

ACP – EEC CONVENTION OF LOME

(signed 28 February 1975)

COMPILATION OF TEXTS

IV

1 Octobre 1978 - 31 December 1979

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I. ACP-EEC ACTS

1. ACTS OF THE COUNCIL OF MINISTERS ⁽¹⁾

⁽¹⁾ For reasons of internal procedure there is no Decision No 5/79

DECISION No 4/78 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 21 DECEMBER 1978

derogating from the definition of the concept
of originating products to take into account
the special situation of Kenya
with regard to certain items of fishing tackle
(fishing flies) ⁽¹⁾

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé, signed on
28 February 1975 (hereinafter referred to as "the Convention"), and
in particular Article 9(2) thereof,

⁽¹⁾ See implementing Regulation No 215/79 of the Council, p. 108.

Whereas Article 27 of Protocol 1 to the Convention, concerning the definition of the concept of "originating products" and methods of administrative co-operation, makes provision for derogations from the rules of origin 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 the Republic of Kenya for a derogation from the definition set out in Protocol 1 for items of fishing tackle manufactured in that State;

Whereas, in accordance with Article 27 of Protocol 1, the Customs Co-operation Committee has adopted a report on this request;

Whereas in order to take into account the special situation of the Republic of Kenya and to enable the relevant industrial sector to develop its industry and to examine the possibility of using Community products for the manufacture of the articles in question, a derogation should be made for 18 months, which should meet this request;

Whereas any possible deflection of trade should be avoided; whereas this aim 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 1, items of fishing tackle manufactured in Kenya and falling within CCT heading No ex 97.07 "fishing flies", shall be considered as originating in Kenya provided that the value of the non-originating fish-hooks used for their manufacture, falling within CCT heading No ex 97.07, does not exceed 25% of the value of the finished product.

Article 2

The movement certificates EUR 1, issued for originating products by virtue of the derogation contained in Article 1 shall contain in box 7 "remarks" one of the following endorsements:

- "Derogation fishing flies",
- "Undtagelse fluer til fiskeri",
- "Afwijking kunstvliegen voor de visserij",
- "Dérégation mouches pour la pêche",
- "Abweichung Fliegen zum Flugangeln",
- "Deroga mosche per la pesca".

Article 3

The competent authorities of the Republic of Kenya 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, indicating the Member States of destination.

Article 4

The ACP States, the Member States and the Community shall each take the measures required to implement this Decision.

Article 5

This Decision shall enter into force on 1 June 1978.

It shall apply until 31 December 1979.

Done at Brussels, 21 December 1978
For the ACP-EEC Council of Ministers
The President

(s.) K. von DOHNANYI

DECISION No 5/78 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 21 DECEMBER 1978

derogating from the definition
of the concept of "originating products"
to take into account the special situation
of Malawi with regard to
certain items of fishing tackle (fishing flies) ⁽¹⁾

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé, signed on
28 February 1975 (hereinafter referred to as "the Convention"),
and in particular Article 9(2) thereof,

⁽¹⁾ See implementing Regulation No 216/79 of the Council, p. 109.

Whereas Article 27 of Protocol 1 to the Convention, concerning the definition of the concept of "originating products" and methods of administrative co-operation, makes provision for derogations from the rules of origin 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 the Republic of Malawi for a derogation from the definition set out in Protocol 1 for items of fishing tackle manufactured in that State;

Whereas, in accordance with Article 27 of Protocol 1, the Customs Co-operation Committee has adopted a report on this request;

Whereas, in order to take into account the special situation of the Republic of Malawi and to enable the relevant industrial sector to develop its industry and to examine the possibility of using Community products for the manufacture of the articles in question, a derogation should be made for 18 months which should meet this request;

Whereas any possible deflection of trade should be avoided; whereas this aim 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 1, items of fishing tackle manufactured in Malawi and falling within CCT heading No ex 97.07 "fishing flies", shall be considered as originating in Malawi, provided that the value of the non-originating fish-hooks used for their manufacture, falling within CCT heading No ex 97.07, does not exceed 25% of the value of the finished product.

Article 2

The movement certificates EUR 1 issued for originating products by virtue of the derogation contained in Article 1 shall contain in box 7 "remarks" one of the following endorsements:

- "Derogation fishing flies",
- "Derogation mouches pour la pêche";
- "Undtagelse fluer til fiskeri",
- "Abweichung Fliegen zum Flugangeln",
- "Deroga mosche per la pesca",
- "Afwijking kunstvliegen voor de visserij".

Article 3

The competent authorities of the Republic of Malawi 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, indicating the Member States of destination.

Article 4

The ACP States, the Member States and the Community shall each take the measures required to implement this Decision.

Article 5

This Decision shall enter into force on 1 June 1978.

It shall apply until 31 December 1979.

Done at Brussels, 21 December 1978
For the ACP-EEC Council of Ministers
The President

(s.) K. von DOHNANYI

DECISION No 6/78 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 21 DECEMBER 1978

approving the accession of Dominica
to the ACP-EEC Convention of Lomé ⁽¹⁾

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé signed on
28 February 1975, and in particular Article 89 thereof,

(¹) See instrument of accession, Decision No 4/79 of the ACP-EEC Council of Ministers, Council Decision 78/976, Council Regulation No 527/79 and Council Decision 79/309, on pp. 82, 24, 87, 90 and 113 respectively.

Whereas a request for accession to the ACP-EEC Convention of Lomé has been submitted by Dominica;

Whereas the provisions of Part Four of the Treaty establishing the European Economic Community apply to that country;

Whereas Dominica achieved independence on 3 November 1978,

HAS DECIDED AS FOLLOWS:

Article 1

The request for accession to the ACP-EEC Convention of Lomé submitted by Dominica is hereby approved.

Article 2

This Decision shall enter into force on 21 December 1978.

Done at Brussels, 21 December 1978
For the ACP-EEC Council of Ministers
The President

(s.) K. von DOHNANYI

DECISION No 7/78 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 21 DECEMBER 1978

approving the accession of Tuvalu
to the ACP-EEC Convention of Lomé ⁽¹⁾

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé signed on
28 February 1975, and in particular Article 89 thereof,

(¹) See instrument of accession, Decisions Nos 1/79 and 4/79 of the ACP-EEC Council of Ministers, Council Decision 78/827, Council Regulation No 527/79 and Council Decision 79/309, on pp. 81, 14, 24, 86, 90 and 113 respectively.

Whereas a request for accession to the ACP-EEC Convention of Lomé has been submitted by Tuvalu;

Whereas the provisions of Part Four of the Treaty establishing the European Economic Community apply to that country;

Whereas Tuvalu became independent on 1 October 1978,

HAS DECIDED AS FOLLOWS:

Article 1

The request for accession to the ACP-EEC Convention of Lomé submitted by Tuvalu is hereby approved.

Article 2

This Decision shall enter into force on 21 December 1978.

Done at Brussels, 21 December 1978
For the ACP-EEC Council of Ministers
The President

(s.) K. von DOHNANYI

DECISION No 1/79
OF THE ACP-EEC COUNCIL OF MINISTERS
OF 7 MARCH 1979

regarding the scope
of Article 17(4)
of the ACP-EEC Convention of Lomé ⁽¹⁾

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé, signed on 28 February 1975, hereinafter called "Convention", and in particular Article 17(4) thereof,

⁽¹⁾ Inclusion of Cape Verde, the Solomon Islands and Tuvalu in this list.

Whereas the export earnings to which the stabilization system applies are those accruing from the exportation, by the ACP States to the Community, of the products listed in Article 17(1) of the Convention but whereas, pursuant to Article 17(4), in certain special cases the system is to apply to exports of the products in question irrespective of destination;

Whereas the ACP States to which Article 17(4) applies were specified in the joint statement regarding Article 17(4), which is annexed to the minutes of the final ACP-EEC negotiations, and in Decision No 4/77 of the ACP-EEC Council of Ministers; whereas, pursuant to the aforementioned statement, it may be decided by common agreement that the list of these countries is to be amended;

Whereas, at its second meeting on 13 and 14 April 1977, the ACP-EEC Council of Ministers agreed that a decision extending the list of countries benefiting from the derogation provided for in Article 17(4) of the Convention should be taken in respect of Cape Verde as soon as that country's accession to the Convention had become fully effective; whereas the accession of the Republic of Cape Verde took effect on 1 November 1978 and the decision in question should therefore be adopted;

Whereas, moreover, prior to their accession, the Solomon Islands and Tuvalu benefited from an identical special arrangement by virtue of their association with the European Economic Community as overseas territories and should therefore continue to benefit therefrom,

HAS DECIDED AS FOLLOWS:

Article 1

The Republic of Cape Verde, the Solomon Islands and Tuvalu shall be included in the list of ACP States benefiting from the special arrangement provided for in Article 17(4) 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.

Article 3

This Decision shall apply to the Republic of Cape Verde, to the Solomon Islands and to Tuvalu from the respective dates on which they become parties to the Convention.

Done at Brussels, 7 March 1979

For the ACP-EEC Council of Ministers
By the ACP-EEC Committee of Ambassadors
The Chairman

(s.) L. de La BARRE de NANTEUIL

DECISION No 2 /79
OF THE ACP-EEC COUNCIL OF MINISTERS
OF 23 MARCH 1979

derogating from the concept of "originating products"
to take account of the special situation of Mauritius
with regard to its production of canned tuna (1)

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé signed on
28 February 1975 hereinafter called "the Convention", and
in particular Article 9(2) thereof,

(1) See implementing Regulation No 927/79 of the Council,
p. 110.

Whereas Article 27 of Protocol No 1 to the Convention concerning the definition of the concept of "originating products" and methods of administrative co-operation, states that derogations from the rules of origin may be made, 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 the said Protocol for canned tuna produced by that State;

Whereas in order to catch fish for its canneries Mauritius has decided to set up its own fleet of vessels so that the finished products are originating products within the meaning of Protocol No 1 to the Convention;

Whereas the fleet will become operational only in about one year's time;

Whereas, in accordance with Article 27 of Protocol No 1, the Customs Co-operation Committee has adopted a report on the said request;

Whereas the derogation accorded for 1978, taken together with that envisaged for 1979, represents a period of time sufficient to allow the Mauritian authorities to resolve their problem in obtaining originating raw materials; whereas the present derogation is therefore to be limited to a maximum period of twelve months;

Whereas in these circumstances a temporary derogation may be made from the definition of the concept of originating products,

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 tariff heading No ex 16.04 shall be considered as originating in Mauritius subject to the following conditions.

Article 2

This derogation shall relate to 1,600 tonnes of canned tuna falling within tariff heading No ex 16.04 and exported from Mauritius between 25 November 1978 and 24 November 1979.

Article 3

The movement certificates EUR 1 issued for originating products by virtue of the derogation contained in Article 1 shall contain in box 7 "Remarks" one of the following endorsements:

- "Dérégation thons"
- "Abweichung Thunfisch"
- "Derogation tuna fish"
- "Deroga tonno"
- "Afwijking tonijn"
- "Undtagelse tunfisk".

Article 4

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 pursuant to this Decision.

Article 5

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 6

This Decision shall enter into force on 25 November 1978. It shall apply until 24 November 1979.

Done at Freeport, 23 March 1979

For the ACP-EEC
Council of Ministers

The Chairman

(s.) J. FRANCOIS-PONCET

DECISION No 3/79 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 23 MARCH 1979

approving the accession of St Lucia
to the ACP-EEC Convention of Lomé ⁽¹⁾

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé and in
particular Article 89 thereof,

⁽¹⁾ See instrument of accession, p. 83, and
Council Decision 79/280, p. 89.

Whereas a request for accession to the ACP-EEC Convention of Lomé was submitted by St Lucia on 16 February 1979;

Whereas the provisions of Part Four of the Treaty establishing the European Economic Community apply to that country;

Whereas St Lucia achieved independence on 22 February 1979,

HAS DECIDED AS FOLLOWS:

Article 1

The request for accession to the ACP-EEC Convention of Lomé submitted by St Lucia is hereby approved.

Article 2

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

It shall apply from 22 February 1979.

Done at Freeport on 23 March 1979
For the ACP-EEC Council of Ministers
The President
(s.) J. FRANCOIS-PONCET

DECISION No 4/79
OF THE ACP-EEC COUNCIL OF MINISTERS
OF 23 MARCH 1979

amending the list of least-
developed ACP States. ⁽¹⁾

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé, signed on
28 February 1975, hereinafter referred to as the "Convention",
and in particular Article 48(2) and (3) thereof,

⁽¹⁾ Inclusion of Djibouti, the Solomon Islands, Sao Tomé
and Principe, Cape Verde, Tuvalu and Dominica in this list.

Whereas the Republic of Djibouti acceded to the Convention on 2 February 1978, the Solomon Islands on 27 September 1978, the Democratic Republic of Sao Tomé and Príncipe on 1 November 1978, the Republic of Cape Verde on 1 November 1978, Tuvalu on 17 January 1979 and Dominica on 26 February 1979; whereas these States are in an economic situation comparable to that of the ACP States listed in Article 48(2) of the Convention and whereas they should therefore be added to the list appearing in Article 48(2) of the Convention,

HAS DECIDED AS FOLLOWS:

Article 1

The Republic of Djibouti, the Solomon Islands, the Democratic Republic of Sao Tomé and Príncipe, the Republic of Cape Verde, Tuvalu and Dominica shall be added to the list of ACP States appearing in Article 48(2) of the Convention, as from their date of accession.

