COMPILATION OF TEXTS XI

THIRD ACP-EEC CONVENTION OF LOME

1 January 1986 — 31 December 1986



ACP-EEC COUNCIL OF MINISTERS Brussels

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This publication is also available in:

ES ISBN 92-824-0504-4
DA ISBN 92-824-0505-2
DE ISBN 92-824-0506-0
GR ISBN 92-824-0507-9
FR ISBN 92-824-0509-5
IT ISBN 92-824-0510-9
NL ISBN 92-824-0511-7
PT ISBN 92-824-0512-5

Cataloguing data can be found at the end of this publication.

Luxembourg: Office for Official Publications of the European Communities, 1988

ISBN 92-824-0508-7

Catalogue number: BX-50-87-704-EN-C

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Printed in Luxembourg

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⁽¹⁾ This Agreement entered into force on 11.6.1986.

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I. - ACP-EEC ACTS

1. ACTS OF THE COUNCIL OF MINISTERS

DECISION No 1/86 OF THE ACP-EEC COUNCIL OF MINISTERS of 28 February 1986 (*)

concerning the extension of Decision No 2/85 of the ACP-EEC Council of Ministers on the transitional measures valid from 1 March 1985

THE ACP-EEC Committee of Ambassadors,

Having regard to the second ACP-EEC Convention signed at Lomé on 31 October 1979 and in particular Article 188(3) thereof,

Having regard to Decision No 7/84 of the ACP-EEC Council of Ministers of 19 December 1984 delegating powers to the ACP-EEC Committee of Ambassadors in connection with the adoption of transitional measures upon expiry of the second ACP-EEC Convention,

^(*) See Regulation No 690/86, p. 233 of this Compilation of Texts.

Whereas the third ACP-EEC Convention, signed at Lomé on 8 December 1984 has not yet become operative;

Whereas Decision No 2/85 of the ACP-EEC Council of 22 February 1985 applies until 28 February 1986;

and in consequence, in order to avoid an interruption of relations between the ACP States and the Community it is appropriate to extend this decision,

Considering that it is appropriate to apply the transitional measures to relations between the ACP States and the enlarged Community in order to ensure the proper functioning of ACP-EEC co-operation,

HAS DECIDED AS FOLLOWS:

Article 1

Decision No 2/85 of the ACP-EEC Council of Ministers on transitional measures valid as from 1 March 1985 is extended until the entry into force of the third ACP-EEC Convention and at the latest until 30 June 1986.

Article 2

In accordance with Article 1, the import into Spain and Portugal of products originating from the ACP States shall be governed by autonomous transitional measures to be adopted by the Community which shall be modelled on measures of a similar nature agreed between the Community in its composition of 31 December 1985 on the one hand and Spain and Portugal on the other, without prejudice to the provisions of Article 284 of the 3rd ACP-EEC Convention.

The Committee of Ambassadors will examine any problems arising from the application of the preceding paragraph which might result in placing an ACP State in a worse position on the markets of Spain and Portugal than it enjoyed before the coming into force of these autonomous measures.

Article 3

The present decision will enter into force on 1 March 1986.

Hecho en Bruselas, el Udfærdiget i Bruxelles, den Geschehen zu Brüssel am 'Eyivt otic Bougéakte, otic Done at Brussels, Pait à Bruxelles, le Fatto a Bruxelles, addi' Gedaan te Brussel, Peito em Bruxelas, em

28. II. 1986

Por el Consejo de Ministros ACP-CEE For AVS-EØF Ministerrādets vegne Für den AKP-EWG-Ministerrat Fia to TouBoOllo tou Ymoupydw AKE-EOK For the ACP-EEC Council of Ministers Pour le Conseil des Ministres ACP-CEE Per il Conseil dei Ministri ACP-CEE Voor de ACS-EEG-Raad van Ministers Pelo Conselho de Ministros ACP-CEE

Por el Comité de Embajadores
På AVS-EØF Ambassadørudvalgets vegne
Im Namen des AKF-EWG-Botschafterausschusses
Για την Επιτροπή των Πρέοβτων ΑΚΕ-ΕΟΚ
For the ACP-EEC Committee of Ambassadors
Par le Comité des Ambassadeurs ACP-CEE
Per il Comitato degli Ambassiatori ACP-CEE
Voor de ACS-EEG-Comité van Ambassadeurs
Pelo Comité dos Embaixadores ACP-CEE

El Presidente Formand Der Präsident O Npósópoc The President Le président Il Presidente De Voorzitter O Presidente

M.H.J.CH. RUTTEN

STATEMENTS TO BE PUBLISHED IN THE OFFICIAL JOURNAL OF THE EUROPEAN COMMUNITIES

The Belgian, Danish, German, Greek, French, Irisn, Italian, Luxembourg, Dutch and United Kingdom delegations and the Commission declare that, in accordance with Articles 181(2) and 368(2) of the Treaty of Accession of the Kingdom of Spain and the Republic of Portugal to the Communities, the present decision implies neither the participation of Spain and Portugal in the arrangements of Lome II regarding financial and technical co-operation, Stabex and Sysmin, nor the participation of their nationals and companies in invitations to tender and contracts financed by the resources of the 4th and 5th EDF. They consider that the modifications made to the draft decision submitted by the Commission shall not influence this interpretation.

The Commission declares that it will exercise its menagement responsibilities in compliance with this interpretation.

The Delegations of Spain and Portugal state that they do not subscribe to the interpretation given by the other 10 Delegations and the Commission and would further point out that they consider their respective nationals and companies to be entitled to participate in invitations to tender and contracts financed from the resources from the 4th and 5th EDF.

Statement for entry in the ACP-EEC Committee of Ambassadors minutes

Ad Article 2

The Committee of Ambassadors takes note that the Community refers in particular to articles 179, 180, 366 and 367 of the Treaty of accession of Spain and Portugal to the European Communities.

ANNEX III

STATEMENT OF THE COMMUNITY

The Community takes note of the close link between the adoption of the decision extending the transitional measures and the extension of Decision no 3/85 of the ACP-EEC Customs Co-operation Committee (1). It undertakes to make its best efforts in order that the procedures in course should be completed as quickly as possible.

⁽¹⁾ Decision of the ACP-EEC Customs Co-operation Committee of 16 July 1985 derogating from the definition of the concept of "originating products" to take account of the special situation of Mauritius with regard to its production of canned tuna.

UNILATERAL ACP DECLARATION

The ACP States, concerned by the situation whereby fourteen months after the signature of the 3rd Lomé Convention, the ratification process has not been completed to allow the Convention to enter into force, launch an appeal to their partners in the EEC to complete their ratification process so as to allow the Convention to come into force without any further delay.

DECISION No 2/86 OF THE ACP-EEC COUNCIL OF MINISTERS of 24 March 1986

laying down the statutes and rules of operation of the Centre for the Development of Industry

THE ACP-EEC COMMITTEE OF AMBASSADORS,

Having regard to the Third ACP-EEC Convention, signed at Lomé on 8 December 1984 (hereinafter referred to as "the Convention"), and in particular Article 73(6) thereof,

Having regard to Decision No 8/85 of the ACP-EEC Council of Ministers of 21 June 1985 delegating powers to the Committee of Ambassadors concerning the adoption of the texts relating to the Centre for the Development of Industry referred to in Article 73(6) of the Convention, and in particular Article 1 thereof.

Having regard to the proposal from the Committee of Ambassadors,

Anxious to ensure the fulfilment of the objectives which the ACP States and the Community have set themselves in Title III of Part Two of the Convention,

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

Whereas Articles 71 and 74 of the Convention define the objective, tasks and general conditions of operation of the Centre for the Development of Industry;

Whereas the statutes and rules of operation of the Centre for the Development of Industry should be laid down,

HAS DECIDED AS FOLLOWS:

Article 1

- 1. The Centre for the Development of Industry, established in accordance with Article 71 of the Convention and hereinafter referred to as "the Centre", shall enjoy in each of the States which are Parties to the Convention the most extensive legal capacity accorded to legal persons.
- 2. The Centre shall be non-profit-making. It shall have its seat in Brussels.

Article 2

The aim of the Centre shall be to help, within the framework of the provisions and principles of Title III of the Convention, to establish and strengthen industrial enterprises in the ACP States, particularly by encouraging joint initiatives by economic operators of the Community and the ACP States.

As a practical operational instrument, the Centre shall assist in the identification, promotion and implementation of viable industrial projects that meet the needs of ACP States, taking special account of domestic and external market opportunities and possibilities for the processing of local raw materials while making optimum use of the ACP States' endowments by way of factors of production.

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

In carrying out the above tasks, the Centre shall take care to operate selectively by giving priority to small and medium-sized industrial enterprises and rehabilitation operations, and restoring existing viable industrial capacities to full utilization. It shall place special emphasis on opportunities for joint ventures and subcontracting.

The Centre shall pay special attention to the specific problems that arise as regards promotion of industrialization activities of the least-developed, landlocked and island ACP States.

At the request of one or more least-developed ACP States, the Centre shall grant special assistance for identifying on the spot, examining, assessing, preparing and promoting the implementation of industrial projects in the ACP State concerned and for contributing to such implementation.

The Centre shall act in close co-operation with the ACP States, the Member States and the Commission of the European Communities and the European Investment Bank within their respective areas of responsibility. Its activity shall be subject to periodic evaluation.

Article 3

In the framework of its objectives, the Centre's functions shall be to:

- (a) gather and disseminate all relevant information concerning trends in industrial sectors in the Community and the ACP States;
- (b) carry out studies, market research and evaluation work and gather and disseminate all relevant information on the industrial co-operation situation and opportunities and notably on the economic environment, the treatment which would-be investors may expect and the potential of viable industrial projects;
- (c) identify industrial policy-makers, promoters and economic and financial operators in the Community and ACP States and organize and facilitate contacts and meetings of all kinds between them;
- (d) carry out studies and appraisals aimed at identifying practical opportunities for industrial co-operation with the Community in order to promote the industrial development of the ACP States, and at facilitating the implementation of appropriate schemes;
- (e) supply information and also specific advisory services and expertise, including feasibility studies, with a view to expediting the establishment or restoration of industrial enterprises;

- (f) identify potential partners of the ACP States and the Community for joint investment operations and assist in the implementation and follow-up;
- (g) identify and evaluate, on the basis of needs indicated by ACP States, opportunities for industrial training, chiefly on-the-job, to meet requirements of existing as well as projected industrial undertakings in ACP States and, where appropriate, assist in the implementation of appropriate schemes;
- (h) identify, collect, evaluate and supply information and advice on the acquisition, adaptation and development of appropriate industrial technology relating to specific projects and, where appropriate, assist in the setting-up of experimental or demonstration schemes;
- (i) identify, appraise, evaluate, promote and assist in the implementation of viable industrial projects of the ACP States;
- (j) help, in appropriate cases, to promote the marketing of ACP manufactures on their domestic markets and on the markets of the other ACP States and the Community in order to encourage optimum exploitation of installed or projected industrial capacity;
- (k) identify and provide information on possible sources of financing and, where necessary, assist in the mobilization of funds from these sources for industrial projects in ACP States.

Article 4

The Centre's general strategy shall be established by the Committee on Industrial Co-operation (hereinafter referred to as "the Comittee"), in accordance with Article 70(1)(d) of the Convention.

Article 5

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

In the event of difficulties concerning the operation of the Centre, the Governing Board provided for in Article 6 may take up the matter.

- A Governing Board set up in accordance with Article 73(2) and (3) of the Convention, hereinafter referred to as "the Board") shall:
- (a) advise and back up the Director in providing impetus and motivation and in managing the Centre;
- (b) take the following decisions:
 - approve the budgets and annual accounts;
 - establish multiannual and annual programmes of activities;
 - approve the annual report;
 - establish the organization structures, staffing policy and establishment plan:
- (c) transmit an annual report to the Committee.
- 2. The Governing Board shall be composed, on a basis of parity, of twenty-four members with substantial experience in the private or public, industrial and banking sectors or in industrial development planning and promotion. They shall be chosen on a personal basis on the grounds of their qualifications from among nationals of the States party to the Convention and appointed by the Committee according to the procedures laid down by it. A representative of the Commission of the European Communities and of the European Investment Bank shall take part in the Board's proceedings. Two representatives of the Secretariat of the ACP-EEC Council shall take part in the Board's proceedings.
- The members of the Board shall be appointed for the duration of the Convention.
- 4. The Chairman and the Vice-Chairman of the Board shall be appointed for a period of two and a half years. When this period expires, these offices will alternate between the Community and the ACP States.
- 5. The Board shall also select on a basis of parity from among its members four who, with the Chairman and the Vice-Chairman, shall be the officers of the Board responsible, under conditions laid down by the Board, for dispatching current business between meetings of the Board, and specifically for performing the functions referred to in Article 6(1)(a).
- ó. The Board shall lay down the number of meetings it is to hold each year. It shall also meet whenever necessary for the execution of its tasks, either on the initiative of its Chairman or Vice-Chairman, or at the request of the Director of the Centre.
- 7. The Director and the Deputy Director of the Centre shall take part in the proceedings of the Board in an advisory capacity. The Centre shall prepare the Board's meetings and provide the secretariat thereof.
- 8. The Board may invite experts from outside the Centre to give opinions on specific questions.
- 9. The Board shall adopt its own rules of procedure.

Two auditors appointed by the Committee shall audit the financial management of the Centre.

Article 8

- 1. The Director shall be responsible for preparing the drafts of:
- multiannual and annual programmes of activities;
- the Centre's annual budget, within the limits of the annual apportionment by the Committee, of the overall financial allocation, in accordance with Article 70(1)(d) of the Convention;
- the annual accounts and report.

He shall submit these drafts for approval by the Board.

- 2. The Director shall regularly, at least twice a year, inform the Board of the activities of the Centre.
- 3. The Director shall be responsible for the organization and management of the Centre.
- 4. The Director shall draw up rules of procedure for the Centre, discuss them with the Board's officers and submit them for the Board's agreement before they are sent for approval by the Committee.
- 5. An annual report on the Centre's activities shall be drawn up to enable the Committee to examine the deployment of the financial resources allocated to the Centre and to assess whether its activities are in conformity with the objectives assigned to it.

Article 9

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

Article 10

Protocol 3 on Privileges and Immunities shall apply to the Centre and to its staff under the terms of that Protocol and without prejudice to the implementation of the Community Declaration contained in Annex LII to the Convention.

Article 11

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

Article 291 of the Convention shall apply to the Centre.

Article 13

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

Article 14

This Decision shall enter into force on the same day as the Convention.

Hecho en Bruselas, el Udfærdiget i Bruxelles, den Geschehen zu Επώsel am 'Εγινε στις Βρυξέλλες, στις Done at Brusels, Fait à Bruxelles, le Fatto a Bruxelles, addi' Gedaan te Brusela, Feito em Bruxelas, em

24. 111. 1986

Por el Consejo de Ministros ACP-CEE For AVS-EØF Ministerrâdets vegne Für den AKF-EWG-Ministerrat Fla to EuuBoôllo two Ynoupyŵw AKE-EOK For the ACP-EEC Council of Ministers Four le Conseil des Ministres ACP-CEE Per il Conseilio dei Ministri ACP-CEE Voor de ACS-EEG-Raad van Ministers Pelo Conselho de Ministros ACP-CEE

Por el Comité de Embajadores
På AVS-EØF Ambassadørudvalgets vegne
Im Namen des AKP-EWG-Botschafterausschusses
Για την Επιτροπή των Πρόσβτων ΑΚΕ-ΕΟΙ:
For the ACP-ΕΕC Committee of Ambassadors
Par le Comité des Ambassadeurs ACP-CEE
Per il Comitato degli Ambasciatori ACP-CEE
Voor de ACS-ΕΕG-Comité van Ambassadeurs
Pelo Comité dos Embaixadores ACP-CEE

El Presidente Formand Der Präsident O Npóc6poc The President Le président Il Presidente De Voorzitter O Presidente

M.H.J.CH. RUTTEN

DECISION No 3/86 OF THE ACP-EEC COUNCIL OF MINISTERS of 24 March 1986

adopting the Financial Regulation of the Centre for the Development of Industry

THE ACP-EEC COMMITTEE OF AMBASSADORS,

Having regard to the Third ACP-EEC Convention signed at Lomé on 8 December 1984, hereinafter referred to as the "Convention" and in particular Article 73 thereof,

Having regard to Decision No 8/85 of the ACP-EEC Council of Ministers of 21 June 1985 delegating powers to the Committee of Ambassadors concerning the adoption of the texts relating to the Centre for the Development of Industry referred to in Article 73(6) of the Convention, and in particular Article 1 thereof,

Having regard to the proposal from the Committee of Ambassadors,

Whereas Decision No 2/86 of the ACP-EEC Council of Ministers of 24 March 1986 laying down the statutes and rules of operation of the Centre for the Development of Industry, hereinafter referred to as "the Centre", provides inter alia for the adopting of the Centre's budget by the Governing Board,

Whereas the procedures for the adoption and implementation of the Centre's budget should be adopted,

HAS DECIDED AS FOLLOWS:

I. GENERAL PRINCIPLES

Article 1

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

Article 2

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

Article, 3

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

Article 4

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

Expenditure entered in the budget shall be authorized for a period of one financial year.

