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(Acts adopted pursuant to Title V of the Treaty on European Union)

COMMON POSITION

of 10 May 1999

adopted by the Council on the basis of Article 15 of the Treaty on European Union concerning additional restrictive measures against the Federal Republic of Yugoslavia

(1999/318/CFSP)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 15 thereof,

(1) Whereas on 8 April 1999 the Council concluded that extreme and criminally irresponsible policies and repeated violations of United Nations Security Council Resolutions by the Federal Republic of Yugoslavia (FRY) had made the use of the most severe measures, including military action, both necessary and warranted;

(2) Whereas on 26 April 1999 the Council expressed its strong and continuing support for maximum pressure on the FRY authorities to accept the five conditions prescribed by the International Community;

(3) Whereas the Council agreed to implement a ban on the sale and supply of petroleum and petroleum products by 30 April 1999 and to extend the European Union sanctions regime by extending the travel bans; extending the scope of the freeze of funds; prohibiting the provision of export finance by the private sector further to the existing moratorium on government-financed export credits; extending the ban on new investments; widening the scope of the prohibition on the export of equipment for internal repression and its extension to include goods, services, technology and equipment for the purpose of restoring or repairing assets damaged in air strikes; discouraging the participation of the FRY in international sporting events; banning all flights between the FRY and the European Community;

(4) Whereas the Union will consider every opportunity to help Montenegro bear the burdens imposed upon it by the conflict in Kosovo;

(5) Whereas the European Union considers the alignment of its Associated Countries of Eastern and Central Europe and Cyprus, and the EFTA coun-

tries important to maximise the impact of this Common Position;

(6) Whereas action by the Community is needed in order to implement some of the measures cited below,

HAS ADOPTED THIS COMMON POSITION:

Article 1

1. No visas shall be issued for President Milosevic, his family, all Ministers and senior officials of the FRY and Serbian Governments, and for persons close to the regime whose activities support President Milosevic.

2. The visa bans established in Common Positions 98/240/CFSP ⁽¹⁾ and 98/725/CFSP ⁽²⁾ are confirmed.

3. The persons listed in the implementing Council Decision have been identified as falling within the scope of the prohibitions identified in paragraphs 1 and 2 and shall be reported for the purposes of non-admission in the territories of the Member States. All updates of the list shall be subject to an implementing decision by the Council.

4. In exceptional cases, exemptions may be made if this would further vital Union objectives and be conducive to political settlement.

Article 2

The scope of the freeze of funds held abroad by the FRY and Serbian Governments will be extended, covering individuals associated with President Milosevic and companies controlled by, or acting on behalf of the FRY and Serbian Governments.

⁽¹⁾ OJ L 95, 27.3.1998, p. 1.

⁽²⁾ OJ L 345, 19.12.1998, p. 1.

Article 3

The provision of export finance by the private sector to the Government of the FRY, the Government of the Republic of Serbia, a company, institution, undertaking or entity owned or controlled by those governments, or to any person acting on their behalf, will be prohibited.

Article 4

All flights operated commercially or for private purposes between the FRY and the European Community will be banned.

Article 5

No goods, services, technology or equipment will be exported to the FRY suitable for repairing damage caused by air strikes to assets, infrastructure or equipment which enable the Government of the FRY to conduct its policy of internal repression.

Article 6

The Presidency will ask the Associated Countries of Eastern and Central Europe and Cyprus and the EFTA

Members to align themselves with this Common Position in order to maximise the impact of the above measures.

Article 7

This Common Position will be kept under constant review.

Article 8

This Common Position shall take effect on the date of its adoption.

Article 9

This Common Position shall be published in the Official Journal.

Done at Brussels, 10 May 1999.

For the Council

The President

H. EICHEL

COUNCIL DECISION**of 10 May 1999****implementing Common Position 1999/318/CFSP concerning additional restrictive measures against the Federal Republic of Yugoslavia****(1999/319/CFSP)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to Common Position 1999/318/CFSP⁽¹⁾, adopted by the Council on 10 May 1999 concerning additional restrictive measures against the Federal Republic of Yugoslavia (FRY),

Whereas in order to implement Article 1(1) and (2) of Common Position 1999/318/CFSP an implementing Decision by the Council is needed,

HAS ADOPTED THIS DECISION:

Article 1

The persons to which the obligation of non-admission referred to in Article 1 of Common Position 1999/318/CFSP applies are the following:

Milosevic Slobodan President of FRY

Milosevic's family

Gajic-Milosevic Milica	Daughter-in-law
Markovic Mirjana	Wife
Milosevic Borislav	Brother
Milosevic Marija	Daughter
Milosevic Marko	Son

FRY Government

Antic Bozidar	Deputy Minister, Ministry of Trade (Foreign)
Beric Velizar	Minister of Sport
Bogdanovic Radmilo	Head of Committee on Security of Federal Parliament
Bozovic Srdja	Speaker, Federal Chamber of Republics
Bulatovic Momir	Prime Minister
Bulatovic Pavle	Minister of Defence
Dazivoda Bozidar	Minister of Finance
Dragas Mirjana	Deputy Minister, Ministry of Labour, Health and Social Security
Drobnjakovic Dejan	Minister for Transport
Etinski Rodoljub	Chief Legal Adviser at Ministry of Foreign Affairs

⁽¹⁾ See page 1 of this Official Journal.

Filipovic Rade	Minister of Economy
Ivanisevic Miroslav	Minister of Labour, Health and Social Security
Jevtic Milan, Maj. Gen.	Head of Administration, Ministry of Defence
Jovanovic Zivadin	Minister of Foreign Affairs
Kikic Zoran	Director of European Department, Ministry of Foreign Affairs
Knezevic Zoran	Minister of Justice
Korac Maksim	Assistant Minister, Ministry of Labour, Health and Social Security
Ksotic Jugoslav	Without portfolio
Kutlesic Vladan	Deputy Prime Minister
Latinovic Dusan	Deputy Minister, Ministry of Justice
Lilic Zoran	Deputy Prime Minister
Markicevic Slavenko	Deputy Minister, Ministry for Telecommunications
Markovic Dragan	Without portfolio
Markovic Milisav	Deputy Minister, Ministry of the Interior
Matic Goran	Without portfolio
Minic Miomir	Speaker, Federal Chamber of Citizens
Minic Radonja	Deputy Minister
Novakovic Zoran	Deputy Minister, Ministry of Foreign Affairs
Radojevic Dojcilo	Minister for Telecommunications
Sainovic Nikola	Deputy Prime Minister
Sipovac Nedeljko	Minister of Agriculture
Sokolovic Zoran	Minister of Internal Affairs
Stevanovic Aco	Deputy Minister, Ministry for Telecommunications
Velickovic Ljubisa, Col. Gen.	Deputy Minister of Defence
Vucinic Drago	Deputy Minister, Ministry of Finance
Vujovic Nebojsa	Speaker of Ministry of Foreign Affairs
Vukovic Borislav	Minister of Trade (Foreign)
Vuksanovic Danilo	Deputy Prime Minister
Zebic Jovan	Deputy Prime Minister
Zelenovic Jagos	Minister of Development, Science and Environment

Serbian Government

Andjelkovic Zoran	President of the Provisional Executive Council for Kosovo
Babic Slobodan	Vice-President
Babovic Jovan	Minister of Agriculture
Blazic Branislav	Minister of Environment
Bojic Milovan	Deputy Prime Minister
Cerovic Slobodan	Minister of Tourism
Cosic Zivota	Minister of Mining
Curcic Nikola	Deputy Minister, Ministry of the Interior
Djogo-Antonovic Dusanka	Assistant to the Minister for Information
Djordjevic Vlastimir, Col. Gen.	Deputy Minister, Ministry of the Interior

Drobnjak Bosko	Member of the Provisional Executive Council for Kosovo
Gojkovic Maja	Minister without Portfolio
Haliti Bajram	Member of the Provisional Executive Council for Kosovo
Ivkovic Branislav	Minister of Science and Technology
Jankovic Dragoljub	Minister of Justice
Karic Bogoljub	Minister without Portfolio
Karlicic Miljkan	Assistant to the Minister for Information
Kocovic Dragoljub	Minister of Youth and Sports
Kovacevic Dejan	Minister of Construction
Krasic Zoran	Minister of Trade
Lazic Djura	Minister without Portfolio
Marjanovic Mirko	Prime Minister
Markovic Radomir	Deputy Minister, Ministry of the Interior
Markovic Ratko	Deputy Prime Minister
Milacic Borislav	Minister of Finance
Milenkovic Tomislav	Minister of Labour
Milicevic Leposava	Minister of Health
Milutinovic Milan	President
Mircic Miroslav	'Serbs in Diaspora'
Misic Stojan, Maj-Gen	Deputy Minister, Ministry of the Interior
Mitrovic Luka	Minister of Industry
Momcilov Paja	Minister without Portfolio
Nedeljkovic Miroslav	Minister of Family Care
Nikolic Tomislav	Deputy Prime Minister
Perošević Bosko	President of the Executive Council for Vojvodina
Poplazić Gordana	Minister of Local Government
Popovic Miodrag	Assistant to the Minister for Information
Radovanovic Milovan	Religion Minister
Ristivojevic Dragisa	Deputy Head of Public Security Department
Sabovic Gulbehar	Member of the Provisional Executive Council for Kosovo
Sedlak Ivan	Minister without Portfolio
Seselj Vojislav	Deputy Prime Minister
Simatovic Frenki	Chief of Special Forces of State Security
Simic Zeljko	Minister of Culture
Smiljanovic Zivorad	President of Vojvodina Parliament
Stanisic Jovica	Assistant Minister of the Interior: Head of Serbian State Security
Stevanovic Obrad	Deputy Minister, Ministry of the Interior
Stojiljkovic Vlajko	Minister of the Interior
Tabakovic Jorgovanka	Minister of Privatisation
Todorovic Drago	Minister of Transport/Communications
Todorovic Jovo	Minister of Education

Tomic Dragan	Deputy Prime Minister
Tomic Dragomir	Deputy Prime Minister
Tomovic Slobodan	Minister without Portfolio
Vajt Ibro	Member of the Provisional Executive Council for Kosovo
Vasiljevic Cedomir	Minister without Portfolio
Veljko Odalovic	Deputy Head of the Kosovo Okrug
Vucic Aleksandar	Minister for Information
Zekovic Petar, Ma-Gen.	Deputy Minister, Ministry of the Interior
Zivkovic Vojislav	Member of the Provisional Executive Council for Kosovo

Military

Antanasijevic, Maj.	Commander 57 Battle Group Battalion 3 Army
Antonic, Col.	D Commander 52 Pristina Corps 3 Army
Arsenovic Konstantin, Lt Col. Gen.	General Staff (VJ), Chief of Logistics
Cirkovic Mladen, Col.	Commander 15 Armed Brigade 3 Army
Cvetic Lubinko	Deputy Head of Security in Kosovo
Delic, Col.	Commander 549 Motorised Brigade 3 Army
Dimceviski Dragutin, Maj. Officer,	3 Army
Djakovic Milan, Col. Officer,	3 Army
Djakovic Milorad, Col.	52 Pristina Corps 3 Army
Djokic Dejan, Cap. Officer,	3 Army
Djosan, Col.	Commander 52 Light Air Defence Brigade 3 Army
Djudic, Col.	Commander 354 Infantry Brigade 3 Army
Djurkovic Ljubinko, Lt Col. Officer,	3 Army
Ojdanic Dragoljub, Col. Gen.	Chief of General Staff (VJ)
Farkas Geza, Lt Col. Gen.	Chief of Intelligence and Security Directorate, General Staff
Filic Bozidar, Lt Col.	MUP Speaker on Kosovo Issues
Gajic, Col.	Chief of Strategic Intelligence and Security Directorate, General Staff
Gajic David	Head of Security in Kosovo
Gregar Mihajlo, Col. Officer,	3 Army
Grjkovic Milos, Maj. Gen.	President of Military High Court
Gusic Miroљjub	Judge at 3 Army Military Court
Jovic, Maj. Commander	55 Battle Group Battalion 3 Army
Krga, Maj. Gen.	Head of Second Department (Intelligence), General Staff
Lazarevic Vladimir, Gen. Maj.	Commander 52 Pristina Corps 3 Army
Loncar, Maj. Gen.	President of FRY Commission for Relations with OSCE
Lukic, Col.	Commander 72 Special Forces Brigade

Manic, Col.	Chief of Staff 125 Motorised Brigade 3 Army
Marjanovic, Col. Gen.	Deputy Chief of General Staff
Mihajilovic Bratislav, Cap. Officer,	3 Army
Miladinovic Radenko	Judge at 3 Army Military Court
Milojevic Vukatin, Col.	Judge at 3 Army Military Court
Milosavljevic Milivoje, Cap. I Class	Local Commander Prizren
Novakovic Milivoje, Col.	Head of Information Department, General Staff
Obradovic, Lt Col. Gen.	Commander 2 Army
Obrencevic, Maj. Gen.	Chief of Military Prosecution
Panic, Maj. Gen.	Acting Chief of General Staff for Ground Forces, General Staff
Pavkovic Nebojsa, Gen.	Commander 3 Army
Radjenovic Stevan, Cap.	Head of Police at Lipljane
Radosavljevic Stanimir, Col.	Military Prosecutor, Nis
Ristic Miroljub	MUP Kosovska Mitrovica
Samardzic, Col. Gen.	Chief of Military Readiness Inspectorate, General Staff
Simic Miodrag, Lt Col. Gen.	Chief of Staff 3 Army/Nis
Susic Slavoljub, Col. Gen.	Head of the Military Department at Presidential Office
Slivcanin Dusko,	Cap. I Class Officer 3 Army
Smiljanic, Lt Col. Gen.	Commander Air and Air Defense Forces
Sorak, Maj.	Commander 53 Battle Group Battalion 3 Army
Stankovic Ivica	Cap. I Class Officer, 3 Army
Stefanovic, Col.	Commander 52 Artillery Brigade 3 Army
Stefanovic Radojko, Col.	Local Commander Gnjilane
Stojanovic Momir, Lt Col.	Head of State Security in Pristina
Stojimirovic, Gen. Major	Chief of Staff HQ 3 Army
Stojinovic Ljubisa, Maj. Gen.	Commander Special Unit Corps
Todorov, Lt Col.	Commander 63 Parachute Brigade
Tomic, Lt Col.	Commander 211 Armed Brigade 3 Army
Trajkovic Sinisa, Col.	Chief of Staff 15 Armed Brigade 3 Army
Trkulja, Col.	Commander Special Unit Corps
Velickovic, Lt Col. Gen.	Acting Chief of General Staff Air and Air Defence Forces, General Staff
Yelic, Col.	Commander 243 Mechanised Brigade 3 Army
Zdravkovic Srba, Col.	Commander 243 Motorised Brigade 3 Army
Zec, Vice Adm.	Commander Navy
Zirojevic Zeljko, Cap. I Class	Press Officer, Pristina Corps, 3 Army
Zivanovic, Col.	Commander 125 Motorised Brigade 3 Army