Article 2

The ACP States, the Member States and the Community shall within their respective areas of competence, take the necessary steps to implement this Decision.

Done at Freeport, 23 March 1979

For the ACP-EEC Council of Ministers

The President

(s.) J. FRANCOIS-PONCET

DECISION N° 6/79 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 23 MARCH 1979

on the fiscal and customs arrangements
applicable in the ACP States
to contracts financed
by the Community

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé ⁽¹⁾, signed
on 28 February 1975, and in particular Article 60 thereof,

⁽¹⁾ OJ No L 25, 30.1.1976, p. 1

Whereas the fiscal and customs arrangements applicable in the ACP States to contracts financed by the Community should be adopted,

HAS DECIDED AS FOLLOWS:

Article 1

1. The ACP States shall apply to contracts financed by the Community fiscal and customs arrangements no less favourable than those applied vis-à-vis the most favoured State or most favoured international development organization.

For the purposes of applying the first subparagraph no account shall be taken of arrangements applied to ACP States or other developing countries.

2. Subject to paragraph 1 the ACP States shall apply to contracts financed by the Community the arrangements laid down in Articles 2 to 12 of this Decision.

Article 2

1. Contracts financed by the Community shall not be subject in the beneficiary ACP State to stamp or registration duties or fiscal charges having equivalent effect, whether such charges exist or are to be instituted.

They may, however, be subject to the formality of registration, in accordance with the laws in force in the ACP States. This formality may entail the collection of fees which do not exceed the cost of the deed and which correspond to payment for the service provided, in accordance with the legal provisions in force in each ACP State concerned.

2. By way of derogation from paragraph 1 and until 1 March 1980 at the latest, those ACP States which on 1 January 1978 applied to contracts financed by the Community stamp and registration duties or fiscal charges having equivalent effect may, on a temporary basis, continue to apply them provided that they have by 31 December 1979 notified the ACP-EEC Council of Ministers of the laws or regulations applicable in the matter at 1 January 1978.

Article 3

1. Study, inspection or supervision contracts financed by the Community shall not give rise to turnover tax in the beneficiary ACP State.
2. Profits arising from carrying out works, study, inspection or supervision contracts financed by the Community shall be taxable according to the internal fiscal arrangements of the ACP State concerned, provided that the natural or legal persons who realized such profits in that State have a permanent place of business there or that the contracts take longer than six months to carry out.

Article 4

1. Imports under a supply contract financed by the Community shall cross the customs frontier of the beneficiary ACP State without being subject to customs duties, import duties, taxes or fiscal charges having equivalent effect.

2. Where a supply contract financed by the Community involves a product originating in the beneficiary ACP State, the contract shall be concluded on the basis of the ex-works price of the supplies in question, to which shall be added the internal fiscal charges applicable in the ACP State to those supplies.
3. The exemptions shall be expressly provided for in the text of the contract.

Article 5

Fuels, lubricants and hydrocarbon binders and, in general, all materials used in the performance of a works contract financed by the Community shall be deemed to have been purchased on the local market and shall be subject to the fiscal rules applicable under the national legislation in force in the beneficiary ACP State.

Article 6

Firms which must import professional equipment in order to carry out works contracts shall, if they so request, benefit from the system of temporary admission as defined by the national legislation of the beneficiary ACP State in respect of the said equipment.

Article 7

Professional equipment necessary for carrying out tasks defined in a study, inspection or supervision contract shall be temporarily admitted into the beneficiary ACP State or States free of fiscal, import and customs duties and of other charges having equivalent effect where these duties and charges do not constitute remuneration for services rendered.

Article 8

1. Personal and household effects imported for personal use by natural persons, other than those recruited locally, engaged in carrying out tasks defined in a study, inspection or supervision contract shall be exempt from customs duties, import duties, taxes and other fiscal charges having equivalent effect, within the limits of the national legislation of the beneficiary ACP State.
2. These provisions shall also apply to members of the families of the persons referred to in paragraph 1.

Article 9

1. The Commission Delegate and the staff appointed to the Delegations, with the exception of staff recruited locally, shall be exempt from all direct taxes in the ACP State in which they are installed.
2. The staff referred to in paragraph 1 shall also be covered by Article 8.

Article 10

The ACP States shall grant exemption from all national or local duties or fiscal charges on the interest, commission and amortization due on assistance given by the Community in the form of special loans, subordinated or conditional loans through risk capital or loans from the own resources of the Bank, as referred to in Article 3, Article 4(3) and Article 5 of Protocol No 2 to the Convention on the application of financial and technical co-operation.

Article 11

Any matter not covered by this Decision shall remain subject to the national legislation of the States party to the Convention.

Article 12

The above provisions shall apply to the performance of all contracts financed by the Community and concluded subsequent to the entry into force of this Decision.

Article 13

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

This Decision shall enter into force on 23 March 1979.

Done at Freeport, 23 March 1979

For the ACP-EEC Council of Ministers

The President

(s.) J. FRANCOIS-PONCET

DECISION No 7/79 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 23 MARCH 1979

delegating to
the Committee of Ambassadors
the authority to adopt the annual report of
the Council of Ministers

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé, signed on
28 February 1975, and in particular Articles 74(5), 80(4) and
75 thereof,

Whereas, under these Articles, the Council of Ministers shall
each year submit a report on its activities to the Consultative
Assembly, and shall publish an annual report and such other
information as it considers appropriate,

Whereas it has seemed advisable that these reports should also
concern the most recent activities of the Council of Ministers,
including those at its meeting on 22 March 1979, and whereas,
therefore, the Council of Ministers was unable to adopt these
reports at the said meeting,

Whereas the Council of Ministers may, where necessary, delegate any of its powers to the Committee of Ambassadors,

Whereas it is therefore necessary for the Council to delegate to the Committee of Ambassadors the authority to adopt the report on the activities of the Council of Ministers to the Consultative Assembly and to decide on its publication as an annual report as soon as possible,

HAS DECIDED AS FOLLOWS:

Article 1

The Council of Ministers hereby delegates to the Committee of Ambassadors the authority to adopt, in accordance with Article 80(4) of the Convention, the annual report on the activities of the Council of Ministers (1978/1979) to the Consultative Assembly and to decide on its publication as an annual report in accordance with Article 74(5) of the Convention.

Article 2

The ACP States, the Member States and the Community shall be bound, each to the extent to which they are concerned, to take the necessary steps to implement this Decision.

Done at Freeport, 23 March 1979
For the ACP-EEC Council of Ministers
The President
(s.) J. FRANCOIS-PONCET

DECISION No 8/79 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 11 OCTOBER 1979

approving the accession of the Republic of Kiribati
to the ACP-EEC Convention of Lomé (')

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé signed on
28 February 1975, and in particular Article 89 thereof,

Whereas a request for accession to the ACP-EEC Convention of Lomé was submitted by the Republic of Kiribati on 25 September 1979;

Whereas the provisions of Part Four of the Treaty establishing the European Economic Community apply to that country;

Whereas the Republic of Kiribati became independent on 12 July 1979,

HAS DECIDED AS FOLLOWS:

Article 1

The request for accession to the ACP-EEC Convention of Lomé submitted by the Republic of Kiribati is hereby approved.

Article 2

This Decision shall enter into force on 11 October 1979.

Done at Brussels, 11 October 1979
For the ACP-EEC Council of Ministers
The President

(s.) M. O'KENNEDY

DECISION N° 9/79
OF THE ACP-EEC COUNCIL OF MINISTERS
OF 31 OCTOBER 1979

concerning the use in advance
of a portion of the 1979 instalment of the resources
allocated to the stabilization system for earnings
from exports set up by
the Convention of Lomé

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to Article 18(2) of the Lomé Convention,

Whereas the amount of resources available for the transfers under the stabilization system for earnings from exports renders it impossible to remain within the limit of the annual instalment for the financial year 1978;

Whereas therefore the Council of Ministers should authorize the use in advance of a portion of the 1979 instalment,

HAS DECIDED AS FOLLOWS :

Article 1

The use in advance of part of the instalment for 1979 is hereby authorized for the purposes of the transfers to be set against the 1978 financial year under the system of Stabilization of export earnings.

Article 2

The Commission is authorized to take the decisions required for implementing the transfers referred to in Article 1.

Done at Lomé, 31 October 1979
For the ACP-EEC Council of Ministers
The President

(s.) M. O'KENNEDY

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

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the ACP-EEC Convention of Lomé signed on
28 February 1975, hereinafter referred to as the "Convention
of Lomé", and in particular Article 75 and Article 91,
third paragraph thereof,

Whereas the Convention of Lomé expires on 1 March 1980;

Whereas provision should be made for the adoption of the necessary transitional measures in the event that the new Convention, which was signed on 31 October 1979, does not enter into force on the date of expiry of the Convention of Lomé,

HAS DECIDED AS FOLLOWS:

Article 1

The Council shall delegate to the Committee of Ambassadors the powers referred to in Article 91, third paragraph of the Convention of Lomé to take the necessary transitional measures until the entry into force of the Second Convention of Lomé.

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.

Done at Lomé, 31 October 1979
For the ACP-EEC Council of Ministers
The President

(s.) M. O'KENNEDY

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 1979/1980 (¹)

Brussels, 15 October 1979

Sirs,

1. The representatives of the ACP States referred to in Protocol No 3 on ACP sugar annexed to the ACP-EEC Convention of Lomé, 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 1979 to 30 June 1980 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, 34.13 ECU per 100 kilograms;
- (b) for white sugar, 42.30 ECU per 100 kilograms.

These prices, which represent an increase of 1.5% over those of the preceding year, shall refer to sugar of standard quality as defined in Community legislation, unpacked, c.i.f. European ports of the Community.

2. It is noted by the parties to the agreement that, having regard to market conditions generally and to other relevant factors and following discussions with the importers, the ACP States concerned strongly hoped that it would be possible to secure, in addition to the agreed guaranteed prices, a premium on Community markets during the delivery period 1979/1980.

(¹) See Council Regulation No 2298/79 of 15 October 1979 and Commission communication, pp. 111 and 112.

3. Although retroactivity is not provided for in respect of the 1979/1980 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 3 annexed to the ACP-EEC Convention of Lomé.

4. It was noted that the Council of Ministers of the Community had not authorized the inclusion of any factor in respect of freight charges in the determination of the guaranteed prices for the delivery period 1979/1980. The ACP States reiterated their concern at the burden of these charges and requested that the subject should remain open for further consideration. The Community took note of this request.

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 above-mentioned ACP States and the Community.

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

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

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

Je vous prie d'agr eer, Messieurs, l'assurance de ma plus haute consid eration.

Vogliate gradire, Signori, i sensi della mia pi  alta considerazione.

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

For R det for De europ iske F llesskaber
F r den Rat der Europ ischen Gemeinschaften
For the Council of the European Communities
Pour le Conseil des Communaut  europ ennes
Per il Consiglio delle Comunit  europee
Voor de Raad der Europese Gemeenschappen

D. F. Williamson

Sir,
Hr. Formand,
Herr Präsident!
Monsieur le Président,
Signor Presidente,
Mijnheer de Voorzitter,

Brussels, 15 OCT 1979

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 3 on ACP sugar annexed to the ACP-EEC Convention of Lomé, 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 1979 to 30 June 1980 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, 34.13 ECU per 100 kilograms;
 - (b) for white sugar, 42.30 ECU per 100 kilograms.

These prices, which represent an increase of 1.5% over those of the preceding year, shall refer to sugar of standard quality as defined in Community legislation, unpacked, c.i.f. European ports of the Community.

2. It is noted by the parties to the agreement that, having regard to market conditions generally and to other relevant factors and following discussions with the importers, the ACP States concerned strongly hoped that it would be possible to secure, in addition to the agreed guaranteed prices, a premium on Community markets during the delivery period 1979/1980.

3. Although retroactivity is not provided for in respect of the 1979/1980 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 3 annexed to the ACP-EEC Convention of Lomé.
4. It was noted that the Council of Ministers of the Community had not authorized the inclusion of any factor in respect of freight charges in the determination of the guaranteed prices for the delivery period 1979/1980. The ACP States reiterated their concern at the burden of these charges and requested that the subject should remain open for further consideration. The Community took note of this request.

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 this letter with the foregoing.

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

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

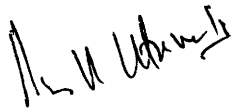
Genehmigen Sie, Herr Präsident, den Ausdruck meiner ausgezeichnetsten Hochachtung.

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

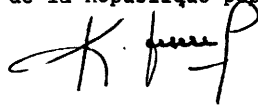
Voglia gradire, Signor Presidente, i sensi della mia più alta considerazione.

