

ASSOCIATION
between
THE EUROPEAN ECONOMIC COMMUNITY
and the
AFRICAN AND MALAGASY STATES ASSOCIATED
WITH THAT COMMUNITY

COMPILATION OF TEXTS

V / 2

1 June 1968 - 31 May 1969

THE ASSOCIATION COUNCIL

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DECISION No. 29/69
of the Association Council
delegating to the Association Committee
the exercise of the powers provided for
in Article 60(2)

THE ASSOCIATION COUNCIL,

HAVING REGARD to the Convention, and in particular to Article 43, Article 47(2) and Article 60, paragraph 2, thereof,

WHEREAS, under Article 60(2), "The Association Council shall, if necessary, take any transitional measures required until the new Convention enters into force",

WHEREAS it is expedient that the Association Council delegate powers to the Association Committee, in accordance with Article 47(2), to adopt such transitional measures,

HAS DECIDED :

Article 1

The Association Council hereby delegates to the Association Committee the power to adopt the transitional measures provided for in Article 60(2) of the Convention.

The Association Committee shall report to the Association Council, at the latter's next meeting, on the measures it has adopted.

The Association Council may amend the said measures.

Article 2

The Associated States, the Member States and the Community shall be required, each to the extent to which they are concerned, to take the necessary steps to implement this Decision.

This Decision shall enter into force on 26 March 1969.

Done at Brussels, 26 March 1969

The President of the Association Council

KONAN BEDIE

DECISION No. 30/69
of the Association Council
on the transitional measures to be applied
after 31 May 1969

THE ASSOCIATION COUNCIL,

HAVING REGARD to the Convention of Association, and in particular to Article 60(2) thereof,

DESIRING to ensure the continuity of the Association,

WHEREAS, under Article 60(2) of the Convention, "The Association Council shall, if necessary, take any transitional measures required until the new Convention enters into force",

WHEREAS, it being impossible for the new Convention of Association to enter into force on 1 June 1969, there is reason to implement the said provision,

HAS DECIDED :

Article 1

The following shall remain applicable after 31 May 1969 :

- (1) The provisions on trade, contained in Title I of the Convention, in Article 61 thereof, in the Annex thereto, and in Protocols 1 to 4.
- (2) The provisions on financial and technical co-operation contained in Title II of the Convention and in Protocols 5 and 7.
- (3) The provisions on the right of establishment, services, payments and capital, contained in Title III of the Convention.
- (4) The provisions relating to the Institutions of the Association, contained in Title IV of the Convention and in Protocol 6, and the provisions adopted by the Association Council concerning the operation of the Institutions.
- (5) Articles 54, 55, 58, 60, paragraph 2, 62, 63 and 64 of the Convention.
- (6) The Decisions adopted by the Association Council for the purpose of implementing the provisions listed above.

Article 2

Origin certificates issued pursuant to the Recommendation of the Commission of the European Economic Community, dated 10 December 1968, relating to the implementation of the provisions of Article 133 of the Treaty shall remain valid with regard to postal consignments (packets and parcels), provided that they are issued before the entry into force of the new Convention and not later than 30 June 1970, and are submitted to the customs authorities of the importing Member States or Associated States not later than 31 October 1970.

Article 3

This Decision shall apply until the entry into force of the new Convention, but not after 30 June 1970.

Article 4

The Associated States, the Member States and the Community shall be required, each to the extent to which they are concerned, to take the necessary steps to implement this Decision.

