

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(80) 784 final

Brussels, 24 November 1980

Proposal for a  
COUNCIL REGULATION (EEC)  
concerning the application of Decision No /80 of the ACP-EEC Council of  
Ministers on the transitional measures to be applicable until 31 March 1981

Draft for a  
DECISION OF THE ACP-EEC COUNCIL OF MINISTERS  
on the transitional measures to be applicable until 31 March 1981

Recommendation for a  
COUNCIL DECISION  
on the association of the overseas countries and territories with the  
European Economic Community

Recommendation for a  
COUNCIL DECISION  
amending Council Decision 76/198/EEC on import arrangements for rum, arrack  
and tafia falling within subheading 22.09 C I of the Common Customs Tariff  
and originating in the overseas countries and territories associated with the  
European Economic Community

Draft  
DECISION  
of the Representatives of the Governments of the Member States of the European  
Coal and Steel Community, meeting within the Council, on the opening of tariff  
preferences for products within the province of that Community originating in  
the overseas countries and territories associated with the Community

Draft  
ACP-EEC Joint Declaration

(submitted to the Council by the Commission)

COM(80) 784 final



COMMISSION COMMUNICATION TO THE COUNCIL

Since 1 March 1980 the first Lomé Convention and the Council Decision 76/568/EEC of 29 June 1976 on the association of the overseas countries and territories with the European Economic Community have no longer been applicable.

Transitional arrangements have been made pending the entry into force of the new Convention and the new decision.

Since these arrangements expire on 1 January 1981, by which date the second ACP-EEC Convention will not yet be legally operative, the Commission proposes that they be extended until 31 March 1981.

Under the third paragraph of Article 91 of the Lomé Convention and by virtue of Decision No. 11/79 of 31 October 1979 taken by the ACP-EEC Council of Ministers, the Committee of Ambassadors should be requested to take a decision to enable the relevant provisions of the first Convention to be extended.

Consequently, the Commission's recommendations comprise the following texts:

- i. a draft decision of the ACP-EEC Council of Ministers on the transitional arrangements to be applied as from 1 March 1980, which is designed to extend application of the first Lomé Convention until the second Convention enters into force, and the Council's implementing regulation;
- ii. a draft Council decision extending the provisions of the present Decision on the association of the OCT until a new decision enters into force, which will be on the same date that the second Lomé Convention becomes applicable;
- iii. a draft Council decision extending the provisions of the present Decision on import arrangements for rum, arrack and tafia falling within sub-heading 22.09 C I of the Common Customs Tariff and originating in the OCT;
- iv. a draft decision of the Representatives of the Governments of the Member States of the European Coal and Steel Community, meeting within the Council, extending the provisions of the present Decision opening tariff preferences for products within the province of that Community originating in the OCT associated with the Community.

Recommendation for a  
COUNCIL DECISION

amending Council Decision 76/198/EEC

on import arrangements for rum, arrack and tafia falling within subheading  
22.09 C I of the Common Customs Tariff and originating in the overseas  
countries and territories associated with the European Economic Community

---

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and  
in particular Article 136 thereof,

Having regard to the Recommendation from the Commission,

Whereas it is necessary to maintain in force until 31 March 1981 the  
provisions of Council Decision 76/198/EEC<sup>1</sup> as amended by Decision 80/251/EEC<sup>2</sup>,

HAS DECIDED AS FOLLOWS:

Article 1

Article 8 of Decision 76/198/EEC shall be replaced by the following:

"Article 8

This Decision shall apply until 31 March 1981."

Article 2

This Decision shall enter into force on 1 January 1981.

Done at

For the Council

COMMISSION COMMUNICATION TO THE COUNCIL

Since 1 March 1980 the first Lomé Convention and the Council Decision 76/568/EEC of 29 June 1976 on the association of the overseas countries and territories with the European Economic Community have no longer been applicable.

Transitional arrangements have been made pending the entry into force of the new Convention and the new decision.

Since these arrangements expire on 1 January 1981, by which date the second ACP-EEC Convention will not yet be legally operative, the Commission proposes that they be extended until 31 March 1981.