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

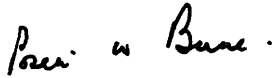
For the Government of Barbados



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

J. Njiru

Pour le Gouvernement de la République démocratique de Madagascar

Chry
Ambassadeur -

For the Government of the Republic of Malawi

[Signature]

Pour le Gouvernement de l'Île Maurice

[Signature]

For the Government of the Republic of Uganda

[Signature]

Namens de Regering van de Republiek Suriname

[Signature]
Ambassadeur

For the Government of the Kingdom of Swaziland

Kenneth Mbuli

For the Government of the United Republic of Tanzania

[Signature]
Ambassadeur

For the Government of Trinidad and Tobago

[Signature]
Ambassadeur

I. ACP-EEC ACTS

3. ACTS OF THE COMMITTEE ON INDUSTRIAL CO-OPERATION

GUIDELINES GIVEN TO THE CENTRE
FOR INDUSTRIAL DEVELOPMENT BY THE ACP-EEC
COMMITTEE ON INDUSTRIAL CO-OPERATION

The ACP-EEC Committee on Industrial Co-operation invites the Centre for Industrial Development to take particular account of the following guidelines in carrying out its activities:

1. The ACP-EEC Centre for Industrial Development is an operational instrument which fulfils the role assigned to it in close collaboration with the ACP States and, as regards the Community, with the Member States, the Commission and the EIB, in the framework of the principles and provisions of the Lomé Convention.

This being so, the Centre's operations will be of an essentially practical nature, geared towards tangible industrial achievement. An adequate policy attention would be paid to projects that transform and process raw materials of the ACP and to projects that have a favourable effect on the balance of payments of ACP States.

2. The Centre's activities, which will be carried out within the limits of its resources, will be prompted in the first place by the wishes of the ACP States. The Centre will, within its resources, play an important role in assisting the ACP in determining priorities, in initiating proposals for projects and in processing requests for contact and assistance. In no case will the Centre promote projects until it is assured that they will be favourably received by the country or countries likely to benefit from them.
3. As regards projects, economic viability will be the basic selection principle employed by the Centre, which will take into account both the social benefit for the peoples concerned and the profitability of the undertaking, an assured market being one of the important aspects of such profitability. The problem of over-equipping, which might be detrimental to all the parties and which might compromise proper completion of projects, must be kept in mind.

Since small and medium-sized undertakings, both in the Community and in the ACP States, have greater need of recourse to the possibilities offered by the Centre, the latter will conduct its activities with such undertakings specifically in mind, access to the Centre being open to all undertakings on the same terms.

Furthermore, particular stress could be laid on regional aspects in view of their importance for the viable industrialization of the ACP States.

4. The Centre will necessarily have to ensure that its fields and types of activity do not proliferate so much as to be incompatible with the means at its disposal and to diminish its efficiency.

It will therefore make an effort to concentrate mainly on industrial promotion and, to this end, on industrial information, development of industrial contacts and specific technical co-operation linked with the promotion programmes and industrial projects implemented, paying particular attention to the possibilities of the least favoured countries.

While seeking a certain balance in its types of activity, it will give particular encouragement to well-defined promotion projects likely to show practical results and to be successfully completed within a reasonable period.

5. Information on technical processes and commercial possibilities will be given in the light of the actual needs of the ACP States, taking into account their present or foreseeable level of industrial development and their human and natural resources.

Transfer of technologies will be effected in the implementation of specific projects. The choice or adaptation of the most appropriate technology will be the subject of ample and deep study.

In an effort to promote the adaptation and development of technology for these projects, the C.I.D. will establish adequate links with public and private ACP and EEC research institutions and other national and international bodies involved in the development of technology, account being taken of the different factors affecting the availability of technology from these different sources. The Centre, by providing information and contacts, will also be at the disposal of ACP States for advice on the most relevant technology for projects.

6. Dissemination of information on projects with which the Centre is concerned, will be done with a maximal efficacy, paying attention to ensure an objective and balanced distribution of such information.
7. In view of the particular responsibilities of the ACP States on the one hand and of the Community and the Member States on the other as regards participation by economic operators in the industrial development efforts of the ACP States, the Centre will endeavour to give greater publicity to the investment climate in the ACP States and to facilitate useful contacts for the purpose of implementing the projects selected.

8. Greater priority will be placed on technical and in-plant training for existing ACP industries through the use of facilities in both the Community and the ACP. Also the examination and continuous evaluation of the adequacy of training programmes proposed in joint projects between industrialists of the Community and the ACP States will receive particular attention.
-

DECISION No. 4 /78/CIC
OF THE COMMITTEE ON INDUSTRIAL CO-OPERATION
OF 11 OCTOBER 1978

replacing a member
of the Advisory Council of the Centre
for Industrial Development

THE COMMITTEE ON INDUSTRIAL CO-OPERATION,

Having regard to the ACP-EEC Convention of Lomé, and in particular Articles 35 and 36 thereof,

Having regard to Decision No 2/76 of the ACP-EEC Council of Ministers of 14 July 1976 laying down the statutes and rules of operation of the Centre for Industrial Development, as amended by Decision 7/77 of the ACP-EEC Council of Ministers, and in particular Article 4(2) thereof,

Having regard to Decision No 2/78/CIC of the Committee on Industrial Co-operation of 19 June 1978 on the appointment of the members of the Advisory Council of the Centre for Industrial Development,

Whereas a seat as member of the Advisory Council of the above-mentioned Centre has become vacant;

Having regard to the nomination submitted on 5 July 1978,

HAS DECIDED AS FOLLOWS:

Sole Article

Mr Mbangi MUMBWE is hereby appointed a member of the Advisory Council of the Centre for Industrial Development in place of Mr Andrew L. CHITULANGOMA for the remainder of the latter's term of office, which runs until 1 March 1980.

Done at Brussels, 11 October 1978
For the Committee on Industrial co-operation
The Chairman

(s.) H. NEUFELDT

DECISION No 5 /78/CIC
OF THE COMMITTEE ON INDUSTRIAL CO-OPERATION
OF 27 OCTOBER 1978

on the adjustment of the remuneration
laid down in Article 3 of Decision
No 2/77/CIC 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 ACP-EEC Convention of Lomé, and in particular
Articles 35 and 36 thereof,

Having regard to Decision No 2/76 of the ACP-EEC Council of
Ministers of 14 July 1976 laying down the statutes and rules
of operation of the Centre for Industrial Development, as amended
by Decision No 7/77 of the ACP-EEC Council of Ministers, and in
particular Article 5(5) thereof,

Having regard to Decision No 2/77/CIC of the Committee on Industrial
Co-operation of 28 July 1977 laying down the conditions of employment
of the staff of the Centre for Industrial Development, and in
particular the third paragraph of Article 27 thereof,

Whereas under the third paragraph of Article 27 of Decision No 2/77/CIC the Committee may decide, on a proposal from the Director, to adjust the remuneration laid down in Article 3 thereof in order to take account of trends in the cost of living and in purchasing power;

Whereas the Director has submitted a proposal to that effect;

Whereas it appears desirable, in order to take account of trends in the cost of living and in purchasing power in Brussels, which is the seat of the Centre, to adjust the remuneration of the staff of the Centre on the basis of the variation in the general consumer price index in Belgium during the Centre's first year of operation; whereas this index increased from 119.01 in January 1977 to 125.25 in December 1977, which represents an increase of 5.24%,

HAS DECIDED AS FOLLOWS:

Article 1

With effect from 1 January 1978 the remuneration laid down in Article 3 of Decision No 2/77/CIC shall be increased by 5.24%.

Article 2

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

Done at Brussels, 27 October 1978
For the Committee on Industrial co-operation
The Chairman
(s.) H. NEUFELDT

DECISION No 1/79/CIC
OF THE ACP-EEC COMMITTEE ON INDUSTRIAL CO-OPERATION
OF 13 FEBRUARY 1979

giving final approval to the budget of the
Centre for Industrial Development
for the financial year 1979

THE ACP-EEC COMMITTEE ON INDUSTRIAL CO-OPERATION,

having regard to the ACP-EEC Convention of Lomé, and in particular
Articles 35 and 36 thereof,

having regard to Decision No 2/76 of the ACP-EEC Council of Ministers
of 14 July 1976 laying down the statutes and rules of operation of
the Centre for Industrial Development, and in particular Article 6(1),
(2) and (3) thereof,

Having regard to Decision No 3/77/CIC of the ACP-EEC Committee on
Industrial Co-operation of 15 February 1977 laying down the
Financial Regulation of the Centre for Industrial Development,
hereinafter called the "Centre",

Whereas the ACP-EEC Committee on Industrial Co-operation has drawn up a draft budget on the basis of the preliminary draft budget prepared by the Director of the Centre and of the opinion of the Advisory Council on that preliminary draft;

Whereas the Community procedures in force have been implemented as regards the contribution requested from the European Development Fund; whereas the Commission of the European Communities informed the Committee on this date of its intention to adopt a financing decision covering an amount of 2,581,000 European units of account,

HAS DECIDED AS FOLLOWS:

Sole Article

The budget of the Centre for the financial year 1979 as it appears in the Annex hereto is hereby finally approved.

Done at Brussels, 13 February 1979

For the ACP-EEC Committee
on Industrial Co-operation
The Chairman

C. BLANCHEMAISON

B U D G E T
O F T H E C E N T R E
F O R I N D U S T R I A L D E V E L O P M E N T
F O R 1 9 7 9

EXPENDITURE

TITLE 1. Staff Expenditure

1979
appropriations
(EUA)

Chapter 11 - Staff

Art. 110. Salaries

1. Existing staff :		
Director, Deputy Director		137.950
3 Technical advisers 3 A		164.054
2 Technical advisers 3 B		96.461
3 Special duties officers 4 Aa		114.093
1 Accountant. 5 A		29.004
3 Assistants 5 A		70.011
6 Secretaries 5 B		74.675
1 Chauffeur (local)		9.546
1 Messenger (local)		7.380
X Holiday allowance		<u>46.878</u>

Salaries for existing staff : 750.052

2. New staff in 1979 :

XX 1 Technical adviser 3 Ba		5.909
DY promotion of 4 A to 3 B		
XXX 1 Special duties officer		38.100
(translation)		
XXX 1 Secretary 5B		14.175
Holiday allowance for above		<u>3.978</u>
<u>Salaries for new staff</u>		<u>62.162</u>

TOTAL salaries 812.214

Art. 113. Social charges 283.700

X Binding pursuant to Belgian Law

XX Promotion of a Special Duties Officer to
Technical Adviser (in charge of the Administration)

XXX Creation of a translator's post - essential - the
assistance of the EEC being only temporary
whilst the CID is set-up.

XXXX Creation of an extra secretary's post so as to regularise a
situation that has arisen as a result of the request of one
of the assistants to work part-time.

Art. 114. Miscellaneous Allowances & grants

Education allowance	26,000	
Transport allowance	1,800	
Resettlement allowance	18,000	
Installation allowance	3,500	
Allowance for periodic home leave	<u>20,000</u>	
	69,300	69,300

Art. 116. Provision for increase

Rise in the cost of living, 1/1/79 up to 30/6/79	11,369 X 1,185	
Increase for allocation of a higher grade (5 secretaries) and biennial increase with the exception of the Director, Deputy- Director and Heads of Division occupying the senior grade.	14,986	
Social charges on above increase	<u>9,971</u>	
	37,511	37,511

TOTAL, CHAPTER 11 : 1,202,725

X This item is intended to take account of the increase of the cost of living for the year ending 30th June 1978, after authorization by the Committee on Industrial Cooperation.

1979
appropriations
(EUA)

TITLE 2. Buildings, equipment and
miscellaneous operating expenditure

Chapter 21 - Rental of building and
incidental expenditure

Art. 210. Rent (1) (2) 20,000

Art. 211-214 - Insurance
water, gas
electricity
heating
cleaning and maintenance
fitting out of premises

	<u>1978</u>	<u>1979</u>
- joint services with the ACP :	45,000	48,522
- services independ- ent of ACP :	13,200	16,344

TOTAL, CHAPTER 21

84,866

Chapter 22 - Moveable property and
incidental expenditure

Art. 220 to
222. Office machinery, furni-
ture, technical equipment
and installations.

- Purchase

	<u>1978</u>	<u>1979</u>
Basic furniture	-	5,500
Cloakroom cupboard	-	-
Telexcopier	-	-
Typewriters	-	2,488
Adding machine	-	249
Refrigerator	-	-
Dictating machines	-	-
Extra furniture and miscellaneous office equipment	-	200

(1) The ACP Group is to be paid a token rent of 1 BF.

(2) Rental of offices for the ACP Information Service and ACP experts (training and joint evaluation of specific projects. The ACP Secretariat recovering the offices on the 2nd floor of the Building Georges Henri temporarily loaned to the CTD).

	<u>1978</u>	<u>1979</u>	requested for 1979 (EUA)
- Rental (photocopier)	(1.250)	3.065	
- Repairs, maintenance	-	6.701	
- Unforeseeable expenditure on equipment	(4.000)	4.280	
Total, Articles 220 to 222			
Art. 223. Transport			
- Purchase of a service car	-	-	
- Maintenance, use and repair	(2.000)	3.000	
Total, Article 223			
Art. 225. Documentation & library expenses			
- Subscriptions, publications	(5.000)	5.000	
TOTAL, CHAPTER 22			30.483
Chapter 23 - Current administrative operating expenditure			
Art. 230. Stationery & office supplies (1)			
	(7.500)	17.500	
Art. 231. Postal charges & telecommunications			
- postage (2)	(4.000)	10.000	
- Telephone, telegraph, telex	(45.726)	50.000	

(1) Stationery, including printing and small office supplies. The increase can be explained by an underestimation of expenditure for 1978, by the increase of cost of living ($\pm 7\%$) by the development of "Stagiaires" and Business Opportunities programme.

