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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 72/79**of 17 January 1979****fixing the import levies on cereals and on wheat or rye flour, groats and meal**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2727/75 of 29 October 1975 on the common organiza-
tion of the market in cereals ⁽¹⁾, as last amended by
Regulation (EEC) No 1254/78 ⁽²⁾, and in particular
Article 13 (5) thereof,

Whereas the import levies on cereals, wheat and rye
flour, and wheat groats and meal were fixed by Regula-
tion (EEC) No 2724/78 ⁽³⁾ and subsequent amending
Regulations ;

Whereas it follows from applying the provisions
contained in Regulation (EEC) No 2724/78 to the

offer prices and today's quotations known to the
Commission that the levies at present in force should
be altered as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

The import levies to be charged on products listed in
Article 1 (a), (b) and (c) of Regulation (EEC) No
2727/75 are hereby fixed as shown in the table
annexed to this Regulation.

Article 2

This Regulation shall enter into force on 18 January
1979.

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

Done at Brussels, 17 January 1979.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 156, 14. 6. 1978, p. 1.

⁽³⁾ OJ No L 329, 24. 11. 1978, p. 1.

ANNEX

to the Commission Regulation of 17 January 1979 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(u.a./tonne)

CCT heading No	Description	Levies
10.01 A	Common wheat, and meslin	83.09
10.01 B	Durum wheat	122.67 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	89.93 ⁽⁶⁾
10.03	Barley	90.28
10.04	Oats	85.29
10.05 B	Maize, other than hybrid maize for sowing	77.30 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	3.55
10.07 B	Millet	73.14 ⁽⁴⁾
10.07 C	Grain sorghum	79.84 ⁽⁴⁾
10.07 D	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	127.82
11.01 B	Rye flour	136.61
11.02 A I a)	Durum wheat groats and meal	201.12
11.02 A I b)	Common wheat groats and meal	137.15

⁽¹⁾ Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by 0.50 u.a./tonne.

⁽²⁾ Where maize originating in the ACP or OCT is imported into the French overseas departments the levy is reduced by 6 u.a./tonne as provided for in Regulation (EEC) No 706/76.

⁽³⁾ Where maize originating in the ACP or OCT is imported into the Community the levy is reduced by 1.50 u.a./tonne.

⁽⁴⁾ Where millet and sorghum originating in the ACP or OCT is imported into the Community the levy is reduced by 50 %.

⁽⁵⁾ Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by 0.50 u.a./tonne.

⁽⁶⁾ The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 and Commission Regulation (EEC) No 2622/71.

COMMISSION REGULATION (EEC) No 73/79**of 17 January 1979****fixing the premiums to be added to the import levies on cereals, flour and malt**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2727/75 of 29 October 1975 on the common organ-
ization of the market in cereals ⁽¹⁾, as last amended by
Regulation (EEC) No 1254/78 ⁽²⁾, and in particular
Article 15 (6) thereof,

Whereas the premiums to be added to the levies on
cereals and malt were fixed by Regulation (EEC) No
2725/78 ⁽³⁾ and subsequent amending Regulations ;

Whereas, on the basis of today's cif prices and cif
forward delivery prices, the premiums at present in
force, which are to be added to the levies, should be

altered as shown in the tables annexed to this Regula-
tion,

HAS ADOPTED THIS REGULATION :

Article 1

The scale of the premiums to be added, pursuant to
Article 15 of Regulation (EEC) No 2727/75, to the
import levies fixed in advance in respect of cereals
and malt is hereby fixed as shown in the tables
annexed to this Regulation.

Article 2

This Regulation shall enter into force on 18 January
1979.

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

Done at Brussels, 17 January 1979.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 156, 14. 6. 1978, p. 1.

⁽³⁾ OJ No L 329, 24. 11. 1978, p. 4.

ANNEX

to the Commission Regulation of 17 January 1979 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(u.a./tonne)

CCT heading No	Description	Current 1	1st period 2	2nd period 3	3rd period 4
10.01 A	Common wheat, and meslin	0	0	0	0
10.01 B	Durum wheat	0	4.06	4.06	4.06
10.02	Rye	0	0	0	0
10.03	Barley	0	3.81	3.81	3.81
10.04	Oats	0	0.91	0.91	1.22
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	1.68
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

(u.a./tonne)

CCT heading No	Description	Current 1	1st period 2	2nd period 3	3rd period 4	4th period 5
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	6.78	6.78	6.78	6.78
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	5.07	5.07	5.07	5.07
11.07 B	Roasted malt	0	5.91	5.91	5.91	5.91

COMMISSION REGULATION (EEC) No 74/79**of 17 January 1979****fixing the import levies on rice and broken rice**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1418/76 of 21 June 1976 on the common organiza-
tion of the market in rice ⁽¹⁾, as last amended by Regu-
lation (EEC) No 1260/78 ⁽²⁾, and in particular Article
11 (2) thereof,

Whereas the import levies on rice and broken rice
were fixed by Regulation (EEC) No 2364/78 ⁽³⁾, as last
amended by Regulation (EEC) No 40/79 ⁽⁴⁾;

Whereas it follows from applying the rules and other
provisions contained in Regulation (EEC) No 2364/78
to the offer prices and today's quotations known to

the Commission that the levies at present in force
should be altered as shown in the table annexed to
this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the products listed
in Article 1 (1) (a) and (b) of Regulation (EEC) No
1418/76 are hereby fixed as shown in the table
annexed to this Regulation.

Article 2

This Regulation shall enter into force on 18 January
1979.

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

Done at Brussels, 17 January 1979.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 156, 14. 6. 1978, p. 11.

⁽³⁾ OJ No L 286, 12. 10. 1978, p. 5.

⁽⁴⁾ OJ No L 7, 11. 1. 1979, p. 5.

ANNEX

to the Commission Regulation of 17 January 1979 fixing the import levies on rice and broken rice

(u.a. / tonne)

CCT heading No	Description	Third countries ⁽¹⁾	ACP or OCT ⁽¹⁾ ⁽²⁾ ⁽³⁾
10.06	Rice : A. Paddy rice ; husked rice : I. Paddy rice : a) Round grain b) Long grain II. Husked rice : a) Round grain b) Long grain B. Semi-milled or wholly milled rice : I. Semi-milled rice : a) Round grain b) Long grain II. Wholly milled rice : a) Round grain b) Long grain C. Broken rice :	103.54 125.30 129.42 156.63 174.62 278.02 185.97 298.04 61.48	48.77 59.65 61.71 75.32 77.41 129.15 82.74 138.77 28.24

⁽¹⁾ Subject to the application of the provisions of Article 9 of Regulation (EEC) No 706/76.

⁽²⁾ In accordance with Regulation (EEC) No 706/76, the levies are not applied to imports into the French overseas departments of products originating in the African, Caribbean and Pacific States or in the 'overseas countries and territories'.

⁽³⁾ The import levy on rice entering the overseas department of Reunion is specified in Article 11a of Regulation (EEC) No 1418/76.

COMMISSION REGULATION (EEC) No 75/79**of 17 January 1979****fixing the premiums to be added to the import levies on rice and broken rice**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1418/76 of 21 June 1976 on the common organiza-
tion of the market in rice ⁽¹⁾, as last amended by Regu-
lation (EEC) No 1260/78 ⁽²⁾, and in particular Article
13 (6) thereof,

Whereas the premiums to be added to the levies on
rice and broken rice were fixed by Regulation (EEC)
No 3107/78 ⁽³⁾, as last amended by Regulation (EEC)
No 41/79 ⁽⁴⁾;

Whereas, on the basis of today's cif prices and cif
forward delivery prices, the premiums at present in

force, which are to be added to the levies, should be
altered as shown in the table annexed to this Regula-
tion,

HAS ADOPTED THIS REGULATION:

Article 1

The premiums to be added to the import levies fixed
in advance in respect of rice and broken rice are
hereby fixed as shown in the table annexed to this
Regulation.

Article 2

This Regulation shall enter into force on 18 January
1979.

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

Done at Brussels, 17 January 1979.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 156, 14. 6. 1978, p. 11.

⁽³⁾ OJ No L 370, 30. 12. 1978, p. 7.

⁽⁴⁾ OJ No L 7, 11. 1. 1979, p. 7.

ANNEX

to the Commission Regulation of 17 January 1979 fixing the premiums to be added to the import levies on rice and broken rice

(u.a. / tonne)

CCT heading No	Description	Current 1	1st period 2	2nd period 3	3rd period 4
10.06	Rice :				
	A. Paddy rice ; husked rice :				
	I. Paddy rice :				
	a) Round grain	0	0	0	—
	b) Long grain	0	0	0	—
	II. Husked rice :				
	a) Round grain	0	0	0	—
	b) Long grain	0	0	0	—
	B. Semi-milled or wholly milled rice :				
	I. Semi-milled rice :				
	a) Round grain	0	0	0	—
	b) Long grain	0	0	0	—
	II. Wholly milled rice :				
	a) Round grain	0	0	0	—
	b) Long grain	0	0	0	—
	C. Broken rice	0	0	0	0

COMMISSION REGULATION (EEC) No 76/79**of 16 January 1979****establishing the standard average values for customs purposes of citrus fruits
and apples and pears**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Commission Regulation (EEC) No
1570/70 of 3 August 1970 establishing a system of
standard average values for citrus fruits⁽¹⁾, as last
amended by Regulation (EEC) No 223/78⁽²⁾, and in
particular Article 2 thereof,

Having regard to Commission Regulation (EEC) No
1641/75 of 27 June 1975 establishing a system of
standard average values for the determination of the
value for customs purposes of apples and pears⁽³⁾, as
amended by Regulation (EEC) No 224/78⁽⁴⁾, and in
particular Article 2 thereof,

Whereas it follows from the application of the notes
and criteria laid down by Regulations (EEC) No

1570/70 and (EEC) No 1641/75 to the elements
communicated to the Commission in accordance with
Article 4 (1) of Regulation (EEC) No 1570/70 and
Article 4 (1) of Regulation (EEC) No 1641/75 that the
standard average values should be fixed as shown in
the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The standard average values provided for in Article 2
(1) of Regulation (EEC) No 1570/70 and in Article 2
(1) of Regulation (EEC) No 1641/75 shall be as shown
in the tables in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 19 January
1979.

