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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 388/2006**of 23 February 2006****establishing a multiannual plan for the sustainable exploitation of the stock of sole in the Bay of Biscay**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 37 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament ⁽¹⁾,

Whereas:

- (1) Recent scientific advice from the International Council for the Exploration of the Sea (ICES) has indicated that the sole stock in ICES Divisions VIIa and VIIb have been subjected to levels of mortality by fishing which have eroded the quantities of mature fish in the sea to the point at which the stocks may not be able to replenish themselves by reproduction and are therefore threatened with collapse.
- (2) Measures need also to be taken to establish a multiannual plan for the management of the sole stock in the Bay of Biscay in accordance with Article 5 of Council Regulation (EC) No 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy ⁽²⁾.
- (3) The objective of the plan is to ensure exploitation of Bay of Biscay sole that provides sustainable economic, environmental and social conditions.
- (4) Regulation (EC) No 2371/2002 requires, *inter alia*, that to achieve this objective the Community apply the precautionary approach in taking measures to protect and conserve the stock, to provide for its sustainable exploitation and to minimise the impact of fishing on marine ecosystems. The Community should aim for a progressive implementation of an ecosystem-based approach to fisheries management and should contribute

to efficient fishing activities within an economically viable and competitive fisheries industry, providing a fair standard of living for those who depend on fishing for Bay of Biscay sole and taking into account the interests of consumers.

- (5) In order to achieve that objective the fishing mortality rates need to be controlled so that it is highly likely that those rates are reduced from year to year.
- (6) Such control of fishing mortality rates can be achieved by establishing an appropriate method for the setting of the level of Total Allowable Catch (TAC) for the stock concerned, and a system under which fishing efforts on this stock are restricted to a level at which the TAC is unlikely to be exceeded.
- (7) The Scientific, Technical and Economic Committee for Fisheries has advised that the precautionary biomass for the sole stock in the Bay of Biscay should be 13 000 tonnes.
- (8) The Bay of Biscay sole stock is close to precautionary biomass levels, and achieving such levels in the short term does not require the application of a full effort-management system. However, it is opportune to establish measures to limit the total capacity of the main fleets fishing for this stock, with a view to reducing that capacity over time, ensuring that the resource recovers and preventing future effort increases.
- (9) Control measures in addition to those laid down in Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy ⁽³⁾ need to be included in order to ensure compliance with the measures laid down in this Regulation,

⁽¹⁾ Not yet published in the Official Journal.

⁽²⁾ OJ L 358, 31.12.2002, p. 59.

⁽³⁾ OJ L 261, 20.10.1993, p. 1. Regulation as last amended by Regulation (EC) No 768/2005 (OJ L 128, 21.5.2005, p. 1).

HAS ADOPTED THIS REGULATION:

CHAPTER I

SUBJECT MATTER AND OBJECTIVES

Article 1

Subject matter

1. This Regulation establishes a multiannual plan for the sustainable exploitation of the sole stock living in the Bay of Biscay (hereinafter referred to as Bay of Biscay sole).

2. For the purpose of this Regulation 'Bay of Biscay' means the area of the sea delineated by the International Council for the Exploration of the Sea (ICES) as Divisions VIIIa and VIIIb.

Article 2

Objective of the management plan

1. The plan shall aim to bring the spawning stock biomass of Bay of Biscay sole above the precautionary level of 13 000 tonnes in 2008 or before and, thereafter, to ensure its sustainable exploitation.

2. This objective shall be attained by gradually reducing the fishing mortality rate on the stock.

Article 3

Legislative measures and annual TAC setting

1. Once the spawning stock biomass is evaluated by ICES to be equal to or above the precautionary level of 13 000 tonnes, the Council shall decide by qualified majority, on the basis of a Commission proposal, on:

- (a) a long-term target fishing mortality rate; and
- (b) a rate of reduction in the fishing mortality rate for application until the target fishing mortality rate decided under (a) has been reached.

2. Each year the Council shall decide by qualified majority, on the basis of a proposal from the Commission, on a TAC for the following year for Bay of Biscay sole.

CHAPTER II

TOTAL ALLOWABLE CATCH

Article 4

Procedure for setting the TAC

1. Where the spawning stock biomass of Bay of Biscay sole has been estimated by the Scientific, Technical and Economic

Committee for Fisheries (STECF), in the light of the most recent report from ICES, to be below 13 000 tonnes, the Council shall decide on a TAC which, according to the STECF estimation, shall not exceed a level of catches which will result in a 10 % reduction in fishing mortality rate in its year of application compared to the fishing mortality rate estimated for the preceding year.

2. Where the spawning stock biomass of Bay of Biscay sole has been estimated by the STECF, in the light of the most recent report from ICES, to be equal to or above 13 000 tonnes, the Council shall decide on a TAC which shall be set at a level of catches which, according to the STECF estimation, is the higher of:

- (a) that TAC whose application conforms with the reduction in fishing mortality rate that has been decided on by the Council in accordance with Article 3(1)(b);
- (b) that TAC whose application will result in the target fishing mortality rate that has been decided on by the Council in accordance with Article 3(1)(a).

3. Where application of paragraph 1 or 2 of this Article would result in a TAC which exceeds the TAC of the preceding year by more than 15 %, the Council shall adopt a TAC which is 15 % greater than the TAC of that year.

4. Where application of paragraph 1 or 2 would result in a TAC which is more than 15 % less than the TAC of the preceding year, the Council shall adopt a TAC which is 15 % less than the TAC of that year.

CHAPTER III

FISHING EFFORT LIMITATION

Article 5

Special fishing permit concerning Bay of Biscay sole

1. Member States shall ensure that fishing activities which lead to catches and retention on board of more than 2 000 kg of sole in ICES Divisions VIIIa and VIIIb each calendar year by vessels flying their flag and registered in their territory shall be subject to a Bay of Biscay sole fishing permit. This permit shall be a special fishing permit issued in accordance with Article 7 of Council Regulation (EC) No 1627/94 of 27 June 1994 laying down general provisions concerning special fishing permits ⁽¹⁾.

⁽¹⁾ OJ L 171, 6.7.1994, p. 7.

2. Within ICES Divisions VIIa and VIIb it shall be prohibited to catch and to retain on board, to tranship or to land any quantity of sole in excess of 100 kg in each sea trip, unless the vessel in question holds a Bay of Biscay sole fishing permit.

3. Each Member State shall calculate the aggregate capacity, in gross tonnes, of its vessels which, in 2002, 2003 or 2004, landed more than 2 000 kg of Bay of Biscay sole. This value shall be communicated to the Commission.

4. Upon written request from the Commission, Member States shall provide, within 30 days, documentation of the catch records made by vessels to which Bay of Biscay sole fishing permits have been granted.

5. Each year Member States shall calculate the aggregate capacity, in gross tonnes, of vessels holding a Bay of Biscay sole fishing permit which, since the entry into force of this Regulation, have been subject to a permanent cessation of fishing activity with State aid under the provisions of Article 7 of Council Regulation (EC) No 2792/1999 of 17 December 1999 laying down the detailed rules and arrangements regarding Community structural assistance in the fisheries sector ⁽¹⁾.

6. Each Member State shall only issue Bay of Biscay sole fishing permits to its vessels if the aggregate capacity of those vessels does not exceed the difference between the aggregate capacity determined in accordance with paragraph 3 of this Article and the capacity of vessels subject to permanent cessation of fishing activity determined in accordance with paragraph 5.

7. By way of derogation from paragraph 6, where the Commission has decided, on the basis of scientific reports from the STECF, that the target fishing mortality rate defined in Article 3(1) has been achieved, each Member State shall only issue Bay of Biscay sole fishing permits to its vessels if the aggregate capacity of those vessels does not exceed the aggregate capacity of vessels holding Bay of Biscay sole permits in the previous year.

8. Bay of Biscay sole fishing permits shall be valid for a period of one calendar year and no new fishing permits shall be issued during the fishing year.

9. By way of derogation from paragraph 8 of this Article, new permits may be issued, provided that permits are simultaneously withdrawn from one or more vessels of the same aggregate gross tonnage as that of the vessel or vessels receiving the new permits.

Article 6

Alternative procedure for effort management

1. By way of derogation from Article 5, a Member State whose quota for Bay of Biscay sole is less than 10 % of the TAC may implement a different method of effort management. This method shall establish a reference level of fishing effort equal to the fishing effort deployed in the year 2005. The Member States concerned shall ensure that fishing effort does not exceed the reference level in 2006 and subsequent years.

2. A Member State taking up the derogation in paragraph 1 of this Article may be requested by the Commission to provide a report on the implementation of any different method of effort management. The Commission will communicate this report to all other Member States.

3. For the purposes of paragraph 1, fishing effort shall be measured as the sum, in any calendar year, of the products, calculated for every relevant vessel, of installed engine power measured in kW and the number of days fishing in the area.

4. In 2009 and in each third successive year the Council shall decide, by qualified majority and on the basis of a proposal from the Commission, on revisions to reference levels established under paragraph 1. Such revisions shall aim to ensure an appropriate allocation of fishing opportunities.

5. At the request of a Member State, the maximum annual fishing effort fixed under paragraph 1 may be adjusted by the Commission to allow the Member State to take up fully its fishing possibilities for Bay of Biscay sole. The request shall be accompanied by information on the availability of quotas and on effort. Decisions shall be taken by the Commission within six weeks of the receipt of the request, in accordance with the procedure referred to in Article 30(2) of Regulation (EC) No 2371/2002.

CHAPTER IV

MONITORING, INSPECTION AND SURVEILLANCE

Article 7

Margin of tolerance

By way of derogation from Article 5(2) of Commission Regulation (EEC) No 2807/83 of 22 September 1983 laying down detailed rules for recording information on Member States' catches of fish ⁽²⁾, the permitted margin of tolerance in estimates of the quantities, in kilograms of live weight, of Bay of Biscay sole retained on board vessels, shall be 8 % of the log-book figure. The conversion factor adopted by the Member State whose flag the vessel is flying shall apply.

⁽¹⁾ OJ L 337, 30.12.1999, p. 10. Regulation as last amended by Regulation (EC) No 485/2005 (OJ L 81, 30.3.2005, p. 1).

⁽²⁾ OJ L 276, 10.10.1983, p. 1. Regulation as last amended by Regulation (EC) No 1804/2005 (OJ L 290, 4.11.2005, p. 10).

*Article 8***Weighing of landings**

The competent authorities of a Member State shall ensure that any quantity of common sole caught in the Bay of Biscay exceeding 300 kg shall be weighed using auction room scales before sale.

*Article 9***Prior notification**

The master of a Community fishing vessel that has been present in the Bay of Biscay who wishes to tranship any quantity of sole retained on board or to land any quantity of sole in a port or a landing location of a third country shall provide the competent authorities of the flag Member State at least 24 hours prior to transshipping or to landing in a third country, with the following information:

- (a) the name of the port or landing location;
- (b) the estimated time of arrival at that port or landing location;
- (c) the quantities in kilograms live weight of all species of which more than 50 kg is retained on board.

The notification may also be made by a representative of the master of the fishing vessel.

*Article 10***Separate stowage of common sole**

1. It shall be prohibited to retain on board a Community fishing vessel in any individual container any quantity of common sole mixed with any other species of marine organism.
2. The masters of Community fishing vessels shall give inspectors from Member States such assistance as will enable the quantities declared in the log-book and the catches of common sole retained on board to be cross-checked.

*Article 11***Transport of common sole**

1. The competent authorities of a Member State may require that any quantity of common sole exceeding 300 kg caught in any of the geographical areas referred to in Article 1 and first

landed in that Member State be weighed before being transported elsewhere from the port of first landing.

2. By way of derogation from Article 13 of Regulation (EEC) No 2847/93, quantities of common sole exceeding 300 kg which are transported to a place other than that of landing or import shall be accompanied by a copy of one of the declarations provided for in Article 8(1) of that Regulation pertaining to the quantities of the sole transported. The exemption provided for in Article 13(4)(b) of that Regulation shall not apply.

CHAPTER V

FOLLOW-UP*Article 12***Evaluation of management measures**

The Commission shall seek scientific advice from the STECF on the rate of progress towards the targets of the management plan in the third year of application of this Regulation and in each third successive year of application of this Regulation. The Commission shall, where appropriate, propose relevant measures, and the Council shall decide by qualified majority on alternative measures to achieve the target detailed in Article 2.

*Article 13***Special circumstances**

If the STECF advises that the spawning stock size of Bay of Biscay sole is suffering reduced reproductive capacity, the Council shall decide by qualified majority on the basis of a proposal from the Commission on a TAC that is lower than that provided for in Article 4.

CHAPTER VI

FINAL PROVISIONS*Article 14***Entry into force**

This Regulation shall enter into force on the 20th day following 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, 23 February 2006.

For the Council
The President
E. GEHRER

COUNCIL REGULATION (EC) No 389/2006**of 27 February 2006****establishing an instrument of financial support for encouraging the economic development of the Turkish Cypriot community and amending Council Regulation (EC) No 2667/2000 on the European Agency for Reconstruction**

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission,

Having regard to the Opinion of the European Parliament,

Whereas:

- (1) The European Council has repeatedly underlined its strong preference for accession by a reunited Cyprus. As yet, a comprehensive settlement has not been reached.
- (2) The Council of 26 April 2004, considering that the Turkish Cypriot community had expressed their clear desire for a future within the European Union, recommended that the funds earmarked for the northern part of Cyprus in the event of a settlement should be used to put an end to the isolation of that community and to facilitate the reunification of Cyprus by encouraging the economic development of the Turkish Cypriot community, with particular emphasis on the economic integration of the island and on improving contact between the two communities and with the EU.
- (3) Following the accession of Cyprus, the application of the *acquis* is suspended pursuant to Article 1(1) of Protocol No 10 of the Act of Accession 2003 in the areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control (hereinafter referred to as 'the areas').
- (4) Pursuant to Article 3(1) of Protocol No 10, nothing in the Protocol precludes measures with a view to promoting the economic development of the areas.
- (5) Measures to be financed under this Regulation are of an exceptional and transitional nature and are intended, in particular, to prepare and facilitate, as appropriate, the full application of the *acquis communautaire* in the areas following a solution to the Cyprus problem.
- (6) With a view to allocating the financial support in the most efficient and rapid way, it is desirable to provide that assistance can be supplied directly to the beneficiaries.
- (7) In order to supply assistance in accordance with the principles of sound financial management, the Commission should be in a position to delegate to the European Agency for Reconstruction implementation of assistance under this Regulation. Therefore, Council Regulation (EC) No 2667/2000 on the European Agency for Reconstruction ⁽¹⁾ needs to be amended accordingly.
- (8) The development and restructuring of infrastructure, in particular in the areas of energy and transport, the environment, telecommunications and water supply should take account of island-wide planning, where appropriate.
- (9) In the implementation of actions financed under this Regulation, the rights of natural and legal persons, including the rights to possessions and property, should be respected.
- (10) Nothing in this Regulation is intended to imply recognition of any public authority in the areas other than the Government of the Republic of Cyprus.
- (11) In accordance with Article 2 of Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission ⁽²⁾, measures for the implementation of this Regulation should be adopted by use of the management procedure provided for in Article 4 of that Decision.