- a) However, appropriations duly committed during a financial year but not paid by 31 December of that year shall be carried over automatically to the following financial year.
- b) In addition the Director of the Centre, with the approval of the Governing Board, may exceptionally carry over such appropriations to the following financial year. To that end a list of reduests for such carry-overs shall be submitted to the Governing Board.
- c) Appropriations which have been carried over to the following financial year shall be distinguished in the accounts of the current year.
- d) At the expiry of the Convention committed appropriations which have not yet been paid shall be carried over automatically for the duration of the transitional period leading up to the next Convention or for a winding up period of twelve months.
- 3. If, at the beginning of a financial year, the budget has not yet been adopted, the Director may incur administrative and programme expenditure monthly, provided that such expenditure does not exceed the sum of appropriations carried over plus one-twelfth of the appropriations entered under this title in the budget for the previous financial year and that this arrangement does not have the effect of placing at his disposal appropriations in excess of one-twelfth of those provided for in the draft budget.

II. ESTABLISHMENT OF THE BUDGET

Article 5

On the basis of the annual work programme adopted by the Governing Board, the Director, following discussions with the Board's officers, shall draw up a preliminary draft annual budget within the annual limits set by the Committee for Industrial Co-operation, and submit it to the Governing Board for approval no later than 1 October of the year preceding that of its execution.

The budget shall be adopted by the Governing Board by 15 November at the latest.

It shall be forwarded to the Commission of the European Communities, which shall initiate the Community procedures in force as regards the contribution requested from the European Development Fund, on the basis of the separate allocation provided for this purpose.

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

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

Article 6

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

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

Article 7

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

III. IMPLEMENTATION OF THE BUDGET

Article 8

- With the assistance of the Board's officers, the Director shall ensure that the budget is implemented on his own responsibility and within the limit of the appropriations allocated. He shall report to the Governing Board on the administration of the budget.
- The Director must apply the budget appropriations in accordance with the principles of economy and sound financial management.

Article 9

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

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

The entire amount of revenue and expenditure shall be entered in the budget and the accounts, without any setting-off between revenue and expenditure.

- a) penalties incurred by contractors;
- adjustment of amounts paid in error, which may be achieved by means of deduction when a subsequent validation is effected under the chapter, article and financial year in respect of which the excess payment was made;
- c) the value of vehicles, equipment and installations taken in part exchange upon purchase of new items of the same kind.

Again by way of derogation from the rule, the following amounts may be re-used:

- a) refunds of amounts paid in error;
- b) insurance payments received;
- c) proceeds from the sale of vehicles, equipment and installations disposed of when replaced.

 The commitment and authorization of all expenditure and all revenue or imprests shall be scrutinized in advance by an internal audit body appointed by the Director.

The Governing Board may if necessary decide to call for an outside audit and shall give full instructions to the Director.

?. The purpose of the approval to be given by the internal audit body shall be to establish that expenditure has been charged to the correct item in the budget, that appropriations are available, that expenditure and revenue are in order and conform to the budget and regulations and that, where payments are concerned, there is concordance with the commitment of expenditure and the existence and conditions of payments due.

The internal audit body shall satisfy itself that principles of sound financial management are applied.

The internal audit body may withhold its approval if it considers that the above conditions are not fulfilled.

Except where the availability of the appropriations is in doubt, if the authorizing officer maintains his proposal the Director may overrule the refusal. He shall so inform the internal audit body.

4. At the request of the Director or the Governing Board, the internal audit body may undertake other tasks concerning the scrutiny, organization or review of the Centre's internal rules and procedures.

Article 11

Transfers from one title to another shall be decided by the Governing Board.

Transfers from one chapter to another and within chapters shall be decided by the Director, who shall inform the Governing Board accordingly.

Article 12

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

IV. ADMINISTRATION OF THE BUDGET

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

 The authorizing officer may not exercise the functions of accounting officer or member of the internal audit body.

Article 14

- 1. All measures which may give rise to expenditure payable by the Centra must be preceded by a commitment proposal from the authorizing officer. The proposal shall be sent to the internal audit body for prior approval, accompanied by supporting documents.
- 2. A provisional commitment may be entered into in respect of current expenditure.
- 3. An account shall be 1:pt of commitments and authorizations.

Article 15

- 1. The purpose of clearance of expenditure by the authorizing officer shall be:
 - a) to verify the existence of the rights of the creditor;
 - b) to determine or verify the existence and the amount of the debt;
 - c) to verify the conditions under which payment falls due.
- Clearance of any expenditure shall be subject to the submission of supporting documents showing the creditor's claim and, where appropriate, the service rendered.

Article 16

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

- Payment shall be the final act whereby the Centre is discharged tf its obligations towards its creditors.
- Payment shall be made by the accounting officer within the limits

 the funds available.

In the event of an error of substance or of the validity of the discharge being contested or of failure to comply with the procedures prescribed by the Financial Regulation, the accounting officer must suspend payment, and shall immediately inform the authorizing officer and the internal audit body accordingly.

- 3. Payments shall, as a general rule, be effected through a bank or post office giro account, preferably by bank transfer or, where good grounds exist, by cheque. In this case the transaction shall be denominated in the currency specified in the commitment or, where appropriate, in the currency of a Community Member State or an ACP State. Where another currency is to be used, grounds must be stated by the authorizing officer.
- Cheques and post office or bank transfer orders shall bear two signatures, one of which must be that of the accounting officer.
- 5. A receipt shall be obtained in respect of cash payments.
- 6. The conversion rates to be used for the calculation in ECU of payments to be made or of revenue to be collected shall be those in force on the first working day of the month in which the real date of the operation falls, as published in the Official Journal of the European Communities (for Belgian or Luxembourg francs the convertible rate shall be used). Such real date shall be that on which the account or accounts of the Centre were debited or credited.

Article 18

- The Director shall be the authorizing officer for the appropriations entered in the budget of the Centre.
 - . The Director may delegate his powers to an agent under his authority. Each decision to delegate powers shall state the duration and extent of the mandate.

Article 19

The collection of revenue and the payment of expenditure shall be carried out by the accounting officer, who shall alone be empowered to manage funds and assets. He shall be responsible for their care. The accounting officer may delegate some of his powers in respect of the management of funds to the administrator of the imprest account. Such delegation must obtain the prior approval of the Director.

- The recovery of any sum due to the Centre shall give rise to the issue, by the authorizing officer, of a revenue order. Revenue orders shall be submitted to the internal audit body for prior approval.
- The accounting officer shall assume responsibility for revenue orders forwarded to him by the authorizing officer.
- A receipt shall be issued in respect of all cash payments made to the accounting officer or the administrator of the imprest account.

V. AUDITORS

Article 21

The Committee on Industrial Co-operation shall jointly appoint two auditors who shall discharge their duties jointly.

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

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

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

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

VI. GENERAL PRCVISIONS

Article 22

Contracts relating to the purchase or hire of supplies, equipment and movable property, the provision of services, or works shall be concluded following an open or restricted invitation to tender. Wherever possible bids shall be sought from at least three candidates from countries which are Member States of the Community or ACP States.

The successful tenderer will be selected on the basis of the price quoted, evidence of professional competence and financial soundness, and the time quoted for performance of the contract.

Contracts shall be drawn up in ECU or, where the contractor so requests, advancing good grounds, in the currency of a Member State of the Community or an ACP State.

Contracts may be concluded by direct agreement :

- a) where the amount of the contract does not exceed 5,000 ECU;
- b) where, because of the extremely urgent nature of the supplies, services or works concerned, there is no time to use the tendering procedure, and provided that prior approval is obtained from the Chairman of the Governing Board;
- c) where, for technical reasons, a contract for additional supplies, services or works cannot be separated from the initial contract;

- d) where the Centre is contributing along with ACP promoters and potential EEC investors to the financing of a contract aimed at the establishment or improvement of an ACP industry, on the following conditions:
 - the ACP sponsor shall cover the local costs of the contract, with external costs shared between the EEC partner and the Centre;
 - 2) the contractor or contractors shall be chosen jointly by all parties;
 - 3) both the ACP sponsor and the EEC partner shall indicate in writing their agreement in principle that the proposed investment should go ahead if the study shows it to be viable.

In specific cases the Centre may delegate the organization of the invitation to tender to an external body or firm, provided the choice of companies approached, the terms of reference and selection of the contractor are left to its sole discretion or, in the case of cofinancing, to the joint discretion of the Centre and the other cofinanciers.

Article 23

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

Only movable property whose value is 100 ECU or more shall be entered in the inventory.

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

- The sale of movable property and equipment of a unit purchase value in excess of 100 ECU shall be suitably advertised.
- 3. A record signed by both the Director of the Centre and the person responsible for the equiment and approved by the internal audit body shall be drawn up whenever any property or article in the inventory is disposed of, scrapped or is missing on account of loss, theft, or any other reason.

- The accounts shall be kept in ECU, by the double entry method and on the basis
 of the calendar year. They shall show all revenue and expenditure from 1
 January to 31 December of each year and shall include the supporting documents.
- 2. Entries shall be made on the basis of an accounting system comprising a nomen-clature of budgetary items which makes a clear distinction between the accounts which permit the balance sheet to be drawn up and those which permit the revenue ard expenditure account to be drawn up. These entries shall be recorded in books or on cards, which shall make it possible to draw up a general monthly balance. All imprests shall be entered in a suspense account and cleared no later than the end of the following financial year, except in the case of standing imprests.

- 3. Each quarter a statement shall be drawn up showing the situation of the current budget and expenditure already effected; this statement shall be approved by the internal audit body and forwarded to the Board's officers.
- 4. The balance sheet and the revenue and expenditure account shall be submitted to the Governing Board in ECU no later than 31 March of the following year.

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 26

This Decision shall enter into force on the same day as the Convention.

Hecho en Bruselas, el Udfærdiget i Bruxelles, den Geschehen zu Brüssel am 'Eyrvæ στις Βρυξέλλες, στις Done at Brussels, Pait à Bruxelles, le Patto a Bruxelles, addi' Gedaan te Brusel, Peito em Bruxelas, em

24, 111, 1986

Por el Consejo de Ministros ACP-CEE Por AVS-EØF Ministerrādets vegne PŪr den AKP-EWG-Ministerrat Για το Ιυμβούλιο των Υπουργών ΑΚΕ-ΕΟΙ: Por the ACP-EEC Council of Ministers Pour le Conseil des Ministres ACP-CEE Per il Conseilio dei Ministri ACP-CEE Voor de ACS-EEG-Raad van Ministers Pelo Conselho de Ministros ACP-CEE

Por el Comité de Embajadores
På AVS-EØF Ambassadørudvalgets vegne
Im Namen des AKP-EWG-Botschafterausschusses
Flu thv Enitponh tow NpéoBew AKE-EOI:
For the ACP-EEC Committee of Ambassadors
Par le Comité des Ambassadeurs ACP-CEE
Per il Comitato degli Ambasciatori ACP-CEE
Voor de ACS-EEG-Comité van Ambassadeurs
Pelo Comité dos Embaixadores ACP-CEE

El Presidente Formand Der Präsident O Npótôpog The President Le président Il Presidente De Voorzitter O Presidente

M.H.J.CH. RUTTEN

DECISION No 4/86 OF THE ACP-EEC COUNCIL OF MINISTERS of 24 March 1986

laying down the conditions of employment of the staff of the Centre for the Development of Industry

THE ACP-EEC COMMITTEE OF AMBASSADORS,

Having regard to the Third ACP-EEC Convention signed at Lomé on 8 December 1984, hereinafter called "the Convention", and in particular Article 73(1) and (6) thereof,

Having regard to Decision No 8/85 of the ACP-EEC Council of Ministers of 21 June 1985 delegating powers to the Committee of Ambassadors concerning the adoption of the texts relating to the Centre for the Development of Industry referred to in Article 73(6) of the Convention, and in particular Article 1 thereof,

Having regard to the proposal from the Committee of Ambassadors,

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

Whereas these conditions of employment should also apply to the Director and Deputy Director of the Centre, who are appointed by the Committee on Industrial Co-operation, hereinafter referred to as "the Committee", pursuant to Article 73(1) of the Convention;

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

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

HAS DECIDED AS FOLLOWS:

TITLE 1

GENERAL PROVISIONS

- This Decision lays down the conditions of employment applicable to:
 - the Director and Deputy Director of the Centre;
 - the staff of the Centre:
 - the local staff of the Centre.
- 2. For the purposes of this Decision, persons engaged either to perform advisory duties which require university education or equivalent professional experience or to perform executive duties which require higher or full secondary level education or equivalent professional experience shall be regarded as staff.
- 3. For the purposes of this Decision, staff engaged according to local practice to perform manual or service duties not specified in Article 3 shall be reparded as local staff.

TITLE II

STAFF

CHAPTER I

Provisions concerning recruitment

Article 2

- Staff shall be appointed by the Director for a specified period which may not exceed the duration of the Convention.
- The Director shall furnish the Governing Board with advance information on all important matters relating to the recruitment of staff.

Such matters include vacancies, mode of advertisement, applications received and the method and basis of selection of the candidates as well as the conditions of termination of duties.

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

Article 3

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

Staff shall be graded according to qualifications_and professional experience.

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

I.	Category Sasis post		Remuneration Birs (Gress)		
	2 2	Director Deputy Director	(a) 335.386 306.810	(%)	(e)
	3 A)	Technical -edvisor	218.532	731.432	244,331
	3 3)		197.733	204.874	218.532
IIive	4 4)	Officer assigned	146.934	179.075	192.733
	a B)		139.113	153.276	166.934
IIIve	5 A)	Assistant	102.437	114.578	127.477
	5 3)	Executive secretary	56.341	63.018	70.113

Article &

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

CHAPTER II

Rights and obligations

Article 5

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

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

Article 6

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

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

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

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

Article 8

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

Article 9

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

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

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

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

Article 11

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

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

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

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

Article 13

A staff member may be required to make good, in whole or in part, any damage suffered by the Centre as a result of serious misconduct on his part in the course of, or in connection with, the performance of his duties. Any decision taken by the Director in this regard shall give the reasons on which it is based.

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

Article 15

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

CHAPTER III

Conditions of engagement

Article 16

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

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

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

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

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

CHAPTER IV

Working conditions

Article 18

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

Article 19

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

Article 20

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

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

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

Article 22

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

Article 23

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

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

The length of the period of leave referred to in the first subparagraph shall not count for the purposes of applying the second subparagraph of Article 27.

Article 25

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

Article 26

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

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

CHAPTER V

Remuneration and expenses

Article 27

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

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

The Committee may decide, on the recommendation of the Governing Board, to adjust the remuneration laid down in Article 3 in order to take account of trends in the cost of living and in purchasing power.

Article 28

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

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

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

If a staff member dies during his term of employment, the Centre shall pay to the persons who were his direct dependents an overall sum equivalent to three months' full remuneration at the rate at which the staff member was being paid at the time of his death.

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

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

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

CHAPTER VI

Recovery of overpayments

Article 30

Any sum overpaid shall be recovered. The Director shall lay down the arrangements of such recovery.

CHAPTER VII

Termination of employment

- Apart from cessation on death or dismissal at the end of the probationary period, employment shall cease:
 - (a) on the date stated in the instrument of appointment;
 - (b) at the end of the period of notice specified in the instrument of appointment where the latter contains a clause giving the staff member or the Centre the option to terminate earlier. Such period of notice shall be not more than three months;
 - (c) not later than the date of expiry of the Convention.
- 2. If the Director, acting in the name of the Centre, terminates the employment, the staff member shall be entitled to compensation equal to one third of his basic salary for the period between the date when his employment ends and the date when his engagement was due to terminate. Such compensation may not, however, be equal to more than six months' basic salary.

- 1. Employment may be terminated without notice on disciplinary grounds in serious cases of failure of staff to comply with their obligations, whether intentionally or through negligence on their part. The decision taken in this matter by the Director must set out the grounds on which it is based, after the person concerned has had an opportunity to submit his defence. The Director must inform the Governing Board of this decision.
- In the case referred to in paragraph 1, the Director may decide to withhold from the person concerned all or part of the compensation provided for in Article 31.

TITLE III

THE DIRECTOR AND DEPUTY DIRECTOR

Article 33

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

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

TITLE IV

PROVISIONS CONCERNING TAXATION, SOCIAL SECURITY AND JURISDICTION

Article 34

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

Article 35

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

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

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

also appoint a mediator.

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

TITLE V

LOCAL STAFF

Article 37

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

The conditions of employment of local staff and in particular:

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

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

Article 39

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

TITLE VI

FINAL PROVISIONS

Article 40

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

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 42

The Decision shall enter into force on the same day as the Convention.

