

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(79) 753 final

Brussels, 12th December 1979

DRAFT COMMISSION DECISION
AMENDING DECISION 73/287/ECSC CONCERNING
COKING COAL AND COKE FOR THE IRON AND
STEEL INDUSTRY IN THE COMMUNITY

(presented by the Commission to the Council)

COM(79) 753 final

Commission Decision

amending Decision 73/287/ECSC concerning coking coal and coke for the iron and steel industry in the Community.

Article 1

Decision 73/287/ECSC is hereby amended as follows:

1. Article 1(a) shall read as follows:

"a production aid, for which the governments shall each year determine a rate per coalfield, while taking particular account of the average costs of production in that coalfield, the price of coking coal referred to in article 5, delivered in its principal sales area and the long-term supply conditions;"

2. Article 1(b) shall read as follows:

"a sales aid applying to deliveries to areas remote from the coalfield or effected by way of intra-Community trade. The rate of any such aid may not exceed 4.40 EUA per tonne of coking coal in the case of deliveries to installations which can be supplied direct via maritime transport or where in the case of intra-Community trade, supply via maritime transport is necessary and 2.60 EUA per tonne of coal in all other cases. No scale adopted by a government shall introduce any element of discrimination into the aids relating to the deliveries made by the coal undertakings."

3. Article 2(2) shall read "1 November" instead of "30 September".

4. Article 5(1) shall read as follows:

"The delivered prices of coking coal from non-member countries referred to in articles 1a) and 3(2) shall be calculated from the prices cif Community ports for comparable transactions. For this purpose the Commission fixes guide cif prices."

5. The last sentence of article 5(2) shall be deleted.

6. Article 5(3) shall be deleted.

7. Article 7(1) shall read as follows:

"The Community financing arrangements shall cover an annual quantity of coking coal amounting to no more than 15 million tonnes and an amount of 47 million EUA per year."

8. Article 7(2) shall read as follows:

"The special fund shall be financed annually as follows:

(a) The contribution of the European Coal and Steel Community shall be 6 million EUA;

(b) The overall contribution of the Member States shall amount to no more than 24 million EUA on the following scale (in MEUA):

Germany	7.75
Belgium	3.25
France	7.00
Italy	3.00
Luxembourg	1.50
Netherlands	1.50

(c) The overall contribution of the iron and steel industries not referred in the second indent of article 6 shall be 17 million EUA; this amount shall be apportioned among the iron and steel undertakings on the basis of their consumption of blast-furnace coke.

The contribution of the iron and steel industries referred to in the second indent of article 6 is calculated on the basis of the rate per tonne of consumption applicable to the other undertakings."

9. Article 7(3) shall be deleted.

10. To article 8(2) shall be added the following sentence:

"If the tonnages concerned do not attain the limit fixed in article 7(1) the reimbursements shall be assured by having priority recourse to the ECSC contribution and the contribution of the iron and steel industry. The contribution of the Member States shall be reduced accordingly so as to cover the balance of the requirements of the special fund."

11. Article 8(3) shall read as follows:

"The Commission shall fix the contributions to be paid into the special fund."

12. Article 9(1) shall read as follows:

"The Commission shall take into account the aids provided for in this Decision in assessing whether the aids referred to in Articles 6 to 12 of Decision No. 528/76/ECSC of 22 December 1970 are liable to interfere with the proper functioning of the Common Market."

13. Article 10(1) shall read as follows:

"In an emergency, the Commission may, by decisions taken after consultation with the Consultative Committee and the European Parliament and after the unanimous assent of the Council has been given, amend:

- the rate of the sales aids,
- the ceiling to intra-Community trade,
- the rules governing the financing of the special fund,
- the scale referred to in Article 7, paragraph 2(b).

These amendments shall take account of the long-term trend of supply conditions and the supply pattern within the Community."

14. Article 10(3) last sentence, shall read as follows:

"it may, in respect of the undertakings in question, suspend or limit the benefits deriving from the application of Article 1."

Article 2

This decision shall enter into force on the day of its publication in the Official Journal of the European Communities and shall take effect from 1 January 1980. It shall cease to have effect on 31 December 1981.

5

Feuille-financière

Budget CECA : 6 MUCE (1980 + 1981)

