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I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 533/2003
of 26 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 27 March 2003.

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

Done at Brussels, 26 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 26 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	106,6
	204	56,7
	212	123,3
	999	95,5
0707 00 05	052	135,3
	096	84,2
	204	74,2
	999	97,9
0709 10 00	220	190,1
	999	190,1
0709 90 70	052	142,3
	204	159,2
	999	150,8
0805 10 10, 0805 10 30, 0805 10 50	052	75,9
	204	50,5
	212	52,1
	220	33,1
	600	62,0
	624	58,2
	999	55,3
0808 10 20, 0808 10 50, 0808 10 90	388	88,9
	400	91,2
	404	94,1
	508	75,1
	512	86,3
	524	65,5
	528	82,6
	720	92,1
	728	96,2
	999	85,8
0808 20 50	388	69,5
	512	64,1
	528	60,2
	720	43,5
	999	59,3

⁽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 534/2003
of 26 March 2003**

determining the extent to which applications lodged in March 2003 for licences for certain eggs and poultrymeat products under the regime provided for by the Interim Agreements concluded by the Community with the Republic of Poland, the Republic of Hungary, the Czech Republic, Slovakia, Romania and Bulgaria can be accepted

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1899/97, of 29 September 1997, setting rules of application in the poultrymeat and egg sectors for the arrangements covered by the Europe Agreements with central and east European countries provided for by Council Regulations (EC) No 1727/2000, (EC) No 2290/2000, (EC) No 2433/2000, (EC) No 2434/2000, (EC) No 2435/2000 and (EC) No 2851/2000 and repealing Regulations (EEC) No 2699/93 and (EC) No 1559/94 ⁽¹⁾, as amended by Regulation (EC) No 1525/2002 ⁽²⁾ and in particular Article 4(5) thereof,

Whereas:

The applications for import licences lodged for the second quarter of 2003 are for quantities less than or equal to the quantities available and can therefore be met in full,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for import licences for the period 1 April to 30 June 2003 submitted under Regulation (EC) No 1899/97 shall be met as referred to in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 April 2003.

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

Done at Brussels, 26 March 2003.

For the Commission

J. M. SILVA RODRÍGUEZ

Agriculture Director-General

⁽¹⁾ OJ L 267, 30.9.1997, p. 67.

⁽²⁾ OJ L 229, 27.8.2002, p. 10.

ANNEX

Group No	Percentage of acceptance of import licences submitted for the period 1 April to 30 June 2003
17	100,00
18	—
25	100,00
26	—
27	—
34	—
35	—
36	—
40	—

**COMMISSION REGULATION (EC) No 535/2003
of 26 March 2003**

determining the extent to which applications lodged in March 2003 for import licences for certain egg sector products and poultrymeat pursuant to Regulations (EC) No 1474/95 and (EC) No 1251/96 can be accepted

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1474/95 ⁽¹⁾ opening and providing for the administration of the tariff quotas in the egg sector and for egg albumin, as last amended by Regulation (EC) No 1043/2001 ⁽²⁾, and in particular Article 5(5) thereof,

Having regard to Commission Regulation (EC) No 1251/96 of 28 June 1996 opening and providing for the administration of tariff quotas in the poultrymeat sector and albumin ⁽³⁾, as last amended by Regulation (EC) No 1043/2001 and in particular Article 5(5) thereof,

Whereas:

The applications for import licences lodged for the second quarter of 2003 are, in the case of certain products, for quantities less than or equal to the quantities available and can there-

fore be met in full, but in the case of other products the said applications are for quantities greater than the quantities available and must therefore be reduced by a fixed percentage to ensure a fair distribution,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for import licences for the period 1 April to 30 June 2003 submitted pursuant to Regulations (EC) No 1474/95 and (EC) No 1251/96 shall be met as referred to in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 April 2003.

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

Done at Brussels, 26 March 2003.

For the Commission

J. M. SILVA RODRÍGUEZ
Agriculture Director-General

⁽¹⁾ OJ L 145, 29.6.1995, p. 19.

⁽²⁾ OJ L 145, 31.5.2001, p. 24.

⁽³⁾ OJ L 161, 29.6.1996, p. 136.

ANNEX

Group	Percentage of acceptance of import licences submitted for the period 1 April to 30 June 2003
E1	100,00
E2	30,75
E3	100,00
P1	100,00
P2	100,00
P3	2,34
P4	100,00

**COMMISSION REGULATION (EC) No 536/2003
of 26 March 2003**

determining the extent to which applications lodged in March 2003 for import licences for certain poultrymeat products under the regime provided for in Council Regulation (EC) No 774/94 opening and providing for the administration of certain Community tariff quotas for poultrymeat and certain other agricultural products can be accepted

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Article 1

Having regard to Commission Regulation (EC) No 1431/94 of 22 June 1994, laying down detailed rules for the application in the poultrymeat sector of the import arrangements provided for in Council Regulation (EC) No 774/94 opening and providing for the administration of certain Community tariff quotas for poultrymeat and certain other agricultural products ⁽¹⁾, as last amended by Regulation (EC) No 1043/2001 ⁽²⁾, and in particular Article 4(4) thereof,

1. Applications for import licences for the period 1 April to 30 June 2003 submitted under Regulation (EC) No 1431/94 shall be met as referred to in the Annex to this Regulation.

2. Applications for import licences for the period 1 July to 30 September 2003 may be lodged pursuant to Regulation (EC) No 1431/94 for the total quantity as referred to in the Annex to this Regulation.

Whereas:

The applications for import licences lodged for the period 1 April to 30 June 2003 are greater than the quantities available and must therefore be reduced by a fixed percentage to ensure a fair distribution,

Article 2

This Regulation shall enter into force on 1 April 2003.

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

Done at Brussels, 26 March 2003.

For the Commission

J. M. SILVA RODRÍGUEZ
Agriculture Director-General

⁽¹⁾ OJ L 156, 23.6.1994, p. 9.

⁽²⁾ OJ L 145, 31.5.2001, p. 24.

ANNEX

Group No	Percentage of acceptance of import certificates submitted for the period 1 April to 30 June 2003	Total quantity available for the period 1 July to 30 September 2003 (t)
1	1,54	1 775,00
2	1,54	1 275,00
3	1,56	825,00
4	1,95	450,00
5	2,19	175,00

**COMMISSION REGULATION (EC) No 537/2003
of 25 March 2003**

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 2700/2000 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 444/2002 ⁽⁴⁾, and in particular Article 173(1) thereof,

Whereas:

- (1) 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.

- (2) 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 28 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

Erkki LIIKANEN

Member of the Commission

⁽¹⁾ OJ L 302, 19.10.1992, p. 1.

⁽²⁾ OJ L 311, 12.12.2000, p. 17.

⁽³⁾ OJ L 253, 11.10.1993, p. 1.

⁽⁴⁾ OJ L 68, 12.3.2002, p. 11.

ANNEX

Code	Description	Amount of unit values per 100 kg			
	Species, varieties, CN code	EUR	DKK	SEK	GBP
1.10	New potatoes 0701 90 50	33,34	247,68	305,56	22,53
1.30	Onions (other than seed) 0703 10 19	37,08	275,45	339,82	25,06
1.40	Garlic 0703 20 00	147,01	1 092,03	1 347,23	99,34
1.50	Leeks ex 0703 90 00	53,76	399,32	492,63	36,32
1.60	Cauliflowers 0704 10 00	—	—	—	—
1.80	White cabbages and red cabbages 0704 90 10	55,96	415,66	512,80	37,81
1.90	Sprouting broccoli or calabrese (<i>Brassica oleracea</i> L. convar. <i>botrytis</i> (L.) <i>Alef</i> var. <i>italica</i> Plenck) ex 0704 90 90	61,43	456,31	562,94	41,51
1.100	Chinese cabbage ex 0704 90 90	112,75	837,52	1 033,24	76,19
1.110	Cabbage lettuce (head lettuce) 0705 11 00	—	—	—	—
1.130	Carrots ex 0706 10 00	35,27	261,99	323,21	23,83
1.140	Radishes ex 0706 90 90	60,31	447,99	552,68	40,75
1.160	Peas (<i>Pisum sativum</i>) 0708 10 00	397,75	2 954,51	3 644,96	268,76
1.170	Beans:				
1.170.1	— Beans (<i>Vigna</i> spp., <i>Phaseolus</i> spp.) ex 0708 20 00	172,07	1 278,14	1 576,83	116,27
1.170.2	— Beans (<i>Phaseolus</i> ssp. <i>vulgaris</i> var. <i>Compressus</i> Savi) ex 0708 20 00	287,96	2 139,00	2 638,87	194,57
1.180	Broad beans ex 0708 90 00	—	—	—	—
1.190	Globe artichokes 0709 10 00	—	—	—	—
1.200	Asparagus:				
1.200.1	— green ex 0709 20 00	287,25	2 133,74	2 632,39	194,10
1.200.2	— other 0709 20 00	427,27	3 173,80	3 915,50	288,71
1.210	Aubergines (eggplants) 0709 30 00	91,25	677,79	836,19	61,66

