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I

(Acts adopted under the EC Treaty/Euratom Treaty whose publication is obligatory)

REGULATIONS

COUNCIL REGULATION (EURATOM) No 300/2007

of 19 February 2007

establishing an Instrument for Nuclear Safety Cooperation

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 203 thereof,

Having regard to the proposal from the Commission,

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

Whereas:

- (1) The European Community is a major provider of economic, financial, technical, humanitarian and macro-economic assistance to third countries. In order to make the European Community's external aid more effective, a new framework has been devised for the planning and provision of assistance, including the following Regulations: Council Regulation (EC) No 1085/2006 of 17 July 2006 establishing an Instrument for Pre-Accession Assistance (IPA) ⁽²⁾ to cover Community assistance for candidate countries and potential candidate countries, Regulation (EC) No 1638/2006 of the European Parliament and of the Council of 24 October 2006 laying down general provisions establishing a European Neighbourhood and Partnership Instrument ⁽³⁾, Regulation (EC) No 1905/2006 of the European Parliament and of the Council of 18 December 2006 establishing a financing instrument for development cooperation ⁽⁴⁾, Regulation (EC) No 1717/2006 of the European Parliament and of the Council of 15 November 2006 establishing an Instrument for Stability ⁽⁵⁾, Regulation (EC) No 1889/2006 of the European Parliament and of the Council of 20 December 2006 establishing a financing instrument for the promotion of democracy

and human rights worldwide ⁽⁶⁾, and Council Regulation (EC) No 1934/2006 of 21 December 2006 establishing a financing instrument for cooperation with industrialised and other high-income countries and territories ⁽⁷⁾. The present Regulation is a complementary instrument aimed at supporting the promotion of a high level of nuclear safety, radiation protection and the application of efficient and effective safeguards of nuclear material in third countries.

- (2) The Chernobyl accident in 1986 highlighted the global importance of nuclear safety. In order to fulfil the objective of the Treaty establishing the European Atomic Energy Community (the 'Euratom Treaty') to create the conditions of safety necessary to eliminate hazards to the life and health of the public, the European Atomic Energy Community (the 'Community') should be able to support nuclear safety in third countries.
- (3) By Commission Decision 1999/819/Euratom ⁽⁸⁾ the Community acceded to the 1994 Convention on Nuclear Safety, which has as one of its objectives to achieve and maintain a high level of nuclear safety worldwide. By Commission Decision 2005/510/Euratom ⁽⁹⁾ the Community also acceded to the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management, which has as one of its objectives to achieve and maintain a high level of safety in spent fuel and radioactive waste management worldwide. The two Conventions aim to realise these objectives through the enhancement of national measures and international cooperation including, where appropriate, safety-related cooperation.

⁽¹⁾ Opinion of 14 December 2006 (not yet published in the Official Journal).

⁽²⁾ OJ L 210, 31.7.2006, p. 82.

⁽³⁾ OJ L 310, 9.11.2006, p. 1.

⁽⁴⁾ OJ L 378, 27.12.2006, p. 41.

⁽⁵⁾ OJ L 327, 24.11.2006, p. 1.

⁽⁶⁾ OJ L 386, 29.12.2006, p. 1.

⁽⁷⁾ OJ L 405, 30.12.2006, p. 41. Regulation as corrected in OJ L 29, 3.2.2007, p. 16.

⁽⁸⁾ OJ L 318, 11.12.1999, p. 20. Decision as amended by Decision 2004/491/Euratom (OJ L 172, 6.5.2004, p. 7).

⁽⁹⁾ OJ L 185, 16.7.2005, p. 33.

- (4) The Community already pursues a close cooperation, in accordance with Chapter 10 of the Euratom Treaty, with the International Atomic Energy Agency (IAEA), both in relation to nuclear safeguards (in furtherance of the objectives of Chapter 7 of Title Two of the Euratom Treaty), and in relation to nuclear safety.
- (5) There is a particular need for the Community to continue its efforts in support of the application of effective safeguards of nuclear material in third countries, building on its own safeguard activities within the European Union.
- (6) There is a particular need to build on the experience already gained under the Tacis and Phare programmes including through the work of the relevant expert groups, notably in the area of civil nuclear liability.
- (7) There is a need to finance accompanying measures in support of the objectives of this Regulation, including training, research and support for the implementation of international Conventions and Treaties. It is desirable to coordinate actions under such Conventions and Treaties with Community actions.
- (8) In addition to international Conventions and Treaties some Member States have concluded bilateral agreements on the provision of technical assistance.
- (9) In its Resolution of 18 June 1992 on the technological problems of nuclear safety the Council 'emphasises the particular importance it attaches to nuclear safety in Europe, and therefore requests the Member States and the Commission to adopt as the fundamental and priority objective of Community cooperation in the nuclear field, in particular with the other European countries, especially those of Central and Eastern Europe and the Republics of the former Soviet Union, that of bringing their nuclear installations up to safety levels equivalent to those in practice in the Community and to facilitate the implementation of the safety criteria and requirements already recognised throughout the Community'. Financial assistance should be provided taking these objectives into account, including when supporting existing plants which are not yet in operation.
- (10) According to the Convention on Nuclear Safety 'licence' means any authorisation granted by the regulatory body to the applicant to have the responsibility for the siting, design, construction, commissioning, operation or decommissioning of a nuclear installation.
- (11) Is understood that, when giving assistance to the nuclear installation concerned, it is with the aim that maximum impact could be obtained by the assistance, without, however, deviating from the principle that the responsibility for the safety of the installation should rest with the operator and the State having the jurisdiction over the installation.
- (12) The 2001 Guidelines for strengthening operational coordination in the field of external assistance emphasise the need for enhanced coordination of EU external assistance.
- (13) For the adoption of measures necessary for the implementation of this Regulation the Commission should be assisted by a committee.
- (14) This Regulation replaces Council Regulation (EC, Euratom) No 99/2000 of 29 December 1999 concerning the provision of assistance to the partner States in Eastern Europe and Central Asia ⁽¹⁰⁾, Council Decision 98/381/EC, Euratom of 5 June 1998 concerning the Community contribution to the European Bank for Reconstruction and Development for the Chernobyl Shelter Fund ⁽¹¹⁾, and Council Decision 2001/824/EC, Euratom of 16 November 2001 on a further contribution of the European Community to the European Bank for Reconstruction and Development for the Chernobyl Shelter Fund ⁽¹²⁾. Those instruments should therefore be repealed.
- (15) This Regulation, providing for financial assistance in support of the objectives of the Euratom Treaty, should be without prejudice to the respective competences of the Community and Member States in the fields concerned, in particular in relation to nuclear safeguards.
- ⁽¹⁰⁾ OJ L 12, 18.1.2000, p. 1. Regulation as replaced by Regulation (EC) No 1638/2006 of the European Parliament and the Council (OJ L 310, 9.11.2006, p. 1).
- ⁽¹¹⁾ OJ L 171, 17.6.1998, p. 31.
- ⁽¹²⁾ OJ L 308, 27.11.2001, p. 25.

- (16) A financial reference amount, within the meaning of point 38 of the Interinstitutional Agreement of 17 May 2006 between the European Parliament, the Council and the Commission on budgetary discipline and sound financial management ⁽¹³⁾, is included in this Regulation for the entire duration of the instrument, without thereby affecting the powers of the budgetary authority as they are defined by the Euratom Treaty.
- (17) The Euratom Treaty does not provide, for the adoption of this Regulation, powers other than those of Article 203.
- (18) In order to ensure the effective implementation of the Instrument for nuclear safety cooperation, this Regulation should apply from 1 January 2007,

- continuous support for regulatory bodies, technical support organisations, and the reinforcement of the regulatory framework, notably concerning licensing activities,
- drawing notably on the experience of the operators, on site and external assistance programmes as well as consulting and related activities aiming at safety improvements of the design, operation and maintenance of nuclear power plants that are currently licensed and other existing nuclear installations so that high safety levels can be achieved,
- support for the safe transport, treatment and disposal of spent nuclear fuel and radioactive waste, and
- the development and implementation of strategies for decommissioning existing installations and the remediation of former nuclear sites;

HAS ADOPTED THIS REGULATION:

TITLE I

OBJECTIVES

Article 1

General objectives and scope

The Community shall finance measures to support the promotion of a high level of nuclear safety, radiation protection and the application of efficient and effective safeguards of nuclear material in third countries in line with the provisions of this Regulation.

