

SECOND ACP-EEC CONVENTION OF LOME

(signed on 31 October 1979)

COMPILATION OF TEXTS

- VI -

1 January 1981 - 31 December 1981

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(1) For Decision No 1/81 of the ACP-EEC Council of Ministers (approval of the application for accession by Vanuatu), see ACP Comilation Vol. V, page 33. Although this Decision bears the number 1/81, it was signed and entered into force on 10 December 1980.

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⁽¹⁾ This Agreement was not signed until 26 May 1982. However, it applies to the 1981/1982 marketing year and accordingly appears in this Compilation, as does its implementing regulation (see page 441).

⁽²⁾ Also on 26 May 1982 Zimbabwe and Belize - which became parties to the Lomé Convention on 1.3.1982 and 5.3.1982 respectively - each signed with the Community at the same time as the ACP States listed in Protocol No 7 an agreement allocating to those two States an agreed quantity of sugar (25,000 t for Zimbabwe and 39,400 t for Belize) to be delivered annually as from the 1981/1982 marketing year. However, for the period remaining between the date of accession of each of these States to the Convention and the end of the 1981/1982 marketing year (30.6.1982), the Agreements stipulate that Zimbabwe is allocated a quantity of 6,000 t, while the provisions of Annex IV to the Decision of 16.12.1980 on the association of the OCT with the EEC remain applicable to Belize.

These Agreements and the Regulations implementing them appeared in OJ No L 147 of 26.5.1982 and will be included in ACP Compilation Vol. VII (1982).

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(1) See (accession) Decision No 1/81 of the ACP-EEC Council of Ministers, ACP Compilation Vol. V. It appears in the latter Compilation because, although it bears the number 1/81, it was signed on 10 December 1980.

(2) These Agreements were signed at Luxembourg on 4 November 1980. The ratification and notification procedures set out in Article 3 of the EEC Agreement and Article 5 of the ECSC Agreement (in the latter case only ratification by the States party to the Agreement is necessary) having been completed before the end of January 1982, these acts entered into force on 1 March 1982. The Regulation on their conclusion by the Community (No 237/82 of 26.1.1982) will appear in the 1982 Compilation.

The declarations annexed to the Final Act of the second ACP-EEC Convention which are set out in the Final Act of the Agreement on the accession of Zimbabwe do not appear in this Compilation.

For the financial provisions, see the Internal Agreement amending the Internal Agreement, page 485.

For the Interim Agreement, see ACP Compilation Vol. V, pages 17, 97, 149 and 150. See also OCT Compilation Vol. IV, pages 29 and 30.

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(¹) On the date of publication of this compilation, the procedures necessary for the entry into force of this Protocol had not yet been completed. Provisionally, Regulation No 439/81 of 20.1.1981, extended by Regulations Nos 1122/81, 1791/81 and 3722/81 (see section III, pages 374, 397, 398 and 399 of this Compilation) therefore applies in respect of trade arrangements, while Decision 81/57/ECSC of 20.1.1981, extended by Decisions 81/249/ECSC, 81/475/ECSC and 82/16/ECSC (see section III, pages 400, 402, 403 and 405 of this Compilation) applies in respect of ECSC products.

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(1) This Agreement entered into force, at the same time as the second ACP-EEC Convention of Lomé and the Internal Agreement on the financing and administration of aid signed on the same date (see page 445), on 1 January 1981.

(2) See also the section on financial and technical co-operation on pages 485 and 561 of this Compilation.

Decision 81/57/ECSC of the Representatives of the Governments of the Member States of the European Coal and Steel Community meeting within the Council of 20 January 1981 laying down the provisional arrangements applicable to trade between the Hellenic Republic and the ACP States in products covered by that Community
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(1) It was not necessary to extend the validity of the trade arrangements between the EEC and Zimbabwe as the Interim Agreement concluded for this purpose remains valid until the entry into force of the final Agreement.

(2) This Regulation was never actually applied as all the States party to the Convention completed their ratification procedures in time.

Commission Regulation (EEC) No 3039/81 of 23 October 1981 establishing ceilings and Community surveillance for imports of carrots and onions falling within subheading ex 07.01 of the CCT, originating in the ACP States (1982) (Validity: carrots: 1 January 1982 - 31 March 1982
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Council Regulation (EEC) No 3494/81 of 3 December 1981 amending Regulation (EEC) No 1700/81 opening, allocating and providing for the administration of a Community tariff quota for rum, arrack and tafia falling within subheading 22.09 C I of the CCT and originating in the ACP States (1981/1982) (consequent upon the accession of Greece) (Entry into force: 12 December 1981 - same duration as above Regulation No 1700/81)

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(c) Beef and veal

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(1) Although it was adopted in 1982, this Regulation implementing the Agreement set out on page 99 of this Compilation applies to the 1981/1982 marketing year and accordingly appears in this Compilation.

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(¹) This Agreement entered into force at the same time as the second ACP-EEC Convention of Lomé and the Internal Agreement on the measures and procedures required, on 1 January 1981.

(²) This Agreement entered into force on 30 June 1980 with effect from 1 March 1982

I. - ACP-EEC ACTS

1. ACTS OF THE COUNCIL OF MINISTERS ⁽¹⁾

⁽¹⁾ For Decision No 1/81 of the ACP-EEC Council of Ministers (approval of the request for accession from Vanuatu), see ACP Compilation Vol. V, page 33. That Decision was signed on 10 December 1980 and entered into force the same day.

RULES OF PROCEDURE OF THE COUNCIL OF MINISTERS

Article 1

1. The Council of Ministers, hereinafter called the "Council", shall be convened by its President for the annual meeting provided for in Article 166(1) of the Convention on a date to be fixed by the President after consulting the members of the Council.
2. The Council shall likewise meet, in special session, at the request either of the ACP States or of the Community, on a date to be fixed by the President after consulting the members of the Council.

Article 2

The Council shall meet either where the meetings of the Council of the European Communities are usually held or at the seat of the ACP General Secretariat or in a city of one of the ACP States, in accordance with the decision taken by the Council.

Article 3

1. The provisional agenda for each meeting shall be drawn up by the President. It shall be communicated to the other members of the Council thirty days before the beginning of the meeting.

The provisional agenda shall consist of those items in respect of which a request for inclusion has reached the President at least 30 days before the beginning of the meeting.

The only items to appear on the provisional agenda shall be those in respect of which the relevant documentation has been transmitted to the Secretariat of the Council in time to be forwarded to the members of the Council and to the members of the Committee of Ambassadors, hereinafter called the "Committee", 21 days before the beginning of the meeting.

2. The agenda shall be adopted by the Council at the beginning of each meeting. In urgent cases the Council may decide, at the request of the ACP States or of the Community, to include on the agenda items in respect of which the time-limits laid down in paragraph 1 have not been observed.
3. The provisional agenda may be divided into a part A and a part B. Items entered in part A shall be those on which approval by the Council is possible without debate.

Items entered in part B are those matters which require debate by the Council.

4. The Ministers present at a Council meeting may decide to have an exchange of views on certain items of common interest (C items) which will be of an informal nature and which shall not be part of the formal business of the Council.

Article 4

1. The members of the Council may be accompanied by advisers to assist them.
2. The composition of each delegation shall be communicated to the President before the beginning of each meeting.

3. Any member of the Council unable to attend may be represented. In this case he shall inform the President and shall indicate the person or delegation authorized to represent him. The representative shall exercise all the rights of the accredited member.
4. A representative of the European Investment Bank shall be present at meetings of the Council when matters from the areas which concern the Bank are on the agenda.

Article 5

1. Representatives of Signatory States to the Convention, which on the date of entry into force of the Convention, have not yet completed the procedures referred to in Article 182 thereof, may participate in Council meetings.
2. They may in this case be authorized to take part in Council debates.
3. These Rules of Procedure, and in particular Article 4(1) to (3) thereof, shall also apply to such representatives.

Article 6

1. Unless otherwise decided, meetings of the Council shall not be public. Entry to meetings of the Council shall be subject to the showing of a pass.
2. Without prejudice to such other provisions as may apply, the deliberations of the Council shall be covered by the obligation of professional secrecy unless the Council should decide otherwise.

Article 7

The Council may be required to reach a decision on an urgent matter by correspondence in cases where agreement is given to the use of this procedure. Agreement may be obtained either during a meeting of the Council or in the Committee or in accordance with the conditions laid down by it.

At the same time as this procedure is decided upon, a time-limit may be fixed within which replies shall be given. On the expiry of this time-limit, the Chairman of the Committee shall decide, on the basis of a report from the two Secretaries of the Council, whether, in view of the replies received, joint agreement may be considered to have been reached.

Where the procedure provided for in the above paragraph is used, the Council shall take its decision in accordance with Article 167(1) of the Convention.

Article 8

The Presidents of the two parties, assisted by advisers, may hold regular consultations and exchanges of views between meetings of the Council.

Article 9

All communications provided for in these Rules of Procedure shall be transmitted through the Secretariat of the Council to the Representatives of the ACP States, the ACP General Secretariat, the Permanent Representatives of the Member States, the General Secretariat of the Council of the European Communities and the General Secretariat of the Commission.

Such communications shall also be sent to the President of the European Investment Bank when they concern the Bank.

Article 10

Minutes shall be kept of each meeting mentioning in particular the decisions taken by the Council.

After their approval by the Committee, the minutes shall be signed by the President in office and by the two Secretaries of the Council and shall be kept in the archives of the Council. A copy of the minutes shall be forwarded to the recipients referred to in Article 9.

Article 11

Unless otherwise decided, the Council shall base its deliberations on documentation prepared in Danish, Dutch, English, French, German, Greek and Italian.

Any member of the Council may object to the discussion of a text proposed during a meeting if that text is not made available in the one of these seven languages which he specifies.

Article 12

All decisions, resolutions, recommendations and opinions within the meaning of Article 168 of the Convention shall be divided into Articles.

The acts referred to in the preceding paragraph shall end with the formula "Done at,", the date to be inserted being that on which they are adopted by the Council.

Article 13

Decisions within the meaning of Article 168(3) of the Convention shall be entitled "Decision" followed by a serial number and a description of their subject.

Decisions shall specify the date on which they are to enter into force. They shall incorporate the following sentence: "The ACP States, the Member States and the Community shall be required, each for its own part, to take the necessary steps to implement this Decision".

Article 14

Resolutions, declarations, recommendations and opinions within the meaning of Article 168(4) of the Convention shall be entitled "Resolution", "Declaration", "Recommendation" or "Opinion" followed by a serial number and a description of their subject.

Article 15

1. Acts adopted by the Council shall be signed by the President and shall be kept in the archives of the Council.
2. These acts shall be transmitted, through the two Secretaries of the Council, to the recipients referred to in Article 9.

Article 16

The office of President of the Council shall be held alternately as follows:

- from 1 April to 30 September by a member of the Government of an ACP State,
- from 1 October to 31 March by a member of the Council of the European Communities.

Article 17

The Council may delegate to the Committee any of the powers which it exercises pursuant to Article 176 of the Convention.

Article 18

1. The conditions under which the Committee meets shall be laid down in its Rules of Procedure.
2. The Committee shall be responsible for preparing the meetings of the Council and for carrying out any mandate which the Council may entrust to it.
3. The Convention, and in particular Article 167(1) thereof, as well as Articles 12 to 15 of these Rules of Procedure, shall apply to acts adopted by the Committee pursuant to paragraph 2.

Article 19

When the Council participates in the proceedings of the Consultative Assembly in the context of Article 175(6) of the Convention, it shall be represented by its President. Should the President be unable to attend, he shall designate the member who is to take his place.

Article 20

1. For the application of Article 168(8) of the Convention, the ACP States and the Community shall inform each other of the measures which they intend to take in the cases provided for in the Convention.

2. The Contracting Parties may request consultation at any time from the date of notification. This shall take place as soon as possible and not later than twenty-one days from the date of request.
3. Should consultation give rise to a divergent assessment of the extent of the measures proposed or taken in an urgent case, the Contracting Party concerned shall reconsider those measures.
4. Consultations shall take place according to the form which is the most appropriate for the matter involved.
5. The competent body may be the Council, the Committee or an ad hoc group.

Article 21

Regional economic groupings of the ACP States may be represented at meetings of the Council as observers subject to a prior decision of the Council in accordance with Annex XVI to the Final Act of the Convention.

Article 22

The Secretariat of the Council and of the Committee shall be run jointly by two Secretaries.

These two Secretaries shall be appointed after joint consultation, one by the ACP States and the other by the Community.

The Secretaries shall perform their duties in complete independence, with a view solely to the interests of the Convention, and shall neither seek nor take instructions from any Government, organization or authority other than the Council and the Committee.

Correspondence intended for the Council shall be sent to the President of the Council at the address of the Secretariat.

Udfærdiget i Luxembourg, den
Geschehen zu Luxemburg am
Done at Luxembourg,
Fait à Luxembourg, le
Έγινε στο Λουξεμβούργο, στις
Fatto a Lussemburgo, addi
Gedaar te Luxemburg,

10.4.1981

På AVS-EØF Ministerrådets vegne
Im Namen des AKP-EWG Ministerrates
For the ACP-EEC Council of Ministers
Par le Conseil des Ministres ACP-CEE
Για το Συμβούλιο των Υπουργών ΑΚΕ-ΕΟΚ
Per il Consiglio dei Ministri ACP-CEE
Voor de ACS-EEG Raad van Minister

Formand
Der Präsident
The President
Le président
Ο πρόεδρος
Il Presidente
De Voorzitter



H.L. SHEARER

RULES OF PROCEDURE OF THE COMMITTEE OF AMBASSADORS

Article 1

The Committee of Ambassadors, hereinafter called the "Committee", shall meet on a date to be fixed by it by joint agreement between the ACP States and the Community.

The Committee may, in urgent cases, meet on another date at the request either of the ACP States or of the Community. The Chairman shall decide on the new date after consulting the other members of the Committee.

Article 2

The Committee shall meet at the places where the meetings of the Council of the European Communities are usually held or at the seat of the ACP General Secretariat. However, it may, by special decision, meet in the territory of an ACP State.

Article 3

1. The provisional agenda for each meeting shall be drawn up by the Chairman. It shall be communicated to the other members of the Committee at least eight days before the date of the meeting.

The provisional agenda shall consist of those items in respect of which a request for inclusion has reached the Chairman ten days before the date of the meeting.

The only items to appear on the provisional agenda shall be those in respect of which the relevant documentation has been transmitted to the Secretariat of the Council of Ministers in time to be forwarded to the members of the Committee eight days before the date of the meeting.

2. The agenda shall be adopted by the Committee at the beginning of each meeting. In urgent cases, the Committee may decide, at the request of the ACP States or of the Community, to include on the agenda items in respect of which the time-limits laid down in paragraph 1 have not been observed.
3. When the Committee meets in the circumstances referred to in the second paragraph of Article 1, the time-limits laid down in paragraph 1 may be shortened.

Article 4

1. The members of the Committee may be accompanied by advisers.
They may be represented by persons appointed by them.
2. A representative of the European Investment Bank shall attend meetings of the Committee when matters from the areas which concern the Bank are on the agenda.

Article 5

1. Representatives of Signatory States to the Convention, which on the date of entry into force of the Convention, have not yet completed the procedures referred to in Article 132 thereof, may participate in Committee meetings.
2. They may in this case be authorized to take part in Committee debates.
3. These Rules of Procedure, and in particular Article 4(1) shall also apply to such representatives.

Article 6

1. Unless otherwise decided, meetings of the Committee shall not be public.
2. Without prejudice to such other provisions as may apply, the deliberations of the Committee shall be covered by the obligation of professional secrecy unless the Committee should decide otherwise.

Article 7

All communications provided for in these Rules of Procedure shall be transmitted through the Secretariat of the Council of Ministers to the representatives of the ACP States, to the ACP General Secretariat, to the Permanent Representatives of the Member States, to the Secretariat of the Council of the European Communities and to the General Secretariat of the Commission.

Such communications shall also be sent to the President of the European Investment Bank when they concern the Bank.

Article 8

Minutes shall be kept of each meeting, mentioning in particular the decisions taken by the Committee.

After their approval by the Committee, the minutes shall be signed by the Chairman of the Committee and by the Secretaries of the Council of Ministers and shall be kept in the archives of the Council of Ministers. A copy of the minutes shall be forwarded to the recipients referred to in Article 7.

Article 9

The office of Chairman of the Committee shall be held alternately for periods of six months, by the ACP States and by the Community.

Article 10

Correspondence intended for the Committee shall be sent to the Chairman of the Committee at the address of the Secretariat of the Council of Ministers.

Article 11

1. Unless otherwise decided, the Committee shall base its deliberations on documentation prepared in Danish, Dutch, English, French, German, Greek and Italian.
2. Any member of the Committee may object to the discussion of a text proposed during a meeting if that text is not made available in the one of these seven languages which he specifies.

Article 12

The proceedings of the Committee shall be valid only if at least half of the Permanent Representatives of the Member States of the Community, one Commission representative and half of the Members of the Committee of ACP Ambassadors are present.

Article 13

The Convention, and in particular Article 157(1) thereof, as well as Articles 12 to 15 of the Rules of Procedure of the Council of Ministers shall apply to acts adopted by the Committee.

Article 14

Regional economic groupings of the ACP States may be represented at meetings of the Committee as observers subject to a prior decision of the Committee in accordance with Annex XVI to the Final Act of the Convention.

Article 15

The Committee shall be assisted by the following subcommittees, in addition to the Customs Co-operation Committee provided for in Article 28 of Protocol No 1 to the Convention, the Permanent Group on Bananas provided for in Protocol No 4 to the Convention, hereinafter referred to as the "Banana Group", and the Committee on Industrial Co-operation provided for in Article 78 of the Convention:

- (i) Subcommittee on Trade Co-operation,
- (ii) Subcommittee on the Stabilization of Export Earnings,
- (iii) Subcommittee on Sugar,
- (iv) Subcommittee for Co-operation on Agricultural and Rural Development,
- (v) Subcommittee on Financial and Technical Co-operation,
- (vi) Subcommittee for the Special Problems of the Least-Developed, Landlocked and Island Countries.

The Committee may, if necessary, set up other subcommittees.

Article 16

Each Committee or Subcommittee and the Banana Group referred to in Article 15 shall be composed of at least five ACP Ambassadors or their representatives and, as regards the Community, of at least one Permanent Representative of the Member States of the Community and/or a representative of the Commission.

A representative of the European Investment Bank shall be present at meetings of these Committees or Subcommittees and the Banana Group when matters which concern the bank appear on the agenda.

Article 17

Without prejudice to Article 16, any member of the Committee or his representative may participate in any meetings of the Committees or Subcommittees and the Banana Group referred to in Article 15.

Article 18

1. Each Committee or Subcommittee and the Banana Group referred to in Article 15 shall be presided over jointly by an Ambassador, on the ACP side and, on the Community side, by a Permanent Representative. A Director General or Deputy Director General of the Commission may be Chairman on the Community side when he is personally designated by the Community to represent it.
2. Without prejudice to paragraph 1, each Co-Chairman may, in exceptional circumstances and by mutual agreement, be represented by any person whom he may designate.

Article 19

Each Committee or Subcommittee and the Banana Group referred to in Article 15 shall meet at the request of either of the parties and after consultation between the Chairmen following a period of notice which, except in urgent cases, shall be 7 days.

Article 20

The Committees or Subcommittees and the Banana Group referred to in Article 15 shall submit reports on their work to the Committee.

Article 21

Members of the Committees or Subcommittees and the Banana Group referred to in Article 15 may be assisted by experts.

Article 22

With the approval of the Committee, the Customs Co-operation Committee, the Banana Group, the Committee on Industrial Co-operation and the Subcommittee for Co-operation on Agricultural and Rural Development may draw up their own rules of procedure.

Article 23

Secretarial and other work required for the functioning of the Committee and of the Committees or Subcommittees and the Banana Group referred to in Article 15 (preparation of agendas and circulation of documents relating thereto, etc.) shall be carried out by the Secretariat of the Council of Ministers.

Article 24

The Secretariat shall, as soon as possible after each meeting of the Committees or Subcommittees and the Banana Group referred to in Article 15, draw up the record of the meeting.

This record shall be transmitted by the Secretariat of the Council of Ministers to the Representatives of the ACP States, the ACP General Secretariat, the Permanent Representatives of the Member States, the Secretariat of the Council of the European Communities and the General Secretariat of the Commission.

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Gedaan te Luxemburg,

10.4.1981

På AVS-EØF Ministerrådets vegne
Im Namen des AKP-EWG Ministerrates
For the ACP-EEC Council of Ministers
Par le Conseil des Ministres ACP-CEE
Για το Συμβούλιο των Υπουργών ΑΚΕ-ΕΟΚ
Per il Consiglio dei Ministri ACP-CEE
Voor de ACS-EEG Raad van Minister

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The President
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Ο πρόεδρος
Il Presidente
De Voorzitter



H.L. SHEARER

DECISION No 2/81
OF THE ACP-EEC COUNCIL OF MINISTERS
OF 10.4.1981

on the advance use
of a portion of the 1981 instalment of resources
allocated to the STABEX system (*)

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the Second ACP-EEC Convention, signed at Lomé on 31 October 1979, hereinafter referred to as the "Convention", and in particular Article 34 thereof,

Having regard to the Commission report,

(*) As regards Stabex, see also pages 27, 31, 69 and 83 of this Compilation.

Whereas, in view of the insufficiency of resources available for transfers under the system of stabilization of export earnings, it is not possible to remain within the annual instalment for 1980;

Whereas it is therefore necessary, pursuant to Article 34 of the Convention, for the Council of Ministers to authorize advance use of 20% of the 1981 instalment,

HAS DECIDED AS FOLLOWS:

Article 1

The advance use of 20% of the 1981 instalment is hereby authorized for the financing of transfers under the system of stabilization of export earnings for 1980.

Article 2

This Decision shall enter into force on the day on which it is adopted.

Article 3


The ACP States, the Member States and the Community shall be required, each for its own part, to take the necessary measures to implement this Decision.

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På AVS-EØF Ministerrådets vegne
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H.L. SHEARER

DECISION No 3 /81
OF THE ACP-EEC COUNCIL OF MINISTERS
OF 10.4.1981

delegating powers
to the Committee of Ambassadors
to reduce the amount of STABEX transfers
for the year of application 1980 (*)

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the Second ACP-EEC Convention signed at Lomé on 31 October 1979, hereinafter referred to as the "Convention", and in particular Article 169 thereof,

Having regard to the Commission report which was submitted in accordance with Article 34 of the Convention,

(*) As regards Stabex, see also pages 23, 31, 69 and 83 of this Compilation.

Whereas for the year 1980, the amount of resources available for transfers under the system of stabilization of export earnings, even with the addition of 20% of the 1981 instalment, is less than the foreseeable total of transfer requests;

Whereas the deadline for the submission of transfer requests is 31 March 1981; whereas, as a result, the stage reached in the procedure for processing such requests is not yet such that the Council of Ministers can reduce the transfers itself;

Whereas it is therefore necessary, pursuant to Article 34 of the Convention, to make provision for the possibility of reducing the amount of transfers to be made while, at the same time, taking account pursuant to Article 46(2) of the Convention, of the special difficulties of the ACP States referred to therein;

Whereas Article 40(3) of the Convention provides for transfers to be made rapidly,

HAS DECIDED AS FOLLOWS:

Article 1

The Council of Ministers hereby delegates to the Committee of Ambassadors the power to reduce the amount of transfers to be made for the year of application 1980 under the system of stabilization of export earnings.

Article 2

This Decision shall enter into force on the day on which it is adopted.

Article 3

The ACP States, the Member States and the Community shall be required, each for its own part, to take the necessary measures to implement this Decision.

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10.4.1981

På AVS-EØF Ministerrådets vegne
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Par le Conseil des Ministres ACP-CEE
Για το Συμβούλιο των Υπουργών ΑΚΕ-ΕΟΚ
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H.L. SHEARER

DECISION No 4 /81
OF THE ACP-EEC COUNCIL OF MINISTERS
OF 10.4.1981

applying the STABEX system
to exports to all destinations
from the Republic of Kiribati (*)

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the Second ACP-EEC Convention, signed at Lomé on 31 October 1979, hereinafter referred to as the "Convention", and in particular Article 46(3) thereof,

(*) As regards Stabex, see also pages 24, 27, 69 and 83 of this compilation.

Whereas export earnings benefiting from the stabilization system are those accruing from exports from the ACP States to the Community of products listed in Article 25 of the Convention;

Whereas by virtue of Article 46(3) of the Convention, the system applies for some ACP States to exports of the products in question whatever their destination;

Whereas, owing to the exhaustion of phosphate deposits, copra has become the most important export from the Republic of Kiribati;

Whereas the bulk of exports of the product in question no longer go to the Community, so that the derogation for which Article 46(3) of the Convention provides can be granted;

Whereas however, in order to permit a further review of the situation in the light of the future destination of exports, this derogation should be limited to a period of two years,

HAS DECIDED AS FOLLOWS:

Article 1

From 1 January 1981 to 31 December 1982 the system of stabilization of export earnings shall apply to exports from the Republic of Kiribati whatever their destination.

Article 2

The ACP States, the Member States and the Community shall be required, each for its own part, to take the necessary measures to implement this Decision.

Article 3

This Decision shall enter into force on the day on which it is adopted.

Article 4

Six months before this Decision expires, the Council of Ministers shall review the situation again on the basis of a Commission report.

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På AVS-EØF Ministerrådets vegne
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H.L. SHEARER

DECISION No 5 / 81
OF THE ACP-EEC COUNCIL OF MINISTERS
OF 10.4.1981

on the composition of the Committee on Industrial Co-operation
and its rules of operation (*)

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the Second ACP-EEC Convention signed at Lomé
on 31 October 1979 (hereinafter referred to as "the Convention"),
and in particular Article 78 thereof,

Having regard to the proposal from the Committee of Ambassadors,

(*) As regards industrial co-operation, see also pages 43 and 109
to 181 of this compilation.

Anxious to ensure the fulfilment of the objectives which the ACP States and the Community have set themselves under Title V of the Convention;

Having regard to the contribution that effective industrial co-operation between the ACP States and the Community can make to the industrial development of the former,

HAS ADOPTED the following composition for and rules of operation of the Committee on Industrial Co-operation:

Article 1

1. The Committee on Industrial Co-operation set up by Article 78 of the Convention (hereinafter referred to as "the Committee") shall be composed, on the one hand, of representatives of each of the Member States of the European Economic Community, a representative of the Commission of the European Communities and a representative of the European Investment Bank and, on the other hand, of eighteen representatives of the ACP States.
2. The term of office of the representative designated by the ACP Group of States shall be one year and shall be renewable. The Secretariat of the ACP States shall forward a list of these representatives to the Community.

Article 2

The tasks of the Committee which are defined in Article 78(1) of the Convention are as follows:

- (a) to review progress in the implementation of the overall programme of industrial co-operation resulting from this Convention and, where appropriate, to submit recommendations to the Committee of Ambassadors;
- (b) to examine problems and policy issues in the field of industrial co-operation submitted to it by the ACP States or by the Community, and to undertake where necessary its own evaluations of these matters with a view to suggesting appropriate solutions;
- (c) to organize, at the request of the Community or of the ACP States, a review of trends in the industrial policies of the ACP States and of the Member States as well as developments in the world industrial situation with a view to exchanging information necessary for improving industrial co-operation and facilitating the industrial development of the ACP States;
- (d) to guide, **supervise** and control the activities of the Centre for Industrial Development referred to in Article 79 of the Convention, and to report to the Committee of Ambassadors and, through it, to the Council of Ministers;
- (e) to perform such other functions as may be assigned to it by the Committee of Ambassadors.

The Committee shall also carry out such other tasks as may be entrusted to it by the Council of Ministers, pursuant, in particular, to Decision No .. /81 laying down the Statutes and rules of operation of the Centre for Industrial Development.

The Committee shall determine the rules for the application of this Article.

Article 3

If necessary the Committee may, for the purpose of executing specific tasks, set up ad hoc working parties and shall determine their composition and terms of reference in advance. These working parties shall report to the Committee.

Article 4

The office of Chairman of the Committee shall be held alternately for periods of six months by the ACP States and the Community.

Article 5

Meetings of the Committee shall be convened by the Chairman under the conditions set out in the Rules of Procedure provided for in Article 8.

Article 6

Without prejudice to Article 1, any ACP State which is not a member of the Committee may participate in meetings of the Committee as an observer.

Article 7

Within the framework of its duties, the Committee shall act by mutual agreement between the ACP States on the one hand and the Community on the other.

Article 8

The Committee shall adopt its own rules of procedure.

Article 9

The regional economic groupings of the ACP States, referred to in Annex XVI to the Final Act of the Convention, as well as any other regional economic groupings between ACP States that may be approved by the Council of Ministers, may be represented at meetings of the Committee as observers.

Article 10

The Centre for Industrial Development shall be represented at the meetings of the Committee at which the latter lays down guidelines for and carries out the periodic reviews of the activities of the Centre.

The Technical Centre for Agricultural and Rural Co-operation shall, at the invitation of the Chairman of the Committee, be represented at meetings of the Committee when matters concerning the said Centre are to be discussed.

Article 11

The Committee shall lay down detailed arrangements for the regular consultation of the economic and social sectors of the ACP States and of the Community.

Article 12

The ACP States, the Member States and the Community shall, each to the extent to which it is concerned, take the measures necessary to implement this Decision.

Article 13

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

It shall apply as from 1 January 1981.

Udfærdiget i Luxembourg, den
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Fatto a Lussemburgo, addi'
Gedaan te Luxemburg,

10.4.1981

På AVS-EØF Ministerrådets vegne
Im Namen des AKP-EWG Ministerrates
For the ACP-EEC Council of Ministers
Par le Conseil des Ministres ACP-CEE
Για τό Συμβούλιο τών Υπουργών ΑΚΕ-ΕΟΚ
Per il Consiglio dei Ministri ACP-CEE
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H.L. SHEARER

DECISION No 6 / 81
OF THE ACP-EEC COUNCIL OF MINISTERS
OF 10.4.1981

laying down the Statutes and rules of operation of
the Centre for Industrial Development (*)

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the Second ACP-EEC Convention signed at
Lomé, on 31 October 1979 (hereinafter referred to as "the
Convention"), and in particular Article 81(7) thereof,

Having regard to the proposal from the Committee of
Ambassadors,

(*) As regards industrial co-operation, see also pages 35 and
109 to 181 of this Convention.

Anxious to ensure the fulfilment of the objectives which the ACP States and the Community have set themselves;

Having regard to the contribution that effective industrial co-operation between the ACP States and the Community can make to the industrial development of the ACP States;

Whereas Articles 79 to 81 of the Convention define the objective, tasks and general conditions of operation of the Centre for Industrial Development,

HAS ADOPTED the following Statutes and rules of operation of the Centre for Industrial Development:

Article 1

1. The Centre for Industrial Development set up by Article 36 of the ACP-EEC Convention of Lomé signed on 28 February 1975 (hereinafter referred to as "the Centre") shall enjoy in each of the States which are Parties to the Convention the most extensive legal capacity accorded to legal persons.
2. The Centre shall be non-profit making. It shall have its seat in Brussels.

Article 2

The Centre shall aim at helping within the framework of the provisions and principles of Title V of the Convention to establish and strengthen industrial undertakings in the ACP States, particularly by encouraging initiatives by the economic operators of the Community and the ACP States.

As a practical operational instrument, the Centre shall for this purpose assist in the promotion of viable industrial projects that meet the needs of ACP States and take special account of the importance of internal and external market opportunities, the processing of raw materials and the use of local materials for manufacturing. Such activity will be undertaken in close co-operation with the ACP States, the Member States and the Commission and this Bank within their respective powers.

In its programme on industrial promotion, special emphasis shall be placed on the identification and exploitation of the possibilities of joint ventures and subcontracting as well as of the potential of small and medium-sized industries. Adequate attention shall also be paid to the development and consolidation of regional industrial projects.

In its effort to help in establishing and strengthening industrial undertakings in the ACP States the Centre shall adopt appropriate measures within the limits of its resources and its functions in the field of transfer and development of technology, industrial training and information.

Article 3

1. In order to attain its objective, the Centre shall:
 - (a) gather and disseminate all relevant information on the conditions and opportunities for industrial co-operation as well as organize and facilitate contacts and meetings of all kinds between Community and ACP States' industrial policy-makers, promoters and economic and financial operators;
 - (b) supply information as well as specific advisory services and expertise, including feasibility studies, for the purpose of accelerating the establishment of industrial undertakings required by the ACP States and ensuring viability of existing undertakings; the Centre will, if necessary, assist in the follow-up and implementation;
 - (c) identify and evaluate, on the basis of needs indicated by ACP States, opportunities for industrial training to meet requirements of already existing as well as projected industrial undertakings in ACP States, taking into account the various facilities available for conducting and financing such training schemes and, where appropriate, assist in their implementation;

- (d) identify, evaluate and supply information and advice on the acquisition, the adaptation and development of appropriate industrial technology, including technological infrastructure, relating to concrete projects of interest to the ACP States;
 - (e) identify and provide information where necessary on possible sources of finance.
2. In the implementation of its function, the Centre will pay attention to the special problems of least-developed, landlocked and island ACP States.

Article 4

The activities of the Centre shall be guided, supervised and controlled by the Committee on Industrial Co-operation (hereinafter referred to as "the Committee") in accordance with Article 78 of the Convention.

Article 5

1. The Centre shall be headed by a Director assisted by a Deputy Director, both of whom shall be appointed by the Committee.
2. The Director shall be responsible for the legal representation of the Centre.
3. The Director shall consult the Deputy Director on all matters of policy-making and administration of the Centre.

Article 6

1. The Advisory Council, established in accordance with Article 81(3) and (4) of the Convention, shall have the task of advising and assisting the Centre in the programming and development of its industrial activities. The Advisory Council shall be consulted by the Director, when appropriate, on any proposed operations and on important matters arising from the activities of the Centre. It may also, on its own initiative, make any suggestion or submit to the Director any question that it deems useful. It shall give its opinion on the annual programme of work, the budget and the general report.

In the event of disagreement between the Director and the Council, the Committee shall be informed of the views of the Council.

2. The Council shall be composed of 16 members with considerable industrial experience, especially in the manufacturing sector. They shall be chosen in a personal capacity, and on the basis of their qualifications, from nationals of the States party to the Convention.

They shall be appointed by the Committee.

3. Members of the Council shall be appointed for a period of two years. Their term of office may be extended.
4. Members of the Council shall select from among their number a Chairman who shall hold office for one year.

5. The Council shall lay down the number of meetings it is to hold each year. It shall also meet whenever necessary for the execution of its tasks, either at the request of the Director or on its own initiative when so requested by at least $2/3$ of its members.
6. The Director and the Deputy Director shall take part in the proceedings of the Council. The Centre shall prepare the Council's meetings and provide the secretariat thereof.
7. The Council may invite experts from outside the Centre to give opinions on specific questions.
8. The Council shall adopt its own rules of procedure and submit them to the Committee for approval.

Article 7

1. The Director, after consulting the Council, shall submit the annual work programme of the Centre to the Committee for approval together with the opinion of the Council.
2. The Director shall regularly inform the Committee of the activities of the Centre.
3. The Director shall each year draw up a general report on the activities of the Centre and, after consulting the Council, shall submit it to the Committee.

4. The Director shall be responsible for the organization and management of the Centre.
5. The Committee shall adopt the conditions of employment of staff.

Article 8

The procedures for drawing up, adopting and implementing the budget of the Centre shall be laid down in the Financial Regulation adopted by the Committee.

Article 9

Members of the Council, the Director, the Deputy Director, the staff and all other persons participating in the activities of the Centre shall be bound, even after their duties have ceased, not to disclose information of the kind covered by the obligation of professional secrecy.

Article 10

Protocol No 3 on Privileges and Immunities annexed to the Convention shall apply to the Centre.

Article 11

These Statutes may be amended by the Council of Ministers on the recommendation of the Committee of Ambassadors.

Article 12

Article 188 of the Convention shall apply to the Centre.

Article 13

The ACP States, the Member States and the Community shall, each to the extent to which it is concerned, take the measures necessary to implement this Decision.

Article 14

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

It shall apply as from 1 January 1981.

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H.L. SHEARER

DECISION No 7 /81
OF THE ACP-EEC COUNCIL OF MINISTERS
OF 10.4.1981

adopting the Rules of Procedure of the ACP-EEC Committee
provided for in Article 108(6) of the second ACP-EEC Convention (*)

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the second ACP-EEC Convention, signed at
Lomé on 31 October 1979 (hereinafter referred to as the
"Convention"), and in particular Article 108(6) thereof,

(*) See also page 87.

Whereas Article 108(6) of the Convention sets up an ACP-EEC Committee (hereinafter referred to as the "Committee") within the Council of Ministers to study, in general terms and on the basis of specific examples, suitable measures to improve the implementation of financial and technical co-operation, notably by accelerating and streamlining procedures; whereas the Committee is required to act in the spirit of Article 108(6)(a) of the Convention;

Whereas it is for the Council of Ministers to adopt the rules of procedure of that Committee,

HAS ADOPTED THESE RULES OF PROCEDURE:

Article 1

1. The Committee shall be composed, on the one hand, of Ministers from each Member State of the European Economic Community and a member of the Commission of the European Communities, and on the other hand, of Ministers of the ACP States equal in number to the representatives of the Community.
2. Every year the ACP-EEC Council of Ministers shall designate the representatives of the Community and of the ACP States on the Committee.

3. Each member of the Committee shall designate his authorized representative and notify the Committee's Secretariat thereof.
4. Any member of the Committee unable to attend may be represented. The representative shall exercise all the rights of the accredited member.
5. The Co-Chairmen of the ACP-EEC Committee of Ambassadors or their representatives shall be present at the Committee's meetings.
6. The Directors of the Centre for Industrial Development and of the Technical Centre for Agricultural and Rural Co-operation or their representatives shall take part in the Committee's proceedings on issues which concern them.
7. A representative of the European Investment Bank shall be present at the Committee's meetings.
8. The members of the Committee and their authorized representatives may be assisted by advisers.

Article 2

1. The Committee shall meet every quarter.
2. At least once a year it shall meet at Ministerial level, in general on the occasion of a meeting of the Council of Ministers.

In such case it shall meet at the venue of the meeting of the Council of Ministers. In other cases paragraph 3 shall apply.

3. It shall meet at authorized representative level either at the normal venues of meetings of the Council of the European Communities or at the headquarters of the General Secretariat of the ACP States.

It may decide to meet at another venue.

Article 3

The Committee shall be chaired by the ACP States and the Community in turn for a period of six months each.

Article 4

The Committee shall exercise the powers conferred on it under Article 108(6)(a), (d), (e) and (f) of the Convention.

Article 5

In the exercise of its powers the Committee shall take decisions by common accord between the ACP States and the Community.

Article 6

The Committee's proceedings shall be valid only if at least half the representatives of the Member States of the Community, a Commission representative and at least half the representatives of the ACP States are present.

Article 7

1. The Committee shall be convened by its Chairman, either on his own initiative or at the request of the ACP States or the Community.
2. At least three weeks before the date fixed for the meeting, the Committee's Secretariat shall send the members of the Committee a draft agenda, to which any documents required shall be attached.
3. The agenda shall be adopted by the Committee at the start of each meeting. In urgent cases, the Committee may decide, at the request of the representatives of the ACP States or the Community, to include items on the agenda for which the deadline specified in paragraph 2 has not been observed.

Article 8

1. Unless otherwise decided, meetings of the Committee shall not be public.
2. Without prejudice to other provisions applicable, deliberations of the Committee shall be covered by the obligation of professional secrecy unless the Committee should decide otherwise.

Article 9

1. The Secretariat for the Committee shall be provided by the ACP-EEC Co-Secretaries.
2. After each meeting of the Committee, the record of the meeting shall be sent to the members of the Committee within three weeks of the date of the meeting.
3. The record of each meeting shall be submitted at the start of the next meeting for approval.

Article 10

Pursuant to Article 108(6)(e) of the Convention, the Committee may convene meetings of experts.

Article 11

The annual report of the Committee provided for in Article 108(6)(f) of the Convention shall be prepared by the Committee's Secretariat.

It shall be submitted to the Committee for approval before being forwarded to the ACP-EEC Council of Ministers.

Udfærdiget i Luxembourg, den
Geschehen zu Luxemburg am
Done at Luxembourg,
Fait à Luxembourg, le
Έγινε στο Λουξεμβούργο, στις
Fatto a Lussemburgo, addi'
Gedaan te Luxemburg,

10.4.1981

På AVS-EØF Ministerrådets vegne
Im Namen des AKP-EWG Ministerrates
For the ACP-EEC Council of Ministers
Par le Conseil des Ministres ACP-CEE
Για το Συμβούλιο των Υπουργών ΑΚΕ-ΕΟΚ
Per il Consiglio dei Ministri ACP-CEE
Voor de ACS-EEG Raad van Minister

Formand
Der Präsident
The President
Le président
Ο πρόεδρος
Il Presidente
De Voorzitter



H.L. SHEARER

DECISION No 8/81
OF THE ACP-EEC COUNCIL OF MINISTERS
OF 10 APRIL 1981

delegating powers to the
ACP-EEC Committee of Ambassadors
for the purpose of adopting the
Resolution of the ACP-EEC Council of Ministers
concerning agricultural development

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the Second ACP-EEC Convention signed at Lomé
on 31 October 1979, hereinafter referred to as the "Convention",
and in particular Article 169 thereof,

Whereas pursuant to Article 168(4) of the Convention the Council of Ministers may formulate such resolutions as it may deem necessary to ensure the smooth functioning of the Convention; whereas in accordance with Article 118(2)(b) of the Convention the relevant authorities of the Community and of the ACP States concerned are to take the appropriate measures called for by the results of the evaluation work on completed projects and programmes;

Whereas the Commission, in the light of a meeting of ACP and EEC experts on the evaluation of agricultural development projects realized with EDF aid in the ACP States, worked out basic principles to serve as a guide for new agricultural development projects;

Whereas a draft Resolution concerning agricultural development was recently placed before the ACP-EEC Council of Ministers, aimed in particular at recommending the departments of the ACP and EEC to take the abovementioned "basic principles" into account in new projects for agricultural development;

Whereas it is appropriate that the Council of Ministers delegate to the Committee of Ambassadors the power to adopt the abovementioned resolution,

HAS DECIDED AS FOLLOWS:

Article 1

The Council of Ministers hereby delegates to the Committee of Ambassadors the power to adopt the resolution of the ACP-EEC Council of Ministers concerning agricultural development.

Article 2

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

Article 3

The ACP States, the Member States and the Community concerned shall each take the measures called for by the execution of this Decision.

Udfærdiget i Luxembourg, den
Geschehen zu Luxemburg am
Done at Luxembourg,
Fait à Luxembourg, le
Έγινε στο Λουξεμβούργο, στις
Fatto a Lussemburgo, addi'
Gedaan te Luxemburg,

10.4.1981

På AVS-EØF Ministerrådets vegne
Im Namen des AKP-EWG Ministerrates
For the ACP-EEC Council of Ministers
Par le Conseil des Ministres ACP-CEE
Για το Συμβούλιο των Υπουργών ΑΚΕ-ΕΟΚ
Per il Consiglio dei Ministri ACP-CEE
Voor de ACS-EEG Raad van Minister

Formand
Der Präsident
The President
Le président
Ο πρόεδρος
Il Presidente
De Voorzitter



H.L. SHEARER

DECISION No 9 /81
OF THE ACP-EEC COUNCIL OF MINISTERS
OF 10.4.1981

delegating to the
ACP-EEC Committee of Ambassadors
the authority to adopt the report
from the ACP-EEC Council of Ministers
(1 March 1980 - 28 February 1981)

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the Second ACP-EEC Convention signed at
Lomé on 31 October 1979, hereinafter referred to as the
"Convention", and in particular Articles 169 and 187 thereof,

Whereas, under Article 168(5) of the Convention, the Council of Ministers publishes an annual report and whereas, under Article 175(6) of the same Convention, the Consultative Assembly examines this report;

Whereas the Council of Ministers has not been able to adopt the report for the period 1 March 1980 - 28 February 1981 at its 6th meeting;

Whereas it is therefore appropriate that the Council of Ministers should delegate to the Committee of Ambassadors the authority to adopt this report as soon as possible and to decide on its publication,

HAS DECIDED AS FOLLOWS:

Article 1

The Council of Ministers hereby delegates to the Committee of Ambassadors the authority to adopt the report of the ACP-EEC Council of Ministers (1 March 1980 to 28 February 1981) and to decide on its publication as an annual report within the meaning of Article 168(5) of the Convention.

Article 2

This Decision shall enter into force on the day on which it is adopted.

Article 3

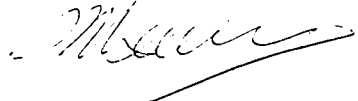
The ACP States, the Member States and the Community shall be required, each for its own part, to take the necessary measures to implement this Decision.

Udfærdiget i Luxembourg, den
Geschehen zu Luxemburg am
Done at Luxembourg,
Fait à Luxembourg, le
Έγινε στο Λουξεμβούργο, στις
Fatto a Lussemburgo, addi'
Gedaan te Luxemburg,

10.4.1981

På AVS-EØF Ministerrådets vegne
Im Namen des AKP-EWG Ministerrates
For the ACP-EEC Council of Ministers
Par le Conseil des Ministres ACP-CEE
Για το Συμβούλιο των Υπουργών ΑΚΕ-ΕΟΚ
Per il Consiglio dei Ministri ACP-CEE
Voor de ACS-EEG Raad van Minister

Formand
Der Präsident
The President
Le président
Ο πρόεδρος
Il Presidente
De Voorzitter



H.L. SHEARER

DECISION No 10/81
OF THE ACP-EEC COUNCIL OF MINISTERS
OF 10.4.1981

on the delegation of certain powers to the
ACP-EEC Committee of Ambassadors (*)

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the Second ACP-EEC Convention, signed at Lomé
on 31 October 1979 (hereinafter referred to as the "Convention"),
and in particular Article 169 thereof,

(*) Article 1(1) of this Decision has been supplemented by
Decision No 7/82 of the ACP-EEC Council of Ministers,
which will appear in the 1982 Compilation.

Whereas the Convention makes provision for only one ordinary meeting of the Council of Ministers each year;

Whereas application of the Convention raises numerous problems which must be resolved in the interval between two ordinary meetings;

Whereas, although the possibility of extraordinary meetings of the Council of Ministers is provided for in the Convention, it is nevertheless necessary, for the sake of simplicity and speed, for the Council to delegate certain of its powers to the Committee of Ambassadors in accordance with Article 169;

Whereas, however, in spite of such delegation of powers, provision should be made for the Council of Ministers to be able to discuss matters which have been so delegated if the Community or the ACP States deem it necessary,

HAS DECIDED AS FOLLOWS:

Article 1

1. Without prejudice to any other delegations of powers granted in individual cases, the Council of Ministers shall delegate to the Committee of Ambassadors the powers referred to in the following Articles:

Convention

- Article 2(2)(c) (Consultations on amendments to the Community import treatment for ACP agricultural products)
- Article 7 (Consultations on Community measures concerning the movement of goods)
- Article 8 (idem)
- Article 13 (Consultations on the application of the safeguard clause)
- Article 14 (Consideration of the effects of applying the safeguard clause)
- Article 16 (Consultations in the field of trade co-operation)
- Article 46(3) (Derogation concerning exports whatever their destination in the STABEX context)
- Article 78(2) (Composition and detailed rules of operation of the Committee on Industrial Co-operation)
- Article 131 (General conditions for works and supply contracts)
- Article 132 (Settlement of disputes concerning contracts financed by the EDP)
- Article 142(1) (Rules governing service contracts)
- Article 155(4) (Amendment of the lists of least developed, landlocked and island ACP States)
- Article 159 (Provisions relating to current payments and capital movements)
- Article 162 (Provisions relating to establishment and services)
- Article 163(9) (Setting up of committees and groups)

PROTOCOLS

- No 1 (Origin) (Examination of the application of the Protocol)
Article 27
- No 2 (Operating expenditure) (Expenditure incurred by arbitrators)
Articles 3
- No 5 (Rum) (Consultations on Community measures)
Articles 2(d)
- No 7 (Sugar) (Consultations on the application of the Protocol)
Article 8

DECLARATIONS ANNEXED TO THE FINAL ACT

- VII (Consultations on the effects of a possible STABEX system at world level)
- XVI (Provisions relating to the representation of ACP regional economic groupings)
- XIX, point 2 (Examination of subjects of common interest in the field of shipping)

2. Where the Committee of Ambassadors acts on the basis of this Article, Article 164(2) and (3) and Article 167(1) of the Convention and Articles 12 to 15 of the Rules of Procedure of the Council of Ministers shall apply.

3. At the request of the Community or of the ACP States, any item concerning an issue in respect of which power was delegated to the Committee of Ambassadors by the Council of Ministers pursuant to paragraph 1 and which is placed on the provisional agenda of a meeting of the Committee may be withdrawn from that agenda and included on the agenda of the Council of Ministers.
4. The Council of Ministers may, if the Community or the ACP States deem it necessary, decide to discuss matters which have been the subject of a delegation of powers.

Article 2

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

Article 3

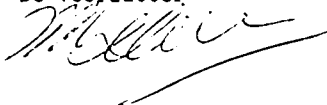
The ACP States, the Member States and the Community shall be bound, each to the extent to which it is concerned, to take the measures necessary to implement this Decision.

Udfærdiget i Luxembourg, den
Geschehen zu Luxemburg am
Done at Luxembourg,
Fait à Luxembourg, le
Έγινε στο Λουξεμβούργο, στις
Fatto a Lussemburgo, addi'
Gedaan te Luxemburg,

10.4.1981

På AVS-EØF Ministerrådets vegne
Im Namen des AKP-EWG Ministerrates
For the ACP-EEC Council of Ministers
Par le Conseil des Ministres ACP-CEE
Γρά το Συμβούλιο των Υπουργών ΑΚΕ-ΕΟΚ
Per il Consiglio dei Ministri ACP-CEE
Voor de ACS-EEG Raad van Minister

Formand
Der Präsident
The President
Le président
Ο πρόεδρος
Il Presidente
De Voorzitter



H.L. SHEARER

°
‡

DECISION No 11/81 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 10.4.1981

amending the list of least developed ACP States
and the list of island ACP States (*)

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the second ACP-EEC Convention, signed at
Lomé on 31 October 1979, and in particular Article 155(4)
thereof,

(*) to include Kiribati

Whereas the Republic of Kiribati did not accede to the ACP-EEC Convention of Lomé, signed on 26 February 1975, until 30 October 1979;

Whereas by Decision No 5/80 of the ACP-LEC Council of Ministers of 9 May 1980 amending the list of least developed ACP States, the Republic of Kiribati was added to the list of ACP States appearing in Article 48(2) of the ACP-EEC Convention of Lomé signed on 26 February 1975;

Whereas the Republic of Kiribati is not included in the lists in Article 155(3) of the second ACP-EEC Convention;

Whereas the economic and social situation in the Republic of Kiribati justifies its inclusion in the list of least developed ACP States, and its geographical position justifies its inclusion in the list of island ACP States;

Whereas, moreover its economic and social situation has suffered a significant and lasting deterioration as a result of the closure of the phosphate mines at Banaba,

HAS DECIDED AS FOLLOWS:

Article 1

The Republic of Kiribati is hereby added, with effect from the date of entry into force of the second ACP-EEC Convention, to the lists of ACP States appearing in Article 155(3)(a) and (c) of the Convention.

Article 2

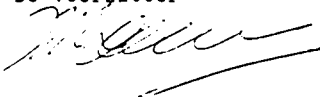
The ACP States, the Member States and the Community shall be bound, each to the extent to which it is concerned, to take the measures necessary to implement this Decision.

Udfærdiget i Luxembourg, den
Geschehen zu Luxemburg am
Done at Luxembourg,
Fait à Luxembourg, le
Έγινε στο Λουξεμβούργο, στις
Fatto a Lussemburgo, addi'
Gedaan te Luxemburg,

10.4.1981

På AVS-EØF Ministerrådets vegne
Im Namen des AKP-EWG Ministerrates
For the ACP-EEC Council of Ministers
Par le Conseil des Ministres ACP-CEE
Για το Συμβούλιο των Υπουργών ΑΚΕ-ΕΟΚ
Per il Consiglio dei Ministri ACP-CEE
Voor de ACS-EEG Raad van Minister

Formand
Der Präsident
The President
Le président
Ο πρόεδρος
Il Presidente
De Voorzitter



H.L. SHEARER

DECISION No 12/81 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 10.4.1981

amending the list of landlocked ACP States (*)

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the second ACP-EEC Convention, signed at Lomé on 31 October 1979, hereinafter referred to as the "Convention", and in particular Article 155(4) thereof,

Whereas the Agreement on the accession of the Republic of Zimbabwe to the Convention was signed in Luxembourg on 4 November 1980;

Whereas the Republic of Zimbabwe is a landlocked State,

HAS DECIDED AS FOLLOWS:

(*) to include Zimbabwe

Article 1

The Republic of Zimbabwe is hereby added, with effect from the date of entry into force of the Agreement on the accession of the Republic of Zimbabwe to the Convention, to the list of ACP States appearing in Article 155(3)(b) of the Convention.

Article 2

The ACP States, the Member States and the Community shall be bound, each to the extent to which it is concerned, to take the measures necessary to implement this Decision.

Udfærdiget i Luxembourg, den
Geschehen zu Luxemburg am
Done at Luxembourg,
Fait à Luxembourg, le
Έγινε στο Λουξεμβούργο, στις
Fatto a Lussemburgo, addi'
Gedaan te Luxemburg,

10.4.1981

På AVS-EØF Ministerrådets vegne
Im Namen des AKP-EWG Ministerrates
For the ACP-EEC Council of Ministers
Par le Conseil des Ministres ACP-CEE
Για το Συμβούλιο των Υπουργών ΑΚΕ-ΕΟΚ
Per il Consiglio dei Ministri ACP-CEE
Voor de ACS-EEG Raad van Minister

Formand
Der Präsident
The President
Le président
Ο πρόεδρος
Il Presidente
De Voorzitter



H.L. SHEARER

DECISION No 13/81
OF THE ACP-EEC COUNCIL OF MINISTERS
OF 19 JUNE 1981

reducing STABEX transfers
for the 1980 year of application (*)

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the Second ACP-EEC Convention signed in Lomé on 31 October 1979, in particular Article 34 thereof,

Having regard to Decision No 3/81 of the ACP-EEC Council of Ministers of 9/10 April 1981 delegating to the Committee of Ambassadors the powers to take decisions relating to the reductions to be made in STABEX transfers in respect of the 1980 year of application,

(*) As regards Stabex, see also pages 23, 27, 31 and 69 of this Compilation.

Whereas the funds available after the use in advance of 20% of the 1981 instalment decided upon in the ACP-EEC Council of Ministers' Decision No 2/81 of 9/10 April 1981 are insufficient for the transfer to the ACP States of the amounts corresponding to their losses in export earnings,

Whereas Article 46(2) stipulates that the special difficulties of the least developed ACP States be taken into account when applying, inter alia, Article 34,

HAS DECIDED AS FOLLOWS:

Article 1

1. The Commission shall distribute the resources available in respect of STABEX, for the 1980 year of application, by applying the following coefficients of reduction to the amounts of transfers for which the ACP States are eligible for the same year:

- (a) for the least developed ACP States: 0.4049,
- (b) for the other ACP States: 0.5264.

These coefficients are in ratio of 1 to 1.3.

2. Transfers which are equal or less than 1 million EUA shall not be reduced by the coefficient provided for in paragraph 1 and shall be paid in full.

Article 2

The ACP States, the Member States and the Community are required, insofar as it concerns them, to take whatever measures are necessary for implementing this decision.

Article 3

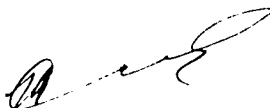
This decision shall enter into force on 19 June 1981.

Udfærdiget i Bruxelles, den
Geschehen zu Brüssel am
Done at Brussels,
Fait à Bruxelles, le
Έγινε στις Βρυξέλλες, στις
Fatto a Bruxelles, addì
Gedaan te Brussel,

19. VI. 1981

PÅ AVS-EØF Ministerrådets vegne
Im Namen des AKP-EWG Ministerrates
For the ACP-EEC Council of Ministers
Pour le Conseil des Ministres ACP-CEE
Για τό Συμβούλιο τών Υπουργών ΑΚΕ-ΕΟΚ
Per il Consiglio dei Ministri ACP-CEE
Voor de ACS-EEG Raad van Minister

PÅ AVS/EØF-Ambassadørudvalgets vegne
Im Namen des AKP-EWG-Botschafterausschusses
For the ACP-EEC Committee of Ambassadors
Par le Comité des Ambassadeurs ACP/CEE
Για τήν Έπιτροπή τών Πρόσβων ΑCP/CEE
Per il Comitato degli Ambasciatori ACP/CEE
Voor het ACS-EEG-Comité van Ambassadeurs



L.B. MONYALE

Formand
Der Präsident
The President
Le président
Ο Πρόεδρος
Il Presidente
De Voorzitter

DECISION No 14/81 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 19 JUNE 1981

appointing members, at Ministerial level, of the
ACP-EEC Committee
provided for by Article 108(6)
of the second ACP-EEC Convention (*)

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the second ACP-EEC Convention, signed at Lomé
on 31 October 1979, and in particular Article 108(6) thereof,

Having regard to Decision No 7/81 of the ACP-EEC Council of
Ministers of 10 April 1981 adopting the Rules of Procedure of
the ACP-EEC Committee provided for in Article 108(6) of the
second ACP-EEC Convention, hereinafter referred to as "the
Committee", and in particular Article 1(1) and (2) thereof,

(*) See also page 53.

Having regard to the Decision of the ACP-EEC Council of Ministers of 10 April 1981 delegating responsibilities to the ACP-EEC Committee of Ambassadors with a view to appointing for the first time, at its next meeting, representatives of the Community and the ACP States within the Committee meeting at Ministerial level,

Whereas it is appropriate that the ACP-EEC Council of Ministers appoint each year the representatives of the Community and of the ACP States within the Committee meeting at Ministerial level; whereas it should appoint a Minister for each of the Member States, a member of the Commission and eleven Ministers of the ACP States,

HAS DECIDED AS FOLLOWS:

Article 1

The following shall be appointed members of the Committee meeting at Ministerial level:

A. Representatives of the Community

(a) Member States

1. Belgium : the Minister for Development Co-operation, Brussels
2. Denmark : the Minister for Foreign Affairs, Copenhagen
3. Germany : the Federal Minister for Economic Co-operation, Bonn
4. Greece : the Minister for Foreign Affairs, Athens
5. France : the Minister for External Relations, Paris

6. Ireland : the Minister for Foreign Affairs, Dublin
7. Italy : the Minister for Foreign Affairs, Rome
8. Luxembourg : the Minister for Foreign Affairs Luxembourg
9. Netherlands : the Minister for Foreign Affairs, The Hague
10. United Kingdom : the Minister for State, Foreign and Commonwealth Office, London

(b) Commission

The Commission member responsible for development, Brussels.

B. Representatives of the ACP States

1. Cameroon : the Vice-Minister for Economic Affairs and Planning, Yaoundé
2. Fiji : the Minister of Agriculture and Fisheries, Suva
3. Ghana : the Minister of Finance and Economic Planning, Accra
4. Grenada : the Minister of Finance, St George's
5. Jamaica : the Minister of Finance, Kingston
6. Mali : the Minister of Foreign Affairs and International Co-operation, Bamako
7. Mauritius : the Minister of Agriculture, National Resources and Environment, Port-Louis
8. Rwanda : the Minister for Planning, Kigali

- 9. Sudan : the Minister of National Planning,
Khartoum
- 10. Swaziland : the Minister of Commerce, Industry,
Mines and Tourism, Mbabane
- 11. Zimbabwe : the Minister for Economic Planning
and Development, Salisbury

Article 2

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

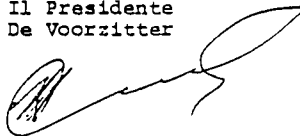
Udfærdiget i Bruxelles, den
Geschehen zu Brüssel am
Done at Brussels,
Fait à Bruxelles, le
Έγινε στις Βρυξέλλες, στις
Fatto a Bruxelles, addì
Gedaan te Brussel,

19.6.1968

På AVS-EØF Ministerrådets vegne
Im Namen des AKP-EWG Ministerrates
For the ACP-EEC Council of Ministers
Pour le Conseil des Ministres ACP-CEE
Για το Συμβούλιο των Υπουργών ΑΚΕ-ΕΟΚ
Per il Consiglio dei Ministri ACP-CEE
Voor de ACS-EEG Raad van Minister

På AVS/EØF-Ambassadørudvalgets vegne
Im Namen des AKP-EWG-Botschafterausschusses
For the ACP-EEC Committee of Ambassadors
Par le Comité des Ambassadeurs ACP/CEE
Για την Έπιτροπή των Πρέσβων ΑCP/CEE
Per il Comitato degli Ambasciatori ACP/CEE
Voor het ACS-EEG-Comité van Ambassadeurs

Formand
Der Präsident
The President
Le président
Ὁ Πρόεδρος
Il Presidente
De Voorzitter



Lengolo Bureng MONYAKE

DECISION No 15/81 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 30 NOVEMBER 1981

amending the list of the least-developed ACP States
and the list of island ACP States
(Republic of Equatorial Guinea, Saint Vincent and
the Grenadines, Republic of Vanuatu)

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the Second ACP-EEC Convention signed at Lomé
on 31 October 1979, hereinafter referred to as "the Convention",
and in particular Article 155(4) thereof,

Having regard to Decision No 10/81 of the ACP-EEC Council of
Ministers of 10 April 1981 on the delegation of certain
powers to the ACP-EEC Committee on Ambassadors, and in
particular Article 1(1) thereof,

Whereas Saint Vincent and the Grenadines has been a Party to the Convention since 1 January 1981; whereas the Republic of Equatorial Guinea completed the procedures referred to in Article 182 of the Convention on 20 January 1981 and has been a Party to the Convention since 1 March 1981; whereas the Republic of Vanuatu acceded to the Convention on 18 March 1981;

Whereas the economic situation of these three States warrants their inclusion in the list of least-developed ACP States; whereas the geographical location of Saint Vincent and the Grenadines and of the Republic of Vanuatu warrants their inclusion in the list of island ACP States,

HAS DECIDED AS FOLLOWS:

Article 1

1. The following States are hereby added to the lists of ACP States in Article 155(3)(a) and (c) of the Convention:
 - with effect from 1 January 1981: Saint Vincent and the Grenadines;
 - with effect from 18 March 1981: Vanuatu.
2. Equatorial Guinea is hereby added to the list of ACP States in Article 155(3)(a) of the Convention with effect from 1 March 1981.

Article 2

The ACP States, the Member States and the Community shall be bound, each to the extent to which it is concerned, to take the measures necessary to implement this Decision.