Code	Description	Amount of unit values per 100 kg			
	Species, varieties, CN code	EUR	DKK	SEK	GBP
1.220	Ribbed celery (<i>Apium graveolens</i> L., var. <i>dulce</i> (Mill.) Pers.) ex 0709 40 00	102,52	761,54	939,51	69,27
1.230	Chantarelles 0709 59 10	809,36	6 012,01	7 416,98	546,88
1.240	Sweet peppers 0709 60 10	176,58	1 311,62	1 618,14	119,31
1.270	Sweet potatoes, whole, fresh (intended for human consumption) 0714 20 10	134,94	1 002,36	1 236,60	91,18
2.10	Chestnuts (<i>Castanea</i> spp.), fresh ex 0802 40 00	—	—	—	—
2.30	Pineapples, fresh ex 0804 30 00	122,23	907,95	1 120,13	82,59
2.40	Avocados, fresh ex 0804 40 00	205,29	1 524,92	1 881,28	138,71
2.50	Guavas and mangoes, fresh ex 0804 50 00	136,25	1 012,07	1 248,58	92,06
2.60	Sweet oranges, fresh:				
2.60.1	— Sanguines and semi-sanguines 0805 10 10	—	—	—	—
2.60.2	— Navels, navelines, navelates, salustianas, vernas, Valencia lates, Maltese, shamoutis, ovalis, trovita and hamlins 0805 10 30	—	—	—	—
2.60.3	— Others 0805 10 50	—	—	—	—
2.70	Mandarins (including tangerines and satsumas), fresh; clementines, wilkings and similar citrus hybrids, fresh:				
2.70.1	— Clementines ex 0805 20 10	114,60	851,23	1 050,16	77,43
2.70.2	— Monreales and satsumas ex 0805 20 30	130,01	965,73	1 191,41	87,85
2.70.3	— Mandarines and wilkings ex 0805 20 50	61,72	458,48	565,62	41,71
2.70.4	— Tangerines and others ex 0805 20 70 ex 0805 20 90	66,13	491,24	606,04	44,69
2.85	Limes (<i>Citrus aurantifolia</i> , <i>Citrus latifolia</i>), fresh 0805 50 90	64,17	476,69	588,09	43,36
2.90	Grapefruit, fresh:				
2.90.1	— white ex 0805 40 00	61,14	454,12	560,24	41,31
2.90.2	— pink ex 0805 40 00	62,34	463,09	571,31	42,13
2.100	Table grapes 0806 10 10	148,24	1 101,11	1 358,43	100,16
2.110	Water melons 0807 11 00	38,16	283,46	349,70	25,78

Code	Description	Amount of unit values per 100 kg			
	Species, varieties, CN code	EUR	DKK	SEK	GBP
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	49,71	369,28	455,58	33,59
2.120.2	— Other ex 0807 19 00	140,46	1 043,32	1 287,13	94,91
2.140	Pears				
2.140.1	— Pears — nashi (<i>Pyrus pyrifolia</i>), Pears — Ya (<i>Pyrus bretschneideri</i>) ex 0808 20 50	—	—	—	—
2.140.2	— Other ex 0808 20 50	—	—	—	—
2.150	Apricots 0809 10 00	430,13	3 195,05	3 941,71	290,64
2.160	Cherries 0809 20 95 0809 20 05	482,89	3 586,96	4 425,20	326,29
2.170	Peaches 0809 30 90	225,79	1 677,18	2 069,13	152,57
2.180	Nectarines ex 0809 30 10	147,96	1 099,03	1 355,86	99,97
2.190	Plums 0809 40 05	108,16	803,41	991,16	73,08
2.200	Strawberries 0810 10 00	153,11	1 137,33	1 403,12	103,46
2.205	Raspberries 0810 20 10	361,18	2 682,88	3 309,85	244,05
2.210	Fruit of the species <i>Vaccinium myrtillus</i> 0810 40 30	1 567,96	11 646,98	14 368,81	1 059,47
2.220	Kiwi fruit (<i>Actinidia chinensis</i> Planch.) 0810 50 00	29,12	216,31	266,86	19,68
2.230	Pomegranates ex 0810 90 95	280,08	2 080,46	2 566,65	189,25
2.240	Khakis (including sharon fruit) ex 0810 90 95	152,58	1 133,35	1 398,21	103,10
2.250	Lychees ex 0810 90 30	141,80	1 053,27	1 299,42	95,81

**COMMISSION REGULATION (EC) No 538/2003
of 26 March 2003**

**redistributing unused portions of the 2002 quantitative quotas for certain products originating in
the People's Republic of China**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 520/94 of 7 March 1994 establishing a Community procedure for administering quantitative quotas ⁽¹⁾, as last amended by Regulation (EC) No 138/96 ⁽²⁾, and in particular Articles 2(5) and Articles 14 and 24 thereof,

Whereas:

- (1) Council Regulation (EC) No 519/94 of 7 March 1994 on common rules for imports from certain third countries and repealing Regulations (EEC) No 1765/82, (EEC) No 1766/82 and (EEC) No 3420/83 ⁽³⁾, as last amended by Regulation (EC) No 427/2003 ⁽⁴⁾, introduced annual quantitative quotas for certain products originating in the People's Republic of China listed in Annex II to that Regulation. The provisions of Regulation (EC) No 520/94 are applicable to those quotas.
- (2) The Commission accordingly adopted Regulation (EC) No 738/94 ⁽⁵⁾, as last amended by Regulation (EC) No 983/96 ⁽⁶⁾, laying down general rules for the implementation of Regulation (EC) No 520/94. These provisions apply to the administration of the above quotas subject to the provisions of this Regulation.
- (3) In accordance with Article 20 of Regulation (EC) No 520/94, the competent authorities of the Member States notified the Commission of the quantities of quotas assigned in 2002 and not used.
- (4) The unused quantities could not be redistributed in time to be used before the end of the 2002 quota year.
- (5) Examination of the data received for each of the products in question indicates that the quantities not used in the 2002 quota year should be redistributed in 2003, up to a limit of the amounts set out in Annex I to this Regulation.
- (6) The different administrative methods provided for by Regulation (EC) No 520/94 have been analysed and it is considered that the method based on traditional trade flows should be adopted. Under this method quota tranches are divided into two portions, one of which is reserved for traditional importers and the other for other applicants.
- (7) This has proved to be the best way of ensuring the continuity of business for the Community importers concerned and avoiding any disturbance of trade flows.
- (8) Quantities redistributed under this Regulation should be divided using the same criteria as for the allocation of the 2002 quotas except as regards the overall proportion reserved for traditional importers (75 %).
- (9) It is necessary to simplify the formalities to be fulfilled by traditional importers who already hold import licences issued when the 2003 Community quotas were allocated. The competent administrative authorities already possess the requisite evidence of either 1998 or 1999 imports for all traditional importers. The latter need therefore only enclose a copy of their previous licences with their new licence applications.
- (10) Measures should be taken to provide the best conditions for the allocation of that portion of the quota reserved for non-traditional importers with a view to optimum use of quotas. To this end, it is appropriate to provide for that portion to be allocated in proportion to the quantities requested, on the basis of a simultaneous examination of import licence applications actually lodged, and grant access only to importers who can prove that they obtained and made use of at least 80 % of an import licence for the product in question during the 2002 quota year. The amount that any non-traditional importer may request should also be restricted to a set volume or value.
- (11) For the purposes of quota allocation, a time limit must be set for the submission of licence applications by importers.
- (12) With a view to optimum use of quotas, licence applications for imports of footwear under quotas which refer to several CN codes must specify the quantities required for each code.
- (13) The Member States must inform the Commission of the import licence applications received, in accordance with the procedure laid down in Article 8 of Regulation (EC) No 520/94. The information about traditional importers' previous imports must be expressed in the same units as the quota in question.

⁽¹⁾ OJ L 66, 10.3.1994, p. 1.

