

OFFICIAL GAZETTE

OF THE

EUROPEAN COAL & STEEL COMMUNITY

FIFTH YEAR · No. 30 · DECEMBER 27, 1956

Third year No. 17/18 was the first issue of the Official Gazette to be published in an English edition. Earlier issues (first year No. 1, second year Nos. 1-14 and third year Nos. 1-16) have been printed in Dutch, French, German and Italian only and are obtainable from H.M. Stationery Office at the addresses on the back cover.

LONDON

HER MAJESTY'S STATIONERY OFFICE

ONE SHILLING NET

**LIST OF PUBLICATIONS
ISSUED BY
THE EUROPEAN COAL AND
STEEL COMMUNITY**

High Authority—English Editions

<i>Ref. :</i>		<i>Price each</i>
		£ s. d.
—	Treaty establishing the European Coal and Steel Community	5 6
10	Report on the Situation of the Community, January, 1953	3 6
1008	The activities of the European Community: <i>General Report of the High Authority (August 10, 1952 to April 12, 1953)</i>	3 6
1069	The establishment of the common market for steel: <i>Special Report of the High Authority</i>	2 6
1056	Report on the problems raised by the different turnover tax systems applied within the common market	7 0
1233	Report on the Situation of the Community at the beginning of 1954	3 0
1322	Second General Report on the activities of the Community (<i>April 13, 1953 to April 11, 1954</i>)	7 0
1523	Report on the Situation of the Community laid before the Extraordinary Session of the Common Assembly (<i>November 1954</i>)	5 0
1539	Agreement concerning the relations between the Community and the United Kingdom of Great Britain and Northern Ireland and connected documents	2 0
1576	Third General Report on the activities of the Community (<i>April 12, 1954 to April 10, 1955</i>)	7 0
1724	Readaptation and re-employment of workers	8 6
1743	Fourth General Report on the activities of the Community	8 6
1754	Speech by Mr. René Mayer, President of the High Authority before the Common Assembly; Ordinary Session 1955-56 in Strasbourg	2 6

**High Authority—German, French,
Italian and Dutch Editions only**

—	Bulletin Statistique: <i>Subscription for 1956 (6 issues)</i> ...	3 15 0
	<i>Single copies</i>	15 0
1745	Mémento de Statistiques 1956... ..	5 0
1487	La Formation professionnelle dans l'Industrie sidérurgique des pays de la Communauté... ..	15 0
1360	Documentation sur les Problèmes du Travail dans les Industries de la Communauté (<i>Emploi et salaires</i>)... ..	7 6
1577	Répertoire des produits sidérurgiques et des entreprises du marché commun de l'acier	10 0
1626	Discours de M. René Mayer, Président de la Haute Autorité, devant l'Assemblée Commune; Session ordinaire 1955 à Strasbourg... ..	1 0
1661	Allocution de M. René Mayer, Président de la Haute Autorité, devant l'Assemblée Commune; Session extraordinaire novembre 1955 à Strasbourg	2 0

(List continued on page iii of cover)

OFFICIAL GAZETTE

OF THE

EUROPEAN

COAL AND STEEL COMMUNITY

TABLE OF CONTENTS

THE HIGH AUTHORITY

	PAGE
INFORMATION	
Letter addressed by the High Authority on December 19, 1956, to the Government of the Kingdom of Belgium concerning the reorganization of the compensation scheme	398
List of Opinions on Investment Projects (Article 54 of the Treaty)	400

THE COMMON ASSEMBLY

QUESTIONS AND REPLIES

Question No. 37 put by M. Michel Debré, Member of the Common Assembly (November 14, 1956)	401
Reply by the High Authority (December 14, 1956)	401

THE COUNCIL OF MINISTERS

DECISIONS, OPINIONS AND CONSULTATIONS

Decision concerning the replacement of a member of the Consultative Committee, now deceased	402
---	-----

