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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 1924/78

of 25 July 1978

amending Regulation (EEC) No 2635/77 on the opening, allocation and administration of Community tariff quotas for certain hand-woven fabrics, pile and chenille, falling within heading Nos ex 50.09, ex 55.07, ex 55.09 and ex 58.04 of the Common Customs Tariff

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas, by Regulation (EEC) No 2635/77 ⁽¹⁾, the Council opened and allocated between the Member States duty-free Community tariff quotas for 1978 of the values (for customs purposes) shown below for the following products:

- 2 200 000 units of account for certain hand-woven fabrics of silk or of waste silk other than noil and hand-woven fabrics of noil silk, falling within heading No ex 50.09 of the Common Customs Tariff,
- 2 000 000 units of account for certain hand-woven cotton fabrics, pile and chenille, falling within heading Nos ex 55.07, ex 55.09 and ex 58.04 of the Common Customs Tariff;

whereas under the terms of Article 1 (4) of the aforementioned Regulation, products may be admitted under these Community tariff quotas only on the sub-

mission to the Community's customs authorities of a certificate issued by the recognized authorities of the country of origin certifying that the fabrics concerned are hand-woven;

Whereas trade with Guatemala is foreseen in the fabrics concerned and it is therefore necessary for practical reasons to supplement the aforementioned Regulation by adding an example of the certificate to be issued by the authorities in that country,

HAS ADOPTED THIS REGULATION:

Article 1

Annex X given in the Annex to this Regulation shall be added to Regulation (EEC) No 2635/77.

Article 2

This Regulation shall enter into force on 1 September 1978.

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

Done at Brussels, 25 July 1978.

For the Council

The President

K. von DOHNANYI

⁽¹⁾ OJ No L 307, 30. 11. 1977, p. 1.

ANNEX X — ANNEXE X — ANHANG X — ALLEGATO X — BIJLAGE X — BILAG X

CERTIFICADO CONCERNIENTE A LAS TELAS DE SEDA O DE ALGODÓN TEJIDOS EN TELARES A MANO
CERTIFICATE IN REGARD TO SILK OR COTTON HANDLOOM FABRICS
CERTIFICAT CONCERNANT DES TISSUS DE SOIE OU DE COTON TISSÉS SUR MÉTIERS À MAIN
BESCHEINIGUNG FÜR AUF HANDWEBSTÜHLEN HERGESTELLTE GEWEBE AUS SEIDE ODER BAUMWOLLE
CERTIFICATO RELATIVO AI TESSUTI DI SETA O DI COTONE LAVORATI SU TELAI A MANO
CERTIFICAAT BETREFFENDE OP HANDWEEFGETOUWEN VERVAARDIGDE WEEFSELS VAN ZIJDE OF KATOEN
CERTIFICAT VEDRØRENDE HÅNDVÆVEDE STOFFER AF SILKE ELLER BOMULD

N°
No
N°
Nr.
N.
Nr.
Nr.

El Gobierno de Guatemala
The Government of Guatemala
Le gouvernement du Guatemala
Die Regierung von Guatemala
Il governo del Guatemala
De Regering van Guatemala
Guatemalas regering

Ministerio de economía

Dirección de comercio interior y exterior

certifica que el envío descrito a continuación contiene exclusivamente
certifies that the consignment described below includes only
certifie que l'envoi décrit ci-après contient exclusivement
bescheinigt, daß die nachstehend bezeichnete Sendung ausschließlich
certifica che la partita descritta qui appresso contiene esclusivamente
verklaart dat de hierna omschreven zending uitsluitend
attesterer, at nedenfor beskrevne forsendelse udelukkende indeholder

telas tejidas en telares a mano, por artesanía rural,
handloom fabrics of the cottage industry,
des tissus fabriqués sur métiers à main par l'artisanat rural,
in ländlichen Handwerksbetrieben auf Handwebstühlen hergestellte Gewebe enthält,
dei tessuti fabbricati dall'artigianato rurale su telai a mano,
weefsels bevat welke in de huisindustrie op handweefgetouwen zijn vervaardigd,
håndvævede stoffer fremstillet af landbyhåndværkere,

que las telas son fabricadas en Guatemala
that the fabrics are made in Guatemala
que les tissus sont fabriqués au Guatemala
daß diese Gewebe in Guatemala hergestellt sind
che i tessuti sono fabbricati in Guatemala
dat deze weefsels in Guatemala zijn vervaardigd
at stofferne er fabrikeret i Guatemala

y son exportadas de Guatemala con destino a los Estados miembros de las Comunidades europeas.
 and exported from Guatemala to the Member States of the European Communities.
 et sont exportés du Guatemala à destination des États membres des Communautés européennes.
 und aus Guatemala nach den Mitgliedstaaten der Europäischen Gemeinschaften ausgeführt werden.
 e sono esportati dal Guatemala a destinazione degli Stati membri delle Comunità europee.
 en van Guatemala naar de Lid-Staten van de Europese Gemeenschappen worden geëxporteerd.
 og udføres fra Guatemala til de europæiske Fællesskabers medlemsstater.

1. Nombre y dirección del exportador en Guatemala

1. Name and address of exporter in Guatemala

1. Nom et adresse de l'exportateur au Guatemala

1. Name und Anschrift des Ausführers in Guatemala

1. Nome e indirizzo dell'esportatore in Guatemala

1. Naam en adres van de exporteur in Guatemala

1. Navn og adresse på eksportøren i Guatemala

2. Nombre y dirección del importador en un Estado miembro de las Comunidades europeas

2. Name and address of importer in a Member State of the European Communities

2. Nom et adresse de l'importateur dans un État membre des Communautés européennes

2. Name und Anschrift des Einführers in einem Mitgliedstaat der Europäischen Gemeinschaften

2. Nome e indirizzo dell'importatore in uno Stato membro delle Comunità europee

2. Naam en adres van de importeur in een Lid-Staat van de Europese Gemeenschappen

2. Navn og adresse på importøren i en af De europæiske Fællesskabers medlemsstater

3. Cada pieza de tejido es provista de un plomo n°

3. To each piece of fabric is attached a seal No

3. Chaque pièce de tissu est munie d'un plomb n°

3. Jedes Gewebestück ist mit einer Plombe Nr. versehen

3. Ogni pezza di tessuto è munita di un sigillo di piombo n.

3. Ieder stuk weefsel is voorzien van een loodje nr.

3. Hvert stofstykke er forsynet med en plombe nr.

4. Puerto o aeropuerto de embarque

4. Port or airport of dispatch

4. Port ou aéroport d'embarquement

4. Verladehafen oder Verladeflughafen

4. Porto o aeroporto d'imbarco

4. Haven of luchthaven van inlading

4. Lastehavn eller -lufthavn

5. Barco

5. Ship

5. Bateau

5. Schiff

5. Nave

5. Schip

5. Skib

6. Conocimiento de embarque (fecha)

6. Bill of lading (date)

6. Connaissance (date)

6. Konnossement (Datum)

6. Polizza di carico (data)

6. Datum connossement

6. Konnossement (dato)

- 7. Puerto o aeropuerto de destino
- 7. Port or airport of destination
- 7. Port ou aéroport de destination
- 7. Bestimmungshafen oder Bestimmungsflughafen
- 7. Porto o aeroporto di destinazione
- 7. Haven of luchthaven van bestemming
- 7. Bestemmelseshavn eller -lufthavn

- 8. Estado miembro de destino
- 8. Member State of destination
- 8. État membre de destination
- 8. Bestimmungsmittgliedstaat
- 8. Stato membro destinatario
- 8. Lid-Staat van bestemming
- 8. Bestemmelsesmedlemsstat

Lugar y fecha de emisión
Place and date of issue
Lieu et date d'émission
Ort und Datum der Ausstellung
Luogo e data di emissione
Plaats en datum van afgifte
Sted og dato for udstedelse

Sello del organismo emisor
Seal of issuing body
Cachet de l'organisme émetteur
Stempel der ausstellenden Behörde
Timbro dell'ufficio emittente
Stempel van de met de afgifte belaste instantie
Den udstedende myndigheds stempel

.....
(Firma del responsable)

.....
(Signature of officer responsible)

.....
(Signature du responsable)

.....
(Unterschrift des Zeichnungsberechtigten)

.....
(Firma dell'incaricato)

.....
(Handtekening van de verantwoordelijke ambtenaar)

.....
(Den ansvarlige tjenestemands underskrift)

Dirección de comercio interior y exterior

Descripción de la tela

No de Orden	Paquetes		Número de la Tarifa aduanera común	Descripción de las mercaderías (tarifa aduanera común)	Descripción detallada de la tela	Número de piezas	m ² Peso en kg
	Marcas y números	Cantidad y naturaleza					

Description of fabrics

Serial No	Package		CCT heading No	Description of goods (Common Customs Tariff)	Detailed description of fabrics	Number of pieces	m ² Weight in kg
	Marks and numbers	Number and nature					

Description des tissus

Numéro d'ordre	Colis		Numéro du tarif douanier commun	Désignation des marchandises (tarif douanier commun)	Description détaillée des tissus	Nombre de pièces	Mètres carrés Poids en kg
	Marques et numéros	Nombre et nature					

Beschreibung der Gewebe

Laufende Nummer	Packstücke		Nummer des Gemeinsamen Zolldarfs	Warenbezeichnung (Gemeinsamer Zolldarf)	Genaue Beschreibung der Gewebe	Anzahl der Gewebestücke	m ² Gewicht in kg
	Zeichen und Nummern	Anzahl und Art					

Descrizione dei tessuti

Numero d'ordine	Colli		Numero della tariffa doganale comune	Designazione delle merci (Tariffa doganale comune)	Descrizione dettagliata dei tessuti	Totale delle pezze	Metri quadrati Peso in kg
	Marche e numeri	Numero e natura					

Omschrijving van de weefsels

Volg-nummer	Colli		Post van het gemeenschappelijk douanetarief	Omschrijving van de goederen volgens het gemeenschappelijk douanetarief	Nauwkeurige omschrijving van de weefsels	Aantal stukken	Aantal m ² Gewicht in kg
	Merken en nummers	Aantal en soort					

Beskrivelse af stofferne

Løbe-nummer	Kolli		Pos. i den fælles toldtarif	Varebeskrivelse (den fælles toldtarif)	Nøje beskrivelse af stofferne	Antal stykker	Antal m ² vægt i kg
	Mærker og numre	Antal og art					

COUNCIL REGULATION (EEC) No 1925/78

of 25 July 1978

amending Regulation (EEC) No 2636/77 on the opening allocation and administration of a
Community tariff quota for certain hand-made products

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas, by Regulation (EEC) No 2636/77 ⁽¹⁾, the
Council opened and allocated between the Member
States an annual duty-free Community tariff quota for
hand-made products for 1978 of an overall maximum
amount of 10 million units of account with a limit of
1 200 000 units of account for each tariff heading or
subheading concerned; whereas under the terms of
Article 1 (2) of the aforementioned Regulation, prod-
ucts may be admitted under the Community tariff
quota only on the submission to the Community's cus-
toms authorities of a certificate issued by the recognized
authorities of the country of origin certifying that the
goods concerned are hand-made;

Whereas trade with Guatemala is foreseen in the prod-
ucts concerned and it is therefore necessary for practical
reasons to supplement the aforementioned Regulation
by adding an example of the certificate to be issued by
the authorities in that country,

HAS ADOPTED THIS REGULATION:

Article 1

Annex XX given in the Annex to this Regulation shall
be added to Regulation (EEC) No 2636/77.

