

# OFFICIAL GAZETTE

OF THE

## EUROPEAN COAL & STEEL COMMUNITY

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### EUROPEAN

#### COAL AND STEEL COMMUNITY

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# THE COMMON ASSEMBLY

## INFORMATION

### SECOND EXTRAORDINARY SESSION 1954-1955

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**Public Sitting, Friday, May 6, 1955**

**at 3.30 p.m.,**

**at Europe House, STRASBOURG**

#### AGENDA

Checking of credentials.

Approval of changes in the membership of the Committees.

Establishment of the agenda.

---

- (1) The Committee of Presidents will be convened by the President of the Assembly at Strasbourg on May 6, 1955, at 3 p.m., to examine the order of proceedings of the Assembly and draft an agenda for the sittings, in accordance with Article 12 of the Rules of Procedure.

The Committee, at its meeting of March 7, 1955, desired to propose to the Assembly for inclusion on the agenda of the Extraordinary Session

—a statement by the President of the Assembly concerning conversations which he had with the governments and with certain leading political figures in the member countries in the course of his tour early in January ;

—the Report by President G. Pella on behalf of the Bureau of the Common Assembly concerning the implementation of the provisions contained in the resolution of December 2, 1954, whereby the Bureau of the Common Assembly was directed to communicate to the Assembly draft proposals for setting up a Working-Party whose terms of reference were defined in that resolution (see Document 12, 1954-1955) ;

—the Report by M. J. KURTZ on behalf of the Committee for the Budgeting and Administration of the Community and the Common Assembly, on the Budget Estimates for the financial year 1955-1956 (see Document 11, 1954-1955) ;

—the Report by M. H. J. von MERKATZ on behalf of the Committee on the Rules of Procedure of the Common Assembly, Petitions and Immunities, on the resolution proposed by M. CARCASSONNE concerning the amendment of Article 28, 2 of the Rules of Procedure of the Common Assembly (see Document 7, 1954-1955).

- (2) Furthermore, the Committee for the Budgeting and Administration of the Community and the Common Assembly is preparing for submission to the Extraordinary Session
- a Report by M. G. KREYSSIG on the Auditor's Report dealing with the second financial year (1953–1954), (see Document 17, 1954–1955).
- (3) The Committee of Presidents may supplement this draft agenda by including the discussion of other reports listed in the annex to the draft agenda for the Ordinary Session to be held on May 10, 1955.  
Luxembourg, March 31, 1955.

## **ORDINARY SESSION 1954-1955**

**Public Sitting, Tuesday, May 10, 1955,<sup>(1)</sup>  
at Europe House, STRASBOURG**

### **AGENDA**

#### **Establishment of the Agenda**

The Committees have prepared or are preparing the following Reports to be laid before the Assembly during its Session.

The Common Market Committee :

- Report by M. W. POHLE on that chapter of the Third General Report on the Activities of the Community (1954–1955) which deals with the operation and development of the Common Market (see Document 19, 1954–1955).

The Committee on Investments, Financial Matters and Production Development :

- Report by M. F. de MENTHON on the problems in connection with the allocation of the American loan of one hundred million dollars, and other matters coming within the Committee's sphere of competence (see Document 10, 1954–1955) ;

N.B.—The Committee will probably draw up a supplementary Report on that chapter in the Third General Report which deals with the problems coming within its competence.

- Report by M. H. DEIST on the study and fact-finding mission undertaken by the Committee from January 24 to 27, 1955, to examine the specific problems of the Italian coal mining and iron and steel industries (see Document 21, 1954–1955).

The Social Affairs Committee :

- Report by M. A. BERTRAND on matters concerning the implementation of Article 69 of the Treaty, readaptation, occupational training, and the situation and development in regard to employment (see Document 14, 1954–1955) ;

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<sup>(1)</sup> This Ordinary Session follows on from the Second Extraordinary Session, 1954–1955, to open on May 6, 1955.



— Report by M. W. BIRKELBACH on matters concerning the building of workers' houses, the financing of the building projects, the allocation of the \$25 m., and the problems of harmonizing living and working conditions in the six Community countries (see Document 13, 1954-1955);

—Report by M. S. PERRIER on problems of industrial safety and on research and results in the field of occupational diseases (see Document 18, 1954-1955).

N.B.—M. BIRKELBACH has further been instructed to draw up a Report on a number of problems presenting both social and financial aspects, and if necessary on that chapter of the Third General Report which deals with labour problems.

The Committee on Political Affairs and the External Relations of the Community :

—Report by Mlle. M. A. M. KLOMPE on the scope and implementation of the provisions of the Agreement concerning the relations between the European Coal and Steel Community and the United Kingdom, and on other problems falling within the Committee's sphere of competence (see Document 16, 1954-1955).

The Transport Committee :

—Report by M. P. J. KAPTEYN on transport policy in the Community with particular reference to the introduction of international through-rates (see Document 15, 1954-1955).

The Committee on the Budgeting and Administration of the Community and the Common Assembly :

—Report by M. N. MARGUE on the General Budget Estimates for 1955-1956 (see Document 20, 1954-1955 ; also agenda of the Second Extraordinary Session).

The Committee on the Rules of Procedure of the Common Assembly, Petitions and Immunities :

—The Committee will be required to study two petitions to the Assembly.

—It will also, before the Session, resume its examination of a draft report by M. H. J. von MERKATZ on the desirability of investing one of the Committees of the Common Assembly with advisory competence on legal questions in regard to the interpretation of the provisions of the Treaty in so far as these provisions relate to the Assembly's exercise of its powers.

Luxembourg, March 31, 1955.

*Annex to the Official Gazette*

QUESTIONS AND REPLIES

**Question No. 24 put by MM. Carcaterra and Simonini, Members of the Common Assembly**

*(March 14, 1955)*

What difficulties is the High Authority encountering in implementing Section 23 of the Convention in respect of Italy?

Does the High Authority not consider that all the conditions required by that Section are fulfilled, since the Italian Government some time ago submitted a Bill allotting the sum of Lit.3.500.000.000,—for a period of ten years, to reabsorb workers laid off by iron and steel enterprises and finance the construction of new and the modernization of existing plant?

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**Reply by the High Authority**

*(April 4, 1955)*

(1) The High Authority informed the Italian Government on March 26, 1955, that it agreed in principle to the Italian Government's proposals concerning the implementation of Section 23 of the Convention in respect of iron and steel workers laid off after the introduction of the Common Market.

(2) The High Authority was, however, obliged at the same time to suggest to the Italian Government a number of amendments to the Bill, in order to conform with the conditions laid down in Section 23 of the Convention, particularly in paragraph 6.

As soon as the High Authority has received a final reply from the Italian Government, the provisions in respect of the Italian iron and steel workers can come into force.

## THE COUNCIL OF MINISTERS

### INFORMATION

**AGREEMENT on the introduction of international railway through-rates**

**THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES OF THE EUROPEAN COAL AND STEEL COMMUNITY, MEETING IN COUNCIL,**

HAVING regard to the provisions of Article 70 of the Treaty of April 18, 1951, establishing the European Coal and Steel Community (hereinafter referred to as "the Treaty"),

PURSUANT to the provisions of Section 10, paragraphs 2 and 3, 2 of the Convention containing the Transitional Provisions (hereinafter referred to as "the Convention"), concerning the introduction of international through-rates,

## HAVE AGREED AS FOLLOWS :

### TITLE I

#### DEFINITION OF TERMS

##### *Article 1*

- For the purposes of the present Agreement,
- by “ High Authority ” shall be understood  
the High Authority of the European Coal and Steel Community ;
- by “ Council ”  
The Special Council of Ministers of the European Coal and Steel Community ;
- by “ coal and steel ”,  
the products enumerated in Annexes I and III to the Treaty ;
- by “ railways ”,  
the administrative authority operating the main railway network of one of the Territories referred to in Article 79, paragraph 1 of the Treaty, and other railway authorities covered by its tariffs ;
- by “ general inland tariffs ”,  
inland tariffs applicable to all users of the same type within one of the Territories mentioned in Article 79, paragraph 1 of the Treaty ;
- by “ international through-rates ”,  
the rates and conditions published and applied to the carriage of coal and steel between the Territories mentioned in Article 79, paragraph 1 of the Treaty under the terms of a single transport contract ;
- by “ transit point ”,  
the frontier point fixed in accordance with Article 10 of the International Convention on Railway Goods Carriage ;
- by “ total mileage ”,  
the mileage from the point of departure to the point of destination of the single transport contract, via the transit point or points ;
- by “ partial mileage ”,  
those parts of the total mileage which are situated either in the consignor country, in the transit country or in the consignee country ;
- by “ partial distance ”,  
the length of a partial mileage as laid down in the regulations in force on the railways concerned for their inland traffic ;
- by “ total distance ”,  
the sum of the partial distances ;
- by “ terminal station fee ”,  
the charge per metric ton obtained by extrapolation of the schedule to distance 0 km., regardless of any minimum distance or minimum charge ;
- by “ mileage rate ”,  
the freight charge minus the corresponding terminal charge ;

- by “ tapering scale ”,  
the descending scale of the mileage rate per kilometre-ton as the distance increases ;
- by “ basic mileage rate ”,  
the mileage rate per kilometre-ton up to the distance at which the tapering rates begin ;
- by “ tapering ratio ” (rate of fall),  
the quotient of the mileage rate per kilometre-ton for a given distance and the basic mileage rate.

## TITLE II

### GENERAL PROVISIONS

#### *Article 2*

The international through-rates which are the subject of this Agreement shall apply to all coal and steel traffic within the Community, with the exception of the special cases listed in Annex I hereto, for which separate regulations have been laid down.

The detailed description of the products covered by these international through-rates shall be given in a standard nomenclature adapted to transport requirements.

#### *Article 3*

The Governments of the member States hereby undertake to co-operate in seeking, with the collaboration and assistance of the High Authority, methods for reducing (with a view to their ultimate complete elimination) those charges peculiar to international coal and steel traffic which bear so heavily on the prime cost of transport.

## TITLE III

### RULES FOR THE ESTABLISHMENT OF RATES

#### *Article 4*

The freight charges under the international through-rates shall consist of the sum of a terminal station fee and a mileage rate.

The terminal station fee shall consist of the sum of the half terminal station fee payable under the inland tariff of the consignor country, collected by the railways of that country, and the half terminal station fee payable under the inland tariff of the consignee country, collected by the railways of that country.

No terminal station fee shall be collected by the railways of transit countries.

The mileage rate shall consist of the sum of the partial mileage rates of the railways concerned: the partial mileage rate for each railway shall be obtainable by multiplying the basic mileage rate by the partial distance covered on that railway and by the tapering ratio (rate of fall) described in Articles 6–10 below.

### *Article 5*

The provisions of Article 4 above notwithstanding, the railways shall be authorised, during the period of one year specified in Article 11 below for fuels and ores on the one hand, and scrap and iron and steel products on the other, to collect terminal station fees equivalent to

- two-thirds of their terminal station fee for the sending and receiving railways ;
- one-third of their terminal station fee for the transit railways.

## TITLE IV

### TAPERING RATIOS

#### *Article 6*

The Governments of the member States consider that the examination of tapering ratios falls within the terms of reference of the studies which the Commission of Experts has been instructed to carry out by virtue of Section 10, paragraph 3 of the Convention.

#### *Article 7*

For a period up to and including February 10, 1957, the tapering scale shall be applied in accordance with the provisions of Articles 8-10 below.

Should agreement not have been reached by that date on the basis of the study provided for in Article 6 above, the provisions of Articles 8-10 shall remain in force until such time as agreement shall have been reached.