⁽¹⁾ OJ L 306, 7.12.2000, p. 7. Regulation as last amended by Regulation (EC) No 2068/2004 OJ L 358, 3.12.2004, p. 2).

⁽²⁾ OJ L 184, 17.7.1999, p. 23.

(12) Implementing this Regulation contributes, as set out above, to the achievement of Community objectives, but the Treaty provides for no powers, other than those referred to in Article 308 thereof, for the adoption of this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

Overall Objective and Beneficiaries

1. The Community shall provide assistance to facilitate the reunification of Cyprus by encouraging the economic development of the Turkish Cypriot community with particular emphasis on the economic integration of the island, on improving contacts between the two communities and with the EU, and on preparation for the *acquis communautaire*.

2. Assistance shall benefit *inter alia* local bodies, cooperatives and representatives of civil society, in particular organisations of the social partners, business support organisations, bodies carrying out functions in the general interest in the areas, local or traditional communities, associations, foundations, non-profit organisations, non-governmental organisations, and natural and legal persons.

3. The granting of such assistance shall not imply recognition of any public authority in the areas other than the Government of the Republic of Cyprus.

Article 2

Objectives

Assistance shall be used to support *inter alia*:

— the promotion of social and economic development including restructuring, in particular concerning rural development, human resources development and regional development,

— the development and restructuring of infrastructure, in particular in the areas of energy and transport, the environment, telecommunications and water supply,

— reconciliation, confidence building measures, and support to civil society,

— bringing the Turkish Cypriot community closer to the Union, through *inter alia* information on the European Union's political and legal order, promotion of people to people contacts and Community scholarships,

— preparation of legal texts aligned with the *acquis communautaire* for the purpose of these being immediately applicable upon the entry into force of a comprehensive settlement of the Cyprus problem,

— preparation for implementation of the *acquis communautaire* in view of the withdrawal of its suspension in accordance with Article 1 of Protocol No 10 to the Act of Accession.

Article 3

Management of Assistance

1. The Commission shall be responsible for administering the assistance.

2. The Commission shall be assisted by the Committee provided for in Article 9(1) of Regulation (EEC) No 3906/89⁽¹⁾, composed of representatives of the Member States and chaired by a representative of the Commission.

3. The Committee shall give its opinion on draft financing decisions, where they are in excess of EUR 5 million. The Commission may approve, without seeking the opinion of the Committee, financing decisions on supporting activities falling under Article 4(3) of this Regulation, and amendments to financing decisions complying with the objective of the programme and not exceeding 15 % of the financial envelope of such a financing decision.

4. Where, in accordance with paragraph 3, the Committee is not consulted on financing decisions, the Commission shall inform it no later than one week after the decision is taken.

5. For the purposes of this Regulation, the management procedure laid down in Article 4 of Decision 1999/468/EC shall apply, in compliance with Article 7(3) thereof.

Article 4

Types of Assistance

1. Assistance under this Regulation may, *inter alia*, finance procurement contracts, grants, including interest rate subsidies, special loans, loan guarantees and financial assistance.

⁽¹⁾ Council Regulation (EEC) No 3906/89 of 18 December 1989 on economic aid to certain countries of Central and Eastern Europe (OJ L 375, 23.12.1989, p. 11). Regulation as last amended by Regulation (EC) No 2257/2004 (OJ L 389, 30.12.2004, p. 1).

2. Assistance may be financed in full by the budget where it is justified and necessary to achieve the objectives of this Regulation.

3. Assistance may also be used to cover in particular the costs for supporting activities such as preliminary and comparative studies, training, activities linked to preparing, appraising, managing, implementing, monitoring, controlling and evaluation of assistance, activities linked to information and visibility purposes as well as costs for supporting staff, renting of premises and supply of equipment.

Article 5

Implementation of Assistance

1. Actions under this Regulation shall be implemented according to the rules set down in Title IV of part 2 of Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities ⁽¹⁾. All individual legal commitments relating to assistance under this Regulation shall be concluded no later than three years following the date of the budgetary commitment.

2. Without prejudice to any decision taken in accordance with Article 2(5) of Regulation (EC) No 2667/2000, the Commission may, within the limits established in Article 54 of Regulation (EC, Euratom) No 1605/2002, decide to entrust tasks of public authority, and in particular implementation tasks, to the European Agency for Reconstruction or other bodies listed in Article 54(2) of that Regulation. The selection criteria for the bodies listed in Article 54(2)(c) are the following:

- internationally recognised standing,
- compliance with internationally recognised systems of management and control, and
- supervision by a public authority of a Member State or by an international organisation/institution.

3. Actions under this Regulation may be implemented by shared management according to the rules set down in Title I and II of part 2 of Regulation (EC, Euratom) No 1605/2002.

⁽¹⁾ OJ L 248, 16.9.2002, p. 1.

Article 6

In Article 2 of Regulation (EC) No 2667/2000 the following paragraph shall be added:

'5. The Commission may entrust the Agency with the implementation of assistance for encouraging the economic development of the Turkish Cypriot community within the framework of Council Regulation (EC) No 389/2006 of 27 February 2006 establishing an instrument of financial support for encouraging the economic development of the Turkish Cypriot community and amending Regulation (EC) No 2667/2000 on the European Agency for Reconstruction (*).

(*) OJ L 65, 7.3.2006, p. 5.'

Article 7

Protection of Rights of Natural and Legal Persons

1. The Commission shall ensure that in the implementation of actions financed under this Regulation the rights of natural or legal persons including the rights to possessions and property shall be respected. In this context, the Commission shall act in accordance with the case law of the European Court of Human Rights.

2. In order to allow the Member States to convey to the Commission any information on possible violations of property rights, the Commission shall submit any draft financing decision which might affect property rights to the Committee referred to in Article 3(2) two months before the financing decision is to be taken.

Article 8

Protection of Community's financial interests

1. The Commission shall ensure that, when actions financed under this Regulation are implemented, the financial interests of the Community are protected against fraud, corruption and any other irregularities in accordance with Council Regulation (Euratom, EC) No 2988/95 of 18 December 1995 on the protection of the European Communities' financial interests ⁽²⁾ and Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interests against fraud and other irregularities ⁽³⁾, and with Regulation (EC) No 1073/1999 of the European Parliament and of the Council of 25 May 1999 concerning investigations conducted by the European Anti-Fraud Office (OLAF) ⁽⁴⁾.

⁽²⁾ OJ L 312, 23.12.1995, p. 1.

⁽³⁾ OJ L 292, 15.11.1996, p. 2.

⁽⁴⁾ OJ L 136, 31.5.1999, p. 1.

2. For the Community actions financed under this Regulation, the notion of irregularity referred to in Article 1(2) of Regulation (Euratom, EC) No 2988/95 shall mean any infringement of a provision of Community law or any breach of a contractual obligation resulting from an act or omission by an economic operator, which has, or would have, by an unjustified item of expenditure, the effect of prejudicing the general budget of the Communities or budgets managed by them.

3. Any agreements with the beneficiaries shall expressly provide for the Commission and the Court of Auditors to have the power of audit, on the basis of documents and on the spot, over all contractors and subcontractors who have received Community funds. Those agreements shall also expressly authorise the Commission to carry out on-the-spot checks and inspections in accordance with the procedural provisions of Regulation (Euratom, EC) No 2185/96.

4. All contracts resulting from the implementation of assistance shall ensure the rights of the Commission and the Court of Auditors as provided for in paragraph 3, during and after the implementation of contracts.

Article 9

Participation in tenders and contracts

1. Participation in the award of procurement or grant contracts financed under this Regulation shall be open to:

- all natural or legal persons of Member States of the European Union,
- all natural or legal persons who are nationals of, or legally established on the territory of another Member State of the European Economic Area,
- all natural or legal persons who are nationals of, or legally established on the territory of Candidate Countries for Accession to the European Union.

2. Participation in the award of procurement or grant contracts financed under this Regulation shall be open to all natural or legal persons who are nationals of, or legally established on the territory of, any other country than those referred

to in paragraph 1 in cases where reciprocal access to their external assistance has been established.

3. Participation in the award of procurement or grant contracts financed under this Regulation shall be open to international organisations.

4. All supplies and materials purchased under a contract financed under this Regulation must originate from the Community customs territory, the areas, or a country eligible under paragraphs (1) and (2).

5. The Commission may, in duly substantiated cases and on a case-by-case basis, authorise the participation of natural and legal persons from other countries or the use of supplies and materials of different origin.

Article 10

Reporting

Each year the Commission shall send to the European Parliament and the Council a report on the implementation of Community assistance under this instrument. The report shall contain information on the actions financed during the year and on the findings of monitoring work, and shall give an assessment of the results achieved in the implementation of the assistance.

Article 11

Event of a settlement

In the event of a comprehensive settlement of the Cyprus problem, the Council shall, on the basis of a proposal from the Commission, decide unanimously on the necessary adaptations to this Regulation.

Article 12

Entry into force

This Regulation shall enter into force on the third day following 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, 27 February 2006.

For the Council
The President
U. PLASSNIK

COMMISSION REGULATION (EC) No 390/2006**of 6 March 2006****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⁾, 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 7 March 2006.

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

Done at Brussels, 6 March 2006.

For the Commission

J. L. DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 337, 24.12.1994, p. 66. Regulation as last amended by Regulation (EC) No 386/2005 (OJ L 62, 9.3.2005, p. 3).

ANNEX

to Commission Regulation of 6 March 2006 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	83,0
	204	45,5
	212	139,7
	624	92,6
	999	90,2
0707 00 05	052	129,2
	068	138,2
	204	48,2
	628	155,5
	999	117,8
0709 10 00	220	57,6
	624	102,5
	999	80,1
0709 90 70	052	132,6
	204	74,1
	999	103,4
0805 10 20	052	65,8
	204	43,3
	212	43,3
	220	39,5
	400	61,8
	448	41,1
	512	33,1
	624	63,9
	999	49,0
0805 50 10	052	38,8
	624	67,6
	999	53,2
0808 10 80	400	133,1
	404	106,0
	528	75,0
	720	83,3
	999	99,4
0808 20 50	388	80,5
	400	104,9
	512	65,6
	528	65,5
	720	45,0
	999	72,3

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 750/2005 (OJ L 126, 19.5.2005, p. 12). Code '999' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 391/2006**of 6 March 2006****opening tendering procedure No 56/2006 EC for the sale of wine alcohol for new industrial uses**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1493/1999 of 17 May 1999 on the common organisation of the market in wine ⁽¹⁾, and in particular Article 33 thereof,

Whereas:

(1) Commission Regulation (EC) No 1623/2000 of 25 July 2000 laying down detailed rules for implementing Regulation (EC) No 1493/1999 on the common organisation of the market in wine with regard to market mechanisms ⁽²⁾ lays down, *inter alia*, the detailed rules for disposing of stocks of alcohol arising from distillation under Articles 27, 28 and 30 of Regulation (EC) No 1493/1999 held by intervention agencies.

(2) In accordance with Article 80 of Regulation (EC) No 1623/2000, tendering procedures should be organised for the sale of wine alcohol for new industrial uses with a view to reducing the stocks of wine alcohol in the Community and enabling small-scale industrial projects to be carried out and such alcohol to be processed into goods intended for export for industrial uses. The wine alcohol of Community origin in storage in the Member States consists of quantities produced from distillation under Articles 27, 28 and 30 of Regulation (EC) No 1493/1999.

(3) Since 1 January 1999 and in accordance with Council Regulation (EC) No 2799/98 of 15 December 1998 establishing agrimonetary arrangements for the euro ⁽³⁾, the prices offered in tenders and securities must be expressed in euro and payments must be made in euro.

(4) Minimum prices should be fixed for the submission of tenders, broken down according to the type of end-use.

(5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Wine,

HAS ADOPTED THIS REGULATION:

Article 1

Tendering procedure No 56/2006 EC is hereby opened for the sale of wine alcohol for new industrial uses. The alcohol concerned has been produced from distillation under Articles 27 and 28 of Regulation (EC) No 1493/1999 and is held by the French intervention agency.

The volume put up for sale is 109 970 hectolitres of alcohol at 100 % vol. The vat numbers, places of storage and the volume of alcohol at 100 % vol. contained in each vat are detailed in the Annex hereto.

Article 2

The sale shall be conducted in accordance with Articles 79, 81, 82, 83, 84, 85, 95, 96, 97, 100 and 101 of Regulation (EC) No 1623/2000 and Article 2 of Regulation (EC) No 2799/98.

Article 3

1. Tenders must be submitted to the intervention agency holding the alcohol concerned:

Onivins-Libourne, Délégation nationale
17, avenue de la Ballastière, boîte postale 231
F-33505 Libourne Cedex
Tel. (33-5) 57 55 20 00
Telex 57 20 25
Fax (33-5) 57 55 20 59

or sent by registered mail to that address.

⁽¹⁾ OJ L 179, 14.7.1999, p. 1. Regulation as last amended by Commission Regulation (EC) No 2165/2005 (OJ L 345, 28.12.2005, p. 1).

⁽²⁾ OJ L 194, 31.7.2000, p. 45. Regulation as last amended by Regulation (EC) No 1820/2005 (OJ L 293, 9.11.2005, p. 8).

⁽³⁾ OJ L 349, 24.12.1998, p. 1.

2. Tenders shall be submitted in a sealed double envelope, the inside envelope marked: 'Tender under procedure No 56/2006 EC for new industrial uses', the outer envelope bearing the address of the intervention agency concerned.

3. Tenders must reach the intervention agency concerned not later than 12 noon, Brussels time, on 24 March 2006.

4. All tenders must be accompanied by proof that a tendering security of EUR 4 per hectolitre of alcohol at 100 % vol. has been lodged with the intervention agency concerned.

Article 4

The minimum prices which may be offered are EUR 11 per hectolitre of alcohol at 100 % vol. intended for the manufacture of baker's yeast, EUR 31 per hectolitre of alcohol at 100 % vol. intended for the manufacture of amine- and chloral-type chemical products for export, EUR 37 per hectolitre of alcohol at 100 % vol. intended for the manufacture of eau de

Cologne for export and EUR 11,5 per hectolitre of alcohol at 100 % vol. intended for other industrial uses.

Article 5

The formalities for sampling shall be as set out in Article 98 of Regulation (EC) No 1623/2000. The price of samples shall be EUR 10 per litre.

The intervention agency shall provide all the necessary information on the characteristics of the alcohol put up for sale.

Article 6

The performance guarantee shall be EUR 30 per hectolitre of alcohol at 100 % vol.