THE COURT OF JUSTICE

NOTICES

Appeal of the S.A. "A.L.M.A." (Acciairie Laminatoi Magliano Alpi) against the High Authority, filed on December 10th, 1956 (Case No. 8-56)	403
Appeal of the joint-stock company Meroni and Co., steel industry, against the High Authority, filed on December 14th, 1956 (Case No. 9-56)	403
Appeal of the limited partnership Meroni and Co., steel industry, against the High Authority, filed on December 14th, 1956 (Case No. 10-56)	403

THE HIGH AUTHORITY

INFORMATION

Letter addressed by the High Authority on December 19, 1956, to the Government of the Kingdom of Belgium concerning the reorganization of the compensation scheme

MY DEAR MINISTER,

In its letter of February 2, 1956,⁽¹⁾ the High Authority informed you that it proposed to complete by not later than October 31, 1956, its inquiries into the costs and receipts of the Belgian collieries, in order to ascertain how the smaller compensation funds available for the rest of the transition period could most effectively be employed towards achieving the objectives listed in Section 26,2 of the Convention.

In view of the increase in wage costs and selling prices on October 1, 1956, the High Authority has had to make additional inquiries, with the result that the arrangements at present in force were extended up to and including December 31, 1956. The findings of the inquiries, in which representatives of your Government took part, are now known. They show the costs and receipts of each of the enterprises in the Belgian coalmining industry for the year 1955, together with the situation today and the situation forecast for the end of the transition period. The figures reveal considerable diversity in operating results. This being so, the chances of integration into the Common Market vary greatly from colliery to colliery, and the compensation funds available will, therefore, have to be concentrated as effectively as possible, especially as they are due to be reduced further as from February 10, 1957.

Working on a more selective basis, the High Authority, in agreement with the Belgian Government, has taken the following decisions.

1. From January 1, 1957, a distinction should be made between the following three groups of collieries in Belgium:

Group 1

Enterprises whose operating results are such that, as from January 1, 1957, it will be possible for them to charge the selling prices fixed by the High Authority under Section 26,2a, of the Convention without the aid of compensation payments;

Group 2

Enterprises which could become competitive in the Common Market at the end of the transition period, if need be with the help of a subsidy under Section 26 of the Convention, where this is possible;

Group 3

Enterprises which will be unable to become competitive in the Common Market by the end of the transition period.

⁽¹⁾ Official Gazette of the Community, of February 5, 1956, p. 11.

2. It has been decided to discontinue compensation payments to enterprises in Group 1 in respect of all coal sold on and after January 1, 1957.

For the purposes of this classification, the criterion determining this group is: receipts for a full year based on current price schedules plus the government subsidy designed to compensate the coalowners for the additional charges resulting from the introduction of the shorter working week cover the present production costs as computed in agreement with the representative of the Belgian Government and the representatives of the Association des Producteurs de Charbon Belges. The production figure adopted is that at present estimated for 1956, and the output adopted is the average o.m.s. for January–October 1956, not counting the month of August.

On the basis of the facts established with the co-operation of your Departments, the following enterprises fall into Group 1:

(Here follows the list of enterprises)

3. As regards the classification of the other enterprises under Groups 2 and 3, additional inquiries will have to be made in order to enable the High Authority to judge whether, in view of the technical and financial working conditions of the enterprises, it is possible to integrate these collieries finally into the Common Market, and also to decide what action, if any, should be taken to achieve this integration.

The High Authority intends to complete its inquiries, with the support of your Department, as quickly as possible in order that a decision may be taken not later than February 9, 1957.

4. For the enterprises of Groups 2 and 3 the compensation payments will be provisionally continued at the rates at present in force until the enterprises have been finally classified as provided for under (3) above, and in any case not later than February 9, 1957.