Article 2

Purpose

The financial, economic and technical assistance provided under this Regulation shall be complementary to any assistance that is provided by the European Community under the humanitarian aid instrument, the Instrument for Pre-Accession Assistance, the European Neighbourhood and Partnership Instrument, the instrument for development cooperation, the Instrument for Stability, the European Instrument for Democracy and Human Rights, and the instrument for cooperation with industrialised and other high-income countries and territories. In pursuit of these objectives the following measures shall be supported by this Regulation:

- (a) the promotion of an effective nuclear safety culture at all levels, in particular through:

- (b) the promotion of effective regulatory frameworks, procedures and systems to ensure adequate protection against ionising radiations from radioactive materials, in particular from high activity radioactive sources, and their safe disposal;
- (c) the establishment of the necessary regulatory framework and methodologies for the implementation of nuclear safeguards, including for the proper accounting and control of fissile materials at State and operators level;
- (d) the establishment of effective arrangements for the prevention of accidents with radiological consequences as well as the mitigation of such consequences should they occur, and for emergency-planning, preparedness and response, civil protection and rehabilitation measures;
- (e) measures to promote international cooperation (including in the framework of relevant international organisations, notably IAEA) in the above fields, including the implementation and monitoring of international Conventions and Treaties, exchange of information and training and research.

The Commission shall ensure that the measures adopted are consistent with the European Community's overall strategic policy framework for the partner country, and in particular with the objectives of its development and economic cooperation policies and programmes adopted pursuant to Articles 179 and 181a of the Treaty establishing the European Community.

⁽¹³⁾ OJ C 139, 14.6.2006, p. 1.

TITLE II

**IMPLEMENTATION: PROGRAMMING AND
ALLOCATION OF FUNDS***Article 3***Strategy papers and indicative programmes**

1. Community assistance under this Regulation shall be implemented on the basis of multi-annual strategy papers and indicative programmes.

2. The multi-annual strategy papers, covering one or more countries, shall constitute the general basis for the implementation of assistance under Article 2, and shall be established for a period of up to seven years. They shall set out the Community's strategy for the provision of assistance under this Regulation, having regard to the needs of the countries concerned, the Community's priorities, the international situation and the activities of the main partners.

3. In drawing up these strategy papers, the Commission shall ensure that they are consistent with the strategies and measures adopted under other European Community instruments for external assistance.

4. Strategy papers shall contain multi-annual indicative programmes, setting out the priority areas selected for Community financing, the specific objectives and expected results, and the indicative financial allocations, overall and for each priority area. The financial allocations may be given in the form of a range where appropriate. These indicative programmes shall be established in consultation with the partner country or countries concerned.

*Article 4***Adoption of programming documents**

1. The strategy papers and indicative programmes referred to in Article 3 shall be adopted in accordance with the procedure referred to in Article 19(2). They shall cover a period no longer than the period of application of this Regulation.

2. Strategy papers shall be reviewed at mid-term or whenever necessary, and may be revised in accordance with the procedure referred to in Article 19(2).

3. Indicative programmes shall be revised as necessary taking into account any review of the relevant strategy papers. In exceptional cases, adjustment of multi-annual allocations may be applied in the light of special circumstances, such as major unforeseen developments or exceptional performance. Any revision of indicative programmes shall be made in accordance with the procedure referred to in Article 19(2).

TITLE III

IMPLEMENTATION: OTHER PROVISIONS*Article 5***Action programmes**

1. The Commission shall adopt action programmes drawn up on the basis of the strategy papers and indicative programmes referred to in Article 3. These action programmes, normally drawn up on an annual basis, shall set out the specific details concerning the implementation of assistance under this Regulation.

Exceptionally, for instance in cases where an action programme has not yet been adopted, the Commission, may, on the basis of the strategy papers and indicative programmes referred to in Article 3, adopt measures not provided for in an action programme under the same procedures as apply to action programmes.

2. These action programmes shall specify the objectives pursued, the fields of intervention, the measures envisaged, the expected results, the management procedures and total amount of financing planned. They shall contain a summary description of the operations to be financed, an indication of the amounts allocated for each operation and an indicative implementation timetable. Where relevant, they may include the results of any lessons learned from previous assistance.

3. Action programmes, and any revisions or extensions thereof, shall be adopted in accordance with the procedure referred to in Article 19(2), following, where appropriate, consultation with the partner country, or partner countries in the region concerned.

*Article 6***Special measures**

1. Notwithstanding Articles 3 to 5, the Commission may, in the event of unforeseen and urgent needs or circumstances, adopt special measures not provided for in the strategy papers and indicative programmes referred to in Article 3 or the action programmes referred to in Article 5.

2. Special measures shall specify the objectives pursued, the areas of activity, the expected results, the management procedures used and the total amount of financing planned. They shall contain a description of the operations to be financed, an indication of the amounts allocated for each operation and an indicative implementation timetable.

3. Where the cost of special measures exceeds EUR 5 000 000, the Commission shall adopt them in accordance with the procedure referred to in Article 19(2), following, where appropriate, consultation with the partner country, or partner countries in the region concerned.

4. Where the cost of special measures is EUR 5 000 000 or less, the Commission shall inform in writing the Council and the Committee set up in accordance with Article 19 within one month of adopting such measures.

Article 7

Eligibility

1. The following shall be eligible for funding under this Regulation for the purposes of implementing the action programmes referred to in Article 5 and the special measures referred to in Article 6 in so far as they can actually contribute to the purposes of the Regulation as set out in Article 2:

- (a) partner countries and regions and their institutions;
- (b) decentralised bodies in the partner countries, such as regions, departments, provinces and municipalities;
- (c) joint bodies set up by the partner countries and regions and the Community;
- (d) international organisations, including regional organisations, UN bodies, departments and missions, international financial institutions and development banks, in so far as they contribute to the objectives of this Regulation;
- (e) the Community's Joint Research Centre and European Union agencies;
- (f) the following entities and bodies of the Member States, partner countries and regions and any other third country in so far as they contribute to the objectives of this Regulation:
 - (i) public and parastatal bodies, local authorities or administrations and consortia thereof;
 - (ii) companies, firms and other private organisations and businesses;
 - (iii) financial institutions that grant, promote and finance private investment in partner countries and regions;

(iv) non-state actors as defined in paragraph 2;

(v) natural persons.

2. Non-state actors eligible for financial support under this Regulation shall include: non-governmental organisations, organisations representing indigenous peoples, local citizens' groups and traders' associations, cooperatives, trade unions, organisations representing economic and social interests, local organisations (including networks) involved in decentralised regional cooperation and integration, consumer organisations, women's and youth organisations, teaching, cultural, research and scientific organisations, universities, churches and religious associations and communities, the media and any non-governmental associations and independent foundations likely to contribute to development or the external dimension of internal policies.

Article 8

Types of measures

1. Community financing may take the following forms:

- (a) projects and programmes;
- (b) sectoral support;
- (c) contributions to guarantee funds in accordance with Article 16;
- (d) debt-relief programmes in exceptional cases, under an internationally agreed debt relief programme;
- (e) grants to fund measures;
- (f) grants to cover operating costs;
- (g) funding for twinning programmes between public institutions, national public bodies or private-law entities with a public-service mission of a Member State and those of a partner country or region;
- (h) contributions to international funds, in particular those managed by international or regional organisations;
- (i) contributions to national funds set up by partner countries and regions to attract joint financing from a number of donors, or contributions to funds set up by one or more donors for the purpose of the joint implementation of operations;
- (j) human and material resources required for effective administration and supervision of projects and programmes by partner countries and regions.

2. Activities covered by and eligible for funding under Council Regulation (EC) No 1257/96 of 20 June 1996 concerning humanitarian aid ⁽¹⁴⁾ may not be funded under this Regulation.

3. Community financing shall, in principle, not be used for paying taxes, custom duties or other fiscal charges in beneficiary countries.

Article 9

Support measures

1. Community financing may cover expenditure associated with the preparation, follow up, monitoring, auditing and evaluation activities directly necessary for the implementation of this Regulation and the achievement of its objectives, e.g. studies, meetings, information, awareness-raising, training and publication activities, expenditure associated with computer networks for the exchange of information and any other administrative or technical assistance expenditure that the Commission may incur for the management of the programme. It shall also cover expenditure on administrative support staff employed at Commission Delegations to manage projects funded under this Regulation.

2. None of the support measures are necessarily covered by multi-annual programming and may therefore be financed outside the scope of strategy papers and multi-annual indicative programmes. However, they may also be financed under multi-annual indicative programmes. The Commission shall adopt support measures not covered by multi annual indicative programmes in accordance with Article 6.