(2) Postage (postal charges, including customs). The increase can be explained by the rise in postage ($\pm 25\%$). The underestimation of the expenditure for 1978 as a result of the underestimation of volume and the cost of mail to the ACP countries and by the development of "Business Opportunities and "Modular Projects" programmes for 1979.

		appropriations requested for 1979 (EUA)
	<u>1978</u>	<u>1979</u>
Art. 235. Other operating expenditure		
- Translation costs	(6.000)	6.500
- Miscellaneous administrative expenses	(2.000)	5.000
TOTAL, CHAPTER 23		89.000
Chapter 24 - Mission expenses, representation + entertainment expenditure		
Art. 240. Mission + duty travel expenses (Europe and ACP countries)	133.750	
Art. 241. Representation + enter- tainment expenses	15.500	
TOTAL, CHAPTER 24		149.250
TOTAL, TITLE 2 :		353.599

Appropriations
(EUA)

TITLE 3. Programme Expenditure

Chapter 1 - Promotional contacts, information, meetings, training	
Art. 10. Concerted ACP/EEC industrial promotion action and setting up a central reception structure	315,000
Art. 11. Cooperation with regional ACP institutions, missions in order to identify preliminarily evaluated viable projects (4 X 30,000)	120,000
Art. 12. ACP/EEC Information Service	100,000
Art. 13. Training (10 Experts x 7,500)	75,000
Art. 14. In-plant industrial training support services	20,000
Art. 15. Adapted technology inventory	40,000
Art. 16. ACP Engineering Centres (5 X 5,000)	25,000
Chapter 2 - <u>Studies</u>	
Art. 21. Industrial modular projects	60,000
Art. 22. Preliminary studies on industrial projects	240,000
Art. 23. Rehabilitation of existing industries in the ACP States (in collaboration with technological EEC partners)	80,000
Art. 24. Short term expertises (10 X 5.000)	50,000
Chapter 3 - Advisory Council expenditure and supervisory body	48,122
Art. 31. Advisory Council expenditure	47,122
Art. 32. Supervisory body expenditure	1,000
TOTAL, TITLE 3	1,173,122

1,173,122

.../...

SUMMARY OF EXPENDITURE

a) TITLES 1 & 2	1979 appropriations (EUA)	1978 appropriations (EUA)
Operating expenditure		
Title 1 : 1.202.725	1,556,324	(1,331,655)
Title 2 : 353.599		
b) TITLE 3		
Programme expenditure	1,173,122	(1,028,345)
GRAND TOTAL	<u>2,729,446</u>	<u>2,360,000</u>

REVENUE

a) Contribution from the European Development Fund	2,581,000	(2,252,000)
b) Tax on salaries (estimate)	148,446	108,000
TOTAL REVENUE	<u>2,729,446</u>	<u>2,360,000</u>

DECISION No 2/79/CIC
OF THE COMMITTEE ON INDUSTRIAL CO-OPERATION
OF 5 MARCH 1979

on the adjustment of the remuneration
laid down in Article 3 of Decision
No 2/77/CIC 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 ACP-EEC Convention of Lomé, and in
particular Articles 35 and 36 thereof,

Having regard to Decision No 2/76 of the ACP-EEC Council
of Ministers of 14 July 1976 laying down the statutes and
rules of operation of the Centre for Industrial Development,
as amended by Decision No 7/77, and in particular Article 5(5)
thereof,

Having regard to Decision No 2/77/CIC of the Committee on
Industrial Co-operation of 28 July 1977 laying down the
conditions of employment of the staff of the Centre for
Industrial Development, and in particular the third paragraph
of Article 27 thereof,

Whereas under the third paragraph of Article 27 of Decision No 2/77/CIC the Committee may decide, on a proposal from the Director, to adjust the remuneration laid down in Article 3 thereof in order to take account of trends in the cost of living and in purchasing power;

Whereas an adjustment of 5.24% was first made by Decision No 5/78/CIC;

Whereas the Director has submitted a proposal of further adjustment;

Whereas it appears desirable, in order to take account of trends in the cost of living and in purchasing power in Brussels, which is the seat of the Centre, to adjust the remuneration of the staff of the Centre on the basis of the variation in the general consumer price index in Belgium between 1 January and 31 August 1978; whereas this index increased from 125.25 in December 1977 to 128.26 in August 1978, which represents an increase of 2.40%,

HAS DECIDED AS FOLLOWS:

Article 1

With effect from 1 September 1978 the remuneration laid down in Article 3 of Decision No 2/77/CIC shall be increased by 7.77%.

Article 2

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

Done at Brussels, 5 March 1979
For the Committee on Industrial
Co-operation
The Chairman
(s.) C. BLANCHÉMAISON

DECISION No 3/79/CIC
OF THE COMMITTEE ON INDUSTRIAL CO-OPERATION
OF 13 NOVEMBER 1979

on the adjustment of the remuneration
laid down in Article 3 of Decision
No 2/77/CIC laying down the conditions of employment
of the staff of the Centre for
Industrial Development

THE COMMITTEE OF INDUSTRIAL CO-OPERATION,

Having regard to the ACP-EEC Convention of Lomé, and in particular Articles 35 and 36 thereof,

Having regard to Decision No 2/76 of the ACP-EEC Council of Ministers of 14 July 1976 laying down the statutes and rules of operation of the Centre for Industrial Development, as amended by Decision No 7/77, and in particular Article 5(5) thereof,

Having regard to Decision No 2/77/CIC of the Committee on Industrial Co-operation of 28 July 1977 laying down the conditions of employment of the staff of the Centre for Industrial Development, and in particular the third paragraph of Article 27 thereof,

Whereas under the third paragraph of Article 27 of Decision No 2/77/CIC the Committee may decide, on a proposal from the Director, to adjust the remuneration laid down in Article 3 thereof in order to take account of trends in the cost of living and in purchasing power;

Whereas adjustments were made by Decisions No 5/78/CIC and No 2/79/CIC;

Whereas the Director has submitted a proposal of further adjustment;

Whereas it appears desirable, in order to take account of trends in the cost of living and in purchasing power in Brussels, which is the seat of the Centre, to adjust the remuneration of the staff of the Centre on the basis of the variation in the general consumer price index in Belgium between 1 September 1978 and 28 February 1979; whereas this index increased from 128.26 in August 1978 to 131.29 in February 1979, which represents an increase of 2.36%,

HAS DECIDED AS FOLLOWS:

Article 1

With effect from 1 March 1979 the remuneration laid down in Article 3 of Decision No 2/77/CIC shall be increased by 10.32%.

Article 2

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

Done at Brussels, 13 November 1979
For the Committee on Industrial Co-operation,
The Chairman
(s.) Sean MURRAY

DECISION No 4/79/CIC
OF THE COMMITTEE ON INDUSTRIAL CO-OPERATION
OF 13 NOVEMBER 1979

giving a discharge to the Director of the Centre
for Industrial Development in respect of
the implementation of the Centre's budget
for the financial year 1977

THE COMMITTEE ON INDUSTRIAL CO-OPERATION,

Having regard to the ACP-EEC Convention of Lomé, and in
particular Articles 35 and 36 thereof,

Having regard to Decision No 2/76 of the ACP-EEC Council of
Ministers of 14 July 1976 laying down the statutes and rules of
operation of the Centre for Industrial Development, as amended
by Decision No 7/77, and in particular Article 6 thereof,

Having regard to Decision No 3/77/CIC of the Committee on Industrial Co-operation of 15 February 1977 adopting the Financial Regulation of the ACP-EEC Centre for Industrial Development, and in particular Article 20 thereof,

Having regard to the balance sheet for the financial year, drawn up at 31 December 1977,

Having regard to the Auditors' Report on the accounts for the financial year 1977,

Having noted the replies given by the Director to the comments made by the Auditors, and his formal commitment to conform with the financial regulation;

Whereas it is for the Committee to give a discharge to the Director in respect of the implementation of the Centre's budget;

Whereas revenue for the financial year 1977 consisted mainly of a contribution of 982,389.39 European units of account from the European Development Fund;

Whereas the Director's overall implementation of the Centre's budget during the financial year 1977 was such that he should be given a discharge in respect of the implementation of that budget,

HAS DECIDED AS FOLLOWS:

Article 1

The Committee on Industrial Co-operation shall adopt the balance sheet of the Centre for Industrial Development as at 31 December 1977, showing the amount of 984,127.79 European units of account both for revenue and expenditure.

Article 2

The Committee shall express itself on the comments contained in the Auditors' Report on the accounts for the financial year 1977, as indicated in the Annex.

Article 3

The Committee shall give a discharge to the Director of the Centre in respect of the implementation of the Centre's Budget for the financial year 1977.

Done at Brussels, 13 November 1979
For the Committee on Industrial Co-operation
The Chairman

(s.) Sean MURRAY

ANNEX

Comments of the Committee
accompanying the Decision
giving a discharge in respect of the budget
of the Centre for Industrial Development
(financial year 1977)

Although the Committee is aware that certain financial regulations concerning the Centre were only adopted during the financial year under consideration, it asks the Director to ensure that the rules applicable to the accounts of the Centre are correctly applied and in particular if this has not already been done since the end of that financial year, to take steps to ensure compliance with:

- Article 10 (procedures for the transfer of appropriations and carrying over at the end of the financial year),
- Article 13 (double entry accounting of commitments and authorizations),
- Article 15 (the need for supporting documents),
- Article 17(2) (delegation by the Director of power to authorize appropriations),
- Article 23 (concerning the drawing up in EUA of a balance sheet and of a revenue and expenditure account at the end of the financial year),

of the Centre's Financial Regulation.

In this connection, it also asks the Director to adopt more precise rules on the re-imbursing of taxi expenses, recovery of the cost of private telephone communications, and the re-imbursing of incidental costs and of other assistance to officials of the Centre.

DECISION No 5/79/CIC
OF THE COMMITTEE ON INDUSTRIAL CO-OPERATION
OF 13 NOVEMBER 1979

replacing a member
of the Advisory Council of the Centre
for Industrial Development

THE COMMITTEE ON INDUSTRIAL CO-OPERATION,

Having regard to the ACP-EEC Convention of Lomé, and in particular Articles 35 and 36 thereof,

Having regard to Decision No 2/76 of the ACP-EEC Council of Ministers of 14 July 1976 laying down the statutes and rules of operation of the Centre for Industrial Development, as amended by Decision 7/77 and in particular Article 4(2) thereof,

Having regard to Decision No 2/78/CIC of the Committee on Industrial Co-operation of 19 June 1978 on the appointment of the members of the Advisory Council of the Centre for Industrial Development,

Having regard to Decision No 4/78/CIC of the Committee on Industrial Co-operation of 11 October 1978 replacing a member of the Advisory Council of the Centre for Industrial Development,

Whereas a seat as member of the Advisory Council of the above Centre has become vacant;

Having regard to the nomination submitted by the ACP States,

HAS DECIDED AS FOLLOWS:

Sole Article

Mr Leo Marsan CHILESE is hereby appointed a member of the Advisory Council of the Centre for Industrial Development in place of Mr Mbangi MUMBE for the remainder of the latter's term of office, which runs until 1 March 1980.

Done at Brussels, 13 November 1979
For the Committee on Industrial Co-operation
The Chairman

(s.) Sean MURRAY

II. ACCESSIONS

GOVERNMENT OF TUVALU

INSTRUMENT OF ACCESSION TO THE
ACP-EEC CONVENTION OF LOME ⁽¹⁾(²)

Whereas a Convention between the Contracting Parties to the Treaty establishing the European Economic Community and the Council of the European Communities of the one part and sundry states in the African, Caribbean and Pacific regions of the other part was signed at Lome on the 25th day of February 1975, together with certain protocols and other related documents
AND WHEREAS under Article 89 of the Convention any request for accession to the Convention by a country to which Part Four of the Treaty establishing the European Economic Community applies requires the approval of the Council of Ministers
AND WHEREAS Tuvalu as a former dependency of the United Kingdom of Great Britain and Northern Ireland situated in the Pacific is a country to which Part Four of the said Treaty applies and has received approval from the Council of Ministers to accede to the Convention, by decision of the 21st day of December 1978
AND WHEREAS the Government of Tuvalu is desirous of enjoying the same rights and is willing to be subject to the same obligations as the ACP States under the Convention
NOW THEREFORE, the Government of Tuvalu having considered the provisions of the Convention and of the protocols and related documents, HEREBY ACCEDES to the same and undertakes to observe faithfully the provisions and stipulations therein contained.

IN WITNESS WHEREOF this Instrument of Accession has been given under my hand and the stamp of the Government of Tuvalu this 28th day of December 1978.

(s.) Hon Toalipi Lauti
PRIME MINISTER

-
- (¹) In accordance with Article 89 of the Convention, the date of deposit of this instrument (17 January 1979) is the effective date of Tuvalu's accession to the ACP-EEC Convention of Lomé
(²) See also Decisions Nos 7/78, 1/79, and 4/79 of the ACP-EEC Council of Ministers, Council Decision 78/827/EEC, Council Regulation No 527/79 and Council Decision 79/309, on pp. 12, 14, 24, 86, 90 and 113 respectively.

