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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 2793/81

of 17 September 1981

amending Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons and their families moving within the Community and Regulation (EEC) No 574/72 fixing the procedure for implementing Regulation (EEC) No 1408/71

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 51 thereof,

Having regard to Council Regulation (EEC) No 1408/71 of 14 June 1971 on the application of social security schemes to employed persons and their families moving within the Community ⁽¹⁾, as last amended by Regulation (EEC) No 196/81 ⁽²⁾, and in particular Article 97 thereof,

Having regard to Council Regulation (EEC) No 574/72 of 21 March 1972 fixing the procedure for implementing Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons and their families moving within the Community ⁽³⁾, as last amended by Regulation (EEC) No 1981/81 ⁽⁴⁾,

Having regard to the proposal from the Commission ⁽⁵⁾, drawn up after consulting the Administrative Commission on Social Security for Migrant Workers,

Having regard to the opinion of the European Parliament ⁽⁶⁾,

Having regard to the opinion of the Economic and Social Committee ⁽⁷⁾,

Whereas the experience gained from implementing Regulations (EEC) No 1408/71 and (EEC) No 574/72 has revealed the need to make some improvements to those Regulations; whereas, consequently, the discretionary power of an institution of a Member State should be extended in granting or refusing authorization to a worker going to another Member State to receive appropriate medical treatment;

Whereas it is appropriate to clarify the rules for granting invalidity benefits to unemployed workers who, during their last employment, resided in the territory of a Member State other than the State responsible;

Whereas an institution of the place of stay or residence in one Member State which has provided benefits in kind in respect of an injury occurring within that State on behalf of a competent institution in another Member State should have a right to subrogation or direct action, provided for under its own legislation, against the third party liable for that injury notwithstanding the existence of a waiver agreement on reimbursement between the two Member States;

Whereas concordance no longer exists in the conditions relating to the state of invalidity between Italian and Belgian legislation on the one hand, and between Italian and Luxembourg legislation on the other;

Whereas changes in Belgian legislation have made it necessary to amend Annex V to Regulation (EEC) No 1408/71 so as to facilitate the award of family allowances by that country;

Whereas the extension of the scope in relation to persons of the supplementary pension scheme for employed persons in Denmark makes it possible to adopt the latter as a reference scheme in order to identify those persons entitled to benefits under this Regulation who are subject to schemes applicable to all persons who are resident in that Member State;

Whereas the detailed rules for calculating the Danish theoretical amount and the *pro rata* pension amount should be specified so as to take into account the fact that the Danish pension may be calculated on the basis of periods other than those taken into account by the other Member States;

Whereas it is necessary to make provision in the said Annex V enabling German institutions to take account of periods completed in other Member States during which entitlement to sickness benefit in kind existed, so as to ensure that pensioners are insured against sickness within the Federal Republic of Germany;

⁽¹⁾ OJ No L 149, 5. 7. 1971, p. 2.

⁽²⁾ OJ No L 24, 28. 1. 1981, p. 3.

⁽³⁾ OJ No L 74, 27. 3. 1972, p. 1.

⁽⁴⁾ OJ No L 193, 16. 7. 1981, p. 16.

⁽⁵⁾ OJ No C 303, 20. 11. 1980, p. 7.

⁽⁶⁾ OJ No C 144, 15. 6. 1981, p. 112.

⁽⁷⁾ OJ No C 138, 9. 6. 1981, p. 45.

Whereas frontier workers residing in certain French departments should be entitled to benefits in kind provided for by the local Alsace-Lorraine scheme ;

Whereas the rules concerning the calculation of the amount of contribution payable by persons subject to voluntary insurance to Netherlands sickness insurance who do not reside in the Netherlands should be amended ;

Whereas account should be taken of amendments made to Netherlands legislation concerning the acquisition of the right to family benefits in order to facilitate the granting of such benefits ;

Whereas the said Annex V should reflect those changes which have occurred in United Kingdom legislation concerning the abolition of the conditions which needed to be satisfied with regard to nationality and place of birth ;

Whereas it is necessary to simplify the procedure for receipt of substantial benefits in kind where the worker is resident in a Member State other than the competent State ;

Whereas it is necessary to introduce a series of amendments which result from Regulation (EEC) No 1517/79 ⁽¹⁾ ;

Whereas the opportunity should be taken also to correct certain cross-references in Regulations (EEC) No 1408/71 and (EEC) No 574/72 ;

Whereas it is necessary to make a certain number of amendments to the Annexes to Regulation (EEC) No 574/72 and in particular following structural changes in sickness insurance resulting from the introduction of a national health service in Italy,

HAS ADOPTED THIS REGULATION :

Article 1

Regulation (EEC) No 1408/71 is hereby amended as follows :

1. The second subparagraph of Article 22 (2) shall be replaced by the following :

'The authorization required under paragraph 1 (c) may not be refused where the treatment in question is among the benefits provided for by the legislation of the Member State on whose territory the person concerned resides and where he cannot be given such treatment within the time normally necessary for obtaining the treatment in question in the Member State of residence, taking account of his current state of health and the probable course of the disease.'

2. The following paragraph shall be added to Article 39 :

'5. A wholly unemployed worker to whom the provisions of the first sentence of Article 71 (1) (a) (ii) or (b) (ii) apply shall receive the invalidity benefits provided by the competent institution of the Member State on whose territory he resides, and in accordance with the legislation which it administers, as though he had been subject to that legislation during his last employment, account being taken, where appropriate, of the provisions of Article 38 and/or Article 25 (2). The institution of the country of residence shall be responsible for paying these benefits.'

3. The following paragraph shall be added to Article 93 :

'3. Where, in accordance with the provisions of Article 36 (3) and/or Article 63 (3), two or more Member States or the competent authorities of those States have concluded an agreement to waive reimbursement between institutions under their jurisdiction, any rights arising against a liable third party shall be governed by the following rules :

- (a) where the institution of the Member State of stay or residence awards benefits to a person in respect of an injury which was sustained within its territory, that institution, in accordance with the legislation which it administers, shall exercise the right to subrogation or direct action against the third party liable to provide compensation for the injury ;
- (b) for the purpose of implementing (a) :
 - (i) the person receiving benefits shall be deemed to be insured with the institution of the place of stay or residence, and
 - (ii) that institution shall be deemed to be the debtor institution ;

⁽¹⁾ OJ No L 185, 21. 7. 1979, p. 1.

- (c) the provisions of paragraphs 1 and 2 shall remain applicable in respect of any benefits not covered by the waiver agreement referred to in this paragraph.'
4. In Annex III, point F shall be replaced by the following :
- 'F. IRELAND
- Part II, Chapter 10 of the Social Welfare (Consolidation) Act, 1981.'
5. In Annex IV :
- (a) in the title, the expression '(Article 40 (3) of the Regulation)' shall be replaced by '(Article 40 (4) of the Regulation)';
- (b) in the table for 'BELGIUM', under the heading 'ITALY' in the third column of point 1, the term 'Concordance' shall be replaced by 'No concordance';
- (c) in the table for 'ITALY' :
- under the heading 'BELGIUM', in the third and fourth columns of point 1, the term 'Concordance' shall be replaced by 'No concordance',
 - the heading 'LUXEMBOURG' shall be deleted;
- (d) in the table for 'LUXEMBOURG', the heading 'ITALY' shall be deleted.
6. In Annex V :
- (a) the following point shall be added to Section A :
- '5. Pursuant to Articles 72 and 79 (1) (a) of the Regulation, account shall be taken of periods of employment and/or periods of insurance completed under the legislation of another Member State where entitlement to benefit under Belgian legislation is subject to the condition that, for a specified previous period, the qualifying conditions for family benefits in the framework of the scheme for employed persons have been met.';
- (b) Section B shall be amended as follows :
- point 1 shall be replaced by the following :

'1. Any person who, from the fact of pursuing an activity as an employed person, is subject :

 - (a) to the legislation on accidents at work and occupational diseases for the period prior to 1 September 1977 ; or
 - (b) to the legislation on supplementary pensions for employed persons (arbejdsmarkedets tillægspension, ATP) for a period commencing on or after 1 September 1977, shall be considered as a worker within the meaning of Article 1 (a) (ii) of the Regulation.';
 - points 4 and 5 shall be replaced by the following :

'4. Workers, applicants for pensions and pensioners, and members of their families referred to in Articles 19, 22 (1) and (3), 25 (1) and (3), 26 (1), 28a, 29 and 31 of the Regulation, resident or staying in Denmark, shall be entitled to benefits in kind on the same terms as those laid down by Danish legislation for persons who, under the law on the public health service, (lov om offentlig sygesikring) belong to class 1.

5. The provisions of Article 1 (1) No 2 of the Law on national old-age pensions, Article 1 (1) No 2 of the Law on national invalidity pensions and Article 2 (1) No 2 of the Law on national widows' pensions, are not applicable in respect of workers or their survivors whose residence is in the territory of a Member State other than Denmark.';

— the following point shall be added :

'12. Where, by virtue of Danish legislation, the Danish pension is calculated on the basis of periods of residence completed by a person other than the person who completed those periods of residence which are taken into account by one or more other Member States pursuant to the provisions of Title III, Chapter 3 of the Regulation, the Danish theoretical amount and *pro rata* pension amount, calculated in accordance with Article 46 (2) of the Regulation, shall be based upon the periods of residence and insurance completed by the latter person.';

(c) in Section C :

— in point 5, the words 'including retired persons' shall be replaced by 'excluding retired persons',

— the following point shall be added :

'11. For the purposes of applying German legislation on compulsory insurance of pensioners in respect of sickness insurance provided for in Article 165 (1) (3) (a) of the German Law on social insurance (Reichsversicherungsordnung, RVO), periods of insurance or residence completed under the legislation of any other Member State and during which the person concerned was entitled to benefits in kind in the event of sickness, shall be taken into account, to the extent necessary, as periods of insurance completed under German legislation in so far as they do not overlap with periods of insurance completed under that legislation.';

(d) in Section D, the following point shall be added :

'5. (a) Frontier workers who exercise the activities of employed persons in the territory of a Member State other than France and who reside in the French departments of Haut-Rhin, Bas-Rhin and Moselle, shall be entitled in the territory of those departments to the benefits in kind provided for by the local Alsace-Lorraine scheme set up by Laws No 46-1428 of 12 June 1946 and No 67-814 of 25 September 1967, pursuant to Article 19 of the Regulation.