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

Done at Brussels, 16 January 1979.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 171, 4. 8. 1970, p. 10.

⁽²⁾ OJ No L 32, 3. 2. 1978, p. 7.

⁽³⁾ OJ No L 165, 28. 6. 1975, p. 45.

⁽⁴⁾ OJ No L 32, 3. 2. 1978, p. 10.

ANNEX

Table I: Citrus fruits

Code	Description	Amount of standard average values/100 kg gross						
		Bfrs/Lfrs	Dkr	DM	FF	£	Lit	Fl
1.	Lemons :							
1.1	— Spain.	1 293	226.93	81.77	188.07	22.07	36 967	88.35
1.2	(deleted)							
1.3	— Countries in southern Africa	—	—	—	—	—	—	—
1.4	— Other African countries and countries on the Mediterranean	1 407	247.05	89.02	204.75	24.03	40 244	96.19
1.5	— USA	1 610	282.66	101.85	234.26	27.49	46 046	110.05
1.6	— Other countries	—	—	—	—	—	—	—
2.	Sweet oranges :							
2.1	— Countries on the Mediterranean :							
2.1.1	— Navels (with the exception of Navel sanguines), Navelines, Navelates, Salustianas, Vernas, Valencia lates, Maltese blondes, Shamoutis, Ovalis, Trovita, Hamlins	902	158.35	57.06	131.24	15.40	25 795	61.65
2.1.2	— Sanguines and semi-sanguines, including Navel sanguines and Maltese sanguines	— ⁽¹⁾	— ⁽¹⁾	— ⁽¹⁾	— ⁽¹⁾	— ⁽¹⁾	— ⁽¹⁾	— ⁽¹⁾
2.1.3	— Other	692	121.60	43.82	100.78	11.83	19 809	47.34
2.2	— Countries in southern Africa	—	—	—	—	—	—	—
2.3	— USA	—	—	—	—	—	—	—
2.4	— Brazil	—	—	—	—	—	—	—
2.5	— Other countries	985	173.02	62.35	143.40	16.83	28 186	67.37
3.	Grapefruit and pomelos :							
3.1	(deleted)							
3.2	— Cyprus, Israel, Gaza, Egypt, Turkey	872	153.11	55.17	126.89	14.89	24 941	59.61
3.3	— Countries in southern Africa	—	—	—	—	—	—	—
3.4	— USA	1 169	205.30	73.98	170.15	19.97	33 444	79.93
3.5	— Other American countries	845	148.39	53.47	122.98	14.43	24 172	57.77
3.6	— Other countries	—	—	—	—	—	—	—
4.	Clementines	1 493	262.09	94.44	217.21	25.49	42 694	102.04
5.	Mandarines including Wilkings	— ⁽¹⁾	— ⁽¹⁾	— ⁽¹⁾	— ⁽¹⁾	— ⁽¹⁾	— ⁽¹⁾	— ⁽¹⁾
6.	Monreales and satsumas	900	157.96	56.92	130.91	15.36	25 732	61.50
7.	Tangerines, tangelos, tangors and other citrus fruits falling within subheading 08.02 B of the Common Customs Tariff, not elsewhere specified or included . . .	1 377	241.67	87.08	200.29	23.51	39 368	94.09

⁽¹⁾ The standard average value for this code number is established by Regulation (EEC) No 2148/78 of 12 September 1978 (OJ No L 251 of 14. 9. 1978).

Table II: Apples and pears

8.	Apples :							
8.1	— Countries of the southern hemisphere	—	—	—	—	—	—	—
8.2	— European third countries.	823	144.50	52.07	119.76	14.05	23 539	56.26
8.3	— Countries of the northern hemisphere other than European countries	1 248	219.01	78.92	181.51	21.30	35 677	85.27
9.	Pears :							
9.1	— Countries of the southern hemisphere	—	—	—	—	—	—	—
9.2	— European third countries.	—	—	—	—	—	—	—
9.3	— Countries of the northern hemisphere other than European countries	1 638	287.54	103.61	238.31	27.97	46 841	111.95

COMMISSION REGULATION (EEC) No 77/79
of 17 January 1979
fixing the amount of the subsidy on oil seeds

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 1562/78⁽²⁾, and in particular Article 27 (4) thereof,

Whereas the amount of the subsidy referred to in Article 27 of Regulation No 136/66/EEC was fixed by Regulation (EEC) No 3048/78⁽³⁾, as last amended by Regulation (EEC) No 44/79⁽⁴⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 3048/78

to the information at present available to the Commission that the amount of the subsidy at present in force should be altered as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The amount of the subsidy referred to in Article 27 of Regulation No 136/66/EEC is hereby fixed as shown in the table annexed to this Regulation.

Article 2

This Regulation shall enter into force on 18 January 1979.

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

Done at Brussels, 17 January 1979.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽²⁾ OJ No L 185, 7. 7. 1978, p. 1.

⁽³⁾ OJ No L 361, 23. 12. 1978, p. 18.

⁽⁴⁾ OJ No L 7, 11. 1. 1979, p. 13.

*ANNEX***to the Commission Regulation of 17 January 1979 fixing the amount of the subsidy
on oil seeds**

Subsidy applicable from 18 January 1979 to colza and rape seed (CCT heading No ex 12.01) and
sunflower seeds (CCT heading No ex 12.01) (u.a./100 kg)

	Colza and rape seed	Sunflower seed
Subsidy	13·518	12·412
Subsidy in the case of advance fixing :		
— for the month of January 1979	13·518	12·412
— for the month of February 1979	13·828	12·774
— for the month of March 1979	14·138	13·136
— for the month of April 1979	14·984	13·344
— for the month of May 1979	14·984	—
— for the month of June 1979	14·863	—

COMMISSION REGULATION (EEC) No 78/79
of 17 January 1979
fixing the world market price for colza and rape seed

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the markets in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 1562/78⁽²⁾,

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza and rape seed⁽³⁾, as last amended by Regulation (EEC) No 852/78⁽⁴⁾,

Having regard to Commission Regulation (EEC) No 2300/73 of 23 August 1973 laying down detailed rules for applying differential amounts for colza and rape seed and repealing Regulation (EEC) No 1464/73⁽⁵⁾, as last amended by Regulation (EEC) No 1234/77⁽⁶⁾, and in particular Article 9 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, pursuant to Article 9 (4) of Regulation (EEC) No 2300/73, the Commission must determine the world market price for colza and rape seed;

Whereas the world market price should be determined in accordance with the rules and the criteria set out in Commission Regulation (EEC) No 3048/78 of 22 December 1978 fixing the amount of the

subsidy on oil seeds⁽⁷⁾, as last amended by Regulation (EEC) No 77/79⁽⁸⁾;

Whereas, to enable the price system to operate normally, the world market price should be calculated on the following basis:

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2.25 %, a rate of exchange based on their effective parity;
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period in relation to the Community currencies referred to in the previous subparagraph;

Whereas, applying all these provisions, the world market price for colza and rape seed should be fixed as shown in the table annexed to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The world market price referred to in Article 9 (4) of Regulation (EEC) No 2300/73 and the rates to be used for converting them into national currencies shall be as shown in the table annexed to this Regulation.

Article 2

This Regulation shall enter into force on 18 January 1979.

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

Done at Brussels, 17 January 1979.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽²⁾ OJ No L 185, 7. 7. 1978, p. 1.

⁽³⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁴⁾ OJ No L 116, 28. 4. 1978, p. 6.

⁽⁵⁾ OJ No L 236, 24. 8. 1973, p. 28.

⁽⁶⁾ OJ No L 143, 10. 6. 1977, p. 9.

⁽⁷⁾ OJ No L 361, 23. 12. 1978, p. 18.

⁽⁸⁾ See page 11 of this Official Journal.

ANNEX

World market price applicable from 18 January 1979 for colza and rape seed (CCT heading No ex 12.01)

	u.a./100 kg ⁽¹⁾
World market price	17.702
World market price where the subsidy is fixed in advance :	
— for the month of January 1979	17.702
— for the month of February 1979	17.702
— for the month of March 1979	17.702
— for the month of April 1979	16.856
— for the month of May 1979	16.856
— for the month of June 1979	16.977

⁽¹⁾ The conversion rates from units of account into national currency as foreseen by Article 9 (5) (a) of Regulation (EEC) No 2300/73 are the following :

1 u.a. = DM	3.03524
1 u.a. = Fl	3.28928
1 u.a. = Bfr/Lfr	47.7031
1 u.a. = FF	6.97496
1 u.a. = Dkr	8.56656
1 u.a. = £	0.814604
1 u.a. = I £	0.814604
1 u.a. = Lit	1 375.42

II

(Acts whose publication is not obligatory)

COMMISSION

SUPPLEMENTARY PROTOCOL

to the Agreement of 28 July 1956⁽¹⁾ between the Federal Council of the Swiss Confederation, of the one part, and the Governments of the Member States of the European Coal and Steel Community and the High Authority of the European Coal and Steel Community, of the other part, on the introduction of through international railway tariffs for the carriage of coal and steel through Swiss territory

Signed on 10 October 1974

Entered into force on 17 September 1978

(79/38/ECSC)

THE FEDERAL COUNCIL OF THE SWISS CONFEDERATION (hereinafter called 'the Federal Council'),

of the one part, and

THE GOVERNMENTS OF THE MEMBER STATES OF THE EUROPEAN COAL AND STEEL COMMUNITY (hereinafter called 'the Community') AND THE COMMISSION OF THE EUROPEAN COMMUNITIES,

of the other part,

HAVE AGREED AS FOLLOWS:

Article 1

The Governments of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland hereby accede to the Agreement of 28 July 1956 between the Federal Council of the Swiss Confederation of the one part, and the Governments of the Member States of the European Coal and Steel Community and the High Authority of the European Coal and Steel Community, of the other part, on the introduction of through international railway tariffs for the carriage of coal and steel through Swiss territory (hereinafter called 'the Agreement').

Article 2

The Danish and English texts of the Agreement, annexed as the original texts.

