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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 1562/91

of 10 June 1991

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 the Act of Accession of Spain and Portugal,

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 3577/90 ⁽²⁾, and in particular Article 13 (5) thereof,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 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 2205/90 ⁽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 Commission Regulation (EEC) No 533/91 ⁽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 central rate, multiplied by the corrective factor provided for in

the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85,

- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

Whereas these exchange rates being those recorded on 7 June 1991;

Whereas the aforesaid corrective factor affects the entire calculation basis for the levies, including the equivalence coefficients;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 533/91 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 11 June 1991.

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

Done at Brussels, 10 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁵⁾ OJ No L 59, 6. 3. 1991, p. 1.

ANNEX

to the Commission Regulation of 10 June 1991 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CN code	Levy
0709 90 60	131,47 ⁽²⁾ ⁽³⁾
0712 90 19	131,47 ⁽²⁾ ⁽³⁾
1001 10 10	193,90 ⁽¹⁾ ⁽³⁾
1001 10 90	193,90 ⁽¹⁾ ⁽³⁾
1001 90 91	157,32
1001 90 99	157,32
1002 00 00	152,46 ⁽⁶⁾
1003 00 10	145,76
1003 00 90	145,76
1004 00 10	135,16
1004 00 90	135,16
1005 10 90	131,47 ⁽²⁾ ⁽³⁾
1005 90 00	131,47 ⁽²⁾ ⁽³⁾
1007 00 90	142,18 ⁽⁴⁾
1008 10 00	35,50
1008 20 00	132,73 ⁽⁴⁾
1008 30 00	45,26 ⁽⁵⁾
1008 90 10	⁽⁷⁾
1008 90 90	45,26
1101 00 00	234,95 ⁽⁸⁾
1102 10 00	228,15 ⁽⁸⁾
1103 11 10	314,18 ⁽⁸⁾
1103 11 90	251,93 ⁽⁸⁾

⁽¹⁾ Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.

⁽²⁾ In accordance with Regulation (EEC) No 715/90 the levies are not applied to products imported directly into the French overseas departments, 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 ECU 1,81/tonne.

⁽⁴⁾ Where millet and sorghum originating in the ACP or OCT is imported into the Community the levy is applied in accordance with Regulation (EEC) No 715/90.

⁽⁵⁾ Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by ECU 0,60/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 (OJ No L 142, 9. 6. 1977, p. 10) and Commission Regulation (EEC) No 2622/71 (OJ No L 271, 10. 12. 1971, p. 22).

⁽⁷⁾ The levy applicable to rye shall be charged on imports of the product falling within CN code 1008 90 10 (triticale).

⁽⁸⁾ On importation into Portugal the levy is increased by the amount specified in Article 2 (2) of Regulation (EEC) No 3808/90.

COMMISSION REGULATION (EEC) No 1563/91

of 10 June 1991

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 3577/90⁽²⁾, and in particular Article 15 (6) thereof,Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 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 2205/90⁽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 Commission Regulation (EEC) No 3845/90⁽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 central

rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85,

- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

Whereas these exchange rates being those recorded on 7 June 1991;

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 coming from third countries shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 11 June 1991.

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

Done at Brussels, 10 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 9.⁽⁵⁾ OJ No L 367, 29. 12. 1990, p. 10.

ANNEX

to the Commission Regulation of 10 June 1991 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(ECU/tonne)

CN code	Current 6	1st period 7	2nd period 8	3rd period 9
0709 90 60	0	0,34	0,34	0
0712 90 19	0	0,34	0,34	0
1001 10 10	0	0	0	0
1001 10 90	0	0	0	0
1001 90 91	0	0	0	0
1001 90 99	0	0	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	1,49
1003 00 90	0	0	0	1,49
1004 00 10	0	0	0	0
1004 00 90	0	0	0	0
1005 10 90	0	0,34	0,34	0
1005 90 00	0	0,34	0,34	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	0

B. Malt

(ECU/tonne)

CN code	Current 6	1st period 7	2nd period 8	3rd period 9	4th period 10
1107 10 11	0	0	0	0	0
1107 10 19	0	0	0	0	0
1107 10 91	0	0	0	2,65	2,65
1107 10 99	0	0	0	1,98	1,98
1107 20 00	0	0	0	2,31	2,31

COMMISSION REGULATION (EEC) No 1564/91

of 10 June 1991

fixing the actual production of olive oil for the 1989/90 marketing year and the quantity which must be carried over to the 1990/91 marketing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 3577/90⁽²⁾,

Having regard to Council Regulation (EEC) No 2261/84 of 17 July 1984 laying down general rules on the granting of aid for the production of olive oil and of aid to olive oil producer organizations⁽³⁾, as last amended by Regulation (EEC) No 3500/90⁽⁴⁾, and in particular Article 17 a (3) thereof,

Whereas Article 17 a of Regulation (EEC) No 2261/84 provides that, in order to determine the unit amount of the production aid for olive oil which may be paid in advance, the estimated production for the marketing year concerned should be established; whereas, for the 1989/90 marketing year, the estimated production and the unit amount of the production aid which may be paid in advance were fixed by Commission Regulation (EEC) No 2268/90⁽⁵⁾,

Whereas, pursuant to Article 17a (3) of Regulation (EEC) No 2261/84, not more than six months after the end of the marketing year the quantity actually produced in respect of which entitlement to the aid has been recognized must be determined; whereas, to that end, in accordance with Article 12a of Commission Regulation (EEC) No 3061/84⁽⁶⁾, as last amended by Regulation (EEC) No 928/90⁽⁷⁾ the Member States concerned must notify the Commission, not later than 31 March following each marketing year, of the quantity recognized as qualifying for the aid in each Member State; whereas, as a result of such notifications, the quantity eligible for aid for the 1989/90 marketing year amounts to 585 000 tonnes for Italy, 2 825 tonnes for France, 316 371,7 tonnes for Greece, 573 000 tonnes for Spain and 35 100 tonnes for

Portugal; whereas, as a consequence, the sum of the quantities thus notified constitutes the quantity eligible for reimbursement from the European Agricultural Guidance and Guarantee Fund (EAGGF);

Whereas actual production in the 1989/90 marketing year turned out to be less than the maximum quantity fixed for that marketing year; whereas, as a consequence, the unit amount of the production aid laid down for that marketing year by Council Regulation (EEC) No 1227/89⁽⁸⁾ is not multiplied by the coefficient provided for in the fifth subparagraph of Article 5 (1) of Regulation No 136/66/EEC; whereas in addition, pursuant to that provision, the quantity which must be added to the maximum quantity laid down for the 1990/91 marketing year should be determined;

Whereas, on the basis of data available, the actual quantity and the quantity which must be carried over to the 1990/91 marketing year should be fixed;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. For the 1989/90 marketing year for olive oil, the quantity actually produced in respect of which entitlement to production aid has been recognized and which is eligible for reimbursement from the EAGGF Guarantee Section shall be 1 512 297 tonnes.

2. The quantity referred to in Article 17a (3) third indent of Regulation (EEC) No 2261/84 which must be carried over to the 1990/91 marketing year shall be 44 702 tonnes.

Article 2

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

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

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 208, 3. 8. 1984, p. 3.

⁽⁴⁾ OJ No L 338, 27. 11. 1990, p. 3.

⁽⁵⁾ OJ No L 204, 2. 8. 1990, p. 31.

⁽⁶⁾ OJ No L 288, 1. 11. 1984, p. 52.

⁽⁷⁾ OJ No L 94, 16. 4. 1991, p. 5.

⁽⁸⁾ OJ No L 128, 11. 5. 1989, p. 18.

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

Done at Brussels, 10 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 1565/91

of 10 June 1991

amending for the eleventh time Regulation (EEC) No 3800/81 determining the classification of vine varieties

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 3577/90 ⁽²⁾, and in particular Article 13 (5) thereof,Whereas the classification of vine varieties approved for cultivation in the Community is determined by Commission Regulation (EEC) No 3800/81 ⁽³⁾, as last amended by Regulation (EEC) No 2218/90 ⁽⁴⁾;Whereas certain wine-grape vine varieties have been examined and found to be suitable for cultivation in accordance with Commission Regulation (EEC) No 2314/72 of 30 October 1972 on certain measures for examining the suitability of certain wine varieties for cultivation ⁽⁵⁾, as amended by Regulation (EEC) No 3296/80 ⁽⁶⁾, for the whole of the territory of the United Kingdom; whereas, for that territory, those varieties should be included in the category of vine varieties provisionally authorized in accordance with Article 11 (1) (b) of Council Regulation (EEC) No 2389/89 of 24 July 1989 on certain measures for examining the suitability for certain wine varieties for cultivation ⁽⁷⁾ as amended by Regulation (EEC) No 3577/90;

Whereas the suitability for cultivation of certain wine-grape vine varieties which have been listed for at least five years in the classification of varieties authorized provisionally for the whole of the territory of the United Kingdom has been found to be satisfactory; whereas those varieties should therefore be classified definitively in the category of recommended vine varieties for that territory in accordance with the second indent of Article 11 (4) of Regulation (EEC) No 2389/89;

Whereas experience has shown that the requirements for the category of varieties authorized for the whole of the territory of the United Kingdom are no longer satisfied by

four varieties; whereas those varieties should therefore be removed from the category of authorized varieties for that territory in accordance with Article 11 (3) of Regulation (EEC) No 2389/89;

Whereas the classification of wine-grape vine varieties should now include, among the varieties authorized for certain German administrative units, certain varieties which have been listed for at least five years in the classification for an administrative unit immediately bordering thereon and which therefore satisfy the condition laid down in the first indent of Article 11 (1) (a) of Regulation (EEC) No 2389/89;

Whereas the new Länder of Germany may be considered administrative units within the meaning of Article 3 of Regulation (EEC) No 2389/89, in accordance with Section 4 of Annex XII to Regulation (EEC) No 3577/90;

Whereas the suitability for cultivation of certain wine group vine varieties has been recognized as satisfactory following examination of suitability for cultivation for certain German administrative units; whereas for those administrative units the wine-grape vine varieties should be classified in the category of vine varieties provisionally authorized in accordance with Article 11 (1) (b) of Regulation (EEC) No 2389/89;

Whereas, in accordance with the second indent of Article 11 (1) (a) of Regulation (EEC) No 2389/89, the classification of root stock varieties for Germany should now include a variety which has been examined and found to be suitable for cultivation;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 3800/81 is hereby amended in accordance with the Annex hereto.

*Article 2*This Regulation shall enter into force on the seventh day following its publication in the *Official Journal of the European Communities*.⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.⁽³⁾ OJ No L 381, 31. 12. 1981, p. 1.⁽⁴⁾ OJ No L 202, 31. 7. 1990, p. 20.⁽⁵⁾ OJ No L 248, 1. 11. 1972, p. 53.⁽⁶⁾ OJ No L 344, 19. 12. 1980, p. 13.⁽⁷⁾ OJ No L 232, 9. 8. 1989, p. 1.

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

Done at Brussels, 10 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

The Annex to Regulation (EEC) No 3800/81 is hereby amended as follows :

1. In Title I, sub-title I, point VIII (United Kingdom) is amended as follows (the vine varieties are to be inserted in the correct alphabetical order) :

- 'Reichensteiner' and 'Schönberger' are added to the category of recommended vine varieties,
- 'Cascade' (*), 'Dunkelfelder' (*), 'Leon Millot' (*), 'Schereube' (*), 'Triomphe' (*) and 'Zweigeltrebe' (*) are added to and 'Kanzler B', 'Madeleine royale B', 'Mariensteiner B', 'Perle Rs', 'Reichensteiner' and 'Schönberger' are deleted from the category of authorized vine varieties.

2. In Title I, sub-title I, point II (Federal Republic of Germany) is amended as follows (the vine varieties are to be inserted in the correct alphabetical order) :

2. **Regierungsbezirk Trier :**

'Chardonnay B' is added to the category of authorized vine varieties.

3. **Regierungsbezirk Koblenz :**

'Chardonnay B' (*) is added to the category of authorized vine varieties.