Article 10

Cofinancing

1. Measures financed under this Regulation shall be eligible for cofinancing from *inter alia* the following:

- (a) Member States, and in particular their public and parastatal agencies;
- (b) other donor countries and in particular their public and parastatal agencies;
- (c) international and regional organisations, and in particular international and regional financial institutions;

⁽¹⁴⁾ OJ L 163, 2.7.1996, p. 6. Regulation as amended by Regulation (EC) No 1882/2003 of the European Parliament and of the Council (OJ L 284, 31.10.2003, p. 1).

(d) companies, firms, other private organisations and businesses, and other non-state actors referred to in Article 7(2);

(e) partner countries and regions in receipt of funding.

2. In the case of parallel cofinancing, the project or programme shall be split into a number of clearly identifiable sub-projects, which are each financed by different partners providing cofinancing in such a way that the end-use of the financing can always be identified. In the case of joint cofinancing, the total cost of the project or programme shall be shared between the partners providing the cofinancing and resources are pooled in such a way that it is not possible to identify the source of funding for any given activity undertaken as part of the project or programme.

3. In the case of joint cofinancing, the Commission may receive and manage funds on behalf of the bodies referred to under (a), (b) and (c) of paragraph 1 of this Article for the purpose of implementing joint measures. In this case, the Commission shall implement the measures centrally, either directly or indirectly, by delegating the task to Community agencies or bodies set up by the Community. Such funds shall be dealt with as assigned revenue in accordance with Article 18 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 ⁽¹⁵⁾.

Article 11

Management procedures

1. The measures financed under this Regulation shall be implemented in accordance with Regulation (EC, Euratom) No 1605/2002.

2. In duly justified cases, the Commission may, in accordance with Article 54 of Regulation (EC, Euratom) No 1605/2002, decide to entrust tasks of public authority, and in particular budget implementation tasks, to bodies referred in Article 54(2)(c) of Regulation (EC, Euratom) No 1605/2002 if they are of recognised international standing, comply with internationally recognised systems of management and control, and are supervised by public authority.

3. In the case of decentralised management, the Commission may decide to use the procurement or grant procedures of the beneficiary country or region.

⁽¹⁵⁾ OJ L 248, 16.9.2002, p. 1. Regulation as last amended by Regulation (EC, Euratom) No 1995/2006 (OJ L 390, 30.12.2006, p. 1).

Article 12

Budget commitments

1. Budget commitments shall be made on the basis of decisions taken by the Commission in accordance with Articles 5, 6 and 9.

2. The legal forms for Community financing shall include:

- financing agreements,
- grant agreements,
- procurement contracts,
- employment contracts.

Article 13

Protection of the financial interests of the Community

1. Any agreements resulting from this Regulation shall contain provisions ensuring the protection of the Community's financial interests, in particular with respect to fraud, corruption and any other irregularities in accordance with Council Regulations (EC, Euratom) No 2988/95 of 18 December 1995 on the protection of the European Communities financial interests⁽¹⁶⁾ and (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⁽¹⁷⁾ and Regulation (Euratom) No 1074/99 of the European Parliament and of the Council of 25 May 1999 concerning investigations conducted by the European Anti-fraud Office (OLAF)⁽¹⁸⁾.

2. Agreements shall expressly entitle 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. They shall also expressly authorise the Commission to carry out on-the-spot checks and inspections, as provided for in Regulation (Euratom, EC) No 2185/96.

3. All contracts resulting from the implementation of assistance shall ensure the right of the Commission and the Court of Auditors, as provided for in paragraph 2, during and after the implementation of contracts.

Article 14

Rules of participation and origin

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

natural persons who are nationals of or legal persons who are established in a Member State of the European Union, a country that is or has been defined as beneficiary of assistance in an Action Programme adopted under the present Regulation, a country that is beneficiary of the Instrument of Pre-Accession or the European Neighbourhood and Partnership Instrument, or a non-EU Member State of the European Economic Area.

2. The Commission may, in duly substantiated cases, authorise the participation of natural persons who are nationals of, or legal persons who are established in a country having traditional economic, trade or geographical links with a beneficiary country.

3. Participation in the award of procurement or grant contracts financed under this Regulation shall also be open to all natural persons who are nationals of, or legal persons who are established in any country other than those referred to in paragraph 1, whenever reciprocal access to their external assistance has been established. Reciprocal access shall be granted whenever a country grants eligibility on equal terms to the Member States and to the recipient country concerned.

Reciprocal access to the award of procurement or grant contracts financed under this Regulation and under other Community external assistance instruments shall be established by means of a specific decision concerning a given country or a given regional group of countries. Such a decision shall be adopted by the Commission in accordance with the procedure laid down in Article 19(2) and shall be in force for a minimum period of one year.

The granting of reciprocal access to the award of procurement or grant contracts financed under this Regulation and under other Community external assistance instruments shall be based on a comparison between the Community and other donors and shall proceed at sectoral level or entire country level, whether it be a donor or a recipient country. The decision of granting this reciprocity to a donor country shall be based on the transparency, consistency and proportionality of the aid provided by that donor, including its qualitative and quantitative nature. The beneficiary countries shall be consulted as part of the procedure described in this paragraph.

Reciprocal access to the award of procurement or grant contracts financed under this Regulation for the benefit of least-developed countries as defined by the OECD Development Assistance Committee shall automatically be granted to OECD Development Assistance Committee members.

⁽¹⁶⁾ OJ L 312, 23.12.1995, p. 1.

⁽¹⁷⁾ OJ L 292, 15.11.1996, p. 2.

⁽¹⁸⁾ OJ L 136, 31.5.1999, p. 8.

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

5. Experts may be of any nationality. This is without prejudice to the qualitative and financial requirements set out in the Community's procurement rules.

6. All supplies and materials purchased under contracts financed under this Regulation must originate from the Community or a country eligible under this Article. The term 'origin' for the purpose of this Regulation is defined in the relevant Community legislation on rules of origin for customs purposes.

7. The Commission may, in duly substantiated cases, authorise the participation of natural persons who are nationals of, or legal persons who are established in other countries than those referred to in paragraphs 1, 2, and 3, or the purchase of supplies and materials of different origin from that set out in paragraph 6. Derogations may be justified on the basis of the unavailability of products and services in the markets of the countries concerned, for reasons of extreme urgency, or if the eligibility rules would make the realisation of a project, a programme or an action impossible or exceedingly difficult.

8. Whenever Community financing covers an operation implemented through an international organisation, participation in the appropriate contractual procedures shall be open to all natural or legal persons who are eligible pursuant to paragraphs 1, 2 and 3 as well as to all natural or legal persons who are eligible pursuant to the rules of that organisation, care being taken to ensure that equal treatment is afforded to all donors. The same rules shall apply in respect of supplies, materials and experts.

Whenever Community financing covers an operation cofinanced with a third country, subject to reciprocity as defined in paragraph 2, with a regional organisation, or with a Member State, participation in the appropriate contractual procedures shall be open to all natural or legal persons who are eligible pursuant to paragraphs 1, 2 and 3 as well as to all natural or legal persons who are eligible under the rules of such third country, regional organisation or Member State. The same rules shall apply in respect of supplies, materials and experts.

9. Tenderers who have been awarded contracts under this Regulation shall respect core labour standards as defined in the relevant ILO Conventions.

Article 15

Grants

In accordance with Article 114 of Regulation (EC, Euratom) No 1605/2002 natural persons may receive grants.

Article 16

Funds made available to the European Investment Bank or other financial intermediaries

The funds referred to in Article 8(1)(c) and (h) shall be managed by financial intermediaries, the European Investment Bank or any other bank or organisation capable of managing them. The Commission shall adopt implementing provisions for this Article, on a case by case basis to cover risk-sharing, the remuneration of the intermediary entrusted with the task of implementation, the use and recovery of interest on the fund, and the closure of the operation.

Article 17

Evaluation

The Commission shall regularly evaluate the results of policies and programmes and the effectiveness of programming in order to ascertain whether the objectives have been met and enable it to formulate recommendations with a view to improving future operations. The Commission shall send significant evaluation reports to the committee established in accordance with Article 19. These results shall feed back into programme design and resource allocation.

TITLE IV

FINAL PROVISIONS

Article 18

Report

The Commission shall examine progress achieved in implementing the measures undertaken pursuant to this Regulation and shall submit to the European Parliament and the Council an annual report on the implementation of the assistance. The report shall also be addressed to the Economic and Social Committee and to the Committee of Regions. The report shall contain information relating to the previous year on the measures financed, information on the results of monitoring and evaluation exercises and the implementation of budget commitments and payments, broken down by country, region and cooperation sector.