(b) These provisions shall apply by analogy to those entitled under Article 25 (2) and (3) and Articles 28 and 29 of the Regulation.';

(e) in Section F, point 1, the expression 'Section 4 of the Social Welfare Act 1952' shall be replaced by 'Sections 5 and 37 of the Social Welfare (Consolidation) Act, 1981' ;

(f) in Section H, the following point shall be added :

'3. The second subparagraph of Article 22 (2) of the Regulation does not affect the provisions of Luxembourg legislation pursuant to which authorization by the Sickness Fund for treatment abroad cannot be refused where the required treatment cannot be provided in the Grand Duchy.';

(g) in Section I :

— point 1 (b) and (c) shall be replaced by the following :

'(b) Recipients of old-age pensions pursuant to Netherlands legislation who reside in another Member State shall be obliged, if they are subject to sickness insurance for the aged or to the voluntary insurance referred to in the Law regulating the Sickness Insurance Fund, to pay a contribution on their own behalf, and where appropriate, for the members of their families. The amount of this contribution, pending more specific rules concerning this insurance, shall be fixed by the Minister for Public Health and the Environment ;

- (c) A person not entitled to an old-age pension pursuant to Netherlands legislation and, if married, whose spouse is not a recipient of an old-age pension for married persons pursuant to that same legislation, shall be obliged, if he resides in another Member State and is subject to the voluntary insurance referred to in the Law regulating the Sickness Insurance Fund, to pay a contribution on his own behalf and, if appropriate, for each of the members of his family over 16 years of age. The amount of this contribution, pending more specific rules concerning this insurance, shall be fixed by the Minister for Public Health and the Environment.’

— point 6 shall become point 7 and the following point shall be inserted :

‘6. Application of Netherlands legislation on family allowances

- (a) A worker to whom Netherlands legislation on family benefits becomes applicable during a quarter and who was, on the first day of that quarter, subject to the corresponding legislation of another Member State, shall be considered as being insured as from that first day under Netherlands law ;
- (b) The amount of the family benefits which may be claimed by a worker who is considered, pursuant to (a), as being insured under Netherlands legislation on family benefits shall be fixed in accordance with the detailed arrangements laid down in the implementing Regulation referred to in Article 97 of the Regulation.’;

(h) In Section J :

— point 5 shall be replaced by the following :

- ‘5. Any worker who is subject to United Kingdom legislation in accordance with Title II of the Regulation shall be treated for the purpose of entitlement to attendance allowance as if he had been normally resident within the United Kingdom and had been there during any period of insurance or employment which he may have completed within the territory or under the legislation of another Member State.’

— point 8 shall be deleted and the following points renumbered accordingly,
— in the new point 11, the expression ‘domiciled’ shall be replaced by ‘ordinarily resident’.

Article 2

Regulation (EEC) No 574/72 is hereby amended as follows :

1. (a) In Article 17 (2), in both places where it occurs, the expression ‘three’ shall be replaced by ‘six’ ;
(b) In Article 17 (7), the first sentence shall be replaced by the following :
‘The institution of the place of residence shall notify the competent institution in advance of any decision relating to the granting of benefits in kind where the likely or actual cost exceeds a lump sum which is fixed and periodically reviewed by the Administrative Commission.’
2. In Article 40, the expression ‘Article 40 (3) of the Regulation’ shall be replaced by ‘Article 40 (4) of the Regulation’.
3. In Article 44 (1), the expression ‘Article 40 (3) of the Regulation’ shall be replaced by ‘Article 40 (4) of the Regulation’.
4. (a) In Article 60 (2), in both places where it occurs, the expression ‘three’ shall be replaced by ‘six’ ;
(b) In Article 60 (6) the first sentence shall be replaced by the following :
‘The institution of the place of residence shall notify the competent institution in advance of any decision relating to the granting of benefits in kind where the likely or actual cost exceeds a lump sum which is fixed and periodically reviewed by the Administrative Commission.’

5. Annex 2 shall be amended as follows :

(a) in Section B, Part I :

- in the right-hand column of paragraph 2 (b), the expression 'The competent rehabilitation centre' shall be replaced by 'The social commission of the commune in which the beneficiary resides. In the communes of København, Odense, Ålborg and Århus : "Magistraten" (the communal administration)',

- paragraph 5 shall be replaced by the following :

'5. Death grants : The social commission of the commune in which the beneficiary resides. In the communes of København, Odense, Ålborg and Århus : "Magistraten" (the communal administration)';

(b) in Section B, Part II :

- in the right-hand column of paragraph 1, the expression 'Landslaegen (Regional Public Health Office in Greenland), Godthåb' shall be replaced by 'Bestyrelsen for sundhedsvæsenet i Grønland (Health Service Commission in Greenland), Godthåb',
- in the right-hand column of paragraph 4, the expression 'The competent "Kaemner" (administrator of communal funds)' shall be replaced by 'Arbejds- og socialdirektoratet (Regional Employment and Social Affairs Office), Godthåb';

(c) in Section C, in the left-hand column of paragraph 1 (c), the expression 'or for civilian service' shall be inserted after 'armed forces';

(d) in Section E, paragraph 4 (I) :

- the text of (a) (vi), second indent, right-hand column and of (b) (iv), second indent, right-hand column shall be replaced by the following :

'Groupement des ASSEDIC de la région parisienne (GARP) 90, rue Baudin, 92537, Levallois-Perret',

- the text (d) (iv) shall be replaced by the following :

'(iv) Unemployment :

- for registration as a person seeking work :

local employment agency in the place of residence or in the habitual port of embarkation or the "Bureau central de la main d'œuvre maritime" (Central office for seagoing labour)

- for the issue of forms E 301, E 302, E 303 :

Groupement des ASSEDIC de la région parisienne (GARP) 90, rue Baudin, 92537, Levallois-Perret';

(e) in Section F, in the right-hand column of paragraph 1, the expression 'The Midland Health Board, Courthouse, Tullamore, Offaly' shall be replaced by 'The Midland Health Board, Arden Road, Tullamore, Co. Offaly', the expression 'The Mid-Western Health Board, 1 Pery Street, Limerick' shall be replaced by 'The Mid-Western Health Board, 31/33 Catherine Street, Limerick' and the expression 'The Southern Health Board, County Hall, Cork' shall be replaced by 'The Southern Health Board, Cork Farm Centre, Dennehy's Cross, Cork';

(f) Section G shall be replaced by the following :

'G. ITALY**1. Sickness (including tuberculosis), maternity :**

(a) benefits in kind :

(i) in general :

local office of the health administration with which the person concerned is registered

(ii) for certain categories of civil servants : Ministero della sanità (Ministry of Health), Roma

(iii) for mariners and civil aircrew : Ministero della sanità (Ministry of Health), the relevant area health office for the merchant navy or civil aviation

(b) cash benefits :

(i) in general : Istituto nazionale della previdenza sociale (National Social Welfare Institution), provincial offices

(ii) for mariners and civil aircrew : the maritime fund with which the person concerned is registered

(c) certificates for periods of insurance :

(i) in general : Istituto nazionale della previdenza sociale (National Social Welfare Institution), provincial offices

(ii) for mariners and civil aircrew : the maritime fund with which the person concerned is registered

2. Accidents at work and occupational diseases :

(a) benefits in kind :

(i) in general : local office of the health administration with which the person concerned is registered

(ii) for mariners and civil aircrew : Ministero della sanità (Ministry of Health), the relevant area health office for the merchant navy or civil aviation

(b) prostheses and major appliances, medico-legal benefits and related examinations and certificates :

(i) in general : Istituto nazionale per l'assicurazione contro gli infortuni sul lavoro (National Institution for Insurance against Accidents at Work), provincial offices

(ii) for mariners and civil aircrew : the maritime fund with which the person concerned is registered

(c) cash benefits :

(i) in general : Istituto nazionale per l'assicurazione contro gli infortuni sul lavoro (National Institution for Insurance against Accidents at Work), provincial offices

(ii) for mariners and civil aircrew : the maritime fund with which the person concerned is registered

- (iii) also for agricultural and forestry workers, if required : Ente nazionale di previdenza e assistenza per gli impiegati agricoli (National Welfare and Assistance Office for Agricultural Workers)
- 3. Invalidity, old-age, survivor's (pensions) :**
- (a) in general : Istituto nazionale della previdenza sociale (National Social Welfare Institution), provincial offices
- (b) for workers in the entertainment business : Ente nazionale di previdenza e assistenza per i lavoratori dello spettacolo (National Welfare and Assistance Office for Workers in the Entertainment Business), Roma
- (c) for supervisory staff in industrial undertakings : Istituto nazionale di previdenza per i dirigenti di aziende industriali (National Welfare Institution for Supervisory Staff in Industry), Roma
- (d) for journalists : Istituto nazionale di previdenza per i giornalisti italiani "G. Amendola" (The G. Amendola National Welfare Institution for Italian Journalists), Roma
- 4. Death grants :**
- Istituto nazionale della previdenza sociale (National Social Welfare Institution), provincial offices
- Istituto nazionale per l'assicurazione contro gli infortuni sul lavoro (National Institution for Insurance against Accidents at Work), provincial offices
- The maritime fund with which the person concerned is registered
- 5. Unemployment :**
- (a) in general : Istituto nazionale della previdenza sociale (National Social Welfare Institution), provincial offices
- (b) for journalists : Istituto nazionale di previdenza per i giornalisti italiani "G. Amendola" (The G. Amendola National Welfare Institution for Italian Journalists), Roma
- 6. Family allowances :**
- (a) in general : Istituto nazionale della previdenza sociale (National Social Welfare Institution), provincial offices
- (b) for journalists : Istituto nazionale di previdenza per i giornalisti italiani "G. Amendola" (The G. Amendola National Welfare Institution for Italian Journalists), Roma ;
- (g) in Section H, in the right-hand column of paragraph 4, the expression 'Office national du travail (National Labour Office), Luxembourg' shall be replaced by 'Administration de l'emploi (Employment Administration), Luxembourg'.
- 6. Annex 3 shall be amended as follows :**
- (a) in Section B, part B :
- in the right-hand column of paragraph I (1), the expression 'The competent communal administration ("Kaemner" — administrator of communal funds)' shall be replaced by 'Bestyrelsen for sundhedsvaesenet i Grønland (Health Service Commission in Greenland), Godthåb',

— in the right-hand column of paragraph II (1), the expression 'The competent communal administration ("Kaemner" — administrator of communal funds)' shall be replaced by 'Bestyrelsen for sundhedsvaesenet i Grønland (Health Service Commission in Greenland), Godthåb';

(b) in Section F, in the right-hand column of paragraph 1, the expression 'The Midland Health Board, Courthouse, Tullamore, Offaly' shall be replaced by 'The Midland Health Board, Arden Road, Tullamore, Co. Offaly', the expression 'The Mid-Western Health Board, 1 Pery Street, Limerick' shall be replaced by 'The Mid-Western Health Board, 31/33 Catherine Street, Limerick' and the expression 'The Southern Health Board, County Hall, Cork' shall be replaced by 'The Southern Health Board, Cork Farm Centre, Dennehy's Cross, Cork';

(c) Section G shall be replaced by the following:

'G. ITALY

1. Sickness (including tuberculosis), maternity:

(a) benefits in kind:

- (i) in general: local office of the health administration responsible for the area
- (ii) for mariners and civil aircrew: Ministero della sanità (Ministry of Health), the relevant area health office for the merchant navy or civil aviation

(b) cash benefits:

- (i) in general: Istituto nazionale della previdenza sociale (National Social Welfare Institution), provincial offices
- (ii) for mariners and civil aircrew: the maritime fund responsible for the area

2. Accidents at work, occupational diseases:

(a) benefits in kind:

- (i) in general: local office of the health administration responsible for the area
- (ii) for mariners and civil aircrew: Ministero della sanità (Ministry of Health), the relevant area health office for the merchant navy or civil aviation

(b) prostheses and major appliances, medico-legal benefits, related examinations and certificates and cash benefits:

Istituto nazionale per l'assicurazione contro gli infortuni sul lavoro (National Institution for Insurance against Accidents at Work), provincial offices

3. Invalidity, old-age, survivor's (pensions):

(a) in general:

Istituto nazionale della previdenza sociale (National Social Welfare Institution), provincial offices

(b) for workers in the entertainment business:

Ente nazionale di previdenza e assistenza per i lavoratori dello spettacolo (National Welfare and Assistance Office for Workers in the Entertainment Business), Roma

- (c) for supervisory staff in industrial undertakings : Istituto nazionale di previdenza per i dirigenti di aziende industriali (National Welfare Institution for Supervisory Staff in Industry), Roma
- (d) for journalists : Istituto nazionale di previdenza per i giornalisti italiani "G. Amendola" (The G. Amendola National Welfare Institution for Italian Journalists), Roma
- 4. Death grants :** Istituto nazionale della previdenza sociale (National Social Welfare Institution), provincial offices
Istituto nazionale per l'assicurazione contro gli infortuni sul lavoro (National Institution for Insurance against Accidents at Work), provincial offices
the maritime fund responsible for the area
- 5. Unemployment :**
- (a) in general : Istituto nazionale della previdenza sociale (National Social Welfare Institution), provincial offices
- (b) for journalists : Istituto nazionale di previdenza per i giornalisti italiani "G. Amendola" (The G. Amendola National Welfare Institution for Italian Journalists), Roma
- 6. Family allowances :**
- (a) in general : Istituto nazionale della previdenza sociale (National Social Welfare Institution), provincial offices
- (b) for journalists : Istituto nazionale di previdenza per i giornalisti italiani "G. Amendola" (The G. Amendola National Welfare Institution for Italian Journalists), Roma ;
- (d) in section H, in the right-hand column of paragraph 4, the expression, 'Office national du travail (National Labour Office), Luxembourg' shall be replaced by 'Administration de l'emploi (Employment Administration), Luxembourg' ;
- (e) in point J, paragraph 2, in the entry opposite the words 'Great Britain', the expression 'Overseas Group' shall be replaced by 'Overseas Branch'.
- 7. Annex 9 shall be amended as follows :**
- (a) Section B shall be replaced by the following :
- 'B. DENMARK**
- The average annual costs of benefits in kind shall be calculated by taking into account the schemes set up by the Law on the public health service, the Law on hospital services and, in respect of the cost of rehabilitation, the Law on social assistance.' ;
- (b) Section G shall be replaced by the following :

'G. ITALY

The average annual cost of benefits in kind shall be calculated by taking into account the benefits granted by the health service in Italy.'

8. Annex 10 shall be amended as follows:

(a) in Section A:

- in the left-hand column of paragraph 1, the text shall be replaced by the following:

'1. For the purposes of applying Article 14 of the Regulation and Article 11 (1) (a) and (2), and Articles 12a, 13 and 14 of the implementing Regulation';

- paragraphs 3, 4 and 5 shall become paragraphs 4, 5 and 6 respectively and the following point shall be inserted:

'3. For the purposes of applying Article 17 of the Regulation and Article 11 (1) (b) of the implementing Regulation:

Ministère de la Prévoyance sociale —
Secrétariat Général — Service des Relations internationales, Bruxelles
Ministerie van Sociale Voorzorg —
Secretariaat-Generaal — Dienst Internationale Betrekkingen, Brussel
(Ministry for Social Welfare — General Secretariat — International Relations Department)';

(b) in Section B:

- in Part I, in the left-hand column, the expression 'Article 12a' shall be inserted after the expression 'Article 11 (1)',
- in Part II, in the right-hand column of paragraph 2, the expression 'The competent "Kaemner" (administrator of communal funds)' shall be replaced by 'The competent communal administration';

(c) in Section C:

- in the left-hand column of paragraph 2, the expression 'For the purposes of applying Article 14 (1) (a) (i) of the Regulation in conjunction with Article 11 (1) of the implementing Regulation' shall be replaced by: 'For the purposes of applying Article 14 (1) (a) (i) and Article 17 of the Regulation in conjunction with Article 11 (1) of the implementing Regulation and for the purposes of applying Article 14 (1) (c) of the Regulation in conjunction with Article 12a of the implementing Regulation';

- paragraph 4 shall be replaced by the following:

'4. For the purposes of applying Article 17 of the Regulation:

Bundesverband der Ortskrankenkassen
(National Federation of Local Sickness Funds), Bonn-Bad Godesberg';

(d) in Section F:

- in the left-hand column of paragraph 1, the expression 'Article 12a' shall be inserted after the expression 'Article 11 (1)',
- in the right-hand column of paragraph 4 (b), the expression 'The Midland Health Board, Courthouse, Tullamore, Offaly' shall be replaced by 'The Midland Health Board, Arden Road, Tullamore, Co. Offaly', the expression 'The Mid-Western Health Board, 1 Pery Street, Limerick' shall be replaced by 'The Mid-Western Health Board, 31/33 Catherine Street, Limerick' and the expression 'The Southern Health Board, County Hall, Cork' shall be replaced by 'The Southern Health Board, Cork Farm Centre, Dennehy's Cross, Cork';

(e) Section G shall be replaced by the following:

'G. ITALY

1. For the purposes of applying Article 6
(1) of the implementing Regulation : Ministero del lavoro e della previdenza sociale (Ministry of Labour and Social Welfare), Roma
2. For the purposes of applying Article 11 (1), Article 13 (2) and (3) and Article 14 (1), (2) and (3) of the implementing Regulation : Istituto nazionale della previdenza sociale (National Social Welfare Institution) provincial offices
3. For the purposes of applying Article 38 (1) of the implementing Regulation : Istituto nazionale della previdenza sociale (National Social Welfare Institution), provincial offices
4. For the purposes of applying Article 75 (2) of the implementing Regulation : Istituto nazionale per l'assicurazione contro gli infortuni sul lavoro (National Institution for Insurance against Accidents at Work), provincial offices
5. For the purposes of applying Articles 80 (2), 81, 82 (2), 85 (2), 88 and 91 (2) of the implementing Regulation : Istituto nazionale della previdenza sociale (National Social Welfare Institution), provincial offices
6. For the purposes of applying Article 102 (2) of the implementing Regulation :
 - (a) Refunds under Article 36 of the Regulation : Ministero della sanità (Ministry of Health), Roma
 - (b) Refunds under Article 63 of the Regulation :
 - (i) benefits in kind : Ministero della sanità (Ministry of Health), Roma
 - (ii) prostheses and major appliances : Istituto nazionale per l'assicurazione contro gli infortuni sul lavoro (National Institution for Insurance against Accidents at Work), Roma
 - (c) Refunds under Articles 70 and 75 of the Regulation : Istituto nazionale della previdenza sociale (National Social Welfare Institution), Roma
7. For the purposes of applying Article 113 (2) of the implementing Regulation :
 - (a) Sickness (including tuberculosis) : Ministero della sanità (Ministry of Health), Roma
 - (b) Accidents at work and occupational diseases :
 - (i) benefits in kind : Ministero della sanità (Ministry of Health), Roma

- (ii) prostheses and major appliances :

Istituto nazionale per l'assicurazione contro gli infortuni sul lavoro (National Institution for Insurance against Accidents at Work), Roma';

- (f) in Section H :

- paragraphs 4 to 8 shall become paragraphs 5 to 9 respectively and the following paragraph shall be inserted :

'4. For the purposes of applying Article 12a of the implementing Regulation :

Centre informatique d'affiliation et de perception des cotisations commun aux institutions de sécurité sociale (Joint Data-Processing, Membership and Contributions Centre of the Social Security Institutions), Luxembourg',

- in the right-hand column of new paragraph 5 and paragraph 8 (c), the expression 'Office national du travail (National Labour Office), Luxembourg' shall be replaced by 'Administration de l'emploi (Employment Administration), Luxembourg' ;

- (g) in Section I, in the left-hand column of paragraph 1, the expression '12a' shall be inserted after the expression 'Article 11 (1)' ;

- (h) in Section J :

- in the introductory sentence, the expression 'Article 12a' shall be inserted after the expression 'Article 11 (1)',
— in the entry opposite 'Great Britain' the expression 'Overseas Group' shall be replaced by 'Overseas Branch'.

Article 3

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

2. — Article 1 (5) (a) shall apply with effect from 1 July 1976.

— Article 1 (6) (c), first indent, shall apply with effect from 1 January 1979.

— Article 1 (6) (c), second indent, shall apply with effect from 1 July 1978.

— Article 1 (6) (d) and (g), second indent, shall apply with effect from 1 January 1980.

— Article 1 (6) (h), first and second indents, shall apply with effect from 14 January 1980.

— Article 1 (6) (h), third indent, shall apply with effect from 2 July 1973.

— Article 2 (2) and (3) shall apply with effect from 1 July 1976.

— Article 2 (5) (a), (b) and (c) shall apply with effect from 21 July 1979.

— Article 2 (5) (g) shall apply with effect from 1 March 1976.

— Article 2 (6) (d) shall apply with effect from 1 March 1976.

— Article 2 (8) (c), first indent, shall apply with effect from 1 October 1979.

— Article 2 (8) (c), second indent, shall apply with effect from 1 January 1981.

— Article 2 (8) (d), (f), first indent, (g) and (h), first indent, shall apply with effect from 21 July 1979.

— Article 2 (8) (f), second indent, shall apply with effect from 1 March 1976.

— Article 2 (6) (a) and (e) and (8) (h), second indent, shall apply with effect from 1 November 1976.

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

Done at Brussels, 17 September 1981.

For the Council

The President

G. HOWE

**COMMISSION REGULATION (EEC) No 2794/81
of 28 September 1981**

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 organi-
zation of the market in cereals⁽¹⁾, as last amended by
Regulation (EEC) No 1949/81⁽²⁾, and in particular
Article 13 (5) thereof,

Having regard to Council Regulation No 129 on the
value of the unit of account and the exchange rates to
be applied for the purposes of the common agricul-
tural policy⁽³⁾, as last amended by Regulation (EEC)
No 2543/73⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary
Committee,

Whereas, the import levies on cereals, wheat and rye
flour, and wheat groats and meal were fixed by Regula-
tion (EEC) No 2196/81⁽⁵⁾ and subsequent amending
Regulations;

Whereas, if the levy system is to operate normally,
levies 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 in relation to the Community
currencies referred to in the previous indent;

Whereas these exchange rates being those recorded on
25 September 1981;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 2196/81 to today's
offer prices and quotations known to the Commission
that the levies at present in force should be altered to
the amounts set out in the Annex hereto,

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 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 29
September 1981.

