

Official Journal

of the European Union

ISSN 1725-2555

L 79

Volume 46

26 March 2003

English edition

Legislation

Contents

I Acts whose publication is obligatory

Commission Regulation (EC) No 530/2003 of 25 March 2003 establishing the standard import values for determining the entry price of certain fruit and vegetables 1

- ★ **Commission Regulation (EC) No 531/2003 of 25 March 2003 amending Regulation (EC) No 2375/2002 opening and providing for the administration of a Community tariff quota for common wheat of a quality other than high quality from third countries and derogating from Council Regulation (EC) No 1766/92 3**

Commission Regulation (EC) No 532/2003 of 25 March 2003 amending Regulation (EC) No 501/2003 providing for a further allocation of import rights under Regulation (EC) No 1126/2002 for young male bovine animals for fattening 5

- ★ **Commission Directive 2003/19/EC of 21 March 2003 amending, for the purposes of adapting to technical progress, Directive 97/27/EC of the European Parliament and of the Council relating to the masses and dimensions of certain categories of motor vehicles and their trailers ⁽¹⁾ 6**

II Acts whose publication is not obligatory

Council

2003/208/EC:

- ★ **Decision No 1/2003 of the EU-Morocco Association Council of 24 February 2003 setting up subcommittees of the Association Committee 14**

Commission

2003/209/EC:

- ★ **Commission Decision of 25 March 2003 setting up a consultative group, to be known as the 'Experts Group on Trafficking in Human Beings' 25**

1

⁽¹⁾ Text with EEA relevance

EN

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other acts are printed in bold type and preceded by an asterisk.

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 530/2003
of 25 March 2003
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 1947/2002 ⁽²⁾, and in particular Article 4(1) thereof,

Whereas:

- (1) 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.

- (2) 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 26 March 2003.

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

Done at Brussels, 25 March 2003.

For the Commission
J. M. SILVA RODRÍGUEZ
Agriculture Director-General

⁽¹⁾ OJ L 337, 24.12.1994, p. 66.

⁽²⁾ OJ L 299, 1.11.2002, p. 17.

ANNEX

to the Commission Regulation of 25 March 2003 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	104,5
	204	54,9
	212	123,3
	624	101,8
	999	96,1
0707 00 05	052	116,6
	096	84,2
	204	74,2
	999	91,7
0709 10 00	220	190,1
	999	190,1
0709 90 70	052	140,6
	204	156,4
	999	148,5
0805 10 10, 0805 10 30, 0805 10 50	052	81,6
	204	49,4
	212	55,9
	220	43,7
	600	62,0
	624	70,7
	999	60,6
0808 10 20, 0808 10 50, 0808 10 90	388	95,5
	400	96,8
	404	52,2
	508	83,5
	512	79,5
	524	73,2
	528	79,7
	720	81,2
	728	96,2
	999	82,0
0808 20 50	388	71,3
	512	57,3
	528	60,0
	720	43,5
	999	58,0

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 2020/2001 (OJ L 273, 16.10.2001, p. 6). Code '999' stands for 'of other origin'.

**COMMISSION REGULATION (EC) No 531/2003
of 25 March 2003**

**amending Regulation (EC) No 2375/2002 opening and providing for the administration of a
Community tariff quota for common wheat of a quality other than high quality from third coun-
tries and derogating from Council Regulation (EC) No 1766/92**

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 Regulation (EC) No 1666/2000 ⁽²⁾, and in particular Article 12(1) thereof,

Having regard to the Council Decision of 19 December 2002 concerning the conclusion of an agreement in the form of an Exchange of Letters between the European Community and the United States of America, with a view to the modification of concessions with respect to cereals provided for in schedule CXL annexed to the General Agreement on Tariffs and Trade (GATT) ⁽³⁾, and in particular Article 2 thereof,

Having regard to the Council Decision of 19 December 2002 concerning the conclusion of an agreement in the form of an Exchange of Letters between the European Community and Canada pursuant to Article XXVIII of the General Agreement on Tariffs and Trade (GATT), with a view to the modification of concessions with respect to cereals provided for in EC schedule CXL annexed to the GATT ⁽⁴⁾, and in particular Article 2 thereof,

Whereas:

- (1) Commission Regulation (EC) No 2375/2002 ⁽⁵⁾ opens a tariff quota for the import of 2 981 600 tonnes of low and medium quality common wheat from third countries, including 572 000 tonnes for imports originating in the United States of America and 38 000 tonnes for imports originating in Canada. The implementation of the tariff quota gave rise to a number of practical difficulties.
- (2) In the first week of bidding for imports under subquota III, which covers all third countries except the United States of America and Canada, there was substantial oversubscription, leading to the exhaustion of the subquotas until the subsequent quarter, due to open on 1 April 2003. It is important to take measures to reduce oversubscription, namely by harmonising the dates of application in all Member States in national holidays, and by reducing the period of validity of import licences.
- (3) The provisions relating to certificates of origin, namely the ones concerning administrative cooperation with exporting authorities, have proven to be difficult to

apply taking into account the potential number of exporting countries concerned. These provisions have to be amended retroactively, in order to avoid discrimination between operators.

- (4) Regulation (EC) No 2375/2002 should therefore be amended accordingly.
- (5) 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

Regulation (EC) No 2375/2002 is amended as follows:

1. In Article 5(2), the first subparagraph is replaced by the following:
'No later than 18.00 hours Brussels time on the day of lodging of licence applications, the competent authorities shall forward to the Commission by fax a notification in accordance with the model annexed hereto, and the total quantity resulting from the sum of all quantities indicated on the import licence applications.'
2. Article 6 is deleted.
3. Article 9 is amended as follows:
 - (a) point (a) is replaced by the following:
'(a) in section 8, the country of origin of the product and the "yes" box shall be marked with a cross;'
 - (b) the following subparagraph is added:
'Licences shall be valid only for the products originating in the country indicated in section 8.'
4. Article 11 is replaced by the following:

'Article 11

In the framework of the tariff quota, the release into free circulation in the Community of common wheat of a quality other than high quality originating in a third country shall be conditional upon production of a certificate of origin issued by the competent national authorities of that country, in accordance with Article 47 of Commission Regulation (EEC) No 2454/93 (*).

(*) OJ L 253, 11.10.1993, p. 1.'

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ Not yet published in the Official Journal.

⁽⁴⁾ Not yet published in the Official Journal.

⁽⁵⁾ OJ L 358, 31.12.2002, p. 88.

Article 2

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

It shall apply from 1 April 2003 with the exception of Article 1(4), which shall apply from 1 January 2003.

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

Done at Brussels, 25 March 2003.

For the Commission
Franz FISCHLER
Member of the Commission

COMMISSION REGULATION (EC) No 532/2003
of 25 March 2003
amending Regulation (EC) No 501/2003 providing for a further allocation of import rights under
Regulation (EC) No 1126/2002 for young male bovine animals for fattening

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1126/2002 of 27 June 2002 opening and providing for the administration of an import tariff quota for young male bovine animals for fattening (1 July 2002 to 30 June 2003) ⁽¹⁾, and in particular Article 9(3) thereof,

Whereas:

As a result of an administrative error made by a competent national body when notifying the quantity referred to in Article 9(1) of Regulation (EC) No 1126/2002, Commission Regulation (EC) No 501/2003 ⁽²⁾ should be amended accordingly,

Article 1

Article 1 of Regulation (EC) No 501/2003 is replaced by the following:

‘The number of animals referred to in Article 9(1) of Regulation (EC) No 1126/2002 is 4 595.’

Article 2

This Regulation shall enter into force on 27 March 2003.

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

Done at Brussels, 25 March 2003.

For the Commission

J. M. SILVA RODRÍGUEZ

Agriculture Director-General

⁽¹⁾ OJ L 169, 28.6.2002, p. 10.