From the date of classification—

(a) for the enterprises in Group 2, the compensation payments will be allocated, as from January 1, 1957, in proportion to the operating losses calculated on the difference between current production costs as computed in agreement with the representative of the Belgian Government and the representatives of the Association des Producteurs de Charbon Belges and the receipts for a full year based on current price schedules plus the government subsidy designed to compensate the coalowners for the additional charges resulting from the introduction of the shorter working week. The production figure adopted is that at present estimated for 1956, and the output taken is the average o.m.s. for January–October, 1956, not counting the month of August;

(b) for the enterprises in Group 3, all compensation payments under Section 26.2a of the Convention will cease.

Payments made between January 1, 1957, and the date of the final classification of the enterprises, or February 9, 1957, whichever is the earlier date, will

count as an advance if they do not exceed the amount due to the enterprises. If the amount due to an enterprise is less than the sum actually paid, or if payments cease altogether, sums already paid shall be retained by the enterprise.

5. The reorganization of the compensation scheme as described above is based on the assumption that there is no compensation fund for the costs, receipts or results of the collieries, and, in particular, no such fund as you suggested in your letter of October 17, 1956. The list of enterprises in Group I has been drawn up on this basis. The selective system adopted by the High Authority means a perceptible reduction in the dispersal of results; it thus helps to pave the way for the achievement of the objective aimed at by the Belgian Government in setting up a compensation system for the Belgian collieries.

6. The reorganization of compensation described above fits in with the fundamental aim of the compensation scheme, which is to bring Belgian coal prices more in line with the prices ruling in the Common Market by reducing them to correspond more or less with the production costs as they are expected to be by the end of the transition period.

Accordingly, the selling prices fixed by the High Authority in its Decision No. 22/55, of May 28, 1955 (*Official Gazette of the Community*, May 31, 1955, p. 182), as amended by Decision No. 29/56, of September 26, 1956 (*Official Gazette of the Community*, September 28, 1956, pp. 310, 311) will continue in force in respect of sales of Belgian coal.

Please accept, etc.

List of Opinions on Investment Projects
(Article 54 of the Treaty)

(See also *Official Gazette of the Community*, No. 7, March 15, 1956, p. 100; No. 11, May 5, 1956, p. 156; No. 17, July 19, 1956, p. 250; No. 18, July 21, 1956, p. 280; No. 23, October 18, 1956, p. 342; No. 24, November 16, 1956, p. 348)

Arenberg Bergbau G.m.b.H., Essen

—thermal power station: construction of a turbo-alternator unit at Brassert 1 pit.

Opinion issued by the High Authority on December 5, 1956.

F.I.A.T., S.p.A., Turin

—construction of a new integrated iron and steelworks at Vado Ligure.
Opinion issued by the High Authority on December 5, 1956.

THE COMMON ASSEMBLY

Annex to the Official Gazette

QUESTIONS AND REPLIES

QUESTION No. 37 put by M. Michel Debré, Member of the Common Assembly

(November 14, 1956)

The reply given to Question No. 36 on October 20 cannot be considered satisfactory.

First, the High Authority might usefully refer to the preparatory work and the comments on the Treaty. These, and particularly the discussions in the French National Assembly, have, without exception, shown that a return to the former types of cartel was out of the question and that Law No. 27 must be upheld, both in the spirit and in its main provisions. The statements by MM. Robert Schuman and Jean Monnet can be taken as fundamental arguments, and it is astonishing that we now have the High Authority declaring that it has no responsibility in the matter of recartellization. A first specific question—how can the High Authority reconcile the definite assurances of the makers of the Treaty with its own declaration of total abstention?

Secondly, the publicity put out by Phoenix-Rheinrohr AG is explicit: the cartel states that it is stronger than ever. The High Authority claims that it is not competent to reply to this assertion. This attitude is legally and politically incomprehensible. It is stated that the High Authority has legally given its assent to the revival of the cartel; it must therefore be aware of Phoenix-Rheinrohr's influence and have weighed up the reasons for not rejecting the application, since, according to the spirit and the letter of the Treaty, rejection should have been its normal response. It would be interesting to know on what grounds the High Authority considered the position satisfactory. Politically, it is of the greatest importance that the motives of the High Authority should be fully known and understood, particularly by the members of the French National Assembly, who were induced to vote by the considerations referred to above.