Article 19

Committee

1. The Commission shall be assisted by a committee composed of the representatives of the Member States and chaired by the representative of the Commission.

2. Where reference is made to this paragraph, the following procedure shall apply:

(a) the representative of the Commission shall submit to the committee a draft of the measures to be taken. The committee shall deliver its opinion on the draft within a time limit which the chairman may lay down according to the urgency of the matter. The opinion shall be delivered by the majority laid down in Article 118(2) of the Euratom Treaty, in the case of decisions which the Council is required to adopt on a proposal from the Commission. The votes of the representatives of the Member States within the committee shall be weighted in the manner set out in that Article. The chairman shall not vote;

(b) the Commission shall adopt measures which shall apply immediately. However, if these measures are not in accordance with the opinion of the committee, they shall be communicated by the Commission to the Council forthwith. In that event, the Commission may defer application of the measures on which it has decided for a period of 30 days;

(c) the Council, acting by qualified majority, may take a different decision within the period provided for under (b).

3. The committee shall adopt its rules of procedure, on the proposal of its chairman, on the basis of standard rules of procedure as published in the *Official Journal of the European Union*. The committee shall lay down in its rules of procedure special rules on consultation which shall enable the Commission, where necessary, to adopt special measures by an emergency procedure.

The principles and conditions on public access to documents applicable to the Commission shall apply to the committee.

The European Parliament shall be informed by the Commission of committee proceedings on a regular basis. To that end, it

shall receive agendas for committee meetings, and the results of voting and summary records of the meetings and lists of the authorities and organisations to which the persons designated by the Member States to represent them belong.

4. An observer from the European Investment Bank may take part in the committee's proceedings with regard to questions concerning the Bank.

Article 20

Financial reference amount

The financial reference amount for implementation of this Regulation over the period 2007 to 2013 shall be EUR 524 000 000.

Annual appropriations shall be authorised by the budgetary authority within the limits of the multi-annual financial framework.

Article 21

Review

Not later than 31 December 2010, the Commission shall submit to the European Parliament and the Council a report evaluating the implementation of this Regulation in the first three years together, if appropriate, with a legislative proposal introducing the necessary modifications to the instrument.

Article 22

Repeal

1. The following instruments shall be repealed as of 1 January 2007:

— Regulation (EC, Euratom) No 99/2000,

— Decision 98/381/EC, Euratom,

— Decision 2001/824/EC, Euratom.

2. The repealed instruments shall continue to apply for legal acts and commitments implementing the budget years preceding 2007.

*Article 23***Entry into force**

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

It shall apply from 1 January 2007 until 31 December 2013.

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

Done at Brussels, 19 February 2007.

For the Council
The President
M. GLOS

COUNCIL REGULATION (EC) No 301/2007**of 19 March 2007****amending Annex I to Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 26 thereof,

Having regard to the proposal from the Commission,

Whereas:

(1) In the Combined Nomenclature set out in Annex I to Regulation (EEC) No 2658/87⁽¹⁾ the CN codes for monitors are 8528 51 00, 8528 59 10 and 8528 59 90.

(2) Council Regulation (EC) No 493/2005 of 16 March 2005 amending Annex I to Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽²⁾ suspended totally, for a limited period, the autonomous Common Customs Tariff duties for monitors using liquid crystal display technology, with a diagonal measurement of the screen of 48,5 cm or less and a screen aspect ratio of 4:3 or 5:4 and classifiable under CN code 8528 21 90.

(3) This suspension measure expired on 31 December 2006.

(4) On consumer benefit grounds, to ensure rational development of production and an expansion of consumption within the Community and to promote trade between Member States and third countries, it is in the interest of the Community to extend the current autonomous duty suspension for certain types of monitors classified under CN code 8528 59 90 for another two years from 1 January 2007.

(5) As a result of the amendments to the nomenclature appended as an Annex to the International Convention on the Harmonised Commodity Description and Coding System accepted pursuant to the Recommendation of

26 June 2004 of the Customs Cooperation Council and the adaptation of the Combined Nomenclature to the Harmonised System 2007, from 1 January 2007 products classifiable under CN code 8528 21 90 will be classified under CN code 8528 59 90 of the Combined Nomenclature.

(6) Regulation (EEC) No 2658/87 should therefore be amended accordingly.

(7) As the suspension introduced by this Regulation is a prolongation of a suspension introduced by Regulation (EC) No 493/2005 that expired on 31 December 2006 and since it is not in the interest of the Community that there be any interruption of the tariff treatment of the monitors covered by this suspension, this Regulation should enter into force immediately and apply from 1 January 2007,

HAS ADOPTED THIS REGULATION:

Article 1

In Annex 1 to Regulation (EEC) No 2658/87 the text in column 3 for CN code 8528 59 90 in Chapter 85, Section XVI of Part Two, Schedule of Customs Duties shall be replaced by the following:

‘14 (*)

(*) Customs duty autonomously suspended, until 31 December 2008, for monitors with a diagonal measurement of the screen of 48,5 cm or less and with an aspect ratio of 4:3 or 5:4 (TARIC code 8528 59 90 30).’

Article 2

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

It shall apply from 1 January 2007.

⁽¹⁾ OJ L 256, 7.9.1987, p. 1. Regulation as last amended by Regulation (EC) No 129/2007 (OJ L 56, 23.2.2007, p. 1).

⁽²⁾ OJ L 82, 31.3.2005, p. 1.

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

Done at Brussels, 19 March 2007.

For the Council

The President

Horst SEEHOFER

COMMISSION REGULATION (EC) No 302/2007**of 21 March 2007****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 22 March 2007.

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

Done at Brussels, 21 March 2007.

For the Commission

Jean-Luc 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 21 March 2007 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	IL	198,4
	MA	81,6
	TN	143,7
	TR	160,2
	ZZ	146,0
0707 00 05	JO	171,8
	TR	160,0
	ZZ	165,9
0709 90 70	MA	67,3
	TR	114,9
	ZZ	91,1
0709 90 80	IL	121,6
	ZZ	121,6
0805 10 20	CU	47,3
	EG	49,8
	IL	63,8
	MA	55,0
	TN	52,5
	TR	64,5
	ZZ	55,5
0805 50 10	EG	58,7
	IL	64,1
	TR	52,5
	ZZ	58,4
0808 10 80	AR	78,8
	BR	91,6
	CA	92,2
	CL	96,7
	CN	78,5
	US	116,8
	UY	78,1
	ZA	113,1
0808 20 50	ZZ	93,2
	AR	69,5
	CL	90,7
	CN	73,6
	UY	70,9
	ZA	79,3
	ZZ	76,8

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 1833/2006 (OJ L 354, 14.12.2006, p. 19). Code 'ZZ' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 303/2007
of 21 March 2007
fixing the export refunds on pigmeat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organisation of the market in pigmeat ⁽¹⁾, and in particular the second paragraph of Article 13(3) thereof,

Whereas:

- (1) Article 13(1) of Regulation (EEC) No 2759/75 provides that the difference between prices on the world market for the products listed in Article 1 of that Regulation and prices for these products within the Community may be covered by an export refund.
- (2) Given the present situation in the market in pigmeat, export refunds should therefore be fixed in accordance with the rules and criteria provided for in Article 13 of Regulation (EEC) No 2759/75.
- (3) Article 13(3) of Regulation (EEC) No 2759/75 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund on the products listed in Article 1 of Regulation (EEC) No 2759/75 according to destination.
- (4) Refunds should be granted only on products that are allowed to move freely in the Community and that bear the health mark as provided for in Article 5(1)(a) of Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin ⁽²⁾.

Those products should also comply with the requirements of Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs ⁽³⁾ and of Regulation (EC) No 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption ⁽⁴⁾.

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Export refunds as provided for in Article 13 of Regulation (EEC) No 2759/75 shall be granted on the products and for the amounts set out in the Annex to this Regulation subject to the condition provided for in paragraph 2 of this Article.

2. The products eligible for a refund under paragraph 1 must meet the relevant requirements of Regulations (EC) No 852/2004 and (EC) No 853/2004, notably preparation in an approved establishment and compliance with the health marking requirements laid down in Annex I, Section I, Chapter III to Regulation (EC) No 854/2004.

Article 2

This Regulation shall enter into force on 22 March 2007.

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

Done at Brussels, 21 March 2007.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 282, 1.11.1975, p. 1. Regulation as last amended by Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2).