Persons close to the regime whose activities support President Milosevic

Acimovic Slobodan	Assistant Director of Beogradska Bank
Andjelkovic Stanislav	Mayor of Suva Reka
Antic Dragan	General Director 'Politika AD'
Beko Milan	Director of 'Zastava'
Bogdanovic Aleksandar	Director of 'Metropol' Press Center
Bozic Ljubinko	Mayor of Lipljane
Buba-Morina Bratislava	JUL, Serbian Commissioner for Refugees, Head of Yugoslavian Women's League, plaintiff on 7 November 1998
Budimirovic Dobrivoje	President of 'Srbijasuma'
Cekovic Jova	SPDR official
Dabisljevic Sveta	Mayor of Klina
Dacic Ivica	SPS, Spokesman
Damjanovic Jevrem	Editor in Chief 'Illustrovana Politika'
Danilovic Blagoje	Judge at Serbian High Court
Djedovic Gavriilo	Director General for Foreign Affairs, National Bank of Yugoslavia (NBY)
Djonovic Ivko	General Director of 'Takovo'
Djordjevic Ljubisa	Director Commercial Bank
Djordjevic Zivorad	JUL, Editor in Chief of daily 'Borba'
Djurkovic Milivoje	Mayor of Decani
Dobic Alexander	Beogradska Bank Official
Doknic Slobodan	Mayor of Vucitrn
Dragas Branko	Chief Executive Beogradska Bank
Dragisic Stevo	SRS
Drakulic Zoran	Head of East Point Holdings
Fodor Oskar	Member of SPS Executive Council
Gajevic Gorica	SPS, Secretary-General
Govedarica Balsa	President of Serbian High Court
Ivancevic Sladjana	Director of Marketing at PGP RTS
Ivic Zivorad	SPS Vice-President
Ivkovic Zoran	Director 'East Point Holdings'
Jablanovic Dragan	Mayor of Leposavic
Jakovlevic Dusica	Director of Credit Lines Beogradska Bank
Jaksic Milorad	General Director of 'PTT Srbije'
Jovanovic Natasa	SRS, Regional Head, Sumadija
Jovanovic Zivotije	Head of JUL Section Jagodino
Jovanovic Zoran	Owner of Lebanese-base Serbian firms Nana Sal and Menta Sal

Kalicanin Selimir	Head of SPS Section Kosovska Mitrovica
Karic Dragomir	Member of Karic family (bankers, etc.)
Karic Milenka	Businesswoman, wife of Bogoljub Karic
Karic Sreten	Member of Karic family (bankers, etc.)
Karic Zoran	Member of Karic family (bankers, etc.)
Kertes Mihail	Director, Federal Customs
Krgovic Ljubisa	Vice-Governor of NBY
Krsmanovic Dragisa	State Prosecutor of Serbia
Krstajic Marija	Director of 'Galenika'
Lazarevic Ivan	Beogradska Bank Official
Lenard Tatjana	Member of JUL Directorate, Head of RTS information programme
Lijesevic Dragan	Foreign Exchange, NBY
Lincevski Vladimir	Beogradska Bank Official
Ljubicic Vladimir	General Director 'Geneks Hotels'
Ljubic Radomir	General Director of 'Sloboda', Cacak
Maljkovic Nebojsa	Member of JUL Directorate
Maljkovic Nebojsa	President 'Dunav' Insurance Company
Markovic Ivan	JUL, Spokesman
Markovic Zoran	Executive Director of Beogradska Bank
Martinov Suzana	Beogradska Bank Official
Matic Olivera	Beogradska Bank Official
Matkovic Dusan	Director of Smederero Iron Works, SPS Vice-President
Mihajlovic Ljubomir	Executive Officer Commercial Bank
Mihajlovic Radoslav	Manager at 'EPS'
Mihaljevic Nena	Director of 'Pekabeta'
Milekovic Dejan	Editor in Chief 'TV BK Telekom'
Miletic Milivoje	Member of SPS Executive Council
Milojevic Mihajlo	President, FRY Chamber of Commerce
Milosevic Zoran	Mayor of Obilic
Milovanovic Dragoljub-Minja	Member of SPS Executive Council
Minic Milomir	Member of SPS Executive Council
Miskovic Miroslav	Director Delta Bank
Mitrovic Zeljko	Owner of 'TV Pink'
Mrkovic Milutin	Director, 'CIP'
Nikacevic Aleksandar	Director 'B92'
Nojic Vojislav	Mayor of Kosovska Mitrovica
Pankov Radovan	Member of SPS Executive Council
Pejcic Bogoljub	Editor in Chief 'Srpska Rec'

Percevic Goran	Member of SPS Executive Council
Peric Bogdan	Mayor of Gnjilane
Perucic Zlatan	President Beogradska Bank
Popovic Gordana	Beogradska Bank Official
Popovic Jovo	Head of District Pec
Puric Sanja	Main Speaker 'TV Politika'
Radevic Milorad	Head of the Patriotic Federation Belgrade, Head of Serbian Archive, plaintiff on 23 October 1998
Radenkovic Dejan	Member of SPS Executive Council
Radulovic Slobodan	General Director of 'C Market'
Raicevic Tomica	Member of SPS Executive Council
Raicevic Aleksandar	Member of SPS Executive Council
Ristic Ljubisa	President of JUL
Rodic Radoslav	Owner of 'Rodica MB'
Rodic Milan	Member of JUL Directorate
Roza-Despotovic Gordana	Member of SPS Executive Council
Rugova Hajrije	Member of SPS Executive Council
Simic Dusan	Mayor of Pristina
Simic Sima	Mayor of Srbica
Sokolovacki Zivko	Member of JUL Directorate
Stambuk Vladimir	Member of JUL Directorate
Stanic Nikola	Vice-Governor of NBY
Stankovic Srboljub	Member of JUL Directorate
Stanojevic Momcilo	Mayor of Djakovica
Stevovic Vesna	Beogradska Bank Official
Todorovic Tihomir	Director of 'C-Market'
Tomasevic Ljiljana	Executive Director of Beogradska Bank
Tomic Milova	Mayor of Podujevo
Trajkovic Zdravko	Head of District Kosovska Mitrovica
Trbojevic Zarko	First Vice-Governor of NBY
Uncanin Rajko	General Director 'Grmec'
Veselinovic Slavko	SPS, Head of Council for information and propaganda in the SPS-Board
Vlatkovic Dusan	Governor of National Bank of Yugoslavia
Vucic Borka	Director of Beogradska Bank
Zecevic Milija	Banker
Zecevic Miodrag	Banker
Zivanovic Milan	General Director of 'GSB'
Zivkovic Zivota	Member of SPS Executive Council
Zvetkovic Zivota	SPS

Article 2

This Decision shall take effect on the same date as Common Position 1999/318/CFSP.

Article 3

This Decision shall be published in the Official Journal.

Done at Brussels, 10 May 1999.

For the Council

The President

H. EICHEL

COUNCIL DECISION**of 10 May 1999****adopted by the Council on the basis of Article 14 of the Treaty on European Union, on a European Union contribution to the collection and destruction of weapons in Albania**

(1999/320/CFSP)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Articles 14 and 28 thereof,

Having regard to Joint Action 1999/34/CFSP of 17 December 1998 adopted by the Council on the basis of Article J.3 of the Treaty on European Union, on the European Union's contribution to combating the destabilising accumulation and spread of small arms and light weapons ⁽¹⁾,

(1) Whereas in Common Position 97/357/CFSP ⁽²⁾ the European Union expressed its intention to help Albania to promote the democratic process, the return to political stability and internal security;

(2) Whereas the excessive and uncontrolled accumulation and spread of small arms and light weapons poses a threat to peace and security and reduces the prospects for sustainable development; whereas this is acutely the case in Albania;

(3) Whereas, in pursuing the objectives set out in Article 1 of Joint Action 1999/34/CFSP, the European Union envisages operating within the relevant international fora to give assistance to countries requesting support for controlling or eliminating a surplus of small arms in their territory, in particular where this may help to prevent armed conflict or in post-conflict situations in accordance with Article 4 thereof; whereas this Decision is intended to implement Joint Action 1999/34/CFSP;

(4) Whereas the United Nations Department for Disarmament Affairs (DDA) and Development Programme (UNDP) pilot project 'weapons in exchange for development in the Gramsh district of Albania' is intended to convince the population to turn in their private weapons voluntarily while offering as an incentive the reconstruction of roads, installation of telephone lines and supply of vehicles;

(5) Whereas the European Union considers that a financial contribution to the said project would pursue the aims of influencing public opinion in favour of civilian disarmament, improving the security situation in Albania as well as promoting the concept of 'weapons in exchange for development' as a model for replication in other areas;

(6) Whereas the European Union intends therefore to offer financial support in accordance with Title II of Joint Action 1999/34/CFSP,

HAS DECIDED AS FOLLOWS:

Article 1

1. The European Union contribute to promoting the collection and destruction of weapons in the Gramsh district in Albania.

2. For this purpose, the European Union shall give financial support to the DDA and UNDP pilot project 'weapons in exchange for development in the Gramsh district of Albania'.

3. The European Union contribution shall be conditional on the participation by European Union representatives in the National Steering Committee of the programme. Within this forum, the European Union strongly for the destruction of all collected weapons.

Article 2

1. The European Union contribution referred to in Article 1 shall be allocated to the disarmament component of the DDA and UNDP pilot project. It shall finance the destruction of collected weapons, as well as the setting up of an adequate mobile arms control team. For this purpose, an amount of up to EUR 500 000 shall be charged to the general budget of the European Communities for 1999.

2. The management of the expenditure financed by the amount specified in paragraph 1 shall be subject to the procedures and rules of the Community applying to budget matters.

⁽¹⁾ OJ L 9, 15.1.1999, p. 1.

⁽²⁾ OJ L 153, 11.6.1997, p. 4.

Article 3

1. The amount specified in Article 2(1) shall be allocated as follows:

- (a) one third as soon as the approximately 5 000 weapons which have already been collected are effectively destroyed,
- (b) a second third once a further 10 000 weapons have been collected and effectively destroyed,
- (c) the remaining third, once a further 5 000 weapons have been collected and effectively destroyed.

2. The Council notes that the Commission will direct its action towards achieving the objectives and priorities of this Decision by appropriate Community measures.

Article 4

1. The Presidency shall:

- ensure liaison with the relevant UN bodies,
- establish with the Government of Albania the contacts needed to implement this Decision, notably through participation in the National Steering Committee,

— keep the Council informed.

2. The Council shall, within six months of the adoption of this Decision, examine its implementation with a view to considering further possible initiatives in Albania.

Article 5

This Decision shall take effect on the date of its adoption.

Article 6

This Decision shall be published in the Official Journal.

Done at Brussels, 10 May 1999.

For the Council

The President

H. EICHEL

COUNCIL DECISION**of 10 May 1999****concerning the practical arrangements for the participation of all Member States
in tasks pursuant to Article 17(2) of the Treaty on European Union for which the
Union avails itself of the WEU**

(1999/321/CFSP)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular the third subparagraph of Article 17(3) thereof,

Having regard to the Declaration relating to the Western European Union (WEU) included in the Final Act signed upon the adoption of the Treaty of Amsterdam,

- (1) Whereas Article 17(3) of the Treaty on European Union stipulates the right of all Member States of the European Union to participate fully in the tasks referred to in Article 17(2) thereof when the Union avails itself of the WEU for the elaboration and implementation of its decisions on these tasks;
- (2) Whereas, pursuant to the said Article 17(3), the Council is to adopt, in agreement with the institutions of the WEU, the necessary practical arrangements to allow all Member States contributing to the above tasks to participate fully and on an equal footing in planning and decision-taking in the WEU;
- (3) Whereas, in paragraph 6 of the aforesaid Declaration, the WEU confirmed that all Member States of the European Union are to be entitled to participate fully in the tasks referred to in Article 17(2) of the Treaty on European Union when the European Union avails itself of the WEU to elaborate and implement its decisions on these tasks;
- (4) Whereas, on 18 November 1997, the WEU Council adopted as Decision concerning the participation of WEU Observer States in operations carried out in accordance with Article 17(3) of the Treaty on European Union; whereas that Decision and the accompanying agreed minutes provide for practical arrangements allowing all Member States of the European Union contributing to the tasks in

question to participate fully on an equal footing in planning and decision-taking in the WEU; whereas, in adopting the said Decision, the WEU institutions have expressed their agreement on these arrangements as the practical arrangements referred to in Article 17(3) of the Treaty on European Union,

HAS DECIDED AS FOLLOWS:

Article 1

The practical arrangements allowing all Member States contributing to the tasks referred to in Article 17(2) of the Treaty on European Union to participate fully and on an equal footing in planning and decision-taking in the WEU are hereby approved.

The text of the practical arrangements is attached to this Decision.

Article 2

This Decision shall enter into force on the day of its adoption.

Article 3

This Decision shall be published in the Official Journal.

Done at Brussels, 10 May 1999.

*For the Council**The President*

H. EICHEL

PRATICAL ARRANGEMENTS

1. When the European Union avails itself of the WEU in accordance with Article 17(3) of the Treaty on European Union, the discussion of the relevant agenda items of the WEU Council and its relevant working groups and committees shall be open to full participation of the Observer States. The provision contained in paragraph 4 of the Rome Declaration on WEU Observers permitting, if a majority of Member States or half of the Member States including the Presidency so decides, an exclusion of Observer States from meetings of the WEU Council, shall not apply⁽¹⁾.
2. When the European Union avails itself of the WEU in accordance with Article 17(3) of the Treaty on European Union, the provision contained in paragraph 4 of WEU document C(96) 140, which provides, if a majority of Member States or half of the Member States including the Presidency so decides, for an exclusion of Observer States from the participation in an operation, shall not apply.
3. An Observer State that has notified the WEU Permanent Council⁽²⁾ of its intention to contribute to an operation undertaken by the WEU at the request of the European Union by committing military and/or other relevant forces corresponding to the nature of the operation⁽³⁾ shall be entitled to participate with the same rights and obligations as full Members in the planning and decision-taking in the WEU concerning the task. This includes the same right of participation as other contributing countries in the command structures of the operation.
4. Observer States taking part in operations for which the European Union avails itself of the WEU shall contribute to the common costs and any additional costs to the WEU budget incurred as a direct result of the operation in accordance with the cost-sharing formula in WEU document CM(95)5, Annex 1, Appendix 1, paragraph 3, or any subsequent WEU regulation⁽⁴⁾.
5. In order to facilitate the full participation of Observer States in these operations:
 - Observer States are invited to nominate forces answerable to the WEU (FAWEU),
 - Observer States shall be offered a connection to the WEU communications network for all communications concerning meetings and activities in which the Observers participate as soon as technically possible providing that the relevant security requirements are met and that they contribute to the costs of the network. The amount of the contribution shall be decided by the WEU Council on the basis of a proposal of the Secretary-General after consultation with the Observer States and discussion in the relevant groups,
 - liaison between the Observer States and the WEU military staff will be ensured through the Observer's military delegates. Additional military personnel attached to the military delegates of Observer States may act as points of contact for a specific crisis from the moment the Council decides to address a crisis in WEU,

⁽¹⁾ This paragraph shall apply during all phases of crisis management, including EU/WEU interaction in the evaluation and monitoring of an emerging crisis.

⁽²⁾ The notification by an Observer State of its intention to commit forces to an operation referred to in paragraph 3, which can be made during all phases of the crisis, shall be sent to the WEU Permanent Council through the WEU Secretary-General. The notification will not necessarily specify the exact units of the future contribution, and it does not alter the force-creation procedures currently in force in the WEU, i.e. the formal commitment of forces follows the adoption of the OPLAN for the operation.

⁽³⁾ This commitment may cover the provision of logistical and other facilities of a significant nature.

⁽⁴⁾ Any modification to the cost-sharing formula shall require the agreement of Observer States in so far as it relates to the contribution of Observer States to the costs of operations undertaken by the WEU at the request of the EU.

- Observer States which have notified the WEU Permanent Council of their intention to contribute to the operation by committing military and/or other relevant forces corresponding to the nature of the operation⁽¹⁾, shall be invited, taking into account specific military requirements, to participate, subject to the relevant security regulations, in planning meetings and conferences, and all planning work of the Planning Cell related to that operation. For the purposes of planning for the operation in question, Observer States will be invited, as appropriate, to reinforce a dedicated Planning Cell unit, where all the planning for the operation will take place, with personnel on the basis of terms of reference to be elaborated subject to the relevant security regulations. The terms of reference will provide for participation in all planning and preparation work for the operation, including *ad hoc* and formal planning meetings and conferences, task forces and daily working groups,
- Observer States will be entitled to participate in WEU exercises related to operations which might result from Article 17(3) of the Treaty on European Union on the basis of paragraphs 2, 3 and 4.