Hecho en Bruselas, el Udfærdiget i Bruxelles, den Geschehen zu Brüssel am 'Eyive otic Bougéalec, otic Done at Brussels, Pait à Bruxelles, le Fatto a Bruxelles, addi' Gedaan te Brussel, Peito em Bruxelas, em

24. III. 1986

Por el Consejo de Ministros ACP-CEE Por AVS-EØF Ministerradets vegne Pur den AKP-EWO-Ministerrat Για το Συμβούλιο των Υπουογών ΑΚΕ-ΕΟΚ Por the ACP-EEC Council of Ministers Pour le Conseil des Ministres ACP-CEE Per il Conseilio dei Ministri ACP-CEE Voor de ACS-EEG-Raad van Ministers Pelo Conselho de Ministros ACP-CEE

Por el Comité de Embajadores
På AVS-EØF Ambassaddrudvalgets vegne
Im Namen des AKP-EWG-Botschafterausschusses
Για την Επιτροπή των Πρίοθτων ΑΚΕ-ΕΟΝ
For the ACP-ΕΕC Committee of Ambassadors
Par le Comité des Ambassadeurs ACP-CEE
Per il Comitato degli Ambasciatori ACP-CEE
Voor de ACS-ΕΕG-Comité van Ambassadeurs
Pelo Comité dos Embaixadores ACP-CEE

El Presidente Pormand Der Präsident O Npótôpog The President Le président Il Presidente De Voorzitter O Presidente

M.H.J.CH. RUTTEN

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

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

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

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

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

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

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

- 4. The tax shall be calculated on the taxable amount obtained by applying paragraph 3, disregarding any amount not exceeding 803 Bfrs and by applying the rate of:
 - 8 % to amounts between 803 and 14,178 Bfrs
 - 10 % to amounts between 14,179 and 19,526 Bfrs
 - 12.50% to amounts between 19,529 and 22,380 Bfrs
 - 15 % to amounts between 22,381 and 25,413 Bfrs
 - 17.50% to amounts between 25,414 and 28,265 Bfrs
 - 20 % to amounts between 28,266 and 31,030 Bfrs
 - 22.50% to amounts between 31,031 and 33,883 Bfrs
 - 25 % to amounts between 33,884 and 36,648 Bfrs
 - 27.50% to amounts between 36,649 and 39,500 Bfrs
 - 30 % to amounts between 39,501 and 42,265 Efrs
 - 32.50% to amounts between 42,266 and 45,118 Bfrs
 - 35 % to amounts between 45,119 and 47,883 Bfrs
 - 40 % to amounts between 47,884 and 50,735 Bfrs
 - 45 % to amounts over 50,735 Bfrs.

A weighting of 2.695288 shall be applied to the above amounts.

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

5. By way of derogation from paragraphs 3 and 4, sums paid as compensation for overtime shall be taxed at the rate which, in the month preceding that of payment, was applied to the highest portion of the taxable amount of the employee's remuneration. Payments made on account of termination of service shall be taxed, after applying the abatements laid down in the first two subparagraphs of paragraph 3, at a rate equal to two thirds of the ratio existing, at the time of the last salary payment, between

- the amount of tax payable and
- the basic taxable amount as defined in paragraphs 1, 2 and 3.
- 6. When the taxable payment covers a period of less than one month, the rate of the tax shall be that which is applicable to the corresponding monthly payment.

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

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

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

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

Where necessary he shall refer by analogy to the relevant arrangements applicable to officials of the European Communities and in nerticular to Council Regulation (EEC, Euratom, ECSC) No 260/68 of 29 February 1968 laying down the conditions and procedure for applying the tax for the benefit of the European Communities (1), as last amended by Regulation (Euratom/ECSC/EEC) (2).

^{(&}lt;sup>2</sup>) CJ No L 56, 4.3. 1968, p. 3 (²) CJ No

Statement entered in the minutes

of the ACP-EEC Committee of Ambassadors concerning Decision No 4/86 of the ACP-EEC Council of Ministers

- The provisions taken for implementation of the conditions of employment of the staff in the area of staff management as well as tax and other allowances, in force under the second Convention, will continue to be applied under the third Convention.
- 2. The scale of remunerations set out in Article 3 of the Decision is that in force on 31 December 1984.

DECISION No 5/86 OF THE ACP-EEC COUNCIL OF MINISTERS

of 18, IV, 1986

apportioning the balance of the funds from the system for stabilization of export earnings under the Second ACP-EEC Convention

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the Second ACP-EEC Convention signed at Lomé on 31 October 1979, and in particular Articles 33, 35, 40, 41, 42, 46 and 155 thereof,

Having regard to the Third ACP-EEC Convention signed at Lomé on 8 December 1984, and in particular Articles 154, 156 and 174 thereof,

Having regard to Decision No 13/81 of the ACP-EEC Council of Ministers of 19 June 1981 reducing Stabex transfers for the 1980 year of application,

Having regard to Council Decision 82/464/EEC of 14 July 1982 allocating a sum of 30 753 710 ECU for compensatory payments to stabilize export earnings (1981) (1),

⁽¹⁾ OJ No L 211, 20.7.1982, p. 31.

Having regard to Decision No 9/82 of the ACP-EEC Council of Ministers of 5 August 1982 reducing transfers under the Stabex system for the 1981 year of application,

Having regard to the conclusions of the ACP-EEC Committee of Ambassadors (Stabex: inadequacy of resources for 1981) approved on 5 August 1982,

Having regard to Decision No 2/85 of the ACP-EEC Council of Ministers of 22 February 1985 on transitional measures valid from 1 March 1985 (1), as extended by Decision No 1/86.

Having regard to Decision No 7/85 of the ACP-EEC Council of Ministers of 21 June 1985 delegating powers to the ACP-EEC Committee of Ambassadors to deal with the balance of the fund for stabilization of export earnings.

Whereas, after payment of Stabex transfers for the final year of application under the Second ACP-EEC Convention, a balance of the fund remains unspent;

Whereas the system lacked sufficient resources for the 1980 and 1981 years of application to enable the ACP States to be compensated in full for their loss of earnings; whereas transfers had accordingly to be reduced:

Whereas Decision No 7/85 provides that the balance of the Stabex resources should be used to pay part of the amounts outstanding;

⁽¹⁾ OJ No L 61, 1.4.1985, p. 2.

Whereas the treatment of the transfers for the 1980 and 1981 years of application should, after apportionment of the balance, be identical;

Whereas Article 46(2) of the Second ACP-EEC Convention provides that when transfers are reduced because of an insufficiency of funds the special difficulties of the ACP States listed in Article 155(3)(a) shall be taken into account; whereas regard should be had in particular to Article 155(3)(c) of the Third ACP-EEC Convention;

Whereas provision should be made for applying the principle stated in the second indent of Article 174(2) of the Third ACP-EEC Convention;

Whereas the apportioned funds should be paid out under transfer agreements using the procedure laid down in the Second ACP-EEC Convention:

Whereas sums to be repaid during the lifetime of the Third ACP-EEC Convention from Stabex transfers made before that period should go towards the Stabex allocation under that Convention,

HAS DECIDED AS FOLLOWS:

Article 1

The balance remaining from the system for stabilization of export earnings under the Second ACP-EEC Convention is 127 180 C16 ECU.

- 1. The sum referred to in Article 1 shall be used in accordance with this Decision to pay part of the amounts outstanding from the 1980 and 1981 years of application.
- 2. The sum outstanding represents the difference between justified transfer applications not paid in full, net of offset replenishment claims to a value of 25 787 209 ECU, a total of 683 303 220 ECU, and the amounts paid in partial settlement out of available resources, including an additional 70 753 710 ECU, a total of 315 705 270 ECU.

Article 3

The sum referred to in Article 1 shall be apportioned in such a way as to ensure that the ratio of the reduction rate for ACP States listed in Article 155(3)(a) of the Second ACP-EEC Convention to the rate for other ACP States is 1:1.3.

Article. 4

1. Articles 40 to 44 of the Second ACP-EEC Convention shall apply to payments of shares of the sum referred to in Article 1.

- 2. The obligations of an ACP State to replenish the transfers paid under the Second ACP-EEC Convention, which have been established and notified to the ACP State concerned at the date of entry into force of this Decision, may, at the request of that ACP State, be deducted from the rights to participate in the distribution of the amount provided for in Article 1, taking into consideration the real value of each obligation.
- 3. Sums to which paragraph 2 applies shall be added to the annual instalment of the year in which replenishment under this provision is made, unless the ACP-EEC Council of Ministers decides otherwise.
- 4. Articles 42 to 44 of the Second ACP-EEC Convention shall not apply to sums repaid under paragraph 2.

- 1. Sums to be repaid in respect of transfers made during the previous ACP-EEC Conventions which fall due during the lifetime of the Third ACP-EEC Convention shall be allocated in accordance with Article 154(3) of that Convention.
- 2. Sums to be repaid in respect of transfers made during the lifetime of the Second ACP-EEC Convention which fall due after the expiry of the Third ACP-EEC Convention shall be allocated in accordance with a decision to be taken by the ACP-EEC Council of Ministers under Article 156 of that Convention.

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

Article 7

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

Hecho en Bruselas, el Udfærdiget i Bruxelles, den Geschehen zu Brüssel am 'Ertot Gute BouE¢Aλες, στις Done at Brussels, Fait à Bruxelles, le Fatto a Bruxelles, addi' Gedaan te Brussel, Fetto en Bruxelas, em

18.IV.1986

Por el Consejo de Ministros ACP-CEE Por AVS-EØF Ministerrådets vegne Für den AKP-EWG-Ministerrat Για το Ιουβούλιο των Υπουργών ΑΚΕ-ΕΟΚ Por the ACP-EEC Council of Ministers Pour le Conseil des Ministres ACP-CEE Per il Conseil des Ministri ACP-CEE Voor de ACS-EEG-Raad van Ministers Pelo Conselho de Ministros ACP-CEE

Por el Comité de Embajadores
På AVS-EØF Ambassadørudvalgets vegne
Im Namen des AKF-EWG-Botschafterausschusses
Για την Επιτροπή των Ποέσβτων ΑΚΕ-ΕΟΙ:
For the ACP-EEC Committee of Ambassadors
Par le Comité des Ambassadeurs ACP-CEE
Per il Comitato degli Ambasciatori ACP-CEE
Voor de ACS-ESG-Comité van Ambassadeurs
Pelo Comité dos Embaixadores ACP-CEE

El Presidente Formand Der Präsident O Nodespoc The President Le président Il Presidente De Voorzitter O Presidente

(s.) O. GIAMA

DECISION NO 6/86 OF THE ACP-EEC COUNCIL OF MINISTERS OF 24. IV. 1986 (*)

adopting the transitional arrangements
for the application of the Third ACP-EEC Convention
to Spain and Portugal pending
the conclusion of a protocol of accession

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the Third ACP-EEC Convention, signed at Lomé on 8 December 1984, hereinafter referred to as the "Convention", and in particular Article 284(3) thereof,

^(*) See also Decision 11/86 and Regulations Nos 691/86 and 4114/86, pages 115, 243 and 333 respectively of this Compilation of Texts.

Whereas the Convention entered into force on 1 May 1986;

Whereas the provisions of the Convention will not apply to relations between the ACP States and Spain and Portugal until such time as the protocol of accession of these two Member States of the Community to the Convention enters into force:

Whereas the negotiations for this protocol of accession, which were begun on 10 December 1985, are proceeding;

Whereas, pending the conclusion and entry into force of the said protocol, it is necessary for the two new Member States to be able to participate fully in the Convention as from 1 May 1986 and whereas to this end transitional arrangements should be adopted, without their prejudicing the provisions of the protocol of accession,

HAS DECIDED AS FOLLOWS:

The Convention shall also apply, on a transitional basis, in relations between the ACP States, on the one hand, and Spain and Portugal as new Member States of the Community, on the other.

However, until the protocol of accession enters into force, imports into Spain and Portugal of products originating in the ACP States shall be governed by the special measures set out in the Annex,

These transitional arrangements shall not prejudice the content of the protocol of accession.

Article 2

This Decision shall apply until the entry into force of the protocol of accession of Spain and Portugal to the Convention or until 31 December 1986 at the latest.

Article 3

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

This Decision shall be applicable from 1 May 1986.

Hecho en Bruselas, el Udferdiget i Bruxelles, den Geschehen zu Brüesel am 'Eytvz otto Bougetale, otto Done at Brussels, Fait à Bruxelles, le Patto a Bruxelles, addi' Gedaan te Brussel, Frito em Bruxelas, em

24. IV. 1986

Por el Consejo de Ministros ACP-CEE PA AVS-EMP-Ministerrádets vegne Im Namen des AKP-EWG-Ministerrates Fla to Eugéollo two Ynoucywo AKE-EOX For the ACP-EEC Council of Ministers Par le Conseil des Ministres ACP-CEE Per il Conseil des Ministres ACP-CEE Voor de ACS-EEG-Paad van Ministers Pelo Conselho de Ministros ACP-CEE

> El Presidente Formand Der Präsident O Noócoog The President Le Président Il Presidente De Voorzitter O Presidente

K. BOTCHWEY

Council Regulation (EEC) No 691/86 of 3 March 1986 establishing arrangements for trade between Spain and Portugal on the one hand and the African, Caribbean and Pacific States (ACP States) on the other (1)

Decision No 86/49/ECSC of the representatives of the governments of the Member States, meeting within the Council of 3 March 1986 establishing arrangements for trade between Spain and Portugal on the one hand and the African, Caribbean and Pacific States (ACP States) on the other in products falling within the ECSC Treaty $\binom{2}{}$

⁽¹⁾ OJ No L 63, 5.3.1986, p. 3. (2) OJ No L 63, 5.3.1986, p. 185.

DECISION No. 7/86 OF THE ACP-EEC COUNCIL OF MINISTERS Of 24. IV. 1986

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

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the Third ACP-EEC Convention, signed at Lomé on 8 December 1984, hereinafter referred to as "the Convention", and in particular Article 70(2) thereof,

Anxious to ensure the fulfilment of the objectives which the ACP States and the Community have set themselves in Title III of Part Two of the Convention,

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

Whereas the composition and the rules of operation of the Committee on Industrial Co-operation should be laid down.

HAS DECIDED AS FOLLOWS:

Article 1

- 1. The Committee on Industrial Co-operation set up by Article 70 of the Corvention (hereinafter referred to as "the Committee") shall be composed, on the one hand, of a representative of each of the Member States of the European Economic Community, a representative of the Commission of the European Communities and a representative of the European Investment Bank and, on the other hand, of eighteen representatives of the ACP States.
- 2. The term of office of the representative designated by the ACP Group of States shall be one year and shall be renewable. The Secretariat of the AGP States shall forward a list of these representatives to the Community.

Article 2

- $1.^{1}$ The tasks of the Committee, as defined in Article 70(1) of the Convention, are as follows:
- (a) to review progress made with the overall industrial co-operation programme resulting from the Convention and, where appropriate, submit recommendations to the Committee of Ambassadors;
- (b) to examine problems and policy issues in the field of industrial cooperation submitted to it by the ACP States or by the Community, and make any appropriate proposals;
- (c) to organize, at the request of the Community or of the ACP States, a review of trends in industrial policies of the ACP States and of the Member States as well as developments in the world industrial situation with a view to exchanging information necessary for improving industrial cooperation and facilitating the industrial development of the ACP States;

- (d) to establish the general strategy of the Centre for the Development of Industry referred to in Article 71 of the Convention, appoint the director and deputy director, nominate the Members of the Governing Board, appoint the two auditors, apportion, on an annual basis, the overall financial allocation provided for in Article 73(4) of the Convention and examine, on the basis of the annual reports of the Centre and the Governing Board, the deployment of these resources in order to assess whether the Centre's activities are in conformity with the objectives assigned to it in the Convention and report to the Committee of Ambassadors and, through it, to the Council of Ministers;
- (e) to carry out such other duties as may be assigned to it by the Committee of Ambassadors.
- In accordance with Article 73(6) of the Convention, the Committee shall also submit to the Committee of Ambassadors drafts of the Centre's statute, financial and staff regulations and rules of procedure, for submission to the Council of Ministers.

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

Article 4

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

Article 5

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

Article 6

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

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

Article 8

The Committee shall adopt its own rules of procedure.

Article 9

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

· Article 10

The Centre for the Development of Industry shall be invited unless the Committee decides otherwise, to those meetings of the Committee at which it establishes the general strategy of the Centre, apportions, on an annual basis, the overall financial allecation provided for in Article 73(4) of the Convention or conducts its annual examination of the Centre's activities.

Article 11

The Technical Centre for Agricultural and Rural Cooperation may be invited by the Chairman of the Committee to those of its meetings at which matters concerning that Centre are to be discussed.

Article_12

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

Article 13

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

This Decision shall enter into force on the same day as the Convention.

Hecho en Bruselas, el Udfærdiget i Bruxelles, den Geschehen zu Brüssel am 'Eyvor otte Bougetaler, otte Done at Brussels, Pait à Bruxelles, le Patto a Bruxelles, addi' Gedaan te Brussel, Frito em Bruxelas, em

24. IV. 1986

Por el Consejo de Ministros ACP-CEE PA AVS-EØF-Ministerradets vegne Im Namen des AKP-EWG-Ministerrates Για το Συμβούλιο των Υπουογών ΑΚΕ-ΕΟΚ For the ACP-EEC Council of Ministers Par le Conseil des Ministres ACP-CEE Per il Conseil des Ministres ACP-CEE Voor de ACS-EEG-Paad van Ministers Pelo Conselho de Ministros ACP-CEE

> El Presidente Formand Der Präsident O Npótôpog The President Le Président Il Presidente De Voorzitter O Presidente

K. BOTCHWEY

DECISION No \$\, 786 OF THE ACP-EEC COUNCIL OF MINISTERS

of 17. XI. 1986

adopting the Rules of Procedure of the ACP-EEC Committee provided for in Article 193(2) of the Third

ACP-EEC Convention

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the Third ACP-EEC Convention, signed at Lomé on 8 December 1984, (hereinafter referred to as the "Convention"), and in particular Article 193(2) thereof,

Whereas Article 193(2) of the Convention sets up an ACP-EEC Committee (hereinafter referred to as the "Committee") within the ACP-EEC Council of Ministers;

Whereas it is for the ACP-EEC Council of Ministers to lay down the Rules of Procedure of the Committee, as provided for in Article 193(4) of the Convention:

Whereas, at its meeting of 25 April 1986, the ACP-EEC Council of Ministers approved the draft of this Decision and charged the Chairman of the ACP-EEC Committee of Ambassadors with its formal adoption upon the entry into force of the Convention,

HAS DECIDED AS FOLLOWS :

Article 1

- 1. The Committee shall be composed, on the one hand, of Ministers from each Member State of the European Economic Community and a member of the Commission of the European Communities and, on the ciber hand, on a basis of parity, of Ministers of the ACP States.
- Every year the ACP-EEC Council of Ministers shall designate the representatives of the Community and of the ACP States on the Committee.
 Observers may be designated.
- 3. Each member of the Committee shall designate his authorized representative. He shall notify the Committee's secretariat thereof.
- 4. Any member of the Committee unable to attend may be represented. The representative shall exercise all the rights of the accredited member.