⁽²⁾ OJ L 139, 30.4.2004, p. 55. Corrected version in OJ L 226, 25.6.2004, p. 22. Regulation as last amended by Regulation (EC) No 1791/2006 (OJ L 363, 20.12.2006, p. 1).

⁽³⁾ OJ L 139, 30.4.2004, p. 1. Corrected version in OJ L 226, 25.6.2004, p. 3.

⁽⁴⁾ OJ L 139, 30.4.2004, p. 206. Corrected version in OJ L 226, 25.6.2004, p. 83. Regulation as last amended by Regulation (EC) No 1791/2006.

ANNEX

Export refunds on pigmeat applicable from 22 March 2007

Product code	Destination	Unit of measurement	Amount of refund
0210 11 31 9110	A00	EUR/100 kg	54,20
0210 11 31 9910	A00	EUR/100 kg	54,20
0210 19 81 9100	A00	EUR/100 kg	54,20
0210 19 81 9300	A00	EUR/100 kg	54,20
1601 00 91 9120	A00	EUR/100 kg	19,50
1601 00 99 9110	A00	EUR/100 kg	15,20
1602 41 10 9110	A00	EUR/100 kg	29,00
1602 41 10 9130	A00	EUR/100 kg	17,10
1602 42 10 9110	A00	EUR/100 kg	22,80
1602 42 10 9130	A00	EUR/100 kg	17,10
1602 49 19 9130	A00	EUR/100 kg	17,10

NB: The product codes and the 'A' series destination codes are set out in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1) as amended.

The destination codes are set out in Commission Regulation (EC) No 1833/2006 (OJ L 354, 14.12.2006, p. 19).

COMMISSION REGULATION (EC) No 304/2007**of 21 March 2007****fixing the export refunds on eggs**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organisation of the market in eggs ⁽¹⁾, and in particular the third subparagraph of Article 8(3) thereof,

Whereas:

- (1) Article 8 of Regulation (EEC) No 2771/75 provides that the difference between prices on the world market for the products listed in Article 1(1) of that regulation and prices for those products on the Community market may be covered by an export refund.
- (2) Given the present situation on the market in eggs, export refunds should therefore be fixed in accordance with the rules and certain criteria provided for in Article 8 of Regulation (EEC) No 2771/75.
- (3) Article 8(3), second subparagraph of Regulation (EEC) No 2771/75 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund according to destination.
- (4) Refunds should be granted only on products that are allowed to move freely in the Community and that comply with the requirements of Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs ⁽²⁾ and of Regulation (EC) No 853/2004 of the European

Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin ⁽³⁾ as well as marking requirements of Council Regulation (EEC) No 1907/90 of 26 June 1990 on certain marketing standards for eggs ⁽⁴⁾.

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Export refunds as provided for in Article 8 of Regulation (EEC) No 2771/75 shall be granted on the products and for the amounts set out in the Annex to this Regulation subject to the conditions provided for in paragraph 2 of this Article.

2. The products eligible for a refund under paragraph 1 must meet the relevant requirements of Regulations (EC) No 852/2004 and (EC) No 853/2004, notably preparation in an approved establishment and compliance with the marking requirements laid down in Annex II, Section I to Regulation (EC) No 853/2004 and those laid down in Regulation (EEC) No 1907/90.

Article 2

This Regulation shall enter into force on 22 March 2007.

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

Done at Brussels, 21 March 2007.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 282, 1.11.1975, p. 49. Regulation as last amended by Regulation (EC) No 679/2006 (OJ L 119, 4.5.2006, p. 1).

⁽²⁾ OJ L 139, 30.4.2004, p. 1. Corrected version in OJ L 226, 25.6.2004, p. 3.

⁽³⁾ OJ L 139, 30.4.2004, p. 55. Corrected version in OJ L 226, 25.6.2004, p. 22. Regulation as last amended by Regulation (EC) No 1791/2006 (OJ L 363, 20.12.2006, p. 1).

⁽⁴⁾ OJ L 173, 6.7.1990, p. 5. Regulation as last amended by Regulation (EC) No 1582/2006 (OJ L 294, 25.10.2006, p. 1).

ANNEX

Export refunds on eggs applicable from 22 March 2007

Product code	Destination	Unit of measurement	Amount of refund
0407 00 11 9000	A02	EUR/100 pcs	0,85
0407 00 19 9000	A02	EUR/100 pcs	0,40
0407 00 30 9000	E09	EUR/100 kg	0,00
	E10	EUR/100 kg	20,00
	E19	EUR/100 kg	0,00
0408 11 80 9100	A03	EUR/100 kg	50,00
0408 19 81 9100	A03	EUR/100 kg	25,00
0408 19 89 9100	A03	EUR/100 kg	25,00
0408 91 80 9100	A03	EUR/100 kg	73,00
0408 99 80 9100	A03	EUR/100 kg	18,00

NB: The product codes and the 'A' series destination codes are set out in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1), as amended.

The destination codes are set out in Commission Regulation (EC) No 1833/2006 (OJ L 354, 14.12.2006, p. 19).

The other destinations are defined as follows:

E09 Kuwait, Bahrain, Oman, Qatar, the United Arab Emirates, Yemen, Hong Kong SAR, Russia and Turkey.

E10 South Korea, Japan, Malaysia, Thailand, Taiwan and the Philippines.

E19 all destinations except Switzerland and those of E09 and E10.

COMMISSION REGULATION (EC) No 305/2007**of 21 March 2007**

derogating temporarily from Regulations (EC) No 2402/96, (EC) No 2375/2002, (EC) No 2305/2003, (EC) No 969/2006 and (EC) No 1918/2006 as regards the dates for lodging applications and the issuing of import licences in 2007 under the tariff quotas for sweet potatoes, manioc starch, cereals and olive oil

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

licences for sweet potatoes under quotas 09.4014 and 09.4013, on the one hand, and manioc starch under quota 09.4065 on the other.

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1095/96 of 18 June 1996 on the implementation of the concessions set out in Schedule CXL drawn up in the wake of the conclusion of the GATT XXIV.6 negotiations ⁽¹⁾, and in particular Article 1(1) thereof,

Having regard to Council Decision 96/317/EC of 13 May 1996 concerning the conclusion of the results of consultations with Thailand under GATT Article XXIII ⁽²⁾,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals ⁽³⁾, and in particular Article 12(1) thereof,

Having regard to Council Regulation (EC) No 865/2004 of 29 April 2004 on the common organisation of the market in olive oil and table olives and amending Regulation (EEC) No 827/68 ⁽⁴⁾, and in particular Article 10(4) thereof,

Whereas:

(1) Commission Regulation (EC) No 2402/96 of 17 December 1996 opening and setting administrative rules for certain annual tariff quotas for sweet potatoes and manioc starch ⁽⁵⁾ lays down specific provisions for the lodging of applications and the issuing of import

(2) Commission Regulations (EC) No 2375/2002 of 27 December 2002 opening and providing for the administration of Community tariff quotas for common wheat of a quality other than high quality from third countries ⁽⁶⁾, Commission Regulation (EC) No 2305/2003 of 29 December 2003 opening and providing for the administration of a Community tariff quota for imports of barley from third countries ⁽⁷⁾ and Commission Regulation (EC) No 969/2006 of 29 June 2006 opening and providing for the administration of a Community tariff quota for imports of maize from third countries ⁽⁸⁾ lay down specific provisions for the lodging of applications and the issuing of import licences for common wheat of a quality other than high quality under quotas 09.4123, 09.4124 and 09.4125, for barley under quota 09.4126 and for maize under quota 09.4131.

(3) Commission Regulation (EC) No 1918/2006 of 20 December 2006 opening and providing for the administration of tariff quota for olive oil originating in Tunisia ⁽⁹⁾ lays down specific provisions for the lodging of applications and the issuing of import licences for olive oil under quota 09.4032.

(4) In view of the public holidays in 2007, derogations should be made, at certain times, from Regulations (EC) No 2402/96, (EC) No 2375/2002, (EC) No 2305/2003, (EC) No 969/2006 and (EC) No 1918/2006 as regards the dates for the lodging of import licence applications and the issuing of those licences in order to ensure compliance with the quota volumes in question.

(5) The measures provided for in this Regulation are in accordance with the opinion of the joint meeting of the Management Committee for Cereals and the Management Committee for Olive Oil and Table Olives,

⁽¹⁾ OJ L 146, 20.6.1996, p. 1.

⁽²⁾ OJ L 122, 22.5.1996, p. 15.