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

Done at Brussels, 28 September 1981.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 198, 20. 7. 1981, p. 2.

⁽³⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁴⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁵⁾ OJ No L 214, 1. 8. 1981, p. 7.

ANNEX

to the Commission Regulation of 28 September 1981 fixing the import levies on cereals
and on wheat or rye flour, groats and meal

(ECU/tonne)		
CCT heading No	Description	Levies
10.01 A	Common wheat, and meslin	69.56
10.01 B	Durum wheat	132.20 ⁽¹⁾ ⁽²⁾
10.02	Rye	33.64 ⁽⁴⁾
10.03	Barley	70.55
10.04	Oats	36.49
10.05 B	Maize, other than hybrid maize for sowing	87.20 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	65.00 ⁽⁴⁾
10.07 C	Grain sorghum	72.10 ⁽⁴⁾
10.07 D	Canary seed; other cereals	0 ⁽²⁾
11.01 A	Wheat or meslin flour	110.61
11.01 B	Rye flour	60.34
11.02 A I a)	Durum wheat groats and meal	217.98
11.02 A I b)	Common wheat groats and meal	119.19

⁽¹⁾ Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by 0.60 ECU/tonne.

⁽²⁾ In accordance with Regulation (EEC) No 435/80, 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⁾ Where maize originating in the ACP or OCT is imported into the Community the levy is reduced by 1.81 ECU/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 0.60 ECU/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 2795/81**of 28 September 1981****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 organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1949/81⁽²⁾, and in particular Article 15 (6) thereof,

Having regard to Council Regulation No 129 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽³⁾, as last amended by Regulation (EEC) No 2543/73⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Regulation (EEC) No 2197/81⁽⁵⁾ and subsequent amending Regulations;

Whereas, if the levy system is to operate normally, levies 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 in relation to the Community currencies referred to in the previous indent;

Whereas these exchange rates being those recorded on 25 September 1981;

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 to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The premiums referred to in Article 15 of Regulation (EEC) No 2727/75 to be added to the import levies fixed in advance in respect of cereals and malt shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 29 September 1981.

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

Done at Brussels, 28 September 1981.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 198, 20. 7. 1981, p. 2.

⁽³⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁴⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁵⁾ OJ No L 214, 1. 8. 1981, p. 10.

ANNEX

to the Commission Regulation of 28 September 1981 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CCT heading No	Description	(ECU/tonne)			
		Current 9	1st period 10	2nd period 11	3rd period 12
10.01 A	Common wheat, and meslin	0	0	0	0
10.01 B	Durum wheat	0	0.93	0.93	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	0
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

CCT heading No	Description	(ECU/tonne)				
		Current 9	1st period 10	2nd period 11	3rd period 12	4th period 1
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	0	0	0	0
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 B	Roasted malt	0	0	0	0	0

COMMISSION REGULATION (EEC) No 2796/81
of 28 September 1981
on the supply of milled long grain rice to Equatorial Guinea as food aid

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 organization of the market in rice ⁽¹⁾, as last amended by the Act of Accession of Greece, and in particular Article 25 thereof,

Having regard to Council Regulation (EEC) No 2750/75 of 29 October 1975 fixing criteria for the mobilization of cereals intended as food aid ⁽²⁾, and in particular Article 6 thereof,

Having regard to Council Regulation No 129 of 23 October 1962 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy ⁽³⁾, as last amended by Regulation (EEC) No 2543/73 ⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, on 28 May 1980, the Council of the European Communities has expressed its intention to grant, under a Community measure, 1 000 tonnes of cereals to Equatorial Guinea under its food-aid programme for 1980;

Whereas it is necessary to provide for the carrying-out of this measure in accordance with the rules laid down by Commission Regulation (EEC) No 1974/80 of 22 July 1980 laying down general implementing rules in respect of certain food-aid operations involving cereals and rice ⁽⁵⁾; whereas it is necessary to specify, for the purposes of the Community measure envisaged, the characteristics of the products to be supplied and the supply conditions which are set out in the Annex to this Regulation;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The Belgian intervention agency shall be charged with implementing the mobilization and supply procedures in accordance with the provisions of Regulation (EEC) No 1974/80 and with the conditions laid down in the Annex hereto.

Article 2

This Regulation shall enter into force on the 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, 28 September 1981.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 281, 1. 11. 1975, p. 89.

⁽³⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁴⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁵⁾ OJ No L 192, 26. 7. 1980, p. 11.

ANNEX

1. **Programme :** 1980
2. **Recipient :** Equatorial Guinea
3. **Place or country of destination :** Equatorial Guinea
4. **Product to be mobilized :** milled long grain rice
5. **Total quantity :** 345 tonnes (1 000 tonnes cereal)
6. **Number of lots :** one
7. **Intervention agency responsible for conducting the procedure :** OBEA, 82, rue de Trèves,
B-1040 Brussels, telex 24 076
8. **Method of mobilizing the product :** Community market
9. **Characteristics of the goods :**
 - rice of fair and sound merchantable quality, free from abnormal smell and pests,
 - moisture : 15 %
 - broken rice : 5 % maximum,
 - chalky grains : 5 % maximum,
 - grains striated with red : 3 % maximum,
 - spotted grains : 1.5 % maximum,
 - stained grains : 1 % maximum
 - yellow grains : 0.050 % maximum,
 - amber grains : 0.20 % maximum
10. **Packaging :**
 - in bags ⁽¹⁾,
 - quality of the bags : new jute sacks, 600 g,
 - net weight of the bags : 50 kg,
 - marking of the bags :
letters at least 5 cm high :
'ARROZ BLANQUEADO GRANO LONGO / DONACIÓN DE LA COMUNIDAD
ECONÓMICA EUROPEA A LA REPÚBLICA DE GUINEA ECUATORIAL'
11. **Port of shipment :** Antwerp
12. **Delivery stage :** fob
13. **Port of landing :** —
14. **Procedure to be applied in order to determine supply costs :** mutual agreement
15. **Shipment period :** 10 to 30 October 1981
16. **Security :** 12 ECU per tonne

⁽¹⁾ Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.

COMMISSION REGULATION (EEC) No 2797/81
of 28 September 1981
on the supply of common wheat flour to UNRWA as food aid

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 organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1949/81⁽²⁾, and in particular Article 28 thereof,

Having regard to Council Regulation (EEC) No 2750/75 of 29 October 1975 fixing criteria for the mobilization of cereals intended as food aid⁽³⁾, and in particular Article 6 thereof,

Having regard to Council Regulation No 129 of 23 October 1962 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽⁴⁾, as last amended by Regulation (EEC) No 2543/73⁽⁵⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, on 19 May 1981, the Council of the European Communities has expressed its intention to grant, under a Community measure, 15 175 tonnes of cereals to UNRWA under its food-aid programme for 1981;

Whereas it is necessary to provide for the carrying-out of this measure in accordance with the rules laid down by Commission Regulation (EEC) No 1974/80 of 22 July 1980 laying down general rules for the implementation of certain food-aid operations involving cereal and rice products⁽⁶⁾; whereas it is necessary to specify, for the purposes of the Community measure envisaged, the characteristics of the products to be supplied and the supply conditions which are set out in the Annex to this Regulation;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The United Kingdom intervention agency shall be charged with implementing the mobilization and supply procedures in accordance with the provisions of Regulation (EEC) No 1974/80 and with the conditions laid down in the Annex hereto.

Article 2

This Regulation shall enter into force on the 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, 28 September 1981.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 198, 20. 7. 1981, p. 2.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 89.

⁽⁴⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁵⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁶⁾ OJ No L 192, 26. 7. 1980, p. 11.

ANNEX I

1. **Programme** : 1981
2. **Recipient** : UNRWA
3. **Place or country of destination** : Jordan
4. **Product to be mobilized** : common wheat flour
5. **Total quantity** : 11 077 tonnes (15 175 tonnes of cereals)
6. **Number of lots** : three
 - Lot 1 : 5 300 tonnes
 - Lot 2 : 2 000 tonnes
 - Lot 3 : 3 777 tonnes
7. **Intervention agency responsible for conducting the procedure** : Intervention Board for Agricultural Produce, Fountain House, 2 West Mall, Reading RG1 7QW Berks UK (telex 848 302).
8. **Method of mobilizing the product** : intervention
9. **Characteristics of the goods** :
 - flour of fair and sound merchantable quality, free from abnormal smell and pests
 - moisture : 15 % maximum
 - protein content : 10.5 % minimum (N × 6.25 on dry matter)
 - ash content : 0.62 % maximum referred to dry matter
10. **Packaging** :
 - in bags ⁽¹⁾
 - quality of the bags : new jute sacks ; minimum weight : 600 g (in containers of 20 ft)
 - net weight of the bags : 50 kg
 - marking of the bags : letters at least 5 cm high :
'WHEAT FLOUR / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY TO
UNRWA / FOR FREE DISTRIBUTION TO PALESTINE REFUGEES'
11. **Port of shipment** : a Community port
12. **Delivery stage** : cif
13. **Port of landing** : Aqaba
14. **Procedure to be applied in order to determine supply costs** : tendering
15. **Deadline for the submission of tenders** : 12 noon on 9 October 1981
16. **Shipment period** :
 - Lot 1 : November 1981
 - Lot 2 : December 1981
 - Lot 3 : January 1982
17. **Security** : 12 ECU per tonne

⁽¹⁾ Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.

