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THE HIGH AUTHORITY

DECISIONS

DECISION No. 29/55 of November 3, 1955, supplementing Decision No. 3/52 of December 23, 1952, concerning the amount and mode of payment of the levy 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 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 (*Official Gazette of the Community, December 30, 1952, p. 4*);⁽¹⁾

WHEREAS, under Article 50, 3 of the Treaty, the High Authority may impose increases for delays in payment by enterprises which do not abide by the decisions taken concerning the levy;

WHEREAS the High Authority may hence reserve the right to remit, in whole or in part, the automatic increase laid down in Article 6 of Decision No. 3/52, where it shall so deem justified;

DECIDES:

Article 1

Article 6 of the aforementioned Decision 3/52 shall be supplemented by a third paragraph to read as follows:

“ Sur demande de l'entreprise intéressée, la Haute Autorité peut, dans les cas où elle l'estime justifié, faire remise partielle ou totale des majorations de retard prévues aux alinéas précédents.”

(*Translation:* “ Upon application by the enterprise concerned, the High Authority may, where it shall so deem justified, remit, in whole or in part, the increases for delays in payment provided for in the preceding two paragraphs ”.)

Article 2

This decision shall come into force within the Community on December 1, 1955.

This decision was deliberated and adopted by the High Authority at its session on November 3, 1955.

For the High Authority,

RENÉ MAYER,

President.

(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.

DECISION No. 30/55, of November 10, 1955, supplementing the table annexed to Decision No. 22/55, of May 28, 1955, concerning the establishment of price-schedules by enterprises in the Belgian coalfields

THE HIGH AUTHORITY,

HAVING regard to Section 26, 2, *a* of the Convention;

HAVING regard to Decision No. 22/55, of May 28, 1955, concerning the establishment of price-schedules by enterprises in the Belgian coalfields (*Official Gazette of the Community, May 31, 1955, p. 182*);

WHEREAS, in view of the present situation as regards tonnages of *charbon gras* available in grades *classés* 80/120, selling prices have also to be fixed for these grades;

WHEREAS such prices may be put on a level with those of *criblés*;

DECIDES:

Article 1

The table of selling prices for coal from the Belgian coalfields annexed to Decision No. 22/55 shall be supplemented by the addition of the following figures (in Belgian francs) under "Gras" for grades "classés 80/120":

charbon gras A	...	...	...	...	...	...	793;
charbon gras B	...	...	...	...	...	...	773.

Article 2

This decision shall come into force within the Community on December 1, 1955.

This decision was deliberated and adopted by the High Authority at its session on November 10, 1955.

For the High Authority.

RENÉ MAYER,

President.

DECISION No. 31/55, of November 19, 1955, amending and supplementing Decision No. 2/52, of December 23, 1952, concerning the methods of assessment and collection 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 Decision No. 2/52, of December 23, 1952, concerning the methods of assessment and collection of the levies provided for in Articles 49 and 50 of the Treaty (*Official Gazette of the Community, December 30, 1952, p. 3*);¹

⁽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.

WHEREAS experience has shown that, in the interests of economy and of simpler administration, it is not advisable to continue collecting the levy where the amounts payable are very small;

WHEREAS it has, moreover, become apparent that the High Authority must itself be able, in the event of failure by an enterprise to make a return, to work out the leviable tonnage and the appropriate amount payable in levy; after consulting the Council,

DECIDES:

Article 1

The provisions of Article 4, 1 of the aforementioned Decision No. 2/52 shall be superseded by the following:

“ Article 4

(1) Les prélèvements sont dus par chaque entreprise sur le tonnage de sa production imposable. Celle-ci doit faire l'objet d'une déclaration mensuelle de l'entreprise, à défaut de laquelle le tonnage imposable et le montant du prélèvement correspondant sont établis par la Haute Autorité. Le prélèvement n'est pas perçu, si d'une part l'entreprise a déclaré sa production mensuelle et d'autre part le montant du prélèvement effectivement dû est inférieur à 40 unités de compte de l'U.E.P. Cette limite peut être réduite par décision de la Haute Autorité.”

