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THE HIGH AUTHORITY

DECISIONS

DECISION No. 3/56, of February 15, 1956, concerning the steps whereby the financial arrangements to ensure a saving of scrap are to be put into effect by the increased use of liquid basic Bessemer steel in electric furnaces

THE HIGH AUTHORITY,

HAVING regard to Article 53 (b) of the Treaty;

HAVING regard to Decision No. 14/55, of March 26, 1955, establishing financial arrangements to ensure a regular flow of scrap to the Common Market (*Official Gazette of the Community, March 30, 1955, p. 134*);

HAVING regard to Decision No. 26/55, of July 20, 1955, concerning the steps whereby the financial arrangements to ensure a saving of scrap by the increased use of pig-iron were to be put into effect (*Official Gazette of the Community, July 26, 1955, p. 283*);

WHEREAS the technical and economic studies scheduled upon the adoption of Decision No. 26/55 indicate that an appreciable saving of scrap can be effected in the electric furnace with liquid charge (electric duplex process), but not in the Bessemer converter or the electric furnace with solid charge;

WHEREAS the financial arrangements to ensure a saving of scrap by the increased use of pig-iron must therefore, be extended, by the same methods and for the same period as are indicated in Decision No. 26/55, to cover a saving of scrap by the increased use of liquid basic Bessemer steel in electric furnaces;

with the unanimous agreement of the Council of Ministers,

DECIDES :

Article 1

The bonus referred to in Decision No. 26/55, Article 2, shall also be awarded, in accordance with the methods and conditions laid down in that decision, in so far as they are applicable, on scrap saved by the increased use of liquid basic Bessemer steel in electric furnaces.

The saving of scrap shall be calculated, subject to the conditions laid down in the aforementioned decision, by the increase in the consumption of liquid basic Bessemer steel in electric furnaces.

Article 2

In order to comply with the provisions of Decision No. 26/55, Article 2, first paragraph, enterprises must, in support of their applications, forward to the Compensation Office for Imported Scrap, in respect of the month concerned and for each of their works,

—a return of the consumption of liquid basic Bessemer steel in electric furnaces;

- production figure for electric-furnace steel;
- a return of the consumption of pig-iron in open-hearth furnaces, liquid basic Bessemer steel ranking with pig-iron under Decision No. 26/55, Article 2, last paragraph;
- production figure for open-hearth steel;
- a return of the consumption of scrap in the blast-furnaces;
- production figure for pig-iron.

In addition, on making their first applications, enterprises shall forward to the Compensation Office the same details in respect of the fourth quarter of 1954.

The provisions of Decision No. 26/55, Article 7, first paragraph notwithstanding, applications for bonuses in respect of the months April 1955 to February 1956 shall be accepted by the Compensation Office up to and including March 31, 1956.

Article 3

This decision shall come into force within the Community upon the fifth day following its publication in the Official Gazette of the Community.

It shall be valid up to and including March 31, 1956.

This decision was deliberated and adopted by the High Authority at its session on February 15, 1956.

For the High Authority,
FRANZ ETZEL,
Vice-President.

DECISION No. 4/56, of February 15, 1956, amending Decision No. 3/52, of December 23, 1952, concerning the amount and mode of payment of the levies provided for in Articles 49 and 50 of the Treaty

THE HIGH AUTHORITY,

HAVING regard to Articles 49 and 50 of the Treaty;

HAVING regard to Decisions Nos. 2/52 and 3/52, of December 23, 1952, concerning the levies provided for in Articles 49 and 50 of the Treaty (*Official Gazette of the Community, December 30, 1952, pp. 3 and 4*¹), as amended and supplemented by Decisions No. 30/54, of June 25, 1954 (*Official Gazette of the Community, August 1, 1954, p. 9*), No. 21/55, of May 7, 1955 (*Official Gazette of the Community, May 11, 1955, p. 176*), No. 29/55, of November 3, 1955, and No. 31/55, of November 19, 1955 (*Official Gazette of the Community, November 28, 1955, pp. 305 and 306*);

WHEREAS in the manufacture of brown-coal briquettes and low-temperature coke of lignite a total of 3% per metric ton of these products is required for the works' own purposes;

¹ This reference applies to the German, French, Italian and Dutch editions of the Official Gazette of the European Coal and Steel Community, published in Luxembourg.