- 5. The co-Chairmen of the ACP-EEC Committee of Ambassadors or their representatives shall attend meetings of the Committee.
- 6. The Directors of the Centre for the Development of Industry and the Technical Centre for Agricultural and Rural Co-operation or their representatives shall attend the Committee's proceedings on issues which concern them.
- 7. As provided for in Article 193(3) of the Convention, a representative of the European Investment Bank shall be present at the Committee's meetings.
- 8. The members of the Committee and their authorized representatives may be assisted by advisers.

- 1. The Committee shall meet every quarter either at Ministerial or at authorized representative level.
- 2. At least once a year, it shall meet at Ministerial level, generally on the occasion and at the venue of a meeting of the ACP-EEC Council of Ministers.
- 3. Other meetings at Ministerial level shall be held upon request by either party and at a venue to be agreed by both parties.

4. Meetings at the level of authorized representatives shall be held at the normal venues of meetings of the Council of the European Communities, at the ACP General Secretariat or at such other venue to be decided by the Committee.

Article 3

- 1. A working party shall be set up for the purpose of preparing the technical work and all documents to be submitted to meetings of the Committee.
- The working party shall include, inter alia, representatives of the co-Chairmen of the Committee, of the Commission and of the Secretariat of the Committee.
- A representative of the European Investment Bank shall participate as appropriate in the work of the working party.
- 3. The proceedings of the working party shall be valid only if at least two representatives of the Member States and of the ACP States respectively (including representatives of the co-Chairmen) and a representative of the Commission are present.

Article 4

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

The Committee shall exercise the powers conferred on it under Articles 193(2), (5), (6) and (8), 212(1), 220(6), 237(1) and 238(2) of the Convention.

Article 6

In the exercise of its powers as referred to in Article 5, the Committee shall take decisions by common accord between the ACP States and the Community.

Article 7

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

Article 8

- 1. The Committee snall be convened by its Chairman either on his own initiative or at the request of the ACP States or the Community.
- 2. At least three weeks before the date fixed for each meeting, the Committee's Secretariat shall send the members of the Committee a draft agenda, to which any documents required shall be attached.

3. The agenda shall be adopted by the Committee at the start of each meeting. In urgent cases, the Committee may decide, at the request of the representatives of the ACP States or the Community, to include items on the agenda for which the deadline specified in paragraph 2 has not been observed.

Article 9

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

Article 10

- 1. The Secretariat for the Committee shall be provided by the ACP-EEC co-Secretaries.
- 2. After each meeting of the Committee, the record of the meeting shall be sent to the members of the Committee within three weeks of the date of the meeting.

The record of each meeting shall be submitted at the start of the next meeting for approval.

The annual report of the Committee provided for in Article 193(8) of the Convention shall be prepared by the Committee's Secretariat.

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

Hecho en Bruselas, el Udfærdiget i Bruxelles, den Geschehen zu Brüssel am 'Erive ortg Bougelake, ortg Done at Brussels, fait à Bruxelles, le Patto a Bruxelles, addi' Gedaan te Brussel, Peito em Bruxelas, em

17. XI. 1986

Por el Consejo de Ministros ACP-CEE For AVS-EØF Ministerrådets vegne Für den AKP-EWG-Ministerrat Για το Συμβούλιο των Υπουργών ΑΚΕ-ΕΟΙ: For the ACP-EEC Council of Ministers Pour le Conseil des Ministres ACP-CEE Per il Conseil des Ministri ACP-CEE Voor de ACS-EEG-Raad van Kinisters Pelo Conselho de Ministros ACP-CEE

Charles & Bar

Por el Comité de Embajadores På AVS-EØF Ambassadørudvalgets vegne Im Namen des AKP-EWG-Botschafterausschusses Για την Επιτροπή των Πρόσδεων ΑΚΕ-ΕΟΠ For the ACP-EEC Committee of Ambassadors Par le Comité des Ambassadeurs ACP-CEE Per il Comitato degli Ambasciatori ACP-CEE Voor de ACS-EEG-Comité van Ambassadeurs Pelo Comité dos Embaixadores ACP-CEE

> El Presidente Formand Der Präsident O Πρόεδρος The President Le président Il Presidente De Vocrzitter O Presidente

D. HANNAY

DECISION No. 9 /86

OF THE ACP-EEC COUNCIL OF MINISTERS

of 17. X!. 1986

appointing members, at Ministerial level,
of the ACP-EEC Committee
provided for in Article 193(2)
of the Third ACP-EEC Convention

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the Third ACP-EEC Convention, signed at Lomé on 8 December 1984, and in particular Article 193(2) thereof,

Having regard to Decision No of the ACP-EEC Council of Ministers of adopting the Rules of Procedure of the ACP-EEC Committee provided for in Article 193(2) of the Third ACP-EEC Convention, hereinafter referred to as "the Committee", and in particular Article 1(1) and (2) thereof,

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

Whereas, at its meeting on 25 April 1986, the ACP-EEC Council of Ministers approved the draft of this Decision and charged the Chairman of the ACP-EEC Committee of Ambassadors with its formal adoption upon the entry into force of the Convention,

HAS DECIDED AS FOLLOWS:

Article 1

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

A. Representatives of the Community

(a) Member States

1.	Belgium	:	the Minister fo Brussels	or	Development Co-operation,
2.	Denmark	:	the Minister fo Copenhagen	or	Foreign Affairs,

 Federal Republic : the Federal Minister for Economic of Germany Co-operation, Bonn

4. Greece : the Minister for Foreign Affairs, Athens

 Spain : the Minister for Foreign Affairs, Madrid

6. France : the Minister for Foreign Affairs,

Paris

7. Ireland : the Minister for Foreign Affairs, Dublin

8. Italy : the Minister for Foreign Affairs, Rome

9. Luxembourg : the Minister for Foreign Affairs, Luxembourg

10. Netherlands : the Minister for Foreign Affairs,

the Hague

11. Portugal : the Minister for Foreign Affairs,

Lisbon

12. United Kingdom : the Minister of State for Foreign and

Commonwealth Affairs and Minister for

Overseas Development, London

(b) Commission

The Commission member responsible for development, Brussels.

B. Representatives of the ACP States

(a) Members

A ministerial representative from each of the following ACP States:

- 1. Berbados
- 2. Cameroun
- 3. Congo
- 4. Ethiopia
- 5. Fiji
- 6. Guinea-Bissau
- 7. Guyana
- B. Kenya
- 9. Lesotho
- 10. Niger
- ll. Swaziland
- 12. Western Samoa
- 13. Named by rotation among the observers

(b) Observers

- A ministerial representative from each of the following ACP States:
- 1. Dominica
- 2. Gabon
- 3. Malawi
- 4. Hauritania
- 5. Papua New Guinea
- 6. Uganda

Article 2

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

Hecho en Bruselas, el Udfærdiget i Bruxelles, den Geschehen zu Brüssel am 'Ertve ortg Bougfåltg, ortg Done at Brussels, Fait å Bruxelles, le Fatto a Bruxelles, addi' Gedaan te Bruselas, em Petto em Bruxelas, em

17. XI. 1986

Por el Consejo de Ministros ACP-CEE For AVS-EØF Ministerradets vegne Pür den AKP-EWG-Ministerrat Fla to EugBoûlio tav Ynouyrûv AKE-EOK For the ACP-EEC Council of Kinisters Pour le Conseil des Ministres ACP-CEE Per il Consiglio dei Ministri ACP-CEE Voor de ACS-EEG-Raad van Ministers Pelo Conselho de Ministros ACP-CEE

Por el Comité de Embajadores
På AVS-EOF Ambassaddrudvalgets vegne
Im Namen des AKF-ENG-Botschafteraussinisses
Flu thv Entroom' two HocoBotov AKE-EOR
For the ACF-EEC Committee of Ambassadors
Par le Comité des Ambassadeurs ACF-CEE
Per il Comitat degli Ambasciatori ACF-CEE
Voor de ACS-EEG-Comité van Ambassadeurs
Pelo Comité dos Embaixadores ACF-CEE

El Presidente Formand Der Präsident O Πρόεδρος The President Le président Il Presidente De Voorzitter O Fresidente

D. HANNAY

DECISION No AO/86 OF THE ACP-EEC COUNCIL OF MINISTERS

of 22, XII, 1986

granting a delegation of powers to the
Committee of Ambassadors concerning the
transitional arrangements for the application of the
Third ACP-EEC Convention to Spain and Portugal
pending the conclusion of the Protocol of accession

THE ACP-EEC COUNCIL OF MINISTERS

Having regard to the Third ACP-EEC Convention, signed at Lomé on 8 December 1984, hereinafter referred to as the "Convention", and in particular Article 271 thereof,

Having regard to Decision No 6/86 of the ACP-EEC Council of Ministers of 24 April 1986, adopting the transitional arrangements for the application of the Third ACP-EEC Convention to Spain and Portugal, pending the conclusion of a Protocol of accession,

Whereas Spain and Portugal acceded to the European Communities on 1 January 1986; whereas the provisions of the Convention do not apply in the relations between the ACP States and these two States for as long as the Protocol of accession, as provided for in Article 284, (2), (b), has not entered into force;

Whereas the negotiations concerning the Protocol of accession are proceeding;

Whereas Decision N° 6/86 lapses on 31 December 1986 and whereas it is necessary to extend it:

Whereas steps should be taken to delegate to the Committee of Ambassadors the powers necessary to extend such arrangements,

HAS DECIDED AS FOLLOWS :

Article one

The ACP-EEC Council of Ministers hereby delegates to the Committee of Ambassadors the powers necessary to extend Decision No 6/86 adopting the transitional arrangements for the application of the Third ACP-EEC Convention to Spain and Portugal pending the conclusion of the Protocol of accession provided for in Article 284(2)(b) of the said Convention, until the completion of the negotiations of the said Protocol or until 30 June 1987 at the latest.

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 enter into force on the day on which it is adopted.

Hecho en Bruselas, el Udfærdiget i Bruxelles, den Geschehen zu Brüssel am 'Zytvz otto Bougéalac, otto Done at Brussels, Pait à Bruxelles, le Patto a Bruxelles, addi' Gedaan te Brussel, Feito em Bruxelas, em

22. XII. 1986

Por el Consejo de Ministros ACP-CEE Pã AVS-EØP-Ministerrâdets vegne Im Namen des AKP-EWG-Ministerrêtes Fia to EunBoûlo two Yncopyŵo AKE-EOK For the ACP-EEC Council of Ministers Par le Conseil des Ministres ACP-CEE Per il Conseil des Ministres ACP-CEE Per il Conseil de Ministres ACP-CEE Voor de ACS-EEG-Raad van Ministers Pelo Conselho de Ministros ACP-CEE

> El Presidente Formand Der Präsident O Npócôpoc The President Le Président Il Presidente De Voorzitter O Presidente

G, SHAW

DECISION No 11/86 OF THE ACP-EEC COUNCIL OF MINISTERS

of 22, XII, 1986 (*)

extending Decision No 6/86

of the ACP-EEC Council of Ministers of 24 April 1986
adopting the transitional arrangements

for the application of the Third ACP-EEC Convention
to Spain and Portugal pending the conclusion
of the protocol of accession

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the Third ACP-EEC Convention, signed at Lomé on 8 December 1984, hereinafter referred to as the "Convention", and in particular Article 284(3) thereof,

^(*) See Decision 6/86 and Regulations Nos 691/86 and 4114/86, pages 87, 243 and 333 respectively of this Compilation of Texts.

Whereas the Convention will not apply to relations between the ACP States, on the one hand, and Spain and Portugal, on the other, until such time as a protocol of accession as provided for in Article 284(3) of the Convention enters into force;

Whereas, pending the entry into force of that protocol, the ACP-EEC Council of Ministers adopted Decision No 6/86 of 24 April 1986 which enabled the two abovementioned States to participate fully in the Convention as from its entry into force on 1 May 1986; whereas that Decision is applicable only until 31 December 1986;

Whereas the negotiations for the protocol of accession, which were begun on 10 December 1985, cannot be concluded in time for it to enter into force before Decision No 6/86 expires;

Whereas in order to avoid any lack of continuity in relations between the ACP States, on the one hand, and Spain and Portugal, on the other, that Decision must be extended;

Whereas by Decision No /86 of December 1986 the ACP-EEC Council of Ministers delegated to the ACP-EEC Committee of Ambassadors competence to adopt transitional arrangements,

HAS DECIDED AS FOLLOWS:

Article 1

Decision No 6/86 of the ACP-EEC Council of Ministers adopting the transitional arrangements for the application of the Third ACP-EEC Convention to Spain and Portugal pending the conclusion of a protocol of accession is hereby extended until the completion of the negotiations on the said protocol or until 30 June 1987 at the latest.

Imports into Spain and Portugal of products originating in the ACP States shall be governed by the special measures set out in the Annex.

These transitional arrangements shall not prejudice the content of the protocol of accession.

Article 2

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

Article 3

This Decision shall be applicable from 1 January 1987.

Hecho en Bruselas, el Udfærdiget i Bruxelles, den Geschehen zu Brdssel am 'Eyıvz orıç BouEéλλες, orıç Done at Brussels, Pait à Bruxelles, le Fatto a Bruxelles, addi' Gedaan te Brussel, Feito em Bruxelas, em

22. XII. 1986

Por el Consejo de Ministros ACP-CEE For AVS-EØF Ministerrâdets vegne Für den AKP-EWG-Ministerrat Fia to TouBoûklo two Ynoupyño AKE-EOK For the ACP-EEC Council of Ministers Pour le Conseil des Ministres ACP-CEE Per il Conseil des Ministri ACP-CEE Voor de ACS-EEO-Raad van Ministers Pelo Conselho de Ministros ACP-CEE

Por el Comité de Embajadores
På AVS-EØF Ambassadørudvalgets vegne
Im Namen des AKP-EWG-Botsohafterausschusses
Fig thy Enitponn twy Moédbew AKE-EOK
For the ACP-EEC Committee of Ambassadors
Par le Comité des Ambassadeurs ACP-CEE
Per il Comitato degli Ambasciatori ACP-CEE
Voor de ACS-EEG-Comité van Ambassadeurs
Pelo Comité dos Embaixadores ACP-CEE

El Presidente Pormand Der Präsident O Npót6000 The President Le président Il Presidente De Voorzitter O Presidente

D. HANNAY

Council Regulation (EEC) No 691/86 of 3 March 1986 establishing arrangements for trade between Spain and Portugal on the one hand and the African, Caribbean and Pacific States (ACP States) on the other $\binom{1}{}$

Decision No 86/49/ECSC of the representatives of the governments of the Member States, meeting within the Council of 3 March 1986 establishing arrangements for trade between Spain and Portugal on the one hand and the African, Caribbean and Pacific States (ACP States) on the other in products falling within the ECSC Treaty $(^2)$

⁽¹⁾ OJ No L 63, 5.3.1986, p. 3. (2) OJ No L 63, 5.3.1986, p. 185.

RESOLUTION OF THE ACP-EEC COUNCIL OF MINISTERS of 25 APRIL 1986 on financial and technical co-operation

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the Second ACP-EEC Convention signed at Lomé on 31 October 1979, and in particular Articles 108(6) and 109 to 118 thereof,

Having regard to the Third ACP-EEC Convention signed at Lomé on 8 December 1984,

Having regard to its Decision No 2/85 of 22 February 1985 on transitional measures valid as from 1 March 1985, and in particular Article 1(1)(g) thereof,

Having regard to its Resolutions of 14 May 1982, 20 May 1983 and 2 May 1984 on financial and technical co-operation, and in particular point IV(e) of the Resolution of 2 May 1984,

Having regard to the Report on the draft Resolution submitted by the Article 108 Committee,

Whereas, on the basis of information and examples provided by the Commission and the ACP General Secretariat, the Article 108 Committee has undertaken an examination of specific and general cases of typical difficulties in implementing financial and technical co-operation,

HEREBY ADOPTS THIS RESOLUTION:

I. INDICATIVE PROGRAMMING

(a) Council notes that the implementation of the indicative programmes remains very slow for many ACP States due to delays relating to the programming, commitment and disbursement of funds and to administrative and political constraints.

The speedy programming or EDF allocations does, however, involve the risk of insufficient attention being devoted to the in-depth preparations which are necessary for the successful implementation of indicative programming.

(b) Council therefore recommends:

- the establishment of effective arrangements involving all responsible bodies in the Community and the ACP States in jointly monitoring progress on the preparation and implementation of indicative programmes or projects;
- that the monitoring arrangements should provide an early warning system in respect of material delays in implementation and make it possible to analyse quickly the causes of such delays and to take any necessary corrective actions;
- that, in the spirit of Article 110(4) of the Second Lomé Convention and Article 216(4) of the Third Lomé Convention, the Commission Delegate and the National Authorizing Officer or his:Deputies in each ACP State should meet regularly to review progress on the implementation of indicative programmes and projects on the basis of a chart indicating as precisely as possible, for each project or action, the stage of implementation reached and further action required.
- (c) Council further recommends that, within the framework of the 10-year report on Lomé I and II, an in-depth analysis of programming operations under these two Conventions be undertaken and that special consideration be given, in examining the first annual report under Article 193(7) of the Third ACP-EEC Convention, to the programming aspect of financial and technical co-operation.