BILAG II — ANHANG II — ΠΑΡΑΡΤΗΜΑ II — ANNEX II — ANNEXE II — ALLEGATO II — BIJLAGE II

Partiets nummer Nummer der Partie Αριθμός παρτίδων Number of lot Numéro du lot Numero della partita Nummer van de partij	Indskibningshavn Verschiffungshafen Λιμένας φορτώσεως Port of shipment Port d'embarquement Porto d'imbarco Haven van inlading	Mængde til levering cif (t) Nach cif zu bringende Menge (t) Τόνοι cif Tonnage cif Tonnage à mettre en cif Tonnellaggio da mettere in cif Cif aan te leveren hoeveelheid (t)	Lagerindehaverens navn og adresse Name und Adresse des Lagerhalters Όνομα και διεύθυνση έναποθηκευτού Address of store Nom et adresse du stockeur Nome e indirizzo del detentore Naam en adres van de depothouder	Lagerplads Ort der Lagerhaltung Τόπος αποθηκεύσεως Town at which stored Lieu de stockage Luogo di accantonamento Adres van de opslagplaats
1	Fælleskabshavne Hafen der Gemeinschaft Κοινοτικός λιμένας Community port Port de la Communauté	4-917 2-344 7-261	WM Gleadell & Sons Ltd, Morton, Gainsborough, Lincolnshire Spillers French Milling Ltd, Carr Lane, Gainsborough, Lincolnshire	Hemswell, Lincolnshire Gainsborough, Lincolnshire
2	Porto della Comunità Haven van de Gemeenschap	1-250 1-490 2-740	Spillers French Milling Ltd, Carr Lane, Gainsborough, Lincolnshire Anglia Agricultural Merchants, Lancaster Way, Ely, Cambridgeshire	Gainsborough, Lincolnshire Ely, Cambridgeshire
3		1-562 2-401 1-211 5-174	Anglia Agricultural Merchants, Lancaster Way, Ely, Cambridgeshire Grain Harvesters Ltd, The Old Colliery, Wingham, Canterbury, Kent CT3 1LS Debach Enterprises, Staverton House, Wantisden, Woodridge, Suffolk	Ely, Cambridgeshire Wingham, Kent Debach, Suffolk

COMMISSION REGULATION (EEC) No 2798/81**of 28 September 1981****amending for the third time Regulation (EEC) No 2377/80 on special detailed rules for the application of the system of import and export licences in the beef and veal sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by the Act of Accession of Greece, and in particular Article 15 (2) and Article 25 thereof,

Whereas Commission Regulation (EEC) No 2378/80 ⁽²⁾, as last amended by Regulation (EEC) No 1727/81 ⁽³⁾, laid down additional special detailed rules concerning the issue of export licences, which were made necessary by the world market situation for agricultural products; whereas the said detailed rules apply only until 30 September 1981;

Whereas some of the detailed rules have been found to be useful for giving better indications concerning the market, particularly in respect of exports of beef and veal to non-member countries; whereas they should therefore be retained by including them in Commission Regulation (EEC) No 2377/80 ⁽⁴⁾, as last amended by Regulation (EEC) No 2137/81 ⁽⁵⁾;

Whereas the Management Committee for Beef and Veal has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2377/80 is hereby amended as follows.

1. The following Article 8a is inserted:

Article 8a

1. For products falling within subheading 02.01 A II of the Common Customs Tariff, the application for an export licence and the licence itself shall contain, in Section 13, the name of the country of destination of the product.

2. For products falling within subheading 02.01 A II of the Common Customs Tariff, the export licence with advance fixing of the refund, as referred to in Article 3 (a), shall be issued on the fifth working day following the day on which the application is lodged, unless special measures are taken during that period.

3. By way of derogation from Article 5 (b), the export licence with advance fixing of the refund, as referred to in paragraph 2 of this Article, shall be valid for 90 days from its actual day of issue.

2. Article 16 is replaced by the following:

Article 16

1. The Member States shall communicate, by telex, to the Commission on the Monday and Thursday of each week, before 4 p.m., for the products falling within subheading 02.01 A II of the Common Customs Tariff, and specifying, by product, the quantities and countries of destination:

— a list of export licences with advance fixing of refunds applied for since the previous communication, and

— a list of export licences issued since the previous communication.

2. Before the fifth day of each month, the Member States shall communicate to the Commission by telex the quantity of products for which import or export licences were issued during the previous calendar month.

3. The communications provided for in this Article shall be made in accordance with Annex I and using the codes indicated therein.

Article 2

This Regulation shall enter into force on 1 October 1981.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 241, 13. 9. 1980, p. 19.

⁽³⁾ OJ No L 172, 30. 6. 1981, p. 21.

⁽⁴⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁵⁾ OJ No L 209, 29. 7. 1981, p. 15.

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

Done at Brussels, 28 September 1981.

For the Commission

Poul DALSGER

Member of the Commission

COMMISSION REGULATION (EEC) No 2799/81

of 25 September 1981

re-establishing the levying of customs duties applicable to third countries on certain products originating in Yugoslavia

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Interim Agreement between the European Economic Community and the Socialist Federal Republic of Yugoslavia⁽¹⁾, and in particular Protocol 1 thereto,

Having regard to Council Regulation (EEC) No 3502/80 of 22 December 1980 establishing ceilings and Community supervision for imports of certain products originating in Yugoslavia⁽²⁾, and in particular Article 1 thereof,

Whereas Article 1 of the abovementioned Protocol provides that the products listed below, imported under reduced duty rates according to Article 2 of the Interim Agreement, are subject to the annual ceiling indicated below, above which the customs duties applicable to third countries may be re-established :

(tonnes)

CCT heading No	Description	Ceiling
55.05	Cotton yarn, not put up for retail sale	3 747

Whereas imports into the Community of those products, originating in Yugoslavia, have reached that

ceiling; whereas the situation on the Community market requires that customs duties applicable to third countries on the products in question be re-established,

HAS ADOPTED THIS REGULATION :

Article 1

From 2 October to 31 December 1981, the levying of customs duties applicable to third countries shall be re-established on imports into the Community of the following products :

CCT heading No	Description	Origin
55.05	Cotton yarn, not put up for retail sale	Yugoslavia

Article 2

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 September 1981.

For the Commission

Karl-Heinz NARJES

Member of the Commission

⁽¹⁾ OJ No L 130, 27. 5. 1980, p. 1.

⁽²⁾ OJ No L 367, 31. 12. 1980, p. 43.

COMMISSION REGULATION (EEC) No 2800/81

of 25 September 1981

re-establishing the levying of customs duties applicable to third countries on certain products originating in Yugoslavia

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Interim Agreement between the European Economic Community and the Socialist Federal Republic of Yugoslavia⁽¹⁾, and in particular Protocol 1 thereof,

Having regard to Council Regulation (EEC) No 3502/80 of 22 December 1980 establishing ceilings and Community supervision for imports of certain products originating in Yugoslavia⁽²⁾, and in particular Article 1 thereof,

Whereas Article 1 of the abovementioned Protocol provides that the products listed below, imported under reduced duty rates according to Article 2 of the Interim Agreement, are subject to the annual ceiling indicated below, above which the customs duties applicable to third countries may be re-established:

(pairs)

CCT heading No	Description	Ceiling
60.03	Stockings, under stockings, socks, ankle-socks, sockettes and the like, knitted or crocheted, not elastic or rubberized : A. Of wool or of fine animal hair B. Of synthetic textile fibres I. Knee-length stockings II. Other : b) Other C. Of cotton D. Of other textile materials	1 288 000

ceiling; whereas the situation on the Community market requires that customs duties applicable to third countries on the products in question be re-established,

HAS ADOPTED THIS REGULATION :

Article 1

From 2 October to 31 December 1981, the levying of customs duties applicable to third countries shall be re-established on imports into the Community of the following products :

CCT heading No	Description	Origin
60.03	Stockings, under stockings, socks, ankle-socks, sockettes and the like, knitted or crocheted, not elastic or rubberized : A. Of wool or of fine animal hair B. Of synthetic textile fibres : I. Knee-length stockings II. Other : b) Other C. Of cotton D. Of other textile materials	Yugoslavia

Article 2

Whereas imports into the Community of those products, originating in Yugoslavia, have reached that

⁽¹⁾ OJ No L 130, 27. 5. 1980, p. 1.

⁽²⁾ OJ No L 367, 31. 12. 1980, p. 43.

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 September 1981.

For the Commission

Karl-Heinz NARJES

Member of the Commission

COMMISSION REGULATION (EEC) No 2801/81

of 25 September 1981

re-establishing the levying of customs duties applicable to third countries on certain products originating in Yugoslavia

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Interim Agreement between the European Economic Community and the Socialist Federal Republic of Yugoslavia ⁽¹⁾, and in particular Protocol 1 thereto,

Having regard to Council Regulation (EEC) No 3502/80 of 22 December 1980 establishing ceilings and Community supervision for imports of certain products originating in Yugoslavia ⁽²⁾, and in particular Article 1 thereof,

Whereas Article 1 of the abovementioned Protocol provides that the products listed below, imported under reduced duty rates according to Article 2 of the Interim Agreement, are subject to the annual ceiling indicated below, above which the customs duties applicable to third countries may be re-established :

(tonnes)

CCT heading No	Description	Ceiling
85.25	Insulators of any material	250

Whereas imports into the Community of those products, originating in Yugoslavia, have reached that

ceiling ; whereas the situation on the Community market requires that customs duties applicable to third countries on the products in question be re-established,

HAS ADOPTED THIS REGULATION :

Article 1

From 2 October to 31 December 1981, the levying of customs duties applicable to third countries shall be re-established on imports into the Community of the following products :

CCT heading No	Description	Origin
85.25	Insulators of any material	Yugoslavia

Article 2

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 September 1981.

For the Commission

Karl-Heinz NARJES

Member of the Commission

⁽¹⁾ OJ No L 130, 27. 5. 1980, p. 1.

⁽²⁾ OJ No L 367, 31. 12. 1980, p. 43.

COMMISSION REGULATION (EEC) No 2802/81
of 28 September 1981
fixing the import levies on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, and in particular Article 16 (8) thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Regulation (EEC) No 1808/81⁽²⁾, as last amended by Regulation (EEC) No 2776/81⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1808/81 to the

information known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies referred to in Article 16 (1) of Regulation (EEC) No 1785/81 shall be, in respect of white sugar and standard quality raw sugar, as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 29 September 1981.

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

Done at Brussels, 28 September 1981.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 181, 2. 7. 1981, p. 24.

⁽³⁾ OJ No L 270, 25. 9. 1981, p. 60.

ANNEX

to the Commission Regulation of 28 September 1981 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)		
CCT heading No	Description	Levy
17.01	Beet sugar and cane sugar, in solid form:	
	A. White sugar: flavoured or coloured sugar	27.49
	B. Raw sugar	21.05 ⁽¹⁾

COUNCIL REGULATION (EEC) No 2803/81**of 28 September 1981****amending Regulation (EEC) No 3035/80 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by the 1979 Act of Accession, and in particular Article 17 (3) thereof, and the corresponding provisions of certain other Regulations establishing a common organization of the market in agricultural products,

Having regard to the proposal from the Commission,

Whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds⁽²⁾, as last amended by Regulation (EEC) No 1188/81⁽³⁾, only provides a limited possibility for the fixing of refunds which may be varied according to destination ;

Whereas the market for most of the goods covered by Regulation (EEC) No 3035/80 is closely related to the market for basic agricultural products ;

Whereas it is therefore necessary, in order to fix similar refunds for basic agricultural products independently of the form in which they are exported, to enlarge the possibility of fixing for certain of the abovementioned goods export refunds varied according to destination,

HAS ADOPTED THIS REGULATION :

Article 1

1. In Article 4 of Regulation (EEC) No 3035/80, the following paragraph shall be added :

'6. During the 1981/82 marketing year, the refund may be varied according to destination for goods falling within subheadings 18.06 D II c) or 21.07 G VII to IX of the Common Customs Tariff.'

Article 2

This Regulation shall enter into force on the day of 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, 28 September 1981.