OFFICE OF THE PRIME MINISTER

12 February 1979

COMMONWEALTH OF DOMINICA

INSTRUMENT OF ACCESSION (1)(2)

Whereas on 24 September, 1978 the Government of Dominica submitted a request for accession to the ACP-EEC Convention of Lomé;

And whereas that request confirmed by the Government of Dominica on 24 November, 1978 after the Commonwealth of Dominica became an Independent State;

And whereas the ACP-EEC Council of Ministers acting in conformity with Article 89 of the ACP-EEC Convention of Lomé, adopted on 21 December 1978 Decision No.6/78 approving the accession of the Commonwealth of Dominica to the ACP-EEC Convention of Lomé;

And whereas it is provided in Article 89 of the 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 PATRICK ROLAND JOHN, Prime Minister of the Commonwealth of Dominica declare that the Commonwealth of Dominica hereby accede to the ACP-EEC Convention of Lomé.

DONE at Brussels on the 1st day of February one thousand nine hundred and seventy nine.

(s.) Patrick Roland John
Prime Minister

-
- (1) In accordance with Article 89 of the Convention, the date of deposit of this instrument (26 February 1979) is the effective date of Dominica's accession to the ACP-EEC Convention of Lomé
- (2) See also Decisions Nos 6/78 and 4/79 of the ACP-EEC Council of Ministers, Council Decision 78/976/EEC, Council Regulation No 527/79 and Council Decision 79/309, on pp. 10, 24, 87, 90 and 113 respectively

INSTRUMENT OF ACCESSION OF SAINT LUCIA
TO THE ACP-EEC CONVENTION OF LOME ⁽¹⁾(2)

To the Council of Ministers:

GREETINGS

WHEREAS on 16 February 1979 the Government of Saint Lucia submitted a request for accession to the ACP-EEC Convention of Lome;

AND WHEREAS the request was confirmed by the Government of Saint Lucia on 24 February 1979 after Saint Lucia became an independent State;

AND WHEREAS the ACP-EEC Council of Ministers, acting in conformity with Article 89 of the ACP-EEC Convention of Lome, adopted on 22 March 1979 Decision No. 3/79 approving the accession of Saint Lucia to the ACP-EEC Convention of Lome;

AND WHEREAS it is provided in Article 89 of the ACP-EEC Convention of Lome 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 John COMPTON, Prime Minister of Saint Lucia declare that Saint Lucia hereby accedes to the ACP-EEC Convention of Lome

Done at Saint Lucia on the 28th day of May
One thousand nine hundred and seventy-nine

(s.) John COMPTON
Prime Minister

(1) In accordance with Article 89 of the Convention, the date of deposit of this instrument (28 June 1979) is the effective date of Saint Lucia's accession to the ACP-EEC Convention of Lomé

(2) See also Decision No. 3/79 of the ACP-EEC Council of Ministers, on p. 22, and Council Decision 79/280, on p. 89

REPUBLIC OF KIRIBATI

INSTRUMENT OF ACCESSION OF THE REPUBLIC OF KIRIBATI TO THE
ACP-EEC CONVENTION OF LOMÉ ⁽¹⁾(²)

TO THE COUNCIL OF MINISTERS

MEMBERS

Whereas on 8 June 1979 the Government of the Gilbert Islands submitted a request for accession to the ACP-EEC Convention of Lomé;

Whereas that request was confirmed by the Government of the Republic of Kiribati (formerly known as the Gilbert Islands) on 13 September 1979 after the Republic of Kiribati became an Independent State;

Whereas the ACP-EEC Council of Ministers, acting in conformity with Article 89 of the ACP-EEC Convention of Lomé, adopted on 11 October 1979 decision No. 8/79 approving the accession of the Republic of Kiribati to the ACP-EEC Convention of Lomé;

Whereas it is provided in Article 89 of the 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;

Therefore, I **IBRITA WIRIANG TABAI**, Beretitenti of the Republic of Kiribati and Minister of Foreign Affairs declare that the Republic of Kiribati hereby accedes to the ACP-EEC Convention of Lomé.

Done at Bairiki on the twenty fourth day of October one thousand nine hundred and seventy nine.

(s.) **I. T. TABAI**

Beretitenti

-
- (¹) In accordance with Article 89 of the Convention the date of deposit of this instrument (30 October 1979) is the effective date of Kiribati's accession to the ACP-EEC Convention of Lomé
- (²) See also Decision No 8/79 of the ACP-EEC Council of Ministers, on p. 34, and Council Decision 79/719, on p. 91.

III. COMMUNITY ACTS RELATING TO IMPLEMENTATION
OF THE LOME CONVENTION

A. ACCESSIONS

COUNCIL DECISION

of 10 October 1978

on the provisional application to Tuvalu after its independence of the arrangements provided for in Decision 76/568/EEC (*)

(78/827/EEC)

(OJ No I 287/78)

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 78/465/EEC⁽²⁾, and in particular the second subparagraph of Article 55 (2) thereof,

Whereas, pursuant to the abovementioned provision of Decision 76/568/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 Tuvalu, which appears in Annex I relating to the list of countries and territories referred to by that Decision, achieved independence on 1 October 1978;

Whereas it should be decided to continue to apply provisionally the arrangements provided for in the abovementioned Decision to that State and to lay down the conditions for such application, without prejudice to subsequent recourse to the first subparagraph of Article 55 (2) and to Article 56 thereof;

Whereas the ACP-EEC Convention of Lomé is open, in accordance with the procedure laid down in Article 89 thereof, to the accession of a country or territory to which Part Four of the Treaty applies and which has 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 Tuvalu has submitted a request for accession to the ACP-EEC Convention of Lomé;

Whereas the period of provisional application of Decision 76/568/EEC to that State should be limited;

Whereas, in order to avoid any break in continuity in the financing of decisions in favour of Tuvalu between its accession to the ACP-EEC Convention of Lomé and the entry into force of the decision adjusting the amounts made available to the European Development Fund which the Council is to take pursuant to

Article 1 (4) of the Internal Agreement on the financing and administration of Community aid signed on 11 July 1975, Tuvalu should be permitted to continue to benefit until the date of the entry into force of that decision from the provisions of Decision 76/568/EEC relating to financial and technical cooperation,

HAS DECIDED AS FOLLOWS:

Article 1

The arrangements laid down by Decision 76/568/EEC shall remain provisionally applicable to Tuvalu until the latter accedes to the ACP-EEC Convention of Lomé but until 30 September 1979 at the latest.

However, Tuvalu shall continue to benefit from the provisions of the said Decision relating to financial and technical cooperation until the date of entry into force of the decision adjusting the amounts made available to the European Development Fund which the Council is to take pursuant to Article 1 (4) of the Internal Agreement on the financing and administration of Community aid signed on 11 July 1975.

Article 2

Questions relating to the application of Decision 76/568/EEC to Tuvalu after it has become independent 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 enter into force on the day of its publication in the *Official Journal of the European Communities*.

It shall apply from 1 October 1978.

Done at Luxembourg, 10 October 1978.

For the Council

The President

R. OFFERGELD

(1) OJ No L 176, 1. 7. 1976, p. 8.

(2) OJ No L 147, 3. 6. 1978, p. 39.

(*) See Decisions Nos 7/78, 1/79 and 4/79 of the ACP-EEC Council of Ministers, the instrument of accession, Council Regulation No 527/79 and Council Decision 79/309/EEC, on pp. 12, 14, 24, 81, 90 and 113 respectively.

COUNCIL DECISION

of 20 November 1978

on the provisional application to Dominica after its independence of the arrangements provided for in Decision 76/568/EEC on the association of the overseas countries and territories with the European Economic Community (*)

(78/976/EEC)

(OJ No L 331/78)

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 78/465/EEC⁽²⁾, and in particular the second subparagraph of Article 55 (2) thereof,

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 conditions laid down by the Council, to countries and territories which achieve independence;

Whereas Dominica, which appears in Annex I relating to the list of countries and territories referred to by that Decision, achieved independence on 3 November 1978;

Whereas it should be decided to continue to apply provisionally the arrangements provided for in the abovementioned Decision to that State and to lay down the conditions for such application, without prejudice to subsequent recourse to the first subparagraph of Article 55 (2) and to Article 56 thereof;

⁽¹⁾ OJ No L 176, 1. 7. 1976, p. 8.

⁽²⁾ OJ No L 147, 3. 6. 1978, p. 39.

Whereas the ACP-EEC Convention of Lomé is open, in accordance with the procedure laid down in Article 89 thereof, to the accession of a country or territory to which part four of the Treaty applies and which has 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 Dominica has submitted a request for accession to the ACP-EEC Convention of Lomé;

Whereas the period of provisional application of Decision 76/568/EEC to that State should be limited;

Whereas, in order to avoid any break in continuity in the financing of decisions in favour of Dominica between its accession to the ACP-EEC Convention of Lomé and the entry into force of the decision adjusting the amounts made available to the European Development Fund which the Council is to take pursuant to Article 1 (4) of the Internal Agreement on the financing and administration of Community aid signed on 11 July 1975, Dominica should be permitted to continue to benefit until the date of the entry into force of that Decision from the provisions of Decision 76/568/EEC relating to financial and technical cooperation,

(*) See Decisions Nos 6/78 and 4/79 of the ACP-EEC Council of Ministers, the instrument of accession, Council Regulation No 527/79 and Council Decision 79/309, on pp. 10, 24, 82, 90 and 113 respectively.

HAS DECIDED AS FOLLOWS:

Article 1

The arrangements laid down by Decision 76/568/EEC shall remain provisionally applicable to Dominica until the latter accedes to the ACP-EEC Convention of Lomé but until 2 November 1979 at the latest.

Dominica shall, moreover, continue to benefit from the provisions of the said Decision relating to financial and technical cooperation until the date of entry into force of the decision adjusting the amounts made available to the European Development Fund which the Council is to take pursuant to Article 1 (4) of the Internal Agreement on the financing and administration of Community aid signed on 11 July 1975.

Article 2

Questions relating to the application of Decision 76/568/EEC to Dominica after it has achieved in-

dependence 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 enter into force on the day of its publication in the *Official Journal of the European Communities*.

It shall apply from 3 November 1978.

Done at Brussels, 20 November 1978.

For the Council

The President

K. von DOHNANYI

COUNCIL DECISION

of 5 March 1979

on the provisional application to St Lucia after its independence of the arrangements provided for in Decision 76/568/EEC on the association of the overseas countries and territories with the European Economic Community (*)

(79/280/EEC)

(OJ No L 65/79)

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 78/465/EEC (2), and in particular the second subparagraph of Article 55 (2) thereof,

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 conditions laid down by the Council, to countries and territories which achieve independence;

Whereas St Lucia which appears in Annex I relating to the list of countries and territories referred to by that Decision, achieved independence on 22 February 1979;

Whereas it should be decided to continue to apply provisionally the arrangements provided for in the abovementioned Decision to that State and to lay down the conditions for such application, without prejudice to subsequent recourse to the first subparagraph of Article 55 (2) and to Article 36 thereof;

Whereas the ACP-EEC Convention of Lomé is open, in accordance with the procedure laid down in Article 89 thereof, to the accession of a country or territory to which Part Four of the Treaty applies and which has 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 St Lucia has submitted a request for accession to the ACP-EEC Convention of Lomé;

Whereas the period of provisional application of Decision 76/568/EEC to that State should be limited;

Whereas, in order to avoid any break in continuity in the financing of decisions in favour of St Lucia between its accession to the ACP-EEC Convention of Lomé and the entry into force of the decision adjusting the amounts made available to the European

Development Fund which the Council is to take pursuant to Article 1 (4) of the Internal Agreement on the financing and administration of Community aid signed on 11 July 1975, St Lucia should be permitted to continue to benefit until the date of the entry into force of that decision from the provisions of Decision 76/568/EEC relating to financial and technical cooperation,

HAS DECIDED AS FOLLOWS:

Article 1

The arrangements laid down by Decision 76/568/EEC shall remain provisionally applicable to St Lucia until the latter accedes to the ACP-EEC Convention of Lomé but until 21 February 1980 at the latest.

St Lucia shall, moreover, continue to benefit from the provisions of the said Decision relating to financial and technical cooperation until the date of entry into force of the decision adjusting the amounts made available to the European Development Fund which the Council is to take pursuant to Article 1 (4) of the Internal Agreement on the financing and administration of Community aid.

Article 2

Questions relating to the application of Decision 76/568/EEC to St Lucia after it has achieved independence 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 enter into force on the day of its signature.

It shall apply from 22 February 1979.

Done at Brussels, 5 March 1979.

For the Council

The Presidents

J. FRANÇOIS-PONCET

(1) OJ No L 176, 1. 7. 1976, p. 8.

(2) OJ No L 147, 3. 6. 1978, p. 39.

(*) See Decision No 3/79 of the ACP-EEC Council of Ministers and the instrument of accession, on pp. 22 and 83 respectively.

COUNCIL REGULATION (EEC) No 527/79

of 19 March 1979

amending the list of countries and territories in Regulation (EEC) No 706/76 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, concerning the list of countries and territories (*)

(OJ No L 71/79)

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 Council Regulation (EEC) No 1059/69 of 28 May 1969 laying down trade arrangements applicable to certain goods resulting from the processing of agricultural products (1), as last amended by Regulation (EEC) No 3058/75 (2), and in particular Article 12 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament (3),

Whereas Regulation (EEC) No 706/76 (4) laid down 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;

Whereas the Solomon Islands, Tuvalu and Dominica, which appear in the list of countries and territories set

out in Annex I to that Regulation, have become independent;

Whereas these States acceded to the ACP-EEC Convention of Lomé (5) on 27 September 1978 (6), 17 January 1979 (7) and 26 February 1979 (8) respectively and should consequently be counted among the ACP States referred to in Article 1 of Regulation (EEC) No 706/76; whereas the list in Annex I to that Regulation should therefore be amended,

HAS ADOPTED THIS REGULATION:

Article 1

In Annex I to Regulation (EEC) No 706/76, the words 'Dominica', 'Solomon Islands' and 'Tuvalu' shall be deleted.