Article 7

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, 6 March 2006.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

ANNEX

INVITATION TO TENDER NO 56/2006 EC FOR THE SALE OF ALCOHOL FOR NEW INDUSTRIAL USES

Place of storage, volume and characteristics of the alcohol put up for sale						
Member State	Location	Vat No	Volume in hectolitres of alcohol at 100 % vol.	Regulation (EC) No 1493/1999 Article	Type of alcohol	Alcohol strength (in % vol.)
France	Onivins-Longuefuye F-53200 Longuefuye	6	22 535	27	Raw	+ 92
		11	22 560	27	Raw	+ 92
		15	22 480	28	Raw	+ 92
		16	22 395	28	Raw	+ 92
	Onivins-Port-La-Nouvelle Entrepôt d'alcool Avenue Adolphe-Turrel, BP 62 F-11210 Port-La-Nouvelle	5	20 000	27	Raw	+ 92
Total			109 970			

COMMISSION REGULATION (EC) No 392/2006**of 6 March 2006****opening and providing for the administration of an autonomous tariff quota for preserved mushrooms from 1 April 2006**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

the context of the World Trade Organisation (WTO) as a result of the accession of the new Member States.

Having regard to the Treaty establishing the European Community,

- (5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Products Processed from Fruit and Vegetables,

Having regard to the Treaty of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia,

HAS ADOPTED THIS REGULATION:

Having regard to the Act of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, and in particular the first paragraph of Article 41 thereof,

Article 1

Whereas:

1. An autonomous tariff quota of 1 200 tonnes (drained net weight), bearing order number 09.4075 (hereinafter the autonomous quota), shall be opened from 1 April 2006 for Community imports of preserved mushrooms of the genus *Agaricus* spp. falling within CN codes 0711 51 00, 2003 10 20 and 2003 10 30.

- (1) Commission Regulation (EC) No 1864/2004⁽¹⁾ opens tariff quotas for preserved mushrooms imported from third countries and lays down rules for the administration thereof.

2. The *ad valorem* duty applicable to products imported under the autonomous quota shall be 12 % for products falling within CN code 0711 51 00 and 23 % for products falling within CN codes 2003 10 20 and 2003 10 30.

- (2) Regulation (EC) No 1864/2004 provides for transitional measures allowing importers from the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia (hereinafter the new Member States) to benefit from the quotas. The aim of those measures is to make a distinction between traditional importers and new importers in the new Member States, and to adjust the quantities to which licence applications presented by traditional importers from the new Member States can relate so that these importers can benefit from the system.

Article 2

Regulation (EC) No 1864/2004 shall apply to the management of the autonomous quota, subject to the provisions of this Regulation.

- (3) To ensure uninterrupted supplies to the enlarged Community market while taking account of the economic supply conditions in the new Member States prior to their accession to the European Union, an autonomous and temporary import tariff quota should be opened for preserved mushrooms of the genus *Agaricus* falling within CN codes 0711 51 00, 2003 10 20 and 2003 10 30.

However, Articles 1, 5(2) and (5), 6(2), (3) and (4), 7, 8(2), 9 and 10 of Regulation (EC) No 1864/2004 shall not apply to the management of the autonomous quota.

- (4) The new quota should be transitional and may not prejudice the outcome of the negotiations under way in

Article 3

Import licences issued under the autonomous quota, hereinafter 'licences', shall be valid until 30 June 2006.

⁽¹⁾ OJ L 325, 28.10.2004, p. 30. Regulation as last amended by Regulation (EC) No 1995/2005 (OJ L 320, 8.12.2005, p. 34).

Box 24 of the licences shall show one of the entries listed in Annex I.

Article 4

1. Importers may submit licence applications to the competent authorities of the Member States in the five working days following the date of entry into force of this Regulation.

Box 20 of the licence applications shall show one of the entries listed in Annex II.

2. Licence applications submitted by a single traditional importer may not relate to a quantity exceeding 9 % of the autonomous quota.

3. Licence applications submitted by a single new importer may not relate to a quantity exceeding 1 % of the autonomous quota.

Article 5

The autonomous quota shall be allocated as follows:

- 95 % to traditional importers,
- 5 % to new importers.

If the quantity allocated to one of the categories of importers is not used in full, the balance may be allocated to the other category.

Article 6

1. The Member States shall notify the Commission, on the seventh working day following that of the entry into force of this Regulation, of the quantities for which licence applications have been made.

2. Licences shall be issued on the 12th working day following the entry into force of this Regulation, unless the Commission has taken special measures under paragraph 3.

3. Where the Commission finds, on the basis of the information notified under paragraph 1, that licence applications exceed the quantities available for a category of importers under Article 5, it shall adopt, by means of a regulation, a single reduction percentage for the applications in question.

Article 7

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, 6 March 2006.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

ANNEX I

Entries referred to in Article 3

- *in Spanish:* Certificado expedido en virtud del Reglamento (CE) n° 392/2006 y válido únicamente desde el 1 abril de 2006 hasta el 30 de junio de 2006.
- *in Czech:* Licence vydaná na základě nařízení (ES) č. 392/2006 a platná pouze od 1. dubna 2006 do 30. června 2006.
- *in Danish:* licens udstedt i henhold til forordning (EF) nr. 392/2006 og kun gyldig fra 1. april 2006 til den 30. juni 2006.
- *in German:* Lizenz gemäß der Verordnung (EG) Nr. 392/2006 erteilt und nur vom 1. April 2006 bis zum 30. Juni 2006 gültig.
- *in Estonian:* määruse (EÜ) nr 392/2006 kohaselt väljastatud litsents, alates 1. aprillist 2006 mis kehtib 30. juunini 2006.
- *in Greek:* Το πιστοποιητικό εκδόθηκε βάσει του κανονισμού (ΕΚ) αριθ. 392/2006 και ισχύει μόνο από την 1η Απριλίου 2006 έως τις 30 Ιουνίου 2006.
- *in English:* licence issued under Regulation (EC) No 392/2006 and valid only from 1 April 2006 until 30 June 2006.
- *in French:* certificat émis au titre du règlement (CE) n° 392/2006 et valable seulement du 1^{er} avril 2006 au 30 juin 2006.
- *in Italian:* domanda di titolo presentata ai sensi del regolamento (CE) n. 392/2006 e valida soltanto dal 1° aprile 2006 al 30 giugno 2006.
- *in Latvian:* atļauja, kas izdota saskaņā ar Regulu (EK) Nr. 392/2006 un ir derīga tikai no 2006. gada 1. aprīļa līdz 2006. gada 30. jūnijam.
- *in Lithuanian:* Licencija, išduota pagal Reglamento (EB) Nr. 392/2006 nuostatas, galiojanti tik nuo 2006 m. balandžio 1 d. iki 2006 m. birželio 30 d.
- *in Hungarian:* a 392/2006/EK rendelet szerint kibocsátott engedély, csak 2006. április 1-től 2006. június 30-ig érvényes.
- *in Maltese:* liċenzja mahruġa taht ir-Regolament (KE) Nru 392/2006 u valida biss mill-1 ta' April 2006 sat-30 ta' Ġunju 2006.
- *in Dutch:* Overeenkomstig Verordening (EG) nr. 392/2006 afgegeven certificaat dat slechts vanaf 1 april tot en met 30 juni 2006 geldig is.
- *in Polish:* pozwolenie wydane zgodnie z rozporządzeniem (WE) nr 392/2006 i ważne wyłącznie od dnia 1 kwietnia 2006 do dnia 30 czerwca 2006 r.
- *in Portuguese:* certificado emitido a título do Regulamento (CE) n.º 392/2006 e eficaz somente de 1 de Abril de 2006 até 30 de Junho de 2006.
- *in Slovak:* Licencia vydaná na základe nariadenia (ES) č. 392/2006 a platná len od 1. apríla 2006 do 30. júna 2006.
- *in Slovene:* dovoljenje, izdano v skladu z Uredbo (ES) št. 392/2006 in veljavno samo od 1. aprila 2006 do 30. junija 2006.
- *in Finnish:* asetuksen (EY) N:o 392/2006 mukaisesti annettu todistus, joka on voimassa ainoastaan 1 päivästä huhtikuuta 2006 30 päivään kesäkuuta 2006.
- *in Swedish:* Licens utfärdad i enlighet med förordning (EG) nr 392/2006, giltig endast från och med den 1 april 2006 till och med den 30 juni 2006.

ANNEX II

Entries referred to in Article 4(1)

- *in Spanish:* Solicitud de certificado presentada al amparo del Reglamento (CE) n° 392/2006
 - *in Czech:* žádost o licenci podaná na základě nařízení (ES) č. 392/2006
 - *in Danish:* licensansøgning i henhold til forordning (EF) nr. 392/2006
 - *in German:* Lizenzantrag gemäß der Verordnung (EG) Nr. 392/2006
 - *in Estonian:* määruste (EÜ) nr 392/2006 kohaselt esitatud litsentsitaotlus
 - *in Greek:* αίτηση χορήγησης πιστοποιητικού κατ' εφαρμογήν του κανονισμού (ΕΚ) αριθ. 392/2006
 - *in English:* licence application under Regulation (EC) No 392/2006
 - *in French:* demande de certificat faite au titre du règlement (CE) n° 392/2006
 - *in Italian:* domanda di titolo presentata ai sensi del regolamento (CE) n. 392/2006
 - *in Latvian:* licence pieprasīta saskaņā ar Regulu (EK) Nr. 392/2006
 - *in Lithuanian:* Prašymas išduoti licenciją pagal Reglamentą (EB) Nr. 392/2006
 - *in Hungarian:* a 392/2006/EK rendelet szerinti engedélykérelem
 - *in Maltese:* applikazzjoni għal liċenzja taht ir-Regolament (KE) Nru 392/2006
 - *in Dutch:* Overeenkomstig Verordening (EG) nr. 392/2006 ingediende certificaataanvraag
 - *in Polish:* wniosek o pozwolenie przedłożony zgodnie z rozporządzeniem (WE) nr 392/2006
 - *in Portuguese:* pedido de certificado apresentado a título do Regulamento (CE) n.º 392/2006
 - *in Slovak:* žiadosť o licenciu na základe nariadenia (ES) č. 392/2006
 - *in Slovene:* dovoljenje, izdano v skladu z Uredbo (ES) št. 392/2006
 - *in Finnish:* asetuksen (EY) N:o 392/2006 mukainen todistushakemus
 - *in Swedish:* Licensansökan enligt förordning (EG) nr 392/2006.
-

COMMISSION REGULATION (EC) No 393/2006

of 6 March 2006

opening and providing for the administration of an autonomous tariff quota for garlic from
1 April 2006

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

the context of the World Trade Organisation (WTO) as a result of the accession of the new Member States.

Having regard to the Treaty establishing the European Community,

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

Having regard to the Treaty of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia,

HAS ADOPTED THIS REGULATION:

Having regard to the Act of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia, and in particular the first paragraph of Article 41 thereof,

Article 1

1. An autonomous tariff quota of 4 400 tonnes, bearing order number 09.4066 (hereinafter the 'autonomous quota'), shall be opened from 1 April 2006 for Community imports of fresh or chilled garlic falling within CN code 0703 20 00.

Whereas:

2. The *ad valorem* duty applicable to products imported under the autonomous quota shall be 9,6 %.

- (1) Commission Regulation (EC) No 1870/2005 ⁽¹⁾ opens and provides for the administration of tariff quotas and introduces a system of certificates of origin for garlic imported from third countries.

Article 2

Regulation (EC) No 1870/2005 shall apply to the management of the autonomous quota, subject to the provisions of this Regulation.

- (2) Regulation (EC) No 1870/2005 provides for transitional measures allowing importers from the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia (hereinafter 'the new Member States') to benefit from the quotas. The aim of those measures is to make a distinction between traditional importers and new importers in the new Member States, and to adapt the concept of the reference quantity so that those importers can benefit from the system.

However, Articles 1, 4(2), 6, 7(2) 8(3) and (6), the first paragraph of Article 9, and Article 10(1) and (2) of Regulation (EC) No 1870/2005 shall not apply to the management of the autonomous quota.

- (3) To ensure uninterrupted supplies to the enlarged Community market while taking account of the economic supply conditions in the new Member States prior to their accession to the European Union, an autonomous and temporary import tariff quota should be opened for fresh or chilled garlic falling within CN code 0703 20 00.

Article 3

Import licences issued under the autonomous quota, hereinafter 'licences', shall be valid until 30 June 2006.

- (4) The new quota should be transitional and may not prejudice the outcome of the negotiations under way in

For the purposes of Regulation (EC) No 1870/2005, licences shall be treated as 'A' licences.

Box 24 of the licences shall show one of the entries listed in Annex I.

⁽¹⁾ OJ L 300, 17.11.2005, p. 19.

Article 4

1. Importers may submit licence applications to the competent authorities of the Member States in the five working days following the date of entry into force of this Regulation.

Box 20 of the licence applications shall show one of the entries listed in Annex II.

2. Licence applications submitted by a single importer may not relate to a quantity exceeding 10 % of the autonomous quota.

Article 5

The autonomous quota shall be allocated as follows:

— 70 % to traditional importers,

— 30 % to new importers.

If the quantity allocated to one of the categories of importers is not used in full, the balance may be allocated to the other category.

Article 6

1. The Member States shall notify the Commission, on the seventh working day following that of the entry into force of this Regulation, of the quantities for which licence applications have been made.

2. Licences shall be issued on the twelfth working day following that of the entry into force of this Regulation, unless the Commission has taken special measures under paragraph 3.

3. If the Commission finds, on the basis of the information notified under paragraph 1, that licence applications exceed the quantities available for a category of importers under Article 5, it shall adopt, by means of a regulation, a single reduction percentage for the applications in question.

In that case, licences shall be issued by the competent authorities on the third working day following the entry in force of the regulation referred to in the first subparagraph. Article 11 of Regulation (EC) No 1870/2005 shall apply *mutatis mutandis*.