⁽²⁾ OJ L 74, 20.3.2003, p. 21.

COMMISSION DIRECTIVE 2003/19/EC
of 21 March 2003

amending, for the purposes of adapting to technical progress, Directive 97/27/EC of the European Parliament and of the Council relating to the masses and dimensions of certain categories of motor vehicles and their trailers

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DIRECTIVE:

Having regard to the Treaty establishing the European Community,

Article 1

Having regard to Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers ⁽¹⁾, as last amended by Commission Directive 2001/116/EC ⁽²⁾, and in particular Article 13(2) thereof,

Annexes I to IV to Directive 97/27/EC are amended in accordance with the Annex to this Directive.

Article 2

Whereas:

- (1) Directive 97/27/EC of the European Parliament and of the Council of 22 July 1997 relating to the masses and dimensions of certain categories of motor vehicles and their trailers and amending Directive 70/156/EEC ⁽³⁾, as amended by Directive 2001/85/EC ⁽⁴⁾, is one of the separate Directives under the EC type-approval procedure established by Directive 70/156/EEC. The provisions of Directive 70/156/EEC relating to vehicle systems, components and separate technical units therefore apply to Directive 97/27/EC.
- (2) In the light of experience gained with the application of Directive 97/27/EC, it is necessary to amend and to specify more precisely certain provisions contained therein in order to ensure uniform interpretation in all Member States.
- (3) Council Directive 96/53/EC of 25 July 1996 laying down for certain road vehicles circulating within the Community the maximum authorised dimensions in national and international traffic and the maximum authorised weights in international traffic ⁽⁵⁾, as amended by Directive 2002/7/EC of the European Parliament and of the Council ⁽⁶⁾, increases the authorised dimensions of certain motor vehicles and in particular the maximum length of buses and coaches. In order to allow the EC type-approval of vehicles reaching the maximum authorised length it is necessary to amend the requirements of Directive 97/27/EC accordingly.
- (4) The measures provided for in this Directive are in accordance with the opinion of the Committee for Adaptation to Technical Progress established by Directive 70/156/EEC,

1. With effect from 1 October 2003, in the case of vehicles which comply with the requirements of Directive 97/27/EC, as amended by this Directive, Member States shall not, on grounds relating to the masses and dimensions:

- (a) refuse, in respect of a type of motor vehicle of category M₂, M₃, N or O, to grant EC type-approval or national type-approval; or
- (b) refuse, in respect of a type of motor vehicle of category M₂, M₃, N or O, to assign registration/in-service masses in accordance with Annex IV (where required); or
- (c) prohibit the registration, sale or entry into service of such vehicles.

2. With effect from 1 October 2004, Member States shall not grant EC type-approval, and may refuse to grant national type-approval, for a type of vehicle of category M₂, M₃, N or O on grounds relating to its masses and dimensions, if the requirements of Directive 97/27/EC, as amended by this Directive, are not fulfilled.

Article 3

This Directive shall not invalidate any approvals granted pursuant to Directive 97/27/EC, nor prevent the extension of such approvals in accordance with the Directive under which they were granted.

Article 4

The United Kingdom and Portugal may, within their territory until 9 March 2005, refuse to grant national type-approval of a vehicle type, or refuse or prohibit the sale, registration, entry into service or use of a vehicle, or consider its certificate of conformity as not valid within the meaning of Article 7(1) of Directive 70/156/EEC if the vehicle does not comply with the manoeuvrability criteria specified in Article 8(a) of Directive 96/53/EC.

⁽¹⁾ OJ L 42, 23.2.1970, p. 1.

⁽²⁾ OJ L 18, 21.1.2002, p. 1.

⁽³⁾ OJ L 233, 25.8.1997, p. 1.

⁽⁴⁾ OJ L 42, 13.2.2002, p. 1.

⁽⁵⁾ OJ L 235, 17.9.1996, p. 59.

⁽⁶⁾ OJ L 67, 9.3.2002, p. 47.

Article 5

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 30 September 2003 at the latest. They shall forthwith inform the Commission thereof.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such reference on the occasion of their official publication. Member States shall determine how such reference is made.

2. Member States shall communicate to the Commission the texts of the main provisions of national law which they adopt in the field governed by this Directive.

Article 6

This Directive shall enter into force on the 20th day following that of its publication in the *Official Journal of the European Union*.

Article 7

This Directive is addressed to the Member States.

Done at Brussels, 21 March 2003.

For the Commission

Erkki LIIKANEN

Member of the Commission

ANNEX

ANNEXES I TO IV TO DIRECTIVE 97/27/EC ARE AMENDED AS FOLLOWS:

A. Annex I is amended as follows:

1. Under the heading in section 2, the following is inserted:
'The definitions as laid down in Annex I (including the footnotes) and in Annex II to Directive 70/156/EEC shall apply to this Directive.'
2. Section 2.4.1 is amended as follows:
 - (a) the sixth and seventh indents are replaced by the following:
'— mirrors and other devices for indirect vision,
— watching aids,'
 - (b) the tenth, eleventh and twelfth indents are replaced by the following:
'— access steps and hand-holds,
— ram rubbers and similar equipment,
— lifting platforms, access ramps and similar equipment in running order, not exceeding 300 mm, provided that the loading capacity of the vehicle is not increased,'
 - (c) the following fourteenth and fifteenth indents are added:
'— trolley booms of electrically-propelled vehicles,
— external sun visors.'
3. Section 2.4.2 is amended as follows:
 - (a) the seventh indent is replaced by the following:
'— mirrors and other devices for indirect vision,'
 - (b) the following eleventh and twelfth indents are added:
'— watching aids;
— retractable lateral guidance devices on buses and coaches intended for use on guided bus systems, if not retracted.'
4. In section 2.4.3, the second indent is replaced by the following:
'— pantographs or trolley booms in their elevated position.'
5. In section 2.4.4, the second indent is replaced by the following:
'— the devices mentioned in section 2.4.1'.
6. Section 2.5 is replaced by the following:
'2.5. "Mass of the vehicle in running order" means the mass defined in section 2.6 of Annex I to Directive 70/156/EEC.'
7. In section 2.6, the second sentence is replaced by the following:
'The vehicle category is determined in accordance with Annex II to Directive 70/156/EEC.'
8. Sections 2.7, 2.8 and 2.9 are replaced by the following:

'2.7. "Technically permissible maximum mass on the axle (m)" means the mass corresponding to the maximum permissible static vertical load exerted by the axle on the road surface, based on the construction of the vehicle and of the axle and as stated by the vehicle manufacturer.

In vehicles of category N₁ the technically permissible maximum mass on the rear axle(s) may be exceeded by not more than 15 % and the technically permissible maximum laden mass of the vehicle may be exceeded by not more than 10 % or 100 kg, whichever is the lesser, to apply only in the case of a trailer towing vehicle, provided that the operating speed is restricted to 80 km/h or less.

The vehicle manufacturer shall specify any such speed restriction or other operating conditions in the owner's manual.

2.8. "Technically permissible maximum mass on a group of axles (μ)" means the mass corresponding to the maximum permissible static vertical load exerted by the group of axles on the road surface, based on both the construction of the vehicle and of the group of axles and as stated by the vehicle manufacturer.

2.9. "Towable mass" means the total load exerted on the road surface by the axle(s) of the towed vehicle(s).'
9. Section 2.11 is replaced by the following:

'2.11. "Technically permissible maximum mass on the coupling point of a motor vehicle" means the mass corresponding to the maximum permissible static vertical load on the coupling point based on the construction of the motor vehicle and/or coupling device and as stated by the manufacturer. By definition, this mass does not include the mass of the coupling device of the motor vehicle.'