Should the Government of any member State find itself obliged, before the expiry of the above time-limits, to modify the tapering ratios listed in Annex II hereto, it must notify the High Authority in advance. Where the High Authority shall deem necessary, the other Governments shall be given the opportunity to state their views, and the Government concerned must do all in its power to entertain any observations which the others may put forward. The foregoing provisions cannot, however, affect the application of Article 70 of the Treaty.

#### *Article 8*

For the establishment of mileage rates in general inland tariffs and in international through-rates, the tapering ratios for the total distance covered (listed in Annex II, Section 1) shall be employed for all carriage over a total distance of not more than 250 km. (= approx. 155 miles) for fuels, ores and scrap, and not more than 200 km. (= approx. 124 miles) for other products.

#### *Article 9*

For inland carriage over total distances of more than 250 km. for fuels, ores and scrap, and of more than 200 km. for other products, the Government of each member State shall fix the tapering ratios of its general inland tariff, such ratios not to exceed the span between the upper and lower limits given in Annex II, Section 2.

The above tapering ratios must be worked out up to the maximum distance existing within the Community, and must be notified to the High Authority and the Governments of the member States.

#### *Article 10*

For the establishment of mileage rates in international through-rates over total distances of more than 250 km. for fuels, ores and scrap, and of more than 200 km. for other products, the national tapering ratio for the total distance covered shall be applied for each partial mileage rate.

Notwithstanding, where this ratio is below the limit ratio fixed in Annex II, Section 3, the limit ratio shall be applied, on the understanding that in no circumstances may the partial mileage rate exceed the inland mileage rate for a distance equal to the partial distance covered.

### TITLE V

#### INTRODUCTION OF THROUGH-RATES

#### *Article 11*

The international through-rates shall come into force upon dates fixed by the High Authority as follows :

#### *May 1, 1955*

international through-rates for fuels and ores, in accordance with the provisions of Article 5 above ;

#### *May 1, 1956*

international through-rates for iron and steel products and for scrap, in accordance with the provisions of Article 5 above ;

international through-rates for fuels and ores, in accordance with the provisions of Article 4 above ;

#### *May 1, 1957*

international through-rates for iron and steel products and for scrap, in accordance with the provisions of Article 4 above.

### TITLE VI

#### MISCELLANEOUS PROVISIONS

#### *Article 12*

The rights accruing to the railways and to the users under the international through-rates published in conformity with this Agreement shall be those laid down in the regulations in force in the Territories referred to in Article 79, 1 of the Treaty, in respect of international carriage of goods by rail.

In particular, the introduction of alterations in the international through-rates consequent upon alterations in inland tariffs shall be carried out in accordance with the regulations referred to in the preceding paragraph.

### *Article 13*

The international through-rates shall be published in accordance with the regulations in force in the Territories referred to in Article 79, 1 of the Treaty, and must enable freight charges to be calculated from and to all stations in the Community open to coal and steel traffic.

For lines on which there is a regular and considerable volume of traffic, the tariffs must comprise

- either the freight charges for the total distance covered
- or the partial charges for the partial distances, the sum of which will give the total freight charges.

### *Article 14*

The provisions of the present Agreement shall in no way effect the application of the last three paragraphs of Section 10 of the Convention.

## TITLE VII

### TRAFFIC THROUGH THE TERRITORY OF THIRD STATES

#### *Article 15*

The Governments of the member States, represented on the Council, shall establish by common agreement the directives according to which the negotiations mentioned in Section 10, paragraph 2 of the Convention shall be carried on for the introduction of international through-rates for traffic between the Territories referred to in Article 79, 1 of the Treaty through the territories of third States.

## TITLE VIII

### SETTLEMENT OF DISPUTES

#### *Article 16*

The Court of Justice of the European Coal and Steel Community shall have jurisdiction, in the circumstances specified in Article 89 of the Treaty, to settle any dispute between member States as to the interpretation or application of this Agreement.

## TITLE IX

### SAFEGUARD AND REVISION CLAUSES

#### *Article 17*

Should unforeseen difficulties, or a radical change in economic or technical conditions, or fundamental and persistent disturbances in the market in the view of the High Authority or of one of the Governments of the member

States, seriously affect the application of the present Agreement, the representatives of the Governments of the member States and of the High Authority shall meet in Council to endeavour to work out the appropriate action to be taken.

When a period of four years shall have elapsed from the entry into force of this Agreement, a meeting in Council of the Governments of the member States shall be convened, at the request of one of their number or of the High Authority, to examine the advisability of amending this Agreement.

## TITLE X

### FINAL PROVISIONS

#### *Article 18*

It is hereby recognized that under the present agreement the Governments of the member States have undertaken only such commitments as fall within the terms of the Treaty and the Convention, and are aimed at implementing those instruments.

#### *Article 19*

The text of the present Agreement, as recorded in the Minutes of the Council's deliberations, shall be published in the Official Gazette of the Community.

The present Agreement shall come into force ten days after being so published.

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## ANNEX I

### TO THE AGREEMENT OF MARCH 21, 1955, CONCERNING THE INTRODUCTION OF INTERNATIONAL RAILWAY THROUGH-RATES

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## SPECIAL REGULATIONS

### UNDER ARTICLE 2 OF THE AGREEMENT

By virtue of the provisions of Article 2, paragraph 1 of the Agreement, freight charges on the lines specified below shall be established in accordance with the following special regulations.

A.—Carriage of iron and steel products within the Netherlands over distances of more than 150 km.

In respect of iron and steel products carried within the Netherlands over distances of more than 150 km., the tapering ratios applied shall be those shown in the following table, the provisions of Articles 8 and 9, paragraph 1 of the Agreement notwithstanding.



Distances in km.	Tapering ratios		
	Pig-iron and crude steel	Semis, special products	Finished products
151—155	0·951	0·958	0·967
156—160	0·929	0·935	0·944
161—165	0·907	0·914	0·923
166—170	0·886	0·895	0·903
171—175	0·867	0·876	0·884
176—180	0·848	0·857	0·865
181—185	0·832	0·840	0·848
186—190	0·817	0·824	0·832
191—195	0·803	0·809	0·817
196—200	0·789	0·796	0·802
201—210	0·770	0·777	0·783
211—220	0·745	0·751	0·758
221—230	0·722	0·730	0·734
231—240	0·701	0·710	0·712
241—250	0·682	0·690	0·693
251—260	0·665	0·673	0·676
261—270	0·648	0·658	0·659
271—280	0·633	0·643	0·644
281—290	0·620	0·629	0·629
291—300	0·607	0·616	0·616
301—310	0·594	0·604	0·603
311—320	0·582	0·593	0·591
321—330	0·572	0·582	0·580
331—340	0·562	0·571	0·570
341—350	0·553	0·561	0·561
351—360	0·544	0·553	0·552
361—370	0·535	0·544	0·543
371—380	0·527	0·536	0·535
381—390	0·520	0·530	0·528
391—400	0·512	0·522	0·520
401—420	0·502	0·511	0·509
421—440	0·489	0·500	0·496

These tapering ratios shall not be applicable to international traffic. The Netherlands partial mileage rates in international traffic may not exceed the inland mileage rates for a distance equal to the partial distance concerned, as given by the above tapering ratios.

#### B.—Carriage of coke from France to Italy, and vice versa

In respect of coke carried from France to Italy, and vice versa, the tapering ratio applied for each partial mileage rate shall be the national tapering ratio for the partial distance covered, the provisions of Article 10 of the Agreement notwithstanding. Furthermore, Tariff 103 for full train-loads shall not be applied on the French sections in conjunction with the international through-rates until this point has been settled by way of harmonization.

C.—Carriage of fuels and iron and steel products from Belgium and the Netherlands to Northern Germany

Special Commissions consisting of Representatives of the Governments of the member States and Representatives of the High Authority shall meet between January 1, 1956, and March 31, 1956, to examine whether, in order to avert so far as may be necessary any disturbances in the Common Market, special regulations should be established on May 1, 1956 in the following cases :

(a) carriage of fuels from the Netherlands to Northern Germany via transit point Enschede-Gronau and points north ;

(b) carriage of fuels from Belgium to Northern Germany through the Netherlands via the above transit points ;

(c) carriage of iron and steel products from the Netherlands to Northern Germany via the above transit points ;

(d) carriage of iron and steel products from Belgium to Northern Germany through the Netherlands via the same transit points.

The Commissions may also be convened before January 1, 1956, at the request of one of their members, should that member consider that disturbances, attributable to alterations in the Belgian and Netherlands tapering ratios or to other causes, are making themselves felt in the Common Market.

## ANNEX II

### TO THE AGREEMENT OF MARCH 21, 1955, CONCERNING THE INTRODUCTION OF INTERNATIONAL RAILWAY THROUGH-RATES

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#### TAPERING RATIOS

AS PROVIDED FOR IN ARTICLES 8, 9 AND 10 OF THE AGREEMENT

##### 1. *Application of Article 8*

Standard tapering ratios applicable up to a particular distance :

—up to 250 km.

Fuels . . . . .	Schedule I
Ores . . . . .	Schedule I
Scrap . . . . .	Schedule II

—up to 200 km.

Pig-iron, crude steel . . . . .	Schedule II
Semis, special products . . . . .	Schedule III
Finished products . . . . .	Schedule IV

2. Application of Article 9

Lower and upper limits of national tapering ratios :

Goods	Lower limit	Upper limit
Fuels . . . . .	Schedule V	0·8247
Ores . . . . .	Schedule VI	0·8247
Scrap * . . . . .	Schedule VII	Schedule X
Pig-iron, crude steel . . . . .	Schedule VIII	Schedule XI
Semis, special products . . . . .	Schedule VIII	Schedule XII
Finished products . . . . .	Schedule IX	Schedule XIII

3. Application of Article 10

Limit ratios for partial mileage rates :

Fuels, ores . . . . .	0·70
Scrap, pig-iron, crude steel . . . . .	0·75
Semis, special products . . . . .	0·80
Finished products . . . . .	0·85

STANDARD TAPERING RATIOS

SCHEDULES I, II, III and IV

Distances in km.	Schedule I	Schedule II	Schedule III	Schedule IV
101	1·0000	1·0000	1·0000	1·0000
102	0·9998	0·9999	0·9999	0·9999
103	0·9996	0·9997	0·9998	0·9998
104	0·9993	0·9995	0·9996	0·9997
105	0·9990	0·9992	0·9994	0·9996
106	0·9986	0·9989	0·9992	0·9994
107	0·9981	0·9986	0·9989	0·9992
108	0·9975	0·9982	0·9986	0·9991
109	0·9969	0·9979	0·9983	0·9988
110	0·9963	0·9974	0·9979	0·9986
111	0·9956	0·9969	0·9975	0·9983
112	0·9949	0·9963	0·9971	0·9979
113	0·9941	0·9958	0·9966	0·9976
114	0·9933	0·9952	0·9961	0·9973
115	0·9924	0·9946	0·9957	0·9969
116	0·9915	0·9939	0·9952	0·9966
117	0·9906	0·9932	0·9946	0·9962
118	0·9896	0·9925	0·9941	0·9958
119	0·9886	0·9918	0·9935	0·9954
120	0·9875	0·9910	0·9930	0·9950
121	0·9865	0·9903	0·9924	0·9946
122	0·9854	0·9895	0·9917	0·9941
123	0·9843	0·9887	0·9911	0·9937
124	0·9832	0·9879	0·9904	0·9932
125	0·9821	0·9871	0·9898	0·9927

