

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(91) 190 final

Brussels, 24 May 1991

Draft

DECISION OF THE ACP-EEC COUNCIL OF MINISTERS

extending Decision No 2/90 of the
ACP-EEC Council of Ministers on transitional measures
to be applied from 1 March 1990

Proposal for a

COUNCIL REGULATION (EEC)

on the application of Decision No .../91 of the ACP-EEC
Council of Ministers extending Decision No 2/90
on transitional measures to be applied from 1 March 1990

(presented by the Commission)

- 2 -

EXPLANATORY MEMORANDUM

On 5 March 1990, acting on a proposal from the Commission, the Council adopted a number of transitional measures applicable to ACP-EEC cooperation and to the OCT-EEC association during the period between the date of expiry of Lomé III and the entry into force of Lomé IV, but until 28 February 1991 at the latest. On the 27 February 1991, the Council extended these measures until the 30th June 1991. Given that the procedures foreseen in article 360 of Lomé IV for the entry into force of the Lomé Convention had not so far been achieved, and in respect of the continuity of ACP-EEC cooperation, it is necessary to extend the transitory measures until the 30.9.1991.

Given the state of progress of discussion at the Council and at the Parliament level on the draft decision presented by the Commission concerning the association of the OCT to the Community, the extension of the transitory measures concerning the OCT is not necessary.

As a result, the measures that need to be extended are the following:

- Decision of the ACP-EEC Council of Ministers extending Decision No 2/90 of the ACP-EEC Council of Ministers on transitional measures to be applied from 1 March 1990;
- Regulation on the application of the Decision of the ACP-EEC Council of Ministers extending Decision No 2/90 on transitional measures to be applied from 1 March 1990;

Draft

DECISION No .../91
OF THE ACP-EEC COUNCIL OF MINISTERS
of ... February 1991

extending Decision No 2/90 of the
ACP-EEC Council of Ministers on transitional measures
to be applied from 1 March 1990

THE ACP-EEC COMMITTEE OF AMBASSADORS,

Having regard to the Third ACP-EEC Convention signed at Lomé on 8 December 1984 and in particular the third paragraph of Article 291 thereof,

Having regard to Decision No 1/90 of the ACP-EEC Council of Ministers of 22 February 1990 delegating powers to the ACP-EEC Committee of Ambassadors in connection with the adoption of transitional measures upon expiry of the Third ACP-EEC Convention,

Whereas the Fourth ACP-EEC Convention, signed at Lomé on 15 December 1989, has not yet entered into force;

Whereas Decision No 2/90 of the ACP-EEC Council of 27 February 1990 is valid only until 28 February 1991, and that its extension accorded by decision n°1/91 of the ACP/EEC Council of the 27 February 1991 will expire on the 30th June 1991.

Whereas, in consequence, in order to avoid an interruption of relations between the ACP States and the Community it is appropriate to extend that Decision,

HAS DECIDED AS FOLLOWS:

Article 1

Decision No 2/90 of the ACP-EEC Council of Ministers on transitional measures to be applied from 1 March 1990 is extended until the entry into force of the Fourth ACP-EEC Convention and at the latest until 30 September 1991

Article 2

This Decision shall enter into force on 1 July 1991

Proposal for a

COUNCIL REGULATION (EEC) No .../91
of 1991

on the application of Decision No .../91 of the ACP-EEC
Council of Ministers extending Decision No 2/90
on transitional measures to be applied from 1 March 1990

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and
in particular Articles 113 and 235 thereof;

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,¹

Whereas the Third ACP-EEC Convention signed at Lomé on 8 December 1984 expired
on 28 February 1990;

Whereas the Fourth ACP-EEC Convention signed at Lomé on 15 December 1989 has
not yet entered into force;

Whereas Decision No 2/90 of the ACP-EEC Council of Ministers is valid only
until 28 February 1991 and that its extension accorded by decision n° 1/91
of the ACP/EEC Council of the 27 February 1991 will expire on the 30th June 1991.

Whereas Decision No .../91 of the ACP-EEC Council of Ministers extended that
validity until the entry into force of the Fourth ACP-EEC Convention or
30 June 1991, whichever is the earlier;

Whereas it is necessary to take the measures to implement that Decision,

HAS ADOPTED THIS REGULATION:

Article 1

Decision No .../91 of the ACP-EEC Council of Ministers shall be applicable in
the Community from 1 March 1991 until the entry into force of the Fourth
ACP-EEC Convention or until 30.09. 1991, whichever is the earlier, without
prejudice to more favourable arrangements for imports of ACP products to be
adopted unilaterally by the Community.

The text of that Decision is attached to this Regulation.

Article 2

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

It shall apply from 1 July 1991 .

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

Done at Brussels, ... 1991

¹ Opinion delivered on June 1991 (not yet published in the Official Journal).

1944

1945

1946

1947

1948

1949

1950

1951

ISSN 0254-1475

COM(91) 190 final

DOCUMENTS

EN

11

Catalogue number : CB-CO-91-226-EN-C

ISBN 92-77-72685-7

Office for Official Publications of the European Communities
L-2985 Luxembourg