⁽¹⁾ This commitment may cover the provision of logistical and other facilities of a significant nature.

Statement

The Member States of the EU which are members of the Western European Union (WEU) stated that the WEU Council adopted, on 18 November 1997, a Decision on the implementation of paragraph 14, fourth to sixth indents, of the WEU Declaration of 22 July 1997. They indicated that this Decision contained modalities allowing the Member States which are WEU observers to participate fully in all operations undertaken by the WEU, which shall apply to measures within the range of Petersberg tasks undertaken by WEU in response to any specific crisis.

The Council took note of this Statement.

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 1002/1999**of 22 December 1998****concerning the export of certain ECSC steel products from Bulgaria to the Community for the period 1 January to 31 December 1999 (extension of the double-checking system)**

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission,

Whereas a Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and Bulgaria, of the other part, entered into force on 1 February 1995 ⁽¹⁾;

Whereas the Parties decided in Association Council Decision No 3/1999 ⁽²⁾ to extend the double-checking system introduced by Decision No 3/97 ⁽³⁾ for the period between 1 January and 31 December 1999;

Whereas it is consequently necessary to extend the Community implementing legislation introduced by Council Regulation (EC) No 86/98 of 19 December 1997 concerning the export of certain ECSC steel products from Bulgaria to the Community for the period 1 January to 31 December 1998 (renewal of the double-checking system) ⁽⁴⁾,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 86/98 shall continue to apply for the period between 1 January and 31 December 1999, in accordance with the provisions of Association Council Decision No 3/1999 between the European Communities and their Member States, of the one part, and Bulgaria, of the other part. In the title, preamble and Article 1(1) and (4) of the Regulation, references to the period 1 January to 31 December 1998 shall be replaced by references to 1 January to 31 December 1999.

Article 2

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

This Regulation shall apply with effect from 1 January 1999.

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

Done at Brussels, 22 December 1998.

For the Council

The President

C. EINEM

⁽¹⁾ OJ L 358, 31.12.1994, p. 3.

⁽²⁾ See page 56 of this Official Journal.

⁽³⁾ OJ L 13, 19.1.1998, p. 85.

⁽⁴⁾ OJ L 13, 19.1.1998, p. 29.

**COUNCIL REGULATION (EC) No 1003/1999
of 10 May 1999**

**amending Regulation (EC) No 772/1999 imposing definitive anti-dumping and
countervailing duties on imports of farmed Atlantic salmon originating in
Norway**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 384/96 of 22 December 1995 on protection against dumped imports from countries not members of the European Community⁽¹⁾, and in particular Articles 8(9) and 9 thereof,

Having regard to Council Regulation (EC) No 2026/97 of 6 October 1997 on protection against subsidised imports from countries not members of the European Community⁽²⁾, and in particular Articles 13(9) and 15 thereof,

Having regard to the proposal submitted by the Commission after consulting the Advisory Committee,

Whereas:

report at all and two Norwegian exporters appeared to have sold the product concerned to the Community market at a price which was below the price provided for in their undertakings.

(4) The Commission therefore had reason to believe that these 12 companies had breached the terms of their undertakings.

(5) Consequently, the Commission, by Regulation (EC) No 82/1999⁽³⁾ hereinafter referred to as the 'Provisional Duty Regulation', imposed provisional anti-dumping and countervailing duties on imports of farmed Atlantic salmon falling within CN codes ex 0302 12 00, ex 0304 10 13, ex 0303 22 00 and ex 0304 20 13 originating in Norway and exported by the six (initially 12) companies listed in the Annex to that Regulation. By the same Regulation, the Commission deleted the companies concerned from the Annex to Decision 97/634/EC, which listed the companies from which undertakings were accepted.

A. PROVISIONAL DUTIES

(1) Within the framework of the anti-dumping and anti-subsidy investigations initiated by two separate notices published in the *Official Journal of the European Communities*⁽³⁾, the Commission accepted, by Decision 97/634/EC⁽⁴⁾, undertakings offered by the Kingdom of Norway and by 190 Norwegian exporters.

(2) The text of the undertakings provides that failure to submit a quarterly report of all sales transactions to the first unrelated customer in the Community within a prescribed time-limit except in case of *force majeure* would be construed as a violation of the undertaking, as would non-compliance with the obligation to sell the product concerned on the Community market at or above the minimum prices provided for in the undertaking.

(3) For the second quarter of 1998, 10 Norwegian companies either did not present a report within the prescribed time limit (or did not submit any

B. SUBSEQUENT PROCEDURE

(6) All 12 Norwegian companies subject to the provisional duties received disclosure in writing concerning the essential facts and considerations, on the basis of which these provisional duties were imposed. They were also given an opportunity to submit comments and request a hearing.

(7) Within the time limit set in the provisional duty Regulation, nine of the Norwegian companies concerned submitted comments in writing and five requested hearings, which were granted. In addition, comments were also submitted by the Norwegian Seafood Association on behalf of two of the companies subject to the provisional measures. Following these submissions, the Commission sought and examined all information it deemed necessary for the purpose of a definitive determination on the apparent violations.

⁽¹⁾ OJ L 56, 6.3.1996, p. 1; Regulation as last amended by Regulation (EC) No 905/98 (OJ L 28, 30.4.1998, p. 18).

⁽²⁾ OJ L 288, 21.10.1997, p. 1.

⁽³⁾ OJ C 235, 31.8.1996, p. 18 and OJ C 235, 31.8.1996, p. 20.

⁽⁴⁾ OJ L 267, 30.9.1997, p. 81; Decision as last amended by Regulation (EC) No 2249/98 (OJ L 282, 20.10.1998, p. 57).

⁽⁵⁾ OJ No L 8, 14.1.1999, p. 8; Regulation as last amended by Regulation (EC) No 929/1999 (OJ L 115, 4.5.1999, p. 13).

- (8) In this regard, the Commission's investigation established that six of the companies against which provisional measures had been imposed had not violated their undertakings and that they should be reinstated on the list of companies benefiting from an exemption from the anti-dumping and countervailing measures. These exporters were informed of the essential facts and considerations on the basis of which it was intended to reinstate the Commission's acceptance of their undertakings.

As concerns the other six companies subject to provisional measures, they were informed of the essential facts and considerations on the basis of which it was intended to confirm the withdrawal of the Commission's acceptance of their undertaking and to recommend the imposition of definitive anti-dumping and countervailing duties and the definitive collection of the amounts secured by way of provisional duties. They were also granted a period within which to make representations subsequent to this disclosure.

- (9) The Commission's findings in this respect are set out more fully in Regulation (EC) No 929/1999.
- (10) None of the comments submitted, however, have changed the conclusion that definitive anti-dumping and countervailing duties should be imposed on imports of farmed Atlantic salmon originating in Norway and exported by the six companies listed in Annex I to this Regulation.

C. DEFINITIVE DUTIES

- (11) The investigations which led to the undertakings were concluded by a final determination as to dumping and injury by Regulation (EC) No 1890/97⁽¹⁾ and by a final determination as to subsidisation and injury by Regulation (EC) No 1891/97⁽²⁾.
- (12) In accordance with Article 8(10) of Regulation (EC) No 384/96 and Article 13(10) of Regulation (EC) No 2067/97 respectively, the rate of the anti-dumping duty and the countervailing duty must be established on the basis of the best information available.
- (13) In this regard, and in view of recital 107 of Regulation (EC) No 1890/97 and recital 149 of Regulation (EC) No 1891/97, it is considered appropriate that the definitive anti-dumping and countervailing

duty rates be set at the level and in the form imposed by Regulation (EC) No 772/1999⁽³⁾.

D. DEFINITIVE COLLECTION OF PROVISIONAL DUTIES

- (14) A breach of undertaking has been established in relation to six exporters which have violated their undertakings. Therefore, it is considered necessary that, in relation to these exporters, the amounts secured by way of provisional anti-dumping and countervailing duties be definitively collected at the level of the definitive duties.

E. AMENDMENT OF THE ANNEX TO REGULATION (EC) No 772/1999

- (15) Two Norwegian companies, Saga Lax Nord AS and Hydro Seafood Sales AS, which are on the list of companies from which undertakings are accepted, informed the Commission that their names had changed to Prima Nor AS and Hydro Seafood Norway AS respectively. They requested that these changes be reflected in the list of companies benefiting from the exemption from payment of anti-dumping and countervailing duties. The Commission has verified that there were no changes in their corporate structures which would call for a more detailed examination of the appropriateness of them maintaining their undertakings.
- (16) Accordingly, in view of all the above, the Annex to Regulation (EC) No 772/1999 exempting the parties listed therein from the duty, should be amended so as to remove the exemption from the companies listed in Annex I hereto. The said Annex should also be amended to take account of the change of name to Prima Nor AS by the company Saga Lax Nord AS and the change of name to Hydro Seafood Norway AS by the company Hydro Seafood Sales AS,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EC) No 772/1999 shall be replaced by Annex II to this Regulation.

⁽¹⁾ OJ L 267, 30.9.1997, p. 1; Regulation as last amended by Regulation (EC) No 2052/98 (OJ L 264, 29.9.1998, p. 17).

⁽²⁾ OJ L 267, 30.9.1997, p. 19; Regulation as last amended by Regulation (EC) No 2052/98 (OJ L 264, 29.9.1998, p. 17).

⁽³⁾ OJ L 101, 16.4.1999, p. 1.

Article 2

The amounts secured by way of the provisional anti-dumping and countervailing duties imposed by Regulation (EC) No 82/1999 in relation to farmed (other than wild) Atlantic salmon falling within CN codes ex 0302 12 00 (TARIC code: 0302 12 00*19), ex 0304 10 13 (TARIC code: 0304 10 13*19), ex 0303 22 00 (TARIC code: 0303 22 00*19) and ex 0304 20 13 (TARIC code: 0304 20 13*19) originating in Norway and exported by the companies listed in Annex I to this Regulation shall be definitively collected.

Article 3

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

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

Done at Brussels, 10 May 1999.

For the Council

The President

H. EICHEL

*ANNEX I***List of companies subject to definitive anti-dumping and countervailing duties**

No VT	Company	TARIC additional code
1	A. Ovrekotnes AS	8095
5	Alsvag Fiskeprodukter A/S	8098
30	Brødrene Remo A/S	8128
65	Hitramat & Delikatesse AS	8154
159	Seacom Nord AS	8270
171	Stavanger Røkeri AS	8282

ANNEX II

List of companies exempted from the definitive anti-dumping and countervailing duties

UT No	Company	TARIC additional code
3	Agnefest Seafood	8325
7	Aqua Export A/S	8100
8	Aqua Partner A/S	8101
11	Arctic Group International	8109
13	Artic Superior A/S	8111
14	Arne Mathiesen A/S	8112
15	A/S Aalesundfisk	8113
16	A/S Austevoll Fiskeindustri	8114
17	A/S Keco	8115
20	A/S Refsnes Fiskeindustri	8118
21	A/S West Fish Ltd	8119
22	Astor A/S	8120
23	Atlantic King Stranda A/S	8121
24	Atlantic Seafood A/S	8122
26	Borkowski & Rosnes A/S	8124
27	Brødrene Aasjord A/S	8125
28	Brødrene Eilertsen A/S	8126
31	Christiansen Partner A/S	8129
32	Clipper Seafood A/S	8130
33	Coast Seafood A/S	8131
35	Dafjord Laks A/S	8133
36	Delfa Norge A/S	8134
39	Domstein Salmon A/S	8136
41	Ecco Fisk & Delikatesse	8138
42	Edvard Johnsen A/S	8139
43	Eurolaks AS	8140
44	Euronor AS	8141
46	Fiskeforsyningen AS	8143
47	Fjord Aqua Group AS	8144
48	Fjord Trading Ltd AS	8145
50	Fossen AS	8147
51	Fresh Atlantic AS	8148
52	Fresh Marine Company AS	8149
53	Fryseriet AS	8150

UT No	Company	TARIC additional code
58	Grieg Seafood AS	8300
60	Haafa fisk AS	8302
61	Hallvard Lerøy AS	8303
62	Herøy Filetfabrikk AS	8304
66	Hydro Seafood Norway AS	8159
67	Hydrotech-gruppen AS	8428
72	Inter Sea AS	8174
75	Janas AS	8177
76	Joh. H. Pettersen AS	8178
77	Johan J. Helland AS	8179
79	Karsten J. Ellingsen AS	8181
80	Kr. Kleiven & Co. AS	8182
82	Labeyrie Norge AS	8184
83	Lafjord Group AS	8185
85	Leica Fiskeprodukter	8187
87	Lofoten Seafood Export AS	8188
92	Marine Seafood AS	8196
93	Marstein Seafood AS	8197
96	Memo Food AS	8200
98	Midsundfisk AS	8202
99	Myre Sjømat AS	8203
100	Naco Trading AS	8206
101	Namdal Salmon AS	8207
104	Nergård AS	8210
105	Nils Williksen AS	8211
107	Nisja Trading AS	8213
108	Nor-Food AS	8214
111	Nordic Group ASA	8217
112	Nordreisa Laks AS	8218
113	Norexport AS	8223
114	Norfi Produkter AS	8227
115	Norfood Group AS	8228
116	Norfra Eksport AS	8229
119	Norsk Akvakultur AS	8232
120	Norsk Sjømat AS	8233
121	Northern Seafood AS	8307
122	Nortrade AS	8308
123	Norway Royal Salmon Sales AS	8309
124	Norway Royal Salmon AS	8312
126	Norway Seafoods ASA	8314

UT No	Company	TARIC additional code
128	Norwell AS	8316
130	Nova Sea AS	8235
134	Ok-Fish Kvalheim AS	8239
137	Pan Fish Sales AS	8242
140	Polar Seafood Norway AS	8247
141	Prilam Norvège AS	8248
142	Pundslett Fisk	8251
144	Rolf Olsen Seafood AS	8254
145	Ryfisk AS	8256
146	Rørvik Fisk- og fiskematforretning AS	8257
147	Saga Lax Norge AS	8258
148	Prima Nor AS	8259
151	Sangoltgruppa AS	8262
153	Scanfood AS	8264
154	Sea Eagle Group AS	8265
155	Sea Star International AS	8266
156	Sea-Bell AS	8267
157	Seaco AS	8268
158	Seacom AS	8269
160	Seafood Farmers of Norway Ltd AS	8271
161	Seanor AS	8272
162	Sekkingstad AS	8273
164	Sirena Norway AS	8275
165	Kinn Salmon AS	8276
167	SL Fjordgruppen AS	8278
168	SMP Marine Produkter AS	8279
172	Stjernelaks AS	8283
174	Stolt Sea Farm AS	8285
175	Storm Company AS	8286
176	Superior AS	8287
178	Terra Seafood AS	8289
180	Timar Seafood AS	8294
182	Torris Products Ltd AS	8298
183	Troll Salmon AS	8317
187	Vie de France Norway AS	8321
188	Vikenco AS	8322
189	Wannebo International AS	8323
190	West Fish Norwegian Salmon AS	8324
191	Nor-Fa Food AS	8102
192	Westmarine AS	8625

COMMISSION REGULATION (EC) No 1004/1999
of 12 May 1999
prohibiting fishing for blue whiting by vessels flying the flag of a Member State

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

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy ⁽¹⁾, as last amended by Regulation (EC) No 2846/98 ⁽²⁾, and in particular Article 21(3) thereof,

- (1) Whereas Council Regulation (EC) No 48/1999 of 18 December 1998 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1999 and certain conditions under which they may be fished ⁽³⁾ provides for the shares of the total allowable catches of blue whiting allocated to the Community for 1999;
- (2) Whereas, in order to ensure compliance with the provisions relating to the quantity limits on catches of stocks subject to quotas, it is necessary for the Commission to fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the share of the total allowable catches allocated to the Community;
- (3) Whereas, according to the information communicated to the Commission, catches of blue whiting in the waters of ICES divisions Vb (EC zone), VI

and VII by vessels flying the flag of a Member State or registered in a Member State have reached the share of the total allowable catches allocated to the Community for 1999,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of blue whiting in the waters of ICES divisions Vb (EC zone), VI and VII by vessels flying the flag of a Member State or registered in a Member State are hereby deemed to have exhausted the share of the total allowable catches allocated to the Community for 1999.