Distances in km.	Schedule I	Schedule II	Schedule III	Schedule IV
126	0·9809	0·9862	0·9891	0·9923
127	0·9797	0·9854	0·9884	0·9918
128	0·9785	0·9845	0·9877	0·9913
129	0·9773	0·9836	0·9870	0·9908
130	0·9761	0·9828	0·9863	0·9903
131	0·9748	0·9819	0·9856	0·9898
132	0·9735	0·9810	0·9849	0·9893
133	0·9722	0·9801	0·9842	0·9888
134	0·9709	0·9792	0·9834	0·9883
135	0·9696	0·9782	0·9827	0·9878
136	0·9684	0·9773	0·9819	0·9872
137	0·9671	0·9764	0·9812	0·9867
138	0·9657	0·9754	0·9804	0·9862
139	0·9644	0·9744	0·9796	0·9857
140	0·9631	0·9735	0·9789	0·9852
141	0·9617	0·9725	0·9781	0·9846
142	0·9603	0·9716	0·9774	0·9841
143	0·9590	0·9706	0·9766	0·9836
144	0·9576	0·9696	0·9758	0·9831
145	0·9563	0·9686	0·9751	0·9825
146	0·9549	0·9677	0·9743	0·9820
147	0·9535	0·9667	0·9736	0·9814
148	0·9521	0·9657	0·9728	0·9809
149	0·9507	0·9647	0·9720	0·9804
150	0·9493	0·9637	0·9712	0·9798
151	0·9479	0·9628	0·9705	0·9793
152	0·9465	0·9618	0·9697	0·9787
153	0·9451	0·9608	0·9689	0·9782
154	0·9437	0·9598	0·9681	0·9776
155	0·9424	0·9588	0·9673	0·9771
156	0·9410	0·9579	0·9666	0·9765
157	0·9396	0·9569	0·9658	0·9760
158	0·9382	0·9559	0·9650	0·9754
159	0·9368	0·9549	0·9640	0·9749
160	0·9354	0·9539	0·9635	0·9744
161	0·9340	0·9530	0·9627	0·9738
162	0·9326	0·9520	0·9620	0·9733
163	0·9312	0·9510	0·9612	0·9728
164	0·9298	0·9500	0·9604	0·9723
165	0·9285	0·9490	0·9596	0·9717
166	0·9271	0·9481	0·9589	0·9712
167	0·9257	0·9471	0·9581	0·9706
168	0·9243	0·9461	0·9573	0·9701
169	0·9229	0·9451	0·9565	0·9696
170	0·9216	0·9442	0·9558	0·9690
171	0·9202	0·9432	0·9550	0·9685
172	0·9188	0·9423	0·9543	0·9679
173	0·9175	0·9413	0·9535	0·9674
174	0·9161	0·9403	0·9528	0·9669
175	0·9147	0·9394	0·9520	0·9664

Distances in km.	Schedule I	Schedule II	Schedule III	Schedule IV
176	0·9134	0·9384	0·9513	0·9658
177	0·9121	0·9375	0·9505	0·9653
178	0·9107	0·9365	0·9498	0·9648
179	0·9093	0·9356	0·9491	0·9643
180	0·9080	0·9346	0·9483	0·9638
181	0·9066	0·9337	0·9476	0·9632
182	0·9053	0·9327	0·9468	0·9627
183	0·9040	0·9318	0·9461	0·9622
184	0·9027	0·9309	0·9454	0·9617
185	0·9013	0·9300	0·9447	0·9612
186	0·9000	0·9290	0·9439	0·9607
187	0·8987	0·9281	0·9432	0·9602
188	0·8973	0·9272	0·9425	0·9597
189	0·8960	0·9263	0·9418	0·9592
190	0·8947	0·9254	0·9411	0·9587
191	0·8934	0·9245	0·9403	0·9583
192	0·8921	0·9236	0·9396	0·9578
193	0·8908	0·9227	0·9389	0·9573
194	0·8895	0·9218	0·9382	0·9568
195	0·8882	0·9209	0·9375	0·9563
196	0·8869	0·9200	0·9369	0·9559
197	0·8857	0·9191	0·9362	0·9554
198	0·8845	0·9183	0·9355	0·9549
199	0·8832	0·9174	0·9348	0·9544
200	0·8820	0·9166	0·9341	0·9540
201	0·8807	0·9157		
202	0·8794	0·9148		
203	0·8782	0·9140		
204	0·8770	0·9131		
205	0·8757	0·9122		
206	0·8744	0·9114		
207	0·8732	0·9105		
208	0·8720	0·9097		
209	0·8708	0·9089		
210	0·8695	0·9080		
211	0·8683	0·9072		
212	0·8671	0·9064		
213	0·8659	0·9055		
214	0·8647	0·9046		
215	0·8635	0·9038		
216	0·8623	0·9030		
217	0·8611	0·9022		
218	0·8599	0·9014		
219	0·8588	0·9006		
220	0·8576	0·8998		
221	0·8564	0·8990		
222	0·8553	0·8982		
223	0·8541	0·8974		
224	0·8530	0·8966		
225	0·8519	0·8958		

Distances in km.	Schedule I	Schedule II	Schedule III	Schedule IV
226	0·8507	0·8950		
227	0·8496	0·8943		
228	0·8484	0·8935		
229	0·8473	0·8928		
230	0·8462	0·8920		
231	0·8450	0·8912		
232	0·8439	0·8904		
233	0·8428	0·8897		
234	0·8417	0·8889		
235	0·8406	0·8881		
236	0·8395	0·8874		
237	0·8384	0·8867		
238	0·8374	0·8859		
239	0·8364	0·8852		
240	0·8353	0·8844		
241	0·8342	0·8837		
242	0·8331	0·8830		
243	0·8320	0·8823		
244	0·8309	0·8815		
245	0·8298	0·8808		
246	0·8288	0·8801		
247	0·8278	0·8794		
248	0·8267	0·8787		
249	0·8257	0·8780		
250	0·8247	0·8773		

SCHEDULES V, VI, VII, VIII and IX

Distances in km.	Schedule V	Schedule VI	Schedule VII	Schedule VIII	Schedule IX
201—210				0·9113	0·9307
211—220				0·8725	0·8874
221—230				0·8658	0·8731
231—240				0·8553	0·8561
241—250				0·8540	0·8499
251—260	0·8160	0·8138	0·8601	0·8448	0·8382
261—270	0·7950	0·7920	0·8285	0·8285	0·8331
271—280	0·7824	0·7702	0·8246	0·8246	0·8286
281—290	0·7668	0·7483	0·8174	0·8174	0·8209
291—300	0·7503	0·7265	0·8141	0·8141	0·8123
301—310	0·7379	0·7116	0·8009	0·8009	0·8035
311—320	0·7300	0·7040	0·7952	0·7952	0·7981
321—330	0·7226	0·6969	0·7866	0·7866	0·7879
331—340	0·7157	0·6902	0·7815	0·7815	0·7832
341—350	0·7092	0·6839	0·7738	0·7738	0·7763
351—360	0·7024	0·6780	0·7695	0·7695	0·7700
361—370	0·6949	0·6724	0·7568	0·7568	0·7596
371—380	0·6878	0·6670	0·7532	0·7532	0·7561
381—390	0·6810	0·6620	0·7523	0·7523	0·7507
391—400	0·6746	0·6572	0·7437	0·7437	0·7476

Distances in km.	Schedule V	Schedule VI	Schedule VII	Schedule VIII	Schedule IX
401—420	0·6651	0·6503	0·7342	0·7342	0·7412
421—440	0·6533	0·6417	0·7240	0·7240	0·7268
441—460	0·6425	0·6339	0·7148	0·7148	0·7119
461—480	0·6284	0·6267	0·6997	0·6997	0·7017
481—500	0·6032	0·6202	0·6712	0·6712	0·6938
501—520	0·5839	0·6128	0·6469	0·6469	0·6728
521—540	0·5697	0·6048	0·6380	0·6380	0·6622
541—560	0·5566	0·5974	0·6279	0·6279	0·6524
561—580	0·5444	0·5962	0·6204	0·6204	0·6446
581—600	0·5330	0·5840	0·6098	0·6098	0·6347
601—620	0·5221	0·5770	0·6017	0·6017	0·6242
621—640	0·5116	0·5695	0·5907	0·5907	0·6131
641—660	0·5017	0·5624	0·5805	0·5805	0·6051
661—680	0·4924	0·5558	0·5724	0·5724	0·5964
681—700	0·4837	0·5496	0·5618	0·5618	0·5859
701—720	0·4754	0·5429	0·5547	0·5547	0·5783
721—740	0·4676	0·5358	0·5465	0·5465	0·5689
741—760	0·4602	0·5292	0·5361	0·5361	0·5589
761—780	0·4532	0·5229	0·5275	0·5275	0·5515
781—800	0·4465	0·5169	0·5181	0·5181	0·5425
801—820	0·4402	0·5112	0·5116	0·5116	0·5340
821—840	0·4342	0·5057	0·5030	0·5030	0·5258
841—860	0·4285	0·5006	0·4936	0·4936	0·5162
861—880	0·4230	0·4956	0·4858	0·4858	0·5071
881—900	0·4178	0·4909	0·4772	0·4772	0·5010
901—920	0·4139	0·4864	0·4701	0·4701	0·4917
921—940	0·4114	0·4821	0·4645	0·4645	0·4853
941—960	0·4089	0·4780	0·4569	0·4569	0·4784
961—980	0·4065	0·4740	0·4496	0·4496	0·4710
981—1000	0·4043	0·4702	0·4436	0·4436	0·4646
1001—1050	0·4006	0·4639	0·4325	0·4325	0·4534
1051—1100	0·3956	0·4556	0·4171	0·4171	0·4374
1101—1150	0·3912	0·4481	0·4059	0·4059	0·4263
1151—1200	0·3871	0·4412	0·3939	0·3939	0·4122
1200 et plus	0·3860	0·4380	0·3812	0·3812	0·4005

### SCHEDULE X

Distances in km.	Schedule X
251—880	0·8773
881—900	0·8769
901—920	0·8738
921—940	0·8690
941—960	0·8646
961—980	0·8604
981—1000	0·8564
1001 et plus	0·8531

SCHEDULE XI

Distances in km.	Schedule XI	Distances in km.	Schedule XI	Distances in km.	Schedule XI
		401—420	0·9000	701—720	0·8846
		421—440	0·8983	721—740	0·8840
201—280	0·9166	441—460	0·8968	741—760	0·8822
281—290	0·9158	461—480	0·8955	761—780	0·8810
291—300	0·9138	481—500	0·8942	781—800	0·8800
301—310	0·9124	501—520	0·8931	801—820	0·8790
311—320	0·9107	521—540	0·8920	821—840	0·8776
321—330	0·9095	541—560	0·8910	841—860	0·8764
331—340	0·9079	561—580	0·8901	861—880	0·8752
341—350	0·9062	581—600	0·8893	881—900	0·8747
351—360	0·9055	601—620	0·8885	901—920	0·8708
361—370	0·9046	621—640	0·8877	921—940	0·8663
371—380	0·9033	641—660	0·8870	941—960	0·8619
381—390	0·9025	661—680	0·8863	961—980	0·8578
391—400	0·9014	681—700	0·8857	981—1000	0·8536
				1001 et plus	0·8484