10. Section 2.13 is replaced by the following:

‘2.13. “Technically permissible maximum laden mass of the combination (MC)” means the total mass of a combination of motor vehicle and trailer(s) as stated by the manufacturer. The maximum technically permissible mass on the axle of the trailer should be used instead of the technically permissible maximum laden mass M in the case of combinations with semi-trailers or centre-axle trailers.’

11. Section 2.19 is replaced by the following:

‘2.19. “Vehicle type” means vehicles which do not differ in such essential respects as:

- manufacturer,
- essential aspects of construction and design such as:
 - for vehicles of categories M₂ and M₃:
 - chassis/self supporting body, single/double deck, rigid/articulated (obvious and fundamental differences),
 - number of axles;
 - for vehicles of category N:
 - chassis/floor pan (obvious and fundamental differences),
 - number of axles;
 - for vehicles of category O:
 - chassis/self-supporting body (obvious and fundamental differences), drawbar trailer/semi-trailer/centre-axle trailer,
 - braking system: unbraked/inertia/continuous,
 - number of axles.

For the purposes of this section, aspects of construction and design, such as in particular the wheelbase, axle design, suspension, steering, tyres and the corresponding modifications of the brake correcting device for the axles, or the adjunction or suppression of reduction valves in relation to semi-trailer tractor and lorry configurations, and equipment related to the chassis (e.g. engine, fuel tanks, transmission, etc.) are not considered to be essential.’

12. Section 7.2 is replaced by the following:

‘7.2. Measurement of dimensions

Measurement of the overall length, width and height is carried out in accordance with the provisions of section 2.4 on the vehicle(s) in running order submitted in accordance with section 3.3.

If the measured dimensions differ by more than 1 % from those stated by the manufacturer for the corresponding technical configurations within the type, the measured dimensions are used for the purpose of the requirements below and the technical service may then, if necessary, carry out additional measurements on vehicles other than those submitted in accordance with section 3.3. The limit values laid down in Annex I to Directive 96/53/EC may not, however, be exceeded.’

13. Sections 7.4.2.5 and 7.4.2.5.1 are replaced by the following:

‘7.4.2.5. When the vehicle is laden to its mass M according to any one of the relevant situations described in sections 7.4.2.5.1 or 7.4.2.5.2 the mass corresponding to the load on the axle “i” must not exceed the mass M_i on that axle, and the mass corresponding to the load on the solo axle or group of axles “j” must not exceed the mass μ_j.

7.4.2.5.1. Uniform distribution of mass means the vehicle in running order with a mass of 75 kg positioned on every passenger seat is laden to its mass M, the payload being uniformly distributed on the area designed for the transportation of goods.’

14. Sections 7.4.2.5.1.1 and 7.4.2.5.1.2 are deleted.

15. Section 7.4.2.5.2 is replaced by the following:

‘7.4.2.5.2. In the case of extreme distribution of mass (non-uniform load), the manufacturer must state the extreme permissible possible positions of the centre of gravity of the payload and/or body and/or equipment or interior fittings (for instance: from 0,50 m to 1,30 m in front of the first rear axle), with the vehicle in running order and a mass of 75 kg positioned on every passenger seat being laden to its mass M.’

16. Sections 7.4.2.5.2.1 to 7.4.2.5.3.2 are deleted.

17. Section 7.4.3.2 is replaced by the following:

‘7.4.3.2. The mass of the vehicle in running order, plus the mass Q multiplied by the number of seated and standing passengers, plus the masses WP, B and BX as defined in section 7.4.3.3.1, plus the technical permissible maximum mass on the coupling point, if a coupling is fitted by the manufacturer, shall not exceed the mass M.’

18. Section 7.4.3.3.1 is replaced by the following:

'7.4.3.3.1. The vehicle in running order is loaded with: a mass corresponding to the number P of seated passengers, of mass Q; a mass corresponding to the number SP of standing passengers, of mass Q uniformly distributed over the surface available for standing passengers S_1 ; where appropriate, a mass WP uniformly distributed over each wheelchair space; a mass equal to B (kg) uniformly distributed in the baggage compartments; a mass equal to BX (kg) uniformly distributed over the surface area of the roof equipped for the carriage of baggage, where:

P is the number of seating places.

S_1 is the area for standing passengers. In the case of vehicles of classes III or B, $S_1 = 0$.

SP, declared by the manufacturer, must not exceed the value S_1/S_{sp} , where S_{sp} is the conventional space provided for one standing passenger specified in the table below.

WP (kg), is the number of wheelchair spaces multiplied by 250 kg representing the mass of a wheelchair and user.

B (kg), declared by the manufacturer, must have a numeric value not less than $100 \times V$. This shall include baggage compartments or racks that may be attached to the outside of the vehicle.

V is the total volume of baggage compartments in m^3 . When approving a vehicle of Class I or A, the volume of baggage compartments accessible only from the outside of the vehicle shall be disregarded.

BX, declared by the manufacturer, must have a numeric value not less than 75 kg/m^2 . Double deck vehicles shall not be equipped for the carriage of baggage on the roof and therefore BX for double deck vehicles shall be zero.

Q and S_{sp} have values laid down in the following table:

Vehicle Class	Q (kg) mass of one passenger	S_{sp} (m^2 /passenger) conventional space for one standing passenger
Class I and A	68	0,125
Class II	71 (*)	0,15
Class III and B	71 (*)	None

(*) Including 3 kg for hand baggage.'

19. The following sections 7.4.3.3.2 to 7.4.3.3.2.3 are inserted:

'7.4.3.3.2. In the case of a vehicle equipped with a variable seating capacity, area available for standing passengers (S_1) and/or equipped for the carriage of wheelchairs, the requirements of sections 7.4.3.2 and 7.4.3.3 shall be determined for each of the following conditions as applicable.

7.4.3.3.2.1. With all possible seats occupied followed by the remaining area for standing passengers (up to the standing capacity limit declared by the manufacturer, if reached) and, if space remains, any wheelchair spaces occupied.

7.4.3.3.2.2. With all possible standing areas occupied (up to the standing capacity limit declared by the manufacturer) followed by the remaining seats available for seated passengers and, if space remains, any wheelchair spaces occupied.

7.4.3.3.2.3. With all possible wheelchair spaces occupied followed by the remaining area for standing passengers (up to the standing capacity limit declared by the manufacturer, if reached) and then the remaining seats available for use occupied.'

20. Section 7.4.3.4 is replaced by the following:

'7.4.3.4. When the vehicle is in running order or laden as specified in section 7.4.3.3.1, the mass corresponding to the load on the front axle or group of axles must not be less than the percentage of the mass of the vehicle in running order or of the technically permissible maximum laden mass "M" laid down in the following table:

Classes I and A		Class II		Classes III and B	
Rigid	Articulated	Rigid	Articulated	Rigid	Articulated
20	20	25 ⁽¹⁾	20	25 ⁽¹⁾	20

⁽¹⁾ This figure is reduced to 20 % for three axle vehicles of classes II and III having two steered axles.'

21. The following section 7.4.3.5 is inserted:

'7.4.3.5. Where a vehicle is to be approved to more than one Class, sections 7.4.3.2 and 7.4.3.3 shall apply to each Class.'

22. In section 7.4.4, the title is replaced by the following:

'7.4.4. Requirements for trailer caravans'.

23. In section 7.6.1, the second sentence is replaced by the following:

'For motor vehicles and semi-trailers with axle-lift devices (see section 2.14), this requirement also applies with the retractable axle(s) in the lifted position or loadable axle(s) in the unladen condition. Starting aids such as retractable axles fulfilling the requirements of section 3.5 of Annex IV are exempt from this requirement.'

24. Sections 7.6.2, 7.6.3 and 7.6.4 are replaced by the following:

'7.6.2. Additional requirements for vehicles of category N:

When the vehicle is stationary and has its steered wheels so directed that if the vehicle moved, its outermost forward point would describe a circle of 12,50 m radius, a vertical plane tangential to the side of the vehicle which faces outwards from the circle must be established by marking a line on the ground.