Article 7

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, 6 March 2006.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

ANNEX I

Entries referred to in Article 3

- *in Spanish:* Certificado expedido en virtud del Reglamento (CE) n° 393/2006 y válido únicamente desde el 1 abril de 2006 hasta el 30 de junio de 2006.
- *in Czech:* Licence vydaná na základě nařízení (ES) č. 393/2006 a platná pouze od 1. dubna 2006 do 30. června 2006.
- *in Danish:* licens udstedt i henhold til forordning (EF) nr. 393/2006 og kun gyldig fra 1. april 2006 til den 30. juni 2006.
- *in German:* Lizenz gemäß der Verordnung (EG) Nr. 393/2006 erteilt und nur vom 1. April 2006 bis zum 30. Juni 2006 gültig.
- *in Estonian:* määruse (EÜ) nr 393/2006 kohaselt väljastatud litsents, alates 1. aprillist 2006 mis kehtib 30. juunini 2006.
- *in Greek:* Το πιστοποιητικό εκδόθηκε βάσει του κανονισμού (ΕΚ) αριθ. 393/2006 και ισχύει μόνο από την 1η Απριλίου 2006 έως τις 30 Ιουνίου 2006.
- *in English:* licence issued under Regulation (EC) No 393/2006 and valid only from 1 April 2006 until 30 June 2006.
- *in French:* certificat émis au titre du règlement (CE) n° 393/2006 et valable seulement du 1^{er} avril 2006 au 30 juin 2006.
- *in Italian:* domanda di titolo presentata ai sensi del regolamento (CE) n. 393/2006 e valida soltanto dal 1° aprile 2006 al 30 giugno 2006.
- *in Latvian:* atļauja, kas izdota saskaņā ar Regulu (EK) Nr. 393/2006 un ir derīga tikai no 2006. gada 1. aprīļa līdz 2006. gada 30. jūnijam.
- *in Lithuanian:* Licencija, išduota pagal Reglamento (EB) Nr. 393/2006 nuostatas, galiojanti tik nuo 2006 m. balandžio 1 d. iki 2006 m. birželio 30 d.
- *in Hungarian:* a 393/2006/EK rendelet szerint kibocsátott engedély, csak 2006. április 1-től 2006. június 30-ig érvényes.
- *in Maltese:* liċenzja mahruġa taht ir-Regolament (KE) Nru 393/2006 u valida biss mill-1 ta' April 2006 sat-30 ta' Ġunju 2006.
- *in Dutch:* Overeenkomstig Verordening (EG) nr. 393/2006 afgegeven certificaat dat slechts vanaf 1 april tot en met 30 juni 2006 geldig is.
- *in Polish:* pozwolenie wydane zgodnie z rozporządzeniem (WE) nr 393/2006 i ważne wyłącznie od dnia 1 kwietnia 2006 do dnia 30 czerwca 2006 r.
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- *in Slovak:* Licencia vydaná na základe nariadenia (ES) č. 393/2006 a platná len od 1. apríla 2006 do 30. júna 2006.
- *in Slovene:* dovoljenje, izdano v skladu z Uredbo (ES) št. 393/2006 in veljavno samo od 1. aprila 2006 do 30. junija 2006.
- *in Finnish:* asetuksen (EY) N:o 393/2006 mukaisesti annettu todistus, joka on voimassa ainoastaan 1 päivästä huhtikuuta 2006 30 päivään kesäkuuta 2006.
- *in Swedish:* Licens utfärdad i enlighet med förordning (EG) nr 393/2006, giltig endast från och med den 1 april 2006 till och med den 30 juni 2006.

ANNEX II

Entries referred to in Article 4(1)

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 - *in Czech:* žádost o licenci podaná na základě nařízení (ES) č. 393/2006
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 - *in German:* Lizenzantrag gemäß der Verordnung (EG) Nr. 393/2006
 - *in Estonian:* määruste (EÜ) nr 393/2006 kohaselt esitatud litsentsitaotlus
 - *in Greek:* αίτηση χορήγησης πιστοποιητικού κατ' εφαρμογήν του κανονισμού (ΕΚ) αριθ. 393/2006
 - *in English:* licence application under Regulation (EC) No 393/2006
 - *in French:* demande de certificat faite au titre du règlement (CE) n° 393/2006
 - *in Italian:* domanda di titolo presentata ai sensi del regolamento (CE) n. 393/2006
 - *in Latvian:* licence pieprasīta saskaņā ar Regulu (EK) Nr. 393/2006
 - *in Lithuanian:* Prašymas išduoti licenciją pagal Reglamentą (EB) Nr. 393/2006
 - *in Hungarian:* a 393/2006/EK rendelet szerinti engedélykérelem
 - *in Maltese:* applikazzjoni għal liċenzja taht ir-Regolament (KE) Nru 393/2006
 - *in Dutch:* Overeenkomstig Verordening (EG) nr. 393/2006 ingediende certificaataanvraag
 - *in Polish:* wniosek o pozwolenie przedłożony zgodnie z rozporządzeniem (WE) nr 393/2006
 - *in Portuguese:* pedido de certificado apresentado a título do Regulamento (CE) n.º 393/2006
 - *in Slovak:* žiadosť o licenciu na základe nariadenia (ES) č. 393/2006
 - *in Slovene:* dovoljenje, izdano v skladu z Uredbo (ES) št. 393/2006
 - *in Finnish:* asetuksen (EY) N:o 393/2006 mukainen todistushakemus
 - *in Swedish:* Licensansökan enligt förordning (EG) nr 393/2006.
-

COMMISSION DIRECTIVE 2006/26/EC**of 2 March 2006****amending, for the purposes of their adaptation to technical progress, Council Directives 74/151/EEC, 77/311/EEC, 78/933/EEC and 89/173/EEC relating to wheeled agricultural or forestry tractors****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Directive 2003/37/EC of the European Parliament and of the Council of 26 May 2003 on type-approval of agricultural or forestry tractors, their trailers and interchangeable towed machinery, together with their systems, components and separate technical units and repealing Directive 74/150/EEC ⁽¹⁾, and in particular Article 19(1) thereof,

Having regard to Council Directive 74/151/EEC of 4 March 1974 on the approximation of the laws of the Member States relating to certain parts and characteristics of wheeled agricultural or forestry tractors ⁽²⁾, and in particular Article 4 thereof,

Having regard to Council Directive 77/311/EEC of 29 March 1977 on the approximation of the laws of the Member States relating to the driver-perceived noise level of wheeled agricultural or forestry tractors ⁽³⁾, and in particular Article 5 thereof,

Having regard to Council Directive 78/933/EEC of 17 October 1978 on the approximation of the laws of the Member States relating to the installation of lighting and lighting-signalling devices on wheeled agricultural or forestry tractors ⁽⁴⁾, and in particular Article 5 thereof,

Having regard to Council Directive 89/173/EEC of 21 December 1988 on the approximation of the laws of the Member States relating to certain components and characteristics of wheeled agricultural or forestry tractors ⁽⁵⁾, and in particular Article 9 thereof,

Whereas:

- (1) The requirements introduced by Directive 74/151/EEC for the maximum permissible laden mass and axle load

⁽¹⁾ OJ L 171, 9.7.2003, p. 1. Directive as last amended by Commission Directive 2005/67/EC (OJ L 273, 19.10.2005, p. 17).

⁽²⁾ OJ L 84, 28.3.1974, p. 25. Directive as last amended by Commission Directive 98/38/EC (OJ L 170, 16.6.1998, p. 13).

⁽³⁾ OJ L 105, 28.4.1977, p. 1. Directive as last amended by Directive 97/54/EC of the European Parliament and of the Council (OJ L 277, 10.10.1997, p. 24).

⁽⁴⁾ OJ L 325, 20.11.1978, p. 16. Directive as last amended by Commission Directive 1999/56/EC (OJ L 146, 11.6.1999, p. 31).

⁽⁵⁾ OJ L 67, 10.3.1989, p. 1. Directive as last amended by the 2003 Act of Accession.

for wheeled agricultural or forestry tractors need to be adapted for modern tractors, taking into account the enhancements in tractor technology with regard to the increase of productivity as well as occupational safety.

- (2) In order to facilitate the global operation of Community industry, it is necessary to align Community technical regulations and standards with the corresponding global technical regulations and standards. In relation to the maximum limits laid down in Directive 77/311/EEC for the driver-perceived noise level of wheeled agricultural or forestry tractors, the test speed established in Annexes I and II to that Directive should therefore be harmonised with the test speed required in global technical regulations or standards such as OECD Code 5 and ISO 5131:1996 ⁽⁶⁾.

- (3) It is appropriate to adapt the requirements introduced by Directive 78/933/EEC relating to the installation of lighting and light-signalling devices on wheeled agricultural and forestry tractors, so as to meet present needs for simpler design and better illumination.

- (4) The requirements laid down in Directive 89/173/EEC relating to glazing and coupling of wheeled agricultural or forestry tractors should be brought into line with recent technological developments. In particular, polycarbonate/plastic glazing should be permitted for non-wind-screen applications to enhance the protection of the occupants in the event of objects penetrating the driver cab area. The requirements concerning mechanical couplings should be aligned with the standard ISO 6489-1. Furthermore, with a view to reducing the number and severity of accidents and to enhancing occupational safety, it is appropriate not only to make additional provision as regards hot surfaces, but also to lay down measures concerning battery terminal covers, as well as measures designed to prevent unintentional uncoupling.

- (5) Directives 74/151/EEC, 77/311/EEC, 78/933/EEC and 89/173/EEC should therefore be amended accordingly.

- (6) The measures provided for in this Directive are in accordance with the opinion of the Committee established under Article 20(1) of Directive 2003/37/EC,

⁽⁶⁾ These documents can be found in the web pages <http://www.oecd.org/dataoecd/35/19/34733683.PDF> and <http://www.iso.org/iso/en/CatalogueDetailPage.CatalogueDetail?CSNUMBER=20842&ICS1=17&ICS2=140&ICS3=20>

HAS ADOPTED THIS DIRECTIVE:

Article 1

Amendment to Directive 74/151/EEC

Directive 74/151/EEC is amended in accordance with Annex I to this Directive.

Article 2

Amendment to Directive 77/311/EEC

Directive 77/311/EEC is amended in accordance with Annex II to this Directive.

Article 3

Amendment to Directive 78/933/EEC

Directive 78/933/EEC is amended in accordance with Annex III to this Directive.

Article 4

Amendment to Directive 89/173/EEC

Directive 89/173/EEC is amended in accordance with Annex IV to this Directive.

Article 5

Transitional provisions

1. With effect from 1 January 2007, with respect to vehicles which comply with the requirements laid down respectively in Directives 74/151/EEC, 78/933/EEC, 77/311/EEC and 89/173/EEC as amended by this Directive, Member States shall not, on grounds relating to the subject-matter of the Directive concerned:

- (a) refuse to grant EC type-approval or to grant national type-approval;
- (b) prohibit the registration, sale or entry into service of such a vehicle.

2. With effect from 1 July 2007, with respect to vehicles which do not comply with the requirements laid down respectively in Directives 74/151/EEC, 78/933/EEC, 77/311/EEC and 89/173/EEC as amended by this Directive, and on grounds relating to the subject-matter of the Directive concerned, Member States:

- (a) shall no longer grant EC type-approval;
- (b) may refuse to grant national type-approval.

3. With effect from 1 July 2009, with respect to vehicles which do not comply with the requirements laid down respectively in Directives 74/151/EEC, 78/933/EEC, 77/311/EEC and 89/173/EEC as amended by this Directive, and on grounds relating to the subject-matter of the Directive concerned, Member States:

- (a) shall consider certificates of conformity which accompany new vehicles in accordance with the provisions of Directive 2003/37/EC to be no longer valid for the purposes of Article 7(1);
- (b) may refuse the registration, sale or entry into service of those new vehicles.

Article 6

Transposition

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 31 December 2006 at the latest. They shall forthwith communicate to the Commission the text of those provisions and a correlation table between those provisions and this Directive.

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

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

Article 7

Entry into force

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

Article 8

Addressees

This Directive is addressed to the Member States.

Done at Brussels, 2 March 2006.

For the Commission
Günter VERHEUGEN
Vice-President

ANNEX I

In Annex I to Directive 74/151/EEC, point 1.2. is replaced by the following:

- '1.2. the maximum permissible laden mass and the maximum permissible mass per axle depending on the vehicle category does not exceed the values given in Table 1.

Table 1

Maximum Permissible Laden Mass and Maximum Permissible Mass per Axle Depending on the Vehicle Category

Vehicle category	Number of axles	Maximum permissible mass (t)	Maximum permissible mass per axle	
			Driven axle (t)	Non-driven axle (t)
T1, T2, T4.1,	2	18 (laden)	11,5	10
	3	24 (laden)	11,5	10
T3	2, 3	0,6 (unladen)	^(a)	^(a)
T4.3	2, 3, 4	10 (laden)	^(a)	^(a)

^(a) It is not necessary to establish an axle limit for vehicle categories T3 and T4.3, as they have by definition limitations on the maximum permissible laden and/or unladen mass.'

ANNEX II

Directive 77/311/EEC is amended as follows:

- (1) Annex I is amended as follows:

- (i) in point 3.2.2., '7.25 km/h' is replaced by '7,5 km/h';
- (ii) in point 3.3.1., '7.25 km/h' is replaced by '7,5 km/h';

- (2) In point 3.2.3. of Annex II, '7.25 km/h' is replaced by '7,5 km/h'.

ANNEX III

In Directive 78/933/EEC, Annex I is amended as follows:

(1) In point 4.5.1., the following phrase is added:

‘Additional direction-indicator lamps optional.’

(2) Point 4.5.4.2. is replaced by the following:

‘4.5.4.2. Height:

Above the ground:

- not less than 500 mm for direction-indicator lamps in category 5,
- not less than 400 mm for direction-indicator lamps in categories 1 and 2,
- not more than 1 900 mm for all categories.

If the structure of the tractor makes it impossible to keep to this maximum figure, the highest point on the illuminating surface may be at 2 300 mm for direction-indicator lamps in category 5, for those in categories 1 and 2 of arrangement A, for those in categories 1 and 2 of arrangement B and for those in categories 1 and 2 of arrangement D; it may be at 2 100 mm for those in categories 1 and 2 of the other arrangements.

- up to 4 000 mm for optional direction-indicator lamps.’

(3) In point 4.7.4.2., the value ‘2 100 mm’ is replaced by the value ‘2 300 mm’.

(4) In point 4.10.4.2., the value ‘2 100 mm’ is replaced by the value ‘2 300 mm’.

(5) In point 4.14.5.2.2., the value ‘2 100 mm’ is replaced by the value ‘2 300 mm’.

(6) Point 4.15.7. is replaced by the following:

‘4.15.7 May be “grouped”’.

ANNEX IV

Directive 89/173/EEC is amended as follows:

(1) Annex II is amended as follows:

(a) In point 2.2., the following points are inserted:

‘2.2.6. “Normal operation” means the use of the tractor for the purpose intended by the manufacturer and by an operator familiar with the tractor characteristics and complying with the information for operation, service and safe practices, as specified by the manufacturer in the operator’s manual and by signs on the tractor.

2.2.7. “Inadvertent contact” means unplanned contact between a person and a hazard location resulting from the person’s action during normal operation and service of the tractor.’

(b) In point 2.3.2., the following points are inserted:

‘2.3.2.16. Hot surfaces

Hot surfaces which can be reached by the operator during normal operation of the tractor shall be covered or insulated. This applies to hot surfaces which are near to steps, handrails, handholds and integral tractor parts used as boarding means and which may be inadvertently touched.

2.3.2.17. Battery terminal cover

Non-earthed terminals must be protected against unintentional short-circuiting.’