⁽¹⁾ OJ (ECSC) No 17, 29. 5. 1957, p. 223/57.

Article 3

The Commission of the European Communities shall accept this Protocol as binding by virtue of its signature.

The Government of each Member State of the Community shall notify the Federal Council that the conditions necessary for the entry into force of this Protocol have been fulfilled in accordance with the provisions of its domestic law.

This Protocol shall enter into force one month after the date on which the Federal Council has informed the other Parties to the Agreement that the notification provided for in the second subparagraph has been received and that the conditions necessary for the entry into force of this Protocol have been fulfilled in accordance with the provisions of Swiss law.

Article 4

This Protocol shall be deposited with the Federal Council. The Federal Council shall transmit certified true copies thereof to the Governments of the Member States of the Community and to the Commission of the European Communities.

BILAG — ANHANG — ANNEX — ANNEXE — ALLEGATO — BIJLAGE

AFTALE

om indførelse af direkte internationale jernbanetariffer for transport af kul og stål i transit gennem det schweiziske område

DET SCHWEIZISKE FORBUNDSRÅD, herefter benævnt »Forbundsrådet«

på den ene side, og

REGERINGERNE FOR MEDLEMSSTATERNE I DET EUROPÆISKE KUL- OG STÅLFÆLLESSKAB, herefter benævnt »Fællesskabet«, og

DEN HØJE MYNDIGHED FOR DET EUROPÆISKE KUL- OG STÅLFÆLLESSKAB, herefter benævnt »Den høje Myndighed«

på den anden side

SOM ØNSKER

- at uddybe de forbindelser, der består mellem Schweiz og Fællesskabet,
- at behandle fælles problemer vedrørende jernbanetransport,
- at indføre direkte internationale jernbanetariffer for transport af kul og stål mellem medlemsstaterne gennem det schweiziske jernbanenet,

ER BLEVET ENIGE OM FØLGENDE:

Artikel 1

I denne aftale betyder »direkte internationale tariffer« de offentliggjorte transportpriser og -vilkår, der gælder for transport af kul og stål, som på grundlag af én fragtkontrakt befordres mellem områderne i medlemsstaterne i Fællesskabet over det schweiziske jernbanenet.

I denne aftale betyder »områder i medlemsstaterne i Fællesskabet« de områder, på hvilke traktaten om opretholdelse af Det europæiske Kul- og Stålfællesskab finder anvendelse.

Artikel 2

I denne aftale består prisen for fragten i direkte internationale tariffer af fragthandelen for jernbanerne i medlemsstaterne i Fællesskabet og fragtandelen for de schweiziske jernbaner.

Fragtandelen for jernbanerne i hver medlemsstat skal tage den samlede transportafstand i betragtning, heri medregnet den schweiziske strækning, og skal undergives samme regler, særligt samme regler for degression, som dem, der anvendes af medlemsstaterne for lignende jernbanetransport, der foretages uden afbrydelse gennem to eller flere medlemsstater.

De schweiziske jernbaners fragtandel svarer til den i de offentliggjorte schweiziske transittariffer angivne pris.

Uanset bestemmelserne i det foregående stk. skal de fragtandele for jernbaner i medlemsstaterne og i Schweiz, som vedrører de tariffer, der er fastsat med henblik på konkurrence eller paritet, først afgøres efter samråd mellem samtlige jernbanemyndigheder i medlemsstaterne, i Fællesskabet og i Schweiz, behørigt godkendt, i påkommende tilfælde, af deres respektive regeringer. Jernbanemyndighederne skal være ansvarlige for en retfærdig afgørelse af spørgsmål vedrørende konkurrence og paritet. Enhver vanskelighed kan henvises til det i henhold til artikel 6 i denne aftale nedsatte udvalg.

Artikel 3

De direkte internationale tariffer, der er henvist til i denne aftale, berører al kul- og ståltrafik mellem medlemsstaterne i Fællesskabet i transit gennem schweizisk område, med undtagelse af de i bilaget anførte særlige tilfælde, for hvilke der er oprettet en særordning.

De direkte internationale tariffer, der er henvist til i denne aftale, vedrører også det gods, der er specificeret i standardnomenklaturen, tilpasset transportbehovene, som Fællesskabets direkte internationale tariffer omfatter i tilfælde af jernbanetransport, der foretages uden afbrydelse gennem to eller flere medlemsstater.

Artikel 4

Hvad angår kul- og ståltrafik mellem medlemsstaterne i Fællesskabet over det schweiziske jernbanenet skal Forbundsrådet og medlemsstaternes regeringer med hensyn til transportpriser og -vilkår af enhver art afstå fra forskelsbehandling, der skyldes oprindelsesland eller produkternes bestemmelsessted.

Artikel 5

De kontraherende parter skal konsultere hinanden i det i artikel 6 i denne aftale omhandlede udvalg om tilføjelser til de direkte internationale tariffer, der omhandles i denne aftale, om harmoniseringsforanstaltninger, som er blevet eller vil blive iværksat inden for Fællesskabet.

Artikel 6

Fra denne aftales ikrafttræden skal der nedsættes et transportudvalg, herefter benævnt »udvalget«, til at tage sig af de spørgsmål, der opstår i forbindelse med dens gennemførelse.

Udvalget skal bestå af repræsentanter fra Forbundsrådet, fra regionerne for hver medlemsstat i Fællesskabet og fra Den høje Myndighed.

Udvalget vedtager selv sin forretningsorden og det udpeger selv en formand. Udvalget assisteres af to sekretærer, den ene udpeget af Den høje Myndighed, den anden af Forbundsrådet.

Artikel 7

Udvalget sammenkaldes af formanden.

Udvalget træder sammen en gang om året til almindeligt møde. En rapport om dets arbejde skal fremsendes til Forbundsrådet, til medlemsstaternes regeringer og til Den høje Myndighed.

Såfremt Forbundsrådet, regeringen for en af medlemsstaterne i Fællesskabet eller Den høje Myndighed kræver det, skal formanden inden for to uger indkalde til et ekstraordinært udvalgsmøde, især hvis uforudsete vanskeligheder eller en dybtgående forandring i økonomiske eller tekniske vilkår i alvorlig grad påvirker anvendelsen af denne aftale. Udvalget skal søge passende foranstaltninger og øjeblikkeligt aflægge rapport til Forbundsrådet, til medlemsstaternes regeringer og til Den høje Myndighed.

Artikel 8

Enhver påtænkt forandring:

- a) i reglerne for beregning af priser og vilkår i direkte internationale tariffer for jernbanetransport af kul og stål, der foretages uden afbrydelse gennem to eller flere medlemsstater i Fællesskabet, eller
- b) i priser og vilkår for de offentliggjorte transittariffer for de schweiziske jernbaner uden en samtidig ændring og under samme betingelser af deres indenrigstariffer

6,1 stykke, skal meddeles de regeringer, som er parter i aftalen, og Den høje Myndighed så tidligt som muligt og mindst en måned før datoen for den påtænkte anvendelse. Formålet, arten og omfanget af ændringen skal angives på meddelelsetidspunktet.

Såfremt Forbundsrådet, regeringen for en af medlemsstaterne i Fællesskabet eller Den høje Myndighed mener, at den påtænkte ændring kan blive årsag til alvorlig vanskeligheder, skal udvalget, på den pågældende parts anmodning, holde et ekstraordinært møde, i overensstemmelse med den i artikel 7, sidste stykke fastsatte fremgangsmåde med henblik på konsultation før ændringen træder i kraft. Hvis udvalget ikke kan opnå enighed om det hensigtsmæssige i den påtænkte ændring, skal dens ikrafttræden udskydes indtil tre måneder efter datoen for afsendelsen til Forbundsrådet, til medlemsstaternes regeringer og til Den høje Myndighed af den i artikel 7 i denne aftale omhandlede rapport.

I hastende tilfælde kan fristen på en måned, der er omtalt i stk. 1 i denne artikel, nedsættes til to uger og den påtænkte ændring træde i kraft ved udløbet af denne frist, hvis ingen af de kontraherende parter modsætter sig dette.

Denne artikel berører ikke ændringer i tariffer, der er fastsat med henblik på konkurrence eller paritet.

Denne artikel er ikke gældende for almindelige ændringer i jernbanetarifferne i medlemsstaterne eller i Schweiz; disse skal fortsat omfattes af hver af disse staters administrativt eller ved lov fastsatte bestemmelser.

Artikel 9

Bestemmelser, der er vedtaget ved gensidig overenskomst mellem jernbanemyndighederne i medlemsstaterne i Fællesskabet og i Schweiz, behørigt godkendt, i påkommende tilfælde af deres respektive regeringer, fastsætter de nærmere betingelser for anvendelse af denne aftale.

I tilfælde af vanskelighed kan sagen henvises til det i artikel 6 i denne aftale omhandlede udvalg.

Artikel 10

Den høje Myndighed anerkender denne aftale som bindende i kraft af dens underskrift.

Regeringen i hver medlemsstat i Fællesskabet meddeler Forbundsrådet, at de nødvendige betingelser for denne aftales ikrafttræden er opfyldte i overensstemmelse med bestemmelserne i de nationale love. Forbundsrådet oplyser de øvrige kontraherende parter om modtagelsen af meddelelsen.

Denne aftale træder i kraft en måned efter den dato, på hvilken Forbundsrådet har meddelt de andre kontraherende parter, at aftalen finder anvendelse i områderne i alle medlemsstaterne i Fællesskabet og i Schweiz ⁽¹⁾.

⁽¹⁾ Aftalen træder i kraft den 1. juni 1957.

De direkte internationale tariffer for trafik i transit over det schweiziske jernbanenet skal tages i anvendelse inden for to måneder efter denne aftales ikrafttrædelsesdato.

Artikel 11

Denne aftale er indgået på ubestemt tid.

Den kan opsiges af Forbundsrådet eller af Den høje Myndighed, bemyndiget hertil af regeringerne for medlemsstaterne i Fællesskabet, der er parter i aftalen,

med seks måneders varsel. Denne periode kan nedsættes til to måneder at regne fra den dato, på hvilken der i udvalget konstateres en betydelig uoverensstemmelse, især under de omstændigheder, der er omhandlet i artikel 8, stk. 2.