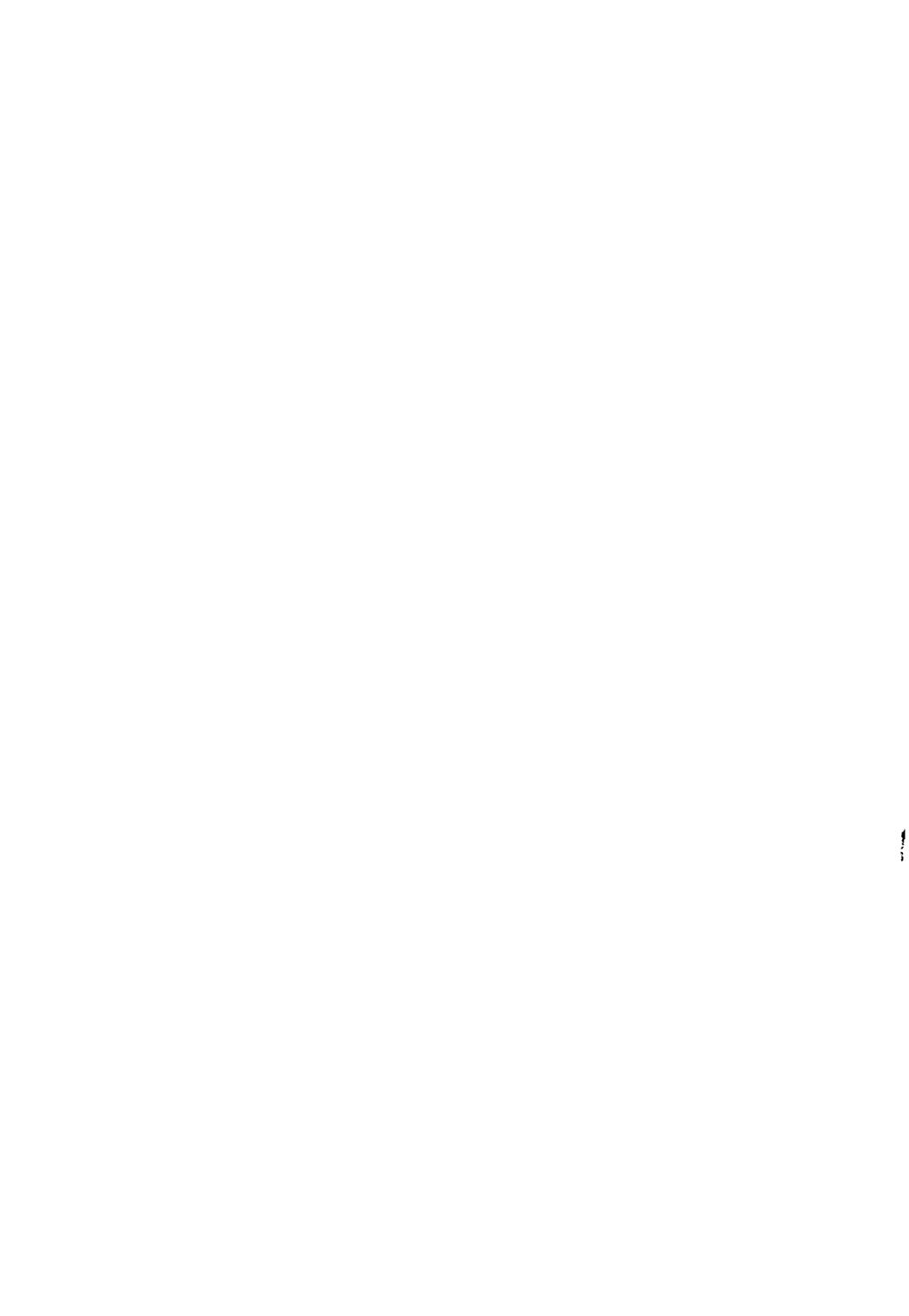
Article 5

This Decision shall enter into force on 29 May 1969.

Done at Brussels, 29 May 1969

The President of the Association Council

Gaston THORN



DECLARATION BY THE REPRESENTATIVES OF THE GOVERNMENTS
OF THE MEMBER STATES AND OF THE ASSOCIATED STATES
CONCERNING THE TRANSITIONAL MEASURES

The Representatives of the Governments of the Member States and the Representatives of the Governments of the Associated States agree, each to the extent to which they are concerned, to confirm that Annexes II to XI to the Final Act are to apply during the transitional period referred to in the Decision of 29 May 1969.

They shall refrain from taking any steps conflicting with the Agreement concerning products falling within the competence of the European Coal and Steel Community, signed on the same day as the Convention.

EXTRACTS FROM THE COMMUNICATION
CONCERNING THE TRANSITIONAL MEASURES
IN THE FIELD OF FINANCIAL AND TECHNICAL CO-OPERATION,
MADE BY THE COMMUNITY -
AT THE MEETING OF THE ASSOCIATION COUNCIL
HELD ON 29 MAY 1969

On the occasion of the meeting of the Association Council held on 29 May 1969, during which the latter adopted Decision No. 30/69 on the transitional measures to be applied after 31 May 1969, the Community made a Communication concerning the transitional measures, in particular in the field of financial and technical co-operation, extensive extracts from which are given below.

- The Community agrees that requests for the financing of schemes and programmes to be financed from the third European Development Fund may be submitted as from now.

In addition, as from the signature of the new Convention and of the Community's internal acts, the bodies responsible for the management of the aid will examine, in accordance with the procedures laid down for the implementation of the new Convention, the schemes and programmes submitted during the transitional period. It is understood that in undertaking such examination the new procedures for the management of aid shall be applied, in particular those concerning the method of examining schemes, the co-ordination of the different sources of finance, and the conditions under which the aids are to be utilized.

The Community is ready to take all necessary steps for advancing work on the preparation of files of both financing agreements and tenders as far as possible.

Schemes or programmes may not, however, be given final approval until after the entry into force of the new Convention.

- The Community is prepared to use the whole of the unexpended balance of the European Development Fund, it being understood that the total sums available, including the reserve fund set up in implementation of Article 39 of Protocol No. 5 to the Yaoundé Convention, may be allocated to activities provided for in the Yaoundé Convention and for studies intended for preparing schemes to be financed from the third European Development Fund.