REPLY by the High Authority

(December 14, 1956)

1. As was already stated in the first reply, the provisions of the Treaty which make concentrations of enterprises subject to prior authorization by the High Authority contain nothing requiring it, or indeed even permitting it, to maintain the situation created in the coal and steel sector by the decartellization of German industry under Law No. 27.

While the Honourable Member refers, in support of his views, to statements made to the French National Assembly during the debates on the ratification of the Treaty, the High Authority notes that on this occasion other speakers explicitly made a distinction between the system established under Law No. 27 and the Community system set up by the Treaty.

2. The High Authority has not found in the publicity put out by Phoenix-Rheinrohr AG any assertion to the effect that this enterprise was "stronger than ever". The advertisements merely state that, as a result of the merger between Hüttenwerk Phoenix AG and Rheinische Röhrenwerke AG, the economic co-operation formerly achieved within the old Vereinigte Stahlwerke had been *partially* restored.

It is moreover evident that in announcing a production of two million tons of rolled products, when Vereinigte Stahlwerke's annual production amounted to about seven million tons, Phoenix Rheinrohr could not be trying to give the impression that it was now stronger than Vereinigte Stahlwerke used to be.

THE COUNCIL OF MINISTERS

DECISIONS, OPINIONS AND CONSULTATIONS

DECISION concerning the replacement of a member of the Consultative Committee, now deceased.

THE COUNCIL,

HAVING regard to its Decisions of December 7 and 8, 1954, and January 20, 1955, concerning the nomination of members of the Consultative Committee for the period January 15, 1955-January 14, 1957,

WHEREAS the seat of one of the members has fallen vacant in consequence of the death of M. Roger Cadel,

DECIDES:

That M. P. Gardent shall be appointed a member of the Consultative Committee in succession to M. Roger Cadel for the remainder of M. Cadel's term of office.

This decision was adopted by the Council at its thirty-ninth session on December 11, 1956.

M. Gardent has been informed of this Decision, and has accepted the appointment.

For the Council,

J. ZIJLSTRA,

President.

THE COURT OF JUSTICE

NOTICES

Appeal of the S.A. "A.L.M.A." (Acciairie Laminatoi Magliano Alpi) against the High Authority, filed on December 10, 1956. (Case No. 8-56.)

On December 10, 1956, an Appeal against the High Authority of the European Coal and Steel Community was filed with the Registry of the Court by the S.A. "A.L.M.A." (Accierie Laminatoi Magliano Akpi), with registered office in Turin, Corso Regio Parco 33, represented by its only managing director, Dr. eng. Mario Beltrandi, and assisted by Mr. Arturo Cottrau, member of the Bar in Turin.

The S.A. "A.L.M.A." requests annulment of the Decision of the High Authority of October 24, 1956, by which a fine of 800.000 liras was imposed because of the omission to publish the price-list and to present the views of the S.A. "A.L.M.A." in response to the letter of the High Authority of November 4, 1955.

Appeal of the joint-stock company Meroni and Co., steel industry, against the High Authority, filed on December 14, 1956. (Case No. 9-56.)

On December 14, 1956, an Appeal against the High Authority of the European Coal and Steel Community was filed by the joint-stock company Meroni and Co., steel industry, with registered office in Milan, Corso Italia No. 3, represented by its only managing director eng. Aldo Meroni, and defended by Mr. Arturo Cottrau, member of the Bar in Turin.

The joint-stock company Meroni and Co. requests annulment of the Decision of the High Authority of October 24, 1956, which was notified by mail on November 12, 1956, and which imposes payment of 54.819.656 liras to the Compensation fund for imported scrap.

The company requests furthermore suspension of the execution of the contested Decision.

Appeal of the limited partnership Meroni and Co., steel industry, against the High Authority, filed on December 14, 1956. (Case No. 10-56.)