When the vehicle moves forward on either side following the circle of 12,50 m radius, no part of it may move outside the vertical plane by more than 0,80 m (see figure B).

For vehicles with an axle-lift device this requirement also applies with the axle(s) in the lifted position (within the meaning of 2.14). For vehicles of Category N with retractable axles in the lifted position, or loadable axles in the unladen condition, the figure of 0,80 m is replaced by 1,00 m.

- 7.6.3. Additional requirements for vehicles of categories M_2 or M_3

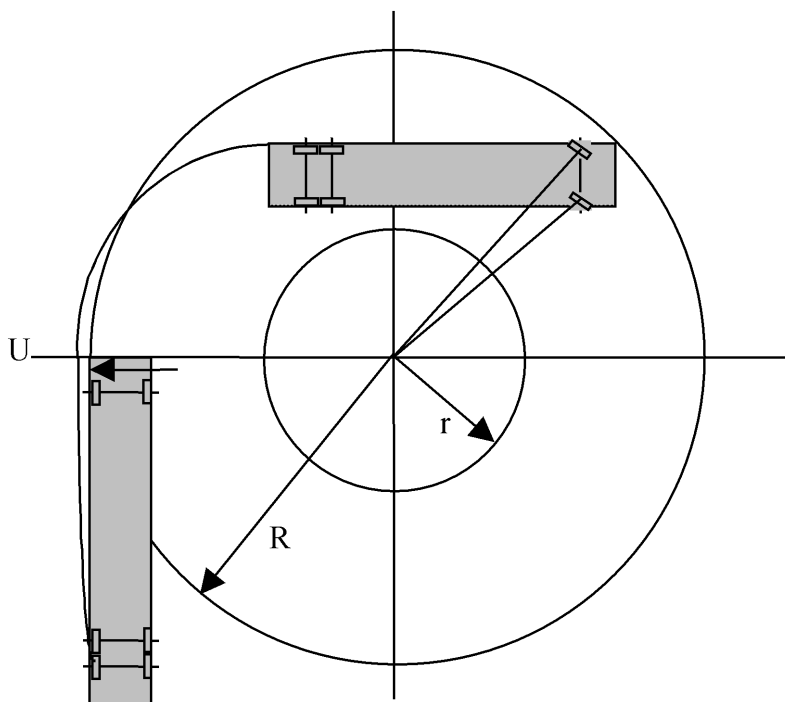
With the vehicle stationary, a vertical plane tangential to the side of the vehicle and facing outwards from the circle shall be established by marking a line on the ground. In the case of an articulated vehicle, the two rigid portions shall be aligned with the plane. When the vehicle moves from a straight line approach into the circular area described in section 7.6.1, no part of it shall move outside of that vertical plane by more than 0,60 m (see figures C and D).

- 7.6.4. The requirements of sections 7.6.1 to 7.6.3 may also be verified, at the request of the manufacturer, with an appropriate equivalent calculation or geometric demonstration.

If, at the request of the manufacturer, vehicles of category N without steered rear axles are verified according to their geometric characteristics: a vehicle is deemed to comply with the requirements of paragraph 7.6.2 above if its rear overhang is not more than 60 % of the vehicle wheelbase.'

25. In section 7.6.3, figure C is replaced by the following:

Figure C



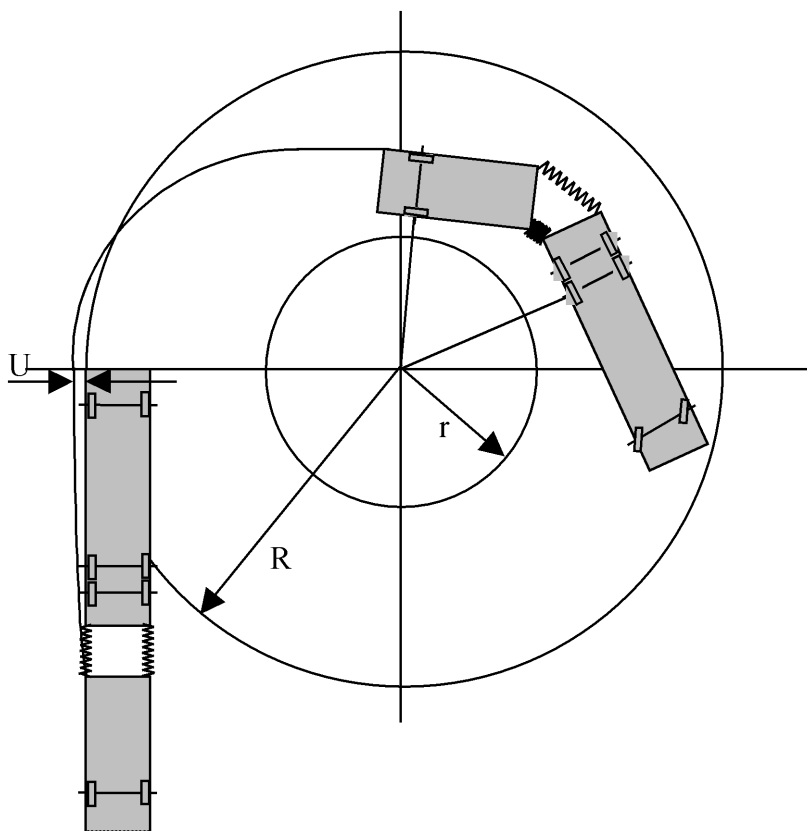
$R = 12,5 \text{ m}$

$r = 5,3 \text{ m}$

$U = \text{maximum } 0,6$

26. In Section 7.6.3, the following figure D is added:

Figure C



$R = 12,5 \text{ m}$

$r = 5,3 \text{ m}$

$U = \text{maximum } 0,6$

27. The following section 7.6.5 is inserted:

'7.6.5. In the case of incomplete vehicles, the manufacturer must declare the maximum permissible dimensions for which the vehicle is to be checked against the requirements of sections 7.6.1 to 7.6.3.'

28. Sections 7.8.1 and 7.8.2 are replaced by the following:

'7.8.1. The technically permissible maximum mass on the coupling point of a motor vehicle designed to tow a centre-axle trailer and with a technically permissible maximum towable mass exceeding 3,5 tonnes must be at least equal to 10 % of its technically permissible maximum towable mass, or 1 000 kg, whichever is the lesser.'

'7.8.2. The technically permissible maximum mass on the coupling point of a motor vehicle designed to tow a centre-axle trailer and with a technically permissible maximum towable mass not exceeding 3,5 tonnes must be at least equal to 4 % of its technically permissible maximum towable mass, or 25 kg, whichever is the greater.'

29. Section 7.10 is replaced by the following:

'7.10. Engine power/maximum mass ratio

Motor vehicles must provide an engine power output of at least 5 kW/t of the technically permissible maximum laden mass of the combination. In the case of a road tractor, the engine power must be at least 2,2 kW/t. The engine power is measured according to the provisions of Council Directive 80/1269/EEC (*).

(*) OJ L 375, 31.12.1980, p. 46.'

B. Annex II is amended as follows:

1. Section 0.2 is replaced by the following:

'0.2. Type.'