4. **Regierungsbezirk Rheinhessen-Pfalz :**

'Chardonnay B' is added to the category of authorized vine varieties.

6. **Regierungsbezirk Darmstadt :**

'Dornfelder N' is added to the category of authorized vine varieties.

7. **Regierungsbezirk Karlsruhe :**

'Chardonnay B' is added to the category of authorized vine varieties.

8. **Regierungsbezirk Freiburg :**

'Chardonnay B' is added to the category of authorized vine varieties.

9. **Regierungsbezirk Stuttgart :**

'Chardonnay B' (*) is added to the category of authorized vine varieties.

10. **Regierungsbezirk Tübingen :**

'Chardonnay B' (*) is added to the category of authorized vine varieties.

18. **Land Sachsen :**

(a) *recommended vine varieties* : none ;

(b) *authorized vine varieties* : Bacchus (B) (*), Weißer Burgunder B (*), Dornfelder N (*), Weißer Elbling B (*), Roter Elbling R (*), Gewürztraminer Rs (*), Weißer Gutedel B (*), Kerner B (*), Blauer Lemberger N (*), Müller-Thurgau B (*), Blauer Portugieser N (*), Weißer Riesling B (*), Ruländer G (*), Scheurebe B (*), Blauer Spätburgunder N (*), Blauer Zweigelt N (*).

19. **Land Sachsen-Anhalt :**

(a) *recommended vine varieties* : none ;

(b) *authorized vine varieties* : Bacchus B (*), Weißer Burgunder B (*), Dornfelder N (*), Faberrebe B (*), Gewürztraminer Rs (*), Weißer Gutedel B (*), Roter Gutedel R (*), Kerner B (*), Mario-Muskat B (*), Müller-Thurgau B (*), Blauer Portugieser N (*), Weißer Riesling B (*), Ruländer G (*), Scheurebe B (*), Grüner Silvaner B (*), Blauer Spätburger N (*).

20. **Land Thüringen :**

(a) *recommended vine varieties* : none ;

(b) *authorized vine varieties* : Bacchus (B) (*), Weißer Burgunder B (*), Dornfelder N (*), Faberrebe B (*), Gewürztraminer Rs (*), Weißer Gutedel B (*), Roter Gutedel R (*), Kerner B (*), Mario-Muskat B (*), Müller-Thurgau B (*), Blauer Portugieser N (*), Weißer Riesling B (*), Ruländer G (*), Scheurebe B (*), Grüner Silvaner B (*), Blauer Spätburgunder N (*).

(*) 'Added pursuant to Article 11 (1) (b) of Regulation (EEC) No 2389/89 with effect from 18 June 1991.

3. In Title IV, part B, point I (Federal Republic of Germany) is amended as follows (the root stock varieties are to be inserted in the correct alphabetical order):

1. Regierungsbezirke Köln, Trier, Koblenz und Saarland :

'Börner' is added to the category of recommended root-stock varieties.

2. Regierungsbezirk Rheinhessen-Pfalz :

'Börner' is added to the category of recommended root-stock varieties.

3. Regierungsbezirk Darmstadt and Regierungsbezirk Kassel, Landkreis Melsungen, Gemeinde Böddiger :

'Börner' is added to the category of recommended root-stock varieties.

4. Regierungsbezirke Karlsruhe, Freiburg, Stuttgart and Tübingen :

'Börner' is added to the category of recommended root-stock varieties.

5. Regierungsbezirke Unterfranken and Mittelfranken, and Regierungsbezirk Oberfranken, Landkreis Bamberg, Regierungsbezirk Niederbayern, Landkreis Landshut, Regierungsbezirk Oberpfalz, Landkreis Regensburg, Regierungsbezirk Schwaben, Landkreis Lindau :

'Börner' is added to the category of recommended root-stock varieties.

COMMISSION REGULATION (EEC) No 1566/91**of 10 June 1991****on the issue of import licences for high-quality fresh, chilled or frozen beef and veal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3840/90 of 20 December 1990 opening a Community tariff quota for high-quality fresh, chilled or frozen meat of bovine animals falling within CN codes 0201 and 0202 and for products falling within CN codes 0206 10 95 and 0206 29 91 (1991) ⁽¹⁾, and in particular Article 2 thereof,

Whereas Commission Regulation (EEC) No 3884/90 of 27 December 1990 laying down detailed rules for the application of import arrangements provided for by Council Regulations (EEC) No 3840/90 and (EEC) No 3841/90 in the beef and veal sectors ⁽²⁾ provides in Article 7, that applications for and the issue of import licences for the meat referred to in Article 1 (1) (d) thereof are to be effected in accordance with the provisions of Articles 12 and 15 of Commission Regulation (EEC) No 2377/80 of 4 September 1980 on special detailed rules for the application of the system of import and export licences in the beef and veal sector ⁽³⁾, as last amended by Regulation (EEC) No 815/91 ⁽⁴⁾;

Whereas Article 1 (1) (d) of Regulation (EEC) No 3884/90 fixes the amount of high-quality fresh, chilled or frozen

beef and veal originating in and imported from the United States of America and Canada which may be imported on special terms in 1991 at 10 000 tonnes;

Whereas it should be recalled that licences issued pursuant to this Regulation will, throughout the period of validity, be open for use only in so far as provisions on health protection in force permit,

HAS ADOPTED THIS REGULATION:

Article 1

1. All applications for import licences from 1 until 5 June 1991 for high-quality fresh, chilled or frozen beef and veal as referred to in Article 1 (1) (d) of Regulation (EEC) No 3884/90 shall be met in full.

2. Applications for licences may be submitted, in accordance with Article 12 of Regulation (EEC) No 2377/80, during the first five days of July 1991 for 5 824,25 tonnes.

Article 2

This Regulation shall enter into force on 11 June 1991.

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

Done at Brussels, 10 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 367, 29. 12. 1990, p. 6.

⁽²⁾ OJ No L 367, 29. 12. 1990, p. 129.

⁽³⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁴⁾ OJ No L 83, 3. 4. 1991, p. 6.

COMMISSION REGULATION (EEC) No 1567/91

of 10 June 1991

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⁾, as last amended by Regulation (EEC) No 464/91 ⁽²⁾, and in particular Article 16 (8) thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 3608/90 ⁽³⁾, as last amended by Regulation (EEC) No 1546/91 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Commission Regulation (EEC) No 3608/90 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;

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 central rate, multiplied by the corrective factor provided for in

the last subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽⁵⁾, as last amended by Regulation (EEC) No 2205/90 ⁽⁶⁾,

- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

Whereas these exchange rates being those recorded on 7 June 1991,

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 11 June 1991.

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

Done at Brussels, 10 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 54, 28. 2. 1991, p. 22.

⁽³⁾ OJ No L 350, 14. 12. 1990, p. 68.

⁽⁴⁾ OJ No L 143, 7. 6. 1991, p. 38.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 9.

ANNEX

to the Commission Regulation of 10 June 1991 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	38,51 ⁽¹⁾
1701 11 90	38,51 ⁽¹⁾
1701 12 10	38,51 ⁽¹⁾
1701 12 90	38,51 ⁽¹⁾
1701 91 00	41,65
1701 99 10	41,65
1701 99 90	41,65 ⁽²⁾

⁽¹⁾ The levy applicable is calculated in accordance with the provisions of Article 2 or 3 of Commission Regulation (EEC) No 837/68 (OJ No L 151, 30. 6. 1968, p. 42).

⁽²⁾ In accordance with Article 16 (2) of Regulation (EEC) No 1785/81 this amount is also applicable to sugar obtained from white and raw sugar containing added substances other than flavouring or colouring matter.

COMMISSION REGULATION (EEC) No 1568/91
of 10 June 1991
abolishing the countervailing charge and re-establishing a preferential customs
duty on imports of tomatoes originating in Turkey

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 3920/90⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 1309/91⁽³⁾ introduced a countervailing charge on tomatoes originating in Turkey and suspended the preferential customs duty on imports of these products;

Whereas for this product originating in Turkey there were no prices for six consecutive days; whereas the conditions specified in Article 26 (1) of Regulation (EEC) No 1035/72 are therefore fulfilled and the countervailing

charge on imports of tomatoes originating in Turkey can be abolished;

Whereas, in accordance with Article 2 of Council Regulation (EEC) No 3671/81 of 15 December 1981 on imports into the Community of certain agricultural products originating in Turkey⁽⁴⁾, as amended by Regulation (EEC) No 1555/84⁽⁵⁾, the preferential rate of customs duty should be re-established at the same time as the countervailing charge is abolished,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1309/91 is hereby repealed.

Article 2

This Regulation shall enter into force on 11 June 1991.

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

Done at Brussels, 10 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 375, 31. 12. 1990, p. 17.

⁽³⁾ OJ No L 123, 18. 5. 1991, p. 34.

⁽⁴⁾ OJ No L 367, 23. 12. 1981, p. 9.

⁽⁵⁾ OJ No L 150, 6. 6. 1984, p. 4.

COMMISSION REGULATION (EEC) No 1569/91
of 10 June 1991
introducing a countervailing charge on tomatoes originating in the Canary Islands

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 3920/90⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 1310/91⁽³⁾ introduced a countervailing charge on tomatoes originating in the Canary Islands;

Whereas for tomatoes originating in the Canary Islands there were no prices for six consecutive working days;

whereas the conditions specified in Article 26 (1) of Regulation (EEC) No 1035/72 are therefore fulfilled and the countervailing charge on imports of tomatoes originating in the Canary Islands can be abolished,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1310/91 is hereby repealed.

Article 2

This Regulation shall enter into force on 11 June 1991.

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

Done at Brussels, 10 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 375, 31. 12. 1990, p. 17.

⁽³⁾ OJ No L 123, 18. 5. 1991, p. 36.

COMMISSION REGULATION (EEC) No 1570/91

of 10 June 1991

adjusting the corrective amount on the import of aubergines into the
Community of Ten from Spain (except the Canary Islands)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European
Economic Community,

Having regard to the Act of Accession of Spain and
Portugal,

Having regard to Council Regulation (EEC) No 3709/89
of 4 December 1989 laying down general rules for imple-
menting the Act of Accession of Spain and Portugal as
regards the compensatory mechanism for imports of fruit
and vegetables from Spain ⁽¹⁾, and in particular Article 4
(2) thereof,

Whereas Article 152 of the Act of Accession introduces
from 1 January 1990 a compensatory mechanism for
imports into the Community as constituted on 31
December 1985, hereinafter called 'the Community of
Ten', of fruit and vegetables from Spain (except the
Canary Islands) for which a reference price is fixed with
regard to third countries;

Whereas Regulation (EEC) No 3709/89 lays down general
rules for applying the said compensatory mechanism and
Commission Regulation (EEC) No 3815/89 ⁽²⁾ lays down
detailed rules for applying the said compensatory
mechanism;

Whereas Commission Regulation (EEC) No 1374/91 ⁽³⁾,
introduces a corrective amount on imports of aubergines
into the Community of Ten from Spain (except the
Canary Islands);

Whereas Article 3 (4) of Regulation (EEC) No 3709/89
lays down the conditions under which a corrective
amount introduced pursuant to Article 3 (1) of the said
Regulation, is to be adjusted; whereas the said conditions
require that the corrective amount on imports of auber-
gines from Spain (except the Canary Islands) into the
Community of Ten be adjusted,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 1374/91 'ECU 28,40'
is replaced by 'ECU 15,27'.

Article 2

This Regulation shall enter into force on 11 June 1991.

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

Done at Brussels, 10 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 363, 13. 12. 1989, p. 3.

⁽²⁾ OJ No L 371, 20. 12. 1989, p. 28.

⁽³⁾ OJ No L 130, 25. 5. 1991, p. 54.