Artikel 12

Denne aftale deponeres i forbundsarkiverne. Forbundsrådet skal fremsende bekræftede genparter heraf til Den høje Myndighed og til regeringerne for medlemsstaterne i Fællesskabet.

Til bekræftelse heraf har de undertegnede behørigt befuldmægtigede repræsentanter for Forbundsrådet, regeringerne for medlemsstaterne i Fællesskabet og Den høje Myndighed underskrevet denne aftale.

Udfærdiget i Luxembourg, den 28. juli 1956

i en enkelt original på fransk, italiensk, nederlandsk og tysk, idet alle fire tekster har samme gyldighed.

For Forbundsrådet

G. BAUER

For Den høje Myndighed

SPIERENBURG

For medlemsstaternes regeringer

*For regeringen i
Forbundsrepublikken Tyskland*

SPRETI

*For regeringen i
Den italienske Republik*

VENTURINI

*For regeringen i
kongeriget Belgien*

R. DOOREMAN

*For regeringen i
storhertugdømmet Luxembourg*

V. BODSON

*For regeringen i
Den franske Republik*

P. A. SAFFROY

*For regeringen i
kongeriget Nederlandene*
DE ROO VAN ALDERWERELT

BILAG

til aftale af 28. juli 1956 om indførelse af direkte internationale jernbanetariffer for transport af kul og stål i transit gennem schweizisk område

SÆRORDNINGER

KAPITEL I

Særlige bestemmelser for koksforsendelser

Artikel 1

Fragterne for kokstransport fra en medlemsstat til Italien og i modsat retning i transit gennem schweizisk område beregnes i henhold til følgende særordning, som erstatter de i artikel 2, andet og tredje led, i aftalen fastsatte bestemmelser:

1. Til beregning af den italienske delstrækningsfragt anvendes den til den italienske stræknings delafstand svarende italienske degressionskoefficient.
2. Til beregning af enhver anden medlemsstats delstrækningsafgift anvendes den til den samlede afstand (heri medregnet den schweiziske strækning) nedsat med delafstanden for den italienske strækning svarende nationale degressionskoefficient.
3. De schweiziske jernbaners fragtandel svarer til den i de offentliggjorte schweiziske transitariffer angivne pris.

Artikel 2

Denne særordning finder anvendelse i anvendelsesperioden for den af medlemsstaterne i Fællesskabet oprettede særordning for kokstransport uden om schweizisk område fra Frankrig til Italien og i modsat retning, som er offentliggjort i *De Europæiske Kul- og Stålfællesskabers Tidende* nr. 9 af 19. april 1955. Som følge af de to særordningers undtagelsesvisse karakter bør disse eventuelt ophæves på samme dato.

Såfremt medlemsstaterne finder det nødvendigt at oprette en ny særordning for kokstransport uden om schweizisk område fra Frankrig til Italien og i modsat retning skal de i artikel 1 i dette kapitel fastsatte bestemmelser ændres på anmodning fra en af de kontraherende parter med henblik på at sikre overensstemmelse mellem de gennem de to særordninger fastsatte undtagelsesordninger.

KAPITEL II

Særlige bestemmelser for kul- og stålforsendelser, som modtages på banegården i Chiasso

Eneste artikel

Kul- og stålforsendelser, som afsendes fra en banegård beliggende inden for en medlemsstats område i Det europæiske Kul- og Stålfællesskab, og som modtages på fællessbanegården i Chiasso (Schweiz), og som videresendes ad jernbane til en på italiensk område beliggende banegård, omfattes af aftalens bestemmelser for strækninger mellem afsendelsesbanegården og banegården i Chiasso.

KAPITEL III

Særlige bestemmelser for kul- og stålforsendelser i transit via banegården i Vallorbe

Artikel 1

For forsendelse af de i nedenstående oversigt anførte varer, som transporteres i transit over de schweiziske jernbanelinjer via banegården i Vallorbe (Schweiz):

- fra en på italiensk område beliggende banegård,
- til en fransk banegård beliggende syd eller vest for linjen Delle — Morvillars — Montbéliard — Belfort — Lure — Vesoul — Port-d'Atelier — Cullmont-Chalindrez — Langres — Chaumont — Bar-sur-Aube — Vitry-le-François — Châlons-sur-Marne — Reims — Laon — Amiens — Abbeville — Le Tréport og i modsat retning,

kan de schweiziske jernbaners fragtandel, som er fastsat i overensstemmelse med artikel 2, tredje afsnit i aftalen nedsættes i forhold til den schweiziske andel for lignende forsendelser, som transporteres over samme strækning på schweizisk område:

- fra en på italiensk område beliggende banegård,
- til en banegård beliggende inden for en medlemsstats område i Fællesskabet, enten på ovennævnte linje eller nord eller øst for denne linje og i modsat retning.

Disse nedsættelsers størrelse, udtrykt i procent, kan ikke overstige de i nedenstående oversigt fastsatte satser.

Godsart	Nedsættelse (%)
Brændsel	} 26
Skrot	
Råjern, råstål	} 30
Halvfabrikata	
Helfabrikata	37

Artikel 2

Denne særordning hidrører fra en aftale mellem schweiziske jernbaner om gennemførelse af en fordeling mellem disse af trafikken på schweizisk område, hvis tariffbestemmelser er anført i del III i bilaget til »Direkte tarif for transport i vognladninger mellem Italien og Schweiz, via Gothard eller Simplon« (udgivet den 1. maj 1954).

Denne særordning finder anvendelse i hele anvendelsesperioden for ovennævnte aftale, og da den kun omfatter særforanstaltninger ophæves den på samme tidspunkt som nævnte aftale.

Såfremt de schweiziske jernbaner finder det nødvendigt at indgå en ny aftale om gennemførelsen af en ny fordeling mellem sig af trafikken på schweizisk område, bør de i artikel 1 i dette kapitel fastsatte bestemmelser ændres på anmodning fra en af de kontraherende parter med forbehold af, at de tilføjede ændringer ikke må medføre stigninger i de ned sættelser, som er anført i ovennævnte oversigt.

KAPITEL IV

Særlige bestemmelser for kul- og stålforsendelser fra eller til en stat, som ikke er medlem af Det europæiske Kul- og Stålfællesskab

Eneste artikel

Kul- og stålforsendelser som transporteres i transit over de schweiziske jernbanelinjer :

- fra en ikke-medlemsstat til en medlemsstat,
- fra en medlemsstat til en ikke-medlemsstat,
- fra en ikke-medlemsstat til en ikke-medlemsstat,

omfattes for så vidt angår deres transport gennem Schweiz og gennem medlemsstaterne i Fællesskabet af de i artikel 2 i aftalen fastsatte bestemmelser.

AGREEMENT

on the introduction of through international railway tariffs for the carriage of coal and steel through Swiss territory

THE FEDERAL COUNCIL OF THE SWISS CONFEDERATION (hereinafter called 'the Federal Council'),

of the one part, and

THE GOVERNMENTS OF THE MEMBER STATES OF THE EUROPEAN COAL AND STEEL COMMUNITY (hereinafter called 'the Community') AND THE HIGH AUTHORITY OF THE EUROPEAN COAL AND STEEL COMMUNITY (hereinafter called 'the High Authority'),

of the other part,

DESIRING

to develop the relations existing between the Swiss Confederation and the Community;

to deal with problems of rail transport of mutual concern;

to introduce through international railway tariffs for the carriage of coal and steel between Member States over the lines of the Swiss Railways,

HAVE AGREED AS FOLLOWS:

Article 1

In this Agreement, 'through international tariffs' means the rates and conditions published and applied for the carriage by rail of coal and steel under a single contract of carriage between the territories of the Member States of the Community over the lines of the Swiss Railways.

In this Agreement, 'territories of the Member States of the Community' means the territories to which the Treaty establishing the European Coal and Steel Community applies.

By way of derogation from the two preceding paragraphs, the portions accruing to the railways of Member States and Switzerland which relate to tariffs fixed to meet competition or under an equivalent rate system shall be determined only after consultation between the railway authorities of the Member States of the Community combined and of Switzerland, duly authorized, as necessary, by their respective Governments. The railway authorities shall be responsible for the equitable settlement of questions concerning competition or equivalence of rates. Any difficulties may be referred to the Committee provided for in Article 6 of this Agreement.

Article 2

In this Agreement, the charge for carriage under through international tariffs shall consist of the sum of the portions accruing to the railways of the Member States of the Community and of the portion accruing to the Swiss Railways.

The portion accruing to the railways of each Member State shall be related to the total distance of carriage, including the Swiss section and shall be subject to the same rules, and in particular to the same rules of degressivity, as those applied by Member States to comparable uninterrupted carriage by rail through two or more Member States.

The portion accruing to the Swiss Railways shall be calculated at the rate shown in the published Swiss transit tariffs.

Article 3

The through international tariffs referred to in this Agreement shall apply to all coal and steel traffic between Member States of the Community passing through Swiss territory, save for cases covered by the special regulations set out in the Annex.

The through international tariffs referred to in this Agreement shall apply also to the products listed in the standard nomenclature adapted to transport needs to which the Community's through international tariffs apply in the case of uninterrupted carriage by rail through two or more Member States.

Article 4

As regards coal and steel traffic between Member States of the Community over the lines of the Swiss Railways, the Federal Council and the Governments of the Member States shall, in respect of rates and conditions of carriage of every kind, refrain from discrimination based on the country of origin or destination of products.

Article 5

The Contracting Parties shall consult each other in the Committee provided for in Article 6 of this Agreement on the extension to the through international tariffs referred to in this Agreement of the measures of harmonization which have been, or will be, achieved within the Community.

Article 6

From the entry into force of this Agreement, a Transport Committee (hereinafter called 'the Committee') shall be established to look into questions arising from its implementation.

The Committee shall consist of representatives of the Federal Council, of the Governments of each of the Member States of the Community, and of the High Authority.

The Committee shall adopt its rules of procedure and shall appoint its chairman. The Committee shall be assisted by two secretaries, one appointed by the High Authority and the other by the Federal Council.