⁽²⁾ OJ L 21, 27.1.1996, p. 6.

⁽³⁾ OJ L 67, 10.3.1994, p. 89.

⁽⁴⁾ OJ L 65, 8.3.2003, p. 1.

⁽⁵⁾ OJ L 87, 31.3.1994, p. 47.

⁽⁶⁾ OJ L 131, 1.6.1996, p. 47.

(14) In the light of the experience gained in the management of the quotas, in order to facilitate import administration formalities to economic operators and in view of the fact that unused quantities may not be carried over to the following year more than once, thus limiting the risk of excessive accumulation of imports, it is deemed appropriate, without prejudice to the results of a further analysis which may appear to be warranted in this respect in the future, to set the expiry date of the redistribution import licences on 31 December 2003.

(15) These measures are in accordance with the opinion of the Committee for the administration of quotas set up under Article 22 of Regulation (EC) No 520/94,

addition to the statement required by Article 3(2)(g) of Regulation (EC) No 738/94, the licence application for the non-traditional quota shall state that the applicant is not related to any other operator applying for the non-traditional quota line in question.

Article 3

Applications for import licences shall be lodged with the competent authorities listed in Annex IV to this Regulation from the day following the day of publication of this Regulation in the *Official Journal of the European Union* until 15.00, Brussels time, on 9 May 2003.

HAS ADOPTED THIS REGULATION:

Article 4

Article 1

This Regulation lays down specific provisions for the redistribution in 2003 of portions of the quantitative quotas referred to in Annex II to Council Regulation (EC) No 519/94 which were not used in the 2002 quota year.

The quantities not used in the 2002 quota year shall be redistributed up to the limit of the volumes or values set out in Annex I to this Regulation.

Regulation (EC) No 738/94 shall apply subject to the specific provisions of this Regulation.

Article 2

1. The quantitative quotas referred to in Article 1 shall be allocated using the method based on traditional trade flows, referred to in Article 2(2)(a) of Regulation (EC) No 520/94.

2. The portions of each quantitative quota set aside for traditional importers and non-traditional importers are set out in Annex II to this Regulation.

3. (a) The portion set aside for non-traditional importers shall be apportioned using the method based on allocation in proportion to quantities requested; the volume requested by a single importer may not exceed that shown in Annex III. Only importers who can prove that they imported at least 80 % of the volume of the product for which they were granted an import licence pursuant to Commission Regulation (EC) 1995/2001⁽¹⁾ shall be entitled to apply for import licences.

(b) Operators that are deemed to be related persons as defined by Article 143 of Regulation (EEC) No 2454/93 may only submit single licence application for the portion of the quota set aside for non-traditional importers regarding the goods described in the application. In

1. For the purposes of allocating the portion of each quota set aside for traditional importers, 'traditional' importers shall mean importers who can show that they have imported goods in either the calendar year 1998 or 1999.

2. The evidence referred to in Article 7 of Regulation (EC) No 520/94 shall relate to the release into free circulation during either calendar year 1998 or 1999, as indicated by the importer, of products originating in the People's Republic of China which are covered by the quota in respect of which the application is made.

3. Instead of the evidence referred to in the first indent of Article 7 of Regulation (EC) No 520/94:

— applicants may enclose with their licence applications documents drawn up and certified by the competent national authorities on the basis of available customs information as evidence of the imports of the product in question during calendar year 1998 or 1999 carried out by themselves or, where applicable, by the operator whose activities they have taken over,

— applicants already holding import licences issued for 2003 under Commission Regulation (EC) No 2077/2002⁽²⁾, for products covered by the licence application may enclose a copy of their previous licences with their licence applications. In that case they shall indicate in their licence application the aggregate quantity of imports of the product in question during the chosen reference period.

Article 5

Member States shall inform the Commission no later than 30 May 2003 at 10.00, Brussels time, of the number and aggregate quantity of import licence applications and, in the case of applications from traditional importers, of the volume of previous imports carried out by traditional importers during the chosen reference period referred to in Article 4(1) of this Regulation.

⁽¹⁾ OJ L 271, 12.10.2001, p. 18.

⁽²⁾ OJ L 319, 23.11.2002, p. 12.

Article 6

No later than 30 days after having received all the information required under Article 5, the Commission shall adopt the quantitative criteria to be used by the competent national authorities for the purpose of meeting importers' applications.

Article 7

Import licences shall be valid up to 31 December 2003. The validity shall not be extendable.

Article 8

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

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

Done at Brussels, 26 March 2003.

For the Commission

Pascal LAMY

Member of the Commission

ANNEX I

QUANTITIES TO BE REDISTRIBUTED

Product description	HS/CN code	Quantities redistributed
Footwear falling within HS/CN codes	ex 6402 99 ⁽¹⁾	6 725 081 pairs
	6403 51 6403 59	1 373 390 pairs
	ex 6403 91 ⁽¹⁾ ex 6403 99 ⁽¹⁾	2 047 481 pairs
	ex 6404 11 ⁽²⁾	2 942 477 pairs
	6404 19 10	7 066 315 pairs
Tableware, kitchenware of porcelain or china falling within HS/CN code	6911 10	8 166 tonnes
Ceramic tableware, kitchenware, other household articles and toilet articles, other than of porcelain or china falling within HS/CN code	6912 00	9 277 tonnes

⁽¹⁾ Excluding footwear involving special technology: shoes which have a cif price per pair of not less than EUR 9 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralise impact or materials such as low-density polymers.

⁽²⁾ Excluding:

- (a) footwear which is designed for a sporting activity and has, or has provision for the attachment of, spikes, sprigs, stops, clips, bars or the like, with a non-injected sole;
- (b) footwear involving special technology: shoes which have a cif price per pair of not less than EUR 9 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralise impact or materials such as low-density polymers.

ANNEX II

ALLOCATION OF THE QUOTAS

Product description	HS/CN code	Portion reserved for traditional importers 75 %	Portion reserved for non-traditional importers 25 %
Footwear falling within HS/CN codes	ex 6402 99 ⁽¹⁾	5 043 811 pairs	1 681 270 pairs
	6403 51 6403 59	1 030 043 pairs	343 347 pairs
	ex 6403 91 ⁽¹⁾ ex 6403 99 ⁽¹⁾	1 535 611 pairs	511 870 pairs
	ex 6404 11 ⁽²⁾	2 206 858 pairs	735 619 pairs
	6404 19 10	5 299 736 pairs	1 766 579 pairs
Tableware, kitchenware of porcelain or china falling within HS/CN code	6911 10	6 125 tonnes	2 041 tonnes
Ceramic tableware, kitchenware, other household articles and toilet articles, other than of porcelain or china falling within HS/CN code	6912 00	6 958 tonnes	2 319 tonnes

⁽¹⁾ Excluding footwear involving special technology: shoes which have a cif price per pair of not less than EUR 9 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralise impact or materials such as low-density polymers.

⁽²⁾ Excluding:

- (a) footwear which is designed for a sporting activity and has, or has provision for the attachment of, spikes, sprigs, stops, clips, bars or the like, with a non-injected sole;
- (b) footwear involving special technology: shoes which have a cif price per pair of not less than EUR 9 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralise impact or materials such as low-density polymers.

ANNEX III

MAXIMUM QUANTITY WHICH MAY BE REQUESTED BY EACH NON-TRADITIONAL IMPORTER

Product description	HS/CN code	Predetermined maximum quantity
Footwear falling within HS/CN codes	ex 6402 99 ⁽¹⁾	5 000 pairs
	6403 51 6403 59	5 000 pairs
	ex 6403 91 ⁽¹⁾ ex 6403 99 ⁽¹⁾	5 000 pairs
	ex 6404 11 ⁽²⁾	5 000 pairs
	6404 19 10	5 000 pairs
Tableware, kitchenware of porcelain or china falling within HS/CN code	6911 10	5 tonnes
Ceramic tableware, kitchenware, other household articles and toilet articles, other than of porcelain or china falling within HS/CN code	6912 00	5 tonnes

⁽¹⁾ Excluding footwear involving special technology: shoes which have a cif price per pair of not less than EUR 9 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralise impact or materials such as low-density polymers.

⁽²⁾ Excluding:

- (a) footwear which is designed for a sporting activity and has, or has provision for the attachment of, spikes, sprigs, stops, clips, bars or the like, with a non-injected sole;
- (b) footwear involving special technology: shoes which have a cif price per pair of not less than EUR 9 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralise impact or materials such as low-density polymers.