Fishing for blue whiting in the waters of ICES divisions Vb (EC zone), VI and VII by vessels flying the flag of a Member State or registered in a Member State shall be prohibited, as also the retention on board, transshipment and landing of fish from this stock caught by the above vessels after the date of entry into force of this Regulation.

Article 2

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

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

Done at Brussels, 12 May 1999.

For the Commission

Emma BONINO

Member of the Commission

⁽¹⁾ OJ L 261, 20.10.1993, p. 1.

⁽²⁾ OJ L 358, 31.12.1998, p. 5.

⁽³⁾ OJ L 13, 18.1.1999, p. 1.

COMMISSION REGULATION (EC) No 1005/1999
of 12 May 1999
concerning the stopping of fishing for northern deepwater prawns by vessels
flying the flag of Sweden

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

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy ⁽¹⁾, as last amended by Regulation (EC) No 2846/98 ⁽²⁾, and in particular Article 21(3) thereof,

- (1) Whereas Council Regulation (EC) No 51/1999 ⁽³⁾ allocating, for 1999, certain catch quotas between Member States for vessels fishing in the Norwegian exclusive economic zone and the fishing zone around Jan Mayen lays down quotas for northern deepwater prawns for 1999;
- (2) Whereas, in order to ensure compliance with the provisions relating to the quantity limits on catches of stocks subject to quotas, the Commission must fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated;
- (3) Whereas, according to the information received by the Commission, catches of northern deepwater prawns in the waters of ICES division IV (Norwegian waters south of 62° N) by vessels flying the flag of Sweden or registered in Sweden have exhausted the quota

allocated for 1999; whereas Sweden prohibited fishing for this stock from 22 April 1999; whereas it is therefore necessary to abide by that date,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of northern deepwater prawns in the waters of ICES division IV (Norwegian waters south of 62° N) by vessels flying the flag of Sweden or registered in Sweden are hereby deemed to have exhausted the quota allocated to Sweden for 1999.

Fishing for northern deepwater prawns in the waters of ICES division IV (Norwegian waters south of 62° N) by vessels flying the flag of Sweden or registered in Sweden is hereby prohibited, as are the retention on board, transshipment and landing of this stock caught by the above vessels after the date of application of this Regulation.

Article 2

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

It shall apply from 22 April 1999.

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

Done at Brussels, 12 May 1999.

For the Commission

Emma BONINO

Member of the Commission

⁽¹⁾ OJ L 261, 20.10.1993, p. 1.

⁽²⁾ OJ L 358, 31.12.1998, p. 5.

⁽³⁾ OJ L 13, 18.1.1999, p. 67.

COMMISSION REGULATION (EC) No 1006/1999
of 12 May 1999

**opening an invitation to tender for the reduction in the duty on maize imported
into Spain from third countries**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals⁽¹⁾, as last amended by Commission Regulation (EC) No 923/96⁽²⁾, and in particular Article 12(1) thereof,

- (1) Whereas, pursuant to the Agreement on Agriculture concluded during the Uruguay Round of multilateral trade negotiations, the Community has undertaken to import a certain quantity of maize into Spain;
- (2) Whereas Commission Regulation (EC) No 1839/95 of 26 July 1995 laying down detailed rules for the application of tariff quotas for imports of maize and sorghum into Spain and imports of maize into Portugal⁽³⁾, as amended by Regulation (EC) No 1963/95⁽⁴⁾, lays down the rules governing the administration of those special arrangements; whereas this Regulation lays down the special additional detailed rules necessary for implementing the invitation to tender, in particular those relating to the lodging and release of the security to be lodged by operators to ensure compliance with their obligations and, in particular, the obligation

to process or use the imported product on the Spanish market;

- (3) Whereas Commission Regulation (EC) No 566/1999⁽⁵⁾ opened an invitation to tender for the reduction in the duty on maize imported into Spain from third countries; whereas the last partial invitation to tender pursuant to Regulation (EC) No 566/1999 should be postponed;
- (4) Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

Article 1(2) of Regulation (EC) No 566/1999 is replaced by the following:

‘2. The invitation to tender shall be open until 24 June 1999. During that period, weekly invitations shall be issued with quantities and closing dates as shown in the notice of invitation to tender.’

Article 2

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

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

Done at Brussels, 12 May 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 126, 24.5.1996, p. 37.

⁽³⁾ OJ L 177, 28.7.1995, p. 4.

⁽⁴⁾ OJ L 189, 10.8.1995, p. 22.

⁽⁵⁾ OJ L 70, 17.3.1999, p. 9.

COMMISSION REGULATION (EC) No 1007/1999
of 12 May 1999
establishing the standard import values for determining the entry price of certain
fruit and vegetables

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

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables ⁽¹⁾, as last amended by Regulation (EC) No 1498/98 ⁽²⁾, and in particular Article 4 (1) thereof,

Whereas Regulation (EC) No 3223/94 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in the Annex thereto;

Whereas, in compliance with the above criteria, the standard import values must be fixed at the levels set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 4 of Regulation (EC) No 3223/94 shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 13 May 1999.

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

Done at Brussels, 12 May 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 337, 24.12.1994, p. 66.

⁽²⁾ OJ L 198, 15.7.1998, p. 4.

ANNEX

to the Commission Regulation of 12 May 1999 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	052	72,0
	068	92,4
	204	87,9
	999	84,1
0707 00 05	052	91,8
	064	41,3
	628	133,3
	999	88,8
0709 10 00	220	206,1
	999	206,1
0709 90 70	052	57,0
	999	57,0
0805 10 10, 0805 10 30, 0805 10 50	204	42,3
	212	63,8
	600	59,0
	624	48,2
	999	53,3
0805 30 10	052	63,1
	388	74,9
	999	69,0
0808 10 20, 0808 10 50, 0808 10 90	388	77,1
	400	77,5
	508	77,3
	512	75,7
	524	79,1
	528	69,1
	720	82,3
	804	101,2
	999	79,9

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 2317/97 (OJ L 321, 22.11.1997, p. 19). Code '999' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 1008/1999
of 12 May 1999
fixing the representative prices and the additional import duties for molasses in
the sugar sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the market in sugar ⁽¹⁾, as last amended by Commission Regulation (EC) No 1148/98 ⁽²⁾,

Having regard to Commission Regulation (EC) No 1422/95 of 23 June 1995 laying down detailed rules of application for imports of molasses in the sugar sector and amending Regulation (EEC) No 785/68 ⁽³⁾, and in particular Articles 1 (2) and 3 (1) thereof,

Whereas Regulation (EC) No 1422/95 stipulates that the cif import price for molasses, hereinafter referred to as the 'representative price', should be set in accordance with Commission Regulation (EEC) No 785/68 ⁽⁴⁾; whereas that price should be fixed for the standard quality defined in Article 1 of the above Regulation;

Whereas the representative price for molasses is calculated at the frontier crossing point into the Community, in this case Amsterdam; whereas that price must be based on the most favourable purchasing opportunities on the world market established on the basis of the quotations or prices on that market adjusted for any deviations from the standard quality; whereas the standard quality for molasses is defined in Regulation (EEC) No 785/68;

Whereas, when the most favourable purchasing opportunities on the world market are being established, account must be taken of all available information on offers on the world market, on the prices recorded on important third-country markets and on sales concluded in international trade of which the Commission is aware, either directly or through the Member States; whereas, under Article 7 of Regulation (EEC) No 785/68, the Commission may for this purpose take an average of several prices as a basis, provided that this average is representative of actual market trends;

Whereas the information must be disregarded if the goods concerned are not of sound and fair marketable quality or if the price quoted in the offer relates only to a

small quantity that is not representative of the market; whereas offer prices which can be regarded as not representative of actual market trends must also be disregarded;

Whereas, if information on molasses of the standard quality is to be comparable, prices must, depending on the quality of the molasses offered, be increased or reduced in the light of the results achieved by applying Article 6 of Regulation (EEC) No 785/68;

Whereas a representative price may be left unchanged by way of exception for a limited period if the offer price which served as a basis for the previous calculation of the representative price is not available to the Commission and if the offer prices which are available and which appear not to be sufficiently representative of actual market trends would entail sudden and considerable changes in the representative price;

Whereas where there is a difference between the trigger price for the product in question and the representative price, additional import duties should be fixed under the conditions set out in Article 3 of Regulation (EC) No 1422/95; whereas should the import duties be suspended pursuant to Article 5 of Regulation (EC) No 1422/95, specific amounts for these duties should be fixed;

Whereas application of these provisions will have the effect of fixing the representative prices and the additional import duties for the products in question as set out in the Annex to this Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and the additional duties applying to imports of the products referred to in Article 1 of Regulation (EC) No 1422/95 are fixed in the Annex hereto.

Article 2

This Regulation shall enter into force on 13 May 1999.

⁽¹⁾ OJ L 177, 1.7.1981, p. 4.

⁽²⁾ OJ L 159, 3.6.1998, p. 38.

⁽³⁾ OJ L 141, 24.6.1995, p. 12.

⁽⁴⁾ OJ L 145, 27.6.1968, p. 12.

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

Done at Brussels, 12 May 1999.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

fixing the representative prices and additional import duties applying to imports of molasses in the sugar sector

(in EUR)

CN code	Amount of the representative price in 100 kg net of the product in question	Amount of the additional duty in 100 kg net of the product in question	Amount of the duty to be applied to imports in 100 kg net of the product in question because of suspension as referred to in Article 5 of Regulation (EC) No 1422/95 ⁽²⁾
1703 10 00 ⁽¹⁾	5,96	0,35	—
1703 90 00 ⁽¹⁾	7,22	0,05	—

⁽¹⁾ For the standard quality as defined in Article 1 of amended Regulation (EEC) No 785/68.

⁽²⁾ This amount replaces, in accordance with Article 5 of Regulation (EC) No 1422/95, the rate of the Common Customs Tariff duty fixed for these products.

COMMISSION REGULATION (EC) No 1009/1999
of 12 May 1999
altering the export refunds on white sugar and raw sugar exported in the natural state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European 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 Commission Regulation (EC) No 1148/98⁽²⁾, and in particular the second subparagraph of Article 19 (4) thereof,

Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EC) No 946/1999⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EC) No 946/1999 to the information known to the Commission that the export refunds

at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1(1)(a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, as fixed in the Annex to Regulation (EC) No 946/1999 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 13 May 1999.

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

Done at Brussels, 12 May 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 177, 1.7.1981, p. 4.

⁽²⁾ OJ L 159, 3.6.1998, p. 38.

⁽³⁾ OJ L 118, 6.5.1999, p. 5.

ANNEX

to the Commission Regulation of 12 May 1999 altering the export refunds on white sugar and raw sugar exported in its unaltered state

Product code	Amount of refund
	— EUR/100 kg —
1701 11 90 9100	47,78 ⁽¹⁾
1701 11 90 9910	46,54 ⁽¹⁾
1701 11 90 9950	⁽²⁾
1701 12 90 9100	47,78 ⁽¹⁾
1701 12 90 9910	46,54 ⁽¹⁾
1701 12 90 9950	⁽²⁾
	— EUR/1 % of sucrose × 100 kg —
1701 91 00 9000	0,5194
	— EUR/100 kg —
1701 99 10 9100	51,94
1701 99 10 9910	50,59
1701 99 10 9950	50,59
	— EUR/1 % of sucrose × 100 kg —
1701 99 90 9100	0,5194

⁽¹⁾ Applicable to raw sugar with a yield of 92 %; if the yield is other than 92 %, the refund applicable is calculated in accordance with the provisions of Article 17a (4) of Regulation (EEC) No 1785/81.

⁽²⁾ Fixing suspended by Commission Regulation (EEC) No 2689/85 (OJ L 255, 26. 9. 1985, p. 12), as amended by Regulation (EEC) No 3251/85 (OJ L 309, 21. 11. 1985, p. 14).

**COMMISSION REGULATION (EC) No 1010/1999
of 12 May 1999**

**fixing the maximum export refund for white sugar for the 38th partial invitation
to tender issued within the framework of the standing invitation to tender
provided for in Regulation (EC) No 1574/98**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European 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 Commission Regulation (EC) No 1148/98⁽²⁾, and in particular the second subparagraph of Article 17 (5)(b) thereof,

Whereas Commission Regulation (EC) No 1574/98 of 22 July 1998 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar⁽³⁾, requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EC) No 1574/98 a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question;

Whereas, following an examination of the tenders submitted in response to the 38th partial invitation to tender, the provisions set out in Article 1 should be adopted;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 38th partial invitation to tender for white sugar issued pursuant to Regulation (EC) No 1574/98 the maximum amount of the export refund is fixed at 53,624 EUR/100 kg.

Article 2

This Regulation shall enter into force on 13 May 1999.

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

Done at Brussels, 12 May 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 177, 1.7.1981, p. 4.

⁽²⁾ OJ L 159, 3.6.1998, p. 38.

⁽³⁾ OJ L 206, 23.7.1998, p. 7.

COMMISSION REGULATION (EC) No 1011/1999
of 11 May 1999
establishing unit values for the determination of the customs value of certain
perishable goods

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

Having regard to Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code ⁽¹⁾, as last amended by Regulation (EC) No 955/1999 of the European Parliament and of the Council ⁽²⁾,

Having regard to Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code ⁽³⁾, as last amended by Regulation (EC) No 502/1999 ⁽⁴⁾, and in particular Article 173 (1) thereof,

Whereas Articles 173 to 177 of Regulation (EEC) No 2454/93 provide that the Commission shall periodically establish unit values for the products referred to in the classification in Annex 26 to that Regulation;

Whereas the result of applying the rules and criteria laid down in the abovementioned Articles to the elements communicated to the Commission in accordance with Article 173 (2) of Regulation (EEC) No 2454/93 is that unit values set out in the Annex to this Regulation should be established in regard to the products in question,

HAS ADOPTED THIS REGULATION:

Article 1

The unit values provided for in Article 173 (1) of Regulation (EEC) No 2454/93 are hereby established as set out in the table in the Annex hereto.

Article 2

This Regulation shall enter into force on 14 May 1999.

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

Done at Brussels, 11 May 1999.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ L 302, 19.10.1992, p. 1.

⁽²⁾ OJ L 119, 7.5.1999, p. 1.

⁽³⁾ OJ L 253, 11.10.1993, p. 1.

⁽⁴⁾ OJ L 65, 12.3.1999, p. 1.

