in three annual instalments.

2. The use to which this compensation is put shall be the sole responsibility of Mauritania.

3. The compensation shall be paid into an account opened with a financial institution or any other body designated by Mauritania.

Article 3

If Mauritania decides, taking account of stock levels, to re-open cephalopod fishing to vessels other than those of the national fleet, cephalopod fishing authorizations shall be granted to Community vessels under technical and financial conditions to be agreed. In such a case, the financial compensation referred to in Article 2 shall be adjusted.

Article 4

Of the amount of total financial compensation provided for in Article 2 (1), Mauritania shall allocate, for the period referred to in Article 1, the sum of ECU 900 000 towards the financing of scientific and technical programmes to improve biological and fishery resource information as regards the Mauritanian fishing zone. This sum shall be made available to Mauritania and the corresponding amounts shall be transferred to the accounts indicated by the Mauritanian authorities (CNROP in Nouadhibou).

The Community reserves the right to request the contracting party to provide any information that may be useful for scientific purposes.

Article 5

1. Of the amount of total financial compensation provided for in Article 2 (1), Mauritania shall allocate, for the period referred to in Article 1, the sum of ECU 360 000 to study and practical training in the various scientific, technical and economic disciplines relating to fisheries. To this end, the Community shall make it easier for nationals of Mauritania to find places in establishments in its Member States.

2. Part of the amount referred to in paragraph 1 may be allocated to cover the costs of participating in international meetings or training courses on fisheries.

Article 6

Should the Community fail to make the payments provided for in Article 2, Mauritania reserves the right to suspend the application of this Protocol.

Article 7

The Parties agree to encourage cooperation in the field of fisheries. They shall encourage the integration of Community and Mauritanian concerns through associations of mutual interest to exploit fisheries resources and process and market fishery products.

Article 8

The Annex to the Agreement between the European Community and Mauritania on fishing off the coast of Mauritania is hereby replaced by the Annex to this Protocol.

Article 9

This Protocol shall enter into force on the date on which it is signed.

It shall apply with effect from 1 August 1993.

ANNEX

CONDITIONS FOR THE EXERCISE OF FISHING ACTIVITIES BY COMMUNITY VESSELS IN MAURITANIA'S FISHING ZONE

A. Licence applications and issuing formalities

1. The Commission of the European Communities shall, via its delegation in Mauritania, present to the Mauritanian fishery authorities a licence application in respect of each vessel, drawn up by shipowners wishing to fish under the Agreement, at least 20 days before the date of commencement of the period of validity requested. The applications shall be made on the forms provided for that purpose by Mauritania, a specimen of which is shown in Appendix I. Licence applications shall be accepted only if accompanied by proof of payment of the fee for the period of the licence's validity. The fees shall include all national and local charges except for the cost referred to at 2.

In addition, in the case of freezer tuna seiners, a tonnage certificate must be attached to the licence application form.

2. Before receiving a licence, each vessel, with the exception of freezer tuna seiners and pole-and-line tuna vessels, must be presented at the port of Nouadhibou for inspection in accordance with the rules and regulations in force. This inspection shall be carried out within 48 hours of the vessel's arrival in port. The expenses incurred shall be borne by the shipowner and may not be higher than those usually paid by other vessels for the same services.

In the case of pole-and-line tuna vessels and surface longliners, the inspection may be made in a foreign port to be agreed. All expenses linked to such inspection shall be at the shipowner's expense.

3. Licences shall be issued for a given vessel. At the request of the Commission of the European Communities, a licence issued for one vessel may in a case of *force majeure* be replaced by a licence for another Community vessel having the same characteristics. In such a case, the owner of the vessel to be replaced shall return the licence to the Ministry responsible for maritime fisheries via the Delegation of the Commission of the European Communities in Mauritania.

The new licence shall indicate:

- the date of issue,
- the fact that this licence cancels and replaces that of the first vessel.

No fee shall be due for the period of validity remaining.