SCHEDULES XII and XIII

Distances in km.	Sched. XII	Sched. XIII	Distances in km.	Sched. XII	Sched. XIII	Distances in km.	Sched. XII	Sched. XIII
			601—620	0·8885	0·9385	801—820	0·8790	0·9183
201—440	0·9341	0·9540	621—640	0·8877	0·9362	821—840	0·8776	0·9166
441—460	0·9263	0·9540	641—660	0·8870	0·9341	841—860	0·8764	0·9150
461—480	0·9146	0·9527	661—680	0·8863	0·9321	861—880	0·8752	0·9134
481—500	0·9038	0·9509	681—700	0·8857	0·9303	881—900	0·8747	0·9119
501—520	0·8931	0·9488	701—720	0·8846	0·9282	901—920	0·8708	0·9105
521—540	0·8920	0·9465	721—740	0·8840	0·9260	921—940	0·8663	0·9092
541—560	0·8910	0·9444	741—760	0·8822	0·9239	941—960	0·8619	0·9079
561—580	0·8901	0·9424	761—780	0·8810	0·9219	961—980	0·8578	0·9067
581—600	0·8893	0·9405	781—800	0·8800	0·9201	981—1000	0·8536	0·9055
						1001 et plus	0·8484	0·9044



# THE HIGH AUTHORITY

## DECISIONS

**DECISION No. 15/55 of April 28, 1955, extending Decision No. 15/54, of March 19, 1954, concerning the establishment of price-schedules by enterprises in the Belgian coalfields, and Decision No. 27/54, of May 12, 1954, amending the annex to Decision No. 15/54**

### THE HIGH AUTHORITY

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

HAVING regard to Decision No. 15/54, of March 19, 1954, concerning the establishment of price-schedules by enterprises in the Belgian coalfields (*Official Gazette of the Community, March 24, 1954, p. 264*)<sup>(1)</sup> and Decision No. 27/54, of May 12, 1954, amending the annex to Decision No. 15/54 (*Official Gazette of the Community, May 20, 1954, p. 365*)<sup>(1)</sup> as well as Decision No. 13/55, of March 26, 1955, extending the two aforementioned decisions (*Official Gazette of the Community, March 28, 1955, p. 115*) ;

WHEREAS the examination and studies now in progress in connection with the various problems raised by the reorganization of the Belgian compensation scheme necessitate an extension of the price-schedule for Belgian coal now in force ;

### DECIDES :

#### *Article 1*

Decisions Nos. 15/54 and 27/54 shall remain valid until the entry into force of a new decision concerning the establishment of price-schedules by enterprises in the Belgian coalfields.

#### *Article 2*

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

This decision was deliberated and adopted by the High Authority at its session of April 28, 1955.

For the High Authority,

JEAN MONNET,

*President.*

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<sup>(1)</sup> 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.

## INFORMATION

### Letter sent by the High Authority to the Italian Government on April 2, 1955, concerning the application of Section 30 of the Convention

YOUR EXCELLENCY,

In its letter of July 6, 1953 (*Official Gazette of the Community, August 14, 1953, pp. 163 ff.*)<sup>(1)</sup>, the High Authority laid down for the first two years of the transition period the Customs duties authorized under Section 30 for ordinary steels from Community countries, and at the same time intimated that it proposed to fix at the maximum rates therein specified the limits on the Customs duties to be imposed by the Italian Government during the following years.

After that date, in pursuance of Law No. 570, of July 31, 1954, and of the Decree of August 14, 1954, the compensatory dues payable on entry into Italy were raised in order to make allowance for the incidence of import charges on the calculation of production costs. This increase in compensation dues is a new element serving to alter price relations in the Italian market. The High Authority must, therefore, reserve the right to revise, in the light of the situation prevailing in the Italian iron and steel industry, the rates which it feels it would be justified in authorizing under Section 30.

At the same time, a reduction of the duties is to be introduced automatically with effect from May 1, 1955. The High Authority is anxious to avoid causing this to coincide with the reduction likely to result from the examination just mentioned.

Accordingly, the High Authority would remind the Italian Government that, under the terms of Section 30 and the provisions contained in the letter of July 6, 1953, the Customs duties imposed by the Italian Government on steels for which the Common Market was introduced on May 1, 1953, must not, as from May 1 next, be above the level laid down by the Annex Convention minus 25%.

The High Authority further reserves the right to examine with the Italian Government the possibility of a further reduction in the duties six months later, in order to make allowance for the incidence of the increase in compensatory dues on steel.

Please accept, &c.

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## ANNOUNCEMENT

After consultation with the Consultative Committee, and with the agreement of the Council of Ministers, the High Authority at its session of March 31, 1955, decided, in accordance with Article 55, 2 (c) of the Treaty, to set aside

—40,000 E.P.U. units of account, derived from the levy, for the internationalisation of the periodical *L'Ossature Métallique (Acier-Stahl-Steel)*, such assistance to be payable for one year ;

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<sup>(1)</sup> 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.

—200,000 E.P.U. units of account, derived from the levy, for a contribution towards the financing of a study of technical conditions in steel-rolling, to be carried out in co-operation with enterprises and research centres in all the countries of the Community.

## BUDGET ESTIMATES

### OF THE ADMINISTRATIVE EXPENDITURE OF THE INSTITUTIONS OF THE COMMUNITY FOR THE FINANCIAL YEAR 1954-1955

(in Belgian francs)

#### **DECISION No. 10/55 of the Committee of Presidents set up under Article 78, 3 of the Treaty, authorising transfers in the budget estimates of the administrative expenditure of the Common Assembly and the Special Council of Ministers**

The Presidents of the four institutions of the Community, meeting in Committee,

HAVING regard to Article 78, 3 of the Treaty,

#### **DECIDE :**

(1) to authorise the Common Assembly to make the following transfer in the budget estimates of its administrative expenditure for the third financial year ending June 30, 1955 :

Trsf. from HEAD II: EXPENDITURE FOR STAFF

Sub-head 260: Salaries	...	...	...	400,000
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to HEAD III: EXPENDITURE ON SUPPLIES

Sub-head 370: Miscellaneous and other expenditure on supplies	...	...	...	...	400,000
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(2) to authorise the Special Council of Ministers to make the following transfer in the budget estimates of its administrative expenditure for the third financial year ending June 30, 1955 :

Trsf. from HEAD II: Operational Expenditure

Sub-head 20: Expenditure on buildings, furniture and supplies		250,000
Sub-head 23: Expenditure on publications and information	...	84,000
Sub-head 24: Official mission expenses; fares and hotel expenses for meetings and conferences; experts' fees...	... ..	400,000
		734,000

to HEAD II: Operational Expenditure

Sub-head 21: Expenditure on equipment...	...	250,000
Sub-head 22: Miscellaneous expenditure on operation of services		84,000

to HEAD IV: Extraordinary Expenditure

Sub-head 40: Expenses on assumption and relinquishment of duties	... ..	400,000
		734,000

This decision was deliberated and adopted by the Presidents of the four institutions, meeting in Committee, at Luxembourg on March 24, 1955.

MASSIMO PILOTTI,

*Chairman of the Committee,*

*President of the Court of Justice.*

ISSUE No. 11, FOURTH YEAR, DATED MAY 11, 1955

# THE HIGH AUTHORITY

## DECISIONS

**DECISION No. 16/55, of May 5, 1955, concerning the authorization of zone-delivered prices for sales by the Houillères du Bassin de Lorraine to the German Federal Republic**

### THE HIGH AUTHORITY

HAVING regard to Section 24 of the Convention ;

HAVING regard to Decision No. 10/24, of March 19, 1954 (*Official Gazette of the Community, March 24, 1954, p. 256*)<sup>(1)</sup>, and Decision No. 8/55, of March 23, 1955 (*Official Gazette of the Community, March 28, 1955, p. 110*), concerning the authorization of zone-delivered prices for sales by the Houillères du Bassin de Lorraine to Southern Germany ;

WHEREAS it has hitherto only been possible to ensure the marketing of the production of the Houillères du Bassin de Lorraine by means of zone-delivered prices for sales to the German Federal Republic ;

WHEREAS, in view of these marketing conditions and of the general prohibition contained in Decision No. 3/53, of February 12, 1953 (*Official Gazette of the Community, February 12, 1953, p. 3*)<sup>(1)</sup>, and in Decision No. 6/54, of March 19, 1954 (*Official Gazette of the Community, March 24, 1954, p. 252*)<sup>(1)</sup>, of any alignment, in respect of coal sales, with the delivered prices of other enterprises in the Common Market, there is a risk, in the present state of the coal market, that the prices charged by the Houillères du Bassin de Lorraine may rise so steeply and abruptly as to have harmful repercussions ;

WHEREAS this situation can only be remedied by the authorization of zone-delivered prices ;

WHEREAS, in consequence of the progressive development of the Common Market, and, in particular, of the altered freight rates introduced on May 1, 1955, as well as of the changes in the prices of Ruhr coal, it is necessary to alter the rebates authorized hitherto, in order to adapt them to the new situation ;

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<sup>(1)</sup> 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*

(1) The Houillères du Bassin de Lorraine are hereby authorized to grant, in respect of sales of their products to the German Federal Republic, standard rebates on their scheduled prices for each grade in each of the selling zones specified in paragraph 2 below, the maximum rebate allowable to be that which, in the zones concerned, will align the delivered prices of the Houillères du Bassin de Lorraine with the delivered prices of comparable fuels from the Ruhr coalfield.

(2) The selling zones shall be the following :

#### *Zone I*

This zone shall be bounded  
by the railway line Palzem-Trier, exclusive of points along that line, exclusive of Trier, and exclusive of Konz ;  
by an imaginary line to Hoxel (inclusive)-Kirn (exclusive)-Odernheim (exclusive) ;  
by the railway line to Lauterecken-Grumbach-Lampertsmühle-Otterbach-Kaiserslautern (inclusive of the branch line to Otterberg, and inclusive of Eselsfürth)-Pirmasens/Nord-Pirmasens, inclusive of points along that line ;  
by an imaginary line as far as the Franco-German frontier.

#### *Zone II*

This zone shall be bounded  
by the railway line Igel-Trier-Ehrang-Bullay, inclusive of points along that line with the exception of Bullay ;  
by an imaginary line from Bullay to Simmern (exclusive of Simmern) ;  
by the railway line Simmern-Gemünden, exclusive of all points along that line ;  
by an imaginary line to Bad Kreuznach (inclusive)-Sprendlingen (inclusive of Sprendlingen and the branch line to Fürfeld) ;  
by the railway line Sprendlingen-Armsheim-Alzey-Monsheim-Worms, inclusive of all points along that line, with the exception of Worms (all stations) ;  
by the railway line Worms-Ludwigshafen, exclusive of all points along that line, exclusive of all stations at Ludwigshafen, and exclusive of the branch line to Meckenheim (Palatinate) ;  
by the River Rhine as far as the Franco-German frontier.

#### *Zone III*

This zone shall be bounded  
by the railway line Igel-Trier-Bullay, exclusive of points along that line, but inclusive of Bullay ;  
by an imaginary line from Bullay to Simmern, inclusive of Simmern and the branch line to Gemünden ;  
by an imaginary line to Bad Kreuznach (exclusive)-Sprendlingen (exclusive) ;  
by the railway line to Armsheim-Alzey-Monsheim-Worms, exclusive of all points along that line, but inclusive of Worms (all stations) ;  
by the railway line Worms-Ludwigshafen, inclusive of all points along that line, inclusive of all stations at Ludwigshafen and the branch line to Meckenheim (Palatinate), and inclusive of Mannheim (all stations) ;

by the railway line to Weinheim (inclusive of Weinheim and all points along that line);

by the border between Baden-Württemberg and Hesse and between Hesse and Bavaria as far as the frontier of the Federal Republic.