Udfærdiget i Bruxelles, den
Geschehen zu Brüssel am
Done at Brussels,
Fait à Bruxelles, le
Έγινε στις Βρυξέλλες, στις
Fatto a Bruxelles, addì
Gedaan te Brussel,

30. XI. 1981

På AVS-EØF Ministerrådets vegne
Im Namen des AKP-EWG Ministerrates
For the ACP-EEC Council of Ministers
Pour le Conseil des Ministres ACP-CEE
Για το Συμβούλιο των Υπουργών ΑΚΕ-ΕΟΚ
Per il Consiglio dei Ministri ACP-CEE
Voor de ACS-EEG Raad van Minister

På AVS/EØF-Ambassadorsudvalgets vegne
Im Namen des AKP-EWG-Botschafterausschusses
For the ACP-EEC Committee of Ambassadors
Par le Comité des Ambassadeurs ACP/CEE
Για την Επιτροπή των Πρέσβων ΑCP/CEE
Per il Comitato degli Ambasciatori ACP/CEE
Voor het ACS-EEG-Comité van Ambassadeurs

Formand
Der Präsident
The President
Le président
Ὁ Πρόεδρος
Il Presidente
De Voorzitter

M. BUTLER

I. - ACP-EEC ACTS

2. AGREEMENTS BETWEEN THE EEC
AND THE ACP STATES

AGREEMENT

in the form of an exchange of letters between the European Economic Community and Barbados, the People's Republic of the Congo, Fiji, the Co-operative Republic of Guyana, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Suriname, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago and the Republic of Uganda on the guaranteed prices for cane sugar for 1981/1982 (*)

Letter No 1

Brussels, 26 May 1982

1. The representatives of the ACP States referred to in Protocol No 7 on ACP sugar annexed to the Second ACP-EEC Convention, of the Republic of Suriname and of the Commission, on behalf of the European Economic Community, have agreed within the framework of the negotiations provided for in Article 5(4) of the said Protocol, on the following:

- for the period 1 July 1981 to 30 June 1982 the guaranteed prices referred to in Article 5(4) of the Protocol shall, for the purpose of intervention within the terms of Article 6 of the Protocol, be:

(a) for raw sugar: 38.94 ECU per 100 kilograms;

(b) for white sugar: 48.16 ECU per 100 kilograms.

(*) This Agreement was not signed until 26 May 1982. However, it applies to the 1981/1982 marketing year and accordingly appears in this Compilation, as does its implementing regulation (see page 441).

These prices, which represent an increase of 8.5% and 8.3% respectively over those of the preceding year shall refer to sugar of standard quality as defined in Community legislation, unpacked, cif free out European ports of the Community.

2. Although retroactivity is not provided for in respect of the 1981/1982 prices, it is agreed that this year's decision does not prejudice the position of the ACP States in relation to retroactivity in any future negotiation in accordance with Article 4(3) of Protocol No 7 annexed to the Second ACP-EEC Convention.

3. It was agreed that discussions would continue between the Parties on matters arising out of the concern of the ACP States over the burden of freight charges.

I should be obliged if you would acknowledge receipt of this letter and confirm that this letter and your reply constitute an Agreement between the Governments of the abovementioned ACP States and the Community.

Modtag, ærede herrer, forsikringen om min mest udmærkede højtægtelse.

Genehmigen Sie, sehr geehrte Herren, den Ausdruck meiner ausgezeichnetsten Hochachtung.

Παρακαλώ δεχθείτε, Κύριοι, τή διαβεβαίωση τής ούλίστης έκτιμήςεώς μου.

Please, accept, Sirs, the assurance of my highest consideration.

Je vous prie d'agrèer, Messieurs, l'assurance de ma plus haute considération.

Vogliate gradire, Signori, i sensi della mia più alta considerazione.

Ik verzoek U, Mijne Heren, de verzekering van mijn bijzondere hoogachting te willen aanvaarden.

På vegne Rådet for De europæiske Fællesskaber
Im Namen des Rates der Europäischen Gemeinschaften
Ἐξ ὀνόματος τοῦ Συμβουλίου τῶν Εὐρωπαϊκῶν Κοινοτήτων
On behalf of the Council of the European Communities
Au nom du Conseil des Communautés européennes
A nome del Consiglio delle Comunità Europee
Namens de Raad van de Europese Gemeenschappen

D. F. Williams

Letter No 2

Brussels, 26 May 1982

Sir,

I have the honour to acknowledge receipt of your letter of today which reads as follows:

"1. The representatives of the ACP States referred to in Protocol No 7 on ACP sugar annexed to the Second ACP-EEC Convention, of the Republic of Suriname and of the Commission, on behalf of the European Economic Community, have agreed within the framework of the negotiations provided for in Article 5(4) of the said Protocol, on the following:

- for the period 1 July 1981 to 30 June 1982 the guaranteed prices referred to in Article 5(4) of the Protocol shall, for the purpose of intervention within the terms of Article 6 of the Protocol, be:

(a) for raw sugar: 38.94 ECU per 100 kilograms;

(b) for white sugar: 48.16 ECU per 100 kilograms.

These prices, which represent an increase of 8.5% and 8.3% respectively over those of the preceding year shall refer to sugar of standard quality as defined in Community legislation, unpacked, cif free out European ports of the Community.

2. Although retroactivity is not provided for in respect of the 1981/1982 prices, it is agreed that this year's decision does not prejudice the position of the ACP States in relation to retroactivity in any future negotiation in accordance with Article 4(3) of Protocol No 7 annexed to the Second ACP-EEC Convention.

3. It was agreed that discussions would continue between the Parties on matters arising out of the concern of the ACP States over the burden of freight charges.

I should be obliged if you would acknowledge receipt of this letter and confirm that this letter and your reply constitute an Agreement between the Governments of the abovementioned ACP States and the Community."

I have the honour to confirm the agreement of the Governments of the ACP States referred to in the said letter with the foregoing.

Please accept, Sir, the assurance of my highest consideration.

Veillez agréer, Monsieur le Président, l'assurance de ma plus haute considération.

Modtag, hr. Formand, forsikringen om min mest udmærkede højjagtelse.

Genehmigen Sie, Herr Präsident, den Ausdruck meiner ausgezeichnetsten Hochachtung.

Παρακαλώ δεχθείτε, Κύριε Πρόεδρε, τή διαβεβαίωση τής ύψιστης εκτίμησής μου.

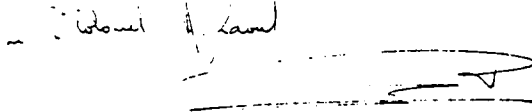
Voglia gradire, Signor Presidente, i sensi della mia più alta considerazione.

Gelieve, Mijnheer de Voorzitter, de verzekering van mijn bijzondere hoogachting te aanvaarden.

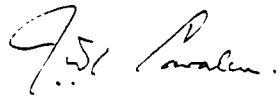
For the Government of Barbados



Pour le Gouvernement de la République populaire du Congo



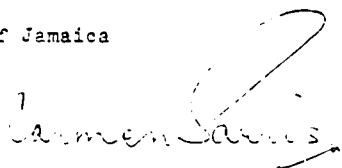
For the Government of Fiji



For the Government of the Co-operative Republic of Guyana



For the Government of Jamaica



For the Government of the Republic of Kenya



Pour le Gouvernement de la République démocratique de Madagascar



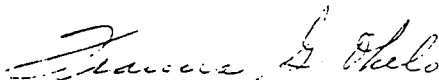
For the Government of the Republic of Malawi



Pour le Gouvernement de l'île Maurice



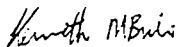
For the Government of the Republic of Uganda



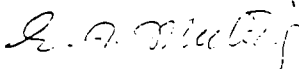
Namens de Regering van de Republiek Suriname



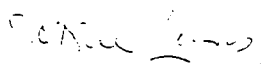
For the Government of the Kingdom of Swaziland



For the Government of the United Republic of Tanzania



For the Government of Trinidad and Tobago



I. - ACP-EEC ACTS

3. ACTS OF THE COMMITTEE ON INDUSTRIAL CO-OPERATION

RULES OF PROCEDURE

of the Committee on Industrial Co-operation (*)

Article 1

1. The Committee on Industrial Co-operation, hereinafter called the "Committee", shall meet at least twice a year on dates to be fixed by it by joint agreement between the ACP States and the Community.
2. The Committee may also meet on any other date at the request either of the ACP States or the Community, following consultation between the Chairman and both parties.
3. There shall normally be a period of notice of not less than 7 days for the meetings of the Committee except in cases of emergency where the time-limit stipulated above may be reduced.

(*) See also page 35.

Article 2

The Committee shall meet either at the places where the meetings of the Council of the European Communities are usually held, or at the premises of the ACP General Secretariat or in an ACP State, in conformity with a special decision taken by the Committee.

Article 3

1. The provisional agenda for each meeting shall be drawn up by the Chairman. It shall be communicated to the other members of the Committee not less than 7 days before the meeting.
2. The agenda shall be adopted by the Committee at the beginning of each meeting. In an emergency the Committee may decide, at the request of the ACP States or the Community, to include on the agenda items in respect of which the time-limit laid down in paragraph 1 has not been met.
3. When the Committee meets under the emergency conditions referred to in the third paragraph of Article 1 the time-limit laid down in paragraph 1 of this Article may be reduced.

Article 4

The members of the Committee shall be appointed by the ACP States and the Community respectively.

Article 5

The members of the Committee may be accompanied by officials to assist them.

They may be represented by persons designated by them.

Article 6

At the request of the ACP States or the Community, the Committee may decide to hold meetings without the participation, provided for in Article 9 of Decision No /81 of the Council of Ministers, of observers from regional economic groupings of ACP States.

Article 7

The Committee may, by ad hoc decision, invite members of the Advisory Council of the Centre for Industrial Development to participate in the proceedings of the Committee as observers with the right to speak when particular items requiring specific knowledge are to be examined.

Article 8

Meetings of the Committee shall not be public.

The deliberations of the Committee shall be covered by the obligation of professional secrecy unless the Committee should decide otherwise.

Article 9

Correspondence intended for the Committee shall be sent to the Chairman of the Committee at the address of the Secretariat of the Council of Ministers.

Article 10

Unless otherwise decided, the Committee shall base its deliberations on documentation prepared in Danish, Dutch, English, French, German, Greek and Italian.

Article 11

The proceedings of the Committee shall be valid only if at least six of the representatives of the Member States of the Community, one Commission representative, and nine representatives of the ACP States are present.

Article 12

The Committee shall submit reports on its work to the ACP-EEC Committee of Ambassadors.

Article 13

Secretarial and other work required for the functioning of the Committee (preparation of agenda and circulation of documents relating thereto, etc.) shall be carried out by the Secretariat of the Council of Ministers.

Article 14

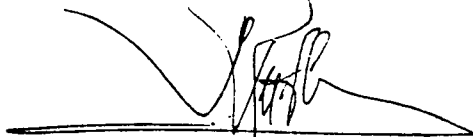
The Secretariat shall, after each meeting of the Committee, draw up the record of the meeting.

Udfærdiget i Bruxelles, den
Geschehen zu Brüssel am
Done at Brussels,
Fait à Bruxelles, le
Έγινε στις Βρυξέλλες, στις
Fatto a Bruxelles, addì
Gedaan te Brussel,

18. III. 1981

For Udvalget for industrielt Samarbejde
Im Namen des Ausschusses für industrielle Zusammenarbeit
For the Committee on Industrial co-operation
Par le Comité de coopération industrielle
Για την Έπιτροπή Βιομηχανικής Συνεργασίας
Per il Comitato per la cooperazione industriale
Voor het Comité voor industriële samenwerking

Formand
Der Präsident
The President
Le président
Ο Πρόεδρος
Il Presidente
De Voorzitter



M.H.J. Ch. RUTTEN

DECISION No 1/81/CIC
OF THE COMMITTEE ON INDUSTRIAL CO-OPERATION
OF 18 MARCH 1981

adopting the budget of the Centre
for Industrial Development (financial year 1981)

THE COMMITTEE ON INDUSTRIAL CO-OPERATION,

Having regard to the Second ACP-EEC Convention signed at Lomé
on 31 October 1979, hereinafter referred to as the "Convention",
and in particular Article 81(5) thereof,

Whereas by letters dated 1 September and 13 October 1980 the Director of the Centre for Industrial Development, hereinafter referred to as the "Centre", submitted proposals concerning the draft budget of the Centre for 1981;

Whereas the Advisory Council of the Centre delivered its opinion on these proposals on 20 January 1981;

Whereas the Community and the ACP States can record their agreement, subject to certain additional details, to the revised version of the draft budget for the financial year 1981 submitted by the Director of the Centre;

Whereas, in accordance with the Community declaration on Article 95 of the Convention as contained in Annex XXXII to the Final Act, the Community communicated to the ACP States Decision 80/1184/EEC ⁽¹⁾ on the replacement of the European unit of account by the ECU as defined in Council Regulation (EEC) No 3180/78 ⁽²⁾; whereas the ECU should consequently apply to the operations of the Centre;

Whereas the procedures necessary for the financing of the budget of the Centre through a Community contribution by means of the separate allocation taken from the resources earmarked under Article 133 of the Convention for the financing of regional co-operation projects have been implemented,

⁽¹⁾ OJ No L 349, 23.12.1980, p. 34

⁽²⁾ OJ No L 379, 30.12.1978, p. 1

HAS DECIDED AS FOLLOWS:

Sole Article


The budget of the Centre for the financial year 1981, as contained in the Annex hereto, is hereby adopted.

Udfærdiget i Bruxelles, den
Geschehen zu Brüssel am
Done at Brussels,
Fait à Bruxelles, le
Έγινε στις Βρυξέλλες, στις
Fatto a Bruxelles, addì
Gedaan te Brussel,

18. III. 1981

For Udvalget for industrielt Samarbejde
Im Namen des Ausschusses für industrielle Zusammenarbeit
For the Committee on Industrial co-operation
Par le Comité de coopération industrielle
Για την Έπιτροπή Βιομηχανικής Συνεργασίας
Per il Comitato per la cooperazione industriale
Voor het Comité voor industriële samenwerking

Formand
Der Präsident
The President
Le président
Ο Πρόεδρος
Il Presidente
De Voorzitter



A large, stylized handwritten signature in black ink, written over a horizontal line. The signature is cursive and appears to be 'M.H.J. Ch. Rutten'.

M.H.J. Ch. RUTTEN

BUDGET

ANNEX

of the Centre for Industrial Development
(financial year 1981)

		<u>Appropriations</u>		<u>Appropriation</u>	
		<u>1980</u>	<u>1981</u>	<u>1980</u>	<u>1981</u>
				<u>(ECU)</u>	<u>(ECU)</u>
<u>TITLE I - STAFF EXPENDITURE</u>					
Chapter 11 - <u>Staff</u>					
Art. 111	- <u>Salaries</u>			860,004	1,260,361
	<u>Existing staff and new staff to be recruited.</u>	860,004	1,260,361 (*)		
	- Director/Deputy Director				
	- 5 Technical Advisers 3A				
	- 7 Technical Advisers 3B				
	- 2 Special Duty Officers 4A				
	- 5 Special Duty Officers 4B				
	- 8 Assistants 5A				
	- 8 Secretaries 5B				
	- 1 Driver (local)				
	- 1 Messenger (local)				
	- Holiday Allowance for above				
	- Temporary Staff		P.M.		
Art. 112	- <u>Provision for increase</u>			74,468	96,504
	- 6% increase in initial salary (possibility after 2 years' service at the Centre)	25,278	14,500		
	- Rise in cost of living 01.09.1980 up to 01.09.1981 = 6% (following a decision by the Committee on Industrial Co-operation)	44,264	75,621		
	- Holiday Allowance for above	4,926	6,383		
		<u>74,468</u>	<u>96,504</u>		
Art. 113	- <u>Social Charges</u>			306,750	468,400

(*) Including rise in cost of living 01.09.1979 up to 01.09.1980.

			<u>Appropriations</u>	<u>Appropriations</u>
			<u>1980</u>	<u>1981</u>
			<u>(ECU)</u>	<u>(ECU)</u>
Art. 114 - <u>Miscellaneous Allowances & Grants</u>			74,800	100,000
	<u>1980</u>	<u>1981</u>		
- Education Allowance	28,000	36,400		
- Transport Allowance	1,800	1,800		
- Resettlement Allowance (see Art. 115)	25,000			
- Installation Allowance		32,000		
- Allowance for periodic home leave	20,000	30,000		
	<u>74,800</u>	<u>100,200</u>		
TOTAL CHAPTER 11			<u>1,316,022</u>	<u>1,925,465</u>
TOTAL TITLE 1			1,316,022	1,925,465

	<u>Appropriations</u>	<u>Appropriations</u>
	<u>1980</u>	<u>1981</u>
	<u>(DCU)</u>	<u>(DCU)</u>
TITLE 2 - <u>BUILDINGS, EQUIPMENT AND MISCELLANEOUS EXPENDITURE</u>		
Chapter 21 - <u>Rental of Building and Incidental Expenditure</u>		
Art. 211 - <u>Rent</u>	21,000	90,000 *
	First Estimation	
Art. 212 - <u>Incidental Expenditure (Utilities, Insurance, etc....)</u>	65,000	60,000 *
TOTAL CHAPTER 21	<u>86,000</u>	<u>150,000</u>
Chapter 22 - <u>Moveable Property and Incidental Expenditure</u>		
Art. 221 - <u>Purchase of Office Machinery and Furniture</u>		
	Unforeseeable equipment	4,000
	4,000	4,000
Art. 222 - <u>Rental Furniture and Equipment</u>	3,000	10,000
Art. 223 - <u>Maintenance Furniture and Equipment</u>	12,500	18,750
Art. 224 - <u>Transport Equipment, Maintenance, Repairs, Use</u>	4,000	4,500
Art. 225 - <u>Documentation Expenses</u>	3,000	-
TOTAL CHAPTER 22	<u>26,500</u>	<u>37,250</u>
Chapter 23 - <u>Current Administrative Operating Expenditure</u>		
Art. 231 - <u>Stationery and Office Supplies</u>	15,000	17,500
Art. 232 - <u>Postal Charges and Telecommunications</u>	63,000	85,000
	<u>1980</u>	<u>1981</u>
- Postage	13,000	15,000
- Telephone, Telegraph, Telex	<u>50,000</u>	<u>70,000</u>
	63,000	85,000

(*) Amounts calculated on the basis of the removal of the Centre to new premises (following a decision by the Committee on Industrial Co-operation).

	<u>Appropriations</u>	<u>Appropriations</u>
	<u>1980</u>	<u>1981</u>
	<u>(ECU)</u>	<u>(Ecu)</u>
Art. 235 - <u>Other Operating Expenditure</u>	7,000	16,500
	<u>1980</u>	<u>1981</u>
- Translation costs	2,000	6,500
- Miscellaneous administrative expenses	<u>5,000</u>	<u>10,000</u>
	7,000	16,500
TOTAL CHAPTER 23	<u>85,000</u>	<u>119,000</u>
Chapter 24 - <u>Mission expenses, Representation and Entertainment Expenditure</u>		
Art. 241 - <u>Mission and Duty Travel Expenses (Europe and ACP countries)</u>	120,000	135,000
Art. 242 - <u>Representation and Entertainment Expenses</u>	<u>10,000</u>	<u>15,000</u>
TOTAL CHAPTER 24	<u>130,000</u>	<u>150,000</u>
TOTAL TITLE 2	327,500	456,250

	<u>Appropriations</u>	
	<u>1980 (*)</u>	<u>1981</u>
	<u>(ECU)</u>	<u>(ECU)</u>
<u>TITLE 1 - PROGRAMME EXPENDITURE</u>		
<u>Chapter 31 - Industrial Promotion</u>		
Art. 311 - CID antennas' field activities in ACP States: promotion of industrial contacts (10 antennas x 10,000 EUA)	150,000	100,000
Art. 312 - Missions to identify production potential in the ACP States (20 missions x 7,000 EUA)	p.m.	140,000
Art. 313 - ACP regional industrial promotion action: meetings, seminars, conferences (2 seminars, Pacific & Caribbean x 100,000 EUA)	109,500	200,000
Art. 314 - Industrial sector specialised meetings and seminars (2 meetings/Seminars x 25,000 EUA)	p.m.	50,000
Art. 315 - CID antennas' field activities in the EEC: prospection for partners in industrial joint-ventures undertakings (50 ventures x 2,000 EUA)	p.m.	100,000
Art. 316 - Incentive Scheme for ACP and EEC industrialists with a view to creation of joint ventures. Travel, Consultancies	p.m.	75,000
Art. 317 - In-CID Training Programme on Industrial promotion	<u>75,000</u>	<u>75,000</u>
TOTAL CHAPTER 31	<u>334,500</u>	<u>740,000</u>
<u>Chapter 32 - New productive undertakings: studies, assistance, information</u>		
Art. 321 - Participation in feasibility studies, including financial analysis, for new industries (16 studies x 15,000 EUA)	242,352	240,000
Art. 322 - In-depth studies on production potential of LFC (4 x 25,000 EUA)		100,000
Art. 323 - Planning of productive infrastructural enterprises, with multiplier effect (2 enterprises x 30,000 EUA)		50,000
Art. 324 - Assistance with establishment of industrial undertakings (20 operations x 15,000 EUA)		300,000
Art. 325 - Preparation and publication of information and promotional material, press relations		<u>100,000</u>
TOTAL CHAPTER 32	<u>242,352</u>	<u>800,000</u>

	<u>Appropriations</u>	<u>Appropriations</u>
	<u>1980 (*)</u>	<u>1981</u>
	<u>(ECU)</u>	<u>(ECU)</u>
<u>Chapter 33 - Technical Operations and Services</u>		
Art. 331 - Assistance with expansion or rehabilitation of ACP industries (8 operations x 25.000 EUA)	64,894	200,000
Art. 332 - Development of industrial profiles based on proven adapted technologies (20 profiles x 2,000 EUA)	30,399	40,000
Art. 333 - Establishment of selected enterprises on the basis of such industrial profiles (2 projects x 50,000 EUA)		100,000
Art. 334 - In-plant training to help CID sponsored or assisted industries	17,692	100,000
Art. 335 - Organisation of CID's technical library, documentation and computer services	<u>74,377</u>	<u>80,000</u>
TOTAL CHAPTER 33	<u>187,362</u>	<u>520,000</u>
<u>Chapter 34 - Advisory Council and Supervisory Body Expenses</u>		
Art. 341 - Advisory Council		47,000
Art. 342 - Supervisory Body		<u>3,000</u>
TOTAL CHAPTER 34	27,000	<u>50,000</u>
TOTAL TITLE 3	791,214	2,110,000

SUMMARY OF EXPENDITURE

	<u>Appropriations</u>	<u>Appropriations</u>
	<u>1980</u>	<u>1981</u>
	<u>(ECU)</u>	<u>(ECU)</u>
(a) <u>TITLES 1 and 2</u>		
Operating Expenditure	1,643,522	2,381,715
Title 1: 1,925,465		
Title 2: 456,250		
(b) <u>TITLE 3</u>		
Programme Expenditure	791,214 (*)	2,110,000
GRAND TOTAL	<u>2,434,736</u>	<u>4,491,715</u>

REVENUE

(a) Contribution from the European Development Fund	2,286,290	4,273,149
(b) Revenue (estimates), in particular tax on salaries	148,446	218,566
- Tax on Salaries 149,376		
- Other Revenue 80,000		
TOTAL REVENUE	<u>2,434,736</u>	<u>4,491,715</u>

(*) This amount does not include the appropriations carried forward from the 1979 budget and totalling 379,399 EUA.

DECISION No 2 /81/CIC
OF THE COMMITTEE ON INDUSTRIAL CO-OPERATION
OF 2.IX.81

laying down the conditions of employment of the staff
of the Centre for Industrial Development (*)

THE COMMITTEE ON INDUSTRIAL CO-OPERATION,

Having regard to the Second ACP-EEC Convention signed at Lomé on 31 October 1979, hereinafter called "the Convention", and in particular Article 81(2) thereof,

Having regard to Decision No 6/81 of the ACP-EEC Council of Ministers of 10 April 1981, laying down the Statutes and rules of operation of the Centre for Industrial Development, hereinafter referred to as "the Centre", and in particular Article 7(5) thereof,

(*) See also p. 43.

Whereas the conditions of employment of the staff of the Centre should be laid down;

Whereas the said conditions of employment should also apply to the Director and Deputy Director of the Centre, who are appointed by the Committee on Industrial Co-operation, hereinafter referred to as "the Committee", pursuant to Article 81(2) of the Convention;

Whereas steps should be taken to ensure the proper functioning of the Centre and to determine the conditions under which Protocol No 3 to the Convention, on privileges and immunities, can be applied to certain staff of that Centre;

Whereas, as provided for in the said Protocol No 3, the staff of the Centre shall enjoy the customary privileges, immunities and facilities in the territory of the Member States and of the ACP States, in particular, whilst carrying out their duties; whereas these privileges, immunities and facilities must be treated as comparable to those of similar institutions operating under like conditions,

HAS DECIDED AS FOLLOWS:

TITLE 1

GENERAL PROVISIONS

Article 1

1. This Decision lays down the conditions of employment applicable to:
 - the Director and Deputy Director of the Centre;
 - the staff of the Centre;
 - the local staff of the Centre.

2. For the purposes of this Decision persons engaged to perform advisory and executive duties which require university education, advanced or intermediate level of secondary education or equivalent professional experience shall be regarded as staff.

3. For the purposes of this Decision persons engaged according to local practice to perform manual or service duties in a category not specified in Article 3 of this Decision shall be regarded as local staff.

TITLE II

STAFF

CHAPTER I

Provisions concerning recruitment

Article 2

1. Staff shall be appointed by the Director for a specified period which may not exceed the duration of the Convention.
2. The Director shall furnish the Committee with advance information on all pertinent matters relating to the recruitment of staff.

Pertinent matters include the available posts, mode of advertisement, applications received and the method and basis of selection of the candidates.

3. The Director shall inform the Committee of the decisions which he has taken regarding the recruitment of staff.

Article 3

Staff shall be divided into categories corresponding to the duties to be performed.

Staff shall be graded according to qualifications and professional experience.

The following table shows the category and remuneration corresponding to each basic post:

	Category	Basic post	Remuneration Bfrs (Gross)		
			(a)	(b)	(c)
I. Directorate	1	Director	265,421		
	2	Deputy Director	242,806		
II. Administrative staff	3 A)	Technical adviser	172,944	183,153	193,361
	3 B)		152,527	162,135	172,944
	4 A)	Officer assigned special duties	132,110	141,718	152,527
	4 B)		110,093	121,301	132,110
III. Administrative assistants	5 A)	Assistant	81,068	90,576	100,884
	5 B)	Executive secretary	44,588	49,972	55,487

Article 4

Decisions whereby staff are appointed shall specify the duties to be performed by them and the remuneration to which they are entitled.

CHAPTER II

Rights and obligations

Article 5

Staff shall carry out their duties and conduct themselves solely with the interests of the Centre in mind; they shall neither seek nor take instructions from any government, authority, organization or person outside the Centre.

They shall not without the permission of the Director accept from any government or from any other source outside the Centre any honour, decoration, favour, gift or payment of any kind whatever, except for services rendered either before engagement or during leave for military or other national service and in respect of such service.

Article 6

Staff shall abstain from any action and, in particular, any public expression of opinion which may reflect adversely on their position.

They may not engage in an outside activity, whether gainful or not, that may be incompatible with the normal efficient performance of their duties or is likely to be detrimental to the best interests of the Centre.

Article 7

If the spouse of a staff member is in gainful employment, the staff member shall inform the Director thereof.

Should the nature of the employment prove to be incompatible with that of the staff member and if the latter is unable to give an undertaking that it will cease within a specified period, the Director shall decide whether the staff member is to continue in his post.

Article 8

Any staff member who in the performance of his duties is called upon to decide on a matter in the handling or outcome of which he has a personal interest such as to impair his independence shall inform the Director thereof.

Article 9

After leaving the service, staff shall be expected to behave with integrity and discretion as regards the acceptance of certain appointments or benefits.

Article 10

Staff shall exercise the greatest discretion with regard to all facts and information coming to their knowledge in the course of or in connection with the performance of their duties; they shall not in any manner whatsoever disclose to any unauthorized natural or legal person any document or information not already made public. They shall continue to be bound by this obligation after leaving the service.

Staff shall not, whether alone or together with others, publish or cause to be published, without the permission of the Director, any matter dealing with the work of the Centre. Permission shall be refused only where the proposed publication is liable to prejudice the interests of the Centre.

All rights in any writings or other work done by staff in the performance of their duties shall be the property of the Centre.

Article 11

Staff shall reside either in the place where they are employed or at no greater distance therefrom than is compatible with the proper performance of their duties.

Article 12

Whatever his rank, a staff member shall assist and tender advice to his superiors; he shall be responsible for the performance of the duties assigned to him.

A staff member in charge of any branch of the service shall be responsible to his superiors in respect of the authority conferred on him and for the carrying out of instructions given by him. The responsibility of his subordinates shall in no way release him from his own responsibilities.

A staff member who receives instructions which he considers to be irregular or likely to give rise to serious difficulties shall inform his immediate superior thereof, if necessary, in writing. If he then receives written confirmation of the instructions from his superior, he shall carry them out unless they constitute a breach of law.

Article 13

A staff member may be required to make good in whole or in part any damage suffered by the Centre as a result of serious misconduct on his part in the course of or in connection with the performance of his duties. A reasoned decision shall be given by the Director.

Article 14

The Centre shall compensate any staff member for damage suffered as a result of threats, insulting or defamatory acts or utterances, or any attack to person or property to which he or a member of his family is subjected by reason of his position or duties, insofar as he did not either intentionally or through grave negligence cause the damage and has been unable to obtain compensation from the person who did cause it.

Article 15

Staff shall be entitled to exercise the right of association; they may in particular be members of trade unions or staff associations.

CHAPTER III

Conditions of engagement

Article 16

1. Recruitment of staff shall be directed to securing for the Centre the services of persons of the highest standard of ability, efficiency and integrity

Staff shall be selected without reference to race, creed or sex.

2. A staff member may be appointed only on condition that:
- (a) he is a national or one of the States signatory to the Convention, unless an exception is authorized by the Committee, and enjoys his full rights as a citizen;
 - (b) he has fulfilled any obligations imposed on him by the laws concerning military service applicable to him;
 - (c) he produces the appropriate character references as to his suitability for the performance of his duties.
3. Before being engaged, staff members shall be medically examined by a medical practitioner appointed by the Centre.

Article 17

A staff member shall be required to serve a probationary period not exceeding six months.

During the probationary period the employment of a staff member whose work proves unsatisfactory may be terminated by the Director. In such case the staff member shall be paid, in lieu of notice, one month's salary or one third of his basic salary for each complete month worked on probation, whichever is the greater.

CHAPTER IV

Working conditions

Article 18

Staff in active employment shall at all times be at the disposal of the Centre. However, the normal working week shall not exceed forty-two hours, the hours of the normal working day to be determined by the Director.

Article 19

Staff may not be required to work overtime except in cases of urgency or exceptional pressure of work; night work and all work on Sundays or public holidays may be authorized only in accordance with the procedure laid down by the Director.

Article 20

Staff shall be entitled to annual leave of not less than twenty-four working days nor more than thirty working days per calendar year, in accordance with rules to be laid down by the Director.

Apart from this annual leave, staff may exceptionally, on application, be granted by the Director special leave of very short duration with full pay, for example in the case of unusual domestic circumstances.

Article 21

Pregnant women shall, in addition to the leave provided for in Article 20, be entitled on production of a medical certificate to leave with full pay starting six weeks before the expected date of confinement shown in the certificate and ending eight weeks after the date of confinement; such leave shall not be for less than fourteen weeks.

Article 22

A staff member who provides evidence of incapacity to perform his duties because of sickness or accident shall automatically be entitled to paid sick leave within the limits set by detailed rules to be established by the Director.

Article 23

Except in case of sickness or accident, a staff member may not be absent without prior permission from his immediate superior. Without prejudice to any disciplinary measures that may apply, any unauthorized absence which is duly established shall be deducted from the annual leave of the staff member concerned. If he has used up his annual leave, he shall forfeit his remuneration for an equivalent period.

Article 24

In exceptional circumstances the Director may grant a staff member, at the latter's request, unpaid leave on compelling personal grounds. The Director shall determine the length of such leave, which shall not exceed one quarter of the length of time already worked by the staff member concerned or three months, whichever is the shorter.

The length of the period of leave referred to in the preceding paragraph shall not count for the purposes of applying the second paragraph of Article 28.

Article 25

The list of public holidays shall be drawn up by the Director.

Article 26

A staff member who is recalled for military service shall be placed on leave with full remuneration, for a period equal to the length of time worked by him, up to a maximum of three months. At the end of this period he shall, for the remainder of his service in the armed forces and up to a maximum of half the length of time worked by him, receive compensation equal to one third of his basic salary. At the end of this further period he shall be placed on unpaid leave.

However, the payments provided for in the preceding paragraph shall be reduced by the amount of service pay received by the staff member concerned during the relevant period.

CHAPTER V

Remuneration and expenses

Article 27

A staff member shall be entitled to the remuneration carried by his category.

Staff members who have two years' seniority may, by decision of the Director, receive an increase of up to 6% of their initial salaries during the period covered by the Convention.

The Committee may decide, on a proposal from the Director, to adjust the remuneration laid down in Article 3 in order to take account of trends in the cost of living and in purchasing power.

Article 28

A staff member shall be entitled to reimbursement of expenses incurred by him on taking up appointment or leaving the service.

A member of staff shall also be entitled to reimbursement of expenses incurred by him in the course of or in connection with the performance of his duties.

The conditions governing reimbursement shall be determined by the Director who will bring them to the notice of the Committee.

Article 29

In the event of the death of a staff member during the performance of his contract, the Centre shall pay to the persons who were his dependents an overall sum equivalent to full remuneration for three months, at the rate at which the person concerned was paid at the time of his death.

In the event of the death of a staff member, the spouse and dependent children shall be entitled to the payment or reimbursement of their travel expenses and the cost of transport of their own and the deceased's personal effects and baggage.

In the event of the death of a staff member, or of his spouse or of one of his dependent children, the Centre shall bear the costs involved in transporting the body to the staff member's place of origin.

Without prejudice to any other Article, the Centre shall also bear the cost of return travel for a member of the family of the deceased to accompany the body to the deceased's country of origin.

CHAPTER VI

Recovery of overpayments

Article 30

Any sum overpaid shall be repaid. The Director shall determine the detailed arrangements of such repayments.

CHAPTER VII

Termination of employment

Article 31

1. Apart from cessation on death or dismissal at the end of the probationary period, employment shall cease:
 - (a) on the date stated in the instrument of appointment;
 - (b) at the end of the period of notice specified in the instrument of appointment where the latter contains a clause giving the staff member or the Centre the option to terminate earlier. Such period of notice shall be not more than three months.
 - (c) not later than the date of expiry of the Convention.

2. If the Director, acting in the name of the Centre, terminates the employment, the staff member shall be entitled to compensation equal to one third of his basic salary for the period between the date when his employment ends and the date when his engagement was due to terminate. Such compensation may not, however, be equal to more than six months' basic salary.

Article 32

1. Employment may be terminated without notice on disciplinary grounds in serious cases of failure of staff to comply with their obligations, whether intentionally or through negligence on their part. A reasoned decision shall be taken by the Director after the person concerned has had an opportunity to submit his defence.
2. In the case referred to in paragraph 1 the Director may decide to withhold from the person concerned all or part of the compensation provided for in Article 31.
3. The Director shall inform the Committee of any such dismissal.

TITLE III

THE DIRECTOR AND DEPUTY DIRECTOR

Article 33

1. The provisions laying down rights and obligations for staff shall apply mutatis mutandis to the Director and Deputy Director.
2. Where, in the context of the conditions of employment laid down in this Decision, it is provided that the Director shall take decisions with respect to the staff and local staff, the Committee shall take such decisions with respect to the Director and Deputy Director.

Similarly, where it is provided that the staff and local staff shall give information to the Director, the Director and Deputy Director shall give such information to the Committee.

TITLE IV

PROVISIONS CONCERNING TAXATION, SOCIAL SECURITY
AND JURISDICTION

Article 34

As regards social security, the Director, the Deputy Director and the staff of the Centre, and where necessary the members of their family, shall be subject to the legislation of the State in whose territory the Centre has its seat, unless they opt for application of the legislation of the State to which they were last subject or of the State of which they are nationals or of any other scheme defined under the Headquarters Agreement. However, this choice may be exercised only once and must be made within six months from the date of appointment and shall take effect on the date on which duties are taken up.

Article 35

1. The Director, the Deputy Director and the staff of the Centre shall be liable to a tax for the benefit of the Centre on salaries, wages and emoluments paid by the Centre.

The conditions and procedures for applying this tax are laid down in the Annex. The Committee shall be empowered to amend that Annex if necessary.

2. Tax shall be collected by the Centre by means of deduction at source. The proceeds of the tax shall be entered as revenue in the budget of the Centre.
3. The persons referred to in paragraph 1 shall be exempt from national taxes on salaries, wages and emoluments paid by the Centre.

Article 36

1. In the event of a dispute between the Director, and Deputy Director or the staff of the Centre on the one hand and the Centre on the other, the dispute shall be brought to the attention of the Committee, which, with a view to seeking a solution, shall examine it. The Committee may appoint an arbitrator.
2. If the Committee or, as the case may be, the arbitrator, is unable to reach a solution acceptable to the parties to the dispute within two months of its notification or, as the case may be, the appointment of the arbitrator, either party may initiate arbitration proceedings. To this end one party shall inform the other of the nomination of an arbitrator. The other party shall then be required to nominate a second arbitrator within one month. The two arbitrators shall choose a third arbitrator.
3. The decisions taken by the arbitration body shall be binding on the parties and, to the extent necessary, shall be rendered enforceable for the relevant authorities of the Member States and for the institutions and bodies set up under the Convention.
4. The disputes referred to in paragraph 1 may not be subject to any other method of settlement.

TITLE V

LOCAL STAFF

Article 37

With the exception of Articles 3, 17, 20 to 24, 27 and 31, Title II shall apply mutatis mutandis to local staff.

Article 38

The conditions of employment of local staff and in particular:

- (a) the manner of their engagement and termination of their contract;
- (b) their leave, and
- (c) their grading and remuneration

shall be determined by the Director in accordance with current rules and practices in the place where they are to perform their duties.

Article 39

As regards social security, the Centre shall cover the employer's share of the social security contributions required under current regulations in the place where the local staff are to perform their duties.

TITLE VI

FINAL PROVISIONS

Article 40

Any member of the staff or the local staff may submit to the Director a request that he take a decision relating to him. The Director shall notify the person concerned of his reasoned decision within one month from the date on which the request was made. If at the end of that period no reply to the request has been received, this shall be deemed to constitute an implied decision rejecting it.

Article 41

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

It shall apply from 1 January 1981.

Article 42

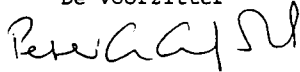
The ACP States, the Member States and the Community shall be bound, each to the extent to which it is concerned, to take the measures necessary to implement this Decision.

Udfærdiget i Bruxelles, den
Geschehen zu Brüssel am
Done at Brussels,
Fait à Bruxelles, le
Έγινε στις Βρυξέλλες, στις
Fatto a Bruxelles, addì
Gedaan te Brussel,

2 septembre 1981

For Udvalget for industrielt Samarbejde
Im Namen des Ausschusses für industrielle Zusammenarbeit
For the Committee on Industrial co-operation
Par le Comité de coopération industrielle
Για την Έπιτροπή Βιομηχανικής Συνεργασίας
Per il Comitato per la cooperazione industriale
Voor het Comité voor industriële samenwerking

Formand
Der Präsident
The President
Le président
Ο Πρόεδρος
Il Presidente
De Voorzitter



Chief Peter A. AFOLABI

Conditions and procedure for applying the tax
for the benefit of the Centre for
Industrial Development

1. The Director, the Deputy Director and the staff of the Centre, excluding local staff, shall be liable to the tax for the benefit of the Centre referred to in Article 35 of the Decision.

The tax shall be payable each month on salaries and emoluments of any kind paid by the Centre to each person liable.

However, monies and allowances, whether lump sums or not, which represent compensation for expenses incurred in the performance of official duties, shall be excluded from the basic taxable amount.

2. Family allowances and social benefits shall be deducted from the basic taxable amount.
3. An abatement of 10% for occupational and personal expenses shall be made from the amount obtained by applying paragraphs 1 and 2.

An additional abatement equivalent to twice the amount of the allowance for a dependent child paid to the person liable shall be made for each child or person dependent on the person liable.

Sums paid by persons liable on account of the social legislation to which they are subject shall be deducted from the basic taxable amount.

4. The tax shall be calculated on the taxable amount obtained by applying paragraph 3, disregarding any amount not exceeding 803 Bfrs and by applying the rate of:

8	%	to amounts between	803	and	14,178	Bfrs
10	%	to amounts between	14,179	and	19,528	Bfrs
12.50%		to amounts between	19,529	and	22,380	Bfrs
15	%	to amounts between	22,381	and	25,413	Bfrs
17.50%		to amounts between	25,414	and	28,265	Bfrs
20	%	to amounts between	28,266	and	31,030	Bfrs
22.50%		to amounts between	31,031	and	33,883	Bfrs
25	%	to amounts between	33,884	and	36,648	Bfrs
27.50%		to amounts between	36,649	and	39,500	Bfrs
30	%	to amounts between	39,501	and	42,265	Bfrs
32.50%		to amounts between	42,266	and	45,118	Bfrs
35	%	to amounts between	45,119	and	47,883	Bfrs
40	%	to amounts between	47,884	and	50,735	Bfrs
45	%	to amounts over	50,735			Bfrs.

A weighting of 1.941935 shall be applied to the above amounts.

The amount of tax shall be rounded down to the lower unit.

5. By way of derogation from paragraphs 3 and 4, sums paid as compensation for overtime shall be taxed at the rate which, in the month preceding that of payment, was applied to the highest portion of the taxable amount of the employee's remuneration.

Payments made on account of termination of service shall be taxed, after applying the abatements laid down in the first two subparagraphs of paragraph 3, at a rate equal to two thirds of the ratio existing, at the time of the last salary payment, between

- the amount of tax payable and
- the basic taxable amount as defined in paragraphs 1, 2 and 3.

6. When the taxable payment covers a period of less than one month the rate of the tax shall be that which is applicable to the corresponding monthly payment.

When the taxable payment covers a period of more than one month the tax shall be calculated as if this payment had been spread evenly over the months to which it relates.

Corrective payments not related to the month during which they are paid shall be subject to the tax to which they would have been subject had they been made at the proper time.

7. The Committee shall adopt any necessary provisions concerning the application of the arrangements laid down in this Annex.

The Director of the Centre shall ensure that these arrangements are applied.

Where necessary he shall refer by analogy to the relevant arrangements applicable to officials of the European Communities and in particular to Council Regulation (EEC, Euratom, ECSC) No 260/68 of 29 February 1968 laying down the conditions and procedure for applying the tax for the benefit of the European Communities, as last amended by Regulation (Euratom/ECSC/EEC) No 913/78.

DECISION No 3 /81/CIC
OF THE COMMITTEE ON INDUSTRIAL CO-OPERATION
OF 2.IX.81

adopting the Financial Regulation
of the ACP-EEC Centre for Industrial Development (*)

THE COMMITTEE ON INDUSTRIAL CO-OPERATION,

Having regard to the Second ACP-EEC Convention signed at Lomé
on 31 October 1979, and in particular Article 81(5) thereof,

Having regard to Decision No 6/81 of the ACP-EEC Council of
Ministers of 10 April 1981, laying down the Statutes and rules
of operation of the Centre for Industrial Development, hereinafter
referred to as "the Centre", and in particular Article 6
thereof,

(*) See also page 43.

Whereas, under the terms of the said Article, the procedures for adopting and implementing the budget of the Centre are laid down in the Financial Regulation adopted by the Committee on Industrial Co-operation, hereinafter referred to as "the Committee",

HAS DECIDED AS FOLLOWS:

I. GENERAL PRINCIPLES

Article 1

1. All items of revenue and expenditure of the Centre shall be included in estimates to be drawn up for each financial year and shall be shown in the budget.
2. The revenue and expenditure shown in the budget shall be in balance.

Article 2

The budget shall be drawn up in ECU as defined by the Council of the European Communities.

Article 3

Revenue shall include the contribution by the European Development Fund, the amount levied in taxes on the salaries, wages and other emoluments paid by the Centre, and any other resources which the Centre may possess.

Article 4

1. The estimates of the expenditure shall include recurrent and programme expenditure.
2. The financial year shall begin on 1 January and end on 31 December of each year.

Expenditure entered in the budget shall be authorized for a period of one financial year. However, the Director of the Centre, hereinafter referred to as "the Director", shall be authorized to carry forward appropriations which have been committed and not yet paid as at 31 December to the following financial year only.

By way of exception, such appropriations may be carried forward to another financial year with the authorization of the Committee.

Appropriations which have been carried forward to the following financial year shall be distinguished in the accounts of the current year.

3. If, at the beginning of a financial year, the budget has not yet been adopted, the Director may incur current and programme expenditure monthly, provided that such expenditure does not exceed one-twelfth of the appropriations entered under this title in the budget for the previous financial year and that this arrangement does not have the effect of placing at his disposal appropriations in excess of one-twelfth of those provided for in the draft budget.

II. ESTABLISHMENT OF THE BUDGET

Article 5

1. The Director shall, on the basis of the annual work programme of the Centre and after consulting the Advisory Council of the Centre, draw up a preliminary draft annual budget for the Centre which he shall submit to the Committee together with the opinion of the Advisory Council no later than 15 September of the year preceding that of its execution.

2. The budget shall include a schedule for the paying in of revenue.

The dates for the payment of the contribution to be made by the European Development Fund shall be fixed by agreement with the Commission of the European Communities, hereinafter referred to as "the Commission". The balance of the contribution from the preceding year corresponding to the appropriations which have become null and void shall be deducted.

3. The budget shall be subdivided into titles, chapters, articles and items according to the nature or purpose of the revenue or expenditure.

Article 6

1. The draft budget, drawn up as far as possible within the framework of the multiannual estimates, shall be adopted by the Committee by 15 November at the latest. It shall be forwarded to the Commission, which shall initiate the Community procedures in force as regards the contribution requested from the European Development Fund, on the basis of the separate allocation up to a ceiling of 25 million ECU provided for this purpose.

2. The budget shall be deemed to be finally adopted as from the date on which the relevant Community authority took the financing decision on the contribution requested from the European Development Fund.

Article 7

Where necessary the Director may submit a draft supplementary or amending budget which shall be submitted, examined, established and adopted in the same form and according to the same procedure as the budget of which it amends the estimates.

III. IMPLEMENTATION OF THE BUDGET

Article 8

1. The Director shall ensure that the budget is implemented on his own responsibility and within the limit of the appropriations allocated. He shall report to the Committee on the administration of the budget.
2. The Director must apply the budget appropriations in accordance with the principles of economy and sound financial management.

Article 9

No revenue or expenditure may be effected unless charged to the appropriate Article of the Budget.

No expenditure may be committed in excess of the appropriations authorized for the financial year concerned or of the authorizations granted in respect of subsequent financial years.

No expenditure shall be authorized in excess of the limit of the appropriations allocated. The entire amount of proceeds shall be recorded as revenue without any setting-off between revenue and expenditure.

Article 10

Transfers from one chapter to another shall be decided by the Committee.

Transfers from one article to another within a chapter shall be decided by the Director, who shall inform the Committee accordingly.

Article 11

The revenue of the Centre shall be paid into one or more accounts opened in the name of the Centre.

IV. ADMINISTRATION OF THE BUDGET

Article 12

1. The budget of the Centre shall be administered in accordance with the principle that authorizing officers and accounting officers fulfil separate functions. The appropriations shall be administered by the authorizing officer, who alone shall have the power to enter into commitments regarding expenditure, establish sums due to be collected and issue revenue and payment orders.

2. Collection and payment operations shall be carried out by the accounting officer.
3. The authorizing officer may not exercise the functions of accounting officer.

Article 13

1. All measures which may give rise to expenditure payable by the Centre must be preceded by a commitment on the part of the authorizing officer.
2. A provisional commitment may be entered into in respect of current expenditure.
3. An account shall be kept of commitments and authorizations.

Article 14

1. The purpose of clearance of expenditure by way of the authorizing officer shall be:
 - (a) to verify the existence of the rights of the creditor;
 - (b) to determine or verify the existence and the amount of the debt;
 - (c) to verify the conditions under which payment falls due.

2. Clearance of any expenditure shall be subject to the submission of supporting documents showing the creditor's claim and, where appropriate, the service rendered.

Article 15

1. Authorization shall be the act whereby the authorizing officer, by the issue of a payment order, authorizes the accounting officer to pay an item of expenditure which he has cleared.
2. The payment order shall be accompanied by the original supporting documents, which shall bear or be accompanied by the approval of the authorizing officer confirming that the amounts to be paid are correct, that the supplies have been received or that the service has been performed.
3. Copies of the supporting documents, certified as true copies by the authorizing officer, may, in some cases, be accepted in place of the originals.

Article 16

1. Payment shall be the final act whereby the Centre is discharged of its obligations towards its creditors.

2. Payment shall be made by the accounting officer within the limits of the funds available.

In the event of an error of substance or of the validity of the discharge being contested or of failure to comply with the procedures prescribed by this Financial Regulation, the accounting officer must suspend payment.

3. Payments shall, as a general rule, be effected through a bank or post office giro account.
4. Cheques and post office or bank transfer orders shall bear two signatures, one of which must be that of the accounting officer.
5. A receipt shall be obtained in respect of cash payments.
6. The conversion rates to be used for the calculation in ECU of payments to be made or of revenue to be collected shall be those in force on the first working day of the effective month of such operations. This date shall correspond to that on which the account or accounts of the Centre were debited or credited.

Article 17

1. The Director shall be the authorizing officer for the appropriations entered in the budget of the Centre.

2. The Director may delegate his powers to an agent under his authority. Each decision to delegate powers shall state the duration and extent of the mandate.

Article 18

The collection of revenue and the payment of expenditure shall be carried out by the accounting officer, who shall alone be empowered to manage funds and assets. He shall be responsible for their care.

Article 19

1. The recovery of any sum due to the Centre shall give rise to the issue, by the authorizing officer, of a revenue order.
2. The accounting officer shall assume responsibility for revenue orders forwarded to him by the authorizing officer.
3. A receipt shall be issued in respect of all cash payments made to the accounting officer.

V. AUDITORS

Article 20

The Committee shall jointly appoint two auditors who shall discharge their duties jointly.

The task of the auditors shall be to audit the books and the cash of the Centre, to verify that the inventories and balance sheets have been drawn up in a regular manner and in good faith and to ensure that the information given regarding the accounts of the Centre is correct.

The purpose of the audit, which shall be based on records and, if necessary, performed on the spot, shall be to establish that all revenue has been received and all expenditure incurred in a lawful and regular manner and that the financial management has been sound.

After the close of each financial year the auditors shall draw up a report to the Committee on the manner in which they have carried out their task. The report shall also be forwarded to the Centre and to the Advisory Council.

On the basis of this report and the balance sheet for the financial year, the Committee shall give the Director a discharge in respect of the implementation of the budget.

VI. GENERAL PROVISIONS

Article 21

Contracts relating to purchases of supplies, equipment and movable property, the provision of services, or works shall be concluded following an invitation to tender.

However, they may be concluded by direct agreement:

- (a) where the amount of the contract does not exceed 2,500 ECU;
- (b) where, because of the extremely urgent nature of the supplies, services or works concerned, there is no time to use the tendering procedure, provided that prior approval is obtained from the Chairman of the Committee,
- (c) exceptionally, where the nature or specialized character of the operation necessitates recourse to specific equipment or to a specific expert, provided that prior approval is obtained from the Chairman of the Committee.

Article 22

1. A permanent quantitative inventory shall be kept of all movable and immovable property belonging to the Centre.

Only movable property whose value is 10 ECU or more shall be entered in the inventory.

The inventory number shall be entered on each invoice before the latter is paid.

2. The sale of movable property and equipment of a unit purchase value in excess of 500 ECU shall be suitably advertised.
3. A record signed by both the Director of the Centre and the person responsible for the equipment shall be drawn up whenever any property or article in the inventory is disposed of, scrapped or is missing on account of loss, theft, or any other reason.

Article 23

1. The accounts shall be kept, expressed in ECU, by the double entry method and on the basis of the calendar year. They shall show all revenue and expenditure between 1 January and 31 December of each year and shall include the supporting documents.
2. Entries shall be made on the basis of an accounting system comprising a nomenclature of budgetary items which makes a clear distinction between the accounts which permit the balance sheet to be drawn up and those which permit the revenue and expenditure account to be drawn up. These entries shall be recorded in books or on cards, which shall make it possible to draw up a general monthly balance.
3. Each quarter a statement shall be drawn up showing the situation of the current budget and expenditure effected; this statement shall be forwarded to the Committee.
4. The balance sheet and the revenue and expenditure account shall be submitted to the Committee in ECU no later than 31 March of the following year.

Udfærdiget i Bruxelles, den
Geschehen zu Brüssel am
Done at Brussels,
Fait à Bruxelles, le
Έγινε στις Βρυξέλλες, στις
Fatto a Bruxelles, addì
Gedaan te Brussel,

2 septembre 1981

For Udvalget for industrielt Samarbejde
Im Namen des Ausschusses für industrielle Zusammenarbeit
For the Committee on Industrial co-operation
Par le Comité de coopération industrielle
Για την Έπιτροπή Βιομηχανικής Συνεργασίας
Per il Comitato per la cooperazione industriale
Voor het Comité voor industriële samenwerking

Formand
Der Präsident
The President
Le président
Ο Πρόεδρος
Il Presidente
De Voorzitter



Chief Peter A. AFOLABI

DECISION No 4/81/CIC
OF THE COMMITTEE ON INDUSTRIAL CO-OPERATION
OF 18 DECEMBER 1981

adopting the budget of the Centre
for Industrial Development (financial year 1982) (*)

THE COMMITTEE ON INDUSTRIAL CO-OPERATION,

Having regard to the Second ACP-EEC Convention signed at Lomé on 31 October 1979, hereinafter referred to as the "Convention", and in particular Article 81(5) thereof,

Having regard to Decision No 6/81 of the ACP-EEC Council of Ministers of 10 April 1981 laying down the statutes and rules of operation of the Centre for Industrial Development, hereinafter referred to as the "Centre", and in particular Articles 6 and 8 thereof,

Having regard to Decision No 3/81/CIC of the Committee on Industrial Co-operation of 2 September 1981 adopting the Financial Regulation of the Centre, and in particular Articles 1 to 6 thereof,

(*) See also pages 43 and 155 of this Compilation.

Whereas by a letter dated 7 July 1981 the Director of the Centre submitted to the Committee a preliminary draft annual budget for the Centre (financial year 1982), together with the opinion of the Advisory Council;

Whereas the Committee examined, in the light of the opinion of the Advisory Council, this preliminary draft, on which the Community and the ACP States agreed subject to certain additional details;

Whereas the draft budget of the Centre was adopted by the Committee on 30 November 1981 and has been forwarded to the Commission, which initiated the Community procedures in force as regards the contribution requested from the European Development Fund, on the basis of the separate allocation up to a ceiling of 25 million Ecus provided for this purpose;

Whereas on 18 December 1981 the relevant Community authority took the financing decision on the contribution requested from the European Development Fund;

Whereas the budget shall be deemed to be finally adopted at this last date,

HAS DECIDED AS FOLLOWS:

Sole Article

The budget of the Centre for the financial year 1982, as contained in the Annex hereto, is hereby finally adopted.

Udfærdiget i Bruxelles, den
Geschehen zu Brüssel am
Done at Brussels,
Fait à Bruxelles, le
Έγινε στις Βρυξέλλες, στις
Fatto a Bruxelles, addì
Gedaan te Brussel,

12.12.1981

For Udvalget for industrielt Samarbejde
Im Namen des Ausschusses für industrielle Zusammenarbeit
For the Committee on Industrial co-operation
Par le Comité de coopération industrielle
Για την Έπιτροπή Βιομηχανικής Συνεργασίας
Per il Comitato per la cooperazione industriale
Voor het Comité voor industriële samenwerking

Formand
Der Präsident
The President
Le président
Ο Πρόεδρος
Il Presidente
De Voorzitter

H. EUTLER

H. Eutler

BUDGET FOR THE FINANCIAL YEAR 1982

ANNEX

	<u>1981</u>	<u>1982</u>	<u>Appropriations</u> <u>1981</u>	<u>Appropriatic</u> <u>1982</u>
TITLE 1 - <u>STAFF EXPENDITURE</u>				
Chapter 11 - <u>Staff</u>				
Art. 111 - <u>Salaries</u>			1.260.361	1.615.000
<u>Existing staff</u>	1.260.361	1.565.000 (*)		
- Director/Deputy Director				
- 5 Technical Advisers 3A				
- 7 Technical Advisers 3B				
- 2 Special Duty Officers 4A				
- 5 Special Duty Officers 4B				
- 8 Assistants 5A				
- 8 Secretaries 5B				
- 1 Driver (local)				
- 1 Messenger (local)				
- Holiday allowance for above				
- Temporary employment		50.000		
Art. 112 - <u>Provision for increase</u>			96.504	68.40
- Increase of 6% of initial salary (Article 27, second subparagraph, of Decision No 2/81/CIC of 2.9.1981)	14,500	token entry		
- Rise in cost of living 01/09/1981 to 01/09/82 = 8% (following a decision by CIC)	75.621	63.879		
- Holiday Allowance for above	6.383	4.524		
Art. 113 - <u>Social Charges</u>			468.400	632.84

(*) Including rise in cost of living from 01/09/1980 to 01/09/1981

			<u>Appropriations</u>	<u>Appropriati</u>
	<u>1981</u>	<u>1982</u>	<u>1981</u>	<u>1982</u>
Art. 114 - <u>Miscellaneous</u> <u>Allowances & Grants</u>			100.200	88.200
- Education Allowance	36.400	36.400		
- Transport Allowance	1.800	1.800		
- Resettlement Allowance	-	token entry		
- Installation Allowance	32.000	token entry		
- Allowance for periodic home leave	30.000	50.000		
Art. 115 - <u>Training & Development</u> <u>of Staff</u>				15.000
<hr/>				
TOTAL CHAPTER 11			<u>1.925.465</u>	<u>2.419.448</u>
TOTAL TITLE I			<u>1.925.465</u>	<u>2.419.448</u>

	<u>1981</u>	<u>1982</u>	<u>Appropriations</u>	<u>Appropriations</u>
			<u>1981</u>	<u>1982</u>
<u>TITLE 2 - BUILDINGS, EQUIPMENT & MISCELLANEOUS EXPENDITURE</u>				
<u>Chapter 21 - Rental of Building & Incidental Expenditure</u>				
Art. 211 - <u>Rent</u>			90.000	(1) 118.000
Art. 212 - <u>Incidental Expenditure</u> (utilities, insurance, etc.)			60.000	(1) 51.000
TOTAL CHAPTER 21			<u>150.000</u>	<u>169.000</u>
 <u>Chapter 22 - Moveable Property & Incidental Expenditure</u>				
Art. 221 - <u>Purchase Office Machinery & Furniture</u> Purchase due to increased activity.			4.000	5.000
Art. 222 - <u>Rental Furniture & Equipment</u>			10.000	10.000
Art. 223 - <u>Maintenance Furniture & Equipment</u>			18.750	18.750
Art. 224 - <u>Transport Equipment, Maintenance, Repairs, Use</u>			4.500	5.000
Art. 225 - <u>Documentation Expenses</u>			token entry	token entry
TOTAL CHAPTER 22			<u>37.250</u>	<u>38.750</u>

(1) including 6% for increase in cost of living.

		<u>Appropriations</u>		<u>Appropriation</u>	
		1981	1982	1981	1982
Chapter 23 - <u>Current Administrative Operating Expenditure</u>					
Art. 231	- <u>Stationery & Office Supplies</u>			17.500	15.000
Art. 232	- <u>Postal Charges & Telecommunications</u>			85.000	87.500
	- Postage	15.000	17.500		
	- Telephone, Telex and Telegraph	70.000	70.000		
Art. 235	- <u>Other Operating Expenditure</u>			16.500	11.000
	- Translation costs	6.500	2.500		
	- Miscellaneous administrative expenses	10.000	6.500		
TOTAL CHAPTER 23				119.000	113.500
Chapter 24 - <u>Mission expenses, Representation & Entertainment Expenditure</u>					
Art. 241	- <u>General & Duty Travel Expenses (Europe and ACP countries) (a)</u>			135.000	20.000
Art. 242	- <u>General Representation & Entertainment Expenses</u>			15.000	15.000
TOTAL CHAPTER 24				150.000	35.000
TOTAL TITLE 2				456.250	356.250

(a) See also new Article 341.

			<u>Appropriations</u>	<u>Appropriations</u>
	<u>1981</u>	<u>1982</u>	<u>1981</u>	<u>1982</u>
TITLE 3 - OPERATIONS				
Chapter 31 - Industrial Promotion				
Art. 311 - CID antennae field activities in ACP States: promotion of industrial contacts (20 antennae + 40 specific assignments + annual meeting) ⁽¹⁾	100,000			210,000 ⁽¹⁾
Art. 312 - ACP Industrial potential surveys:				
(i) preliminary identification action:	140,000	150,000		
(ii) in-depth studies concerning least developed countries (LDC):	100,000 (a)	150,000		300,000
Art. 313 - Attendance at seminars, symposia, etc.	200,000 (b) + 50,000 (c)			10,000
Art. 314 - CID antennae field activities in EEC: prosecution for partners in industrial undertakings (10 promoters x 3000 EUA) + 30 contacts x 1500 EUA + 30 EEC liaison contacts x 400 EUA	100,000 (d)			87,000
Art. 315 - Travel Incentive Scheme and advice towards joint-ventures for ACP and EEC industrialists (20 x 5000 EUA and 20 x 2000 EUA respectively) Assistance to Chambers of Commerce	75,000 (e)			150,000
			<hr/>	<hr/>
TOTAL CHAPTER 31			740,000 (f)	757,000
			<hr/>	<hr/>

(a) ex Article 322.

(b) ex Article 313.

(c) ex Article 314.

(d) ex Article 315.

(e) ex Article 316.

(f) ex Article 317 (75,000), now 342, and ex Article 314 (50,000) now 343, but not including new Article 312 (ii), ex Article 322 (100,000).

⁽¹⁾ Within the framework of the appropriation appearing in this Article the amount of 50,000 ECU relating to the "annual meeting" will only be committed after CID agreement.

	1981	Appropriations	
		1981	1982
Chapter 32 - <u>New productive undertakings: studies, assistance, information</u>			
Art. 321 - Feasibility studies, including financial analysis, for new industries (24 studies x 16,000 EUA)	240,000		384,000
Art. 322 - Planning of Industrial Development Enterprises (3 Interventions x 40,000 EUA)	60,000 (a)		120,000
Art. 323 - Assistance with implementation of industrial undertakings (15 items x 16,000 EUA)	300,000 (b)		240,000
Art. 324 - Preparation and Publication of information and promotional material, press relations	100,000 (c)		60,000
TOTAL CHAPTER 32		800,000 (d)	804,000
Chapter 33 - <u>Technical Operations and Services</u>			
Art. 331 - Assistance with expansion or rehabilitation of ACP industries (10 operations x 25,000 EUA)		200,000	250,000
Art. 332 - Development of industrial profiles based on proven adapted technologies (20 profiles x 1500 EUA + 4 development of industrial technologies x 25,000 EUA)		40,000	130,000
Art. 333 - Implementation of selected enterprises based on such industrial profiles (4 projects x 25,000 EUA)		100,000	100,000
Art. 334 - In-plant training to help ACP industries (30 interventions x 10,000 EUA)		100,000	300,000

(a) ex Article 323.

(b) ex Article 324.

(c) ex Article 325.