ANNEX

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	EUR FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
1.10	New potatoes 0701 90 51 0701 90 59	a) b) c)	34,13 202,93 305,72	469,64 223,88 1 376,80	66,75 26,88 22,56	253,70 66 084,90	11 129,79 75,21	5 678,75 6 842,45
1.30	Onions (other than seed) 0703 10 19	a) b) c)	56,76 337,48 508,43	781,03 372,32 2 289,69	111,01 44,70 37,52	421,91 109 902,69	18 509,44 125,08	9 444,07 11 379,36
1.40	Garlic 0703 20 00	a) b) c)	140,00 832,40 1 254,05	1 926,44 918,34 5 647,59	273,82 110,26 92,54	1 040,65 271 077,80	45 654,00 308,52	23 294,04 28 067,48
1.50	Leeks ex 0703 90 00	a) b) c)	26,05 154,89 233,34	358,46 170,88 1 050,85	50,95 20,52 17,22	193,63 50 439,83	8 494,91 57,41	4 334,36 5 222,56
1.60	Cauliflowers 0704 10 10 0704 10 05 0704 10 80	a) b) c)	75,84 450,92 679,34	1 043,58 497,48 3 059,38	148,33 59,73 50,13	563,73 146 846,72	24 731,42 167,13	12 618,71 15 204,55
1.70	Brussels sprouts 0704 20 00	a) b) c)	59,69 354,90 534,67	821,35 391,54 2 407,89	116,74 47,01 39,46	443,69 115 575,96	19 464,91 131,54	9 931,58 11 966,77
1.80	White cabbages and red cabbages 0704 90 10	a) b) c)	50,32 299,19 450,74	692,42 330,08 2 029,90	98,42 39,63 33,26	374,04 97 433,11	16 409,35 110,89	8 372,54 10 088,25
1.90	Sprouting broccoli or calabrese (<i>Brassica oleracea</i> L. <i>convar. botrytis</i> (L.) Alef var. <i>italica</i> Plenck) ex 0704 90 90	a) b) c)	105,95 629,95 949,05	1 457,90 694,99 4 274,01	207,22 83,44 70,03	787,55 205 147,81	34 550,30 233,48	17 628,60 21 241,07
1.100	Chinese cabbage ex 0704 90 90	a) b) c)	57,46 341,64 514,70	790,67 376,91 2 317,93	112,38 45,25 37,98	427,11 111 258,07	18 737,71 126,63	9 560,54 11 519,70
1.110	Cabbage lettuce (head lettuce) 0705 11 10 0705 11 05 0705 11 80	a) b) c)	152,67 907,73 1 367,54	2 100,79 1 001,45 6 158,69	298,60 120,24 100,91	1 134,83 295 610,34	49 785,69 336,44	25 402,15 30 607,59
1.120	Endives ex 0705 29 00	a) b) c)	21,82 129,74 195,45	300,25 143,13 880,22	42,68 17,18 14,42	162,19 42 249,41	7 115,50 48,08	3 630,54 4 374,52
1.130	Carrots ex 0706 10 00	a) b) c)	76,20 453,06 682,56	1 048,53 499,84 3 073,90	149,03 60,01 50,37	566,41 147 543,77	24 848,82 167,92	12 678,61 15 276,73
1.140	Radishes ex 0706 90 90	a) b) c)	117,77 700,23 1 054,92	1 620,55 772,52 4 750,83	230,34 92,75 77,85	875,41 228 034,52	38 404,80 259,53	19 595,28 23 610,77
1.160	Peas (<i>Pisum sativum</i>) 0708 10 90 0708 10 20 0708 10 95	a) b) c)	376,40 2 237,97 3 371,60	5 179,38 2 469,02 15 183,94	736,17 296,44 248,80	2 797,86 728 812,03	122 744,04 829,48	62 627,69 75 461,42

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	EUR FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
1.170	Beans:							
1.170.1	Beans (<i>Vigna</i> spp., <i>Phaseolus</i> spp.) ex 0708 20 90 ex 0708 20 20 ex 0708 20 95	a) b) c)	96,31 572,63 862,70	1 325,25 631,75 3 885,14	188,37 75,85 63,66	715,89 186 482,16	31 406,69 212,24	16 024,64 19 308,42
1.170.2	Beans (<i>Phaseolus</i> spp., <i>vulgaris</i> var. <i>Compressus Savi</i>) ex 0708 20 90 ex 0708 20 20 ex 0708 20 95	a) b) c)	138,01 820,57 1 236,22	1 899,06 905,29 5 567,31	269,92 108,69 91,22	1 025,86 267 224,62	45 005,06 304,13	22 962,93 27 668,52
1.180	Broad beans ex 0708 90 00	a) b) c)	157,74 937,88 1 412,96	2 170,55 1 034,71 6 363,22	308,51 124,23 104,27	1 172,51 305 427,23	51 439,01 347,61	26 245,73 31 624,03
1.190	Globe artichokes 0709 10 00	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
1.200	Asparagus:							
1.200.1	— green ex 0709 20 00	a) b) c)	306,44 1 822,01 2 744,94	4 216,71 2 010,11 12 361,76	599,34 241,34 202,56	2 277,83 593 350,58	99 930,08 675,30	50 987,33 61 435,70
1.200.2	— other ex 0709 20 00	a) b) c)	346,05 2 057,52 3 099,74	4 761,75 2 269,94 13 959,62	676,81 272,54 228,74	2 572,26 670 046,23	112 846,91 762,59	57 577,88 69 376,80
1.210	Aubergines (eggplants) 0709 30 00	a) b) c)	123,46 734,06 1 105,89	1 698,85 809,84 4 980,36	241,47 97,23 81,61	917,70 239 051,89	40 260,31 272,07	20 542,02 24 751,51
1.220	Ribbed celery (<i>Apium graveolens</i> L., var. <i>dulce</i> (Mill.) Pers.) ex 0709 40 00	a) b) c)	45,12 268,27 404,16	620,86 295,97 1 820,14	88,25 35,53 29,82	335,39 87 364,50	14 713,63 99,43	7 507,34 9 045,75
1.230	Chantarelles 0709 51 30	a) b) c)	1 886,75 11 218,11 16 900,56	25 962,25 12 376,27 76 111,31	3 690,16 1 485,94 1 247,14	14 024,59 3 653 257,42	615 269,18 4 157,85	313 928,79 378 259,41
1.240	Sweet peppers 0709 60 10	a) b) c)	189,86 1 128,86 1 700,67	2 612,53 1 245,40 7 658,93	371,33 149,53 125,50	1 411,27 367 620,22	61 913,35 418,40	31 590,05 38 063,51
1.250	Fennel 0709 90 50	a) b) c)	73,55 437,31 658,82	1 012,07 482,46 2 967,00	143,85 57,93 48,62	546,71 142 412,66	23 984,66 162,08	12 237,69 14 745,45
1.270	Sweet potatoes, whole, fresh (intended for human consumption) 0714 20 10	a) b) c)	52,53 312,33 470,54	722,83 344,57 2 119,05	102,74 41,37 34,72	390,47 101 712,26	17 130,03 115,76	8 740,26 10 531,32
2.10	Chestnuts (<i>Castanea</i> spp.), fresh ex 0802 40 00	a) b) c)	176,48 1 049,30 1 580,82	2 428,42 1 157,63 7 119,19	345,16 138,99 116,65	1 311,81 341 712,93	57 550,13 388,91	29 363,80 35 381,06
2.30	Pineapples, fresh ex 0804 30 00	a) b) c)	64,18 381,60 574,89	883,14 420,99 2 589,01	125,53 50,55 42,42	477,06 124 269,81	20 929,10 141,43	10 678,65 12 866,93

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	EUR FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
2.40	Avocados, fresh ex 0804 40 90 ex 0804 40 20 ex 0804 40 95	a) b) c)	141,77 842,93 1 269,90	1 950,80 929,95 5 718,99	277,28 111,65 93,71	1 053,80 274 505,00	46 231,20 312,42	23 588,54 28 422,33
2.50	Guavas and mangoes, fresh ex 0804 50 00	a) b) c)	98,15 583,57 879,18	1 350,57 643,82 3 959,36	191,96 77,30 64,88	729,57 190 044,90	32 006,72 216,29	16 330,79 19 677,31
2.60	Sweet oranges, fresh:							
2.60.1	— Sanguines and semi-sanguines 0805 10 10	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.60.2	— Navels, navelines, navelates, salustianas, vernas, Valencia lates, Maltese, shamou- tis, ovalis, trovita and hamlins 0805 10 30	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.60.3	— Others 0805 10 50	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.70	Mandarins (including tangerines and satsu- mas), fresh; clementines, wilkings and simi- lar citrus hybrids, fresh:							
2.70.1	— Clementines 0805 20 10	a) b) c)	63,51 377,61 568,89	873,92 416,60 2 561,99	124,21 50,02 41,98	472,08 122 972,51	20 710,61 139,96	10 567,17 12 732,61
2.70.2	— Monreales and satsumas 0805 20 30	a) b) c)	79,30 471,50 710,33	1 091,19 520,17 3 198,95	155,10 62,45 52,42	589,45 153 546,21	25 859,73 174,75	13 194,41 15 898,22
2.70.3	— Mandarines and wilkings 0805 20 50	a) b) c)	96,04 571,03 860,28	1 321,54 629,98 3 874,24	187,84 75,64 63,48	713,88 185 959,37	31 318,64 211,64	15 979,71 19 254,29
2.70.4	— Tangerines and others ex 0805 20 70 ex 0805 20 90	a) b) c)	53,98 320,95 483,53	742,78 354,09 2 177,55	105,58 42,51 35,68	401,24 104 519,85	17 602,88 118,96	8 981,52 10 822,02
2.85	Limes (<i>Citrus aurantifolia</i>), fresh ex 0805 30 90	a) b) c)	164,38 977,36 1 472,43	2 261,92 1 078,26 6 631,07	321,50 129,46 108,66	1 221,87 318 284,06	53 604,32 362,25	27 350,53 32 955,23
2.90	Grapefruit, fresh:							
2.90.1	— white ex 0805 40 90 ex 0805 40 20 ex 0805 40 95	a) b) c)	40,87 243,00 366,09	562,38 268,09 1 648,69	79,93 32,19 27,02	303,79 79 135,35	13 327,71 90,07	6 800,20 8 193,70
2.90.2	— pink ex 0805 40 90 ex 0805 40 20 ex 0805 40 95	a) b) c)	51,63 306,98 462,48	710,44 338,67 2 082,75	100,98 40,66 34,13	383,78 99 969,62	16 836,54 113,78	8 590,51 10 350,89
2.100	Table grapes ex 0806 10 10	a) b) c)	141,80 843,10 1 270,17	1 951,21 930,15 5 720,20	277,34 111,68 93,73	1 054,03 274 563,09	46 240,98 312,49	23 593,53 28 428,35

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	EUR FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
2.110	Water melons 0807 11 00	a) b) c)	62,59 372,14 560,65	861,26 410,56 2 524,87	122,42 49,29 41,37	465,24 121 191,14	20 410,60 137,93	10 414,10 12 548,17
2.120	Melons (other than water melons):							
2.120.1	— Amarillo, cuper, honey dew (including cantalene), onteniente, piel de sapo (including verde liso), rochet, tendral, futuro ex 0807 19 00	a) b) c)	96,28 572,45 862,43	1 324,84 631,56 3 883,93	188,31 75,83 63,64	715,67 186 424,08	31 396,91 212,17	16 019,64 19 302,41
2.120.2	— other ex 0807 19 00	a) b) c)	140,34 834,42 1 257,10	1 931,12 920,57 5 661,30	274,48 110,53 92,76	1 043,18 271 736,13	45 764,87 309,27	23 350,61 28 135,64
2.140	Pears							
2.140.1	Pears — nashi (<i>Pyrus pyrifolia</i>) ex 0808 20 50	a) b) c)	286,99 1 706,37 2 570,71	3 949,07 1 882,53 11 577,15	561,30 226,02 189,70	2 133,25 555 690,13	93 587,44 632,44	47 751,12 57 536,33
2.140.2	Other ex 0808 20 50	a) b) c)	59,70 354,96 534,76	821,49 391,61 2 408,29	116,76 47,02 39,46	443,76 115 595,32	19 468,17 131,56	9 933,24 11 968,78
2.150	Apricots 0809 10 00	a) b) c)	202,62 1 204,72 1 814,97	2 788,11 1 329,10 8 173,67	396,29 159,58 133,38	1 506,11 392 327,03	66 074,38 446,52	33 713,13 40 621,66
2.160	Cherries 0809 20 05 0809 20 95	a) b) c)	334,09 1 986,41 2 992,61	4 597,18 2 191,49 13 477,16	653,42 263,12 220,83	2 483,36 646 888,44	108 946,75 736,24	55 587,90 66 979,03
2.170	Peaches 0809 30 90	a) b) c)	219,24 1 303,54 1 963,84	3 016,81 1 438,12 8 844,12	428,80 172,67 144,92	1 629,65 424 507,83	71 494,16 483,14	36 478,47 43 953,67
2.180	Nectarines ex 0809 30 10	a) b) c)	243,14 1 445,64 2 177,93	3 345,68 1 594,89 9 808,24	475,54 191,49 160,72	1 807,31 470 784,69	79 287,95 535,81	40 455,09 48 745,19
2.190	Plums 0809 40 05	a) b) c)	129,21 768,25 1 157,40	1 777,97 847,56 5 212,32	252,71 101,76 85,41	960,44 250 185,45	42 135,38 284,74	21 498,74 25 904,28
2.200	Strawberries 0810 10 10 0810 10 05 0810 10 80	a) b) c)	463,93 2 758,40 4 155,65	6 383,82 3 043,18 18 714,89	907,37 365,37 306,66	3 448,48 898 293,74	151 287,57 1 022,37	77 191,46 93 009,61
2.205	Raspberries 0810 20 10	a) b) c)	1 648,10 9 799,16 14 762,86	22 678,35 10 810,83 66 484,19	3 223,40 1 297,98 1 089,39	12 250,66 3 191 166,59	537 445,41 3 631,93	274 220,77 330 414,38
2.210	Fruit of the species <i>Vaccinium myrtillus</i> 0810 40 30	a) b) c)	724,96 4 310,42 6 493,83	9 975,67 4 755,43 29 244,81	1 417,90 570,95 479,20	5 388,77 1 403 718,30	236 409,46 1 597,60	120 623,19 145 341,43
2.220	Kiwi fruit (<i>Actinidia chinensis</i> Planch.) 0810 50 10 0810 50 20 0810 50 30	a) b) c)	104,96 624,06 940,18	1 444,28 688,49 4 234,08	205,28 82,66 69,38	780,19 203 230,90	34 227,46 231,30	17 463,87 21 042,59

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	EUR FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
2.230	Pomegranates ex 0810 90 85	a)	52,98	729,02	103,62	393,81	17 276,78	8 815,13
		b)	315,00	347,53	41,73	102 583,58	116,75	10 621,54
		c)	474,57	2 137,21	35,02			
2.240	Khakis (including sharon fruit) ex 0810 90 85	a)	376,88	5 185,98	737,11	2 801,42	122 900,57	62 707,56
		b)	2 240,83	2 472,17	296,82	729 741,44	830,53	75 557,66
		c)	3 375,90	15 203,30	249,12			
2.250	Lychees ex 0810 90 30	a)	498,11	6 854,14	974,22	3 702,55	162 433,67	82 878,53
		b)	2 961,63	3 267,39	392,29	964 475,45	1 097,69	99 862,09
		c)	4 461,82	20 093,71	329,25			

COMMISSION REGULATION (EC) No 1012/1999

of 12 May 1999

derogating from Regulation (EEC) No 3887/92 laying down detailed rules for applying the integrated administration and control system for certain Community aid schemes

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3508/92 of 27 November 1992 establishing an integrated administration and control system for certain Community aid schemes ⁽¹⁾, as last amended by Regulation (EC) No 820/97 ⁽²⁾, and in particular Article 12 thereof,

- (1) Whereas the exceptional weather situation in certain regions of Spain and Portugal, characterised by the persistence of a severe drought from autumn 1998 to spring 1999, means that it is no longer economically viable for a large number of producers in those regions to sow seeds; whereas such a situation is likely to lead to the producers affected suffering a major loss of income on their farms, including compensatory payments;
- (2) Whereas, in order to relieve the situation of the producers concerned, exceptional provision should be made for the 1999/2000 marketing year allowing amendments to be made to areas declared as set aside;

- (3) Whereas the measures provided for in this Regulation are in accordance with the opinion of the Fund Committee,

HAS ADOPTED THIS REGULATION:

Article 1

Notwithstanding Article 4(2)(a) of Commission Regulation (EEC) No 3887/92, 'area' aid applications submitted in respect of the 1999/2000 marketing year in the regions of Spain other than Galicia, the Basque Country, the Canary Islands, Cantabria and Asturias, and in the regions of Portugal other than Entre Douro e Minho, Beira Litoral, the Azores and Madeira, may be amended by withdrawing areas declared as being 'arable crops' and adding them to the set-aside areas, provided that the areas in question have effectively been out of production, from 15 January 1999.