#### *Zone IVA*

This zone shall be bounded

by the railway line Mannheim-Weinheim, exclusive of all points along that line, exclusive of all stations at Mannheim, and exclusive of Weinheim with the branch line to Mörlenbach;

by the border of Land Baden-Württemberg (inclusive of Neu-Ulm) as far as Lake Constance;

by the frontier of the Federal Republic as far as Haltingen;

by an imaginary line to Todtnau (inclusive of Todtnau, Haltingen and the branch line to Kandern)-Seebrugg-Bonndorf-Donaueschingen, exclusive of the last three points;

by the Black Forest Railway as far as Hausach, exclusive of all points along that line, and exclusive of the branch line to Bad Dürkheim;

by an imaginary line Hausach-Oberharmersbach-Bad Griesbach-Ottenhöfen-Oberbühlertal-Bühl (Baden)-Schwarzach (Baden) (exclusive of all these points) to the River Rhine.

#### *Zone IVB*

This zone shall be bounded

east of the River Rhine to Schwarzach (Baden)-Bühl (Baden), inclusive of these points, and inclusive of the local railway line Schwarzach-Bühl;

by an imaginary line Oberbühlertal-Ottenhöfen-Bad Griesbach-Oberharmersbach-Hausach (inclusive of all these points) along the Black Forest Railway as far as Donaueschingen (inclusive of all points along that railway, and inclusive of the branch line to Bad Dürkheim);

by an imaginary line Donaueschingen-Bonndorf-Seebrugg (inclusive of these points)-Todtnau (exclusive)-Haltingen (exclusive of Haltingen and the railway line Haltingen-Kandern).

#### *Zone V*

Zone V shall comprise the territory of Land Bavaria (exclusive of Neu-Ulm) west of the following line:

imaginary line Königshofen (Grabfeld)-Hofheim-Bamberg, inclusive of these points, railway line Bamberg-Schesslitz, inclusive of points along that line;

imaginary Schesslitz-Heiligenstadt-Behringersmühle-Gräfenberg, inclusive of the railway line Gräfenberg-Nuremberg, exclusive of Nuremberg (all stations) and exclusive of Fürth (all stations);

railway line Nuremberg-Roth, inclusive of all points along that line, but exclusive of all stations at Nuremberg;

local line Roth-Greding, inclusive of points along that line;

imaginary line Greding-Eichstätt (inclusive of these points)-Neuburg (exclusive)-Augsburg (all stations)-Kaufering, inclusive of the two latter;

railway line Kaufering-Schongau, inclusive of points along that line south of Schongau as far as the frontier.

## *Zone VI*

Zone VI shall comprise the remainder of Bavaria, inclusive of Nuremberg (all stations), and inclusive of Fürth (all stations).

### *Article 2*

The delivered price shall be the scheduled price of the enterprise plus freight charges to the point of destination and any other costs and charges to be borne by the buyer.

### *Article 3*

This decision shall come into force within the Community on May 16, 1955, and shall cease to have effect not later than March 31, 1956.

Decision No. 8/55 shall cease to have effect on May 16, 1955.

This decision was deliberated and adopted by the High Authority at its session of May 5, 1955.

*For the High Authority,*

JEAN MONNET,

*President.*

## **DECISION No. 17/55 of May 5, 1955, concerning the authorization of zone-delivered prices for sales by the Saarbergwerke, Saarbrücken, to the German Federal Republic**

### **THE HIGH AUTHORITY,**

HAVING regard to Section 24 of the Convention

HAVING regard to Decision No. 11/54, of March 19, 1954 (*Official Gazette of the Community, March 24, 1954, p. 259*<sup>(1)</sup>), and Decision No. 8/55, of March 23, 1955 (*Official Gazette of the Community, March 28, 1955, p. 110*), concerning the authorization of zone-delivered prices for sales by the Saarbergwerke, Saarbrücken, to Southern Germany ;

WHEREAS it has hitherto only been possible to ensure the marketing of the production of the Saarbergwerke by means of zone-delivered prices for sales to the German Federal Republic ;

WHEREAS, in view of these marketing conditions and of the general prohibition contained in Decision No. 3/53, of February 12, 1953 (*Official Gazette of the Community, February 12, 1953, p. 3*<sup>(1)</sup>), and in Decision No. 6/54, of March 19, 1954 (*Official Gazette of the Community, March 24, 1954, p. 252*<sup>(1)</sup>), of any alignment, in respect of coal sales, with the delivered prices of other enterprises in the Common Market, there is a risk, in the present state of the coal market, that the prices charged by the Saarbergwerke may rise so steeply and abruptly as to have harmful repercussions ;

WHEREAS this situation can only be remedied by the authorization of zone-delivered prices ;

WHEREAS, in consequence of the progressive development of the Common Market, and, in particular, of the altered freight rates introduced on May 1, 1955, as well as of the changes in the prices of Ruhr coal, it is necessary to alter the rebates authorized hitherto, in order to adapt them to the new situation ;

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<sup>(1)</sup> 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*

(1) The Saarbergwerke, Saarbrücken, are hereby authorized to grant, in respect of sales of their products to the German Federal Republic, standard rebates on their scheduled prices for each grade in each of the selling zones specified in paragraph 2 below, the maximum rebate allowable to be that which, in the zones concerned, will align the delivered prices of the Saarbergwerke with the delivered prices of comparable fuels from the Ruhr coalfield.

(2) The selling zones shall be the following :

#### *Zone I*

This zone shall be bounded  
by the railway line Palzem-Trier, exclusive of points along that line, exclusive of Trier, and exclusive of Konz ;  
by an imaginary line to Hoxel (inclusive)-Kirn (exclusive)-Odernheim (exclusive) ;  
by the railway line to Lauterecken-Grumbach-Lampertsmühle-Otterbach-Kaiserslautern (inclusive of the branch line to Otterberg, and inclusive of Eselsfürth)-Pirmasens/Nord-Pirmasens, inclusive of points along that line ;  
by an imaginary line as far as the Franco-German frontier.

#### *Zone II*

This zone shall be bounded  
by the railway line Igel-Trier-Ehrang-Bullay, inclusive of points along that line with the exception of Bullay ;  
by an imaginary line from Bullay to Simmern (exclusive of Simmern) ;  
by the railway line Simmern-Gemünden, exclusive of all points along that line ;  
by an imaginary line to Bad Kreuznach (inclusive)-Sprendlingen (inclusive of Sprendlingen and the branch line to Fürfeld) ;  
by the railway line Sprendlingen-Armsheim-Alzey-Monsheim-Worms, inclusive of all points along that line, with the exception of Worms (all stations) ;  
by the railway line Worms-Ludwigshafen, exclusive of all points along that line, exclusive of all stations at Ludwigshafen, and exclusive of the branch line to Meckenheim (Palatinate) ;  
by the River Rhine as far as the Franco-German frontier.

#### *Zone III*

This zone shall be bounded  
by the railway line Igel-Trier-Bullay, exclusive of points along that line, but inclusive of Bullay ;  
by an imaginary line from Bullay to Simmern, inclusive of Simmern and the branch line to Gemünden ;  
by an imaginary line to Bad Kreuznach (exclusive)-Sprendlingen (exclusive) ;  
by the railway line to Armsheim-Alzey-Monsheim-Worms, exclusive of all points along that line, but inclusive of Worms (all stations) ;  
by the railway line Worms-Ludwigshafen, inclusive of all points along that line, inclusive of all stations at Ludwigshafen and the branch line to Meckenheim (Palatinate), and inclusive of Mannheim (all stations) ;



by the railway line to Weinheim (inclusive of Weinheim and all points along that line) ;

by the border between Baden-Württemberg and Hesse and between Hesse and Bavaria as far as the frontier of the Federal Republic.

#### *Zone IVA*

This zone shall be bounded

by the railway line Mannheim-Weinheim, exclusive of all points along that line, exclusive of all stations at Mannheim, and exclusive of Weinheim with the branch line to Mörlenbach ;

by the border of Land Baden-Württemberg (inclusive of Neu-Ulm) as far as Lake Constance ;

by the frontier of the Federal Republic as far as Haltingen ;

by an imaginary line to Todtnau (inclusive of Todtnau, Haltingen and the branch line to Kandern)-Seebrugg-Bonndorf-Donaueschingen, exclusive of the last three points ;

by the Black Forest Railway as far as Hausach, exclusive of all points along that line, and exclusive of the branch line to Bad Dürkheim ;

by an imaginary line Hausach-Oberharmersbach-Bad Griesbach-Ottenhöfen-Oberbühlertal-Bühl (Baden)-Schwarzach (Baden) (exclusive of all these points) to the River Rhine.

#### *Zone IVB*

This zone shall be bounded

east of the River Rhine to Schwarzach (Baden)-Bühl (Baden), inclusive of these points, and inclusive of the local railway line Schwarzach-Bühl ;

by an imaginary line Oberbühlertal-Ottenhöfen-Bad Griesbach-Oberharmersbach-Hausach (inclusive of all these points) along the Black Forest Railway as far as Donaueschingen (inclusive of all points along that railway, and inclusive of the branch line to Bad Dürkheim) ;

by an imaginary line Donaueschingen-Bonndorf-Seebrugg (inclusive of these points)-Todtnau (exclusive)-Haltingen (exclusive of Haltingen and the railway line Haltingen-Kandern).

#### *Zone V*

Zone V shall comprise the territory of Land Bavaria (exclusive of Neu-Ulm) west of the following line :

imaginary line Königshofen (Grabfeld)-Hofheim-Bamberg, inclusive of these points, railway line Bamberg-Schesslitz, inclusive of points along that line ;

imaginary line Schesslitz-Heiligenstadt-Behringersmühle-Gräfenberg, inclusive of the railway line Gräfenberg-Nuremberg, exclusive of Nuremberg (all stations) and exclusive of Fürth (all stations) ;

railway line Nuremberg-Roth, inclusive of all points along that line, but exclusive of all stations at Nuremberg ;

local line Roth-Greding, inclusive of points along that line ;

imaginary line Greding-Eichstätt (inclusive of these points)-Neuburg (exclusive)-Augsburg (all stations)-Kaufering, inclusive of the two latter ;

railway line Kaufering-Schongau, inclusive of points along that line south of Schongau as far as the frontier.

## Zone VI

Zone VI shall comprise the remainder of Bavaria, inclusive of Nuremberg (all stations), and inclusive of Fürth (all stations).

### Article 2

The delivered price shall be the scheduled price of the enterprise plus freight charges to the point of destination and any other costs and charges to be borne by the buyer.

### Article 3

This decision shall come into force within the Community on May 16, 1955, and shall cease to have effect not later than March 31, 1956.

Decision No. 8/55 shall cease to have effect on May 16, 1955.

This decision was deliberated and adopted by the High Authority at its session of May 5, 1955.