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, 19 March 1979.

For the Council

The President

R. MONORY

(1) OJ No L 141, 12. 6. 1969, p. 1.

(2) OJ No L 306, 26. 11. 1975, p. 3.

(3) OJ No C 6, 8. 1. 1979, p. 58.

(4) OJ No L 85, 31. 3. 1976, p. 2.

(5) OJ No L 25, 30. 1. 1976, p. 2.

(6) OJ No L 297, 24. 10. 1978, p. 11.

(7) OJ No L 30, 6. 2. 1979, p. 7.

(8) OJ No L 55, 6. 3. 1979, p. 8.

(*) See Decisions Nos 3/78 (Compilation III), 6/78 and 7/78 of the ACP-EEC Council of Ministers on pp. 10 and 12.
See also the instruments of accession, Decisions Nos 1/79 and 4/79 of the ACP-EEC Council of Ministers, and Council Decisions 78/827, 78/976 and 79/309, on pp. 81, 82, 14, 24, 86, 87 and 113 respectively.

COUNCIL DECISION

of 1 August 1979

on the provisional application to the Republic of Kiribati (formerly the Gilbert Islands) of the arrangements provided for in Decision 76/568/EEC (*)

(79/719/EEC)

(OJ No L 208/79)

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 79/310/EEC (2), and in particular the second subparagraph of Article 55 (2) thereof,

Whereas, pursuant to the abovementioned provision of Decision 76/568/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 the Gilbert Islands, which appear in Annex I relating to the list of the countries and territories referred to by that Decision, achieved independence on 12 July 1979 as the Republic of Kiribati;

Whereas it should be decided to continue to apply provisionally the arrangements provided for in the abovementioned Decision to that State and to lay down the conditions for such application, without prejudice to subsequent recourse to the first subparagraph of Article 55 (2) and to Article 56 thereof;

Whereas the ACP-EEC Convention of Lomé is open, in accordance with the procedure laid down in Article 89 thereof, to the accession of a country or territory to which Part Four of the Treaty applies and which has 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 Gilbert Islands have submitted a request for accession to the ACP-EEC Convention of Lomé as the Republic of Kiribati;

Whereas the period of provisional application of Decision 76/568/EEC with regard to that State should be limited;

Whereas, in order to avoid any break in continuity in the financing decisions in favour of the Republic of Kiribati between its accession to the ACP-EEC Convention of Lomé and the entry into force of the Decision adjusting the amounts made available to the European Development Fund which the Council is to take pursuant to Article 1 (4) of the Internal Agreement on the financing and administration of Community aid signed on 11 July 1975, the Republic of Kiribati should be permitted to continue to benefit, until the date of the entry into force of that Decision, from the provisions of Decision 76/568/EEC relating to financial and technical cooperation,

HAS DECIDED AS FOLLOWS:

Article 1

The arrangements laid down by Decision 76/568/EEC shall remain provisionally applicable to the Republic of Kiribati until the latter accedes to the ACP-EEC Convention of Lomé, but until 1 March 1980 at the latest.

(1) OJ No L 176, 1. 7. 1976, p. 8.

(2) OJ No L 72, 23. 3. 1979, p. 33.

(*) See also Decision No 8/79 of the ACP-EEC Council of Ministers and the instrument of accession, on pp. 34 and 84.

However, the Republic of Kiribati shall continue to benefit from the provisions of the said Decision relating to financial and technical cooperation until the date of entry into force of the decision adjusting the amounts made available to the European Development Fund which the Council is to take pursuant to Article 1 (4) of the Internal Agreement on the financing and administration of Community aid signed on 11 July 1975.

Article 2

Questions relating to the application of Decision 76/568/EEC to the Republic of Kiribati 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 enter into force on the day of its publication in the *Official Journal of the European Communities*.

It shall apply from 12 July 1979.

Done at Brussels, 1 August 1979.

For the Council

The President

M. O'KENNEDY

COUNCIL DECISION
of 18 December 1979

on the provisional application to Saint Vincent and the Grenadines (formerly Saint Vincent) of the arrangements provided for in Decision 76/568/EEC on the association of the overseas countries and territories with the European Economic Community

(80/14/EEC)
(OJ No L 7/80)

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 79/310/EEC⁽²⁾, and in particular the second subparagraph of Article 55 (2) thereof,

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 conditions laid down by the Council, to countries and territories which become independent;

Whereas Saint Vincent, which appears in Annex I relating to the list of the countries and territories referred to by that Decision, achieved independence on 27 October 1979 as Saint Vincent and the Grenadines;

Whereas it should be decided to continue to apply provisionally the arrangements provided for in the abovementioned Decision to that State and to lay down the conditions for such application, without prejudice to subsequent recourse to the first subparagraph of Article 55 (2) and to Article 56 thereof,

Whereas the ACP-EEC Convention of Lomé is open, in accordance with the procedure laid down in Article 89 thereof, to the accession of a country or territory to which Part Four of the Treaty applies and which has 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 Saint Vincent has submitted a request for accession to the ACP-EEC Convention of Lomé as Saint Vincent and the Grenadines;

Whereas the period of provisional application of Decision 76/568/EEC to that State should not continue beyond the expiry of that Decision;

Whereas, in order to avoid any break in continuity in the financing decisions in favour of Saint Vincent and the Grenadines between its accession to the ACP-EEC Convention of Lomé and the entry into force of the

Decision adjusting the amounts made available to the European Development Fund which the Council is to take pursuant to Article 1 (4) of the Internal Agreement on the financing and administration of Community aid signed on 11 July 1975, Saint Vincent and the Grenadines should be permitted to continue to benefit, until the date of the entry into force of that Decision, from the provisions of Decision 76/568/EEC relating to financial and technical cooperation,

HAS DECIDED AS FOLLOWS:

Article 1

The arrangements laid down by Decision 76/568/EEC shall remain provisionally applicable to Saint Vincent and the Grenadines until the latter accedes to the ACP-EEC Convention of Lomé but in any event not beyond the expiry of that Decision.

However, Saint Vincent and the Grenadines shall continue to benefit from the provisions of the said Decision relating to financial and technical cooperation until the date of entry into force of the Decision adjusting the amounts made available to the European Development Fund which the Council is to take pursuant to Article 1 (4) of the Internal Agreement on the financing and administration of Community aid signed on 11 July 1975.

Article 2

Questions relating to the application of Decision 76/568/EEC to Saint Vincent and the Grenadines 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 enter into force on the third day following its publication in the *Official Journal of the European Communities*.

Done at Brussels, 18 December 1979.

For the Council

The President

B. LENIHAN

(¹) OJ No L 176, 1. 7. 1976, p. 8.

(²) OJ No L 72, 23. 3. 1979, p. 33.

III. COMMUNITY ACTS RELATING TO IMPLEMENTATION
OF THE LOME CONVENTION

B. TRADE

COUNCIL REGULATION (EEC) No 2459/78

of 16 October 1978

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, originating in the African, Caribbean and Pacific States and in the overseas countries and territories (1978/79) (*)

(OJ No L 296/78)

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 Article 1 of Council Regulation (EEC) No 430/78 (2) provides for the opening by the Community of a Community tariff quota of 1 000 tonnes of fresh or chilled tomatoes falling within subheading ex 07.01 M I of the Common Customs Tariff, originating in the African, Caribbean and Pacific States and in the overseas countries and territories; whereas the quota period runs from 15 November 1978 to 15 April 1979; whereas the customs duty applicable to the quota is set at 4.4 %, with a minimum charge of two units of account per 100 kilograms net weight; whereas the Community tariff quota in question should therefore be opened;

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 rate laid down for that quota to all imports of the products in question into all Member States until the quota has been used up; whereas having regard to the above principles the Community nature of the quota can be respected by allocating the tariff quota among the Member States; whereas, to reflect most accurately the actual development of the market in the products in question, such allocation should be in proportion to the requirements of the Member States, assessed by reference both to the statistics relating to imports of the said products from the countries in question over a representative reference period and to the economic outlook for the quota period concerned;

Whereas in this case, however, neither Community nor national statistics for the products in question are

(1) Opinion delivered on 13 October 1978 (not yet published in the Official Journal).

(2) OJ No L 59, 1. 3. 1978, p. 48.

(*) See also Council Regulation No 2430/79, on p. 98.

available and no reliable estimates of future imports can be made; whereas, in these circumstances, the quota volume should be allocated in initial shares, which take into account demand for these products on the markets of the various Member States;

Whereas, to take into account import trends for the products concerned in the various Member States, the quota amount should be divided into two instalments, the first being allocated among the Member States and the second held as a reserve intended to cover at a later date the requirements of Member States who have used up their initial share; whereas, in order to guarantee some degree of security to importers in each Member State, the first instalment of the Community quotas should be fixed at a level which could, in the present circumstances, be 60 % of the quota volume;

Whereas the initial shares of the Member States may not be used up at the same rate; whereas, in order to take this into account and to avoid disruption, any Member State which has used up almost the whole of its initial share should draw a supplementary share from the reserve; whereas this should be done by each Member State each time one of its supplementary shares is almost used up, and so on as many times as the reserve allows; whereas the initial and supplementary shares should be valid until the end of the quota period; whereas this form of administration requires close collaboration between the Member States and the Commission, and the Commission must be in a position to follow the extent to which the quota volume has been used up and inform the Member States thereof;

Whereas, if at a given date in the quota period a Member State has a considerable quantity of its initial share left over, it is essential that it should return a significant proportion thereof to the reserve, to prevent a part of the Community quota remaining unused in one Member State when it could be used in others;

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, all transactions concerning the administration of shares allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION :

Article 1

1. For the period 15 November 1978 to 15 April 1979 a Community tariff quota of 1 000 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, originating in the African, Caribbean and Pacific States and in the overseas countries and territories.

2. Within this tariff quota the Common Customs Tariff duty applicable to the products shall be suspended at 4.4 % with a minimum charge of two units of account per 100 kilograms net weight.

Article 2

1. A first instalment of 600 tonnes of the Community tariff quota referred to in Article 1 shall be allocated among the Member States; the shares which, subject to Article 5, shall be valid until 15 April 1979, shall be as follows (in tonnes) :

Benelux :	50
Denmark :	30
Germany :	50
France :	380
Ireland :	30
Italy :	30
United Kingdom :	30

2. A second instalment of 400 tonnes shall constitute the reserve.

Article 3

1. If 90 % or more of any Member State's initial share as laid down in Article 2 (1), or 90 % of that share less the amount returned into the reserve, where Article 5 has been applied, has been exhausted, that Member State shall without delay, by notifying the Commission, draw a second share in the quota equal to 15 % of its initial share, rounded up to the next unit, where appropriate, to the extent that the amount in the reserve allows.

2. If, after its initial share has been exhausted, 90 % or more of the second share drawn by a

Member State has been used, that Member State shall, in accordance with the conditions laid down in paragraph 1, draw a third share, equal to 7.5 % of its initial share.

3. If, after its second share has been exhausted, 90 % or more of the third share drawn by a Member State has been used, that Member State shall, in accordance with the same conditions, draw a fourth share equal to the third.

This process shall be applied until the reserve is exhausted.

4. By way of derogation from paragraphs 1, 2 and 3, Member States may draw smaller shares than those fixed in those paragraphs if there is reason to believe that those shares might not be used up. They shall inform the Commission of their reasons for applying this paragraph.

Article 4

Additional shares drawn pursuant to Article 3 shall be valid until 15 April 1979.

Article 5

The Member States shall, not later than 1 March 1979, return to the reserve the unused portion of their initial shares which, on 15 February 1979, is in excess of 20 % of the initial amount. They may return a greater portion if there are grounds for believing that such portion may not be used in full.

The Member States shall, not later than 1 March 1979, notify the Commission of the total imports of the products concerned effected under the Community quota up to 15 February 1979 inclusive, and, where appropriate, the proportion of their initial shares that they are returning to the reserve.

Article 6

The Commission shall keep account of the shares opened by the Member States in accordance with Articles 2 and 3 and shall inform each of them of the extent to which the reserve has been used as soon as it receives the notifications.

The Commission shall, not later than 5 March 1979, notify the Member States of the state of the reserve after the return of shares pursuant to Article 5.

The Commission shall ensure that any drawing which uses up the reserve is limited to the balance available and, for this purpose, shall specify the amount thereof to the Member State which makes the final drawing.

Article 7

1. The Member States shall take all measures necessary to ensure that supplementary shares drawn pursuant to Article 3 are opened in such a way that changes may be made without interruption against their accumulative 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 home use.

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 8

At the request of the Commission, Member States shall inform it of imports actually charged against their shares.

Article 9

The Member States and the Commission shall cooperate closely in order to ensure that this Regulation is observed.