COMMISSION REGULATION (EEC) No 1571/91
of 10 June 1991
fixing the aid for soya beans

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 1491/85 of 23 May 1985 laying down special measures in respect of soya beans ⁽¹⁾, as last amended by Regulation (EEC) No 3577/90 ⁽²⁾, and in particular Article 2 (7) thereof,

Whereas the amount of the aid referred to in Article 2 (1) of Regulation (EEC) No 1491/85 was fixed by Commission Regulation (EEC) No 771/91 ⁽³⁾, as last amended by Regulation (EEC) No 1468/91 ⁽⁴⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 771/91 to the information at present available to the Commission that the amount of the aid at present in force should be altered as set out in this Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

1. The amount of the aid provided for in Article 2 of Regulation (EEC) No 1491/85 shall be as set out in the Annex hereto.

2. However, the amount of the aid fixed in advance for the 1991/92 marketing year for soya seed shall be confirmed or replaced with effect from 11 June 1991 to take account of the prices and related measures for the 1991/92 marketing year and of the consequences of the maximum guaranteed quantity arrangements.

Article 2

This Regulation shall enter into force on 11 June 1991.

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

Done at Brussels, 10 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 10 June 1991 fixing the aid for soya beans

(ECU/100 kg)

	Current period 6	First period 7	Second period 8	Third period 9 ⁽¹⁾	Fourth period 10 ⁽¹⁾	Fifth period 11 ⁽¹⁾
Seed harvested :						
— Spain	15,502	15,520	15,502	15,548	15,685	15,685
— another Member State	21,046	21,064	21,046	19,272	19,409	19,409

⁽¹⁾ Amount fixed provisionally, pending and subject to the setting of the prices and related measures and of the application of the maximum guaranteed quantity arrangements for the 1991/92 marketing year, conforming in particular :

- to the Commission's proposals for the 1991/92 marketing year as regards the guide price,
- to the adjustment resulting from the maximum guaranteed quantity arrangements applied for the 1990/91 marketing year.

⁽¹⁾ OJ No L 151, 10. 6. 1985, p. 15.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 81, 28. 3. 1991, p. 60.

⁽⁴⁾ OJ No L 138, 1. 6. 1991, p. 52.

COMMISSION REGULATION (EEC) No 1572/91

of 10 June 1991

fixing the amount of the subsidy on oil seeds

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 3577/90⁽²⁾, and in particular Article 27 (4) thereof,

Having regard to Council Regulation (EEC) No 1678/85 of 11 June 1985 fixing the conversion rates to be applied in agriculture⁽³⁾, as last amended by Regulation (EEC) No 1533/91⁽⁴⁾,

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza, rape and sunflower seed⁽⁵⁾, as last amended by Regulation (EEC) No 2206/90⁽⁶⁾, and in particular Article 2 (3) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the amount of the subsidy referred to in Article 27 of Regulation No 136/66/EEC was fixed by Commission Regulation (EEC) No 772/91⁽⁷⁾, as last amended by Regulation (EEC) No 1526/91⁽⁸⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 772/91 to the information known to the Commission that the amount of the subsidy at present in force should be altered to the amount set out in the Annexes hereto,

HAS ADOPTED THIS REGULATION:

Article 1

1. The amounts of the subsidy and the exchange rates referred to in Article 33 (2) and (3) of Commission Regulation (EEC) No 2681/83⁽⁹⁾ shall be as set out in the Annexes hereto.

2. However, the amount of the aid fixed in advance for the 1991/92 marketing year for colza, rape and sunflower seed shall be confirmed or replaced with effect from 11 June 1991 to take account of the prices and related measures for the 1991/92 marketing year and of the consequences of the maximum guaranteed quantity arrangements.

Article 2

This Regulation shall enter into force on 11 June 1991.

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

Done at Brussels, 10 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

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

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁴⁾ OJ No L 145, 10. 6. 1991, p. 40.

⁽⁵⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 11.

⁽⁷⁾ OJ No L 81, 28. 3. 1991, p. 62.

⁽⁸⁾ OJ No L 142, 6. 6. 1991, p. 27.

⁽⁹⁾ OJ No L 266, 28. 9. 1983, p. 1.

ANNEX I

Aids to colza and rape seed other than 'double zero'

(amounts per 100 kg)

	Current 6	1st period 7 (1)	2nd period 8 (1)	3rd period 9 (1)	4th period 10 (1)	5th period 11 (1)
1. Gross aids (ECU) :						
— Spain	0,000	7,500	7,500	7,500	7,500	7,627
— Portugal	24,145	14,470	14,470	14,470	14,470	14,597
— Other Member States	17,175	7,500	7,500	7,500	7,500	7,627
2. Final aids :						
Seed harvested and processed in :						
— Federal Republic of Germany (DM)	40,43	17,66	17,66	17,66	17,66	17,96
— Netherlands (Fl)	45,56	19,89	19,89	19,89	19,89	20,23
— BLEU (Bfrs/Lfrs)	833,95	364,17	364,17	364,17	364,17	370,34
— France (FF)	135,61	59,22	59,22	59,22	59,22	60,22
— Denmark (Dkr)	154,23	67,35	67,35	67,35	67,35	68,49
— Ireland (£ Irl)	15,093	6,591	6,591	6,591	6,591	6,702
— United Kingdom (£)	13,086	5,469	5,469	5,469	5,469	5,558
— Italy (Lit)	30 253	13 211	13 211	13 211	13 211	13 354
— Greece (Dr)	3 214,25	889,56	843,08	800,62	800,62	686,91
— Spain (Pta)	0,00	1 302,80	1 302,80	1 301,56	1 301,56	1 306,68
— Portugal (Esc)	5 096,51	3 092,58	3 092,58	3 092,58	3 092,58	3 088,01

ANNEX II

Aids to colza and rape seed 'double zero'

(amounts per 100 kg)

	Current 6	1st period 7 (1)	2nd period 8 (1)	3rd period 9 (1)	4th period 10 (1)	5th period 11 (1)
1. Gross aids (ECU) :						
— Spain	0,000	10,000	10,000	10,000	10,000	10,127
— Portugal	26,645	16,970	16,970	16,970	16,970	17,097
— Other Member States	19,675	10,000	10,000	10,000	10,000	10,127
2. Final aids :						
Seed harvested and processed in :						
— Federal Republic of Germany (DM)	46,32	23,54	23,54	23,54	23,54	23,84
— Netherlands (Fl)	52,19	26,53	26,53	26,53	26,53	26,86
— BLEU (Bfrs/Lfrs)	955,35	485,56	485,56	485,56	485,56	491,73
— France (FF)	155,35	78,96	78,96	78,96	78,96	79,96
— Denmark (Dkr)	176,68	89,80	89,80	89,80	89,80	90,94
— Ireland (£ Irl)	17,290	8,788	8,788	8,788	8,788	8,899
— United Kingdom (£)	15,035	7,418	7,418	7,418	7,418	7,507
— Italy (Lit)	34 657	17 615	17 615	17 615	17 615	17 757
— Greece (Dr)	3 771,51	1 446,82	1 400,34	1 357,88	1 357,88	1 244,17
— Spain (Pta)	0,00	1 685,04	1 685,04	1 683,80	1 683,80	1 688,92
— Portugal (Esc)	5 618,20	3 614,27	3 614,27	3 614,27	3 614,27	3 609,70

(1) Amount fixed provisionally, pending and subject to the setting of the prices and related measures and of the application of the maximum guaranteed quantity arrangements for the 1991/92 marketing year, conforming in particular:

- to the Commission's proposals for the 1991/92 marketing year as regards the target price, the monthly increases, the reduction for rape seed other than 'double zero' and the arrangements applying to rape seed harvested in Spain;
- to the adjustment resulting from the maximum guaranteed quantity arrangements and that of the agricultural conversion rates applied for the 1990/91 marketing year.

ANNEX III

Aids to sunflower seed

(amounts per 100 kg)

	Current 6	1st period 7	2nd period 8 (1)	3rd period 9 (1)	4th period 10 (1)
1. Gross aids (ECU):					
— Spain	28,237	27,899	21,408	21,408	21,288
— Portugal	37,212	36,880	28,548	28,548	28,430
— Other Member States	24,972	24,640	16,308	16,308	16,190
2. Final aids:					
(a) Seed harvested and processed in (2):					
— Federal Republic of Germany (DM)	58,79	58,01	38,39	38,39	38,11
— Netherlands (Fl)	66,24	65,36	43,26	43,26	42,94
— BLEU (Bfrs/Lfrs)	1 212,55	1 196,43	791,86	791,86	786,13
— France (FF)	197,17	194,55	128,76	128,76	127,83
— Denmark (Dkr)	224,25	221,26	146,44	146,44	145,38
— Ireland (£ Irl)	21,945	21,653	14,331	14,331	14,227
— United Kingdom (£)	19,172	18,908	12,330	12,330	12,236
— Italy (Lit)	43 987	43 402	28 726	28 726	28 518
— Greece (Dr)	4 969,02	4 869,57	2 793,58	2 750,46	2 719,46
— Portugal (Esc)	7 819,22	7 751,10	6 029,12	6 029,12	6 004,91
(b) Seed harvested in Spain and processed:					
— in Spain (Pta)	4 438,93	4 389,64	3 430,15	3 428,90	3 411,38
— in another Member State (Pta)	4 502,30	4 453,91	3 505,98	3 504,77	3 487,56

(1) Amount fixed provisionally, pending and subject to the setting of the prices and related measures and of the application of the maximum guaranteed quantity arrangements for the 1991/92 marketing year, conforming in particular to:

- the Commission's proposals for the 1991/92 marketing year as regards the target price, the monthly increases, the reduction for rape seed other than 'double zero' and the arrangements applying to rape seed harvested in Spain;
- the adjustment resulting from the maximum guaranteed quantity arrangements and the agricultural conversion rates applied for the 1990/91 marketing year.

(2) For seed harvested in Member States other than Spain and processed in Spain, the amounts shown in 2 (a) to be multiplied by 1,0186140.

ANNEX IV

Exchange rate of the ecu to be used for converting final aids into the currency of the processing country when the latter is a country other than the country of production

(value of ECU 1)

	Current 6	1st period 7	2nd period 8	3rd period 9	4th period 10	5th period 11
DM	2,058200	2,056570	2,055210	2,053890	2,053890	2,050670
Fl	2,317140	2,315660	2,314130	2,312860	2,312860	2,309390
Bfrs/Lfrs	42,354699	42,317000	42,277800	42,248800	42,248800	42,166100
FF	6,977510	6,975210	6,971920	6,968610	6,968610	6,958770
Dkr	7,904750	7,901290	7,898060	7,896170	7,896170	7,888320
£Irl	0,769603	0,770063	0,770150	0,770471	0,770471	0,771004
£	0,695782	0,696640	0,697471	0,698233	0,698233	0,699587
Lit	1 527,06	1 528,92	1 530,75	1 532,35	1 532,35	1 537,89
Dr	225,48400	227,41500	229,56600	231,53100	231,53100	237,85800
Esc	179,43200	179,62700	179,85800	180,14900	180,14900	181,61400
Pta	127,38600	127,62400	127,86200	128,07000	128,07000	128,64300

COMMISSION REGULATION (EEC) No 1573/91

of 10 June 1991

altering the export refunds on oil seeds

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 3577/90⁽²⁾,

Having regard to Council Regulation No 142/67/EEC of 21 June 1967 on export refunds on colza, rape and sunflower seeds⁽³⁾, as last amended by the Act of Accession of Greece, and in particular the second sentence of Article 2 (3) thereof,

Having regard to Council Regulation (EEC) No 1678/85 of 11 June 1985 fixing the conversion rates to be applied in agriculture⁽⁴⁾, as last amended by Regulation (EEC) No 1533/91⁽⁵⁾,

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza, rape and sunflower seed⁽⁶⁾, as last amended by Regulation (EEC) No 2206/90⁽⁷⁾, and in particular Article 2 (3) thereof,

Having regard to Commission Regulation (EEC) No 2041/75 of 25 July 1975 on special detailed rules for the application of the system of import and export licences and advance fixing certificates for oils and fats⁽⁸⁾, as last amended by Regulation (EEC) No 557/91⁽⁹⁾, and in particular Article 13 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, the target price and the monthly increases in the target price for colza, rape and sunflower seed for the 1990/91 marketing year were fixed by Regulations (EEC) No 1317/90⁽¹⁰⁾ and (EEC) No 1318/90⁽¹¹⁾;