Article 2

This Regulation shall enter into force on 1 September
1978.

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

Done at Brussels, 25 July 1978.

*For the Council**The President*

K. von DOHNANYI

⁽¹⁾ OJ No L 307, 30. 11. 1977, p. 42.

ANNEX XX — ANNEXE XX — ANHANG XX — ALLEGATO XX — BIJLAGE XX — BILAG XX

CERTIFICADO CONCERNIENTE A CIERTOS PRODUCTOS HECHOS A MANO (HANDICRAFTS)
 CERTIFICATE IN REGARD TO CERTAIN HANDICRAFT PRODUCTS (HANDICRAFTS)
 CERTIFICAT CONCERNANT CERTAINS PRODUITS FAITS À LA MAIN (HANDICRAFTS)
 BESCHEINIGUNG FÜR BESTIMMTE HANDGEARBEITETE WAREN (HANDICRAFTS)
 CERTIFICATO RELATIVO A TALUNI PRODOTTI FATTI A MANO (HANDICRAFTS)
 CERTIFICAAT BETREFFENDE BEPAALDE MET HANDENARBEID VERKREGEN PRODUCTEN (HANDICRAFTS)
 CERTIFIKAT VEDRØRENDE VISSE KUNSTHÅNDVÆRKSPRODUKTER (HANDICRAFTS)

N°
 No
 N°
 Nr.
 N.
 Nr.
 Nr.

El gobierno de Guatemala
 The Government of Guatemala
 Le gouvernement du Guatemala
 Die Regierung von Guatemala
 Il governo del Guatemala
 De Regering van Guatemala
 Guatemalas regering

Ministerio de economía

Dirección de comercio interior y exterior

certifica que el envío descrito a continuación contiene exclusivamente
 certifies that the consignment described below includes only
 certifie que l'envoi décrit ci-après contient exclusivement
 bescheinigt, daß die nachstehend bezeichnete Sendung ausschließlich
 certifica che la partita descritta qui appresso contiene esclusivamente
 verklaart dat de hierna omschreven zending uitsluitend
 attesterer, at nedenfor beskrevne forsendelse udelukkende indeholder

productos hechos a mano por la artesanía rural
 handicraft products (handicrafts) of the cottage industry,
 des produits faits à la main par l'artisanat rural,
 in ländlichen Handwerksbetrieben handgearbeitete Waren enthält,
 dei prodotti fatti a mano dall'artigianato rurale,
 produkten bevat welke ten plattelande met handenarbeid in de huisindustrie zijn verkregen,
 kunsthåndværksprodukter fremstillet af landsbyhåndværkere,

que los productos son fabricados en Guatemala
 that the products are made in Guatemala
 que les produits sont fabriqués au Guatemala
 daß diese Waren in Guatemala hergestellt sind
 che i prodotti sono fabbricati in Guatemala
 dat deze produkten in Guatemala zijn vervaardigd
 at produkterne er fabrikeret i Guatemala

y son exportados de Guatemala con destino a los Estados miembros de las Comunidades europeas.
and exported from Guatemala to the Member States of the European Communities.
et sont exportés du Guatemala à destination des États membres des Communautés européennes.
und aus Guatemala nach den Mitgliedstaaten der Europäischen Gemeinschaften ausgeführt werden.
sono esportati del Guatemala a destinazione degli Stati membri delle Comunità europee.
en van Guatemala naar de Lid-Staten van de Europese Gemeenschappen worden geëxporteerd.
udføres fra Guatemala til De europæiske Fællesskabers medlemsstater.

1. Nombre y dirección del exportador en Guatemala
1. Name and address of exporter in Guatemala
1. Nom et adresse de l'exportateur au Guatemala
1. Name und Anschrift des Ausführers in Guatemala
1. Nome e indirizzo dell'esportatore in Guatemala
1. Naam en adres van de exporteur in Guatemala
1. Naam en adres van de exporteur in Guatemala
1. Navn og adresse på eksportøren i Guatemala

2. Nombre y dirección del importador en un Estado miembro de las Comunidades Europeas
2. Name and address of importer in a Member State of the European Communities
2. Nom et adresse de l'importateur dans un État membre des Communautés européennes
2. Name und Anschrift des Einführers in einen Mitgliedstaat der Europäischen Gemeinschaften
2. Nome e indirizzo dell'importatore in uno Stato membro delle Comunità europee
2. Naam en adres van de importeur in een Lid-Staat van de Europese Gemeenschappen
2. Navn og adresse på importøren i en af De europæiske Fællesskabers medlemsstater

3. Puerto o aeropuerto de embarque
3. Port or airport of dispatch
3. Port ou aéroport d'embarquement
3. Verladehafen oder Verladeflughafen
3. Porto o aeroporto d'imbarco
3. Haven of luchthaven van inlading
3. Lastehavn eller -lufthavn

4. Barco
4. Ship
4. Bateau
4. Schiff
4. Nave
4. Schip
4. Skib

5. Conocimiento de embarque (fecha)
5. Bill of lading (date)
5. Connaissance (date)
5. Konnossement (Datum)
5. Polizza di carico (data)
5. Datum connossement
5. Konnossement (dato)

6. Puerto o aeropuerto de destino
6. Port or airport of destination
6. Port ou aéroport de destination
6. Bestimmungshafen oder Bestimmungsflughafen
6. Porto o aeroporto di destinazione
6. Haven of luchthaven van bestemming
6. Bestemmelseshavn eller -lufthavn

- 7. Estado miembro de destino
- 7. Member State of destination
- 7. État membre de destination
- 7. Bestimmungsmitgliedstaat
- 7. Stato membro destinatario
- 7. Lid-Staat van bestemming
- 7. Bestemmelsesmedlemsstat

Lugar y fecha de emisión
Place and date of issue
Lieu et date d'émission
Ort und Datum der Ausstellung
Luogo e data di emissione
Plaats en datum van afgifte
Sted og dato for udstedelse

Sello del organismo emisor
Seal of issuing body
Cachet de l'organisme émetteur
Stempel der ausstellenden Behörde
Timbro dell'ufficio emittente
Stempel van de met de afgifte belaste instantie
Den udstedende myndigheds stempel

.....
(Firma del responsable)

.....
(Signature of officer responsible)

.....
(Signature du responsable)

.....
(Unterschrift des Zeichnungsberechtigten)

.....
(Firma dell'incaricato)

.....
(Handtekening van de verantwoordelijke ambtenaar)

.....
(Den ansvarlige tjenestemands underskrift)

Dirección de comercio interior y exterior

Descripción del producto

No de Orden	Paquetes		Número de la Tarifa aduanera común	Descripción de las mercaderías (tarifa aduanera común)	Descripción detallada de los productos	Cantidad	Peso en kg
	Marcas y números	Cantidad y naturaleza					

Description of products

Serial No	Package		CCT heading No	Description of goods (Common Customs Tariff)	Detailed description of products	Quantity	Weight in kg
	Marks and numbers	Number and nature					

Description des produits

Numéro d'ordre	Colis		Numéro du tarif douanier commun	Désignation des marchandises (tarif douanier commun)	Description détaillée des produits	Nombre	Poids en kg
	Marques et numéros	Nombre et nature					

Beschreibung der Waren

Laufende Nummer	Packstücke		Nummer des Gemeinsamen Zolltarifs	Warenbezeichnung (Gemeinsamer Zolltarif)	Genaue Beschreibung der Waren	Anzahl	Gewicht in kg
	Zeichen und Nummern	Anzahl und Art					

Descrizione dei prodotti

Numero d'ordine	Colli		Numero della tariffa doganale comune	Designazione delle merci (Tariffa doganale comune)	Descrizione dettagliata dei prodotti	Quantità	Peso in kg
	Marche e numeri	Quantità e natura					

Omschrijving van de produkten

Volg-nummer	Colli		Post van het gemeenschappelijk douanetarief	Omschrijving van de goederen volgens het gemeenschappelijk douanetarief	Nauwkeurige omschrijving van de produkten	Aantal	Gewicht in kg
	Merken en nummers	Aantal en soort					

Beskrivelse af produkterne

Løbe-nummer	Kolli		Pos. i den fælles toldtarif	Varebeskrivelse (den fælles toldtarif)	Nøje beskrivelse af produkterne	Mængde	Vægt i kg
	Mærker og numre	Antal og art					

COUNCIL REGULATION (EEC) No 1926/78

of 25 July 1978

on the opening, allocation and administration of a Community tariff quota for processing work in respect of certain textile products under Community outward processing arrangements

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas on 1 August 1969 the Community concluded an arrangement with Switzerland on processing traffic in textiles; whereas under that arrangement the Community undertook to open on 1 September of every year an annual duty-free Community tariff quota for processed goods of 1 870 000 units of account of added value, apportioned as follows:

- (a) 1 650 000 units of account for processing work on woven fabrics falling within Chapters 50 to 57 of the Common Customs Tariff,
- (b) 143 000 units of account for the twisting or throwing, cabling and texturizing (whether or not combined with other processing works) of yarns falling within Chapters 50 to 57 of the Common Customs Tariff,
- (c) 77 000 units of account for processing work on products falling within heading Nos 58.04, 58.05, 58.07, 58.08, 58.09 and 60.01 of the Common Customs Tariff;

Whereas, in order that the division of the whole quota into the three categories referred to above shall correspond more exactly with the actual movement of trade during the reference year or during previous quota periods as well as with the foreseeable movement of trade during future quota periods, it has been decided to adjust the said allocation between the three categories by giving them 1 520 000, 123 000 and 227 000 units of account respectively; whereas the application of the European unit of account as from 1 January 1979 to Acts adopted by the institutions of the European Communities nevertheless requires that the quota period be divided into two parts, one being from 1 September to 31 December 1978, and the other from

1 January to 31 August 1979; whereas the Community tariff quota in question should be opened initially for the period 1 September to 31 December 1978 to cover four-twelfths of the annual amounts;

Whereas provision should be made in particular to ensure equal and continuous access for those concerned with this quota and consistent application of the rate of duty prescribed for the said quota until the quota is exhausted, to all goods reimported into any of the Member States and which have received one or other of the treatments listed above; whereas, in the light of these principles, arrangements for the utilization of the quota based on an allocation among the Member States would seem to be consistent with the Community character of the said quota; whereas it therefore seems appropriate to make the allocation on the basis of the amount of the traffic under the previous bilateral agreements, but without precluding participation by Member States not previously involved in such traffic, among which the new Member States are included; whereas, to safeguard the Community character of the quota, provision should be made to meet requirements which may arise in those Member States in the future permitting them to draw adequate amounts from the Community reserve;

Whereas to take account of future trends in the traffic in question in the various Member States, the total quota volume of 623 334 units of account should be divided into two tranches, the first being allocated among certain Member States and the second held as a reserve to cover the subsequent requirements of Member States when one of their initial shares has been exhausted and also, requirements which may arise in certain Member States in respect of processing work for which no initial share of the quota was allocated; whereas, in order to give the parties concerned in each Member State some degree of certainty, it would seem appropriate to fix the first tranche of the Community quota at a relatively high level, namely 546 667 units of account; whereas the total Community reserve of 76 667 units of account shall consist of amounts drawn from the allocations in respect of each category, that is 53 334, 4 333 and 19 000 units of account respectively;

Whereas the Member States may exhaust their initial shares at different rates; whereas to avoid disruption of supplies on this account it should be provided that any

Member State which has almost used up one of its initial shares should draw an additional share from the reserve; whereas each time its additional share is almost exhausted a Member State should draw a further share, and so on, as many times as the reserve allows; whereas the initial and additional shares should be valid until the end of the quota period; whereas this form of administration requires close collaboration between the Member States and the Commission, and the Commission must be in a position to keep account of the extent to which the quota has been used up and to inform the Member States accordingly;

Whereas if at a given date during the quota period a considerable quantity of a Member State's initial share remains unused it is essential, to prevent a part of the quota from remaining unused in one Member State while it could be used in others, that such State should return a significant proportion thereof to the reserve;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and jointly represented by the Benelux Economic Union, any transaction in connection with the administration of the shares allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 September to 31 December 1978, a Community tariff quota of 623 334 units of account of value added shall be opened in the European Economic Community in respect of goods resulting from processing work as provided for in the arrangement with Switzerland on processing traffic in textiles. Such quota shall be apportioned as follows:

- (a) 506 667 units of account for processing work on woven fabrics falling within Chapters 50 to 57 of the Common Customs Tariff;
- (b) 41 000 units of account for twisting or throwing, cabling and texturizing (whether or not combined with other processing work) of yarns falling within Chapters 50 to 57 of the Common Customs Tariff;
- (c) 75 667 units of account for processing work on articles falling within the following headings of the Common Customs Tariff:

58.04 Woven pile fabrics and chenille fabrics (other than terry towelling or similar terry fabrics of cotton falling within heading No 55.08 and fabrics falling within heading No 58.05),

58.05 Narrow woven fabrics, and narrow fabrics (bolduc) consisting of warp without weft assembled by means of an adhesive, other than goods falling within heading No 58.06,

58.07 Chenille yarn (including flock chenille yarn), gimped yarn (other than metallized yarn of heading No 52.01 and gimped horsehair yarn); braids and ornamental trimmings in the piece; tassels, pompons and the like,

58.08 Tulle and other net fabrics (but not including woven, knitted or crocheted fabrics), plain,

58.09 Tulle and other net fabrics (but not including woven, knitted or crocheted fabrics), figured; hand or mechanically made lace, in the piece, in strips or in motifs,

60.01 Knitted or crocheted fabric, not elastic or rubberized.

2. For the purposes of this Regulation:

(a) 'processing work' means:

- for the purposes of paragraph 1 (a) and (c): bleaching, dyeing, printing, flocking, impregnating, dressing and other work which changes the appearance or quality of the goods, without however changing their nature,
- for the purposes of paragraph 1 (b): twisting or throwing, cabling and texturizing, whether or not combined with reeling, dyeing or other work which changes the appearance, quality or finish of the goods, without however changing their nature;

(b) 'value added' means: the difference between the value for customs purposes as defined in Regulation (EEC) No 803/68 ⁽¹⁾ at the time of re-importation and the value for customs purposes as it would be if the products were re-imported in the state in which they were exported.

3. Each portion as laid down in paragraph 1 shall be divided into two tranches, the first being allocated among certain Member States in accordance with Article 2 (1) and the second being used to constitute a reserve which shall be common to the three categories of processing.

4. Within this tariff quota, the Common Customs Tariff duties shall be totally suspended.

5. Re-imports of products resulting from this processing work may not be charged to the tariff quota if they are already free of customs duties under other preferential tariff arrangements.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 1.

Article 2

1. The first tranche of each portion of the quota as laid down in Article 1 (1) shall be allocated as set out below among the Member States listed in the above arrangement; the shares, subject to Article 6, shall be valid from 1 September to 31 December 1978.

(a) Germany:

360 000 units of account, apportioned as follows:

- 283 334 units of account for processing work on woven fabrics falling within Chapters 50 to 57 of the Common Customs Tariff,
- 33 333 units of account for twisting or throwing, cabling and texturizing (whether or not combined with other processing work) of yarns falling within Chapters 50 to 57 of the Common Customs Tariff,
- 43 333 units of account for processing work on products falling within heading Nos 58.04, 58.05, 58.07, 58.08, 58.09 and 60.01 of the Common Customs Tariff;

(b) France:

173 334 units of account, apportioned as follows:

- 166 667 units of account for processing work on fabrics falling within Chapters 50 to 57 of the Common Customs Tariff,
- 6 667 units of account for processing work on products falling within heading Nos 58.04, 58.05, 58.07, 58.08, 58.09 and 60.01 of the Common Customs Tariff;

(c) Italy:

6 666 units of account, i.e. half for twisting or throwing, cabling and texturizing (whether or not combined with other processing work) of yarns falling within Chapters 50 to 57 of the Common Customs Tariff, and half for processing work on products falling within heading Nos 58.04, 58.05, 58.07, 58.08, 58.09 and 60.01 of the Common Customs Tariff;

(d) Benelux:

6 667 units of account for processing work on threads and woven fabrics falling within Chapters 50 to 57 or for products falling within heading Nos 58.04, 58.05, 58.07, 58.08, 58.09 and 60.01 of the Common Customs Tariff.

2. The second tranche which amounts to 76 667 units of account shall constitute a Community reserve which may be used for the three categories of processing.

Article 3

In case of need, either in France in respect of the processing work referred to in Article 1 (1) (b), or in any of the new Member States in respect of any of the categories of processing work, the State concerned shall, to the extent that the reserve so permits, draw from such reserve a sufficient share of the quota.

Article 4

1. If a Member State has used 90 % or more of one of its initial shares as fixed in Article 2 (1), or of that share minus any portion returned to the reserve pursuant to Article 6, it shall forthwith, by notifying the Commission draw a second share, to the extent that the relevant reserve so permits, equal to 10 % of its initial share, rounded up as necessary to the next whole number.

2. If a Member State, after exhausting one of its initial shares, has used 90 % or more of the second share drawn by it, that Member State shall, in accordance with the conditions laid down in paragraph 1, draw a third share equal to 5 % of its initial share.

3. If a Member State, after exhausting its second share, has used 90 % or more of the third share drawn by it, that Member State shall, in accordance with the same condition, draw a fourth share equal to the third.

This process shall continue to apply until the reserve is exhausted.

4. Notwithstanding paragraphs 1 to 3, a Member State may draw shares lower than those specified in those paragraphs if there are grounds for believing that those specified may not be used in full. Any Member State applying this paragraph shall inform the Commission of its grounds for so doing.

Article 5

Additional shares drawn pursuant to Article 4 shall be valid until 31 December 1978.

Article 6

The Member States referred to in Article 2 shall, not later than 1 December 1978, return to the reserve the unused portion of their initial share which, on 15 November 1978, is in excess of 20 % of the initial volume. They may return a greater portion if there are grounds for believing that it may not be used in full.

Member States shall, not later than 1 December 1978, notify the Commission of the total quantities of the product in question re-imported, up to and including 15 November 1978, and charged against the Community quota and of any portion of their initial quotas returned to the reserve.

Article 7

The Commission shall keep an account of the shares opened by the Member States pursuant to Articles 2, 3 and 4 and shall, as soon as the information reaches it, inform each State of the extent to which the reserve has been used up.

It shall, not later than 5 December 1978, inform the Member States of the amounts still in reserve following any return of shares pursuant to Article 6.

It shall ensure that when an amount exhausting this reserve is drawn the amount so drawn does not exceed the balance available, and to this end shall notify the amount of that balance to the Member State making the last drawing.

Article 8

1. Member States shall take all appropriate measures to ensure that additional shares drawn pursuant to

Article 4 are opened in such a way that re-importation may be charged without interruption against their accumulated shares of the quota.

2. Every Member State shall ensure that all persons established in its territory involved in the processing traffic have free access to the shares allocated to it.

3. The extent to which a Member State has used up its shares shall be determined on the basis of the value added, as established when upon re-importation the products concerned are entered with the customs authorities for home use.