For the Council

The President

P. WALKER

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽³⁾ OJ No L 121, 5. 5. 1981, p. 3.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 4 August 1981

authorizing the French Republic not to apply Community treatment to blouses and shirt-blouses, knitted, crocheted or woven, originating in India

(Only the French text is authentic)

(81/753/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first paragraph of Article 115 thereof,

Having regard to Commission Decision 80/47/EEC of 20 December 1979 on surveillance and protective measures which Member States may be authorized to take in respect of imports of certain products originating in third countries and put into free circulation in another Member State⁽¹⁾, and in particular Article 3 thereof,

Whereas on 10 July 1981 a request was made under the first paragraph of Article 115 of the Treaty by the French Government to the Commission of the European Communities for authorization not to apply Community treatment to blouses and shirt-blouses, knitted, crocheted or woven, falling within subheadings ex 60.05 A II and ex 61.02 B II of the Common Customs Tariff (category 7), originating in India and in free circulation in the other Member States;

Whereas the importation into the Community of the products in question originating in India is covered by an Agreement negotiated between the Community and that country; whereas, under that Agreement, India has undertaken to take all necessary steps to limit its exports of the products in question to the Community within certain ceilings;

Whereas, in order to implement that Agreement and take account of its characteristics, the Council adopted Regulation (EEC) No 3059/78⁽²⁾ introducing specific common rules for imports of certain textile products;

Whereas the differences in market conditions within the Community and the particular sensitivity of this branch of Community industry have been taken into account in allocating the abovementioned Community ceiling between the Member States;

Whereas, for this reason, disparities still exist between the conditions governing the importation of the products in question into the different Member States; whereas uniformity can only be brought about gradually;

Whereas these disparities in the commercial policy measures applied by the Member States have resulted in deflections of trade, in that since 1 January 1981 France has admitted 565 209 pieces of the products in question in free circulation originating in the said third country;

Whereas, with regard to the situation of the industry concerned, the information received by the Commission indicates that total imports of the products in question originating in third countries amounted to 11 230 000 pieces in 1978, to 12 508 000 pieces in 1979 and to 11 849 000 pieces in 1980; whereas the market share taken by those imports has risen from 36 % in 1978 to 39 % in 1980;

⁽¹⁾ OJ No L 16, 22. 1. 1980, p. 14.

⁽²⁾ OJ No L 365, 27. 12. 1978, p. 1.

Whereas the prices of the products in question originating in India are considerably below the prices of like products manufactured in France ;

Whereas output of like products in France has fallen from 22 035 000 pieces in 1978 to 21 687 000 pieces in 1979 and to 20 528 000 pieces in 1980 ; whereas the domestic industry's share of the home market has fallen from 56 % in 1978 to 52 % in 1980 ;

Whereas further indirect imports, in addition to those already admitted, would be likely to aggravate these difficulties and jeopardize the aims of the abovementioned commercial policy measures ;

Whereas it is not possible to set in motion rapidly the machinery for bringing about the necessary cooperation from the other Member States ;

Whereas authorization should accordingly be given for the application of protective measures under the first paragraph of Article 115, subject to the conditions laid down in Decision 80/47/EEC, and in particular Article 3 thereof,

HAS ADOPTED THIS DECISION :

Article 1

The French Republic is authorized not to apply Community treatment to the products indicated below, originating in India and in free circulation in

the other Member States in respect of which applications for import licences were lodged after 17 July 1981 :

CCT heading No	Description
ex 60.05 A II and ex 61.02 B II (NIMEXE codes 60.05-22, 23, 24, 25 61.02-78, 82, 84) (category 7)	Blouses and shirt-blouses, knitted, crocheted (not elastic or rubberized), or woven, for women, girls and infants, of wool, of cotton or of man-made textile fibres

Article 2

This Decision shall apply until new opportunities arise in France for the importation of the products in question originating in India or until 31 December 1981, whichever is the earlier.

Article 3

This Decision is addressed to the French Republic.

Done at Brussels, 4 August 1981.

For the Commission

Étienne DAVIGNON

Vice-President

COMMISSION DECISION**of 7 August 1981****authorizing the French Republic not to apply Community treatment to gloves, mittens and mitts, knitted or crocheted, not elastic or rubberized, originating in Hong Kong****(Only the French text is authentic)****(81/754/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first paragraph of Article 115 thereof,

Having regard to Commission Decision 80/47/EEC of 20 December 1979 on surveillance and protective measures which Member States may be authorized to take in respect of imports of certain products originating in third countries and put into free circulation in another Member State ⁽¹⁾, and in particular Article 3 thereof,

Whereas on 31 July 1981 a request was made under the first paragraph of Article 115 of the Treaty by the French Government to the Commission of the European Communities for authorization not to apply Community treatment to gloves, mittens and mitts, knitted or crocheted, not elastic or rubberized, falling within heading No 60.02 of the Common Customs Tariff (categories 10 and 11), originating in Hong Kong and in free circulation in the other Member States;

Whereas the importation into the Community of the products in question originating in Hong Kong is covered by an Agreement negotiated between the Community and that country; whereas, under that Agreement, Hong Kong has undertaken to take all necessary steps to limit its exports of the products in question to the Community within certain ceilings;

Whereas, in order to implement that Agreement and take account of its characteristics, the Council adopted Regulation (EEC) No 3059/78 ⁽²⁾ introducing specific common rules for imports of certain textile products;

Whereas disparities still exist between the conditions governing the importation of the products in question into the different Member States; whereas uniformity can only be brought about gradually;

Whereas these disparities in the commercial policy measures applied by the Member States have resulted in deflections of trade, in that since 1 January 1981 France has admitted 500 270 pairs of the products in question in free circulation, originating in the said third country;

Whereas, with regard to the situation of the industry concerned, the information received by the Commission indicates that total imports of the products in question originating in third countries have increased from 10 797 000 pairs in 1978 to 15 500 000 pairs in 1979 and amounted to 14 049 000 pairs in 1980; whereas the market share taken by those imports has risen from 74 % in 1978 to 82 % in 1979;

Whereas the prices of the products in question originating in Hong Kong are considerably below the prices of like products manufactured in France;

Whereas output of like products in France has fallen from 2 800 000 pairs in 1978 and 1979 to 2 013 000 pairs in 1980;

Whereas the products are manufactured in a less-favoured region and provide the principal employment for a largely non-specialist workforce which could not be easily retrained;

Whereas further indirect imports, in addition to those already admitted would be likely to aggravate these difficulties and jeopardize the aims of the abovementioned commercial policy measures;

Whereas it is not possible to set in motion rapidly the machinery for bringing about the necessary cooperation from the other Member States;

Whereas authorization should accordingly be given for the application of protective measures under the first paragraph of Article 115, subject to the conditions laid down in Decision 80/47/EEC, and in particular Article 3 thereof,

⁽¹⁾ OJ No L 16, 22. 1. 1980, p. 14.

⁽²⁾ OJ No L 365, 27. 12. 1978, p. 1.

HAS ADOPTED THIS DECISION :

Article 2

Article 1

This Decision shall apply until 30 November 1981.

The French Republic is authorized not to apply Community treatment to the products indicated below, originating in Hong Kong and in free circulation in the other Member States in respect of which applications for import licences were lodged after 28 July 1981 :

Article 3

This Decision is addressed to the French Republic.

CCT heading No	Description
60.02 (NIMEXE codes 60.02-40, 50, 60, 70, 80) (categories 10 and 11)	Gloves, mittens and mitts, knitted or crocheted, not elastic or rubber- ized

Done at Brussels, 7 August 1981.

For the Commission

Étienne DAVIGNON

Vice-President

COMMISSION DECISION**of 7 August 1981****authorizing Ireland not to apply Community treatment to footwear with uppers
of textile fabric, originating in Taiwan****(Only the English text is authentic)****(81/755/EEC)**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first paragraph of Article 115 thereof,

Having regard to Commission Decision 80/47/EEC of 20 December 1979 on surveillance and protective measures which Member States may be authorized to take in respect of imports of certain products originating in third countries and put into free circulation in another Member State⁽¹⁾, and in particular Article 3 thereof,

Whereas on 29 July 1981 a request was made under the first paragraph of Article 115 of the Treaty by the Irish Government to the Commission of the European Communities for authorization not to apply Community treatment to footwear with uppers of textile fabric, falling within subheading ex 64.02 B of the Common Customs Tariff, originating in Taiwan and in free circulation in the other Member States;

Whereas in Ireland the importation of the products in question originating in Taiwan is subject to an annual quota of 122 000 pairs, 97 % of which has been taken up;

Whereas disparities still exist between the conditions governing the importation of the products in question into the different Member States; whereas uniformity can only be brought about gradually;

Whereas these disparities in the commercial policy measures applied by the Member States have resulted in deflections of trade, in that since 1 January 1981 Ireland has admitted 36 359 pairs of the products in question in free circulation, originating in the said third country;

Whereas, with regard to the situation of the industry concerned, the information received by the Commission indicates that total imports of the products in question originating in third countries amounted to 1 847 000 pairs in 1979 and to 1 785 000 pairs in 1980;

Whereas output of like products in Ireland has fallen from 650 000 pairs in 1979 to 600 000 pairs in 1980;

whereas the domestic industry's share of the home market has remained at a level of 18 %;

Whereas the imports of the footwear in question are in direct competition with footwear of leather produced in Ireland and for certain types (sandals and light shoes) constitute a very competitive substitute product;

Whereas it is recognized that the leather footwear sector in the Community is currently experiencing serious economic and social problems;

Whereas, with regard to the situation of the leather shoe industry, the information received by the Commission shows that output in Ireland has fallen from 4 178 000 pairs in 1979 to 3 228 000 pairs in 1980;

Whereas imports of the products in question originating in third countries have increased from 859 000 pairs in 1979 to 1 101 000 pairs in 1980;

Whereas the prices of footwear of leather originating in third countries are approximately 40 % below the prices of like products manufactured in Ireland;

Whereas consumption of footwear of leather has fallen from 7 016 000 pairs in 1979 to 6 351 000 pairs in 1980;

Whereas in the footwear sector there have been redundancies and short-time working has increased considerably;

Whereas further indirect imports of the products in question, in addition to those already admitted or planned, would be likely to aggravate these difficulties and jeopardize the aims of the abovementioned commercial policy measures;

Whereas it is not possible to set in motion rapidly the machinery for bringing about the necessary cooperation from the other Member States;

Whereas authorization should accordingly be given for the application of protective measures under the first paragraph of Article 115, subject to the conditions laid down in Decision 80/47/EEC, and in particular Article 3 thereof;

⁽¹⁾ OJ No L 16, 22. 1. 1980, p. 14.

Whereas an application for import documents covering 8 505 000 pairs is duly pending with the authorities of the Member State having made the request ; whereas this application does not need to be covered by such an authorization,

HAS ADOPTED THIS DECISION :

Article 1

Ireland is authorized not to apply Community treatment to the products indicated below, originating in Taiwan and in free circulation in the other Member States in respect of which applications for import licences were lodged after 27 July 1981 :

CCT heading No	Description
ex 64.02 B	Footwear with uppers of textile fabric

Article 2

This Decision shall apply until new opportunities arise in Ireland for the importation of the products in question originating in Taiwan, or until 31 December 1981, whichever is the earlier.