Whereas the prices fixed by the Council are to be reduced in accordance with Article 2 of Commission Regulation (EEC) No 784/90 of 29 March 1990 fixing the reducing coefficient for agricultural prices in the 1990/91 marketing year as a result of the monetary realignment of 5

January 1990 and amending the prices and amounts fixed in ecus for that marketing year⁽¹²⁾;

Whereas, owing to the lack of a target price for colza and rape and of the adjustment in the rate of refund resulting from the maximum guaranteed quantity arrangements for the 1991/92 marketing year, the rate of the refund fixed in advance for this marketing year has only been able to be calculated provisionally conforming with the Commission's proposals to the Council; whereas this amount should therefore only be applied provisionally and should be confirmed or replaced once the prices and related measures and the consequences of the maximum guaranteed quantity arrangements for the 1991/92 marketing year are known;

Whereas Article 28 of Regulation No 136/66/EEC provides that a refund may be granted on exports to third countries of oil seeds harvested within the Community; whereas the amount of this refund may not exceed the difference between prices within the Community and prices on the world market where the former are higher than the latter; whereas Article 21 of Regulation No 136/66/EEC provides that, at present, Article 28 of that Regulation applies only to colza, rape and sunflower seeds;

Whereas the refund for colza and rape seeds produced in Spain or Portugal is adjusted in accordance with Council Regulation (EEC) No 478/86⁽¹³⁾;

Whereas Article 3 of Regulation No 142/67/EEC provides that when the refund is being calculated account must be taken of prices ruling on the various Community markets which are representative from the point of view of processing and exportation; the most favourable quotations recorded on the various markets of importing third countries and costs incurred in placing the goods on the world market; whereas, when the amount of the refund is being fixed, account must also be taken of the level of market prices within the Community for the oil seeds referred to in Article 21 of Regulation No 136/66/EEC and the future trend of these prices; whereas, furthermore, account should be taken of the economic aspect of the proposed exports and the situation in the Community regarding the supply of and demand for these seeds;

Whereas the abatement of the subsidy for colza and rape seed which arises from the system of maximum guaranteed quantities for the 1990/91 marketing year has been fixed by Commission Regulation (EEC) No 2509/90⁽¹⁴⁾;

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

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No 125, 26. 6. 1967, p. 2461/67.

⁽⁴⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁵⁾ OJ No L 145, 10. 6. 1991, p. 40.

⁽⁶⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁷⁾ OJ No L 201, 31. 7. 1990, p. 11.

⁽⁸⁾ OJ No L 213, 11. 8. 1975, p. 1.

⁽⁹⁾ OJ No L 62, 8. 3. 1991, p. 23.

⁽¹⁰⁾ OJ No L 132, 23. 5. 1990, p. 9.

⁽¹¹⁾ OJ No L 132, 23. 5. 1990, p. 11.

⁽¹²⁾ OJ No L 83, 30. 3. 1990, p. 102.

⁽¹³⁾ OJ No L 53, 1. 3. 1986, p. 55.

⁽¹⁴⁾ OJ No L 237, 1. 9. 1990, p. 7.

Whereas Article 1 of Commission Regulation (EEC) No 651/71 of 29 March 1971 on certain detailed rules for the application of export refunds on oil seeds ⁽¹⁾, as last amended by Regulation (EEC) No 1815/84 ⁽²⁾, provides that the amount of the refund must be calculated on the basis of the weight of exported seeds; whereas this weight must be adjusted to take account of any differences between the percentages of moisture and impurities found to exist and those used to define the standard quality for which the target price is fixed; whereas, when this adjustment is being made, the weight of the exported seeds must be increased by the amount of the difference between the actual moisture and impurities content and that used to define the standard quality if the former is lower than the latter; whereas, if the opposite applies, the weight of the exported seeds must be reduced by the same amount;

Whereas the standard quality referred to above was defined in Article 2 of Council Regulation (EEC) No 1102/84 ⁽³⁾;

Whereas Article 2 of Regulation No 142/67/EEC provides that the refund may be varied according to destination where the world market situation or the specific requirements of certain markets make this necessary;

Whereas Article 4 of Regulation (EEC) No 651/71 provides for the publication of the amount of the final refund obtained from the conversion into each of the national currencies of the amount of the refund in ecus plus or minus the differential amount; whereas Article 1 of Commission Regulation (EEC) No 1813/84 ⁽⁴⁾, as last amended by Regulation (EEC) No 1539/90 ⁽⁵⁾, defined the elements which determine the differential amounts; whereas these elements are equal to the incidence on the target price reduced by 7,5 % or the refund of the coefficient derived from the percentage referred to in Article 2 (1) of Regulation (EEC) No 1569/72; whereas, according to these provisions, this percentage represents:

(a) for those Member States whose currencies are maintained as between themselves within a spread at any given moment of 2,25 %, the difference between:

- the conversion rate used under the common agricultural policy, and
- the conversion rate resulting from the central rate of the correcting factor referred to in Article 6 (1)

of Regulation (EEC) No 1677/85 ⁽⁶⁾ as last amended by Regulation (EEC) No 2205/90 ⁽⁷⁾.

(b) In the case of Member States other than those referred to in (a), the difference between:

- the agricultural conversion rate, and
- the average rate of the ecu as published in the C Series of the *Official Journal of the European Communities* during a period to be determined, multiplied by the factor referred to in the second indent of (a).

Whereas pursuant to Article 2 (2) of Regulation (EEC) No 1569/72 forward differential amounts are to be determined where the forward exchange rate for one or more currencies differs from the spot rate by at least a given percentage; whereas this percentage has been fixed at 0,5 by Regulation (EEC) No 1813/84;

Whereas Regulation (EEC) No 1813/84 specifies the spot and forward exchange rates and the period to be used for calculating the differential amounts; whereas in cases where, for one or more months, quotations of forward exchange rates are not available, the rates adopted for the previous months or the following months, as the case may be, must be used;

Whereas it follows from applying these provisions to the current situation of the oil seeds market and to the rates or prices of these products that, pursuant to Article 4 of Regulation (EEC) No 651/71, the amount of the refund in ecus and the amount of the final refund in each of the national currencies must, in the case of colza and rape seed, be fixed in accordance with the Annex to this Regulation; whereas it is not necessary to fix a refund for sunflower seed;

Whereas Article 13 of Regulation (EEC) No 2041/75 makes provision for the period of validity of certificates fixing refunds in advance to be reduced if the market situation warrants; whereas in the interests of sound market management a reduction should be made,

HAS ADOPTED THIS REGULATION:

Article 1

1. In the case of colza and rape seed, the amounts of the refund referred to in Article 4 (1) of Regulation (EEC) No 651/71 shall be as set out in the Annex hereto.

2. There shall be no refund on sunflower seed.

⁽¹⁾ OJ No L 75, 30. 3. 1971, p. 16.

⁽²⁾ OJ No L 170, 29. 6. 1984, p. 46.

⁽³⁾ OJ No L 113, 28. 4. 1984, p. 8.

⁽⁴⁾ OJ No L 170, 29. 6. 1984, p. 41.

⁽⁵⁾ OJ No L 145, 8. 6. 1990, p. 20.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 6.

⁽⁷⁾ OJ No L 201, 31. 7. 1990, p. 9.

3. Certificates fixing the export refund in advance shall be valid from their date of issue until the end of the following month.

4. However, the amount of the refund fixed in advance for the 1991/92 marketing year for colza and rape shall be confirmed or replaced with effect from 11. June 1991 to take account of the prices and related measures for the

1991/92 marketing year and of the consequences of the maximum guaranteed quantity arrangements.

Article 2

This Regulation shall enter into force on 11 June 1991.

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

Done at Brussels, 10 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 10 June 1991 altering the export refunds on oil seeds

	<i>(amounts per 100 kilograms)</i>					
	Current 6	1st period 7 ⁽¹⁾	2nd period 8	3rd period 9	4th period 10	5th period 11
1. Gross refunds (ECU):						
— Spain	0,000	0,000	—	—	—	—
— Portugal	19,970	16,674	—	—	—	—
— other Member States	13,000	9,704	—	—	—	—
2. Final refunds:						
Seeds harvested and exported from:						
— Federal Republic of Germany (DM)	30,60	22,84	—	—	—	—
— Netherlands (Fl)	34,48	25,74	—	—	—	—
— BLEU (Bfrs/Lfrs)	631,23	471,19	—	—	—	—
— France (FF)	102,64	76,62	—	—	—	—
— Denmark (Dkr)	116,74	87,14	—	—	—	—
— Ireland (£ Irl)	11,424	8,528	—	—	—	—
— United Kingdom (£)	9,755	7,182	—	—	—	—
— Italy (Lit)	22 899	17 093	—	—	—	—
— Greece (Dr)	2 128,69	1 370,25	—	—	—	—
— Spain (Pta)	111,92	111,92	—	—	—	—
— Portugal (Esc)	4 240,72	3 553,54	—	—	—	—

⁽¹⁾ Amount fixed provisionally, pending and subject to the setting of the prices and related measures and of the application of the maximum guaranteed quantity arrangements for the 1991/92 marketing year, conforming in particular:

- to the Commission's proposals for the 1991/92 marketing year as regards the target price, the monthly increases, the reduction for rape seed other than 'double zero' and the arrangements applying to rape seed harvested in Spain;
- to the adjustment resulting from the maximum guaranteed quantity arrangements and that of the agricultural conversion rates applied for the 1990/91 marketing year.

II

(Acts whose publication is not obligatory)

EUROPEAN PARLIAMENT

DECISION OF THE EUROPEAN PARLIAMENT

of 16 April 1991

granting discharge to the Commission in respect of the implementation of the general budget of the European Communities for the 1989 financial year concerning Sections I — Parliament, II — Council, III — Commission, IV — Court of Justice and V — Court of Auditors

(91/289/ECSC, EEC, Euratom)

THE EUROPEAN PARLIAMENT,

- having regard to the ECSC Treaty and in particular Article 78g thereof,
- having regard to the EEC Treaty and in particular Article 206b thereof,
- having regard to the EAEC Treaty and in particular Article 180b thereof,
- having regard to the budget for 1989 the financial year,
- having regard to the revenue and expenditure accounts and the balance sheet of the European Communities for the 1989 financial year (SEC(90) 700-704),
- having regard to the report of the Court of Auditors for the 1989 financial year and the replies of the institutions⁽¹⁾,
- having regard to the Council recommendation of 18 March 1991 (C3-0174/91),
- having regard to the report of the Committee on Budgetary Control, and the opinions of the Committee on Energy Research and Technology the Committee on External Economic Relations, the Committee on Social Affairs, Employment and the Working Environment, the Committee on Regional Policy and Regional Planning, the Committee on Transport and Tourism, the Committee on the Environment, Public Health and Consumer Protection, the Committee on Youth, Culture, Education, the Media and Sport, the Committee on Development and Cooperation, and the Committee on Women's Rights, (A3-0071/91),

1. Notes that authorized revenue and expenditure for the 1989 financial year amounted to :

	(ECU)	(ECU)
— Revenue		44 870 266 601
— Appropriations for commitments :		
— Appropriations authorized in the general budget	46 425 799 370	
— Appropriations remaining from the financial year 1988 or made available as a result of cancellations of commitments in the financial year 1989	811 374 608	
— Appropriations corresponding to revenue from services rendered to third parties	31 353 667	
		47 268 527 645
— Appropriations for payments		44 870 266 601

⁽¹⁾ OJ No C 313, 12. 12. 1990, p. 1.