(d) Including former Article 322 (100,000), now Article 312 (11).

			<u>Appropriations</u>		<u>Appropriation:</u>	
	<u>1981</u>	<u>1982</u>	<u>1981</u>		<u>1982</u>	
Art. 335 - Organisation of CID's technical library, documentation & computer services			80.000		40.000	
TOTAL CHAPTER 33			<u>520.000</u>		<u>820.000</u>	
Chapter 34 - <u>Common expenses directly related to interventions</u>		(a)				
Art. 341 - Travel expenses in connection with specific interventions (promotion in ACP countries, EEC liaisons, missions related to studies, technical operations and other actions)		(b)			200.000	
Art. 342 - In-CID Training		75.000 (c)			70.000	
Art. 343 - Industrial sector specialised meetings and seminars (2 x 50.000 or 1 x 100.000 EUA) 50.000 (d)					100.000	
TOTAL CHAPTER 34					<u>370.000</u>	
Chapter 35 - <u>Advisory Council Expenses & Supervisory Body</u>						
Art. 351 - Advisory Council Meetings	47.000 (e)	47.000				
Special action in their region		20.000				
Art. 352 - Supervisory Body	3.000 (f)	3.000			3.000	
TOTAL CHAPTER 35			<u>50.000</u>		<u>70.000</u>	
TOTAL TITLE 3			<u>2.110.000</u>		<u>2.821.000</u>	

- (a) New chapter
- (b) New Article
- (c) Ex Article 317
- (d) Ex Article 314
- (e) Ex Article 341
- (f) Ex Article 342

SUMMARY OF EXPENDITURE

			<u>Appropriations</u>	<u>Appropriation</u>
	1981	1982	1981	1982
<u>a) TITLES 1 & 2</u>				
Operating Expenditure			2.381.715	2.775.698
Title 1 :	1.925.465	2.419.448		
Title 2 :	456.250	356.250		
<u>b) TITLE 3</u>				
Programme Expenditure			2.110.000	2.821.000
<u>GRAND TOTAL EXPENDITURE</u>			<u>4.491.715</u>	<u>5.596.698</u>

REVENUE

a) Contribution from the European Development Fund			4.273.149	5.332.077
b) Revenue (estimates), in particular tax on salaries			218.566	264.621
- Tax on Salaries		184.621		
- Other Revenue		80.000		
<u>GRAND TOTAL REVENUE</u>			<u>4.491.715</u>	<u>5.596.698</u>

I. - ACP-EEC ACTS

4. ACTS OF THE CUSTOMS CO-OPERATION COMMITTEE

DECISION No 1/81
OF THE ACP-EEC CUSTOMS CO-OPERATION COMMITTEE
OF 12 FEBRUARY 1981

derogating from the definition of the concept
of "originating products" to take account of the special
situation of Malawi and Kenya
with regard to certain items of fishing tackle
(fishing flies) (*)

THE CUSTOMS CO-OPERATION COMMITTEE,

Having regard to the second ACP-EEC Convention signed in Lomé on 31 October 1979 (hereinafter referred to as "the Convention") ⁽¹⁾,

Whereas Article 30 of Protocol No 1 to the Convention concerning the definition of the concept of "originating products" and methods of administrative co-operation, makes provision for derogations to be made from the rules of origin by the Customs Co-operation Committee, in particular to facilitate the development of existing industries or the creation of new industries;

Whereas the African, Caribbean and Pacific States (ACP) have submitted a request for a derogation from the definition set out in Protocol No 1 for items of fishing tackle manufactured in Malawi and Kenya until 31 December 1981;

⁽¹⁾ OJ No L 347, 22.12.1980

(*) See implementing Regulation (No 1028/81 of 9.4.1981) on page 433.

Whereas the possibilities offered by the cumulation system on origin do not provide a solution to the origin problem for items of fishing tackle manufactured in Malawi and Kenya;

Whereas a derogation for 1980 has already been granted;

Whereas any possible deflection of trade should be avoided; whereas this can be achieved by fixing a maximum percentage of non-originating products incorporated in the finished product,

HAS DECIDED AS FOLLOWS:

Article 1

By way of derogation from the provisions of Protocol No 1, items of fishing tackle manufactured in Malawi and Kenya falling within tariff heading No ex 97.07, "fishing flies", shall be considered as originating in Malawi and Kenya provided that the value of the non-originating fish-hooks used for their manufacture, falling within tariff heading No ex 97.07, does not exceed 25% of the value of the finished product.

Article 2

The competent authorities of the Republic of Malawi and the Republic of Kenya shall forward to the Commission every quarter a statement of the quantities in respect of which movement certificates EUR 1 have been issued pursuant to this Decision, indicating the Member States of destination.

Article 3

The ACP States, the Member States and the Community shall be bound, each to the extent to which it is concerned, to take the measures necessary to implement this Decision.

Article 4

This Decision shall enter into force on 1 January 1981.

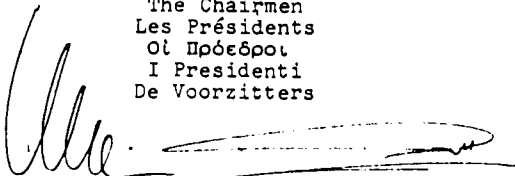
It shall apply until 31 December 1981.

Udfærdiget i Bruxelles, den
Geschehen zu Brüssel am
Done at Brussels,
Fait à Bruxelles, le
Έγινε στις Βρυξέλλες, στις
Fatto a Bruxelles, addì
Gedaan te Brussel,

12.2.1981

På Toldsamarbejdsudvalgets vegne
Im Namen des Ausschusses für Zusammenarbeit im Zollwe
For the Customs Co-operation Committee
Par le Comité de Coopération douanière
Από την Έπιτροπή Τελωνειακής Συνεργασίας
Per il Comitato di cooperazione doganale
Voor het Comité voor douanesamenwerking

Formænd
Die Präsidenten
The Chairmen
Les Présidents
Οι Πρόεδροι
I Presidenti
De Voorzitters



F. KLEIN

A. RAOUL

DECISION No 2/81
OF THE ACP-EEC CUSTOMS
CO-OPERATION COMMITTEE
OF 10 APRIL 1981

derogating from the definition of the concept of
"originating products" to take account of the special situation
of Mauritius with regard to its production of canned tuna (*)

THE CUSTOMS CO-OPERATION COMMITTEE,

Having regard to the Second ACP-EEC Convention signed at
Lomé on 31 October 1979, hereinafter referred to as
"the Convention".

(*) See implementing Regulation (No 1207/81 of 28.4.1981)
on page 434.

Whereas Article 30 of Protocol No 1 to the Convention concerning the definition of the concept of "originating products" and methods of administrative co-operation makes provision for derogations to be made from the rules of origin by the Customs Co-operation Committee, in particular to facilitate the development of existing industries or the creation of new industries;

Whereas the ACP States have submitted a request from the Government of Mauritius for a derogation from the definition set out in Protocol No 1 in respect of canned tuna produced by Mauritius;

Whereas Mauritius benefited from November 1977 until November 1979 from a derogation from the definition set out in Protocol No 1 for canned tuna produced by it in order to be able to maintain its existing fishery industry and to take the measures necessary for its finished products to obtain originating status there; whereas as an exceptional measure this derogation was renewed from March until August 1980;

Whereas Mauritius has proceeded to set up its own fleet of vessels with a view to supplying its canneries with sufficient tuna fish;

Whereas the fleet became operational during 1980; whereas, however, because of adverse climatic conditions the fleet was prevented from exploiting its maximum potential fishing capacity; whereas Mauritius has in addition been unable to obtain sufficient supplies of fish originating in other ACP States;

Whereas the Mauritius canning industry therefore continues to be dependent upon supplies of tuna fish from third countries in order to continue its export of canned tuna to the Community;

Whereas in these circumstances a temporary derogation from the definition of the concept of originating products should be accorded to Mauritius,

HAS DECIDED AS FOLLOWS:

Article 1

By way of derogation from the special provisions of List A in Annex II to Protocol No 1, canned tuna manufactured in Mauritius and falling within heading ex 16.04 of the Common Customs Tariff shall be considered as originating in Mauritius subject to the following conditions.

Article 2

The derogation provided for in Article 1 shall relate to 1,000 tonnes of canned tuna falling within heading ex 16.04 of the Common Customs Tariff and exported from Mauritius between 30 January 1981 and 29 January 1982.

Article 3

The competent authorities of Mauritius shall take the necessary steps to carry out quantitative checks on exports of the products referred to in Article 2 and shall forward to the Commission every three months a statement of the quantities in respect of which movement certificates EUR. 1 have been issued on the basis of this Decision.

Article 4

The ACP States, the Member States and the Community shall be bound, each to the extent to which it is concerned, to take the measures necessary to implement this Decision.

Article 5

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

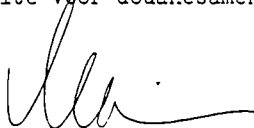
It shall apply from 30 January 1981 until 29 January 1982.

Udfærdiget i Bruxelles, den
Geschehen zu Brüssel am
Done at Brussels,
Fait à Bruxelles, le
Έγινε στις Βρυξέλλες, στις
Fatto a Bruxelles, addì
Gedaan te Brussel,

10.4.1981

På Toldsamarbejdsudvalgets vegne
Im Namen des Ausschusses für Zusammenarbeit im Zollwesen
For the Customs Co-operation Committee
Par le Comité de Coopération douanière
Από την Έπιτροπή Τελωνειακής Συνεργασίας
Per il Comitato di cooperazione doganale
Voor het Comité voor douanesamenwerking

† Etienne Alfred Laoué



Formænd
Die Präsidenten
The Chairmen
Les Présidents
Οι Πρόεδροι
I Presidenti
De Voorzitters

DECISION No 3 /81
OF THE ACP-EEC CUSTOMS CO-OPERATION COMMITTEE
OF 24.7.1981

derogating from the definition of the concept
of "originating products" to take account
of the special situation of Fiji
with regard to its production of canned tuna (*)

THE CUSTOMS CO-OPERATION COMMITTEE,

Having regard to the second ACP-EEC Convention signed at Lomé
on 31 October 1979, hereinafter referred to as "the Convention",

(*) See implementing Regulation (No 2392/81 of 18.8.1981) on
page 435.

Whereas Article 30 of Protocol No 1 to the Convention concerning the definition of the concept of "originating products" and methods of administrative co-operation **makes provision for derogations** to be made from the rules of origin by the Customs Co-operation Committee, in particular to facilitate the development of existing industries or the creation of new industries;

Whereas the ACP States have submitted a request from the Government of Fiji for a derogation from the definition set out in Protocol No 1 in respect of canned tuna produced by Fiji;

Whereas Fiji has a fleet of vessels in order to supply its canning industry with raw material for the production of canned tuna;

Whereas at present this fleet cannot supply sufficient quantities of tuna fish for the canneries to maintain the economic viability of its canning operations;

Whereas Fiji has made plans for the extension of its fishing fleet; whereas these plans will take several years to implement before the fleet is sufficiently large to catch the required quantities of tuna fish originating in Fiji for the canneries;

Whereas Fiji has been unable to obtain supplies of fish originating in other ACP States;

Whereas the Fijian canning industry is temporarily dependent upon supplies of tuna fish of third country origin;

Whereas in these circumstances a derogation limited to 750 tonnes per year will permit additional exports to the Community without changing the traditional patterns of trade; whereas in two years' time the extension of the Fijian fishing fleet should enable this derogation to be waived,

HAS DECIDED AS FOLLOWS:

Article 1

By way of derogation from the special provisions of List A in Annex II to Protocol No 1, canned tuna manufactured in Fiji and falling within heading No ex 16.04 of the Common Customs Tariff shall be considered as originating in Fiji subject to the following conditions.

Article 2

This derogation provided for in Article 1 shall relate to 750 tonnes per year of canned tuna falling within heading No ex 16.04 of the Common Customs Tariff and exported from Fiji between 1 September 1981 and 31 August 1983.

Article 3

The competent authorities of Fiji shall take the necessary steps to carry out quantitative checks on exports of the products referred to in Article 2 and shall forward to the Commission every three months a statement of the quantities in respect of which movement certificates EUR. 1 have been issued pursuant to this Decision.

Article 4

The ACP States, the Member States and the community shall be bound, each to the extent to which it is concerned, to take the measures necessary to implement this Decision.

Article 5

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

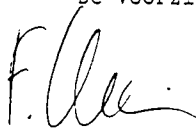
It shall apply from 1 September 1981 until 31 August 1983.

Udfærdiget i Bruxelles, den
Geschehen zu Brüssel am
Done at Brussels,
Fait à Bruxelles, le
Έγινε στις Βρυξέλλες, στις
Fatto a Bruxelles, addi'
Gedaan te Brussel,

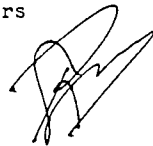
24.7.1981

På Toldsamarbejdsudvalgets vegne
Im Namen des Ausschusses für Zusammenarbeit im Zollwesen
For the Customs Co-operation Committee
Par le Comité de Coopération douanière
Από την Έπιτροπή Τελωνειακής Συνεργασίας
Per il Comitato di cooperazione doganale
Voor het Comité voor douanesamenwerking

Formænd
Die Präsidenten
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Les Présidents
Οἱ Πρόεδροι
I Presidenti
De Voorzitters



F. KLEIN



R. CHASLE

II. - ACCESSIONS

République de Vanuatu



Republic of Vanuatu

INSTRUMENT OF ACCESSION TO THE
SECOND ACP-EEC CONVENTION OF LOMÉ .(*)

To the Council of Ministers :

GREETINGS

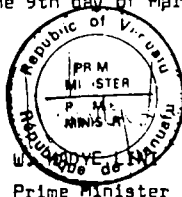
WHEREAS on 24th September 1980 the Government of the Republic of Vanuatu submitted a request for accession to the Second ACP-EEC Convention of Lomé;

AND WHEREAS the ACP-EEC Council of Ministers acting in conformity with Article 185 of the said Convention on 10th December 1980 approved the accession of the Republic of Vanuatu to the Second ACP-EEC Convention of Lomé;

AND WHEREAS it is provided in Article 185 of the Second ACP-EEC Convention of Lomé that a Country shall accede to that Convention by depositing an instrument of accession with the Secretariat of the Council of the European Communities;

NOW THEREFORE, I WALTER HADYE LINI, Prime Minister of the Republic of Vanuatu, declare that the Republic of Vanuatu hereby accedes to the Second ACP-EEC Convention of Lomé.

Done at Port Vila on the 9th day of March one thousand nine hundred and eighty one.



Prime Minister

(*) See (accession) Decision No 1/81 of the ACP-EEC Council of Ministers, ACP Compilation Vol. V, page 33. See also pages 373 and 542 of this Compilation.

AGREEMENT
ON THE ACCESSION OF THE REPUBLIC OF ZIMBABWE
TO THE SECOND ACP-EEC CONVENTION
SIGNED AT LOME ON 31 OCTOBER 1979 (*)

(*) This Agreement, which was signed in Luxembourg on 4 November 1980 and for which the ratification procedures were completed on 30 January 1982, entered into force on 1 March 1982. The Regulation on its conclusion by the Community (No 237/82 of 26 January 1982) will appear in the 1982 Compilation.

HIS MAJESTY THE KING OF THE BELGIANS,

HER MAJESTY THE QUEEN OF DENMARK,

THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY,

THE PRESIDENT OF THE FRENCH REPUBLIC,

THE PRESIDENT OF IRELAND,

THE PRESIDENT OF THE ITALIAN REPUBLIC,

HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBOURG,

HER MAJESTY THE QUEEN OF THE NETHERLANDS,

HER MAJESTY THE QUEEN OF THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND,

Contracting Parties to the Treaty establishing the European
Economic Community, (hereinafter called "the Community") signed
at Rome on 25 March 1957, and whose States are hereinafter
referred to as "Member States" and

THE COUNCIL OF THE EUROPEAN COMMUNITIES,
on the one hand, and

THE PRESIDENT OF THE REPUBLIC OF ZIMBABWE,
on the other hand,

HAVING REGARD to the Treaty establishing the European Economic Community, hereinafter called the "Treaty",

HAVING REGARD to the Second ACP-EEC Convention between the African, Caribbean and Pacific States and the European Economic Community, signed at Lomé on 31 October 1979, hereinafter called the "Convention", and in particular Article 186 thereof,

WHEREAS Zimbabwe has applied to accede to the Convention;

WHEREAS the ACP-EEC Council of Ministers has approved the application,

HAVE DECIDED to conclude an Agreement on the accession of Zimbabwe to the Convention, and to this end have designated as their Plenipotentiaries:

HIS MAJESTY THE KING OF THE BELGIANS:

Charles-Ferdinand NOTHOMB,
Minister for Foreign Affairs;

HER MAJESTY THE QUEEN OF DENMARK:

Kjeld OLESEN,
Minister for Foreign Affairs;

THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY:

Klaus von DOHNANYI,
Minister of State for Foreign Affairs;

THE PRESIDENT OF THE FRENCH REPUBLIC:

Jean FRANCOIS-PONCET,
Minister for Foreign Affairs;

THE PRESIDENT OF IRELAND:

Brian LENIHAN,
Minister for Foreign Affairs;

THE PRESIDENT OF THE ITALIAN REPUBLIC:

Emilio COLOMBO,
Minister for Foreign Affairs;

HIS ROYAL HIGHNESS THE GRAND-DUKE OF LUXEMBOURG:

Jean DONDELINGER,
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative to the European Communities;

HER MAJESTY THE QUEEN OF THE NETHERLANDS:

Ch. A. van der KLAUW,
Minister for Foreign Affairs;

HER MAJESTY THE QUEEN OF THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND:

Lord CARRINGTON,
Secretary of State for Foreign and Commonwealth Affairs;

THE COUNCIL OF THE EUROPEAN COMMUNITIES:

Gaston THORN,
President-in-office of the Council of the European
Communities,
Vice-President and Minister for Foreign Affairs of
the Government of the Grand-Duchy of Luxembourg;

Claude CHEYSSON,
Member of the Commission of the European Communities;

THE PRESIDENT OF THE REPUBLIC OF ZIMBABWE:

The Hon. David Colville SMITH, MP,
Minister for Commerce and Industry;

WHO, having exchanged their Full Powers, found in good and
due form,

HAVE AGREED AS FOLLOWS:

ARTICLE 1

1. By this Agreement Zimbabwe accedes to the Convention.
2. Save as otherwise provided in this Agreement, the provisions of the Convention and also the decisions and other implementing measures taken by the institutions of the Convention shall apply to Zimbabwe.

ARTICLE 2

The time limits laid down by the Convention and calculated from the entry into force of the Convention shall for the purpose of application to Zimbabwe be calculated from the entry into force of this Agreement.

ARTICLE 3

1. As regards the Community, this Agreement shall be validly concluded by a decision of the Council of the European Communities taken in conformity with the provisions of the Treaty and notified to the Parties. It shall be ratified by the Signatory States in conformity with their respective constitutional requirements.
2. The instruments of ratification and the act of notification of the conclusion of the Agreement shall be deposited, as regards Zimbabwe, with the Secretariat of the Council of the European Communities and, as regards the Community and the Member States, with the Secretariat of the ACP States. The Secretariats shall forthwith give notice thereof to the Signatory States and the Community.

ARTICLE 4

This Agreement shall enter into force on the first day of the second month following the date of deposit of the instruments of ratification of the Member States and of Zimbabwe and of the act of notification of the conclusion of the Agreement by the Community.

ARTICLE 5

This Agreement, drawn up in two copies in the Danish, Dutch, English, French, German and Italian languages, all texts being equally authentic, shall be deposited in the archives of the Secretariat of the Council of the European Communities and with the Secretariat of the ACP States, which shall both transmit a certified copy to the Government of each of the Signatory States.

TIL BEKRÆFTELSE HERAF har undertegnede befuldmægtigede underskrevet denne aftale.

ZU URKUND DESSEN haben die unterzeichneten Bevollmächtigten ihre Unterschriften unter dieses Abkommen gesetzt.

IN WITNESS WHEREOF the undersigned Plenipotentiaries have signed this Agreement.

EN FOI DE QUOI, les plénipotentiaires soussignés ont apposé leurs signatures au bas du présent accord.

IN FEDE DI CHE, i plenipotenziari sottoscritti hanno apposto le loro firme in calce al presente accordo.

TEN BLIJKE WAARVAN de ondergetekende gevolmachtigden hun handtekening onder deze Overeenkomst hebben gesteld.

Udfærdiget i Luxembourg, den fjerde november nitten hundrede og firs.

Geschehen zu Luxemburg am vierten November neunzehnhundertachtzig.

Done at Luxembourg on the fourth day of November in the year one thousand nine hundred and eighty.

Fait à Luxembourg, le quatre novembre mil neuf cent quatre-vingt.

Fatto a Lussenburgo, addi' quatro novembre millenovecentottanta.

Gedaan te Luxemburg, de vierde november negentienhonderd tachtig.

Pour Sa Majesté le Roi des Belges,
Voor Zijne Majesteit de Koning der Belgen,

Charles de Broqueville

For Hennes Majestat Danmarks Dronning,

Kjeld Jensen.

Für den Präsidenten der Bundesrepublik Deutschland,

Klaus Gysi

Pour le Président de la République française,

Jean François - Vaut

For the President of Ireland,

Brian Keogh

Per il Presidente della Repubblica italiana,

Z. Colombo

Pour Son Altesse Royale le Grand-Duc de Luxembourg,

J. de Croix

Voor Hare Majesteit de Koningin der Nederlanden,

C. A. van der Vlaan

For Her Majesty the Queen of the United Kingdom of
Great Britain and Northern Ireland,

P. Roughton

For Rådet for De europæiske Fællesskaber,
Für den Rat der Europäischen Gemeinschaften,
For the Council of the European Communities,
Pour le Conseil des Communautés européennes,
Per il Consiglio delle Comunità Europee,
Voor de Raad van de Europese Gemeenschappen,

T. Thoma

C. Cheyner

For the President of the Republic of Zimbabwe,

D. G. Smith

FINAL ACT (*)

The Plenipotentiaries of

His Majesty the King of the Belgians,
Her Majesty the Queen of Denmark,
The President of the Federal Republic of Germany,
The President of the French Republic,
The President of Ireland,
The President of the Italian Republic,
His Royal Highness the Grand Duke of Luxembourg,
Her Majesty the Queen of the Netherlands,
Her Majesty the Queen of the United Kingdom of Great
Britain and Northern Ireland,
and the Council of the European Communities,
of the one part, and

the President of the Republic of Zimbabwe,
of the other part,

meeting at Luxembourg, on four November one thousand nine
hundred and eighty for the purpose of signing an Agreement
on the accession of Zimbabwe to the Second ACP-EEC Convention
signed at Lomé on 31 October 1979 between the African, Caribbean
and Pacific States and the European Economic Community, have
adopted the following text:

the Agreement on the accession of the Republic of Zimbabwe
to the Second ACP-EEC Convention.

The Plenipotentiary of the President of the Republic
of Zimbabwe has stated that the Republic of Zimbabwe
associates itself with the Declarations listed below, which
constitute Annexes I to XXIV to the Final Act of the Second
ACP-EEC Convention.

(*) The Declarations annexed to the Final Act of the second ACP-EEC
Convention which are appended to this Final Act do not appear
in this Compilation.

1. Joint Declaration on the presentation of the Convention to GATT (Annex I)
2. Joint Declaration on the arrangements governing access to the markets of the French Overseas Departments for products originating in the ACP States referred to in Article 2(2) of the Convention (Annex II)
3. Joint Declaration on Articles 9 and 11 of the Convention (Annex III)
4. Joint Declaration on products covered by the Common Agricultural Policy (Annex IV)
5. Joint Declaration on trade between the European Economic Community and Botswana, Lesotho and Swaziland (Annex V)
6. Joint Declaration on Article 46(3) of the Convention (Annex VI)
7. Joint Declaration on ACP-EEC consultations in the event of the establishment of a system for the stabilization of export earnings at world level (Annex VII)
8. Joint Declaration on the encouragement of mining investment (Annex VIII)
9. Joint Declaration on investments relating to Article 64 of the Convention (Annex IX)

10. Joint Declaration on complementary financing of industrial co-operation (Annex X)
11. Joint Declaration on Article 82 of the Convention (Annex XI)
12. Joint Declaration on Article 131 of the Convention (Annex XII)
13. Joint Declaration on Article 132 of the Convention (Annex XIII)
14. Joint Declaration reproducing the text of Articles 24 to 27 of Protocol No 2 to the ACP-EEC Convention of Lomé referred to in Article 142 of this Convention and the joint declaration on Article 26 of the said Protocol (Annex XIV)
15. Joint Declaration on workers who are nationals of one of the Contracting Parties and are residing legally in the territory of a Member State or an ACP State (Annex XV)
16. Joint Declaration on representation of regional economic groupings (Annex XVI)
17. Joint Declaration on Article 185 of the Convention (Annex XVII)
18. Joint Declaration on sea fishing (Annex XVIII)
19. Joint Declaration on shipping (Annex XIX)
20. Joint Declaration on Protocol No 1 (Annex XX)
21. Joint Declaration on the origin of fishery products (Annex XXI)
22. Joint Declaration on Protocol No 5 (Annex XXII)

23. Joint Declaration on Article 1 of Protocol No 5 (Annex XXIII)

24. Joint Declaration on Article 4 of Protocol No 5 (Annex XXIV).

The Plenipotentiary of the President of the Republic of Zimbabwe has taken note of the Declarations listed below, which constitute Annexes XXV - XL to the Final Act of the Second ACP-EEC Convention:

1. Community Declaration on trade liberalization (Annex XXV)

2. Community Declaration on Article 2(2) of the Convention (Annex XXVI)

3. Community Declaration on Article 3 of the Convention (Annex XXVII)

4. Community Declaration on Article 9(2)(a) of the Convention (Annex XXVIII)

5. Community Declaration on Article 12(3) of the Convention (Annex XXIX)

6. Community Declaration on Article 21 of the Convention (Annex XXX)

7. Community Declaration on Article 95 of the Convention (Annex XXI)

8. Community Declaration on Article 95 of the Convention (Annex XXII)

9. Community Declaration on Article 156 of the Convention (Annex XXXIII)
10. Declaration by the Representative of the Government of the Federal Republic of Germany concerning the definition of German nationals (Annex XXXIV)
11. Declaration by the Representative of the Government of the Federal Republic of Germany concerning the application to Berlin of the Convention (Annex XXXV)
12. Community Declaration on Article 30 and 31 of the Convention (Annex XXXVI)
13. Community declaration relating to Protocol No 1 on the extent of territorial waters (Annex XXXVII)
14. Community Declaration on Protocol No 2 (Annex XXXVIII)
15. Community Declaration relating to Protocol No 2 on the operating expenses of the Institutions (Annex XXXIX)
16. Community Declaration on Protocol No 3 (Annex XL)

The Plenipotentiary of the President of the Republic of Zimbabwe has stated that the Republic of Zimbabwe associates itself with the Declarations listed below which constitute Annexes XLI to XLIV to the Final Act of the Second ACP-EEC Convention:

1. Declaration of the ACP States on Article 2 of the Convention (Annex XLI)

2. Declaration of the ACP States on the scheme for mineral products (Annex XLII)
3. Declaration by the ACP States concerning Article 95 of the Convention (Annex XLIII)
4. Declaration of the ACP States on the origin of fishery products (Annex XLIV).

The Plenipotentiaries of the Contracting Parties have also adopted the texts on the following declarations annexed to this Final Act:

1. Declaration on the trade regime
2. Declaration on beef and veal
3. Declaration on sugar.

The Plenipotentiary of the President of the Republic of Zimbabwe has taken note of the following declaration annexed to this Final Act:

4. Community Declaration on Article 155(3)(b) of the Convention.

The Plenipotentiaries of the Member States and the Plenipotentiary of the President of the Republic of Zimbabwe have also adopted the text of the Agreement on products within the province of the European Coal and Steel Community.

Udfærdiget i Luxembourg, den fjerde november nitten hundrede og firs.

Geschehen zu Luxemburg am vierten November neunzehnhundertachtzig.

Done at Luxembourg on the fourth day of November in the year one thousand nine hundred and eighty.

Fait à Luxembourg, le quatre novembre mil neuf cent quatre-vingt.

Fatto a Lussenburgo, addi' quatro novembre millenovecentottanta.

Gedaan te Luxemburg, de vierde november negentienhonderd tachtig.

Pour Sa Majesté le Roi des Belges,
Voor Zijne Majesteit de Koning der Belgen,

Charles F. Nothomb

For Hendes Majestæt Danmarks Dronning,

Kjeld Skovlykke

Für den Präsidenten der Bundesrepublik Deutschland,

Lothar Kasper

Pour le Président de la République française,

Jean François Pouchet

For the President of Ireland,

Brian Keogh

Per il Presidente della Repubblica italiana,

Luigi Colombo

Pour Son Altesse Royale le Grand-Duc de Luxembourg,

Giuseppe

Voor Hare Majesteit de Koningin der Nederlanden,

C. A. van der Knaap

For Her Majesty the Queen of the United Kingdom of
Great Britain and Northern Ireland,

Pearlington

For Rådet for De europæiske Fællesskaber,
Für den Rat der Europäischen Gemeinschaften,
For the Council of the European Communities,
Pour le Conseil des Communautés européennes,
Per il Consiglio delle Comunità Europee,
Voor de Raad van de Europese Gemeenschappen,

van der Knaap

C. C. Legnan

For the President of the Republic of Zimbabwe,

D. C. Smith

Annex 1

Declaration on the trade regime

Having regard to Article 9 of the Second ACP-EEC Convention and to the Declaration in Annex XXVIII to the Convention, the Community recognizes, and the Government of Zimbabwe declares:

- that if any modification to the Zimbabwe customs tariff and to its preferential arrangements with a developed third country is contemplated, the Government of Zimbabwe will enter into immediate consultations with the Community regarding such intentions;

 - that the Government of Zimbabwe and the Community will have immediate consultations at the request of either party, whenever the preferential treatment granted to another developed country might be considered as giving rise to a less favourable treatment for Community exports.
-

Annex 2

Declaration on beef and veal

Zimbabwe has taken note of the special regime, which has been introduced for the benefit of certain ACP States, which are traditional exporters of beef and veal to the Community, as set out in the exchanges of letters on ACP beef and veal dated 31 October 1979.

The Community, within the framework of the commitments which it has taken in this respect, is prepared to apply the same regime to Zimbabwe, from the date of its accession to the Second ACP-EEC Convention for the remaining period of the said Convention.

For the first two years, the Community shall grant Zimbabwe an annual quantity of 8,100 metric tons of boned or boneless beef and veal. For the remaining period, Zimbabwe shall continue to benefit in the same way in respect of an annual quantity of 8,100 metric tons subject to the normal application of the regime mentioned above.

In subscribing to this declaration, Zimbabwe has stated that the revenue accruing from the tax, equivalent to the levy abatements, imposed on its beef and veal exports, will be used to meet national priorities in the livestock sector, where these relate to small-holder production notably through:

- the improvement and development of the veterinary services of small-holders;

the improvement and development of abattoirs which provide significant services to small-holders;

- the improvement of extension, training and development services in favour of small scale producers.

Annex 3

Declaration on sugar

1. The Community, noting that Zimbabwe was a party to the Commonwealth Sugar Agreement, agreed with Zimbabwe that it should enjoy the award of a quantity of sugar of 25,000 metric tons of white equivalent per annum, and that in consequence it should become a member of the Protocol on ACP Sugar.

The parties further agreed that immediately after the day of accession of Zimbabwe to the Second ACP-EEC Convention and at the latest six months thereafter, Zimbabwe and the Commission will meet with a view to determining by common agreement the timetable of the quantities to be delivered in order to reach the quantity specified in the preceding paragraph.

2. The Government of Zimbabwe, by agreeing to the text of paragraph 1, expects that the first supplies of 25,000 metric tons of sugar per annum will take place during the delivery period 1982/1983.
 3. For its part, the Community confirms that it will take the necessary steps to ensure that the objective of 25,000 metric tons will be reached as soon as possible and guarantees that, starting from the delivery period 1982/1983, the price conditions provided for in the Protocol on ACP Sugar will be applied to an annual quantity of 25,000 metric tons of sugar originating in Zimbabwe.
-

Annex 4

Community Declaration
on Article 155(3)(b) of the Convention

The Community, by reason of the fact that Zimbabwe is a land-locked State, will propose to the ACP-EEC Council of Ministers that Zimbabwe, as from its accession, be included in the list contained in Article 155(3)(b) of the Second ACP-EEC Convention.

Minutes of the Negotiations on the Agreement for the
accession of Zimbabwe to the Second ACP-EEC Convention

In the context of the negotiations that have led to the conclusion of an Agreement for the accession of Zimbabwe to the Second ACP-EEC Convention, the Community negotiator for the benefit of the Zimbabwean Delegation:

- (1) handed over and commented on the texts on veterinary and health provisions governing access to the Community of meat from third countries;
- (2) explained the problems caused to the Community by imports of tobacco, particularly from the ACP States, among which Zimbabwe would be playing an important rôle. In this connection, the Zimbabwean Delegation was informed of the special problems that would be caused by any increase in tobacco imports into the Community over and above the average level for the last few years. The Zimbabwean Delegation was informed in this context of the mechanisms governing imports of tobacco into the Community;
- (3) handed over and commented on certain information relating to the financial aspects of accession;

(4) handed over the texts of the declaration annexed to the Minutes of the signing of the Second ACP-EEC Convention and those contained in the Minutes of the Negotiations for the said Convention.

The Zimbabwean Delegation noted the above.

AGREEMENT
ON PRODUCTS WITHIN THE PROVINCE OF THE
EUROPEAN COAL AND
STEEL COMMUNITY (*)

(*) This Agreement, which was signed in Luxembourg on 4 November 1980 and for which the ratification procedures were completed before the end of January 1982, entered into force - as stipulated in Article 7 - "at the same time as the Agreement on the accession of the Republic of Zimbabwe to the Second ACP-EEC Convention", viz. 1 March 1982.

HIS MAJESTY THE KING OF THE BELGIANS,

HER MAJESTY THE QUEEN OF DENMARK,

THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY,

THE PRESIDENT OF THE FRENCH REPUBLIC,

THE PRESIDENT OF IRELAND,

THE PRESIDENT OF THE ITALIAN REPUBLIC,

HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBOURG,

HER MAJESTY THE QUEEN OF THE NETHERLANDS,

HER MAJESTY THE QUEEN OF THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND,

Contracting Parties to the Treaty establishing the European
Coal and Steel Community signed in Paris on 17 April 1951, whose
States are hereinafter referred to as "Member States",

on the one hand, and

THE PRESIDENT OF THE REPUBLIC OF ZIMBABWE,

on the other hand,

HAVING REGARD to the Treaty establishing the European Coal and Steel Community,

HAVING REGARD to the Treaty establishing the European Economic Community, and in particular Article 232 thereof,

WHEREAS an Agreement on the accession of the Republic of Zimbabwe to the Second ACP-EEC Convention signed at Lomé on 31 October 1979, has been signed this day,

WHEREAS the Second ACP-EEC Convention does not apply to products falling within the province of the European Coal and Steel Community,

DESIROUS however of developing trade in these products between the Member States and Zimbabwe under the same conditions established in the Agreement on products within the province of the European Coal and Steel Community between the Member States and the ACP States, signed at Lomé on 31 October 1979,

HAVE DECIDED to conclude this Agreement and to this end have designated as Plenipotentiaries:

HIS MAJESTY THE KING OF THE BELGIANS:

Charles-Ferdinand NOTHOMB,
Minister for Foreign Affairs;

HER MAJESTY THE QUEEN OF DENMARK:

Kjeld OLESEN,
Minister for Foreign Affairs;

THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY:

Klaus von DOHNANYI,
Minister of State for Foreign Affairs;

THE PRESIDENT OF THE FRENCH REPUBLIC:

Jean FRANCOIS-PONCET,
Minister for Foreign Affairs;

THE PRESIDENT OF IRELAND:

Brian LENIHAN,
Minister for Foreign Affairs;

THE PRESIDENT OF THE ITALIAN REPUBLIC:

Emilio COLOMBO,
Minister for Foreign Affairs;

HIS ROYAL HIGHNESS THE GRAND-DUKE OF LUXEMBOURG:

Jean DONDELINGER,
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative to the European Communities;

HER MAJESTY THE QUEEN OF THE NETHERLANDS:

Ch.A. van der KLAUW,
Minister for Foreign Affairs;

HER MAJESTY THE QUEEN OF THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND:

Lord CARRINGTON,
Secretary of State for Foreign and Commonwealth Affairs;

THE PRESIDENT OF THE REPUBLIC OF ZIMBABWE:

The Hon. David Colville SMITH, MP,
Minister for Commerce and Industry;

WHO, having exchanged their Full Powers, found in good and
due form,

HAVE AGREED AS FOLLOWS:

ARTICLE 1

Products within the province of the European Coal and Steel Community shall, when they originate in Zimbabwe, on import into the Community, be admitted free of customs duties and charges having equivalent effect.

ARTICLE 2

Products referred to in Article 1 originating in the Member States shall, on import into Zimbabwe, be admitted in accordance with the provisions of Title 1, Chapter 1, of the Second ACP-EEC Convention.

ARTICLE 3

If the offers made by the firms of Zimbabwe are likely to be detrimental to the functioning of the common market and if any such detriment is attributable to a difference in the conditions of competition as regards prices, Member States may take appropriate measures, such as withdrawing the concessions referred to in Article 1.

ARTICLE 4

Consultations shall take place between the parties concerned in all cases, where, in the opinion of one of them, the implementation of the above provisions, calls for such consultations.

ARTICLE 5

The provisions laying down the rules of origin for the application of the Second ACP-EEC Convention shall also apply to this Agreement.

ARTICLE 6

This Agreement shall not affect the provisions of the Treaty establishing the European Coal and Steel Community, nor the powers of jurisdiction conferred by that Treaty.

ARTICLE 7

This Agreement shall be ratified by the Signatory States. It shall enter into force at the same time as the Agreement on the accession of the Republic of Zimbabwe to the Second ACP-EEC Convention.

ARTICLE 8

This Agreement shall expire on 28 February 1985. It shall cease to apply to any Signatory State which, under Article 189 of the Second ACP-EEC Convention, is no longer a party to that Convention.

ARTICLE 9

This Agreement, drawn up in two originals, in the Danish, Dutch, English, French, German and Italian languages, all texts being equally authentic, shall be deposited in the archives of the Secretariat of the Council of the European Communities and with the Secretariat of the ACP States, which shall both transmit a certified copy to the Government of each of the Signatory States.

TIL BEKRÆFTELSE HERAF har undertegnede befuldmægtigede underskrevet denne aftale.

ZU URKUND DESSEN haben die unterzeichneten Bevollmächtigten ihre Unterschriften unter dieses Abkommen gesetzt.

IN WITNESS WHEREOF the undersigned Plenipotentiaries have signed this Agreement.

EN FOI DE QUOI, les plénipotentiaires soussignés ont apposé leurs signatures au bas du présent accord.

IN FEDE DI CHE, i plenipotenziari sottoscritti hanno apposto le loro firme in calce al presente accordo.

TEN BLIJKE WAARVAN de ondergetekende gevolmachtigden hun handtekening onder deze Overeenkomst hebben gesteld.

Udfærdiget i Luxembourg, den fjerde november nitten hundrede og firs.

Geschehen zu Luxemburg am vierten November neunzehnhundertachtzig.

Done at Luxembourg on the fourth day of November in the year one thousand nine hundred and eighty.

Fait à Luxembourg, le quatre novembre mil neuf cent quatre-vingt.

Fatto a Lussenburgo, addi' quatro novembre millenovecentottanta.

Gedaan te Luxemburg, de vierde november negentienhonderd tachtig.

Pour Sa Majesté le Roi des Belges,
Voor Zijne Majesteit de Koning der Belgen,

Charles de Gaulle

For Hennes Majestæt Danmarks Dronning,

Kjeld Jensen

Für den Präsidenten der Bundesrepublik Deutschland,

Klaus Gysi

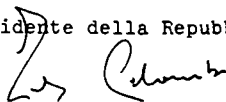
Pour le Président de la République française,

Jean François - i mat

For the President of Ireland,

Brian Keogh

Per il Presidente della Repubblica italiana,



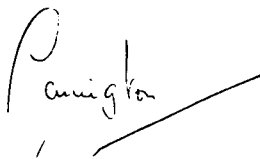
Pour Son Altesse Royale le Grand-Duc de Luxembourg,



Voor Hare Majesteit de Koningin der Nederlanden,



For Her Majesty the Queen of the United Kingdom of
Great Britain and Northern Ireland,



For the President of the Republic of Zimbabwe



PROTOCOL
TO THE SECOND ACP-EEC CONVENTION
CONSEQUENT ON THE ACCESSION OF THE HELLENIC REPUBLIC
TO THE COMMUNITY (*)

(*) On the date of publication of this Compilation, the procedures necessary for the entry into force of this Protocol had not yet been completed. Provisionally, Regulation No 439/81 of 20.1.1981, extended by Regulations Nos 1122/81, 1791/81 and 3722/81 (see section III, pages 374, 397, 398 and 399 of this Compilation) therefore applies in respect of trade arrangements.

HIS MAJESTY THE KING OF THE BELGIANS,

HER MAJESTY THE QUEEN OF DENMARK,

THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY,

THE PRESIDENT OF THE HELLENIC REPUBLIC,

THE PRESIDENT OF THE FRENCH REPUBLIC,

THE PRESIDENT OF IRELAND,

THE PRESIDENT OF THE ITALIAN REPUBLIC,

HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBOURG,

HER MAJESTY THE QUEEN OF THE NETHERLANDS,

HER MAJESTY THE QUEEN OF THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND,

Contracting Parties to the Treaty establishing the European Economic Community, hereinafter referred to as "the Community", signed at Rome on 25 March 1957, whose States are hereinafter referred to as the "Member States",

AND THE COUNCIL OF THE EUROPEAN COMMUNITIES

of the one part, and

THE HEAD OF STATE OF THE BAHAMAS,

THE HEAD OF STATE OF BARBADOS,

THE PRESIDENT OF THE PEOPLE'S REPUBLIC OF BENIN,

THE PRESIDENT OF THE REPUBLIC OF BOTSWANA,

THE PRESIDENT OF THE REPUBLIC OF BURUNDI,

THE PRESIDENT OF THE UNITED REPUBLIC OF CAMEROON,

THE PRESIDENT OF THE REPUBLIC OF CAPE VERDE,

THE PRESIDENT OF THE CENTRAL AFRICAN REPUBLIC,

THE PRESIDENT OF THE FEDERAL ISLAMIC REPUBLIC OF THE COMOROS,

THE PRESIDENT OF THE PEOPLE'S REPUBLIC OF THE CONGO,

THE PRESIDENT OF THE REPUBLIC OF THE IVORY COAST,

THE PRESIDENT OF THE REPUBLIC OF DJIBOUTI,

THE PRIME MINISTER AND MINISTER OF EXTERNAL AFFAIRS OF THE
INDEPENDENT STATE OF DOMINICA,

THE CHAIRMAN OF THE PROVISIONAL MILITARY ADMINISTRATIVE COUNCIL
AND OF THE COUNCIL OF MINISTERS AND COMMANDER IN CHIEF OF THE
REVOLUTIONARY ARMY OF ETHIOPIA,

HER MAJESTY THE QUEEN OF FIJI,

THE PRESIDENT OF THE GABONESE REPUBLIC,

THE PRESIDENT OF THE REPUBLIC OF THE GAMBIA,

THE PRESIDENT OF THE REPUBLIC OF GHANA,

THE HEAD OF STATE OF GRENADA,

THE PRESIDENT OF THE REPUBLIC OF GUINEA,

THE PRESIDENT OF THE COUNCIL OF STATE OF GUINEA-BISSAU,

THE PRESIDENT OF THE REPUBLIC OF EQUATORIAL GUINEA,

THE PRESIDENT OF THE REPUBLIC OF GUYANA,

THE PRESIDENT OF THE REPUBLIC OF UPPER VOLTA,

THE HEAD OF STATE OF JAMAICA,

THE PRESIDENT OF THE REPUBLIC OF KENYA,

THE PRESIDENT OF THE REPUBLIC OF KIRIBATI,

HIS MAJESTY THE KING OF THE KINGDOM OF LESOTHO,

THE PRESIDENT OF THE REPUBLIC OF LIBERIA,

THE PRESIDENT OF THE DEMOCRATIC REPUBLIC OF MADAGASCAR,

THE PRESIDENT OF THE REPUBLIC OF MALAWI,

THE PRESIDENT OF THE REPUBLIC OF MALI,

THE PRESIDENT OF THE ISLAMIC REPUBLIC OF MAURITANIA,

HER MAJESTY THE QUEEN OF MAURITIUS,

THE PRESIDENT OF THE REPUBLIC OF NIGER,

THE HEAD OF THE FEDERAL GOVERNMENT OF NIGERIA,

THE HEAD OF THE INDEPENDENT STATE OF PAPUA NEW GUINEA,

THE PRESIDENT OF THE REPUBLIC OF RWANDA,

THE HEAD OF STATE OF SAINT VINCENT AND THE GRENADINES,

THE HEAD OF STATE OF SAINT LUCIA,

THE HEAD OF STATE OF WESTERN SAMOA,

THE PRESIDENT OF THE DEMOCRATIC REPUBLIC OF SÃO TOMÉ AND
PRINCIPE,

THE PRESIDENT OF THE REPUBLIC OF SENEGAL,

THE PRESIDENT OF THE REPUBLIC OF SEYCHELLES,

THE PRESIDENT OF THE REPUBLIC OF SIERRA LEONE,

THE HEAD OF STATE OF THE SOLOMON ISLANDS,

THE PRESIDENT OF THE SOMALI DEMOCRATIC REPUBLIC,
PRESIDENT OF THE SUPREME REVOLUTIONARY COUNCIL,

THE PRESIDENT OF THE DEMOCRATIC REPUBLIC OF THE SUDAN,

THE PRESIDENT OF THE REPUBLIC OF SURINAME,

HIS MAJESTY THE KING OF THE KINGDOM OF SWAZILAND,

THE PRESIDENT OF THE UNITED REPUBLIC OF TANZANIA,

THE PRESIDENT OF THE REPUBLIC OF CHAD,

THE PRESIDENT OF THE REPUBLIC OF TOGO,

HIS MAJESTY KING TAUFU'AHAU TUPOU IV OF TONGA,

THE PRESIDENT OF THE REPUBLIC OF TRINIDAD AND TOBAGO,

HER MAJESTY THE QUEEN OF TUVALU,

THE PRESIDENT OF THE REPUBLIC OF UGANDA,

THE PRESIDENT OF THE REPUBLIC OF VANUATU,

THE PRESIDENT OF THE REPUBLIC OF ZAIRE,

THE PRESIDENT OF THE REPUBLIC OF ZAMBIA,

whose States are hereinafter called the "ACP States",

and THE PRESIDENT OF THE REPUBLIC OF ZIMBABWE,

of the other part,

CONSIDERING the accession of the Hellenic Republic to the European Communities on 1 January 1981,

HAVING REGARD to the Second ACP-EEC Convention signed at Lomé on 31 October 1979, hereinafter called "the Convention",

HAVE DECIDED to determine by common accord the adjustments and transitional measures concerning the Convention consequent on the accession of the Hellenic Republic to the European Economic Community and to conclude this Protocol,

And to this end HAVE DESIGNATED as their Plenipotentiaries:

HIS MAJESTY THE KING OF THE BELGIANS:

Paul NOTERDAEME,
Ambassador Extraordinary and Plenipotentiary
Permanent Representative to the European Communities;

HER MAJESTY THE QUEEN OF DENMARK:

Gunnar RIBERHOLDT,
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative to the European Communities;

THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY:

Gisbert POENSGEN,
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative to the European Communities;

THE PRESIDENT OF THE HELLENIC REPUBLIC:

Marcos ECONOMIDES,
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative to the European Communities;

THE PRESIDENT OF THE FRENCH REPUBLIC:

Luc de La BARRE de NANTEUIL,
Ambassador,
Permanent Representative to the European Communities;

THE PRESIDENT OF IRELAND:

Andrew O'ROURKE,
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative to the European Communities;

THE PRESIDENT OF THE ITALIAN REPUBLIC:

Renato RUGGIERO,
Ambassador,
Permanent Representative to the European Communities;

HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBOURG:

Jean DONDELINGER,
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative to the European Communities;

HER MAJESTY THE QUEEN OF THE NETHERLANDS:

M.H.J.Ch. RUTTEN,
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative to the European Communities;

HER MAJESTY THE QUEEN OF THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND:

Sir Michael BUTLER, KCMG,
Ambassador,
Permanent Representative to the European Communities;

THE COUNCIL OF THE EUROPEAN COMMUNITIES:

Sir Michael BUTLER, KCMG,
Ambassador,
Permanent Representative of the United Kingdom,
Chairman of the Permanent Representatives Committee;

Klaus MEYER,
Director-General for Development,
Commission of the European Communities;

THE HEAD OF STATE OF THE BAHAMAS:

THE HEAD OF STATE OF BARBADOS:

Oliver H. JACKMAN,
Ambassador Extraordinary and Plenipotentiary;

THE PRESIDENT OF THE PEOPLE'S REPUBLIC OF BENIN:

David Douwa GBAGUIDI,
Ambassador Extraordinary and Plenipotentiary;

THE PRESIDENT OF THE REPUBLIC OF BOTSWANA:

Geoffrey G. GAREBAMONO,
Ambassador Extraordinary and Plenipotentiary;

THE PRESIDENT OF THE REPUBLIC OF BURUNDI:

Cyprien MBONIMPA,
Ambassador Extraordinary and Plenipotentiary;

THE PRESIDENT OF THE UNITED REPUBLIC OF CAMEROON:

El Hadj Mahmoudou HAMAN DICKO,
Ambassador Extraordinary and Plenipotentiary;

THE PRESIDENT OF THE REPUBLIC OF CAPE VERDE:

Severino ALMEIDA,
Chargé d'Affaires a.i.
at the Embassy of Cape Verde to the Netherlands;

THE PRESIDENT OF THE CENTRAL AFRICAN REPUBLIC:

Jean-Louis PSIMHIS,
Ambassador Extraordinary and Plenipotentiary;

THE PRESIDENT OF THE FEDERAL ISLAMIC REPUBLIC OF THE COMOROS:

Ali MLAHAILI,
Ambassador Extraordinary and Plenipotentiary
of the Federal Islamic Republic of the Comoros
in Paris;

THE PRESIDENT OF THE PEOPLE'S REPUBLIC OF THE CONGO:

Alfred RAOUL
Ambassador Extraordinary and Plenipotentiary ;

THE PRESIDENT OF THE REPUBLIC OF THE IVORY COAST:

Seydou DIARRA,
Ambassador Extraordinary and Plenipotentiary;

THE PRESIDENT OF THE REPUBLIC OF DJIBOUTI:

Ahmed Ibrahim AEDI,
Ambassador Extraordinary and Plenipotentiary;

THE PRIME MINISTER AND MINISTER OF EXTERNAL AFFAIRS OF THE
INDEPENDENT STATE OF DOMINICA:

Arden SHILLINGFORD,
High Commissioner of the Commonwealth of Dominica,
London;

THE CHAIRMAN OF THE PROVISIONAL MILITARY ADMINISTRATIVE COUNCIL
AND OF THE COUNCIL OF MINISTERS AND COMMANDER IN CHIEF OF THE
REVOLUTIONARY ARMY OF ETHIOPIA

Dr Ghebray BERHANE,
Ambassador Extraordinary and Plenipotentiary;

HER MAJESTY THE QUEEN OF FIJI:

Josua D.V. CAVALEVU,
Ambassador Extraordinary and Plenipotentiary;

THE PRESIDENT OF THE GABONESE REPUBLIC:

Martin Jean REKANGALT,
Ambassador Extraordinary and Plenipotentiary;

THE PRESIDENT OF THE REPUBLIC OF THE GAMBIA:

Eabou Ousman JOBE,
Ambassador Extraordinary and Plenipotentiary;

THE PRESIDENT OF THE REPUBLIC OF GHANA:

J.B. WILMOT,
Ambassador Extraordinary and Plenipotentiary;

THE HEAD OF STATE OF GRENADA:

G.R.E. BULLEN,
Ambassador Extraordinary and Plenipotentiary;

THE PRESIDENT OF THE REPUBLIC OF GUINEA:

Daouda KOUROUMA,
Ambassador Extraordinary and Plenipotentiary;

THE PRESIDENT OF THE COUNCIL OF STATE OF GUINEA-BISSAU:

Luis d'OLIVEIRA SANCA,
Ambassador Extraordinary and Plenipotentiary;

THE PRESIDENT OF THE REPUBLIC OF EQUATORIAL GUINEA:

Julian Abaga Ada ESHONO,
Ambassador Extraordinary and Plenipotentiary;

THE PRESIDENT OF THE REPUBLIC OF GUYANA:

Harold SAHADEO,
Ambassador Extraordinary and Plenipotentiary;

THE PRESIDENT OF THE REPUBLIC OF UPPER VOLTA:

Antoine K. DAKOURE,
Ambassador Extraordinary and Plenipotentiary;

THE HEAD OF STATE OF JAMAICA:

Carmen Yvonne PARRIS,
Ambassador Extraordinary and Plenipotentiary;

THE PRESIDENT OF THE REPUBLIC OF KENYA:

J.G. KITI,
Ambassador Extraordinary and Plenipotentiary;

THE PRESIDENT OF THE REPUBLIC OF KIRIBATI:

Peter Ipu PEIPUL,
Ambassador Extraordinary and Plenipotentiary of
Papua New Guinea;

HIS MAJESTY THE KING OF THE KINGDOM OF LESOTHO:

L.B. MONYAKE,
Ambassador Extraordinary and Plenipotentiary;

THE PRESIDENT OF THE REPUBLIC OF LIBERIA:

Konah BLACKETT,
Chargé d'affaires a. i.;

THE PRESIDENT OF THE DEMOCRATIC REPUBLIC OF MADAGASCAR:

Pierre Désiré RANJEVA
Ambassador Extraordinary and Plenipotentiary ;

THE PRESIDENT OF THE REPUBLIC OF MALAWI:

M.D.P. Wilson KACHIKUWO,
Ambassador Extraordinary and Plenipotentiary;

THE PRESIDENT OF THE REPUBLIC OF MALI:

Yaya DIARRA,
Ambassador Extraordinary and Plenipotentiary;

THE PRESIDENT OF THE ISLAMIC REPUBLIC OF MAURITANIA:

Kane BOUNA,
Ambassador Extraordinary and Plenipotentiary;

THE HEAD OF STATE OF MAURITIUS:

Raymond CHASLE,
Ambassador Extraordinary and Plenipotentiary;

THE PRESIDENT OF THE REPUBLIC OF NIGER:

Habou SALEY,
Ambassador Extraordinary and Plenipotentiary;

THE HEAD OF THE FEDERAL GOVERNMENT OF NIGERIA:

THE HEAD OF THE INDEPENDENT STATE OF PAPUA NEW GUINEA:

Peter Ipu PEIPUL,
Ambassador Extraordinary and Plenipotentiary;

THE PRESIDENT OF THE REPUBLIC OF RWANDA:

Callixte HATUNGIMANA,
Ambassador Extraordinary and Plenipotentiary;

THE HEAD OF STATE OF SAINT VINCENT AND THE GRENADINES:

Dr Claudius C. THOMAS, C.M.G.,
High Commissioner in the United Kingdom for
Saint Vincent and the Grenadines;

THE HEAD OF STATE OF SAINT LUCIA:

Dr Claudius C. THOMAS, C.M.G.,
High Commissioner in the United Kingdom for
Saint Lucia;

THE HEAD OF STATE OF WESTERN SAMOA:

John George McARTHUR,
Ambassador Extraordinary and Plenipotentiary of
New Zealand;

THE PRESIDENT OF THE DEMOCRATIC REPUBLIC OF SÃO TOMÉ AND
PRINCIPE:

Fradique de MENEZES,
Director of the Commercial Centre in London;

THE PRESIDENT OF THE REPUBLIC OF SENEGAL:

Seydina Oumar SY,
Ambassador Extraordinary and Plenipotentiary;

THE PRESIDENT OF THE REPUBLIC OF SEYCHELLES:

Adil ISKAROS,
Honorary Consul General, Paris;

THE PRESIDENT OF THE REPUBLIC OF SIERRA LEONE:

Sahr MATTURI,
Chargé d'affaires a.i.;

THE HEAD OF STATE OF THE SOLOMON ISLANDS:

Josua D.V. CAVALEVU,
Ambassador Extraordinary and Plenipotentiary;

THE PRESIDENT OF THE SOMALI DEMOCRATIC REPUBLIC,
PRESIDENT OF THE SUPREME REVOLUTIONARY COUNCIL:

Ali Abdi GURHAN,
Chargé d'affaires a.i.;

THE PRESIDENT OF THE DEMOCRATIC REPUBLIC OF THE SUDAN:

Sayed Nuri Khalil SIDDIG,
Ambassador Extraordinary and Plenipotentiary;

THE PRESIDENT OF THE REPUBLIC OF SURINAME:

Carlo LAMUR,
Ambassador Extraordinary and Plenipotentiary;

HIS MAJESTY THE KING OF THE KINGDOM OF SWAZILAND:

Kenneth MBULI,
Chargé d'affaires a.i.;

THE PRESIDENT OF THE UNITED REPUBLIC OF TANZANIA:

Ernest Abel MULOKOZI,
Ambassador Extraordinary and Plenipotentiary;

THE PRESIDENT OF THE REPUBLIC OF CHAD:

ISSAKA RAMAT ALHAMDOU,
Chargé d'affaires a.i.;

THE PRESIDENT OF THE REPUBLIC OF TOGO:

Ellom-Kodjo SCHUPPIUS,
Chargé d'affaires a.i.;

HIS MAJESTY KING TAUF'AHAU TUPOU IV OF TONGA:

Inoke F. FALETAU,
Ambassador Extraordinary and Plenipotentiary;

THE PRESIDENT OF THE REPUBLIC OF TRINIDAD AND TOBAGO:

James O'Neil LEWIS,
Ambassador Extraordinary and Plenipotentiary;

HER MAJESTY THE QUEEN OF TUVALU:

Josua D.V. CAVALEVU,
Ambassador Extraordinary and Plenipotentiary;

THE PRESIDENT OF THE REPUBLIC OF UGANDA:

Francis G. OKELO,
Ambassador Extraordinary and Plenipotentiary;

THE PRESIDENT OF THE REPUBLIC OF VANUATU:

Josua D.V. CAVALEVU,
Ambassador Extraordinary and Plenipotentiary;

THE PRESIDENT OF THE REPUBLIC OF ZAIRE:

KENGO wa DONDO,
Ambassador Extraordinary and Plenipotentiary;

THE PRESIDENT OF THE REPUBLIC OF ZAMBIA:

Fidelis Fields BWALYA,
Chargé d'affaires a.i.;

THE PRESIDENT OF THE REPUBLIC OF ZIMBABWE:

F. Arthur BLUMERIS,
Ambassador Extraordinary and Plenipotentiary;

WHO, having exchanged their full powers, found in good and due form,

HAVE AGREED AS FOLLOWS:

ARTICLE 1

The Hellenic Republic hereby becomes party to the Convention and to the Declarations annexed to the Final Act signed at Lomé on 31 October 1979, as well as to the Agreement on the accession of the Republic of Zimbabwe to the Convention and to the Declarations annexed to the Final Act signed at Luxembourg on 4 November 1980.

TITLE I

ADJUSTMENTS

ARTICLE 2

The texts mentioned in Article 1 including the Annexes and Protocols forming an integral part thereof and the Declarations annexed to the Final Act, drawn up in Greek, are authentic in the same way as are the original texts. The Council of Ministers hereby approves the Greek version.

TITLE II

TRANSITIONAL MEASURES

ARTICLE 3

For the products listed in Annex I, the Hellenic Republic shall progressively abolish customs duties on products originating in the ACP States in accordance with the following timetable:

- on the date of the entry into force of this Protocol each duty shall be reduced to 90% of the basic duty,
- on 1 January 1982 each duty shall be reduced to 80% of the basic duty,
- the four other reductions of 20% each shall be made on:
 - 1 January 1983,
 - 1 January 1984,
 - 1 January 1985,
 - 1 January 1986.

ARTICLE 4

1. For the products listed in Annex I, the duty to which the successive reductions as provided for in Article 3 are to be applied shall, for each product, be the duty actually applied by the Hellenic Republic in respect of the ACP States on 1 July 1980.
2. However, in respect of matches falling within heading No 36.06 of the Common Customs Tariff of the European Communities, the basic duty shall be 17.2% ad valorem.

ARTICLE 5

1. For the products listed in Annex I, the Hellenic Republic shall progressively abolish charges having equivalent effect to customs duties on products originating in the ACP States in accordance with the following timetable:

- on the date of the entry into force of this Protocol, each charge shall be reduced to 90% of the basic rate,
- on 1 January 1982, each charge shall be reduced to 80% of the basic rate,
- the four other reductions of 20% each shall be made on:
 - 1 January 1983,
 - 1 January 1984,
 - 1 January 1985,
 - 1 January 1986.

2. The basic rate to which the successive reductions as provided for in paragraph 1 are to be applied, shall, for each product, be the rate applied by the Hellenic Republic on 31 December 1980 in respect of the Community of Nine.

3. Any charge having equivalent effect to customs duty on imports, introduced as from 1 January 1979 in trade between the Hellenic Republic and ACP States, shall be abolished.

ARTICLE 6

If duties or charges having equivalent effect on products imported from the Community of Nine are suspended or reduced by the Hellenic Republic more quickly than according to the timetable established, the Hellenic Republic shall also suspend at, or reduce to, the same level those duties or charges having equivalent effect on products originating in the ACP States.

ARTICLE 7

1. The variable component which the Hellenic Republic applies on products covered by Regulation 3033/80 and originating in the ACP States shall be adjusted by the compensatory amount applied in trade between the Community of Nine and the Hellenic Republic.

2. On the products which are covered by Regulation 3033/80 and also listed in Annex I to this Protocol, the Hellenic Republic shall abolish, in accordance with the timetable referred to in Article 3, the difference between:
 - the fixed component of the duty to be applied by the Hellenic Republic upon accession, and

 - the duty (other than the variable component) resulting from the provisions of the Convention.

ARTICLE 8

In the case of products listed in Annex II to the EEC Treaty, the preferential rates provided for or calculated shall be applied to the duties actually levied by the Hellenic Republic in respect of third countries as laid down in Article 64 of the Act of Accession of 1979.

In no case should Greek imports from the ACP States benefit from rates of duty more favourable than those applied to products from the Community of Nine.

ARTICLE 9

1. The Hellenic Republic may retain quantitative restrictions until 31 December 1985 on products listed in Annex II, originating in the ACP States.
2. The restrictions referred to in paragraph 1 shall take the form of quotas. The quotas for 1981 are listed in Annex II.
3. The minimum rate of progressive increase for such quotas shall be 25% at the beginning of each year for quotas expressed in European units of account (EUA), and 20% at the beginning of each year for quotas expressed in terms of volume. Such increases shall be added to each quota and the next increase calculated on the basis of the total thus obtained.

Where a quota is expressed in terms of both volume and value, the quota relating to the volume shall be raised by at least 20% a year and the quota relating to the value by at least 25% a year, the succeeding quotas to be calculated each year on the basis of the preceding quota plus the increase.