II. IDENTIFICATION, PREPARATION AND APPRAISAL OF PROJECTS

(a) Council notes the following:

Projects identified for EDF financing are sometimes not adequately formulated. As a result, they have sometimes proved impossible to realise.

Project preparation and appraisal have been major sources of ineffectiveness in projects achieving their objectives. Factors contributing to these problems have been:

- difficulties in some administrations in taking responsibility for preparation of projects;
- inadequacies in preparatory studies and in project design;
- neglect of social and human factors;
- failure to adapt projects to local conditions;
- weaknesses in technical assistance.

At the other extreme, insistence by the Commission on elaborate studies at different stages of project appraisal may result in changes in the nature of projects and contribute to delays and to increases in project costs. Furthermore, the Commission has sometimes demanded detailed information on projects which has been impossible to supply.

The process is full of delays both in the gathering of relevant information, appointment of consultants and the preparation of project files. Apart from adding to costs, such delays adversely affect the local communities involved.

The quality and useful life of a future project will depend on both the general studies before the financing decision and the detailed design work before the project is carried out.

Isolated studies, which draw no lessons from past experience, multiply waste and failures. It is therefore important to avoid them.

Undue emphasis on production leads to the neglect of other aspects, particularly social characteristics of development. Projects cannot be regarded as contributing to integrated development when they neglect social aspects. Studies which are limited to confirming whether the proposed investment is economically justified or not represent an inadequate use of the resources directed to the study.

Some projects are characterized by material errors of design or by preliminary studies which recommended methods of implementation which were inadequate in terms of both quality and quantity. Architectural design of buildings often betrays ignorance of the climatic conditions and of the constraints arising from the resources, tradition and way of life of the locality in which they are to be used in the recipient ACP States. Nor has sufficient attention been paid to the value of local materials or of the tried and tested traditional methods of the racipient ACP States. A tendency to use more European contractors and supplies could exacerbate these problems. Furthermore, appraisal of proposed designs by the Commission and the ACP States is often inadequate.

(b) Council therefore recommends:

- the strengthening of procedures for clear definition by ACP States of projects to be presented for EDF financing;
- in particular, the co-ordination role of the National Authorizing Officer should be reinforced;

- that maximum use be made of the provisions in Article 218 of the Third Lomé Convention by virtue of which the Community, where so requested, may provide assistance towards drawing up the dossiers relating to the identification of projects or programmes proposed under the indicative programmes;
- in defining new projects, greater emphasis should be given to accio-cultural factors, to the choice of projects which are properly designed to make use of local materials, equipment and manpower resources and which take account of maintenance and manpower training needs in order to achieve highest possible levels of project use;
- specifications for equipment should lay emphasis on simplicity, standardization and efficient after sales service;
- consideration should also be given to further measures for speeding up the implementation of procedures for preparation and appraisal of projects through improving project identification, as well as by greater insistence by the Commission and the ACP States on the quality of preparatory studies;
- preparatory studies should be conducted in the spirit and in accordance with the letter of the Convention, if maximum benefit is to be derived from them;
- in the preparation of projects, due account should be taken of the aspirations of local people and of the need to train local beneficiaries to take charge of projects when implemented.

Council requests the Commission to draft and impose a code of conduct upon the consultants entrusted with the preparation of preliminary studies and plans; and mandates the Article 108 Committee to keep this matter under review.

III. FINANCIAL PROPOSAL AND DECISION

(a) Council notes the following:

It is not unusual for several years (an average of two) to pass from the time a study is submitted and the final approval of a project. Moreover, certain factors may have changed in the meantime. Consequently, it is normal for the project which is finally approved and financed to be different both in concept and details from the one planned in the studies. Where, as happened too frequently in the past, financial estimates in the studies have not been revised in a tealistic way before being used as a basis for the proposal and the financing agreement, the success of projects has been impaired.

It is exceptional to find financing proposals which offer alternative methods of attaining the same range of objectives. Only too rarely do project planners ask themselves seriously "what combination of ways and means will allow us to avoid these obstacles and profit from these assets". They usually show only one way of proceeding as if it were obviously the best, if not the only one possible.

The time taken to implement projects, their cost and the extent to which objectives are achieved, are closely linked. Poor matching of finance and objectives prevents both attainment of the objectives and containment of the costs. Sometimes, even a slight shortfall in the financing is enough to jeopardize the effectiveness of the project to a greater or lesser degree.

Moreover, the savings resulting from such cost-cutting are in many cases relatively marginal whereas the worth and effectiveness of the projects involved may be considerably reduced.

A large number of projects show the serious defect of having been designed by all parties concerned without sufficient consideration of the burden of recurring maintenance and management costs upon the local authorities which many are unable to bear.

Various pieces of sophisticated equipment have been immobilized since their delivery, for lack of instructions in their use. Due to lack of financial resources and staff, a large amount of equipment is unused, underused or out of order for long periods, because of the absence of specialized local staff to maintain or run it, or because there are no spare parts or after-sales services.

Many past projects have been endangered by cost overruns arising from circumstances beyond the control of ACP States. While the Commission in general makes provision in financing proposals for cost overruns attributable to contractual escalation clauses, with the result that such overruns are now a less serious problem than they were a decade ago, nevertheless inflation and other cost increasing factors tend to delay the completion of projects and even to jeopardize their results. Furthermore, steps to modify projects do not always succeed in preventing cost overruns.

(b) Council therefore recommends that :

- financing proposals should be expressed in a way which facilitates understanding by all parties concerned of the objectives, strategies and conditions of execution thereby facilitating the planning, management, control and ex-post evaluation of operations;
- it should be ensured that the preparation of operations refers to all the set goals and examines the various possible solutions before establishing in detail the content of the projects;
- financing proposals should clearly indicate the running and maintenance component costs associated with the projects and programmes in question, and that appropriate and realistic arrangements for meeting such costs be provided for in the relevant financial or loan agreements so as to ensure that the investments involved are not lost or underutilized:
- as very often upkeep and running costs are in inverse proportion to the cost of investment, in any financing proposal a study should be made of whether or not to adopt comparatively expensive solutions at the investment stage, in order to reduce the load of recurring costs to be borne by the country;
- maximum use be made of the provision in Article 188 of the Third Lomé Convention whereby financial and technical co-operation may, under certain conditions, cover current administrative maintenance and operating expenses of new, on-going or past projects and programmes.

IV. FINANCING AGREEMENT, FINANCING DECISION AND LOAN CONTRACT

- (a) Council notes that considerable delays occur between the preparation of preliminary project studies and completion of relevant financing and loan agreements.
- (b) Council therefore recommends that all necessary steps be taken both within the ACP States' administrations and the Community institutions to reduce these delays to a minimum.

In this regard, it welcomes the provisions of Article 220 (8) of the Third Lomé Convention limiting to four months the period between the financing proposals and the relevant Community decisions.

- It further recommends the adoption as far as possible of arrangements for signature of financing and loan agreements by Ambassadors of ACP States to the Community.
- (c) Council further recommends that decision making powers, involving the NAOs and the Commission Delegates, as spelt out in Article 221 of the Convention of Lomé III, should be much more systematically used. To this end, the Council shall periodically review the application of Article 221 in the context of examination of the annual report provided for in Article 193(7) of the Third ACP-EEC Convention. It shall, if necessary, consider measures to implement this provision.

V. PROCEDURES RELATING TO TENDERS AND CONTRACTS

(a) Council notes the following:

Problems arise at all stages of the contract placement process (preparation of tender dossiers, adjudication of bids, award and signature of contracts and contract execution):

- delays in preparation of tender dossiers;
- adjudication of bids is often held up;
- difficulties arise in the award of contracts due to the delays in decisions on tenders; such delays may be due to problems of interpretation or comparison of tenders;
- signature of contracts is frequently held up;
- moreover, the quality of drafting and checking of such contracts is sometimes also faulty;

Council further notes that:

 for the awarding of contracts, "the lowest tender" and the "most economically advantageous tender" are not always equivalent expressions. The criterion of the "most economically advantageous tender" is in fact wider since it makes it possible to take account of the relationship between quality and price. Yet, in implementing the procedure for invitation to tender, the Commission has tended to insist on the "lowest-bid" approach, and often awarded contracts on this basis. Problema arise when criteria are in conflict, e.g. when the lowest bid is not technically the most appropriate and when the ACP States have the feeling that the Commission ignores both the views of ACP States experts and other relevant criteria like suitability and experience of tenderers. There have been cases where tenderers have obviously underbid simply to obtain the award and have later on turned out to be unreliable. This has often resulted in serious cost overruns, the lowering of specifications and standards, to the detriment of many projects, as well as high maintenance bills, which, for many ACP States, constitute a serious drain on their already meagre financial resources;

- the guarantees provided for the "sound implementation of the contracts" are sometimes inadequate, leaving both the Commission and the ACP State concerned incapable of bringing appropriate pressure to bear upon the defaulting undertakings. Sometimes, penalties exist, but are not imposed;
- some bank guarantees relating to advances granted to suppliers have been found to be valid for periods shorter than the maximum time I lmit for delivery laid down in the contracts. Consequently, it might prove impossible to recover the advances paid if a supplier makes a faulty delivery after the period covered by the bank guarantee on the advances.

Council, while recognizing the importance of strict application of the provisions of Article 130 of the Second Lomé Convention, requests the Commission to take due account of all relevant factors in adjudicating on tenders.

In this regard, Council welcomes the provisions of Article 236 of the Third Lomé Convention which extend the criteria for assessment of tenders to include the availability of an after-sales service in the ACP States concerned.

- (b) Council therefore recommends that the responsible authorities in ACP States and in the Commission take steps to reduce as far as possible delays in procedures for tendering and award of contracts, including:
 - provision of technical assistance in the preparation of tender dossiers when so requested;
 - setting up, where they do not already exist, of Central Tenders Boards or comparable appropriate institutions within the ACP States with responsibility for adjudication and award of contracts;
 - streamlining of procedures within the Commission for advice on tenders;
 - improvement of procedures within ACP States for drafting and signature of contracts.

VI. PAYMENT AND ACCOUNTING PROCEDURES

(a) Council notes the following:

In general, the administrative circuits for authorizing payment are too long, especially for regional projects and those where responsibility is shared between several ministries; long delays can occur in authorizing and making payments; there are also problems of inadequate control, documentation and accounting procedures; delays in payment execution by the Commission may also be observed.

Council further notes that the local paying agent arrangement facilitates payments.

It also notes the new measures referred to in Annex VI to the Report of the Article 108 Committee of 1 May 1984, which the Commission now adopts for expediting payments.

(b) Council recommends that the Commission and the ACP States should jointly examine further measures for improvement of payment and accounting procedures in respect of the EDF.

VII. SUPERVISION, IMPLEMENTATION AND FOLLOW-UP OF PROJECTS

(a) Council notes the following:

A number of cases of inadequate supervision of projects' progress have been observed:

- absence of suitable administrative and technical structures and of complementary projects needed to manage completed projects;
- inadequate financial provision for follow-up costs;
- inadequate documentation of the implementation of projects because the reports by the delegations are not provided in due time for all projects;
- consequent inability of the Commission to take decisive actions to prevent projects in progress from being reoriented or interrupted;
- inadequate checking of projects and tolerating the use of poor materials.

Council further notes that :

- in spite of the provisions of Article 118 of the Second Lomé Convention, for most projects the final or subsequent evaluation has either not been carried out or has been done in an incomplete manner;
- although Council welcomes the improved evaluation procedures now being developed jointly by the Commission and the ACP States, it is most regrettable that frequently the various parties involved seem to concern themselves chiefly with projects which have been recently implemented or with supplementary finance granted to such projects, without, in the latter case, drawing any lessons from the difficulties encountered previously in the same projects. The result of inadequate monitoring of projects which are in progress or completed is that no lessons are learnt from past experience, whether good or bad.
- (b) Council therefore recommends that greater consideration be given by the Commission and the ACP States in preparing project financing proposals to these various aspects of project implementation and follow-up and that the relevant financing and loan agreements should include appropriate provisions affecting these matters.
- (c) Council also recognizes that formal procedures are of decisive importance for the smooth functioning of the aid delivery and implementation process. It requests the Article 193 Committee to examine such procedures, in the framework of examination of annual reports under Article 193(7) of the Third ACP-EEC Convention and on the occasion of study of concrete cases of specific difficulties resulting from the implementation of financial and technical co-operation, with a view to suggesting any improvement which would appear to be necessary.

(d) Council takes special note of the problems related to technical assistance.

The heightening of human skills and the strengthening of essential administrative, logistical and technical infrastructure are absolutely vital prerequisites to the building of truly self-reliant capacities and to the effective utilization of capital investment. The rele that technical assistance can play in this crucial effort cannot be too strongly stressed.

Yet, in this crucial effort, the provision of technical assistance personnel has nevertheless experienced the following shortcomings:

- lack of transparency in the procedures for recruitment and selection of consultants;
- lack of clear definition of the terms of reference given to the consultants;
- the observed preference for European consultants coupled with lack of priority for consultants from ACP States;
- the excessive costs of technical assistance, especially when such cost is debited to the limited amounts available in the indicative programmes of the recipient ACP States;
- noticeable decline in the quality of technical assistance:
- insistence in some cases by the Commission on technical assistance even in circumstances where ACP States do not request it.

Council welcomes the provisions in Part 2 Title III Chapter 3 of the Third Lomé Convention which are designed to improve the quality of technical assistance and, in particular, the provisions of Article 210 (1) relating to the award of service contracts on the basis of restricted invitations to tender.

(e) Council recommends that:

- (i) both the ACP States and the Commission take the necessary steps to ensure that all technical assistance financed by the EDF is of high quality. These measures should take account of the following particular needs:
 - adequate definition of terms of reference of technical and co-operation projects;
 - appropriate and transparent procedures for the selection of suitable consultants;
 - drawing up of strict criteria for selection of consultants;
 - monitoring of progress of technical assistance:
 - close association of local personnel with the implementation of technical assistance with the objectives of training them for continued project implementation on completion of the technical co-operation contract;
- (ii) the ACP States and the Commission should mount a publicity campaign in ACP States almed at registering increasing numbers of qualified consultants from these States who might be considered for technical assistance contracts. Such a course would widen the choice of available consultants, would provide opportunities for fulfilment of the provision of Article 200 (3) of the Third Lomé Convention for giving preference to ACP States' experts, institutions or consultancy firms, and through increasing competition for technical assistance would contribute to the reduction of its costs;
 - (iii) the Commission immediately carry out a detailed analysis of the costs of its technical assistance by reference to those of other multilateral and bilateral aid programmes. In this regard, attention is drawn to point 7 of Council Resolution of 9 May 1980 on financial and technical co-operation which delegated to the ACP-EEC Committee of Ambassadors responsibility for, inter alia, reducing the cost of technical assistance without prejudice to its quality;
 - (iv) the Commission and the ACP States should jointly develop technical co-operation programmes in respect of sectors receiving Community aid in order to co-ordinate work in the fields of research, technical training, management improvement, organizational and decision-making capacities and the follow-up and evaluation of operations. Such programmes should be developed in collaboration with specialist establishments linked to national or regional universities and institutions in the Community and ACP States.

VIII. FOLLOW-UP AND PUBLICATION OF THE PRESENT RESOLUTION.

Council invites the Article 108 Committee to monitor closely the implementation of this Resolution and to periodically report to the ACP-EEC Council of Ministers on its findings, conclusions and recommendations. In the light of such ongoing review, this Resolution shell be amended if this should prove advisable.

Council recommends that this Resolution should be published in the "ACP-EEC Courier" at the earliest opportunity in a format conforming to agreed procedures.

Oone at Bridgetown, 25 April 1986

For the ACP-EEC Council of Ministers

The President

(s.) P. TOVUA

I. - ACP-EEC ACTS

2. ACTS OF THE COMMITTEE OF AMBASSADORS

OF THE ACP-EEC COMMITTEE OF AMBASSADORS of 25. II. 1986

adopting the budget of the Technical Centre for Agricultural and Rural Co-operation (1986)

THE ACP-EEC COMMITTEE OF AMBASSADORS,

Having regard to the Second ACP-EEC Convention, signed at Lome on 31 October 1979, and in particular Article 88(4)(d) thereof,

Having regard to Decision No 1/83 of the ACP-EEC Committee of Ambassadors of 8 June 1933 laying down the rules of co-operation of the Technical Centre for Agricultural and Rural Co-operation, and in particular Article 6 thereof,

Having regard to Decision No 2/83 of the ACP-EEC Committee of Ambassadors of 8 June 1983 adopting the Financial Regulation of the Technical Centre for Agricultural and Rural Co-operation, and in particular Articles 5 and 6 thereof,

Having regard to Decision No 2/85 of the ACP-EEC Council of Ministers of 22 February 1985 on transitional measures valid from 1 March 1985, and in particular Articles 1 and 6 thereof,

Whereas, pursuant to Article 5(1) of Decision No 2'83, the Director of the Centre submitted to the ACP-EEC Subcommittee on Co-operation in Agricultural and Rural Development (hereinafter referred to as the "Subcommittee") a preliminary draft annual budget of the Centre (financial year 1986) and the annual work programme of the Centre for 1986:

Whereas, at its meeting on 11 December 1985, the Subcommittee examined this preliminary draft and, after making amendments agreed jointly by the Community and the ACP States, adopted the draft budget in accordance with Article 6 of Decision No 2/83;

Whereas the draft budget has been forwarded to the Commission which, with regard to the contribution requested from the European Development Fund, has implemented the current Community procedures;

//hereas, on 17 January 1986, the competent Community authority
adopted the financing decision on the said contribution;

Whereas, this being so, the Committee is in a position definitively to adopt the budget,

HAS DECIDED AS FOLLOWS:

Sole Article

The budget for the Centre for the financial year 1986 is hereby definitively adopted as it appears in the Annex hereto.