Article 7

The Committee shall be convened by its chairman.

The Committee shall meet once a year in ordinary session. A report on its work shall be submitted to the Federal Council, to the Governments of the Member States and to the High Authority.

If the Federal Council, the Government of one of the Member States of the Community or the High Authority so requests, the chairman shall, within two weeks, convene an extraordinary meeting of the Committee, in particular if unforeseen difficulties or a radical change in economic or technical conditions are seriously affecting the operation of this Agreement. The Committee shall seek appropriate means to deal with the situation and report without delay to the Federal Council, to the Governments of the Member States and to the High Authority.

Article 8

Any contemplated change :

- (a) in the rules for calculating the rates and conditions of through international tariffs for the uninterrupted carriage by rail through two or more Member States of coal and steel between Member States of the Community, or
- (b) in the rates or conditions of the published transit tariffs of the Swiss Railways, without a corres-

ponding change at the same time in their internal tariffs

shall be notified to Governments which are parties to the Agreement and to the high Authority as early as possible and at least one month before the intended date of application. The purpose, nature and extent of the change shall be stated at the time of notification.

If the Federal Council, the Government of one of the Member States of the Community or the High Authority considers that the contemplated change may give rise to serious difficulties, the Committee shall, at the request of the party concerned, meet in extraordinary session in accordance with the procedure laid down in the last paragraph of Article 7 for consultation before the change is put into effect. If the Committee cannot agree on the advisability of the contemplated change, it may not be put into effect until three months after the date of dispatch to the Federal Council, to the Governments of the Member States and to the High Authority of the report provided for in Article 7 of this Agreement.

In urgent cases the one-month period of notice provided for in the first paragraph of this Article may be reduced to two weeks and the contemplated change may take effect on expiration of that period if no objection is raised by any of the other Contracting Parties.

This Article shall not apply to changes in tariffs fixed to meet competition or under an equivalent rates system.

This Article shall not apply to general changes in the railway tariffs of individual Member States or of Switzerland ; these tariffs shall remain subject to the provisions of the laws or regulations of each of those States.

Article 9

The provisions adopted by mutual agreement between the railway authorities of the Member States of the Community and of Switzerland duly authorized as necessary, by their respective Governments, shall govern the conditions of application of this Agreement.

In case of difficulty the matter may be referred to the Committee provided for in Article 6 of this Agreement.

Article 10

The High Authority accepts this Agreement as binding by virtue of its signature.

The Governments of each Member State of the Community shall notify the Federal Council that the conditions necessary for the entry into force of this Agreement have been fulfilled in accordance with the provisions of its national laws. The Federal Council shall inform the other Contracting Parties of the notifications received.

This Agreement shall enter into force one month after the date on which the Federal Council has informed the other Contracting Parties that the Agreement is

applicable in the territories of all the Member States of the Community and in the territory of the Swiss Confederation ⁽¹⁾.

The through international tariffs for traffic over the lines of the Swiss Railways shall be introduced within two months following the date of entry into force of this Agreement.

Article 11

This Agreement is concluded for an indefinite period.

It may be denounced by the Federal Council or by the High Authority, authorized to that end by the Governments of the Member States of the Commu-

nity parties to the Agreement, subject to six months' notice. This period may be reduced to two months if the Committee fails to agree on an important question, especially in the circumstances referred to in the second paragraph of Article 8. This reduced period shall commence on the day on which the failure to agree is established.

Article 12

This Agreement shall be deposited in the Federal archives. The Federal Council shall transmit certified copies thereof to the High Authority and to the Governments of the Member States of the Community.

In witness whereof, the undersigned representatives of the Federal Council, of the Governments of the Member States of the Community, and of the High Authority, duly authorized, have signed this Agreement.

Done at Luxembourg, 28 July 1956

in a single original in the Dutch, French, German and Italian languages, all four texts being equally authentic.

For the Federal Council
G. BAUER

For the High Authority
SPIERENBURG

For the Governments of the Member States

*For the Government
of the Federal Republic of Germany*
SPRETI

*For the Government
of the Italian Republic*
VENTURINI

*For the Government
of the Kingdom of Belgium*
R. DOOREMAN

*For the Government
of the Grand Duchy of Luxembourg*
V. BODSON

*For the Government
of the French Republic*
P. A. SAFFROY

*For the Government
of the Kingdom of the Netherlands*
DE ROO VAN ALDERWERELT

⁽¹⁾ The Agreement enters into force on 1 June 1957.

ANNEX

to the Agreement of 28 July 1956 on the establishment of through international railway tariffs for the carriage of coal and steel through Swiss territory

SPECIAL REGULATIONS

CHAPTER I

Special provisions for consignments of coke

Article 1

Charges for the carriage of coke from a Member State to Italy, or vice versa, through Swiss territory, shall be determined in accordance with the following special regulations which supersede the provisions of the second and third paragraphs of Article 2 of the Agreement:

1. For the calculation of the charge for the Italian section, the Italian coefficient of degressivity corresponding to the length of the Italian section shall be applied,
2. For the calculation of the charge for a section in any of the other Member States of the Community, the national coefficient of degressivity corresponding to the total distance (including the Swiss section), less the Italian sectional distance, shall be applied.
3. The portion accruing to the Swiss Railways shall be calculated at the rate shown in the published Swiss transit tariffs.

Article 2

This special regulation shall remain in force for the period of application of the special regulation drawn up between Member States of the Community on the carriage of coke from France to Italy and vice versa, not passing through Swiss territory, which was published in *Official Journal of the European Coal and Steel Community* No 9 of 19 April 1955.

As the two special regulations provide only for exceptional arrangements, they should lapse, if at all, on the same date.

If the Member States consider it necessary to draw up another special regulation on the carriage of coke from France to Italy, and vice versa, not passing through Swiss territory, the provisions of Article 1 of this Chapter shall, at the request of one of the Contracting Parties, be amended so that the exceptional arrangements provided by the two special regulations should remain identical.

CHAPTER II

Special provisions for consignments of coal and steel received at Chiasso station

Sole Article

Consignments of coal and steel which are dispatched from a station in the territory of a Member State of the European Coal and Steel Community, received at the joint railway station at Chiasso (Switzerland) and forwarded by rail to a station in Italian territory shall be covered by the Agreement in respect of the sections between the station of dispatch and the Chiasso station.

CHAPTER III

Special provisions for consignments of coal and steel via Vallorbe station

Article 1

For the consignment of a product included in the table below over the lines of the Swiss Railways through Vallorbe station (Switzerland):

- from a station in Italian territory,
- to a French station south or west of the line Delle — Morvillars — Montbéliard — Belfort — Lure — Vesoul — Port d'Atelier — Cullmont-Chalindrez — Langres — Chaumont — Bar-sur-Aube — Vitry-le-François — Châlons-sur-Marne — Reims — Laon — Amiens — Abbeville — Le Tréport, and vice versa,

the portion accruing to the Swiss Railways, determined in accordance with the third paragraph of Article 2 of the Agreement, may be subject to a reduction in comparison with the portion accruing to the Swiss Railways in respect of a like consignment over the same route through Swiss territory:

- from a station in Italian territory,
- to a station in the territory of a Member State of the Community, either along the line indicated above, or to the north or east of that line, and vice versa.

The amount of the reduction, expressed as a percentage, must not exceed the rates set out in the table below.

Goods	Reduction (%)
Fuels Scrap	} 26
Pig-iron, crude steel Semi-finished products	} 30
Finished products	37

Article 2

This special regulation is the outcome of an agreement between Swiss railway authorities on the apportionment of the traffic in Swiss territory between them which is embodied in the provisions on rates and conditions contained in Part III of the Appendix to 'Through tariffs goods consigned by waggon load between Italy and Switzerland, via Gothard or Simplon' (1 May 1954 edition).

This special regulation will remain in force for the period of application of the abovementioned agreement, and, since it provides only for exceptional arrangements, it will lapse on the same date as that agreement.

If the Swiss railway authorities should consider it necessary to conclude a new agreement on the apportionment between them of the traffic over Swiss territory, the provisions of Article 1 of this Chapter should, on request by one of the Contracting Parties, be amended, subject to the restriction that no such amendment may result in an increase in the rates of reduction set out in the table above.

CHAPTER IV

Special provisions for the carriage of coal and steel from or to a State which is not a Member of the European Coal and Steel Community

Sole Article

The carriage of coal and steel over the lines of the Swiss Railways :

- from a State which is not a Member State of the Community to a Member State of the Community,
- from a Member State of the Community to a State which is not a Member of the Community,
- from a State which is not a Member State of the Community to a State which is not a Member of the Community,

shall in respect of the Swiss section and sections in the Member States of the Community be covered by Article 2 of the Agreement.

SUPPLEMENTARY PROTOCOL

to the Agreement of 26 July 1957 ⁽¹⁾ between the Austrian Federal Government, of the one part, and the Governments of the Member States of the European Coal and Steel Community and the High Authority of the European Coal and Steel Community, of the other part, on the introduction of through international railway tariffs for the carriage of coal and steel through the territory of the Republic of Austria

Signed on 10 October 1974

Entered into force on 6 November 1978

(79/39/ECSC)

THE AUSTRIAN FEDERAL GOVERNMENT,

of the one part, and

THE GOVERNMENTS OF THE MEMBER STATES OF THE EUROPEAN COAL AND STEEL COMMUNITY (hereinafter called 'the Community') AND THE COMMISSION OF THE EUROPEAN COMMUNITIES,

of the other part,

HAVE AGREED AS FOLLOWS:

Article 1

The Governments of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland hereby accede to the Agreement of 26 July 1957 between the Austrian Federal Government, of the one part, and the Governments of the Member States of the European Coal and Steel Community and the High Authority of the European Coal and Steel Community, of the other part, on the introduction of through international railway tariffs for the carriage of coal and steel through the territory of the Republic of Austria, as amended by the Supplementary Agreement of 29 November 1960 (hereinafter called 'the Agreement').

Article 2

The Danish and English texts of the Agreement, annexed to this Protocol, shall be authentic under the same conditions as the original texts.

Article 3

The Commission of the European Communities shall accept this Protocol as binding by virtue of its signature.