Article 9

At the request of the Commission, the Member States shall inform it of re-importations charged against their shares.

Article 10

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

Article 11

This Regulation shall enter into force on 1 September 1978.

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

Done at Brussels, 25 July 1978.

For the Council

The President

K. von DOHNANYI

COUNCIL REGULATION (EEC) No 1927/77

of 25 July 1978

concluding the Agreement between the European Economic Community and the People's Republic of Bangladesh on trade in jute products

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the recommendation from the Commission,

Whereas the Agreement on trade in jute products negotiated between the European Economic Community and the People's Republic of Bangladesh should be concluded,

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement between the European Economic Community and the People's Republic of Bangladesh on

trade in jute products is hereby concluded on behalf of the Community.

The text of the Agreement is annexed to this Regulation.

Article 2

The President of the Council shall notify the other Contracting Party of the completion by the Community of the procedures necessary for the entry into force of the Agreement ⁽¹⁾.

Article 3

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

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

Done at Brussels, 25 July 1978.

For the Council

The President

K. von DOHNANYI

⁽¹⁾ The General Secretariat of the Council will arrange for the publication in the *Official Journal of the European Communities* of the date of entry into force of the Agreement.

AGREEMENT

between the European Economic Community and the People's Republic of Bangladesh on trade in jute products

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

of the one part, and

THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH,

of the other part,

NOTING the Joint Declaration of Intent on the development of trade relations with Ceylon (now Sri Lanka), India, Malaysia, Pakistan (now Bangladesh and Pakistan) and Singapore, annexed to the Final Act of the Treaty of Accession of the Kingdom of Denmark, Ireland, the Kingdom of Norway and the United Kingdom of Great Britain and Northern Ireland to the European Economic Community and the European Atomic Energy Community, of 22 January 1972,

HAVING REGARD to the Commercial Cooperation Agreement between the European Economic Community and the People's Republic of Bangladesh,

CONSCIOUS of the provisions of the General Agreement on tariffs and trade,

CONSCIOUS of the particular importance of the production and export of jute and jute products for the economy of the People's Republic of Bangladesh,

DESIROUS of ensuring an increasing use of jute products, and the orderly development of trade in jute products between the European Economic Community, hereinafter referred to as 'the Community', and the People's Republic of Bangladesh, hereinafter referred to as 'Bangladesh',

BELIEVING that it is necessary to encourage and facilitate contacts and cooperation between their respective jute interests,

STRESSING the need of promoting cooperation in research and development in the jute sector,

HAVE DECIDED, in a spirit of mutual cooperation, to conclude this Agreement.

Article 1

This Agreement shall apply to manufactured jute products, originating in and coming from Bangladesh, as defined in Annex A.

Article 2

Pending a solution within a multilateral context, the Community shall, for the duration of this Agreement and within the framework of its offer on generalized tariff preferences, autonomously apply to manufactured jute products originating in and coming from Bangladesh, the duties of the Common Customs Tariff suspended in accordance with the rates and timetable set out in Annex B.

Article 3

1. The Community shall not subject imports of the products defined under Article 1 to new quantitative restrictions

As a first step in the direction of eliminating in stages remaining quantitative restrictions, the Community shall suspend the existing quantitative restrictions on the imports of the products defined in Annex C provided that Bangladesh applies such measures as are necessary to keep its exports within the limits set out in this Annex. The Community agrees to take all appropriate steps in order to facilitate and encourage the full utilization of the agreed quotas.

2. The Community shall not object to the limits allocated in Annex C being exceeded in the event of additional demand developing on the market of the Community, taking also into account the level of the imports into the Community of raw jute, on the understanding that any additional quantity shall be fixed by mutual agreement between the Parties.

3. Quantities set out in Annex C not taken up by any one Member State of the Community may be used by another Member State, in accordance with the pro

cedures in force in the Community. The Community undertakes to consider, as favourably as conditions in the Community market allow, any request for re-allocation made by Bangladesh, and to reply to this request within four weeks of its receipt.

Article 4

1. Imports into the Community of jute products covered by this Agreement which are intended for immediate re-export from the Community or for processing and subsequent re-export outside the Community shall not be subject to the quantitative limits established by this Agreement provided they are entered as such under an administrative system of control in force for that purpose within the Community.

2. In any case where Community authorities ascertain that the imports referred to in paragraph 1 have been retained for consumption within the Community, the latter will notify the Government of Bangladesh on a quarterly basis of the amounts involved. In such cases Bangladesh shall, at the request of the Community, count such amounts against the quantitative limit or limits in question for the current year or the following year.

3. In any case where the competent authorities within the Community ascertain under the administrative system of control in force that imports of jute products covered by this Agreement have been counted against the ceilings established under this Agreement but have subsequently been re-exported from the Community, the authorities concerned will inform the Bangladesh authorities of the quantities involved and will authorize imports of the same quantities which shall not be counted against the ceilings fixed by the Agreement.

Article 5

The Community shall not subject imports of jute yarn to quantitative restrictions. However, the Community may, when in its view the conditions prevailing in the Community or in any of its markets are such that a limitation on further trade may be necessary, request consultations with Bangladesh, provided that the level of imports into such region of the Community market has exceeded the indicative level indicated in Annex E, and provided further that the request for such consultations is accompanied, within a reasonable period of time, by a statement of the market conditions in the Community or in the region of the Community concerned. Until such time as a mutually satisfactory solution has been reached, Bangladesh undertakes, if so requested by the Community, to limit the issue of ex-

port licences for jute yarn to the Community, or to the region or regions of the Community market concerned, at the level to be indicated by the Community.

Article 6

1. Within any one Agreement year, the unused portions of any one of the quantitative limits established under this Agreement in respect of any region of the Community market may be transferred to another quantitative limit established for the same region of the Community market as follows:

— from categories 4 and 5 to category 7 and vice versa provided that the quantities involved do not exceed 20 % of the quantitative limit to which they are transferred.

2. Unused quantities, not exceeding 10 % of one annual ceiling, may be carried over and added to the same ceiling for the following year.

3. Each annual ceiling may be exceeded, up to a limit of 10 % of its total, in anticipation of the same ceiling for the following year. Quantities used in anticipation shall be deducted from the same ceiling of the subsequent year.

4. The above flexibility provisions must not, in any single given Agreement year, result in any ceiling being exceeded by more than 20 %.

5. The provisions of the preceding paragraphs shall only be applied by Bangladesh following written notification to the Community by the Bangladesh authorities.

Article 7

1. The agreed ceilings shall be administered using a system of double checking, the details of which are set out in Annex D, subject to such changes as may be mutually agreed.

2. Bangladesh undertakes to inform the Community, on a six monthly basis, of the total quantities covered by export authorizations issued by the Bangladesh authorities for all the jute products referred to in Article 3 and, where appropriate, in Article 5.

3. Similarly the Community will inform the Bangladesh authorities, on a six monthly basis, of the total volume of imports into the Community of the products in question.

Article 8

The implementation of this Agreement shall not disrupt the normal trade channels between the Community and Bangladesh.

Should one of the Parties inform the other that special difficulties have arisen in this connection, the two Parties shall consult each other in order to determine the measures necessary to remedy the situation.

Article 9

Without prejudice to the policies of the Government of Bangladesh concerning the regulation of its exports according to the production situation of and the external demand for the abovementioned products, Bangladesh undertakes to take appropriate steps to ensure that the needs of the Community market and industries are met in a non-discriminatory manner.

Article 10

1. A Joint Cooperation Committee shall be set up and entrusted with the following tasks:

- to arrange consultations promptly at the request of either Party on any matter concerning their trade in jute products in a spirit of cooperation,
- to examine any problem which may arise as a result of the implementation of this Agreement, including the perspectives, in the light of the economic situation in the Community's jute sector, for the elimination in stages of quantitative restrictions,
- to examine ways and means of increasing and diversifying the end-uses of jute products, including studies of the experience of other markets in this regard,
- to investigate possibilities, and formulate suggestions, for cooperation in regard to research into and development of the production and uses of jute products,

- to examine the feasibility of promoting the use of jute products by means of publicity and marketing activities,
- to develop contacts between, and facilitate joint projects and programmes mutually agreed upon by, representatives of the jute trade and industries of both the Community and Bangladesh.

2. The Joint Cooperation Committee shall be composed of representatives of the Community and of Bangladesh.

3. The Joint Cooperation Committee shall be convened at the request of either Contracting Party, in any case at least once a year, and at a place mutually agreed upon.

Article 11

This Agreement shall enter into force on the first day of the month following the date on which the Parties notify each other that the procedures necessary for this purpose have been completed, and shall apply from 1 January 1976. It shall remain in force until 31 December 1979.

Article 12

The Annexes form an integral part of this Agreement.

Article 13

This Agreement has been drawn up in two copies in the Danish, Dutch, English, French, German, Italian and Bengali languages, each text being authentic.

ANNEX A

Definition of categories of jute products covered by Article 1

- Category 1: Jute fabrics weighing more than 500 grammes per square metre and of a width of not more than 150 centimetres, and jute bags of fabric weighing more than 500 grammes per square metre.
- Category 2: Jute fabrics weighing not less than 310 grammes per square metre but not more than 500 grammes per square metre, and of a width of not more than 150 centimetres, and jute bags of fabric weighing not less than 310 grammes per square metre but not more than 500 grammes per square metre.
- Category 3: Jute fabrics weighing less than 310 grammes per square metre and of a width of not more than 150 centimetres and jute bags of fabric weighing less than 310 grammes per square metre.
- Category 4: Jute fabrics of a width of more than 150 centimetres, but not more than 230 centimetres, irrespective of their weight per square metre, other than those referred to in category 7.
- Category 5: Jute fabrics of a width of more than 230 centimetres irrespective of their weight per square metre, other than those referred to in category 7.
- Category 6: Jute yarns.
- Category 7: Jute fabrics ⁽¹⁾ bleached, dyed or printed, either wholly or in part, of a width of more than 150 centimetres, irrespective of their weight per square metre.

⁽¹⁾ With no patent selvages at any interval throughout the width of the cloth.