Article 3

This Decision is addressed to Ireland.

Done at Brussels, 7 August 1981.

For the Commission

Étienne DAVIGNON

Vice-President

COMMISSION DECISION

of 11 August 1981

authorizing Ireland not to apply Community treatment to jerseys, pullovers, slip-overs, waistcoats, twinsets, cardigans, bedjackets and jumpers, knitted or crocheted, originating in South Korea

(Only the English text is authentic)

(81/756/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first paragraph of Article 115 thereof,

Having regard to Commission Decision 80/47/EEC of 20 December 1979 on surveillance and protective measures which Member States may be authorized to take in respect of imports of certain products originating in third countries and put into free circulation in another Member State ⁽¹⁾, and in particular Article 3 thereof,

Whereas on 29 July 1981 a request was made under the first paragraph of Article 115 of the Treaty by the Irish Government to the Commission of the European Communities for authorization not to apply Community treatment to jerseys, pullovers, slip-overs, waistcoats, twinsets, cardigans, bedjackets and jumpers, knitted or crocheted, falling within subheadings 60.05 A I and ex II of the Common Customs Tariff (category 5), originating in South Korea and in free circulation in the other Member States;

Whereas the importation into the Community of the products in question originating in South Korea is covered by an Agreement negotiated between the Community and that country; whereas, under that Agreement, South Korea has undertaken to take all necessary steps to limit its exports of the products in question to the Community within certain ceilings;

Whereas, in order to implement that Agreement and take account of its characteristics, the Council adopted Regulation (EEC) No 3059/78 ⁽²⁾ introducing specific common rules for imports of certain textile products;

Whereas the differences in market conditions within the Community, and the particular sensitivity of this branch of Community industry, have been taken into account in allocating the abovementioned Community ceiling between the Member States;

Whereas, for this reason, disparities still exist between the conditions governing the importation of the

products in question into the different Member States; whereas uniformity can only be brought about gradually;

Whereas these disparities in the commercial policy measures applied by the Member States have resulted in deflections of trade, in that since 1 January 1981 Ireland has admitted 60 784 pieces of the products in question in free circulation, originating in the said third country;

Whereas, with regard to the situation of the industry concerned, the information obtained by the Commission indicates that total imports of the products in question originating in third countries have amounted to 876 000 pieces in 1979 and to 687 000 pieces in 1980; whereas the market share taken by those imports has risen from 10 % in 1979 to 15 % in 1980;

Whereas the prices of the products in question originating in South Korea are considerably below the prices of like products manufactured in Ireland;

Whereas output of like products in Ireland has fallen from 5 212 000 pieces in 1979 to 4 700 000 pieces in 1980;

Whereas there have been redundancies and short-time working has increased considerably;

Whereas further indirect imports, in addition to those already admitted, would be likely to aggravate these difficulties and jeopardize the aims of the abovementioned commercial policy measures;

Whereas it is not possible to set in motion rapidly the machinery for bringing about the necessary cooperation from the other Member States;

Whereas authorization should accordingly be given for the application of protective measures under the first paragraph of Article 115, subject to the conditions laid down in Decision 80/47/EEC, and in particular Article 3 thereof,

⁽¹⁾ OJ No L 16, 22. 1. 1980, p. 14.

⁽²⁾ OJ No L 365, 27. 12. 1978, p. 1.

HAS ADOPTED THIS DECISION :

Article 1

Ireland is authorized not to apply Community treatment to the products indicated below, originating in South Korea and in free circulation in the other Member States, in respect of which applications for import licences were lodged after the date of adoption of this Decision :

CCT heading No	Description
60.05 A I and ex II (NIMEXE codes 60.05-01, 31, 33, 34, 35, 36, 39, 40, 41, 42, 43) (category 5)	Jerseys, pullovers, slip-overs, waist-coats, twinsets, cardigans, bed-jackets and jumpers, knitted or crocheted, not elastic or rubberized, of wool, of cotton or of man-made textile fibres

Article 2

This Decision shall apply until new opportunities arise in Ireland for the importation of the products in question originating in South Korea, or until 31 December 1981, whichever is the earlier.

Article 3

This Decision is addressed to Ireland.

Done at Brussels, 11 August 1981.

For the Commission

Edgard PISANI

Member of the Commission

COMMISSION DECISION

of 18 August 1981

authorizing the French Republic not to apply Community treatment to woven fabrics of synthetic fibres (discontinuous or waste) originating in Taiwan

(Only the French text is authentic)

(81/757/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first paragraph of Article 115 thereof,

Having regard to Commission Decision 80/47/EEC of 20 December 1979 on surveillance and protective measures which Member States may be authorized to take in respect of imports of certain products originating in third countries and put into free circulation in another Member State ⁽¹⁾, and in particular Article 3 thereof,

Whereas on 10 August 1981 a request was made under the first paragraph of Article 115 of the Treaty by the French Government to the Commission of the European Communities for authorization not to apply Community treatment to woven fabrics of synthetic fibres (discontinuous or waste), falling within subheading 56.07 A of the Common Customs Tariff (category 3), originating in Taiwan and in free circulation in the other Member States;

Whereas the importation into the Community of the products in question originating in Taiwan is subject, under Commission Regulation (EEC) No 3020/77 ⁽²⁾, as last amended by Regulation (EEC) No 681/81 ⁽³⁾, to a Community quantitative quota;

Whereas the differences in market conditions within the Community and the particular sensitivity of this branch of Community industry have been taken into account in allocating the abovementioned Community quota between the Member States;

Whereas, for this reason, disparities still exist between the conditions governing the importation of the products in question into the different Member States; whereas uniformity can only be brought about gradually;

Whereas these disparities in the commercial policy measures applied by the Member States have resulted in deflections of trade, in that since 1 January 1981 France has admitted 272.4 tonnes of the products in

question originating in the said third country in free circulation;

Whereas, with regard to the situation of the industry concerned, the information received by the Commission indicates that direct imports of the products in question originating in Taiwan have in general been higher than the direct quota allocated to France; whereas imports in free circulation have increased from 288 tonnes in 1979 to 543.1 tonnes in 1980;

Whereas direct imports of the products in question originating in other third countries to which like arrangements apply have increased from 6 737 tonnes in 1979 to 9 796 tonnes in 1980; whereas imports in free circulation amounted to 786 tonnes in 1980 and to 508 tonnes in the first seven months of 1981;

Whereas output of like products in France has fallen from 61 514 tonnes in 1979 to 55 915 tonnes in 1980; whereas the domestic industry's share of the home market has fallen from 62 % in 1978 to 52 % in 1979;

Whereas there have been redundancies and the numbers employed by the production in question have fallen from 4 522 in 1979 to 3 744 in 1980;

Whereas further indirect imports, in addition to those already admitted or planned, would be likely to aggravate these difficulties and jeopardize the aims of the abovementioned commercial policy measures;

Whereas it is not possible to set in motion rapidly the machinery for bringing about the necessary cooperation from the other Member States;

Whereas authorization should accordingly be given for the application of protective measures under the first paragraph of Article 115, subject to the conditions laid down in Decision 80/47/EEC, and in particular Article 3 thereof;

Whereas applications for import documents covering 77.3 tonnes are duly pending with the authorities of the Member State having made the request; these applications do not need to be covered by such authorization,

⁽¹⁾ OJ No L 16, 22. 1. 1980, p. 14.

⁽²⁾ OJ No L 357, 31. 12. 1977, p. 51.

⁽³⁾ OJ No L 76, 21. 3. 1981, p. 1.

HAS ADOPTED THIS DECISION :

Article 1

The French Republic is authorized not to apply Community treatment to the products indicated below, originating in Taiwan and in free circulation in the other Member States, in respect of which application for import licences were lodged after the date of adoption of this Decision :

CCT heading No	Description
56.07 A (NIMEXE codes 56.07-01, 04, 05, 07, 08, 10, 12, 15, 19, 20, 22, 25, 29, 30, 31, 35, 38, 39, 40, 41, 43, 45, 46, 47, 49) (category 3)	Woven fabrics of synthetic fibres (discontinuous or waste) other than narrow woven fabrics, pile fabrics (including terry fabrics) and chenille fabrics

Article 2

This Decision shall apply until new opportunities arise in France for the importation of the products in question originating in Taiwan or until 31 October 1981, whichever is the earlier.

Article 3

This Decision is addressed to the French Republic.

Done at Brussels, 18 August 1981.

For the Commission

Étienne DAVIGNON

Vice-President

COMMISSION DECISION**of 19 August 1981****authorizing the French Republic not to apply Community treatment to radio receivers originating in South Korea****(Only the French text is authentic)****(81/758/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first paragraph of Article 115 thereof,

Having regard to Commission Decision 80/47/EEC of 20 December 1979 on surveillance and protective measures which Member States may be authorized to take in respect of imports of certain products originating in third countries and put into free circulation in another Member State ⁽¹⁾, and in particular Article 3 thereof,

Whereas on 10 August 1981 a request was made under the first paragraph of Article 115 of the Treaty by the French Government to the Commission of the European Communities for authorization not to apply Community treatment to radio receivers falling within heading ex 85.15 A III of the Common Customs Tariff, originating in South Korea and in free circulation in the other Member States;

Whereas in France the importation of the products in question originating in South Korea is subject to an annual quota, 62.5 % of which has been taken up;

Whereas, for this reason, disparities still exist between the conditions governing the importation of the products in question into the different Member States; whereas uniformity can only be brought about gradually;

Whereas these disparities in the commercial policy measures applied by the Member States have resulted in deflections of trade, in that since 1 January 1981 France has admitted 93 250 pieces of the products in question in free circulation, originating in the said third country;

Whereas, with regard to the situation of the industry concerned, the information received by the Commission indicates that direct imports of the products in question originating in South Korea have increased from 144 068 pieces in 1979 to 200 553 pieces in 1980; whereas imports in free circulation have increased from 54 631 pieces in 1979 to 110 034 pieces in 1980;

Whereas total imports of the products in question originating in third countries have increased from FF 883 000 000 in 1979 to FF 971 000 000 in 1980; whereas the market share taken by those imports has risen from 51 % in 1979 to 56 % in 1980;

Whereas output of like products in France has fallen from FF 650 000 000 in 1979 to FF 587 000 000 in 1980; whereas the domestic industry's share of the home market has fallen from 20 % in 1979 to 14 % in 1980;

Whereas further indirect imports, in addition to those already admitted or planned, would be likely to aggravate these difficulties and jeopardize the aims of the abovementioned commercial policy measures;

Whereas it is not possible to set in motion rapidly the machinery for bringing about the necessary cooperation from the other Member States;

Whereas authorization should accordingly be given for the application of protective measures under the first paragraph of Article 115, subject to the conditions laid down in Decision 80/47/EEC, and in particular Article 3 thereof,

Whereas applications for import documents covering 4 850 pieces are duly pending with the authorities of the Member State having made the request; whereas, in view of the amount involved, these applications do not need to be covered by such authorization,

⁽¹⁾ OJ No L 16, 22. 1. 1980, p. 14.