Under the third paragraph of Article 91 of the Lomé Convention and by virtue of Decision No. 11/79 of 31 October 1979 taken by the ACP-EEC Council of Ministers, the Committee of Ambassadors should be requested to take a decision to enable the relevant provisions of the first Convention to be extended.

Consequently, the Commission's recommendations comprise the following texts:

- i. a draft decision of the ACP-EEC Council of Ministers on the transitional arrangements to be applied as from 1 March 1980, which is designed to extend application of the first Lomé Convention until the second Convention enters into force, and the Council's implementing regulation;
- ii. a draft Council decision extending the provisions of the present Decision on the association of the OCT until a new decision enters into force, which will be on the same date that the second Lomé Convention becomes applicable;
- iii. a draft Council decision extending the provisions of the present Decision on import arrangements for rum, arrack and tafia falling within sub-heading 22.09 C I of the Common Customs Tariff and originating in the OCT;
- iv. a draft decision of the Representatives of the Governments of the Member States of the European Coal and Steel Community, meeting within the Council, extending the provisions of the present Decision opening tariff preferences for products within the province of that Community originating in the OCT associated with the Community.

- 2 -

Lastly, a draft ACP-EEC joint declaration has been drawn up in order to ensure that there is continuity in the operation of the Stabex system during the new transitional period.

ANNEX I

Proposal for a  
COUNCIL REGULATION (EEC)

concerning the application of Decision No /80 of the  
ACP-EEC Council of Ministers on the transitional  
measures to be applicable until 31 March 1981

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas the ACP-EEC Convention of Lomé signed on 28 February 1975 expired on 1 March 1980;

Whereas the second ACP-EEC Convention, signed in Lomé on 31 October 1979, cannot enter into force on 1 January 1981;

Whereas the Committee of Ambassadors established by the 1975 ACP-EEC Convention of Lomé has extended, by Decision No .../80, under the powers delegated to it by Decision No 10/79 of the ACP-EEC Council of Ministers and by virtue of the third paragraph of Article 91 of the said Convention, Decision No 1/80 of the ACP-EEC Council of Ministers of 18 January 1980 on transitional measures to be applied from 1 March 1980 so that it shall be applicable until 31 March 1981;

Whereas it is necessary to take the measures required to implement the abovementioned Decision on extension,

HAS ADOPTED THIS REGULATION:

Article 1

Decision No .../80 of the ACP-EEC Council of Ministers annexed to this Regulation shall apply in the Community with effect from 1 January 1981 until not later than 31 March 1981.

Article 2

This Regulation shall enter into force on 1 January 1981.

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

Done at Brussels,

For the Council

The President



ANNEX II

Draft for a  
DECISION                      OF THE ACP-EEC COUNCIL OF MINISTERS

on the transitional measures to be applicable  
until 31 March 1981

---

THE ACP-EEC COMMITTEE OF AMBASSADORS,

Having regard to the ACP-EEC Convention of Lomé signed on 28 February 1975,  
and in particular the third paragraph of Article 91 thereof,

Having regard to the Agreement on products within the province of the  
European Coal and Steel Community signed in Lomé on 28 February 1975,

Having regard to Decision No 10/79 of the ACP-EEC Council of Ministers  
of 31 October 1979 delegating powers to the ACP-EEC Committee of Ambassadors  
in connection with the adoption of transitional measures on the expiry of  
the Convention of Lomé,

Whereas by virtue of Decision No 1/80 of the ACP-EEC Council of Ministers  
of 18 January 1980, appropriate measures have been taken to maintain in  
force the relevant provisions of the ACP-EEC Convention of Lomé of 1975  
until 31 December 1980;

Whereas the date of 31 December 1980 should be replaced by that of 31 March  
1981 pending the entry into force of the second ACP-EEC Convention, signed  
in Lomé on 31 October 1979,

HAS DECIDED AS FOLLOWS:

Article 1

In Article 1 of Decision No 1/80 of the ACP-EEC Council of Ministers the words "until 31 December 1980" shall be replaced by "until 31 March 1981".

