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HILLMAN

COMMISSION OF THE EUROPEAN COMMUNITIES

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Proposal for a
COUNCIL DECISION

authorizing extension or tacit renewal of
certain trade agreements concluded between
Member States and third countries

(submitted to the Council by the Commission)

COM(78) 133 final

EXPLANATORY MEMORANDUM

1. In implementation of Article 3 of the Council Decision of 16 December 1969 (1) on the progressive standardization of agreements concerning commercial relations between Member States and third countries and on the negotiation of Community agreements, the Commission proposes to the Council that the Member States should be authorized to extend, expressly or tacitly, the trade agreements annexed to the attached proposal for a Council decision. The agreements in question constitute the second batch for 1978 and expire or are due to be terminated between 1 May and 31 July 1978.

The prior consultation specified in Article 2 of this Decision was executed by written procedure. The outcome was the recognition on 15 February 1978 that the conditions under which the agreements could be extended for a further year had been fulfilled.

2. The Commission considers it appropriate to point out, moreover, that the proposals for authorizing the Member States to renew or extend expressly or tacitly, certain agreements in this batch for a further one-year period are by no means indicative of any position it might adopt next time these agreements come up for renewal.

(1) OJ no L 326 of 29.12.1969, p. 39

COUNCIL DECISION

authorizing extension or tacit renewal of certain trade
agreements concluded between Member States and third
countries

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 Council Decision of 16 December 1969 on the progressive
standardization of agreements concerning commercial relations between Member
States and third countries and on the negotiation of Community Agreements (1),
and in particular Article 3 thereof,

Having regard to the proposal from the Commission,

Whereas tacit extension beyond the end of the transitional period has already been
authorized in the case of the Agreements listed in the Annex hereto by the
Council in its Decision of 30 June 1969 (2), 15 September 1969 (3), 20 December
1969 (4), 8 June 1970 (5), 13 July 1970 (6), 25 May 1971 (7), 6 June 1972 (8),
18 June 1973 (9), 17 September 1974 (10), 16 June 1975 (11), 8 April 1976 (12)
and 25 April 1977 (13);

.../...

- (1) OJ No L 326, 29.12.1969, p. 39
(2) OJ No L 169, 10.07.1969, p. 2
(3) OJ No L 238, 23.09.1969, p. 9
(4) OJ No L 6, 09.01.1970, p. 1
(5) OJ No L 133, 18.06.1970, p. 14
(6) OJ No L 157, 18.07.1970, p. 29
(7) OJ No L 122, 04.06.1971, p. 24
(8) OJ No L 133, 10.06.1972, p. 61
(9) OJ No L 189, 11.07.1973, p. 45
(10) OJ No L 266, 02.10.1974, p. 1
(11) OJ No L 162, 25.06.1975, p. 10
(12) OJ No L 101, 15.04.1976, p. 53
(13) OJ No L 120, 13.05.1977, p. 17

Whereas the Member States concerned have requested authorization or renew these Agreements with a view to avoiding interruption in their external relations with the third countries concerned based on agreement;

Whereas authorization has to be granted only for the maintenance of trade relations between the Member States and the third countries concerned, based on agreements, pending their replacement by Community Agreements to be negotiated; whereas such authorization would not, therefore, in any way modify the obligation of the Member States to avoid and, where appropriate, eliminate any incompatibility between such agreements and the provisions of Community Law;

Whereas, furthermore, the provisions of the instruments to be either extended or renewed would not, during the period under consideration, constitute an obstacle to the implementation of the common commercial policy;

Whereas the Member States concerned have declared that the extension or tacit renewal of these Agreements would prevent neither the opening of Community negotiations with the third countries concerned nor the transfer of the commercial fabric thereof to Community Agreements, nor would it, during the period envisaged, hinder the adoption of the measures necessary to complete the standardization of the import systems of the Member States;

Whereas, at the conclusion of the consultations provided for in Article 2 of the Decision of 16 December 1969, it was established, as the aforesaid declarations by the Member States confirm, that the provisions of the Agreements to be extended or renewed would not, during the period envisaged, constitute an obstacle to the implementation of the common commercial policy;

Whereas, in these circumstances, the Agreements may be either extended or tacitly renewed for a limited period,

HAS ADOPTED THIS DECISION:

Article 1

The trade agreements listed in the Annex hereto between Member States and third countries may be extended or tacitly renewed up to the dates specified in each case in the said Annex.

Article 2

This Decision is addressed to the Member States.

Done at

For the Council
The President

BILAG - ANHANG - ANNEX - ANNEXE - ALLEGATO - BIJLAGE

Medlemsstat	Tredjeland	Aftalens art og datering		Udløb efter forlængelse
Mitgliedstaat	Drittland	Art und Datum des Abkommens		Ablauf nach Verlängerung
Member State	Third country	Type and date of agreement		Extended until
Etat membre	Pays tiers	Nature et date de l'accord		Echéance après reconduction
Stato membro	Paese terzo	Natura e data dell'accordo		Scadenza dopo il rinnovo
Lid-Staat	Derde land	Aard en datum van het akkoord		Vervaldatum na verlenging
BENELUX	Israël	Accord commercial	29.08.1958	31.08.1979
	Portugal	Accord commercial	24.05.1961	30.09.1979
	Philippines	Accord commercial	14.03.1967	11.10.1079
IRELAND	Portugal	Trade agreement	06.02.1952	31.12.1979
	Spain	Trade agreement	19.12.1951	31.12.1979
	Switzerland	Trade agreement	26.12.1951	31.12.1979
ITALIA	Cuba	Scambio di note	09.09.1950	08.09.1979
	India	Accordo commerciale	06.10.1959	30.06.1979
		Scambio di lettere	07.07.1964	
	Libano	Accordo commerciale	04.11.1955	10.09.1979
	Svezia	Accordo commerciale	18.12.1961	31.10.1979
	Svizzera	Accordo commerciale	21.10.1950	31.10.1979
	Yemen	Protocollo addizionale (al trattato d'amicizia e di relazioni economiche del 04.09.1937)	05.10.1959	31.12.1979
DANMARK	Cameroun	Handelsaftale	08.10.1962	07.10.1979
DEUTSCHLAND	Ecuador	Handelsabkommen	01.08.1953	15.10.1979
	Kolumbien	Handelsabkommen	09.11.1957	10.11.1979
UEBL	Mexique	Accord commercial	11.09.1950	11.09.1979
UNITED KINGDOM	Haiti	Exchange of letters for the establishment of a commercial "Modus vi- vendi"	25.02.1928	31.12.1979
	Iceland	Agreement relating to trade and commerce (with Protocol)	19.05.1933	31.12.1979
	Norway	Trade agreement	15.12.1950	31.12.1979