ANNEX B

Tariff suspensions covered by Article 2

CCT heading No	Description	Rate of reduction to be applied	
		1. 1. 1977	1. 7. 1978
57.06	Yarn of jute or of other textile bast fibres of heading No 57.03	100 %	
57.10	Woven fabrics of jute or of other textile bast fibres of heading No 57.03:		
	A. Of a width of not more than 150 cm and weighing per m ² :		
	I. Less than 310 g	80 %	100 %
	II. Not less than 310 g but not more than 500 g	80 %	100 %
	III. More than 500 g	80 %	100 %
	B. Of a width of more than 150 cm	80 %	100 %
62.03	Sacks and bags, of a kind used for the packing of goods:		
	A. Of jute or of other textile bast fibres of heading No 57.03:		
	II. Other:		
	a) Of fabric weighing less than 310 g/m ²	80 %	100 %
	b) Of fabric weighing not less than 310 g/m ² but not more than 500 g/m ²	80 %	100 %
	c) Of fabric weighing more than 500 g/m ²	80 %	100 %

The Community hereby undertakes to continue to suspend customs duties on all imports of packaging materials, in accordance with the provisions of the Customs Convention on temporary imports of packing items.

ANNEX C

Products for which Bangladesh will exercise restraint towards the Community, from the entry into force of this Agreement

The Community hereby notifies Bangladesh that the quantitative limits for the jute products listed below will be allocated between the Member States as follows:

Categories 4 and 5 — Quantitative limits

<i>(tonnes)</i>				
Member State	1976	1977	1978	1979
Benelux	1 342	1 409	1 479	1 553
Denmark	1 292	1 298	1 304	1 311
France	620	706	800	903
Germany	1 104	1 267	1 448	1 649
Ireland	300	350	400	450
Italy	222	245	266	283
United Kingdom	840	960	1 092	1 237
EEC	5 720	6 235	6 789	7 386

Products for which Bangladesh will exercise restraint towards the Community, from the entry into force of this Agreement

The Community hereby notifies Bangladesh that the quantitative limits for the jute products listed below will be allocated between the Member States as follows:

Category 7 — Quantitative limits

<i>(tonnes)</i>				
Member State	1976	1977	1978	1979
Benelux	333	335	337	339
Denmark	327	329	331	333
France	150	169	191	214
Germany	264	299	339	383
Ireland	60	70	80	90
Italy	52	64	71	78
United Kingdom	200	226	256	288
EEC	1 386	1 492	1 605	1 725

ANNEX D

System of double checking referred to in Article 7

1. In the Community, the competent authorities shall accept, without delay, the import of products listed in Annex C into this Agreement upon production of the importer's request together with the original copy of the export permits ⁽¹⁾.
2. The competent authorities in Bangladesh shall deliver export permits for all the products listed in Annex C to this Agreement within the limits of the ceilings set out in that Annex.
3. The export permit shall mention:
 - (a) the destination (relevant Member State);
 - (b) the serial number;
 - (c) the name and address of the importer;
 - (d) the name and address of the exporter;
 - (e) the net weight (in kilograms or tonnes) and the value;
 - (f) the category and the classification of the products;
 - (g) the certificate delivered by the authorities and stating the ceiling under which the products fall.
4. In the Community the competent authorities shall accept, within reasonable limits, differences between the weight as stated in the export permit and the cargo weight or the imported weight. In Bangladesh the competent authorities shall, however, endeavour to reduce to a minimum such possible discrepancies.
5. In Bangladesh the competent authorities shall notify any withdrawal, or part withdrawal, of an export permit to the competent authorities in the Community. The latter shall, within the context of the administrative regulations governing such matters, take appropriate steps.
6. The competent authorities in Bangladesh shall forward to the competent authorities in the Community, through the embassies of the Member States and directly to the Commission every six months, a survey of the delivery of export permits. Such surveys shall state, for every category of product, the net weight in tonnes of the authorized exports, their assignment to the various ceilings, and the Member States of the Community to which the goods have been consigned.

⁽¹⁾ Where import licences are required under the regulations in force in one or other Member State, such licences shall be issued automatically, within a limited number of days.

ANNEX E

Indicative levels for the imports of jute yarn with reference to Article 5 of the Agreement

	(tonnes)
Benelux	3 950
United Kingdom	2 600

ANNEX F

Joint declaration

The Contracting Parties agree to make a special effort to fulfil the tasks set out in Article 10 of the Agreement. To this end, they will endeavour to facilitate annual round-table discussions between the industrial, commercial and research interests on both sides, and they undertake to examine the possibility of providing support for any programmes or projects recommended as a result of such discussions as likely to be of mutual benefit to these interests.

ANNEX G

EXCHANGE OF 'NOTES VERBALES' BETWEEN THE EUROPEAN ECONOMIC COMMUNITY AND THE PEOPLE'S REPUBLIC OF BANGLADESH

NOTE VERBALE

The Directorate General for External Relations presents its compliments to the Mission of the People's Republic of Bangladesh to the European Communities and has the honour to refer to the Agreement on trade in jute products negotiated between Bangladesh and the Community and initialled today.

The Directorate General for External Relations wishes to inform the Government of Bangladesh that while awaiting the completion of the necessary procedures for the conclusion and the coming into force of the Agreement, the Community is prepared to allow the provisions of the Agreement to apply *de facto* from today if the Government of the People's Republic of Bangladesh is disposed to do likewise.

The Directorate General for External Relations would be grateful if the Government of Bangladesh would confirm its agreement to the foregoing.

The Directorate General for External Relations avails itself of the opportunity to renew to the Mission of Bangladesh to the European Communities the assurances of its highest consideration

Brussels, 23 July 1976.

NOTE VERBALE

Brussels, 23 July 1976.

The Mission of the People's Republic of Bangladesh to the European Communities presents its compliments to the Directorate General of External Relations and has the honour to refer to Note Verbale D2 of 23 July 1976, worded as follows:

'The Directorate General for External Relations presents its compliments to the Mission of the People's Republic of Bangladesh to the European Communities and has the honour to refer to the Agreement on trade in jute products negotiated between Bangladesh and the Community and initialled today.

The Directorate General for External Relations wishes to inform the Government of Bangladesh that while awaiting the completion of the necessary procedures for the conclusion and the coming into force of the Agreement, the Community is prepared to allow the provisions of the Agreement to apply *de facto* from today if the Government of the People's Republic of Bangladesh is disposed to do likewise.

The Directorate General for External Relations would be grateful if the Government of Bangladesh would confirm its agreement to the foregoing.

The Directorate General for External Relations avails itself of the opportunity to renew to the Mission of Bangladesh to the European Communities the assurances of its highest consideration.'

The Mission of the People's Republic of Bangladesh to the European Communities has the honour to confirm the Agreement of the Bangladesh authorities to apply *de facto* from today the provisions of the Agreement on trade in jute products negotiated between Bangladesh and the Community and initialled today.

The Mission of Bangladesh to the European Communities avails itself of this opportunity to renew to the Directorate General of External Relations the assurances of its highest consideration.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 25 July 1978

concerning the conclusion of the Financial Protocol between the European Economic Community and Greece

(78/666/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 238 thereof,

Having regard to the recommendation from the Commission,

Having regard to the opinion of the European Parliament ⁽¹⁾,

Whereas the Financial Protocol between the European Economic Community and Greece, signed in Brussels on 28 February 1977, should be approved,

HAS DECIDED AS FOLLOWS:

Article 1

The Financial Protocol between the European Economic Community and Greece is hereby approved on behalf of the Community.

The text of the Financial Protocol is annexed to this Decision.

Article 2

The President of the Council shall give the notification provided for in Article 13 (1) of the Protocol ⁽²⁾.

Done at Brussels, 25 July 1978.

For the Council

The President

K. von DOHNANYI

⁽¹⁾ OJ No C 163, 11. 7. 1977, p. 41,

⁽²⁾ See page 32 of this Official Journal.

FINANCIAL PROTOCOL

between the European Economic Community and Greece

HIS MAJESTY THE KING OF THE BELGIANS,

HER MAJESTY THE QUEEN OF DENMARK,

THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY,

THE PRESIDENT OF THE FRENCH REPUBLIC,

THE PRESIDENT OF IRELAND,

THE PRESIDENT OF THE ITALIAN REPUBLIC,

HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBOURG,

HER MAJESTY THE QUEEN OF THE NETHERLANDS,

HER MAJESTY THE QUEEN OF THE UNITED KINGDOM OF GREAT BRITAIN, AND NORTH-
ERN IRELAND,

and,

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

of the one part,

THE PRESIDENT OF THE HELLENIC REPUBLIC,

of the other part,

CONSCIOUS of the need to promote the accelerated development of the Greek economy with a view to
facilitating the pursuit of the objectives of the Agreement establishing an association between the
European Economic Community and Greece,

HAVE DESIGNATED as their Plenipotentiaries:

HIS MAJESTY THE KING OF THE BELGIANS:

HER MAJESTY THE QUEEN OF DENMARK:

THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY:

THE PRESIDENT OF THE FRENCH REPUBLIC:

THE PRESIDENT OF IRELAND:

THE PRESIDENT OF THE ITALIAN REPUBLIC:

HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBOURG:

HER MAJESTY THE QUEEN OF THE NETHERLANDS:

HER MAJESTY THE QUEEN OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND:

THE COUNCIL OF THE EUROPEAN COMMUNITIES:

THE PRESIDENT OF THE HELLENIC REPUBLIC:

WHO, having exchanged their Full Powers, found in good and due form,

HAVE AGREED AS FOLLOWS:

Article 1

Within the framework of the association between the European Economic Community and Greece, the Community shall participate on the terms set out in this Protocol in measures designed to promote, by efforts additional to those made by Greece itself, the accelerated development of the Greek economy and the complementarity of Greek agriculture with that of the Community.

Article 2

1. For the purposes specified in Article 1, and for a period expiring on 31 October 1981, an aggregate

amount of 280 million European units of account (EUA) may be committed as follows:

- (a) 225 million EUA in the form of loans from the European Investment Bank, hereinafter called 'the Bank', granted from its own resources on the terms set out in its Statute;
- (b) 45 million EUA in the form of grants;
- (c) 10 million EUA in the form of loans on special terms granted by the Bank acting on instructions from the Community.