Hecho en Bruselas, el Udfærdiget i Bruxelles, den Geschehen zu Brüssel am 'Eytve otte Bouetakte, otte Done at Brussels, Pait à Bruxelles, le Patto a Bruxelles, addi' Gedaan te Brussel, Feito em Bruxelas, em

25. II. 1986

Por el Comité de Embajadores Få AVS-EØF Ambassadørudvalgets vegne Im Namen des AKP-EWG-Botachafterausschusses Για την Επιτροπή των Πρέοβεων ΑΚΕ-ΕΟΝ For the ACP-EEC Committee of Ambassadors Par le Comité des Ambassadeurs ACP-CEE Per il Comitato degli Ambasciatori ACP-CEE Voor de ACS-EEG-Comité van Ambassadeurs Pelo Comité dos Embaixadores ACP-CEE

> El Presidente Formand Der Präsident O Moócópog The President Le président Il Presidente De Voorzitter O Presidente

M.H.J.CH. BUTTEN

1986 BUDGET (ECU)

	Appropriations 1986	Appropriations 1985
TITLE 1 - STAFF EXPENDITURE		
Chapter 11 - Staff		
Article 111 - Salaries and wages (18 staff members)	573 000	566 000
Article 112 - Provision for the adjustment of salaries (after decision of the Subcommittee pursuant the third paragraph of Article 27 of Decision No 3/83 of the Committee of Ambassado	e to f	28 000
Article 113 - Welfare contributions	218 000	181 000
Article 114 - Allowances	157 000	112 000
Total Chapter 11	977_000	887_000
TOTAL TITLE I	977 000 ======	887 000
TITLE II - BUILDINGS, EQUIPMENT AND MISCELLANEOUS OPERATING EXPENDITURE		
Chapter 21 - Rental of buildings ar associated costs	<u>nd</u>	
Article 211 - Rent	84 000	79 000
Article 212 - Associated costs	6 000	15 000
Total Chapter 21	90_000	94_000
Chapter 22 - Movable property and associated costs		
Article 221 - Purchase of office machines and movable furniture and equipmen	28 000 it	43 000
Article 222 - Rental of furniture an equipment	10 000	20 000
Article 223 - Maintenance of furnitu and equipment	5 000	s 000
Article 224 - Maintenance and use of vehicles	5 000	5 000
Total Chapter 22	48_000	73 000

Chapter 23 - Current administrative expenditure	<u>re</u>	
Article 231 - Stationery and Office supplies	15 000	15 000
Article 232 - Postage and telecommunication	149 000	50 000
Article 234 - Subscription to periodicals, etc.	30 000	25 000
Article 235 - Other operating expenditure	80 000	15 000
Total Chapter 23	274_000	105_000
Chapter 24 - Mission expenses, representation and entertainment expenses		
Article 241 - General expenditure on duty travel	12 000	12 000
Article 242 - General representation and entertainment expenses	10 000	15 000
Total Chapter 24	22_000	27_000
Chapter 25 - Brussels branch office (except for staff expenditure)	30_000	30_000
TOTAL TITLE II	464_000	329_000
TITLE III - ACTIVITIES		
Chapter 31 - Studies, experts' reports	400 000	300 000
Chapter 32 - <u>Seminars</u> (1985: 6; 1986: 6)	550 000	440 000
Chapter 33 - Publications and files	655 000	235 000
Chapter 34 - <u>Missions</u>		
Article 341 - Programmed missions	105 000	86 000
Article 342 - Attendance at seminars and meetings	51 000	24 000
Chapter 35 - <u>Documentation Centres</u> in ACP States	250_000	
TOTAL TITLE III		1 085 000
GRAND TOTAL OF EXPENDITURE	3 452 000	2 301 000

(a) European Development Fund contribution	3 182 000	2 217 000
(b) Tax on salaries and any other revenue	270 000	84 000
GRAND TOTAL OF REVENUE	3 452 000	2 301 000

DECISION No 2/86 OF THE ACP-EEC COMMITTEE OF AMBASSADORS of 24 March 1986

on the rules of operation of the Technical Centre for Agricultural and Rural Co-operation

THE ACP-EEC COMMITTEE OF AMBASSADORS,

Having regard to the Third ACP-EEC Convention, signed at Lomé on 8 December 1984 (hereinafter referred to as "the Convention"), and in particular Article 37(4) thereof,

Whereas it falls to the Committee of Ambassadors to lay down the rules of operation of the Technical Centre for Agricultural and Rural Co-operation,

HAS DECIDED AS FOLLOWS:

Article 1

- The Technical Centre for Agricultural and Rural Co-operation hereinafter referred to as "the Centre" shall enjoy in each of the States which are Parties to the Convention the most extensive legal capacity accorded to legal persons.
- The Centre shall be non-profit-making.
- The Centre currently has its seat in Wageningen (Netherlands) with a branch office in Brussels.

Article 2

- The tasks of the Centre, as set out in Article 37(2) of the Convention, shall be to:
- (a) ensure, where so requested by the ACP States, the dissemination of scientific and technical information on methods and means of encouraging agricultural production and rural development (including the planning of agricultural and rural development and the preparation, implementation and evaluation of agricultural and rural development operations);
- (b) refer the ACP States' requests for information to the bodies qualified to deal with them, or deal direct with such requests;
- (c) provide ACP national and regional documentation centres and research institutes with easier access to scientific and technical publications dealing with agricultural and rural development issues and to data banks in the Community and the ACP States;
- (d) in general, help the ACP States to gain easier access to the results of work carried out by the national, regional and international bodies, more especially those qualified in the technical aspects of agricultural and rural development, based in the Community and in the ACP States, and maintain contact with those bodies;
- (e) foster the exchange of information between those engaged in agricultu-

- ral and rural development on the results of field work carried out in the context of agricultural and rural development operations;
- (f) sponsor and help organize meetings of specialists, research workers, planners and development personnel so that they may exchange experience gained in specific ecological environments;
- (g) facilitate access by the ACP States' training and extension oersonnel to the information they need to carry out their tasks and refer requests for specific training to the existing qualified bodies;
- (h) help facilitate the adaptation of available information to the needs of the ACP States' departments responsible for development, training and extension services;
- (i) facilitate the dissemination of information concerning agricultural research and extension work by reference to the priority requirements of development.
- In the performance of its tasks the Centre shall pay particular attention to the needs of the least-developed ACP States.

- 1) The activities of the Centre shall be guided, supervised and controlled by the Committee of Ambassadors and by the Sub-Committee for co-operation on agricultural and rural development, hereinafter referred to as the "Sub-Committee", and in accordance with Article 37(4) of the Convention and paragraph (e) of the Joint Declaration on Article 26 of the Convention.
- 2) (a) In order to provide the director of the Centre with technical and scientific assistance in working out appropriate solutions to the problems encountered by the ACP States, in particular to improve their access to information, technical innovation, research and development in the sphere of agricultural and rural development and to devise the Centre's action programmes, an advisory committee, hereinafter referred to as "the Advisory Committee", shall be set up, composed on a parity basis of agricultural and rural development experts.
 - (b) The members of the Advisory Committee shall be appointed by the Committee of Ambassadors in accordance with the procedures and criteria determined by it.

3. The activities of the Centre shall be conducted in close co-operation with the institutions and bodies referred to in the Convention or in the declarations annexed thereto, in accordance with Article 37(1) of the Convention; regional and international institutions shall be called upon for assistance as appropriate, particularly those located in the Community and in the ACP States dealing with agricultural and rural development matters.

Article 4

 The Centre shall be headed by a Director appointed by the Committee of Ambassadors.

The Co-Chairmen of the Committee of Ambassadors shall be authorized by the Committee to sign the Director's contract. This contract shall be drawn up and administered in accordance with the conditions of employment of the staff of the Centre. The Committee of Ambassadors shall have the power to take any decision which may prove necessary with regard to the Director of the Centre, after receiving the opinion of the Sub-Committee.

- 2. The Director shall be the legal representative of the Centre.
- 3. The Director, after having received the opinion of the Advisory Committee, shall submit to the Sub-Committee for approval the annual work programme of the Centre, drawn up in accordance with the tasks set out in Article 2.
- 4. The Director shall keep the Sub-Committee and the Advisory Committee regularly informed of the activities of the Centre.
- 5. The Director shall each year draw up a general report on the activities of the Centre and shall submit it to the Sub-Committee, the Advisory Committee, and the Committee of Ambassadors.
- The Director shall be responsible for the organization and management of the Centre.

On a proposal from the Sub-Committee, the Committee of Ambassadors shall adopt the conditions of employment of the staff of the Centre.

Article 6

The budget provisions applicable to the Centre, and in particular those concerning the procedure for adopting the budget, shall be laid down in the Decision of the Committee of Ambassadors adopting the Financial Regulation of the Centre.

Article 7

Protocol No 3 on Privileges and Immunities and the Community Declaration . (Annex LII) annexed to the Convention shall apply to the Centre.

Article 8

Article 291 of the Convention shall apply to the Centre.

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

Article 10

This Decision shall enter into force on the same day as the Convention.

Hecho en Bruselas, el Unferdiget i Bruxelles, den Geschehen zu Brüssel am 'Eytor otto Bpugéhhec, otto Done at Brussels, Fait à Bruxelles, le Patto a Bruxelles, addi' Gedaan te Brusela, Feito em Bruxelas, em

24. 111. 1986

Por el Comité de Embajadores På AVS-EØF Ambassadørudvalgets vegne Im Namen des AKP-EWG-Botschafterausschlusses Για την Επιτροπή των Πρόσθεων ΑΚΕ-ΕΟΚ For the ACP-EEC Committee of Ambassadors Par le Comité des Ambassadeurs ACP-CEE Per il Comitato degli Ambassiatori ACP-CEE Voor de ACS-EEG-Comité van Ambassadeurs Pelo Comité dos Embaixadores ACP-CEE

> El Presidente Formand Der Präsident O Mpótópog The President Le président Il Fresidente De Voorzitter O Presidente

M.H.J.CH. RUTTEN

DECISION No 3/86 OF THE ACP-EEC COMMITTEE OF AMBASSADORS of 24 March 1986

adopting the Financial Regulation of the Technical Centre for Agricultural and Rural Co-operation

THE ACP-EEC COMMITTEE OF AMBASSADORS,

Having regard to the Third ACP-EEC Convention, signed at Lomé on 8 December 1984, hereinafter referred to as "the Convention", and in particular Article 37(4) thereof,

Whereas it is for the Committee of Ambassadors to determine the procedure for adopting the budget and other budget provisions of the Technical Centre for Agricultural and Rural Co-operation (hereinafter referred to as "the Centre").

HAS DECIDED AS FOLLOWS:

I. GENERAL PRINCIPLES

Article 1

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

Article 2

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

Article 3

Revenue shall include the contribution by the European Development Fund, and income from other sources available to the Centre.

- 1. The estimates of expenditure shall include recurrent capital and intervention expenditure.
- 2. The financial year shall run from 1 January to 31 December of each year.

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

Exceptionally, such appropriation may be carried forward for another financial year with the permission of the Committee of Ambassadors.

Appropriations which are carried over to the following financial year shall be entered separately in the accounts for the current financial year.

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

II. PREPARATION OF THE BUDGET

Article 5

- 1. On the basis of the annual work programme of the Centre, the Director shall draw up a preliminary draft annual budget for the Centre which he shall submit to the Subcommittee for Co-operation on Agricultural and Rural Development (hereinafter referred to as "the Subcommittee") not later than 1 July of the year prior to that of its implementation.
- The budget shall include a schedule for the paying in of revenue.

The dates for the payment of the contribution to be made by the European Development Fund shall be fixed by agreement with the Commission of the European Communities (hereinafter referred to as "the Commission").

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

Article 6

The draft budget, drawn up as far as possible within the framework of multiannual estimates, shall be finalized by the Subcommittee. It shall be forwarded to the Commission, which shall initiate the Community procedures in force as regards the contribution requested from the European Development Fund. The budget shall be finally adopted by the Committee of Ambassadors in the light of the decision taken on the contribution from the Fund.

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

III. IMPLEMENTATION OF THE BUDGET

Article 8

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

Article 9

No revenue or expenditure may be effected unless charged to the appropriate article of the budget.

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

No expenditure shall be authorized in excess of the limit of the appropriations allocated. Revenue shall be entered separately and shall not be set off against any expenditure.

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

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

Article 11

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

IV. ADMINISTRATION OF THE BUDGET

Article 12

- 1. The budget of the Centre shall be administered in accordance with the principle that authorizing officers and accounting officers fulfil separate functions. The appropriations shall be administered by the authorizing officer, who alone shall have the power to enter into commitments regarding expenditure, establish sums due to be collected and issue revenue and payment orders.
- Collection and payment operations shall be carried out by the accounting officer.
- The authorizing officer may not exercise the functions of accounting officer.

- 1. All measures which may give rise to expenditure payable by the Centre must be preceded by a commitment on the part of the authorizing officer.
- 2. Current expenditure may be covered by a provisional commitment.
- An account shall be kept of commitments and authorizations.

Article 14

- The purpose of clearance of expenditure by the authorizing officer shall be:
- (a) to verify the extistence of the rights of the creditor;
- (b) to determine or verify the existence and the amount of the debt;
- (c) to verify the conditions under which payment becomes due.
- 2. Clearance of any expenditure shall be subject to the submission of supporting documents showing the creditor's claim and, where appropriate, the service rendered.

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

Article 16

- Payment shall be the final act whereby the Centre is discharged of its obligations towards its creditors.
- 2. Payment shall be made by the accounting officer within the limits of the funds available.

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

 Payments shall as a general rule be effected through a bank or post office giro account.

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

- 1. The Director shall be the authorizing officer for the appropriations entered in the budget of the Centre.
- 2. The Director may delegate his powers to an agent under his authority. Each decision to delegate powers shall state the duration and extent of the mandate.

Article 18

Revenue collection and payments effecting expenditure shall be effected by the accounting officer, who shall alone be empowered to manage funds and assets. He shall be responsible for their care.

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

V. AUDITORS

Article 20

The Subcommittee shall appoint on a joint basis two auditors who shall carry out their duties jointly.

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

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

After the close of each financial year, the auditors shall draw up a report to the Subcommittee on the execution of their task.

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

VI. GENERAL PROVISIONS

Article 21

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

However, they may be concluded by direct agreement:

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

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

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

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

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

Article 23

- 1. The accounts shall be kept in ECU, by the double entry method, on a calendar year basis. They shall show all revenue and expenditure between 1 January and 31 December of each year and shall include the supporting documents.
- 2. Entries shall be made on the basis of an accounting system comprising a nomenclature of budgetary items which makes a clear distinction between the accounts enabling the balance sheet to be drawn up and those enabling the revenue and expenditure account to be drawn up. These entries shall be recorded in books or on cards enabling a general monthly balance to be drawn up.

- Each quarter a statement shall be drawn up and sent to the Subcommittee showing the situation relating to the current budget and the expenditure effected.
- 4. The balance sheet and the revenue and expenditure account shall be submitted to the Subcommittee in ECU not later than 31 March of the following year.

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 25

This Decision shall enter into force on the same day as the Convention.

Hecho en Bruselas, el Udfærdiget i Bruxelles, den Geschehen zu Brüssel am 'Eywe orte BougeAkte, orte Done at Brusels, le Fatte a Bruxelles, le Fatte a Bruxelles, addi' Gedaan te Brussel, Feite em Bruxelas, em

24. 111. 1986

Por el Consejo de Ministros ACP-CEE For AVS-EØF Ministerrådets vegne Für den AKP-EWG-Ministerrat Fia to TuuBoùlio taw Imoueyáw AKE-EOK For the ACP-EEC Council of Ministers Pour le Conseil des Ministres ACP-CEE Per il Conseil des Ministri ACP-CEE Voor de ACS-EEG-Raad vin Ministers Pelo Conselho de Minis:ros ACP-CEE

Por el Comité de Embajadores
På AVS-EØF Ambassadørudvalgets vegne
Im Namen dea AKP-EMO-Botschafterausschusses
Flu Thv Enliponn tow Indobewo AKE-EOR
For the ACP-EEC Committee of Ambassadors
Par le Comité des Ambassadeurs ACP-CEE
Per il Comitato degli Ambasciatori ACP-CEE
Voor de ACS-EEO-Comité van Ambassadeurs
Pelo Comité dos Embaixadores ACP-CEE

El Presidente Formand Der Präsident O Modtöpog The President Le président Il Presidente De Voorzitter O Preaidente

M.H.J.CH. RUTTEN

DECISION NO 4/86 OF THE ACP-EEC COMMITTEE OF AMBASSADORS of 24 March 1986

laying down the conditions of employment of the staff of the Technical Centre for Agricultural and Rural Co-operation

THE ACP-EEC COMMITTEE OF AMBASSADORS,

Having regard to the Third ACP-EEC Convention, signed at Lomé on 8 December 1984, hereinafter referred to as "the Convention", and in particular Article 37 thereof,

Having regard to Decision No 2/86 of the ACP-EEC Committee of Ambassadors of 24 March 1986 on the rules of operation of the Technical Centre for Agricultural and Rural Co-operation (hereinafter referred to as "the Centre"), and in particular Article 5 thereof,

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

Whereas these conditions of employment should also apply to the Director of the Centre, who is appointed by the Committee of Ambassadors pursuant to Article 4(1) of Decision No 2/86 of the Committee;

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

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

HAS DECIDED AS FOLLOWS:

TITLE I GENERAL PROVISIONS Article 1

- This Decision lays down the conditions of employment applicable to:
- the Director of the Centre;
- the staff of the Centre:
- the local staff of the Centre.
- 2. For the purposes of this Decision, persons engaged either to perform advisory duties which require university education or equivalent professional experience or to perform executive duties which require higher or full secondary level education or equivalent professional experience shall be regarded as staff.
- Staff engaged according to local practice to perform manual or service duties not specified in Article 3 shall be regarded as local staff.