Amendment declarations shall be submitted no later than 15 June 1999.

Article 2

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

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

Done at Brussels, 12 May 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 355, 5.12.1992, p. 1.

⁽²⁾ OJ L 117, 7.5.1997, p. 1.

COMMISSION REGULATION (EC) No 1013/1999
of 12 May 1999
amending Regulation (EC) No 411/97 laying down detailed rules for the applica-
tion of Council Regulation (EC) No 2200/96 as regards operational programmes,
operational funds and Community financial assistance

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

Having regard to the Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organisation of the market in fruit and vegetables ⁽¹⁾, as last amended by Commission Regulation (EC) No 857/1999 ⁽²⁾, and in particular Article 48 thereof,

- (1) Whereas Article 8(1) second subparagraph of Commission Regulation (EC) No 411/97 ⁽³⁾, as last amended by Regulation (EC) No 1647/98 ⁽⁴⁾, sets a ceiling for the total advance payments to cover foreseeable expenditure in a given year arising from operational programmes;
- (2) Whereas, on grounds of consistency, this ceiling should be increased to 2,5 % from 1999 in order to correspond to the ceiling on financial assistance specified in Article 10 second subparagraph;

- (3) Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fresh Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

‘and, from 1999, 2,5 %’, shall be inserted into the third sentence of Article 8(1) second subparagraph of Regulation (EC) No 411/97, after ‘2 %’.

Article 2

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

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

Done at Brussels, 12 May 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 297, 21.11.1996, p. 1.

⁽²⁾ OJ L 108, 27.4.1999, p. 7.

⁽³⁾ OJ L 62, 4.3.1997, p. 9.

⁽⁴⁾ OJ L 210, 28.7.1998, p. 59.

COMMISSION REGULATION (EC) No 1014/1999
of 12 May 1999
fixing the import duties in the rice sector

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

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽¹⁾, as last amended by Regulation (EC) No 2072/98 ⁽²⁾,

Having regard to Commission Regulation (EC) No 1503/96 of 29 July 1996 laying down detailed rules for the application of Council Regulation (EC) No 3072/95 as regards import duties in the rice sector ⁽³⁾, as last amended by Regulation (EC) No 2831/98 ⁽⁴⁾, and in particular Article 4(1) thereof,

Whereas Article 11 of Regulation (EC) No 3072/95 provides that the rates of duty in the Common Customs Tariff are to be charged on import of the products referred to in Article 1 of that Regulation; whereas, however, in the case of the products referred to in paragraph 2 of that Article, the import duty is to be equal to the intervention price valid for such products on importation and increased by a certain percentage according to whether it is husked or milled rice, minus the cif import price provided that duty does not exceed the rate of the Common Customs Tariff duties;

Whereas, pursuant to Article 12(3) of Regulation (EC) No 3072/95, the cif import prices are calculated on the basis of the representative prices for the product in question on the world market or on the Community import market for the product;

Whereas Regulation (EC) No 1503/96 lays down detailed rules for the application of Regulation (EC) No 3072/95 as regards import duties in the rice sector;

Whereas the import duties are applicable until new duties are fixed and enter into force; whereas they also remain in force in cases where no quotation is available from the source referred to in Article 5 of Regulation (EC) No 1503/96 during the two weeks preceding the next periodical fixing;

Whereas, in order to allow the import duty system to function normally, the market rates recorded during a reference period should be used for calculating the duties;

Whereas application of Regulation (EC) No 1503/96 results in import duties being fixed as set out in the Annexes to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import duties in the rice sector referred to in Article 11(1) and (2) of Regulation (EC) No 3072/95 shall be those fixed in Annex I to this Regulation on the basis of the information given in Annex II.

Article 2

This Regulation shall enter into force on 13 May 1999.

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

Done at Brussels, 12 May 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 265, 30.9.1998, p. 4.

⁽³⁾ OJ L 189, 30.7.1996, p. 71.

⁽⁴⁾ OJ L 351, 29.12.1998, p. 25.

ANNEX I

Import duties on rice and broken rice

(EUR/t)

CN code	Duties ⁽¹⁾				
	Third countries (except ACP and Bangladesh) ⁽²⁾ ⁽⁷⁾	ACP ⁽¹⁾ ⁽²⁾ ⁽³⁾	Bangladesh ⁽⁴⁾	Basmati India and Pakistan ⁽⁵⁾	Egypt ⁽⁶⁾
1006 10 21	(7)	83,41	121,01		188,03
1006 10 23	(7)	83,41	121,01		188,03
1006 10 25	(7)	83,41	121,01		188,03
1006 10 27	(7)	83,41	121,01		188,03
1006 10 92	(7)	83,41	121,01		188,03
1006 10 94	(7)	83,41	121,01		188,03
1006 10 96	(7)	83,41	121,01		188,03
1006 10 98	(7)	83,41	121,01		188,03
1006 20 11	212,91	70,18	102,12		159,68
1006 20 13	212,91	70,18	102,12		159,68
1006 20 15	212,91	70,18	102,12		159,68
1006 20 17	231,13	76,56	111,23	0,00	173,35
1006 20 92	212,91	70,18	102,12		159,68
1006 20 94	212,91	70,18	102,12		159,68
1006 20 96	212,91	70,18	102,12		159,68
1006 20 98	231,13	76,56	111,23	0,00	173,35
1006 30 21	433,92	139,48	202,05		325,44
1006 30 23	433,92	139,48	202,05		325,44
1006 30 25	433,92	139,48	202,05		325,44
1006 30 27	(7)	160,51	232,09		370,50
1006 30 42	433,92	139,48	202,05		325,44
1006 30 44	433,92	139,48	202,05		325,44
1006 30 46	433,92	139,48	202,05		325,44
1006 30 48	(7)	160,51	232,09		370,50
1006 30 61	433,92	139,48	202,05		325,44
1006 30 63	433,92	139,48	202,05		325,44
1006 30 65	433,92	139,48	202,05		325,44
1006 30 67	(7)	160,51	232,09		370,50
1006 30 92	433,92	139,48	202,05		325,44
1006 30 94	433,92	139,48	202,05		325,44
1006 30 96	433,92	139,48	202,05		325,44
1006 30 98	(7)	160,51	232,09		370,50
1006 40 00	(7)	49,58	(7)		114,00

⁽¹⁾ The duty on imports of rice originating in the ACP States is applicable, under the arrangements laid down in Council Regulation (EC) No 1706/98 (OJ L 215, 1.8.1998, p. 12) and amended Commission Regulation (EC) No 2603/97 (OJ L 351, 23.12.1997, p. 22).

⁽²⁾ In accordance with Regulation (EC) No 1706/98, the duties are not applied to products originating in the African, Caribbean and Pacific States and imported directly into the overseas department of Réunion.

⁽³⁾ The import levy on rice entering the overseas department of Réunion is specified in Article 11(3) of Regulation (EC) No 3072/95.

⁽⁴⁾ The duty on imports of rice not including broken rice (CN code 1006 40 00), originating in Bangladesh is applicable under the arrangements laid down in Council Regulation (EEC) No 3491/90 (OJ L 337, 4.12.1990, p. 1) and amended Commission Regulation (EEC) No 862/91 (OJ L 88, 9.4.1991, p. 7).

⁽⁵⁾ No import duty applies to products originating in the OCT pursuant to Article 101(1) of amended Council Decision 91/482/EEC (OJ L 263, 19.9.1991, p. 1).

⁽⁶⁾ For husked rice of the Basmati variety originating in India and Pakistan, a reduction of EUR 250 per tonne applies (Article 4a of amended Regulation (EC) No 1503/96).

⁽⁷⁾ Duties fixed in the Common Customs Tariff.

⁽⁸⁾ The duty on imports of rice originating in and coming from Egypt is applicable under the arrangements laid down in Council Regulation (EC) No 2184/96 (OJ L 292, 15.11.1996, p. 1) and Commission Regulation (EC) No 196/97 (OJ L 31, 1.2.1997, p. 53).

ANNEX II

Calculation of import duties for rice

	Paddy	Indica rice		Japonica rice		Broken rice
		Husked	Milled	Husked	Milled	
1. Import duty (EUR/tonne)	(¹)	231,13	494,00	212,91	433,92	(¹)
2. Elements of calculation:						
(a) Arag cif price (EUR/tonne)	—	344,69	271,17	388,50	420,21	—
(b) fob price (EUR/tonne)	—	—	—	360,42	392,13	—
(c) Sea freight (EUR/tonne)	—	—	—	28,08	28,08	—
(d) Source	—	USDA	USDA	Operators	Operators	—

(¹) Duties fixed in the Common Customs Tariff.

COMMISSION REGULATION (EC) No 1015/1999
of 12 May 1999
fixing the import duties in the cereals sector

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

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by Commission Regulation (EC) No 923/96⁽²⁾,

Having regard to Commission Regulation (EC) No 1249/96 of 28 June 1996 laying down detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards import duties in the cereals sector⁽³⁾, as last amended by Regulation (EC) No 2519/98⁽⁴⁾, and in particular Article 2 (1) thereof,

Whereas Article 10 of Regulation (EEC) No 1766/92 provides that the rates of duty in the Common Customs Tariff are to be charged on import of the products referred to in Article 1 of that Regulation; whereas, however, in the case of the products referred to in paragraph 2 of that Article, the import duty is to be equal to the intervention price valid for such products on importation and increased by 55 %, minus the cif import price applicable to the consignment in question; however, that duty may not exceed the rate of duty in the Common Customs Tariff;

Whereas, pursuant to Article 10 (3) of Regulation (EEC) No 1766/92, the cif import prices are calculated on the basis of the representative prices for the product in question on the world market;

Whereas Regulation (EC) No 1249/96 lays down detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards import duties in the cereals sector;

Whereas the import duties are applicable until new duties are fixed and enter into force; whereas they also remain in force in cases where no quotation is available for the reference exchange referred to in Annex II to Regulation (EC) No 1249/96 during the two weeks preceding the next periodical fixing;

Whereas, in order to allow the import duty system to function normally, the representative market rates recorded during a reference period should be used for calculating the duties;

Whereas application of Regulation (EC) No 1249/96 results in import duties being fixed as set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import duties in the cereals sector referred to in Article 10 (2) of Regulation (EEC) No 1766/92 shall be those fixed in Annex I to this Regulation on the basis of the information given in Annex II.

Article 2

This Regulation shall enter into force on 16 May 1999.

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

Done at Brussels, 12 May 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 126, 24.5.1996, p. 37.

⁽³⁾ OJ L 161, 29.6.1996, p. 125.

⁽⁴⁾ OJ L 135, 25.11.1998, p. 7.

ANNEX I

Import duties for the products covered by Article 10(2) of Regulation (EEC) No 1766/92

CN code	Description	Import duty by land inland waterway or sea from Mediterranean, the Black Sea or Baltic Sea ports (EUR/tonne)	Import duty by air or by sea from other ports ⁽²⁾ (EUR/tonne)
1001 10 00	Durum wheat high quality	46,44	36,44
	medium quality ⁽¹⁾	56,44	46,44
1001 90 91	Common wheat seed	60,39	50,39
1001 90 99	Common high quality wheat other than for sowing ⁽³⁾	60,39	50,39
	medium quality	89,44	79,44
	low quality	101,12	91,12
1002 00 00	Rye	104,21	94,21
1003 00 10	Barley, seed	104,21	94,21
1003 00 90	Barley, other ⁽³⁾	104,21	94,21
1005 10 90	Maize seed other than hybrid	104,25	94,25
1005 90 00	Maize other than seed ⁽³⁾	104,25	94,25
1007 00 90	Grain sorghum other than hybrids for sowing	104,21	94,21

⁽¹⁾ In the case of durum wheat not meeting the minimum quality requirements for durum wheat of medium quality, referred to in Annex I to Regulation (EC) No 1249/96, the duty applicable is that fixed for low-quality common wheat.

⁽²⁾ For goods arriving in the Community via the Atlantic Ocean or via the Suez Canal (Article 2(4) of Regulation (EC) No 1249/96), the importer may benefit from a reduction in the duty of:

— EUR 3 per tonne, where the port of unloading is on the Mediterranean Sea, or

— EUR 2 per tonne, where the port of unloading is in Ireland, the United Kingdom, Denmark, Sweden, Finland or the Atlantic Coasts of the Iberian Peninsula.

⁽³⁾ The importer may benefit from a flat-rate reduction of EUR 14 or 8 per tonne, where the conditions laid down in Article 2(5) of Regulation (EC) No 1249/96 are met.

ANNEX II

Factors for calculating duties

(period from 30 April to 11 May 1999)

1. Averages over the two-week period preceding the day of fixing:

Exchange quotations	Minneapolis	Kansas-City	Chicago	Chicago	Minneapolis	Minneapolis	Minneapolis
Product (% proteins at 12 % humidity)	HRS2. 14 %	HRW2. 11,5 %	SRW2	YC3	HAD2	Medium quality (*)	US barley 2
Quotation (EUR/t)	108,81	95,78	88,88	80,52	134,40 (**)	124,40 (**)	76,63 (**)
Gulf premium (EUR/t)	—	8,21	3,42	8,66	—	—	—
Great Lakes premium (EUR/t)	11,64	—	—	—	—	—	—

(*) A discount of EUR 10/t (Article 4(1) of Regulation (EC) No 1249/96).

(**) Fob Duluth.

2. Freight/cost: Gulf of Mexico — Rotterdam: EUR 12,16/t; Great Lakes — Rotterdam: EUR 24,75/t.

3. Subsidy within the meaning of the third paragraph of Article 4(2) of Regulation (EC) No 1249/96 : EUR 0,00/t (HRW2)
: EUR 0,00/t (SRW2).

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 3 May 1999

authorising the Secretary-General of the Council of the European Union in the context of the integration of the Schengen *acquis* into the framework of the European Union to act as representative of certain Member States for the purposes of concluding contracts relating to the installation and functioning of the 'Help Desk Server' of the Management Unit and of the Sirene Network Phase II and to manage such contracts

(1999/322/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Acting on the basis of Article 7 of the Protocol annexed to the Treaty on European Union and the Treaty establishing the European Community, integrating the Schengen *acquis* into the framework of the European Union,

- (4) Whereas it is therefore appropriate to have this new task assigned to the Secretary-General by way of an explicit decision of the Council,

HAS DECIDED AS FOLLOWS:

Article 1

- (1) Whereas within the framework of cooperation between the Member States which are signatories to the 1990 Schengen Convention implementing the 1985 Schengen Agreement and instruments of accession thereto, the Secretary-General of the Benelux Economic Union has been authorised to conclude and manage certain contracts on behalf of such Member States;
- (2) Whereas as a result of the integration of the Schengen Secretariat into the General Secretariat of the Council of the European Union, this task performed hitherto by the Secretary-General of the Benelux Economic Union within the framework of the Schengen cooperation should be taken over by the Secretary-General of the Council;
- (3) Whereas the performance of such a task by the Secretary-General of the Council on behalf of certain Member States will constitute a new task, distinct from the tasks performed by the Secretary-General pursuant to his obligations under the Treaty establishing the European Community and the Treaty on European Union;

1. The Council hereby authorises the Secretary-General of the Council of the European Union to act as the representative of the Member States concerned, by replacing the Secretary-General of the Benelux Economic Union in the Agreement concluded by the latter on behalf of these Member States on 23 August 1996 with France Telecom Network Services Belgium, now Global One Belgium, on the delivery, installation and management of the Sirene Network Phase II and the supply of services relating to the use thereof.
2. The Council hereby authorises the Secretary-General of the Council to act as the representative of the Member States concerned, for the purpose of concluding an Agreement on behalf of the latter with Digital Equipment SA for the operation and setting-up of a Help Desk Server on the expiry of the current Agreement concluded between the Secretary General of the Benelux Economic Union and Digital Equipment SA on 8 May 1996.
3. The authorisations under paragraphs 1 and 2 above shall apply so long as payments under the aforementioned Agreements are not charged to the general budget of the European Communities but continue to be charged to the Member States concerned.