Article 10

The rules of origin applicable to the products imported under this Regulation shall be, respectively, those of Protocol 1 annexed to the ACP-EEC Convention of Lomé concerning the definition of the concept of 'originating products' and the methods of administrative cooperation, and those of Annex II 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⁾.

Article 11

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 Luxembourg, 16 October 1978.

For the Council

The President

K. von DOHNANYI

⁽¹⁾ OJ No L 176, 1. 7. 1976, p. 8.

COUNCIL REGULATION (EEC) No 2430/79

of 29 October 1979

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, originating in the African, Caribbean and Pacific States and in the overseas countries and territories (1979/80) (*)

(OJ No L 277/79)

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 Article 1 of Council Regulation (EEC) No 430/78 (2) provides for the opening by the Community of a Community tariff quota of 1 000 tonnes of fresh or chilled tomatoes falling within subheading ex 07.01 M I of the Common Customs Tariff, originating in the African, Caribbean and Pacific States and in the overseas countries and territories; whereas the quota period runs from 15 November to 15 April; whereas the customs duty applicable to the quota is set at 4.4 %, with a minimum charge of two units of account per 100 kilograms net weight; whereas this Regulation is valid only until 29 February 1980; whereas, therefore, the *pro rata temporis* clause is applicable for the fixing of the quota volume for the period 15 November 1979 to 29 February 1980; whereas a Community tariff quota of 700 tonnes should therefore 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 rela-

(1) Opinion delivered on 26 October 1979 (not yet published in the Official Journal).

(2) OJ No L 59, 1. 3. 1978, p. 48.

tively 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 of those Member States in which needs might arise drawing appropriate quantities from that 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 and the latter must in particular be able to monitor the rate at which the quota is used up and inform the Member States thereof;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and 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,

HAS ADOPTED THIS REGULATION:

Article 1

1. For the period 15 November 1979 to 29 February 1980, a Community tariff quota of 700 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, originating in the African, Caribbean and Pacific States and in the overseas countries and territories.

Within this tariff quota the Common Customs Tariff duty applicable to the products shall be suspended at 4.4 % with a minimum charge of two units of account per 100 kilograms net weight.

(*) See also Council Regulation No 2459/78, on p. 95.

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, the latter 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 29 February 1980.

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 without interruption against their accumulated 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 home use.

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.

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

Done at Luxembourg, 29 October 1979.

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

The rules of origin applicable to the products imported under this Regulation shall be, respectively, those of Protocol 1 annexed to the ACP-EEC Convention of Lomé concerning the definition of the concept of 'originating products' and the methods of administrative cooperation, and those of Annex II 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⁾.

Article 6

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

For the Council

The President

M. O'KENNEDY

⁽¹⁾ OJ No L 176, 1. 7. 1976, p. 8.

COUNCIL REGULATION (EEC) No 1253/79

of 25 June 1979

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 (1979/80)

(OJ No L 160/79)

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, under the ACP-EEC Convention of Lomé signed on 28 February 1975, hereinafter referred to as 'the Convention', and in particular under Protocol 7 thereto, products originating in the ACP States which fall within subheading 22.09 C I (rum, arrack, tafia), shall, until the entry into force of a common organization of the market in spirits, be imported 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 last three years for which statistics are available, increased by an annual growth rate of 40 % on the market of the United Kingdom and 13 % on the other markets of the Community, these growth rates being based on foreseeable internal demand in each Member State;

Having regard to the levels reached by imports of the products concerned into the Community and the Member States during the last three years for which statistics are available;

Whereas, because the Convention is due to expire on 1 March 1980, a *pro rata temporis* reduction to eight-twelfths should be introduced; whereas the size of the tariff quota for the period 1 July 1979 to 29 February 1980 should therefore be fixed at 117 404 hectolitres of pure alcohol;

Whereas the above principles also apply to the allocation of the tariff quota;

Whereas it seems likely that arrangements for using the Community tariff quota based on allocation between the United Kingdom and the other Member States would reconcile the application of the growth rates provided for in Protocol 7 with the uninter-

rupted 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; 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 measures should be laid down to ensure that Protocol 7 is implemented under conditions such as to permit the development of traditional flows between the ACP States and the Community and between the Member States;

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;

Whereas since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united in and represented by the Benelux Economic Union, all transactions concerning the administration of shares allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 July 1979 until 29 February 1980, rum, arrack and tafia, falling within subheading 22.09 C I of the Common Customs Tariff and originating in the ACP States shall be imported duty free into the Community within the limits of a Community tariff quota of 117 404 hectolitres of pure alcohol.

Article 2

1. The tariff quota referred to in Article 1 shall be divided into two instalments. The first instalment of 81 789 hectolitres of pure alcohol shall be for United Kingdom consumption. The second instalment of 35 615 hectolitres of pure alcohol shall be allocated among the other Member States.

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:

	<i>(hectolitres of pure alcohol)</i>
Benelux	4 542
Denmark	2 446
Germany	22 332
France	4 238
Ireland	1 777
Italy	280

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 for home use.

Article 4

1. Member States shall inform the Commission each month of imports actually charged against the tariff quota.

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

Done at Luxembourg, 25 June 1979.

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.

Article 5

The Commission shall take all necessary measures, in close cooperation with the Member States, to ensure the implementation of this Regulation.

Article 6

Council Regulation (EEC) No 157/76 of 20 January 1976 on the safeguard measures provided for in the ACP-EEC Convention of Lomé⁽¹⁾ shall apply in respect of the products covered by this Regulation.

Article 7

This Regulation shall enter into force on 1 July 1979.

For the Council

The President

J. LE THEULE

⁽¹⁾ OJ No L 18, 27. 1. 1976, p. 1.

COUNCIL REGULATION (EEC) No 2993/78
of 19 December 1978

extending the period of validity of Regulation (EEC) No 3328/75 renewing the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States (*)
(OJ No L 357/78)

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission (1),

Having regard to the opinion of the European Parliament (2),

Whereas certain signatory States of the ACP-EEC Convention of Lomé are traditional suppliers of beef and veal to the Community; whereas the production of beef and veal is an essential factor in their economies, which are highly dependent upon these exports; whereas, since the States concerned are the least developed among the States which export beef and veal to the Community, special measures could contribute to maintaining a regular flow of imports;

Whereas this situation has been taken into account by Council Regulation (EEC) No 3328/75 of 18 December 1975 renewing the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States (3), as last amended by Regulation (EEC) No 2570/77 (4); whereas the arrangements introduced by this Regulation provide that, subject to the ACP States applying an export tax of a corresponding amount, there is partial compensation of the import charges other than customs duties in respect of the products referred to in Article 1 (a) of Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal (5), as last amended by Regulation (EEC) No 425/77 (6); whereas these arrangements expire on 31 December 1978;

Whereas in particular the world market situation and price levels in the ACP States and in the Community have not been sufficiently adjusted; whereas the beef and veal sector is of vital importance to the abovementioned countries, whereas these special measures

should be extended from 1 January 1979 to 1 March 1980 for the ACP States which export beef and veal to the Community,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3328/75 is hereby amended as follows:

(a) Article 2 shall read:

'Article 2

The reduction provided for in Article 1 shall be limited:

— from 1 January to 31 December 1979 to a quantity of 27 532 tonnes, expressed in terms of boned meat, allocated as follows:

Botswana	17 360 tonnes,
Kenya	130 tonnes,
Madagascar	6 956 tonnes,
Swaziland	3 086 tonnes;

— from 1 January to 1 March 1980 to a quantity of 4 595 tonnes, expressed in terms of boned meat, allocated as follows:

Botswana	2 895 tonnes,
Kenya	25 tonnes,
Madagascar	1 160 tonnes,
Swaziland	515 tonnes.

(b) In the second subparagraph of Article 4, '31 December 1978' shall read '1 March 1980'.

Article 2

This Regulation shall enter into force on 1 January 1979.

(1) OJ No C 284, 28. 11. 1978, p. 2.

(2) Opinion delivered on 15 December 1978 (not yet published in the Official Journal).

(3) OJ No L 329, 23. 12. 1975, p. 4.

(4) OJ No L 300, 24. 11. 1977, p. 1.

(5) OJ No L 148, 28. 6. 1968, p. 24.

(6) OJ No L 61, 5. 3. 1977, p. 1.

(*) See also Commission Regulation No 1358/79 and Commission Decisions 79/456 and 80/2/EEC, on pp. 104, 105 and 106 respectively.

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

Done at Brussels, 19 December 1978.

For the Council

The President

H.-D. GENSCHER

COMMISSION REGULATION (EEC) No 1358/79

of 29 June 1979

derogating from Regulation (EEC) No 3006/78 as regards the calculation of the amount of the reduction of import charges for beef and veal products from the African, Caribbean and Pacific States for the period beginning 2 July 1979 (*)
(OJ No L 163/79)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3328/75 of 18 December 1975 renewing the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States⁽¹⁾, as last amended by Regulation (EEC) No 2993/78⁽²⁾, and in particular Article 3 (2) thereof,

Whereas Article 4 of Commission Regulation (EEC) No 3006/78⁽³⁾ stipulates that the amount of the reduction of the import charges referred to in Article 1 (1) of Regulation (EEC) No 3328/75 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 Article 3 (2) of Regulation (EEC) No 3328/75 provides for a possible derogation 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 1979/80 marketing year has been fixed for 2 July 1979 by Council Regulation (EEC) No 639/79⁽⁴⁾;

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 of Regulation (EEC) No 3006/78, the amount of the reduction of import charges for beef and veal products originating in the African, Caribbean and Pacific States, as referred to in Article 1 (1) of Regulation (EEC) No 3328/75, shall be fixed for the period beginning 2 July 1979 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 2 July 1979.

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

Done at Brussels, 29 June 1979.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 329, 23. 12. 1975, p. 4.

⁽²⁾ OJ No L 357, 21. 12. 1978, p. 5.

⁽³⁾ OJ No L 357, 21. 12. 1978, p. 44.

⁽⁴⁾ OJ No L 82, 31. 3. 1979, p. 1.

(*) See also Council Regulation No 2993/78 and Commission Decisions 79/456/EEC and 80/2/EEC, on pp. 102, 105 and 106 respectively.

COMMISSION DECISION

of 2 May 1979

amending Council Decision 78/642/EEC on health protection measures in respect of Botswana (*)

(79/456/EEC)

(OJ No L 116/79)

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 77/98/EEC⁽²⁾, and in particular Article 15 thereof,

Having regard to Council Decision 78/642/EEC of 25 July 1978 on health protection measures in respect of Botswana⁽³⁾, as amended by Commission Decision 78/771/EEC⁽⁴⁾, and in particular Article 3 thereof,

Whereas the abovementioned Decision, taking into account the health situation in Botswana and of the measures adopted by the authorities of that country to combat foot-and-mouth disease and to prevent this disease spreading into other uncontaminated areas, permitted Member States to import into their territory, under certain conditions and from specified districts, fresh meat from that country;

Whereas, according to the information received from the authorities of Botswana, the Ghanzi district has been free of foot-and-mouth disease since 1934; whereas that district is clearly separated from the areas of Botswana where foot-and-mouth disease appeared; whereas, moreover, the situation in these areas, as

regards this disease, has improved; whereas it is possible, therefore, to allow the Ghanzi district to export fresh meat to Member States;

Whereas the measures adopted in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

Decision 78/642/EEC is amended as follows:

1. In Article 1 the name 'Ghanzi' shall be inserted before the name 'Kweneng'.
2. In point IV (1) (a), first indent, of the health certificate set out in the Annex, the name 'Ghanzi' shall be inserted before the name 'Kweneng'.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 2 May 1979.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽²⁾ OJ No L 26, 31. 1. 1977, p. 81.

⁽³⁾ OJ No L 213, 3. 8. 1978, p. 15.

⁽⁴⁾ OJ No L 257, 20. 9. 1978, p. 16.

(*) See also Council Regulation No 2993/78, Commission Regulation No 1358/79 and Commission Decision 80/2/EEC, on pp. 102, 104 and 106 respectively.

COMMISSION DECISION

of 19 December 1979

amending Council Decision 78/642/EEC on health protection measures in respect of the Republic of Botswana (*)

(80/2/EEC)

(OJ No L 5/80)

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 77/98/EEC⁽²⁾, and in particular Article 15 thereof,

Having regard to Council Decision 78/642/EEC of 25 July 1978 on health protection measures in respect of the Republic of Botswana⁽³⁾, as last amended by Commission Decision 79/456/EEC⁽⁴⁾, and in particular Article 3 thereof,

Whereas Decision 78/642/EEC, taking into account the health situation in the Republic of Botswana and the measures adopted by the authorities of that country to combat foot-and-mouth disease and to prevent the disease spreading into other uncontaminated areas, permitted Member States to import into their territory, under certain conditions and from specified districts, fresh meat from that country;

Whereas one area should be precluded from exporting fresh meat to Member States, on account of its proximity to a region in which foot-and-mouth disease has reappeared;

Whereas vaccinations have been carried out against foot-and-mouth disease in a district of the Republic of

Botswana which had been authorized to export fresh meat to the Member States primarily by virtue of the fact that the district was free from that disease; whereas exports of fresh meat from that district to the Member States should not be authorized, in view of the provisions of Directive 72/462/EEC, which provide that Member States may authorize the importation of fresh meat only if it comes from non-member States in which no vaccinations have been carried out for 12 months against exotic foot-and-mouth disease save where a decision to the contrary has been taken in accordance with Community procedure;

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

Decision 78/642/EEC is hereby amended as follows:

1. Article 1 is replaced by the following:

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, Kgalagadi or to that part of the country situated between: to the north, Palapye

⁽¹⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽²⁾ OJ No L 26, 31. 1. 1977, p. 81.