2. Grants the Commission discharge in respect of the implementation of the following amounts :

	(ECU)	(ECU)
(a) Revenue		
— Own resources	41 881 289 119	
— Financial contributions	1 641 638 364	
— Other revenue	<u>2 376 658 341</u>	
		<u>45 899 785 142</u>
(b) Expenditure		
— Payments made for the financial year	40 411 224 559	
— Appropriations carried over to 1990	<u>438 793 888</u>	<u>40 850 018 447</u>
(c) Balance for the financial year 1989		<u>+ 5 080 088 866</u>
Calculated as follows :		
— Revenue for the financial year		45 899 785 142
— Payments from the appropriations for the financial year	40 411 224 559	
— Appropriations carried over to 1990	<u>438 793 888</u>	<u>— 40 850 018 447</u>
<i>Difference</i>		<u>5 049 766 695</u>
— Appropriations carried over from 1988 which have lapsed		+ 98 150 322
— Exchange difference in the financial year 1988		<u>— 67 828 151</u>
<i>Balance for the financial year 1989</i>		<u>5 080 088 866</u>
This balance reflects the accounting situation only and does not include expenditure actually incurred during this financial year		
(d) Utilization of appropriations for commitments		<u>43 724 839 136</u>
(e) Balance sheet as at 31 December 1989 :		

(ECU)

ASSETS		LIABILITIES	
Fixed assets	9 540 284 645	Fixed capital	15 475 864 593
Inventories	90 636 120	Current liabilities	2 526 267 150
Current assets	460 465 726	Cash accounts	8 268 389
Cash accounts	7 853 010 667	Accrued expenses	161 958 298
Prepaid expenses	227 961 273		
Total	18 172 358 420	Total	18 172 358 430

3. Records its comments in a resolution which forms an integral part of this Decision ;
4. Instructs its President to forward this Decision and the resolution containing its comments to the Commission, the Council, the Court of Justice, the Court of Auditors, the European Investment Bank and to have them published in the *Official Journal of the European Communities* (L series).

Done at Strasbourg, 16 April 1991.

The Secretary-General
Enrico VINCI

The President
Enrique BARÓN CRESPO

RESOLUTION

containing the comments which form part of the decision granting discharge to the Commission in respect of the implementation of the general budget of the European Communities for the financial year 1989

THE EUROPEAN PARLIAMENT,

- having regard to Article 206b of the EEC Treaty,
- having regard to Article 89 of the Financial Regulation of 13 March 1990 pursuant to which each Community institution is required to take all appropriate steps to take action on the comments appearing in the decisions giving discharge,
- whereas pursuant to the same Article the Institutions are also required to report, at Parliament's request, on the measures taken in the light of these comments and, in particular, on the instructions given to those of their departments which are responsible for the implementation of the budget,
- having regard to the Council recommendation of 18 March 1991 (Doc. C3-0174/91),
- having regard to the report of the Committee on Budgetary Control and the other documents mentioned in the discharge decision (Doc. A3-0071/91),

I. Control powers of the Court of Auditors and of Parliament

1. Affirms the right and duty of the Court of Auditors to assess Community policies from the perspective of sound financial management in order to enable Parliament to exercise its budgetary control powers effectively, and considers that these powers of the Parliament should be strengthened in step with moves towards European Union;

2. Welcomes many of the comments of Council contained in its recommendation for discharge, the substance of which has been included in this resolution, thereby giving them legal effect;

II. Comments on implementation of the budget and on shared management

3. Notes with regret the lower utilization rate of appropriations for commitments under categories 2, 3 and 4 of the Financial Perspective, for non-compulsory expendi-

ture under those categories and for differentiated appropriations globally;

4. Notes also that the volume of appropriations for payments cancelled (ECU 753 million) decreased somewhat, but that the volume of appropriations cancelled following decommitment (ECU 701 million) remained constant;

5. Considers that these cancellations highlight:

- (a) continuing management problems at national and Community level;
- (b) the risk that the Community will fail to achieve the multiannual objectives laid down in the Financial Perspectives particularly as regards economic and social cohesion, should such trends persist;
- (c) the need for the budgetary authority and the Commission to ensure the effective use of the Community's financial resources within the budget and the Financial Perspective and, where appropriations are cancelled, to make the necessary adjustments pursuant to Articles 10 and 11 of the Interinstitutional Agreement, particularly to ensure the achievement of economic and social cohesion;

6. Calls on the Commission in future to inform Parliament more fully of the reasons underlying decisions not only to carry over appropriations, to make decommitted appropriations available again or to propose the transfer of allocations in certain cases, but also of the reasons for not doing so in other cases;

7. Points out that too many budget headings, including some amended by Parliament, were not implemented to a satisfactory level and calls on the Commission to look into and remedy the causes of overestimation or under-utilization;

8. Asks its Committees to intensify their monitoring activity during each financial year of the budget headings which concern them;

9. Deplores the fact that by the end of 1989 ECU 16,5 billion were tied up as appropriations for outstanding commitments, in many cases for very old projects, thereby denying funds to worthwhile projects;

10. Reiterates its call to the Commission to improve its procedures for monitoring and closing files, especially in the area of the Structural Funds, research and cooperation, and to ensure more rigorous application of Article 1 (7) of

the Financial Regulation concerning the duration of commitments entered into for multiannual projects ; asks the Commission in particular to make proposals aimed at laying down strict and objective criteria for derogations from the time limits set ;

11. Calls on the Commission to take the necessary steps to improve cash management, notably to ensure that it obtains the best banking terms available, and also to rectify irregularities relating to its takeover of overseas delegations and to the operation of imprest accounts ;

12. Notes that the gradual decentralization of management introduced by the Commission has still not been matched by intensified Commission activity at the levels of monitoring, control and evaluation of actions managed at national level ; calls on the Commission to acknowledge its ultimate responsibility for all measures subject to shared management rather than seeking to evade it, and in particular to step up its efforts to ensure, on the one hand, that Member States respect the principle of additionality, and, on the other hand, that Community support is granted in strict compliance with the principle of subsidiarity ;

III. Comments on the management of individual sectors

Own resources

13. Considers that the Commission's dilatoriness in making out recovery orders once debts were established may be seen as a lack of diligence in collecting own resources ;

14. Deems unacceptable the Commission's reference to political considerations to justify slack application of the administrative rules governing preferential arrangements such as those with the GSP and ACP countries ; insists that the Commission apply and enforce the rules relating to certificates of origin under those systems in such a way as to increase their effectiveness and, specifically, that it :

- (a) take explicit account, as regards regulations or administrative practices, of the peculiarities of the administrations in the beneficiary countries rather than seeking refuge behind those peculiarities ;
- (b) secure inclusion, in the administrative provisions of preferential agreements, of compulsory refusal of preference when the beneficiary countries fail to observe certain rules ;
- (c) lay down a precise definition of 'reasonable doubt' as to the authenticity of certificates of origin ;

(d) ensure that the manual on the issue of certificates of origin is distributed ;

(e) adopt common rules of origin for petroleum products ;

15. Further insists that the Commission improve the effectiveness of procedures for entering VAT resources in the accounts and making them available to the Community, especially where the Commission and the Member States disagree on the VAT resources base ;

16. Calls on the Commission to make full use of the Treaties and Community law to verify that Member States discharge their duties in full with regard to establishing and making available VAT own resources ;

17. Also calls on the Commission to

- (a) carry out and submit to Parliament by September 1991 a thorough review of its procedures for recovering VAT and GNP-based resources owed ;
- (b) report to Parliament by September 1991 on the criteria which determine whether or not interest is claimed on late payments of VAT own resources and on proposals to improve management in this respect ;
- (c) ensure that the report it is required to submit to Parliament by 31 December 1991 on implementation of Council Regulation (EEC, Euratom) No 1553/89 is sufficiently detailed and that it highlights shortcomings identified since the regulation came into force ;

18. Looks to the Court of Auditors to examine management of the fourth (GNP) resource in respect of financial year 1990 ;

EAGGF Guarantee Section : controlling agricultural expenditure

19. Deplores the Commission's failure to act under the terms of Article 6 of the Council Decision on budgetary discipline to contain expenditure under individual chapters of the EAGGF Guarantee Section, which has led to chapter overruns totalling nearly ECU 0,5 billion in 1989 and close to ECU 2 billion in 1990, to an alarming build-up of agricultural stocks and, finally, to a crisis situation in 1991 ;

20. Considers that if, despite the adoption of strict new rules in 1988, the level of Community agricultural expenditure were to be determined less by the budget than by internal and external contingencies, as had happened regularly before those new rules were adopted specifically to prevent such a situation recurring, this would jeopardize confidence in the entire budgetary management of the Community ;

21. Welcomes the clear restatement by Council, in its recommendation for discharge, that the objective of Article 6 of the Decision on budgetary discipline is to avoid the initial appropriations for individual EAGGF Guarantee chapters being exceeded; insists that henceforward the Commission take remedial action promptly as required by Article 6 of the Council Decision wherever expenditure is exceeding the profile or risks doing so;

22. Further insists that the Commission, in seeking to resolve current budgetary difficulties, avoid adopting measures which would entail heavy costs for future years and instead tackle the root causes of expenditure overruns;

23. Urges the Commission to take steps to improve the forecasting and monitoring of agricultural expenditure and, in particular, to

- (a) seek to obtain quantitative data underlying all agricultural expenditure from each Member State on a monthly basis, and make full use of such data;
- (b) step up its audits of national control systems with a view to increasing the reliability of Member States' figures;
- (c) make greater use of remote-sensing techniques which provide a valuable further check on such figures;
- (d) inform Parliament immediately whenever Member States fail seriously in their duty to implement Community measures;
- (e) provide for sanctions against such Member States;

24. Emphasizes that the Commission's powers in respect of clearance of accounts are, within the existing system, the key method of supervising the disbursement of agricultural expenditure and therefore that these powers must be exercised, as far as possible, contemporaneously with the expenditure and clearance completed speedily after the conclusion of that year;

25. Considers that the prospects for success of the set-aside scheme will depend on the extent to which the Commission can secure adoption of rules to make it more obligatory, to extend it to more productive land, to prevent production being increased on non-eligible land, to ensure its uniform application and to increase its cost-effectiveness;

26. Urges the Commission to adopt a consistent treatment for valuation and accounting of the various programmes for free distribution of intervention stocks;

27. Calls on the Commission to pursue with all due vigour the recovery of sums relating to reported cases of

fraud or irregularity under the Guarantee Section, and to offset such amounts against future claims;

28. Insists that the Unit for Coordination of the Fight Against Fraud focus its efforts on the areas of greatest known abuse, and looks to the Commission at all levels to give the Unit full backing at all times;

EAGGF Guarantee Section : problems in specific sectors

29. Considers that the co-responsibility levy in the cereals sector has failed to achieve its budgetary objectives satisfactorily;

30. Expresses concern at the long-standing and growing problems in the tobacco sector and calls upon the Commission to table urgently a proposal for fundamental reform, which must include effective controls on expenditure in this sector;

31. Is especially disturbed by developments in the dairy sector, as well as in the beefmeat, sheepmeat, pigmeat and poultry sectors since 1989, and insists that in these sectors too the Commission take steps urgently to bring expenditure back under control;

32. Calls upon the Commission, when reviewing the 'butter for bakeries' scheme, and when devising or selecting among other schemes for disposal of surplus milk products, to take greater account of the administrative costs involved including those at national level;

33. Urges the Commission to take steps without delay, in respect of the premium for maintaining suckler cows, to ensure that it is better informed on herd sizes and development (for instance by requiring that reliable national systems for identification of cows be set up), as well as on the management and impact of the scheme at national level; also urges the Commission to give due consideration to the possibility of targeting the premium towards the farmers whose income most warrants support;

Structural policy

34. Notes that implementation of appropriations allocated to the Structural Funds was satisfactory in 1989 but has since deteriorated;

35. Considers that the continuing high level of commitments in 1989, especially in the case of the Social Fund (ECU 600 million decommitted), reflects serious shortcomings in project selection and monitoring at both national and Community level; nevertheless welcomes the fact that smaller amounts were decommitted in 1990;

36. Also notes that the level of outstanding commitments under the Structural Funds continued to rise in 1989, and calls upon the Commission to exercise strict supervision to ensure that this problem is not exacerbated as a result of decentralized management of the new operational programmes;