4. The licence shall be delivered to the master of the vessel or his representative by the Mauritanian authorities within 20 days of receipt of proof of payment of the fee. The Delegation of the Commission of the European Communities in Mauritania shall be notified of delivery.
5. The licence must be held on board at all times.
6. The Mauritanian authorities shall specify the bank account and currencies to be used for payment of fees before the entry into force of the Agreement.

B. Validity of licences and payment of fees by shipowners

1. Provisions applicable to tuna vessels and surface longliners

- (a) Licences for these vessels shall be issued for periods of 12 months.
- (b) The fee to be paid by the shipowner shall be set at ECU 20 per tonne caught within the Mauritanian fishing zone.
- (c) Licences shall be issued following payment to the Mauritanian public treasury of a lump sum of ECU 2 000 a year for each pole-and-line tuna vessel and each surface longliner and ECU 1 000 a year for each freezer tuna seiner, equivalent to the fees for:
 - 100 tonnes of tuna a year in the case of pole-and-line tuna vessels,
 - 100 tonnes per year of species caught by surface longliners,
 - 50 tonnes of tuna per year caught by freezer tuna seiners.

The final statement of the fees due for the fishing period shall be drawn up by the Commission of the European Communities at the end of each calendar year on the basis of the catch statements made by each shipowner and confirmed by the scientific institutes responsible for verifying catch data such as the French Office de la recherche scientifique et technique d'outre-mer (Orstom) and the Instituto Español de Oceanografía (IEO) on the one hand and the Centre national de recherche océanographique et des pêches (CNROP) on the other.

This statement shall be forwarded simultaneously to the Mauritanian seafishing services and to the shipowners not later than 30 April of the following year. Any additional payment due shall be made by the shipowners to the Mauritanian public treasury no later than 30 days after notification of the final statement.

However, if the amount of the final statement is lower than the abovementioned advance, the resulting balance shall not be reimbursable to the shipowner.

In addition, ships' masters shall keep a logbook for each fishing period in Mauritania's fishing zone in accordance with the ICCAT form in Appendix II.

2. Provisions applicable to other vessels

- (a) Licences for these vessels shall be issued for periods of 3, 6 or 12 months. They shall be renewable.
- (b) The licence fees to be paid by shipowners, expressed in ecus per gross registered tonnage per year, shall be as follows:
 - fishing vessels specializing in crustaceans, with the exception of crawfish: 276
 - black hake trawlers and bottom longliners: 142
 - vessels fishing for demersal species other than black hake with gear other than trawls:
 - vessels less than 100 GRT: 133
 - vessels greater than 100 GRT: 200
 - trawlers fishing for deepwater demersal species other than black hake: 156
 - pot vessels (crawfish): 242

C. Fishing logbook and statement of catch

1. All vessels authorized to fish in Mauritania's fishing zone under the Agreement, with the exception of tuna vessels and longliners, shall be required to enter their operations every day in the fishing logbook and its annex, specimens of which are given in Appendices III and IIIA. These documents must be completed legibly and be signed by the master of the vessel. Copies of these documents must be sent at the end of the voyage to the headquarters of the *Commande des Pêches* of the Ministry for Fisheries and the Economy of the Sea at Nouadhibou, via the Commission Delegation in Mauritania.
2. Should these provisions not be adhered to, Mauritania reserves the right to suspend the licence of the offending vessel until the required formality has been complied with. In this case, the Delegation of the Commission of the European Communities at Nouakchott shall be informed without delay.

D. Signing-on of seamen

1. With the exception of freezer tuna seiners, each vessel shall employ Mauritanian fishermen during its fishing activities in Mauritania's fishing zone to make up 35 % of the non-officer crew engaged in manning the vessel or fishing operations. At the request of the Mauritanian authorities, one of the seamen taken on board may be an officer or a trainee officer whose conditions of presence on board (activity, lodging) shall be agreed jointly before sailing between the shipowner and the competent Mauritanian authority. A breakdown of the composition of the crew between officers and non-officers shall be provided when licence applications are lodged.