2. Section 13 is replaced by the following:

- '13. SPECIAL PROVISIONS FOR VEHICLES USED FOR THE CARRIAGE OF PASSENGERS COMPRISING MORE THAN EIGHT SEATS IN ADDITION TO THE DRIVER'S SEAT
- 13.1. Class of vehicle (Class I, Class II, Class III, Class A, Class B):
- 13.2. Area for passengers (m²):
- 13.2.1. Total (S₀):
- 13.2.2. Upper deck (S_{0a}) (!):
- 13.2.3. Lower deck (S_{0b}):
- 13.2.4. For standing passengers (S₁):
- 13.3. Number of passengers (seated and standing)
- 13.3.1. Total (N):
- 13.3.2. Upper deck (N_a) (!):
- 13.3.3. Lower deck (N_b) (!):
- 13.3.4. Number of passengers seated
- 13.4. Number of wheelchair places for category M₂ and M₃ vehicles
- 13.4.1. Total (A):
- 13.4.2. Upper deck (A_a) (!):
- 13.4.3. Lower deck (A_b) (!):
- 13.7. Volume of luggage compartments (m³):
- 13.8. Area of luggage transportation on the roof (m²): '

C. Annex III is amended as follows:

In the Appendix, the following section 1.24.3 is inserted:

'1.24.3. Number of wheelchair places for category M₂ and M₃ vehicles (!):'

D. Annex IV is amended as follows:

1. Section 1.3.3 is deleted.
2. Section 2.2.1 is amended as follows:
 - (a) point (c) is replaced by the following:

'c) vehicles with a maximum mass not exceeding 3,5 t only intended to tow trailers with inertia (overrun) braking systems: the registration/in-service maximum permissible laden mass of the vehicle, or, for off-road vehicles (see section 7.5 of Annex I), 1,5 times that mass with a maximum of 3,5 t;'
 - (b) point (e) is replaced by the following:

'e) vehicles intended to tow trailers, apart from semi-trailers, with continuous braking systems: 1,5 times the registration/in-service maximum permissible laden mass of the vehicle.'
3. In section 2.2.1, the last line of the first paragraph, which reads 'provided that all the relevant technical provisions of Directive 96/53/EC are fulfilled' is deleted.
4. In section 3.2, the second sentence is replaced by the following:

'To that end the retractable or loadable axle must lower to the ground or be loaded automatically if the nearest axle(s) of the group or the front axle of the motor vehicle is (are) laden to its (their) registration/in-service maximum permissible mass(es).'
5. Section 3.3 is deleted.
6. In section 3.5.1, the fourth indent is replaced by the following:

'— after the motor vehicle has moved off and before it exceeds a speed of 30 km/h, the axle must automatically lower again to the ground or be reloaded.'

II

(Acts whose publication is not obligatory)

COUNCIL

**DECISION No 1/2003 OF THE EU-MOROCCO ASSOCIATION COUNCIL
of 24 February 2003
setting up subcommittees of the Association Committee**

(2003/208/EC)

THE EU-MOROCCO ASSOCIATION COUNCIL,

Having regard to the Euro-Mediterranean Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Kingdom of Morocco, of the other part,

Whereas:

- (1) A free trade area is to be established between the EU and Morocco by 28 February 2012.
- (2) The EU's relations with the southern Mediterranean countries are becoming increasingly complex as a result of the implementation of the Euro-Mediterranean agreements and the continuation of the Euro-Mediterranean partnership.
- (3) Both parties are determined to reinforce still more their relations and to open new perspectives for them.
- (4) Subcommittees of the Association Committees of the other associated countries have been set up in order to monitor the implementation of the partnership priorities and the approximation of legislation.
- (5) There is a need to integrate the environment in sectoral policies, the objective being sustainable development.
- (6) Article 84 of the Agreement provides for the setting up of the working groups or bodies necessary for the implementation of the Agreement,

HAS DECIDED AS FOLLOWS:

Sole Article

The subcommittees of the EU-Morocco Association Committee listed in Annex 1 are hereby set up and the rules of procedure of those subcommittees in Annex 2 hereby adopted.

The subcommittees shall work under the authority of the Association Committee, to which they shall report after each of their meetings. The subcommittees shall have no decision-making power.

The Association Committee shall take any other action needed to ensure that they operate properly and inform the Association Council accordingly.

The Association Council may decide to set up further subcommittees or groups or to abolish existing subcommittees or groups.

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

Done at Brussels, 24 February 2003.

For the Association Council

The President

T. FASSI FIHRI

ANNEX I

EU-MOROCCO ASSOCIATION AGREEMENT

SUBCOMMITTEES ATTACHED TO THE ASSOCIATION COMMITTEE

1. Internal market
2. Industry, trade and services
3. Transport, environment and energy
4. Research and innovation
5. Agriculture and fisheries
6. Justice and security

The abovementioned subcommittees are added to those set up directly under the Association Agreement: Working Party on Migration and Social Affairs, Customs Cooperation Committee: Economic Dialogue.

In view of their importance as an essential part of the Association Agreement, matters relating to democratic principles and human rights will be discussed with due attention in the various bodies set up under the Agreement. If the parties so decide and in the framework of their enhanced cooperation, they will also be discussed within a subcommittee of the Association Committee or within a specific working party.

ANNEX II

RULES OF PROCEDURE

EU-MOROCCO SUBCOMMITTEE No 1

INTERNAL MARKET

1. Composition and chair

The subcommittee shall be composed of representatives of the European Commission and representatives of the Government of Morocco and be chaired alternately by the two parties. The Member States will be informed and invited to the subcommittee meetings.

2. Role

The subcommittee shall work under the authority of the Association Committee, to which it shall report after each meeting. The subcommittee does not have any decision-making power but may submit proposals to the Association Committee.

3. Subject matter

The subcommittee shall discuss the implementation of the Association Agreement in the areas listed below. In particular, it shall assess progress as regards law approximation, implementation and enforcement. Where relevant, cooperation in public administration matters shall be discussed. The subcommittee shall examine any problems that may arise in the sectors listed below and shall suggest possible steps to be undertaken.

- (a) Standardisation, certification, conformity assessment and market surveillance;
- (b) Competition and State aid;
- (c) Intellectual, industrial and commercial property rights;
- (d) Public procurement;
- (e) Consumer protection.

The abovementioned list is not exhaustive and other subjects, including horizontal matters, e.g. statistics, may be added by the Association Committee.

The subcommittee may discuss matters relating to one, several or all of the above sectors.

4. Secretariat

An official of the European Commission and an official of the Government of Morocco shall act jointly as permanent secretaries of the subcommittee.

All communications concerning the subcommittee shall be forwarded to the secretaries.

5. Meetings

The subcommittee shall meet whenever circumstances require. A meeting may be convened on the basis of a request from either party, channelled through their secretary, who will pass the request onto the other party. Upon receipt of a request for a subcommittee meeting, the secretary of the other party shall reply within 15 working days.

In cases of particular urgency, subcommittees may be convened at shorter notice subject to the agreement of both parties. All requests to convene meetings should be in writing.

Each meeting of the subcommittee shall be held at a time and place agreed by both parties.

The meetings shall be convened by the secretary in charge in agreement with the chair. Before each meeting, the chair will be informed of the intended composition of the delegation of each party.

If both parties agree, the subcommittee may invite experts to its meetings to provide the specific information so requested.

6. Agenda of the meetings

All requests for items to be included in the subcommittee agenda shall be forwarded to the secretaries.

A provisional agenda will be drawn up by the chair for each meeting. It shall be forwarded by the secretary in charge to his or her counterpart not later than 10 days before the beginning of the meeting.

The provisional agenda shall include the items in respect of which the secretaries have received a request for inclusion in the agenda no later than 15 days before the beginning of the meeting. Supporting documentation must be received by both parties at least seven days ahead of the meeting. To take account of urgent matters, these time limits may be shortened provided both parties agree.

The agenda shall be adopted by the subcommittee at the beginning of each meeting.

7. Minutes

Minutes shall be taken and agreed by both secretaries after each meeting. A copy of the minutes, including the subcommittee's proposals, shall be forwarded by the secretaries of the subcommittee to the secretaries and chair of the Association Committee.

8. Publicity

Unless otherwise decided, the meetings of the subcommittee shall not be public.