⁽³⁾ OJ No L 213, 3. 8. 1978, p. 15.

⁽⁴⁾ OJ No L 116, 11. 5. 1979, p. 31.

(*) See also Council Regulation No 2993/78, Commission Regulation No 1358/79 and Commission Decision 80/2/EEC, on pp. 102, 104 and 105 respectively.

Sherwood Cordon Fence, to the east, the border of the Republic of South Africa, to the south, Dibete Cordon Fence, and to the west, the railway line connecting Dibete and Palapye.

2. In point IV of the animal health certificate set out in the Annex :

(a) in the first indent of paragraph 1 (a) :

— insert after the name 'Ghanzi' the following phrase :

'(with the exclusion of its north-western sector known as "Ghanzi Farms"),

— that part of the sentence which reads 'since May 1978 or since birth, have remained in that part of the country to the east of the railway line connecting Dibete and the Rhodesian border' is replaced by the following: 'since May 1978 or since birth, have remained in that part of the country situated between: to the north, Palapye Sherwood Cordon Fence, to the east, the border of the Republic of South Africa, to the south, Dibete Cordon Fence, and to the west, the railway line connecting Dibete and Palapye' ;

(b) in the fourth indent of paragraph 1 (a) that part of the sentence which reads 'and, in the case of

animals from that part of the country to the east of the railway line connecting Dibete and the Rhodesian border' is replaced by the following: 'and, in the case of animals from that part of the country between: to the north, Palapye Sherwood Cordon Fence, to the east, the border of the Republic of South Africa, to the south, Dibete Cordon Fence, and to the west, the railway line connecting Dibete and Palapye' ;

(c) the sixth indent of paragraph 1 (a) is replaced by the following: 'were slaughtered after 15 January 1980 (date of slaughter: . . .)'.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 19 December 1979.

For the Commission

Finn GUNDELACH

Vice-President

COUNCIL REGULATION (EEC) No 215/79

of 5 February 1979

regarding the application of Decision No 4/78 of the ACP-EEC Council of Ministers derogating from the definition of the concept of 'originating products' to take into account the special situation of Kenya with regard to certain items of fishing tackle (fishing flies) (*)

(OJ No L 31/79)

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

HAS ADOPTED THIS REGULATION:

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

Article 1

Decision No 4/78 of the ACP-EEC Council of Ministers annexed to this Regulation shall apply in the Community.

Having regard to the proposal from the Commission,

Article 2

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

Whereas the ACP-EEC Council of Ministers set up under the ACP-EEC Convention of Lomé (1) signed on 28 February 1975, adopted, pursuant to Article 9 (2) of the Convention, Decision No 4/78 derogating from the concept of 'originating products' to take into account the special situation of Kenya with regard to certain items of fishing tackle (fishing flies);

Whereas it is necessary, in accordance with Article 74 (3) of the said Convention, to take the measures required to implement that Decision,

It shall apply from 1 June 1978 until 31 December 1979.

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

Done at Brussels, 5 February 1979.

For the Council

The President

P. MEHAIGNERIE

(1) OJ No L 25, 30, 1 1976, p. 2.

(*) See Decision No 4/78 of the ACP-EEC Council of Ministers, on p. 2.

COUNCIL REGULATION (EEC) No 216/79
of 5 February 1979

regarding the application of Decision No 5/78 of the ACP-EEC Council of Ministers derogating from the definition of the concept of 'originating products' to take into account the special situation of Malawi with regard to certain items of fishing tackle (fishing flies)(*)
(OJ No L 31/79)

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

HAS ADOPTED THIS REGULATION:

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 Council of Ministers set up under the ACP-EEC Convention of Lomé⁽¹⁾ signed on 28 February 1975, adopted, pursuant to Article 9 (2) of the Convention, Decision No 5/78 derogating from the concept of 'originating products' to take into account the special situation of Malawi with regard to certain items of fishing tackle (fishing flies);

Whereas it is necessary, in accordance with Article 74 (3) of the said Convention, to take the measures required to implement that Decision,

Article 1

Decision No 5/78 of the ACP-EEC Council of Ministers 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 June 1978 until 31 December 1979.

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

Done at Brussels, 5 February 1979.

For the Council

The President

P. MEHAIGNERIE

⁽¹⁾ OJ No L 25, 30. 1. 1976, p. 2.

(*) See Decision No 5/78 of the ACP-EEC Council of Ministers, on p. 6.

COUNCIL REGULATION (EEC) No 927/79

of 8 May 1979

on the application of Decision No 2/79 of the ACP-EEC Council of Ministers derogating from the concept of 'originating products' to take account of the special situation of Mauritius with regard to its production of canned tuna (*)
(OJ No L 117/79)

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

HAS ADOPTED THIS REGULATION :

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 Council of Ministers set up under the ACP-EEC Convention of Lomé⁽¹⁾, signed on 28 February 1975, adopted, pursuant to Article 9 (2) of the said Convention, Decision No 2/79 derogating from the concept of 'originating products' to take account of the special situation of Mauritius with regard to its production of canned tuna ;

Whereas it is necessary, in accordance with Article 74 (3) of the Convention, to take the measures required to implement that Decision,

Article 1

Decision No 2/79 of the ACP-EEC Council of Ministers shall apply in the Community.

The text of the Decision is annexed to this Regulation.

Article 2

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

It shall apply from 25 November 1978 until 24 November 1979.

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

Done at Brussels, 8 May 1979.

For the Council

The President

P. MEHAIGNERIE

(1) OJ No L 25, 30. 1. 1976, p. 2.

(*) See Decision No 2/79 of the ACP-EEC Council of Ministers, on p. 17.

COUNCIL REGULATION (EEC) No 2298/79
of 15 October 1979

on the conclusion of the Agreements in the form of exchanges 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, the Republic of Uganda, and also the Republic of India, on the guaranteed prices for cane sugar for 1979/80 (*)
(OJ No L 264/79)

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 recommendation from the Commission,

Whereas Protocol 3 on ACP sugar annexed to the ACP-EEC Convention of Lomé⁽¹⁾, and the Agreement between the European Economic Community and the Republic of India on cane sugar⁽²⁾, are implemented in the context of the management of the common organization of the sugar market;

Whereas it is appropriate to approve the Agreements in the form of exchanges of letters between the European Economic Community and the States referred to in Protocol 3 on ACP sugar and the Republic of Surinam, and also the Republic of India, on the guaranteed prices for cane sugar for 1979/80,

HAS ADOPTED THIS REGULATION

Article 1

The Agreement in the form of exchange of letters between the European Economic Community and

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

Done at Luxembourg, 15 October 1979.

Barbados, the People's Republic of the Congo, 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 1979/80, and the Agreement in the form of an exchange of letters between the European Economic Community and the Republic of India on the guaranteed prices for cane sugar for 1979/80, are hereby approved on behalf of the Community.

The texts of these Agreements are annexed to this Regulation. (3)

Article 2

The President of the Council is authorized to designate the person empowered to sign the Agreements referred to in Article 1 so as 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*.

For the Council

The President

J. GIBBONS

(1) OJ No L 25, 30. 1. 1976, p. 1.

(2) OJ No L 190, 23. 7. 1975, p. 36.

(3) The text of these Agreements is set out on pp. 41 to 47

(*) See also Commission communication on p. 112.

Commission communication concerning Article 7(3) of Protocol No 3 on
ACP sugar annexed to the ACP-EEC Convention of Lomé (*)
(OJ No C 97/79)

The Commission announces that, pursuant to the provisions of Article 7 (3) of Protocol No 3 on ACP sugar annexed to the ACP-EEC Convention of Lomé ⁽¹⁾, the quantities of sugar specified in Article 3 (1) of that Protocol in respect of the People's Republic of the Congo, the Republic of Kenya, the Republic of Surinam and the Republic of Uganda have been reduced to the following quantities (expressed in white value) with effect from 1 July 1978:

People's Republic of the Congo:	4 957 tonnes;
Republic of Kenya:	93 tonnes;
Republic of Surinam:	2 667 tonnes;
Republic of Uganda:	409 tonnes.

(*) See the text of the sugar Agreements and Council Regulation No 2298/79, on pp. 41 and 111 respectively.

(1) OJ No L 25, 30. 1. 1976, p. 1.

COUNCIL DECISION

of 19 March 1979

adjusting the amounts made available to the European Development Fund (1975) for the ACP States and for the overseas countries and territories and the French overseas departments (*)

(79/309/EEC)
(OJ No L 72/79)

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Internal Agreement on the financing and administration of Community aid⁽¹⁾, signed at Brussels on 11 July 1975, hereinafter referred to as the 'Internal Agreement', and in particular Article 1 (4) thereof, amended by the Agreement of 28 March 1977⁽²⁾,

Having regard to the proposal from the Commission,

Whereas the Solomon Islands, Tuvalu and Dominica, former overseas countries and territories associated with the Community under Decision 76/568/EEC⁽³⁾, have become independent and have requested to accede to the ACP-EEC Convention of Lomé, hereinafter referred to as the 'Convention', pursuant to Article 89 thereof; whereas the ACP-EEC Council of Ministers has approved these requests; whereas these States deposited their instruments of accession with the General Secretariat of the Council on 27 September 1978, 17 January 1979 and 26 February 1979 respectively, and thus acceded to the Convention on these dates;

Whereas, therefore, in accordance with Article 1 (4) of the Internal Agreement, the amounts provided for the overseas countries and territories and the French overseas departments in Article 1 (3a) (b) of the said

Internal Agreement should be reduced and those provided for the ACP States in (a) of that paragraph correspondingly increased;

Whereas this adjustment must be made on the basis of the amounts specified in Decision 78/465/EEC⁽⁴⁾ which last adjusted the amounts made available to the European Development Fund following the accession of former associated overseas countries and territories to the Commission,

HAS DECIDED AS FOLLOWS:

Article 1

Article 1 (3a) and (3b) of the Internal Agreement shall be replaced by the following:

'3a. From 26 February 1979 the amount of 3 159.50 million European units of account referred to in paragraph 2a shall be allocated as follows:

- (a) 3 067.767 million European units of account for the ACP States, consisting of:
 - 3 000 million European units of account from the appropriation initially provided for in paragraph 3 (a) for the original ACP States,
 - 9.50 million European units of account from the amount provided for in paragraph 2a.

⁽¹⁾ OJ No L 25, 30. 1. 1976, p. 168.

⁽²⁾ OJ No L 287, 13. 10. 1978, p. 22.

⁽³⁾ OJ No L 176, 1. 7. 1976, p. 8.

⁽⁴⁾ OJ No L 147, 3. 6. 1978, p. 39.

(*) See Decisions Nos 3/78 (Compilation III), 6/78 and 7/78, on pp. 10 and 12. See also the instruments of accession on pp. 81 and 82, Decisions Nos 1/79 and 4/79 of the ACP-EEC Council of Ministers, on pp. 14 and 24, and Council Decisions 78/827 and 78/976 and Council Regulation No 527/79, on pp. 86, 87 and 90 respectively.

- 13 million European units of account from the amount appearing in Article 30 (4) (a), first indent, as introduced by the Council Decision 77/155/EEC of 14 February 1977 adjusting Decision 76/568/EEC on the association of the overseas countries and territories with the European Economic Community⁽¹⁾.
 - 45 267 million European units of account from the amount transferred from the appropriation for the OCT to that for the ACP under Decisions 77/156/EEC⁽²⁾ and 78/464/EEC⁽³⁾, adjusting the amounts made available to the European Development Fund (1975) for the ACP States on the one hand and for the overseas countries and territories and the French overseas departments on the other, following the accession of the Republic of Surinam, the Republic of Seychelles, the Comoro State, the Republic of Jibuti, the Solomon Islands, Tuvalu and Dominica to the Convention.
- (b) 91 733 million European units of account for the overseas countries and territories and the French overseas departments from the amounts originally laid down in paragraph 3 (b) and (c), taking into account the reduction made under the Decision referred to in the fourth indent of (a).
- 3b. (a) The amount stated in paragraph 3a (a) for the ACP States shall be allocated as follows :
- 2 145 182 million European units of account in the form of grants,
 - 445 585 million European units of account in the form of special loans,
 - 97 000 million European units of account in the form of risk capital,

380 000 million European units of account in the form of transfers pursuant to Title II of the Convention.

- (b) The amount stated in paragraph 3a (b) for the overseas countries, territories and departments shall be allocated as follows :
- 31 692 million European units of account in the form of grants,
 - 23 915 million European units of account in the form of special loans,
 - 4 000 million European units of account in the form of risk capital,
 - 12 126 million European units of account in the form of a reserve,
 - 20 000 million European units of account 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.

(¹) OJ No L 46, 18. 2. 1977, p. 15

(²) OJ No L 46, 18. 2. 1977, p. 17

(³) OJ No L 147, 3. 6. 1978, p. 37

Article 2

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

Done at Brussels, 19 March 1979.

For the Council
The President
R. MONROY

ACP - EEC COUNCIL OF MINISTERS
BRUSSELS