The pay conditions shall be identical to those applicable to seamen, officers and trainee officers on Mauritanian vessels.

2. The actual signing-on rate may be less than 35 % but must be greater than 25 %. Otherwise, compensation of ECU 200 per month for each seaman shall be paid by the shipowners to the Mauritanian authorities for the number of seamen not employed on board with regard to the limit of 35 %. Such compensation shall be used for the training of Mauritanian fishermen.

3. At the request of the Mauritanian authorities, each vessel, with the exception of freezer tuna seiners, shall take on board a scientific observer within the 35 % limit referred to in paragraph 1. The captain shall facilitate the task of the scientific observer, whose activities may not disturb fishing operations.
4. Shipowners shall be free to choose which Mauritanian sailors, officers and trainee officers they take on board their vessels. The Mauritanian authorities shall therefore keep an up-to-date list containing an adequate number of sailors, officers and trainee officers.
5. Shipowners shall communicate a list of the Mauritanian seamen taken on board each vessel to the Ministry for Fisheries and the Economy of the Sea every six months.
6. The employment contracts of these seamen, officers and trainee officers shall be drawn up in Mauritania between the shipowners or their representatives and those concerned in agreement with the Mauritanian fisheries authorities. These contracts shall cover the social security arrangements applicable to the seamen (including life, accident and sickness insurance). The pay agreed shall be determined in proportion to the period of validity of the licence.

E. Inspection and monitoring of fishing activities

Any Community vessel fishing in Mauritania's fishing zone shall allow on board any Mauritanian official responsible for inspecting and monitoring fishing activities and permit him to carry out his duties.

These officials should not remain on board any longer than the time required to carry out their duties.

F. Entering and leaving the zone

Community vessels, except those of less than 150 GRT, fishing under this Agreement shall inform the headquarters of the Commande des pêches (DCP) at Nouadhibou of the date, time and their position whenever entering or leaving the Mauritanian fishing zone. In addition, pole-and-line tuna vessels shall radio to the same station 24 hours in advance their intention to fish with live bait in the zones demarcated for this purpose.

G. Fishing zones

Community vessels shall have access to the fishing zones beyond the following limits:

1. for fishing vessels specializing in crustaceans, with the exception of crawfish:

— north of latitude 19°21'N: nine nautical miles from the baseline of Cap Blanc — Cap Timiris,

during a period laid down annually by decree of the Minister responsible for sea fishing, fishing is not authorized within the lines between the following points:

20°46'N	17°03'W,
19°50'N	17°03'W,
19°21'N	16°45'W;

— south of latitude 19°21'N: six nautical miles from the low-water mark;

2. for black trawlers and bottom longliners and trawlers fishing for deepwater demersal species other than hake:

— north of latitude 19°21'N: the line between the following points:

20°36'N	17°36'W,
20°03'N	17°36'W,
19°50'N	17°12,8'W,
19°50'N	17°03'W,
19°04'N	16°34'W;

— south of latitude 19°21'N: 18 nautical miles from the low water mark;

3. for vessels fishing for demersal species other than black hake with gear other than trawls: three nautical miles from the baselines;
4. for pot vessel (crawfish):
 - north of latitude 19° 21' N: 20 nautical miles from the baselines of Cap Blanc — Cap Timiris,
 - south of latitude 19° 21' N: 15 nautical miles from the low-water line;
5. for pole-and-line tuna vessels and surface longliners:
 - north of latitude 19° 21' N: 15 nautical miles from the base lines of Cap Blanc — Cap Timiris,
 - south of latitude 19° 21' N: 12 nautical miles from the low-water line;
6. for freezer tuna seiners:
 - north of latitude 19° 21' N: 30 nautical miles from the base lines of Cap Blanc — Cap Timiris,
 - south of latitude 19° 21' N: 30 nautical miles from the low-water line;
7. for pole-and-line tuna vessels fishing with live bait:
 - north of latitude 19° 21' N: three nautical miles from the base lines of Cap Blanc — Cap Timiris,
 - south of latitude 19° 21' N: three nautical miles from the low-water line.