RULES OF PROCEDURE

EU-MOROCCO SUBCOMMITTEE No 2

INDUSTRY, TRADE AND SERVICES

1. Composition and chair

The subcommittee shall be composed of representatives of the European Commission and representatives of the Government of Morocco and shall be chaired alternately by the two parties. The Member States will be informed and invited to the subcommittee meetings.

2. Role

The subcommittee shall work under the authority of the Association Committee, to which it shall report after each meeting. The subcommittee does not have any decision-making power but may submit proposals to the Association Committee.

3. Subject matter

The subcommittee shall discuss the implementation of the Association Agreement in the areas listed below. In particular, it shall assess progress as regards law approximation, implementation and enforcement. Where relevant, cooperation in public administration matters shall be discussed. The subcommittee shall examine any problems that may arise in the sectors listed below and shall suggest possible steps to be undertaken.

- (a) Industrial cooperation;
- (b) Trade issues;
- (c) Services, including financial (banking, insurance, investment) and postal services;
- (d) Tourism;
- (e) Right of establishment;
- (f) Data protection.

The abovementioned list is not exhaustive and other subjects, including horizontal matters, e.g. statistics, may be added by the Association Committee.

The subcommittee may discuss matters relating to one, several or all of the above sectors.

4. Secretariat

An official of the European Commission and an official of the Government of Morocco shall act jointly as permanent secretaries of the subcommittee.

All communications concerning the subcommittee shall be forwarded to the secretaries.

5. Meetings

The subcommittee shall meet whenever circumstances require. A meeting may be convened on the basis of a request from either party, channelled through their secretary, who will pass the request onto the other party. Upon receipt of a request for a subcommittee meeting, the secretary of the other party shall reply within 15 working days.

In cases of particular urgency, subcommittees may be convened at shorter notice subject to the agreement of both parties. All requests to convene meetings should be in writing.

Each meeting of the subcommittee shall be held at a time and place agreed by both parties.

The meetings shall be convened by the secretary in charge in agreement with the chair. Before each meeting, the chair will be informed of the intended composition of the delegation of each party.

If both parties agree, the subcommittee may invite experts to its meetings to provide the specific information so requested.

6. Agenda of the meetings

All requests for items to be included in the subcommittee agenda shall be forwarded to the secretaries.

A provisional agenda will be drawn up by the chair for each meeting. It shall be forwarded by the secretary in charge to his or her counterpart not later than 10 days before the beginning of the meeting.

The provisional agenda shall include the items in respect of which the secretaries have received a request for inclusion in the agenda no later than 15 days before the beginning of the meeting. Supporting documentation must be received by both parties at least seven days ahead of the meeting. To take account of urgent matters, these time limits may be shortened provided both parties agree.

The agenda shall be adopted by the subcommittee at the beginning of each meeting.

7. Minutes

Minutes shall be taken and agreed by both secretaries after each meeting. A copy of the minutes, including the subcommittee's proposals, shall be forwarded by the secretaries of the subcommittee to the secretaries and chair of the Association Committee.

8. Publicity

Unless otherwise decided, the meetings of the subcommittee shall not be public.

RULES OF PROCEDURE

EU-MOROCCO SUBCOMMITTEE No 3

TRANSPORT, ENVIRONMENT AND ENERGY

1. Composition and chair

The subcommittee shall be composed of representatives of the European Commission and representatives of the Government of Morocco and shall be chaired alternately by the two parties. The Member States will be informed and invited to the subcommittee meetings.

2. Role

The subcommittee shall work under the authority of the Association Committee, to which it shall report after each meeting. The subcommittee does not have any decision-making power but may submit proposals to the Association Committee. In order to do so, the subcommittee will, in so far as it is possible, foster regular working relationships with the other subcommittees.

3. Subject matter

The subcommittee shall discuss the implementation of the Association Agreement in the areas listed below. In particular, it shall assess progress as regards law approximation, implementation and enforcement and the integration of environment policy in all areas of the Association Agreement. Where relevant, cooperation in public administration matters shall be discussed. The subcommittee shall examine any problems that may arise in the sectors listed below and shall suggest possible steps to be undertaken.

- (a) Transport: including infrastructure modernisation and development, security and safety in maritime and air transport, control and management of ports and airports, improvements to the multimodal system;
- (b) Environment: including building environmental protection capacity in the priority areas specified in the Short and Medium-Term Priority Environmental Action Programme (SMAP) and integration of the environment dimension in the priority sectors of the Euro-Mediterranean Partnership with a view to sustainable development;
- (c) Energy: including infrastructure modernisation and development, security and safety of energy infrastructure and transport, demand management, promotion of renewable energies, research and cooperation on data exchange.

The abovementioned list is not exhaustive and other subjects, including horizontal matters, e.g. statistics, may be added by the Association Committee.

The subcommittee may discuss matters relating to one, several or all of the above sectors.

4. Secretariat

An official of the European Commission and an official of the Government of Morocco shall act jointly as permanent secretaries of the subcommittee.

All communications concerning the subcommittee shall be forwarded to the secretaries.

5. Meetings

The subcommittee shall meet whenever circumstances require. A meeting may be convened on the basis of a request from either party, channelled through their secretary, who will pass the request onto the other party. Upon receipt of a request for a subcommittee meeting, the secretary of the other party shall reply within 15 working days.

In cases of particular urgency, subcommittees may be convened at shorter notice subject to the agreement of both parties. All requests to convene meetings should be in writing.

Each meeting of the subcommittee shall be held at a time and place agreed by both parties.

The meetings shall be convened by the secretary in charge in agreement with the chair. Before each meeting, the chair will be informed of the intended composition of the delegation of each party.

If both parties agree, the subcommittee may invite experts to its meetings to provide the specific information so requested.

6. Agenda of the meetings

All requests for items to be included in the subcommittee agenda shall be forwarded to the secretaries.

A provisional agenda will be drawn up by the chair for each meeting. It shall be forwarded by the secretary in charge to his or her counterpart not later than 10 days before the beginning of the meeting.

The provisional agenda shall include the items in respect of which the secretaries have received a request for inclusion in the agenda no later than 15 days before the beginning of the meeting. Supporting documentation must be received by both parties at least seven days ahead of the meeting. To take account of urgent matters, these time limits may be shortened provided both parties agree.

The agenda shall be adopted by the subcommittee at the beginning of each meeting.

7. Minutes

Minutes shall be taken and agreed by both secretaries after each meeting. A copy of the minutes, including the subcommittee's proposals, shall be forwarded by the secretaries of the subcommittee to the secretaries and chair of the Association Committee.

8. Publicity

Unless otherwise decided, the meetings of the subcommittee shall not be public.

RULES OF PROCEDURE

EU-MOROCCO SUBCOMMITTEE No 4

RESEARCH AND INNOVATION

1. Composition and chair

The subcommittee shall be composed of representatives of the European Commission and representatives of the Government of Morocco and shall be chaired alternately by the two parties. The Member States will be informed and invited to the subcommittee meetings.

2. Role

The subcommittee shall work under the authority of the Association Committee, to which it shall report after each meeting. The subcommittee does not have any decision-making power but may submit proposals to the Association Committee.

3. Subject matter

The subcommittee shall discuss the implementation of the Association Agreement in the areas listed below. In particular, it shall assess progress as regards law approximation, implementation and enforcement. Where relevant, cooperation in public administration matters shall be discussed. The subcommittee shall examine any problems that may arise in the sectors listed below and shall suggest possible steps to be undertaken.

- (a) Science, research and technological development and Morocco's participation in programmes of research, technological development and demonstration;
- (b) Innovation, the dissemination of knowledge and technology transfer;
- (c) Electronic communication networks and services;
- (d) Information technologies;
- (e) Cultural cooperation and audio-visual policy;
- (f) Education and youth.