(Translation:

“ Article 4

(1) The levies shall be payable by each enterprise on the tonnage of its assessable production. Such production must be declared each month by the enterprise, failing which the leviable tonnage and the appropriate amount payable in levy shall be established by the High Authority. The levy shall not be payable where, the enterprise having declared its monthly production, the amount actually due is less than 40 E.P.U. units of account. This limit may be reduced by decision of the High Authority.”)

Article 2

This decision shall be applicable in respect of the levies payable on the tonnages produced as from December 1, 1955.

This decision was deliberated and adopted by the High Authority at its session on November 19, 1955.

For the High Authority,

RENÉ MAYER,

President.

**DECISION No. 32/55 of November 22, 1955, concerning the
authorization of joint financial arrangements set up by German iron
and steel enterprises for the importation of coal**

THE HIGH AUTHORITY,

HAVING regard to Articles 53, 1, *a* and 65 of the Treaty;

HAVING regard to the application submitted by Hüttenwerk Oberhausen AG., Oberhausen, on behalf of itself and 63 other enterprises of the German iron and steel industry;

WHEREAS the hard-coal extraction of the Community is not sufficient to meet all requirements by consumers, and more particularly the demand for coking coal and metallurgical coke;

WHEREAS it is, accordingly, necessary to import a larger tonnage of coal from third countries, the delivered price of which is considerably above the delivered price of coal purchased within the Community;

WHEREAS 64 German iron and steel enterprises have agreed as follows:

(1) a syndicate (Konsortium) comprising some of the 64 enterprises shall import up to March 31, 1956, through the wholesale coal trade, a total of 1,420,000 metric tons of coal from the United States of America, and shall make this tonnage available, as coal or converted into coke, to Community consumers favourably situated as regards transport, at the delivered price of comparable grades of German fuel, provided the iron and steel enterprises which are parties to the agreement receive an equal tonnage of German fuel which would otherwise have been delivered to those consumers;

(2) all participating enterprises undertake to provide, in accordance with a set plan and up to a fixed maximum amount, to the funds required to cover the difference between the delivered price of imported coal and the delivered price of German coal;

(3) the syndicate undertakes to provide such additional funds as may be required to make up the difference in price, should the sums contributed by the 64 enterprises prove inadequate;

WHEREAS this agreement provides the German iron and steel enterprises concerned, by way of imports, with an additional 1,420,000 metric tons of coal, or the equivalent tonnages of coke, on the understanding that as a result of this substitution of imported coal for German coal

(1) the enterprises concerned shall not be given the power, in respect of sales of coal to other Community consumers, to determine prices, control markets or restrict such sales,

(2) the supplementary imports shall be handled in such a way as to obviate unnecessary transporting, and thereby keep the additional expense incurred in connection with imports as low as possible;

WHEREAS, consequently, this whole series of agreements is essential to the implementation of the tasks laid down in Article 3 of the Treaty, and, in particular, helps to improve the supply situation of the Community without being more restrictive than is necessary for that purpose;

WHEREAS the financial arrangements introduced to this end among the enterprises concerned, and the agreements concluded for their implementation, do not contain, as regards either scale, character or duration, any element incompatible with the provisions of the Treaty, and more particularly with Article 65;

WHEREAS the High Authority will make sure in accordance with Article 47 of the Treaty, that the provisions of the Treaty are not being infringed in the application of this agreement, and, in particular, that the agreement does not prejudice the supplies to other Community consumers as regards either price or tonnage;

after consulting the Consultative Committee and the Council,

DECIDES:

Article 1

The agreements whereby 64 enterprises of the German iron and steel industry are to import from the United States of America, over the period up to and including March 31, 1956, 1,420,000 metric tons of hard coal, and to substitute them for German coal, and whereby the said enterprises are to introduce financial arrangements to cover the difference between the import price and the price of German coal are hereby authorized.

Article 2

This decision shall come into force on December 1, 1955.

This decision was deliberated and adopted by the High Authority at its session on November 22, 1955.

For the High Authority,

RENÉ MAYER,

President.