37. Considers that the system of commitment of aid in annual instalments presents certain advantages but also the disadvantage of not reflecting in the accounts the total level of outstanding Community liabilities relating to multiannual programmes under the Structural Funds; therefore looks to the Commission to guarantee the necessary transparency in this respect, and also to monitor the funding of such programmes closely;

38. Stresses the key role of supervision, monitoring and assessment in ensuring that the Structural Funds realize their goals of promoting social and economic cohesion within the Community; insists that the representativeness of the Monitoring Committees be enhanced and, specifically, that in all Member States they include at a minimum not only representatives of both sides of industry but also wherever appropriate representatives of voluntary bodies involved in implementing operational programmes; urges in addition that the powers of the Monitoring Committees be strengthened and asks that their reports be communicated to the discharge authority on request; calls on the Commission to step up considerably its on-the-spot checks;

39. Insists that the Commission give priority to ensuring that the Member States genuinely apply the Community principle of additionality, and that it report to Parliament by June 1991 on its efforts to this end; awaits the findings of the Court of Auditors' investigations into additionality;

40. Calls on the Court of Auditors to carry out an in-depth analysis of the first phase of implementation of the reform of the Structural Funds as a matter of urgency and instructs its Committee on Budgetary Control to report on this subject;

41. Calls on the Commission to ensure that aid under the EAGGF Guidance Section is in future granted in a manner more consistent with the principle of subsidiarity and that its impact is assessed more rigorously;

42. Considers that selection methods insufficiently geared to the economic and social reality of the regions and sectors concerned have been a major cause of the dispersal of aid and of the heavy underutilization of budgetary resources under the Social Fund;

43. Considers that part of the responsibility for failure of the psychiatric reform programme in Leros lies with the Commission for not having defined sufficiently clear

objectives or monitored implementation adequately; insists that henceforward the management of any Community funds allocated to the programme be above reproach and that Parliament keep it under close review; calls on the Commission to submit a full progress report by the beginning of June 1991, indicating in particular the extent to which the conditions laid down by Parliament in 1990 for a resumption of Community aid to the programme have been met;

Energy and research

44. Notes that the volume of outstanding commitments, especially in the energy sector, continued to rise and asks that a procedure be introduced to review all projects which have lain dormant for more than one year as a matter of course and to exercise continuous supervision over the management of scientific programmes;

45. Calls on the Commission to improve its programme planning to take account of the legislative process and to avoid unnecessary delays in tendering procedures, with a view to maximizing use of appropriations for research and development;

46. Reiterates its call to the Commission to make use of the provisions of Articles 10 and 11 of the Interinstitutional Agreement to allow Community expenditure on research and development to reach the levels permitted by the Financial Perspective;

47. Recommends that the Commission take steps to enhance the autonomy, accountability, market-orientation and competitiveness of the JRC institutes and of their directors, and to ensure that the directors have skilled management support;

48. Looks to the Commission to ensure that the new JRC Management Efficiency Unit is endowed with resources adequate to its task; considers that the Unit should concentrate on rationalizing the Centre's costs and staffing and, in particular, should

(a) devise methods for evaluating staff-costs and relating them to performance, and for apportioning these and other overheads between the institutes;

(b) devise ways of further improving the scientific quality, age structure and mobility of JRC staff;

49. Asks that the Unit's periodic reports be made available to Parliament;

50. Calls on the Commission to introduce more rigorous budgetary planning for JRC staff in order to avoid the cancellation of appropriations for non-utilization, and

calls for all scientific and administrative posts to be inventoried so that an analysis can be made of current over- and understaffing ;

51. Recommends that work carried out by the JRC for the Commission be placed on a proper contractual footing, and that the amounts for support to each Directorate-General be indicated in the remarks against the relevant budget headings, in the institutes' annual plans and in the Analyses of Financial Management ;

52. Urges that marketing and public relations activities in respect of work for third parties other than the Commission be reinforced and directed at both scientific and political levels, as part of a drive to improve the competitiveness of the relevant institutes ;

53. Considers that the favourable cash position in respect of JET should result in lower precepts on Member States ;

54. Urges the Council to take a decision as rapidly as possible on the life of the JET project to reduce the risks of abortive or premature expenditure ;

Development aid, food aid and aid to countries of Central and Eastern Europe

55. Deplores the significant volume of payment appropriations lapsing in 1989 in respect of cooperation with developing and third countries (ECU 164,7 million) ;

56. Requests the Commission to present to Parliament by 30 September 1991 an analysis of its staff resources devoted to aid for Asian and Latin American developing countries, both in Brussels and in each country receiving aid, together with comparisons of its staff resources devoted to aid for each of the ACP countries, the staff of Member States dealing with development aid and the staff of international aid organizations, in all cases showing the ratio of staff to amounts of aid ; further requests that the analysis be accompanied by proposals designed to speed up and improve the effectiveness of such development cooperation programmes ;

57. Expresses dissatisfaction with the management of aid to Bangladesh and calls on the Commission to take firm action to ensure that in future the Bangladeshi authorities comply with agreements on such matters as operation of counterpart and revolving funds, reporting, and supply of government funds, and that they improve the local input into Community-aided projects ;

58. Asks, exceptionally, to be consulted on the next food aid agreement with Bangladesh ;

59. Calls on the Commission :

(a) to set aid and cooperation objectives more realistically, for instance by having greater recourse to feasibility studies ;

(b) to step up the supervision of aid, including the role of European cofinancing NGOs, by its central and delegation staff ;

(c) to set up a Community inspectorate, reporting to the relevant Community institutions and ACP-EEC collaborative bodies, in order to enhance project and programme quality ;

60. Insists that the Commission improve medium-term planning of food aid and monitor its implementation more rigorously, particularly to ensure that the criteria for distribution on the spot are respected ; and invites the Court of Auditors to analyze the effects of the system for mobilizing food aid set up in 1987 ;

61. Also insists that the Commission submit written reports to the budgetary authority on implementation of aid to countries of Central and Eastern Europe on at least a quarterly basis ;

Administrative expenditure

62. Calls on the Commission to ensure uniform presentation of the different sections of the budget, and undertakes in future to contribute to the Analysis of Financial Management ;

63. Reaffirms its insistence that the Financial Controllers of Community institutions be able to exercise their duties independently of internal or external authority ;

64. Calls on the superior authority of Parliament henceforward to base any decisions to overrule its Financial Controller on a recommendation from the Commission on Budgetary Control ; calls on the Commission to provide the Court of Auditors with the information it requires concerning refusals of approval by its Financial Controller ;

65. Notes the opinion of the Court of Auditors on human resource management of the Council and the Commission, and the Commission's response ; calls upon the Commission to ensure that the newly-created Inspectorate-General for Resources is endowed with resources commensurate with its task ;

66. Considers that the Budgetary Authority should set an example in the area of human resources management and therefore :

(a) invites the Council to indicate what action it will take in response to the Court's recommendations ;
and

(b) calls for an external audit of staff management at the Parliament, which should take account of the institution's growing workload, specific working conditions and position as an equal opportunities employer ;

67. Urges the Commission, as regards the pension scheme and other measures concerning termination of service,

(a) to intensify its action to secure fulfilment by Member States of their Treaty obligations in respect of transfer of pension rights ;

(b) to seek agreement between the Heads of Administration as to (i) the proper interpretation of the Statutory Provisions governing orphans' pensions, and (ii) the link which might be established between periods of service and periods for which allowances are paid under the Unemployment Insurance Scheme ;

68. Asks that criteria be laid down to ensure that funds under Item A 3031 (Subsidy to the European Foundation for Freedom of Expression) are allocated in the manner originally intended ;

European Schools

69. Calls on the Board of Governors of the European Schools to apply the Financial Regulation which came into force on 1 January 1989 to the Schools rigorously as and when they come on stream in the central computerized accounting scheme ;

70. Insists that the Board of Governors appoint an independent Financial Controller for the Schools without delay ;

71. Considers that the Budgetary Authority should pronounce on whether the costs for children of EIB staff

attending the Schools is chargeable to the Community budget ;

Flow of information to the Discharge Authority

72. Points out that the quality of the Commission's written and oral replies to the observations of the Court of Auditors on occasion left much to be desired, and that in such instances the Discharge Authority can only conclude that the Court's observations are correct ;

73. Asks that in future the report which the Commission prepares, pursuant to Article 89 (5) of the Financial Regulation, on the measures taken in light of the comments accompanying decisions giving discharge be communicated to Parliament by 15 December of the year in which the discharge has been granted ;

74. Requests the Commission to publish each year in the annual accounts a summary of the cost of administering at Community level each main budgetary sector (such as the EAGGF Guarantee Section, the common fisheries policy, the Structural Funds, research and development programmes, and development and cooperation policy), showing separately the costs attributable to administration by Commission officials and those attributable to others acting for the Commission, and appending notes showing the extent to which general overheads have been attributed to each of these sectors ;

75. Calls upon the Commission to submit to Parliament an analysis showing, for each spending policy, its methods of carrying out systematic evaluation of the results and illustrating how these findings have been used to improve effectiveness ;

76. Asks the Commission to ensure that the data it presents on the rate of implementation of headings entered or amended by Parliament relate to the appropriations as entered or amended by Parliament rather than after transfers ;

77. Asks the Court of Auditors to broaden the presentation of data in its annual reports to take account of the categories of the Financial Perspective.

DECISION OF THE EUROPEAN PARLIAMENT**of 16 April 1991****granting a discharge to the Commission in respect of the financial management
of the fourth European Development Fund for the 1989 financial year**

(91/290/EEC)

THE EUROPEAN PARLIAMENT,

- having regard to the EEC Treaty,
 - having regard to the first ACP-EEC Lomé Convention ⁽¹⁾,
 - having regard to the balance sheets and administrative accounts of the fourth, fifth and sixth European Development Funds for the 1989 financial year (COM(90) 148 final),
 - having regard to the report of the Court of Auditors for the 1989 financial year, and the replies of the Institutions ⁽²⁾,
 - having regard to the recommendation of the Council of 18 March 1991 concerning the granting of this discharge (Doc. C3-0171/91),
 - whereas the Treaty of 22 July 1975 empowers the European Parliament to give discharge in respect of the financial management of the Community,
 - having regard to the report of the Committee on Budgetary Control and the opinion of the Committee on Development and Cooperation (Doc. A3-0070/91),
1. Grants a discharge to the Commission in respect of the financial management of the fourth European Development Fund for the 1989 financial year on the basis of the following amounts:
 - payments: ECU 32 177 343,70;
 2. Records its observations in the resolution which forms part of this decision ⁽³⁾;
 3. Instructs its President to forward this Decision and the resolution containing its observations to the Commission, the Council, the Court of Auditors and the European Investment Bank and to have them published in the *Official Journal of the European Communities* (L series).

Done at Strasbourg, 16 April 1991.

Secretary-General

Enrico VINCI

President

Enrique BARÓN CRESPO

⁽¹⁾ OJ No L 25, 30. 1. 1976, p. 1.⁽²⁾ OJ No C 313, 12. 12. 1990, p. 1.⁽³⁾ See page 35 of this Official Journal.

DECISION OF THE EUROPEAN PARLIAMENT

of 16 April 1991

granting a discharge to the Commission in respect of the financial management
of the fifth European Development Fund for the 1989 financial year

(91/291/EEC)

THE EUROPEAN PARLIAMENT,

- having regard to the Treaty,
 - having regard to the second ACP-EEC Lomé Convention ⁽¹⁾,
 - having regard to the balance sheets and administrative accounts of the fourth, fifth and sixth European Development Funds for the 1989 financial year (COM(90) 148 final),
 - having regard to the report of the Court of Auditors for the 1989 financial year, and the replies of the institutions ⁽²⁾,
 - having regard to the recommendation of the Council of 18 March 1991 concerning the granting of this discharge (Doc. C3-0172/91),
 - whereas the Treaty of 22 July 1975 empowers the European Parliament to give discharge in respect of the financial management of the Community,
 - having regard to the report of the Committee on Budgetary Control and the opinion of the Committee on Development and Cooperation (Doc. A3-0070/91),
1. Grants a discharge to the Commission in respect of the financial management of the fifth European Development Fund for the 1989 financial year on the basis of the following amounts :
 - revenue : ECU 400 979 417,30 ;
 - payments : ECU 240 684 140,15 ;
 2. Records its observations in the resolution which forms part of this decision ⁽³⁾;
 3. Instructs its President to forward this decision and the resolution containing its observations to the Commission, the Council, the Court of Auditors and the European Investment Bank and to have them published in the *Official Journal of the European Communities* (L series).