However, with regard to motor coaches and buses and other vehicles falling within subheading ex 87.02 A I of the Common Customs Tariff, the volume quota shall be raised by 15% a year and the quota relating to the value by 20% a year.

4. Where it is found that imports into Greece of a product listed in Annex II have for two consecutive years been less than 90% of the quota, the Hellenic Republic shall liberalize imports of that product originating in the ACP States if the product in question is at that time liberalized towards the Community of Nine.
5. If the Hellenic Republic liberalizes imports of a product listed in Annex II from the Community of Nine or increases a quota applicable to the Community of Nine beyond the minimum rate as laid down in paragraph 3, the Hellenic Republic shall also liberalize imports of that product originating in the ACP States or increase the quota proportionally.
6. Regarding licences for imports of products listed in Annex II and originating in the ACP States, the Hellenic Republic shall apply the same administrative rules and practices as applied to such imports originating in the Community of Nine, with the exception of the quota for fertilisers falling within heading Nos 31.02, 31.03 and 31.05 A I, II and IV of the Common Customs Tariff of the European Communities, where the Hellenic Republic may apply the rules and practices relevant to exclusive marketing rights.

ARTICLE 10

1. Import deposits and cash payments in force in Greece on 31 December 1980 with regard to products originating in the ACP States shall be progressively eliminated in accordance with the following timetable:

- On the date of entry into force of this Protocol: 25%
- 1 January 1982 : 25%
- 1 January 1983 : 25%
- 1 January 1984 : 25%.

2. As regards products listed in Annex II to the EEC Treaty, charges having equivalent effect to customs duties and measures having equivalent effect to quantitative restrictions (import deposits, system of cash payments, validation of invoices, etc...) shall be abolished by the Hellenic Republic on the date of the entry into force of this Protocol in respect of products originating in ACP States subject to the provisions of Article 65 of the Act of Accession of 1979.

3. If in respect of the Community of Nine, the Hellenic Republic reduces the rate of import deposits or cash payments more quickly than according to the timetables contained in paragraphs 1 and 2, the Hellenic Republic shall make the same reduction with regard to imports originating in the ACP States.

TITLE III

GENERAL AND FINAL PROVISIONS

ARTICLE 11

The Council of Ministers shall make any amendments which may be necessary to the rules of origin consequent upon the Accession of the Hellenic Republic to the European Communities.

ARTICLE 12

The Annexes to this Protocol shall form an integral part thereof. This Protocol shall form an integral part of the Convention.

ARTICLE 13

This Protocol shall be approved by the Contracting Parties in accordance with their own procedures. It shall enter into force on the first day of the second month following the completion of the procedures by the Contracting Parties.

ARTICLE 14

This Protocol is drawn up in duplicate in the Danish, Dutch, English, French, German, Greek and Italian languages, each text being equally authentic.

TIL BEKRÆFTELSE HERAF har undertegnede befuldmægtigede underskrevet denne Protokol.

ZU URKUND DESSEN haben die unterzeichneten Bevollmächtigten ihre Unterschriften unter dieses Protokoll gesetzt.

ΕΙΣ ΠΙΣΤΩΣΗ ΤΩΝ ΑΝΩΤΕΡΩ, οι υπογεγραμμένοι πληρεξούσιοι έθεσαν τις υπογραφές τους στο παρόν πρωτόκολλο.

IN WITNESS WHEREOF the undersigned Plenipotentiaries have signed this Protocol.

EN FOI DE QUOI, les plénipotentiaires soussignés ont apposé leurs signatures au bas du présent protocole.

IN FEDE DI CHE, i plenipotenziari sottoscritti hanno apposto le loro firme in calce al presente Protocollo.

TEN BLIJKE WAARVAN de ondergetekende gevolmachtigden hun handtekening onder dit Protocol hebben gesteld.

Udfærdiget i Bruxelles, den ottende oktober nitten hundrede og enogfirs.

Geschehen zu Erüssel am achten Oktober neunzehnhundert-einundachtzig.

Έγινε στις Βρυξέλλες, στις οκτώ 'Οκτωβρίου χίλια εννιακόσια ενόγόντα ένα.

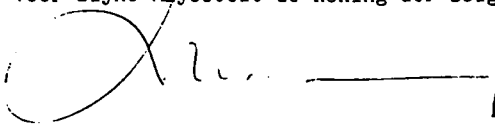
Done at Brussels on the eighth day of October in the year one thousand nine hundred and eighty-one.

Fait à Bruxelles, le huit octobre mil neuf cent quatre-vingt un

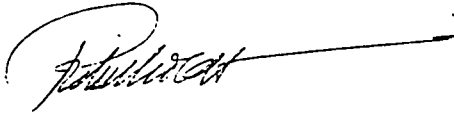
Fatto a Bruxelles, l'otto ottobre millenovecentottantuno

Gedaan te Brussel, de achtste oktober negentienhonderd eenentachtig.

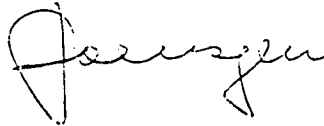
Pour Sa Majesté le Roi des Belges
Voor Zijne Majesteit de Koning der Belgen



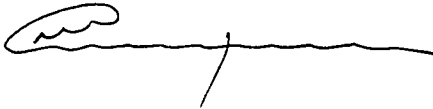
For Hendes Majestæt Dronningen af Danmark



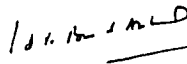
Für den Präsidenten der Bundesrepublik Deutschland



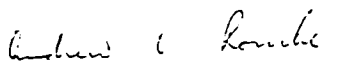
Γιά τόν Πρόεδρο τῆς Ἑλληνικῆς Δημοκρατίας



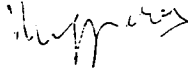
Pour le Président de la République française



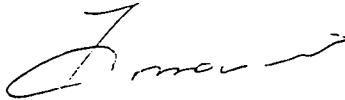
For the President of Ireland



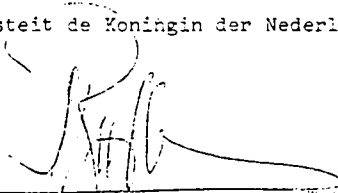
Per il Presidente della Repubblica italiana



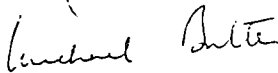
Pour Son Altesse Royale le Grand-Duc de Luxembourg



Voor Hare Majesteit de Koningin der Nederlanden



~~For Her Majesty the Queen of the United Kingdom
of Great Britain and Northern Ireland~~



For Rådet for De europæiske Fællesskaber
Für den Rat der Europäischen Gemeinschaften
Γιά τό Συμβούλιο τών Ευρωπαϊκών Κοινοτήτων
For the Council of the European Communities
Pour le Conseil des Communautés européennes
Per il Consiglio delle Comunità Europee
Voor de Raad van de Europese Gemeenschappen



Kenan Mans

For the Head of State of the Bahamas

For the Head of State of Barbados

Orino Jackman

Pour le Président de la République Populaire du Bénin

faouy

For the President of the Republic of Botswana

HHV

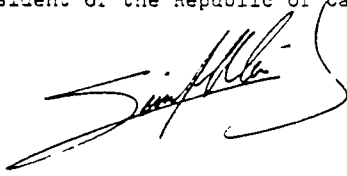
Pour le Président de la République du Burundi

[Signature]


Pour le Président de la République Unie du Cameroun

[Signature]

For the President of the Republic of Cape Verde



Pour le Président de la République Centrafricaine

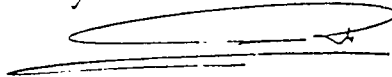


Pour le Président de la République Fédérale Islamique des Comores



Pour le Président de la République Populaire du Congo

1^{er} Colonel H. Zaoui



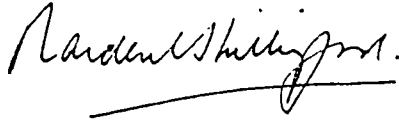
Pour le Président de la République de Côte d'Ivoire



Pour le Président de la République de Djibouti

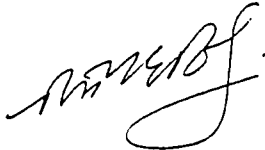


For the Prime Minister and Minister of External Affairs
of Independent State of Dominica

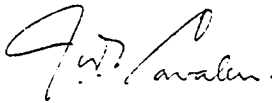


Raymond Whiting

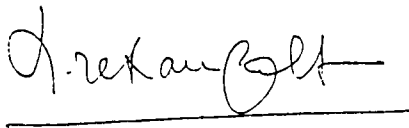
For the Chairman of the provisional Military Administrative
Council and of the Council of Ministers and Commander in
Chief of the Revolutionary Army of Ethiopia



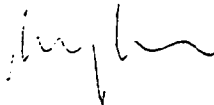
For Her Majesty the Queen of Fiji



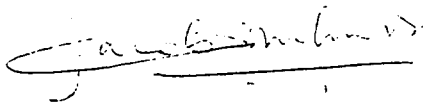
Pour le Président de la République gabonaise



For the President of the Republic of the Gambia



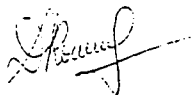
For the President of the Republic of Ghana



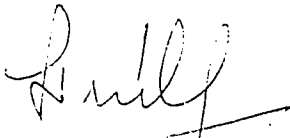
For the Head of State of Grenada



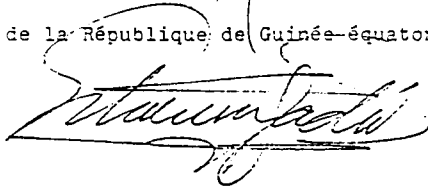
Pour le Président de la République de Guinée



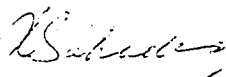
Pour le Président du Conseil d'Etat de la Guinée Bissau



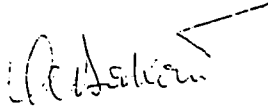
Pour le Président de la République de Guinée-équatoriale



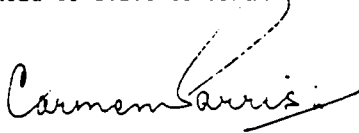
For the President of the Republic of Guyana



Pour le Président de la République de la Haute Volta



For the Head of State of Jamaica



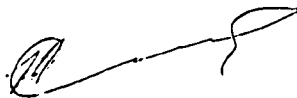
For the President of the Republic of Kenya



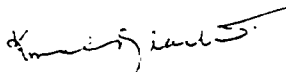
For the President of the Republic of Kiribati



For His Majesty the King of the Kingdom of Lesotho



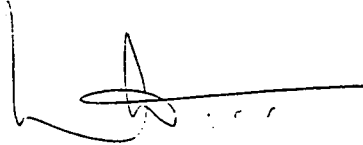
For the President of the Republic of Liberia



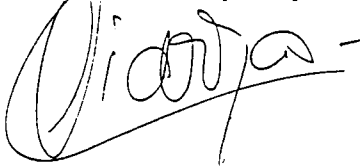
Pour le Président de la République Démocratique de Madagascar

A handwritten signature in black ink, appearing to be 'Dina', written in a cursive style.

For the President of the Republic of Malawi

A handwritten signature in black ink, consisting of a large, stylized initial 'L' followed by a horizontal line.

Pour le Président de la République du Mali

A handwritten signature in black ink, appearing to be 'Diatra', written in a cursive style.

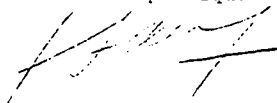
Pour le Président de la République islamique de Mauritanie

A handwritten signature in black ink, consisting of a large, stylized initial 'L' followed by a horizontal line.

For the Head of State of Mauritius

A handwritten signature in black ink, appearing to be 'Rana', written in a cursive style.

Pour le Président de la République du Niger

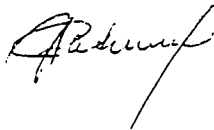
A handwritten signature in black ink, appearing to be 'Houphouët', written in a cursive style.

For the Head of the Federal Government of Nigeria

For the Head of the Independent State of Papua New Guinea



Pour le Président de la République rwandaise



For the Head of State of St Vincent and Grenadines



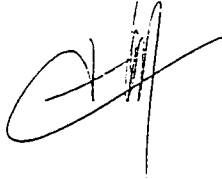
For the Head of State of Saint Lucia



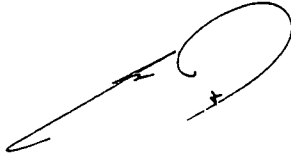
For the Head of State of Western Samoa



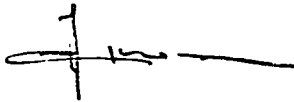
For the President of the Democratic Republic of São Tome
and Príncipe



Pour le Président de la République du Sénégal



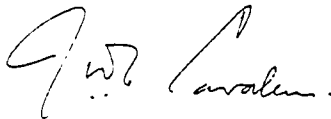
Pour le Président de la République des Seychelles



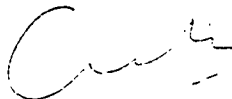
For the President of the Republic of Sierra Leone



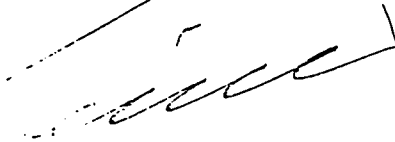
For the Head of State of the Solomon Islands



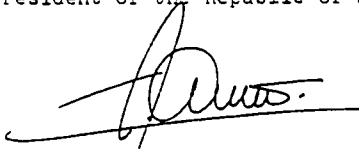
For the President of the Somali Democratic Republic,
President of the Supreme Revolutionary Council



For the President of the Democratic Republic of the Sudan



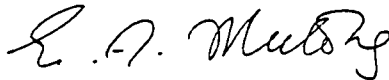
For the President of the Republic of Suriname



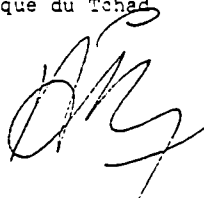
For His Majesty the King of the Kingdom of Swaziland

Kenneth Mbuli

For the President of the United Republic of Tanzania



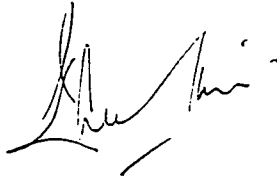
Pour le Président de la République du Tchad



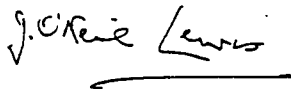
Pour le Président de la République togolaise



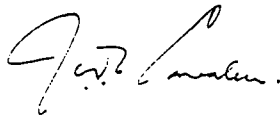
For His Majesty King Taufa'ahau Tupou IV of Tonga

A handwritten signature in black ink, appearing to be 'Taufa'ahau Tupou IV', written in a cursive style.

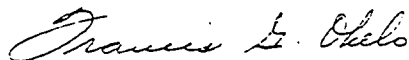
For the President of the Republic of Trinidad and Tobago

A handwritten signature in black ink that reads 'J. O'Keefe Lewis', with a horizontal line drawn underneath the name.

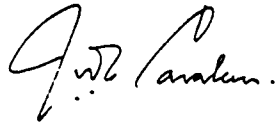
For Her Majesty the Queen of Tuvalu

A handwritten signature in black ink, appearing to be 'Queen of Tuvalu', written in a cursive style.

For the President of the Republic of Uganda

A handwritten signature in black ink that reads 'Francis L. Ochi', written in a cursive style.

Pour le Président de la République de Vanuatu

A handwritten signature in black ink, appearing to read "J. W. Caralen." with a stylized flourish at the end.

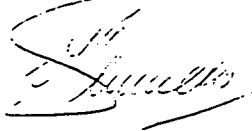
Pour le Président de la République du Zaïre

A handwritten signature in black ink, consisting of a large, sweeping loop followed by several straight lines.

For the President of the Republic of Zambia

A handwritten signature in black ink, featuring a series of horizontal strokes followed by a vertical stroke and a small loop.

For the President of the Republic of Zimbabwe

A handwritten signature in black ink, starting with a large, sweeping loop and followed by several horizontal strokes.

ANNEX I

List of products referred to in Article 3

Brussels Nomenclature heading No (NCCC)	Description
Chapter 13 ex 13.02 ex 13.03	Incense Pectates
Chapter 14 ex 14.05	Walnuts, gall nuts
Chapter 15 ex 15.05 ex 15.06	Wool grease stearin Other animal oils and fats (including fats from bones and waste), excluding neat's foot oil
15.08	Animal and vegetable oils, boiled, oxidized, dehydrated, sulphurized, blown or polymerized by heat in vacuum or in inert gas, or otherwise modified
15.10	Fatty acids, acid oils from refining, fatty alcohols
15.11	Glycerol and glycerol lyes
ex 15.15	Beeswax and other insect waxes, whether or not coloured
15.16	Vegetable waxes, whether or not coloured
ex 15.17	Degras
Chapter 17 17.04	Sugar confectionery, not containing cocoa
Chapter 18	Cocoa and cocoa preparations, excluding heading Nos 18.01 and 18.02
Chapter 19 ex 19.02 19.03 19.05	Malt extract Macaroni, spaghetti and similar products Prepared foods obtained by swelling or roasting of cereals or cereal products (puffed rice, corn flakes and similar products)
ex 19.07	Bread, ships' biscuits and other ordinary bakers' wares, not containing added sugar, honey, eggs, fats, cheese or fruit
19.08	Pastry, biscuits, cakes and other fine bakers' wares, whether or not containing cocoa in any proportion
Chapter 21	Miscellaneous edible preparations, excluding heading Nos 21.05 and 21.07

Brussels Nomenclature heading No (NCCC)	Description
Chapter 22	
22.01	Waters, including spa waters and aerated waters, ice and snow
22.02	Lemonade, flavoured spa waters and flavoured aerated waters and other non-alcoholic beverages, not including fruit and vegetable juices falling within heading No 20.07
ex 22.08	Ethyl alcohol or neutral spirits, undenatured, of an alcoholic strength of 80% vol or higher; denatured spirits (including ethyl alcohol and neutral spirits) of any strength excluding, excluding those derived from agricultural products listed in Annex II to the Treaty
ex 22.09	Ethyl alcohol or neutral spirits, undenatured, of an alcoholic strength of less than 80% vol, excluding ethyl alcohol derived from agricultural products listed in Annex II to the Treaty; liqueurs and other spirituous beverages; compound alcoholic preparations (known as "concentrated extracts") for the manufacture of beverages
Chapter 24	
24.02	Manufactured tobacco; tobacco extracts and essences
Chapter 25	
25.20	Gypsum; anhydrite; calcined gypsum, and plasters with a basis of calcium sulphate, whether or not coloured, but not including plasters specially prepared for use in dentistry.
25.22	Quicklime, slaked lime and hydraulic lime, other than calcium oxide and hydroxide
25.23	Portland cement, ciment fondu, slag cement, supersulphate cement and similar hydraulic cements, whether or not coloured or in the form of clinker
ex 25.30	Crude natural boric acid containing not more than 85 % of H_2BO_3 , calculated on the dry weight
ex 25.32	Earth colours, whether or not calcined or mixed together; santorin, pozzolana, trass and similar earths, used in making hydraulic cements, whether or not powdered
Chapter 27	
27.05 bis	Coal gas, water gas, producer gas and similar gases
27.06	Tar distilled from coal, from lignite or from peat, and other mineral tars, including partially distilled tars and blends of pitch with creosote oils or with other coal tar distillation products
27.08	Pitch and pitch coke, obtained from coal tar or from other mineral tars
ex 27.10	Mineral oils and greases for lubricating purposes
ex 27.11	Petroleum gases and other gaseous hydrocarbons, excluding propane of a purity not less than 99 % for use other than as a power or heating fuel

Brussels Nomenclature heading No (NCC)	Description
27.12	Petroleum jelly
27.13	Paraffin wax, micro-crystalline wax, slack wax, ozokerite, lignite wax, peat wax and other mineral waxes, whether or not coloured
27.14	Petroleum bitumen, petroleum coke and other residues of petroleum oils or of oils obtained from bituminous minerals
27.15	Bitumen and asphalt, natural; bituminous shale, asphaltic rock and tar sands
27.16	Bituminous mixtures based on natural asphalt, on natural bitumen, on petroleum bitumen, on mineral tar or on mineral tar pitch (for example, bituminous mastics, cur-backs)
Chapter 28	
ex 28.01	Chlorine
ex 28.04	Hydrogen, oxygen (including ozone) and nitrogen
ex 28.06	Hydrochloric acid
28.08	Sulphuric acid; oleum
28.09	Nitric acid; sulphonitric acids
28.10	Phosphorus pentoxide and phosphoric acids (meta-, ortho- and pyro-)
28.12	Boric oxide and boric acid
28.13	Other inorganic acids and oxygen compounds of non-metals (excluding water)
28.15	Sulphides of non-metals; phosphorus trisulphide
28.16	Ammonia, anhydrous or in aqueous solution
28.17	Sodium hydroxide (caustic soda); potassium hydroxide (caustic potash); peroxides of sodium or potassium
ex 28.19	Zinc oxide
ex 28.20	Artificial corundum
28.22	Manganese oxides
ex 28.23	Iron oxides, including earth colours containing 70 % or more by weight of combined iron evaluated as Fe_2O_3
ex 28.27	Red lead and litharge
28.29	Fluorides; fluorosilicates, fluoroborates and other complex fluoride salts
ex 28.30	Magnesium chloride, calcium chloride
ex 28.31	Hypochlorites; commercial calcium hypochlorite; chlorites
28.35	Sulphides; polysulphides
28.36	Dithionites, including those stabilized with organic substances; sulphyloxates
28.37	Sulphites and thiosulphates
ex 28.38	Sodium, barium, iron, zinc, magnesium and aluminium sulphates; alums
ex 28.40	Phosphites, hypophosphites and phosphates, excluding bibasic lead phosphate

Brands Nomenclature heading No INCCO	Description
ex 28.42	Carbonates, including commercial ammonium carbonate containing ammonium carbamate, excluding lead hydrocarbonate (white lead)
ex 28.44	Mercury fulminate
ex 28.45	Sodium silicate and potassium silicate, including commercial grades
ex 28.46	Refined borax
ex 28.48	Arsenites and arsenates
28.54	Hydrogen peroxide (including solid hydrogen peroxide)
ex 28.56	Silicon, boron and calcium carbides
ex 28.58	Distilled and conductivity water and water of similar purity
Chapter 29	
ex 29.01	Hydrocarbons for use as power or heating fuels; naphthalene and anthracene
ex 29.04	Amyl alcohols
29.06	Phenols and phenol-alcohols
ex 29.08	Dipentyl ether (diamyl ether), diethyl ether, anethole
ex 29.14	Palmitic, stearic and oleic acids and their water soluble salts; anhydrides
ex 29.16	Tartaric, citric and gallic acids; calcium tartrate
ex 29.21	Nitroglycerine
ex 29.42	Nicotine sulphate
29.43	Sugars, chemically pure, other than sucrose, glucose and lactose; sugar ethers and sugar esters, and their salts, other than products of heading Nos 29.39, 29.41 and 29.42
Chapter 30	
ex 30.02	Antisera
ex 30.03	<p>Medicaments (including veterinary medicaments), excluding the following products:</p> <ul style="list-style-type: none"> — Anti-asthmatic cigarettes — Quinine, cinchonine, quinidine and their salts, whether or not in the form of proprietary products — Morphine, cocaine and other narcotics, whether or not in the form of proprietary products — Antibiotics and preparations based on antibiotics — Vitamins and preparations based on vitamins — Sulphonamides, hormones and preparations based on hormones
30.04	Wadding, gauze, bandages and similar articles (for example, dressings, adhesive plasters, poultices), impregnated or coated with pharmaceutical substances or put up in retail packings for medical or surgical purposes, other than goods specified in Note 3 to this Chapter

Brussels Nomenclature Heading No (NCCC)	Description
Chapter 31	
ex 31.03	Mineral or chemical fertilizers, phosphatic, excluding: — Basic slag — Disintegrated (calcined) calcium phosphates (thermo phosphates and fused phosphates) and calcined natural aluminum calcium phosphates — Calcium hydrogen phosphate containing not less than 0.2 % of fluorine
31.05	Other fertilizers; goods of the present Chapter in tablets, lozenges and similar prepared forms or in packings of a gross weight not exceeding 10 kg
Chapter 32	
ex 32.01	Tanning extracts of vegetable origin; tannins (tannic acids), including water-extracted gall-nut tannin
ex 32.04	Colouring matter of vegetable origin (including dyewood extract and other vegetable dyeing extracts, but excluding indigo, henna and chlorophyll) or of animal origin, excluding cochineal extract and kermes
ex 32.05	Synthetic organic dyestuffs (including pigment dyestuffs and excluding artificial indigo); synthetic organic products of a kind used as luminophores; products of the kind known as optical bleaching agents, substantive to the fibre
32.06	Colour lakes
ex 32.07	Other colouring matter, excluding: (a) inorganic pigments or pigments of mineral origin, whether or not containing other substances facilitating dyeing, based on cadmium salts, (b) chrome colours and Prussian blue, inorganic products of a kind used as luminophores
32.08	Prepared pigments, prepared opacifiers and prepared colours, vitrifiable enamels and glazes, liquid lustres and similar products, of the kind used in the ceramic, enamelling and glass industries; engobes (slips); glass frit and other glass, in the form of powder, granules or flakes
32.09	Varnishes and lacquers; distempers; prepared water pigments of the kind used for finishing leather; paints and enamels; pigments dispersed in linseed oil, white spirit, spirits of turpentine, or other media of a kind used in the manufacture of paints or enamels; stamping foils, dyes or other colouring matter in forms or packings of a kind sold by retail; solutions as defined by Note 4 to this Chapter
32.11	Prepared driers
32.12	Glaziers' putty; grafting putty; painters' fillings; non-refractory surfacing preparations; stopping, sealing and similar mastics, including resin mastics and cements
32.13	Writing ink, printing ink and other inks
Chapter 33	
ex 33.01	Essential oils (terpeneless or not); concretes and absolutes, excluding essences of roses, rosemary, eucalyptus, sandalwood and cedar; resinoids; concentrates of essential oils in fats, in fixed oils, or in waxes or the like, obtained by cold absorption or by maceration

Brussels Nomenclature Heading No (NCC)	Description
ex 33.06	Eau de Cologne and other toilet waters; cosmetics and products for the care of the skin, hair and nails; toothpowders and toothpastes, products for oral hygiene; room deodorisers, prepared, whether or not perfumed
Chapter 34	Soap, organic surface-active agents, washing preparations, lubricating preparations, artificial waxes, prepared waxes, polishing and scouring preparations, candles and similar articles, modelling pastes and 'dental waxes'
Chapter 35	Albuminoid substances, excluding casein, caseinates, other casein derivatives, ovalbumin and lactalbumin; glues; enzymes
Chapter 36	Explosives; pyrotechnic products; matches; pyrophoric alloys; certain combustible preparations
Chapter 37	37.03 Sensitized paper; paperboard and cloth, unexposed or exposed but not developed
Chapter 38	38.03 Activated carbon; activated natural mineral products; animal black, including spent animal black
	38.09 Wood tar; wood tar oils (other than the composite solvents and thinners falling within heading No 38.18); wood creosote; wood naphtha; acetone oil; vegetable pitch of all kinds; brewers' pitch and similar compounds based on resin or on vegetable pitch; foundry core binders based on natural resinous products
ex 38.11	Disinfectants, insecticides, rat poisons, pesticides and similar products, put up in the form of articles such as sulphur-treated bands, wicks and candles, fly-papers, sticks coated with hexachlorodicyclohexane (BHC) and the like; preparations consisting of an active product (such as DDT) mixed with other materials and put up in aerosol containers ready for use
	38.18 Composite solvents and thinners for varnishes and similar products
ex 38.19	Preparations known as 'liquids for hydraulic transmission' (in particular for hydraulic brakes) containing less than 70 % by weight of petroleum oils or of oils obtained from bituminous minerals
Chapter 39	ex 39.02 Polyvinyl chloride
ex 39.01	Polystyrene in all its forms; other plastic materials, cellulose ethers and esters, artificial resins, excluding:
ex 39.02	
ex 39.03	
ex 39.04	
ex 39.05	
ex 39.06	(b) ion exchangers

Brussels Nomenclature heading No (NCCO)	Description
ex 39.07	Articles of materials of the kinds described in heading Nos 39.01 to 39.06, excluding fans and hand screens, non-mechanical, frames and handles therefor and parts of such frames and handles, and spools, reels and similar supports for photographic and cinematographic film or for tapes, films and the like falling within heading No 92.12
Chapter 40	Rubber, synthetic rubber, factice, and articles thereof, excluding heading Nos 40.01, 40.02, 40.03 and 40.04, latex (ex 40.06), solutions and dispersions (ex 40.06), protective clothing for surgeons and radiologists and divers' suits (ex 40.13), and bulk forms or blocks, scrap, waste and powder of hardened rubber (ebonite and vulcanite) (ex 40.15)
Chapter 41	Raw hides and skins (other than furskins) and leather, excluding parchment-dressed leather and articles falling within heading Nos 41.01 and 41.09
Chapter 42	Articles of leather; saddlery and harness; travel goods, handbags and similar containers; articles of animal gut (other than silk worm gut)
Chapter 43	Furskins and artificial fur; manufactures thereof
Chapter 44	Wood and articles of wood; wood charcoal, excluding heading No 44.07, articles of fibre building board (ex 44.21, ex 44.23, ex 44.27, ex 44.28), spools, reels and similar supports for photographic and cinematographic film or for tapes, films and the like falling within heading No 92.12 (ex 44.26) and wood paving blocks (ex 44.28)
Chapter 45	
45.03	Articles of natural cork
45.04	Agglomerated cork (being cork agglomerated with or without a binding substance) and articles of agglomerated cork
Chapter 46	Manufacture of straw, of esparto and of other plaiting materials; basketware and wickerwork, excluding plaits and similar products of plaiting materials, for all uses, whether or not assembled into struts (ex 46.02)
Chapter 48	
ex 48.01	Paper and paperboard (including cellulose wadding), in rolls or sheets, excluding the following products; <ul style="list-style-type: none"> - Ordinary newsprint made from chemical and mechanical pulp, weighing not more than 60 g/m² - Magazine paper - Cigarette paper - Tissue paper - Filter paper - Cellulose wadding - Hand-made paper and paperboard
48.03	Parchment or greaseproof paper and paperboard, and imitations thereof, and glazed transparent paper, in rolls or sheets
48.04	Composite paper or paperboard (made by sticking flat layers together with an adhesive), not surface-coated or impregnated, whether or not internally reinforced, in rolls or sheets
ex 48.05	Paper and paperboard, corrugated (with or without flat surface sheets) embossed in rolls or sheets

Brussels Nomenclature Heading No (NCCC)	Description
ex 48.07	Paper and paperboard, impregnated, coated, surface-coloured, surface-decorated or printed (not constituting printed matter within Chapter 49) in rolls or sheets, excluding squared paper, gold paper or silver paper and imitations thereof, transfer paper, indicator paper and unsensitized photographic paper
ex 48.13	Carbon paper
48.14	Writing blocks, envelopes, letter cards, plain postcards, correspondence cards; boxes, pouches, wallets and writing compendiums, of paper or paperboard, containing only an assortment of paper stationery
ex 48.15	Other paper or paperboard, cut to size or shape, excluding cigarette paper, tapes for teletype machines, perforated tapes for monotype machines and calculating machines, filter papers and filter boards (including those for cigarette filter tips) and gummed strip
48.16	Boxes, bags and other packing containers, of paper or paperboard; box files, letter trays, storage boxes and similar articles, of paper or paperboard, of a kind commonly used in offices, shops and the like
48.18	Registers, exercise books, note books, memorandum blocks, order books, receipt books, diaries, blotting pads, binders (loose-leaf or other), file covers and other stationery of paper or paperboard; sample and other albums and book covers, of paper or paperboard
48.19	Paper or paperboard labels, whether or not printed or gummed
ex 48.21	Lamp shades; tablecloths and serviettes, handkerchiefs and towels; dishes, plates, cups, table-mats, bottle-mats, glass-mats
Chapter 49	
ex 49.01	Printed books, booklets, brochures and leaflets in the Greek language
ex 49.03	Children's picture books and painting books, printed wholly or partly in the Greek language
ex 49.07	Stamps not intended for public service
49.09	Picture postcards, Christmas and other picture greeting cards, printed by any process, with or without trimmings
ex 49.10	Calendars of any kind, of paper or paperboard, including calendar blocks, but excluding calendars intended for publicity purposes, in other languages than Greek
ex 49.11	Other printed matter, including printed pictures and photographs, but excluding the following articles: — Theatrical and photographic studio scenery — Printed matter for publicity purposes (including travel publicity), printed in other languages than Greek
Chapter 50	Silk and waste silk
Chapter 51	Man-made fibres (continuous)
Chapter 52	Metallized textiles

Items Manufacture Heading No "N.C.S.I."	Description
Chapter 53	Wool and other animal hair, excluding raw, bleached and undyed products of heading Nos 53.01, 53.02, 53.03 and 53.04
Chapter 54	Flax and ramie, excluding heading No 54.01
Chapter 55	Cotton
Chapter 56	Man-made fibres (discontinuous)
Chapter 57	Other vegetable textile materials, excluding No 57.01; paper yarn and woven fabrics of paper yarn
Chapter 58	Carpets, mats, matting and tapestries; pile and chenille fabrics; narrow fabrics; trimmings; tuile and other net fabrics; lace; embroidery
Chapter 59	Wadding and felt; twine, cordage, ropes and cables; special fabrics; impregnated and coated fabrics; textile articles of a kind suitable for industrial use
Chapter 60	Knitted and crocheted goods
Chapter 61	Articles of apparel and clothing accessories of textile fabric, other than knitted or crocheted goods
Chapter 62	Other made up textile articles, excluding fans and hand screens (ex 62.05)
Chapter 63	Old clothing and other textile articles; rags
Chapter 64	Footwear, gaiters and the like, parts of such articles
Chapter 65	Headgear and parts thereof
Chapter 66	
66.01	Umbrellas and sunshades (including walking-stick umbrellas, umbrella tents, and garden and similar umbrellas)
Chapter 67	
ex 67.01	Feather dusters
67.02	Artificial flowers, foliage or fruit and parts thereof; articles made of artificial flowers, foliage or fruit
Chapter 68	
68.04	Hand polishing stones, whetstones, oilstones, hones and the like, and mill-stones, grindstones, grinding wheels and the like (including grinding, sharpening, polishing, tracing and cutting wheels, heads, discs and points) of natural stone (agglomerated or not), of agglomerated natural or artificial abrasives, or of pottery, with or without cores, shanks, sockets, axles and the like of other materials, but without frameworks; segments and other finished parts of such stones and wheels, of natural stone (agglomerated or not), of agglomerated natural or artificial abrasives, or of pottery
68.06	Natural or artificial abrasive powder or grain, on a base of woven fabric, of paper, or paperboard or of other materials, whether or not cut to shape or sewn or otherwise made up

Brussels Nomenclature heading No (NCCO)	Description
68.09	Panels, boards, tiles, blocks and similar articles of vegetable fibre, of wood fibre, of straw, of wood shavings or of wood waste (including sawdust), agglomerated with cement, plaster or with other mineral binding substances
68.10	Articles of plastering material
68.11	Articles of cement (including slag cement), of concrete or of artificial stone (including granulated marble agglomerated with cement), reinforced or not
68.12	Articles of asbestos-cement, of cellulose fibre-cement or the like
68.14	Friction material (segments, discs, washers, strips, sheets, plates, rolls and the like) of a kind suitable for brakes, for clutches or the like, with a basis of asbestos, other mineral substances or of cellulose, whether or not combined with textile or other materials
Chapter 69	Ceramic products, excluding heading Nos 69.01, 69.02 other than blocks with a basis of magnesite and of magnesite-chromite, 69.03, 69.04 and 69.05, utensils and apparatus for laboratory and industrial use, containers for the transport of acids and other chemical products and articles of a kind used in agriculture, of heading No 69.09 and certain articles of heading Nos 69.10, 69.13 and 69.14
Chapter 70	
70.04	Unworked cast or rolled glass (including flashed or wired glass) whether figured or not, in rectangles
70.05	Unworked drawn or blown glass (including flashed glass) in rectangles
ex 70.06	Cast, rolled, drawn or blown glass (including flashed or wired glass) in rectangles, surface ground or polished, but not further worked, excluding non-wired glass for mirrors
ex 70.07	Cast, rolled, drawn or blown glass (including flashed or wired glass) cut to shape other than rectangular shape, or bent or otherwise worked (for example, edge worked or engraved), whether or not surface ground or polished; leaded lights and the like
70.08	Safety glass consisting of toughened or laminated glass, shaped or not
70.09	Glass mirrors (including rear-view mirrors), unframed, framed or backed
70.10	Carboys, bottles, jars, pots, tubular containers and similar containers, of glass, of a kind commonly used for the conveyance or packing of goods; stoppers and other closures, of glass
ex 70.13	Glassware (other than articles falling within heading No 70.19) of a kind commonly used for table, kitchen, toilet or office purposes, for indoor decoration, or for similar uses, excluding fire-resisting glassware of a kind commonly used for table or kitchen purposes, with a low coefficient of expansion, similar to Pyrex or Durex
70.14	Illuminating glassware, signalling glassware and optical elements of glass, not optically worked nor of optical glass
ex 70.15	Glass of a kind used for sun glasses (but excluding glass suitable for corrective lenses), curved, bent, hollowed and the like
ex 70.16	Multi-cellular glass in blocks, slabs, plates, panels and similar forms

Brussels Nomenclature heading No (NCCC)	Description
ex 70.17	Laboratory, hygienic and pharmaceutical glassware, whether or not graduated or calibrated, excluding glassware for chemical laboratories; glass ampoules
ex 70.21	Other articles of glass, excluding articles for industry
Chapter 71	
ex 71.12	Articles of jewellery, of silver (including silver gilt or platinum-plated silver), or rolled precious metal on base metal
71.13	Articles of goldsmiths' or silversmiths' wares and parts thereof, of precious metal or rolled precious metal, other than goods falling within heading No 71.12
ex 71.14	Other articles of precious metal or rolled precious metal, excluding articles and utensils for workshops and laboratories
71.16	Imitation jewellery
Chapter 73	
Iron and steel and articles thereof, excluding:	
(a) Products within the jurisdiction of the European Coal and Steel Community, falling within heading Nos 73.01, 73.02, 73.03, 73.05, 73.06, 73.07, 73.08, 73.09, 73.10, 73.11, 73.12, 73.13, 73.15 and 73.16	
(b) Products falling within heading Nos 73.02, 73.05, 73.07 and 73.16 which are not within the jurisdiction of the European Coal and Steel Community	
(c) Heading Nos 73.04, 73.17, 73.19, 73.30, 73.33 and 73.34 and springs and leaves for springs, of iron or steel, for railway coaches, of heading No 73.35	
Chapter 74	
Copper and articles thereof, excluding copper alloys containing more than 10 % by weight of nickel and articles falling within heading Nos 74.01, 74.02, 74.06 and 74.11	
Chapter 76	
Aluminium and articles thereof, excluding heading Nos 76.01 and 76.05 and spools, reels and similar supports for photographic and cinematographic film or for tapes, films and the like falling within heading No 92.12 (ex 76.16)	
Chapter 78	
Lead and articles thereof	
Chapter 79	
Zinc and articles thereof, excluding heading Nos 79.01, 79.02 and 79.03	
Chapter 82	
ex 82.01	Hand tools, the following: spades, shovels, picks, hoes, forks and rakes; axes, bill hooks and similar hewing tools; hay knives, grass shears, timber wedges and other tools of a kind used in agriculture, horticulture or forestry
82.02	Saws (non-mechanical) and blades for hand or machine saws (including toothless saw blades)
ex 82.04	Portable forges; grinding wheels with frameworks (hand or pedal operated); articles for domestic use
82.09	Knives with cutting blades, serrated or not (including pruning knives), other than knives falling within heading No 82.06, and blades thereof

Brasserie Nomenclature Heading No (NCCO)	Description
ex 82.11	Safety razor blades and blanks thereof
ex 82.13	Other articles of cutlery (for example secateurs, hair clippers, butchers' cleavers, paper knives), excluding hand-operated clippers and parts thereof
82.14	Spoons, forks, fish-rests, butter-knives, ladles, and similar kitchen or table-ware
82.15	Handles of base metal for articles falling within heading Nos 82.09, 82.13 and 82.14
Chapter 83	Miscellaneous articles of base metal, excluding heading No 83.08, statuettes and other ornaments of a kind used indoors (ex 83.06) and beads and spangles (ex 83.09)
Chapter 84	
ex 84.06	Spark ignition engines, petrol driven of a cylinder capacity of 220 cc or more; internal combustion engines, semi diesel type; internal combustion engines, diesel type, of 37 kW or less; engines for motor-cycles and auto-cycles
ex 84.10	Pumps (including motor pumps and turbo pumps) for liquids, whether or not fitted with measuring devices
ex 84.11	Air pumps and vacuum pumps (including motor and turbo-pumps); fans, blower and the like, with integral motors, weighing less than 150 kg and fans or blowers without motor, weighing 100 kg or less
ex 84.12	Air-conditioning machines, self-contained, comprising a motor-driven fan and elements for changing the temperature and humidity of air, for domestic use
ex 84.14	Bakery ovens and parts thereof
ex 84.15	Refrigerating cabinets and other refrigerating plant, equipped with a refrigerating unit
ex 84.17	Instantaneous or storage water heaters, non-electrical
84.20	Weighing machinery (excluding balances of a sensitivity of 5 cg or better), including weight-operated counting and checking machines; weighing-machine weights of all kinds
ex 84.21	Mechanical appliances (whether or not hand operated) for projecting, dispersing or spraying liquids or powders, for domestic use; similar hand operated appliances for agricultural use; similar appliances for agricultural use, truck mounted, weighing 60 kg or less
ex 84.24	Ploughs designed for tractor or animal draught, weighing 700 kg or less; ploughs designed for mounding on tractors, with two or three shares or discs; harrows designed for tractor or animal draught, with fixed framework and fixed teeth; disc harrows, weighing 700 kg or less
ex 84.25	Threshers; maize huskers and maize threshers; harvesting machinery, animal drawn; straw or fodder presses; fanning mills and similar machines for screening seeds and cereal graders

Brussels Nomenclature Heading No (NCCC)	Description
84.27	Presses, crushers and other machinery, of a kind used in wine making, cider making, fruit juice preparation or the like
ex 84.28	Seed crushing machines; farm-type milling machines
84.29	Machinery of a kind used in the bread grain milling industry, and other machinery (other than farm type machinery) for the working of cereals or dried leguminous vegetables
ex 84.34	Printing type
ex 84.38	Shuttles; reeds for looms
ex 84.40	Washing machines, whether or not electric, for domestic use
ex 84.47	Machine tools for sawing and planing wood, cork, bone, ebonite (vulcanite), hard artificial plastic materials or other hard carving materials, other than machines falling within heading No 84.49
ex 84.56	Machinery for agglomerating, moulding or shaping ceramic paste, unhardened cements, plastering materials or other mineral products
ex 84.59	Oil presses and mills; machines for stearin soap manufacture
84.61	Taps, cocks, valves and similar appliances, for pipes, boiler shells, tanks, vats and the like, including pressure reducing valves and thermostatically-controlled valves
ex 84.63	Speed reducers
Chapter 85	
ex 85.01	Generators of 20 kVA output or less; motors of 74 kW or less; rotary converters of 37 kW or less; transformers and static converters other than for radio-broadcasting, radiotelephonic, radiotelegraphic and television receivers
85.03	Primary cells and primary batteries
85.04	Electric accumulators
ex 85.06	Room fans
85.10	Portable electric battery and magneto lamps, other than lamps falling within heading No 85.09
85.12	Electric instantaneous or storage water heaters and immersion heaters; electric soil heating apparatus and electric space heating apparatus; electric hair dressing appliances (for example, hair dryers, hair curlers, curling tong heaters) and electric smoothing irons; electro-thermic domestic appliances; electric heating resistors, other than those of carbon
ex 85.17	Electric sound signalling apparatus
ex 85.19	Electrical apparatus for making and breaking electrical circuits, for the protection of electrical circuits, or for making connections to or in electrical circuits (for example, switches, relays, fuses, lightning arresters, surge suppressors, plugs, lamp holders and junction boxes)
ex 85.20	Electric filament lamps and electric discharge lamps, excluding infra-red and ultra-violet lamps
ex 85.21	Cathode-ray tubes for television sets
85.23	Insulated (including enamelled or enodized) electric wire, cable, braid, strip and the like (including co-axial cable), whether or not fitted with connectors

Brussels Nomenclature heading No (NCC)	Description
85.25	Insulators of any material
85.26	Insulating fittings for electrical machines, appliances or equipment, being fittings wholly of insulating material apart from any minor components of metal incorporated during moulding solely for purposes of assembly, but not including insulators falling within heading No 85.25
85.27	Electrical conduit tubing and joints therefor, of base metal lined with insulating material
Chapter 87	
ex 87.02	Motor vehicles for the public transport of persons and motor vehicles for the transport of goods or materials (excluding chassis mentioned in Note 2 to Chapter 87)
87.05	Bodies (including cabs), for the motor vehicles falling within heading No 87.01, 87.02 or 87.03
ex 87.06	Chassis without engines, and parts thereof
ex 87.11	Invalid carriages (other than motorized or otherwise mechanically propelled)
ex 87.12	Parts and accessories of invalid carriages (other than motorized or otherwise mechanically propelled)
87.13	Baby carriages and parts thereof
Chapter 89	
ex 89.01	Lighters and barges; tankers designed to be towed; sailing vessels; inflatable boats of artificial plastic materials
Chapter 90	
ex 90.01	Ophthalmic lenses
90.03	Frames and mountings, and parts thereof, for spectacles, pince-nez, lorgnettes, goggles and the like
90.04	Spectacles, pince-nez, lorgnettes, goggles and the like, corrective, protective or other
ex 90.26	Meters for hand-operated petrol pumps and water meters (volumetric and tachometric)
Chapter 92	
92.12	Gramophone records and other sound or similar recordings; matrices for the production of records, prepared record blanks, film for mechanical sound recording, prepared tapes, wires, strips and like articles of a kind commonly used for sound or similar recording
Chapter 93	
ex 93.04	Sporting guns and rifles
ex 93.07	Wads for shotguns; sporting cartridges, cartridges for revolvers, pistols and walking stick guns, ball or shot cartridges for target shooting guns of calibres up to 9 mm; cartridge cases for sporting guns and sporting rifles, of metal and paperboard; bullets, shot and buckshot for sporting guns and sporting rifles
Chapter 94	
Chapter 94	Furniture and parts thereof; bedding, mattresses, mattress supports, cushions and similar stuffed furnishings, excluding heading No 94.02

Brussels Nomenclature Heading No (NCCC)	Description
Chapter 96	Brooms, brushes, powder puffs and sieves, excluding prepared knots and tufts for broom or brush making of heading No 96.01 and articles falling within heading Nos 96.05 and 96.06
Chapter 97	
97.01	Wheeled toys designed to be ridden by children (for example, toy bicycles and tricycles, and pedal motor cars); dolls' prams and dolls' push chairs
97.02	Dolls
97.03	Other toys; working models of a kind used for recreational purposes
ex 97.05	Streamers and confetti
Chapter 98	Miscellaneous manufactured articles, excluding stylograph pens falling within heading No 98.03 and excluding heading Nos 98.04, 98.10, 98.11, 98.14 and 98.15

List of products referred to
in Article 9

CCT heading No	Description	Quotas for the period 1 January to 31 December 1981
31.02	Mineral or chemical fertilizers, nitrogenous	
31.03	Mineral or chemical fertilizers, phosphatic	
31.05	Other fertilizers; goods of the present Chapter in tablets, lozenges and similar prepared forms or in packings of a gross weight not exceeding 10 kg: A. Other fertilizers: I. Containing the three fertilizing substances: nitrogen, phosphorus and potassium II. Containing the two fertilizing substances: nitrogen and phosphorus IV. Other	800 tonnes 1
ex 73.37	Boilers (excluding boilers of heading No 84.01) and radiators, for central heating, not electrically heated, and parts thereof, of iron or steel; air heaters and hot air distributors (including those which can also distribute cool or conditioned air), not electrically heated, incorporating a motor-driven fan or blower, and parts thereof, of iron or steel: — Boilers for central heating	3,200 EUA
ex 84.01	Steam and other vapour generating boilers (excluding central heating hot water boilers capable also of producing low pressure steam); super-heated water boilers: — Of a power of 32 MW or less	5,400 EUA
84.06	Internal combustion piston engines: C. Other engines: ex II. Compression ignition engines: — Of a power of less than 37 kW	17,700 EUA
84.10	Pumps (including motor pumps and turbo pumps) for liquids, whether or not fitted with measuring devices; liquid elevators of bucket, chain, screw, band and similar kinds: ex A. Delivery pumps fitted, or designed to be fitted, with a measuring device, other than pumps for dispensing fuel B. Other pumps C. Liquid elevators of bucket, chain, screw, band and similar kinds	86,500 EUA

CCT heading No.	Description	Quota for the period: JANUARY to 31 December 1981
84.14	Industrial and laboratory furnaces and ovens, non-electric: ex B. Other: — Parts of steel, for cement ovens	700 EJA
ex 84.20	Weighing machinery (excluding balances of a sensitivity of 5 cg or better) including weight-operated counting and checking machines; weighing machine weights of all kinds, other than: — Baby scales — Precision scales graduated in grams for domestic use — Weighing machine weights of all kinds	20,200 EJA
85.01	Electrical goods of the following descriptions: generators, motors, converters (rotary or static), transformers, rectifiers and rectifying apparatus, inductors: A. Generators, motors (whether or not equipped with speed reducing, changing or step-up gear) and rotary converters: ex II. Other: — Motors of an output of not less than 370 W and not more than 15 000 W ex C. Parts: — For motors of an output of not less than 370 and not more than 15 000 W	2,400 EJA
85.15	Radiotelegraphic and radiotelephonic transmission and reception apparatus; radio-broadcasting and television transmission and reception apparatus (including receivers incorporating sound recorders or reproducers) and television cameras, radio navigational aid apparatus, radar apparatus and radio remote control apparatus: A. Radiotelegraphic and radiotelephonic transmission and reception apparatus; radio-broadcasting and television transmission and reception apparatus (including receivers incorporating sound recorders or reproducers) and television cameras: ex III. Receivers, whether or not incorporating sound recorders or reproducers: — Television	400 Units 100,000 EJA ⁽¹⁾

⁽¹⁾ Supplementary limitation expressed as a value

CCT heading No	Description	Quantities for the period 1 January to 31 December 1961
85.15 (cont'd)	<p>C. Parts:</p> <p>I. Cabinets and cases:</p> <p>ex a) Of wood: — For television receivers</p> <p>ex b) Of other materials: — For television receivers</p> <p>ex III. Other:</p> <p>— Chassis for television receivers and their parts, assembled or mounted</p> <p>— Printed circuit boards for television receivers</p>	190,000 EUA
ex 85.23	<p>Insulated (including enamelled or anodized) electric wire, cable, bars, strip and the like (including co-axial cable), whether or not fitted with connectors:</p> <p>— Cables for television aeriels</p>	4,200 EUA
87.02	<p>Motor vehicles for the transport of persons, goods or materials (including sports motor vehicles, other than those of heading No 87.09):</p> <p>A. For the transport of persons, including vehicles designed for the transport of both passengers and goods:</p> <p>I. With either a spark ignition or a compression ignition engine:</p> <p>ex a) Motor vehicles and buses with either a spark ignition engine of a cylinder capacity of 2 800 cc or more or a compression ignition engine of a cylinder capacity of 2 500 cc or more: — Complete motor buses and coaches</p> <p>ex b) Other: — Complete, with a seating capacity of more than six</p>	6 Units 130,000 ⁽¹⁾ EUA
87.05	<p>Bodies (including cabs), for the motor vehicles falling within heading No 87.01, 87.02 or 87.03:</p> <p>ex A. Bodies and cabs of metal for the industrial assembly of:</p> <p>— Agricultural walking tractors falling within subheading 87.01 A,</p> <p>— Motor vehicles for the transport of persons, including vehicles designed for the transport of both passengers and goods, with a seating capacity of more than six and less than 15,</p>	

⁽¹⁾ Supplementary limitation expressed as a value

CCT heading No	Description	Quotas for the period 1 January to 31 December 1981
87.05 (cont'd)	<ul style="list-style-type: none"><li data-bbox="344 347 667 427">— Motor vehicles for the transport of goods or materials, with either a spark ignition engine of a cylinder capacity of less than 2 800 cc or a compression ignition engine of a cylinder capacity of less than 2 500 cc,<li data-bbox="344 435 667 467">— Special purpose motor lorries and vans of heading No 87.03 (a) <p data-bbox="300 480 389 496">ex B. Other:</p> <ul style="list-style-type: none"><li data-bbox="344 507 667 555">— Bodies and cabs of metal, other than for motor vehicles for the transport of persons, with a seating capacity of six or less	1,000 EUA

(a) Entry under this subheading is subject to conditions to be determined by the competent authorities.

ANNEX III

JOINT DECLARATION

THE CONTRACTING PARTIES

CONSIDERING that the enlargement process of the EEC can be a cause of concern to the ACP States, the EEC's main preferential partners;

CONSIDERING therefore that all the means provided for in the Lomé Convention must be implemented in order to settle, in the usual spirit of co-operation between the EEC and the ACP States, the problems which may arise consequent upon the accession of the Hellenic Republic or of future accessions to the Community,

HAVE AGREED AS FOLLOWS:

1. Within the framework of any acceleration of the timetable for the reduction of customs duties and charges having equivalent effect that the Hellenic Republic might decide upon in accordance with the Act of Accession, for the products listed in Annex I, the Hellenic Republic undertakes to apply the same reductions vis-à-vis the ACP States, and shall endeavour to give priority to certain products which are of special interest to the ACP States.

2. With regard to the preferential treatment applied by some ACP States in respect of imports of products originating in the Community, the Contracting Parties will consult on the conditions of implementation of Article 9(2) of the Convention in respect of the Hellenic Republic during the transitional period provided for by the Protocol with a view to finding mutually acceptable solutions. These consultations will take place before 1 January 1982.

 3. During the negotiations for the Protocol the ACP States informed the Community of their concern over the accession of the Hellenic Republic. The Community, noting this concern, confirms to the ACP States that all the procedures for information and consultation provided for in the Lomé Convention will be fully and immediately put into practice should the application of the Protocol cause difficulties for the ACP States in matters of trade co-operation, with a view to seeking mutually acceptable solutions.

 4. Understanding the concern expressed by the ACP States over the negotiations for the accession of Spain and Portugal, the Community will, within the framework of consultation procedures provided for by the Convention, keep the ACP States appropriately informed of developments in these negotiations and will proceed in good time to any necessary discussion of the possible effects for the ACP States of the enlargement of the Community. In accordance with Article 181 of the Lomé Convention, the Community and the ACP States will take, as necessary, the appropriate measures of adaptation and transition.
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PROTOCOL TO THE AGREEMENT
BETWEEN THE MEMBER STATES OF THE EUROPEAN
COAL AND STEEL COMMUNITY AND THE ACP STATES
CONSEQUENT ON THE ACCESSION OF THE
HELLENIC REPUBLIC TO THE COMMUNITY

(*) On the date of publication of this Compilation, the procedures necessary for the entry into force of this Protocol had not yet been completed. Provisionally, Decision 81/57/ECSC, extended by Decisions 81/248/ECSC, 81/475/ECSC and 82/16/ECSC (see section III, pages 400, 402, 403 and 405 of this Compilation), therefore applies in respect of ECSC products.