INFORMATION

Letter addressed by the High Authority on November 15, 1955, to the Government of the Kingdom of Belgium, concerning the fixing of prices for those grades of "charbons gras" known as "classés 80/120"

MY DEAR MINISTER,

The High Authority has, at the request of the Comptoir Belge des Charbons, decided to fix the prices for those grades of *charbons gras* known as *classés 80/120* on a level with the prices for the grades known as *criblés > 80 mm*. You will find annexed a copy of its decision.

The table of compensation rates by grades annexed to our letter of May 28, 1955, should therefore be supplemented as follows, with effect from December 1 1955:

Classés 80/120

Charbon gras A ..	...	...	...	Bfr. 56 --
Charbon gras B1	...	...	...	Bfr. 30 --
Charbon gras B2	...	...	...	Bfr. 76 --

I have, &c.

ANNOUNCEMENT

Grant of financial assistance under Article 55, 2, c

After consultation with the Consultative Committee, and with the agreement of the Council of Ministers, the High Authority, at its session on November 22, 1955, decided, in accordance with Article 55, 2, *c* of the Treaty, to set aside

- (1) 1,000,000 E.P.U. units of account, derived from the levy, for comparative research at Community level on blast-furnace cokes;
- (2) 278,000 E.P.U. units of account for comparative tests of silica bricks for open-hearth furnace roofs.

THE COUNCIL OF MINISTERS

DECISIONS AND OPINIONS

AGREEMENT by the Council, under Article 55, 2, c of the Treaty, to the grant of 278,000 E.P.U. units of account derived from the levy, to help finance tests aimed at improving the quality of silica bricks used in the roofs of open-hearth furnaces

By a letter dated October 29, 1955, the High Authority requested the Council for the agreement required in accordance with Article 55, 2, *c* of the Treaty, to enable it to grant 278,000 E.P.U. units of account, derived from the levy, to help finance tests aimed at improving the quality of silica bricks used in the roofs of open-hearth furnaces.

The Council, at its twenty-eighth session on November 15, 1955, gave the agreement requested by the High Authority, as recorded in the minutes of the Council's deliberations.

For the Council,

L. WESTRICK,

President.

AGREEMENT by the Council, under Article 55, 2 c of the Treaty, to the grant of a maximum of one million E.P.U. units of account, derived from the levy, to help finance comparative tests of blast-furnace cokes

By a letter dated October 29, 1955, the High Authority requested the Council for the agreement required in accordance with Article 55, 2, *c* of the Treaty, to enable it to grant a maximum of 1,000,000 E.P.U. units of account, derived from the levy, to help finance comparative tests of blast-furnace cokes.

The Council, at its twenty-eighth session on November 15, 1955, gave the agreement requested by the High Authority, as recorded in the minutes of the Council's deliberations.

For the Council,

L. WESTRICK,

President.

CONSULTATION requested by the High Authority, under Article 50, 2 of the Treaty, on the advisability of making certain amendments to Decision No. 2/52, of December 23, 1952, concerning the methods of assessment and collection of the levy provided for in Articles 49 and 50 of the Treaty

By a letter dated November 4, 1955, the High Authority asked to consult the Council, under Article 50, 2 of the Treaty, on the advisability of making certain amendments to Decision No. 2/52, of December 23, 1952, concerning the methods of assessment and collection of the levy provided for in Articles 49 and 50 of the Treaty.

The consultation requested was given by the Council at its twenty-eighth session on November 15, 1955.

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

For the Council,
L. WESTRICK,
President.

CONSULTATION requested by the High Authority, under Article 53, 1, a of the Treaty, on the advisability of authorizing the introduction, under High Authority control, of joint financial arrangements by German iron and steel enterprises, designed to allow compensation of the prices of a certain tonnage of coal imported from the United States

By a letter dated October 29, 1955, the High Authority asked to consult the Council, under Article 53, 1, a of the Treaty, on the advisability of authorizing the introduction, under High Authority control, of joint financial arrangements by German iron and steel enterprises, designed to allow compensation of the prices of a certain tonnage of coal imported from the United States.

The consultation requested was given by the Council at its twenty-eighth session on November 15, 1955.

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

For the Council,
L. WESTRICK,
President.

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