The Government of each Member State of the Community shall notify the Austrian Federal Government that the conditions necessary for the entry into force of this Protocol have been fulfilled in accordance with the provisions of its domestic law.

This Protocol shall enter into force one month after the date on which the Austrian Federal Government has informed the other Parties to the Agreement that the notification provided for in the second subparagraph has been received and that the conditions necessary for the entry into force of this Protocol have been fulfilled in accordance with the provisions of Austrian law.

Article 4

This Protocol shall be deposited with the Austrian Federal Government. The Austrian Federal Government shall transmit certified true copies thereof to the Governments of the Member States of the Community and to the Commission of the European Communities.

⁽¹⁾ OJ (ECSC) No 6, 20. 2. 1958, p. 78/58.

BILAG — ANHANG — ANNEX — ANNEXE — ALLEGATO — BIJLAGE

AFTALE

mellem på den ene side Den østrigske Forbundsregering og på den anden side regeringerne for medlemsstaterne i Det europæiske Kul- og Stålfællesskab og Den høje Myndighed for Det europæiske Kul- og Stålfællesskab om indførelse af direkte internationale jernbanetariffer for transport af kul og stål i transit gennem Den østrigske Republiks område

REPUBLIKEN ØSTRIGS FORBUNDSREGERING, herefter benævnt »Den østrigske Forbundsregering«

på den ene side, og

REGERINGERNE FOR MEDLEMSSTATERNE I DET EUROPÆISKE KUL- OG STÅLFÆLLESSKAB, herefter benævnt »Fællesskabet«, og DEN HØJE MYNDIGHED FOR DET EUROPÆISKE KUL- OG STÅLFÆLLESSKAB, herefter benævnt »Den høje Myndighed«

på den anden side,

ER I OVERBEVISNINGEN OM at snævre økonomiske forbindelser mellem republikken Østrig og Fællesskabet er i Europas interesse,

UD FRA ØNSKET OM

at behandle problemer for jernbanetransport af fælles interesse,

at gennemføre direkte, internationale jernbanetariffer for transport af kul og stål mellem medlemsstater ad De østrigske Forbundsbaners linjer,

BLEVET ENIGE OM FØLGENDE :

Artikel 1

I denne aftale betyder »direkte internationale tariffer« de offentliggjorte transportpriser og -vilkår, der gælder for transport af kul og stål, som på grundlag af én fragtkontrakt befordres mellem områderne i medlemsstaterne i Fællesskabet, herefter benævnt »medlemsstater«, over De østrigske Forbundsbaners jernbanenet fra et punkt på den østrigsk-tyske grænse til et punkt på den østrigsk-italienske grænse eller omvendt.

I denne aftale betyder :

- a) »kul og stål« de produkter, der nævnes i bilag I til traktaten af 18. april 1951 om oprettelse af Det europæiske Kul- og Stålfællesskab ;
- b) »områder i medlemsstaterne i Fællesskabet« de områder, for hvilke ovennævnte traktat finder anvendelse.

Artikel 2

I denne aftale består prisen for fragten i direkte internationale tariffer af fragtandelen for jernbanerne i medlemsstaterne i Fællesskabet og fragtandelen for De østrigske Forbundsbaner.

Fragtandelen for jernbanerne i hver medlemsstat skal tage den samlede transportafstand i betragtning, heri medregnet den østrigske strækning, og skal undergives samme regler, særligt samme regler for degression, som dem, der anvendes af medlemsstaterne for lignende jernbanetransport, der skal foretages uden afbrydelse gennem to eller flere medlemsstater.

De østrigske Forbundsbaners fragtandel for den østrigske strækning udregnes som angivet i bilag I til denne aftale ved nedsættelse af de interne fragsatser for varer, der anvendes af De østrigske Forbundsbaner for samme strækning.

Uanset bestemmelserne i de to foregående stykker kan de fragtandele for jernbaner i medlemsstaterne og i Østrig, som vedrører de tariffer, der er fastsat med henblik på konkurrence eller paritet, først afgøres efter samråd mellem samtlige jernbanemyndigheder i medlemsstaterne og i Østrig, behørigt godkendt, i påkommende tilfælde, af deres respektive regeringer. Jernba-

nemyndighederne skal være ansvarlige for en retfærdig afgørelse af spørgsmål vedrørende konkurrence og paritet. Enhver vanskelighed kan henvises til det i henhold til artikel 6 i denne aftale nedsatte udvalg.

Artikel 3

De direkte internationale tariffer, der er henvist til i denne aftale, berører al kul- og ståltrafik mellem medlemsstaterne i transit mellem de i artikel 1 nævnte grænseovergangspunkter, med undtagelse af de i bilag II anførte særlige tilfælde, for hvilke der er oprettet en særordning.

De direkte internationale tariffer, der er henvist til i denne aftale, vedrører også det gods, der er specificeret i standardnomenklaturen, tilpasset transportbehovene, som Fællesskabets direkte internationale tariffer omfatter i tilfælde af jernbanetransport, der foretages uden afbrydelse gennem to eller flere medlemsstater.

Artikel 4

Hvad angår kul- og ståltrafik mellem medlemsstaterne over De østrigske Forbundsbaners jernbanenet skal Den østrigske Forbundsregering og medlemsstaternes regeringer med hensyn til transportpriser og -vilkår af enhver art afstå fra forskelsbehandling, der skyldes oprindelsesland eller produkternes bestemmelsessted.

Artikel 5

Den østrigske Forbundsregering, medlemsstaternes regeringer og Den høje Myndighed skal konsultere hinanden i det i artikel 6 i denne aftale omhandlede transportudvalg om tilføjelse til de direkte internationale tariffer, der omhandles i denne aftale, om harmoniseringsforanstaltninger, som er blevet eller vil blive iværksat inden for Fællesskabet.

Artikel 6

Fra denne aftales ikrafttræden skal der nedsættes et transportudvalg, herefter benævnt »udvalget«, til at tage sig af de spørgsmål, der opstår i forbindelse med dens gennemførelse.

Udvalget skal bestå af repræsentanter fra Den østrigske Forbundsregering, fra regeringerne for hver medlemsstat i Fællesskabet og fra Den høje Myndighed.

Udvalget vedtager selv sin forretningsorden, og det udpeger selv en formand for et år i overensstemmelse med denne forretningsorden.

Udvalget assisteres af to sekretærer, den ene udpeget af Den høje Myndighed, den anden af Den østrigske Forbundsregering.

Artikel 7

Udvalget sammenkaldes af formanden.

Udvalget træder sammen en gang om året til almindeligt møde og udarbejder en rapport om sit arbejde,

som skal fremsendes til Den østrigske Forbundsregering, til medlemsstaternes regeringer og til Den høje Myndighed.

Såfremt Den østrigske Forbundsregering, regeringen for en af medlemsstaterne eller Den høje Myndighed kræver det, skal formanden inden for to uger indkalde til et ekstraordinært udvalgsmøde, især hvis uforudsete vanskeligheder eller en dybtgående forandring i økonomiske eller tekniske vilkår i alvorlig grad påvirker anvendelsen af denne aftale.

Udvalget behandler de spørgsmål, der er blevet forelagt det, og forelægger Den østrigske Forbundsregering, medlemsstaternes regeringer og Den høje Myndighed egnede forslag med henblik på at løse disse spørgsmål. Hvis der ikke opnås enighed inden for to uger fra den første mødedag, forelægger udvalget en rapport herom for Den østrigske Forbundsregering, medlemsstaternes regeringer og Den høje Myndighed.

Artikel 8

Enhver påtænkt forandring:

1. i reglerne for beregning af priser og vilkår i direkte internationale tariffer for jernbanetransport af kul og stål, der foretages uden afbrydelse gennem to eller flere medlemsstater, eller
2. i fragsatser i De østrigske Forbundsbaners indenrigstarif uden en tilsvarende og samtidig ændring af satserne for transport på den østrigske strækning i henhold til bilag I til denne aftale eller ændring af disse satser uden en tilsvarende og samtidig ændring af fragsatsen i De østrigske Forbundsbaners indenrigstarif,

skal meddeles de regeringer, som er parter i aftalen, og Den høje Myndighed så tidligt som muligt og mindst en måned før datoen for den påtænkte anvendelse. Formålet, arten og omfanget af ændringen skal angives på meddelelsetidspunktet.

Såfremt Den østrigske Forbundsregering, regeringen for en af medlemsstaterne eller Den høje Myndighed mener, at den påtænkte ændring kan blive årsag til alvorlige vanskeligheder, skal udvalget, på den pågældende parts anmodning, holde et ekstraordinært møde før ændringen træder i kraft.

Hvis udvalget ikke kan opnå enighed om det hensigtsmæssige i den påtænkte ændring, skal dens ikrafttræden udskydes indtil to måneder efter datoen for afsendelse af den i artikel 7 i denne aftale omhandlede rapport.

I hastende tilfælde kan fristen på en måned, der er omtalt i første afsnit i denne artikel, nedsættes til to uger og den påtænkte ændring træde i kraft ved udløbet af denne frist, hvis ingen af de kontraherende parter modsætter sig dette.

Denne artikel berører ikke indførelse af eller ændringer i tariffer, der er fastsat med henblik på konkurrence eller paritet, hvilke forbliver undergivet bestemmelserne i artikel 2.

Artikel 9

De høje Myndighed anerkender denne aftale som bindende i kraft af dens underskrift.

Regeringen i hver medlemsstat meddeler ad diplomatisk vej Den østrigske Forbundsregering, at de nødvendige betingelser for denne aftales ikrafttræden er opfyldte i overensstemmelse med bestemmelserne i de nationale love. Den østrigske Forbundsregering oplyser de øvrige kontraherende parter om modtagelsen af meddelelsen.

Denne aftale træder i kraft en måned efter den dato, på hvilken Den østrigske Forbundsregering har meddelt de andre kontraherende parter, at aftalen finder anvendelse i områderne i alle medlemsstaterne og i republikken Østrig⁽¹⁾.

De direkte internationale tariffer for trafik i transit over De østrigske Forbundsbaners jernbanenet skal tages i anvendelse inden for to måneder efter denne aftales ikrafttrædelsesdato.