⁽³⁾ OJ L 270, 21.10.2003, p. 78. Regulation as amended by Commission Regulation (EC) No 1154/2005 (OJ L 187, 19.7.2005, p. 11).

⁽⁴⁾ OJ L 161, 30.4.2004, p. 97, corrected by OJ L 206, 9.6.2004, p. 37.

⁽⁵⁾ OJ L 327, 18.12.1996, p. 14. Regulation as last amended by Regulation (EC) No 1884/2006 (OJ L 364, 20.12.2006, p. 44).

⁽⁶⁾ OJ L 358, 31.12.2002, p. 88. Regulation as last amended by Regulation (EC) No 2022/2006 (OJ L 384, 29.12.2006, p. 70).

⁽⁷⁾ OJ L 342, 30.12.2003, p. 7. Regulation as last amended by Regulation (EC) No 2022/2006.

⁽⁸⁾ OJ L 176, 30.6.2006, p. 44. Regulation as amended by Regulation (EC) No 2022/2006.

⁽⁹⁾ OJ L 365, 21.12.2006, p. 84.

HAS ADOPTED THIS REGULATION:

Article 1

1. Notwithstanding Article 3 of Regulation (EC) No 2402/96, applications for import licences for sweet potatoes under quotas 09.4014 and 09.4013 may no longer be lodged for 2007 after 18 December 2007.

2. Notwithstanding Article 8(1) of Regulation (EC) No 2402/96, import licences for sweet potatoes applied for on the dates indicated in Annex I hereto, under quotas 09.4014 and 09.4013, shall be issued on the dates indicated in Annex I, subject to the measures adopted pursuant to Article 7(2) of Commission Regulation (EC) No 1301/2006 ⁽¹⁾.

Article 2

1. Notwithstanding the first paragraph of Article 9 of Regulation (EC) No 2402/96, applications for import licences for manioc starch under quota 09.4065 may no longer be lodged for 2007 after 18 December 2007.

2. Notwithstanding Article 13(1) of Regulation (EC) No 2402/96, import licences for manioc starch applied for on the dates indicated in Annex II hereto, under quota 09.4065, shall be issued on the dates indicated in Annex II, subject to the measures adopted pursuant to Article 7(2) of Regulation (EC) No 1301/2006.

Article 3

1. Notwithstanding the second subparagraph of Article 5(1) of Regulation (EC) No 2375/2002, applications for import licences for common wheat of a quality other than high quality under quotas 09.4123, 09.4124 and 09.4125 may no longer be lodged for 2007 after 17 December 2007.

2. Notwithstanding the second subparagraph of Article 3(1) of Regulation (EC) No 2305/2003, applications for import licences for barley under quota 09.4126 may no longer be lodged for 2007 after 17 December 2007.

3. Notwithstanding the second subparagraph of Article 4(1) of Regulation (EC) No 969/2006, applications for import licences for maize under quota 09.4131 may no longer be lodged for 2007 after 17 December 2007.

Article 4

Notwithstanding Article 3(3) of Regulation (EC) No 1918/2006, import licences for olive oil applied for on Monday, 2 or Tuesday, 3 April 2007 under quota 09.4032 shall be issued on Friday, 13 April 2007, subject to the measures adopted pursuant to Article 7(2) of Regulation (EC) No 1301/2006.

Article 5

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, 21 March 2007.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 238, 1.9.2006, p. 13.

ANNEX I

Issue of import licences for sweet potatoes under quotas 09.4014 and 09.4013 in certain periods of 2007

Dates for lodging applications	Dates of issue of licences
Tuesday, 3 April 2007	Friday, 13 April 2007
Tuesday, 30 October 2007	Friday, 9 November 2007

ANNEX II

Issue of import licences for manioc starch under quota 09.4065 in certain periods of 2007

Dates for lodging applications	Dates of issue of licences
Tuesday, 3 April 2007	Friday, 13 April 2007
Tuesday, 30 October 2007	Friday, 9 November 2007

COMMISSION REGULATION (EC) No 306/2007**of 21 March 2007****amending Regulation (EC) No 1539/2006 adopting a plan allocating resources to the Member States to be charged against 2007 budget year for the supply of food from intervention stocks for the benefit of the most deprived persons in the Community**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

products to be withdrawn from the intervention stocks and, on the other, the authorisation, on the conditions set out in Article 7 of Regulation (EEC) No 3149/92, of intra-Community transfers so that the modified plan can be implemented.

Having regard to the Treaty establishing the European Community,

(3) Regulation (EC) No 1539/2006 should therefore be amended accordingly.

Having regard to Council Regulation (EEC) No 3730/87 of 10 December 1987 laying down the general rules for the supply of food from intervention stocks to designated organisations for distribution to the most deprived persons in the Community ⁽¹⁾, and in particular Article 6 thereof,

(4) This Regulation should apply from 1 January 2007, the date on which Romania and Bulgaria became Members of the European Union.

Whereas:

(5) The measures provided for in this Regulation are in accordance with the opinions of all the relevant Management Committees,

(1) In accordance with Article 2 of Commission Regulation (EEC) No 3149/92 of 29 October 1992 laying down detailed rules for the supply of food from intervention stocks for the benefit of the most deprived persons in the Community ⁽²⁾, the Commission adopted, by Commission Regulation (EC) No 1539/2006 ⁽³⁾, a plan allocating resources to the Member States to be charged against the 2007 budget year for the supply of food from intervention stocks for the benefit of the most deprived persons in the Community. The plan lays down in particular, for each of the Member States applying the measure, the maximum financial resources available to carry out its part of the plan, and the quantity of each type of product to be withdrawn from the stocks held by the intervention agencies.

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I and III to Regulation (EC) No 1539/2006 are amended in accordance with the Annex to this Regulation.

(2) The plan should be adapted to allow Romania to be part of this Community action in 2007. For Romania, the adaptation should concern, on the one hand, the allocation of financial resources and the share of the

Article 2

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

⁽¹⁾ OJ L 352, 15.12.1987, p. 1. Regulation as amended by Regulation (EC) No 2535/95 (OJ L 260, 31.10.1995, p. 3).

⁽²⁾ OJ L 313, 30.10.1992, p. 50. Regulation last amended by Commission Regulation (EC) No 209/2007 (OJ L 61, 28.2.2007, p. 21).

⁽³⁾ OJ L 283, 14.10.2006, p. 14.

It shall apply from 1 January 2007.

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

Done at Brussels, 21 March 2007.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agricultural and
Rural Development*

ANNEX

Regulation (EC) No 1539/2006 is amended as follows:

(1) Annex I is amended as follows:

(a) the table in point (a) is amended as follows:

(i) the following line is inserted after the line concerning Portugal:

România	16 649 889'
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(ii) the last line is replaced by the following:

Total	275 563 261'
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(b) the table in point (b) is amended as follows:

(i) the following line is inserted after the line concerning Portugal:

România	96 712			11 986'
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(ii) the last line is replaced by the following:

Total	667 018	61 541	30 026	45 210'
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(2) In Annex III the table is replaced by the following:

Intra-Community transfers authorised under the plan for the 2007 budget

	Product	Quantity (tonnes)	Holder	Consignee
1.	Common wheat	2 207	MMM, Suomi/Finland	Põllumajanduse Registrite ja Informatsiooni Amet, Eesti
2.	Common wheat	11 760	BLE, Deutschland	OPEKEPE, Elláda
3.	Common wheat	110 000	ONIGC, France	FEGA, España
4.	Common wheat	103 429	BLE, Deutschland	AGEA, Italia
5.	Common wheat	19 036	AMA, Österreich	AGEA, Italia
6.	Common wheat	5 637	MMM, Suomi/Finland	Agricultural and Food Products Market Regulation Agency, Lietuva
7.	Common wheat	1 550	ONIGC, France	National Research and Development Centre, Malta
8.	Common wheat	20 000	ONIGC, France	INGA, Portugal
9.	Common wheat	96 712	MVH, Magyarország	Paying and Intervention Agency for Agriculture, România

	Product	Quantity (tonnes)	Holder	Consignee
10.	Common wheat and other cereals	2 610	MVH, Magyarország	AAMRD, Slovenija
11.	Rice	23 641	OPEKEPE, Elláda	ONIGC, France
12.	Rice	20 000	OPEKEPE, Elláda	Ente Risi, Italia
13.	Rice	14 000	OPEKEPE, Elláda	INGA, Portugal
14.	Butter	3 511	Department of Agriculture and Food, Ireland	Office de l'Elevage, France
15.	Sugar	3 338	FEGA, España	ONIGC, France
16.	Sugar	2 760	ARR, Polska	Agricultural and Food Products Market Regulation Agency, Lietuva
17.	Sugar	1 435	FEGA, España	INGA, Portugal
18.	Sugar	11 986	MVH, Magyarország	Paying and Intervention Agency for Agriculture, România
19.	Sugar	500	ARR, Polska	MMM, Suomi/Finland'

COMMISSION REGULATION (EC) No 307/2007**of 21 March 2007****fixing the rates of the refunds applicable to eggs and egg yolks exported in the form of goods not covered by Annex I to the Treaty**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organisation of the market in eggs ⁽¹⁾, and in particular Article 8(3) thereof,

Whereas:

(1) Article 8(1) of Regulation (EEC) No 2771/75 provides that the difference between prices in international trade for the products listed in Article 1(1) of that Regulation and prices within the Community may be covered by an export refund where these goods are exported in the form of goods listed in the Annex to that Regulation.