*For the High Authority,*

JEAN MONNET,

*President.*

## **DECISION No. 18/55 of May 5, 1955, concerning the authorization of zone-delivered prices for sales by the Saarbergwerke, Saarbrücken, to certain areas in France.**

### **THE HIGH AUTHORITY,**

HAVING regard to Section 24 of the Convention ;

HAVING regard to Decision No. 13/54, of March 19, 1954 (*Official Gazette of the Community*, March 24, 1954, p. 262)<sup>(1)</sup>, and Decision No. 10/55, of March 23, 1955 (*Official Gazette of the Community*, March 28, 1955, p. 111), concerning the authorization of zone-delivered prices for sales by the Saarbergwerke, Saarbrücken, to certain areas in France;

WHEREAS it has hitherto only been possible to ensure the marketing of the production of the Saarbergwerke by means of zone-delivered prices for sales to France ;

WHEREAS, in view of these marketing conditions and of the general prohibition contained in Decision No. 3/53, of February 12, 1953 (*Official Gazette of the Community*, February 12, 1953, p. 3)<sup>(1)</sup>, and in Decision No. 6/54 of March 19, 1954 (*Official Gazette of the Community*, March 24, 1954, p. 252)<sup>(1)</sup>, of any alignment, in respect of coal sales, with the delivered prices of other enterprises in the Common Market, there is a risk, in the present state of the coal market, that the prices charged by the Saarbergwerke may rise so steeply and abruptly as to have harmful repercussions ;

WHEREAS this situation can only be remedied by the authorization of zone-delivered prices ;

WHEREAS, in view of present conditions of competition, it is necessary, in order to avert the risk of any underquoting the terms of competing enterprises, to alter the system of zone-delivered prices by a further differentiation of the selling zones ;

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<sup>(1)</sup> 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*

The Saarbergwerke, Saarbrücken, are hereby authorized to grant rebates on their scheduled prices, in accordance with the table below, such rebates for each selling zone and each grade not to exceed the following limits :

	Charbons gras	Charbons flambants secs de moins de 20 mm et tous flambants ordinaires	Charbons flambants secs de plus de 20 mm	Cokes calibré et concassé et Sarlux
ZONE A:				
Meuse - Vosges - Haute-Saône - Haut-Rhin - Doubs - Territoire de Belfort . . . . .	150	200	100	100
ZONE B:				
Ardennes - Marne - Aube - Haute-Marne - Aisne - Somme - Oise .	150	300	100	100
ZONE C:				
Yonne - Nièvre - Côte-d'Or - Jura - Saône-et-Loire - Allier - Rhône - Ain - Haute-Savoie - Savoie - Loire - Isère - Drôme . . . . .	100	200	—	—
ZONE D:				
Seine - Seine-et-Oise - Seine-et-Marne - Eure-et-Loir - Loiret - Loir-et-Cher - Cher - Indre - Haute-Vienne . . . . .	300	400	300	—
ZONE E:				
Seine-Maritime - Mayenne - Eure - Orne - Sarthe - Maine-et-Loire - Indre-et-Loire - Deux-Sèvres - Vienne - Charente . . . . .	400	550	300	—
ZONE F:				
Manche - Calvados - Finistère - Côtes-du-Nord - Ille-et-Vilaine - Morbihan - Loire-Inférieure - Vendée - Charente-Maritime - Gironde - Landes - Basses-Pyrénées . . . . .	550	700	300	—

*Article 2*

This decision shall come into force within the Community on May 16, 1955, and shall cease to have effect not later than March 31, 1956.

Decision No. 10/55 shall cease to have effect on May 16, 1955.

This decision was deliberated and adopted by the High Authority at its session of May 5, 1955.

*For the High Authority,*

JEAN MONNET,

*President.*

**DECISION No. 19/55 of May 5, 1955, concerning the reduction of the subsidies paid by the French Government on coal delivered to briquetting-works not owned by mines**

**THE HIGH AUTHORITY,**

HAVING regard to Section 11 of the Convention ;

WHEREAS the subsidies paid by the French Government, before the introduction of the Common Market for coal, on coal delivered to briquetting-works not owned by mines have already been reduced in accordance with Decision No. 26/53, of March 8, 1953 (*Official Gazette of the Community*, March 13, 1953, p. 84<sup>(1)</sup>), and Decision No. 16/54, of March 20, 1954 (*Official Gazette of the Community*, March 24, 1954, p. 266<sup>(1)</sup>) ;

WHEREAS the progressive development of the Common Market enables a further reduction to be made in the amount of these subsidies without bringing about rises in price likely to harm the consumers, or excessive difficulties for the enterprises in regard to adaptation ;

WHEREAS the reduction of these subsidies must, however, not be on such a scale as to have serious social repercussions on the non-nationalized French mines supplying coal to the works in question ;

After consulting the Council,

**DECIDES :**

*Article 1*

Subsidization of deliveries to briquetting-works not owned by mines must be progressively reduced over the coal year ending March 31, 1956, in such a way that the total amount paid out for this period shall not exceed Ffrs. 1,800,000,000.

*Article 2*

This decision shall come into force within the Community on June 1, 1955, and shall cease to have effect not later than March 31, 1956.

This decision was deliberated and adopted by the High Authority at its session of May 5, 1955.

*For the High Authority,*

JEAN MONNET,

*President.*

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<sup>(1)</sup> 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. 20/55 of May 7, 1955, amending Decision No. 12/55, of March 26, 1955, concerning the fixing of maximum prices for sales of coal by enterprises in the Ruhr coalfield**

**THE HIGH AUTHORITY,**

HAVING regard to Articles 61 and 63,2 of the Treaty ;

HAVING regard to Decision No. 12/55, of March 26, 1955, concerning the fixing of maximum prices for sales of coal by enterprises in the Ruhr coalfield (*Official Gazette of the Community, March 28, 1955, p. 113*) ;

WHEREAS in the period since Decision No. 12/55 was taken, the production costs of Ruhr coal have risen, and whereas the findings of the inquiry carried out in accordance with the provisions of Articles 3 and 61 of the Treaty recommend that the maximum-price level be raised by an average of DM 2.25 per metric ton ;

WHEREAS the distribution of this average increase over the various grades must adapt the relation between the selling prices of the different grades to the state of the market in a manner consistent with Articles 3 and 61 of the Treaty, and whereas within the framework of the general average increase in the maximum-price level specified in this decision the maximum prices fixed for particular grades may, where appropriate, be altered upon receipt of a reasoned application from the enterprises ;

After consulting the Consultative Committee and the Council,

**DECIDES :**

*Article 1*

Article 2 of Decision No. 12/55 shall be superseded by the following :

“ *Article 2*

Enterprises must not exceed the maximum prices below, in West German marks per metric ton, for their sales of coal.

*I. Hard coal*

	Gas-, Gas- flamm- und Fettkohle	Esskohle	Magerkohle	Anthrazit
Stücke . . .	54.24	54.24	—	—
Nuss 1 . . .	54.48	63.36	74.88	87.36
Nuss 2 . . .	54.24	72.96	80.64	95.04
Nuss 3 . . .	54.72	72.96	80.64	95.04
Nuss 4 . . .	54.72	57.60	59.52	64.32
Kokskohle I . .	50.40	—	—	—
Kokskohle II . .	49.92	49.92	—	—
Kokskohle III . .	49.44	—	—	—
gew. Feinkohle . .	—	47.04	47.04	47.04

*II. Hard-coal coke*

Hochofenkoks . . . .	62·40
Brechkok 1 . . . .	63·36
Brechkok 2 . . . .	63·36
Brechkok 3 . . . .	62·40

*III. Hard-coal briquettes*

	Esskohle	Magerkohle	Anthrazit
Nussbriketts . . . .	65·76	67·68	67·68
Eiforbriketts . . . .	63·84	65·76	67·68

These maximum prices shall be exclusive of turnover tax.”

*Article 2*

This decision shall come into force within the Community on May 16, 1955.

This decision was deliberated and adopted by the High Authority at its session of May 7, 1955.

*For the High Authority,*

JEAN MONNET,

**DECISION No. 21/55 of May 7, 1955 supplementing 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 Decision No. 2/52, of December 23, 1952, fixing the conditions of assessment and collection of the levies provided for in Articles 49 and 50 of the Treaty (*Official Gazette of the Community, of December 30, 1952, p. 3*)<sup>(1)</sup> ;

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*)<sup>(1)</sup> ;

<sup>(1)</sup> 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 the estimate of the financial requirements of the Community for the financial year 1955-56 makes it possible to reduce the rate of the levy step by step over that year ;

**DECIDES :**

*Article 1*

Article 1 of Decision No. 3/52 shall be supplemented by the following paragraph :

“ This rate shall be reduced to 0·7% as from July 1, 1955, and to 0·45% as from January 1, 1956.”

*Article 2*

The table provided in Article 4 of Decision No. 3/52 in European Payments Union units of account shall be supplemented as follows:

Products	Assessment	
	July-Dec., 1955	Jan., 1956 ff.
	Collection	
	Aug., 1955- Jan., 1956	Feb., 1956 ff.
	0·7%	0·45%
Brown-coal briquettes and low-temperature coke of lignite . . . . .	0·0329	0·0212
Hard coal, all types <sup>(1)</sup> . . . . .	0·0868	0·0558
Pig-iron other than that to be used in the manufacture of ingots . . . . .	0·3318	0·2133
Basic Bessemer steel in ingots . . . . .	0·3262	0·2097
Steel in ingots other than basic Bessemer in ingots . . . . .	0·4396	0·2826
Iron and steel finished products and end-products . . . . .	0·1715	0·1103

<sup>(1)</sup> To ensure that the deductions provided for in Article 3 of Decision No. 3/52 are made properly, the levy fixed above shall be payable on the tonnage of hard coal defined in Article 1 of Decision No. 2/52, less 12%.

*Article 3*

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

This decision was deliberated and adopted by the High Authority at its session of May 7, 1955.

*For the High Authority,*

JEAN MONNET,

*President.*

## INFORMATION

### **Letter sent by the High Authority to the French Government on May 6, 1955, concerning subsidies on sales of Saar and Lorraine coal to Southern Germany**

MONSIEUR LE PRÉSIDENT,

By its letter of March 23, 1955, the High Authority extended up to and including May 31, 1955, its authorization to maintain the subsidies paid by the French Government on deliveries of Saar and Lorraine coal to Germany, on the understanding that the problem should be re-examined before that date.

I have the honour to inform you that as a result of this re-examination, the High Authority has agreed that the maintenance of the subsidy be further authorized after May 31, 1955, on the basis of calculation laid down in its letter of March 8, 1955, and has at the same time extended the authorization of the zone-delivered prices for deliveries by the Houillères du Bassin de Lorraine and the Saarbergwerke to the German Federal Republic.

In this connection, the High Authority would recall that, in accordance with the contents of that letter, any increase in the receipts of the coalfields as a result of the changes in freight rates (particularly those introduced on May 1, 1955) and of changes in the conditions of competition (particularly, rises in the prices of Ruhr coal) must be accompanied by a corresponding reduction in the subsidy paid.

In regard to such rises as have followed or may follow changes in the price-schedules of the coalfields, the High Authority feels, as was stated in its letter of December 30, 1954, that these changes should not affect the total amount of the subsidy: the subsidies on the grades for which the prices have gone up may be increased in proportion as such increase can be offset by a reduction of the subsidy in connection with the reduction of the prices of other grades.

The French Government is requested to continue to inform the High Authority every three months as to the amounts and allocation of the subsidies.

The present authorization will have effect up to March 31, 1956. At the same time, the High Authority reserves the right to raise the matter again, should any important change occur in the general conditions of competition in the Common Market.

Please accept, etc.



**Letter sent by the High Authority to the French Government on  
May 6, 1955, concerning the reduction of subsidies on coal delivered  
to briquetting-works not owned by mines**

MONSIEUR LE PRÉSIDENT,

By your letter No. CA/531 of March 12, 1955, you requested the High Authority to extend the maintenance of assistance afforded to briquetting-works not owned by mines, pointing out that, in your view, the policy of reducing that assistance should be pursued in accordance with a definite plan.

The High Authority, in its reply of March 23, 1955, authorized the temporary maintenance of the subsidy up to and including May 31, 1955, and stated its intention of taking a decision aimed at reducing the amount of this assistance.

I have the honour to inform you that, after consulting the Council, the High Authority has adopted the accompanying decision, under which the amount of the subsidy is limited to Ffrs 1,800,000,000 for the coal year 1955-56, on the understanding that the production programme amounts to

1,400,000 metric tons of ovoids ;  
150,000 metric tons of briquettes.