ANNEX IV

LIST OF THE COMPETENT NATIONAL AUTHORITIES

1. BELGIQUE/BELGIË

Service public fédéral économie, PME, Classes moyennes & énergie

Administration du potentiel économique
Politiques d'accès aux marchés, Service licences

Federale Overheidsdienst Economie, KMO, Middenstand & Energie

Bestuur Economisch Potentieel
Markttoegangsbeleid, Dienst Vergunningen
Generaal Lemanstraat 60, Rue Général-Leman 60
B-1040 Brussel/Bruxelles
Tél./Tel. (32-2) 206 58 16
Télécopieur/Fax (32-2) 230 83 22/231 14 84

2. DANMARK

Erhvervs- og Boligstyrelsen

Vejløvej 29
DK-8600 Silkeborg
Tlf. (45) 35 46 60 30
Fax (45) 35 46 64 01

3. DEUTSCHLAND

Bundesamt für Wirtschaft und Ausfuhrkontrolle (BAFA)

Frankfurter Straße 29-35
D-65760 Eschborn
Tel. (49) 619 69 08-0
Fax (49) 619 69 42 26/(49) 6196 908-800

4. ΕΛΛΑΔΑ

**Υπουργείο Οικονομίας και Οικονομικών
Γενική Διεύθυνση Σχεδιασμού Πολιτικής και Εφαρμογής**

Διεύθυνση Διεθνών Οικονομικών Θεμάτων
Κορνάρου 1
GR-Athens 105 63
Τηλ.: (30-210) 328 60 31/328 60 32
Φαξ: (30-210) 328 60 94/328 60 59

5. ESPAÑA

Ministerio de Economía y Hacienda

Dirección General de Comercio Exterior
Paseo de la Castellana, 162
E-28046 Madrid
Tel.: (34) 913 49 38 94/913 49 37 78
Fax: (34) 913 49 38 32/913 49 37 40

6. FRANCE

Service des titres du commerce extérieur

8, rue de la Tour-des-Dames
F-75436 Paris Cedex 09
Téléphone (33-1) 55 07 46 69/95
Télécopieur (33-1) 55 07 48 32/34/35

7. IRELAND

Department of Enterprise, Trade and Employment

Licensing Unit, Block C
Earlsfort Centre
Hatch Street
Dublin 2
Ireland
Tel. (353-1) 631 25 41
Fax (353-1) 631 25 62

8. ITALIA

Ministero del Commercio con l'estero

DG per la politica commerciale e la gestione del regime degli scambi — Divisione VII
Viale America, 341
I-00144 Roma
Tel. (39) 06 599 31 — 06 59 93 24 19 —
06 59 93 24 00
Fax (39) 06 592 55 56

9. LUXEMBOURG

Ministère des affaires étrangères

Office des licences
Boîte postale 113
L-2011 Luxembourg
Téléphone (352) 22 61 62
Télécopieur (352) 46 61 38

10. NEDERLAND

Belastingdienst/Douane

Engelse Kamp 2
Postbus 30003
9700 RD Groningen
Nederland
Tel. (31-50) 523 91 11
Fax (31-50) 523 22 10

11. ÖSTERREICH

Bundesministerium für Wirtschaft und Arbeit

Landstrasser Hauptstraße 55/57
A-1031 Wien
Tel. (43) 1 711 00 83 45
Fax (43) 1 711 00 83 86

12. PORTUGAL

Ministério da Economia

Direcção-Geral das Relações Económicas Internacionais
Avenida da República, 79
P-1069-059 Lisboa
Tel.: (351-21) 791 18 00/19 43
Fax: (351-21) 793 22 10, 796 37 23
Telex: 13 418

13. SUOMI

Tullihallitus/Tullstyrelsen
Erottajankatu/Skillnadsgatan 2
FIN-00101 Helsinki/Helsingfors
P./Tfn (358-9) 6141
F./Fax (358-9) 614 28 52

14. SVERIGE

Kommerskollegium
Box 6803
S-113 86 Stockholm
Tfn (46-8) 690 48 00
Fax (46-8) 30 67 59

15. UNITED KINGDOM

Department of Trade and Industry
Import Licensing Branch
Queensway House
West Precinct
Billingham
TS23 2NF
United Kingdom
Tel. (44-1642) 36 43 33/36 43 34
Fax (44-1642) 53 35 57

**COMMISSION REGULATION (EC) No 539/2003
of 26 March 2003**

**amending Regulation (EC) No 2376/2002 opening and providing for the administration of a
Community tariff quota for barley from third countries 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 2376/2002 ⁽⁵⁾ opens a tariff quota for the import of 300 000 tonnes of barley from third countries. The implementing provisions are similar to the ones of Commission Regulation (EC) No 2375/2002 ⁽⁶⁾ opening a tariff quota for the import of 2 981 600 tonnes of low and medium quality common wheat from third countries.
- (2) In the framework of the common wheat tariff quota, it is important to harmonise the dates of application in all Member States in case of national holidays and to reduce

the period of validity of import licences. The same provisions should be made applicable for the barley tariff quota as well.

- (3) Regulation (EC) No 2376/2002 should therefore be amended accordingly.
- (4) 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 2376/2002 is amended as follows:

1. in Article 4(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 5 is deleted.

Article 2

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

It shall apply from 1 April 2003.

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

Done at Brussels, 26 March 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽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. 92.

⁽⁶⁾ OJ L 358, 31.12.2002, p. 88.

COMMISSION REGULATION (EC) No 540/2003
of 26 March 2003
on the issuing of system B export licences for 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 1961/2001 of 8 October 2001 on detailed rules for implementing Council Regulation (EC) No 2200/96 as regards export refunds on fruit and vegetables ⁽¹⁾, as amended by Regulation (EC) No 1176/2002 ⁽²⁾, and in particular Article 6(7) thereof,

Whereas:

- (1) Commission Regulation (EC) No 2201/2002 ⁽³⁾ fixed the indicative quantities laid down for the issue of export licences in the fruit and vegetable sector other than those requested in the context of food aid.
- (2) In the light of information now available to the Commission, the indicative quantities have been exceeded in the case of tomatoes.
- (3) This overrun is without prejudice to compliance with the limits resulting from the agreements concluded in accordance with Article 300 of the Treaty. The rate of

refund for all products covered by licences applied for under system B between 15 January and 15 March 2003 should be the indicative rate,

HAS ADOPTED THIS REGULATION:

Article 1

1. The percentages for the issuing of system B export licences, as referred to in Article 6 of Regulation (EC) No 1961/2001, and applied for between 15 January and 15 March 2003, by which the quantities applied for and the rates of refund applicable must be multiplied, are as fixed in the Annex hereto.

2. Paragraph 1 does not apply to licences applied for in connection with food-aid operations as provided for in Article 10(4) of the Agreement on Agriculture concluded during the Uruguay Round of multilateral trade negotiations.

Article 2

This Regulation shall enter into force on 28 March 2003.

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

Done at Brussels, 26 March 2003.

For the Commission

J. M. SILVA RODRÍGUEZ

Agriculture Director-General

⁽¹⁾ OJ L 268, 9.10.2001, p. 8.

⁽²⁾ OJ L 170, 29.6.2002, p. 69.

⁽³⁾ OJ L 335, 12.12.2002, p. 11.

ANNEX

Percentages for the issuing of licences and rates of refund applicable to system B licences applied for between 15 January and 15 March 2003

Product	Percentage for the issuing of licences	Rate of refund (EUR/t net)
Tomatoes	100 %	20,0
Oranges	100 %	23,0
Lemons	100 %	22,0
Apples	100 %	12,0

**COMMISSION REGULATION (EC) No 541/2003
of 26 March 2003**

**providing for a further allocation of import rights under Regulation (EC) No 1081/1999 for bulls,
cows and heifers other than for slaughter of certain Alpine and mountain breeds**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1081/1999 of 26 May 1999 opening and providing for the administration of tariff quotas for imports of bulls, cows and heifers other than for slaughter of certain Alpine and mountain breeds, repealing Regulation (EC) No 1012/98 and amending Regulation (EC) No 1143/98 ⁽¹⁾, as amended by Regulation (EC) No 1096/2001 ⁽²⁾, and in particular Article 9(3) thereof,

Whereas:

Article 1 of Regulation (EC) No 1081/1999 provides for the opening, for the period 1 July 2002 to 30 June 2003, of two tariff quotas each of 5 000 head for bulls, cows and heifers other than for slaughter of certain Alpine and mountain breeds.