Article 2

The ACP States, the Member States of the Community 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 3

This Decision shall enter into force on 1 January 1981.

Done at Brussels,

For the ACP-EEC Committee of Ambassadors

The Chairman

ANNEX II  
ANNEX III

Recommendation for a  
COUNCIL DECISION

on the association of the overseas countries and territories  
with the European Economic Community

---

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,  
and in particular Article 136 thereof,

Having regard to the Recommendation from the Commission,

Whereas it is necessary to maintain in force until 31 March 1981 the arrangements  
applicable under Council Decision 76/568/EEC of 29 June 1976 on the association  
of the overseas countries and territories with the European Economic Community<sup>1</sup>  
as amended by Decision .../80<sup>2</sup> .....,

HAS DECIDED AS FOLLOWS:

Article 1

Article 54 of Decision 76/568/EEC shall be replaced by the following:

"This Decision shall remain applicable until the entry into force of the new  
provisions implementing the principles contained in Articles 131 to 135 of  
the Treaty establishing the European Economic Community or until 31 March 1981,  
whichever is the earlier."

Article 2

This Decision shall be published in the Official Journal of the European  
Communities.

For the Council

The President

---

<sup>1</sup> OJ No

<sup>2</sup> OJ No

Recommendation for a  
COUNCIL DECISION

amending Council Decision 76/198/EEC

on import arrangements for rum, arrack and tafia falling within subheading  
22.09 C I of the Common Customs Tariff and originating in the overseas  
countries and territories associated with the European Economic Community

---

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and  
in particular Article 136 thereof,

Having regard to the Recommendation from the Commission,

Whereas it is necessary to maintain in force until 31 March 1981 the  
provisions of Council Decision 76/198/EEC<sup>1</sup> as amended by Decision 80/251/EEC<sup>2</sup>,

HAS DECIDED AS FOLLOWS:

Article 1

Article 8 of Decision 76/198/EEC shall be replaced by the following:

"Article 8

This Decision shall apply until 31 March 1981."

Article 2

This Decision shall enter into force on 1 January 1981.

Done at

For the Council

The President

---

<sup>1</sup> OJ No L 37, 12.2.1976, p.24

<sup>2</sup> OJ No

ANNEX V

Draft

DECISION

of the Representatives of the Governments of the Member States of the European Coal and Steel Community, meeting within the Council, on the opening of tariff preferences for products within the province of that Community originating in the overseas countries and territories associated with the Community

---

The Representatives of the Governments of the Member States of the European Coal and Steel Community, meeting within the Council,

Whereas it is appropriate to maintain in force until 31 March 1981 the provisions of Decision 76/570/ECSC<sup>1</sup> as amended by Decision .../.. /ECSC<sup>2</sup>,

In agreement with the Commission,

HAVE DECIDED AS FOLLOWS:

Article 1

Article 6 of Decision ... shall be replaced by the following:

"Article 6

This Decision shall apply until 31 March 1981."

Article 2

This Decision shall be published in the Official Journal of the European Communities.

Done at

For the Council

The President

---

<sup>1</sup> OJ No L 176, 1.7.1976, p.99

<sup>2</sup> OJ No L

ANNEX VI

DRAFT

ACP-EEC Joint Declaration

1. The ACP States and the Community have agreed that, in view of the delay of the entry into force of the second Convention of Lome and having regard to the Joint Declaration concerning the first calendar year of application of the system for the stabilization of export earnings annexed to the minutes of the signing of the said Convention, the first calendar year of application of the system in question shall be 1980. Consequently, the ACP States are requested to submit their requests for transfers for that year by the deadline set in Article 38(1)(a) of that Convention. These requests will be handled in accordance with the provisions on the appraisal of transfer requests contained in the said Convention, namely Articles 25, 28, 29, 30, 36, 37, 38, 39, 40, 41, 45, 46 and 47 thereof.

2. As regards the other aspects of the system not covered by paragraph 1, the provisions of the first Lomé Convention shall continue to apply under the same conditions as those laid down in that Convention and in accordance with Decision No 1/80 of the ACP-EEC Council of Ministers of 18 January 1980.