Please accept, etc.

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## THE COMMON ASSEMBLY

*Annex to the Official Gazette*

### QUESTIONS AND REPLIES

**Question No. 25 put by M. Michel Debré, Member of the  
Common Assembly**

*(April 8, 1955)*

What is the policy which the High Authority has followed in recent months, and intends to follow in the immediate future, in regard to concentrations and cartels?

It seems definite that, contrary to the undertakings given, at any rate to the French Parliament, large-scale reconcentrations have already been organized in Germany, and more are being planned.

**Reply by the High Authority**

*(May 6, 1955)*

1. The High Authority has already given its views on these points in its annual report (see Third General Report, Chapter Three, Nos. 132-136).

2. In regard to agreements and concentrations, the standpoint so far adopted by the High Authority has been an empirical one. Since the tasks prescribed in Articles 65 and 66 of the Treaty are of an entirely new nature,

the High Authority felt it necessary not to lay down cut-and-dried directives straight away as regards the policy to be pursued in connection with cartels, but to examine each case to see whether the facts submitted were compatible with the Treaty.

3. The High Authority can do no more than apply the provisions of the Treaty to existing agreements and envisaged concentrations. Hence its policy is determined by the criteria laid down in the Treaty concerning the authorization to be granted to agreements under Article 66, 2. It can, therefore, base its decisions only on the provisions of the Treaty itself.

4. The number of decisions so far taken would not justify discarding the empirical method in favour of a system of general directives. As is shown in the report to the Common Assembly (No. 136), the High Authority has hitherto taken decisions in only seven of the fourteen cases submitted to it. These cases vary a good deal among themselves. They are concerned some with horizontal concentrations in the coal sector, some with horizontal concentrations in the iron and steel sector, and some again with concentrations between coal and steel, between ore and steel, and between steel producers and steel processing enterprises. Thus it has not yet been possible to assemble such a fund of experience as would have enabled general directives to be drawn up concerning the policy on agreements.

5. The High Authority must also be guided by the general provisions of the Treaty in the decisions which it is called upon to take in application of Articles 65 and 66. Thus its policy on agreements and concentrations represents only a part of its general economic policy, aimed at encouraging competition among producers. To attain these ends is a fundamental objective of the Treaty.

The High Authority's policy of opposing restrictions on competition by agreements naturally results in efforts by the enterprises to improve their competitive capacity. Concentrations are one method of doing this. They are a prerequisite for all savings in investments, and for the rationalization of production.

The commonest and most advantageous concentrations, under present conditions, are those whereby isolated enterprises form a group for the purpose of jointly setting up a modern plant for the manufacture of a particular product. This tendency is noticeable in the general sector of large coking-plants, wide-strip mills and tube manufacture. It is the practical outcome of the process of modernization by joint financing. As these production plants are only possible economically provided the minimum utilization of their capacities is guaranteed, this encourages the tendency to conclude long-term supply contracts with the big consumers.

The High Authority is in favour of measures of this kind, since they improve the competitive situation by reducing production costs.

6. The concentrations approved by the High Authority under these conditions show that in actual fact the High Authority has not been asked to authorize any concentration which, by reason of the importance of its position or of its vertical structure, would have been able to evade competition.

None of the enterprises which have recently undergone concentration attains as much as 70% of the production capacity of the largest units already in existence, or 5% of the production capacity of the Community in the coal and steel sectors.

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# THE COUNCIL OF MINISTERS

## DECISIONS AND OPINIONS

**AGREEMENT by the Council, under Article 54, paragraph 2 of the Treaty, to the High Authority's giving its guarantee in respect of loans for financing the building of houses for workers in the industries of the Community, contracted by legal persons not coming within the jurisdiction of the Community**

By a letter dated April 6, 1955, the High Authority requested the Council for the agreement required in accordance with Article 54, paragraph 2 of the Treaty to enable the High Authority to give its guarantee in respect of loans for financing the building of houses for workers in the industries of the Community, contracted by legal persons not coming within the jurisdiction of the Community.

The Council, at its twenty-fourth session on May 2, 1955, gave the agreement requested by the High Authority, as recorded in the minutes of the Council's deliberations.

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**AGREEMENT by the Council, under Article 54, paragraph 2 of the Treaty, to enable the High Authority, if necessary, to grant to enterprises not coming within the jurisdiction of the Community, loans designed to assist in the financing of four pithead power-stations in Belgium, of a capacity of 100,000 kW each**

By a letter dated April 6, 1955, the High Authority requested the Council for the agreement required in accordance with Article 54, paragraph 2 of the Treaty to enable it to grant to enterprises not coming within the jurisdiction of the Community loans designed to assist in the financing of four pithead power-stations in Belgium, of a capacity of 100,000 kW each.

The Council, at its twenty-fourth session on May 2, 1955, gave the agreement requested by the High Authority, as recorded in the minutes of the Council's deliberations.

**CONSULTATION requested by the High Authority, under Article 61, paragraph 1 of the Treaty, on the price-level to be determined by any further decision concerning the fixing of maximum prices for sales of coal by enterprises in the Ruhr coalfield, in consideration of the extra charges entailed by the wage increases recently introduced**

By a letter dated April 20, 1955, the High Authority asked to consult the Council, under Article 61, paragraph 1 of the Treaty, on the price-level to be determined by any further decision concerning the fixing of maximum prices for sales of coal by enterprises in the Ruhr coalfield, in consideration of the extra charges entailed by the wage increases recently introduced.

The consultation requested was given by the Council at its twenty-fourth session on May 2, 1955.

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

**CONSULTATION requested by the High Authority, under Section 11 of the Convention containing the Transitional Provisions, on the date and conditions for the suspension of the subsidies granted by the French Government on deliveries of coal to briquetting-works not owned by mines**

By a letter dated April 26, 1955, the High Authority asked to consult the Council, under Section 11 of the Convention containing the Transitional Provisions, on the date and conditions for the reduction of the subsidies granted by the French Government on deliveries of coal to briquetting-works not owned by mines.

The consultation requested was given by the Council at its twenty-fourth session on May 2, 1955.

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

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*ISSUE No. 12 FOURTH YEAR, DATED MAY 31, 1955*

## THE HIGH AUTHORITY

### DECISIONS

**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. 15/55 of April 28, 1955 (*Official Gazette of the Community, April 30, 1955, p. 163*), extending Decision No. 15/54, of March 19, 1954, concerning the establishment of price-schedules by enterprises in the Belgian coalfields, and Decision No. 27/54, of May 12, 1954, amending the annex to Decision No. 15/54 ;

HAVING regard to the letter addressed by the High Authority to the Government of the Kingdom of Belgium on May 28, 1955, concerning the reorganization of the Belgian compensation scheme ;

WHEREAS examination of the various problems raised by the final integration of Belgian coal into the Common Market has shown that, in order to attain the objectives laid down in Section 26 of the Convention, it is necessary to reduce the present selling-prices of certain grades of Belgian coal ;

WHEREAS this examination has also shown that certain grades of Belgian coal are assured of a permanent market without the assistance of compensation in any form, and whereas on these grounds these grades can be excluded from the compensation scheme ;

WHEREAS it is thus evident that the selling-prices of Belgian coal must be revised, by the establishment of prices which shall not be subject to alteration without the consent of the High Authority ;

**DECIDES :**

*Article 1*

In respect of the grades shown in the table annexed hereto, coalmining enterprises in the Belgian coalfields must adhere to the prices therein listed for all sales in the Common Market.

*Article 2*

The prices established under this decision shall be taken as prices ex-mine per metric ton.

*Article 3*

This decision shall come into force within the Community on June 16, 1955.

Decisions Nos. 15/54, of March 19, 1954, and 27/54, of May 12, 1954, shall cease to have effect as from that date.

This decision was deliberated and adopted by the High Authority at its session on May 28, 1955.

*For the High Authority,*

JEAN MONNET,

*President.*

## ANNEX TO DECISION No. 22/55

## PITHEAD PRICES OF BELGIAN COAL

Grades	Ash content %	Water content %	Gras		$\frac{3}{4}$ gras	$\frac{1}{2}$ gras	$\frac{1}{4}$ gras maigres	
			Type					
			A	B				
Volatile matter in %			20-28 $\frac{1}{2}$	28 $\frac{1}{2}$	16-20	12 $\frac{1}{2}$ -16	10-12 $\frac{1}{2}$	10
(Sizes in mm.)			Bfr.	Bfr.	Bfr.	Bfr.	Bfr.	Bfr.
Schlamms	20	20	338	338	338	338	333	333
Bruts								
0/2	20	3	513	513	513	513	508	508
0/5	20	3	548	548	548	538	538	538
Mixtes	20	7	508	508	508	508	493	493
Laves								
0/5-0/6	10	7	—	—	—	663	623	623
2/5-2/6	10	7	—	—	—	678	663	663
0/10	10	7	691	671	685	671	663	663
Classés								
5/10-6/12	—	—	735	735	735	798	798	798
10/18-10/20	—	—	755	745	785	878	—	—
12/22	—	—	—	—	—	1,003	—	—
18/30-20/30	—	—	803	783	983	—	—	—
30/50	—	—	833	813	1,033	—	—	—
50/80	—	—	833	813	933	—	—	—
80/120	—	—	—	—	—	—	—	—
Criblés								
> 80 mm.	—	—	793	773	883	—	—	—

*Mixtes*

By "mixtes" shall be understood coal, other than *poussiers* and *schlamms*, having an ash content of more than 20% and less than 40%.

*Corrections for ash and water content*

Where the ash content is above or below the figures shown in the schedule, the price shall be decreased or increased as follows:

*lavés*

2.5% of the price for each % of ash above or below 10% ;

*poussiers ; mixtes and schlamms*

<30% ash: 2% of the price for each % of ash ;

from 30 to <40% ash: 2.5% of the price for each % of ash.

Where the water content is above or below the figures shown in the schedule, the price shall be decreased or increased at the rate of 1% of the basic price for each % of water. Excess water may, however, be offset by a corresponding reduction in the invoiced weight, or made up by "extra weight" in coal.

**DECISION No. 23/55 of May 28, 1955, extending Decision No. 14/54, of March 19, 1954, concerning the authorization of zone-delivered prices for sales of hard-coal coke by coking-plants located in Belgium**

**THE HIGH AUTHORITY,**

HAVING regard to Section 24 of the Convention ;

HAVING regard to Decision No. 14/54, of March 19, 1954 (*Official Gazette of the Community, March 24, 1954, p. 263*<sup>(1)</sup>), concerning the authorization of zone-delivered prices for sales of coke-oven coke by coking-plants located in Belgium, as extended by Decision No. 11/55, of March 23, 1955 (*Official Gazette of the Community, March 28, 1955, p. 112*) ;

WHEREAS, in consequence of their geographical situation, coking-plants in Belgium had for some years previously only been able to market their products by charging different prices for different points of consumption ;

WHEREAS in the period since the introduction of the Common Market the High Authority has made allowance for these circumstances by repeatedly authorizing coking-plants, in Belgium, to charge zone-delivered prices in respect of their sales of hard-coal coke, the last such authorization having been granted by Decision No. 14/54 and extended by Decision No. 11/55 ;

WHEREAS the reasons for the authorization of the practices laid down in Section 24, 3 a) of the Convention retain their cogency ;

**DECIDES :**

*Article 1*

Decision No. 14/54 is hereby extended up to and including March 31, 1956.

*Article 2*

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

This decision was deliberated and adopted by the High Authority at its session on May 28, 1955.