Done at Strasbourg, 16 April 1991.

The Secretary-General

Enrico VINCI

The President

Enrique BARON CRESPO

⁽¹⁾ OJ No L 347, 22. 12. 1980, p. 1.⁽²⁾ OJ No C 313, 12. 12. 1990, p. 1.⁽³⁾ See page 35 of this Official Journal.

DECISION OF THE EUROPEAN PARLIAMENT**of 16 April 1991****granting a discharge to the Commission in respect of the financial management
of the sixth European Development Fund for the 1989 financial year**

(91/292/EEC)

THE EUROPEAN PARLIAMENT,

- having regard to the EEC Treaty,
 - having regard to the third ACP-EEC Lomé Convention ⁽¹⁾,
 - having regard to the balance sheets and administrative accounts of the fourth, fifth and sixth European Development Funds for the 1989 financial year (COM(90) 148 final),
 - having regard to the report of the Court of Auditors for the 1989 financial year, and the replies of the institutions ⁽²⁾,
 - having regard to the recommendation of the Council of 18 March 1991 concerning the granting of this discharge (C3-0173/91),
 - whereas the Treaty of 22 July 1975 empowers the European Parliament to give discharge in respect of the financial management of the Community,
 - having regard to the report of the Committee on Budgetary Control and the opinion of the Committee on Development and Cooperation (A3-0070/91),
1. Grants a discharge to the Commission in respect of the financial management of the sixth European Development Fund for the 1989 financial year on the basis of the following amounts:
 - revenue : ECU 895 211 025,02 ;
 - payments : ECU 1 024 161 799,46 ;
 2. Records its observations in the resolution which forms part of this Decision ⁽³⁾ ;
 3. Instructs its President to forward this Decision and the resolution containing its observations to the Commission, the Council, the Court of Auditors and the European Investment Bank and to have them published in the *Official Journal of the European Communities* (L series).

Done at Strasbourg, 16 April 1991.

The Secretary-General

Enrico VINCI

The President

Enrique BARÓN CRESPO

⁽¹⁾ OJ No L 86, 31. 3. 1986, p. 1.⁽²⁾ OJ No C 313, 12. 12. 1990, p. 1.⁽³⁾ See page 35 of this Official Journal.

RESOLUTION

containing the comments which form part of the Decisions giving discharge to the Commission in respect of the financial management of the fourth, fifth and sixth European Development Funds for the 1989 financial year

THE EUROPEAN PARLIAMENT,

- having regard to Articles 137 and 206b of the EEC Treaty,
- having regard to Articles 67, 70 and 73 of the Financial Regulations applicable respectively to the fourth, fifth and sixth European Development Funds, under which the Commission is required to take all appropriate steps to act on the observations appearing in the discharge decisions,
- noting that, pursuant to these Articles, the Commission is also required, at Parliament's request, to produce a report on the steps taken as a result of Parliament's observations and, in particular, on the instructions given by the Commission to the services responsible for managing the European Development Funds,
- having decided to express the observations referred to in Articles 67, 70 and 73 in this resolution, which forms part of the respective decisions giving discharge in respect of the financial management of the European Development Funds for the 1989 financial year,
- also adopting this resolution in the exercise of the powers which are essential for it to carry out its monitoring function, with a view to remedying the shortcomings noted in the study relating to the discharge and to improving the management of the European Development Funds,
- having regard to the report of the Committee on Budgetary Control and the opinion of the Committee on Development and Cooperation (Doc. A3-0070/91),

Priority attached to development policy

1. Points out that Community development policy has long been a high priority for the European Parliament; that Parliament has played an active role in the implementation of the policy and the introduction of certain measures; that it has regularly contributed to improving the Commission's measures and stressed the positive results thereof;

Rate of utilization of EDF appropriations

2. Notes that, at the end of the fourteenth year of implementation, 98,6 % of the fourth EDF as a whole had been committed (98,5 % in 1988) and 95 % had been paid out; calls once again on the Commission to

close the fourth EDF before the fourth Lomé Convention comes into force;

3. Notes that, at the end of the ninth year of implementation, the rate of payment of the fifth EDF has further decreased (79 %) and is about 5 % lower than that of the fourth EDF at the same point in time;

4. Feels obliged once again to express its concern regarding the delay in making payments in respect of planned projects; is aware of the problems arising from the new procedure for semi-direct payments; repeats its request (previously expressed in respect of the 1983 discharge) for the Commission to submit a report on the reasons for the slow rate of payments from the EDF;

Inadequacy of budget management and accountancy practices

5. Notes that the Court of Auditors makes the same criticisms every year regarding the management of the budget and accountancy practices, and that Parliament itself has very often had to repeat the same criticisms in its observations on the discharge;

6. Notes that the Commission has stated its intention to implement the following measures by 1 October 1991:

- (a) elimination of administrative practices on the part of the delegations and the authorizing officer by means of which payments are made without prior commitment;
- (b) amendment of internal procedures so that the endorsement of the financial controller can be given *before* the commitment is entered in the books;
- (c) introduction into the computerized accounting system of precise accounting instructions and of effective reliability tests;
- (d) preparation and introduction of the long-awaited handbook on financing and accounting procedure;
- (e) entry into force of the new general schedules of conditions for employment, delivery and service contracts;
- (f) reorganization of the Commission's offices to ensure an effective division between the functions of the accounting officer and the authorizing officer;
- (g) creation of a unit to monitor accountancy in the Finance Directorate of Directorate-General VIII, so as to lighten the workload of the financial controller;
- (h) improvement in the presentation of the financial statements;

7. Draws the Commission's attention to the fact that it is the Commission's responsibility to allocate staff resources in such a way as to enable itself to fulfil its obligations appropriately; stresses once again that it attaches a high political priority to the effective administration of the EDF;

8. Calls on the Commission to submit a report by 1 October 1991 on the implementation of the measures listed in paragraph 6;

9. Notes that the Commission describes the misuse of transfer payments for Benin under the Stabex as a mistake; also notes that this was an isolated case, but calls on the Commission to inform Parliament of such cases as a matter of course;

10. Repeats, with regard to the case described by the Court of Auditors under 14.14 and 14.15, its request for improved monitoring of the European Investment Bank's activity in connection with the EDF;

11. Draws the Commission's attention to the fact that, on the basis of the Court of Auditors' special reports No 6/87 and No 7/87, it has made recommendations regarding the administration of food aid counterpart funds, and these should be taken into consideration by the Commission in its current reflections on the matter;

12. Considers that, in order to enhance the quality of the projects and programmes a Community inspection should be set up, reporting to the relevant and EEC-ACP cooperation bodies, and calls on the Commission to take steps to this end.

DECISION OF THE EUROPEAN PARLIAMENT**of 16 April 1991****granting a discharge to the Commission of the European Communities in respect of the ECSC accounts for the 1989 financial year**

(91/293/ECSC)

THE EUROPEAN PARLIAMENT,

— on the basis of the following figures⁽¹⁾ taken from the ECSC accounts as at 31 December 1989, in the light of the statement by the Court of Auditors of 27 June 1990 that the accounts give a true and fair view of the financial situation of the European Coal and Steel Community as at 31 December 1989, and in the light of the results of the ECSC's operations in the financial year ending on that date,

1. Grants the Commission discharge in respect of the accounts of the European Coal and Steel Community for the financial year 1989 (the figures for the out-turn of the operating budget for the financial year 1989 are also attached by way of illustration);
2. Instructs its President to forward this Decision and the resolution containing its observations to the Commission, the Council, the Court of Auditors and the ECSC Consultative Committee and to have them published in the *Official Journal of the European Communities* (L Series).

Done at Strasbourg, 16 April 1991.

Secretary General

Enrico VINCIU

President

Enrique BARÓN CRESPO

⁽¹⁾ The relevant tables are included after this proposal for a decision.

BALANCE SHEET AT 31 DECEMBER 1989

(ECU)

ASSETS		LIABILITIES	
Balances with central banks (note 4)	85 900	<i>Liabilities vis-à-vis third parties</i>	
Balances with credit institutions (note 4):		Amounts owed to credit institutions with agreed maturity dates or periods of notice	64 750 534
— repayable on demand	25 083 527	Long-term and medium-term debts (note 10)	6 663 655 098
— with agreed maturity dates or periods of notice	880 755 585	Other liabilities	5 747 119
Debt securities held in portfolio (notes 4 and 5)	1 099 119 086	Accruals and deferred income (note 11)	355 002 342
Loans outstanding (note 6)	6 919 110 226	Provision for losses and expenses	4 741 757
Issuing costs and redemption premiums for amortization	32 058 930	Commitments for the ECSC operating budget (note 12)	1 120 320 224
Land and buildings and intangible assets (note 7)	6 452 622	<i>Total liabilities vis-à-vis third parties</i>	8 214 217 074
Other assets (note 8)	78 809 019	<i>Net assets</i>	
Prepayments and accrued income (note 9)	237 966 940	Provisions for the financing of the ECSC operating budget (note 13)	325 187 850
Total	9 279 441 835	Provision for changes in the ecu rate	12 799 169
		Reserves (note 14):	
		— Guarantee fund	482 885 000
		— Special reserve	188 980 000
		— Former pension fund	53 698 379
		— Contributions to reserves from the new Member States not yet called in	0
		Total reserves	725 563 379
		Profit brought forward	893 213
		Profit for the financial year	781 150
		<i>Total net assets</i>	1 065 224 761
		Total	9 279 441 835

Source: ECSC Financial Report 1989.

PROFIT AND LOSS ACCOUNT FOR THE YEAR ENDING 31 DECEMBER 1989

(ECU)

EXPENDITURE		REVENUE	
Interest payable	660 884 752	Interest receivable (note 16)	847 378 195
Issuing costs and redemption premiums	11 666 803	Issuing and redemption premiums	7 891 360
Commission payable	2 290 892	Gains on own bonds	1 166 092
Capital losses on securities	4 906 431	Gains on other securities	4 667 666
Other financial costs	1 154 543	Other financial revenue	1 055 435
Allocation to the provision for losses and expenses	1 223 795	Income from value readjustments in respect of securities	—
Value adjustments in respect of securities	21 657 319	Income from value readjustments in respect of debtors	96 664 866
Value adjustments in respect of fixed assets	345 996	Conversion difference	—
Conversion differences	481 029	Exchange difference	460 741
Allocation to the provision for changes in the ecu rate	—	Withdrawal from the provision for changes in the ecu rate	481 029
Administrative expenditure (fixed amount) (note 15)	5 000 000	Levy (note 17)	165 667 139
Expenditure relating to fines, deposits and levy	683 369	Fines (note 18)	5 279 069
Legal commitments for financial year :		Deposits (in accordance with Decision No 3717/83)	64 744
— Redeployment	183 859 424	Cancellations of legal commitments	71 116 262
— Research	78 590 077	Withdrawal from the provision for financing the ECSC operating budget	203 381 450
— Interest subsidies (Article 54)	—	Other revenue	—
— Interest subsidies (Article 56)	60 664 000		
— Coal rationalization	9 196 618		
— Social measures in the steel industry	75 000 000		
Allocation to reserves for financing the ECSC operating budget	286 887 850		
		Total	1 405 274 048
Total expenditure	1 404 492 898		
Profit for the financial year	781 150		
Total	1 405 274 048		

Source : ECSC Financial Report 1989.