The abovementioned list is not exhaustive and other subjects, including horizontal matters, e.g. statistics, may be added by the Association Committee.

The subcommittee may discuss matters relating to one, several or all of the above sectors.

4. Secretariat

An official of the European Commission and an official of the Government of Morocco shall act jointly as permanent secretaries of the subcommittee.

All communications concerning the subcommittee shall be forwarded to the secretaries.

5. Meetings

The subcommittee shall meet whenever circumstances require. A meeting may be convened on the basis of a request from either party, channelled through their secretary, who will pass the request onto the other party. Upon receipt of a request for a subcommittee meeting, the secretary of the other party shall reply within 15 working days.

In cases of particular urgency, subcommittees may be convened at shorter notice subject to the agreement of both parties. All requests to convene meetings should be in writing.

Each meeting of the subcommittee shall be held at a time and place agreed by both parties.

The meetings shall be convened by the secretary in charge in agreement with the chair. Before each meeting, the chair will be informed of the intended composition of the delegation of each party.

If both parties agree, the subcommittee may invite experts to its meetings to provide the specific information so requested.

6. Agenda of the meetings

All requests for items to be included in the subcommittee agenda shall be forwarded to the secretaries.

A provisional agenda will be drawn up by the chair for each meeting. It shall be forwarded by the secretary in charge to his or her counterpart not later than 10 days before the beginning of the meeting.

The provisional agenda shall include the items in respect of which the secretaries have received a request for inclusion in the agenda no later than 15 days before the beginning of the meeting. Supporting documentation must be received by both parties at least seven days ahead of the meeting. To take account of urgent matters, these time limits may be shortened provided both parties agree.

The agenda shall be adopted by the subcommittee at the beginning of each meeting.

7. Minutes

Minutes shall be taken and agreed by both secretaries after each meeting. A copy of the minutes, including the subcommittee's proposals, shall be forwarded by the secretaries of the subcommittee to the secretaries and chair of the Association Committee.

8. Publicity

Unless otherwise decided, the meetings of the subcommittee shall not be public.

RULES OF PROCEDURE

EU-MOROCCO SUBCOMMITTEE No 5

AGRICULTURE AND FISHERIES

1. Composition and chair

The subcommittee shall be composed of representatives of the European Commission and representatives of the Government of Morocco and shall be chaired alternately by the two parties. The Member States will be informed and invited to the subcommittee meetings.

2. Role

The subcommittee shall work under the authority of the Association Committee, to which it shall report after each meeting. The subcommittee does not have any decision-making power but may submit proposals to the Association Committee.

3. Subject matter

The subcommittee shall discuss the implementation of the Association Agreement in the areas listed below. In particular, it shall assess progress as regards law approximation, implementation and enforcement. Where relevant, cooperation in public administration matters shall be discussed. The subcommittee shall examine any problems that may arise in the sectors listed below and shall suggest possible steps to be undertaken.

- (a) Agricultural and fisheries product;
- (b) Agricultural cooperation and rural development;
- (c) Processed agricultural products;
- (d) Veterinary and phytosanitary matters;
- (e) Legislation applicable to trade.

The abovementioned list is not exhaustive and other subjects, including horizontal matters, e.g. statistics, may be added by the Association Committee.

The subcommittee may discuss matters relating to one, several or all of the above sectors.

4. Secretariat

An official of the European Commission and an official of the Government of Morocco shall act jointly as permanent secretaries of the subcommittee.

All communications concerning the subcommittee shall be forwarded to the secretaries.

5. Meetings

The subcommittee shall meet whenever circumstances require. A meeting may be convened on the basis of a request from either party, channelled through their secretary, who will pass the request onto the other party. Upon receipt of a request for a subcommittee meeting, the secretary of the other party shall reply within 15 working days.

In cases of particular urgency, subcommittees may be convened at shorter notice subject to the agreement of both parties. All requests to convene meetings should be in writing.

Each meeting of the subcommittee shall be held at a time and place agreed by both parties.

The meetings shall be convened by the secretary in charge in agreement with the chair. Before each meeting, the chair will be informed of the intended composition of the delegation of each party.

If both parties agree, the subcommittee may invite experts to its meetings to provide the specific information so requested.

6. Agenda of the meetings

All requests for items to be included in the subcommittee agenda shall be forwarded to the secretaries.

A provisional agenda will be drawn up by the chair for each meeting. It shall be forwarded by the secretary in charge to his or her counterpart not later than 10 days before the beginning of the meeting.

The provisional agenda shall include the items in respect of which the secretaries have received a request for inclusion in the agenda no later than 15 days before the beginning of the meeting. Supporting documentation must be received by both parties at least seven days ahead of the meeting. To take account of urgent matters, these time limits may be shortened provided both parties agree.

The agenda shall be adopted by the subcommittee at the beginning of each meeting.

7. Minutes

Minutes shall be taken and agreed by both secretaries after each meeting. A copy of the minutes, including the subcommittee's proposals, shall be forwarded by the secretaries of the subcommittee to the secretaries and chair of the Association Committee.

8. Publicity

Unless otherwise decided, the meetings of the subcommittee shall not be public.

RULES OF PROCEDURE

EU-MOROCCO SUBCOMMITTEE No 6

JUSTICE AND SECURITY

1. Composition and chair

The subcommittee shall be composed of representatives of the Presidency of the Council of the European Union and of the European Commission, of the one part, and representatives of the Government of Morocco of the other part. The subcommittee shall be chaired alternately by the two parties. The Member States will be informed and invited to the subcommittee meetings. With regard to the European Union, the subcommittee shall be chaired by the European Commission for matters falling within the competence of the Community while in the case of discussion of matters falling within Title VI of the EU Treaty, the subcommittee shall be chaired by the Presidency of the Council, which shall also express the position of the Member States. In the latter case, the Commission will be fully involved in discussions on the approach to be followed and the objectives to be achieved during the meeting of the subcommittee.

2. Role

The subcommittee shall work under the authority of the Association Committee, to which it shall report after each meeting. The subcommittee does not have any decision-making power but may submit proposals to the Association Committee.

3. Subject matter

The subcommittee shall discuss the implementation of the Association Agreement in the areas listed below. In particular, it shall assess progress as regards law approximation, implementation and enforcement. Where relevant, cooperation in public administration matters shall be discussed. The subcommittee shall examine any problems that may arise in the sectors listed below and shall suggest possible steps to be undertaken.

- (a) Cooperation on justice;
- (b) Drugs;
- (c) Judicial cooperation in civil and criminal matters;
- (d) Cooperation on combating organised crime, including trafficking in human beings, terrorism, corruption and money-laundering.

The abovementioned list is not exhaustive and other subjects in this context, including horizontal matters, e.g. statistics, may be added by the Association Committee, in particular as regards implementation of the regional programme.

The subcommittee may discuss matters relating to one, several or all of the above sectors.

4. Secretariat

An official of the European Commission and an official of the Government of Morocco shall act jointly as permanent secretaries of the subcommittee.

All communications concerning the subcommittee shall be forwarded to the secretaries.

5. Meetings

The subcommittee shall meet whenever circumstances require. A meeting may be convened on the basis of a request from either party, channelled through their secretary, who will pass the request onto the other party. Upon receipt of a request for a subcommittee meeting, the secretary of the other party shall reply within 15 working days.

In cases of particular urgency, subcommittees may be convened at shorter notice subject to the agreement of both parties. All requests to convene meetings should be in writing.

Each meeting of the subcommittee shall be held at a time and place agreed by both parties.

The meetings shall be convened by the secretary in charge in agreement with the chair. Before each meeting, the chair will be informed of the intended composition of the delegation of each party.

If both parties agree, the subcommittee may invite experts to its meetings to provide the specific information so requested.