(2) In point 1. of Annex III A, the following point is inserted:

‘1.1.3. rigid plastic glazing is permitted for non-windscreen applications as approved in Council Directive 92/22/EEC (*) or in UN-ECE Regulation 43, Annex 14.

(*) OJ L 129, 14.5.1992, p. 11.’

(3) Annex IV is amended as follows:

(a) In point 1.1., the second indent is replaced by the following:

‘— towing hook (see Figure 1 — “Hitch-hook dimensions” in ISO 6489-1:2001),’

(b) In Section 2, the following point 2.9. is added:

‘2.9. In order to prevent unintentional uncoupling from the hitch ring, the distance between the towing hook tip and the keeper (clamping device) shall not exceed 10 mm at the maximum design load.’

(c) In Appendix 1, Figure 3 and the related text are deleted.

COMMISSION DIRECTIVE 2006/28/EC**of 6 March 2006**

amending, for the purposes of their adaptation to technical progress, Council Directive 72/245/EEC of 20 June 1972 relating to the radio interference (electromagnetic compatibility) of vehicles and Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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⁾, and in particular Article 13(2) thereof,

Having regard to Council Directive 72/245/EEC of 20 June 1972 relating to the radio interference (electromagnetic compatibility) of vehicles ⁽²⁾, and in particular Article 4 thereof,

Whereas:

(1) Directive 72/245/EEC is one of the separate directives under the type-approval procedure established by Directive 70/156/EEC.

(2) In order to improve safety of vehicles by encouraging development and deployment of technologies utilising automotive short-range radar equipment, the Commission has harmonised the use of two radio spectrum frequency bands by Commission Decision 2004/545/EC of 8 July 2004 on the harmonisation of radio spectrum in the 79 GHz range for the use of automotive short-range radar equipment in the Community ⁽³⁾ and by Commission Decision 2005/50/EC of 17 January 2005 on the harmonisation of the 24 GHz range radio spectrum band for the time-limited use by automotive short-range radar equipment in the Community ⁽⁴⁾.

(3) In accordance with Decision 2005/50/EC, the use of 24 GHz automotive short-range radar equipment is time-limited and Member States have to set up a monitoring system aiming to quantify the number of vehicles equipped with 24 GHz short-range radar equipment registered in their territory.

(4) Directive 72/245/EEC, as amended by Commission Directive 2005/49/EC ⁽⁵⁾, provided Member States with the appropriate means to carry out this monitoring. Directive 70/156/EEC was amended accordingly by that Directive.

(5) Since then it has become obvious that the way to provide these data can be simplified for 24 GHz short-range radar equipment and that it is unnecessary for monitoring purposes to require information about the use of 79 GHz short-range radar equipment in the Certificate of Conformity (CoC) in addition to the information about the 24 GHz short range radar equipment, since the 79 GHz band does not interfere with other applications and its use is not restricted. It is therefore appropriate to modify requirements related to the use of 24 GHz short-range radar equipment and delete requirements related to the use of 79 GHz short-range radar equipment in Directive 72/245/EEC. This Directive does not affect the validity of existing approvals for vehicles not fitted with 24 GHz short range radars.

(6) Only Technical Services issue attestations according to the model given in Annex III C of Directive 72/245/EEC. No further authority or administration is involved in this process. Therefore, the additional stamping of the attestation presently required is dispensable and shall be removed.

(7) Directive 72/245/EEC should therefore be amended accordingly.

(8) The amendments to Directive 72/245/EEC have an impact on Directive 70/156/EEC. It is therefore necessary to amend Directive 70/156/EEC accordingly.

⁽¹⁾ OJ L 42, 23.2.1970, p. 1. Directive as last amended by Directive 2005/64/EC of the European Parliament and of the Council (OJ L 310, 25.11.2005, p. 10).

⁽²⁾ OJ L 152, 6.7.1972, p. 15. Directive as last amended by Commission Directive 2005/83/EC (OJ L 305, 24.11.2005, p. 32).

⁽³⁾ OJ L 241, 13.7.2004, p. 66.

⁽⁴⁾ OJ L 21, 25.1.2005, p. 15.

⁽⁵⁾ OJ L 194, 26.7.2005, p. 12.

- (9) The measures provided for in this Directive are in accordance with the opinion of the Committee for Adaptation to Technical Progress established by Article 13 of Directive 70/156/EEC,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Amendment to Directive 72/245/EEC

Directive 72/245/EEC is amended as follows:

1. In Annex I, point 2.1.14 is deleted.

2. Annex II A is amended as follows:

- (a) Point 12.7.1 is replaced by the following:

‘12.7.1. vehicle equipped with 24 GHz short-range radar equipment: Yes/No/Optional (strike out which is not applicable)’;

- (b) Point 12.7.2 is deleted.

3. The appendix to Annex III A is amended as follows:

- (a) Point 1.3.1 is replaced by the following:

‘1.3.1. vehicle equipped with 24 GHz short-range radar equipment: Yes/No/Optional (strike out which is not applicable)’;

- (b) Point 1.3.2 is deleted.

4. In Annex III C, the words ‘Stamp of administration’ including the surrounding box are deleted.

Article 2

Amendment to Directive 70/156/EEC

Directive 70/156/EEC is amended as follows:

1. Annex I is amended as follows:

- (a) Point 12.7.1 is replaced by the following:

‘12.7.1. vehicle equipped with 24 GHz short-range radar equipment: Yes/No/Optional (strike out which is not applicable)’;

- (b) Point 12.7.2 is deleted.

2. Annex III, Part I, Section A is amended as follows:

- (a) Point 12.7.1 is replaced by the following:

‘12.7.1. vehicle equipped with 24 GHz short-range radar equipment: Yes/No/Optional (strike out which is not applicable)’;

- (b) Point 12.7.2 is deleted.

3. Annex IX, on side two of all models of the Certificate of Conformity (COC), is amended as follows:

- (a) Point 50 is replaced by the following and a footnote is added as follows:

‘50. Remarks (!):

(!) If the vehicle is equipped with 24 GHz short-range radar equipment according to Decision 2005/50/EC, the manufacturer must indicate here: “Vehicle equipped with 24 GHz short-range radar equipment”.

- (b) Points 50.1, 50.2 and 50.3 are deleted.

Article 3

Transposition

1. Member States shall adopt and publish, by 30 June 2006 at the latest, the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions and a correlation table between those provisions and this Directive.

They shall apply those provisions from 1 July 2006.

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 to be 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 4***Entry into force**

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

*Article 5***Addressees**

This Directive is addressed to the Member States.

Done at Brussels, 6 March 2006.

For the Commission

Günter VERHEUGEN

Vice-President

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 27 February 2006

on a Community position within the EU-Chile Association Council on the amendment of Annex I to the Agreement establishing an association between the European Community and its Member States, of the one part, and the Republic of Chile, of the other part, to take into account the consolidation of the tariff preferences granted to Chile by the Community scheme of generalised tariff preferences (GSP)

(2006/180/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133 thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) In order to ensure clarity, long term economic predictability and legal certainty for economic operators, it is considered appropriate to consolidate into the bilateral free trade agreement the remaining tariff preferences granted to Chile by the Community scheme of generalised tariff preferences and not yet provided for by the Community tariff concessions listed in Annex I to the Agreement establishing an association between the European Community and its Member States, of the one part, and the Republic of Chile, of the other part ⁽¹⁾, signed in Brussels on 18 November 2002.
- (2) Chile, as a current beneficiary country under the Community scheme of generalised tariff preferences, will benefit by means of the enclosed Association Council Decision, from a commercial agreement giving

preferential treatment including all the preferences provided for by the tariff scheme contained in Council Regulation (EC) No 980/2005 of 27 June 2005 applying a scheme of generalised tariff preferences ⁽²⁾,

HAS DECIDED AS FOLLOWS:

Sole Article

The position to be adopted by the Community within the Association Council on the amendment of Annex I to the Agreement establishing an association between the European Community and its Member States, of the one part, and the Republic of Chile, of the other part, to take into account the consolidation of the tariff preferences granted to Chile by the Community scheme of generalised tariff preferences (GSP), shall be based on the draft Decision of the Association Council annexed to this Decision.

Done at Brussels, 27 February 2006.

For the Council
The President
U. PLASSNIK

⁽¹⁾ OJ L 352, 30.12.2002, p. 3.

⁽²⁾ OJ L 169, 30.6.2005, p. 1.

ANNEX

DRAFT DECISION No .../2006 OF THE EU-CHILE ASSOCIATION COUNCIL**of****on the amendment of Annex I to the Agreement establishing an association between the European Community and its Member States, of the one part, and the Republic of Chile, of the other part, to take into account the consolidation of the tariff preferences granted to Chile by the Community scheme of generalised tariff preferences (GSP)**

THE ASSOCIATION COUNCIL,

Article 2

Having regard to the Agreement establishing an association between the European Community and its Member States, of the one part, and the Republic of Chile, of the other part, signed in Brussels on 18 November 2002 (hereinafter referred to as 'Association Agreement'), and in particular Article 60(5) thereof,

This Decision shall supersede the terms laid down in Articles 65, 68 and 71 of the Association Agreement with respect to imports into the Community of the products concerned.

Article 3

Whereas:

Proofs of origin properly issued in Chile in the framework of the Community scheme of generalised tariff preferences (GSP) shall be accepted in the European Community as valid proofs of origin under the preferential bilateral trade regime established by the Association Agreement, provided that:

- (1) In order to ensure clarity, long term economic predictability and legal certainty for economic operators, the parties have agreed to consolidate into their bilateral free trade agreement the remaining tariff preferences granted to Chile by the Community scheme of generalised tariff preferences (GSP) and not yet provided for by the Community tariff concessions listed in Annex I to the Association Agreement.
- (2) Article 60(5) of the Association Agreement empowers the Association Council to take decisions in order to accelerate the reduction of customs duties more rapidly than is provided for in Articles 65, 68 and 71, or otherwise improve the conditions of access under those Articles.
- (3) This Decision supersedes the terms laid down in Articles 65, 68 and 71 for the products concerned.
- (4) It is desirable to ensure smooth transition from the GSP to the preferential bilateral trade regime established by the Association Agreement by allowing GSP proofs of origin (certificate of origin Form A or invoice declaration) to be submitted for a certain period of time,

- (i) the proof of origin is submitted within four months of the date of entry into force of this Decision;
- (ii) the proof of origin and the transport documents were issued no later than the day before the date of entry into force of this Decision;
- (iii) the proof of origin is presented at import into the European Community for the benefit of tariff preferences previously granted under the GSP which are consolidated by this Decision.

Article 4

This Decision shall enter into force on 1 January 2006, or the day of its adoption if the adoption takes place after the 1 January 2006.

HAS DECIDED AS FOLLOWS:

Article 1

Done at

Annex I to the Association Agreement is hereby amended in accordance with the provisions set out in the Annex to this Decision.

For the Association Council
The President

ANNEX

COMMUNITY'S TARIFF ELIMINATION SCHEDULE

(referred to in articles 60, 65, and 71 of the Association Agreement)

- (I) Applied customs duty on import into the Community of products originating in Chile. This duty results from the consolidation in the Association Agreement of the GSP duty applied to Chile.
- (II) This customs duty applies only to ex quota products.

HS heading	Description	Base	Category
0302	Fish, fresh or chilled, excluding fish fillets and other fish meat of heading 0304 – Salmonidae, excluding livers and roes		
0302 69	-- Other --- Saltwater fish ---- Hake (<i>Merluccius</i> spp., <i>Urophycis</i> spp.) ----- Hake of the genus <i>Merluccius</i>		
0302 69 66	----- Cape hake (shallow-water hake) (<i>Merluccius capensis</i>) and deepwater hake (deepwater Cape hake) (<i>Merluccius paradoxus</i>)	11,50 % (I) (II)	— TQ (4a)
0302 69 67	----- Southern hake (<i>Merluccius australis</i>)	11,50 % (I) (II)	— TQ (4a)
0302 69 68	----- Other	11,50 % (I) (II)	— TQ (4a)
0302 69 69	----- Hake of the genus <i>Urophycis</i>	11,50 % (I) (II)	— TQ (4a)
0305	Fish, dried, salted or in brine; smoked fish, whether or not cooked before or during the smoking process; flours, meals and pellets of fish, fit for human consumption		
0305 30	– Fish fillets, dried, salted or in brine, but not smoked		
0305 30 30	-- Of Pacific salmon (<i>Oncorhynchus nerka</i> , <i>Oncorhynchus gorbuscha</i> , <i>Oncorhynchus keta</i> , <i>Oncorhynchus tshawytscha</i> , <i>Oncorhynchus kisutch</i> , <i>Oncorhynchus masou</i> and <i>Oncorhynchus rhodurus</i>), Atlantic salmon (<i>Salmo salar</i>), and Danube salmon (<i>Hucho hucho</i>), salted or in brine	11,50 % (I) (II)	— TQ (4b)
	– Smoked fish, including fillets		
0305 41 00	-- Pacific salmon (<i>Oncorhynchus nerka</i> , <i>Oncorhynchus gorbuscha</i> , <i>Oncorhynchus keta</i> , <i>Oncorhynchus tshawytscha</i> , <i>Oncorhynchus kisutch</i> , <i>Oncorhynchus masou</i> and <i>Oncorhynchus rhodurus</i>), Atlantic salmon (<i>Salmo salar</i>) and Danube salmon (<i>Hucho hucho</i>)	9,50 % (I) (II)	— TQ (4b)
0704	Cabbages, cauliflowers, kohlrabi, kale and similar edible brassicas, fresh or chilled		
ex 0704 10 00	– Cauliflowers and headed broccoli (1/12 to 14/4)	6,1 % (I)	
ex 0704 10 00	– Cauliflowers and headed broccoli (15/4 to 30/11)	10,1 % (I)	
0704 90	– Other		
0704 90 10	-- White cabbages and red cabbages	8,5 % (I)	