Artikel 10

Denne aftale er indgået på ubestemt tid.

Den kan opsiges af Den østrigske Forbundsregering eller af Den høje Myndighed, bemyndiget hertil af regeringerne for de deltagende medlemsstater, med seks måneders varsel. Denne periode kan nedsættes til to måneder i tilfælde af uenighed i udvalget om et spørgsmål, som er forelagt det. Den således nedsatte frist begynder fra den dato, da uenigheden blev konstateret.

Artikel 11

Denne aftale deponeres i Den østrigske Forbundsregerings arkiver. Den østrigske Forbundsregering skal fremsende bekræftede genparter heraf til Den høje Myndighed og til regeringerne for medlemsstaterne.

Til bekræftelse heraf har de undertegnede behørigt befuldmægtigede repræsentanter for Den østrigske Forbundsregering, regeringerne for medlemsstaterne og Den høje Myndighed underskrevet denne aftale.

Udfærdiget i Luxembourg, den 26. juli 1957

i et enkelt eksemplar på fransk, italiensk, nederlandsk og tysk, idet alle fire tekster har samme gyldighed.

For Den østrigske Forbundsregering
Dr. CARL H. BOBLETER

For Den høje Myndighed
D. P. SPIERENBURG

For medlemsstaternes regeringer

*For regeringen for
Forbundsrepublikken Tyskland*
SPRETI

*For regeringen for
Den italienske Republik*
V. BOLASCO

*For regeringen for
kongeriget Belgien*
R. TAYMANS

*For regeringen for
storhertugdømmet Luxembourg*
V. BODSON

*For regeringen for
Den franske Republik*
P. A. SAFFROY

*For regeringen for
kongeriget Nederlandene*
C. G. DE ROO VAN ALDERWERELT

⁽¹⁾ Aftalen træder i kraft den 1. marts 1958.

BILAG I⁽¹⁾

til aftalen af 26. juli 1957 mellem på den ene side Den østrigske Forbundsregering og på den anden side regeringerne for medlemsstaterne af Det europæiske Kul- og Stålfællesskab og Den høje Myndighed for Det europæiske Kul- og Stålfællesskab om indførelse af direkte, internationale tariffer for transport af kul og stål i transit gennem Den østrigske Republiks område

Andele, der tilfalder De østrigske Forbundsbaner

De i tredje afsnit i artikel 2 nævnte andele, der tilfalder De østrigske Forbundsbaner, udregnes således:

1. Fragtsatsen for standardtonnagen (15 tons) i den gældende østrigske indenrigstarif på et givet tidspunkt nedsættes med beløb, der fastsættes for følgende kategorier af varer: kul, koks, malm, råjern, ubearbejdet stål, halvfabrikata, færdigvarer og skrot.

De således opnåede fragsatsar godkendes som fragsats for standardtonnage (20 tons)⁽²⁾.

Fragsatserne for bitonnage for skrot og jern- og stålvarer findes ved at multiplicere fragsatsen for standardtonnage med følgende koefficienter: 1,05 for 15 tons, 1,20 for 10 tons, 1,60 for 5 tons.

2. De under punkt 1 nævnte nedsættelser af fragsatsen i den på den 8. februar 1957 gældende østrigske indenrigstarif udgør:

Varer	Nedsættelse pr. ton (i østrigske schilling)
Kul	4,80
Koks	4,80
Malm	3,00
Ubearbejdet stål, råjern	3,60
Halvfabrikata	3,60
Færdigvarer	5,40
Skrot {	rute Kufstein-Brennero/Brenner
	rute Salzburg Hbf.-Tarvisio Centrale
	rute Lindau-Reutin-Brennero/Brenner
	rute Simback (Inn)-Tarvisio Centrale
	rute Passau Hbf. -Tarvisio Centrale
	6,00
	10,70
	11,50
	13,20
	15,60

3. De andele, der er fastsat ifølge reglerne ovenfor, offentliggøres i »International tarif for transport af varer mellem medlemsstaterne i Det europæiske Kul- og Stålfællesskab«.

⁽¹⁾ Den sidste version af dette bilag blev offentliggjort i EFT nr. C 23 af 27. 1. 1978, s. 2.

⁽²⁾ 15 tons for koks.

BILAG II

til aftalen af 26. juli 1957 mellem på den ene side Den østrigske Forbundsregering og på den anden side regeringerne for medlemsstaterne af Det europæiske Kul- og Stålfællesskab og Den høje Myndighed for Det europæiske Kul- og Stålfællesskab om indførelse af direkte, internationale tariffer for transport af kul og stål i transit gennem Den østrigske Republiks område

KAPITEL I

Særbestemmelser for transport af koks

Artikel 1

Uanset de i afsnit 2 i artikel 2 i denne aftale fastsatte bestemmelser beregnes prisen for transport af koks fra en medlemsstat til Italien eller i modsat retning over østrigsk område således:

1. til beregning af prisen for den italienske strækning anvendes den italienske degressionskoefficient, der svarer til længden af den italienske strækning.
2. til beregning af prisen i enhver anden medlemsstat anvendes den nationale degressionskoefficient, der svarer til den samlede strækning (den østrigske strækning medregnet), nedsat med den italienske strækning.
3. den andel, der tilfalder De østrigske Forbundsbaner, er lig med de i afsnit 3 i artikel 2 i denne aftale nævnte transportsatser.

Artikel 2

Bestemmelserne i artikel 1 finder anvendelse i anvendelsesperioden for den af medlemsstaterne oprettede særordning for kokstransport fra Frankrig til Italien og i modsat retning, som er offentliggjort i *De Europæiske Kul- og Stålfællesskabers Tidende nr. 9 af 19. april 1955*.

Såfremt medlemsstaterne finder det nødvendigt at oprette en ny særordning for kokstransport fra Frankrig til Italien og i modsat retning, skal de i artikel 1 fastsatte bestemmelser ændres på anmodning fra en af de kontraherende parter.

KAPITEL II

Særlige bestemmelser for kul- og stålforsendelser fra eller til en stat, som ikke er medlem af Det europæiske Kul- og Stålfællesskab

Eneste artikel

Kul- og stålforsendelser som transporteres over De østrigske Forbundsbaners jernbanenet:

- fra en ikke-medlemsstat til en medlemsstat,
- fra en medlemsstat til en ikke-medlemsstat,
- fra en ikke-medlemsstat til en ikke-medlemsstat,

omfattes for så vidt angår den østrigske strækning og strækningen i medlemsstaterne af de i artikel 2 i aftalen fastsatte bestemmelser.

AGREEMENT

between the Austrian Federal Government, of the one part, and the Governments of the Member States of the European Coal and Steel Community and the High Authority of the European Coal and Steel Community, of the other part, on the introduction of through international railway tariffs for the carriage of coal and steel through the territory of the Republic of Austria

THE FEDERAL GOVERNMENT OF THE REPUBLIC OF AUSTRIA (hereinafter called 'the Austrian Federal Government'),

of the one part, and

THE GOVERNMENTS OF THE MEMBER STATES OF THE EUROPEAN COAL AND STEEL COMMUNITY (hereinafter called 'the Community') AND THE HIGH AUTHORITY OF THE EUROPEAN COAL AND STEEL COMMUNITY (hereinafter called 'the High Authority'),

of the other part,

CONVINCED that the establishment of closer economic relations between the Republic of Austria and the Community is in the interests of Europe ;

DESIRING

to deal with problems of rail transport of mutual concern ;

to introduce through international railway tariffs for the carriage of coal and steel between Member States over the lines of the Austrian Federal Railways,

HAVE AGREED AS FOLLOWS :

Article 1

In this Agreement, 'through international tariffs' means the rates and conditions published and applied for the carriage by rail of coal and steel, under a single contract of carriage, between the territories of the Member States of the Community (hereinafter called 'the Member States') over the lines of the Austrian Federal Railways from a point on the Austro-German frontier to a point on the Austro-Italian frontier, or vice-versa.

In this Agreement :

- (a) 'coal and steel' means the products listed in Annex I to the Treaty of 18 April 1951 establishing the European Coal and Steel Community ;
- (b) 'territories of the Member States of the Community' means the territories to which the abovementioned Treaty applies.

Article 2

In this Agreement, the charge for carriage under through international tariffs shall consist of the sum of the portions accruing to the railways of the

Member States and of the portion accruing to the Austrian Federal Railways.

The portion accruing to the railways of each Member State shall be related to the total distance of carriage, including the Austrian section, and shall be subject to the same rules, and in particular to the same rules of degressivity, as those applied by Member States to comparable uninterrupted carriage by rail transport through two or more Member States.

The portion accruing to the Austrian Federal Railways for the Austrian section shall be calculated, as described in Annex I to this Agreement, by reduction of the internal goods rates applied to the same route by the Austrian Federal Railways.

By way of derogation from the two preceding paragraphs, the portions accruing to the railways of Member States and Austria which relate to tariffs fixed to meet competition or under an equivalent rate system shall be determined only after consultation between the railway authorities of the Member States combined and of Austria, duly authorized, as necessary, by their respective governments. The railway authorities shall be responsible for the equitable settle-

ment of questions concerning competition or equivalence of rates. Any difficulties may be referred to the Transport Committee provided for in Article 6 of this Agreement.

Article 3

The through international tariffs referred to in this Agreement shall apply to all coal and steel traffic between Member States crossing the frontiers mentioned in the first paragraph of Article 1, save for cases covered by the special regulations set out in Annex II.

The through international tariffs referred to in this Agreement shall also apply to the products listed in the standard nomenclature adapted to transport needs to which the Community's through international tariffs apply in the case of uninterrupted carriage by rail through two or more Member States.

Article 4

As regards coal and steel traffic between Member States over the lines of the Austrian Federal Railways, the Austrian Federal Government, and the Governments of the Member States shall, in respect of rates and conditions of carriage of every kind, refrain from discrimination based on the country of origin or destination of products.

Article 5

The Austrian Federal Government, the Governments of the Member States and the High Authority shall, in the Transport Committee provided for in Article 6 of this Agreement, consider the possibility of extending to the through international tariffs referred to in this Agreement the measures of harmonization which have been, or will be, achieved within the Community.