2. Of the loans referred to in paragraph 1 (a), the interest rates for a maximum amount of 150 million EUA shall be subsidized at 3 % per annum, financed by

means of funds indicated in paragraph 1 (b), on the understanding that the cost to the Community of financing such subsidies may not exceed 30 million EUA.

3. Projects shall be eligible for financing by means of the loans referred to in paragraph 1 (a) if they have been submitted to the Bank by the Greek State or, with the latter's agreement, by public or private undertakings having their seat or a place of business in Greece, and which:

- (a) further the realization of the objectives of the Association Agreement; and
- (b) help to increase productivity and to diversify the Greek economy, and promote, in particular, the improvement of the economic infrastructure of the country and the modernization of its agriculture, while taking into account the objective of promoting the complementarity of Greek agriculture with that of the Community.

4. Examination of the eligibility of projects and the granting of the loans referred to in paragraph 1 (a) shall be undertaken in accordance with the detailed rules, conditions and procedures laid down by the Bank's Statute.

The conditions governing amortization of each loan shall be established on the basis of the economic and financial characteristics of the project to be financed.

5. The loans referred to in paragraph 1 (a) shall carry the same rate of interest as that applied by the Bank on the day of signature of the loan agreement. However, priority in granting loans receiving the interest rate subsidy of 3 % referred to in paragraph 2 shall be given to economic infrastructure or agricultural development projects, and to the financing of industrial projects for small and medium-sized undertakings through the intermediary of Greek development institutions.

The list of sectors may be revised by agreement between the Community and Greece.

6. The non-returnable grants provided for in paragraph 1 (b) are intended, in addition to the financing of the interest rate subsidy on loans from the Bank, for technical cooperation projects, study projects, and projects for modernizing Greek agriculture.

Requests for the financing of such projects shall be addressed by the Greek Government to the Community.

7. The loans referred to in paragraph 1 (c) shall be granted for a period of 30 years, have a deferment of amortization of eight years and be subject to interest at an annual rate of 2.5 %. Investment projects submitted to the Bank by the Greek State and aimed at moderniz-

ing Greek agriculture shall be eligible for financing by means of these loans. Loans in this category may be combined with the loans from the Bank which are referred to in paragraph 1 (a).

Article 3

1. The amounts to be committed each year shall be distributed as evenly as possible throughout the period of application of this Protocol. During the initial period of application, however, a proportionately higher amount may, within reasonable limits, be committed.

2. Any funds not committed may, by the end of the period referred to in Article 2 (1), be used until exhausted. In that case, the funds shall be used in accordance with the same arrangements as provided for in this Protocol.

Article 4

Aid from the Bank for the execution of projects may, with the agreement of Greece, take the form of co-financing.

Article 5

The execution, management and maintenance of schemes which are the subject of financing under this Protocol shall be the responsibility of Greece or of the other beneficiaries referred to in Article 2.

The Community shall ensure that its financial aid is expended in accordance with the agreed allocations and to the best economic advantage.

Article 6

Greece shall apply to contracts awarded for the execution of projects financed under this Protocol fiscal and customs arrangements at least as favourable as those applied in respect of other international organizations.

Greece shall take the necessary measures to ensure that interest and all other payments due to the Bank in respect of loans accorded under this Protocol are exempted from any national or local taxes or levies.

For the measures referred to in Article 2 (6) and (7), participation in tendering procedures and other procedures for the award of contracts shall be open, on equal terms, to all natural or legal persons of the

Member States and of Greece. However, for projects of a scale sufficiently limited so that in practice they are of interest solely to Greek undertakings, an accelerated tendering procedure involving a shorter period for the submission of tenders for the placing of bids may be organized after approval by the appropriate Community body.

Article 7

The loans may be used to cover expenditure on imports or the domestic expenditure required for carrying out approved capital projects, including expenditure on planning, on the services of consulting engineers and on technical assistance.

Article 8

Where a loan is accorded to a beneficiary other than the Greek State, the provision of a guarantee by the latter may be required by the Bank as a condition of the grant of the loan.

Article 9

Throughout the duration of the loans accorded pursuant to this Protocol, Greece shall undertake to make available to debtors enjoying such loans or to the guarantors of the loans the foreign currency necessary for the payment of interest, commission and other charges and for the repayment of capital.

Article 10

The results of financial cooperation may be examined within the Association Council.

Article 11

The declaration and the exchange of letters annexed to this Protocol shall form an integral part thereof.

Article 12

This Protocol shall be annexed to the Agreement establishing an association between the European Economic Community and Greece.

Article 13

1. This Protocol shall be subject to ratification, acceptance or approval in accordance with the Contracting Parties' own procedures; the Contracting Parties shall notify each other that the procedures necessary to this end have been completed.

2. This Protocol shall enter into force on the first day of the month following the date on which the notifications provided for in paragraph 1 have been given.

Article 14

This Protocol is drawn up in two copies in the Danish, Dutch, English, French, German, Italian and Greek languages; each of these texts being equally authentic.

ANNEX

Declaration of the European Economic Community on Article 2 of the Financial Protocol

1. The European unit of account used to express the amounts specified in Article 2 of the Financial Protocol is defined as the sum of the following amounts in the currencies of the Member States of the Community:

German mark:	0.828
Pound sterling:	0.0885
French franc:	1.15
Italian lira:	109
Dutch guilder:	0.286
Belgian franc:	3.66
Luxembourg franc:	0.14
Danish kroner:	0.217
Irish pound:	0.00759

2. The value of the European unit of account in any given currency is equal to the sum of the equivalent in that currency of the amounts of currency listed in paragraph 1. It is calculated by the Commission using daily market exchange rates.

The daily rates of exchange in the various national currencies are published in the *Official Journal of the European Communities*.

EXCHANGE OF LETTERS

A. Letter from the Chairman of the Community Delegation

Sir,

I have the honour to inform you that the Community considers that the problem of the consequences of the possible accession of Greece to the Community for the provisions of the second EEC-Greece Financial Protocol should be dealt with in the framework of the accession negotiations. In this respect, I must remind you of the general principle whereby no further financial commitments under the Protocol may be undertaken from the date of the entry into force of the Accession Treaty.

The accession negotiations must therefore include detailed rules to ensure a harmonious transition, as regards financial aid, from the regime of an associated country to that of a Member State with access, under the usual conditions, to the various Community funds and financial instruments.

I should be grateful if you would acknowledge receipt of this letter.

Please accept, Sir, the assurance of my highest consideration.

Chairman of the Community Delegation

B. Letter from the Chairman of the Greek Delegation

Sir,

I have the honour to acknowledge receipt of your letter of today's date in which you informed me of the following:

'I have the honour to inform you that the Community considers that the problem of the consequences of the possible accession of Greece to the Community for the provisions of the second EEC-Greece Financial Protocol should be dealt with in the framework of the accession negotiations. In this respect, I must remind you of the general principle whereby no further financial commitments under the Protocol may be undertaken from the date of the entry force of the Accession Treaty.

The accession negotiations must therefore include detailed rules to ensure a harmonious transition, as regards financial aid, from the regime of an associated country to that of a Member State with access, under the usual conditions, to the various Community funds and financial instruments.

I should be grateful if you would acknowledge receipt of this letter.'

Please accept, Sir, the assurance of my highest consideration.

Chairman of the Greek Delegation

Information on the date of entry into force of the Financial Protocol between the EEC and Greece, signed in Brussels on 28 February 1977

The Contracting Parties having notified one another on 26 July 1978 that the procedures necessary for the ratification, acceptance or approval of the Financial Protocol had been completed, the Protocol will enter into force, in accordance with Article 13 (2), on 1 August 1978.

COUNCIL DECISION

of 25 July 1978

authorizing prolongation or tacit renewal of certain Trade Agreements concluded between
the Member States and third countries

(78/667/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the Council Decision of 16 December 1969 on the progressive standardization of Agreements concerning commercial relations between Member States and third countries and on the negotiations of Community Agreements ⁽¹⁾, and in particular Article 3 thereof,

Having regard to the proposal from the Commission,

Whereas tacit extension beyond the end of the transitional period has already been authorized in the case of the Agreements listed in the Annex hereto by the Council under its Decisions of 28 January 1969 ⁽²⁾, 26 June 1969 ⁽³⁾, 30 June 1969 ⁽⁴⁾, 15 September 1969 ⁽⁵⁾, 17 October 1969 ⁽⁶⁾, 8 December 1969 ⁽⁷⁾, 20 December 1969 ⁽⁸⁾, 6 February 1970 ⁽⁹⁾, 8 June 1970 ⁽¹⁰⁾, 13 July 1970 ⁽¹¹⁾, 29 September 1970 ⁽¹²⁾, 23 November 1970 ⁽¹³⁾, 25 October 1971 ⁽¹⁴⁾, 18 October 1972 ⁽¹⁵⁾, 22 October 1973 ⁽¹⁶⁾, 2 October 1974 ⁽¹⁷⁾, 16 September 1975 ⁽¹⁸⁾, 20 September 1976 ⁽¹⁹⁾ and 18 July 1977 ⁽²⁰⁾;

Whereas the Member States concerned have, with a view to avoiding interruption in their commercial relations with the third countries concerned based on Agreement, requested authorization to prolong or renew the abovementioned Agreements;

Whereas authorization has to be granted only to maintain commercial relations between the Member States and the third countries concerned on the basis of Agreements, pending their replacement by Community Agreements to be negotiated; whereas such authorization should not, therefore, adversely affect the obligation incumbent upon the Member States to avoid, and, where appropriate to eliminate, any incompatibility between such Agreements and the provisions of Community law;

Whereas the provisions of the instruments to be either prolonged or renewed would not, furthermore, during the period under consideration, constitute an obstacle to the implementation of the common commercial policy;

Whereas the Member States concerned have declared that the prolongation or tacit renewal of these Agreements would not constitute an obstacle either to the opening of Community negotiations with the third countries concerned or to the transfer of the commercial fabric thereof to Community Agreements, nor would it, during the period under consideration, hinder the adoption of the measures necessary to complete the standardization of the import arrangements applied by the various Member States;

Whereas at the conclusion of the consultations provided for in Article 2 of the Decision of 16 December 1969 it was established, as the aforesaid declarations by the Member States confirm, that the provisions of the Agreements to be prolonged or renewed would not, during the period under consideration, constitute an obstacle to the implementation of the common commercial policy;

Whereas, in these circumstances, the Agreements concerned may be either prolonged or tacitly renewed for a period not exceeding one year,

⁽¹⁾ OJ No L 326, 29. 12. 1969, p. 39.