DECIDES :*Article 1*

Article 3 of Decision No. 3/52 shall be superseded by the following:

“ *Article 3*—Les consommations servant au calcul des déductions prévues à l'article 2 (2) de la décision N° 2-52 susvisée sont les suivantes:

Produits	Consommations
Briquettes de lignite et semi-coke de lignite	0,03 t. briquettes de lignite et semi-coke de lignite
Houille de toutes catégories	0,12 t. de houille
Fonte autre que destinée à la fabrication des lingots ...	1,42 t. de houille
Acier Thomas en lingots	1,48 t. de houille
Acier en lingots autre que Thomas en lingots ...	0,58 t. de houille
Produits finis sidérurgiques	1,30 t. d'acier

(*Translation:* “ *Article 3:* The consumption figures to be used as a basis for calculating the deductions laid down in Article 2, 2 of Decision No. 2/52 shall be as follows:

Product	Consumption
Brown-coal briquettes and low-temperature coke of lignite	0·03 metric tons brown coal briquettes and low-temperature coke of lignite
Hard coal, all types	0·12 metric tons hard coal
Pig-iron other than that to be used in the manufacture of ingots	1·42 metric tons hard coal
Basic Bessemer steel in ingots	1·48 metric tons hard coal
Steel in ingots other than basic Bessemer in ingots ...	0·58 metric tons hard coal
Iron and steel finished products	1·30 metric tons steel

Article 2

Article 4 of Decision No. 3/52 shall be superseded by the following:

“ Article 4—Le barème prévu à l'article 2 (4) de la décision N° 2-52 susvisée est, en conséquence, fixé comme suit en unités de compte de l'Union Européenne des Paiements:

Produits	Assiette					
	de janvier à février 1953	de mars à avril 1953	de mai à juin 1953	de juillet 1953 à juin 1955	de juillet à décembre 1955	janvier 1956 et mois suivants
	Perception					
	de février à mars 1953 0,3%	d'avril à mai 1953 0,5%	de juin à juillet 1953 0,7%	d'août 1953 à juillet 1955 0,9%	d'août 1955 à janvier 1956 0,7%	février 1956 et mois suivants 0,45%
Briquettes de lignite et semi-coke de lignite ⁽¹⁾ ...	0,0141	0,0235	0,0329	0,0423	0,0329	0,0212
Houille de toutes catégories ⁽²⁾ ...	0,0372	0,0620	0,0868	0,1116	0,0868	0,0558
Fonte autre que destinée à la fabrication des lingots	0,1422	0,2370	0,3318	0,4266	0,3318	0,2133
Acier Thomas en lingots ...	0,1398	0,2330	0,3262	0,4194	0,3262	0,2097
Acier en lingots autre que Thomas en lingots ...	0,1884	0,3140	0,4396	0,5652	0,4396	0,2826
Produits finis sidérurgiques	0,0735	0,1225	0,1715	0,2205	0,1715	0,1103

⁽¹⁾ Pour assurer les déductions prévues à l'article précédent, le prélèvement fixé ci-dessus est à appliquer au tonnage des briquettes de lignite et semi-coke de lignite réduit de 3%.

⁽²⁾ Pour assurer les déductions prévues à l'article précédent, le prélèvement fixé ci-dessus est appliqué au tonnage de houille défini à l'article premier de la décision N° 2-52, réduit de 12%.

Les barèmes correspondants libellés à titre indicatif dans les monnaies des États membres de la Communauté seront publiés ultérieurement.”

(Translation: "Article 4: The schedule laid down in Article 2, 4 of Decision No. 2/52 shall accordingly be fixed as follows, in European Payments Union units of account:

Products	Assessment					
	Jan.- Feb. 1953	Mar.- Apr. 1953	May- June 1953	July 1953- June 1955	July- Dec. 1955	Jan. 1956 ff.
Products	Collection					
	Feb.- Mar. 1953 0·3%	Apr.- May 1953 0·5%	June- July 1953 0·7%	Aug. 1953- July 1955 0·9%	Aug. 1955- Jan. 1956 0·7%	Feb. 1956 ff. 0·45%
Brown-coal briquettes and low-temperature coke of lignite ⁽¹⁾	0·0141	0·0235	0·0329	0·0423	0·0329	0·0212
Hard coal, all types ⁽²⁾ ...	0·0372	0·0620	0·0868	0·1116	0·0868	0·0558
Pig-iron other than that to be used in the manufacture of ingots	0·1422	0·2370	0·3318	0·4266	0·3318	0·2133
Basic Bessemer steel in ingots	0·1398	0·2330	0·3262	0·4191	0·3262	0·2097
Steel in ingots other than basic Bessemer in ingots	0·1884	0·3140	0·4396	0·5652	0·4396	0·2826
Iron and steel finished products	0·0735	0·1225	0·1715	0·2205	0·1715	0·1103

(¹) To ensure that the deductions provided for in the foregoing article are made properly, the levy fixed above shall be payable on the tonnage of brown-coal briquettes and low-temperature coke of lignite, less 3%.