STAFF CHAPTER I

Provisions concerning recruitment

Article 2

 Staff shall be appointed by the Director for a specified period which may not exceed the duration of the Convention. 2. The Director shall furnish the Subcommittee for Co-operation on Agricultural and Rural Development, hereinafter referred to as "the Subcommittee", with advance information on all important matters relating to the recruitment of staff.

Such matters include vacancies, mode of advertisement, applications received and the method and basis of selection of the candidates.

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

Article 3

- Staff shall be divided into categories corresponding to the duties to be performed.
- The relationship between the categories, basic posts and remuneration will be laid down in a subsequent Decision of the Committee of Ambassadors.

Article 4

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

CHAPTER 2

Rights and obligations

Article 5

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

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

Article 6

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

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

Article 7

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

Should the nature of the employment prove to be incompatible with that of the staff member and if the latter is unable to give an undertaking that it will cease within a specific period, the Director shall, after obtaining the opinion of the Chairman of the Subcommittee and of the spokesman for the delegation providing the next Chairman, decide whether the staff member is to continue in his post.

Any staff member who in the performance of his duties is called upon to decide on a matter in the handling or outcome of which he has a personal interest such as to impair his independence shall inform the Director thereof, and the latter, if necessary, shall transmit this information to the Subcommittee.

Article 9

After leaving the service of the Centre, staff must continue to observe the rules of professional ethics and refrain from making statements likely to prejudice the interests of the Centre.

Article 10

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

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

All-rights deriving from work done by staff in the performance of their duties shall be the property of the Centre.

Article 11

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

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

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

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

Article 13

A staff member may be required to make good, in whole or in part, any damage suffered by the Centre as a result of serious misconduct on his part in the course of, or in connection with, the performance of his duties. Any decision taken by the Director in this regard shall give the reasons on which it is based.

Article 14

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

Article 15

Staff shall be entitled to exercise the right of association. They may be members of trade unions and professional organizations.

CHAPTER 3 Conditions of engagement Article 16

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

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

- 2. A staff member may be appointed only on condition that:
- (a) he is a national of one of the States signatory to the Convention, save where an exception is authorized by the Subcommittee;
- (b) he enjoys his full rights as a citizen in his country of origin;
- (c) he has fulfilled any obligations imposed on him by the laws concerning military service applicable to him;
- (d) he produces the guarantees required for the performance of similar duties in his country of origin. Verification of these guarantees will be by the procedure proper to each country of origin.
- Before being engaged, staff members shall be medically examined by a medical practitioner appointed by the Centre.

Article 17

A staff member shall be required to serve a probationary period, the length of which shall depend on his category, but which may not in any case exceed six months.

During, or at the end of, the probationary period, the employment of a staff member who has not proved satisfactory may be terminated by the Director. In the former case, the staff member shall be paid, in lieu of notice, one month's salary or one third of his basic salary for each complete month worked on probation, whichever is the greater. The Director shall send report thereon to the Subcommittee.

CHAPTER 4

Working conditions

Article 18

Staff in active employment shall at all times be at the disposal of the Centre. However, the length of the working week shall be fixed by the Director, who shall inform the Subcommittee thereof.

Article 19

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

Article 20

Staff shall be entitled to annual leave of not fewer than twenty-four working days nor more than thirty working days per calendar year, in accordance with rules to be laid down by the Director. This annual leave may wholly or partially be carried over to the following year, depending on the requirements of the service.

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

Article 21

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

Article 22

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

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

Article 24

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

The length of the period of leave referred to in the first subparagraph shall not count for the purposes of applying the second subparagraph of Article 27.

Article 25

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

Article 26

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

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

CHAPTER 5

Remuneration and reimbursement of expenses

Article 27

A staff member shall be entitled to the remuneration carried by his category, such remuneration being determined on the basis of his qualifications and professional experience.

Staff members who have two years' service in the Centre shall receive an increase of 6% of their initial salaries during the period covered by the Convention.

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

Article 28

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

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

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

If a staff member dies during his term of employment, the Centre shall pay to the persons who were his direct dependants an overall sum equivalent to three months' full remuneration at the rate at which the staff member was being paid at the time of his death.

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

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

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

CHAPTER 6 Recovery of overpayment Article 30

Any sum overpaid shall be recovered. The Director shall lay down the arrangements for such recovery.

CHAPTER 7 Termination of employment Article 31

- Apart from cessation on death or dismissal at the end of the probationary period, employment shall cease:
 - (a) on the date stated in the instrument of appointment;
 - (b) at the end of the period of notice specified in the instrument of appointment which must contain a clause giving the staff member or the Centre the option to terminate earlier. Such period of notice shall be not more than three months;
 - (c) not later than the date of expiry of the Convention.
- 2. If the Director, acting in the name of the Centre, terminates the employment, the staff member shall be entitled to compensation equal to one third of his basic salary for the period between the date when his employment ends and the date when his engagement was due to terminate. Such compensation may not, however, be equal to more than six months' basic salary.

Article 32

- 1. Employment may be terminated without notice on disciplinary grounds in serious cases of failure of staff to comply with their obligations, whether intentionally or through negligence on their part. The decision taken in this matter by the Director, on the advice of the Chairman of the Subcommittee and the spokesman of the delegation providing the next Chairman, must set out the grounds on which it is based, after the person concerned has had an opportunity to submit his defence. The Director must inform the Subcommittee of this decision.
- 2. In the case referred to in paragraph 1, the Director may decide to withhold from the person concerned all or part of the compensation provided for in Article 31.

TITLE III

THE DIRECTOR

Article 33

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

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

TITLE IV

PROVISIONS CONCERNING TAXATION, SOCIAL SECURITY AND JURISDICTION Article 34

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

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

The conditions and procedures for applying this tax will be laid down in a subsequent Decision of the Committee of Ambassadors.

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

Article 36

1. In the event of a dispute between the Director or the staff of the Centre, on the one hand, and the Centre, on the other, the dispute shall be brought to the attention of the Subcommittee, which, with a view to seeking a solution, shall examine it in accordance with the arrangements and procedures which it shall lay down.

The Subcommittee may appoint a mediator.

2. If the Subcommittee or the mediator, as the case may be, is unable to reach a solution acceptable to the parties to the dispute within two months of its notification or, as the case may be, of the appointment of the mediator, either party may initiate arbitration proceedings. To this end one party shall inform the other of the nomination of an arbitrator. The other party shall then be required to nominate a second arbitrator within one month. The two arbitrators shall choose a third arbitrator.

- 3. The decisions taken by the arbitration body shall be binding on the parties and, to the extent necessary, shall be rendered enforceable for the relevant authorities of the Member States of the Community or of the ACP States and for the institutions and bodies set up under the Convention.
 - 4. The disputes referred to in paragraph 1 may not be subject to any other method of settlement.

TITLE V

LOCAL STAFF

Article 37

With the exception of Articles 3, 16, 20, 21, 22, 23, 24, 26 and 31, Title II shall apply mutatis mutandis to local staff.

Article 38

The conditions of employment of local staff and in particular:

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

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

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

TITLE VI

FINAL PROVISIONS

Article 40

Any member of the staff or the local staff may submit to the Director a request that he take a decision relating to him. The Director must notify the person concerned of his decision, giving the grounds therefor, within one month of the date on which the request was made.

Article 41

The Director shall prepare the internal rules necessary for this Decision to be applied and shall communicate such rules to the Subcommittee.

Article 42

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

This Decision shall enter into force on the same day as the Convention.

Hecho en Bruselas, el Udfærdiget i Bruxelles, den Geschehen zu Brüsselam 'Eyvor otto BougéAker, otto Done at Brusels, Pait à Bruxelles, le Fatto a Bruxelles, addi' Gedaen te Brusela, Feito em Bruxelas, em

24. III. 1986

Por el Comité de Embajadores
På AVS-ESF Ambassadsrudvalgets vegne
Im Namen des AKP-ENG-Botschafterausschusses
Fla thv Emitponn two MpédBlow AKE-EOK
For the ACF-EEC Committee of Ambassadors
Par le Comité des Ambassadeurs ACP-CEE
Per il Comiteto degli Ambasciatori ACF-CEE
Voor de ACS-EEG-Comité van Ambassadeurs
Pelc Comité dos Embaixadores ACP-CEE

El Presidente Formand Der Präsident O Modoboog The President Le président Il Fresidente De Voorzitter O Presidente

M.H.J.CH. RUTTEN

DECISION No 5/86 OF THE ACP-EEC COMMITTEE OF AMBASSADORS of 24 March 1986

laying down the statute and operating procedures of the Advisory Committee of the Technical Centre for Agricultural and Rural Co-operation

THE ACP-EEC COMMITTEE OF AMBASSADORS,

Having regard to the Third ACP-EEC Convention of Lomé, signed in Lomé on 8 December 1984, hereinafter referred to as the "Convention", and in particular Article 37(6) thereof,

Whereas the statute and operating procedures of the Advisory Committee of the Technical Centre for Agricultural and Rural Cooperation set up under Article 37(6) of the Convention, hereinafter referred to as the "Advisory Committee", should be adopted, HAS DECIDED AS FOLLOWS:

Article 1

- 1. The Advisory Committee shall be responsible for providing the director of the Technical Centre for Agricultural and Rural Co-operation, hereinafter referred t as the "Centre", with technical and scientific assistance in working out appropriate solutions to the problems encountered by the ACP States, notably to improve their access to information, technical innovation, research and development in the sphere of agricultural and rural development and to devise the Centre's action programmes.
- To that end it shall meet once a year, in May, at the headquarters of the Centre, to formulate its opinion on:
 - the execution of the programme of activities of the Centre in the preceding year and in the current year;
 - the programme of work prepared by the Centre for the following year.

Other meetings may be organized at the request of the ACP-EEC Committee of Ambassadors.

3. The opinions adopted by the Advisory Committee shall be based on the general guidelines determined by the Committee of Ambassadors for the activities of the Centre.

These opinions shall be sent to the Subcommittee for Cooperation on Agricultural and Rural Development, along with the report on the Centre's activities, work programme and budget.

4. The preparations for its annual meeting will be assigned by the Advisory
Committee each year on a joint representation basis to two of its members.

The latter, accompanied where necessary by a representative of the Commission of the European Communities and of the General Secretariat of the ACP States, shall carry out missions to the headquarters of the Centre. There will be at least two such missions each year, one in March to prepare the Centre's programme of activities for the following year, and the other in September to monitor the execution of the programme for the year in progress.

Other missions may be carried out at the request of the Subcommittee for Co-operation on Agricultural and Rural Development.

Article 2

- The Advisory Committee shall be made up, on a joint representation basis, of 24 members known to have considerable experience in the sphere of agricultural and rural development or agricultural research or the processing and dissemination of information in the above-mentioned spheres.
- 2. The members of the Committee shall be chosen for their personal qualities and their knowledge and expertise from among the nationals of the States party to the Convention. The Committee of Ambassadors shall confirm their appointment.

They may be replaced, if necessary, by similarly qualified persons with the agreement of the Committee of Ambassadors.

3. Representatives of the Council and of the Commission of the European Communities and of the General Secretariat of the ACP States and the directorate of the Centre shall attend the meetings of the Advisory Committee.

Article 3

The Advisory Committee shall elect a chairman. The Committee shall be chaired for alternate periods of one year by the ACP States and by the Community.

Article 4

The Centre, in liaison with the chairman of the Advisory Committee, shall prepare the meetings of the Committee and shall provide the necessary secretarial services.

Article 5

The Advisory Committee shall adopt its rules of procedure.

Article 6

The costs incurred by members of the Advisory Committee in participating in the work of the Committee shall be refunded to them under the conditions laid down for the administrative staff of the Centre.

Article 7

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

This Decision shall enter into force on the same day as the Convention.

Hecho en Bruselas, el Udfærdiget i Bruxelles, den Geschehen zu Brüssel am 'Eyıvr orıç Bongēthær, orıç Done at Brussels, Pait à Bruxelles, le Patto a Bruxelles, addi' Gedaan te Brussel, Feito em Bruxelas, em

24. 111. 1986

Por el Comité de Embajadores
På AVS-EGF Ambassadgrudvalgets vegne
Im Namen des AKP-EWG-Botschafterausschusses
Για την Επιτροπή των Πρέοβτων ΑΚΕ-ΕΟΚ
Por the ACP-EEC Committee of Ambassadors
Par le Comité des Ambassadeurs ACP-CEE
Per il Comitato degli Ambassiatori ACP-CEE
Voor de ACS-EEG-Comité van Ambassadeurs
Pelo Comité dos Embaixadores ACP-CEE

El Presidente Formand Der Präsident O Npótópog The President Le président Il Presidente De Voorzitter O Presidente

M.H.J.CH. RUTTEN

DECISION No 6/86 OF THE ACP-EEC COMMITTEE OF AMBASSADORS

of 18. IV. 1986 (*)

on the composition and operating procedures of the Agricultural Commodities Committee

Article 1

- 1. The Agricultural Commodities Committee, hereinafter called the "Committee", set up under Article 47 of the Third ACP-EEC Convention signed at Lomé on 8 December 1984, hereinafter called the "Convention", shall comprise, on the one hand, representatives of each of the Member States of the European Economic Community and a representative of the Commission of the European Communities and, on the other hand, 13 representatives of the ACP States.
- 2. The appointment of the representatives by the ACP-EEC Council of Ministers or, on its behalf, by the ACP-EEC Committee of Ambassadors, shall be for one year on a renewable basis.

Article 2

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

^(*) See (p. 204) this Committee's Rules of Procedure.

- 1. The functions of the Committee shall be to:
 - (a) monitor the general application of the Convention in the agricultural commodities sector;
 - (b) examine any general problems concerning ACP-EEC trade in agricultural commodities which may be referred to it by the relevant subcommittees established in accordance with the Convention or by either of the Parties;
 - (c) recommend suitable measures to solve such problems.
- 2. The Committee may also, at the request of one of the Parties, hold exchanges of views prior to meetings in international fora and organizations concerned with the stabilization of agricultural commodity markets.
- The Committee shall determine the procedures for implementing this Article.

Article 4

The Committee shall be chaired alternately by the ACP States and the Community for a period of one year each.

Article 5

Meetings of the Committee shall be convened by the Chairman in accordance with the Rules of Procedure.

Article 6

In carrying out its functions, the Committee shall take decisions on the basis of common agreement between the ACP States and the Community.

The Committee shall submit reports periodically to the ACP-EEC Committee of Ambassadors.

Article 8

The Committee shall adopt its Rules of Procedure.

Article 9

Economic groupings of the ACP States engaged in activities connected with application of this Decision and approved by the ACP-EEC Council of Ministers may be represented as observers at meetings of the Committee.

Article 10

The Centre for the Development of Industry and the Technical Centre for Agricultural and Rural Co-operation may be represented as observers at meetings of the Committee.

Article 11

The Committee shall determine the procedures relating to the consultation, where appropriate, of operators or organizations representing operators in the ACP States and the Community.

Article 12

The ACP States, the Member States and the Community must, insofar as each is concerned, take the measures required in respect of the implementation of this Decision.

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

Hecho en Bruselas, el Udfærdiget i Bruxelles, den Geschehen zu Brüssel am "Eyive otic Bougethate, otic Done at Brussels, Pait à Bruxelles, le Patto a Bruxelles, addi' Gedaan te Brussel, Feito em Bruxelas, em

18.IV.1986

Por el Comité de Embajadores
På AVS-EDF Ambasaadsrudvalgets vegne
Im Namen des AKF-EWG-Botschafterausschusses
Flu thv Emitponth Two IndfoRew AKE-EDK
For the ACF-EEC Committee of Ambassadors
Par le Comité des Ambassadeurs ACF-CEE
Per il Comitato degli Ambasciatori ACF-CEE
Voor de ACS-EEG-Comité van Ambassadeurs
Pelo Comité dos Embaixadores ACF-CEE

El Presidente Formand Der Präsident O Modeboog The President Le président Il Presidente De Voorzitter O Presidente

(s.) O. GIAMA

RULES OF PROCEDURE

of the Agricultural Commodities Committee

Article 1

- The Agricultural Commodities Committee, hereinafter called "the Committee", shall as a rule meet quarterly, on dates to be fixed by it by joint agreement between the ACP States and the Community.
- The Committee may also meet on any other date at the request either of the ACP States or the Community, following consultation between the Chairman and both parties.
- 3. There shall normally be a period of notice of not less than 15 days for meetings of the Committee except in cases of emergency where this time-limit may be reduced to 7 days.

Article 2

The Committee shall meet either at the places where the meetings of the Council of the European Communities are usually held or at the premises of the ACP General Secretariat.