Together with the AAMS concerned, the Commission is shortly to complete the examination of a series of schemes for financial and technical co-operation. Decisions on the files for these schemes will be taken by the competent bodies subsequent to the meetings of the European Development Fund Committee scheduled for 13 June, 10 July and early October 1969.

Accordingly, the allocation of the sums still available from the second European Development Fund will continue at the usual rate and in accordance with the preferences indicated by the Associated States.

- Any balance of the various instalments of aids for production and diversification will have to be used in accordance with the stipulations governing this form of aid. The Associated States may submit proposals for financing, in the usual manner, even after 1 June 1969.

- (a) However, requests made after 31 May 1969 may in no case lead to the financing of price support measures, but only of activities for the structural improvement of farms and for diversification. The Community and the Member States are anxious that the system of price support provided for in the Yaoundé Convention be finally abolished by 31 May 1969.
- (b) Although aids to production in the form of price support will definitely be abolished after 31 May 1969, the Community does, however, agree to provide in the new Convention for interventions intended to meet exceptional situations.

These interventions will follow totally different criteria and implementation procedures from those of the Yaoundé Convention, but the Community agrees that, should an exceptional situation due to a fall in world prices such as to lead to serious consequences give rise to special and extraordinary difficulties during the transitional period, any requests for intervention under this aid will be taken into consideration, in order that the Community may intervene as from the entry into force of the new Convention, and with retroactive effect.

- (c) As regards structural improvement activities during the transitional period, a total of about 18 million u.a. will, on the basis of the latest instalments of aids to production which have already been approved, still be available to be spent for the main part on such activities. To this total may be added the balances brought forward from preceding instalments (about 3.5 million u.a.), which are still available to the beneficiary States for structural improvement activities.

It should therefore be possible to solve the problems arising in the current product year in all the AAMS concerned with this type of activity.

For the year following the current one, and in the event of the credits of the 3rd European Development Fund not being available at a date fitting in with the agricultural calendar, the Community would be ready to accept that financial responsibility for structural aid projects pre-financed by the AAMS from their own resources be subsequently assumed by the 3rd European Development Fund.

However, this exceptional procedure could only be applied if the AAMS concerned came to a prior agreement with the Community on the nature and scope of the structural aid activities which they intended to pre-finance in view of the time-limits imposed by the agricultural calendar.

- In addition, advances to stabilization funds as provided for in Articles 17 and 20 of the Yaoundé Convention may continue to be granted during the transitional period, subject to :
 - liquid assets being available from the European Development Fund, and
 - guarantees from the beneficiary State.

These advances could not, of course, replace the price support measures as provided for in the context of aids for production.

The Community draws the attention of the Associated States to the fact that, during the active span of the Yaoundé Convention, the amounts mobilized or under mobilization as advances to the stabilization funds came to less than 10 million units of account. In view of the foregoing, the Community considers that the amount which may be granted for advances during the transitional period should in no case exceed the aggregate amounts granted over the past five year period.

- The Community will fully respect the undertakings it has given as regards the implementation of the Decision of 25 July 1967 making special arrangements for oleaginous products originating in the AAMS.

It is ready to carry out its undertakings, with retroactive effect, even after 31 May 1969, once the procedures for Parliamentary approval have been completed in all the Member States. The whole of the amounts provided for have been allocated to the Associated States concerned. It is understood, however, that the period covered by the Decision may not exceed that originally provided for, i.e. 1 July 1967 to 31 May 1969. After that date, and during the transitional period, the other intervention mechanisms will apply. These are, on the one hand, advances to the stabilization funds and, on the other hand, the interventions provided for in the context of the 3rd European Development Fund with a view to meeting exceptional situations, and for which any aid may be paid, with retroactive effect, under conditions to be determined, as from the entry into force of the new Convention.

- In addition, the Council of the European Communities is preparing to send a letter to the European Investment Bank asking it to continue its interventions on behalf of the Associated States, within the limits of the balance available, after 31 May 1969.
- The net sums paid in to the EIB by the beneficiaries of loans on special terms, or to be paid in by them after 31 May 1969 and while the transitional measures apply, as payments on capital and interest, will be allocated to the financing of the activities referred to in Article 17 of the Yaoundé Convention and to studies for the preparation of schemes to be financed from the 3rd European Development Fund.
- The Community is also ready to continue to finance the scholarships provided for in the Commission's budget during the transitional period.

- The mechanisms adopted under the new Convention in the matter of similar and competitive products and processed products will be applied as soon as that Convention enters into force.
 - Decision No. 30/69 of the Association Council, and the transitional measures in general, will apply until the entry into force of the new Convention, but not later than 31 June 1970, by which time the new Convention should have entered into force. Should any of the ratifications required still be lacking at that time, the Association Council would still be competent to renew the transitional measures for a further period.
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EEZ - AAMS

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