6. Agenda of the meetings

All requests for items to be included in the subcommittee agenda shall be forwarded to the secretaries.

A provisional agenda will be drawn up by the chair for each meeting. It shall be forwarded by the secretary in charge to his or her counterpart not later than 10 days before the beginning of the meeting.

The provisional agenda shall include the items in respect of which the secretaries have received a request for inclusion in the agenda no later than 15 days before the beginning of the meeting. Supporting documentation must be received by both parties at least seven days ahead of the meeting. To take account of urgent matters, these time limits may be shortened provided both parties agree.

The agenda shall be adopted by the subcommittee at the beginning of each meeting.

7. Minutes

Minutes shall be taken and agreed by both secretaries after each meeting. A copy of the minutes, including the subcommittee's proposals, shall be forwarded by the secretaries of the subcommittee to the secretaries and chair of the Association Committee.

8. Publicity

Unless otherwise decided, the meetings of the subcommittee shall not be public.

COMMISSION

COMMISSION DECISION

of 25 March 2003

setting up a consultative group, to be known as the 'Experts Group on Trafficking in Human Beings'

(2003/209/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty on European Union,

Whereas:

(1) The Union shall maintain and develop the Union as an area of freedom, security and justice.

(2) The Union shall provide citizens with a high level of safety within the area of freedom, security and justice. That objective shall be achieved by preventing and combating crime, organised and otherwise, in particular trafficking in persons and offences against children.

(3) According to Article 5(3) of the Charter of Fundamental Rights of the European Union trafficking in human beings is prohibited.

(4) Trafficking in human beings as defined in the Council Framework Decision 2002/629/JHA of 19 July 2002 on combating trafficking in human beings is a serious crime comprising violations of fundamental human rights and human dignity and requiring a multi-disciplinary approach addressing the entire trafficking chain, comprising countries of origin, transit and destination alike.

(5) The Tampere European Council of 15 and 16 October 1999 called for prevention of all forms of trafficking in human beings. The Seville European Council of 21 and 22 June 2002 expressed the need for resolute action to combat trafficking in human beings.

(6) The Brussels Declaration as the final outcome of the European Conference on Preventing and Combating Trafficking in Human Beings — Global Challenge for the 21st Century from 18 to 20 September 2002 includes an annex of recommendations, standards and best practices and expresses the need for an experts group on trafficking in human beings to be set up by the Commission.

(7) This experts group should contribute substantively to the further development of the prevention of and the fight against trafficking in human beings and enable the Commission to gather opinions on any Commission initiative relating to trafficking in human beings.

(8) Therefore, this experts group should be set up, its term of office defined and its administration organised,

HAS ADOPTED THE FOLLOWING DECISION:

Article 1

Subject

1. A consultative group, to be known as the experts group on trafficking in human beings, hereinafter referred to as the experts group, is hereby established.

2. The experts group shall be made up of qualified individuals competent to consider matters relating to trafficking in human beings. Such competence shall be based on experience deriving from activities for administrations of EU Member States and candidate countries and for inter-governmental, international and non-governmental organisations involved in the combat against trafficking in human beings or on academic research for public or private universities or institutes.

Article 2

Mission

1. The Commission may consult the experts group on any matter relating to trafficking in human beings.

2. The experts group shall issue opinions or reports to the Commission at the latter's request or on its own initiative, taking into due consideration the recommendations set out in the Brussels Declaration.

3. In particular, a report of the experts group based on these recommendations shall be submitted within a period of nine months following the setting up of the group to assist the Commission with a view to launching further concrete proposals at European level.

Article 3

Composition

1. The experts group shall consist of 20 members.
2. The members of the experts group shall be individuals with experience in the fight against trafficking in human beings deriving from activities for
 - (a) administrations of EU Member States (seven members),
 - (b) administrations of Candidate Countries (four members),
 - (c) inter-governmental, international and non-governmental organisations active at European level with well documented experience and expertise in the area of human trafficking (nine members).

Individuals with experience deriving from academic research for public or private universities or institutes in EU Member States may also become members of the experts group as far as proposed by the parties mentioned above.

3. The experts group shall include at least 40 % of members of each sex.
4. Members are appointed as independent experts and do not represent the states or organisations they are working for.

Article 4

Appointment

1. The members shall be appointed by the Commission on the basis of objective criteria of proven competence and experience. The Commission will appoint the members from a list made up of all persons proposed by:
 - (a) Governments of EU Member States,
 - (b) Governments of Candidate Countries,
 - (c) International, inter-governmental and non-governmental organisations active in preventing and combating trafficking in human beings at European level and whose anti-trafficking projects were co-funded under one of the EU programmes STOP I or STOP II.

Each Member State or candidate country and each organisation mentioned above may propose up to three persons for membership.

2. The Commission shall publish the list of the members for information in the *Official Journal of the European Union*.

Article 5

Terms of office

1. The term of office of members shall be one year. It may be renewed.

2. On expiry of their term of office, members of the experts group shall remain in office until such time as they are replaced or reappointed.

3. A member's term of office shall terminate in the event of resignation or death. In such case the member shall be replaced for the remainder of the period in accordance with the procedure laid down in Article 4.

4. There shall be no remuneration for the tasks performed.

Article 6

Working parties

In fulfilment of its mission as set out in Article 2, the experts group may set up ad hoc working parties. The working parties shall comprise eight members at most.

Article 7

Additional experts

1. The experts group may invite any person with a specific competence for an item on the agenda to participate in its work. Such persons shall participate only in the discussion of the item for which they were invited.
2. The experts group may invite official representatives of Member States, candidate countries or third countries and of international, inter-governmental and non-governmental organisations.

Article 8

Presidency and Bureau

1. The experts group, acting by a majority of two thirds of the members present shall elect one President and two Vice-Presidents from among its members.
2. On expiry of their term of office by the President and the Vice-Presidents shall remain in office until such time as they are replaced or reappointed.
3. In the event of termination of the term of office by resignation or death of the President or one of the Vice-Presidents, a replacement shall be elected for the remainder of their term of office, in accordance with the procedure set out in paragraph 1.
4. The President and the Vice-Presidents shall constitute the Bureau.
5. The Bureau shall prepare and organise the work of the experts group.
6. The Bureau may invite the rapporteurs from any working party to take part in its meetings.

*Article 9***Secretarial services**

The Commission shall provide secretarial services for the experts group, the Bureau and the working parties.

*Article 10***Attendance of Commission services**

Representatives of interested Commission services may attend meetings of the experts group, the Bureau and the working parties.

*Article 11***Opinions and reports**

1. The experts group shall submit its opinions and reports to the Commission. The Commission may fix a deadline by which the opinion or report shall be delivered.

2. The deliberations of the experts group shall not be subject to any vote. When an opinion or report is adopted unanimously by the experts group, the latter shall establish common conclusions and attach them to the minutes. When the experts group fails to reach unanimous agreement on an opinion or report, it shall inform the Commission of the dissenting views expressed.

3. The Commission may publish on the Internet any reports, opinions and proceedings of the experts group that are not confidential in nature.

*Article 12***Meetings**

1. The experts group shall meet at the seat of the Commission on invitation by the Commission.

2. The Bureau shall be convened at the seat of the Commission on the initiative of the President in agreement with the Commission.

*Article 13***Confidentiality**

Without prejudice to the provisions of Article 287 of the EC Treaty, the members of the experts group shall not divulge any information they obtain through their work in the experts group or its working parties, in cases where the Commission informs them that a particular opinion or matter is confidential. In such case, only members of the experts group and the Commission representatives may attend the meetings.

*Article 14***Entry into force**

The Decision shall take effect on the day of its publication in the *Official Journal of the European Union*.

Done at Brussels, 25 March 2003.

For the Commission

António VITORINO

Member of the Commission