HIS MAJESTY THE KING OF THE BELGIANS,

HER MAJESTY THE QUEEN OF DENMARK,

THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY,

THE PRESIDENT OF THE HELLENIC REPUBLIC,

THE PRESIDENT OF THE FRENCH REPUBLIC,

THE PRESIDENT OF IRELAND,

THE PRESIDENT OF THE ITALIAN REPUBLIC,

HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBOURG,

HER MAJESTY THE QUEEN OF THE NETHERLANDS,

HER MAJESTY THE QUEEN OF THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND,

Contracting Parties to the Treaty establishing the European Coal and Steel Community signed in Paris on 17 April 1951, whose States are hereinafter referred to as "Member States",

of the one part, and

THE HEAD OF STATE OF THE BAHAMAS,

THE HEAD OF STATE OF BARBADOS,

THE PRESIDENT OF THE PEOPLE'S REPUBLIC OF BENIN,

THE PRESIDENT OF THE REPUBLIC OF BOTSWANA,

THE PRESIDENT OF THE REPUBLIC OF BURUNDI,

THE PRESIDENT OF THE UNITED REPUBLIC OF CAMEROON,

THE PRESIDENT OF THE REPUBLIC OF CAPE VERDE,

THE PRESIDENT OF THE CENTRAL AFRICAN REPUBLIC,

THE PRESIDENT OF THE FEDERAL ISLAMIC REPUBLIC OF THE COMOROS,

THE PRESIDENT OF THE PEOPLE'S REPUBLIC OF THE CONGO,

THE PRESIDENT OF THE REPUBLIC OF THE IVORY COAST,

THE PRESIDENT OF THE REPUBLIC OF DJIBOUTI,

THE PRIME MINISTER AND MINISTER OF EXTERNAL AFFAIRS OF THE
INDEPENDENT STATE OF DOMINICA,

THE CHAIRMAN OF THE PROVISIONAL MILITARY ADMINISTRATIVE COUNCIL
AND OF THE COUNCIL OF MINISTERS AND COMMANDER IN CHIEF OF THE
REVOLUTIONARY ARMY OF ETHIOPIA,

HER MAJESTY THE QUEEN OF FIJI,

THE PRESIDENT OF THE GABONESE REPUBLIC,

THE PRESIDENT OF THE REPUBLIC OF THE GAMBIA,

THE PRESIDENT OF THE REPUBLIC OF GHANA,

THE HEAD OF STATE OF GRENADA,

THE PRESIDENT OF THE REPUBLIC OF GUINEA,

THE PRESIDENT OF THE COUNCIL OF STATE OF GUINEA-BISSAU,

THE PRESIDENT OF THE REPUBLIC OF EQUATORIAL GUINEA,

THE PRESIDENT OF THE REPUBLIC OF GUYANA,

THE PRESIDENT OF THE REPUBLIC OF UPPER VOLTA,

THE HEAD OF STATE OF JAMAICA,

THE PRESIDENT OF THE REPUBLIC OF KENYA,

THE PRESIDENT OF THE REPUBLIC OF KIRIBATI,

HIS MAJESTY THE KING OF THE KINGDOM OF LESOTHO,

THE PRESIDENT OF THE REPUBLIC OF LIBERIA,

THE PRESIDENT OF THE DEMOCRATIC REPUBLIC OF MADAGASCAR,

THE PRESIDENT OF THE REPUBLIC OF MALAWI,

THE PRESIDENT OF THE REPUBLIC OF MALI,

THE PRESIDENT OF THE ISLAMIC REPUBLIC OF MAURITANIA,

HER MAJESTY THE QUEEN OF MAURITIUS,

THE PRESIDENT OF THE REPUBLIC OF NIGER,

THE HEAD OF THE FEDERAL GOVERNMENT OF NIGERIA,

THE HEAD OF THE INDEPENDENT STATE OF PAPUA NEW GUINEA,

THE PRESIDENT OF THE REPUBLIC OF RWANDA,

THE HEAD OF STATE OF SAINT VINCENT AND THE GRENADINES,

THE HEAD OF STATE OF SAINT LUCIA,

THE HEAD OF STATE OF WESTERN SAMOA,

THE PRESIDENT OF THE DEMOCRATIC REPUBLIC OF SÃO TOMÉ AND
PRÍNCIPE,

THE PRESIDENT OF THE REPUBLIC OF SENEGAL,

THE PRESIDENT OF THE REPUBLIC OF SEYCHELLES,

THE PRESIDENT OF THE REPUBLIC OF SIERRA LEONE,

THE HEAD OF STATE OF THE SOLOMON ISLANDS,

THE PRESIDENT OF THE SOMALI DEMOCRATIC REPUBLIC,
PRESIDENT OF THE SUPREME REVOLUTIONARY COUNCIL,

THE PRESIDENT OF THE DEMOCRATIC REPUBLIC OF THE SUDAN,

THE PRESIDENT OF THE REPUBLIC OF SURINAME,

HIS MAJESTY THE KING OF THE KINGDOM OF SWAZILAND,

THE PRESIDENT OF THE UNITED REPUBLIC OF TANZANIA,

THE PRESIDENT OF THE REPUBLIC OF CHAD,

THE PRESIDENT OF THE REPUBLIC OF TOGO,

HIS MAJESTY KING TAUFA'AHAU TUPOU IV OF TONGA,

THE PRESIDENT OF THE REPUBLIC OF TRINIDAD AND TOBAGO,

HER MAJESTY THE QUEEN OF TUVALU,

THE PRESIDENT OF THE REPUBLIC OF UGANDA,

THE PRESIDENT OF THE REPUBLIC OF VANUATU,

THE PRESIDENT OF THE REPUBLIC OF ZAIRE,

THE PRESIDENT OF THE REPUBLIC OF ZAMBIA,

whose States are hereinafter called the "ACP States",

and THE PRESIDENT OF THE REPUBLIC OF ZIMBABWE,

of the other part,

CONSIDERING the accession of **the** Hellenic Republic to the European Communities on 1 **January** 1981,

HAVING REGARD to the Agreement **between** the Member States of the European Coal and Steel **Community**, of the one part, and the ACP States of the other **part**, signed at Lomé on 31 October 1979, hereinafter **called** "the Agreement",

HAVE DECIDED to determine by **common** accord the adjustments and transitional measures concerning the Agreement consequent on the accession of the Hellenic **Republic** to the European Coal and Steel Community and to **conclude** this Protocol,

And to this end HAVE DESIGNATED as their Plenipotentiaries:

HIS MAJESTY THE KING OF THE **BELGIANS**:

Paul NOTERDAEME,
Ambassador Extraordinary **and** Plenipotentiary,
Permanent Representative **to** the European Communities;

HER MAJESTY THE QUEEN OF **DENMARK**:

Gunnar RIBERHOLDT,
Ambassador Extraordinary **and** Plenipotentiary,
Permanent Representative **to** the European Communities;

THE PRESIDENT OF THE FEDERAL **REPUBLIC OF GERMANY**:

Gisbert POENSGEN,
Ambassador Extraordinary **and** Plenipotentiary,
Permanent Representative **to** the European Communities;

THE PRESIDENT OF THE HELLENIC REPUBLIC:

Marcos ECONOMIDES,
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative to the European Communities;

THE PRESIDENT OF THE FRENCH REPUBLIC:

Luc de La BARRE de NANTEUIL,
Ambassador,
Permanent Representative to the European Communities;

THE PRESIDENT OF IRELAND:

Andrew O'ROURKE,
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative to the European Communities;

THE PRESIDENT OF THE ITALIAN REPUBLIC:

Renato RUGGIERO,
Ambassador,
Permanent Representative to the European Communities;

HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBOURG:

Jean DONDELINGER,
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative to the European Communities;

HER MAJESTY THE QUEEN OF THE **NETHERLANDS**:

M.H.J.Ch. RUTTEN,
Ambassador Extraordinary **and** Plenipotentiary,
Permanent Representative **to** the European Communities;

HER MAJESTY THE QUEEN OF THE **UNITED** KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND:

Sir Michael BUTLER, KCMG,
Ambassador,
Permanent Representative **to** the European Communities;

THE HEAD OF STATE OF THE **BAHAMAS**:

THE HEAD OF STATE OF BARBADOS:

Oliver H. JACKMAN,
Ambassador Extraordinary **and** Plenipotentiary;

THE PRESIDENT OF THE PEOPLE'S REPUBLIC OF BENIN:

David Douwa GBAGUIDI,
Ambassador Extraordinary and Plenipotentiary;

THE PRESIDENT OF THE REPUBLIC OF BOTSWANA:

Geoffrey G. GAREBAMONO,
Ambassador Extraordinary and Plenipotentiary;

THE PRESIDENT OF THE REPUBLIC OF BURUNDI:

Cyprien MBONIMPA,
Ambassador Extraordinary and Plenipotentiary;

THE PRESIDENT OF THE UNITED REPUBLIC OF CAMEROON:

El Hadj Mahmoudou HAMAN DICKO,
Ambassador Extraordinary and Plenipotentiary;

THE PRESIDENT OF THE REPUBLIC OF CAPE VERDE:

Severino ALMEIDA,
Chargé d'Affaires a.i.
at the Embassy of Cape Verde to the Netherlands;

THE PRESIDENT OF THE CENTRAL AFRICAN REPUBLIC:

Jean-Louis PSIMHIS,
Ambassador Extraordinary and Plenipotentiary;

THE PRESIDENT OF THE FEDERAL ISLAMIC REPUBLIC OF THE COMOROS:

Ali MLAHAILI,
Ambassador Extraordinary and Plenipotentiary of the
Federal Islamic Republic of the Comoros in Paris;

THE PRESIDENT OF THE PEOPLE'S REPUBLIC OF THE CONGO:

Alfred RAOUL
Ambassador Extraordinary and Plenipotentiary ;

THE PRESIDENT OF THE REPUBLIC OF THE IVORY COAST:

Seydou DIARRA,
Ambassador Extraordinary and Plenipotentiary;

THE PRESIDENT OF THE REPUBLIC OF DJIBOUTI:

Ahmed Ibrahim ABDI,
Ambassador Extraordinary and Plenipotentiary;

THE PRIME MINISTER AND MINISTER OF EXTERNAL AFFAIRS OF THE
INDEPENDENT STATE OF DOMINICA:

Arden SHILLINGFORD,
High Commissioner of the Commonwealth of Dominica,
London;

THE CHAIRMAN OF THE PROVISIONAL MILITARY ADMINISTRATIVE COUNCIL
AND OF THE COUNCIL OF MINISTERS AND COMMANDER IN CHIEF OF THE
REVOLUTIONARY ARMY OF ETHIOPIA:

Dr Ghebray BERHANE,
Ambassador Extraordinary and Plenipotentiary;

HER MAJESTY THE QUEEN OF FIJI

Josua D.V. CAVALEVU,
Ambassador Extraordinary and Plenipotentiary;

THE PRESIDENT OF THE GABONESE REPUBLIC:

Martin Jean REKANGALT,
Ambassador Extraordinary and Plenipotentiary;

THE PRESIDENT OF THE REPUBLIC OF THE GAMBIA:

Babou Ousman JOBE,
Ambassador Extraordinary and Plenipotentiary;

THE PRESIDENT OF THE REPUBLIC OF GHANA:

J.B. WILMOT,
Ambassador Extraordinary and Plenipotentiary;

THE HEAD OF STATE OF GRENADA:

G.R.E. BULLEN,
Ambassador Extraordinary and Plenipotentiary;

THE PRESIDENT OF THE REPUBLIC OF GUINEA:

Daouda KOUROUMA,
Ambassador Extraordinary and Plenipotentiary;

THE PRESIDENT OF THE COUNCIL OF STATE OF GUINEA-BISSAU:

Luis d'OLIVEIRA SANCA,
Ambassador Extraordinary and Plenipotentiary;

THE PRESIDENT OF THE REPUBLIC OF EQUATORIAL GUINEA:

Julian Abaga Ada ESHONO,
Ambassador Extraordinary and Plenipotentiary;

THE PRESIDENT OF THE REPUBLIC OF GUYANA:

Harold SAHADEO,
Ambassador Extraordinary and Plenipotentiary;

THE PRESIDENT OF THE REPUBLIC OF UPPER VOLTA:

Antoine K. DAKOURE,
Ambassador Extraordinary and Plenipotentiary;

THE HEAD OF STATE OF JAMAICA:

Carmen Yvonne PARRIS,
Ambassador Extraordinary and Plenipotentiary;

THE PRESIDENT OF THE REPUBLIC OF KENYA:

J.G. KITI,
Ambassador Extraordinary and Plenipotentiary;

THE PRESIDENT OF THE REPUBLIC OF KIRIBATI:

Peter Ipu PEIPUL,
Ambassador Extraordinary and Plenipotentiary of
Papua New Guinea;

HIS MAJESTY THE KING OF THE KINGDOM OF LESOTHO:

L.B. MONYAKE,
Ambassador Extraordinary and Plenipotentiary;

THE PRESIDENT OF THE REPUBLIC OF LIBERIA:

Konah BLACKETT,
Chargé d'affaires a.i.;

THE PRESIDENT OF THE DEMOCRATIC REPUBLIC OF MADAGASCAR:

Pierre Désiré RANJEVA
Ambassador Extraordinary and Plenipotentiary ;

THE PRESIDENT OF THE REPUBLIC OF MALAWI:

M.D.P. Wilson KACHIKUWO,
Ambassador Extraordinary and Plenipotentiary;

THE PRESIDENT OF THE REPUBLIC OF MALI:

Yaya DIARRA,
Ambassador Extraordinary and Plenipotentiary;

THE PRESIDENT OF THE ISLAMIC REPUBLIC OF MAURITANIA:

Kane BOUNA,
Ambassador Extraordinary and Plenipotentiary;

THE HEAD OF STATE OF MAURITIUS

Raymond CHASLE,
Ambassador Extraordinary and Plenipotentiary;

THE PRESIDENT OF THE REPUBLIC OF NIGER:

Habou SALEY,
Ambassador Extraordinary and Plenipotentiary;

THE HEAD OF THE FEDERAL GOVERNMENT OF NIGERIA:

THE HEAD OF THE INDEPENDENT STATE OF PAPUA NEW GUINEA:

Peter Ipu PEIPUL,
Ambassador Extraordinary and Plenipotentiary;

THE PRESIDENT OF THE REPUBLIC OF RWANDA:

Callixte HATUNGIMANA,
Ambassador Extraordinary and Plenipotentiary;

THE HEAD OF STATE OF SAINT VINCENT AND THE GRENADINES:

Dr Claudius C. THOMAS, C.M.G.,
High Commissioner in the United Kingdom for
Saint Vincent and the Grenadines;

THE HEAD OF STATE OF SAINT LUCIA:

Dr Claudius C. THOMAS, C.M.G.,
High Commissioner in the United Kingdom for
Saint Lucia;

THE HEAD OF STATE OF WESTERN SAMOA:

John George McARTHUR,
Ambassador Extraordinary and Plenipotentiary
of New Zealand;

THE PRESIDENT OF THE DEMOCRATIC REPUBLIC OF SÃO TOMÉ AND
PRÍNCIPE:

Fradique de MENEZES,
Director of the Commercial Centre in London;

THE PRESIDENT OF THE REPUBLIC OF SENEGAL:

Seydina Oumar SY,
Ambassador Extraordinary and Plenipotentiary;

THE PRESIDENT OF THE REPUBLIC OF SEYCHELLES:

Adil ISKAROS,
Honorary Consul General, Paris;

THE PRESIDENT OF THE REPUBLIC OF SIERRA LEONE:

Sahr MATTURI,
Chargé d'affaires a.i.;

THE HEAD OF STATE OF THE SOLOMON ISLANDS:

Josua D.V. CAVALEVU,
Ambassador Extraordinary and Plenipotentiary;

THE PRESIDENT OF THE SOMALI DEMOCRATIC REPUBLIC,
PRESIDENT OF THE SUPREME REVOLUTIONARY COUNCIL:

Ali Abdi GURHAN,
Chargé d'affaires a.i.;

THE PRESIDENT OF THE DEMOCRATIC REPUBLIC OF THE SUDAN:

Sayed Nuri Khalil SIDDIG,
Ambassador Extraordinary and Plenipotentiary;

THE PRESIDENT OF THE REPUBLIC OF SURINAME:

Carlo LAMUR,
Ambassador Extraordinary and Plenipotentiary;

HIS MAJESTY THE KING OF THE KINGDOM OF SWAZILAND:

Kenneth MBULI,
Chargé d'affaires a.i.;

THE PRESIDENT OF THE UNITED REPUBLIC OF TANZANIA:

Ernest Abel MULOKOZI,
Ambassador Extraordinary and Plenipotentiary;

THE PRESIDENT OF THE REPUBLIC OF CHAD:

ISSAKA RAMAT ALHAMDOU,
Chargé d'affaires a.i.;

THE PRESIDENT OF THE REPUBLIC OF TOGO:

Ellom-Kodjo SCHUPPIUS,
Chargé d'affaires a.i.;

HIS MAJESTY KING TAUF'AHAU TUPOU IV OF TONGA:

Inoke F. FALETAU,
Ambassador Extraordinary and Plenipotentiary;

THE PRESIDENT OF THE REPUBLIC OF TRINIDAD AND TOBAGO:

James O'Neil LEWIS,
Ambassador Extraordinary and Plenipotentiary;

HER MAJESTY THE QUEEN OF TUVALU:

Josua D.V. CAVALEVU,
Ambassador Extraordinary and Plenipotentiary;

THE PRESIDENT OF THE REPUBLIC OF UGANDA:

Francis G. OKELO,
Ambassador Extraordinary and Plenipotentiary;

THE PRESIDENT OF THE REPUBLIC OF VANUATU:

Josua D.V. CAVALEVU,
Ambassador Extraordinary and Plenipotentiary;

THE PRESIDENT OF THE REPUBLIC OF ZAIRE:

KENGO wa DONDO,
Ambassador Extraordinary and Plenipotentiary;

THE PRESIDENT OF THE REPUBLIC OF ZAMBIA:

Fidelis Fields BWALYA,
Chargé d'affaires a.i.;

THE PRESIDENT OF THE REPUBLIC OF ZIMBABWE:

F. Arthur BLUMERIS,
Ambassador Extraordinary and Plenipotentiary;

WHO, having exchanged their full powers, found in good and due form,

HAVE AGREED AS FOLLOWS:

ARTICLE 1

The Hellenic Republic hereby becomes party to the Agreement signed at Lomé on 31 October 1979, and to the Agreement between the Member States of the European Coal and Steel Community, of the one part, and the Republic of Zimbabwe, of the other part, signed at Luxembourg on 4 November 1980.

TITLE I

Adjustments

ARTICLE 2

The texts of the Agreements mentioned in Article 1, drawn up in Greek, are authentic in the same way as the original texts. The Council of Ministers hereby approves the Greek version.

TITLE II

Transitional measures

ARTICLE 3

For the products covered by the Agreement, the Hellenic Republic shall progressively abolish custom duties in accordance with the following timetable:

- on the date of entry into force of this Protocol each duty shall be reduced to 90% of the basic duty;
- on 1 January 1982 each duty shall be reduced to 80% of the basic duty;
- the four other reductions of 20% each shall be made on:
 - 1 January 1983;
 - 1 January 1984;
 - 1 January 1985;
 - 1 January 1986.

ARTICLE 4

The basic duty to which the successive reductions as provided for in Article 3 are to be applied shall, for each product, be the duty actually applied on 1 July 1980.

ARTICLE 5

1. The Hellenic Republic shall progressively abolish charges having equivalent effect to customs duties on products originating in the ACP States in accordance with the following timetable:

- on the date of entry into force of this Protocol, each charge shall be reduced to 90% of the basic rate;
- on 1 January 1982, each charge shall be reduced to 80% of the basic rate;
- the four other reductions of 20% each shall be made on:
 - 1 January 1983;
 - 1 January 1984;
 - 1 January 1985;
 - 1 January 1986.

2. The basic rate to which the successive reductions as provided for in paragraph 1 are to be applied, shall, for each product, be the rate applied by the Hellenic Republic on 31 December 1980.
3. Any charge having equivalent effect to a customs duty on imports, introduced as from 1 January 1979 in trade between Greece and the ACP States, shall be abolished.

ARTICLE 6

If duties or charges having equivalent effect on products imported from the Community of Nine are suspended or reduced by the Hellenic Republic more quickly than according to the timetable established, the Hellenic Republic shall also suspend at, or reduce to, the same level those duties or charges having equivalent effect on products originating in the ACP States.

ARTICLE 7

1. Import deposits and cash payments in force in Greece on 31 December 1980 with regard to products originating in the ACP States shall be progressively eliminated in accordance with the following timetable:

- on the date of entry into force of this Protocol: 25%;
- 1 January 1982 : 25%;
- 1 January 1983 : 25%;
- 1 January 1984 : 25%.

2. If in respect of the Community of Nine the Hellenic Republic reduces the rate of import deposits or cash payments more quickly than according to the timetable contained in paragraph 1, the Hellenic Republic shall make the same reduction with regard to imports originating in the ACP States.

TITLE III

General and final provisions

ARTICLE 8

The Council of Ministers shall make any amendments which may be necessary to the rules of origin consequent upon the accession of the Hellenic Republic to the European Communities.

ARTICLE 9

This Protocol shall form an integral part of the Agreement.

ARTICLE 10

This Protocol shall be approved by the Contracting Parties in accordance with their own procedures. It shall enter into force on the first day of the second month following the completion of the procedures by the contracting parties.

ARTICLE 11

This Protocol is drawn up in duplicate in the Danish, Dutch, English, French, German, Greek and Italian languages, each text being equally authentic.

TIL BEKREFTELSE HERAF har undertegnede befuldmægtigede indskrevet denne Protokol.

ZU URKUND DESSEN haben die unterzeichneten Bevollmächtigten ihre Unterschriften unter dieses Protokoll gesetzt.

ΕΙΣ ΠΙΣΤΩΣΗ ΤΩΝ ΑΝΓΙΤΕΡΩ, οἱ ὑπογεγραμμένοι πλῆρεξούσιοι, ἔθεσαν τῆς ὑπογραφῆς τους στό παρόν πρωτόκολλο.

IN WITNESS WHEREOF the undersigned Plenipotentiaries have signed this Protocol.

EN FOI DE QUOI, les plénipotentiaires soussignés ont apposé leurs signatures au bas du présent protocole.

IN FEDE DI CHE, i plenipotenziari sottoscritti hanno apposto le loro firme in calce al presente Protocollo.

TEN BLIJKE WAARVAN de ondergetakende gevolmachtigden handtekening onder dit Protocol hebben gesteld.

Udfærdiget i Bruxelles, den ottende oktober niog hundrede og enogfirs.

Geschehen zu Brüssel am achten Oktober neunzehnhundert-einundachtzig.

Έγένετο στό Βρυξέλλας, στό ἔκτο ὀκτωβρίου χίλια ἑννεάκαιράκια ἑννιάκαι ἕνα.

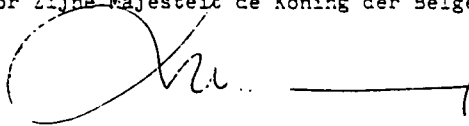
Done at Brussels on the eighth day of October in the year one thousand nine hundred and eighty-one.

Fait à Bruxelles, le huit octobre mil neuf cent quatre-vingt un

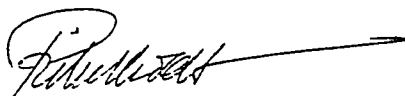
Fatto a Bruxelles, l'otto ottobre millanovecentottantuno

Gedaan te Brussel, de achtste oktober negentienhonderd eenentachtzig.

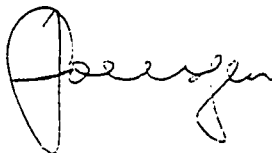
Pour Sa Majesté le Roi des Belges
Voor Zijne Majesteit de Koning der Belgen



For Hendes Majestæt Dronningen af Danmark



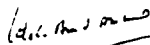
Für den Präsidenten der Bundesrepublik Deutschland



Για τον Πρόεδρο της Ελληνικής Δημοκρατίας



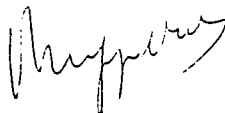
Pour le Président de la République française



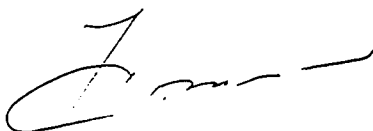
For the President of Ireland



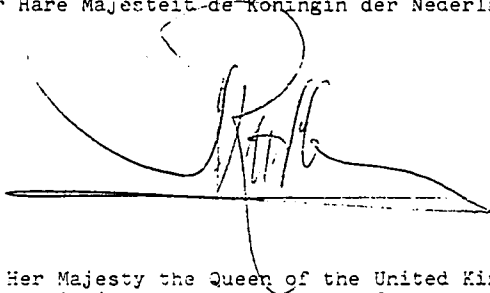
Per il Presidente della Repubblica italiana

A handwritten signature in dark ink, appearing to be 'Mugger' or similar, written in a cursive style.

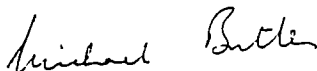
Pour Son Altesse Royale le Grand-Duc de Luxembourg

A handwritten signature in dark ink, appearing to be 'Z...' or similar, written in a cursive style.

Voor Hare Majesteit de Koningin der Nederlanden

A handwritten signature in dark ink, appearing to be 'K.H.G.' or similar, written in a cursive style with a long horizontal line extending to the right.

For Her Majesty the Queen of the United Kingdom of
Great Britain and Northern Ireland

A handwritten signature in dark ink, appearing to be 'Michael Butler', written in a cursive style.

For the Head of State of the Bahamas

For the Head of State of Barbados

Oliver Jackman

Pour le Président de la République Populaire du Bénin

[Handwritten signature]

For the President of the Republic of Botswana

[Handwritten signature]

Pour le Président de la République du Burundi

[Handwritten signature]

Pour le Président de la République Unie du Cameroun

[Handwritten signature]

For the President of the Republic of Cape Verde



Pour le Président de la République Centrafricaine




Pour le Président de la République Fédérale Islamique des Comores



Pour le Président de la République Populaire du Congo

Colonel H. Zound



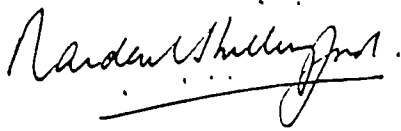
Pour le Président de la République de Côte d'Ivoire



Pour le Président de la République de Djibouti



For the Prime Minister and Minister of External Affairs of
Independent State of Dominica

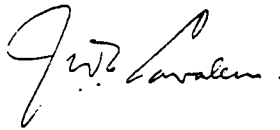


Nardent Shillingford.

For the Chairman of the provisional Military Administrative
Council and of the Council of Ministers and Commander in Chief
of the Revolutionary Army of Ethiopia

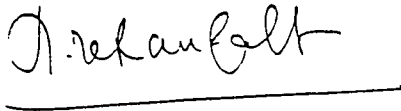


For Her Majesty the Queen of Fiji



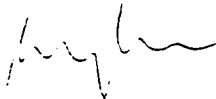
J. W. Lavalua.

Pour le Président de la République gabonaise

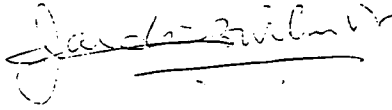


N. N. N. N. N.

For the President of the Republic of the Gambia



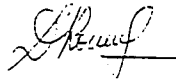
For the President of the Republic of Ghana

A handwritten signature in black ink, appearing to read "J. A. Ninsin", written over a horizontal line.

For the Head of State of Grenada

A handwritten signature in black ink, appearing to read "G. B. Williams", written over a horizontal line.

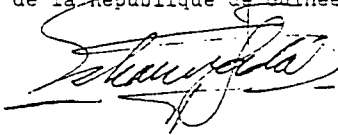
Pour le Président de la République de Guinée

A handwritten signature in black ink, appearing to read "L. K. Kouyate", written over a horizontal line.

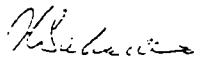
Pour le Président du Conseil d'Etat de la Guinée Bissau

A handwritten signature in black ink, appearing to read "R. Ulf", written over a horizontal line.

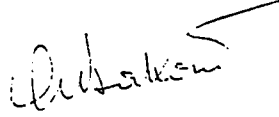
Pour le Président de la République de Guinée équatoriale

A handwritten signature in black ink, appearing to read "S. M. Ndjongo", written over a horizontal line.

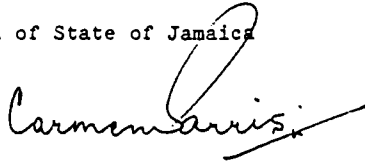
For the President of the Republic of Guyana

A handwritten signature in black ink, appearing to read "B. B. Burnham", written over a horizontal line.

Pour le Président de la République de la Haute Volta



For the Head of State of Jamaica



For the President of the Republic of Kenya



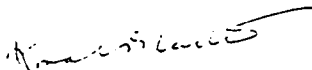
For the President of the Republic of Kiribati



For His Majesty the King of the Kingdom of Lesotho



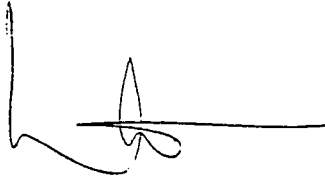
For the President of the Republic of Liberia



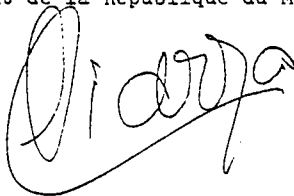
Pour le Président de la République Démocratique de Madagascar

A handwritten signature in black ink, appearing to be 'Amil' or similar, written in a cursive style.

For the President of the Republic of Malawi

A handwritten signature in black ink, consisting of a large 'L' shape followed by a horizontal line and a loop.

Pour le Président de la République du Mali

A handwritten signature in black ink, featuring a large, stylized 'D' followed by a series of loops and a long horizontal stroke.

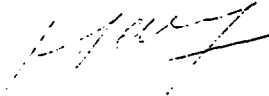
Pour le Président de la République islamique de Mauritanie

A handwritten signature in black ink, consisting of a large, stylized 'U' shape followed by a horizontal line and a loop.

For the Head of State of Mauritius

A handwritten signature in black ink, featuring a large, stylized 'M' shape followed by a horizontal line and a loop.

Pour le Président de la République du Niger

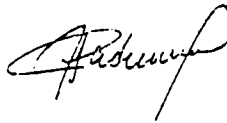
A handwritten signature in black ink, consisting of a large, stylized 'N' shape followed by a horizontal line and a loop.

For the Head of the Federal Government of Nigeria


For the Head of the Independent State of Papua New Guinea



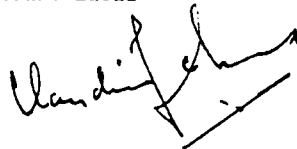
Pour le Président de la République rwandaise



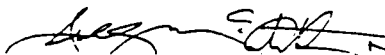
For the Head of State of St Vincent and Grenadines



For the Head of State of Saint Lucia



For the Head of State of Western Samoa



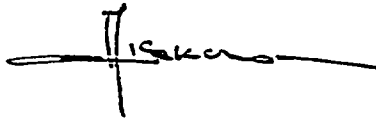
For the President of the Democratic Republic of São Tomé
and Príncipe



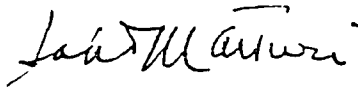
Pour le Président de la République du Sénégal



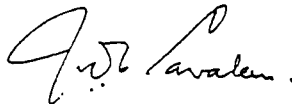
Pour le Président de la République des Seychelles



For the President of the Republic of Sierra Leone

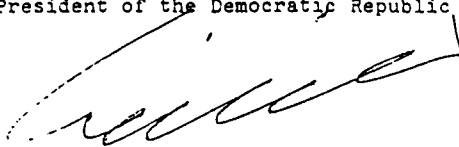


For the Head of State of the Solomon Islands

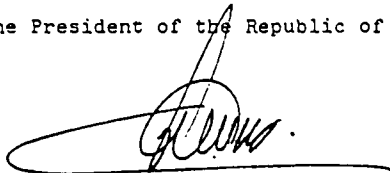


For the President of the Somali Democratic Republic,
President of the Supreme Revolutionary Council

For the President of the Democratic Republic of the Sudan.



For the President of the Republic of Suriname



For His Majesty the King of the Kingdom of Swaziland

Kenneth Mbuli

For the President of the United Republic of Tanzania

S. A. Mwaig

Pour le Président de la République du Tchad



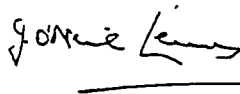
Pour le Président de la République togolaise



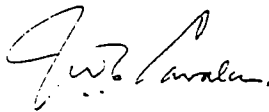
For His Majesty King Taufa'ahau Tupou IV of Tonga

A handwritten signature in cursive script, appearing to read 'Taufa'ahau', with a horizontal line underneath.

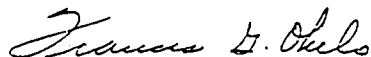
For the President of the Republic of Trinidad and Tobago

A handwritten signature in cursive script, appearing to read 'George Lumsden', with a horizontal line underneath.

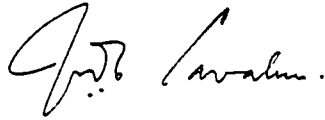
For Her Majesty the Queen of Tuvalu

A handwritten signature in cursive script, appearing to read 'Queen of Tuvalu', with a horizontal line underneath.

For the President of the Republic of Uganda

A handwritten signature in cursive script, appearing to read 'Francis D. Ochieng', with a horizontal line underneath.

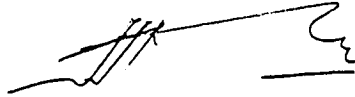
Pour le Président de la République de Vanuatu

A handwritten signature in cursive script, appearing to read "J. S. Lavalin".

Pour le Président de la République du Zaïre

A handwritten signature in cursive script, consisting of a large, sweeping initial letter followed by several smaller characters.

For the President of the Republic of Zambia

A handwritten signature in cursive script, featuring a prominent horizontal stroke across the middle.

For the President of the Republic of Zimbabwe

A handwritten signature in cursive script, with a large, circular initial letter and a long horizontal stroke extending to the right.

III. COMMUNITY ACTS RELATING TO THE
APPLICATION OF THE LOME CONVENTION

INTERNAL AGREEMENT
ON THE MEASURES
AND PROCEDURES REQUIRED FOR IMPLEMENTATION
OF THE SECOND ACP-EEC CONVENTION

THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES
OF THE EUROPEAN ECONOMIC COMMUNITY, MEETING IN THE COUNCIL,

HAVING REGARD to the Treaty establishing the European
Economic Community (hereinafter called the "Treaty") and
the second ACP-EEC Convention of Lomé signed on
31 October 1979, (hereinafter called the "Convention"),

WHEREAS the representatives of the Community will have to
adopt common positions in the Council of Ministers provided
for by the Convention (hereinafter called the "Council of
ACP-EEC Ministers"); whereas, moreover, implementation of
the decisions, recommendations and opinions of this Council
may require, where appropriate, action by the Community,
joint action by the Member States or action by a Member State;

WHEREAS, therefore, it is necessary for the Member States to
specify the conditions for determining, in the fields for
which they are competent, the common positions to be adopted
by the representatives of the Community within the Council
of ACP-EEC Ministers; whereas, in the same fields, it will
also be for them to take the measures implementing such
decisions, recommendations and opinions of that Council as
may require joint action by the Member States or action by
a Member State;

(*) This Agreement of 20.11.1979 entered into force - after completion of the ratification procedures - at the same time as the second ACP-EEC Convention of Lomé on 1 January 1981. It was published in OJ No L 347, 22.12.1980, page 206.

WHEREAS provision should, likewise, be made for the Member States to communicate to one another and to the Commission any treaty, convention, agreement or arrangement and any part of a treaty, convention, agreement or arrangement which concerns matters dealt with in the Convention and which has been, or will be, concluded between one or more Member States and one or more ACP States;

WHEREAS procedures should also be laid down whereby Member States may settle any disputes which may arise between them with regard to the Convention;

After consulting the Commission of the European Communities,

HAVE AGREED AS FOLLOWS:

ARTICLE 1

1. The common position to be supported by the representatives of the Community in the Council of ACP-EEC Ministers when the latter considers matters for which the Member States are competent shall be adopted by the Council, acting unanimously after consulting the Commission.

2. Where, pursuant to Article 169 of the Convention, the Council of ACP-EEC Ministers envisages delegating to the Committee of Ambassadors provided for by the Convention the power to take decisions or put forward recommendations or opinions in the fields for which the Member States are competent, the common position shall be adopted by the Council, acting unanimously after consulting the Commission.
3. Common positions which the representatives of the Community support in the Committee of Ambassadors shall be adopted under the same conditions as those laid down in paragraph 1.

ARTICLE 2

1. Decisions and recommendations adopted by the Council of ACP-EEC Ministers in the fields for which the Member States are competent shall be implemented by acts adopted by the latter.
2. Paragraph 1 shall also apply in respect of decisions and recommendations adopted by the Committee of Ambassadors pursuant to Article 171 of the Convention.

ARTICLE 3

Any treaty, convention, agreement or arrangement, or any part of a treaty, convention, agreement or arrangement, of whatever form or nature, which has been, or will be, concluded between one or more Member States and one or more ACP States and which concerns matters dealt with in the Convention, shall be communicated as soon as possible by the Member State or States concerned to the other Member States and to the Commission.

At the request of a Member State or of the Commission, any texts so communicated shall be discussed by the Council.

ARTICLE 4

If a Member State considers it necessary to invoke Article 176 of the Convention on matters for which the Member States are competent, it shall first consult the other Member States.

If the Council of ACP-CEE Ministers has to reach a decision on the action by the Member State referred to in the first paragraph, the position to be taken by the Community shall be that of the Member State concerned, unless the Representatives of the Governments of the Member States, meeting in the Council, decide otherwise.

ARTICLE 5

Disputes arising between Member States concerning the Convention, the Protocols annexed thereto or the Internal Agreements signed for its implementation shall, at the request of the party making the complaint, be submitted to the Court of Justice of the European Communities under the conditions laid down in the Treaty and in the Protocol on the Statute of the Court of Justice annexed to the Treaty.

ARTICLE 6

After consulting the Commission, the Representatives of the Governments of the Member States, meeting in the Council, may at any time amend or supplement this Agreement.

ARTICLE 7

This Agreement shall be approved by each Member State in accordance with its own constitutional requirements. The Government of each Member State shall notify the Secretariat of the Council of the European Communities of the completion of the procedures required for the entry into force of the Agreement.

Provided that the conditions of the first paragraph have been complied with, this Agreement shall enter into force at the same time as the Convention. It shall remain in force for the duration of that Convention.

ARTICLE 8

This Agreement, drawn up in a single original in the Danish, Dutch, English, French, German and Italian languages, all six texts being equally authentic, shall be deposited in the archives of the Secretariat of the Council of the European Communities, which shall transmit a certified copy to each of the Governments of the signatory States.

Udfærdiget i Bruxelles, den tyvende november nitten hundrede og nioghalvfjerds.

Geschehen zu Brüssel am zwanzigsten November neunzehnhundert-neunundsiebzig.

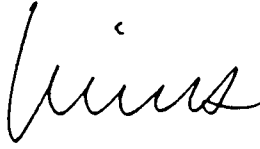
Done at Brussels on the twentieth day of November in the year one thousand nine hundred and seventy-nine.

Fait à Bruxelles, le vingt novembre mil neuf cent soixante-dix-neuf.

Fatto a Bruxelles, addi' venti novembre millenovecento-settantanove.

Gedaan te Brussel, de twintigste november negentienhonderd negenenzeventig.

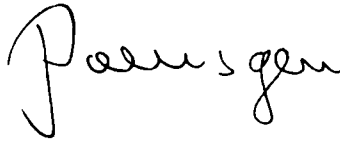
Pour le Gouvernement du Royaume de Belgique
Voor de Regering van het Koninkrijk België



På Kongeriget Danmarks vegne



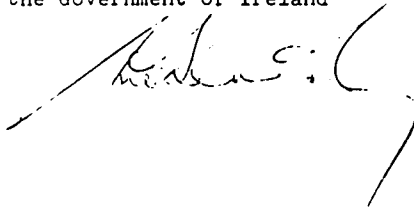
Für die Regierung der Bundesrepublik Deutschland



Pour le Gouvernement de la République française



For the Government of Ireland



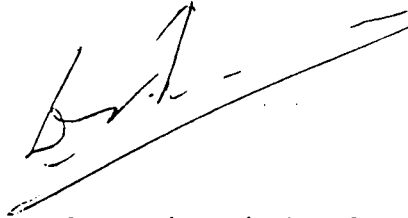
Per il Governo della Repubblica italiana



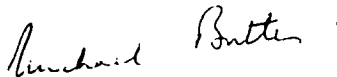
Pour le Gouvernement du Grand-Duché de Luxembourg



Voor de Regering van het Koninkrijk der Nederlanden



For the Government of the United Kingdom of Great Britain
and Northern Ireland



III. - COMMUNITY ACTS RELATING TO THE
APPLICATION OF THE LOME CONVENTION

A. ACCESSIONS

COUNCIL DECISION (*) (**)

of 20 January 1981

on the provisional application to the Republic of Vanuatu (former Anglo-French Condominium of the New Hebrides) of the arrangements provided for in Decision 76/568/EEC on the association of the Overseas Countries and Territories with the European Economic Community

(81/23/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES.

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Decision 76/568/EEC of 29 June 1976 on the association of the Overseas Countries and Territories with the European Economic Community (1), as last amended by Decision 80/162/EEC (2), and in particular the second subparagraph of Article 55 (2) thereof.

Having regard to the recommendation from the Commission,

Whereas, pursuant to the second subparagraph of Article 55 (2) of Decision 76/568/EEC, the arrangements provided for therein may continue to apply provisionally, under the conditions laid down by the Council, to countries and territories which become independent;

Whereas the Anglo-French Condominium of the New Hebrides, which appears in Annex I of the said Decision, achieved independence on 30 July 1980 as the Republic of Vanuatu;

Whereas it should be decided to continue to apply provisionally to that State the arrangements provided for in Decision 76/568/EEC as well as those provided for in the new Decision which will replace it;

Whereas the Second ACP-EEC Convention is open, in accordance with the procedure laid down in Article 185 thereof, to accession by countries or territories referred to in Part Four of the Treaty which have become independent, whereas such accession can take place only following a request by the State concerned and with the approval of the ACP-EEC Council of Ministers;

Whereas the Republic of Vanuatu has submitted a request* for accession to the Second ACP-EEC Convention,

HAS DECIDED AS FOLLOWS:

Article 1

The arrangements laid down by Decision 76/568/EEC and those provided for by the new Decision which will replace it shall apply provisionally to the Republic of Vanuatu until the latter accedes to the Second ACP-EEC Convention.

Article 2

Questions relating to the application to the Republic of Vanuatu of Decision 76/568/EEC and of the new Decision which will replace it shall be dealt with as necessary by direct contact between the competent authorities of that State and of the Community.

Article 3

This Decision shall take effect on the day of its publication in the *Official Journal of the European Communities*.

Done at Brussels, 20 January 1981.

For the Council

The President

CH. A. VAN DER KLAUW

(1) OJ No L 178, 17.7.1976, p. 8.
(2) OJ No L 35, 12.2.1980, p. 26.

(*) OJ No L 43, 14.2.1981, page 15

(**) For the Decision on accession (No 1/81 of the ACP-EEC Council of Ministers, see ACP Compilation Vol. V, page 33. See also pages 203 and 242 of this Compilation.

COUNCIL REGULATION (EEC) No 439/81 (*) (**)

of 20 January 1981

laying down the provisional arrangements for trade between the Hellenic Republic and the ACP States

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas negotiations were opened between the European Economic Community and the ACP States on 28 November 1980 with a view to concluding a Protocol adjusting the Second ACP—EEC Convention in order to take account of the accession of the Hellenic Republic;

Whereas the 1979 Act of Accession provides in the first paragraph of Article 119 thereof that if such a Protocol is not concluded on 1 January 1981 the Community shall take the necessary measures to deal with this situation after accession;

Whereas it is necessary to establish in an autonomous fashion the specific conditions of application by the Hellenic Republic of the trade arrangements resulting from the Second ACP—EEC Convention, pending the result of negotiations which are taking place with the ACP States with a view to concluding a Protocol

containing adjustments to and transitory measures relating to the abovementioned Convention taking into account the accession of the Hellenic Republic,

HAS ADOPTED THIS REGULATION:

Article 1

Until 30 April 1981, the provisional arrangements applicable to trade between the Hellenic Republic and the ACP States shall be those resulting from the Second ACP—EEC Convention and from the Annex to this Regulation.

The Council, acting on the Commission's proposal, will lay down the arrangements applicable as from 1 May 1981.

Article 2

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

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

Done at Brussels, 20 January 1981.

For the Council

The President

Ch. A. van der KLAAN/W

(*) OJ No L 53, 27.2.1981, page 19

(**) See also pages 245, 315, 397, 398 and 399 of this Compilation.

ANNEX

Specific conditions of application of the Second ACP—EEC Convention to trade between the Hellenic Republic and the ACP States

Article 1

For the products listed in Annex 1, the Hellenic Republic shall progressively abolish customs duties on imports of products originating in the ACP States in accordance with the following timetable:

- on 28 February 1981 each duty shall be reduced to 90 % of the basic duty,
- on 1 January 1982, each duty shall be reduced to 80 % of the basic duty,
- the four other reductions of 20 % each shall be made on:
 - 1 January 1983,
 - 1 January 1984,
 - 1 January 1985,
 - 1 January 1986.

Article 2

1. For the products listed in Annex 1, the basic duty to which the successive reductions provided for in Article 1 are to be applied shall, for each product, be the duty actually applied by the Hellenic Republic in respect of the ACP States on 1 July 1980.

2. However, in respect of matches falling within heading No 36.06 of the Common Customs Tariff, the basic duty shall be 17.2 % *ad valorem*.

Article 3

1. For the products listed in Annex 1, the Hellenic Republic shall progressively abolish charges having equivalent effect to customs duties on imports of products originating in the ACP States in accordance with the following timetable:

- on 28 February 1981, each charge shall be reduced to 90 % on the basic rate,
- on 1 January 1982, each charge shall be reduced to 80 % on the basic rate,
- the four other reductions of 20 % each shall be made on:
 - 1 January 1983,
 - 1 January 1984,
 - 1 January 1985,
 - 1 January 1986.

2. The basic rate to which the successive reductions provided for in paragraph 1 are to be applied shall, for each product, be the rate applied by the Hellenic Republic on 31 December 1980 in respect of the Community of Nine.

3. Any charge having equivalent effect to a customs duty on imports, introduced as from 1 January 1979 in trade between Greece and the ACP States, shall be abolished on 28 February 1981.

Article 4

If the Hellenic Republic suspends or reduces duties or charges having equivalent effect on products imported from the Community of Nine more quickly than under the established timetable, the Hellenic Republic shall also suspend or reduce, by the same percentage, those duties or charges having equivalent effect on products originating in the ACP States.

Article 5

1. The variable component which the Hellenic Republic may apply to products covered by Council Regulation (EEC) No 3033/80 of 11 November 1980 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products⁽¹⁾, originating in the ACP States, shall be adjusted by the compensatory amount applied in trade between the Community of Nine and Greece.

2. For the products covered by Regulation (EEC) No 3033/80 and also listed in Annex 1 to this Annex, the Hellenic Republic shall abolish, in accordance with the timetable laid down in Article 1, the difference between:

- the fixed component of the duty to be applied by the Hellenic Republic upon accession, and
- the duty (other than the variable component) resulting from the Second ACP—EEC Convention.

¹ OJ No L 323, 29. 11. 1980, p. 1.

Article 6

For the products listed in Annex II to the EEC Treaty, the preferential rates laid down or calculated shall be applied to the duties actually levied by the Hellenic Republic in respect of third countries in accordance with Article 64 of the 1979 Act of Accession.

Under no circumstances shall Greek imports from the ACP States benefit from rates of duty more favourable than those applied to products from the Community of Nine.

Article 7

1. The Hellenic Republic may retain quantitative restrictions until 31 December 1985 on products listed in Annex 2, originating in the ACP States.

2. The restrictions referred to in paragraph 1 shall take the form of global quotas.

The global quotas for 1981 are listed in Annex 2.

During the period of application of this Regulation the quotas shall be applied on a *pro rata* basis.

3. The minimum rate of progressive increase for the quotas referred to in paragraph 2 shall be 25 % at the beginning of each year for quotas expressed in European units of account (EUA) and 20 % at the beginning of each year for quotas expressed in terms of volume. Such increases shall be added to each quota and the next increase calculated on the basis of the total thus obtained.

Where a quota is expressed in terms of both volume and value, the quota relating to volume shall be raised by at least 20 % a year and the quota relating to value by at least 25 % a year, the succeeding quotas to be calculated each year on the basis of the preceding quota plus the increase.

However, with regard to motor coaches and buses and other vehicles falling within subheading ex 87.02 A 1 of the Common Customs Tariff, the volume quota shall be raised by 15 % a year and the quota relating to value by 20 % a year.

4. Where it is found that imports into Greece of a product listed in Annex 2 have for two consecutive years been less than 90 % of the quota, the Hellenic Republic shall liberalize imports of that product originating in the ACP States, if the product in question

is at that time liberalized towards the Community of Nine.

5. If the Hellenic Republic liberalizes imports of a product listed in Annex 2 coming from the Community of Nine or increases a quota applicable to the Community of Nine beyond the minimum rate laid down in paragraph 3, the Hellenic Republic shall also liberalize imports of that product originating in the ACP State or increase the global quota proportionally.

6. Regarding licences for imports of products listed in Annex 2 and originating in the ACP States, the Hellenic Republic shall apply the same administrative rules and practices as applied to such imports originating in the Community of Nine, with the exception of the quota for fertilizers falling within heading Nos 31.02 and 31.03 and subheadings 31.05 A I, II and IV of the Common Customs Tariff, where the Hellenic Republic may apply the rules and practices relevant to exclusive marketing rights.

Article 8

1. Import deposits and cash payments in force in Greece on 31 December 1980 with regard to imports of products originating in the ACP States shall be progressively eliminated over a period ending on 1 January 1984.

The rate of import deposits and cash payments shall be reduced in accordance with the following timetable:

- 28 February 1981: 25 %,
- 1 January 1982: 25 %,
- 1 January 1983: 25 %,
- 1 January 1984: 25 %.

2. For the products listed in Annex II to the EEC Treaty, charges having equivalent effect to customs duties and measures having equivalent effect to quantitative restrictions (import deposits, cash payments, validation of invoices, etc.) shall be abolished by the Hellenic Republic on 28 February 1981 in respect of products originating in the ACP States in accordance with Article 65 of the 1979 Act of Accession.

3. If, in respect of the Community of Nine, the Hellenic Republic reduces the rate of import deposits or cash payments more quickly than under the timetable set out in paragraph 1, the Hellenic Republic shall make the same reduction with regard to imports of products originating in the ACP States.

ANNEX 1

List of products referred to in Article 1

Brussels Nomenclature heading No (CCCN)	Description
Chapter 13	
ex 13.02	Incense
ex 13.03	Pectates
Chapter 14	
ex 14.05	Valonia, gall nuts
Chapter 15	
ex 15.05	Wool grease steann
ex 15.06	Other animal oils and fats (including fats from bones and waste), excluding neat's foot oil
15.08	Animal and vegetable oils, boiled, oxidized, dehydrated, sulphurized, blown or polymerized by heat in vacuum or in inert gas, or otherwise modified
15.10	Fatty acids, acid oils from refining, fatty alcohols
15.11	Glycerol and glycerol lyes
ex 15.15	Beeswax and other insect waxes, whether or not coloured
15.16	Vegetable waxes, whether or not coloured
ex 15.17	Degras
Chapter 17	
17.04	Sugar confectionery, not containing cocoa
Chapter 18	Cocoa and cocoa preparations, excluding heading Nos 18.01 and 18.02
Chapter 19	
ex 19.02	Malt extract
19.03	Macaroni, spaghetti and similar products
19.05	Prepared foods obtained by swelling or roasting of cereals or cereal products: puffed rice, corn flakes and similar products
ex 19.07	Bread, ship's biscuits and other ordinary bakers' wares, not containing added sugar, honey, eggs, fats, cheese or fruit
19.08	Pastry, biscuits, cakes and other fine bakers' wares, whether or not containing cocoa in any proportion
Chapter 21	Miscellaneous edible preparations, excluding heading Nos 21.05 and 21.07

Brussels Nomenclature heading No (CCCN)	Description
Chapter 22	
22.01	Waters, including spa waters and aerated waters, ice and snow
22.02	Lemonade, flavoured spa waters and flavoured aerated waters and other non-alcoholic beverages, not including fruit and vegetable juices falling within heading No 20.07
22.03	Beer made from malt
22.06	Vermouths, and other wines of fresh grapes flavoured with aromatic extracts
ex 22.08	Ethyl alcohol or neutral spirits, undenatured, of an alcoholic strength of 80 % vol or higher; denatured spirits (including ethyl alcohol and neutral spirits) of any strength, excluding those derived from agricultural products listed in Annex II to the Treaty
ex 22.09	Ethyl alcohol or neutral spirits, undenatured, of an alcoholic strength of less than 80 % vol, excluding ethyl alcohol derived from agricultural products listed in Annex II to the Treaty; liqueurs and other spirituous beverages; compound alcoholic preparations (known as 'concentrated extracts') for the manufacture of beverages
Chapter 24	
24.02	Manufactured tobacco; tobacco extracts and essences
Chapter 25	
25.20	Gypsum; anhydrite; calcined gypsum, and plasters with a basis of calcium sulphate, whether or not coloured, but not including plasters specially prepared for use in dentistry
25.22	Quicklime, slaked lime and hydraulic lime, other than calcium oxide and hydroxide
25.23	Portland cement, ciment fondu, slag cement, supersulphate cement and similar hydraulic cements, whether or not coloured or in the form of clinker
ex 25.30	Crude natural boric acid containing not more than 85 % of H ₂ BO ₃ , calculated on the dry weight
ex 25.32	Earth colours, whether or not calcined or mixed together; santonn, pozzolana, trass and similar earths, used in making hydraulic cements, whether or not powdered
Chapter 27	
27.05 <i>bis</i>	Coal gas, water gas, producer gas and similar gases
27.06	Tar distilled from coal, from lignite or from peat, and other mineral tars, including partially distilled tars and blends of pitch with creosote oils or with other coal tar distillation products
27.08	Pitch and pitch coke, obtained from coal tar or from other mineral tars
ex 27.11	Mineral oils and greases for lubricating purposes
ex 27.11	Petroleum gases and other gaseous hydrocarbons, excluding propane of a purity not less than 98 % for use other than as a power or heating fuel
27.12	Petroleum jelly

Brussels Nomenclature heading No (CCCN)	Description
27.13	Paraffin wax, micro-crystalline wax, slack wax, ozokerite, lignite wax, peat wax and other mineral waxes, whether or not coloured
27.14	Petroleum bitumen, petroleum coke and other residues of petroleum oils or of oils obtained from bituminous minerals
27.15	Bitumen and asphalt, natural; bituminous shale; asphaltic rock and tar sands
27.16	Bituminous mixtures based on natural asphalt, on natural bitumen, on petroleum bitumen, on mineral tar or on mineral tar pitch (for example, bituminous mastics, cut-backs)
Chapter 28	
ex 28.01	Chlorine
ex 28.04	Hydrogen, oxygen (including ozone) and nitrogen
ex 28.06	Hydrochloric acid
28.08	Sulphuric acid; oleum
28.09	Nitric acid; sulphonitric acids
28.10	Phosphorus pentoxide and phosphoric acids (meta-, ortho- and pyro-)
28.12	Boric oxide and boric acid
28.13	Other inorganic acids and oxygen compounds of non-metals (excluding water)
28.15	Sulphides or non-metals; phosphorus trisulphide
28.16	Ammonia, anhydrous or in aqueous solution
28.17	Sodium hydroxide (caustic soda); potassium hydroxide (caustic potash); peroxides of sodium or potassium
ex 28.19	Zinc oxide
ex 28.20	Artificial corundum
28.22	Manganese oxides
ex 28.23	Iron oxides, including earth colours containing 70 % or more by weight of combined iron evaluated as Fe ₂ O ₃
ex 28.27	Red lead and litharge
28.29	Fluorides; fluorosilicates, fluoroborates and other complex fluoride salts
ex 28.30	Magnesium chloride, calcium chloride
ex 28.31	Hypochlorites, commercial calcium hypochlorite, chlorites
28.33	Sulphides; polysulphides
28.36	Dithionites, including those stabilized with organic substances; sulfoxylates
28.37	Sulphites and thio-sulphates
ex 28.38	Sodium, barium, iron, zinc, magnesium and aluminium sulphates, alums
ex 28.40	Phosphites, hypophosphites and phosphates, excluding bibasic lead phosphate

Brussels Nomenclature heading No (CCCN)	Description
ex 28.42	Carbonates, including commercial ammonium carbonate containing ammonium carbamate, excluding lead hydrocarbonate (white lead)
ex 28.44	Mercury fulminate
ex 28.45	Sodium silicate and potassium silicate, including commercial grades
ex 28.46	Refined borax
ex 28.48	Arsenites and arsenates
28.54	Hydrogen peroxide (including solid hydrogen peroxide)
ex 28.56	Silicon, boron and calcium carbides
ex 28.58	Distilled and conductivity water and water of similar purity
Chapter 29	
ex 29.01	Hydrocarbons for use as power or heating fuels; naphthalene and anthracene
ex 29.04	Amyl alcohols
29.06	Phenols and phenol-alcohols
ex 29.08	Dipentyl ether (diamyl ether), diethyl ether, anethole
ex 29.14	Palmitic, stearic and oleic acids and their water soluble salts; anhydrides
ex 29.16	Tartaric, citric and gallic acids; calcium tartrate
ex 29.21	Nitroglycerine
ex 29.42	Nicotine sulphate
29.43	Sugars, chemically pure, other than sucrose, glucose and lactose; sugar ethers and sugar esters, and their salts, other than products of heading Nos 29.39, 29.41 and 29.42
Chapter 30	
ex 30.02	Anisera
ex 30.03	Medicaments (including veterinary medicaments), excluding the following products: <ul style="list-style-type: none"> — Anti-asthmatic cigarettes — Quinine, cinchonine, guimidine and their salts, whether or not in the form of proprietary products — Morphine, cocaine and other narcotics, whether or not in the form of proprietary products — Antibiotics and preparations based on antibiotics — Vitamins and preparations based on vitamins — Sulphonamides, hormones and preparations based on hormones

Brussels Nomenclature heading No (CCCN)	Description
30.04	Wadding, gauze, bandages and similar articles (for example, dressings, adhesive plasters, poultices), impregnated or coated with pharmaceutical substances or put up in retail packings for medical or surgical purposes, other than goods specified in Note 3 to this Chapter
Chapter 31	
ex 31.03	Mineral or chemical fertilizers, phosphatic, excluding: — Basic slag — Disintegrated (calcined) calcium phosphates (thermo phosphates and fused phosphates) and calcined natural aluminium calcium phosphates — Calcium hydrogen phosphate containing not less than 0.2 % of fluorine
31.05	Other fertilizers; goods of the present Chapter in tablets, lozenges and similar prepared forms or in packings of a gross weight not exceeding 10 kg
Chapter 32	
ex 32.01	Tanning extracts of vegetable origin; tannins (tannic acids), including water-extracted gall-nut tannin
ex 32.04	Colouring matter of vegetable origin (including dyewood extract and other vegetable dyeing extracts, but excluding indigo, henna and chlorophyll) or of animal origin, excluding cochineal extract and kermes
ex 32.05	Synthetic organic dyestuffs (including pigment dyestuffs and excluding artificial indigo); synthetic organic products of a kind used as luminophores; products of the kind known as optical bleaching agents, substantive to the fibre
32.06	Colour lakes
ex 32.07	Other colouring matter, excluding: (a) inorganic pigments or pigments of mineral origin, whether or not containing other substances facilitating dyeing, based on cadmium salts, (b) chrome colours and Prussian blue; inorganic products of a kind used as luminophores
32.08	Prepared pigments, prepared opacifiers and prepared colours, vitrifiable enamels and glazes, liquid lustres and similar products, of the kind used in the ceramic, enamelling and glass industries; engobes, slips; glass frit and other glass, in the form of powder, granules or flakes
	Varnishes and lacquers; distempers; prepared water pigments of the kind used for finishing leather, paints and enamels; pigments dispersed in linseed oil, white spirit, spirits of turpentine, or other media of a kind used in the manufacture of paints or enamels; stamping foils; dyes or other colouring matter in forms or packings of a kind sold by retail; solutions as defined by Note 4 to this Chapter
32.11	Prepared driers

Brussels Nomenclature heading No (CCCN)	Description
32.12	Glaziers' putty; grafting putty; painters' fillings; non-refractory surfacing preparations; stopping, sealing and similar mastics, including resin mastics and cements
32.13	Writing ink, printing ink and other inks
Chapter 33	
ex 33.01	Essential oils (terpeneless or not); concretes and absolutes, excluding essences of roses, rosemary, eucalyptus, sandalwood and cedar; resinoids; concentrates of essential oils in fats, in fixed oils, or in waxes or the like, obtained by cold absorption or by maceration
ex 33.06	Eau de Cologne and other toilet waters; cosmetics and products for the care of the skin, hair and nails; toothpowders and toothpastes; products for oral hygiene, room deodorisers, prepared, whether or not perfumed
Chapter 34	
Soap, organic surface-active agents, washing preparations, lubricating preparations, artificial waxes, prepared waxes, polishing and scouring preparations, candles and similar articles, modelling pastes and 'dental waxes'	
Chapter 35	
Albuminoidal substances, excluding ovalbumin and lactalbumin; glues, enzymes	
Chapter 36	
Explosives, pyrotechnic products; matches; pyrophoric alloys; certain combustible preparations	
Chapter 37	
37.03	Sensitized paper; paperboard and cloth, unexposed or exposed but not developed
Chapter 38	
38.03	Activated carbon; activated natural mineral products; animal black, including spent animal black
38.09	Wood tar; wood tar oils (other than the composite solvents and thinners falling within heading No 38.18); wood creosote; wood naphtha; acetone oil; vegetable pitch of all kinds; brewers' pitch and similar compounds based on rosin or on vegetable pitch; foundry core binders based on natural resinous products
ex 38.11	Disinfectants, insecticides, rat poisons, pesticides and similar products, put up in the form of articles such as sulphur-treated bands, wicks and candles, fly papers, sticks coated with hexachlorocyclohexane (BHC) and the like; preparations consisting of an active product (such as DDT) mixed with other materials and put up in aerosol containers ready for use
38.18	Composite solvents and thinners for varnishes and similar products
ex 38.19	Preparations known as 'liquids for hydraulic transmission' (in particular for hydraulic brakes) containing less than 70% by weight of petroleum oils or of oils obtained from bituminous minerals

Brussels Nomenclature heading No (CCCN)	Description
Chapter 39	
ex 39.02	Polyvinyl chloride
ex 39.01	Polystyrene in all its forms; other plastic materials, cellulose ethers and esters, artificial resins, excluding:
ex 39.02	
ex 39.03	
ex 39.04	
ex 39.05	
ex 39.06	
ex 39.07	(a) those in the form of granules, flakes, powders, waste and scrap to be used as raw materials for the manufacture of the products mentioned in this Chapter (b) ion exchangers Articles of materials of the kinds described in heading Nos 39.01 to 39.06, excluding fans and hand screens, non-mechanical, frames and handles therefor and parts of such frames and handles, and spools, reels and similar supports for photographic and cinematographic film or for tapes, films and the like falling within heading No 92.12
Chapter 40	Rubber, synthetic rubber, factice, and articles thereof, excluding heading Nos 40.01, 40.02, 40.03 and 40.04, latex (ex 40.06), solutions and dispersions (ex 40.06), protective clothing for surgeons and radiologists and divers' suits (ex 40.13), and bulk forms or blocks, scrap, waste and powder of hardened rubber (ebonite and vulcanite) (ex 40.15)
Chapter 41	Raw hides and skins (other than furskins) and leather, excluding parchment-dressed leather and articles falling within heading Nos 41.01 and 41.09
Chapter 42	Articles of leather; saddlery and harness; travel goods, handbags and similar containers; articles of animal gut (other than silk worm gut)
Chapter 43	Furskins and artificial fur; manufactures thereof
Chapter 44	Wood and articles of wood; wood charcoal, excluding heading No 44.07, articles of fibre building board (ex 44.21, ex 44.23, ex 44.27, ex 44.28), spools, reels and similar supports for photographic and cinematographic film or for tapes, films and the like falling within heading No 92.12 (ex 44.26) and wood paving blocks (ex 44.28)
Chapter 45	
45.03	Articles of natural cork
45.04	Agglomerated cork (being cork agglomerated with or without a binding substance) and articles of agglomerated cork
Chapter 46	Manufacture of straw, of esparto and of other plaiting materials, basketware and wickerwork, excluding plait and similar products of plaiting materials, for all uses, whether or not assembled into strips (ex 46.02)

Branches Nomenclature heading No (CCCN)	Description
Chapter 48	
ex 48.01	<p>Paper and paperboard (including cellulose wadding), in rolls or sheets excluding the following products:</p> <ul style="list-style-type: none"> — Ordinary newsprint made from chemical and mechanical pulp, weighing not more than 60 g/m² — Magazine paper — Cigarette paper — Tissue paper — Filter paper — Cellulose wadding — Hand-made paper and paperboard
48.03	Parchment or greaseproof paper and paperboard, and imitations thereof, and glazed transparent paper, in rolls or sheets
48.04	Composite paper or paperboard (made by sticking flat layers together with an adhesive), not surface-coated or impregnated, whether or not internally reinforced, in rolls or sheets
ex 48.05	Paper and paperboard, corrugated (with or without flat surface sheets) embossed in rolls or sheets
ex 48.07	Paper and paperboard, impregnated, coated, surface-coloured, surface-decorated or printed (not constituting printed matter within Chapter 49) in rolls or sheets, excluding squared paper, gold paper or silver paper and imitations thereof, transfer paper, indicator paper and unsensitized photographic paper
ex 48.13	Carbon paper
48.14	Writing blocks, envelopes, letter cards, plain postcards, correspondence cards, boxes, pouches, wallets and writing compendiums, of paper or paperboard, containing only an assortment of paper stationery
ex 48.15	Other paper or paperboard, cut to size or shape, excluding cigarette paper, tapes for teletype machines, perforated tapes for monotype machines and calculating machines, filter papers and filter boards (including those for cigarette filter tips) and gummed strip
48.16	Boxes, bags and other packing containers, of paper or paperboard; box files, letter trays, storage boxes and similar articles, of paper or paperboard, of a kind commonly used in offices, shops and the like
48.18	Registers, exercise books, note books, memorandum blocks, order books, receipt books, diaries, blotting pads, binders (loose-leaf or other), file covers and other stationery of paper or paperboard; sample and other albums and book covers, of paper or paperboard
48.19	Paper or paperboard labels, whether or not printed or gummed
ex 48.21	Lamp shades; tablecloths and serviettes, handkerchiefs and towels; dishes, plates, cups, table-mats, bottle-mats, glass-mats

Brussels Nomenclature heading No (CCCN)	Description
Chapter 49	
ex 49.01	Printed books, booklets, brochures and leaflets in the Greek language
ex 49.03	Children's picture books and painting books, printed wholly or partly in the Greek language
ex 49.07	Stamps not intended for public service
49.09	Picture postcards, Christmas and other picture greeting cards, printed by any process, with or without trimmings
ex 49.10	Calendars of any kind, of paper or paperboard, including calendar blocks, but excluding calendars intended for publicity purposes, in other languages than Greek
ex 49.11	Other printed matter, including printed pictures and photographs, but excluding the following articles: — Theatrical and photographic studio scenery — Printed matter for publicity purposes (including travel publicity), printed in other languages than Greek
Chapter 50	Silk and waste silk
Chapter 51	Man-made fibres (continuous)
Chapter 52	Metalized textiles
Chapter 53	Wool and other animal hair, excluding raw, bleached and undyed products of heading Nos 53.01, 53.02, 53.03 and 53.04
Chapter 54	Flax and ramie, excluding heading No 54.01
Chapter 55	Cotton
Chapter 56	Man-made fibres (discontinuous)
Chapter 57	Other vegetable textile materials, excluding No 57.01; paper yarn and woven fabrics of paper yarn
Chapter 58	Carpets, mats, matting and tapestries; pile and chenille fabrics; narrow fabrics; trimmings; tulle and other net fabrics; lace; embroidery
Chapter 59	Wadding and felt, twine, cordage, ropes and cables; special fabrics, impregnated and coated fabrics, textile articles of a kind suitable for industrial use
Chapter 60	Knitted and crocheted goods
Chapter 61	Articles of apparel and clothing accessories of textile fabric, other than knitted or crocheted goods

Brussels Nomenclature heading No (CCCN)	Description
Chapter 62	Other made up textile articles, excluding fans and hand screens (ex 62.05)
Chapter 63	Old clothing and other textile articles: rags
Chapter 64	Footwear, gaiters and the like, parts of such articles
Chapter 65	Headgear and parts thereof
Chapter 66	66.01 Umbrellas and sunshades (including walking-stick umbrellas, umbrella tents, and garden and similar umbrellas)
Chapter 67	67.01 Feather dusters
ex 67.01	67.02: Artificial flowers, foliage or fruit and parts thereof; articles made of artificial flowers, foliage or fruit
Chapter 68	68.04 Hand polishing stones, whetstones, oilstones, hones and the like, and millstones, grindstones, grinding wheels and the like (including grinding, sharpening, polishing, truing and cutting wheels, heads, discs and points), of natural stone (agglomerated or not), of agglomerated natural or artificial abrasives, or of pottery, with or without cores, shanks, sockets, axles and the like of other materials, but without frameworks; segments and other finished parts of such stones and wheels, of natural stone (agglomerated or not), of agglomerated natural or artificial abrasives, or of pottery
68.06	Natural or artificial abrasive powder or grain, on a base of woven fabric, of paper, or paperboard or of other materials, whether or not cut to shape or sewn or otherwise made up
68.09	Panels, boards, tiles, blocks and similar articles of vegetable fibre, of wood fibre, of straw, of wood shavings or of wood waste (including sawdust); agglomerated with cement, plaster or with other mineral binding substances
68.10	Articles of plastering material
68.11	Articles of cement (including slag cement), of concrete or of artificial stone (including granulated marble agglomerated with cement), reinforced or not
68.12	Articles of asbestos-cement, of cellulose fibre-cement or the like
68.14	Friction material (segments, discs, washers, strips, sheets, plates, rolls and the like) of a kind suitable for brakes, for clutches or the like, with a basis of asbestos, other mineral substances or of cellulose, whether or not combined with textile or other materials
Chapter 69	Ceramic products, excluding heading Nos 69.01, 69.02, other than bricks with a basis of magnesite and of magnesite-chromite, heading Nos 69.03, 69.04 and 69.05, utensils and apparatus for laboratory and industrial use, containers for the transport of acids and other chemical products and articles, of a kind used in agriculture, of heading No 69.09, and porcelain articles of heading Nos 69.10, 69.13 and 69.14
Chapter 70	70.04 Unworked cast or rolled glass (including flashed or wired glass, whether figured or not, in rectangles)