HAS ADOPTED THIS DECISION :

Article 1

The French Republic is authorized not to apply Community treatment to the products indicated below, originating in South Korea and in free circulation in the other Member States in respect of which applications for import licences were lodged after the date of adoption of this Decision :

CCT heading No	Description
ex 85.15 A III (NIMEXE codes 85.15-11, 15, 16, 17, 19)	Radio receivers, whether or not incorporating sound recorders or reproducers

Article 2

This Decision shall apply until new opportunities arise in France for the importation of the products in question originating in South Korea, or until 31 October 1981, whichever is the earlier.

Article 3

This Decision is addressed to the French Republic.

Done at Brussels, 19 August 1981.

For the Commission

Étienne DAVIGNON

Vice-President

COMMISSION DECISION

of 25 August 1981

authorizing Ireland not to apply Community treatment to footwear other than footwear with uppers of textile fabric, falling within subheading ex 64.02 B of the Common Customs Tariff and originating in Taiwan

(Only the English text is authentic)

(81/759/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first paragraph of Article 115 thereof,

Having regard to Commission Decision 80/47/EEC of 20 December 1979 on surveillance and protective measures which Member States may be authorized to take in respect of imports of certain products originating in third countries and put into free circulation in another Member State ⁽¹⁾, and in particular Article 3 thereof,

Whereas on 29 July 1981 a request was made under the first paragraph of Article 115 of the Treaty by the Irish Government to the Commission of the European Communities for authorization not to apply Community treatment to footwear other than footwear with uppers of leather falling within subheading ex 64.02 B of the Common Customs Tariff, originating in Taiwan and in free circulation in the other Member States ;

Whereas, by Decision of 7 August 1981, the Commission has authorized Ireland not to apply Community treatment to footwear with uppers of textile fabric, falling within subheading ex 64.02 B of the Common Customs Tariff, originating in Taiwan and in free circulation in the other Member States ;

Whereas the reasoning which has justified this Decision in principle also applies to footwear other than footwear with uppers of textile fabric, falling within subheading ex 64.02 B of the Common Customs Tariff and originating in Taiwan ;

Whereas, under these circumstances, authorization should accordingly be given for the application of protective measures under the first paragraph of Article 115, subject to the conditions laid down in Decision 80/47/EEC, and in particular Article 3 thereof ; whereas, however, the duration of validity of this authorization should be limited to 31 October

1981 in order to permit an evaluation of the degree at which the quota has actually been taken up towards the end of the year,

HAS ADOPTED THIS DECISION :

Article 1

Ireland is authorized not to apply Community treatment to the products indicated below, originating in Taiwan and in free circulation in the other Member States in respect of which applications for import licences were lodged after the date of adoption of this Decision :

CCT heading No	Description
ex 64.02 B	Footwear other than footwear with uppers of textile fabric

Article 2

This Decision shall apply until new opportunities arise in Ireland for the importation of the products in question originating in Taiwan or until 31 October 1981, whichever is the earlier.

Article 3

This Decision is addressed to Ireland.

Done at Brussels, 25 August 1981.

For the Commission

Edgard PISANI

Member of the Commission

⁽¹⁾ OJ No L 16, 22. 1. 1980, p. 14.

COMMISSION DECISION

of 27 August 1981

authorizing Ireland not to apply Community treatment to parkas, anoraks, wind-cheaters, waister jackets and the like, woven, originating in South Korea

(Only the English text is authentic)

(81/760/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first paragraph of Article 115 thereof,

Having regard to Commission Decision 80/47/EEC of 20 December 1979 on surveillance and protective measures which Member States may be authorized to take in respect of imports of certain products originating in third countries and put into free circulation in another Member State ⁽¹⁾, and in particular Article 3 thereof,

Whereas on 19 August 1981 a request was made under the first paragraph of Article 115 of the Treaty by the Irish Government to the Commission of the European Communities for authorization not to apply Community treatment to parkas, anoraks, wind-cheaters, waister jackets and the like, woven, falling within subheadings ex 61.01 B and ex 61.02 B of the Common Customs Tariff (category 21), originating in South Korea and in free circulation in the other Member States ;

Whereas the importation into the Community of the products in question originating in South Korea is covered by an Agreement negotiated between the Community and that country ; whereas, under that Agreement, South Korea has undertaken to take all necessary steps to limit its exports of the products in question to the Community within certain ceilings ;

Whereas, in order to implement that Agreement and take account of its characteristics, the Council adopted Regulation (EEC) No 3059/78 ⁽²⁾ introducing specific common rules for imports of certain textile products,

Whereas the differences in market conditions within the Community and the particular sensitivity of this branch of Community industry have been taken into account in allocating the abovementioned Community ceiling between the Member States ;

Whereas, for this reason, disparities still exist between the conditions governing the importation of the products in question into the different Member

States ; whereas uniformity can only be brought about gradually ;

Whereas these disparities in the commercial policy measures applied by the Member States have resulted in deflections of trade, in that since 1 January 1981 Ireland has admitted the products in question in free circulation, originating in the said third country, which amount to 28 % of the quota for South Korea ;

Whereas, with regard to the situation of the industry concerned, the information received by the Commission indicates that total imports of the products in question originating in third countries have increased from 90 000 pieces in 1978 to 121 000 pieces in 1980 ;

Whereas the prices of the products in question originating in South Korea are considerably below the prices of like products manufactured in Ireland ;

Whereas output of like products in Ireland has fallen from 398 000 pieces in 1978 to 305 000 pieces in 1980 ;

Whereas numbers employed have fallen from 15 325 in 1974 to 11 900 in 1978 ;

Whereas further indirect imports, in addition to those already admitted or planned, would be likely to aggravate these difficulties and jeopardize the aims of the abovementioned commercial policy measures ;

Whereas it is not possible to set in motion rapidly the machinery for bringing about the necessary cooperation from the other Member States ;

Whereas authorization should accordingly be given for the application of protective measures under the first paragraph of Article 115, subject to the conditions laid down in Decision 80/47/EEC, and in particular Article 3 thereof ;

Whereas an application for import documents covering 2 832 pieces is duly pending with the authorities of the Member State having made the request ; whereas, in view of the amount involved, this application does not need to be covered by such authorization,

⁽¹⁾ OJ No L 16, 22. 1. 1980, p. 14.

⁽²⁾ OJ No L 365, 27. 12. 1978, p. 1.

HAS ADOPTED THIS DECISION :

*Article 2**Article 1*

Ireland is authorized not to apply Community treatment to the products indicated below, originating in South Korea and in free circulation in the other Member States, in respect of which applications for import licences were lodged after the date of adoption of this Decision :

This Decision shall apply until 31 December 1981.

Article 3

This Decision is addressed to Ireland.

CCT heading No	Description
ex 61.01 B and ex 61.02 B (NIMEXE codes 61.01-29, 31, 32; 61.02-25, 26, 28) (category 21)	Parkas, anoraks, windcheaters, waister jackets and the like, woven, of wool, of cotton or of man-made textile fibres

Done at Brussels, 27 August 1981.

For the Commission

Edgard PISANI

Member of the Commission

COMMISSION DECISION**of 27 August 1981****authorizing Ireland not to apply Community treatment to woven breeches, shorts and trousers (including slacks) originating in Hong Kong****(Only the English text is authentic)****(81/761/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first paragraph of Article 115 thereof,

Having regard to Commission Decision 80/47/EEC of 20 December 1979 on surveillance and protective measures which Member States may be authorized to take in respect of imports of certain products originating in third countries and put into free circulation in another Member State ⁽¹⁾, and in particular Article 3 thereof,

Whereas on 19 August 1981 a request was made under the first paragraph of Article 115 of the Treaty by the Irish Government to the Commission of the European Communities for authorization not to apply Community treatment to woven breeches, shorts and trousers (including slacks), falling within subheadings ex 61.01 B and ex 61.02 B of the Common Customs Tariff (category 6), originating in Hong Kong and in free circulation in the other Member States;

Whereas the importation into the Community of the products in question originating in Hong Kong is covered by an Agreement negotiated between the Community and that country; whereas, under that Agreement, Hong Kong has undertaken to take all necessary steps to limit its exports of the products in question to the Community within certain ceilings;

Whereas, in order to implement that Agreement and take account of its characteristics, the Council adopted Regulation (EEC) No 3059/78 ⁽²⁾ introducing specific common rules for imports of certain textile products;

Whereas the differences in market conditions within the Community and the particular sensitivity of this branch of Community industry have been taken into account in allocating the abovementioned Community ceiling between the Member States;

Whereas, for this reason, disparities still exist between the conditions governing the importation of the

products in question into the different Member States; whereas uniformity can only be brought about gradually;

Whereas these disparities in the commercial policy measures applied by the Member States have resulted in deflections of trade, in that since 1 January 1981 Ireland has admitted the products in question in free circulation, originating in the said third country, which amount to 31 % of the quota for Hong Kong;

Whereas, with regard to the situation of the industry concerned, the information received by the Commission indicates that the imports in free circulation amount to 102 % of the direct quota and total imports (direct and indirect) amount to 130 % of the quota;

Whereas the prices of the products in question originating in Hong Kong are considerably below the prices of like products manufactured in Ireland;

Whereas numbers employed have fallen from 15 325 in 1974 to 11 900 in 1978;

Whereas further indirect imports, in addition to those already admitted or planned, would be likely to aggravate these difficulties and jeopardize the aims of the abovementioned commercial policy measures;

Whereas it is not possible to set in motion rapidly the machinery for bringing about the necessary cooperation from the other Member States;

Whereas authorization should accordingly be given for the application of protective measures under the first paragraph of Article 115, subject to the conditions laid down in Decision 80/47/EEC, and in particular Article 3 thereof;

Whereas applications for import documents covering 50 000 pieces are duly pending with the authorities of the Member State having made the request; whereas these applications do not need to be covered by such authorization,

⁽¹⁾ OJ No L 16, 22. 1. 1980, p. 14.

⁽²⁾ OJ No L 365, 27. 12. 1978, p. 1.

HAS ADOPTED THIS DECISION :

Article 2

This Decision shall apply until 31 December 1981.

Article 1

Ireland is authorized not to apply Community treatment to the products indicated below, originating in Hong Kong and in free circulation in the other Member States in respect of which applications for import licences were lodged after the date of adoption of this Decision :

Article 3

This Decision is addressed to Ireland.

CCT heading No	Description
ex 61.01 B and ex 61.02 B (NIMEXE codes 61.01-62, 64, 66, 72, 74, 76 61.02-66, 68, 72) (category 6)	Men's and boys' woven breeches, shorts and trousers (including slacks), women's, girls' and infants woven trousers and slacks, of wool, of cotton or of man-made textile fibres

Done at Brussels, 27 August 1981.

For the Commission

Edgard PISANI

Member of the Commission