HS heading	Description	Base	Category
0705	Lettuce (<i>Lactuca sativa</i>) and chicory (<i>Cichorium</i> spp.), fresh or chilled – Lettuce		
ex 0705 11 00	-- Cabbage lettuce (head lettuce) (01/12 to 31/03)	6,9 % (I)	
ex 0705 11 00	-- Cabbage lettuce (head lettuce) (01/04 to 30/11)	8,5 % (I)	
0708	Leguminous vegetables, shelled or unshelled, fresh or chilled		
ex 0708 20 00	– Beans (<i>Vigna</i> spp., <i>Phaseolus</i> spp.) (1/10 to 30/06)	6,9 % (I)	
ex 0708 20 00	– Beans (<i>Vigna</i> spp., <i>Phaseolus</i> spp.) (1/07 to 30/09)	10,1 % (I)	
0710	Vegetables (uncooked or cooked by steaming or boiling in water), frozen		
0710 40 00	– Sweetcorn	1,6 % + 9,4 EUR/ 100 kg/net eda (I)	
0711	Vegetables provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption – Mushrooms and truffles		
0711 51 00	-- Mushrooms of the genus <i>Agaricus</i>	6,1 % + 191 EUR/ 100 kg/net eda (I)	
0711 90	– Other vegetables; mixtures of vegetables -- Vegetables		
0711 90 30	--- Sweetcorn	1,6 % + 9,4 EUR/ 100 kg/net eda (I)	
0714	Manioc, arrowroot, salep, Jerusalem artichokes, sweet potatoes and similar roots and tubers with high starch or inulin content, fresh, chilled, frozen or dried, whether or not sliced or in the form of pellets; sago pith		
0714 20	– Sweet potatoes		
0714 20 90	-- Other	4,4 EUR/100 kg/ net (I)	
0811	– Fruit and nuts, uncooked or cooked by steaming or boiling in water, frozen, whether or not containing added sugar or other sweetening matter		
0811 20	– Raspberries, blackberries, mulberries, loganberries, black-, white- or redcurrants and gooseberries -- Containing added sugar or other sweetening matter		
0811 20 11	--- With a sugar content exceeding 13 % by weight	17,3 % + 8,4 EUR/ 100 kg (I)	
0811 90	– Other -- Containing added sugar or other sweetening matter --- With a sugar content exceeding 13 % by weight		
0811 90 11	---- Tropical fruit and tropical nuts	9,5 % + 5,3 EUR/ 100 kg	

HS heading	Description	Base	Category
0811 90 19	---- Other	17,3 % + 8,4 EUR/ 100 kg (I) (II)	
1008	Buckwheat, millet and canary seed; other cereals		
1008 90	– Other cereals		
ex 1008 90 90	-- Quinoa	25,9 EUR/ 1 000 kg (I)	
1604	Prepared or preserved fish; caviar and caviar substitutes prepared from fish eggs – Fish, whole or in pieces, but not minced		
1604 14	-- Tunas, skipjack and bonito (<i>Sarda</i> spp.) --- Tunas and skipjack		
1604 14 11	---- In vegetable oil	20,5 % (I) (II)	— TQ(5)
	---- Other		
1604 14 16	----- Fillets known as 'loins'	20,5 % (I)	
1604 14 18	----- Other	20,5 % (I) (II)	— TQ(5)
1604 19	-- Other: --- Fish of the genus <i>Euthynnus</i> , other than skipjack (<i>Euthynnus</i> (<i>Katsuwonus</i>) <i>pelamis</i>)		
1604 19 31	---- Fillets known as 'loins'	20,5 % (I)	—
1604 19 39	---- Other	20,5 % (I) (II)	— TQ(5)
1604 20	– Other prepared or preserved fish -- Other		
1604 20 70	--- Of tunas, skipjack or other fish of the genus <i>Euthynnus</i>	20,5 % (I) (II)	— TQ(5)
1702	Other sugars, including chemically pure lactose, maltose, glucose and fructose, in solid form; sugar syrups not containing added flavouring or colouring matter; artificial honey, whether or not mixed with natural honey; caramel		
1702 50 00	– Chemically pure fructose	12,5 % + 50,7 EUR/100 kg/ net mas (I)	
1702 90	– Other, including invert sugar and other sugar and sugar syrup blends containing in the dry state 50 % by weight of fructose		
1702 90 10	-- Chemically pure maltose	8,9 % (I)	
1902	Pasta, whether or not cooked or stuffed (with meat or other substances) or otherwise prepared, such as spaghetti, macaroni, noodles, lasagne, gnocchi, ravioli, cannelloni; couscous, whether or not prepared		
1902 20	– Stuffed pasta, whether or not cooked or otherwise prepared		

HS heading	Description	Base	Category
1902 20 30	-- Containing more than 20 % by weight of sausages and the like, of meat and meat offal of any kind, including fats of any kind or origin	38 EUR/100 kg (I)	
2001	Vegetables, fruit, nuts and other edible parts of plants, prepared or preserved by vinegar or acetic acid		
2001 90	- Other		
2001 90 30	-- Sweetcorn (<i>Zea mays</i> var. <i>saccharata</i>)	1,6 % + 9,4 EUR/ 100 kg/net eda (I)	
2003	Mushrooms and truffles, prepared or preserved otherwise than by vinegar or acetic acid		
2003 10	- Mushrooms of the genus <i>Agaricus</i>		
2003 10 20	-- Provisionally preserved, completely cooked	14,9 % + 191 EUR/100 kg/ net eda (I) (II)	TQ (2d)
2003 10 30	-- Other	14,9 % + 222 EUR/100 kg/ net eda (I) (II)	TQ (2d)
2004	Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, frozen, other than products of heading 2006		
2004 90	- Other vegetables and mixtures of vegetables		
2004 90 10	-- Sweetcorn (<i>Zea mays</i> var. <i>saccharata</i>)	1,6 % + 9,4 EUR/ 100 kg/net eda (I)	
2006 00	Vegetables, fruit, nuts, fruit-peel and other parts of plants, preserved by sugar (drained, glacé or crystallised) - Other -- With a sugar content exceeding 13 % by weight		
2006 00 31	--- Cherries	16,5 % + 23,9 EUR/ 100 kg (I)	
2006 00 35	--- Tropical fruit and tropical nuts	9 % + 15 EUR/ 100 kg (I)	
2006 00 38	--- Other	16,5 % + 23,9 EUR/ 100 kg (I)	
2007	Jams, fruit jellies, marmalades, fruit or nut purée and fruit or nut pastes, obtained by cooking, whether or not containing added sugar or other sweetening matter		
2007 10	- Homogenised preparations		
2007 10 10	-- With a sugar content exceeding 13 % by weight	20,4 % + 4,2 EUR/ 100 kg (I)	
2007 91	- Other -- Citrus fruit		
2007 91 10	--- With a sugar content exceeding 30 % by weight	16,5 % + 23 EUR/ 100 kg (I)	

HS heading	Description	Base	Category
2007 91 30	--- With a sugar content exceeding 13 % but not exceeding 30 % by weight	16,5 % + 4,2 EUR/ 100 kg (I)	
2007 99	-- Other --- With a sugar content exceeding 30 % by weight		
2007 99 20	---- Chestnut purée and paste	20,5 % + 19,7 EUR/ 100 kg (I)	
	---- Other		
2007 99 31	----- Of cherries	20,5 % + 23 EUR/ 100 kg (I)	
2007 99 33	----- Of strawberries	20,5 % + 23 EUR/ 100 kg (I)	
2007 99 35	----- Of raspberries	20,5 % + 23 EUR/ 100 kg (I)	
2007 99 39	----- Other	20,5 % + 23 EUR/ 100 kg (I)	
	--- With a sugar content exceeding 13 % but not exceeding 30 % by weight		
2007 99 55	---- Apple purée, including compotes	20,5 % + 4,2 EUR/ 100 kg (I)	
2007 99 57	---- Other	20,5 % + 4,2 EUR/ 100 kg (I)	
2008	Fruit, nuts and other edible parts of plants, otherwise prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit, not elsewhere specified or included		
2008 20	- Pineapples -- Containing added spirit --- In immediate packings of a net content exceeding 1 kg		
2008 20 11	---- With a sugar content exceeding 17 % by weight	22,1 % + 2,5 EUR/ 100 kg (I)	
	--- In immediate packings of a net content not exceeding 1 kg		
2008 20 31	---- With a sugar content exceeding 19 % by weight	22,1 % + 2,5 EUR/ 100 kg (I)	
2008 30	- Citrus fruit -- Containing added spirit --- With a sugar content exceeding 9 % by weight		
2008 30 19	---- Other	22,1 % + 4,2 EUR/ 100 kg (I)	
2008 50	- Apricots -- Containing added spirit --- In immediate packings of a net content exceeding 1 kg ---- With a sugar content exceeding 13 % by weight		

HS heading	Description	Base	Category
2008 50 19	----- Other	22,1 % + 4,2 EUR/ 100 kg (I)	
	--- In immediate packings of a net content not exceeding 1 kg		
2008 50 51	---- With a sugar content exceeding 15 % by weight	22,1 % + 4,2 EUR/ 100 kg (I)	
2008 60	- Cherries -- Containing added spirit --- With a sugar content exceeding 9 % by weight		
2008 60 19	---- Other	22,1 % + 4,2 EUR/ 100 kg (I) (II)	TQ (2e)
2008 80	- Strawberries -- Containing added spirit --- With a sugar content exceeding 9 % by weight		
2008 80 19	---- Other	22,1 % + 4,2 EUR/ 100 kg (I)	
2008 92	- Other, including mixtures other than those of subheading 2008 19 -- Mixtures --- Containing added spirit ---- With a sugar content exceeding 9 % by weight ----- Other		
2008 92 16	----- Of tropical fruit (including mixtures containing 50 % or more by weight of tropical nuts and tropical fruit)	12,5 % + 2,6 EUR/ 100 kg (I)	
2008 92 18	----- Other	22,1 % + 4,2 EUR/ 100 kg (I)	
2008 99	-- Other --- Containing added spirit ---- Grapes		
2008 99 21	----- With a sugar content exceeding 13 % by weight	22,1 % + 3,8 EUR/ 100 kg (I)	
	---- Other: ----- With a sugar content exceeding 9 % by weight: ----- Other:		
2008 99 32	----- Passion fruit and guavas	12,5 % + 2,6 EUR/ 100 kg (I)	
2008 99 33	----- Mangoes, mangosteens, papaws (papayas), tamarinds, cashew apples, lychees, jackfruit, sapodillo plums, carambola and pitahaya	12,5 % + 2,6 EUR/ 100 kg (I)	
2008 99 34	----- Other	22,1 % + 4,2 EUR/ 100 kg (I)	

HS heading	Description	Base	Category
2009	Fruit juices (including grape must) and vegetable juices, unfermented and not containing added spirit, whether or not containing added sugar or other sweetening matter – Orange juice		
2009 11	-- Frozen --- Of a Brix value exceeding 67		
2009 11 11	---- Of a value not exceeding EUR 30 per 100 kg net weight	30,1 % + 20,6 EUR/ 100 kg (I)	
	--- Of a Brix value not exceeding 67		
2009 11 91	---- Of a value not exceeding EUR 30 per 100 kg net weight and with an added sugar content exceeding 30 % by weight	11,7 % + 20,6 EUR/ 100 kg (I)	
2009 19	-- Other --- Of a Brix value exceeding 67		
2009 19 11	---- Of a value not exceeding EUR 30 per 100 kg net weight	30,1 % + 20,6 EUR/ 100 kg (I)	
	--- Of a Brix value exceeding 20 but not exceeding 67		
2009 19 91	---- Of a value not exceeding EUR 30 per 100 kg net weight and with an added sugar content exceeding 30 % by weight	11,7 % + 20,6 EUR/ 100 kg (I)	
2009 29	-- Other: --- Of a Brix value exceeding 67		
2009 29 11	---- Of a value not exceeding EUR 30 per 100 kg net weight --- Of a Brix value exceeding 20 but not exceeding 67	30,1 % + 20,6 EUR/ 100 kg (I)	
2009 29 91	---- Of a value not exceeding EUR 30 per 100 kg net weight and with an added sugar content exceeding 30 % by weight	8,5 % + 20,6 EUR/ 100 kg (I)	
2009 39	-- Other: --- Of a Brix value exceeding 67		
2009 39 11	---- Of a value not exceeding EUR 30 per 100 kg net weight	30,1 % + 20,6 EUR/ 100 kg (I)	
	--- Of a Brix value exceeding 20 but not exceeding 67 ---- Of a value not exceeding EUR 30 per 100 kg net weight ----- Lemon juice		
2009 39 51	----- With an added sugar content exceeding 30 % by weight	10,9 % + 20,6 EUR/ 100 kg (I)	

HS heading	Description	Base	Category
	----- Other citrus fruit juices		
2009 39 91	----- With an added sugar content exceeding 30 % by weight	10,9 % + 20,6 EUR/ 100 kg (l)	
2009 49	- Pineapple juice -- Other --- Of a Brix value exceeding 67		
2009 49 11	---- Of a value not exceeding EUR 30 per 100 kg net weight	30,1 % + 20,6 EUR/ 100 kg (l)	
	--- Of a Brix value exceeding 20 but not exceeding 67 ---- Other:		
2009 49 91	----- With an added sugar content exceeding 30 % by weight	11,7 % + 20,6 EUR/ 100 kg (l)	
2009 61	- Grape juice (including grape must) -- Of a Brix value not exceeding 30		
2009 61 90	--- Of a value not exceeding EUR 18 per 100 kg net weight	18,9 % + 27 EUR/ hl (l)	
2009 69	-- Other: --- Of a Brix value exceeding 67:		
2009 69 11	---- Of a value not exceeding EUR 22 per 100 kg net weight	36,5 % + 121 EUR/hl + 20,6 EUR/ 100 kg (l)	
	--- Of a Brix value exceeding 30 but not exceeding 67 ---- Of a value not exceeding EUR 18 per 100 kg net weight ----- With an added sugar content exceeding 30 % by weight		
2009 69 71	----- Concentrated	18,9 % + 131 EUR/hl + 20,6 EUR/ 100 kg (l)	
2009 69 79	----- Other	18,9 % + 27 EUR/ hl + 20,6 EUR/ 100 kg (l)	
2009 69 90	----- Other	18,9 % + 27 EUR/ hl (l)	
2009 79	-- Other --- Of a Brix value exceeding 67		
2009 79 11	---- Of a value not exceeding EUR 22 per 100 kg net weight	26,5 % + 18,4 EUR/ 100 kg (l)	

HS heading	Description	Base	Category
	-- Of a Brix value exceeding 20 but not exceeding 67 ---- Other		
2009 79 91	----- With an added sugar content exceeding 30 % by weight	14,5 % + 19,3 EUR/ 100 kg (l)	
2009 80	- Juice of any other single fruit or vegetable -- Of a Brix value exceeding 67 --- Pear juice		
2009 80 11	---- Of a value not exceeding EUR 22 per 100 kg net weight	30,1 % + 20,6 EUR/ 100 kg (l)	
	--- Other ---- Of a value not exceeding EUR 30 per 100 kg net weight		
2009 80 32	----- Juices of passion fruit and guavas	17,5 % + 12,9 EUR/ 100 kg (l)	
2009 80 33	----- Juices of mangoes, mangosteens, papaws (papayas), tamarinds, cashew apples, lychees, jackfruit, sapodillo plums, carambola and pitahaya	17,5 % + 12,9 EUR/ 100 kg (l)	
2009 80 35	----- Other	30,1 % + 20,6 EUR/ 100 kg (l)	
	-- Of a Brix value not exceeding 67: --- Pear juice: ---- Other		
2009 80 61	----- With an added sugar content exceeding 30 % by weight	15,7 % + 20,6 EUR/ 100 kg (l)	
	--- Other ---- Other ----- With an added sugar content exceeding 30 % by weight		
2009 80 83	----- Juices of passion fruit and guavas	7 % + 12,9 EUR/ 100 kg (l)	
2009 80 84	----- Juices of mangoes, mangosteens, papaws (papayas), tamarinds, cashew apples, lychees, jackfruit, sapodillo plums, carambola and pitahaya	7 % + 12,9 EUR/ 100 kg (l)	
2009 80 86	----- Other	13,3 % + 20,6 EUR/100 kg	
2009 90	- Mixtures of juices -- Of a Brix value exceeding 67 --- Mixtures of apple and pear juice		
2009 90 11	---- Of a value not exceeding EUR 22 per 100 kg net weight	30,1 % + 20,6 EUR/ 100 kg (l)	