On December 14, 1956, an Appeal against the High Authority of the European Coal and Steel Community was filed with the Registry of the Court by the limited partnership Meroni and Co., steel industry, with registered office in Erba (Côme), represented by its manager, Mr. Agostino Artioli, and assisted by Mr. Arturo Cottrau, member of the Bar in Turin.

The limited partnership Meroni and Co. requests annulment of the Decision of the High Authority of November 9, 1956, which was notified by mail on November 14, 1956, and which imposes payment of 23.174.181 liras to the Compensation Fund for imported scrap.

The limited partnership requests furthermore suspension of the execution of the contested Decision.

LIST OF PUBLICATIONS ISSUED BY THE
EUROPEAN COAL AND STEEL COMMUNITY

(continued)

Ref. :		Price each	
		£	s. d.
1663	Déclarations de M. Fr. Etzel, vice-président de la Haute Autorité devant l'Assemblée Commune; Session extraordinaire novembre 1955, à Strasbourg	2	6
1669	La Formation professionnelle dans les houillères des pays de la Communauté	1	10 0
1785	Les investissements dans les industries du charbon et de l'acier de la Communauté	7	6

Common Assembly—German, French,
Italian and Dutch Editions only

—	Bulletin trimestriel de Bibliographie: <i>Subscription for 1956 (4 issues)</i>	11	0
—	Informations mensuelles sur la C.E.C.A. et sur l'intégration européenne: <i>Subscription for 1956 (12 issues)</i>	1	5 0
8401	Bibliographie analytique du Plan Schuman et de la C.E.C.A.	7	0
8402	Catalogue analytique du Fonds de la C.E.C.A.	11	6
212	Débats de l'Assemblée Commune. Compte rendu in extenso de la session d'ouverture du 10 au 13 Septembre et de la session du 10 au 13 janvier 1953 (No. 1)... ..	11	0
1033	do: Session extraordinaire du 11 mars 1953 (No. 2)	1	6
1074	do: Session ordinaire du 12 mai 1953 (No. 3)... ..	1	0
1134	do: Session ordinaire du 15 au 23 juin 1953 (No. 4)	11	6
1273	do: Session extraordinaire du 14 au 16 janvier 1954 (No. 5)	8	6
1450	do: Session ordinaire du 11 au 21 mai 1954 (No. 6)	1	0 0
1533	do: Session extraordinaire du 29 novembre au 2 décembre 1954 (No. 7)	10	6
1617	do: Session extraordinaire du 6 au 9 mai 1955 (No. 8)	3	6
1622	do: Session ordinaire du 10 au 14 mai et du 22 au 24 juin 1955 (No. 9)	1	0 0
1684	do: Table analytique de l'exercice 1954-55 (No. 10)	6	0
1683	do: Session extraordinaire du 22 au 25 novembre 1955 (No. 11)	10	6
1740	do: Deuxième Session extraordinaire mars 1956 à Bruxelles (No. 12)	8	6
1153	Premier Rapport Annuel (Septembre 1952-Septembre 1953)	7	0
1525	Règlement de l'Assemblée Commune	5	0
1741	Annuaire manuel de l'année 1956	15	0

The prices quoted do not include postage

All the above publications are available from: H.M. STATIONERY OFFICE, P.O. Box 569, LONDON, S.E.1, or the Government Bookshops in London, Edinburgh, Manchester, Birmingham, Bristol, Cardiff and Belfast.

Crown copyright reserved

Printed and published by
HER MAJESTY'S STATIONERY OFFICE

To be purchased from
York House, Kingsway, London w.c.2
423 Oxford Street, London w.1
P.O. Box 569, London s.e.1
13A Castle Street, Edinburgh 2
109 St. Mary Street, Cardiff
39 King Street, Manchester 2
Tower Lane, Bristol 1
2 Edmund Street, Birmingham 3
80 Chichester Street, Belfast
or through any bookseller

1957

Price 1s. 0d. net
(Subscription for
24 issues
£1 0s. 0d.
including postage)