Article 9 of that Regulation provides for a further allocation, for both quotas, of quantities not covered by import licence applications at 15 March 2003,

HAS ADOPTED THIS REGULATION:

Article 1

The quantities referred to in Article 9(1) of Regulation (EC) No 1081/1999 shall be:

- 383 head for serial number 09.0001,
- 39 head for serial number 09.0003.

Article 2

This Regulation shall enter into force on 28 March 2003.

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

Done at Brussels, 26 March 2003.

For the Commission

J. M. SILVA RODRÍGUEZ

Agriculture Director-General

⁽¹⁾ OJ L 131, 27.5.1999, p. 15.

⁽²⁾ OJ L 150, 6.6.2001, p. 33.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 25 March 2003

providing for the temporary marketing of seed of certain species, not satisfying the requirements of Council Directive 66/401/EEC

(notified under document number C(2003) 859)

(Text with EEA relevance)

(2003/210/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 66/401/EEC of 14 June 1966 on the marketing of fodder plant seed ⁽¹⁾, as last amended by Directive 2001/64/EC ⁽²⁾, and in particular Article 17 thereof,

Whereas:

- (1) In Germany the quantity of available seed of varieties of hairy vetch (*Vicia villosa*), blue lupin, (*Lupinus angustifolius*) and yellow lupin (*Lupinus luteus*) suitable to the national climatic conditions and which satisfy the germination capacity requirements of Directive 66/401/EEC, is insufficient and is therefore not adequate to meet the needs of that Member State.
- (2) It is not possible to meet the demand for seed of those species satisfactorily with seed from other Member States or from third countries, satisfying all the requirements laid down in Directive 66/401/EEC.
- (3) Accordingly, the marketing of seed subject to less stringent requirements should be permitted in Germany for a period expiring on 30 September 2003.
- (4) In other Member States which are in a position to supply Germany with seed of those species, the marketing of such seed should be authorised.
- (5) It is appropriate that Germany act as coordinator in order to ensure that the total amount of seed authorised pursuant to this Decision does not exceed the maximum quantity covered by this Decision.

- (6) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

Article 1

The marketing in the Community of seed of hairy vetch, blue lupin and yellow lupin which does not satisfy the minimum germination capacity requirements laid down in Directive 66/401/EEC shall be permitted, for a period expiring on 30 September 2003, in accordance with the terms set out in the Annex to this Decision and subject to the following conditions:

- (a) the germination capacity is at least that set out in the Annex to this decision,
- (b) the official label states the germination ascertained in the official examination carried out pursuant to Articles 2(1)(Ca)(d) and 2(1)(Cb)(d) of Directive 66/401/EEC.

The marketing in the Community of the seed referred to in paragraph 1 shall be permitted only where the seed was first placed on the market in accordance with Article 2 of this Decision.

Article 2

Any seed supplier wishing to place on the market the seeds referred to in Article 1 shall apply to the Member State in which he is established for such authorisation.

⁽¹⁾ OJ L 125, 11.7.1966, p. 2298/66.

⁽²⁾ OJ L 234, 1.9.2001, p. 60.

The Member State concerned shall authorise the supplier to place that seed on the market, unless:

- (a) there are good reasons to doubt whether the supplier will be able to place on the market the amount of seed for which he has applied for authorisation; or
- (b) the total quantity authorised to be marketed pursuant to the derogation concerned would exceed the maximum quantity specified in the Annex.

Article 3

The Member States shall assist each other administratively in the application of this Decision.

Germany shall act as coordinating Member State in order to ensure that the total amount authorised does not exceed the maximum quantities specified in the Annex.

Any Member State receiving an application under Article 2 shall immediately notify the coordinating Member State of the amount covered by the application. The coordinating Member

State shall immediately inform the notifying Member State as to whether authorisation would result in the maximum quantity being exceeded.

Article 4

Member States shall immediately notify the Commission and the other Member States of the quantities in respect of which they have granted marketing authorisation pursuant to this Decision.

Article 5

This Decision is addressed to the Member States.

Done at Brussels, 25 March 2003.

For the Commission

David BYRNE

Member of the Commission

ANNEX

Species	Type of variety	Maximum quantity (tonnes)	Minimum germination (% of pure seed)
<i>Vicia villosa</i>	Hungvillosa, Otsaat Dr. Baumanns, Welta	50	80
<i>Lupinus angustifolius</i>	Arabella, Azuro, Bolivio, Boltensia, Bora, Bordako, Borlana, Borlu, Boruta, Borweta, Rubine, Sonet	2 000	67
<i>Lupinus luteus</i>	Borena, Bernal, Borsaja, Juno, Trebisa	100	67

EUROPEAN ECONOMIC AREA

EFTA SURVEILLANCE AUTHORITY

EFTA SURVEILLANCE AUTHORITY DECISION

No 177/02/COL

of 30 October 2002

on the terms of reference of Hearing Officers in certain competition proceedings

THE EFTA SURVEILLANCE AUTHORITY,

Having regard to the Agreement on the European Economic Area ⁽¹⁾, in particular Article 55 thereto,

Having regard to the Agreement between the EFTA States on the establishment of a Surveillance Authority and a Court of Justice ⁽²⁾, in particular Articles 13 and 14 thereof,

Having consulted the EFTA States,

Having consulted the Commission of the European Communities,

Whereas the right of the parties concerned in competition matters, and of third parties, to be heard before a final decision affecting their interests is taken, is a fundamental principle of EEA law;

Whereas that right is set out in Chapters IV, XIII and XIV of Protocol 4 to the Surveillance and Court Agreement;

Whereas the EFTA Surveillance Authority must ensure that that right is guaranteed in its competition proceedings;

Whereas conduct of administrative proceedings should therefore be entrusted to an independent person experienced in competition matters who has the integrity necessary to contribute to the objectivity, transparency and efficiency of those proceedings;

Whereas in order to ensure the independence of the Hearing Officers, that person should be attached, for administrative purposes, to the College Member responsible for Competition;

Whereas the terms of reference of the Hearing Officers in competition proceedings should be framed in such a way as to safeguard the right of persons to be heard throughout the whole procedure;

Whereas this Decision should be without prejudice to the general rules granting or excluding access to documents in the possession of the EFTA Surveillance Authority,

⁽¹⁾ Hereinafter referred to as the EEA Agreement.

⁽²⁾ Hereinafter referred to as the Surveillance and Court Agreement.

HAS ADOPTED THIS DECISION:

I

Article 1

The EFTA Surveillance Authority shall, when necessary for the conduct of its proceedings in competition cases, appoint one or more Hearing Officers (hereinafter 'the Hearing Officers'), who shall ensure that the effective exercise of the right to be heard is respected in competition proceedings before the Authority under Articles 53, 54 and 57 of the EEA Agreement ⁽¹⁾.

Article 2

1. Any interruption, termination of appointment or transfer of a Hearing Officer by whatever procedure, shall be the subject of a reasoned decision of the College.
2. In the performance of their duties, Hearing Officers shall act independently and shall be attached, for administrative purposes to the College Member responsible for Competition (hereinafter 'the responsible College Member').
3. Where a Hearing Officer is unable to act, the responsible College Member, where appropriate after consultation of the Hearing Officer, shall designate another official, who is not involved in the case in question, to carry out the Hearing Officer's duties.

Article 3

1. In performing their duties, Hearing Officers shall take account of the need for effective application of the competition rules in accordance with the EEA legislation in force and the principles laid down by the EFTA Court ⁽²⁾ and the Court of Justice and Court of First Instance of the European Communities.
2. The Hearing Officers shall be kept informed by the Director responsible for Competition about the development of the procedure up to the stage of the draft decision to be submitted to the responsible College Member.
3. The Hearing Officers may present observations on any matter arising out of any competition proceedings initiated by the EFTA Surveillance Authority to the responsible College Member.

Article 4

1. The Hearing Officers shall organise and conduct the hearings provided for in the provisions implementing Articles 53, 54 and 57 of the EEA Agreement, in accordance with Articles 5 to 13 of this Decision.
2. The provisions referred to in paragraph 1 are:
 - (a) Chapter IV of Protocol 4 to the Surveillance and Court Agreement;
 - (b) Chapter XIV of Protocol 4 to the Surveillance and Court Agreement.

⁽¹⁾ The competence to handle individual cases falling under Articles 53 and 54 of the EEA Agreement is divided between the EFTA Surveillance Authority and the Commission of the European Communities according to the rules laid down in Article 56 of the EEA Agreement. Only one authority is competent to handle any given case.