(2) Commission Regulation (EC) No 1043/2005 of 30 June 2005 implementing Council Regulation (EC) No 3448/93 as regards the system of granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty, and the criteria for fixing the amount of such refunds ⁽²⁾, specifies the products for which a rate of refund is to be fixed, to be applied where these products are exported in the form of goods listed in Annex I to Regulation (EEC) No 2771/75.

(3) In accordance with the second paragraph of Article 14 of Regulation (EC) No 1043/2005, the rate of the refund per 100 kilograms for each of the basic products in question is to be fixed for a period of the same duration as that for which refunds are fixed for the same products exported unprocessed.

(4) Article 11 of the Agreement on Agriculture concluded under the Uruguay Round lays down that the export refund for a product contained in a good may not exceed the refund applicable to that product when exported without further processing.

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

HAS ADOPTED THIS REGULATION:

Article 1

The rates of the refunds applicable to the basic products listed in Annex I to Regulation (EC) No 1043/2005 and in Article 1(1) of Regulation (EEC) No 2771/75, and exported in the form of goods listed in Annex I to Regulation (EEC) No 2771/75, shall be fixed as set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 22 March 2007.

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

Done at Brussels, 21 March 2007.

For the Commission

Günter VERHEUGEN

Vice-President

⁽¹⁾ OJ L 282, 1.11.1975, p. 49. Regulation as last amended by Regulation (EC) No 679/2006 (OJ L 119, 4.5.2006, p. 1).

⁽²⁾ OJ L 172, 5.7.2005, p. 24. Regulation as last amended by Regulation (EC) No 1713/2006 (OJ L 321, 21.11.2006, p. 11).

ANNEX

Rates of the refunds applicable from 22 March 2007 to eggs and egg yolks exported in the form of goods not covered by Annex I to the Treaty

(EUR/100 kg)			
CN code	Description	Destination ⁽¹⁾	Rate of refund
0407 00	Birds' eggs, in shell, fresh, preserved or cooked:		
	– Of poultry:		
0407 00 30	– – Other:		
	(a) On exportation of ovalbumin of CN codes 3502 11 90 and 3502 19 90	02	0,00
		03	20,00
		04	0,00
	(b) On exportation of other goods	01	0,00
0408	Birds' eggs, not in shell and egg yolks, fresh, dried, cooked by steaming or by boiling in water, moulded, frozen or otherwise preserved, whether or not containing added sugar or other sweetening matter:		
	– Egg yolks:		
0408 11	– – Dried:		
ex 0408 11 80	– – – Suitable for human consumption:		
	not sweetened	01	50,00
0408 19	– – Other:		
	– – – Suitable for human consumption:		
ex 0408 19 81	– – – – Liquid:		
	not sweetened	01	25,00
ex 0408 19 89	– – – – Frozen:		
	not sweetened	01	25,00
	– Other:		
0408 91	– – Dried:		
ex 0408 91 80	– – – Suitable for human consumption:		
	not sweetened	01	73,00
0408 99	– – Other:		
ex 0408 99 80	– – – Suitable for human consumption:		
	not sweetened	01	18,00

⁽¹⁾ The destinations are as follows:

01 Third countries. For Switzerland and Liechtenstein these rates are not applicable to the goods listed in Tables I and II to Protocol No 2 to the Agreement between the European Community and the Swiss Confederation of 22 July 1972,

02 Kuwait, Bahrain, Oman, Qatar, United Arab Emirates, Yemen, Turkey, Hong Kong SAR and Russia,

03 South Korea, Japan, Malaysia, Thailand, Taiwan and the Philippines,

04 all destinations except Switzerland and those of 02 and 03.

COMMISSION REGULATION (EC) No 308/2007**of 21 March 2007****fixing representative prices in the poultrymeat and egg sectors and for egg albumin, and amending Regulation (EC) No 1484/95**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organisation of the market in eggs ⁽¹⁾, and in particular Article 5(4) thereof,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organisation of the market in poultrymeat ⁽²⁾, and in particular Article 5(4) thereof,

Having regard to Council Regulation (EEC) No 2783/75 of 29 October 1975 on the common system of trade for ovalbumin and lactalbumin ⁽³⁾, and in particular Article 3(4) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1484/95 ⁽⁴⁾, fixes detailed rules for implementing the system of additional import duties and fixes representative prices in the poultrymeat and egg sectors and for egg albumin.

- (2) It results from regular monitoring of the information providing the basis for the verification of the import prices in the poultrymeat and egg sectors and for egg albumin that the representative prices for imports of certain products should be amended taking into account variations of prices according to origin. Therefore, representative prices should be published.

- (3) It is necessary to apply this amendment as soon as possible, given the situation on the market.

- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Poultrymeat and Eggs,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 1484/95 is hereby replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on 22 March 2007.

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

Done at Brussels, 21 March 2007.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 282, 1.11.1975, p. 49. Regulation as last amended by Regulation (EC) No 679/2006 (OJ L 119, 4.5.2006, p. 1).

⁽²⁾ OJ L 282, 1.11.1975, p. 77. Regulation as last amended by Regulation (EC) No 679/2006.

⁽³⁾ OJ L 282, 1.11.1975, p. 104. Regulation as last amended by Commission Regulation (EC) No 2916/95 (OJ L 305, 19.12.1995, p. 49).

⁽⁴⁾ OJ L 145, 29.6.1995, p. 47. Regulation as last amended by Regulation (EC) No 117/2007 (OJ L 35, 8.2.2007, p. 9).

ANNEX

to the Commission Regulation of 21 March 2007 fixing representative prices in the poultrymeat and egg sectors and for egg albumin, and amending Regulation (EC) No 1484/95

‘ANNEX I

CN code	Description	Representative price (EUR/100 kg)	Security referred to in Article 3(3) (EUR/100 kg)	Origin ⁽¹⁾
0207 12 90	Chickens, plucked and drawn, without heads and feet and without necks, hearts, livers and gizzards, known as “65 % chickens”, or otherwise presented, frozen	121,0	0	01
		102,1	5	02
0207 14 10	Boneless cuts of fowl of the species <i>Gallus domesticus</i> , frozen	211,8	27	01
		222,2	23	02
		299,1	0	03
0207 25 10	Turkey carcasses, known as 80 % turkeys, frozen	140,1	6	01
0207 27 10	Boneless cuts of turkey, frozen	254,4	13	01
		267,6	9	03
1602 32 11	Preparations of uncooked fowl of the species <i>Gallus domesticus</i>	214,7	22	01

⁽¹⁾ Origin of imports:

- 01 Brazil
- 02 Argentina
- 03 Chile.

III

(Acts adopted under the EU Treaty)

ACTS ADOPTED UNDER TITLE V OF THE EU TREATY

COUNCIL JOINT ACTION 2007/178/CFSP

of 19 March 2007

**in support of chemical weapons destruction in the Russian Federation in the framework of the EU
Strategy against Proliferation of Weapons of Mass Destruction**

THE COUNCIL OF THE EUROPEAN UNION,

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

Whereas:

- (1) The Agreement on partnership and cooperation establishing a partnership between the European Communities and their Member States, of the one part, and the Russian Federation, of the other part ⁽¹⁾ promotes, *inter alia*, an increasing convergence of positions on international issues of mutual concern thus increasing security and stability.
- (2) The Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction entered into force in the Russian Federation on 5 December 1997.
- (3) On 25 and 26 June 2002 in Kananaskis the G8 launched the Global Partnership against the Spread of Weapons and Materials of Mass Destruction, under which they decided to support specific cooperation projects, initially in the Russian Federation, to address non-proliferation, disarmament, counter-terrorism and nuclear-safety issues.
- (4) Council Joint Action 1999/878/CFSP of 17 December 1999 established an EU cooperation programme for

non-proliferation and disarmament in the Russian Federation ⁽²⁾, which was continued by Joint Action 2003/20472/CFSP ⁽³⁾ which expired on 24 June 2004. Decision 2001/20493/CFSP ⁽⁴⁾, implementing Joint Action 1999/878/CFSP, included a first project in support of infrastructure building related to the destruction of nerve gases stored in Shchuch'ye (Russian Federation). This project was finalised on 28 January 2005.