⁽²⁾ OJ No L 43, 20. 2. 1969, p. 15.

⁽³⁾ OJ No L 159, 1. 7. 1969, p. 20.

⁽⁴⁾ OJ No 169, 10. 7. 1969, p. 2.

⁽⁵⁾ OJ No L 238, 23. 9. 1969, p. 9.

⁽⁶⁾ OJ No L 266, 24. 10. 1969, p. 32.

⁽⁷⁾ OJ No L 323, 24. 12. 1969, p. 10.

⁽⁸⁾ OJ No L 6, 9. 1. 1970, p. 1.

⁽⁹⁾ OJ No L 36, 14. 2. 1970, p. 29.

⁽¹⁰⁾ OJ No L 133, 18. 6. 1970, p. 14.

⁽¹¹⁾ OJ No L 157, 18. 7. 1970, p. 29.

⁽¹²⁾ OJ No L 225, 12. 10. 1970, p. 24.

⁽¹³⁾ OJ No L 262, 3. 12. 1970, p. 18.

⁽¹⁴⁾ OJ No L 248, 9. 11. 1971, p. 7.

⁽¹⁵⁾ OJ No L 250, 6. 11. 1972, p. 1.

⁽¹⁶⁾ OJ No L 301, 30. 10. 1973, p. 30.

⁽¹⁷⁾ OJ No L 276, 11. 10. 1974, p. 37.

⁽¹⁸⁾ OJ No L 247, 23. 9. 1975, p. 29.

⁽¹⁹⁾ OJ No L 270, 2. 10. 1976, p. 26.

⁽²⁰⁾ OJ No L 197, 4. 8. 1977, p. 26.

HAS ADOPTED THIS DECISION:

Article 2

This Decision is addressed to the Member States.

Article 1

Done at Brussels, 25 July 1978.

The Trade Agreements between Member States and third countries listed in the Annex hereto may be prolonged or tacitly renewed up to the dates specified in each case in the Annex.

For the Council

The President

K. von DOHNANYI

BILAG — ANHANG — ANNEX — ANNEXE — ALLEGATO — BIJLAGE

Medlemsstat	Tredjeland	Aftalens art og datering	Udløb efter forlængelse eller videreførelse
Mitgliedstaat	Drittland	Art und Datum des Abkommens	Ablauf nach Verlängerung
Member State	Third country	Type and date of Agreement	Prolonged or renewed until
État membre	Pays tiers	Nature et date de l'accord	Échéance après prorogation ou reconduction
Stato membro	Paese terzo	Natura e data dell'accordo	Scadenza dopo la proroga o il rinnovo
Lid-Staat	Derde land	Aard en datum van het akkoord	Vervaldatum na verlenging
BENELUX	Grèce	Accord commercial	9. 3. 1960
	Japon	Accord commercial	8. 10. 1960
		Protocoles et agreed minutes	13. 4. 1963
		Échange de lettres	30. 4. 1963
DANMARK	Argentina	Handels- og betalingsaftale	25. 11. 1957
	Elfenbenskysten	Handelsaftale	23. 11. 1966
	Irak	Handelsaftale	13. 1. 1960
	Israel	Handelsaftale	13. 11. 1952
	Østrig	Vareudvekslingsaftale	29. 11. 1948
	Portugal	Vareudvekslingsaftale	2. 6. 1950
DEUTSCHLAND	Arabische Republik Ägypten	Abkommen über den Warenverkehr	18. 2. 1956
	Argentinien	Handels- und Zahlungsabkommen	25. 11. 1957
	Äthiopien	Wirtschafts- und Handelsabkommen	21. 4. 1964
	Australien	Liste der Einfuhrkontingente	
	Brasilien	Handelsabkommen	1. 7. 1955
	Chile	Protokoll über Handels- und Zahlungsverkehr	2. 11. 1956
	Dahome	Wirtschaftsabkommen	19. 6. 1961
	Elfenbeinküste	Wirtschaftsabkommen	18. 12. 1961
	Finnland	Notenwechsel	3. 12. 1969
	Gabun	Wirtschaftsabkommen	11. 7. 1962
	Guinea	Wirtschaftsabkommen	19. 4. 1962
	Irak	Handelsabkommen	7. 10. 1951
	Japan	Handelsabkommen	1. 7. 1960
	Kamerun	Handelsabkommen	8. 3. 1962
	Kenia	Wirtschafts- und Handelsabkommen	4. 12. 1964
	Kongo	Wirtschaftsabkommen	30. 10. 1962
	Madagaskar	Wirtschaftsabkommen	6. 6. 1962
	Marokko	Handelsabkommen und Briefwechsel Protokoll	15. 4. 1961 20. 1. 1964
	Neuseeland	Handelsabkommen	20. 4. 1959
	Niger	Wirtschaftsabkommen	14. 6. 1961
	Nigeria	Handelsabkommen	25. 3. 1963

Medlemsstat	Tredjeland	Aftalens art og datering		Udløb efter forlængelse eller videreførelse
Mitgliedstaat	Drittland	Art und Datum des Abkommens		Ablauf nach Verlängerung
Member State	Third country	Type and date of Agreement		Prolonged or renewed until
État membre	Pays tiers	Nature et date de l'accord		Échéance après prorogation ou reconduction
Stato membro	Paese terzo	Natura e data dell'accordo		Scadenza dopo la proroga o il rinnovo
Lid-Staat	Derde land	Aard en datum van het akkoord		Vervaldatum na verlenging
DEUTSCHLAND (Fortsetzung)	Österreich	Handelsabkommen	13. 5. 1954	} 31. 12. 1979
		Briefwechsel und Protokoll	21. 1. 1963	
	Obervolta	Wirtschaftsabkommen	8. 6. 1961	31. 12. 1979
	Pakistan	Handelsabkommen und Protokoll	9. 3. 1957	31. 12. 1979
	Paraguay	Handelsabkommen	25. 7. 1955	31. 12. 1979
	Schweiz	21. Zusatzprotokoll zum (aufgehobenen) deutsch-schweizerischen Handelsabkommen	13. 9. 1977	31. 12. 1979
	Sambia	Wirtschaftsabkommen	10. 12. 1966	31. 12. 1979
	Sierra Leone	Wirtschaftsabkommen	13. 9. 1963	31. 12. 1979
	Somalia	Handelsabkommen	19. 1. 1962	31. 12. 1979
	Sri Lanka	Handelsabkommen	1. 4. 1955	31. 12. 1979
	Südafrika	Liste der Einfuhrkontingente		31. 8. 1979
	Tansania	Handels- und Wirtschaftsabkommen	6. 9. 1962	31. 12. 1979
	Tschad	Wirtschaftsabkommen	31. 5. 1963	31. 12. 1979
	Tunesien	Handelsabkommen und Zusatzprotokoll	29. 1. 1960 22. 12. 1963	} 31. 12. 1979
	Uganda	Handelsabkommen	17. 3. 1964	
	Zentralafrikanische Republik	Wirtschaftsabkommen	29. 12. 1962	31. 12. 1979
	Zypern	Handelsabkommen	30. 10. 1961	31. 12. 1979
FRANCE	Argentine	Accord commercial et de paiement	25. 11. 1957	31. 12. 1979
	Autriche	Accord commercial et protocole	26. 7. 1963	31. 12. 1979
	Espagne	Accord commercial	27. 11. 1963	31. 10. 1979
	Iran	Accord commercial et échange de lettres	4. 6. 1959 28. 2. 1969	} 31. 12. 1979
	Islande	Accord économique	6. 12. 1951	
	Israël	Accord commercial Protocole Échange de lettres	10. 7. 1953 16. 1. 1967 24. 12. 1968	} 31. 12. 1979
	Japon	Accord commercial et Protocole	14. 5. 1963 26. 7. 1966	
	Mexique	Accord commercial	11. 7. 1950	
	Norvège	Accord commercial Protocole Échange de lettres	3. 7. 1951 2. 4. 1960 6. 2. 1964	} 31. 12. 1979
	Portugal	Arrangement commercial	25. 3. 1961	
	Suède	Accord commercial	3. 3. 1949	31. 12. 1979
	Suisse	Accord commercial	21. 11. 1967	31. 12. 1979
	Turquie	Accord commercial	31. 8. 1946	31. 12. 1979
	Yugoslavie	Accord commercial Protocole	25. 1. 1964 6. 5. 1970	} 31. 12. 1979

Medlemsstat	Tredjeland	Aftalens art og datering	Udløb efter forlængelse eller videreførelse
Mitgliedstaat	Drittland	Art und Datum des Abkommens	Ablauf nach Verlängerung
Member State	Third country	Type and date of Agreement	Prolonged or renewed until
État membre	Pays tiers	Nature et date de l'accord	Échéance après prorogation ou reconduction
Stato membro	Paese terzo	Natura e data dell'accordo	Scadenza dopo la proroga o il rinnovo
Lid-Staat	Derde land	Aard en datum van het akkoord	Vervaldatum na verlenging
IRELAND	Norway	Trade Agreement 2. 7. 1951	31. 12. 1979
ITALIA	Afganistan	Accordo commerciale 10. 12. 1960	23. 11. 1979
	Argentina	Accordo commerciale e scambio di note 25. 11. 1957	31. 12. 1979
	Canada	Modus vivendi commerciale 28. 4. 1948	31. 12. 1979
	Costa Rica	Modus vivendi commerciale e scambio di note 20. 2. 1953 23. 6. 1953 }	12. 11. 1979
	Giappone	Agreed minutes 31. 12. 1969	30. 9. 1979
	Guatemala	Modus vivendi commerciale 6. 6. 1936	31. 12. 1979
	Irak	Accordo commerciale 30. 9. 1963	30. 11. 1979
	Malta	Accordo commerciale 28. 7. 1967	31. 12. 1979
	Marocco	Accordo commerciale 28. 1. 1961 Protocollo 24. 2. 1963 }	31. 12. 1979
	Messico	Accordo commerciale 15. 9. 1949 Protocollo 28. 10. 1963 Scambio di note 20. 7. 1963 }	31. 12. 1979
	Pakistan	Accordo commerciale 10. 1. 1961	10. 1. 1980
	Paraguay	Accordo commerciale 8. 7. 1959	23. 1. 1980
	Portogallo	Accordo commerciale e scambio di note 4. 3. 1961 Scambio di lettere 30. 12. 1961 }	31. 12. 1979
	Repubblica araba d'Egitto	Protocollo commerciale 29. 4. 1959	31. 12. 1979
	Siria	Accordo commerciale 10. 11. 1955	31. 12. 1979
	Tunisia	Accordo commerciale e protocollo addizionale 23. 11. 1961 2. 8. 1963 }	31. 12. 1979
NEDERLAND	Arabische Republiek Egypte	Handelsovereenkomst 21. 3. 1953	31. 12. 1979
	Argentinië	Handels- en betalingsovereenkomst 25. 11. 1957	31. 12. 1979
	Turkije	Handelsakkoord 6. 9. 1949	31. 12. 1979
UEBL	Argentine	Accord commercial et de paiement 25. 11. 1957	31. 12. 1979
	Finlande	Accord commercial 8. 11. 1955	30. 9. 1979
	Pakistan	Accord commercial 15. 3. 1952	31. 12. 1979
UNITED KINGDOM	Spain	Trade and Payments Agreement 23. 6. 1948	31. 12. 1979
		extended by exchange of notes ending with that of 19/25. 6. 1952 }	