*For the High Authority,*

JEAN MONNET,

*President.*

**INFORMATION**

**Letter addressed by the High Authority to the Government of the Kingdom of Belgium on May 28, 1955, concerning the reorganization of the compensation scheme**

MY DEAR MINISTER,

1. Now that the provisions of Sections 25 and 26 of the Convention, relating to compensation in favour of Belgian coal, have been in force for two years, it is evident that a fresh series of measures based on the experience gained must be adopted in order to enable Belgian coal to withstand normal competition in the Common Market on the expiry of the transition

(<sup>1</sup>) 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.

period. That period is due to end in less than three years' time, and during this interval, the funds derived from the compensation levy and set aside for Belgian coal will be reduced by one-third each year, starting from March 15, 1956.

In view of this situation, the High Authority and the Belgian Government set up a Joint Commission to study the problem as a whole. The High Authority has taken cognizance of the Commission's report, and of the position adopted by the Belgian Government regarding this document, both in its letters of November 15 and December 20, 1954, and January 4, 1955, as also in the discussions with ourselves in December 1954 and in the last few weeks.

It was generally agreed that all appropriate measures should be taken to enable the Belgian coal industry to be integrated into the Common Market not later than February 10, 1958, without prejudice to Section 26, 4 of the Convention containing the Transitional Provisions: notably those measures aimed at

- (1) securing the financing of re-equipment programmes;
- (2) supervising the implementation of such programmes;
- (3) encouraging a more rational layout of the workings;
- (4) valorizing production.

2. Accordingly, it is recognized that the assistance afforded to the Belgian collieries by means of the compensation payments must be accompanied by a series of measures to be taken by the Belgian Government itself. In particular the High Authority considers that any revision of the compensation arrangements must be subordinate to action by your Government as follows:

(a) making available to enterprises without delay special loans at reduced interest and backed by a State guarantee;

(b) enabling enterprises to make their own contribution towards financing, by facilitating the financing of stocks, subject to the reservation that whatever assistance may be given in the matter of stockpiling shall not be allowed to encourage the maintenance of an excessive volume of production; facilitating the obtaining of medium-term accommodation credits;

(c) helping to finance the construction or extension of pithead power-stations, and facilitating the sale of surplus energy produced by the consumption of the low-grade products extracted with hard coal;

(d) withdrawing compensation payments, by agreement with the High Authority, from such enterprises as may not be carrying out the re-equipment schemes which are considered practicable and necessary, and from those refusing to surrender or exchange deposits deemed indispensable to a more satisfactory layout of the workings.

The High Authority notes that legislative and other measures have been or are to be taken to ensure the success of this action.

The High Authority reserves the right to be kept informed by the Belgian Government so as to be able to follow the carrying-out of the re-equipment programmes in hand, and of all measures aimed at the rationalization and reorganization of the Belgian coal industry. It further reserves the right to



keep the Belgian Government informed on the long-term forecasts of production and trade drawn up by it (the High Authority) under Section 26, 1 of the Convention.

3. Secondly, a reorganization of the compensation arrangements themselves is indicated, in order to bring the prices of Belgian coal more in line with those prevailing in the Common Market, and to ensure a better employment of the funds derived from the compensation levy.

On the one hand, the High Authority has decided, in agreement with the Belgian Government, to change the amounts payable in compensation per metric ton, and to revise the present selling-price schedule for Belgian coal accordingly. This schedule must be brought down to a level more in line with Common Market prices, particularly in respect of those grades for which it is clear from the marketing difficulties experienced or the amounts of compensation paid (*c*), that the prices are too high for the market, and bearing in mind the schedules and marketing conditions in other coalfields. Accordingly, the amounts payable in compensation per metric ton will be changed to correspond with the changes in the prices of the various grades in the new selling-price schedule.

Furthermore, market research and surveys carried out during the past two years have revealed that certain collieries are already now in a position to withstand competition in the Common Market in spite of the reduction of the assistance in the form of compensation. It is, therefore, advisable to give all the other Belgian collieries the benefit of such assistance as is found to be no longer necessary for certain collieries, the more so since the amounts available under the compensation levy are bound to fall off considerably and rapidly during the next few years. By the gradual withdrawal of compensation from that production which, by reason of the kind of coal won or the natural conditions under which it is won, is particularly well suited, for withstanding competition in the Common Market, it will be possible to ensure that the assistance provided for in Sections 25 and 26 continues to reach the less favourably-situated collieries in as steady and substantial a flow as possible.

This gradual withdrawal of compensation payments may be put into effect in respect either of types or grades of coal, or of specific enterprises.

As a result of the studies carried out jointly by your relevant departments and those of the High Authority, and on the basis of proposals by your Government, it has been decided, as things now stand, to apply these principles as follows:

(a) Experience has shown that the demand for *charbons maigres* and *charbons ¼-gras* in the grades of over 10 mm., being always considerably in excess of supply in the Common Market, ensures that such coal will find a regular market without assistance in the form of compensation. This also applies to *charbons ½-gras* over 20 mm. Accordingly, these grades will cease to be covered by the compensation scheme, and their prices will henceforward be fixed freely by the producers, subject to the provisions of Article 61 of the Treaty.

(b) On the other hand, the amounts payable in compensation must be reduced for those collieries which are particularly favourably situated by reason of their working conditions, and are, therefore, already now in a

position to withstand competition in the Common Market with decreased compensation assistance. This applies to collieries favourably located in coalfields without marked plications. The natural advantages of the Campine deposits are common knowledge. Collieries in that region include a number where, owing to their favourable position and the existence of reserves which can be worked over a number of years, it is possible to concentrate all operations in a single level and a single pit. The information furnished by your Government shows this to be the case with the following enterprises:

Société Anonyme des Charbonnages de Beeringen ;  
Société Anonyme des Charbonnages Helchteren et Zolder ;  
Société Anonyme des Charbonnages de Houthalen.

Accordingly, the compensation payments to these enterprises under Section 26, 2 (a) will be based on the difference between the present selling-price schedule and the schedule in force for these enterprises at the time of delivery, this arrangement to have effect as from June 16, 1955.

In addition, the High Authority is prepared to agree that the Bfr. 200m. derived from the subsidies paid by the Belgian Government as the counterpart of the funds derived from the compensation levy, formerly set aside specially for certain collieries, shall be included in the overall sum set aside for the general purposes of compensation as from the date on which the new schedule comes into force.

It would, however, point out to the Belgian Government that this arrangement entails the obligation to reorganize the assistance given to the marginal mines in the Borinage coalfield by other methods still under consideration, and that no decision has yet been reached as to the High Authority's contribution.

Finally, any difference between the yield of the compensation levy plus the equal share contributed by the Belgian Government on the one hand, and the sum required to cover the compensation payments provided for above on the other, will be set aside to cover the additional assistance provided for in Section 26 of the Convention.

However, the High Authority would draw the Belgian Government's attention to the fact that the revision of the selling-price schedule for Belgian coal will in itself result in the reduction of any payments to be made under Section 26, 2 (c). Furthermore, the additional assistance provided for under Section 26, 2 (c) must be employed in such a way as gradually to reorganize the coal market.

4. Having first given the representatives of your Government and of the producers the opportunity to state their views on these arrangements, the High Authority, in its decision of May 28, 1955, to appear in the Official Gazette, tabulated the selling prices on the basis laid down in paragraph 3 above. It has further tabulated the compensation rates corresponding to these prices in respect of those grades of Belgian coal which continue to enjoy the benefit of compensation payments.

The table of compensation rates is annexed.

The High Authority reserves the right to review these decisions in the light of future developments and of the experience gained following the application of these provisions.

Please accept, &c.

ANNEX TO THE LETTER ADDRESSED TO THE BELGIAN  
GOVERNMENT ON MAY 28, 1955

*Table of compensation rates per grade payable on Belgian coal*

Grades	Size in mm	TYPES						
		Gras		$\frac{3}{4}$ -gras	$\frac{1}{2}$ -gras	$\frac{1}{4}$ -gras	Maigres	
		A	B					
			1	2				
Schlamms		43	—	43	43	34	7	7
Poussiers bruts	0/2	33	—	33	33	45	7	7
	0/5	13	—	13	13	35	7	7
Mixtes		28	—	28	28	18	7	7
Fines lavées	0/5-0/6	—	—	—	—	—	7	7
	2/5-2/6	—	—	—	—	33	7	7
	0/10	35	15	55	43	40	7	7
Classés	5/10-6/12	64	18	64	64	83	7	7
	10/18-10/20	69	18	79	89	148	—	—
	12/22	—	—	—	—	23	—	—
	18/30-20/30	71	40	91	46	—	—	—
	30/50	91	50	111	96	—	—	—
	50/80	91	50	111	96	—	—	—
Criblés	80/120	—	—	—	—	—	—	—
	> 80 mm	56	30	76	96	—	—	—

N.B.—The rates shown for charbons gras B, column 1, apply to collieries covered by the definition given in the letter addressed by the High Authority to the Belgian Government on May 28, 1955. The rates shown in column 2 of Type gras B apply to all other enterprises producing coal of this type.

## THE COMMON ASSEMBLY

*Annex to the Official Gazette*

### QUESTIONS AND REPLIES

**Question No. 26 put by M. Stefano Perrier, Member  
of the Common Assembly**

*(April 21, 1955)*

I learn, and the papers for the last few days confirm the information, that M. Morice, the French Minister of Industry, called a meeting of French Scrap dealers in Paris on April 20, 1955. M. Morice brought pressure to bear on the French dealers to sign a standing sales contract with the French iron and steel industry, and informed them that export licences in respect

of surplus tonnages for consignment to other consumers of the European Coal and Steel Community would be granted in proportion to home deliveries.

Since this has not been officially denied, I consider that M. Morice's conduct is counter to the spirit and letter of the Treaty establishing the European Coal and Steel Community, as approved by the French Government and ratified by the French National Assembly.

Is the High Authority aware of these facts, and, if so, what steps does it contemplate taking to ensure that it does not become the practice in the Community for member governments to employ methods of moral suasion, or for individual approaches to be made in disregard of High Authority decisions taken in agreement with the Special Council of Ministers?

### **Reply by the High Authority**

(May 21, 1955)

The High Authority is aware of certain statements in the Press alleging that the French Government had recently taken a step which would have affected the freedom of trade in scrap within the Community.

These statements were subsequently shown to be untrue. The High Authority's information is that the French Government's action was aimed at alleviating a certain nervousness in the scrap market by recommending the conclusion of longer-term contracts at reasonable prices, without in any way restricting or impeding the free flow of scrap to other Community countries.

The French Government has just officially communicated with the High Authority confirming that it merely recommended sellers and their customers to make every effort to discourage speculative ventures.

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# THE COURT OF JUSTICE

## OFFICIAL NOTICES

### **Complaint by the "Ruhrbergbau" association of enterprises, Essen, against the High Authority; dated May 14, 1955 (Case No. 6/55)**

On May 14, 1955, a complaint was lodged before the Court of Justice against the High Authority of the European Coal and Steel Community by the "Ruhrbergbau" association of enterprises, Essen, represented by Dr. Martin Johannsen, barrister-at-law, of Essen, with elected domicile at the office of M. Konrad Kreutgen, Luxemburg office of the associations of coalmining enterprises, 2 rue du Fort-Elisabeth.

The "Ruhrbergbau" association of enterprises requests in accordance with Article 33 of the Treaty that it may please the Court

"to reverse Article 2 of the High Authority's Decision No. 12/55, of March 26, 1955 (*Official Gazette of the Community, March 28, 1955, p. 113*)."

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