(²) To ensure that the deductions provided for in the foregoing article are made properly, the levy fixed above shall be payable on the tonnage of hard coal defined in Decision No. 2/52, Article 1, less 12%.

Corresponding tables drawn up for guidance in the currencies of the member States of the Community will be published at a later date.")

Article 3

This decision shall apply to the levies payable on the production effected on and after March 1, 1956.

This decision was deliberated and adopted by the High Authority at its session on February 15, 1956.

For the High Authority,

FRANZ ETZEL,

Vice-President.

INFORMATION

Letter addressed by the High Authority on February 3, 1956, to the Government of the Kingdom of Belgium, concerning the reorganization of the marginal collieries in the Borinage coalfield

MY DEAR MINISTER,

1. In its letter of May 28, 1955 (*Official Gazette of the Community, May 31, 1955, pp. 185 ff.*), the High Authority informed the Belgian Government of the decisions taken regarding the readjustment of the compensation scheme in favour of Belgian coal. This readjustment entailed the discontinuance of the special assistance of Bfr. 200m. per annum hitherto paid to certain collieries in view of the particular circumstances prevailing there. It was recognized that this would mean readjusting by other methods the assistance given to the marginal mines in the Borinage coalfield.

2. With this end in view, the Belgian Government, after noting the report by the Commission of independent experts set up by it and the High Authority to examine the possibilities of integrating these marginal mines into the Common Market, has drawn up plans for effecting this integration.

The High Authority was informed of this reorganization programme by the Belgian Government's letter of March 21, 1955. It also noted the amendments which, for technical reasons, had to be made to this programme and which had been set forth in the Belgian Government's letter of November 9, 1955.

The final amended programme affects the following four enterprises:

Société Anonyme des Charbonnages du Hainaut, Hautrage;

Société Anonyme des Charbonnages Unis de l'Ouest de Mons, Boussu;

Société Anonyme de Cockerill-Ougrée, Division des Charbonnages Belges et de Hornu-Wasmes, Seraing;

Société Anonyme des Charbonnages du Levant et des Produits du Flénu, Cuesmes.

3. The programme falls into two distinct parts, firstly the overhaul of those pits which are considered suitable for integration into the Common Market, and secondly the gradual closing-down of those whose operating results cannot be improved to any satisfactory degree. All the pits of the Charbonnages du Hainaut and the Charbonnages de l'Ouest de Mons, and certain of the pits of the Charbonnages Belges (the Crachet-Grand Trait mine-field) and the Charbonnages du Levant et des Produits du Flénu (Héribus and No. 15), have been pronounced suitable for integration into the Common Market. The remaining pits of the two latter collieries are scheduled for gradual closing-down, to be staggered over a period up to the end of 1958, in order to attenuate the social consequences.

The High Authority notes that the reorganization programme as a whole has been drawn up, particularly as regards the staggering of the closing-down process, in such a way as to safeguard continuity of employment as far as possible for the miners of the Borinage coalfield. Furthermore, assistance can be granted under Section 23.4 of the Convention to the miners of the pits to be closed down when they are not regularly employed on coal-getting. In

view of the very considerable financial effort which the staggering of the closing-down process will involve for the Belgian Government, the High Authority is prepared to assume responsibility, without requiring a special contribution of the same amount from the Belgian Government, for all expenditure incurred in connection with these readaptation measures, provided the Special Council of Ministers grants the necessary waiver of Section 23,6 of the Convention.

4. Before taking a final decision as to the other aspects of the financing of the reorganization programme, the High Authority asked the Belgian Government for guarantees that the programme would in fact be implemented by the enterprises concerned. In its letters of November 9 and 21, 1955, the Belgian Government forwarded to the High Authority the agreements concluded between the Belgian State and the enterprises concerned. The High Authority notes that under these agreements the enterprises are obliged to carry out the whole of the closing-down and overhaul programmes.

The schedule for the gradual closing-down of the pits is as follows:

I. Cockerill-Ougrée, Division des Charbonnages Belges et de Hornu-Wasmes

No. 7, Escouffiaux	November 30, 1955
No. 1, Escouffiaux	July 20, 1956
No. 3/5, Hornu-Wasmes	
(a) levels served by Pit No. 3	December 31, 1956
(b) levels served by Pit No. 5	July 20, 1957
No. 10, Grisoetul	December 31, 1958
No. 7/8, Hornu-Wasmes	December 31, 1958

II. Charbonnages du Levant et des Produits du Flénu

No. 17	July 20, 1956
No. 28	July 20, 1957
Nord du Rieu-du-Coeur	December 31, 1958

5. In view of the foregoing, the High Authority has decided to authorize, under Section 25 of the Convention, the granting of the following assistance (in millions of Belgian francs) for the financial year 1955:

to the Charbonnages Belges	176·5
to the Charbonnages du Levant	130·7
to the Charbonnages de l'Ouest de Mons	39·4
to the Charbonnages du Hainaut	56·9
	<hr/>
	403·5
	<hr/>

The High Authority notes that these subsidies consist firstly of direct assistance, and secondly of loss of interest on redeemable advances (totalling Bfr. 95m. for the financial year 1955). It would request the Belgian Government to keep it informed as to the repayment of such redeemable advances by the borrowers.