Article 2

The work involved in managing the Agreements referred to in Article 1 on behalf of the Member States concerned shall be performed by the General Secretariat of the Council as part of its normal administrative tasks.

Article 3

All questions relating to any non-contractual liability resulting from the acts or omissions of the General-Secretariat of the Council in the performance of its administrative tasks pursuant to this Decision shall be governed by Article 288, second paragraph, of the Treaty establishing the European Community. Article 235 of that Treaty shall therefore apply to any disputes relating to compensation for damage.

Article 4

The Secretary-General of the Council shall open a special bank account in his name for the purpose of taking up, as from the date of the entry into force of the Treaty of

Amsterdam, the balance of the budget relating to the management, up till that date, by the Secretary-General of the Benelux Economic Union, of contracts with the companies mentioned in Article 1(1) and (2).

Article 5

This Decision shall take effect on the day of its adoption.

Article 6

This Decision shall be published in the *Official Journal of the European Communities*.

Done at Brussels, 3 May 1999.

For the Council

The President

J. FISCHER

COUNCIL DECISION

of 3 May 1999

on the establishment of a Financial Regulation governing the budgetary aspects of the management by the Secretary-General of the Council, of contracts concluded in his name, on behalf of certain Member States, relating to the installation and the functioning of the 'Help Desk Server' of the Management Unit and of the Sirene Network Phase II

(1999/323/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the first sentence of the second subparagraph of Article 2(1) of the Protocol annexed to the Treaty on European Union and to the Treaty establishing the European Community, integrating the Schengen acquis into the framework of the European Union,

- (1) Whereas the Secretary General of the Council was authorised by the Council Decision 1999/322/EC of 3 May 1999 to act, in the context of the integration of the Schengen acquis within the European Union, as representative of certain Member States for the purposes of concluding contracts relating to the installation and the functioning of the 'Help Desk Server' of the Management Unit and of the Sirene Network Phase II and to manage such contracts ⁽¹⁾;
- (2) Whereas the financial obligations arising under those contracts are not borne by the budget of the European Communities; whereas, therefore, the provisions of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities ⁽²⁾ do not apply;
- (3) Whereas it is therefore necessary to establish specific rules to define the detailed procedures for establishing and implementing the budget required to meet the obligations arising under those contracts, for recovering the contributions to be paid by the States concerned and for the presentation and auditing of the accounts,

HAS DECIDED AS FOLLOWS:

CHAPTER I

General principles

Article 1

For the purposes of this Financial Regulation, the 'budget' is the instrument which sets out forecasts of, and authorises in advance, for each financial year, the revenue and

expenditure required to meet the obligations arising under the contracts referred to in the Council Decision of 3 May 1999.

Article 2

This Financial Regulation lays down the detailed rules for the establishment and implementation of the budget.

Article 3

1. The budget shall be subdivided into titles according to the contracts to be managed. The title concerning the contract referred to in Article 1(1) of the Council Decision of 3 May 1999 shall be subdivided into chapters covering the installation budget and the operating budget for the Sirene Network Phase II respectively. If necessary, each chapter shall be subdivided into articles.

2. Appropriations opened under each title may not be assigned to other expenditure titles.

Article 4

1. All revenue and expenditure shall be entered in full in the budget and in the accounts without any adjustment against each other. Total revenue shall cover total expenditure.

2. The financial year shall run from 1 January to 31 December.

3. Any budget contributions by the States referred to in Article 21 paid before the beginning of the financial year which they concern shall be credited to the budget for that financial year.

⁽¹⁾ See page 49 of this Official Journal.

⁽²⁾ OJ L 356, 31.12.1977, p. 1.

4. The expenditure of a financial year shall be entered in the accounts for that year on the basis of expenditure for which the financial controller received authorisation no later than 31 December and for which the corresponding payments were made by the accounting officer before the following 15 January.

CHAPTER II

Establishment of the budget

Article 5

1. The budget shall be drawn up in euro.
2. The Secretary-General of the Council shall forward the preliminary draft budget to the Schengen Information System Working Group, hereafter referred to as the 'SIS Working Group', before 30 September and attach an explanatory memorandum.
3. The SIS Working Group shall deliver its opinion on that preliminary draft.
4. The Secretary-General shall establish the draft budget and forward it by 31 October to the States referred to in Article 21.
5. The Member States referred to in Article 21, meeting within the Council, shall adopt the budget before the end of the year.
6. The decision to adopt the budget, duly notified by the Secretary-General to the States referred to in Article 21, shall mark the point at which those States' contributions fall due.

Article 6

1. If the budget has not been finally adopted at the beginning of the financial year:
 - payments may be made for up to one twelfth each month of the total appropriations authorised for each budget title for the preceding financial year;
 - the contributions of the States referred to in Article 21 may be called up for up to one twelfth each month of the contributions paid under the last duly adopted budget.
2. Each decision to use an expenditure and revenue twelfth, up to a total of three twelfths of the amounts entered in the last duly adopted budget, shall be taken by the Secretary-General, who shall forward it by letter to the States referred to in Article 21.
3. Above the limit of three twelfths of the amounts entered in the last duly adopted budget, any decision to authorise payments and call up contributions shall be taken by the Member States referred to in Article 21, meeting within the Council.

4. Any measures taken pursuant to the preceding paragraphs shall be terminated immediately on final adoption of the budget.

Article 7

1. Any draft supplementary or amending budgets shall be submitted, examined and adopted in the same form and using the same procedure as the budget whose estimates they are amending.
2. An amending budget shall be submitted on an annual basis, in the month following the closure of the accounts as laid down in Article 25(1), with the aim of entering the balance of the budget outturn from the previous financial year as revenue in the case of a positive balance or expenditure if the balance is negative.

Article 8

The budget may be released to the public.

CHAPTER III

Implementation of the budget and accountancy

Article 9

The budget shall be implemented in accordance with the principle that the authorising officer and the accounting officer are different individuals. The duties of authorising officer, accounting officer and financial controller shall be mutually incompatible.

Article 10

1. The task of authorising officer for revenue and expenditure shall be carried out by a Director-General at the General Secretariat of the Council. The authorising officer shall implement the budget on behalf of the Secretary-General and within the limits of the appropriations allotted he may delegate his powers to a Director.
2. The authorising officer may decide on transfers between articles within each chapter. With the agreement of the SIS Working Group, he may decide on transfers between chapters within the same title. The SIS Working Group shall give its agreement under the same conditions as for adopting its opinion on the budget.

Article 11

The task of financial controller shall be carried out by the Council's Financial Controller in accordance with the rules applicable to the latter's duties.

Article 12

The receipt of revenue and the disbursement of expenditure shall be carried out by an accounting officer from Directorate-General A at the General Secretariat of the Council.

Article 13

1. For the collection of any amount owing pursuant to Article 21, the issue of a recovery order by the authorising officer shall be required. Recovery orders shall be forwarded to the accounting officer, who shall submit them to the financial controller for approval.

2. The purpose of this approval shall be to establish that:

- the revenue has been booked to the correct budget item,
- the recovery order is in order and conforms to the relevant provisions,
- the supporting documents are in order,
- the competent authority of the debtor State is correctly described,
- the due date is indicated,
- the amount and currency are correct.

3. The accounting officer shall assume responsibility for the recovery orders duly drawn up.

Article 14

1. Any measure likely to involve expenditure against the budget must first be the subject of a proposal for a commitment of expenditure from the authorising officer to the accounting officer, showing the purpose, the amount involved, the budget item to which the expenditure is to be charged and the creditor. The proposal shall be submitted by the accounting officer to the financial controller for approval.

2. The purpose of this approval shall be to establish that:

- the proposal for commitment has been presented in accordance with paragraph 1,
- the expenditure has been changed to the correct budget item,
- the appropriations are available in the budget,
- the expenditure is in order and conforms to the relevant provisions.

Article 15

1. The purpose of validation of expenditure by the authorising officer shall be to:

- verify the creditor's claim,
- determine or verify the existence and the amount of the sum due,
- verify the conditions under which the payment falls due,
- verify that purchases or services rendered are as ordered.

2. The authorising officer may have the verifications carried out under his responsibility.

Article 16

1. The authorising officer shall authorise the accounting officer, by the issue of a payment order (authorisation), to pay an item of expenditure which has been validated.

2. The authorisation shall state:

- the financial year against which the payment shall be charged,
- the budget title, chapter and article,
- the amount to be paid, in figures and in words, and the currency of payment,
- the name and address of the creditor,
- the purpose of the expenditure,
- the method of payment,
- the numbers and dates of the relevant approvals of commitment.

3. The payment order shall be dated and signed by the authorising officer.

4. The accounting officer shall submit the payment order, together with the original supporting documents, to the financial controller for approval.

5. The purpose of this approval shall be to establish that:

- the payment order was properly issued,
- the payment order agrees with the commitment of expenditure and the amount thereof is correct,
- the expenditure is charged to the correct item in the budget,
- the appropriations are available in the budget title or article concerned,
- the supporting documents are in order, and
- the creditor is correctly named and described.

6. Any expenditure must be covered beforehand by contributions from the States referred to in Article 21 or, failing those, by a bank loan. The costs of a pre-financing loan in the event of non-payment of contributions shall be divided among the States in default, pro rata to their unpaid contributions and taking into account the length of arrears.

Article 17

Payments shall be effected through a bank account specifically opened for that purpose in the name of the General Secretariat of the Council. Bank transfer orders shall require the joint signature of two officials nominated by the Secretary-General, of whom one shall be the accounting officer.

Article 18

Should the financial controller refuse to give the approval laid down in Articles 13, 14 or 16 and the authorising officer maintain his proposal, the matter shall be referred to the Secretary-General. Except in cases where the availability of appropriations is in doubt, the Secretary-General may, in a duly reasoned decision, overrule the refusal and confirm the recovery order, expenditure commitment or payment order. The Secretary-General shall within one month inform the Court of Auditors of any such decision. The decision shall be enforceable as from the date approval was refused.

Article 19

The liability to disciplinary action of the authorising officer, financial controller, and accounting officer in the event of failure to comply with the provisions of this Financial Regulation shall be as laid down in the Staff Regulations of Officials of the European Communities.

Article 20

The accounts shall be kept by the double-entry method on the basis of the calendar year. They shall show all revenue and expenditure for the financial year.

CHAPTER IV

States' contributions*Article 21*

1. Budget revenue shall consist of financial contributions from the following Member States: Belgium, Denmark, Germany, Greece, Spain, France, Italy, Luxembourg, the Netherlands, Austria, Portugal, Finland, and Sweden, as well as Iceland and Norway.

2. These States' financial contributions shall be laid down in the budget and expressed in euro.

Article 22

The States referred to in Article 21 shall supply their financial contributions to the Secretary-General in accordance with the following formula:

The scale of contributions to be paid by the Member States referred to in Article 21, on the one hand, and by Iceland and Norway ('the other States'), on the other hand, shall be calculated annually on the basis of the share of each Member State concerned and of the other States in the total gross domestic product (GDP) for the preceding year of all the States referred to in Article 21. The scale of contributions by the Member States

concerned shall be calculated annually, taking into account the other States' contributions, on the basis of the ratio of the VAT resources paid by each of those Member States to the total VAT resources of the European Communities, as established in the last amendment of the budget of the Communities during the preceding financial year.

Article 23

1. The Secretary-General shall forward requests for contributions to each State referred to in Article 21 by letter through the national administrations whose details have been notified to him.

2. The letter concerned shall contain the following information:

- the decision to adopt the budget or, in the event of Article 6 being invoked, the decision to call up contributions by provisional twelfths,
- the amount to be paid by each State, calculated in euro in accordance with the scale referred to in Article 22,
- the details necessary for paying the contribution.

3. Contributions shall be paid into the bank account referred to in Article 17.

4. They shall be payable in euro.

Article 24

1. The States referred to in Article 21 shall be required to pay 25 % of their contribution by 15 February, 1 April, 1 July and 1 October at the latest.

2. Should a State have defaulted on its financial obligations, the existing Community rules on interest chargeable in the event of late payment of contributions to the Community budget shall apply by analogy.

CHAPTER V

Presenting and auditing the accounts*Article 25*

1. The Secretary-General shall, within two months from the end of the budget implementation period, draw up a revenue and expenditure account and a balance sheet and transmit them to the SIS Working Group.

2. The revenue and expenditure account shall cover all revenue and expenditure transactions relating to the preceding financial year. It shall be submitted in the same form and following the same subdivisions as the budget.

3. The following shall be attached to the account:
- a statement showing the situation of each of the States referred to in Article 21 as regards payment of its financial contribution, and
 - an appropriation transfer statement.
4. The balance sheet shall show the budget assets and liabilities as at 31 December of the preceding financial year.

Article 26

1. The Court of Auditors shall be asked to audit the accounts.
2. The Secretary-General shall forward the revenue and expenditure account and the balance sheet to the Court of Auditors within 15 days following the period laid down in Article 25(1).
3. The purpose of the audit by the Court of Auditors shall be to establish that all revenue has been received and all expenditure incurred in a lawful and regular manner in accordance with the contracts to be managed, the budget and this Financial Regulation.
4. The Secretary-General shall provide the Court of Auditors with every facility it may consider necessary in order to carry out its task.

Article 27

The revenue and expenditure account, balance sheet and report by the Court of Auditors, accompanied where appropriate by the Secretary-General's comments, shall be submitted by 1 July to the States referred to in Article 21. The Member States referred to in Article 21, meeting within the Council, shall give a discharge to the Secretary-General in respect of the budget's implementation.

CHAPTER VI

Final provisions

Article 28

The introduction of the provisions of the Schengen *acquis* concerning the Schengen Information System for a State other than those referred to in Article 21, hereafter referred to as 'other State' shall entail:

- readjustment of the share of contributions of the States referred to in Article 21 as laid down in Article 22,
- adjustment of the contributions of the States referred to in Article 21 in order to establish the contribution payable by the other State to the operation of Sirene Stage II for the whole of the current financial year,
- adjustment of the contributions of the States referred to in Article 21 in order to establish the proportion of earlier Sirene Stage II installation costs to be borne by the other State. This percentage shall be calculated on the basis of the ratio of the VAT resources paid by the other State to the total VAT resources of the European Communities for the earlier financial years in which the necessary Sirene Stage II installation costs have been incurred. The percentage contribution shall be the subject of a 'credit note' to the States referred to in Article 21 for an amount pro rata to their share as calculated in accordance with Article 22. The other States may choose to allocate the amount concerned towards their share of the operating budget or request reimbursement.

Article 29

This Financial Regulation shall apply *mutatis mutandis* to the implementation of the revenue and expenditure required to meet the obligations arising under the contracts referred to in Article 1 of the Council Decision of 3 May 1999 for the remaining period of the financial year in which this Regulation enters into force.

Article 30

1. This Financial Regulation shall take effect immediately.
2. It shall be published in the *Official Journal of the European Communities*.

Done at Brussels, 3 May 1999.

For the Council

The President

J. FISCHER

DECISION No 3/1999 OF THE ASSOCIATION COUNCIL
between the European Communities and their Member States, of the one part, and
Bulgaria, of the other part
of 22 April 1999
extending the double-checking system established by Decision No 3/97 of the Association Council for the period 1 January to 31 December 1999

(1999/324/EC)

THE ASSOCIATION COUNCIL,

Whereas the Contact Group referred to in Article 11 of Protocol 2 to the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and Bulgaria, of the other part, which entered into force on 1 February 1995, met on 11 September 1998 and agreed to recommend to the Association Council established under Article 105 of the Agreement that the double-checking system introduced in 1998 by Association Council Decision No 3/97 should be extended for the period between 1 January and 31 December 1999;

Whereas the Association Council, having been supplied with all relevant information, has agreed with this recommendation,

HAS DECIDED AS FOLLOWS:

Article 1

The double-checking system established by Association Council Decision No 3/97 for the period 1 January to 31 December 1998 shall continue to apply for the period between 1 January and 31 December 1999. In the preamble and Article 1(1) and (3) of the Decision, references to the period 1 January to 31 December 1998 shall be replaced by references to 1 January to 31 December 1999.