⁽²⁾ Article 6 of the EEA Agreement provides that, 'without prejudice to future developments of case law, the provisions of this Agreement, in so far as they are identical in substance to corresponding rules of the Treaty establishing the European Community and the Treaty establishing the European Coal and Steel Community and to acts adopted in application of these two treaties, shall in their implementation and application, be interpreted in conformity with the relevant rulings of the Court of Justice of the European Communities given prior to the date of signature of this Agreement'. As regards relevant rulings given after the date of signature of the EEA Agreement, it follows from Article 3(2) of the Surveillance and Court Agreement that the EFTA Surveillance Authority and the EFTA Court shall pay due account to the principles laid down by these.

Article 5

The Hearing Officers shall ensure that the hearing is properly conducted and contributes to the objectivity of the hearing itself and of any decision taken subsequently. The Hearing Officers shall seek to ensure, in particular that, in the preparation of draft decisions by the EFTA Surveillance Authority, due account is taken of all the relevant facts, whether favourable or unfavourable to the parties concerned, including the factual elements related to the gravity of any infringement.

Article 6

1. Applications to be heard from third parties, be they persons, undertakings or associations of persons or undertakings, shall be submitted in writing, together with a written statement explaining the applicant's interest in the outcome of the procedure.
2. Decisions as to whether third parties are to be heard shall be taken after consulting the Director responsible for Competition.
3. Where it is found that an applicant has not shown a sufficient interest to be heard, that person shall be informed in writing of the reasons for such a finding. A time limit shall be fixed within which that person may submit any further written comments.

Article 7

1. Applications to be heard orally shall be made in the applicant's written comments on letters which the EFTA Surveillance Authority has addressed to that person.
2. The letters referred to in paragraph 1 are those:
 - (a) communicating a statement of objections;
 - (b) inviting the written comments of a third party having shown sufficient interest to be heard;
 - (c) informing a complainant that, in the EFTA Surveillance Authority's view, there are insufficient grounds for finding an infringement and inviting that complainant to submit any further written comments.
3. Decisions as to whether applicants are to be heard orally shall be taken after consulting the Director responsible for Competition.

Article 8

1. Where a person, an undertaking or an association of persons or undertakings has received one or more of the letters listed in Article 7(2) of this Decision and has reason to believe that the EFTA Surveillance Authority has in its possession documents which have not been disclosed to it and that those documents are necessary for the proper exercise of the right to be heard, access to those documents may be sought by means of a reasoned request.
2. The reasoned decision on any such request shall be communicated to the person, undertaking or association that made the request and to any other person, undertaking or association concerned by the procedure.

Article 9

Where it is intended to disclose information which may constitute a business secret of an undertaking, that undertaking shall be informed in writing of this intention and the reasons for it. A time limit shall be fixed within which the undertaking concerned may submit any written comments.

Where the undertaking concerned objects to the disclosure of the information, but it is found that the information is not protected and may therefore be disclosed, that finding shall be stated in a reasoned decision which shall be notified to the undertaking concerned. The decision shall specify the date after which the information will be disclosed. This date shall not be less than one week from the date of notification.

The first and second paragraphs shall apply *mutatis mutandis* to the disclosure of information by publication in the EEA section of the *Official Journal of the European Union* and the EEA supplement to the *Official Journal of the European Union*.

Article 10

Where a person, undertaking or association of persons or undertakings considers that the time limit imposed for its reply to a letter referred to in Article 7(2) of this Decision is too short, it may, within the original time limit, seek an extension of that time limit by means of a reasoned request. The applicant shall be informed in writing whether the request has been granted.

Article 11

Where appropriate, in view of the need to ensure that the hearing is properly prepared, and particularly that questions of fact are clarified as far as possible, the Hearing Officers may, after consulting the Director responsible for Competition, supply to the parties invited to the hearing a list of the questions on which the Hearing Officers wish them to make known their views in advance.

For this purpose, after consulting the Director responsible for Competition, the Hearing Officers may hold a meeting with the parties invited to the hearing and, where appropriate, the staff of the EFTA Surveillance Authority, in order to prepare for the hearing itself.

The Hearing Officers may also ask for prior written notification of the essential contents of the intended statement of persons whom the parties invited to the hearing have proposed for hearing.

Article 12

1. After consulting the Director responsible for Competition, the Hearing Officers shall determine the date, the duration and the place of the hearing. Where a postponement is requested, the Hearing Officers shall decide whether or not to allow it.
2. The Hearing Officers shall be fully responsible for the conduct of the hearing.
3. The Hearing Officers shall decide whether fresh documents should be admitted during the hearing, what persons should be heard on behalf of a party and whether the persons concerned should be heard separately or in the presence of other persons attending the hearing.
4. Where appropriate, in view of the need to ensure the right to be heard, the Hearing Officers may, after consulting the Director responsible for Competition, afford persons, undertakings, and associations of persons or undertakings the opportunity of submitting further written comments after the oral hearing. The Hearing Officers shall fix a date by which such submissions may be made. The EFTA Surveillance Authority shall not be obliged to take into account written comments received after that date.

Article 13

1. The Hearing Officers shall report to the responsible College Member on the hearing and the conclusions the Hearing Officers have drawn from it, with regard to the respect of the right to be heard. The observations in this report shall concern procedural issues, including disclosure of documents and access to the file, time limits for replying to the statement of objections and the proper conduct of the oral hearing.

A copy of the report shall be given to the Director responsible for Competition.

2. In addition to the report referred to in paragraph 1, the Hearing Officers may make observations on the further progress of the proceedings. Such observations may relate, among other things, to the need for further information, the withdrawal of certain objections, or the formulation of further objections.

Article 14

Where appropriate, the Hearing Officers may report on the objectivity of any enquiry conducted in order to assess the competition impact of commitments proposed in relation to any proceeding initiated by the EFTA Surveillance Authority in application of the provisions referred to in Article 1 of this Decision. This shall cover in particular the selection of respondents and the methodology used.

Article 15

The Hearing Officers shall, on the basis of the draft decision to be submitted to the Advisory Committee established in furtherance to Articles 53, 54 and 57 of the EEA Agreement, in the case in question prepare a final report in writing on the respect of the right to be heard, as referred to in Article 13(1) of this Decision. This report will also consider whether the draft decision deals only with objections in respect of which the parties have been afforded the opportunity of making known their views, and, where appropriate, the objectivity of any enquiry within the meaning of Article 14 of this Decision.

The final report shall be submitted to the responsible College Member and the Director responsible for Competition. It shall be communicated to the competent authorities of the EFTA States and, in accordance with the provisions on cooperation laid down in Protocol 23 and Protocol 24 of the EEA Agreement, to the Commission of the European Communities.

Article 16

1. The Hearing Officers' final report shall be attached to the draft decision submitted to the College, in order to ensure that, when it reaches a decision on an individual case, the College is fully apprised of all relevant information as regards the course of the procedure and respect of the right to be heard.

2. The final report may be modified by the Hearing Officers in the light of any amendments to the draft decision up to the time the decision is adopted by the College.

3. The EFTA Surveillance Authority shall communicate the Hearing Officers' final report, together with the decision, to the addressees of the decision. It shall publish the Hearing Officers' final report in the EEA Section of the *Official Journal of the European Union* and the EEA Supplement to the *Official Journal of the European Union*, together with the decision, having regard to the legitimate interest of undertakings in the protection of their business secrets.

II

This decision shall be authentic in the English language and shall be published in the EEA Section of the *Official Journal of the European Union* and the EEA Supplement to the *Official Journal of the European Union*.

III

The EFTA States shall be informed by means of a copy of the Decision.

IV

The Commission of the European Communities shall be informed by means of a copy of the Decision.

Done at Brussels, 30 October 2002.