Brussels Nomenclature heading No (CCCN)	Description
70.05	Unworked drawn or blown glass (including flashed glass) in rectangles
ex 70.06	Cast, rolled, drawn or blown glass (including flashed or wired glass) in rectangles, surface ground or polished, but not further worked, excluding non-wired glass for mirrors
ex 70.07	Cast, rolled, drawn or blown glass (including flashed or wired glass) cut to shape other than rectangular shape, or bent or otherwise worked (for example, edge worked or engraved), whether or not surface ground or polished; leaded lights and the like
70.08	Safety glass consisting of toughened or laminated glass, shaped or not
70.09	Glass mirrors (including rear-view mirrors), unframed, framed or backed
70.10	Carboys, bottles, jars, pots, tubular containers and similar containers, of glass, of a kind commonly used for the conveyance or packing of goods; stoppers and other closures, of glass
ex 70.13	Glassware (other than articles falling within heading No 70.19) of a kind commonly used for table, kitchen, toilet or office purposes, for indoor decoration, or for similar uses, excluding fire-resisting glassware of a kind commonly used for table or kitchen purposes, with a low coefficient of expansion, similar to Pyrex or Durex
70.14	Illuminating glassware, signalling glassware and optical elements of glass, not optically worked nor of optical glass
ex 70.15	Glass of a kind used for sun glasses (but excluding glass suitable for corrective lenses), curved, bent, hollowed and the like
ex 70.16	Multi-cellular glass in blocks, slabs, plates, panels and similar forms
ex 70.17	Laboratory, hygienic and pharmaceutical glassware, whether or not graduated or calibrated, excluding glassware for chemical laboratories; glass ampoules
ex 70.21	Other articles of glass, excluding articles for industry
Chapter 71	
ex 71.12	Articles of jewellery, of silver (including silver gilt or platinum-plated silver), or rolled precious metal on base metal
71.13	Articles of goldsmiths' or silversmiths' wares and parts thereof, of precious metal or rolled precious metal, other than goods falling within heading No 71.12
ex 71.14	Other articles of precious metal or rolled precious metal, excluding articles and utensils for workshops and laboratories
71.16	Imitation jewellery
Chapter 73	Iron and steel and articles thereof, excluding:
	(a) Products within the jurisdiction of the European Coal and Steel Community, falling within heading Nos 73.01, 73.02, 73.03, 73.05, 73.06, 73.07, 73.08, 73.09, 73.10, 73.11, 73.12, 73.13, 73.15 and 73.16
	(b) Products falling within heading Nos 73.02, 73.05, 73.07 and 73.16 which are not within the jurisdiction of the European Coal and Steel Community
	(c) Heading Nos 73.04, 73.17, 73.19, 73.30, 73.33 and 73.34 and springs and leaves for springs, of iron or steel, for railway coaches, of heading No 73.35

Brussels Nomenclature heading No (CCCN)	Description
Chapter 74	Copper and articles thereof, excluding copper alloys containing more than 10 % by weight of nickel and articles falling within heading Nos 74.01, 74.02, 74.06 and 74.11
Chapter 76	Aluminum and articles thereof, excluding heading Nos 76.01 and 76.05 and spoons, reels and similar supports for photographic and cinematographic film or for tapes, films and the like falling within heading No 92.12 (ex 76.16)
Chapter 78	Lead and articles thereof
Chapter 79	Zinc and articles thereof, excluding heading Nos 79.01, 79.02 and 79.03
Chapter 82	
ex 82.01	Hand tools, the following: spades, shovels, picks, hoes, forks and rakes; axes, bill hooks and similar hewing tools; hay knives, grass shears, timber wedges and other tools of a kind used in agriculture, horticulture or forestry
82.02	Saws (non-mechanical) and blades for hand or machine saws (including toothless saw blades)
ex 82.04	Portable forges; grinding wheels with frameworks (hand or pedal operated); articles for domestic use
82.09	Knives with cutting blades, serrated or not (including pruning knives), other than knives falling within heading No 82.06, and blades therefor
ex 82.11	Safety razor blades and blanks thereof
ex 82.13	Other articles of cutlery (for example secateurs, hair clippers, butchers' cleavers, paper knives), excluding hand-operated clippers and parts thereof
82.14	Spoons, forks, fish-eaters, butter-knives, ladles, and similar kitchen or tableware
82.15	Handles of base metal for articles falling within heading Nos 82.09, 82.13 and 82.14
Chapter 83	Miscellaneous articles of base metal, excluding heading No 83.08, statuettes and other ornaments of a kind used indoors (ex 83.06) and beads and spangles (ex 83.09)
Chapter 84	
ex 84.06	Spark ignition engines, petrol driven of a cylinder capacity of 220 cc or more, internal combustion engines, semi diesel type; internal combustion engines, diesel type, of 37 kW or less; engines for motor-cycles and auto-cycles
ex 84.10	Pumps (including motor pumps and turbo pumps) for liquids, whether or not fitted with measuring devices
ex 84.11	Air pumps and vacuum pumps, including motor and turbo pumps; fans, blowers and the like, with integral motors, weighing less than 150 kg and fans or blowers without motor, weighing 100 kg or less

Brussels Nomenclature heading No (CCCN)	Description
ex 84.12	Air-conditioning machines, self-contained, comprising a motor-driven fan and elements for changing the temperature and humidity of air, for domestic use
ex 84.14	Bakery ovens and parts thereof
ex 84.15	Refrigerating cabinets and other refrigerating plant, equipped with a refrigerating unit
ex 84.17	Instantaneous or storage water heaters, non-electrical
84.20	Weighing machinery (excluding balances of a sensitivity of 5 cg or better), including weight-operated counting and checking machines; weighing machine weights of all kinds
ex 84.21	Mechanical appliances (whether or not hand operated) for projecting, dispersing or spraying liquids or powders, for domestic use; similar hand operated appliances for agricultural use; similar appliances for agricultural use, truck mounted, weighing 60 kg or less
ex 84.24	Ploughs designed for tractor or animal draught, weighing 700 kg or less; ploughs designed for mounting on tractors, with two or three shares or discs; harrows designed for tractor or animal draught, with fixed framework and fixed teeth; disc harrows, weighing 700 kg or less
ex 84.25	Threshers; maize huskers and maize threshers; harvesting machinery, animal drawn; straw or fodder presses; fanning mills and similar machines for screening seeds and cereal graders
84.27	Presses, crushers and other machinery, of a kind used in wine making, cider making, fruit juice preparation or the like
ex 84.28	Seed crushing machines; farm-type milling machines
84.29	Machinery of a kind used in the bread grain milling industry, and other machinery (other than farm type machinery) for the working of cereals or dried leguminous vegetables
ex 84.34	Printing type
ex 84.38	Shuttles; reeds for looms
ex 84.40	Washing machines, whether or not electric, for domestic use
ex 84.47	Machine tools for sawing and planing wood, cork, bone, ebonite (vulcanite), hard artificial plastic materials or other hard carving materials, other than machines falling within heading No 84.49
ex 84.56	Machinery for agglomerating, moulding or shaping ceramic paste, unhardened cements, plastering materials or other mineral products
ex 84.59	Oil presses and mills; machines for stearin soap manufacture
84.61	Taps, cocks, valves and similar appliances, for pipes, boiler shells, tanks, vats and the like, including pressure reducing valves and thermostatically-controlled valves
ex 84.63	Speed reducers

Brussels Nomenclature Heading No (CCN)	Description
Chapter 85	
ex 85.01	Generators of 20 kVA output or less; motors of 74 kW or less; rotary converters of 37 kW or less; transformers and static converters other than for radio-broadcasting, radiotelephonic, radiotelegraphic and television receivers
85.03	Primary cells and primary batteries
85.04	Electric accumulators
ex 85.06	Room fans
85.10	Portable electric battery and magneto lamps, other than lamps falling within heading No 85.09
85.12	Electric instantaneous or storage water heaters and immersion heaters; electric soil heating apparatus and electric space heating apparatus; electric hair dressing appliances (for example, hair dryers, hair curlers, curling tong heaters) and electric smoothing irons; electro-thermic domestic appliances; electric heating resistors, other than those of carbon
ex 85.17	Electric sound signalling apparatus
ex 85.19	Electrical apparatus for making and breaking electrical circuits, for the protection of electrical circuits, or for making connections to or in electrical circuits (for example, switches, relays, fuses, lightning arresters, surge suppressors, plugs, lamp holders and junction boxes)
ex 85.20	Electric filament lamps and electric discharge lamps, excluding infra-red and ultra-violet lamps
ex 85.21	Cathode ray tubes for television sets
85.23	Insulated (including enamelled or anodized) electric wire, cable, bars, strip and the like (including co-axial cable), whether or not fitted with connectors
85.25	Insulators of any material
85.26	Insulating fittings for electrical machines, appliances or equipment, being fittings wholly of insulating material apart from any minor components of metal incorporated during moulding solely for purposes of assembly, but not including insulators falling within heading No 85.25
85.27	Electrical conduit tubing and joints therefor, of base metal lined with insulating material
Chapter 87	
ex 87.02	Motor vehicles for the public transport of persons and motor vehicles for the transport of goods or materials (excluding chassis mentioned in Note 2 to Chapter 87)

Brussels Nomenclature heading No (CCCN)	Description
87.05	Bodies (including cabs), for the motor vehicles falling within heading No 87.01, 87.02 or 87.03
ex 87.06	Chassis without engines, and parts thereof
ex 87.11	Invalid carriages (other than motorized or otherwise mechanically propelled)
ex 87.12	Parts and accessories of invalid carriages (other than motorized or otherwise mechanically propelled)
87.13	Baby carriages and parts thereof
Chapter 89	
ex 89.01	Lighters and barges; tankers designed to be towed; sailing vessels; inflatable boats of artificial plastic materials
Chapter 90	
ex 90.01	Ophthalmic lenses
90.03	Frames and mountings, and parts thereof, for spectacles, pince-nez, lorgnettes, goggles and the like
90.04	Spectacles, pince-nez, lorgnettes, goggles and the like, corrective, protective or other
ex 90.26	Meters for hand-operated petrol pumps and water meters (volumetric and tachometric)
Chapter 92	
92.12	Gramophone records and other sound or similar recordings; matrices for the production of records, prepared record blanks, film for mechanical sound recording, prepared tapes, wires, strips and like articles of a kind commonly used for sound or similar recording
Chapter 93	
ex 93.04	Sporting guns and rifles
ex 93.07	Wads for shotguns; sporting cartridges, cartridges for revolvers, pistols and walking stick guns, ball or shot cartridges for target shooting guns of calibres up to 9 mm; cartridge cases for sporting guns and sporting rifles, of metal and paperboard; bullets, shot and buckshot for sporting guns and sporting rifles
Chapter 94	
Chapter 94	Furniture and parts thereof, bedding, mattresses, mattress supports, cushions and similar stuffed furnishings, excluding heading No 94.02
Chapter 96	
Chapter 96	Brooms, brushes, powder puffs and sieves, excluding prepared knots and tufts for brooms or brush making of heading No 96.01 and articles falling within heading Nos 96.05 and 96.06

Brussels Nomenclature heading No (CCCN)	Description
Chapter 97	
97.01	Wheeled toys designed to be ridden by children (for example, toy bicycles and tricycles, and pedal motor cars); dolls' prams and dolls' push chairs
97.02	Dolls
97.03	Other toys; working models of a kind used for recreational purposes
ex 97.05	Streamers and confetti
Chapter 98	Miscellaneous manufactured articles, excluding stylograph pens falling within heading No 98.03 and excluding heading Nos 98.04, 98.10, 98.11, 98.14 and 98.15

ANNEX 2

List of products referred to in Article 7

CCT heading No	Description	Quotas for the period 1 January to 31 December 1981
31.02	Mineral or chemical fertilizers, nitrogenous	} 800 tonnes
31.03	Mineral or chemical fertilizers, phosphatic	
31.05	Other fertilizers; goods of the present Chapter in tablets, lozenges and similar prepared forms or in packings of a gross weight not exceeding 10 kg: A. Other fertilizers: I. Containing the three fertilizing substances: nitrogen, phosphorus and potassium II. Containing the two fertilizing substances: nitrogen and phosphorus IV. Other	
ex 73.37	Boilers (excluding boilers of heading No 84.01) and radiators for central heating, not electrically heated, and parts thereof, of iron or steel; air heaters and hot air distributors (including those which can also distribute cool or conditioned air), not electrically heated, incorporating a motor-driven fan or blower, and parts thereof, of iron or steel: — Boilers for central heating	
ex 84.01	Steam and other vapour generating boilers (excluding central heating hot water boilers capable also of producing low pressure steam); super-heated water boilers: — Of a power of 32 MW or less	6 400 EUA
84.06	Internal combustion piston engines: C. Other engines: ex II. Compression ignition engines: — Of a power of less than 37 kW	17 700 EUA
84.10	Pumps (including motor pumps and turbo pumps) for liquids, whether or not fitted with measuring devices; liquid elevators of bucket, chain, screw, band and similar kinds. ex A. Delivery pumps fitted, or designed to be fitted, with a measuring device, other than pumps for dispensing fuel B. Other pumps C. Liquid elevators of bucket, chain, screw, band and similar kinds	86 500 EUA

CCT heading No	Description	Quotas for the period 1 January to 31 December 1981
84.14	Industrial and laboratory furnaces and ovens, nonelectric falling under heading No 85.11 ex B. Other: — Parts of steel, for cement ovens	700 EUA
ex 84.20	Weighing machinery (excluding balances of a sensitivity of 5 cg or better) including weight-operated counting and checking machines; weighing machine weights of all kinds, other than: — Baby scales — Precision scales graduated in grams for domestic use — Weighing machine weights of all kinds	20 200 EUA
85.01	Electrical goods of the following descriptions: generators, motors, converters (rotary or static), transformers, rectifiers and rectifying apparatus, inductors: A. Generators, motors (whether or not equipped with speed reducing, changing or step-up gear) and rotary converters: ex II. Other: — Motors of an output of not less than 370 W and not more than 15 000 W ex C. Parts: — For motors of an output of not less than 370 and not more than 15 000 W	2 800 EUA
85.15	Radiotelegraphic and radiotelephonic transmission and reception apparatus; radio-broadcasting and television transmission and reception apparatus (including receivers incorporating sound recorders or reproducers) and television cameras; radio navigational aid apparatus, radar apparatus and radio remote control apparatus: A. Radiotelegraphic and radiotelephonic transmission and reception apparatus, radio-broadcasting and television transmission and reception apparatus (including receivers incorporating sound recorders or reproducers) and television cameras. ex III. Receivers, whether or not incorporating sound recorders or reproducers: — Television	400 units 100 000 EUA ⁽¹⁾

¹⁾ Additional limitation expressed in terms of value.

CCT heading No	Description	Quotas for the period 1 January to 31 December 1981
85.15 (cont'd)	<p>C. Parts:</p> <p>I. Cabinets and cases:</p> <p>ex a) Of wood:</p> <p>— For television receivers</p> <p>ex b) Of other materials:</p> <p>— For television receivers</p> <p>ex. III. Other:</p> <p>— Chassis for television receivers and their parts, assembled or mounted</p> <p>— Printed circuit boards for television receivers</p>	<p>190 000 EUA</p>
ex 85.23	<p>Insulated (including enamelled or anodized) electric wire, cable, bars, strip and the like (including co-axial cable), whether or not fitted with connectors:</p> <p>— Cables for television aerials</p>	<p>4 200 EUA</p>
87.02	<p>Motor vehicles for the transport of persons, goods or materials (including sports motor vehicles, other than those of heading No 87.09):</p> <p>A. For the transport of persons, including vehicles designed for the transport of both passengers and goods:</p> <p>I. With either a spark ignition or a compression ignition engine:</p> <p>ex a) Motor vehicles and buses with either a spark ignition engine of a cylinder capacity of 2 800 cc or more or a compression ignition engine of a cylinder capacity of 2 500 cc or more:</p> <p>— Complete motor buses and coaches</p> <p>ex b) Other:</p> <p>— Complete, with a seating capacity of more than six</p>	<p>6 units 130 000 EUA ⁽¹⁾</p>
87.05	<p>Bodies (including cabs), for the motor vehicles falling within heading No 87.01, 87.02 or 87.03:</p> <p>ex A. Bodies and cabs of metal for the industrial assemblies of:</p> <p>— Agricultural walking tractors falling within subheading 87.01 A.</p> <p>— Motor vehicles for the transport of persons, including vehicles designed for the transport of both passengers and goods, which a seating capacity of more than six and less than 15.</p>	

(1) Additional limitation expressed in terms of value.

CCT heading No	Description	Quotas for the period 1 January to 31 December 1981
87.05 (cont'd)	<ul style="list-style-type: none"> — Motor vehicles for the transport of goods or materials, with either a spark ignition engine of a cylinder capacity of less than 2 800 cc or a compression ignition engine of a cylinder capacity of less than 2 500 cc, — Special purpose motor lorries and vans of heading No 87.03 (a) <p>ex B. Other:</p> <ul style="list-style-type: none"> — Bodies and cabs of metal, other than for motor vehicles for the transport of persons, with a seating capacity of six or less 	<p style="text-align: center;">1 000 EUA</p>

(a) Entry under this subheading is subject to conditions to be determined by the competent authorities.

COUNCIL REGULATION (EEC) No 1122/81 (*) (**)

of 28 April 1981

extending the time limit of the provisional arrangements for trade between the Hellenic Republic and the ACP States established in Regulation (EEC) No 439/81

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 439/81 of 20 January 1981 laying down the provisional arrangements for trade between the Hellenic Republic and the ACP States⁽¹⁾, and in particular Article 1,

Having regard to the proposal from the Commission,

Whereas the time limit of the provisional arrangements for trade laid down in Regulation (EEC) No 439/81, which is due to expire on 30 April 1981, should exceptionally be extended, for a maximum of two months,

HAS ADOPTED THIS REGULATION:

Article 1

The provisional arrangements applicable to trade between the Hellenic Republic and the ACP States laid down in Regulation (EEC) No 439/81 shall remain applicable until 30 June 1981 at the latest.

Article 2¹

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

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

Done at Luxembourg, 28 April 1981.

For the Council

The President

J. de KONING

(1) OJ No L 33, 27.2.1981, p. 14

(*) OJ No L 118, 30.4.1981, page 14

(**) See also pages 245, 315, 374, 398 and 399 of this Compilation.

COUNCIL REGULATION (EEC) No 1791/81 (*) ()**
of 29 June 1981
extending the arrangements applicable to trade between Greece and the ACP States

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas the Additional Protocol to the Second ACP-EEC Convention following the accession of the Hellenic Republic to the European Economic Community was initialled on 24 June 1981;

Whereas, pending the entry into force of this Protocol, the Community should, in the light thereof, extend autonomously from 1 July 1981 the arrangements applicable to trade between Greece and the ACP States as established by Council Regulation

(EEC) No 439/81 (1), as extended by Regulation (EEC) No 1122/81 (2),

HAS ADOPTED THIS REGULATION ¹

Article 1

From 1 July 1981 until 31 December 1981, the arrangements applicable to trade between Greece and the ACP States shall be those resulting from the Annex to Regulation (EEC) No 439/81.

Article 2

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

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

Done at Brussels, 29 June 1981.

For the Council

The President

Ch. A. van der KLAAUW

(1) OJ No L 53, 27.2.1981, p. 19
(2) OJ No L 118, 30.4.1981, p. 34

(*) OJ No L 179, 1.7.1981, page 1

(**) See also pages 245, 315, 374, 397 and 399 of this Compilation.

COUNCIL REGULATION (EEC) No 3722/81 (*) (**)
of 21 December 1981

extending the arrangements applicable to trade between Greece and the ACP States

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community, and in particular Article 113
thereof,

Having regard to the proposal from the Commission,

Whereas the Additional Protocol to the Second
ACP-EEC Convention following the accession of the
Hellenic Republic to the European Economic
Community was signed on 8 October 1981;

Whereas, pending the entry into force of that
Protocol, the Community should, in the light thereof,
extend autonomously from 1 January 1982 the arrange-
ments applicable to trade between Greece and the
ACP States as established by Regulation (EEC) No
439/81 (1), and extended by Regulations (EEC) No
1122/81 (2) and (EEC) No 1791/81 (3),

HAS ADOPTED THIS REGULATION:

Article 1

From 1 January 1982 until the entry into force of the
Additional Protocol to the Second ACP-EEC Conven-
tion following the accession of the Hellenic Republic
to the European Economic Community, or not later
than 30 June 1982, the arrangements applicable to
trade between Greece and the ACP States shall be
those resulting from the Annex of Regulation (EEC)
No 439/81.

Article 2

This Regulation shall enter into force on 1 January
1982.

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

Done at Brussels, 21 December 1981.

For the Council
The President
N. RIDLEY

(1) OJ No L 53, 27.2.1981, p. 19
(2) OJ No L 118, 30.4.1981, p. 14
(3) OJ No L 178, 1.7.1981, p. 1

(*) OJ No L 373, 29.12.1981, page 10

(**) See also pages 245, 315, 374, 397 and 398 of this Compilation.

DECISION OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE
MEMBER STATES OF THE EUROPEAN COAL AND STEEL COMMUNITY,
MEETING WITHIN THE COUNCIL (*) (**)

of 20 January 1981

laying down the provisional arrangements applicable to trade between the Hellenic Republic
and the ACP States in products covered by that Community

(81/57/ECSC)

THE REPRESENTATIVES OF THE GOVERNMENTS
OF THE MEMBER STATES OF THE EUROPEAN COAL
AND STEEL COMMUNITY, MEETING WITHIN THE
COUNCIL,

Agreement to take account of the accession of the
Hellenic Republic;

In agreement with the Commission,

Whereas the Member States have concluded among
themselves the Treaty establishing the European Coal
and Steel Community;

HAVE DECIDED AS FOLLOWS:

Article 1

Whereas negotiations were opened between the
Community and the ACP States on 28 November 1980
with a view to concluding a Protocol adjusting the
Second ACP—EEC Convention in order to take
account of the accession of the Hellenic Republic;

From 28 February 1981 until 30 April 1981, the provi-
sional arrangements applicable to trade between the
Hellenic Republic and the ACP States shall be those
resulting from the Agreement on ECSC products and
the Annex to this Decision.

Whereas the 1979 Act of Accession provides in the first
paragraph of Article 119 thereof that if such a Protocol
is not concluded on 1 January 1981 the Community
shall take the necessary measures to deal with this
situation after accession;

The arrangements applicable to trade to enter into force
as from 1 May 1981 will be established later on.

Article 2

Whereas it is necessary to establish unilaterally the
specific conditions of application by the Hellenic
Republic, of the trade arrangements resulting from the
Agreement on products within the province of the
European Coal and Steel Community, signed at Lomé
on 31 October 1979 pending the result of negotiations
which are taking place with the ACP States with a view
to concluding a Protocol containing adjustments to and
transitory measures relating to the abovementioned

Member States shall take the measures necessary to
implement this Decision.

Done at Brussels, 20 January 1981.

The President

Ch. A. van der KLAUW

(*) OJ No L 53, 27.2.1981, page 65.

(**) See also pages 245, 315, 402, 403 and 405 of this Compilation.

ANNEX

Specific conditions of application of the Agreement between the Member States of the European Coal and Steel Community and the ACP States to take account of the accession of the Hellenic Republic

Article 1

For the products covered by the Agreement, the Hellenic Republic shall progressively abolish customs duties on imports of products originating in the ACP States in accordance with the following timetable:

- on 28 February 1981, each duty shall be reduced to 90 % of the basic duty,
- on 1 January 1982, each duty shall be reduced to 80 % of the basic duty,
- the four other reductions of 20 % each shall be made on:
 - 1 January 1983,
 - 1 January 1984,
 - 1 January 1985,
 - 1 January 1986.

Article 2

The basic duty to which the successive reductions as provided for in Article 1 are to be applied shall, for each product, be the duty actually applied on 1 July 1980 by the Hellenic Republic in respect of the ACP States.

Article 3

1. The Hellenic Republic shall progressively abolish charges having an equivalent effect to customs duties on imports of products originating in the ACP States in accordance with the following timetable:

- on 28 February 1981, each charge shall be reduced to 90 % of the basic rate,
- on 1 January 1982, each charge shall be reduced to 80 % of the basic rate,
- the four other reductions of 20 % each shall be made on:
 - 1 January 1983,
 - 1 January 1984,
 - 1 January 1985,
 - 1 January 1986.

2. The basic rate to which the successive reductions as provided for in paragraph 1 are to be applied, shall, for each product be the rate applied by the Hellenic Republic on 31 December 1980 in respect of the Community of Nine.

3. Any charge having an equivalent effect to a customs duty on imports introduced as from 1 January 1979 in trade between Greece and the ACP States shall be abolished on 28 February 1981.

Article 4

If the Hellenic Republic suspends or reduces, more quickly than envisaged in the established timetable, customs duties or charges having an equivalent effect on products imported from the Community of Nine, the Hellenic Republic shall also suspend or reduce, to the same level, these duties or charges having an equivalent effect on products originating in the ACP States.

Article 5

1. Import deposits and cash payments in force in Greece on 31 December 1980 with regard to imports of products originating in the ACP States shall be progressively eliminated over a period of three years from 28 February 1981.

The rate of import deposits and cash payments shall be reduced in accordance with the following timetable:

- 28 February 1981: 25 %,
- 1 January 1982: 25 %,
- 1 January 1983: 25 %,
- 1 January 1984: 25 %.

2. If the Hellenic Republic reduces towards the Community of Nine the rate of import deposits or cash payments more quickly than as provided under the timetable set out in paragraph 1, the Hellenic Republic shall make the same reduction with regard to imports originating in the ACP States.

II

(Acts whose publication is not obligatory)

COUNCIL

**DECISION OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE
MEMBER STATES OF THE EUROPEAN COAL AND STEEL COMMUNITY,
MEETING WITHIN THE COUNCIL (*) (**)**

of 28 April 1981

extending the time limit of the provisional arrangements applicable to trade
between the Hellenic Republic and the ACP States for products covered by that
Community

(81/249/ECSC)

THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES OF THE
EUROPEAN COAL AND STEEL COMMUNITY, MEETING WITHIN THE COUNCIL,

Whereas the Member States have concluded among themselves the Treaty establishing
the European Coal and Steel Community;

Whereas it is appropriate to extend exceptionally for a maximum of two months the time
limit of the provisional arrangements for trade between the Hellenic Republic and the
ACP States laid down in Decision 81/57/ECSC (1) for products covered by the ECSC;

In agreement with the Commission,

HAVE DECIDED AS FOLLOWS:

Article 1

The provisional arrangements applicable to trade between the Hellenic Republic and the
ACP States laid down in Decision 81/57/ECSC shall remain applicable until 30 June
1981 at the latest.

Article 2

Member States will take the necessary measures to implement this Decision.

Done at Luxembourg, 28 April 1981.

The President

J. de KONING

(1) OJ No L 53, 27.2.1981, p. 69

(*) OJ No L 118, 30.4.1981, page 51

(**) See also pages 245, 315, 400, 403 and 405 of this Compilation.

COUNCIL

**DECISION OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE
MEMBER STATES OF THE EUROPEAN COAL AND STEEL COMMUNITY,
MEETING WITHIN THE COUNCIL () (**)**

of 29 June 1981

**extending the time limit of the provisional arrangements applicable to trade
between Greece and the ACP States for products covered by that Community**

(81/475/ECSC)

THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES OF THE
EUROPEAN COAL AND STEEL COMMUNITY, MEETING WITHIN THE COUNCIL,

Whereas the Member States have concluded among themselves the Treaty establishing
the European Coal and Steel Community;

Whereas it is appropriate to extend until 31 December 1981 the time limit of the provi-
sional arrangements for trade between Greece and the ACP States laid down in Decision
81/57/ECSC⁽¹⁾ for products covered by the ECSC, as extended by Decision 81/249/
ECSC⁽²⁾;

In agreement with the Commission,

HAVE DECIDED AS FOLLOWS:

Article 1

The provisional arrangements laid down in Decision 81/57/ECSC for trade between
Greece and the ACP States shall remain applicable until 31 December 1981

(1) OJ No L 53, 27. 2. 1981, p. 65

(2) OJ No L 118, 30. 4. 1981, p. 51.

(*) OJ No L 179, 1.7.1981, page 15

(**) See also pages 245, 315, 400, 402 and 405 of this Compilation.

Article 2

Member States will take the necessary measures to implement this Decision.

Done at Brussels, 29 June 1981.

For the Council

The President

Ch. A. van der KLAUW

DECISION OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE
MEMBER STATES OF THE EUROPEAN COAL AND STEEL COMMUNITY
MEETING WITHIN THE COUNCIL (*) (**)

of 21 December 1981

extending the time limit of the provisional arrangements applicable to trade
between Greece and the ACP States for products covered by that Community

(82/16/ECSC)

THE REPRESENTATIVES OF THE GOVERNMENTS OF
THE MEMBER STATES OF THE EUROPEAN COAL
AND STEEL COMMUNITY, MEETING WITHIN THE
COUNCIL,

Whereas the Member States have concluded amongst
themselves the Treaty establishing the European Coal
and Steel Community;

Whereas a Protocol to the Agreement between the
Member States of the European Coal and Steel
Community and the ACP States following the accession
of the Hellenic Republic to the Community was
signed on 8 October 1981;

Whereas, pending the entry into force of that Protocol,
the Community should in the light thereof, extend
autonomously from 1 January 1982 the provisional
arrangements applicable to trade between Greece and
the ACP States as established for the products covered
by the European Coal and Steel Community by Deci-
sion 81/57/ECSC (1) and extended by Decisions
81/249/ECSC (2) and 81/475/ECSC (3),

In agreement with the Commission,

HAVE DECIDED AS FOLLOWS:

Article 1

The provisional arrangements laid down in Decision
81/57/ECSC for trade between Greece and the ACP
States shall remain in force from 1 January 1982 until
the date of entry into force of the Protocol to the
Agreement between the Member States of the Euro-
pean Coal and Steel Community and the ACP States
following the accession of the Hellenic Republic to
the Community, and not later than 30 June 1982.

Article 2

Member States will take the necessary measures to
implement this Decision.

Done at Brussels, 21 December 1981.

The President

N. RIDLEY

(1) OJ No L 53, 27.2.1981, p. 65.

(2) OJ No L 118, 30.4.1981, p. 51.

(3) OJ No L 179, 1.7.1981, p. 15.

(*) OJ No L 9, 14.1.1982, page 27

(**) See also pages 245, 315, 400, 402 and 403 of this Compilation.

COUNCIL

COUNCIL DECISION (*) (**)

of 3 December 1981

on the provisional application to Belize of the arrangements provided for in Decision 80/1186/EEC on the association of the overseas countries and territories with the European Economic Community

(81/970/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Decision 80/1186/EEC of 16 December 1980 on the association of the overseas countries and territories with the European Economic Community (1), and in particular the second subparagraph of Article 142 (2) thereof,

Having regard to the proposal from the Commission,

Whereas, pursuant to the second subparagraph of Article 142 (2) of Decision 80/1186/EEC, the arrangements provided for therein may continue to apply provisionally, under the conditions laid down by the Council, to countries and territories which become independent;

Whereas Belize, which appears in Annex I to the said Decision, achieved independence on 21 September 1981;

Whereas it should be decided to continue to apply provisionally to that State the arrangements provided for in the said Decision;

Whereas the Second ACP-EEC Convention is open, in accordance with the procedure laid down in Article 185 thereof, to accession by countries or territories referred to in Part Four of the Treaty which have become independent; whereas such accession can take place only following a request by the State concerned and with the approval of the ACP-EEC Council of Ministers;

Whereas Belize has submitted a request for accession to the Second ACP-EEC Convention,

HAS DECIDED AS FOLLOWS:

Article 1

The arrangements laid down by Decision 80/1186/EEC shall apply provisionally to Belize until the latter accedes to the Second ACP-EEC Convention.

Article 2

Questions relating to the application to Belize of Decision 80/1186/EEC shall be dealt with as necessary by direct contact between the competent authorities of that State and of the Community.

Article 3

This Decision shall take effect on the day of its publication in the *Official Journal of the European Communities*.

It shall apply as from 21 September 1981.

Done at Brussels, 3 December 1981.

For the Council

The President

T. KING

(1) OJ No L 361, 31.12.1980, p. 1.

(*) OJ No L 355, 10.12.1981, page 51

(**) The instrument of accession will appear in the 1982 Compilation.

COUNCIL

COUNCIL DECISION (*) (**)

of 21 December 1981

on the provisional application to the State of Antigua and Barbuda of the arrangements provided for in Decision 80/1186/EEC on the association of the overseas countries and territories with the European Economic Community

(82/32/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Decision 80/1186/EEC of 16 December 1980 on the association of the overseas countries and territories with the European Economic Community⁽¹⁾, and in particular the second subparagraph of Article 142 (2) thereof,

Having regard to the proposal from the Commission, Whereas, pursuant to the second subparagraph of Article 142 (2) of Decision 80/1186/EEC, the arrangements provided for therein may continue to apply provisionally, under conditions laid down by the Council, to countries and territories which become independent;

Whereas Antigua, which is mentioned in Annex I to the said Decision, achieved independence on 1 November 1981 as the state of Antigua and Barbuda;

Whereas it should be decided to continue to apply provisionally to that State the arrangements provided for in the abovementioned Decision;

Whereas the second ACP-EEC Convention is open, in accordance with the procedure laid down in Article 185 thereof, to accession by countries or territories referred to in Part 4 of the Treaty which have become independent; whereas such accession can take place

only following a request by the State concerned and with the approval of the ACP-EEC Council of Ministers;

Whereas Antigua and Barbuda has submitted a request for accession to the second ACP-EEC Convention,

HAS DECIDED AS FOLLOWS:

Article 1

The arrangements laid down by Decision 80/1186/EEC shall continue to apply provisionally to Antigua and Barbuda until that State accedes to the second ACP-EEC Convention.

Article 2

Questions relating to the application to Antigua and Barbuda of Decision 80/1186/EEC shall be dealt with as necessary by direct contact between the competent authorities of that State and of the Community.

Article 3

This Decision shall take effect on 1 November 1981.

Done at Brussels, 21 December 1981.

For the Council

The President

N. RIDLEY

⁽¹⁾ OJ No L 361, 31.12.1980, p. 1.

(*) OJ No L 16, 22.1.1982, page 38

(**) The instrument of accession will appear in the 1982 Compilation.

COUNCIL

DECISION OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES OF THE EUROPEAN COAL AND STEEL COMMUNITY MEETING WITHIN THE COUNCIL (*) (**)

of 21 December 1981

amending Decision 80/1261/ECSC opening tariff preferences for products within
the province of that Community and originating in Zimbabwe

(82/15/ECSC)

THE REPRESENTATIVES OF THE GOVERNMENTS OF
THE MEMBER STATES OF THE EUROPEAN COAL
AND STEEL COMMUNITY,

Whereas the abovementioned Member States
concluded amongst themselves the Treaty establishing
the European Coal and Steel Community;

Whereas the Interim Agreement between the Euro-
pean Economic Community and the Republic of
Zimbabwe, signed in Luxembourg on 4 November
1980, was approved by the Community by Council
Regulation (EEC) No 3350/80 of 16 December
1980 (1), whereas the said Interim Agreement applies
until the entry into force of the Agreement on the
accession of the Republic of Zimbabwe to the second
ACP-EEC Convention;

Whereas the Accession Agreement and the parallel
Agreement between the Member States of the Euro-
pean Coal and Steel Community and the Republic of
Zimbabwe has been submitted for the approval of
each signatory State in accordance with its own con-
stitutional rules; whereas the completion of procedures
has been delayed, so that the Agreements cannot enter
into force on the planned date, i.e. 1 January 1982;

Anxious to apply concomitantly the tariff provisions
laid down in the said Agreement;

In Agreement with the Commission,

HAVE DECIDED AS FOLLOWS:

Article 1

The words 'but at the latest until 31 December 1981'
shall be deleted from Article 1 of Decision 80/1261/
ECSC (2).

Article 2

The Member States shall take the measures necessary
to implement this Decision.

Done at Brussels, 21 December 1981.

The President

N. RIDLEY

(*) OJ No L 372, 31. 12. 1980, p. 1

(2) OJ No L 372, 31. 12. 1980, p. 85

(*) OJ No L 9, 14.1.1982, page 26

(**) See also pages XI, 205 to 243 and 485 of this Compilation.

III. - COMMUNITY ACTS RELATING TO THE
APPLICATION OF THE LOME CONVENTION

B. TRADE

COUNCIL REGULATION (EEC) No 1027/81 (*) (**)
of 9 April 1981

on the trade arrangements applicable to African, Caribbean and Pacific States
which failed to ratify the Second ACP-EEC Convention by 1 January 1981

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community, and in particular Article 113
thereof,

Having regard to the proposal from the Commission,

Whereas the Second ACP-EEC Convention signed at
Lomé on 31 October 1979, hereinafter referred to as
'the Convention', entered into force on 1 January
1981;

Whereas, in the case of certain ACP States which had
not completed the procedures referred to in Article
182 of the Convention by the date of its entry into
force, the Convention becomes applicable only on the
first day of the second month following completion of
those procedures;

Whereas, in order not to disrupt trade patterns, the
trade arrangements provided for in the said Conven-
tion should be implemented autonomously for the
period 1 January 1981 to the date on which the
Convention becomes applicable or to 30 June 1981 at
the latest,

HAS ADOPTED THIS REGULATION:

Article 1

For the period 1 January 1981 to the date on which
the Convention becomes applicable, or to 30 June
1981 at the latest, the trade arrangements applicable
to the ACP States, listed in the Annex, which had not
completed the procedures referred to in Article 182 of
the Convention by 1 January 1981 shall be as set out
in Chapters 1 and 2 of Title I of the Convention as
well as in Regulation (EEC) No 435/80⁽¹⁾, as last
amended by Regulation (EEC) No 3486/80⁽²⁾.

However, the trade arrangements between the States
listed in the Annex hereto and Greece shall be those
set out in Regulation (EEC) No 439/81⁽³⁾.

Article 2

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

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

Done at Luxembourg, 9 April 1981.

For the Council

The President

D. F. van der MEI

(1) OJ No L 35, 28.2.1980, p. 4.
(2) OJ No L 363, 31.12.1980, p. 2.
(3) OJ No L 51, 27.2.1981, p. 19.

(*) OJ No L 105, 16.4.1981, page 1.

(**) This Regulation was never actually applied as all the States party
to the Convention completed their ratification procedures in time.

ANNEX

List of ACP States which had not deposited their instruments of ratification under the Second ACP-EEC Convention by 1 January 1981

	<i>Date of application of the Convention</i>
Nigeria	—
Chad	—
Mauritania	—
Gabon	1 March 1981
Equatorial Guinea	1 March 1981
Kenya	1 March 1981
Liberia	1 March 1981
Sao Tome and Principe	1 March 1981
Solomon Islands	1 March 1981
Somalia	1 March 1981
Trinidad and Tobago	1 March 1981
Bahamas	1 April 1981
The Congo	1 April 1981
Jibuti	1 April 1981
Kiribati	1 April 1981

COUNCIL REGULATION (EEC) No 3019/81 (*) (**)

of 19 October 1981

amending Regulation (EEC) No 435/80 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 113 thereof,

Having regard to the proposal from the Commission,

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

Whereas the ACP States and the overseas countries and territories qualified for exemption from customs duties for sheepmeat and goatmeat products under the ACP-EEC Lomé Convention⁽²⁾, under Council Decision 76/568/EEC of 29 June 1976 on the association of the overseas countries and territories with the European Economic Community⁽³⁾ and under Regulation (EEC) No 435/80⁽⁴⁾, as amended by Regulation (EEC) No 3486/80⁽⁵⁾;

Whereas the import system for some of the said products has been changed following their incorporation in Council Regulation (EEC) No 1837/80 of 27 June 1980 on the common organization of the market in sheepmeat and goatmeat⁽⁶⁾, as last amended by Regulation (EEC) No 899/81⁽⁷⁾, taken in conjunction with the implementing Regulations arising therefrom; whereas, in order that the said products originating in the ACP States or in the overseas countries and territories and imported into the Community may continue to enjoy treatment equivalent to that for which they qualified before their incorporation, Regulation (EEC) No 435/80 should be adapted,

HAS ADOPTED THIS REGULATION:

Article 1

The following Title Ia shall be inserted in Regulation (EEC) No 435/80 after Title I:

(1) OJ No C 234, 14.9.1981, p. 84.
(2) OJ No L 25, 30.1.1976, p. 1.
(3) OJ No L 176, 1.7.1976, p. 8.
(4) OJ No L 55, 28.2.1980, p. 4.
(5) OJ No L 365, 31.12.1980, p. 2.
(6) OJ No L 183, 16.7.1980, p. 1.
(7) OJ No L 90, 4.4.1981, p. 26.

(*) OJ No L 302, 23.10.1981, page 4.
(**) Concerns sheepmeat and goatmeat.

TITLE Ia

Sheepmeat and goatmeat

Article 5a

1. The products referred to in Article 1 of Regulation (EEC) No 1837/80 shall be imported free of customs duties.

2. Levies shall not be applied to imports of the following products and referred to in Article 1 (a) of Regulation (EEC) No 1837/80:

- live sheep and goats, other than pure-bred breeding animals, falling within subheading 01.04 B of the Common Customs Tariff,
- meat of sheep and goats, fresh, chilled or frozen, falling within subheading 02.01 A IV of the Common Customs Tariff, other than that of domestic sheep,
- meat of sheep and goats, salted, in brine, dried or smoked, falling within subheading 02.06 C II a) of the Common Customs Tariff, other than that of domestic sheep.

Article 2

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

However, at the request of those concerned, it shall apply with effect from 20 October 1980.

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

Done at Luxembourg, 19 October 1981.

For the Council

The President

P WALKER

COMMISSION REGULATION (EEC) No 3038/81 (*)

of 23 October 1981

opening, allocating and providing for the administration of a Community tariff quota for fresh or chilled tomatoes, falling within subheading ex 07.01 M I of the Common Customs Tariff and originating in the African, Caribbean and Pacific States (1981/82)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 435/80 of 18 February 1980 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States and the overseas countries and territories (1), and in particular Article 23 thereof,

Whereas Article 14 of Council Regulation (EEC) No 435/80 provides for the opening by the Community of a Community tariff quota of 2 000 tonnes of fresh or chilled tomatoes, falling within subheading ex 07.01 M I of the Common Customs Tariff and originating in the African, Caribbean and Pacific States ; whereas the quota period runs from 15 November to 30 April ; whereas the customs duty applicable to the quota is set at 4.4 % , with a minimum charge of 0.8 ECU per 100 kilograms net weight ; whereas accordingly a Community tariff quota of 2 000 tonnes should be opened for the period in question ;

Whereas it is necessary, in particular, to ensure to all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rates laid down for that quota to all imports of the products concerned into all Member States, until the quota has been used up ; whereas, however, since the tariff quota involved is of a relatively low volume and the period of application is very short, it seems possible to allocate the whole quota volume to the Community reserve and to provide for the possibility that those Member States in which needs might arise should draw appropriate quantities from the reserve ; whereas the shares thus drawn from the reserve must be valid until the end of the quota period ; whereas this method of management requires close cooperation between the Member States and the Commission ; whereas the latter must, in particular, be able to monitor the rate at which the quota is used up and inform the Member States thereof ;

(1) OJ No L 55, 28. 2. 1980, p. 4.

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any operation relating to the administration of the shares allocated to that economic union may be carried out by any one of its members ;

Whereas the measure provided for in this Regulation is in accordance with the opinion of the Management Committee for Fruit and Vegetables,

HAS ADOPTED THIS REGULATION :

Article 1

1. For the period 15 November 1981 to 30 April 1982 a Community tariff quota of 2 000 tonnes shall be opened in the Community for fresh or chilled tomatoes, falling within subheading ex 07.01 M I of the Common Customs Tariff and originating in the African, Caribbean and Pacific States.

Within this tariff quota, the Common Customs Tariff duty applicable to the products shall be suspended at 4.4 % with a minimum charge of 0.8 ECU per 100 kilograms net weight.

Within this tariff quota, Greece shall apply duties calculated in accordance with the relevant provisions in the 1979 Act of Accession.

2. The volume of the tariff quota referred to in paragraph 1 shall constitute a reserve.

3. If the need should arise for the products in question in a Member State, that Member State shall draw an appropriate share from the reserve, providing that the size of the reserve so permits.

4. The shares drawn pursuant to paragraph 3 shall be valid until 30 April 1982.

Article 2

1. The Member States shall take all measures necessary to ensure that shares drawn pursuant to Article 1 are opened in such a way that changes may be made

(*) OJ No L 303, 24.10.1981, page 5.

without interruption against their shares of the Community quota.

2. Member States shall ensure that importers of the said products established in their territory have free access to the shares allocated to them.

3. The Member States shall charge imports of the said goods against their shares as and when the goods are entered with customs authorities for free circulation.

4. The extent to which a Member State has used up its share shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 3

At the request of the Commission, Member States shall inform it of imports actually charged against their shares.

Article 4

The Member States and the Commission shall cooperate closely in order to ensure that this Regulation is complied with.

Article 5

This Regulation shall enter into force on 15 November 1981.

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

Done, at Brussels, 23 October 1981.

For the Commission
Karl-Heinz NARJES
Member of the Commission

COMMISSION REGULATION (EEC) No 3039/81 (*)

of 23 October 1981

establishing ceilings and Community surveillance for imports of carrots and onions, falling within heading No ex 07.01 of the Common Customs Tariff and originating in the African, Caribbean and Pacific States (1982)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 435/80 of 18 February 1980 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States and the overseas countries and territories⁽¹⁾, and in particular Article 23,

Whereas Article 14 of Regulation (EEC) No 435/80 stipulates that, for the period 1 January to 31 March, carrots, falling within subheading ex 07.01 G II of the Common Customs Tariff and, for the period 15 February to 15 May, onions, falling within subheading ex 07.01 H of the Common Customs Tariff and originating in the African, Caribbean and Pacific States, are subject on importation into the Community to the reduced rates of duty of 10.2 and 4.8 % respectively; whereas such reduction of duties applies only to imports up to ceilings above which the customs duties actually applicable to third countries are reintroduced;

Whereas the application of ceilings requires the Community to be regularly informed of the trend of imports of the relevant products originating in these countries, whereas imports should, therefore, be made subject to a system of surveillance;

Whereas this objective may be achieved by means of an administrative procedure based on offsetting imports of the products in question against the ceilings at Community level and when these products are entered with customs authorities for free circulation, whereas this administrative procedure must make provision for the possible reintroduction of customs tariff duties as soon as the ceilings are reached at Community level.

Whereas this administrative procedure requires close and particularly swift cooperation between the Member States and the Commission, whereas the latter must, in particular, be able to follow the

progress of quantities charged against the ceilings and keep the Member States informed; whereas this cooperation has to be particularly close since the Commission must be able to take the appropriate measures to reintroduce customs tariff duties if one of the ceilings is reached;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

1. Imports of the products, originating in the African, Caribbean and Pacific States, which are listed in the Annex shall be subject to ceilings and to Community surveillance.

The products referred to in the first subparagraph, their tariff headings, the customs duties applicable, the periods of validity and the levels of the ceilings are set out in the said Annex.

2. Quantities shall be charged against the ceilings as and when products are entered with customs authorities for free circulation, accompanied by a movement certificate.

Products may be charged against a ceiling only if the movement certificate is submitted before the date on which customs duties are reintroduced.

The extent to which a ceiling is used up shall be determined at Community level on the basis of the imports charged against it, as defined in the preceding subparagraphs.

Member States shall inform the Commission, at the intervals and within the time limits specified in paragraph 4, of imports effected in accordance with the above procedures.

3. As soon as a ceiling has been reached, the Commission shall adopt a Regulation reintroducing, until the end of its period of validity, the customs duties applicable to third countries.

⁽¹⁾ OJ No L 55, 28.2.1980, p. 4

(*) OJ No L 303, 24.10.1981, page 7.

In the case of such a reintroduction Greece introduces the levying of the duties which it applies to third countries at the date in question.

4. Member States shall send the Commission statements of the quantities charged for periods of 10 days, to be forwarded within five clear days of the end of each 10-day period.

Article 2

The Commission shall take all appropriate measures, in close cooperation with the Member States, to ensure the implementation of this Regulation.

Article 3

This Regulation shall enter into force on 1 January 1982.

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

Done at Brussels, 23 October 1981.

For the Commission

Karl-Heinz NARJES

Member of the Commission

ANNEX

Order No	CCT heading No	Description	Customs duty applicable	Level of ceiling (tonnes)
ACP 1	07.01	Vegetables, fresh or chilled: G. Carrots, turnips, salad beetroot, salsify, celeriac, radishes and similar edible roots: — ex II. Carrots and turnips: — Carrots, from 1 January to 31 March 1982	10.2 %	500
ACP 2		ex H. Onions, shallots and garlic: — Onions, from 15 February to 15 May 1982	4.8 %	500

COUNCIL REGULATION (EEC) No 1700/81 (*)

of 24 June 1981

opening, allocating and providing for the administration of a Community tariff quota for rum, arrack and tafia falling within subheading 22.09 C I of the Common Customs Tariff and originating in the ACP States (1981/82) (**)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas Protocol 5 annexed to the second ACP-EEC Convention, signed at Lomé on 31 October 1979, provides that products originating in the ACP States which fall within subheading 22.09 C I of the Common Customs Tariff shall, until the entry into force of a common organization of the market in spirits, be allowed into the Community free of customs duties under conditions such as to permit the development of traditional trade flows between the ACP States and the Community and between the Member States; whereas the Community shall fix each year the quantities which may be imported free of customs duties on the basis of the largest quantities imported annually from the ACP States into the Community in the past three years for which statistics are available, increased by an annual growth rate of 40 % on the market of the United Kingdom and 18 % on the other markets of the Community;

Whereas, since a Protocol as provided for in Article 118 of the 1979 Act of Accession does not exist, the Community must adopt the measures referred to in Article 119 of the Act; whereas the tariff measure concerned will, therefore, apply to the Community of Nine;

Whereas, having regard to the levels reached by imports of the products concerned into the Community and the Member States during the past three years for which statistics are available, the size of the tariff quota for the period 1 July 1981 to 30 June 1982 should be fixed at 189 029 hectolitres of pure alcohol;

Whereas, during the past three years for which statistics are available, the corresponding imports by each of the Member States represent the following percentages of the imports into the Community from the countries in question of the products concerned:

Member States	1978	1979	1980
Benelux	4.6	3.7	11.0
Denmark	1.2	1.3	1.4
Germany	22.8	18.7	23.7
France	2.0	2.2	2.9
Ireland	1.8	1.8	1.5
Italy	0.3	0.3	0.3
United Kingdom	67.3	72.0	59.2

Whereas, in view of these factors of market forecasts for the products in question and of the estimates submitted by certain Member States, initial quota shares may be fixed approximately at the following percentages:

Benelux	8.07
Denmark	1.14
Germany	23.80
France	2.43
Ireland	1.42
Italy	0.27
United Kingdom	62.87

Whereas an arrangement for using the Community tariff quota based on an allocation between the United Kingdom on the one hand and the other Member States on the other would seem likely to reconcile the application of the growth rates provided for in Protocol 5 with the uninterrupted application of the duty-free entry arrangements in respect of the said quota to all imports of the products concerned into the Member States until the quota is exhausted

(*) OJ No L 172, 30.6.1981, page 1.

(**) See also page 422.

whereas, in order to reflect as closely as possible the actual trends on the markets in the products concerned, such allocation should be made in accordance with the requirements of the Member States; whereas in this case the tariff quota should be allocated amongst the Member States on the basis of the largest quantities imported annually into each Member State during the past three years and taking into account the abovementioned growth rates;

(hectolitres of
pure alcohol)

Benelux	15 262
Denmark	2 157
Germany	45 000
France	4 585
Ireland	2 678
Italy	522

Whereas measures should be laid down to ensure that Protocol 5 is implemented under conditions such as to permit the development of traditional trade flows between the ACP States and the Community and between the Member States;

Article 3

1. Member States shall manage the shares allocated to them in accordance with their own arrangements.
2. The extent to which the Member States have used up their shares shall be determined on the basis of the imports of the products in question, originating in the ACP States, entered at customs in declarations for free circulation.

Whereas, owing to the special character of the products in question and their sensitivity on Community markets, exceptional provision should be made for a method of use based on a single division among Member States;

Article 4

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any measure concerning the administration of the share allocated to that economic union may be carried out by any one of its members,

1. Member States shall inform the Commission each month of imports actually charged against the tariff quota.
2. The United Kingdom shall take the steps necessary to ensure that the quantities imported from the ACP States under the conditions laid down in Articles 1 and 2 are restricted to those meeting its domestic consumption requirements.
3. The Commission shall regularly inform the Member States of the extent to which the tariff quota has been used up.
4. Where necessary, consultations may be held at the request of a Member State or on the initiative of the Commission.

HAS ADOPTED THIS REGULATION:

Article 1

From 1 July 1981 to 30 June 1982, rum, arrack and tafia falling within subheading 22.09 C 1 of the Common Customs Tariff and originating in the ACP States, shall be imported duty free into the Community of Nine within the limits of a Community tariff quota of 189 029 hectolitres of pure alcohol.

Article 5

The Commission shall take all necessary measures, in close cooperation with the Member States, to ensure the implementation of this Regulation.

Article 2

1. The tariff quota referred to in Article 1 shall be divided into two instalments. The first instalment, of 118 825 hectolitres of pure alcohol, shall be for United Kingdom consumption. The second instalment, of 70 204 hectolitres of pure alcohol, shall be allocated among the other Member States

Article 6

Council Regulation (EEC) No 1470/80 of 9 June 1980 on the safeguard measures provided for in the second ACP-EEC Convention⁽¹⁾ shall apply in respect of the products covered by this Regulation.

2. The shares of each of the Member States to which the second instalment is allocated pursuant to paragraph 1 shall consist of the following quantities:

Article 7

This Regulation shall enter into force on 1 July 1981.

⁽¹⁾ OJ No L 147, 13. 6. 1980, p. 4

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

Done at Luxembourg, 24 June 1981.

For the Council

The President

G. M. V. van AARDENNE

COUNCIL REGULATION (EEC) No 3494/81 (*)
of 3 December 1981

amending Regulation (EEC) No 1700/81 opening, allocating and providing for the administration of a Community tariff quota for rum, arrack and tafia falling within subheading 22.09 C I of the Common Customs Tariff and originating in the ACP States (1981/82) (**)

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas, by Regulation (EEC) No 1700/81⁽¹⁾, the Council opened a Community tariff quota for the importation into the Community of Nine of rum, arrack and tafia, originating in the ACP States; whereas Regulation (EEC) No 439/81⁽²⁾ provides that the Hellenic Republic is required to apply this tariff measure; whereas Regulation (EEC) No 1700/81 should therefore be amended,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1700/81 is hereby amended as follows:

1. in Article 1:
 - the words 'of Nine' shall be deleted,
 - '189 029' shall be replaced by '189 078'.
2. in Article 2 (1), '70 204' shall be replaced by '70 253';

3. in Article 2 (2) in the table of shares, the following shall be inserted after the entry concerning Germany:

'Greece 49';

4. in Article 2 (2), the following subparagraph shall be added:

'Within the limit of its share, the Hellenic Republic shall apply customs duties calculated in accordance with the relevant provisions of the 1979 Act of Accession and of Regulation (EEC) No 439/81⁽²⁾.'

The following footnote shall be added:

'⁽²⁾ OJ No L 53, 27. 2. 1981, p. 19.'

Article 2

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

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

Done at Brussels, 3 December 1981.

For the Council

The President

T. KING

⁽¹⁾ OJ No L 172, 30. 6. 1981, p. 1.
⁽²⁾ OJ No L 53, 27. 2. 1981, p. 19.

(*) OJ No L 353, 9.12.1981, page 2.
(**) See also page 419.

COMMISSION REGULATION (EEC) No 975/81 (*) (**)
of 8 April 1981

derogating from Regulation (EEC) No 486/80 as regards the calculation of the amount of the reduction of import duties for beef and veal products from the African, Caribbean and Pacific States for the period beginning 6 April 1981

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 435/80 of 18 February 1980 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories⁽¹⁾, as amended by Regulation (EEC) No 3486/80⁽²⁾, and in particular Article 23 thereof,

Whereas Article 4 (1) of Commission Regulation (EEC) No 486/80⁽³⁾, as amended by Regulation (EEC) No 2377/80⁽⁴⁾, stipulates that the amount of the reduction of the import duties referred to in Article 4 (1) of Regulation (EEC) No 435/80 shall be calculated taking into account the levies and the monetary compensatory amounts that are valid during the week preceding that in which the quarter for which the amount of the reduction is calculated commences;

Whereas it is appropriate to derogate from the rules concerning the quarterly fixing and the reference period for the calculation of that amount, especially when the transition from one marketing year to the next makes it necessary; whereas it is important to take into account the levies and monetary compensatory amounts calculated on the basis of the new price;

Whereas the beginning of the 1981/82 marketing year has been fixed for 6 April 1981 by Council Regulation (EEC) No 898/81⁽⁵⁾;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

Article 1

By way of derogation from Article 4 (1) of Regulation (EEC) No 486/80, the amount of the reduction of import duties for beef and veal products originating in the African, Caribbean and Pacific States, as referred to in Article 4 (1) of Regulation (EEC) No 435/80, shall be fixed for the period beginning 6 April 1981 and calculated on the basis of the levies and monetary compensatory amounts applicable from that date.

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 as from 6 April 1981.

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

Done at Brussels, 8 April 1981.

For the Commission

Poul DALSAGER

Member of the Commission

(¹) OJ No L 55, 28.2.1980, p. 4.
(²) OJ No L 365, 31.12.1980, p. 2.
(³) OJ No L 56, 29.2.1980, p. 22.
(⁴) OJ No L 241, 13.9.1980, p. 5.

(⁵) OJ No L 90, 4.4.1981, p. 24.

(*) OJ No L 99, 10.4.1981, page 16.
(**) See also page 428.

COMMISSION DECISION (*) (**)

of 27 May 1981

on health protection measures in respect of the Republic of Botswana

(81/442/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat from third countries⁽¹⁾, as last amended by the Act of Accession of Greece, and in particular Article 15 thereof,

Whereas Council Decision 78/642/EEC⁽²⁾, as last amended by Commission Decision 80/2/EEC⁽³⁾, granted the Member States the option of authorizing imports into their territory, under certain conditions and from certain regions, of fresh meat from the Republic of Botswana, taking into account, in particular, the existing health situation in that country and the measures taken by that country's authorities to combat foot-and-mouth disease and to avoid its spreading into other unaffected regions;

Whereas Commission Decision 80/354/EEC⁽⁴⁾ suspended the option provided for by Decision 78/642/EEC because of an outbreak of foot-and-mouth disease in a hitherto unaffected region which was intended to act as a buffer zone;

Whereas outbreaks of exotic foot-and-mouth disease have occurred from time to time in certain northern areas of the Republic of Botswana; whereas, however, other parts of the country have been free of the disease for a number of years;

Whereas strict measures, in particular the prohibition of movements of livestock from the northern districts of Ngamiland, Chobe, north-east and central to the disease-free districts of Ghanzi, Kweneng, Kgatlend, south-east, southern and Kgalagadi are applied; whereas the northern regions are clearly demarcated and separated from the disease-free areas; whereas measures are applied throughout the country to monitor the movements of livestock and to detect any outbreak of the disease;

Whereas the central veterinary authorities of Botswana have confirmed that Botswana has remained free of

foot-and-mouth disease since September 1980 and have undertaken to inform the Member States and the Commission of any new outbreak of foot-and-mouth disease therein; whereas, further, the Member States and the Commission will be informed before the recommencement of slaughtering of cattle from northern Botswana after which no meat will be imported to the European Community;

Whereas the Republic of Botswana may now be authorized to export under new conditions to the Community fresh meat obtained from animals originating in regions which have been free of foot-and-mouth disease for a number of years;

Whereas the animal health requirements of Member States, pursuant to Article 16 of Directive 72/462/EEC relating to imports of meat from Botswana, have not yet been laid down at Community level; whereas, pending the entry into force of such requirements, the Member States may continue to apply their national animal health rules on imports of fresh meat from Botswana;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

The prohibition provided for in Article 14 (2) of Directive 72/462/EEC shall not apply to the following districts of the Republic of Botswana: Ghanzi (with the exclusion of its north-west sector called 'Ghanzi-Farms'), Kweneng, Kgatlend, south-east, southern and Kgalagadi.

Article 2

If a Member State authorizes the importation into its own territory of fresh meat exclusively from deboned carcasses of animals of the bovine species originating in the districts referred to in Article 1 and slaughtered in one of these districts, the following conditions shall apply:

(1) OJ No L 302, 31. 12. 1972, p. 28.

(2) OJ No L 213, 3. 8. 1976, p. 15.

(3) OJ No L 5, 9. 1. 1980, p. 7.

(4) OJ No L 79, 26. 3. 1980, p. 23.

(*) OJ No L 168, 25.6.1981, page 28.

(**) See also page 429.

- the meat shall satisfy the requirements of the specimen health certificate annexed hereto; the certificate shall accompany the meat during transport to the importing Member State,
- the meat shall not enter the importing Member State's territory for at least 21 days from the date of slaughter.

Article 3

This Decision shall apply with effect from 1 June 1981.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 27 May 1981.

For the Commission

Poul DALSAGER

Member of the Commission

ANNEX

ANIMAL HEALTH CERTIFICATE

for fresh meat (*) from deboned carcasses (†) of bovine animals from Botswana

Reference number of the
public health certificate :

Exporting country :

Ministry :

Department :

Reference :

(Optional)

I. Identification of meat :

Meat (*) of :

(Animal species)

Nature of cuts (*) :

Nature of packaging :

Number of cuts or packages :

Net weight :

II. Origin of meat :

Address and veterinary approval number of the approved slaughterhouse :

Address and veterinary approval number of the approved cutting plant :

III. Destination of meat :

The meat will be sent from :

(Place of loading)

to :

(Country and place of destination)

by the following means of transport (*) :

Name and address of consignor :

Name and address of consignee :

(*) 'Fresh meat' means all parts of domestic bovine animals fit for human consumption which have not undergone any preserving process, however, chilled and frozen meat shall be considered to be fresh meat.

(†) 'Carcass' means the whole body of a slaughtered animal after bleeding, evisceration, removal of the limbs at the carpus and tarsus, removal of the head, tail and mammary gland and in addition, in the case of bovine animals, after skinning.

(‡) Only fresh deboned carcass meat of bovine animals from which the major accessible lymphatic glands have been removed is authorized for importation.

(§) Fresh carcass meat is authorized for importation only if all bones have been removed.

(¶) For railway wagons or lorries, the vehicle registration number should be stated, for aircraft the flight number and for vessels the name.