COUNCIL DECISION

of 25 July 1978

on a research programme of the European Economic Community on forecasting and assessment in the field of science and technology (1978 to 1982)

(78/668/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 2 and 235 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament ⁽¹⁾,

Having regard to the opinion of the Economic and Social Committee ⁽²⁾,

Whereas research and development activities can play an important part in achieving the long-term objectives of the Community;

Whereas the Council, in its resolution of 14 January 1974 ⁽³⁾, approved an action programme of the European Communities on forecasting, assessment and methodology which is a necessary element for defining the long-term action of the Communities and ensures technical backing for future decisions of Community institutions in the scientific and technological field;

Whereas the ensuing study entitled 'Europe plus 30' stressed the usefulness and need for long-term forecasting activities to guide Community policies and decisions;

Whereas the Council in the said resolution has taken note of the fact that the Commission intends to submit, in the near future, concrete proposals on the basis of the results of the 'Europe plus 30' study;

Whereas rather than creating a Community Forecasting Institute as suggested in the 'Europe plus 30' study, it is preferable that the Community should enlarge its experience during a five-year experimental phase;

Whereas extensive research work is being carried out on forecasting and assessment of technology at a national

and international level but is not at the present time sufficiently used by the Community nor specifically tailored to the particular problems facing the Community;

Whereas the Council, in its resolution of 14 January 1974 on the coordination of national policies and the definition of projects of interest to the Community in the field of science and technology ⁽⁴⁾, entrusted the Commission and the Council with the task of progressively carrying out this coordination with the assistance of the Scientific and Technical Research Committee (CREST);

Whereas Member States should endeavour, in the framework of the rules and procedures applicable to their national programmes, to coordinate research work carried out by the research bodies and institutes specialized in the field of forecasting and assessment;

Whereas the Commission should be granted the capability of defining priority areas for research and development action of the Community taking into account possible long-term developments and of determining the long-term effects of research and development activities on the social and economic development of the Community;

Whereas CREST has delivered an opinion on the proposal from the Commission,

HAS DECIDED AS FOLLOWS:

Article 1

The research programme of the European Economic Community on forecasting and assessment in the field of science and technology as defined in the Annex is hereby adopted. The programme shall be for a period of five years.

Article 2

The ceiling for expenditure commitments and the maximum number of staff necessary for the execution

⁽¹⁾ OJ No C 299, 12. 12. 1977, p. 41.

⁽²⁾ OJ No C 59, 8. 3. 1978, p. 19.

⁽³⁾ OJ No C 7, 29. 1. 1974, p. 7.

⁽⁴⁾ OJ No C 7, 29. 1. 1974, p. 2.

of the programme are set respectively at 4.4 million European units of account, and 10 temporary staff within the meaning of Article 2 (a) of the conditions of employment of other servants of the European Communities, set by Regulation (EEC, Euratom, ECSC) No 259/68 ⁽¹⁾, as last amended by Regulation (Euratom, ECSC, EEC) No 914/78 ⁽²⁾. The European unit of account is defined by the current Financial Regulation applicable to the general budget of the European Communities.

Article 3

The Commission shall be responsible for the implementation of the programme. It shall be assisted in this task by an Advisory Committee on Programme Management to be set up by the Commission, conforming to the Council resolution of 18 July 1977 ⁽³⁾.

Article 4

The Commission shall assess the result of the programme and report to the Council and to the European Parliament at the end of the fourth year.

Article 5

The information resulting from the implementation of the programme shall be disseminated in accordance with Regulation (EEC) No 2380/74 ⁽⁴⁾.

Article 6

This Decision shall take effect on the day following its publication in the *Official Journal of the European Communities*.

Done at Brussels, 25 July 1978.

For the Council

The President

K. von DOHNANYI

⁽¹⁾ OJ No L 56, 4. 3. 1968, p. 1.

⁽²⁾ OJ No L 119, 3. 5. 1978, p. 8.

⁽³⁾ OJ No C 192, 11. 8. 1977, p. 1.

⁽⁴⁾ OJ No L 255, 20. 9. 1974, p. 1.

ANNEX

Research programme of the European Economic Community on forecasting and assessment in the field of science and technology

(1978 to 1982)

(Indirect action)

1. The main aim of the research programme is to contribute to the definition of long-term Community research and development objectives and priorities and thus to the development of a coherent science and technology policy in the long term.
 2. Work should concentrate on the following three priority areas: long-term supply of resources, long-term technical and structural change, and long-term social change.
 3. To achieve the aim referred to in point 1, the programme has three main tasks within the three above priority areas referred to in point 2:
 - (a) Analyzing existing forecasting and assessment research activities within the Community and elsewhere with regard to their relevance to the development of the Community's scientific and technological policy.
 - (b) Highlighting prospects, problems and potential conflicts likely to affect the long term development of the Community and defining alternative courses of Community research and development action to help solve or achieve them or to render concrete these possibilities. The research is to be specifically problem orientated and geared to the practical needs of the Community institutions and member governments and chosen on the basis of appropriate criteria. This research is not to be only carried out on current or long term problems of Community interest, not being studied in depth elsewhere, or of a multi-sectoral or multi-disciplinary nature, the solution of which contributes to the development of the Community's scientific and technological policy as a whole. Particular attention is also to be paid to adapting and improving forecasting methodology.
 - (c) Establishing, in cooperation with Member States, an *ad hoc* system of collaboration between specialized research groups within the Community and so creating a series of Community forecasting networks. The networks must be as flexible and informal as possible, created and adapted to the particular problem under study. The networks must have the dual function of providing an active input into the programme and encouraging coordination through the exchange of information and researchers between participating centres.
-

COUNCIL DIRECTIVE

of 2 August 1978

amending Directive 71/305/EEC concerning the coordination of procedures for the award of public works contracts

(78/669/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 57 (2), 66 and 100 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament ⁽¹⁾,

Having regard to the opinion of the Economic and Social Committee ⁽²⁾,

Whereas Council Directive 71/305/EEC of 26 July 1971 concerning the coordination of procedures for the award of public works contracts ⁽³⁾ lays down a threshold in units of account for determining the estimated amount of public works contracts from which the Directive applies;

Whereas, in accordance with the said Directive, the rates used for converting units of account into national currencies were defined by reference to the gold parity unit of account; whereas the conversion of the said threshold into national currencies on the basis of this definition does not reflect the present values of those currencies and has, therefore, produced differing effects in the various Member States;

Whereas Article 10 of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities ⁽⁴⁾ defines a European unit of account representing the average variation in value of the currencies of the Community Member States; whereas the exchange value of this unit of account in each of the currencies of the Member States is determined daily; whereas its use for the purpose of the Directive requires that a reference date be fixed;

Whereas Council Directive 77/62/EEC of 21 December 1976 coordinating procedures for the award of public supply contracts ⁽⁵⁾ expresses the threshold from which that Directive shall apply in European units of account,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 71/305/EEC is amended as follows:

1. Article 7 (1) shall be replaced by the following:

- '1. (a) The provisions of Titles II, III and IV and Article 9 shall apply, under the conditions laid down in Article 5, to public works contracts the estimated value of which net of VAT is not less than 1 000 000 European units of account.
- (b) The European unit of account shall be that defined by Article 10 of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities.
- (c) The exchange value in national currency to be applied shall be the average of the daily value of this currency over the preceding 12 months, calculated on the last day of October every two years, with effect from the following 1 January. This exchange value, calculated by the Commission, shall be published in the *Official Journal of the European Communities* during the first days of November.
- (d) The method of calculation laid down in subparagraph (c) shall be examined, on the Commission's initiative, within the Advisory Committee for Public Contracts two years after its initial application.

⁽¹⁾ OJ No C 108, 8. 5. 1978, p. 56.

⁽²⁾ OJ No C 101, 26. 4. 1978, p. 28.

⁽³⁾ OJ No L 185, 16. 8. 1971, p. 5.

⁽⁴⁾ OJ No L 356, 31. 12. 1977, p. 1.

⁽⁵⁾ OJ No L 13, 15. 1. 1977, p. 1.

- (e) This method shall in any event be reviewed once the Council has acted on the proposal for a Regulation, submitted by the Commission, applying the European unit of account (EUA) to the general budget of the European Communities and to the legal Acts adopted by the institutions.'

2. The following footnote shall be added: '(1) OJ No L 356, 31. 12. 1977, p. 1'.
3. In Article 19, the words 'such contract is not less than 500 000 units of account' shall be replaced by 'such contract net of VAT is not less than 500 000 European units of account'.

Article 2

Member States shall adopt the measures necessary to comply with this Directive within six months of its notification. They shall forthwith inform the Commission thereof.

Article 3

This Directive is addressed to the Member States.

Done at Brussels, 2 August 1978.

For the Council

The President

K. von DOHNANYI