Article 2

This Decision shall enter into force on the date of its adoption.

It shall apply with effect from 1 January 1999.

Done at Brussels, 22 April 1999.

For the Association Council

The President

J. FISCHER

COUNCIL DECISION
of 10 May 1999
providing macro-financial assistance to Bosnia and Herzegovina

(1999/325/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 308 thereof,

Having regard to the proposal of the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

(1) Whereas the Commission consulted the Monetary Committee before submitting its proposal;

(2) Whereas Bosnia and Herzegovina is undertaking fundamental institutional and political reforms to establish common institutions and policies; whereas Bosnia and Herzegovina is making substantial efforts to promote economic reform and establish an open market economy, which is essential order to create jobs, improve living conditions for the people and allow the return of refugees and displaced persons;

(3) Whereas within the Regional Approach defined by the Council, it is desirable to support efforts made to ensure a stable political and economic environment in Bosnia and Herzegovina, with a view to evolving towards the development of a relationship of full cooperation with the Community;

(4) Whereas financial assistance of an exceptional nature from the Community should be instrumental in supporting the implementation of common institutions and policies in Bosnia and Herzegovina consistent with the Dayton peace agreement, while strengthening mutual confidence and bringing Bosnia and Herzegovina closer to the Community;

(5) Whereas Bosnia and Herzegovina has agreed with the International Monetary Fund (IMF) on a comprehensive set of economic and institutional policy reform measures to be supported by a 12-month upper credit tranche Stand-By Arrangement (SBA); whereas the SBA will be followed or replaced by an Enhanced Structural Adjustment Facility (ESAF);

(6) Whereas Bosnia and Herzegovina has agreed with the World Bank on a set of structural adjustment measures to be backed by two highly concessional structural adjustment loans and credits in the areas of public finance reform, and enterprise and banking privatisation;

(7) Whereas the authorities of Bosnia and Herzegovina have requested financial assistance from the international financial institutions, the Community, and other bilateral donors; whereas, over and above the estimated financing which could be provided by the IMF and the World Bank, an important residual financing gap remains to be covered in the coming months in order to strengthen the country's reserve position and support the policy objectives attached to the authorities' reform effort;

(8) Whereas at the fourth Donors' Pledging Conference on Bosnia and Herzegovina on 7 and 8 May 1998, the international community welcomed the agreements reached with the Bretton Woods institutions and decided to support strongly the economic reform and reconstruction programmes of Bosnia and Herzegovina in the form of firm financial pledges;

(9) Whereas the authorities of Bosnia and Herzegovina have committed themselves to discharge fully all outstanding financial obligations of all public entities of Bosnia and Herzegovina towards the European Community and the European Investment Bank, and to accept the responsibility by way of guarantee of those obligations that are not yet due;

(10) Whereas the present exceptional Community macro-financial assistance to Bosnia and Herzegovina aims to help ease the country's external financial constraints, supporting the balance of payments and strengthening the reserve position;

(11) Whereas Bosnia and Herzegovina being a low-income country eligible for highly concessional loans and facilities from the World Bank and the IMF, this macro-financial assistance requires substantial elements of concessionality;

⁽¹⁾ OJ C 396, 19.12.1998, p. 16.

⁽²⁾ Opinion delivered on 12 March 1999 (not yet published in the Official Journal).

- (12) Whereas the strengthening of Bosnia and Herzegovina's common institutions and the reform of its economic system are two of the priorities identified by the Peace Implementation Conference held in Madrid in December 1998;
- (13) Whereas the statement by the European Union on Bosnia and Herzegovina of 8 June 1998 recognises that the future of the country lies with Europe;
- (14) Whereas the inclusion of a grant component in this assistance is without prejudice to the powers of the budgetary authority;
- (15) Whereas this assistance should be managed by the Commission;
- (16) Whereas the Treaty does not provide, for the adoption of this Decision, powers other than those of Article 308,

HAS DECIDED AS FOLLOWS:

Article 1

1. The Community shall make available to Bosnia and Herzegovina an exceptional macro-financial assistance in the form of a long-term loan and a straight grant with a view to ensuring a sustainable balance-of-payments situation and strengthening the country's reserve position.
2. The loan component of this assistance shall amount to a maximum principal of EUR 20 million with a grace period of 10 years and a maximum maturity of 15 years. To this end, the Commission is empowered to borrow, on behalf of the European Community, the necessary resources that will be placed at the disposal of Bosnia and Herzegovina in the form of a loan.
3. The grant component of this assistance shall amount to a maximum of EUR 40 million of the 1999 to 2000 period.
4. The Community financial assistance shall be managed by the Commission in close consultation with the Economic and Financial Committee and in a manner consistent with any agreement reached between the IMF and Bosnia and Herzegovina.
5. The implementation of this assistance is conditional upon clearance in full by Bosnia and Herzegovina of outstanding due financial obligations of all public entities towards the Community and the European Investment Bank and upon the acceptance by Bosnia and Herzegovina of responsibility by way of guarantee of those obligations that are not yet due.

Article 2

1. The Commission is empowered to agree with the authorities of Bosnia and Herzegovina, after consultation with the Economic and Financial Committee, the

economic and institutional policy conditions attached to the Community macro-financial assistance. These conditions shall be consistent with the agreement referred to in Article 1(4).

2. The Commission shall verify at regular intervals, in collaboration with the Economic and Financial Committee and in coordination with the IMF, that the economic and institutional policy in Bosnia and Herzegovina is in accordance with the objectives of this macro-financial assistance and that its conditions are being fulfilled.

Article 3

1. The loan and grant components of this assistance shall be made available to Bosnia and Herzegovina in at least two successive tranches. Subject to the provisions of Article 2, the first tranche shall be released on the basis of a successful completion of the first review of the 12-month SBA between the IMF and Bosnia and Herzegovina, subject to the provisions of Article 1(5).
2. Subject to the provisions of Article 2, the second tranche shall be released on the basis of a satisfactory track record in the implementation of the SBA with the IMF and not before three months after the release of the first tranche.
3. The funds shall be paid to the Central Bank of Bosnia and Herzegovina.

Article 4

1. The borrowing and lending operations referred to in Article 1(2) shall be carried out using the same value date and must not involve the Community in the transformation of maturities, in any exchange or interest rate risks, or in any other commercial risk.
2. The Commission shall take the necessary steps, if Bosnia and Herzegovina so requests, to ensure that an early repayment clause is included in the loan terms and conditions and that it may be exercised.
3. At the request of Bosnia and Herzegovina, and where circumstances permit an improvement in the interest rate on the loan, the Commission may refinance all or part of its initial borrowings or restructure the corresponding financial conditions. Refinancing or restructuring operations shall be carried out in accordance with the conditions set out in paragraph 1 and shall not have the effect of extending the average maturity of the borrowing concerned or increasing the amount, expressed at the current exchange rate, of capital outstanding at the date of the refinancing or restructuring.

4. All related costs incurred by the Community in concluding and carrying out the operation under this Decision shall be borne by Bosnia and Herzegovina.
5. The Economic and Financial Committee shall be kept informed of developments in the operations referred to in paragraph 2 and 3 at least once a year.

Article 5

At least once a year the Commission shall address to the European Parliament and to the Council a report, which will include an evaluation of the implementation of this Decision.

Done at Brussels, 10 May 1999.

For the Council

The President

H. EICHEL

EUROPEAN ECONOMIC AREA

THE EEA JOINT COMMITTEE

DECISION OF THE EEA JOINT COMMITTEE
No 66/98
of 4 July 1998
amending Annex VI (Social security) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as adjusted by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas Annex VI to the Agreement was amended by Decision of the EEA Joint Committee No 24/98 of 27 March 1998 ⁽¹⁾;

Whereas Council Regulation (EC) No 118/97 of 2 December 1996 amending and updating Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community and Regulation (EEC) No 574/72 laying down the procedure for implementing Regulation (EEC) No 1408/71 ⁽²⁾ is to be incorporated into the Agreement;

Whereas several adaptations to Council Regulation (EEC) No 1408/71 and to Council Regulation (EEC) No 574/72 are to be updated,

HAS DECIDED AS FOLLOWS:

Article 1

Point 1 (Council Regulation (EEC) No 1408/71) of Annex VI to the Agreement shall be amended as follows:

1. All the indents before the adaptations including the words 'as updated by:' and 'and subsequently amended by:' shall be replaced by following:
'as amended and updated by:
— **397 R 0118:** Council Regulation (EC) No 118/97 of 2 December 1996 (OJ L 28, 30.1.1997, p. 1).'
2. The texts of adaptations (c) and (g) shall be deleted.
3. In adaptation (m), heading 'Q. LIECHTENSTEIN', letter (a) shall be deleted and letters (b), (c), (d) and (e) shall become letters (a), (b), (c) and (d) respectively.

⁽¹⁾ OJ L 310, 19.11.1998, p. 4.

⁽²⁾ OJ L 28, 30.1.1997, p. 1.

4. In adaptation (n), heading '116. ICELAND — AUSTRIA', the words 'No convention.' shall be replaced by 'None.'
5. In adaptation (o), heading '116. ICELAND — AUSTRIA', the words 'No convention.' shall be replaced by 'Article 4 of the Convention on social security of 18 November 1993.'

Article 2

Point 2 (Council Regulation (EEC) No 574/72) of Annex VI to the Agreement shall be amended as follows:

1. All the indents before the adaptations including the words 'as updated by:' and 'and subsequently amended by:' shall be replaced by the following:
'as updated by:
— **397 R 0118:** Council Regulation (EC) No 118/97 of 2 December 1996 (OJ L 28, 30.1.1997, p. 1).'
2. In adaptation (g), heading '149. NORWAY — AUSTRIA', the word 'None.' shall be replaced by 'Arrangement of 17 December 1996 concerning reimbursement of the costs of benefits in the field of social security.'

Article 3

The texts of Council Regulation (EC) No 118/97 in the Icelandic and Norwegian languages, which are annexed to the respective language versions of this Decision, are authentic.

Article 4

This Decision shall enter into force on 5 July 1998, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee.

Article 5

This Decision shall be published in the EEA section of, and in the EEA supplement to the *Official Journal of the European Communities*.

Done at Brussels, 4 July 1998.

For the EEA Joint Committee
The President
F. BARBASO

DECISION OF THE EEA JOINT COMMITTEE

No 67/98

of 4 July 1998

amending Annex VI (Social security) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as adjusted by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement' and in particular Article 98 thereof,

Whereas Annex VI to the Agreement was amended by Decision of the EEA Joint Committee No 24/98 of 27 March 1998 ⁽¹⁾;

Whereas Council Regulation (EC) No 1290/97 of 27 June 1997 amending Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community and Regulation (EEC) No 574/72 laying down the procedure for implementing Regulation (EEC) No 1408/71 ⁽²⁾ is to be incorporated into the Agreement;

Whereas several adaptations to Council Regulation (EEC) No 574/72 are to be updated,

HAS DECIDED AS FOLLOWS:

Article 1

In point 1 (Council Regulation (EEC) No 1408/71) of Annex VI to the Agreement, the following shall be added before the adaptations:

‘and subsequently amended by:

— **397 R 1290:** Council Regulation (EC) No 1290/97 of 27 June 1997 (OJ L 176, 4.7.1997, p. 1).’

Article 2

Point 2 (Council Regulation (EEC) No 574/72) of Annex VI to the Agreement shall be amended as follows:

1. The following shall be added before the adaptations:

‘and subsequently amended by:

— **397 R 1290:** Council Regulation (EC) No 1290/97 of 27 June 1997 (OJ L 176, 4.7.1997, p. 1).’

2. The text of adaptation (g), heading ‘153. NORWAY-UNITED KINGDOM’, shall be replaced by the following:

‘The exchange of letters of 20 March 1997 and 3 April 1997 concerning Articles 36(3) and 63(3) of the Regulation (reimbursement or waiving of reimbursement of the costs of benefits in kind), and Article 105 of the implementing Regulation (waiving of the costs of administrative checks and medical examinations).’

⁽¹⁾ OJ L 310, 19.11.1998, p. 4.

⁽²⁾ OJ L 176, 4.7.1997, p. 1.

3. The text of adaptation (m), heading 'P. ICELAND', shall be replaced by the following:
- '1. For the purpose of applying Articles 13(2)(d), 14(1)(a), 14(2)(b), 14a(1)(a), 14a(2), 14a(4), 14b(1), 14b(2), 14b(4) and 14c(a) of the Regulation and Articles 11, 11a, 12a(2)(a), 12a(5)(c) and 12a(7)(a) of the implementing Regulation:

Alþjóðadeild Tryggingastofnunar ríkisins (International Division of the State Social Security Institute), Reykjavik.
 2. For the purpose of applying Article 17 of the Regulation:

Heilbrigðis- og tryggingamálaráðuneytið (the Ministry of Health and Social Security), Reykjavik.
 3. For the purpose of applying Chapters 1, 2, 3, 4, 5 and 8 of Title III of the Regulation and the provisions linked to these provisions in the implementing Regulation:

Tryggingastofnun ríkisins (the State Social Security Institute), Reykjavik.
 4. For the purpose of applying Chapter 6 of Title III of the Regulation and the provisions linked to these provisions in the implementing Regulation:

Atvinnuleysistryggingasjóður, vinnumálaskriftstofan (the Unemployment Insurance Fund), Reykjavik.
 5. For the purpose of applying Chapter 7 of Title III of the Regulation and the provisions linked to these provisions in the implementing Regulation:

Ríkisskattstjóri (the Directorate of Internal Revenue), Reykjavik.'

Article 3

The texts of Council Regulation (EC) No 1290/97 in the Icelandic and Norwegian languages, which are annexed to the respective language versions of this Decision, are authentic.

Article 4

This Decision shall enter into force on 5 July 1998, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee.

Article 5

This Decision shall be published in the EEA section of, and in the EEA supplement to, the *Official Journal of the European Communities*.

Done at Brussels, 4 July 1998.

For the EEA Joint Committee

The President

F. BARBASO

DECISION OF THE EEA JOINT COMMITTEE

No 68/98

of 4 July 1998

amending Annex VI (Social security) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as adjusted by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas Annex VI to the Agreement was amended by Decision of the EEA Joint Committee No 24/98 of 27 March 1998⁽¹⁾;

Whereas Decision No 165 of 30 June 1997 on the forms necessary for the application of Council Regulations (EEC) No 1408/71 and (EEC) No 574/72 (E 128 and E 128B)⁽²⁾, adopted by the Administrative Commission of the European Communities on Social Security for Migrant Workers, is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following point shall be inserted after point 3.48 (Decision No 164) in Annex VI to the Agreement:

'3.49 **397 D 0823:** Decision No 165 of 30 June 1997 on the forms necessary for the application of Council Regulations (EEC) No 1408/71 and (EEC) No 574/72 (E 128 and E 128B) (OJ L 341, 12.12.1997, p. 61).'

Article 2

The texts of Decision No 165 in the Icelandic and Norwegian languages, which are annexed to the respective language versions of this Decision, are authentic.

Article 3

This Decision shall enter into force on 5 July 1998, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee.

Article 4

This Decision shall be published in the EEA section of, and in the EEA supplement to, the *Official Journal of the European Communities*.

Done at Brussels, 4 July 1998.

For the EEA Joint Committee

The President

F. BARBASO

⁽¹⁾ OJ L 310, 19.11.1998, p. 4.

⁽²⁾ OJ L 341, 12.12.1997, p. 61.