IV. Attestation of health :

1. the undersigned, official veterinarian, certify that :

1. The fresh deboned carcase meat described above :

(a) originates from cattle which :

- were born and reared in the Republic of Botswana and which, in the preceding 12 months or since birth, have remained in one or more of the following districts : Ghanzi, with the exclusion of its north-western sector known as 'Ghanzi-Farms', Kweneng, Kgatlend, south-east, southern, Kgalegadi,
- bore, in accordance with the legal provisions, a mark indicating their region of origin,
- had not been vaccinated against foot-and-mouth disease within the past 12 months,
- on the way to the slaughterhouse and while awaiting slaughter therein did not come into contact with animals not satisfying the requirements laid down in the Decisions of the European Economic Community currently in force as regards export of their meat to a Member State, and if they were conveyed by vehicle or container, the latter was cleaned and disinfected before loading,
- when subjected to an ante-mortem health inspection at the slaughterhouse during the 24 hours preceding slaughter, which included examination of the mouth and feet, showed no symptom of foot-and-mouth disease,
- were slaughtered after the entry into force of Decision 81/442/EEC

(date of slaughter :):

- (b) was obtained in a slaughterhouse in which no case of exotic foot-and-mouth disease has been detected for at least three months;
- (c) has been kept strictly separate from meat not conforming to the requirements for export to a Member State laid down in the Decisions of the European Economic Community currently in force;
- (d) has had the major accessible lymphatic glands removed;
- (e) originates from carcasses which were matured at an ambient temperature of more than + 2 °C for at least 24 hours after slaughter and before deboning.

2. During the period between arrival of the cattle at the slaughterhouse and completion of the packing of the meat of the same cattle for export to a Member State in boxes or cartons, no animal or meat not conforming to the requirements laid down in the Decisions of the European Economic Community currently in force as regards export of meat to a Member State (with the exception of meat packed in boxes or cartons and kept in special storage areas) was present in the slaughterhouse or cutting plant.

Done at, on

Seal

.....
(Signature of official veterinarian)

COMMISSION REGULATION (EEC) No 3321/81 (*) (**)
of 16 November 1981

derogating from Regulation (EEC) No 486/80 as regards the calculation of the amount of the reduction of import duties for beef and veal products from the African, Caribbean and Pacific States for the period beginning 7 December 1981

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 435/80 of 18 February 1980 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories⁽¹⁾, as amended by Regulation (EEC) No 3019/81⁽²⁾, and in particular Article 23 thereof,

Whereas Article 4 (1) of Commission Regulation (EEC) No 486/80⁽³⁾, as amended by Regulation (EEC) No 2377/80⁽⁴⁾, stipulates that the amount of the reduction of the import duties referred to in Article 4 (1) of Regulation (EEC) No 435/80 shall be calculated taking into account the levies and the monetary compensatory amounts that are valid during the week preceding that in which the quarter for which the amount of the reduction is calculated commences;

Whereas it is appropriate to derogate from the rules concerning the quarterly fixing and the reference period for the calculation of that amount, especially in occasion of a change of the orientation price; whereas it is important to take into account the levies and monetary compensatory amounts calculated on the basis of the new price;

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

Done at Brussels, 16 November 1981.

Whereas the orientation price has been modified from 7 December 1981 by Council Regulation (EEC) No 898/81⁽⁵⁾;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

Article 1

By way of derogation from Article 4 (1) of Regulation (EEC) No 486/80, the amount of the reduction of import duties for beef and veal products originating in the African, Caribbean and Pacific States, as referred to in Article 4 (1) of Regulation (EEC) No 435/80, shall be fixed for the period beginning 7 December 1981 and calculated on the basis of the levies and monetary compensatory amounts applicable from that date.

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 as from 7 December 1981.

For the Commission

Poul DALSGER

Member of the Commission

(1) OJ No L 55, 28. 2. 1980, p. 4.

(2) OJ No L 302, 23. 10. 1981, p. 4.

(3) OJ No L 56, 29. 2. 1980, p. 22.

(4) OJ No L 241, 13. 9. 1980, p. 5.

(5) OJ No L 90, 4. 4. 1981, p. 24.

(*) OJ No L 334, 21.11.1981, page 25.
(**) See also page 423.

COMMISSION DECISION (*) (**)

of 24 November 1981

on health protection measures in respect of the Republic of Botswana

(81/987/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat from third countries⁽¹⁾, as last amended by Directive 81/476/EEC⁽²⁾, and in particular Article 15 thereof,

Whereas Commission Decision 81/442/EEC⁽³⁾ granted the Member States the option of authorizing imports into their territory, under certain conditions and from certain regions, of fresh meat from the Republic of Botswana, taking into account, in particular, the existing health situation in that country and the measures taken by that country's authorities to combat foot-and-mouth disease and to avoid its spreading into other unaffected regions;

Whereas outbreaks of exotic foot-and-mouth disease have occurred from time to time in certain northern areas of the Republic of Botswana; whereas, however, other parts of the country have been free of the disease for a number of years;

Whereas strict measures, in particular the prohibition of movements of livestock from the northern districts Ngamiland, Chobe, North-East and Central to the disease-free districts Ghanzi, Kweneng, Kgatlend, South-East, Southern and Kgalagadi are applied, except in the case of livestock for immediate slaughter, whereas the northern regions are clearly demarcated and separated from the disease-free areas; whereas measures are applied throughout the country to monitor the movements of livestock and to detect any outbreak of the disease;

Whereas the central veterinary authorities of Botswana have confirmed that Botswana has remained free of foot-and-mouth disease since September 1980 and have undertaken to inform the Member States and the Commission of any new outbreak of foot-and-mouth disease therein; whereas during the period of production of meat for export to the EEC and for seven days beforehand no cattle may be moved from northern

(1) OJ No L 302, 31. 12. 1972, p. 28.

(2) OJ No L 186, 8. 7. 1981, p. 20.

(3) OJ No L 168, 25. 6. 1981, p. 27.

Botswana to the remainder of the country; whereas the competent veterinary authority of Botswana has given an assurance that the Commission and the Member States will be informed before the commencement of slaughtering of cattle from northern Botswana;

Whereas the Republic of Botswana may now be authorized to export under new conditions to the Community fresh meat obtained from animals coming from regions which have been free of foot-and-mouth disease for a number of years; whereas the competent authorities of Botswana have given assurances that meat intended for the Community will be produced, handled and stored entirely separately from meat which does not fulfil the terms of this Decision;

Whereas this Decision will be reviewed in the light of the developing animal health situation in Botswana and in particular of the appearance of foot-and-mouth disease, of the vaccination policy employed, of the designation of buffer zones and of the designation of zones from which animals, whose meat is intended for export to the Community, are acceptable;

Whereas the animal health requirements of Member States, pursuant to Article 16 of Directive 72/462/EEC relating to imports of meat from Botswana, have not yet been laid down at Community level; whereas, pending the entry into force of such requirements, the Member States may continue to apply their national animal health rules on imports of fresh meat from Botswana;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

The prohibition provided for in Article 14 (2) of Directive 72/462/EEC shall not apply to the following districts of the Republic of Botswana: Ghanzi (with the exclusion of its north-west sector called 'Ghanzi-Farms'), Kweneng, Kgatlend, South-East, Southern and Kgalagadi.

(*) OJ No L 361, 16.12.1981, page 29.

(**) See also page 424.

- Article 2

If a Member State authorizes the importation into its own territory of fresh meat exclusively from deboned carcasses of animals of the bovine species coming from the districts referred to in Article 1 and slaughtered in one of these districts, the following conditions shall apply:

- the meat shall satisfy the requirements of the specimen health certificate annexed hereto; the certificate shall accompany the meat during transport to the importing Member State,
- the meat shall not enter the importing Member State's territory for at least 21 days from the date of slaughter,
- the meat shall come from bovine animals coming from the districts mentioned in Article 1 and which have been slaughtered at least seven days

after the completion of slaughter of cattle from northern Botswana and the cleaning and disinfection of the slaughterhouse at Lobatse.

Article 3

Decision 81/442/EEC is hereby repealed.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 24 November 1981.

For the Commission

Paul DALSAGER

Member of the Commission

ANNEX

ANIMAL HEALTH CERTIFICATE

for fresh meat ⁽¹⁾ from de-boned carcasses ⁽²⁾ of bovine animals from Botswana

Reference number of the public health certificate :

Ministry :

Department :

Reference :

(Optional)

I. Identification of meat :

Meat ⁽³⁾ of :

(Animal species)

Nature of cuts ⁽⁴⁾ :

Nature of packaging :

Number of cuts or packages :

Net weight :

II. Origin of meat :

Address and veterinary approval number of the approved slaughterhouse :

Address and veterinary approval number of the approved cutting plant :

III. Destination of meat :

The meat will be sent from :

(Place of loading)

to :

(Country and place of destination)

by the following means of transport ⁽⁵⁾ :

Name and address of consignor :

Name and address of consignee :

(1) 'Fresh meat' means all parts of domestic bovine animals fit for human consumption which have not undergone any preserving process, however, chilled and frozen meat shall be considered to be fresh meat.

(2) 'Carcass' means the whole body of a slaughtered animal after bleeding, evisceration, removal of the limbs at the carpus and tarsus, removal of the head, tail and mammary gland and in addition, in the case of bovine animals, after skinning.

(3) Only fresh de-boned carcass meat of bovine animals from which the major accessible lymphatic glands have been removed is authorized for importation.

(4) Fresh carcass meat is authorized for importation only if all bones have been removed.

(5) For railway wagons or lorries, the vehicle registration number should be stated, for aircraft the flight number and for vessels the name.

IV. Attestation of health :

I, the undersigned, official veterinarian, certify that :

1. The fresh de-boned carcase meat described above :

(a) originates from cattle which :

- were born and reared in the Republic of Botswana and which, in the preceding 12 months or since birth, have remained in one or more of the following districts: Ghanzi, with the exception of its north-western sector known as 'Ghanzi-Farms', Kweneng, Kgatleng, South-East, Southern, Kgalegadi,
- bore, in accordance with the legal provisions, a mark indicating their region of origin,
- had not been vaccinated against foot-and-mouth disease within the past 12 months,
- on the way to the slaughterhouse and while awaiting slaughter therein did not come into contact with animals not satisfying the requirements laid down in the Decisions of the European Economic Community currently in force as regards export of their meat to a Member State, and if they were conveyed by vehicle or container, the latter was cleaned and disinfected before loading,
- when subjected to an ante-mortem health inspection at the slaughterhouse during the 24 hours preceding slaughter, which included examination of the mouth and feet, showed no symptom of foot-and-mouth disease,
- were slaughtered during the period mentioned in the third indent of Article 2 of Commission Decision 81/987/EEC (date of slaughter :);

(b) was obtained in a slaughterhouse in which no case of exotic foot-and-mouth disease has been detected for at least three months;

(c) has been kept strictly separate from meat not conforming to the requirements for export to a Member State laid down in the Decisions of the European Economic Community currently in force;

(d) has had the major accessible lymphatic glands removed;

(e) originates from carcases which were matured at an ambient temperature of more than + 2 °C for at least 24 hours after slaughter and before de-boning.

2. During the period between arrival of the cattle at the slaughterhouse and completion of the packing of the meat of the same cattle for export to a Member State, in boxes or cartons, no animal or meat not conforming to the requirements laid down in the Decisions of the European Economic Community currently in force as regards export of meat to a Member State (with the exception of meat packed in boxes or cartons and kept in special storage areas) was present in the slaughterhouse or cutting plant.

Done at, on



.....
(Signature of official veterinarian)

COUNCIL REGULATION (EEC) No 1029/81 (*) (**)
of 9 April 1981

concerning the application of Decision No 1/81 of the ACP-EEC Customs Cooperation Committee derogating from the definition of the concept of 'originating products' to take into account the special situation of Malawi and Kenya with regard to certain items of fishing tackle (fishing flies)

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas the ACP-EEC Customs Cooperation Committee set up under the Second ACP-EEC Convention signed at Lomé on 31 October 1979 adopted, pursuant to Article 28 (3) and Article 30 (1) of Protocol 1 to that Convention, Decision No 1/81 derogating from the definition of the concept of 'originating products' to take into account the special situation of Malawi and Kenya with regard to certain items of fishing tackle (fishing flies);

Whereas it is necessary, in accordance with Article 33 of Protocol 1 of the said Convention, to take the measures required to implement that Decision,

HAS ADOPTED THIS REGULATION:

Article 1

Decision No 1/81 of the ACP-EEC Customs Cooperation Committee annexed to this Regulation shall apply in the Community.

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 January until 31 December 1981.

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

Done at Luxembourg, 9 April 1981.

For the Council

The President

D. F. van der MEI

(*) OJ No L 105, 16.4.1981, page 3

(**) See Decision No 1/81 of the ACP-EEC Customs Co-operation Committee, page 185.

COUNCIL REGULATION (EEC) No 1207/81 (*) (**)

of 28 April 1981

regarding the application of Decision No 2/81 of the ACP—EEC Customs Cooperation Committee derogating from the definition of the concept of 'originating products' to take into account the special situation of Mauritius with regard to its production of canned tuna

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas the ACP—EEC Customs Cooperation Committee set up under the Second ACP—EEC Convention, signed at Lomé on 31 October 1979, adopted pursuant to Article 28 (3) and Article 30 (1) of Protocol No 1 to that Convention, Decision No 2/81 derogating from the definition of the concept of 'originating products' to take into account the special situation of Mauritius with regard to its production of canned tuna;

Whereas it is necessary in accordance with Article 33 of the said Protocol No 1 to take the measures required to implement that Decision,

HAS ADOPTED THIS REGULATION:

Article 1

Decision No 2/81 of the ACP—EEC Customs Cooperation Committee annexed to this Regulation shall apply in the Community.

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 30 January 1981 until 29 January 1982.

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

Done at Luxembourg, 28 April 1981.

For the Council

The President

J. de KONING

(*) OJ No L 123, 7.5.1981, page 1

(**) See Decision No 2/81 of the ACP—EEC Customs Co-operation Committee, page 189.

COUNCIL REGULATION (EEC) No 2392/81 (*)(**)
of 18 August 1981

regarding the application of Decision No 3/81 of the ACP-EEC Customs Cooperation Committee derogating from the definition of the concept of 'originating products' to take into account the special situation of Fiji with regard to its production of canned tuna fish

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas the ACP-EEC Customs Cooperation Committee set up under the second ACP-EEC Convention, signed in Lomé on 31 October 1979 adopted pursuant to Articles 28 (3) and 30 (1) of Protocol I to the Convention, Decision No 3/81 derogating from the definition of the concept of 'originating products' to take into account the special situation of Fiji with regard to its production of canned tuna;

Whereas, in accordance with Article 33 of the said Protocol I, the measures required to implement that Decision should be taken.

HAS ADOPTED THIS REGULATION:

Article 1

Decision No 3/81 of the ACP-EEC Customs Cooperation Committee annexed to this Regulation shall apply in the Community.

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 September 1981 until 31 August 1983.

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

Done at Brussels, 18 August 1981.

For the Council

The President

P WALKER

(*) *ØJ* No L 235, 21.8.1981, page 1

(**) See Decision No 3/81 of the ACP-EEC Customs Co-operation Committee, page 195.

COUNCIL REGULATION (EEC) No 2821/81: (*)
of 28 September 1981

concerning the application, in the Community, of revised amounts for the documentary requirements in Protocol 1 concerning the definition of the concept of 'originating products' and methods of administrative cooperation to the Second ACP-EEC Convention

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Protocol 1 concerning the definition of the concept of 'originating products' and methods of administrative cooperation (1) to the Second ACP-EEC Convention, and in particular Article 6 thereof,

Having regard to the proposal from the Commission,

Whereas Article 6 (1) (d) of the Protocol provides that the Community may where necessary revise the amounts for determining when forms EUR 2 may be used instead of movement certificates EUR 1 or when no documentary evidence of origin is required as laid down in Article 16;

Whereas on 1 October 1980 the equivalent value of the amounts concerned in some national currencies was lower than their value on 30 June 1978;

Whereas as a consequence of the automatic adaptation every two years, on the base date provided for in the

second sentence of Article 6 (1) (c) of the Protocol, the effective value of the limits expressed in the national currencies concerned, which correspond to the amounts laid down in Article 6 and Article 16 of the Protocol, would be reduced; whereas in order to offset such a reduction it is necessary to increase these amounts,

HAS ADOPTED THIS REGULATION:

Article 1

The amount laid down in Article 6 (1) (b) of Protocol 1 shall be increased to 1 620.

The amounts laid down in Article 16 (2) of Protocol 1 shall be increased to 105 and 325 respectively.

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 May 1981.

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

Done at Brussels, 28 September 1981.

For the Council

The President

P WALKER

(1) OJ No L 347, 22. 12. 1980, p. 73

COUNCIL DECISION (*)
of 24 November 1981

on the application of derogations from the definition of originating products under the Second ACP-EEC Convention

(81/968/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas Article 30 of Protocol 1 to the Second ACP-EEC Convention provides that decisions derogating from the provisions of the said Protocol must be decided on by the Customs Cooperation Committee established under the Convention not later than three months after referral to the Community;

Whereas the position of the Community is determined by the Council;

Whereas in its declaration in Annex XXXVI to the said Convention, the Community undertook to implement by accelerated procedure the measures for applying derogation decisions,

HAS DECIDED AS FOLLOWS:

Article 1

Decisions derogating from the definition of the concept of originating products, taken by the Customs Cooperation Committee or, where appropriate, by the other institutions established under the Second ACP-EEC Convention, shall be implemented in the Community by means of Commission Regulations.

Article 2

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

Done at Brussels, 24 November 1981.

For the Council
The President
N. RIDLEY

(*) OJ No L 354, 9.12.1981, page 30

III. - COMMUNITY ACTS RELATING TO THE
APPLICATION OF THE LOME CONVENTION

C. SUGAR

COUNCIL REGULATION (EEC) No 1000/82 (*)(**)
of 26 April 1982

on the conclusion of an Agreement in the form of an exchange of letters between the European Economic Community and Barbados, the People's Republic of the Congo, Fiji, the Cooperative Republic of Guyana, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Surinam, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago and the Republic of Uganda on the guaranteed prices for cane sugar for 1981/82

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the recommendation from the Commission,

Whereas Protocol 7 on ACP sugar, annexed to the Second ACP-EEC Convention (1), is implemented in the context of the management of the common organization of the sugar market;

Whereas it is appropriate to approve the Agreement in the form of an exchange of letters between the European Economic Community and the States referred to in Protocol 7 on ACP sugar and the Republic of Surinam on the guaranteed prices for cane sugar for 1981/82,

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement in the form of an exchange of letters between the European Economic Community and

Barbados, the People's Republic of the Congo, Fiji, the Cooperative Republic of Guyana, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Surinam, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago and the Republic of Uganda on the guaranteed prices for cane sugar for 1981/82, is hereby approved on behalf of the Community.

The text of this Agreement is attached to this Regulation.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement in order to bind the Community.

Article 3

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

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

Done at Luxembourg, 26 April 1982.

For the Council
The President
L. TINDEMANS

(1) OJ No L 347, 22.12.1980, p. 1.

(*) OJ No L 118, 1.5.1982, page 2.
(**) Although it was adopted in 1982, the above Regulation appears in this Compilation because it applies to the 1981/1982 marketing year. See also page 99.

III. - COMMUNITY ACTS RELATING TO THE
APPLICATION OF THE LOME CONVENTION

D. FINANCIAL AND TECHNICAL CO-OPERATION

INTERNAL AGREEMENT (*) ()**
ON THE FINANCING AND ADMINISTRATION
OF COMMUNITY AID

THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES,
MEETING WITHIN THE COUNCIL,

HAVING REGARD to the Treaty establishing the European Economic
Community (hereinafter called the "Treaty"),

WHEREAS the Second ACP-EEC Convention of Lomé (hereinafter
called the "Convention") set the aggregate amount of
Community aid to the ACP States at 5,227 million units of
account;

WHEREAS the representatives of the Governments of the Member
States, meeting within the Council, agreed to set at
94 million units of account the amount of aid to be borne
by the European Development Fund for the benefit of the
overseas countries and territories having special relations
with France, the Netherlands and the United Kingdom (hereinafter
called the "countries and territories"); whereas provision
is also made for loans to the amount of 15 million units of
account to be granted by the European Investment Bank
(hereinafter called the "Bank") from its own resources in
the countries and territories;

WHEREAS the unit of account used in application of this
Agreement is that defined in Council Decision 75/250/EEC of
21 April 1975 ⁽¹⁾; whereas steps should be taken to allow
for the possibility, by Council decision, of replacing the
said unit of account by the ECU;

(*) This Agreement of 20.11.1979 entered into force - after
completion of the ratification procedures - at the same time
as the second ACP-EEC Convention of Lomé on 1 January 1981.
It was published in OJ No L 347, 22.12.1980, page 270.

(**) See also pages 476 and 485 of this Compilation.

⁽¹⁾ OJ No L 104, 24.4.1975, page 35

WHEREAS, in order to implement the Convention and the Decision concerning the countries and territories (hereinafter called the "Decision"), a 5th European Development Fund should be established and a procedure should be laid down for the provision of funds and for contributions from Member States to these funds;

WHEREAS the rules for the management of financial co-operation should be determined, the procedure for programming, examining and approving aid should be decided and the detailed rules for supervising the use of the aid should be defined;

WHEREAS a Committee of Representatives of the Governments of the Member States should be set up under the auspices of the Commission and a similar Committee should be set up under the auspices of the Bank;

WHEREAS the work done by the Commission and the Bank to apply the Convention and the corresponding provisions of the Decision should be harmonized; whereas it is therefore desirable that, as far as possible, the composition of the Committees set up under the auspices of the Commission and of the Bank should be identical;

WHEREAS the Council adopted on 16 July 1974 a Resolution on the harmonization and co-ordination of Member States' co-operation policies;

After consulting the Commission of the European Communities,

HAVE AGREED AS FOLLOWS:

CHAPTER I

ARTICLE 1

1. The Member States hereby set up a European Development Fund (1980) hereinafter called the "Fund".
2. (a) The Fund shall consist of 4,636 million European units of account (hereinafter called "EUA"), to be financed by the Member States as follows:

Belgium	273.524 million EUA (5.9%)
Denmark	115.900 million EUA (2.5%)
Germany	1,311.988 million EUA (28.3%)
France	1,186.816 million EUA (25.6%)
Ireland	27.816 million EUA (0.6%)
Italy	533.140 million EUA (11.5%)
Luxembourg	9.272 million EUA (0.2%)
Netherlands	343.064 million EUA (7.4%)
United Kingdom	834.480 million EUA (18.0%)

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- (b) This schedule may be amended by Council Decision reached unanimously in the event of the accession of a new Member State to the Community.

3. The amount stated in paragraph 2 shall be allocated as follows:

(a) 4,542 million EUA for the ACP States, comprising:

2,928 million EUA in the form of grants,
504 million EUA in the form of special loans,
208 million EUA in the form of risk capital,
550 million EUA in the form of transfers pursuant to
Title II, Chapter 1 of the Convention,
280 million EUA in the form of the special financing
facility pursuant to Title III, Chapter 1 of
the Convention;

(b) 85 million EUA for the countries and territories,
comprising:

51 million EUA in the form of grants,
27 million EUA in the form of special loans,
7 million EUA in the form of risk capital,
for the record in the form of the special financing
facility pursuant to the provisions of the Decision
relating to mining products;

(c) 9 million EUA in the form of transfers for the countries
and territories, pursuant to those provisions of the
Decision which concern the system for stabilizing export
earnings.

4. Where a country or territory which has become independent accedes to the Convention, the amounts indicated in paragraph 3(b) shall be reduced and those indicated in paragraph 3(a) correspondingly increased by a decision of the Council acting unanimously on a proposal from the Commission.
5. In this case, the country concerned will continue to be eligible for the funds provided for in paragraph 3(c), subject to the management rules laid down in Title II of the Convention.

ARTICLE 2

To the amount laid down in Article 1(2) shall be added up to 700 million EUA in the form of loans granted by the Bank from its own resources under the conditions laid down by it in accordance with its Statute.

These loans shall be allocated as follows:

- (a) up to the amount of 685 million EUA, for financing operations to be carried out in the ACP States;
- (b) up to the amount of 15 million EUA, for financing operations to be carried out in the countries and territories.

ARTICLE 3

1. For the purposes of this Agreement, the unit of account shall be that defined in Decision 75/250/EEC.

2. The unit of account may, by a Council Decision, be replaced by the ECU as defined by the Council in accordance with Regulation (EEC) No 3180/78 ⁽¹⁾.

ARTICLE 4

An amount of up to 175 million EUA shall be set aside from the grant aid specified in Article 1(3)(a) and (b) for financing the interest rate subsidies referred to in Article 104 of the Convention and in the corresponding provisions of the Decision. Any part of this amount not committed by the end of the period during which loans are granted by the Bank shall again become available as grant aid.

The Council may decide, on a proposal from the Commission drawn up in agreement with the Bank, to raise this ceiling.

ARTICLE 5

With the exception of loans granted by the Bank from its own resources, all financial operations undertaken for the benefit of the ACP States or the countries and territories shall be carried out in accordance with the conditions laid down in this Agreement and shall be charged to the Fund.

⁽¹⁾ OJ No L 379, 30.12.1978, page 1

ARTICLE 6

1. Within one month of the entry into force of the Convention, and subsequently before 1 September of each year, the Commission shall draw up estimates of the commitments to be entered into during the budget year, taking into account the Bank's forecasts in respect of the operations which it manages, and shall communicate these estimates to the Council.

2. In the same year, the Commission shall establish and communicate to the Council the total amount of the payments to be made in the budget year in question. On the basis of this amount and taking into account cash requirements, including those arising from expenditure incurred in implementing Title II, Chapter 1 of the Convention and the corresponding provisions of the Decision and expenditure incurred in implementing Title III, Chapter 1 of the Convention, the Commission shall draw up a schedule of calls for contributions determining the dates on which payment is due; the detailed rules for payment of such contributions by the Member States shall be determined by the Financial Regulation referred to in Article 28. This schedule shall be submitted by the Commission to the Council, which shall decide thereon by the qualified majority laid down in Article 17(4).

If the contributions are insufficient to meet the actual requirements of the Fund in the budget year in question, proposals for supplementary payments shall be submitted by the Commission to the Council, which shall decide thereon as soon as possible by the qualified majority laid down in Article 17(4)

3. Until used by the Commission for financing projects, programmes or transfers adopted under the conditions laid down in Articles 10 to 21, 26 and 27, the funds obtained from the calls for contributions referred to in paragraph 2 shall remain deposited in special accounts opened by each Member State with its Treasury or with such bodies as it may designate, in accordance with the rules laid down by the Financial Regulation referred to in Article 28.

ARTICLE 7

1. Any remaining balance of the Fund shall be used up in accordance with the same rules as those laid down in the Convention, the Decision and this Agreement.
2. Upon expiry of this Agreement, Member States shall still be obliged to pay, as provided in Article 6, that portion of their contributions not yet called for.

ARTICLE 8

1. The Member States undertake to act as guarantor for the Bank, waiving any right to object and in proportion to their contributions to its capital, in respect of all financial commitments arising for its borrowers out of the loan contracts concluded by the Bank with its own resources in implementation both of Article 95 of the Convention and the corresponding provisions of the Decision and, where appropriate, Article 59 of the Convention.

2. This guarantee shall be restricted to 75% of the total amount of the credits opened by the Bank under all the loan contracts; it shall be applied to cover all risks.
3. Notwithstanding the overall guarantee referred to in paragraphs 1 and 2 above, the Member States may, with regard to financial commitments under Article 59 of the Convention, act as guarantor for the Bank, in specific cases and at the latter's request, in respect of a percentage greater than 75% and up to 100% of the credits opened by the Bank under the corresponding loan contracts.
4. The undertakings arising from paragraphs 1 to 3 shall be the subject of guarantee contracts between each Member State and the Bank.

ARTICLE 9

1. Payments made to the Bank in respect of special loans granted to the ACP States, the countries and territories and the French overseas departments since 1 June 1964, as well as the proceeds and income from risk capital operations undertaken since 1 February 1971 for the benefit of those States, countries, territories and departments, shall be credited to the Member States in proportion to their contributions to the Fund from which the sums are derived, unless the Council decides unanimously, on a proposal from the Commission, to place them in reserve or allocate them to other operations.

Any commission due to the Bank for managing the loans and operations referred to in the first subparagraph shall be deducted in advance from these sums.

2. The amount of the grants from the Fund, as fixed in Article 1(3)(a) and (b), shall be supplemented by any other revenue accruing to the Fund.

CHAPTER II

ARTICLE 10

1. Subject to Articles 17 to 21 and without prejudice to the Bank's responsibilities for the administration of certain forms of aid, the Fund shall be administered by the Commission in accordance with the rules laid down by the Financial Regulation referred to in Article 28.
2. Subject to Articles 22 to 24, risk capital and interest rate subsidies financed from the Fund's resources shall be administered by the Bank on behalf of the Community in accordance with its Statute and the rules laid down by the Financial Regulation referred to in Article 28.

ARTICLE 11

The Commission shall be responsible for implementing the aid policy defined by the Council and the general guidelines for financial and technical co-operation defined by the ACP-EEC Council of Ministers pursuant to Article 119 of the Convention.

ARTICLE 12

1. The Commission and the Bank shall periodically provide each other with appropriate information on the requests made to them for finance and on preliminary contacts made with them by the relevant bodies of the ACP States, the countries and territories, or other recipients of aid as provided for in Article 94 of the Convention and in the corresponding provisions of the Decision, before their requests were submitted.
2. The Commission and the Bank shall keep each other informed of the progress made in appraising requests for finance.
3. The Commission shall channel the information referred to in paragraphs 1 and 2 through its liaison office. In addition, the liaison office shall collect and provide any general information which would promote the harmonization of administrative procedures and the assessment of requests.

ARTICLE 13

1. The Commission shall appraise projects which, pursuant to Article 101 of the Convention and the corresponding provisions of the Decision, could be financed by grants or special loans from the Fund's resources.

The Commission shall also appraise requests for transfers submitted pursuant to Title II, Chapter 1 of the Convention and the corresponding provisions of the Decision, together with projects and programmes eligible for the special financing facility pursuant to Title III, Chapter 1 of the Convention.

2. The Bank shall appraise projects which, pursuant to its Statute, Article 101 of the Convention and the corresponding provisions of the Decision, could be financed by loans from its own resources, with or without interest rate subsidies, or by risk capital.
3. Productive investment projects which come under the industrial, agri-industrial, mining or tourism sectors, and energy-production schemes linked to an investment in those sectors, shall be submitted to the Bank, which shall examine whether they are eligible for one of the forms of aid it administers.
4. Where, in the course of appraisal of a project or programme by the Commission or by the Bank, it is found that such project or programme could not be financed by one of the forms of aid administered by the institution in question, the latter will, having informed the potential recipient, transmit the request to the other institution.

ARTICLE 14

1. Without prejudice to special instructions which the Bank receives from the Community in respect of the recovery of principal and interest relating to special loans and operations under the special financing facility, the Commission shall undertake, on behalf of the Community, the financial execution of operations carried out with the Fund's resources in the form of grants, special loans, transfers or of the special financing facility; it shall make payments in accordance with the Financial Regulation referred to in Article 28.
2. The Bank shall undertake, on behalf of the Community, the financial execution of operations carried out with the Fund's resources in the form of risk capital. In such cases, the Bank shall act on behalf and at the risk of the Community. Any resulting rights, and particularly rights as creditor or owner, shall be vested in the Community.
3. The Bank shall undertake the financial execution of operations carried out in the form of loans from its own resources combined with interest rate subsidies from the Fund's resources.

ARTICLE 15

1. For the purposes of Article 109 of the Convention, programming missions shall be carried out under the general responsibility of the Commission, with the participation of the Bank, in order to draw up an indicative programme which specifies in particular the sectoral, sub-sectoral and regional objectives and priorities of the ACP State concerned, naming those projects that have been clearly identified.

2. In order to prepare these missions the Commission shall provide the Member States with the information obtained from the ACP States on the content, prospects and objectives of their development plans and on clearly defined projects, which could attain those objectives, for which they would like financing. The Commission shall prepare such information in liaison with the Bank, as regards the matters which concern the latter.

At the same time the Member States shall notify the Commission of any bilateral aid which has been granted or which is envisaged.

Each Member State and the Commission shall periodically bring such information up to date, making use in particular of data gathered and collated in accordance with the customary procedures.

They shall provide each other with available data on other bilateral, regional and multilateral aid granted to or proposed for the ACP States concerned.

3. This Article shall also apply as regards the overseas countries and territories, where appropriate, in a simplified and more flexible form adjusted to the constitutional structures peculiar to each group of countries or territories.

ARTICLE 16

1. Before programming missions are sent out the Commission shall, in collaboration with the Bank, prepare a brief document on each country, containing all the information collected from the Member States and the ACP States and analysed by the Commission, with a view to evaluating future development co-operation between the ACP State concerned and the Community.

An exchange of views will take place between the representatives of the Member States, of the Commission and of the Bank, on the basis of this document, in order to evaluate the general framework of the Community's co-operation with each ACP State and to ensure as far as possible, coherence between Community aid and aid from the Member States to the ACP States.

2. Following the programming mission undertaken in the ACP States by the Commission and the Bank, the indicative programme of Community aid for each ACP State shall be forwarded to the Member States so that an exchange of views can take place between the representatives of the Member States, of the Commission and of the Bank. This exchange of views will be held if one or more Member States so request.
3. If need be, and at least once during the period covered by the Convention, the representatives of the Member States, of the Commission and of the Bank shall examine progress in implementing the indicative programmes and any amendments to be made thereto at the request of the ACP States concerned.

ARTICLE 17

1. A Committee (hereinafter called the "EDF Committee") consisting of representatives of the Governments of the Member States shall be set up under the auspices of the Commission.

The EDF Committee shall be chaired by a Commission representative, and its secretariat shall be provided by the Commission.

A representative of the Bank shall take part in its work.

2. The Council, acting unanimously, shall adopt the rules of procedure of the EDF Committee.
3. Within the EDF Committee, the votes of the Member States shall be weighted as follows:

Belgium	6
Denmark	3
Germany	27
France	24
Ireland	2
Italy	12
Luxembourg	1
Netherlands	8
United Kingdom	17

4. The EDF Committee shall act by a qualified majority of 69 votes.
5. The weightings laid down in paragraph 3 and the qualified majority mentioned in paragraph 4 may be amended by a decision of the Council, acting unanimously, in the event of the accession of a new Member State to the Community.

ARTICLE 18

1. The EDF Committee shall give its opinion on financing proposals, submitted to it by the Commission, for projects or programme financed by grants, special loans or special financing facility resources.

2. The financing proposals for projects shall explain the relevance of the projects to the development prospects of the country or countries concerned; where appropriate, they shall mention the use to which such countries have put previous Community aid.

They shall include in particular measures promoting in accordance with Title VII, Chapter 7 of the Convention and the corresponding provisions of the Decision, participation by national undertakings of the ACP States and of the countries and territories in carrying out the projects.

3. If the EDF Committee requests substantial changes in the financing proposal or in the absence of a favourable opinion on the latter, the Commission shall consult the representatives of the ACP State or ACP States concerned. In the absence of a favourable opinion the latter shall, at their request, be heard by the representatives of the Community, in accordance with Article 113(3) of the Convention.

4. In the cases mentioned in paragraph 3, the financing proposal, after review or extension, as the case may be, shall be submitted afresh to the EDF Committee at one of its subsequent meetings.

If the Committee still refuses to deliver a favourable opinion, the Commission shall consult afresh the representatives of the ACP State or ACP States concerned, in accordance with Article 113(4) of the Convention.

ARTICLE 19

1. The financing proposals, together with the opinion of the EDF Committee, shall be submitted to the Commission for its decision.
2. If the Commission decides to differ from the opinion expressed by the Committee, or if the Committee has not delivered a favourable opinion, the Commission shall either withdraw the financing proposal or, at the earliest opportunity, refer the proposal to the Council, which shall decide on it according to the same voting procedure as the EDF Committee.

In the latter case the ACP State concerned may, as provided in Article 113(5) of the Convention, transmit to the Council any additional information it considers necessary before the final decision is taken and may be heard by the President and members of the Council.

ARTICLE 20

The Commission shall regularly inform the EDF Committee of all requests for financing officially submitted to it by one or more ACP States, irrespective of whether these are selected by its departments.

ARTICLE 21

The EDF Committee shall be kept informed of the results of work periodically done by the Commission on the evaluation of projects being carried out or completed, particularly in relation to development objectives set.

ARTICLE 22

1. A Committee (hereinafter called the "Article 22 Committee") consisting of representatives of the Governments of the Member States shall be set up under the auspices of the Bank.

The Article 22 Committee shall be chaired by the representative of the Member State currently occupying the Presidency of the Board of Governors of the Bank and its secretariat shall be provided by the Bank.

A representative of the Commission shall take part in its work.

2. The Council, acting unanimously, shall adopt the rules of procedure of the Article 22 Committee.
3. Within the Article 22 Committee, the votes of the Member States shall be weighted as provided for in Article 17(3).
4. The Article 22 Committee shall act by a qualified majority of 69 votes.
5. The weightings referred to in paragraph 3 and the qualified majority mentioned in paragraph 4 may be amended by a decision of the Council, acting unanimously, in the event of the accession of a new Member State to the Community.

ARTICLE 23

1. The Article 22 Committee shall deliver an opinion on requests for loans with interest rate subsidies and on proposals for financing by risk capital which are submitted to it by the Bank.

The Commission representative may, at meetings, submit the Commission's assessment of these proposals. This assessment shall cover the conformity of the projects with Community development aid policy, with the objectives of financial and technical co-operation laid down by the Convention and with the general guidelines adopted by the ACP-EEC Council of Ministers.

In addition, the Bank shall inform the Article 22 Committee of any loans without interest rate subsidies that it intends to grant in the oil sector.

2. The document submitted to the Article 22 Committee by the Bank shall, in particular, explain the relevance of the project to the development prospects of the country or countries concerned and, where appropriate, indicate the situation as regards repayable loans granted by the Community and holdings acquired by it.
3. Where the Article 22 Committee does not deliver a favourable opinion on a proposal concerning an ACP State or group of ACP States, the Bank shall consult the representatives of the said State or States, and the procedure laid down in Article 113(3) and (4) of the Convention shall apply.
4. Where the Article 22 Committee delivers a favourable opinion in respect of a request for a loan with an interest rate subsidy, the request, together with the reasoned opinion of the Committee and, where appropriate, the assessment of the Commission representative, shall be submitted for a decision to the Board of Directors of the Bank, which shall act in accordance with the provisions of the Bank's Statute.

In the absence of a favourable opinion from the Article 22 Committee, the Bank shall either withdraw the request or decide to uphold it. In the latter event this request, together with the reasoned opinion of the Committee and, where appropriate, the assessment given by the Commission representative, shall be submitted for a decision to the Board of Directors of the Bank, which shall act in accordance with the provisions of the Bank's Statute.

5. Where, in respect of a proposal for financing by risk capital, the Article 22 Committee delivers a favourable opinion, the proposal shall be submitted for a decision to the Board of Directors of the Bank which shall act in accordance with the provisions of the Bank's Statute.

In the absence of a favourable opinion from the Article 22 Committee, the Bank shall either withdraw the proposal or request that the Member State chairing the Article 22 Committee refer the matter to the Council as soon as possible.

In the latter case, the proposal shall be submitted to the Council together with the reasoned opinion of the Article 22 Committee and, where appropriate, the assessment of the Commission representative.

The Council shall act in accordance with the same voting procedure as the Article 22 Committee.

If the Council decides to confirm the Article 22 Committee's position, the Bank shall withdraw its proposal.

If, however, the Council is in agreement with the Bank's proposal, the Bank shall implement the procedures laid down in its Statute.

ARTICLE 24

1. Subject to such adjustments as are necessary to take account of the nature of the operations financed and of the procedures laid down in the Statute of the Bank, the latter shall regularly inform the Article 22 Committee of all requests for financing officially submitted to it, irrespective of whether these are selected by its departments.
2. The Article 22 Committee shall be kept informed of the results of work periodically done by the Bank on the assessment of projects being carried out or completed, particularly in relation to the development objectives set.

ARTICLE 25

1. The Commission and the Bank shall ascertain how the Community aid administered by each of them is used by the ACP States, the countries and territories or any other recipients.
2. They shall also ascertain, each for their respective parts and in close collaboration with the relevant authorities of the country or countries concerned, how projects financed with Community aid are used by the recipients.

3. When ascertaining how Community aid and projects are used, as provided for in paragraphs 1 and 2, the Commission and the Bank shall examine the extent to which the objectives referred to in Articles 91 and 92 of the Convention and in the corresponding provisions of the Decision have been attained.
4. The Commission and the Bank shall inform the Council at least once a year of their findings pursuant to paragraphs 1, 2 and 3.

The Council, acting by the qualified majority laid down in Article 17(4), shall take the necessary measures.

CHAPTER III

ARTICLE 26

The amounts of the transfers referred to in Articles 39 and 40 respectively of Title II of the Convention and in the corresponding provisions of the Decision, and the contributions to the replenishment of resources mentioned in Article 42 of the Convention and in the corresponding provisions of the Decision, shall be expressed in units of account as laid down in Article 3.

Payments shall be made in the currency of one or more Member States chosen by the Commission after consultation of the ACP State or the relevant authorities of the countries and territories.

ARTICLE 27

Each year the Commission shall draw up a comprehensive report for the Member States on the operation of the system of stabilisation of export earnings and the use made by the ACP States of the funds transferred.

The report shall indicate in particular the effect of the system on the economic development of the recipient countries and on the development of external trade.

This Article shall also apply as regards the countries and territories.

CHAPTER IV

ARTICLE 28

The provisions for implementing this Agreement shall be the subject of a Financial Regulation adopted, upon the entry into force of the Convention, by the Council, acting by the qualified majority laid down in Article 17(4), on the basis of a Commission draft, after an opinion has been delivered by the Bank on the provisions concerning it and by the Court of Auditors established by Article 206 of the Treaty.

ARTICLE 29

1. At the close of each financial year the Commission shall adopt the revenue and expenditure account and the balance sheet of the Fund.

2. Without prejudice to paragraph 4, the Court of Auditors established by Article 206 of the Treaty shall also exercise its powers in respect of the Fund's operations. The conditions under which the Court exercises its powers shall be laid down in the Financial Regulation referred to in Article 28.
3. The discharge for the financial management of the Fund shall be given to the Commission by the European Parliament on the recommendation of the Council, which shall act by the qualified majority laid down in Article 17(4).
4. The operations financed from the resources of the Fund and managed by the Bank shall be subject to the control and discharge procedures laid down by the Statute of the Bank for all its operations. Each year the Bank shall send the Commission and the Council a report on the execution of operations financed from the resources of the Fund and managed by the Bank.

ARTICLE 30

1. The remaining balance of the Development Fund for the overseas countries and territories established by the Implementing Convention annexed to the Treaty shall continue to be administered as provided in that Implementing Convention and in accordance with the rules and regulations in force on 31 December 1962.

The remaining balance of the Fund set up by the Internal Agreement on the financing and administration of Community aid signed at Yaoundé on 20 July 1963 shall continue to be administered as provided in that Internal Agreement and in accordance with the rules and regulations in force on 31 May 1969.

The remaining balance of the Fund set up by the Internal Agreement on the financing and administration of Community aid signed at Yaoundé on 29 July 1969 shall continue to be administered as provided in that Internal Agreement and in accordance with the rules and regulations in force on 31 January 1975.

The remaining balance of the Fund set up by the Internal Agreement on the financing and administration of Community aid signed in Brussels on 11 July 1975 shall continue to be administered as provided in that Internal Agreement and in accordance with the rules and regulations in force on 1 March 1980.

2. In the event of successful completion of projects financed from the Funds referred to in paragraph 1 being jeopardized by a lack of resources due to the remaining balance being used up, proposals for additional financing may be submitted by the Commission under the conditions laid down in Article 18.

ARTICLE 31

This Agreement shall be approved by each Member State in accordance with its own constitutional requirements. The Government of each Member State shall notify the Secretariat of the Council of the European Communities when the procedures required for its entry into force have been completed.

This Agreement is concluded for the same duration as the Convention. However, it shall remain in force for as long as is necessary for all the operations financed under the Convention to be fully executed.

ARTICLE 32

This Agreement, drawn up in a single original in the Danish, Dutch, English, French, German and Italian languages, each of these texts being equally authentic, shall be deposited in the archives of the Secretariat of the Council of the European Communities, which shall transmit a certified copy to each of the Governments of the Signatory States.

Udfærdiget i Bruxelles, den tyvende november nitten hundrede og nioghalvfjerds.

Geschehen zu Brüssel am zwanzigsten November neunzehnhundert-neunundsiebzig.

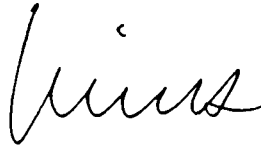
Done at Brussels on the twentieth day of November in the year one thousand nine hundred and seventy-nine.

Fait à Bruxelles, le vingt novembre mil neuf cent soixante-dix-neuf.

Fatto a Bruxelles, addi' venti novembre millenovecento-settantanove.

Gedaan te Brussel, de twintigste november negentienhonderd negenenzeventig.

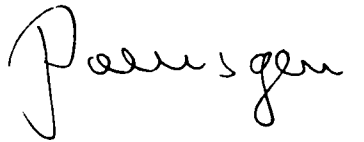
Pour le Gouvernement du Royaume de Belgique
Voor de Regering van het Koninkrijk België



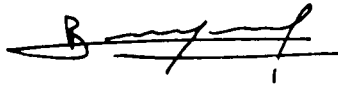
På Kongeriget Danmarks vegne



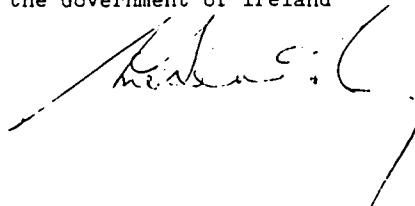
Für die Regierung der Bundesrepublik Deutschland



Pour le Gouvernement de la République française



For the Government of Ireland



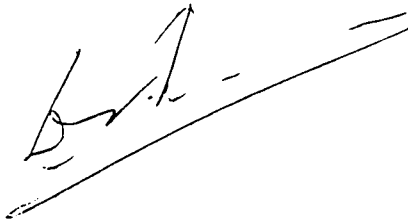
Per il Governo della Repubblica italiana



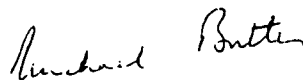
Pour le Gouvernement du Grand-Duché de Luxembourg



Voor de Regering van het Koninkrijk der Nederlanden



For the Government of the United Kingdom of Great Britain
and Northern Ireland



STATEMENTS IN THE COUNCIL MINUTES (*)

1. Statement on Article 1(2)(a)

"The Member States agree that:

- the percentages given in Article 1(2)(a) of the Internal Financing Agreement will continue to apply to the scale of Member States' contributions in the event of accession of a new ACP State to Lomé II;
- if Article 1(2)(b) is applied following the accession of new Member States to the Community, the relative proportions of the present Member States as set out in paragraph 2(a) will not be altered."

2. Statement on Article 1(3)(b)

"It is understood that, within the shares of the resources allocated to each of the three groups of OCT, priority will be given to the use of grants for the poorest OCT."

3. Statement on Article 1(4)

"It will fall to the Council to act on a case-by-case basis on the measures to be taken if an overseas country or territory which has become independent does not accede to the Lomé Convention."

4. Statement on the first paragraph of Article 4

"It is understood that the Financial Regulation of the 5th European Development Fund will stipulate the detailed procedures for calculating the updating of interest rate subsidies."

(*) See also page 441.

5. Statement No 1 on Article 8

"It is also understood that, under the declaration on Article 59 of the Convention and on complementary financing by the EIB, the Bank could not envisage granting, during the period of validity of the second Lomé Convention, the additional loans from its own resources referred to in paragraph 3 of that declaration unless appropriate measures on guaranteeing loans thus granted by the Bank were taken by the Member States."

6. Statement No 2 on Article 8

"The specific guarantee which the Member States could, under the provisions of Article 8(3), give in specific cases in respect of percentages greater than 75%, at the Bank's request and after special examination by the Board of Governors of the Bank, will have to be able to be implemented within the same time-limits and on the same conditions as the overall guarantee referred to in Article 8(1) and (2)."

7. Statement No 3 on Article 8

"The Management Committee of the EIB states that it will in certain cases be unable to propose to the Board of Directors and to the Board of Governors of the Bank that loans from own resources be granted under Article 59 of the Convention and Article 8(3) of the Internal Agreement if such loans are not covered by a total guarantee."

8. Statement No 1 on Article 13(3)

1. It is understood that the sectors of Bank intervention mentioned in Article 13(3) of the Internal Agreement are not limitative but constitute a guideline which does not exclude the possibility of the Bank giving aid in the form of loans from its own resources for infrastructure projects showing a commercial return in the ACP States when this form of financing seems appropriate, by reason of their level of development and economic and financial state.
2. Requests for financing by risk capital for projects in the transport and telecommunications sectors may, in exceptional circumstances, also be submitted to the Bank in the case of industrial-type undertakings under autonomous management which are able to justify the use of this kind of aid (Article 105 of the Convention).
3. As regards aid for small and medium-sized undertakings (Article 144 of the Convention), responsibility for appraising such projects rests either with the Commission or the Bank according to the rules and criteria set out in the table which follows."

ALLOCATION OF RESPONSIBILITIES BETWEEN THE
COMMISSION AND THE EIB FOR THE FINANCING
OF SMALL AND MEDIUM-SIZED UNDERTAKINGS

EUROPEAN INVESTMENT BANK

COMMISSION

I. SECTORS

Small and medium-sized undertakings in industry, agricultural industry and tourism.

Small undertakings in the craft, agricultural and commercial sectors.

ONLENDING BODIES II.

ONLENDING BODIES OR DIRECT
RECIPIENTS

Banks and development financing institutions working in the EIB sectors specified under I. above and employing banking and commercial administrative methods.

Any body, either public or in the nature of a co-operative or mutual assistance society, aimed at developing the craft, commercial and agricultural sectors.

III. METHODS AND PROCEDURES

(token entry) Direct acquisition of holdings by the Community in the capital of development banks.

- Global loans, with interest rate subsidy, from the Bank's own resources.
- Global aid, in the form of risk capital (to finance loans or constitute the own resources of small and medium-sized undertakings).

Grant or special loan to the onlending body with the condition where appropriate, that the latter pass on the financing in the form of a loan.

The Bank's usual appraisal, decision-taking and monitoring procedures to be adapted to the particular cases and to the nature of the operations.

IV. SIZE OF THE LENDING OPERATIONS

No prior limit on global loan or aid.

Minimum lending of 20,000 EUA (or more, of course) for undertakings in the EIB sectors specified under I. above.

No limit for the direct recipient and, where onlent to agricultural, craft and commercial sectors, loan may not exceed 20,000 EUA for the individual operation.

9. Statement No 2 on Article 13(3)

"It is understood that the term "productive investment projects" in Article 13(3) also covers the possible assistance from the EIB mentioned in the third paragraph of Article 58 and Article 105 of the second ACP-EEC Convention of Lomé."

10. Statement on Article 13(4)

"Where a request for financing has been forwarded by the Commission to the Bank or by the Bank to the Commission, this fact will be mentioned in the proposal for financing submitted to the EDF Committee or the Article 22 Committee for an opinion."

11. Statement on Article 15(2)

"In order to prepare programming, the Commission and the Bank will keep each other informed, insofar as they deem it useful, of the activities of the Centre for Industrial Development in the countries concerned."

12. Statement on the first paragraph of Article 16

"The Commission will, for the purposes of forwarding the documents referred to in this Article, follow the procedures applied in the EDF Committee."

13. Statement on the second paragraph of Article 16

"The Commission will inform the ACP State in question of the Community's agreement to the establishment of the indicative programme within the meaning of Article 109(3) of the Convention, unless, during an exchange of views held pursuant to the second paragraph of Article 16 of the Internal Financing Agreement, a majority of the Member States fails to approve the programme forwarded by the Commission in accordance with the second paragraph of Article 16."

14. Statement on Article 16

"The Council will at a later date take a decision on the principle and details of a written procedure for minor amendments to the indicative aid programmes of the ACP States and the OCT."

15. Statement on Articles 17(5) and 22(5)

"When paragraph 5 of Articles 17 and 22 is implemented, the Council will see to it that the distortions between the scales for contributions to the 5th EDF and the weighting of Member States' votes are not increased."

16. Statement on Article 23(5)

1. "It is understood that, pursuant to the second subparagraph of Article 23(5), the Management Committee of the Bank will decide either to withdraw the proposal or to refer it to the Board of Directors.

Should the Board of Directors of the Bank adopt a favourable position on the proposal for financing by risk capital, it would do so subject to the position to be adopted by the Council of the Communities on the opinion expressed by the Article 22 Committee.

2. It is understood that the text of Article 23(5), coupled with the statement in paragraph 1 above, ensures convergence of the decision of the Council of the European Communities and that of the EIB Board of Directors."

17. Statement on Article 24(2)

"It is understood that when request for loans or proposals for financing by risk capital submitted to the Article 22 Committee for its opinion are being discussed, the Bank will, at the request of that Committee, submit the conclusions to be drawn from operations under way or completed."

18. Statement on Article 25(1)

"It is understood that the term "Community aid" in Article 25(1) also covers the special financing facility provided for in Title III, Chapter I, of the second ACP-EEC Convention of Lomé."

19. Statement on Article 25(4)

1. "The Commission report to the ACP-EEC Council of Ministers will, prior to finalization, undergo an appropriate procedure whereby the representatives of the Member States can submit their comments to the Commission departments.
2. When the annual report is forwarded to the ACP-EEC Council of Ministers, the Commission, in conjunction with the Bank, will, if appropriate, submit a confidential report to the Council on any special difficulties encountered either in the implementation or conditions of use of the aid.
3. Furthermore, whenever necessary the Commission will forward to the Council reports on specific subjects for discussion within the Community."

20. Statement on Article 28

1. "The EDF Financial Regulation will stipulate that the Commission is to take all appropriate measures to ensure the effective dissemination of information to the economic circles concerned, notably through the periodic publication of estimates of contracts to be financed from EDF resources.
 2. The Commission states that, for the purposes of implementing operations financed from the EDF resources which it administers, it will endeavour to achieve as balanced a distribution as possible of contracts between the undertakings and consultancies of the Member States, the ACP States and the OCT."
-

INTERNAL AGREEMENT
AMENDING THE INTERNAL AGREEMENT ON THE
FINANCING AND ADMINISTRATION
OF COMMUNITY AID
OF 20 NOVEMBER 1979 (*)

THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES OF
THE EUROPEAN ECONOMIC COMMUNITY, MEETING WITHIN THE COUNCIL

HAVING REGARD to the Treaty establishing the European Economic
Community,

WHEREAS the Agreement between the European Economic Community
and the Republic of Zimbabwe, signed in Luxembourg on
4 November 1980 hereinafter called the "Accession Agreement",
provides for the accession of the Republic of Zimbabwe to the
Second ACP-EEC Convention signed at Lomé on 31 October 1979;

WHEREAS pursuant to Article 186 of that Convention the
accession of a State shall not adversely affect the advantages
accruing to the ACP States signatory to the Convention
under the provisions of financial and technical co-operation,
the stabilization of export earnings and industrial
co-operation;

WHEREAS the Representatives of the Governments of the
Member States have agreed on this occasion to increase by
85 million European units of account the amount of aid made
available to the European Development Fund (1980);

WHEREAS the Internal Agreement on the Financing and
Administration of Community Aid, signed in Brussels on
20 November 1979, should be amended accordingly,

After consulting the Commission of the European Communities,

HAVE AGREED AS FOLLOWS:

(¹) drawn up in connection with the accession of Zimbabwe to the second
ACP-EEC Convention of Lomé. It entered into force on 30 June 1982
with effect from 1 March 1982.

ARTICLE 1

Article 1 of the Internal Agreement on the Financing and Administration of Community aid shall be amended as follows:

1. Paragraph 2(a) shall be replaced by the following:

"(a) The Fund shall consist of 4,721 million European units of account (hereinafter called "EUA"), to be financed by the Member States as follows:

Belgium	278,539 million EUA = 5.9%
Denmark	118,025 million EUA = 2.5%
Germany	1,336,043 million EUA = 28.3%
France	1,208,576 million EUA = 25.6%
Ireland	28,326 million EUA = 0.6%
Italy	542,915 million EUA = 11.5%
Luxembourg	9,442 million EUA = 0.2%
Netherlands	349,354 million EUA = 7.4%
United Kingdom	849,780 million EUA = 18.0%.

2. Paragraph 3(a) shall be replaced by the following:

"(a) 4,627 million EUA for the ACP States, comprising:

2,986 million EUA in the form of grants,
518 million EUA in the form of special loans,
284 million EUA in the form of risk capital,
557 million EUA in the form of transfers pursuant
to Title II, Chapter 1 of the Convention,
282 million EUA in the form of the special
financing facility pursuant to Title III,
Chapter 1 of the Convention;"

ARTICLE 2

This Agreement shall be approved by each Member State in accordance with its own constitutional requirements. The Government of each Member State shall notify the Secretariat of the Council of the European Communities when the procedures required for its entry into force have been completed.

Provided the conditions of the first paragraph are fulfilled, the Agreement shall enter into force at the same time as the Accession Agreement.

ARTICLE 3

This Agreement, drawn up in a single original in the Danish, Dutch, English, French, German and Italian languages, each of these texts being equally authentic, shall be deposited in the archives of the Secretariat of the Council of the European Communities, which shall transmit a certified copy to each of the Government of the Signatory States.

Udfærdiget i Bruxelles, den sekstende december nitten hundrede og firs.

Geschehen zu Brüssel am sechzehnten Dezember neunzehnhundertachtzig.

Done at Brussels on the sixteenth day of December in the year one thousand nine hundred and eighty.

Fait à Bruxelles, le seize décembre mil neuf cent quatre-vingt.


Fatto a Bruxelles, addi' sedici dicembre millenovecentoottanta.

Gedaan te Brussel, de zestiende december negentienhonderd tachtig.

Pour le Gouvernement du Royaume de Belgique
Voor de Regering van het Koninkrijk België



På Kongeriget Danmarks vegne



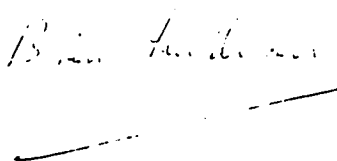
Für die Regierung der Bundesrepublik Deutschland



Pour le Gouvernement de la République française



For the Government of Ireland



Per il Governo della Repubblica italiana

Luigi Colombo

Pour le Gouvernement du Grand-Duché de Luxembourg

F. Hoff

Voor de Regering van het Koninkrijk der Nederlanden

C. A. van der Kleen

For the Government of the United Kingdom of Great Britain
and Northern Ireland

La G. G. G.

FINANCIAL REGULATION (*) ()**
of 17 March 1981
applicable to the Fifth European Development Fund
(81/215/EEC)

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the Euro-
pean Economic Community,

Having regard to the Second ACP-EEC Conven-
tion, signed at Lomé on 31 October 1979, hereinafter
referred to as 'the Convention',

Having regard to the Internal Agreement on the
financing and administration of Community aid,
signed in Brussels on 20 November 1979, hereinafter
referred to as 'the Internal Agreement', and in parti-
cular Article 28 thereof,

Having regard to Council Decision 80/1186/EEC
of 16 December 1980 on the association of the over-
seas countries and territories with the European
Economic Community (1), hereinafter referred to as
'the Decision',

Having regard to Council Decision 80/1184/EEC
of 18 December 1980 on the replacement of the
European unit of account by the ECU to express the
amounts of financial assistance under the Second

ACP-EEC Convention and the previous Conven-
tions (2),

Having regard to the draft Financial Regulation
submitted by the Commission,

Having regard to the opinion of the European
Investment Bank, hereinafter referred to as 'the
Bank',

Having regard to the opinion of the Court of Audi-
tors (3),

Whereas pursuant to Article I (1) of the Internal
Agreement the Member States have set up a Fifth
European Development Fund, hereinafter referred
to as 'the EDF';

Whereas, under Article 28 of the Internal Agree-
ment, the provisions for implementing that Agree-
ment shall be the subject of a Financial Regulation
adopted, upon the entry into force of the Conven-
tion, by the Council acting by the qualified majority
laid down in Article 17 (4) of the said Agreement,

HAS ADOPTED THIS FINANCIAL REGULATION:

TITLE I

FINANCIAL ARRANGEMENTS

Article 1

1. The Council shall notify the Commission by
31 October each year of the decision which it adopts
pursuant to the first subparagraph of Article 6 (2) of
the Internal Agreement and which relates to the
schedule of calls for contributions.

2. Annual contributions shall in principle be called
up in four equal instalments payable on:

— 20 January,

— 1 April,

— 1 July,

— 1 October.

3. Supplementary payments decided upon pur-
suant to the second subparagraph of Article 6 (2) of
the Internal Agreement shall, unless otherwise

(1) OJ No L 361, 31. 12. 1980, p. 1.

(2) OJ No L 349, 23. 12. 1980, p. 34.

(3) OJ No C 45, 4. 3. 1981, p. 3.

decided by the Council, be due and be made within as brief a period as possible which shall be laid down in the decision to call for such payments and which may not in any case be more than three months.

4. Each Member State shall make the payments referred to in paragraphs 2 and 3 above in proportion to its contributions to the EDF as fixed in Article 1 (2) of the Internal Agreement.

Article 2

1. The financial contributions of the Member States shall be expressed in ECU as defined by Decision 80/1184/EEC.

2. Each Member State shall pay the amount of its contribution on its national currency on the basis of the conversion rate of the ECU in force on the first working day following the 15th day of the month preceding the payment.

3. Financial contributions shall be credited by each Member State to a special account entitled 'Commission of the European Communities — European Development Fund' opened with the Treasury of that Member State or the body designated by it.

4. Upon expiry of the Convention and the Decision, that part of the contributions which the Member States remain obliged to make shall be called up by the Commission, as required, on the conditions laid down in this Financial Regulation.

Article 3

1. In each Member State the Commission shall hold, with the bank of issue or the financial institution designated by that Member State, accounts under the same name as that opened pursuant to Article 2 (3).

2. For operations which are not currently undertaken by banks of issue or by post office giro centres, or in order to facilitate the payments which it has to make, the Commission shall open accounts at one or more banks.

3. The signatures of the Commission officials empowered to carry out operations on the EDF's

accounts shall be lodged when the accounts are opened or, in the case of officials who are authorized subsequently, when they are designated.

Article 4

1. The Commission shall use the funds credited to the accounts referred to in Article 3 to make the necessary payments and transfers.

2. The Commission shall, as far as possible, make any withdrawals from the special accounts referred to in Article 2 (3) in such a way as to maintain a distribution of its assets amongst the various currencies corresponding to the proportion in which the currencies of the Member States make up the ECU.

Article 5

On the basis of the cash requirements for the execution of projects and programmes, the Commission shall make the transfers needed to replenish the accounts opened in its name in accordance with Article 124 of the Convention and Article 3 of this Financial Regulation.

Article 6

1. Any transfers of assets from the currency of one Member State into that of another Member State which have been requested by the Commission for the management of the EDF shall be made at the current rate of exchange by the banks of issue or the financial institutions approved by the Member States.

2. Any exchange differences and costs shall be charged against EDF resources.

Article 7

The Commission shall communicate to the Council each year a statement of contribution payments and a progress report on EDF operations.

TITLE II

MANAGEMENT OF THE EDF

SECTION I

GENERAL PROVISIONS

Article 8

1. The EDF shall be administered financially in accordance with the principle that authorizing officers and accounting officers are separate individuals. Appropriations shall be administered by authorizing officers, who alone shall have the power to enter into commitments regarding expenditure, establish sums due to be collected and issue proof of receipt and payments out.