- (5) The European Union continues to support the aim and principles of the G8 Global Partnership initiative and continues to promote cooperative threat reduction activities and the safe and secure dismantlement of WMD-related resources in the Russian Federation.
- (6) A multi-donor project to provide assistance towards the destruction of Chemical Weapons at Shchuch'ye is underway, coordinated by the United Kingdom. Delivery of related equipment is scheduled for 31 October 2007.
- (7) The European Union continues to support the Russian Federation in her pursuit of a safe and environmentally sound dismantlement or reconversion of infrastructure, equipment and scientific capabilities linked to weapons of mass destruction (WMD).
- (8) On 12 December 2003 the European Union adopted its strategy against Proliferation of Weapons of Mass Destruction which, *inter alia*, promotes a stable international and regional environment, as a condition for the fight against the proliferation of WMD.

⁽¹⁾ OJ L 327, 28.11.1997, p. 3. Agreement as last amended by Agreement of 9 July 2002 (OJ L 9, 15.1.2004, p. 22).

⁽²⁾ OJ L 331, 23.12.1999, p. 11. Joint Action as amended by Decision 2002/381/CFSP (OJ L 136, 24.5.2002, p. 1).

⁽³⁾ OJ L 157, 26.6.2003, p. 69.

⁽⁴⁾ OJ L 180, 3.7.2001, p. 2.

- (9) The European Union activities in support of the Global Partnership will take place in parallel with activities by others and will be coordinated to the greatest possible extent to avoid unnecessary duplication.
- (10) The Commission should be entrusted with the supervision of the proper implementation of the EU financial contribution,

HAS ADOPTED THIS JOINT ACTION:

Article 1

1. The objective of this Joint Action is to support the Russian Federation in its efforts to destroy its chemical weapons stockpiles under its obligations resulting from the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction.

2. This Joint Action shall contribute to the construction of the Shchuch'ye chemical weapon destruction facility in the Russian Federation. Details of the specific project are set out in the Annex to this Joint Action.

Article 2

1. The Presidency, assisted by the Secretary-General of the Council/High Representative for the CFSP (SG/HR), shall be responsible for the implementation of this Joint Action. The Commission shall be fully associated.

2. The technical implementation of the project referred to in Article 1(2) is entrusted to the Secretary of State for Defence of the United Kingdom of Great Britain and Northern Ireland, acting on behalf of the Ministry of Defence of the United Kingdom of Great Britain and Northern Ireland, (hereinafter referred to as the Secretary of State) who shall perform his tasks under the responsibility of the Presidency, assisted by the SG/HR. For this purpose, the SG/HR shall enter into the necessary arrangements with the Secretary of State.

Article 3

1. The financial reference amount for the project referred to in Article 1(2) is EUR 3 145 000 to be funded from the 2007 general budget of the European Union.

2. The expenditure financed by the amount stipulated in paragraph 1 shall be managed in accordance with the European 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. Expenditure shall be eligible as of the date of entry into force of this Joint Action.

3. The Commission shall supervise the proper implementation of the EU contribution referred to in paragraph 1. For this purpose, it will conclude a Financing Agreement with the Secretary of State on conditions for the use of the EU contribution. The financing agreement to be concluded shall stipulate that the Secretary of State is to ensure visibility of the EU contribution, appropriate to its size.

4. The Commission shall endeavour to conclude the financing agreement referred to in paragraph 3 as soon as possible after the entry into force of this Joint Action. It shall inform the Council of any difficulties in that process and of the date of conclusion of the financing agreement.

Article 4

The Presidency, assisted by the SG/HR, shall report to the Council on the implementation of this Joint Action on the basis of reports to be provided by the Secretary of State. The Commission shall be fully associated and shall provide information on the financial implementation of the project as referred to in Article 3(3).

Article 5

The Council may decide to suspend the project if the Russian Federation fails, in particular:

- (a) to cooperate fully in the implementation of this Joint Action;
- (b) to allow monitoring by the European Union and/or periodical external evaluations and audits to that effect;
- (c) to meet its obligations under the Agreement on Partnership and Cooperation establishing a Partnership between the European Communities and the Member States on one part and the Russian Federation of the other part.

Article 6

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

It shall expire 18 months after the conclusion of the Financing Agreement between the Commission and the Secretary of State.

Article 7

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

Done at Brussels, 19 March 2007.

For the Council
The President
Horst SEEHOFER

ANNEX

EU — RUSSIA CHEMICAL WEAPONS DESTRUCTION PROJECT IN SHCHUCH'YE**1. Objective**

To assist the Russian Federation in destroying some of its chemical weapons, towards fulfilment of Russia's obligations under the Convention on the Prohibition of the Development, Production, Stockpiling and use of Chemical Weapons and on their Destruction.

2. Project description

The Joint Action shall commit funding in support of the Shchuch'ye chemical weapon destruction facility in the Russian Federation and thereby contribute to the destruction of 1 900 000 million artillery and rocket munitions containing some 5 500 tonnes of nerve agents, which are stored at Shchuch'ye awaiting destruction.

This Joint Action will support the requirement to complete the electricity supply infrastructure at Shchuch'ye chemical weapon destruction facility. It will fund the procurement and delivery of major items of equipment which will subsequently be installed at the Shchuchanskaya, Shumikha and Kurgan electricity substations located near the town of Shchuch'ye and the destruction facility, in order to provide a reliable power supply for the operation of the chemical weapon destruction facility. This equipment is essential for the completion of the electricity supply and has been selected in order to ensure coherence with past EU projects and appropriate visibility of the EU funding contribution. The project will be completed and ownership of the equipment will be transferred to the Russian authorities by the end of 2007.

Construction of the destruction facility at Shchuch'ye is due to be completed, and operations are due to start, in mid-2008.

This Joint Action forms part of the EU's commitment under the Global Partnership and shall complement and reinforce the value of the earlier project funded by the EU at Shchuch'ye.

3. Duration

The equipment procurement phase of the project will start on the day of the conclusion of the Financing Agreement between the Secretary of State for Defence of the United Kingdom of Great Britain and Northern Ireland, acting on behalf of the Ministry of Defence of the United Kingdom of Great Britain and Northern Ireland, and the Commission. The UK plans to fund the associated construction and installation work, subject to agreement of satisfactory prices.

The estimated duration of the project is 18 months.

4. Beneficiary

The Russian Federation.

5. Implementing entity

The Secretary of State for Defence of the United Kingdom of Great Britain and Northern Ireland, acting on behalf of the Ministry of Defence of the United Kingdom of Great Britain and Northern Ireland, will be responsible for the implementation of the project.

The implementing entity will prepare:

- A mid-term report after the first six months of the implementation of the project
- A final report one month before the end of the implementation of the project

Reports will be sent to the Presidency, assisted by the Secretary General of the Council/High Representative for the CFSP.

6. Estimated required means

This Joint Action will fund the following items for which there are firm prices in pounds sterling, but which are set out below converted to EUR at the current exchange rate:

Serial	Description	Price
10	Relay panel for power line protection at Shchuchanskaya substation	
10c	Supplier's on-site installation support services	
11	Equipment for Shchuch'ye Regional Electricity Supply Station including 18 m ² control panel and computing system	
15	Electricity dispatch control equipment for the local energy supplier KurganEnergo. Includes 50 m ² control panel, computer control system for Zapadnyy substation and dispatch control equipment for various other related substations	
24	Cabinet for protection of 220 kV busbar at Shumikha substation	
	Sub-total	EUR 3 034 680
	Bank charges	EUR 1 000
	National Audit Office audit	EUR 6 000
	Missions for Secretary of State (for visits to Shchuch'ye related only to the EU project, if necessary)	EUR 10 000
	Sub-total	EUR 3 051 680
	Contingencies (around 3 % of the project cost)	EUR 93 320
	Total	EUR 3 145 000

7. Financial reference amount to cover the total cost of the project

The total cost of the project is EUR 3 145 000.