H. By-catch

The by-catch (expressed as a proportion of the total weight of the catch) may not exceed the following percentages at any time during fishing:

- fishing vessels specializing in crustaceans, with the exception of crawfish:
 - 20 % fish,
 - 15 % cephalopods;
- black hake trawlers and bottom longliners:
 - 35 % fish,
 - 0 % shrimps and cephalopods;
- trawlers fishing for deepwater demersal species other than black hake:
 - 10 %, of which a maximum of 5 % shrimps and 5 % cephalopods;
- vessels fishing for demersal species other than black hake with gear other than trawls: 0 %.

It shall be forbidden to keep crawfish on board vessels other than crawfish pot vessels.

I. Authorized mesh sizes

The minimum mesh sizes authorized are the following:

- fishing vessels specializing in crustaceans, with the exception of crawfish: 40 mm,
 - during the first year of the Protocol, one vessel will experiment with the use of a trawl equipped with a 70 mm separator intended to protect juveniles; the assessment made by joint agreement between the parties concerned will lead to the general use of the method in the subsequent years if the results on the protection of juveniles and the profitability of fishing operations prove conclusive. If this is not the case, the 50 mm mesh will be used from the second year of the Protocol,
- black hake trawlers: 60 mm,
- trawlers fishing for deepwater demersal species other than black hake:
 - 60 mm in the first year of application of the Protocol,
 - 70 mm in the following years,

- vessels fishing for demersal species other than black hake, using a fixed gillnet: 120 mm,
- pole-and-line tuna vessels fishing with live bait: 8 mm,
- tuna seiners: the standards recommended by ICCAT shall apply.

J. Seizure and detention of vessels

The seizure or detention, under the terms of Mauritanian legislation, of a fishing vessel flying the flag of a Member State of the Community shall be the subject of a report to the Delegation of the Commission of the European Communities in Mauritania within 48 hours indicating the circumstances and reasons which led to the seizure or detention.

K. Transhipment of catches

Transhipment of catches for fishing vessels specializing in crustaceans, with the exception of crawfish, shall be made in Mauritanian ports.

Appendix I

I. APPLICANT

Business name:
Number and date of registration:
Commercial registration number:
Forename and name of person responsible:
Date and place of birth:
Profession:
Address:
.....
Number of employees: Permanent: Temporary:
Name and address of person responsible:
.....

II. VESSEL

Name of shipowner: Type of ship:
Registration number:
Home port:
New name: Former name:
Date and place of construction:
Modifications: to the structure: to the equipment:
Nationality of origin: Current nationality:
Date of acquiring current flag:
Classification bureau:
Length overall: Breadth: Draught:
..... GRT NRT
Make of main engine: Type:
HP of engine:
Engine No:
Propeller: fixed pitch Controllable pitch Nozzle
Maximum speed:
Radio: call sign: Frequency:
Detection, navigation and transmission equipment:
Radar Sonar Sounder/headline/Net Sonde
VHF SSB Navigation: satellite Other

Crew:

Name of master:

Number of seamen: Total:

Mauritanian:

III. PRESERVATION METHOD

Ice Ice + refrigeration

Freezing: In brine Dry In cold water

Total refrigeration capacity:

Freezer capacity per 24 hours in tonnes:

Hold capacity:

IV. TYPE OF FISHING FOR WHICH AUTHORIZATION IS SOUGHT

— Crustaceans, type:

— Black hake:

— Pelagic species:

— Tuna:

— Gear and mesh used:

V. OTHER

— Live bait fishing:

— Gear and mesh used:

— Period of validity sought:

— Date of application:

— Name and signature:

I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EC) No 3329/93
of 29 November 1993**

concerning the conclusion of an Agreement on fisheries between the European Economic Community and the Government of the Commonwealth of Dominica

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament⁽¹⁾,

Whereas the Community and Dominica have negotiated and initialled an Agreement on fisheries which guarantees, on a reciprocal basis, fishing possibilities for the Community's fishermen in the waters over which the Commonwealth of Dominica exercises sovereignty or jurisdiction, as well as for fishermen from Dominica in the Community fishery zone off the coast of the French Departments of Guadeloupe and Martinique;

Whereas it is in the Community's interest to approve this Agreement,

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement on fisheries between the European Economic Community and the Government of the Commonwealth of Dominica is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Regulation.