2. Collection and payment operations shall be carried out by the accounting officers.

3. The duties of authorizing officer, financial controller and accounting officer shall be mutually incompatible.

Article 9

Within the limit of the appropriations provided for in Article 1 of the Internal Agreement, the Commission shall, without prejudice to Article 10 (2) thereof, manage the EDF on its own responsibility in accordance with the conditions laid down in the Convention, the Decision, the Internal Agreement and this Financial Regulation. In accordance with Article 121 (1) of the Convention, the Commission shall appoint the chief authorizing officer of the EDF. The latter may have recourse to deputy authorizing officers, whom he shall appoint subject to approval by the Commission. Each decision to delegate powers shall state the duration and extent of the mandate.

Those to whom powers are delegated may act only within the limits of the powers expressly conferred upon them. Decisions to delegate powers shall be notified to those to whom powers are delegated, to the accounting officer, the financial controller, the authorizing officers and the Court of Auditors.

Article 10

1. The Commission shall appoint the financial controller, who shall be responsible for monitoring the commitment and authorization of expenditure and for monitoring revenue.

2. The special rules applicable to the financial controller shall be formulated in such a way as to ensure his independence in carrying out his duties. Measures taken in respect of his appointment and promotion, disciplinary action or transfer, and the various methods of interruption or termination of his appointment shall be the subject of reasoned decisions which shall be forwarded to the Council for its information.

3. The person concerned or the Commission may institute proceedings before the Court of Justice.

Article 11

The collection of revenue and the payment of expenditure shall be carried out by an accounting officer appointed by the Commission. Subject to Article 33 (2) this accounting officer alone shall be empowered to manage funds and assets. He shall be responsible for their care.

Article 12

The Commission may delegate part of the duties of the accounting officer and part of the responsibility for monitoring to authorized agents appointed by it. The rules governing responsibilities adopted under this Title shall apply to such authorized agents within the limits of the powers delegated to them.

The principles of the provisions of this Financial Regulation relating to the monitoring and payment of expenditure shall be applicable to expenditure effected by delegation. Such expenditure may not be finally entered into the EDF accounts until the Commission has verified that the expenditure has been correctly cleared and that the authorization and payment are in order, in accordance with the requirements of this Financial Regulation.

SECTION II

REVENUE

Article 13

1. The recovery of any sum due to the EDF shall

give rise to the issue, by the authorizing officer, of a recovery order.

2. Recovery orders shall be transmitted by the authorizing officer to the financial controller and shall be subject to the latter's approval. The purpose of approval by the financial controller shall be to establish that:

- (a) the revenue is correctly credited;
- (b) the recovery order is correct and in conformity with the provisions applicable to the management of the EDF and with all measures taken in implementation of those provisions;
- (c) the principles of sound financial management have been applied.

3. The financial controller may refuse his approval. The Commission may, by means of a decision giving the reasons therefor and on its sole responsibility, disregard this. Such decision shall be final and binding; it shall be communicated for information to the financial controller. The Commission shall inform the Court of Auditors every three months of all such decisions.

4. If the authorizing officer waives the right to recover an established debt, he shall send beforehand a proposal for cancellation to the financial controller for his approval and to the accounting officer for his information.

The purpose of approval by the financial controller shall be to establish that the waiver is in order and conforms with the principles of sound financial management. The proposal concerned shall be registered by the accounting officer.

If approval is withheld, the Commission may, by a decision stating the full reasons therefor and on its sole responsibility, overrule this refusal. This decision shall be final and binding; it shall be communicated for information to the financial controller. The Commission shall inform the Court of Auditors every three months of all such decisions.

5. Where the financial controller finds that a document establishing a debt has not been drawn up or that a sum due has not been recovered, he shall inform the Commission thereof.

Article 14

1. The accounting officer shall assume responsibility for recovery orders forwarded to him by the authorizing officer.

2. The accounting officer shall do all in his power to ensure that EDF resources are recovered at the due dates and to ensure that the Community's rights are safeguarded.

3. The accounting officer shall inform the authorizing officer and the financial controller of any revenue not recovered within the time limits laid down.

Article 15

A receipt shall be issued in respect of all cash payments made to the accounting officer.

SECTION III

COMMITMENT, CLEARANCE, AUTHORIZATION AND PAYMENT OF EXPENDITURE

I. Commitment of expenditure

Article 16

1. All measures which may give rise to expenditure payable by the EDF must be preceded by a proposal for commitment of expenditure from the authorizing officer.

2. A provisional commitment may be entered into in respect of current expenditure.

3. An account shall be kept of commitments and authorizations.

Article 17

Proposals for commitments, accompanied by the supporting documents, shall be referred to the financial controller and to the accounting officer. They shall in particular show the purpose of the expenditure, the estimated amount involved, the item to which it is to be charged and the name and description of the creditor. They shall be registered after approval by the financial controller.

Article 18

The purpose of approval by the financial controller shall be to establish that:

- (a) the expenditure has been charged to the correct item;

- (b) appropriations are available;
- (c) the expenditure is in order and conforms to the provisions applicable to the management of the EDF and to all acts made in implementation of those provisions, in particular the general and special conditions of the financing agreement relating to the operation;
- (d) the principles of sound financial management have been applied.

Article 19

1. Where the financial controller withholds his approval he shall furnish a written statement giving reasons therefor. The authorizing officer shall be notified accordingly.

Where approval is withheld and the authorizing officer maintains his proposal, the refusal shall be referred for a decision to the Commission.

2. Except where the availability of appropriations is in doubt, the Commission may, by means of a decision stating the full reasons therefor and taken on its sole responsibility, overrule such a refusal. This decision shall be final and binding; it shall be communicated for information to the financial controller. The Commission shall inform the Court of Auditors every three months of all such decisions.

2. Clearance of expenditure

Article 20

The clearance of expenditure shall be the act whereby the authorizing officer:

- (a) verifies the existence of the creditor's claim;
- (b) determines or verifies the existence and the amount of sum due; and
- (c) verifies the conditions under which payment falls due.

Article 21

1. Clearance of any expenditure shall be subject to the submission of supporting documents showing the creditor's claim and, where appropriate, the service rendered.

2. However, for certain categories of expenditure, advances may be granted under the conditions laid down by the Commission.

3. The Commission shall lay down the nature and contents of the supporting documents to be enclosed with the payment orders.

4. The supporting documents relating to the accounts and to the establishment of the revenue and expenditure account and the balance sheet referred to in Article 41 shall be kept for a period of five years following the date of the decision giving discharge in respect of the implementation of the EDF, referred to in Article 29 of the Internal Agreement.

However, the documents relating to transactions not finally closed shall be kept beyond this period.

5. The authorizing officer empowered to clear expenditure shall personally check the supporting documents or shall, on his own responsibility, ascertain that this has been done.

3. Authorization of expenditure

Article 22

Authorization shall be the act whereby the authorizing officer, by the issue of a payment order, authorizes the accounting officer to pay an item of expenditure which he has cleared.

Article 23

The payment order shall state:

- (a) the item against which payment shall be charged;
- (b) the amount to be paid, in words and figures, showing the currency;
- (c) the name and address of the payee;
- (d) the method of payment;
- (e) the purpose of the expenditure.

The payment order shall be dated and signed by the authorizing officer.

Article 24

1. The payment order shall be accompanied by the original supporting documents, which shall bear or be accompanied by the statement of the authorizing officer confirming that the amounts to be paid are correct and that the supplies have been received or the service performed. The payment order shall

show the numbers and dates of the relevant approvals of commitment.

2. Copies of the supporting documents, certified as true copies by the authorizing officer, may, in duly warranted cases, be accepted in place of the originals.

Article 25

1. For payments by instalment, the first payment order shall be accompanied by documents establishing the creditor's right to payment of the instalment in question.

2. Subsequent payment orders shall refer to the supporting documents already furnished and repeat the reference number of the first payment order.

Article 26

Payment orders shall be sent to the financial controller for prior approval. The purpose of this prior approval shall be to establish that:

- (a) the payment order was properly issued;
- (b) the payment order agrees with the commitment of expenditure and that the amount thereof is correct;
- (c) the expenditure is charged to the correct item;
- (d) the appropriations are available;
- (e) the supporting documents are in order;
- (f) the payee is correctly named and described.

Article 27

Should approval be withheld, Article 19 shall apply.

Article 28

After approval, the original of the payment order, together with all supporting documents, shall be forwarded to the accounting officer.

4. Payment of expenditure

Article 29

1. Without prejudice to the provisions of Article 122 (3) of the Convention concerning the responsibilities of the national authorizing officer, payment shall be the final act whereby the EDF is discharged of its obligations resulting from carrying out the operations financed.

2. Payment shall be made by the accounting officer within the limits of the funds available.

Article 30

In the event of a substantive error or of the validity of the discharge being contested or of failure to observe the formalities prescribed by this Financial Regulation, the accounting officer shall suspend payment.

Article 31

1. If payment is suspended, the accounting officer shall give the reasons therefor in a written statement which he shall send forthwith to the authorizing officer and, for information, to the financial controller.

2. Except where the validity of the discharge is contested the authorizing officer may, where payment is suspended, refer the matter to the Commission. The latter may require, in writing and on its own responsibility, that payment be effected.

Article 32

1. Payments shall, as a general rule, be effected through a bank account or a post office giro account. The procedure for opening, administering and using such accounts shall be determined by the Commission.

2. The procedure referred to in paragraph 1 shall in particular require two signatures on cheques and on post office or bank transfer orders, one signature necessarily being that of the accounting officer or of a duly authorized administrator of advance funds; they shall, moreover, specify the expenditure in respect of which payment must necessarily be made either by cheque or by post office or bank transfer.

Article 33

1. For the payment of certain categories of expenditure, advance funds may be set up under the conditions laid down by the Commission.

2. The rules governing the management of the advance funds shall cover in particular:

- (a) the appointment of administrators of advance funds;
- (b) the nature and maximum amount of each item of expenditure to be incurred;
- (c) the maximum amounts which may be advanced;
- (d) the procedures for the production of supporting documents and the time within which they must be produced;
- (e) the responsibility of the administrator of advance funds.

Article 34

The conversion rates to be used for the calculation in ECU of payments to be made for the purpose of the projects or programmes referred to in Title VII of the Convention and in the corresponding provisions of the Decision shall be those in force on the effective date of such payments. This date shall correspond to that on which the Commission accounts referred to in Article 124 of the Convention and in Article 3 of this Financial Regulation were debited.

SECTION IV

**RESPONSIBILITIES OF AUTHORIZING OFFICERS,
FINANCIAL CONTROLLERS, ACCOUNTING
OFFICERS AND ADMINISTRATORS OF ADVANCE
FUNDS**

Article 35

Without prejudice to Article 122 (3) of the Convention, authorizing officers who, when establishing entitlements to be recovered, or issuing recovery orders, entering into commitments of expenditure or signing payment orders, do so without complying with this Financial Regulation, shall render themselves liable to disciplinary action, and where appropriate, to payment of compensation. The same shall apply if they omit to draw up a document establishing a claim or if they neglect to issue recovery orders or are, without justification, late in issuing them.

Article 36

Financial controllers render themselves liable to disciplinary action and, where appropriate, to payment of compensation for any action taken during their term of office, in particular where they approve expenditure in excess of appropriations.

Article 37

1. Accounting officers shall be liable to disciplinary action and, where appropriate, to payment of compensation as regards payments they make in disregard of Article 30.

They shall render themselves liable to disciplinary action and to payment of compensation as regards any loss or deterioration of the monies, assets and documents in their charge where such loss or deterioration results from an intentional mistake or serious negligence on their part.

Under the same conditions, they shall be responsible for the correct execution of orders received by them in respect of the use and administration of bank and post office giro accounts, and in particular:

- (a) where the recoveries or payments made by them do not agree with the amounts on the corresponding recovery or payment orders;
- (b) where they effect payments to a party other than the entitled payee.

2. Administrators of advance funds shall be liable to disciplinary action and, where appropriate, to payment of compensation:

- (a) where they cannot show due warrant with proper documents for payments made by them;
- (b) where they effect payments to a party other than the entitled payee.

They shall be liable to disciplinary action and to payment of compensation in respect of any loss or deterioration of the monies, assets and documents in their charge as a result of an intentional mistake or serious negligence on their part.

3. Accounting officers and administrators of advance funds shall insure themselves against any risk they may incur under this Article.

The Commission shall cover the relevant insurance costs. It shall specify the categories of officials qualifying as accounting officers or administrators of advance funds and the terms on which it shall cover

the insurance costs borne by the accounting officers or administrators of advance funds in order to protect themselves against the risks involved in their duties.

4. A special indemnity shall be granted to accounting officers and administrators of advance funds.

The sums corresponding to this indemnity shall be credited each month to an account opened by the Commission on behalf of each of these officials in order to establish a guarantee fund to cover any cash or bank shortage for which the person concerned might render himself liable, in so far as such shortage has not been covered by refunds from insurance companies.

The credit balance in these guarantee accounts shall be paid over to the persons concerned after they terminate their appointment as accounting officer or administrator of advance funds and after they have been given final discharge for their financial management.

Article 38

The liability of authorizing officers, financial controllers, accounting officers and administrators of advance funds to payment of compensation and disciplinary action may be determined in accordance with Articles 22 and 86 to 89 of the Staff Regulations of officials of the European Communities.

Article 39

The Commission shall be allowed a period of two years from the date on which the revenue and expenditure account is submitted to take a decision on the final discharge to be given to accounting officers for the transactions relating thereto.

SECTION V

ACCOUNTS

Article 40

1. The accounts shall be kept in ECU, by the double entry method and on the basis of the calendar year. They shall show all revenue and expenditure between 1 January and 31 December of each year and shall be substantiated by supporting documents.

2. The revenue and expenditure account and the balance sheet shall be drawn up by the Commission not later than 15 April of the following year.

3. The revenue and expenditure account shall be drawn up in ECU and shall include the following documents:

(a) a table of revenue showing:

- estimated revenue for the calendar year,
- amendments to the revenue estimates,
- entitlements established in the course of the calendar year,
- amounts still to be collected at the end of the calendar year,
- additional revenue;

(b) a table showing the decisions taken by the Commission or the Council during the calendar year and a table showing the overall situation regarding sums committed;

(c) a table showing the situation regarding delegated appropriations and expenditure authorizations effected during the calendar year and a table showing the overall situation regarding delegated appropriations and expenditure authorizations effected;

The tables referred to in (a), (b) and (c) shall be accompanied by a cumulative statement showing for each recipient country or territory the aggregate figure for the commitment decisions taken, for delegated appropriations granted and for expenditure authorizations effected.

4. The balance sheet shall be drawn up in ECU. It shall set out the assets and liabilities of the EDF as at 31 December of the previous year.

It shall be accompanied by a statement showing the movements and balances of the accounts drawn up on the same date.

Article 41

1. Entries shall be made on the basis of an accounting plan comprising a nomenclature of

budgetary items which makes a clear distinction between the accounts which permit the balance sheet to be drawn up and those which permit the revenue and expenditure account to be drawn up. These entries shall be recorded in books or on cards, which must make it possible to draw up a general monthly balance.

2. The detailed conditions for drawing up and operating the accounting plan shall be defined by the Commission.

SECTION VI

GENERAL PROVISIONS

Article 42

The Court of Auditors shall be notified of the appointment of the authorizing officer, the financial controller, the accounting officer and of the administrator of advance funds, of any delegation of powers pursuant to Articles 9 and 12 and of the accounting plan referred to in Article 41.

TITLE III

IMPLEMENTING MEASURES

SECTION I

EXECUTION OF EDF OPERATIONS ADMINISTERED BY THE COMMISSION

Article 43

The Commission shall take all appropriate measures to provide effective information for the economic operators concerned, in particular by publishing every two months a bulletin containing details of clearly identified projects, up to the stage of their being put out to tender.

Article 44

The Commission shall inform the Council each year of the results of invitations to tender for the preceding year. Where appropriate it shall notify the Council of any measures it has taken or proposes to take to improve the terms of competition for participation in invitations to tender issued by the EDF.

In its report, the Commission shall provide the Council with information enabling it to assess whether the measures taken by the Commission have in fact given all undertakings of the various Member States, of the ACP States and of the associated countries and territories equal opportunity of access to works and supply contracts financed by the EDF.

Article 45

Under Article 127 (2) of the Convention and the

corresponding provisions of the Decision, favourable opinion from the EDF Committee shall be required for the placing of contracts after restricted invitations to tender, the conclusion of contracts by direct agreement and for the performance thereof through public works departments.

However, where they are justified by urgency and by unforeseen circumstances, the above exceptions to the rules governing competition may be authorized by the Commission without a prior opinion from the EDF Committee. In that event, the Commission shall immediately inform the EDF Committee thereof.

Article 46

The results of international competition referred to in this Section and as far as possible of the contracts concluded by direct agreement shall be published as soon as possible in the *Official Journal of the European Communities*.

Article 47

1. Tenders for supply contracts financed by the EDF shall be drawn up and payments made, at the option of the tenderer, in ECU, in the currency of the recipient State, country or territory, in the currency of the country of his registered place of business or in that of the country producing the supplies.

2. Tenders for works contracts and for technical assistance service contracts financed by the EDF

shall be drawn up and payments made in the currency of the recipient State, country or territory.

However, the tenderer may request in his tender that a justified part of the nominal amount of his tender be paid in the currency of the country of his registered place of business or in the currency of one of the Member States on the basis of the conversion rate in force on the first day of the month preceding the month in which the date set for the opening of tenders falls. He may also express this part in ECU on the basis of the conversion rate referred to above.

The justification required under this paragraph shall be assessed in the light of the verifiable facts as regards the real origin of the services to be provided and of the expenditure to which they give rise.

3. Tenders for service contracts in respect of studies financed by the EDF shall be drawn up and payments made, at the option of the contractor, either in ECU or in the currency of the country in which the contractor has his registered place of business.

However, that part of the services provided which corresponds to expenditure in the currency of the recipient State, country or territory shall be paid in that currency. Where the sums to be paid in the various currencies are defined by reference to another currency the conversion shall be effected on the basis of the rate specified in the contract.

4. Where tenders are drawn up in ECU, payments connected with the debt shall, as appropriate, be made in the currency of a Member State or in the currency of a recipient State, country or territory specified in the contract on the basis of the equivalent value of the ECU on the day preceding payment.

5. Where payment is made in the currency of the recipient State, country or territory it must be made through a bank established in the recipient country.

Where payment is made in another currency it must be made through the intermediary of an approved bank or agency established in the country where the contractor has his registered place of business.

SECTION II

FINANCIAL COMMITMENTS

Article 48

1. The financing agreement referred to in Article 115 of the Convention and in the corresponding provisions of the Decision shall specify the amount of the EDF's financial commitment in respect of the operation in question.

2. No expenditure in excess of this amount may be charged to the EDF unless a decision has been taken to commit additional funds thereto under the conditions laid down in Articles 16 to 19 and in Article 58.

The request for the commitment of additional funds shall be addressed to the Commission and appraised under the conditions laid down in Article 117 of the Convention and in the corresponding provisions of the Decision.

Article 49

The transfer agreement referred to in Article 40 of the Convention and in the corresponding provisions of the Decision shall state the data on which calculation of the annual transfer in ECU is based, the currencies in which the transfer of this amount is to be made and, where appropriate, the conditions for the replenishment of the resources made available to the stabilization system referred to in Title II of the Convention.

SECTION III

SPECIAL LOANS

Article 50

1. The decision to grant special loans shall set the limit to the Community's commitment. Contracts relating to such loans, drawn up jointly with the Bank for the parts which concern the latter, shall be concluded by the Commission on behalf of the Community.

2. The amounts of the appropriations corresponding to each loan granted shall be expressed in ECU. If an appropriation is cancelled before all or part of the payments relating thereto have been made the unpaid part shall be regarded as not having been granted.

3. Loans shall be paid in the currency or currencies of the Member States as fixed by the Commission after consultation with the borrower. By way of derogation from Article 34, the sums paid shall be charged against the appropriations on the basis of the conversion rates in force, on the day preceding that of payment, between the ECU and the currency or currencies used for the payment.

4. Reimbursements and interest payments shall be credited to the Community's account with the Bank. The Bank shall recover such reimbursements and interest payments by virtue of special terms of reference conferred upon it by the Commission, acting for the Community, after consulting the EDF Committee.

5. The amounts to be reimbursed and interest due in respect of special loans shall be expressed in ECU. Reimbursements and interest payments shall be made in one or more of the currencies of the Member States, chosen by the borrower.

6. The rates for converting ECU into the currencies of the Member States for the purpose of paying sums due in the form of reimbursements, interest payments and any commission due shall be those in force on the 10th day preceding payment.

Article 51

In accordance with Article 56 of the Convention and the corresponding provisions of the Decision, the implementing measures concerning special loans shall also apply in respect of the aid granted from the special financing facility for the mining sector.

SECTION IV

RISK CAPITAL

Article 52

1. Any decision to grant risk capital shall set a limit in ECU to the Community's commitment and financial responsibilities and to the extent of the rights in the company attaching to such operations.

The instruments giving effect to risk capital operations shall be concluded by the Bank acting as the Community's authorized agent.

2. The Bank, acting for and on behalf of the Community, shall manage the operations referred to in

paragraph 1 which have been the subject of a financing decision by the Board of Directors of the Bank.

3. Following the signing of each contract, the Bank shall communicate to the Commission the estimated dates and amounts of the calls for funds. Whenever called upon by the Bank to do so, the Commission shall pay to it in ECU the amount it needs for carrying out risk capital operations.

4. Payments relating to receipts, income and repayments in respect of risk capital operations shall be credited to the Community's account with the Bank.

SECTION V

SUBSIDIZED LOANS FROM THE BANK

Article 53

1. Pursuant to Article 104 of the Convention and the corresponding provisions of the Decision, the aggregate amount of interest rate subsidies on loans from the Bank shall be calculated in ECU in terms of its current value on the effective date of signing of the loan contract, on the basis of a compound interest rate fixed by the Council and the Bank in agreement with the Commission and hereinafter referred to as 'the current value rate'.

2. The Bank shall make the estimated calculation of current value referred to in paragraph 1 by reference to:

- (a) the date fixed for the signing of the loan contract and the rate of interest applicable on the date the calculation is made;
- (b) an estimated schedule for paying out the loan;
- (c) an estimated schedule for repaying the loan on the basis of the subsidized interest rate;
- (d) an estimated schedule for the amounts required to cover the interest rate subsidies when they fall due.

The Bank shall communicate to the Commission as soon as possible the factors involved in the calculation and the total amount of the interest rate subsidies at their current value on the date fixed for the signing of the loan contract.

3. The up-dated total amount of the interest rate subsidy shall be paid to the Bank by the Commis-

sion on the date fixed for the signing of the loan contract.

4. As soon as a subsidized loan has been fully paid out, account being taken of any cancellation of part of the appropriation, the Bank will carry out the final calculation of the interest rate subsidy relating to the loan taking into account the relevant data, and in particular the date on which the loan contract was signed, the rate of interest being charged by the Bank on that date, the schedule of payments and any adjustments to the schedule of repayments.

Should the result of the final calculation of the interest rate subsidy be at variance with that given by the estimated calculation carried out in accordance with paragraph 2, the Bank shall be entitled to receive payment of a further subsidy by the Commission or, where appropriate, shall be obliged to reimburse any overpayment to the Commission.

5. If all of an appropriation is cancelled or all or part of a loan which has been made is repaid in advance, the Bank shall pay back to the Commission an amount of the subsidy corresponding to the amount of the appropriation or that part of the loan which has been repaid.

6. The sums reimbursed to the Commission will be charged against the amount of 175 million ECU corresponding to EDF grants for financing interest rate subsidies, in accordance with Article 4 of the Internal Agreement.

7. The amounts of the additional payments to be made by the Commission and sums to be reimbursed by the Bank pursuant to paragraphs 4 and 5 will be increased by compound interest and updated at the same rate as that stipulated in paragraph 1 for the period between the date of payment of the updated total amount of the interest rate subsidies and the date of the operation specified in the second subparagraph of paragraph 4. The latter date may not be more than 30 days after the complete or partial cancellation or advance repayment of the subsidized loan.

8. All payments provided for in this Article shall be expressed and made in ECU.

SECTION VI

MANAGEMENT OF THE EXPORT EARNINGS STABILIZATION SYSTEM

Article 54

1. For the calculation in ECU of the reference level and of the actual earnings referred to in Arti-

cles 36 and 37 of the Convention and in the corresponding provisions of the Decision, the exchange rates applicable shall be the average rates in force in the periods to which the amounts concerned refer.

2. For payments relating to the transfers referred to in Articles 39 and 40 of the Convention and in the corresponding provisions of the Decision, the conversion rates to be used between the ECU and the currency or currencies used for payment shall be those in force on the day preceding payment.

3. For payments relating to the contributions towards the replenishment of resources referred to in Article 43 of the Convention and in the corresponding provisions of the Decision, the conversion rates to be used between the ECU and the currency or currencies used for payment shall be those in force on the tenth day preceding payment.

Article 55

In the event of advance use of the following year's instalment, the advances referred to in Article 40 (3) of the Convention and in the corresponding provisions of the Decision shall be reduced proportionately.

Article 56

1. The Commission shall inform the Council every three months concerning the financial situation of the system.

2. The information referred to in paragraph 1 shall be supplemented or updated whenever proposals for transfers are laid before the Member States.

SECTION VII

EXECUTIVE AGENTS

Chapter I

The chief authorizing officer

Article 57

1. The chief authorizing officer of the EDF, referred to in Article 121 of the Convention, shall take all measures necessary for the implementation

of the provisions of Chapter 7 of Title VII of the Convention and the corresponding provisions of the Decision.

2. The chief authorizing officer shall ensure, before the publication of an invitation to tender, that the documents relating to tenders do not contain any direct or indirect discriminatory provisions. He shall ensure that tenders are compared under equal conditions and in particular that the import duties or taxation of the recipient State, country or territory do not constitute an obstacle to participation in invitations to tender.

3. The chief authorizing officer may suspend the publication of a notice of invitation to tender where it is found that corrections must be made to the specifications or other documents in replacement thereof. To this end, he shall inform the relevant authorities of the recipient State, country or territory of his observations.

4. The chief authorizing officer shall ensure that contractors are designated and contracts awarded in compliance with Articles 126 and 128 of the Convention.

Where he deems it appropriate, the chief authorizing officer shall consult experts chosen for their technical competence and their independence *vis-à-vis* the firms concerned by the award of the contract.

Article 58

Under Article 117 of the Convention and the corresponding provisions of the Decision, decisions to commit the additional funds required to cover any excess expenditure incurred under a project shall be taken:

- in accordance with the procedures laid down in Articles 18 and 19 of the Internal Agreement where the excess expenditure is higher than a ceiling of 15 % of the original commitment set out in the financing decision,
- by the chief authorizing officer of the EDF where the excess expenditure is equal to or lower than the 15 % ceiling.

Chapter II

The national authorizing officer

Article 59

In the performance of his duties, as laid down in Article 122 of the Convention, the national authorizing

officer shall comply with the provisions of this Financial Regulation regarding commitment, clearance and authorization of expenditure.

Article 60

Where the chief authorizing officer of the EDF is aware of delays in the procedures relating to projects financed by the EDF he shall, in conjunction with the national authorizing officer, make all contacts necessary to remedy the situation.

If, for any reason whatsoever, services have been rendered but further delay in the clearance, authorization or payment gives rise to difficulties likely to call into question the full performance of the contract, the chief authorizing officer may take all appropriate measures to resolve these difficulties, to remedy, where necessary, the financial consequences of the resultant situation and, more generally, to enable the project or projects to be completed under the best economic conditions. He shall inform the national authorizing officer of such measures as soon as possible. If payments are thus made directly by the Commission to the beneficiary of the contract the Community shall automatically acquire that beneficiary's right as creditor *vis-à-vis* the national authorities.

Chapter III

The Commission delegate

Article 61

During the performance of operations, the delegate shall verify on the spot and on the basis of records that work carried out or services rendered tally with their descriptions as given in the financing agreements, contracts or estimates.

Article 62

The delegate shall comply with this Financial Regulation in the performance of his duties.

Article 63

In the event of failure to comply with this Financial Regulation, of misconduct or gross negligence in the performance of his duties, the delegate shall be answerable to the Commission.

Chapter IV

The paying agent

Article 64

In the performance of its tasks, as laid down in Article 124 of the Convention, the paying agent shall comply with this Financial Regulation.

Article 65

In the event of failure to observe the provisions in force, of misconduct or of gross negligence which entail financial loss for the Community, the paying agent shall be held financially responsible under the conditions and in accordance with the terms laid down in the contract binding it to the Commission.

SECTION VIII

PRESENTING AND AUDITING ACCOUNTS

Article 66

1. The balance sheet and revenue and expenditure account, expressed in ECU, shall be adopted by the Commission at the close of each financial year. Without prejudice to Article 29 (4) of the Internal Agreement, they shall be submitted no later than 15 April of the following financial year to the European Parliament, the Council and the Court of Auditors.

2. The Court of Auditors and its members may in carrying out the task of the Court, seek assistance from officers of the Court.

Tasks delegated to such officers must be specified and limited to the time necessary for their completion. The Court itself or one of its members shall notify these tasks to the authorities with whom the person delegated is to carry out his work.

Article 67

1. The audit carried out by the Court of Auditors shall be based on records and shall, if necessary, be performed on the spot. It shall be concerned with operations and projects financed from EDF resources managed by the Commission and its purpose shall be to establish that all revenue has been

received and all expenditure incurred in a lawful and regular manner with regard to the provisions applicable, and that the financial management has been sound.

2. In the performance of its task the Court of Auditors may, under the conditions laid down in paragraph 4, consult all documents and information relating to the financial management of the departments subject to its inspection; it has the power to hear any official responsible for revenue and expenditure operations and to use any of the auditing procedures appropriate to those departments.

3. The Court of Auditors shall ensure that all securities and cash on deposit or in hand are checked against vouchers signed by the depositaries or against official memoranda of cash and securities held. The Court may itself carry out such checks.

4. The Commission shall provide the Court of Auditors with all the facilities and information which the latter deems necessary for the performance of its task.

In particular, it shall place at the disposal of the Court of Auditors all documents concerning the conclusion and implementation of contracts and all accounts of cash or materials, all accounting records or supporting documents and also the administrative documents pertaining thereto, all documents relating to revenue and expenditure, all inventories, and all lists of posts in the departments which the Court of Auditors may consider necessary.

To this end, officials subject to audit by the Court of Auditors shall in particular:

- (a) make available for inspection their cash in hand and any other cash, securities or assets of any kind, the supporting documents in respect of their management of which they are the depositaries and any books, registers and other documents relating thereto;
- (b) present the correspondence or any other document required for the full implementation of the audits.

The information referred to under (b) may be requested only by the Court of Auditors.

The Court of Auditors shall be empowered to audit the documents in respect of EDF revenue and expenditure which are held by the Commission's departments and, in particular, by the departments responsible for decisions on such revenue and expenditure.

Article 68

1. The Court of Auditors shall communicate to the Commission, not later than 15 July, any observations which it considers should appear in the annual report provided for in Article 206a of the Treaty.

The Commission shall forward its replies to the Court of Auditors not later than 31 October.

2. The Court of Auditors shall attach to its report an assessment of the soundness of the financial management.

3. The Court of Auditors may also, at any time, submit observations on specific questions and deliver opinions at the request of one of the institutions of the Community.

Article 69

The Court of Auditors shall send its annual report, together with the Commission's replies, not later than 30 November to the European Parliament, to the Council and to the Commission and shall ensure its publication in the *Official Journal of the European Communities*.

Article 70

1. Before 30 April of the following year the European Parliament, acting on the recommendation of the Council, shall give the Commission a discharge in respect of the financial management of the EDF for the preceding year, in accordance with Article 29 (3) of the Internal Agreement.

2. The financial controller shall take account of the observations appearing in the decision giving discharge.

3. The Commission shall take all appropriate steps to act on the observations appearing in the decision giving discharge. At the request of the European Parliament or the Council it shall report on the measures taken in the light of these observations and in

particular on the instructions given to those of its departments which are responsible for the management of the EDF. This report shall also be forwarded to the Court of Auditors.

Subject to the second sentence of the preceding paragraph the Commission must, in an Annex to the revenue and expenditure account for the next financial year, give an account of the measures taken further to the observations appearing in the decision giving discharge.

4. The revenue and expenditure account and balance sheet for each financial year and the decision giving the discharge shall be published in the *Official Journal of the European Communities*.

SECTION IX

GENERAL AND FINAL PROVISIONS

Article 71

The sums collected by the Bank either in the form of repayments, interest or charges in respect of special loans or the aid granted from the special financing facility or in the form of products, revenue or repayments from risk capital operations shall be centralized in a special account opened with the Bank on behalf of the Community and denominated in ECU; these sums shall be managed by the Bank.

Article 72

This Financial Regulation shall be applicable for the same period as the Internal Agreement.

Done at Brussels, 17 March 1981.

For the Council
The President
D. F. van der MEI

STATEMENTS FOR COUNCIL MINUTES (*)

1. Re Article 21(4), first subparagraph

The Council and the Commission state:

"At the end of the five-year period, the supporting documents will be filed in the Commission's central archives and will remain at the disposal of the Court of Auditors."

2. Re Article 45, second paragraph

The Council and the Commission state:

"Should the EDF Committee contest the decisions taken by the Commission to authorise a derogation under the second paragraph of Article 45, the Commission will not authorise similar derogations in future."

3. Re Article 47(2), second subparagraph

The Council and the Commission state:

"Where there is an increase in the nominal amount of the contract as a result of either the performance of additional works ordered or a rise in prices outside the country where the contract is being executed, such rise being that recorded by applying the price review procedures, the contractor will be entitled, on presentation of supporting documents, to an increase in the part of the amount of the contract referred to in the second subparagraph of Article 47(2)."

4. Re Article 53(1)

The Council states:

"The compound interest rate (current value rate) to be applied to the aggregate amount of interest rate subsidies referred to in Article 53(1) will be set, on a case-by-case basis for each loan, at the level of three quarters of the annual rate of interest actually being charged by the European Investment Bank on the date of the signing of the loan contract."

(*) See page 493.

5. Re Article 56

The Council states:

"The information referred to in Article 56 shall be supplemented or updated whenever proposals for transfers are laid before the Member States."

6. Re Article 58, second indent

The Council and the Commission state:

"The Commission will inform the EDF Committee on a regular basis concerning decisions to commit additional funds taken by the chief authorizing officer pursuant to the second indent of Article 58."

7. Re Article 66

The Council and the Commission state:

"In order to facilitate the audits carried out by the Court of Auditors on the operations of each financial year, the Commission shall forward to it on a regular basis, during the financial year, records of meetings of the EDF Committee, financing decisions adopted by the Commission of the Council, financing or transfer agreements and any periodic statements relating to the financial situation of current operations."

8. Re Article 67

The Council states:

"1. In no case may the exercise of the powers vested in the Court of Auditors infringe the sovereignty of the recipient States, countries or territories. Should the Court of Auditors wish to carry out audits on the territory of the recipient States, countries or territories, it may do so by agreement with the authorities of the State, country or territory concerned. Such audits would be limited to the inspection arrangements implemented pursuant to the provisions governing EDF operations and would not apply in respect of the execution arrangements which are the responsibility of the national authorizing officer."

2. It is understood that the Court of Auditors may, should it so request, carry out an audit on completion of the contract or estimate relating to an operation or project."

9. Re Article 71

The Council states:

"The procedural arrangements are dealt with in an exchange of letters between the President of the Bank and the President of the Council on remuneration on net funds held in the EEC special accounts with the EIB on the dates 14 December 1978 and 31 January 1979 [see S/2226/78, 4225/79_7]."

COUNCIL DECISION (*)
OF 27. 1. 1981

adopting the Rules of Procedure
of the European Development Fund Committee

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the second ACP-EEC Convention, signed at Lomé on 31 October 1979, hereinafter referred to as the "Convention", and in particular Title VII thereof,

Having regard to the Internal Agreement on the Financing and Administration of Community aid, signed in Brussels on 20 November 1979, hereinafter referred to as the "Internal Agreement", and in particular Article 17(2) thereof,

Having regard to Council Decision 80/1186/EEC of 16 December 1980, on the association of the overseas countries and territories with the European Economic Community ⁽¹⁾, hereinafter referred to as the "Decision", and in particular Title VI thereof,

⁽¹⁾ OJ No L 361, 31.12.1980, p. 1

(*) See also page 523.

Whereas it is for the Council to adopt the Rules of Procedure of the European Development Fund Committee, hereinafter referred to as the "Committee";

Whereas Council Decision 80/1184/EEC, of 18 December 1980 ⁽¹⁾, provides for the replacement of the European unit of account by the ECU to express amounts of financial aid under the second ACP-EEC Convention and the preceding Conventions,

HAS DECIDED AS FOLLOWS:

Sole Article

The Rules of Procedure of the European Development Fund Committee are hereby adopted as set out in the Annex hereto.

Done at Brussels, 27 January 1981
For the Council
The President

(s.) G. BRAKS

⁽¹⁾ OJ No L 349, 23.12.1980, page 34

Rules of Procedure of the European Development Fund Committee

Article 1

1. The Committee shall comprise the delegations of the Member States hereinafter referred to as the "delegations" and shall be chaired by a representative of the Commission.

A representative of the European Investment Bank, hereinafter referred to as the "Bank", shall take part in the Committee's proceedings.

A representative of the General Secretariat of the Council shall attend the Committee's meetings as an observer.

2. The Member States shall inform the Commission and the General Secretariat of the Council of the names of the persons authorized to exercise the right to vote and of the addresses to which communications to the delegations should be sent.

The representatives of the Commission and of the Bank may be assisted by officials or agents of their respective institutions.

3. The Committee may decide unanimously to hear non-governmental experts.

In this case the Commission is authorized to reimburse the travel and subsistence expenses of these experts under the conditions laid down in Article 13(1).

Article 2

The Committee shall meet when convened by its Chairman, either on his own initiative or at the request of a delegation.

Article 3

1. The Committee shall, under the conditions laid down in Article 17(3) and (4) of the Internal Agreement, deliver an opinion on the following proposals:

- (a) financing proposals concerning the projects and programmes referred to in Article 93 of the Convention and in Article 81 of the Decision and on the emergency aid referred to in Article 137 of the Convention and in Article 117 of the Decision, which are eligible for financing by means of grants, special loans or the special financing facility provided for in Article 51 of the Convention or in Article 48 of the Decision;
- (b) financing proposals for an additional commitment exceeding 15% of the initial commitment laid down in the financing decision;
- (c) proposals for substantial amendments regarding the execution of a project for which a commitment has already been made.

2. Pursuant to Article 114(1) of the Convention and to Article 95(1) of the Decision, financing proposals may deal with multiannual programmes or overall amounts where the financing concerns sets of training schemes, microproject programmes or sets of technical co-operation and trade promotion schemes.
3. Pursuant to Article 114(2) of the Convention and to Article 95(2) of the Decision, financing proposals may deal with sets of projects and programmes involving a limited amount in a specific sector.
4. Financing decisions relating to the multiannual programmes or overall amounts referred to in paragraph 2 shall be taken by the Chief Authorizing Officer. The Committee shall be informed periodically and at least once a year of operations undertaken under this heading.
5. Financing proposals shall be drawn up by the Commission departments in accordance with a model laid down by the Committee on a proposal from the Commission. They shall contain in particular an advance time-table for the technical and financial implementation of the project.

For projects or programmes eligible for financing by means of a special loan or the special financing facility provided for in Article 51 of the Convention or Article 48 of the Decision, a draft mandate to be given to the Bank regarding the recovery of the principal and the interest thereon of special loans or of the amounts granted under the special financing facility shall be annexed to the financing proposal.

Article 4

At the meetings of the Committee, each delegation shall give its opinion on the Commission's proposals.

Article 5

1. The Committee shall be informed as soon as possible of any delays or difficulties in executing projects or programmes which might give rise to consultations as provided for in Article 3(1)(b) and (c).
2. The Committee shall also be informed:
 - (a) in accordance with Article 20 of the Internal Agreement, of requests for financing officially submitted to the Commission and set out in a list which shall be updated at regular intervals;
 - (b) in accordance with Article 21 of the Internal Agreement, of the results of work periodically done by the Commission on the evaluation of projects being carried out or completed.
3. The information provided in accordance with paragraphs 1 and 2 may be discussed if any delegation so requests.

Article 5

1. At least three weeks before the date scheduled for a meeting, the Chairman of the Committee shall send to the delegations, the Permanent Representations of the Member States, the Bank and the General Secretariat of the Council a draft agenda in the official languages of the Communities, together with the proposals referred to in Article 3, as well as the Annexes relating thereto.
2. Information memoranda drawn up pursuant to Article 5 shall be sent, in the official languages of the Communities, to the delegations, the Permanent Representations of the Member States, the Bank and the General Secretariat of the Council as soon as possible before the meeting of the Committee.
3. At least three working days before the scheduled date of the meeting, the delegations shall inform the Committee secretariat in writing of the financing proposals on which they are already able to agree and which they propose for entry - with or without observations or a request for further information - in part A of the draft agenda referred to in paragraph 1, and of those which they consider should be discussed at the meeting and which they are proposing for entry in part B.

In the case of the latter financing proposals, the delegations shall also transmit by the same date, wherever possible in writing, their observations and requests for further information.

The further information and the replies to the observations made will be given, wherever possible in writing, before the meeting by the Committee secretariat.

4. On the basis of the various particulars referred to in paragraph 3, the Chairman of the Committee shall prepare the agenda for the meeting and submit it to the delegations for approval at the start of the meeting.

A favourable opinion shall be delivered by the Committee on the financing proposals entered in part A by all delegations, after satisfactory replies have been given to observations or requests for further information by the delegations.

Article 7

1. Exceptionally, for projects or programmes whose implementation is a matter of urgency, particularly in the light of their implementation schedule, the Chairman may bring the matter before the Committee using an accelerated procedure whereby the three-week period referred to in Article 6(1) is reduced to seven working days from the date on which the financing proposals are dispatched.
2. The Committee shall take a decision on the spot, unless any delegation requests either recourse to the written procedure provided for in Article 8, within a period reduced to one week if necessary, or further discussion by the Committee.

Article 8

1. The opinion of the Committee may be sought by means of a written procedure.

If, at the end of three weeks, the Committee has not delivered a favourable opinion on the financing proposal, or if, before the end of this period, a delegation specifically requests that the proposal be the subject of discussion, it shall be examined by the Committee at a subsequent meeting.

2. The Committee shall be notified by telex of recourse to the written procedure.

Article 9

The following procedures shall apply to the emergency aid referred to in Article 137 of the Convention and Article 117 of the Decision:

- (1) where the circumstances call for immediate aid, the Commission is authorized to commit, up to a ceiling of 500,000 ECU, the amounts necessary for covering operations of the utmost urgency. The Chairman of the Committee shall inform the Committee forthwith of such commitments;
- (2) where the ceiling provided for in (1) proves inadequate, a financing proposal shall be submitted to the Committee by telex.

If at the end of three working days, the Committee has not delivered a favourable opinion on the financing proposal or if, before the end of this period, a delegation has requested that the proposal be the subject of discussion, with regard to its substance, the Chairman shall immediately convene the Committee, which shall meet within the period of seven working days provided for in Article 7(1).

Article 10

1. The Committee may deliver a favourable opinion on a financing proposal subject to amendments. Account shall be taken of these amendments when the matter is placed before the Commission, as provided for in paragraph 5.
2. The Committee may request that certain points in the appraisal of a project or programme be re-examined. In particular in such case the financing proposal may be submitted to the Committee a second time.
3. If, after a favourable opinion by the Committee but prior to the signing of the financing agreement, substantive amendments to the financing proposal submitted to the Committee prove necessary, the Commission shall postpone the signing and inform the Committee thereof. If the latter considers that, since its deliberations, the basic facts have changed or no longer obtain, it may request a fresh vote on the financing proposal and any amendments thereto.
4. Any delegation may request that an item be included on the agenda for a Committee meeting. Information supplied regarding the item may be given orally.
5. The opinions delivered by the Committee shall be forwarded to the Commission by the Chairman.

Article 11

In the context of Article 113(3) of the Convention and Article 18(3) of the Internal Agreement, the Committee shall meet as an ad hoc committee to hear the representatives of the ACP State or States concerned.

Article 12

1. The Commission shall provide the secretariat for the Committee and for the ad hoc committee referred to in Article 11.
2. Within three weeks at the latest of the date of the Committee's opinion, the secretariat shall draw up under the Chairman's responsibility and in the official languages of the Communities, a record of the main conclusions of each meeting of the Committee and of the basic positions taken by the delegations. This record shall be considered final when it has been approved by the Committee either by means of the written procedure or at a subsequent meeting. It shall be sent to the Commission by the Chairman of the Committee.
3. The final record shall be sent to the delegations, the Permanent Representations of the Member States, the Bank and the General Secretariat of the Council.
4. Whenever the ad hoc committee referred to in Article 11 meets, a special record shall be drawn up, approved and distributed under the same conditions as those laid down for records of meetings of the Committee. If representatives of the ACP State or States concerned or representatives of the bodies referred to in Article 94 of the Convention have been granted a hearing at the meeting of the ad hoc committee, they shall also receive the special record.
5. Correspondence concerning the Committee shall be addressed to the Commission, for the attention of the Chairman of the Committee. Correspondence addressed to a delegation shall also be sent to the Permanent Representation of the Member State concerned.

Documents relating to the Committee's work and deliberations may be communicated only to the relevant departments of the Member States and of the Community institutions or bodies.

5. Persons attending meetings of the Committee and of the ad hoc committee shall be required to observe the secrecy of these Committees' work and deliberations.

Article 13

1. The operating expenditure of the Committee and of the ad hoc committee, including the travelling expenses of not more than four persons per State or per Community institution or body, shall be charged to the general budget of the European Communities.
 2. The Commission shall place at the disposal of the Committee the premises and facilities necessary for its work.
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STATEMENTS IN THE COUNCIL MINUTES (*)

It agreed to enter the following statements in the minutes:

1. Re Articles 3 and 6

(a) The Council states:

"The Chairman of the Committee, pursuant to Article 6 of the Financial Regulation of the Centre for Industrial Development and Article 6 of the Financial Regulation of the Technical Centre for Agricultural and Rural Co-operation, will refer to the Committee the draft budget adopted by the Committee on Industrial Co-operation and the Subcommittee on Co-operation for Agricultural and Rural Development.

He will refer it to the Committee in accordance with Article 6 of these Rules of Procedure as soon as the draft budget has been adopted.

However, when forwarding the financing proposal he may refer to the draft budget adopted by the Committee on Industrial Co-operation and the Subcommittee for Co-operation on Agricultural and Rural Development."

(b) The Danish delegation states:

"The Danish delegation considers that the third subparagraph of the above Council statement is concerned with the matter of time and not the use of the official languages of the Communities."

(*) See page 511.

2. Re Article 3(5), first subparagraph

The Council states:

"This model was adopted by the Committee at its meeting held on 14 November 1978 and 6 February 1979."

3. Re Article 4

The Council states:

"Should a delegation have to absent itself during a meeting, it may, as an exceptional measure, either inform the Committee secretariat of its position on the Commission proposal(s) or delegate its votes to another delegation and inform the Committee secretariat."

4. Re Article 5(2)(b)

The Council states:

"The information shall also cover overall regional and sectoral assessments."

5. Re Article 6(1)

(a) The Council states:

"It is agreed that the Commission departments will endeavour, by contacting each delegation, to shorten in practice the time taken to forward Committee documents and that the delegations, for their part, will endeavour to shorten the time taken to forward documents to the officials concerned."

(b) The Commission states:

"The Commission will do everything in its power to meet the deadline laid down in Article 6(1)."

(c) The German delegation states:

"The German delegation emphasizes that it reserves the right not to adopt a position in the Committee if the documents in German do not reach it in good time."

6. Re Article 6(3) and (4)

The Council states:

"The agreement of a delegation to the entry of a financing proposal in part A of the provisional agenda of the Committee does not rule out the possibility for that delegation of going back on its decision should it feel this necessary."

7. Re Article 7(1)

(a) The Commission states:

"Projects and programmes whose implementation is a matter of urgency shall cover, in particular, operations involving an imperative implementation schedule and operations whose appraisal has been delayed for reasons unforeseeable to the Community (agricultural projects, school buildings which have to be completed before the start of the new school year, road-building projects which must be carried out outside the rainy season, co-financing which involves special implementation deadlines, etc.)."

(b) The Council and the Commission state:

"As a general rule the Chairman of the Committee should refer to the Committee only projects or programmes the total of which does not exceed 3 million ECU."

8. Re Article 8

(a) The Council and the Commission state:

"The Chairman of the Committee should seek the Committee's opinion by means of the written procedure only on projects or programmes in respect of which it is presumed that an opinion will be delivered without discussion. As a general rule, he should seek the opinion by this procedure only on projects or programmes the total of which does not exceed 2 million ECU."

(b) The Commission states:

"It is of course understood that until the deadline for the procedure is reached, the Commission departments will reply to any requests for clarification from delegations."

(c) The Council states:

"Delegations will request a discussion by the Committee only on questions of substance remaining after the requests for clarification referred to in the above Commission statement."

It will be for the delegation requesting the discussion alone to decide whether a question is one "of substance".

9. Re Article 9

The Council states:

"Information forwarded under the co-ordination procedure to all the Member States will also be forwarded, in the case of the ACP States and the OCT, to the members of the Committee."

10. Re Article 9, point 2

The Council and the Commission state:

"As a general rule, the Chairman of the Committee should refer to the Committee only financing proposals concerning emergency aid, the total of which does not exceed 3 million ECU.

Where the Chairman has to refer to the Committee a financing proposal concerning emergency aid, totalling more than 3 million ECU, he will endeavour to use the normal procedure referred to in Article 6 or the accelerated procedure referred to in Article 7."

11. Re Article 9, point 2, 1st sentence

The Council states:

"The telex will be drafted in accordance with an outline to be defined by the Committee on a proposal from the Commission."

COUNCIL DECISION (*)
OF 23. IV. 1981

adopting the Rules of Procedure of the Committee
set up under the auspices of the European Investment Bank
(the "Article 22 Committee")

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic
Community,

Having regard to the second ACP-EEC Convention, signed at Lomé
on 31 October 1979, hereinafter called the "Convention", and in
particular the provisions thereof on industrial co-operation and
on financial and technical co-operation,

Having regard to the Internal Agreement on the Financing and
Administration of Community Aid, signed in Brussels on
20 November 1979, hereinafter called the "Internal Agreement",
and in particular Article 22(1) thereof setting up under the
auspices of the European Investment Bank, hereinafter called
the "Bank" a Committee composed of Representatives of the
Governments of the Member States hereinafter called "the
Article 22 Committee",

(*) See also page 538.

Having regard to Council Decision SC/1185/EEC of 16 December 1980 on the association of the overseas countries and territories with the European Economic Community (¹), hereinafter called "the Decision", and particularly the provisions thereof on industrial co-operation and on financial and technical co-operation,

Having regard to the opinion of the Bank,

Whereas it is for the Council to adopt the Rules of Procedure of the Committee;

Whereas in accordance with Article 5 of the Decision of the Representatives of the Governments of the Member States of 8 April 1965 on the provisional location of certain institutions and departments of the Communities (²), all the activities of the Bank are carried on in Luxembourg,

HAS DECIDED AS FOLLOWS:

Sole Article

The Rules of Procedure of the Article 22 Committee as set out in the Annex hereto are hereby adopted.

Done at Luxembourg, 28. IV. 1981

For the Council
The President

(s.) J. de KONING

(¹) CJ No L 361, 31.12.1980, page 1
(²) CJ No 152, 13.7.1967, page 18

RULES OF PROCEDURE
of the Article 22 Committee

Article 1

1. The Committee shall comprise the delegations of the Member States, hereinafter called "delegations", and the Bank. The latter shall provide the secretariat of the Committee.

The Committee shall be chaired by the representative of the Member State currently providing the Chairman of the Board of Governors of the Bank.

A representative of the Commission shall take part in the work of the Committee.

A representative of the General Secretariat of the Council shall attend the meetings of the Committee as an observer.

2. The Member States shall inform the Bank and the General Secretariat of the Council of the names of the persons authorized to exercise the right to vote and of the address to which communications to them are to be sent, together with the names of the persons authorized to receive such communications.
3. The Bank, the Commission and the General Secretariat of the Council shall designate their respective representatives. Such representatives may be assisted by officials or staff of their institution. Paragraph 2 shall apply by analogy with regard to the addressees of documents submitted by the Bank.

Article 2

The Committee shall meet when convened by its Chairman, either on his own initiative, at the request of a delegation or at the request of the Bank.

Article 3

1. The Committee shall, under the conditions laid down in Article 22(3) and (4) of the Internal Agreement, deliver an opinion on requests for loans with interest rate subsidies and proposals for financing by risk capital.
2. Documents submitted to the Committee shall be prepared by the Bank.

In addition to the date referred to in Article 23(2) of the Internal Agreement, the documents shall give details of:

- the place of the project in the Community indicative aid programme,
- the development objective which it is intended to achieve,
- the general organization of and the justification for the project,
- its cost and method of financing,
- its local, national and regional impact.

3. The detailed rules governing the technical execution of the project and the timetable for carrying it out shall be summarized in an Annex.
4. However, the Bank may obtain the Committee's opinion on the basis of a blanket authorization of commitments as regards, within the framework of risk capital operations, the financing of specific studies for the preparation of projects, the financing of assistance to firms during the starting-up period and the financing of research and investment in preparation for the launching of projects in the mining and energy sectors referred to in Article 105(2)(b) and (c) of the Convention. The Bank shall inform the Committee of operations undertaken under this heading.

Article 4

1. The Committee shall be informed of any loans without interest rate subsidies which the Bank intends to grant in the petroleum sector.
2. The Committee shall also be informed:
 - (a) pursuant to Article 24(1) of the Internal Agreement, and subject to such adjustments as are necessary to take account of the nature of the operations financed and of the procedures laid down in the Statute of the Bank, of all requests for financing officially submitted to the Bank, irrespective of whether these are selected by its directorates;
 - (b) pursuant to Article 24(2) of the Internal Agreement, of the results of work periodically done by the Bank on the assessment of projects being carried out or completed which have received aid managed by the Bank.
3. The information provided under paragraph 2 may be discussed if one or more delegations so request.

Article 5

1. At least three weeks before the date fixed for a meeting, the Bank shall send to the persons designated pursuant to Article 1(2) and (3) a personal copy of the draft agenda, marked "confidential", together with the documents referred to in Article 3.
2. Any information memoranda drawn up to meet the requirements of Article 4 shall be sent under the same conditions as set out in paragraph 1 and as soon as possible before the Committee meeting.
3. At least three working days before the date of the meeting, each delegation shall inform the Bank of the requests or proposals to which it is already able to agree and which it proposes to enter in part "A" of the draft agenda referred to in paragraph 1, as well as those which it considers must be discussed at the meeting and which it proposes to enter in part "B".

In the latter case and within the same time limit, delegations shall notify the Bank of their comments or requests for further information.

4. On the basis of the various particulars referred to in paragraph 3, the Chairman of the Committee shall draw up the agenda for the meeting which he shall submit to the delegations at the beginning of the meeting for their approval.

The Committee shall be deemed to have delivered a favourable opinion in the case of requests or proposals entered in part "A" by all delegations, after any comments or requests for further information made by delegations have been answered to their satisfaction.

Article 6

1. The opinion of the Committee may, if need be, be sought by means of a written procedure.

If, on expiry of a three-week period, the request or proposal has not obtained the Committee's favourable opinion, or if, before the expiry of that period, a delegation specifically requests that the request or proposal be discussed, the request or proposal shall be examined by the Committee at a subsequent meeting.

2. The Committee shall be informed by telex of use of the written procedure.

Article 7

1. The Committee's favourable opinion may be accompanied by requests for amendments to proposals submitted by the Bank.
2. The Committee may ask for the appraisal of a request or proposal to be supplemented in certain respects. In such an event, in particular, the request or the proposal may be put before the Committee a second time.

Each delegation may request that an item be placed on the agenda for a Committee meeting. Information supplied in this connection may be given orally.

4. The opinions delivered by the Committee shall be forwarded to the Board of Directors of the Bank.

Article 8

In the context of Article 113(3) and (4) of the Convention and Article 23(3) of the Internal Agreement, the Committee shall meet as an ad hoc committee to hear the representatives of the ACP State or States concerned.

Article 9

1. The Bank shall provide the secretariat for the Committee and for the ad hoc committee referred to in Article 8.
2. A record of the main conclusions of each meeting of the Committee and the main standpoints adopted by the delegations shall be drawn up by the secretariat under the responsibility of the Chairman within not more than three weeks following the date of the Committee's opinion. This record shall be considered final when it has been approved by the Committee either by means of the written procedure or at a subsequent meeting.
3. The final record shall be sent to the same addressees and under the same conditions as set out in Article 5(1).
4. Whenever the ad hoc committee meets, a special report shall be drawn up, approved and distributed under the same conditions as the records of meetings of the Committee. If representatives of States other than those referred to in Article 1(1) have been granted a hearing at the meeting of the ad hoc committee, they shall also be sent the special record.
5. Correspondence concerning the Committee shall be addressed to the Bank, for the attention of the Chairman of the Committee. Correspondence addressed to a delegation shall also be sent to the person designated to receive it at the Permanent Representation of the Member State concerned.

6. Those attending meetings of the Committee and of the ad hoc Committee shall be required to observe the secrecy of the Committees' work and deliberations. Documents relating to such work and deliberations shall be reserved exclusively for the use of those to whom they are addressed, who shall be responsible for their safekeeping.

Article 10

1. The operating expenditure of the Committee and of the ad hoc Committee including travel expenses for not more than four persons per delegation or per Community institution, shall be borne by the Bank.
 2. The Bank shall place at the disposal of the Committee the premises and equipment necessary for its work.
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STATEMENTS IN THE COUNCIL MINUTES (*)

1. Re Article 3(1)

The Council states:

"Should a delegation not be represented or have to absent itself during a meeting it may, as an exceptional measure, inform the Committee's secretariat of its position on any of these requests or proposals."

2. Re the third indent of the second subparagraph of Article 3(2)

The Council states:

"The justification for the projects will relate to their economic and social aspects and, without prejudice to the powers of the Board of Directors of the Bank, to their financial aspects. This justification will take into account the benefits or effects expected from the projects.

When setting out this justification the Bank should where necessary take as a basis the principles to be taken into consideration in the Community procedures for programming aid."

3. Re Article 5(3)

The Council states:

"The fact that a delegation agrees to the entry of a request or a proposal as an "A" item on the Committee's provisional agenda does not exclude the possibility of that delegation reconsidering its decision if it considers it appropriate to do so."

(*) see page 529.

4. Re Article 6

(a) The Council and the Bank state:

"The Chairman of the Committee would seek the opinion of the Committee by means of the written procedure only in the case of requests or proposals on which it is presumed that opinions will be delivered without discussion."

(b) The Bank states:

"It is self-evident that until the expiry of the procedural deadline, the Bank's departments will answer any requests for additional information made by delegations."

(c) The Council states:

"Delegations will request a discussion by the Committee only in the case of basic points which are still outstanding after the requests for additional information referred to in the above statement by the Bank.

It is solely for the delegation requesting the discussion to judge whether a point is "basic"."

COUNCIL DECISION (*)(**)

of 13 July 1981

adjusting the amounts made available to the European Development Fund (1979) for the ACP States and for the overseas countries and territories (Saint Vincent and the Grenadines, Republic of Vanuatu)

(81/558/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the 1979 Internal Agreement on the financing and administration of Community aid⁽¹⁾, hereinafter referred to as the 'Internal Agreement', and in particular Article 1 (4) thereof,

Having regard to the proposal from the Commission,

Whereas Saint Vincent, which was associated with the Community under Council Decision 76/568/EEC of 29 June 1976 on the association of the overseas countries and territories, with the European Economic Community⁽²⁾, became independent on 27 October 1979 under the name of Saint Vincent and the Grenadines, whereas, pursuant to the third subparagraph of Article 1 of Council Regulation (EEC) No 3225/80 of 25 November 1980 on the conclusion of the Second ACP-EEC Convention signed at Lomé on 31 October 1979⁽³⁾, Saint Vincent and the Grenadines are considered a signatory State of the Second ACP-EEC Convention, hereinafter referred to as 'the Convention', whereas Saint Vincent and the Grenadines have notified the Convention, which entered into force on 1 January 1981;

Whereas the New Hebrides, which was associated with the Community under Council Decision 76/565 EEC, became independent on 30 July 1980 under the name of the Republic of Vanuatu, whereas the ACP-EEC Council of Ministers approved, by Decision No 1/51, the request of the Republic of Vanuatu to accede to the Convention, whereas that State deposited an instrument of accession with the Secretariat of the Council of the European Communities on 18 March 1981, whereas the Republic of Vanuatu therefore acceded to the Convention, in accordance with Article 185 thereof, on 18 March 1981;

Whereas therefore, in accordance with Article 1 (4) of the Internal Agreement, the amounts indicated for the

overseas countries and territories in Article 1 (3) (b) of that Agreement should be reduced, and the amounts indicated for the ACP States in Article 1 (3) (a) thereof should be correspondingly increased,

HAS DECIDED AS FOLLOWS:

Article 1

Article 1 (3) of the Internal Agreement shall be replaced by the following:

3. The amount stated in paragraph 2 shall be allocated as follows:
- (a) 4 552 million ECU for the ACP States, comprising:
 - 2 938 million ECU in the form of grants,
 - 504 million ECU in the form of special loans,
 - 280 million ECU in the form of risk capital,
 - 550 million ECU in the form of transfers pursuant to Title II (Chapter 1) of the Convention,
 - 280 million ECU in the form of the special financing facility pursuant to Title III, Chapter 1 of the Convention.
 - (b) 75 million ECU for the countries and territories, comprising:
 - 41 million ECU in the form of grants,
 - 27 million ECU in the form of special loans,
 - 7 million ECU in the form of risk capital,
 - for the record in the form of the special financing facility pursuant to the provisions of the Decision relating to mining products.
 - (c) 4 million ECU in the form of transfers for the countries and territories, pursuant to these

(1) OJ No L 147, 22.12.1980, p. 210

(2) OJ No L 176, 1.12.1976, p. 8

(3) OJ No L 147, 22.12.1980, p. 1

(*) OJ No L 203, 23.7.1981, page 47

(**) For the Decision on accession (No 1/81 of the ACP-EEC Council of Ministers), see ACP Compilation Vol. 7, page 33. See also pages 203 and 373 of this Compilation.

provisions of the Decision which concern the system for stabilizing export earnings.'

Done at Brussels, 13 July 1981.

Article 2

This Decision shall apply with effect from 1 May 1981.

For the Council

The President

Lord CARRINGTON

STATEMENT IN THE COUNCIL MINUTES

Re Article 1 of the Decision adjusting the amounts made available to the European Development Fund (1979) for the ACP States and for the overseas countries and territories (Saint Vincent and the Grenadines, Republic of Vanuatu)

(with regard to Article 1(3)(a), first and second lines of the 1979 Internal Agreement on the financing and administration of Community aid

The Council states:

"In the event of the Internal Agreement of 16 December 1980 amending the Internal Agreement on the financing and administration of Community aid on 20 November 1979 entering into force, the Council, acting on a proposal from the Commission by a decision based on Article 1(4) of the 1979 Internal Agreement, will again adjust with effect from the date of entry into force of the Internal Agreement on 16 December 1980 the amounts provided for in Article 1(3)(a), first and second lines of the 1979 Internal Agreement in order to increase each of these amounts by 10 million ECU."

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ACP-EEC COUNCIL OF MINISTERS
BRUSSELS