For the EFTA Surveillance Authority

The President

Einar M. BULL

EFTA SURVEILLANCE AUTHORITY DECISION

No 244/02/COL

of 11 December 2002

amending the EFTA Surveillance Authority Decision No 71/94/COL of 27 June 1994 concerning the status of Norway with regard to infectious haematopoietic necrosis and viral haemorrhagic septicaemia and repealing the EFTA Surveillance Authority Decision No 159/98/COL of 25 June 1998

THE EFTA SURVEILLANCE AUTHORITY,

Having regard to the Agreement on the European Economic Area (hereinafter referred to as the EEA Agreement), in particular Article 109 and Protocol 1 thereof,

Having regard to the Agreement between the EFTA States on the establishment of a Surveillance Authority and a Court of Justice, in particular Article 5(2)(d) and Protocol 1 thereof,

Having regard to the Act referred to at point 4.1.5 of Chapter I of Annex I to the EEA Agreement,

‘Council Directive 91/67/EEC concerning the animal health conditions governing the placing on the market of aquaculture animals and products;’

as adapted by way of Protocol 1 to the EEA Agreement, in particular Article 5 of that Act,

Whereas the EFTA Surveillance Authority, by its Decision No 71/94/COL ⁽¹⁾ of 27 June 1994, recognised Norway as approved continental zone and as approved coastal zone for fish with regard to infectious haematopoietic necrosis and viral haemorrhagic septicaemia;

Whereas the EFTA Surveillance Authority, by its Decision No 220/96/COL ⁽²⁾ of 4 December 1996 amending Decision No 71/94/COL of 27 June 1994, established a non approved buffer zone towards Russia, comprising the Norwegian part of the catchment areas of Grense Jakobselv and Pasvik river and the rivers in between and the associated coastal region;

Whereas the EFTA Surveillance Authority, by its Decision No 159/98/COL ⁽³⁾ of 25 June 1998, due to a case of viral haemorrhagic septicaemia being confirmed in Sogn og Fjordane County in Norway, exempted the catchment area of Rødeggevannet and Rødeggevassdraget to the estuary from the approved zone with regard to that disease;

Whereas the Norwegian Government, by a letter dated 19 March 2002, informed the EFTA Surveillance Authority that the confirmed case of viral haemorrhagic septicaemia referred to in Decision No 159/98/COL of 25 June 1998 most likely was due to a contamination of the sample at the analysing laboratory;

Whereas the Norwegian Government therefore requested the EFTA Surveillance Authority to repeal its Decision No 159/98/COL of 25 June 1998;

Whereas the Norwegian Government has provided the additional information as requested by the Authority;

Whereas the EFTA Surveillance Authority has assessed all the relevant information submitted to it by the Norwegian Government;

Whereas it appears that the status as approved continental zone and as approved coastal zone can be re-established for the catchment area of Rødeggevannet and Rødeggevassdraget to the estuary;

Whereas the Authority, therefore, deems it appropriate to repeal the EFTA Surveillance Authority Decision No 159/98/COL;

Whereas the EFTA Surveillance Authority by its Decision 201/02/COL referred the matter to the EFTA Veterinary Committee assisting the EFTA Surveillance Authority;

Whereas the measures provided for in this Decision are in accordance with the opinion of the EFTA Veterinary Committee assisting the EFTA Surveillance Authority,

⁽¹⁾ OJ L 247, 22.9.1994, p. 45.

⁽²⁾ OJ L 78, 20.3.1997, p. 32.

⁽³⁾ OJ L 244, 3.9.1998, p. 18.

HAS ADOPTED THIS DECISION:

1. The EFTA Surveillance Authority Decision No 71/94/COL of 27 June 1994 concerning the status of Norway with regard to infectious haematopoietic necrosis and viral haemorrhagic septicaemia, as amended by Decision No 220/96/COL and Decision No 159/98/COL is amended as follows:

1. Point 1 is replaced by the following:

‘1. The parts of Norway referred to in the Annex are recognised as approved continental zone and as approved coastal zone for fish with regard to infectious haematopoietic necrosis and viral haemorrhagic septicaemia.’

2. The Annex is replaced by the following:

‘ANNEX

IHN

Norway, with the exemption of the Norwegian part of the catchment areas of Grense Jakobselv and Pasvik river and the rivers in between and the associated coastal region.

VHS

Norway, with the exemption of the Norwegian part of the catchment areas of Grense Jakobselv and Pasvik river and the rivers in between and the associated coastal region.’

2. The EFTA Surveillance Authority Decision No 159/98/COL is hereby repealed.
3. This Decision shall enter into force on 20 December 2002.
4. This Decision is addressed to Norway.
5. This Decision shall be authentic in the English language.

Done at Brussels, 11 December 2002.

For the EFTA Surveillance Authority

The President

Einar M. BULL

EFTA SURVEILLANCE AUTHORITY DECISION**No 272/02/COL****of 18 December 2002****amending for the third time the Rules of Procedure of the EFTA Surveillance Authority ⁽¹⁾**

THE EFTA SURVEILLANCE AUTHORITY,

Having regard to the Agreement between the EFTA States on the Establishment of a Surveillance Authority and a Court of Justice, and in particular Article 13 thereof,

Considering the Rules of Procedure of the EFTA Surveillance Authority,

Whereas certain adjustments are needed to these Rules of Procedure,

HAS ADOPTED THIS DECISION:

1. In Article 2, the first paragraph shall be replaced by the following text:

‘In the performance of its official functions, the College shall be assisted by four departments, namely two Directorates, Legal & Executive Affairs and Administration.’

2. Article 21 shall as follows:

‘Article 21

Save as otherwise decided by the College, where a Director is prevented from exercising his/her functions or duties, they shall be exercised by a subordinate official(s) in the order laid down by the Director.’

3. This Decision shall apply as from 1 January 2003.

4. This Decision, which is authentic in the English language, shall be published in the EEA Section of, and the EEA Supplement to the *Official Journal of the European Union*.

Done at Brussels, 18 December 2002.

For the EFTA Surveillance Authority

The President

Einar M. BULL

⁽¹⁾ Adopted by the Authority on 7 January 1994, Decision No 1/94/COL (OJ L 113, 4.5.1994, p. 19 and EEA Supplement No 6, 4.5.1994), amended for the first time by Decision 18/95/COL of 17 March 1995 and for the second time by Decision 71/95/COL of 5 July 1995.

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

COUNCIL DECISION 2003/211/CFSP
of 24 February 2003
concerning the conclusion of the Agreement between the European Union and the North Atlantic Treaty Organisation on the Security of Information

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 24 thereof,

Having regard to the recommendation from the Presidency,

Whereas:

- (1) An Interim Security Arrangement between the General Secretariat of the Council and the North Atlantic Treaty Organisation was concluded through an Exchange of Letters between their respective Secretaries-General on 26 July 2000.
- (2) The European Council in Barcelona stressed the importance of achieving permanent arrangements between the European Union and NATO at the earliest possible date. To this end it also asked the Presidency together with the High Representative to make appropriate high-level contacts to ensure a positive outcome. Among the arrangements in question was an agreement on the security of information.
- (3) As a result of the entry into force of their respective security regulations on 1 December 2001, the Council and the Commission are in a position to comply fully with the obligations deriving from the implementation of such agreement.
- (4) Following the Council Decision of 15 April 2002 authorising the Presidency to begin negotiations with NATO, the Presidency, assisted by the Secretary-General/High Representative, negotiated an Agreement on the security of information.
- (5) That Agreement should be approved,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement between the European Union and the North Atlantic Treaty Organisation on the Security of Information is hereby approved on behalf of the European Union.

The text of the Agreement is attached to this Decision.

Article 2

The President of the Council is hereby empowered to sign the Agreement in order to bind the European Union.

Article 3

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

Article 4

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

Done at Brussels, 24 February 2003.

For the Council

The President

G. PAPANDREOU

**AGREEMENT BETWEEN THE EUROPEAN UNION AND THE NORTH ATLANTIC TREATY ORGANISATION
ON THE SECURITY OF INFORMATION**

The European Union, hereafter the EU,

represented by the Presidency of the Council of the European Union, acting on the basis of Article 24 of the Treaty on the European Union,

His Excellency Mr Georgios A. Papandreou, Minister of Foreign Affairs of the Hellenic Republic

and

the North Atlantic Treaty Organisation, hereafter NATO,

represented by the Secretary-General of NATO,

the Rt. Hon. Lord Robertson of Port Ellen

Hereinafter referred to as the Parties,

Considering the 'North Atlantic Treaty' signed at Washington on 4 April 1949;

Considering the Treaty on the European Union done in Maastricht on 7 February 1992, as subsequently amended;

Considering the 'Agreement between the Parties to the North Atlantic Treaty for the Security of Information' done at Brussels on 6 March 1997;

Considering that the Ministerial Meeting of the North Atlantic Council held in Florence on 24 May 2000 tasked the Secretary-General of NATO to immediately initiate contacts with the EU and to prepare the ground for the future security arrangements between the two Parties in anticipation of the envisaged consultations on this matter;

Considering that, following the decisions taken by the Heads of State and Government of NATO Member States at Washington and subsequent Ministerial Meetings and by the European Council at Feira, Nice, Göteborg and Laeken, NATO and the EU agree that consultations and cooperation will be developed on questions of common interest relating to security, defence and crisis management, so that crises can be met with the most appropriate military response and effective crisis management ensured;

Considering that the EU objectives in the field of military capabilities and those arising, for those countries concerned, from NATO's defence capabilities initiative are mutually reinforcing;

Recognising that full and effective consultation and cooperation may require access to EU and NATO classified information and material, as well as the exchange of classified information and related material between the EU and NATO;

Conscious that such access to and exchange of classified information and related material requires appropriate security measures;

Noting the Interim Security Arrangement between the General Secretariat of the EU Council and the North Atlantic Treaty Organisation through an Exchange of Letters between their respective Secretaries-General dated 26 July 2000,

HAVE AGREED AS FOLLOWS:

Article 1

The present Agreement applies to classified information or material in any form either provided or exchanged between the Parties.