6. As regards Community action in the financing of the reorganization programme, the High Authority has decided to set aside a sum of Bfr. 90m., derived from the compensation levy prescribed under Section 25 of the Convention for the financial year 1955. Payment of this sum is conditional upon the payment in advance of an equal amount by the Belgian Government, which is hereby authorized to grant to the enterprises concerned for the same financial year subsidies totalling Bfr. 313,500,000.

7. The High Authority requests the Belgian Government to keep it regularly informed as to the implementation of the reorganization programme, and reserves the right to keep an appropriate check on what is being done to prepare the collieries in question for integration into the Common Market, and to make sure that the subsidies are in fact being used for the purposes for which they were authorized.

I have, &c.

THE COUNCIL OF MINISTERS

DECISIONS, OPINIONS AND CONSULTATIONS

AGREEMENT by the Council, under Article 53 (b) of the Treaty, to a draft decision making the bonus referred to in the High Authority's Decision No. 26/55, Article 2, also payable on scrap saved by the increased use of liquid basic Bessemer steel in electric furnaces

By a letter dated November 7, 1955, the High Authority requested the Council for the agreement required in accordance with Article 53 (b) of the Treaty to a draft decision making the bonus referred to in the High Authority's Decision No. 26/55, Article 2, also payable on scrap saved by the increased use of liquid basic Bessemer steel in electric furnaces.

The Council, at its twenty-ninth session on February 9, 1956, gave the agreement requested by the High Authority, as recorded in the minutes of the Council's deliberations.

For the Council,

J. REY,
President.

CONSULTATION requested by the High Authority, under Section 11 of the Convention containing the Transitional Provisions, on the dates and conditions for the discontinuance of the subsidies granted by the French Government on coking coal

By a letter dated December 23, 1955, the High Authority asked to consult the Council, under Section 11 of the Convention containing the Transitional Provisions, on the dates and conditions for the discontinuance of the subsidies granted by the French Government on coking coal.

The consultation requested was given by the Council at its twenty-ninth session on February 9, 1956.

A record of this consultation is contained in the minutes of the deliberations of the Council.

CONSULTATION requested by the High Authority, under Article 53 (a) of the Treaty, on the advisability of authorizing the institution, under the control of, and in conditions specified by, the High Authority, of certain financial arrangements, which it recognizes to be necessary to the performance of the functions laid down in Article 3 of the Treaty, and compatible with the provisions of the Treaty in general and with those of Article 65 thereof in particular

By a letter dated January 13, 1956, the High Authority asked to consult the Council, under Article 53 (b) of the Treaty, on the advisability of authorizing the institution, under the control of, and in conditions specified by, the High Authority, of the following financial arrangements, which it recognizes to be necessary to the performance of the functions laid down in Article 3 of the Treaty, and compatible with the provisions of the Treaty in general and with those of Article 65 in particular.

- (1) Joint financial arrangements covering the Ruhr collieries, to ensure
 - (a) equalization of transport charges f.o.b. Ruhrort;
 - (b) equalization of transport charges f.o.b. seaport (from Antwerp to the ports at the mouth of the River Weser);
 - (c) compensation for any drop in receipts resulting from the alignment of quotations, under Article 60,2, b of the Treaty, with terms offered by collieries outside the Community;
 - (d) compensation payments for the introduction of a scheme for "equalizing employment" among enterprises.
- (2) Joint financial arrangements covering the Belgian collieries, to ensure
 - (a) equalization of transport charges f.o.b. inland port (Brussels, Ghent, Liège) for onward shipment by inland waterway;
 - (b) equalization of transport charges f.o.b. seaport (Ghent, Antwerp) for onward shipment by sea;
 - (c) for exports specified in Section 26,2, c of the Convention, compensation for any drop in receipts corresponding to that proportion (20%) of the difference in price which is not covered by the additional compensation.

The consultation requested was given by the Council at its twenty-ninth session on February 9, 1956.

A record of this consultation is contained in the minutes of the deliberations of the Council.

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