Article 2

The President of the Council is hereby authorized to give the notification provided for in Article 14 of the Agreement and to designate the person empowered to sign the Agreement in order to bind the Community.

Article 3

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, 29 November 1993.

For the Council
The President
G. COEME

⁽¹⁾ Opinion delivered on 17 November 1993 (not yet published in the Official Journal).

AGREEMENT

on fisheries between the European Economic Community and the Government of the Commonwealth of Dominica

THE EUROPEAN ECONOMIC COMMUNITY,
hereinafter referred to as 'the Community', and

THE GOVERNMENT OF THE COMMONWEALTH OF DOMINICA,
hereinafter referred to as 'Dominica',

RECALLING the close relations between the Community and Dominica;

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 Caribbean region;

TAKING INTO ACCOUNT the signature by both Parties of the United Nations Convention 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 purpose of exploring, exploiting, conserving and managing the living resources thereof must be in accordance with the principles of international law;

HAVING REGARD to the fact that Dominica has established an exclusive economic zone extending up to 200 nautical miles from its coast within which it exercises sovereign rights for the purpose of exploring, exploiting, conserving and managing the resources thereof and that the area of fisheries jurisdiction of the Community off the coast of the French Departments of Guadeloupe and Martinique extends up to 200 nautical miles; that fishing within this area is subject to the common fisheries policy of the Community;

TAKING INTO ACCOUNT the fact that a part of the fishery resources of the Caribbean region consists of common stocks or highly interrelated stocks exploited by fishermen of both Parties, and that an effective conservation and rational management of these stocks can therefore only be achieved at this time through cooperation between the two Parties without prejudicing at a later stage other forms of cooperation;

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

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 reciprocal fishing activities:

— of vessels flying the flag of Member States of the Community which are registered in the French Departments of Guadeloupe and Martinique and which undertake their main activity from the ports in the said area, hereinafter referred to as 'Community vessels', in the waters under the jurisdiction or sovereignty of Dominica, hereinafter referred to as 'the fishing zone of Dominica',

— of vessels registered in Dominica in the Community fishery zone off the coast of the French Departments of Guadeloupe and Martinique, hereinafter referred to as 'the fishing zone of the Community'.

Article 2

With the aim to maintain traditional fishing possibilities, each Party shall grant access to fishing vessels of the other Party to fish within its fishing zone in accordance with the provisions of Article 1 and those set out below.

Article 3

1. The Parties shall cooperate to ensure the conservation and rational management of the fishery resources of the sea and to facilitate the necessary scientific research in particular with regard to :

- (a) stocks occurring within the fishing zones of both Parties ;
- (b) stocks occurring within the fishing zones of both Parties and in adjacent areas.

2. The Parties shall, in particular, consult periodically between themselves with respect to the stocks referred to in paragraph 1 with a view to agreeing on measures for the regulation of the fisheries.

3. In the case of stocks occurring within the fishing zones of both Parties and in adjacent areas, the Parties shall seek either directly or through appropriate regional bodies to reach agreement with third parties on measures for the conservation and rational utilization of these stocks.

4. In determining the measures for the conservation and rational utilization of the stocks referred to in paragraph 1, the Parties shall take into account the best scientific advice available to them, the interdependence of stocks, the work of appropriate international organizations such as the Western Central Atlantic Fishery Commission and other relevant factors.

Article 4

1. The Parties shall consult periodically on the number and size of fishing vessels of either Party to be granted access to the fishing zone of the other Party, with a view to obtaining a mutually satisfactory balance in their relations in the fisheries field. The number of vessels of each Party authorized to fish in the fishing zone of the other is laid down in the annexed Protocol.