OUT-TURN OF THE ECSC OPERATING BUDGET FOR 1989

(million ECU)

REQUIREMENTS	OUT-TURN	RESOURCES	OUT-TURN
<i>Operations to be financed from current resources (non-repayable)</i>		<i>Resources for the financial year</i>	
1. Administrative expenditure	5	1. Current resources	
2. Aid for redeployment (Article 56)	183,9	1.1. Yield from levy at 0,31 %	165,7
3. Aid for research (Article 55)	78,6	1.2. Net balance from previous year	156
3.1. Steel	35,8	1.3. Fines and surcharges for late payment	52,2
3.2. Coal	30,1	1.4. Miscellaneous	—
3.3. Social	12,7	2. Cancellation of commitments unlikely to be implemented	71,1
4. Interest subsidies	60,7	3. Unused resources from 1988	11,7
4.1. Investments (Article 54)	—	4. Exceptional revenue	
4.2. Conversion (Article 56)	60,7	Social measures connected with restructuring of steel industry	p. m.
5. Social measures connected with restructuring of steel industry	75	5. Drawings on contingency reserve	p. m.
6. Social measures connected with restructuring of coal industry	9,2		
Surplus	44,3		
Total	456,7	Total	456,7
<i>Operations financed by loans from non-borrowed funds</i>		<i>Origin of non-borrowed funds</i>	
Workers' housing	12	Special reserve and former ECSC pension fund	12

Source: ECSC Financial Report 1989.

RESOLUTION

on the report of the Court of Auditors on the financial situation of the European Coal and Steel Community as at 31 December 1989 and on the report (Annex to the 1989 ECSC Annual Report) of the Court of Auditors on the accounting and financial management of the ECSC ;

THE EUROPEAN PARLIAMENT,

— having regard to the ECSC financial report and in particular the balance sheet and profit-and-loss account for the ECSC as at 31 December 1989, submitted by the Commission,

— having regard to the report of the Court of Auditors on the financial situation of the ECSC as at 31 December 1989 and to the annex to the 1989 ECSC Annual Report containing the report on the accounting and financial management of the European Coal and Steel Community (Doc. C3-0248/90),

— having regard to the memorandum of 12 November 1990 of the ECSC Consultative Committee on the future of the ECSC Treaty⁽¹⁾,

— having regard to the report of the Committee on Budgetary Control (Doc. A3-0052/91),

A. having regard to its Decision of 3 April 1990 granting a discharge to the Commission of the European Communities in respect of the ECSC accounts for the financial year 1988⁽²⁾ and the corresponding resolution,

B. having regard to its resolution of 15 December 1988 on the fixing of the ECSC levy rate and the drawing up of the ECSC operating budget for 1989⁽³⁾,

C. having regard to its resolution of 26 May 1989 on the draft supplementary and amending budget for 1989⁽⁴⁾,

1. Notes that the ratios calculated by the Commission for the reserves and the ratios calculated by the Court of Auditors for the guarantee fund and own resources as a whole are tending downwards slightly, but were essentially static compared with the previous year, that the ratios for own resources continue to exceed, albeit tending

downwards, the recommended own-resources range, the consequently, overall, the own-resources position continues to be most satisfactory ;

2. Calls on the Commission to apply rigorous criteria, when entering into new commitments or reviewing existing commitments, in order to ensure that funds are employed as effectively as possible ;

3. Urges the Commission, in the light of the ECSC's new role in the five new *Länder* of the Federal Republic of Germany and in Eastern Europe and the deliberations on the future of the ECSC, to submit an assessment of the socio-economic impact of the ECSC's financing activities, pursuant to Articles 54 to 56, for which Parliament has been calling for several years, in order to establish that funds are being employed effectively ;

4. Takes the view that a comprehensive analysis of the success of restructuring policy measures funded by the Community and the Member States must document the improvements in competitiveness resulting from increased productivity ; in this connection, the economic and social implications for the regions concerned must be pointed out ;

5. Again asks the Court of Auditors to examine how the ECSC's financial operations are managed in terms of the coordination thereof with other Community financial instruments ;

6. Again points up the call made in previous years' discharge reports and in the Pasty report of 12 December 1990 that the Commission should involve Parliament in planning arrangements concerning the ECSC's future ; points up the need for the deliberations on the ECSC's future to take account of the conclusions reached in the analysis to be conducted of the effectiveness of assistance measures ;

7. Requests the Commission to notify it twice a year about the progress, in terms of structural adjustment, of financing activity in the five new *Länder* of the Federal Republic of Germany and in Eastern Europe ;

⁽¹⁾ OJ No C 302, 1. 12. 1990, p. 3.

⁽²⁾ OJ No C 113, 7. 5. 1990, p. 46.

⁽³⁾ OJ No C 12, 16. 1. 1989, p. 173.

⁽⁴⁾ OJ No C 158, 26. 6. 1989, p. 327.

8. Emphasizes the need to take into account, when granting grants or loans to the five new *Länder* of the Federal Republic of Germany and to countries in Eastern and Central Europe, the need to remedy the environmental problems of the past and to reduce the current high levels of pollution in those areas;

9. Instructs its President to forward this resolution to the Commission, the Council, the Court of Auditors and the ECSC Consultative Committee.

DECISION OF THE EUROPEAN PARLIAMENT

of 16 April 1991

granting a discharge to the Management Board of the European Centre for the Development of Vocational Training in respect of the implementation of its budget for the 1989 financial year

(91/294/EEC)

THE EUROPEAN PARLIAMENT,

- having regard to the EEC Treaty and in particular Article 206b thereof,
- having regard to the statement of accounts of the European Centre for Development of Vocational Training and the report of the Court of Auditors on this subject (Doc. C3-0095/91),
- having regard to the Council Decision of 18 March 1991 (Doc. C3-0170/91),
- having regard to the report of the Committee on Budgetary Control (Doc. A3-0054/91),

1. Notes the following figures for the accounts of the European Centre for Development of Vocational Training :

1989 FINANCIAL YEAR

ECU

<i>Revenue</i>	8 409 000,00
1. Subsidy from the Commission	8 339 850,67
2. Bank Interest	51 938,02
4. Other	10 901,07
<i>Expenditure</i>	
1. Final budget appropriations	8 409 000,00
2. Commitments	8 321 811,89
3. Unused appropriations	87 188,11
4. Payments	7 150 435,86
5. Carry-overs from 1988 to 1989	1 301 556,87
6. Payments against appropriations carried over	1 147 514,77
7. Appropriations carried over and cancelled (5-6)	154 012,10
8. Carry-overs from 1989 to 1990	1 171 376,03
9. Cancellations (1-4-8)	87 188,11

2. Records the fact that the Centre has reported its finances in ecu ;
3. Notes that the Commission has put forward proposals to bring the Centre's Financial Provisions into line with the revised Financial Regulation of 13 March 1990 applicable to the general budget of the European Communities ;
4. Waits to be convinced that the analytical management accounting requested by the Court can add any cost-benefit to the Centre's effectiveness ;
5. Requests the Commission's Financial Controller to visit the Centre at least every two months in order to visa authorizations and payments so as to reduce the use of the imprest account ; recommends that separate accounts be kept for the imprest account, to the extent that it continues to be used ; also recommends that the Centre exploit the facilities for obtaining prior approval by the Financial Controller provided by new communication technologies (electronic visa) as and when they become available ;
6. Welcomes the Centre's proposals to organize its administration so as to have separated powers over transactions for authorizing officer and accounting officer ;

7. Endorses the Court's request that bank interest received by the Centre on deposited advances from the Commission should offset bank charges but not exchange rate costs, which should be separately reported;
8. Welcomes the fact that the Centre has now taken the necessary steps to obtain access to the more favourable terms for interpreting services available to the Commission;
9. Calls upon the Commission to ensure that the quarterly instalments of the subsidy to the Centre from the general budget are paid on time and recommends that the usefulness of opening current contra accounts between the Commission and the Centre be examined by both parties;
10. Gives discharge to the Management Board of the European Centre for Development of Vocational Training, in respect of the implementation of its budget for the 1989 financial year, on the basis of the report of the Court of Auditors;
11. Instructs its President to forward this Decision to the Management Board of the European Centre for Development of Vocational Training, the Council, the Commission and the Court of Auditors and to have it published in the *Official Journal of the European Communities* (L series).

Done at Strasbourg, 16 April 1991.

Secretary-General

Enrico VINCI

President

E. BARON CRESPO

DECISION OF THE EUROPEAN PARLIAMENT

of 16 April 1991

giving discharge to the Administrative Board of the European Foundation for the Improvement of Living and Working Conditions in respect of the implementation of its budget for the 1989 financial year

(91/295/EEC)

THE EUROPEAN PARLIAMENT,

- having regard to the EEC Treaty and in particular Article 206b thereof,
- having regard to the statement of accounts of the European Foundation for the Improvement of Living and Working Conditions and the report of the Court of Auditors on this subject (Doc. C3-0094/91),
- having regard to the Council Decision of 18 March 1991 (Doc. C3-0169/91),
- having regard to the report of the Committee on Budgetary Control (Doc. A3-0053/91),

1. Notes the following figures for the accounts of the European Foundation for the Improvement of Living and Working Conditions

1989 FINANCIAL YEAR

ECU

Revenue

	6 386 477,16
1. Subsidy from the Commission	6 254 819,19
2. Bank Interest	74 387,59
4. Other	57 270,38

Expenditure

1. Final budget appropriations	6 471 000,00
2. Commitments	6 428 541,25
3. Unused appropriations	42 458,75
4. Payments	4 848 599,52
5. Carry-overs from 1988 to 1989	1 453 625,10
6. Payments against appropriations carried over	1 392 733,19
7. Appropriations carried over and cancelled (5-6)	60 891,91
8. Carry-overs from 1989 to 1990	1 579 941,73
9. Cancellations (1-4-8)	42 458,75

2. Notes that the Commission has put forward proposals to bring the Foundation's Financial Provisions into line with the revised Financial Regulation of 13 March 1990 applicable to the general budget of the European Communities ;
3. Welcomes the growth of activity at the Foundation and regards the expanding demand for its books, pamphlets and reports as a measure of the quality of the Foundation's output ;
4. Believes that the new hierarchical table and nomenclature enables the Foundation to comply with the Court's request that authorization and payment officers' duties should be separate ;
5. Recommends that the Financial Controllar should visit the Foundation at least every two months in order to reduce reliance on the imprest account, to the extent that it continues to be used ; also recommends that the Foundation exploit the facilities for obtaining prior approval by the Financial Controller provided by new communication technologies (electronic visa) as and when they become available ;

6. Waits to be convinced that the analytical management accounting requested by the Court can add any cost-benefit to the Foundation's effectiveness;
7. Calls upon the Commission to ensure that the quarterly instalments of the subsidy to the Foundation from the general budget are paid on time and recommends that the usefulness of opening current contra accounts between the Commission and the Foundation be examined by both parties;
8. Considers that the Foundation might be asked to take on the research management sector envisaged in the proposed European Health and Safety Agency, since this falls within the Foundation's existing terms of reference;
9. Believes that circumstances are now such that the remarks against Chapters 3 and 4 of the Foundation's budget should be deleted in the 1992 budget; accepts the Foundation's undertaking to comply with the Court's requests for further transparency in the accounts of the Foundation;
10. Observes that the recently approved extension to Loughlinstown House is proceeding apace; records the fact that the extension will at last provide working conditions for this establishment's staff in keeping with the Foundation's own recommendations for Community standards;
11. Gives discharge to the European Foundation for the Improvement of Living and Working Conditions, in respect of the implementation of its budget for the 1989 financial year, on the basis of the report of the Court of Auditors;
12. Instructs its President to forward this Decision to the Administrative Board of the European Foundation for the Improvement of Living and Working Conditions, the Council, the Commission and the Court of Auditors and to have it published in the *Official Journal of the European Communities* (L series).

Done at Strasbourg, 16 April 1991.

Secretary-General

Enrico VINCI

President

E. BARON CRESPO