HS heading	Description	Base	Category
	--- Other		
2009 90 21	---- Of a value not exceeding EUR 30 per 100 kg net weight	30,1 % + 20,6 EUR/ 100 kg (I)	
	-- Of a Brix value not exceeding 67 --- Mixtures of apple and pear juice		
2009 90 31	---- Of a value not exceeding EUR 18 per 100 kg net weight and with an added sugar content exceeding 30 % by weight	16,5 % + 20,6 EUR/ 100 kg (I)	
	--- Other ---- Of a value not exceeding EUR 30 per 100 kg net weight ----- Mixtures of citrus fruit juices and pineapple juice		
2009 90 71	----- With an added sugar content exceeding 30 % by weight	11,7 % + 20,6 EUR/ 100 kg (I)	
	----- Other ----- With an added sugar content exceeding 30 % by weight:		
2009 90 92	----- Mixtures of juices of tropical fruit	7 % + 12,9 EUR/ 100 kg (I)	
2009 90 94	----- Other	13,3 % + 20,6 EUR/ 100 kg (I)	
2102	Yeasts (active or inactive); other single-cell micro-organisms, dead (but not including vaccines of heading 3002); prepared baking powders		
2102 10	- Active yeasts		
2102 10 10	-- Culture yeast	7,4 % (I)	
	-- Bakers' yeast		
2102 10 31	--- Dried	8,5 % (I)	
2106	Food preparations not elsewhere specified or included		
2106 90	- Other		
2106 90 10	-- Cheese fondues	24,5 EUR/ 100 kg (I)	
2106 90 20	-- Compound alcoholic preparations, other than those based on odoriferous substances, of a kind used for the manufacture of beverages	12,1 % (I)	
	-- Other		
2106 90 92	--- Containing no milkfats, sucrose, isoglucose, glucose or starch or containing, by weight, less than 1,5 % milkfat, 5 % sucrose or isoglucose, 5 % glucose or starch	8,9 % (I)	

HS heading	Description	Base	Category
2106 90 98	--- Other	5,5 % + EA (I)	
2205	Vermouth and other wine of fresh grapes flavoured with plants or aromatic substances		
2205 10	- In containers holding 2 litres or less:		
2205 10 10	-- Of an actual alcoholic strength by volume of 18 % vol or less	7,6 EUR/hl (I)	
2205 10 90	-- Of an actual alcoholic strength by volume exceeding 18 % vol	0 EUR/% vol/hl + 4,4 EUR/hl (I)	
2205 90	- Other		
2205 90 10	-- Of an actual alcoholic strength by volume of 18 % vol or less	6,3 EUR/hl (I)	
2205 90 90	-- Of an actual alcoholic strength by volume exceeding 18 % vol	0 EUR/% vol/hl (I)	
2206 00	Other fermented beverages (for example, cider, perry, mead); mixtures of fermented beverages and mixtures of fermented beverages and non-alcoholic beverages, not elsewhere specified or included		
2206 00 10	- Piquette	0 % (I)	
	- Other		
	-- Sparkling		
2206 00 31	--- Cider and perry	13,4 EUR/hl (I)	
2206 00 39	--- Other	13,4 EUR/hl (I)	
	-- Still, in containers holding --- 2 litres or less		
2206 00 51	---- Cider and perry	5,3 EUR/hl (I)	
2206 00 59	---- Other	5,3 EUR/hl (I)	
	--- More than 2 litres		
2206 00 81	---- Cider and perry	4 EUR/hl (I)	
2206 00 89	---- Other	4 EUR/hl (I)	
2208	Undenatured ethyl alcohol of an alcoholic strength by volume of less than 80% vol; spirits, liqueurs and other spirituous beverages		
2208 90	- Other		
	-- Undenatured ethyl alcohol of an alcoholic strength by volume of less than 80 % vol, in containers holding		
2208 90 91	--- 2 litres or less	0,7 EUR/% vol/hl + 4,4 EUR/hl (I)	
2208 90 99	--- More than 2 litres	0,7 EUR/% vol/hl (I)	

HS heading	Description	Base	Category
2209 00	Vinegar and substitutes for vinegar obtained from acetic acid – Wine vinegar, in containers holding		
2209 00 11	-- 2 litres or less	4,4 EUR/hl (I)	
2209 00 19	-- More than 2 litres	3,3 EUR/hl (I)	
	– Other, in containers holding		
2209 00 91	-- 2 litres or less	3,5 EUR/hl (I)	
2209 00 99	-- More than 2 litres	2,6 EUR/hl (I)	
2307 00	Wine lees; argol – Wine lees		
2307 00 19	-- Other	0,0 % (I)	
2308 00	Vegetable materials and vegetable waste, vegetable residues and by-products, whether or not in the form of pellets, of a kind used in animal feeding, not elsewhere specified or included – Grape marc		
2308 00 19	-- Other	0,0 % (I)	
2401	Unmanufactured tobacco; tobacco refuse		
2401 10	– Tobacco, not stemmed/stripped -- Flue-cured Virginia type and light air-cured Burley type tobacco (including Burley hybrids); light air-cured Maryland type and fire-cured tobacco		
2401 10 10	--- Flue-cured Virginia type	14,9 % MAX 24 EUR/100 kg (I)	
2401 10 20	--- Light air-cured Burley type (including Burley hybrids)	14,9 % MAX 24 EUR/100 kg (I)	
2401 10 30	--- Light air-cured Maryland type	6,4 % MAX 24 EUR/100 kg (I)	
	--- Fire-cured tobacco		
2401 10 41	---- Kentucky type	14,9 % MAX 24 EUR/100 kg (I)	
2401 10 49	---- Other	6,4 % MAX 24 EUR/100 kg (I)	
	-- Other		
2401 10 50	--- Light air-cured tobacco	3,9 % MAX 56 EUR/100 kg (I)	
2401 10 60	--- Sun-cured Oriental type tobacco	7,7 % MAX 56 EUR/100 kg (I)	
2401 10 70	--- Dark air-cured tobacco	7,7 % MAX 56 EUR/100 kg (I)	

HS heading	Description	Base	Category
2401 10 80	--- Flue-cured tobacco	3,9 % MAX 56 EUR/100 kg (I)	
2401 10 90	--- Other tobacco	3,9 % MAX 56 EUR/100 kg (I)	
2401 20	- Tobacco, partly or wholly stemmed/stripped -- Flue-cured Virginia type and light air-cured Burley type tobacco (including Burley hybrids); light air-cured Maryland type and fire-cured tobacco		
2401 20 10	--- Flue-cured Virginia type	14,9 % MAX 24 EUR/100 kg (I)	
2401 20 20	--- Light air-cured Burley type (including Burley hybrids)	14,9 % MAX 24 EUR/100 kg (I)	
2401 20 30	--- Light air-cured Maryland type	6,4 % MAX 24 EUR/100 kg (I)	
	--- Fire-cured tobacco		
2401 20 41	---- Kentucky type	14,9 % MAX 24 EUR/100 kg (I)	
2401 20 49	---- Other	6,4 % MAX 24 EUR/100 kg (I)	
	-- Other		
2401 20 50	--- Light air-cured tobacco	3,9 % MAX 56 EUR/100 kg (I)	
2401 20 60	--- Sun-cured Oriental type tobacco	7,7 % MAX 56 EUR/100 kg (I)	
2401 20 70	--- Dark air-cured tobacco	7,7 % MAX 56 EUR/100 kg (I)	
2401 20 80	--- Flue-cured tobacco	3,9 % MAX 56 EUR/100 kg (I)	
2401 20 90	--- Other tobacco	3,9 % MAX 56 EUR/100 kg (I)	
2401 30 00	- Tobacco refuse	3,9 % MAX 56 EUR/100 kg (I)	
3823	Industrial monocarboxylic fatty acids; acid oils from refining; industrial fatty alcohols		
3823 70 00	- Industrial fatty alcohols	0 % (I)	

COUNCIL DECISION

of 27 February 2006

authorising the Kingdom of the Netherlands to apply a measure derogating from Article 11 of the Sixth Directive 77/388/EEC on the harmonisation of the laws of the Member States relating to turnover taxes

(Only the Dutch text is authentic)

(2006/181/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to the Sixth Council Directive 77/388/EEC of 17 May 1977 on the harmonisation of the laws of the Member States relating to turnover taxes — Common system of value added tax: uniform basis of assessment⁽¹⁾, and in particular Article 27 thereof,

Having regard to the proposal from the Commission,

Whereas:

(1) By letter registered with the Secretariat-General of the Commission on 4 October 2004, the Kingdom of the Netherlands sought authorisation to introduce a special measure derogating from Article 11(A)(1)(a) of Directive 77/388/EEC.

(2) In accordance with Article 27(2) of Directive 77/388/EEC, the Commission informed the other Member States by letter dated 1 December 2004 of the request made by the Kingdom of the Netherlands. By letter dated 2 December 2004, the Commission notified the Kingdom of the Netherlands that it had all the information it considered necessary for appraisal of the request.

(3) The aim of the derogation is to prevent the avoidance of value added tax (VAT) through the undervaluation of supplies between connected persons, where the recipient is not entitled to full or almost full deduction of VAT. It is designed to circumvent abuses in the supply

of capital items or in the supply of services in relation to capital items, such as leasing or letting or any other arrangement whereby the goods are put at the disposal of the recipient. Because of the relationship between the parties, the consideration is often fixed at a non-market value, resulting in significantly lower VAT revenues.

(4) The special measure should apply only in cases where the administration is able to conclude that the taxable amount, as determined in accordance with Article 11(A)(1)(a) of Directive 77/388/EEC, has been influenced by the relationship between the parties. That conclusion should, in each case, be based on manifest facts, not presumptions.

(5) It is therefore appropriate and proportionate to permit the Kingdom of the Netherlands to treat the open-market value of those supplies as the taxable amount.

(6) The derogations pursuant to Article 27 of Directive 77/388/EEC which counter avoidance of VAT linked to the taxable amount of supplies between related parties are included in a proposal for a Directive rationalising some of the derogations pursuant to that Article. It is therefore necessary to cause the application period of this derogation to end when that Directive enters into force.

(7) The derogation has no adverse impact on the Communities' own resources accruing from VAT,

HAS ADOPTED THIS DECISION:

Article 1

By way of derogation from Article 11(A)(1)(a) of Directive 77/388/EEC, the Kingdom of the Netherlands is hereby authorised to take the open-market value, as defined in Article 11(A)(1)(d) of Directive 77/388/EEC, as the taxable amount for the supply of capital items or any other supply of services whereby the capital item is put at the disposal of the recipient, where the following conditions are met:

⁽¹⁾ OJ L 145, 13.6.1977, p. 1. Directive as last amended by Directive 2005/92/EC (OJ L 345, 28.12.2005, p. 19).

1. the recipient does not have the right to full or almost full deduction of VAT;
2. the supplier and the recipient are directly or indirectly connected persons according to national legislation;
3. facts make it possible to conclude from the circumstances of the case that the relationship between those connected persons has influenced the taxable amount, as determined in accordance with Article 11(A)(1)(a) of Directive 77/388/EEC.

For the purposes of this Article, capital item shall mean capital goods as defined by the Kingdom of the Netherlands in accordance with Article 20(4) of Directive 77/388/EEC and, as far as they are not covered by this definition, services of substantial value which can be amortised.

Article 2

The authorisation granted under Article 1 shall expire on the date of entry into force of a Directive rationalising the derogations pursuant to Article 27 of Directive 77/388/EEC which counter avoidance of VAT linked to the taxable amount, or on 31 December 2009, whichever is the earlier.

Article 3

This Decision is addressed to the Kingdom of the Netherlands.

Done at Brussels, 27 February 2006.

For the Council

The President

U. PLASSNIK

COMMISSION

DECISION No 33/2005 OF THE JOINT COMMITTEE ESTABLISHED UNDER THE AGREEMENT ON MUTUAL RECOGNITION BETWEEN THE EUROPEAN COMMUNITY AND THE UNITED STATES OF AMERICA

of 16 February 2006

related to the listing of a Conformity Assessment Body under the Sectoral Annex on Electromagnetic Compatibility (EMC)

(2006/182/EC)

THE JOINT COMMITTEE,

Having regard to the Agreement on Mutual Recognition between the European Community and the United States of America and in particular Articles 7 and 14,

Whereas the Joint Committee is to take a decision to list a Conformity Assessment Body or Bodies under a Sectoral Annex,

HAS DECIDED AS FOLLOWS:

1. The Conformity Assessment Body in Attachment A is added to the list of Conformity Assessment Bodies in Section V of the Sectoral Annex on Electromagnetic Compatibility.
2. The specific scope of listing, in terms of products and conformity assessment procedures, of the Conformity Assessment Body indicated in Attachment A has been agreed by the Parties and will be maintained by them.

This Decision, done in duplicate, shall be signed by representatives of the Joint Committee who are authorized to act on behalf of the Parties for purposes of amending the Agreement. This Decision shall be effective from the date of the later of these signatures.

Signed in Washington, 6 February 2006.

James C. SANFORD

On behalf of the United States of America

Signed in Brussels, 16 February 2006.

Andra KOKE

On behalf of the European Community

*Attachment A***EC Conformity Assessment Body added to the list of Conformity Assessment Bodies in Section V of the Sectoral Annex on Electromagnetic Compatibility**

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COMMISSION DECISION

of 28 February 2006

amending Decision 2006/7/EC as regards an extension of the list of countries and the period of application thereof

(notified under document number C(2006) 619)

(Text with EEA relevance)

(2006/183/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

recently. It appears that the disease has spread to those countries by migratory birds.