2. The competent authority of each Party shall, as appropriate, communicate in due time to the other Party, a document containing all details, as set out in Annexes I and II, of each fishing vessel intending to fish within the fishing zone of the other Party. The other Party shall thereupon issue the licences within the agreed limits and, where applicable, after receipt of the licence fees. Annexes I and II may be subject to review by the Joint Committee.

Article 5

With a view to obtaining for the Community a satisfactory level of fishing possibilities in the fishing zone of Dominica, the Community shall, in the event there is an imbalance in catch possibilities, grant to the Government of Dominica financial compensation as set out in the annexed Protocol to this Agreement in order to establish

the mutually satisfactory balance provided for in Article 4. This compensation shall be without prejudice to financing accorded to Dominica under the Lomé Convention.

Article 6

1. The Parties shall take all appropriate measures to ensure that their vessels observe the provisions of this Agreement and the rules and regulations governing fishing in each other's fishing zone.

2. Fishing vessels of one Party shall, when fishing within the fishing zone of the other Party, comply with the conservation measures, supervisory measures, other terms and conditions and all rules and regulations governing fishing activities in that zone.

3. Each Party shall take appropriate measures with a view to ensuring compliance by the vessels of third countries to which it has granted fishing rights with any conservation measures agreed between the Parties pursuant to this agreement.

4. Each Party shall give appropriate advance notice to the other Party of any new measure or conditions governing fishing activities in its fishing zone.

5. The measures taken by each Party to regulate fisheries for the purpose of conservation shall be based on objective and scientific criteria and shall not discriminate in fact or in law against the other Party.

6. Each Party may take within its fishing zone such measures, in conformity with international law, as may be necessary to ensure compliance with the provisions of this Agreement by vessels of the other Party.

Article 7

Should the authorities of a Party decide, as a result of an unforeseeable change in the state of these fish stocks, to take new conservation measures which, in the opinion of the other Party, have a considerable effect on the fishing activities of that Party's vessels, consultations must be held between the Parties in order to redress the balance referred to in Article 4, account being taken of financial compensation already paid by the Community.

Article 8

The Parties shall consult on questions relating to the implementation and proper functioning of this Agreement.

Article 9

A Joint Committee shall be set up to ensure that this Agreement is applied correctly. The number of participants from each Party is limited to four persons not including observers.

The Committee shall meet once a year and shall hold special meetings at the request of either Contracting Party.

Article 10

Nothing contained in this Agreement shall affect or prejudice in any manner the views of either party with respect to any question relating to the Law of the Sea.

Article 11

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 Dominica.

Article 12

The Protocol and Annexes form an integral part of this Agreement.

Article 13

This Agreement shall apply for an initial period of three years after 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 period, it shall remain in force for additional periods of three years' duration thereafter, provided that notice of termination has not been given at least six months before the expiry of any such period.

Article 14

This Agreement shall enter into force on the date on which the Parties notify each other of the completion of the procedures necessary for this purpose.

Article 15

This Agreement is drawn up in duplicate in the Danish, Dutch, English, French, Greek, German, Italian, Portuguese and Spanish languages, each of these texts being equally authentic.

*For
the European Economic
Community*

*For
the Government
of the Commonwealth
of Dominica*

ANNEX I

EUROPEAN COMMUNITIES

**APPLICATION FOR LICENCE TO FISH IN THE 200-MILE FISHING ZONE OF THE MEMBER STATES
COVERED BY COMMUNITY RULES ON FISHERIES**

1. Name of the vessel		
2. Country of registration		
3. Home port		
4. Registration No		
5. External identification		
6. Owner/charterer (!)	Name Address	
(!) Delete item not applicable	Name Address	
7. Gross registered tonnage		
8. Overall length		
9. Engine power (bhp)		
10. Radio call sign		
11. Radio frequency/frequencies		
12. Vessel type		