Article 6

From the entry into force of this Agreement, a Transport Committee (hereinafter called 'the Committee') shall be established to look into questions arising from its implementation.

The Committee shall consist of representatives of the Austrian Federal Government, of the Government of each of the Member States of the Community, and of the High Authority.

The Committee shall, by mutual agreement, adopt its rules of procedure and, in accordance with those rules, appoint its chairman who shall hold office for one year.

The Committee shall be assisted by two secretaries, one appointed by the Austrian Federal Government and the other by the High Authority.

Article 7

The Committee shall be convened by its chairman. The Committee shall meet once a year in ordinary session and draw up a report on its work for submission

to the Austrian Federal Government, to the Governments of the Member States and to the High Authority.

If the Austrian Federal Government, the Government of one of the Member States or the High Authority so requests, the chairman shall, within two weeks, convene an extraordinary meeting of the Committee, in particular if unforeseen difficulties or a radical change in economic or technical conditions are seriously affecting the operation of this Agreement.

The Committee shall look into the questions put to it and shall submit to the Austrian Federal Government, to the Governments of the Member States and to the High Authority agreed proposals for dealing with them. Failing agreement within two weeks from the date of the first meeting, the Committee shall submit a report on the matter to the Austrian Federal Government, to the Governments of the Member States and to the High Authority.

Article 8

Any contemplated change :

1. in the rules for calculating the through international tariffs for the uninterrupted carriage by rail through two or more Member States of coal and steel between Member States, or
2. either in the internal tariff rates of the Austrian Federal Railways, without a corresponding change at the same time in the rates for carriage over the Austrian section in accordance with Annex I to this Agreement, or in the latter rates without a corresponding change at the same time in the internal tariff rates of the Austrian Federal Railways,

shall be notified to the Governments which are parties to the Agreement and to the High Authority as early as possible and at least one month before the intended date of application. The purpose, nature and extent of the change shall be stated at the time of notification.

If the Austrian Federal Government, the Government of one of the Member States or the High Authority considers that the contemplated change may give rise to serious difficulties, it may call for an extraordinary meeting of the Committee before the change is put into effect.

If the Committee cannot agree on the advisability of the contemplated change, it may not be put into effect until two months after the date of dispatch of the report provided for in Article 7 of this Agreement.

In urgent cases the one-month period provided for in the first paragraph of this Article may be reduced to two weeks and the contemplated change may take

effect on expiration of that period if no objection is raised by any of the Contracting Parties.

This Article shall not apply to the introduction of, or change in, tariffs fixed to meet competition or under an equivalent rates system, which shall remain subject to the provisions of the last paragraph of Article 2.

Article 9

The High Authority accepts this Agreement as binding by virtue of its signature.

The Government of each Member State shall, through diplomatic channels, notify the Austrian Federal Government that the conditions necessary for the entry into force of this Agreement have been fulfilled in accordance with the provisions of its national laws. The Austrian Federal Government shall inform the other Contracting Parties of the notifications received.

This Agreement shall enter into force one month after the date on which the Austrian Federal Government has informed the other Contracting Parties that the Agreement is applicable in the territories of all the Member States and in the territory of the Republic of Austria ⁽¹⁾.

The through international tariffs for traffic over the lines of the Austrian Federal Railways shall be introduced within two months following the date of entry into force of this Agreement.

Article 10

This Agreement is concluded for an unlimited period.

It may be denounced by the Austrian Federal Government or by the High Authority, authorized to that end by the Governments of the Member States parties to the Agreement, subject to six months' notice. This period may be reduced to two months if the Committee fails to agree on a question put to it. This reduced period shall commence on the day on which the failure to agree is established.

Article 11

This Agreement shall be deposited in the archives of the Austrian Federal Government. The Austrian Federal Government shall transmit certified copies thereof to the High Authority and to the Governments of the Member States.

In witness whereof, the undersigned representatives of the Austrian Federal Government, of the Governments of the Member States and of the High Authority, duly authorized, have signed this Agreement.

Done at Luxembourg, 26 July 1957

in a single original in the Dutch, French, German and Italian languages, all four texts being equally authentic.

For the Austrian Federal Government

Dr. CARL H. BOBLETER

For the High Authority

D. P. SPIERENBURG

For the Governments of the Member States:

*For the Government of the
Federal Republic of Germany*

SPRETI

*For the Government of the
Italian Republic*

V. BOLASCO

*For the Government of the
Kingdom of Belgium*

R. TAYMANS

*For the Government of the
Grand Duchy of Luxembourg*

V. BODSON

*For the Government of the
French Republic*

P. A. SAFFROY

*For the Government of the
Kingdom of the Netherlands*

C. G. DE ROO VAN ALDERWERELT

⁽¹⁾ The Agreement enters into force on 1 March 1958.

ANNEX I ⁽¹⁾

to the Agreement of 26 July 1957 between the Austrian Federal Government, of the one part, and the Governments of the Member States of the European Coal and Steel Community and the High Authority of the European Coal and Steel Community, of the other part, on the establishment of through international railway tariffs for the carriage of coal and steel through the territory of the Republic of Austria

Portion accruing to the Austrian Federal Railways

The portion accruing to the Austrian Federal Railways, referred to in the third paragraph of Article 2 of the Agreement, shall be calculated as follows :

1. The standard tonnage rates (for 15 tonnes) of the Austrian internal tariff in force at a given time shall be reduced by amounts determined for the following categories of goods : coal, coke, ore, pig-iron, crude steel, semi-finished products, finished products and scrap.

The rates thus obtained shall be accepted as the standard tonnage rates (20 tonnes) ⁽²⁾.

The subsidiary tonnage rates for scrap and for iron and steel products shall be obtained by multiplying the standard tonnage rates by the following coefficients : 1.05 for 15 tonnes ; 1.20 for 10 tonnes ; 1.60 for five tonnes.

2. The reductions in the rates of the Austrian internal tariff in force on 8 February 1957, provided for in paragraph 1, shall be as follows :

Goods	Reduction per tonne (Austrian schillings)	
Coal	4·80	
Coke	4·80	
Ore	3·00	
Crude steel, pig-iron	3·60	
Semi-finished products	3·60	
Finished products	5·40	
Scrap {	route Kufstein — Brennero / Brenner	6·00
	route Salzburg Hbf. — Tarvisio Centrale	10·70
	route Lindau — Reutin — Brennero / Brenner	11·50
	route Simbach (Inn) — Tarvisio Centrale	13·20
	route Passau Hbf. — Tarvisio Centrale	15·60

3. The portion determined in accordance with the above rules shall be published in the 'International tariff for the carriage of goods between the Member States of the European Coal and Steel Community'.

⁽¹⁾ The last version of this Annex was published in OJ No C 23, 27. 1, 1978, p. 2.

⁽²⁾ 15 tonnes for coke.

ANNEX II

to the Agreement of 26 July 1957 between the Austrian Federal Government, of the one part, and the Governments of the Member States of the European Coal and Steel Community and the High Authority of the European Coal and Steel Community, of the other part, on the establishment of through international railway tariffs for the carriage of coal and steel through the territory of the Republic of Austria

CHAPTER I**Special provisions for consignments of coke***Article 1*

Notwithstanding the provisions of the second paragraph of Article 2 of this Agreement, the charges for the carriage of coke from a Member State to Italy or vice versa through Austrian territory, shall be determined as follows :

1. For the calculation of the charge for the Italian section, the Italian coefficient of degressivity corresponding to the length of the Italian section shall be applied.
2. For the calculation of the charge for a section in any of the other Member States, the national coefficient of degressivity corresponding to the total distance (including the Austrian section), less the Italian distance shall be applied.
3. The portion accruing to the Austrian Federal Railways shall be calculated at the rates provided for in the third paragraph of Article 2 of the Agreement.

Article 2

The provisions of Article 1 above shall remain in force for the period of application of the special regulation drawn up between Member States on the carriage of coke from France to Italy and vice versa, which was published in *Official Journal of the European Coal and Steel Community* No 9 of 19 April 1955.

If the Member States should amend the special regulations on the carriage of coke from France to Italy and vice versa, the provisions of Article 1 above should be adjusted to such amendments, if one of the Contracting Parties so requests.

CHAPTER II**Special provisions for the carriage of coal and steel from or to a State which is not a Member State of the European Coal and Steel Community***Sole Article*

The carriage of coal and steel over the lines of the Austrian Federal Railways from a point on the Austro-German frontier to a point on the Austro-Italian frontier, or vice versa :

- from a State which is not a Member State to a Member State,
- from a Member State to a State which is not a Member State,
- from a State which is not a Member State to a State which is not a Member State,

shall in respect of the Austrian section and sections in the Member States be covered by Article 2 of the Agreement.

CORRIGENDA

Corrigendum to Official Journal of the European Communities No L 7 of 11 January 1979

Page 5 shall be replaced by the following:

**'COMMISSION REGULATION (EEC) No 40/79
of 10 January 1979
fixing the import levies on rice and broken rice**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1418/76 of 21 June 1976 on the common organiza-
tion of the market in rice ⁽¹⁾, as last amended by Regu-
lation (EEC) No 1260/78 ⁽²⁾, and in particular Article
11 (2) thereof,

Whereas the import levies on rice and broken rice
were fixed by Regulation (EEC) No 2364/78 ⁽³⁾, as last
amended by Regulation (EEC) No 7/79 ⁽⁴⁾;

Whereas it follows from applying the rules and other
provisions contained in Regulation (EEC) No 2364/78
to the offer prices and today's quotations known to

the Commission that the levies at present in force
should be altered as shown in the table annexed to
this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the products listed
in Article 1 (1) (a) and (b) of Regulation (EEC) No
1418/76 are hereby fixed as shown in the table
annexed to this Regulation.

Article 2

This Regulation shall enter into force on 11 January
1979.

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

Done at Brussels, 10 January 1979.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 156, 14. 6. 1978, p. 11.

⁽³⁾ OJ No L 286, 12. 10. 1978, p. 5.

⁽⁴⁾ OJ No L 2, 4. 1. 1979, p. 5.

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