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 97/78/EC of 18 December 1997 laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries ⁽¹⁾, and in particular Article 22(6) thereof,

Whereas:

- (1) Avian influenza is an infectious viral disease in poultry and other birds, causing mortality and disturbances which can quickly take epizootic proportions liable to present a serious threat to animal and public health and to reduce sharply the profitability of poultry farming. There is a risk that the disease agent might be introduced via international trade in live poultry and poultry products, including untreated feathers.
- (2) Following the outbreak of a very serious epidemic of avian influenza, caused by a highly pathogenic H5N1 influenza virus strain, in many countries in south-eastern Asia starting in December 2003, the Commission adopted several protection measures in relation to avian influenza, taking into account that this disease also poses a significant risk to public health.
- (3) In accordance with Commission Decision 2006/7/EC of 9 January 2006 concerning certain protection measures in relation to the import of feathers from certain third countries ⁽²⁾, imports of untreated feathers and parts thereof have been suspended from several third countries. Those third countries are listed in the Annex to Decision 2006/7/EC. That Decision is to apply until 30 April 2006.
- (4) The number of the third countries with outbreaks or suspected outbreaks of avian influenza have increased

- (5) The European Food Safety Authority (EFSA) in its *Scientific Opinion on Animal health and welfare aspects of avian influenza* adopted on 13 to 14 September 2005 concluded that in order to reduce the possible risk of spreading both low pathogenic and highly pathogenic avian influenza by feathers, they should be properly treated before being traded. This opinion was issued before that the highly pathogenic H5N1 avian influenza virus had shown the tendency to spread on a global scale.
- (6) In light of the EFSA opinion and of the current emergency, the Commission intends to revise the existing permanent Community measures concerning imports of feathers, in particular the relevant provisions of Regulation (EC) No 1774/2002 of the European Parliament and of the Council of 3 October 2002 laying down health rules concerning animal by-products not intended for human consumption ⁽³⁾ laying down requirements under which animal by-products may be imported from third countries in such a way as not to pose a risk to public or animal health for the Community. Chapter VIII of Annex VIII to that Regulation sets out requirements for the placing on the market of feathers and parts of feathers. However, to achieve complete harmonisation in this area at Community level provision would also need to be made for import health certificates for feathers and parts of feathers and the list of third countries from which Member States authorise the import of these animal by-products.
- (7) Due the rapid spread of highly pathogenic H5N1 avian influenza over the last months, in view of the risk of the introduction of avian influenza into the Community by untreated feathers, for the increased health protection of individuals handling import consignments of untreated feathers and pending the revision of Chapter VIII of Annex VIII to Regulation (EC) No 1774/2002, Decision 2006/7/EC should apply until 31 July 2006. It is also appropriate to temporarily suspend the imports of untreated feathers and parts thereof from all third countries without prejudice to any other already existing Community import restrictions due to highly pathogenic avian influenza.

⁽¹⁾ OJ L 24, 30.1.1998, p. 9. Directive as last amended by Regulation (EC) No 882/2004 of the European Parliament and of the Council (OJ L 165, 30.4.2004, p. 1, corrected by OJ L 191, 28.5.2004, p. 1).

⁽²⁾ OJ L 5, 10.1.2006, p. 17.

⁽³⁾ OJ L 273, 10.10.2002, p. 1. Regulation as last amended by Commission Regulation (EC) No 208/2006 (OJ L 36, 8.2.2006, p. 25).

- (8) Decision 2006/7/EC should therefore be amended accordingly.
- (9) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

Article 2

Member States shall immediately take the necessary measures to comply with this Decision and publish those measures. They shall immediately inform the Commission thereof.

Article 3

HAS ADOPTED THIS DECISION:

This Decision is addressed to the Member States.

Article 1

Decision 2006/7/EC is amended as follows:

Done at Brussels, 28 February 2006.

1. In Article 4, the date '30 April 2006' is replaced by '31 July 2006'.
2. The Annex is amended in accordance with the Annex to this Decision.

For the Commission
Markos KYPRIANOU
Member of the Commission

ANNEX

The Annex to Decision 2006/7/EC is replaced by the following:

'ANNEX

Countries as referred to in Articles 1 and 2 of this Decision:
All third countries'.

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

COUNCIL JOINT ACTION 2006/184/CFSP

of 27 February 2006

in support of the Biological and Toxin Weapons Convention, in the framework of the EU Strategy against the Proliferation of Weapons of Mass Destruction

THE COUNCIL OF THE EUROPEAN UNION,

(5) The Commission is entrusted with the supervision of the proper implementation of the EU financial contribution,

Having regard to the Treaty on European Union, and in particular Article 14 thereof,

HAS ADOPTED THIS JOINT ACTION:

Whereas:

Article 1

(1) On 12 December 2003, the European Council adopted the EU Strategy against the Proliferation of Weapons of Mass Destruction, Chapter III of which contains a list of measures to combat such proliferation.

1. For the purpose of giving immediate and practical application to some elements of the EU Strategy against the Proliferation of Weapons of Mass Destruction, the European Union shall support the BTWC, with the following objectives:

— promotion of the universality of the BTWC,

(2) The European Union is actively implementing the EU Strategy and is giving effect to the measures listed in Chapter III thereof, in particular those related to reinforcing the Biological and Toxin Weapons Convention (BTWC), including supporting national implementation of the BTWC, and continuing the reflection on the verification mechanism.

— support for implementation of the BTWC by the States Parties.

(3) The submission of Confidence Building Measures (CBMs) constitutes an important element to increase transparency in the implementation of the BTWC and an EU Action Plan has been agreed upon to improve the number of CBMs submitted by Member States and to encourage all Member States to submit lists of appropriate experts and laboratories to the United Nations Secretary-General (UNSG), the results of which could serve to define the contents of further Joint Actions in this field.

2. The projects corresponding to measures of the EU Strategy are those that aim at:

— promotion of the universality of the BTWC by carrying out activities, including regional and sub-regional workshops and seminars, aimed at increasing the membership of the BTWC,

(4) The Review Conference of the BTWC in 2006 will be a good opportunity to agree on specific, practical and realistic measures to strengthen both the BTWC and compliance with it. In this regard, the European Union remains committed to developing measures to verify compliance with the BTWC. In the absence of negotiations on such a verification mechanism however, much useful work remains to be done within the perimeters of the intersessional BTWC work programme.

— assistance to States Parties for the national implementation of the BTWC, in order to ensure that States Parties transpose the international obligations of the BTWC into their national legislation and administrative measures.

A detailed description of the abovementioned projects is set out in the Annex.

Article 2

1. The Presidency shall be responsible for the implementation of the Joint Action in full association with the Commission. The Commission shall supervise the proper implementation of the financial contribution referred to in Article 3.

2. In order to carry out the objectives specified in Article 1(1), the Presidency shall be assisted by the Secretary-General/High Representative for CFSP (SG/HR), who will be responsible for the political coordination of the implementation of the projects referred to in Article 1(2).

3. The technical implementation of the projects referred to in Article 1(2) shall be entrusted to the Graduate Institute of International Studies, Geneva, which shall perform its tasks under the responsibility of the Presidency and under the control of the SG/HR.

Article 3

1. The financial reference amount for the two projects listed in Article 1(2) shall be EUR 867 000.

2. The expenditure financed by the amount stipulated in paragraph 1 shall be managed in accordance with the Community procedures and rules applicable to the general budget of the European Union with the exception that any pre-financing shall not remain the property of the Community.

3. For the purpose of implementing the projects referred to in Article 1(2), the Commission shall conclude a financing arrangement with the Graduate Institute of International Studies, Geneva, referred to in Article 2(3).

Article 4

The Presidency, assisted by the SG/HR, shall report to Council on the implementation of this Joint Action on the basis of regular reports prepared by the Graduate Institute of International Studies, Geneva. The Commission shall be fully associated and shall provide information on the financial implementation of the projects referred to in Article 1(2).

Article 5

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

It shall expire 18 months after its adoption.

Article 6

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

Done at Brussels, 27 February 2006.

For the Council
The President
U. PLASSNIK

ANNEX

1. Objective

Overall objective: to support the universalisation of the BTWC and, in particular, to promote the accession to the BTWC by States not Party (signatory States as well as non-signatory States) and to support the implementation of the BTWC by the States Parties.

Description: EU assistance to the BTWC will be focused on the following areas identified by the European BTWC States Parties as requiring urgent action:

- (i) Promotion of the universality of the BTWC;
- (ii) Support for implementation of the BTWC by the States Parties.

The projects described below will benefit exclusively from EU support.

2. Project description**2.1. *Project 1: Promotion of the universality of the BTWC***

Project purpose:

Enhanced membership of the BTWC through regional and sub-regional workshops. The aim of the workshops will be to encourage greater membership and thereby enhanced implementation of the BTWC in these regions and to explain the benefits and consequences of acceding to the BTWC and to understand the needs of the States not Party to the BTWC in order to assist their accession and offer EU technical and drafting assistance to States in need.

Project results:

- (i) Enhanced membership of the BTWC in various geographical regions (in West and Central Africa, Eastern and Southern Africa, the Middle East, Central Asia and the Caucasus, Asia and the Pacific Islands, Latin America and the Caribbean);
- (ii) Strengthened regional networking, involving sub-regional organisations and networks in various areas relevant to the BTWC.

Project description:

The project provides for the organisation of five regional workshops in 2006 - 2007 in three consecutive stages. The first preparatory stage consists in establishing the contacts with relevant actors (diplomatic and expert community), holding preparatory meetings and drafting information packages, carrying forward research and implementation status review in targeted countries and creating an internet-based Information and Collaboration Management System of the project. The aim of the second stage is to raise awareness of the relevance of the BTWC among the diplomatic community and more widely among national administrations of selected countries and found the grounds for effective participation of the countries concerned in the third stage of the project. To this end, the series of meetings with diplomats of selected countries will be organised in Brussels, Geneva, The Hague and New York, where the BTWC-related diplomatic activities usually take place. Five regional workshops are foreseen in the third stage of the project:

- (a) Workshop on the BTWC for Signatory States and States not Party in West and Central Africa to bring about participation by decision-makers and regional organisations, e.g. African Union. Representatives, including from Cameroon, Central African Republic, Republic of Chad, Côte d'Ivoire, Gabon, Guinea, Liberia and Mauritania, will be invited. Several speakers from the EU would brief the participants on the importance and benefits of acceding to the BTWC, as well as on the EU initiatives on non-proliferation and disarmament. A State Party to the BTWC in this region would also be invited to participate in the workshop.

- (b) Workshop on the BTWC for Signatory States and States not Party in Eastern and Southern Africa to bring about participation by decision-makers and regional organisations, e.g. African Union. Representatives, including from Angola, Burundi, Comoros, Djibouti, Eritrea, Madagascar, Malawi, Mozambique, Namibia, Somalia, United Republic of Tanzania and Zambia, will be invited. Several speakers from the EU would brief the participants on the importance and benefits of acceding to the BTWC, as well as on the EU initiatives on non-proliferation and disarmament. A State Party to the BTWC in this region would also be invited to participate in the workshop.
- (c) Workshop on the BTWC for Signatory States and States not Party in the Middle East. Representatives, including from Egypt, Israel, Syrian Arab Republic and United Arab Emirates will be invited. Several speakers from the EU would brief the participants on the importance and benefits of acceding to the BTWC, as well as on the EU initiatives on non-proliferation and disarmament. A State Party to the BTWC in this region would also be invited to participate in the workshop.
- (d) Workshop on the BTWC for Signatory States and States not Party in Asia and the Pacific Islands. Representatives, including from the Cook Islands, Kiribati, Marshall Islands, Micronesia, Myanmar, Nauru, Nepal, Niue, Samoa and Tuvalu, will be invited. Several speakers from the EU would brief the participants on the importance and benefits of acceding to the BTWC, as well as on the EU initiatives on non-proliferation and disarmament. A State Party to the BTWC in this region would also be invited to participate in the workshop.
- (e) Workshop on the BTWC for Signatory States and States not Party in Latin America and the Caribbean. Representatives, including from Haiti, Guyana and Trinidad and Tobago, will be invited. Several speakers from the EU would brief the participants on the importance and benefits of acceding to the BTWC, as well as on the EU initiatives on non-proliferation and disarmament. A State Party to the BTWC in the region would also be invited to participate in the workshop.

Estimated Cost: EUR 509 661

2.2. *Project 2: Assistance to States Parties for the national implementation of the BTWC*

Project purpose:

To ensure that States Parties transpose the international obligations of the BTWC into their national legislation and administrative measures.

Project results:

In accordance with what was identified by the States Parties within the 'BTWC intersessional Process', three common elements in their national implementing approaches must be achieved:

- (i) adoption of national legislation, including penal legislation, which encompasses the full scope of the prohibitions of the Convention;
- (ii) effective regulations or legislation to control and monitor transfers of relevant dual-use technologies;
- (iii) effective implementation and enforcement to prevent violations and to sanction breaches.

Project description:

The project is aimed at filling a gap which exists in the BTWC implementation, such as the absence of legal advisory network or implementation Action Plan, non-existence of national focal points for the BTWC implementation, insecurity as regards the minimal national implementation standards of the BTWC. In order to cope with these shortcomings, the project foresees the preparatory phase which includes the establishment of the pool of EU legal experts and research and consultation activities. Following implementation, assistance actions will be taken as a next step:

- (a) A conference will be organised in the context of the preparation for the 2006 BTWC Review conference in order to receive specific needs of requesting States Parties who are yet to fulfil their BTWC obligations.

(b) Assistance visits on legal and technical aspects in order to respond to specific needs of requesting States Parties will be organised. The visits will address the drafting of national legislation to ensure that the obligations of the BTWC are effectively transformed into a range of national laws and measures, including appropriate criminal provisions. The EU will also assist States to adopt measures in order to ensure the appropriate physical protection of biological agents and toxins, as well as related material and equipment. The duration of each visit will be about five days. These visits will comprise no more than three experts for each visit. Experts from EU Member States will be invited to join.

(c) Furthermore, the projects will provide translations of the BTWC, as appropriate, that will subsequently be made available on the internet.

Estimated Cost: EUR 277 431

3. Duration

The total estimated duration for the implementation of this Joint Action is 18 months.

4. Beneficiaries

The beneficiaries of universality-related activity are States not Party to the BTWC (both signatory States and non-signatory States). The beneficiaries of implementation-related activities are States Parties to the BTWC.

5. Implementing entity

The Graduate Institute of International Studies, Geneva (through its Bioweapons Prevention Project, BWPP, Director, Dr Zanders) is entrusted with the technical implementation of the two projects, in the framework of the political coordination by the Secretary-General/High Representative through his Personal Representative on non-proliferation of Weapons of Mass Destruction. The regional workshops and consultations foreseen will be organised with the support of the EU Institute for Security Studies. In carrying out its activities, the BWPP shall cooperate, as appropriate, with local missions of Member States and the Commission.

6. Estimated required means

The EU contribution will cover 100 % of the implementation of the projects as described in this Annex. The estimated costs are as follows:

Project 1	EUR 509 661
Project 2	EUR 277 431
Administrative costs (7 % of the direct cost)	EUR 55 096
TOTAL COST (excluding contingencies):	EUR 842 188

In addition, a contingency reserve of about 3 % of eligible costs (EUR 24 812) is included.

TOTAL COST (including contingencies):	EUR 867 000
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7. Financial reference amount to cover the cost of the projects

The total cost of the projects is EUR 867 000.