ANNEX II

LICENCE APPLICATION FORM

1. Name and address of owner of vessel :
.....
.....

2. Name and address of agent or other legal representative :
.....
.....

3. Name and address of master of vessel :
.....
.....

4. Name of vessel :

5. Type of vessel :

6. Engine horse power :

7. Port and country of registry :

8. Registration No :

9. Fishing vessel external identification mark :

10. Signal letters :

11. Radio call sign : Frequency :

12. Length :

13. Registered net tonnage :

14. GRT :

15. Description of fishing operations requested :
.....

16. Period of validity from until

(Date of application)

(Signature)

PROTOCOL

between the European Economic Community and the Government of the Commonwealth of Dominica on conditions relating to reciprocal access for fishing vessels of both Parties

Article 1

1. Pursuant to Article 4 of the Agreement, the following number of licences will be issued to Community vessels registered in the French Departments of Guadeloupe and Martinique and not exceeding 30 feet in length, authorized to fish in the fishing zone of Dominica:

- (a) in the area outside 12 miles from the baselines:
- 100 licences to fish demersal and pelagic species in the period 1 January to 31 December,
 - 50 licences to fish pelagic species in the period 1 January to 30 June,
 - 20 licences to fish demersal species in the period 1 July to 31 December; the number of these licences to be reviewed by the Joint Committee at the end of the first year of application of the Agreement;
- (b) in the area between six to 12 miles from the baselines:
- 30 licences to fish for pelagic species for three months of the year.

2. Pursuant to Article 4 of the Agreement, the following number of licences will be issued to vessels registered in Dominica to fish in the fishing zone of the Community off the coasts of the French Departments of Martinique and Guadeloupe:

- (a) in the area outside 12 miles from the baselines:
- 20 vessels not exceeding 30 feet in length to fish demersal and pelagic species in the period 1 January to 31 December;
- (b) in the area between six to 12 miles from the baselines:
- the vessels mentioned in (a) may fish pelagic species for three months of the year.

3. Notwithstanding the provisions laid down in paragraphs 1 and 2, each Party agrees to grant not more than five licences for vessels above 30 feet but not exceeding 40 feet in length to the other Party within the limits set out in this Protocol.

Article 2

1. Licence fees applicable to Community vessels fishing in the fishing zone of Dominica are fixed as follows:

- vessels not exceeding 30 feet: EC \$ 100 per vessel per annum,
- vessels above 30 and not exceeding 40 feet: EC \$ 150 per vessel per annum.

These fees will be reviewed by the Joint Committee after the first year of application of the Agreement.

2. Licence fees due for the duration of the Protocol in relation to the vessels referred to in Article 1 (2), have been taken into account in establishing the level of the financial compensation fixed in Article 3.

Article 3

1. The financial compensation referred to in Article 5 of the Agreement shall be set for the first three years of application of the Agreement at a flat rate of ECU 1 650 000, payable in three equal annual instalments. This financial compensation is without prejudice to any future Protocol.

2. The compensation shall be paid into an account opened with a financial institution chosen by the Government of the Commonwealth of Dominica.

Article 4

During the period of application of this Protocol, the Community shall contribute the sum of ECU 400 000 towards the financing of a scientific programme with the objective of gaining greater knowledge of the fishery resources in the waters of Dominica and in particular of the stocks referred to in Article 3 of the Agreement.

Article 5

The two Parties agree that improving the skills and knowledge of those involved in sea-fishing is a vital element in the success of their cooperation. To that end, the Community shall make it easier for nationals of Dominica to find places in establishments in its Member States and shall provide for that purpose awards for study and practical training in the various scientific, technical and economic disciplines relating to fisheries. The awards may also be used in any country linked with the Community by a cooperation agreement.

The total cost of the awards may not exceed ECU 150 000. At the request of the relevant authorities of Dominica, part of this sum may be used to cover the costs of participation in international meetings or training courses concerning fisheries. The sum shall be payable as and when it is used.

European Union — Council

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