Article 2

Classified information is defined as any information (namely, knowledge that can be communicated in any form) or material determined to require protection against unauthorised disclosure and which has been so designated by a security classification.

Article 3

For the purposes of the implementation of the present Agreement:

- (a) 'NATO' shall mean the North Atlantic Treaty Organisation;
- (b) 'EU' shall mean the Council of the European Union, the Secretary-General/High Representative and the General Secretariat of this Council, and the Commission of the European Communities (hereafter 'European Commission').

Article 4

Each Party shall:

- (a) protect and safeguard classified information or material subject to the present Agreement provided or exchanged by the other Party;

- (b) ensure that classified information or material subject to the present Agreement provided or exchanged keeps the security classification given to it by the providing Party. The receiving Party shall protect and safeguard the classified information or material according to the provisions set out in its own security regulations for information or material holding an equivalent security classification, as specified in the Security Arrangements to be established pursuant to Articles 11 and 12;
- (c) not use such information or material subject to the present Agreement for purposes other than those established by the originator and those for which the information is provided or exchanged;
- (d) not disclose such information or material subject to the present Agreement to third parties, and to any EU institution or entity not mentioned in Article 3 or to States not mentioned in Article 5(a), without the consent of the originator.

Article 5

- (a) Classified information or material disclosed or released, in accordance with the principle of originator control, by one Party, 'the providing Party', to the other Party, 'the receiving Party', may be disclosed or released to States which are members of NATO, and to other States which are members of the EU and have subscribed to the 'Partnership for Peace' framework document and, in that context, have a valid security agreement with NATO that also meets the standards established pursuant to Articles 11 and 12.
- (b) For release to recipients other than those mentioned in Article 3 and Article 5(a), a decision on disclosure or release of classified information or material will be made by the receiving Party following the consent of the providing Party, in accordance with the principle of originator control as defined in the providing Party's Security Regulations.
- (c) In implementing (a) and (b) above, no generic release is permissible unless procedures have been established and agreed between the Parties regarding certain categories of information, relevant to their operational requirements.

Article 6

Each of the entities of the Parties, as defined in Article 3 of the present Agreement, shall have a security organisation and security programmes, based upon such basic principles and minimum standards of security which shall be implemented in the security systems of the Parties to be established pursuant to Articles 11 and 12, to ensure that an equivalent level of protection is applied to classified information or material subject to the present Agreement.

Article 7

- (a) The Parties shall ensure that all persons of their respective organisation who, in the conduct of their official duties require access, or whose duties or functions may afford access, to information or material classified CONFIDENTIAL

or above, provided or exchanged under the present Agreement are appropriately security cleared before they are granted access to such information and materials.

- (b) The security clearance procedures shall be designed to determine whether an individual may, taking into account his or her loyalty, trustworthiness and reliability, have access to classified information or material.

Article 8

The Parties shall provide mutual assistance with regard to security of classified information or material subject to the present Agreement and matters of common security interest. Reciprocal security consultations shall be conducted by the authorities as defined in Article 11 to assess the effectiveness of the Security Arrangements within their respective responsibility to be established pursuant to Articles 11 and 12.

Article 9

- (a) For the purpose of the present Agreement

- (i) as regards the EU:

all correspondence shall be sent to the Council at the following address:

Council of the European Union
Chief Registry Officer
Rue de la Loi/Wetstraat, 175
B-1048 Brussels.

All correspondence shall be forwarded by the Chief Registry Officer of the Council to the Member States and to the Commission subject to paragraph (b) and in accordance with Article 5(a).

- (ii) as regards NATO:

all correspondence shall be sent to the Secretary-General acting in the name of the North Atlantic Council at the following address (or such addresses as may be notified to the other Party):

NATO Headquarters
B-1110 Brussels.

- (b) Exceptionally, correspondence from one Party which is only accessible to specific competent officials, organs or services of that Party may, for operational reasons, be addressed and only be accessible to specific competent officials, organs or services of the other Party specifically designated as recipients, taking into account their competencies and according to the need to know principle. Such correspondence will be accessible to the Member States of the two organisations defined in Article 5(a), if they so request. As far as the European Union is concerned, this correspondence shall be transmitted through the Chief Registry Officer of the Council.

Article 10

The Secretaries-General of the Council of the European Union, of the European Commission and of NATO shall oversee the implementation of the present Agreement.

Article 11

In order to implement the present Agreement:

- (a) the EU Council General Secretariat Security Office (hereinafter 'GSC Security Office'), under the direction and on behalf of the Secretary-General of the EU Council, acting in the name of the EU Council and under its authority is responsible for developing Security Arrangements for the protection and safeguarding of classified information or material provided to or exchanged with the EU under the present Agreement;
- (b) the European Commission Security Office, acting under the authority of the member of the Commission responsible for security matters, is responsible for developing Security Arrangements for the protection within the Commission of classified information subject to the present Agreement;
- (c) the NATO Office of Security (NOS), under the direction and on behalf of the Secretary-General of NATO and the Chairman, NATO Military Committee, acting in the name of the North Atlantic Council and the NATO Military Committee and under their authority, is responsible for developing Security Arrangements for the protection and safeguarding of classified information or material provided to or exchanged with NATO under the present Agreement.

Article 12

For the preparation of their Security Arrangements, the GSC Security Office, the European Commission Security Office and the NATO 'Office of Security' shall agree on standards of the reciprocal security protection for classified information and material subject to this Agreement. At NATO, these standards shall be subject to approval by the NATO Security Committee. At the EU, these standards shall be subject to the approval by the Council Security Committee.

Article 13

The Authorities defined in Article 11 shall establish procedures to be followed in the case of proven or suspected compromise of classified information or material subject to the present Agreement.

Article 14

Prior to the provision or exchange of classified information or material subject to the present Agreement between the Parties, the responsible security authorities defined in Article 11 must

agree that the receiving Party is able to protect and safeguard the information or material subject to the present Agreement in a way consistent with the arrangements to be established pursuant to Articles 11 and 12.

Article 15

The present Agreement in no way prevents the Parties from making other Agreements with third Parties relating to the provision or exchange of classified information or material subject to the present Agreement provided that they do not conflict with the provisions of the present Agreement.

Article 16

The present Agreement shall enter into force on the date on which the Parties have signed it.

The present Agreement may be reviewed for consideration of possible amendments at the request of either Party.

Any amendment to the present Agreement shall only be made in writing and shall be signed by each of the Parties to the present Agreement.

Article 17

The present Agreement may be denounced by one Party by written notice of denunciation given to the other Party. Such denunciation shall take effect six months after receipt of notification by the other Party, but shall not affect obligations already contracted under the provisions of the present Agreement. In particular, all classified information or material provided or exchanged pursuant to the present Agreement shall continue to be protected in accordance with the provisions set forth herein.

Article 18

The present Agreement supersedes the Interim Security Arrangement concluded between the General Secretariat of the Council of the EU and NATO through an Exchange of Letters dated 26 July 2000.

In witness whereof the undersigned, respectively duly authorised, have signed the present Agreement.

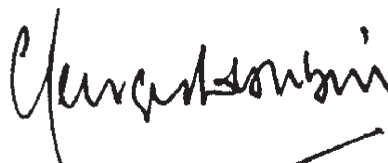
Done at Athens, this *14th* day of *March* 2003 in two copies each in both the English and French languages, each text being equally authoritative.

For the European Union



Georgios A. PAPANDREOU

For the North Atlantic Treaty Organisation



George ROBERTSON