Article 3

- The provisional agenda for each meeting shall be drawn up by the Chairman. It shall be communicated to the other members of the Committee not less than 15 days before the meeting.
- 2. The agenda shall be adopted by the Committee at the beginning of each meeting. In an emergency the Committee may decide, at the request of the ACP States or the Community, to include on the agenda items in respect of which the time-limit laid down in paragraph 1 has not been met.
- 3. When the Committee meets under the emergency conditions referred to in Article 1(3), the time-limit laid down in paragraph 1 of this Article may be reduced to 7 days.

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

Article 5

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

They may be represented by persons designated by them.

Article 6

At the request of the ACP States or the Community, the Committee may decide to hold meetings without the participation, provided for in Article 9 of Decision No 6/86 of the ACP-EEC Committee of Ambassadors, of observers from regional economic groupings of ACP States.

Article 7

The Committee may, by ad hoc decision, invite representatives of ACP and/or EEC operators to participate in the proceedings of the Committee as observers with the right to speak when particular items requiring specific knowledge are to be examined.

Article 8

Meetings of the Committee shall not be public.

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

Article 9

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

Article 10

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

Article 11

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

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

Article 13

Secretarial and other work required for the functioning of the Committee shall be carried out by the Secretariat of the ACP-EEC Council of Ministers.

Article 14

The Secretariat shall, after each meeting of the Committee, draw up the record of the meeting. $\frac{1}{2}$

I. - ACP-EEC ACTS

3. AGREEMENTS BETWEEN THE EEC AND THE ACP STATES

AGREEMENT

IN THE FORM OF AN EXCHANGE OF LETTERS
BETWEEN THE EUROPEAN ECONOMIC COMMUNITY

AND BARBADOS, BELIZE, THE PEOPLE'S REPUBLIC OF THE CONGO,
FIJI, THE CO-OPERATIVE REPUBLIC OF GUYANA, THE REPUBLIC
OP THE IVORY COAST, JAMAICA, THE REPUBLIC OF KENYA,
THE DEMOCRATIC REPUBLIC OF MADAGASCAR, THE REPUBLIC OF
MALAWI, MAURITIUS, ST CHRISTOPHER AND NEVIS, THE REPUBLIC
OP SURINAME, THE KINGDOM OP SWAZILAND, THE UNITED REPUBLIC
OP TANZANIA, THE REPUBLIC OF TRINIDAD AND TOBAGO,
THE REPUBLIC OP UGANDA AND THE REPUBLIC OP ZIMBABWE ON THE
GUARANTEED PRICES FOR CANE SUGAR
FOR THE 1986/1987 DELIVERY PERIOD

Letter No 1

Brussels, 19 January 1987

Sirs.

The representatives of the ACP States referred to in Protocol 7 on ACP sugar annexed to the Third ACP-EEC Convention and of the Commission on behalf of the European Economic Community, have agreed, pursuant to the provisions of the said Protocol, to submit to their competent authorities for approval, to be the subject of an Exchange of Letters between the ACP States concerned and the Community, the following.

For the period 1 July 1986 to 30 June 1987 the guaranteed prices referred to in Article 5(4) of the Sugar Protocol shall, for the purpose of intervention within the terms of Article 6 of that Protocol, be:

- a) for raw sugar : 44,92 ECU per 100 kilograms;
- b) for white sugar: 55,39 ECU per 100 kilograms.

⁽¹⁾ Although not officially signed until 19 January 1987, this agreement was reached earlier and applies to the 1986/1987 marketing year.

See also implementing regulation on p. 379 of this compilation of texts.

These prices represent no increase over those applicable for the preceding delivery period and shall refer to sugar of standard quality as defined in Community legislation, unpacked, c.i.f. free out European ports of the Community. The introduction of these prices in no way prejudices the respective positions of the Contracting Parties in respect of the principles appertaining to the determination of the guaranteed prices.

Although retroactivity is not provided for in respect of the 1986/1987 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 7 annexed to the Third ACP-EEC Convention.

It was noted that, in the view of the ACP States, the problem of ocean freight costs remained an outstanding and pressing matter which required immediate consideration and resolution.

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 ACP States concerned and the Community.

Les ruego acepten, Sehores, el testimonio de mi más alta consideración.

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

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

Παρακαλώ δεχθείτε, Κύριοι, τη διαβεβαίωση της υψίστης εκτιμήσεώς μου.

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

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

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

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

Queira aceitar, Excelentíssimos Senhores, a expressão da minha mais alta consideração.

En nombre del Consejo de las Comunidades Europeas På vegne Rådet for De europeiske Follesskaber Im Namen des Rates der Europäischen Gemeinschaften ΣΕ ονόματος του Ευμβουλίου των Ευρωπαϊκών Κοινοτήτων On behalf of the Council of the European Communities Au nom du Conseil des Communautés européennes A nome del Consiglio delle Comunità europee Namens de Raad van de Europese Gemeenschappen Em nome do Conselho das Comunidades Europeias Letter No 2

Brussels, 19 January 1987

Sir,

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

"The representatives of the ACP States referred to in Protocol 7 on ACP sugar annexed to the Third ACP-EEC Convention and of the Commission on behalf of the European Economic Community, have agreed, pursuant to the provisions of the said Protocol, to submit to their competent authorities for approval, to be the subject of an Exchange of Letters between the ACP States concerned and the Community, the following.

For the period 1 July 1986 to 30 June 1987 the guaranteed prices referred to in Article 5(4) of the Sugar Protocol shall, for the purpose of intervention within the terms of Article 6 of that Protocol, be:

- a) for raw sugar : 44,92 ECU per 100 kilograms;
- b) for white sugar: 55,39 ECU per 100 kilograms.

These prices represent no increase over those applicable for the preceding delivery period and shall refer to sugar of standard quality as defined in Community legislation, unpacked, c.i.f. free out European ports of the Community. The introduction of these prices in no way prejudices the respective positions of the Contracting Parties in respect of the principles appertaining to the determination of the guaranteed prices.

Although retroactivity is not provided for in respect of the 1986/1987 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 7 annexed to the Third ACP-EEC Convention.

It was noted that, in the view of the ACP States, the problem of ocean freight costs remained an outstanding and pressing matter which required immediate consideration and resolution.

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 ACP States concerned and the Community."

I have the honour to confirm the Agreement of the Governments of the ACP States concerned with the foregoing.

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

Le ruego acepte, Señor, el testimonio de mi más alta consideración.

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

Genehmigen Sie, sehr geehrter Herr, den Ausdruck meiner ausgezeichnetsten Hochachtung.

Παρακαλώ δεχθείτε, Κύριε, τη διαβεβαίωση της υψίστης εκτιμήσεώς μου.

Veuillez agréer, Monsieur, l'assurance de ma très haute considération.

Voglia gradire, Signore, i sensi della mia più alta considerazione.

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

Queira aceitar, Excelentíssimo Senhor, a expressao da minha mais alta consideração.

For the Government of Barbadcs

11/11/16/2-16

For the Government of Belize

Pour le Gouvernement de la République populaire du Congo

Pour le Gouvernement de la République de Côte d'Ivoire

ti,

For the Government of Fiji

Pres a Bune.

For the Government of the Co-operative Republic of Guyana

Waladeo,

For the Government of Jamaica

Carmen arris

For the Government of the Republic of Kenya

Jumpagah.

Pour le Gouvernement de la République démocratique de Madagascar

(Lichan)

For the Government of the Republic of Malawi

I I th thong

Pour le Gouvernement de l'Ile Maurice

For the Government of Saint Christopher and Nevis

Ihll the it

Namens de Regering van de Republiek Suriname

For the Government of the Kingdom of Swaziland

For the Government of the United Republic of Tanzania

ducienj

For the Government of Trinidad and Tobago

For the Government of the Republic of Uganda

- Constant

For the Government of the Republic of Zimbabwe

I. - ACP-EEC ACTS

4. ACTS OF THE CUSTOMS CO-OPERATION COMMITTEE

DECISION No 1/86 OF THE ACP-EEC CUSTOMS CO-OPERATION COMMITTEE

of 18. IV. 1986 (*)

extending Decisions Nos 1/85, 2/85 and 3/85 derogating from the definition of the concept of "originating products" for certain products manufactured in Jamaica, Malawi, Kenya and Mauritius

THE ACP-EEC CUSTOMS CO-OPERATION COMMITTEE:

Having regard to the Second ACP-EEC Convention, signed at Lomé on 31 October 1979,

^(*) See also Regulation No 1427/86, p. 376 of this Compilation of Texts.

Whereas Decision No 1/86 of the ACP-EEC Council of Ministers $(^1)$ extended Decision No 2/85 $(^2)$ beyond 28 February 1986;

Whereas ACP-EEC Customs Co-operation Committee Decisions No 1/85, No 2/85 and No 3/85 (3) are applicable until 28 February 1986, in accordance with Decision No 2/85 of the ACP-EEC Council of Ministers, given that this last mentioned Decision was scheduled to cease to apply if the Third ACP-EEC Convention signed at Lomé on 8 December 1984 had not entered into force by that date;

Whereas the derogation covered by Decision No 1/85 of the ACP-EEC Customs Co-operation Committee was intended to apply until 2 October 1986, that covered by Decision No 2/85 until the entry into force of the Third ACP-EEC Convention and that covered by Decision No 3/85 until 29 February 1988; whereas it is necessary to provide for these Decisions to be extended,

HAS DECIDED AS FOLLOWS:

⁽¹⁾ OJ No L 63 5.3.1986, p. 2. (2) OJ No L 61, 1.3.1985, p. 2. (3) OJ No L 244, 12.9.1985, p. 15.

Article 1

- 1. In Article 5 of Decision No 1/85, Article 4 of Decision No 2/85 and Article 5 of Decision No 3/85 of the ACP-EEC Customs Co-operation Committee, the date 28 February 1986 is hereby replaced by 30 June 1986.
- 2. Without prejudice to the dates mentioned in Article 2 of Decision No 1/85 and in Article 2 of Decision No 3/85 of the ACP-EEC Customs Co-operation Committee, should Decision No 2/85 of the ACP-EEC Council of Ministers be extended beyond 30 June 1986, the expiry date mentioned in paragraph 1 above shall be replaced by that laid down by the extension provisions, without the need to adopt a new Decision accordingly.

Article 2

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

It shall apply from 1 March 1986.

Hecho en Bruselas, el Udfærdiget i Bruxelles, den Geschehen zu Brüssel am 'Εγινε στις Βουξέλλες, στις Done at Brussels, Fait à Bruxelles, le Patto a Bruxelles, addi' Gedaan te Brussel, Feito em Bruxelas, em

18. IV. 1986

Por el Comité de Cooperación aduanera
Pé Toldsamarhejdsudvalget; vecne
Im Namen des Ausschusses für Zusammenarbeit im Lollwesch
Anó the Entroonf Televationfe Europyaofoc
Por the Customs Co-operation Committee
Par le Comité de Coopération douanière
Per il Comité do i cooperazione doganale
Voor het Comité voor douanesamenwerking
Pelo Comité de Cooperação Aduaneira

Los Presidentes Formend Die Präsidenten Ot Mpócópot The Chairmen Les Présidents I Presidenti De Voorzitters Os Presidentes

F.KLETN Maurice Oscar ST JOHN

I. - ACP-EEC ACTS

5. ACTS OF THE SUBCOMMITTEE FOR CO-OPERATION
ON AGRICULTURAL AND RURAL DEVELOPMENT

DECISION No 1/86 CN THE ACP-EEC SUBCOMMITTEE FOR CO-OPERATION ON AGRICULTURAL AND RURAL DEVELOPMENT

of 7. VII. 1986

on the appointment of the auditors of the Technical Centre for Agricultural and Rural Co-operation

THE ACP-EEC SUBCOMMITTEE FOR CO-OPERATION ON AGRICULTURAL AND RURAL DEVELOPMENT,

Having regard to the Third ACP-EEC Convention signed in Lomé on 8 December 1984 hereinafter referred to as "the Convention", and in particular Article 37(4) thereof,

Having regard to Decision No 2/86 of the ACP-EEC Committee of Ambassadors of 24 March 1986 on the rules of operation of the Technical Centre for Agricultural and Rural Co-operation, and in particular Article 6 thereof,

Having regard to Decision No 3/86 of the ACP-EEC Committee of Ambassadors of 24 March 1986 adopting the Financial Regulation of the Technical Centre for Agricultural and Rural Co-operation, and in particular Article 20 thereof,

Whereas the Subcommittee for Co-operation on Agricultural and Rural Development, established in accordance with the Joint Declaration on Article 26 of the Convention, is required to appoint on a joint basis two auditors who shall jointly carry out their duties as laid down in the second, third and fourth paragraphs of Article 20 of Decision No 3/86 of the ACP-EEC Committee of Ambassadors;

Whereas the Community on the one hand and the ACP States on the other have each given the names of the persons they propose to carry out the duties of auditor and whereas each Party has agreed to the other's proposals.

HAS DECIDED AS FOLLOWS:

Article 1

Mr Harm ROZEMA and Mr Vasdev HASSAMAL are hereby appointed to carry out jointly the duties of auditors of the Technical Centre for Agricultural and Rural Co-operation, the appointment being subject to review by either Party during the period of the Convention.

Article 2

The appointment referred to in Article 1 shall take effect from the date of entry into force of the Convention.

Hecho en Bruselas, el Udfrrdiget i Bruxelles, den Geschehen zu Brüssel am. "Eywe otte Bougeale, otte Done at Brussels, Pait à Bruxelles, le Patto a Bruxelles, addi' Gedaan te Brussel, Peito em Bruxelas, em

7. VII. 1986

Por el Subcomité de Cooperación para el Desarrollo Agrícola y Rural ACP-CEE
Pá vegne af
AVS/EØF-Underudvalget for samarbejde om Landbrugsudvikling og udvikling i Landdistrikterne
Im Namen des AKP-EWG-Unterausschusses für Zusammenarbeit in der landwirtschaftlichen und ländlichen Entwicklung
Για την Υποεπιτροπή Γκωργικής
και Αγρονικής Συνυργασίας ΑΚΕ-ΕΟΚ
For the ΑCP-EEC Subcommittee for Co-operation on Agricultural and Rural Development
Par le sous-comité ACP-CEE de coopération agricole et rurale
Per il Sottocomitato di cooperazione agricole e rurale ACP-CEE
Voor het ACS-EEG-Subcomité voor samenwerking op het gebied van landbouw- en plattelandsontwikkeling Pelo Subcomité ACP-CEE de Cooperação Agrícola e Rural

Los Presidentes Formænd Die Präsidenten Ot Πρότδροι The Chairmen Les Présidents I Presidenti De Voorzitters Os Presidentes

Dieter FRISCH

Seydina Oumar SY

II. - TRANSITIONAL MEASURES

COUNCIL REGULATION (EEC) No 690/86

of 3 March 1986

on the application of Decision No 1/86 of the ACP-EEC Council of Ministers extending
Decision No 2/85 on transitional measures applicable from 1 March 1985 (*)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament (1),

Whereas the Second ACP-EEC Convention signed at Lomé on 31 October 1979 expired on 28 February 1985;

Whereas the Third ACP-EEC Convention signed at Lomé on 8 December 1984 has not yet entered into force;

Whereas Decision No 2/85 of the ACP-EEC Council of Ministers is valid only until 28 February 1986;

Whereas Decision No 1/86 of the ACP-EEC Council of Ministers extended that validity until the entry into force of the Third ACP-EEC Convention or 30 June 1986, whichever is the earlier;

Whereas it is necessary to take the measures to implement that Decision,

HAS ADOPTED THIS REGULATION:

Article 1

Decision No 1/86 of the ACP-EEC Council of Ministers, shall be applicable in the Community from 1 March 1986 until the entry into force of the Third ACP-EEC Convention or until 30 June 1986, whichever is the earlier, without prejudice to more favourable arrangements for imports of ACP products to be adopted unilaterally by the Community.

The text of that Decision is attached to this Regulation.

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 March 1986.

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

Done at Brussels, 3 March 1986.

For the Council The President W. F. van EEKELEN

⁽¹⁾ Opinion delivered on 21 February 1986 (not yet published in the Official Journal).

^(*) See Decision No 1/86, p. 23 of this Compilation of Texts.

COUNCIL REGULATION (EEC) No 692/86

of 3 March 1986

extending Regulation (EEC) No 486/85 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 486/85 (1), and in particular Article 26 thereof,

Having regard to the proposal from the Commission,

Whereas Regulation (EEC) No 486/85 is to apply only until 28 February 1986;

Whereas it is not certain that the Third ACP-EEC Convention, signed at Lomé on 8 December 1984, and the Decision which is to be substituted for Council Decision 80/1186/EEC of 16 December 1980 on the association of the overseas countries and territories with the European Economic Community (2) will have entered into force by that date; whereas in order to avoid a break in continuity of trade, therefore, the Regulation in question should be extended beyond 28 February 1986,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 26 of Regulation (EEC) No 486/85, '28 February 1986' is hereby replaced by '28 February 1987'.

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 with effect from 1 March 1986.

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

Done at Brussels, 3 March 1986.

For the Council
The President
W. F. van EEKELEN

⁽¹⁾ OJ No L 61, 1, 3, 1985, p. 4.

⁽²⁾ OJ No L 361, 31. 12. 1980, p. 1.

III. - COMMUNITY ACTS RELATING TO THE

APPLICATION OF THE LOME CONVENTION

INTERNAL AGREEMENT

on the measures and procedures required for implementation of the Third ACP-EEC Convention (*)

(signed in Brussels on 19 February 1985)

(86/127/EEC)

THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES OF THE EUROPEAN ECONOMIC COMMUNITY, MEETING IN THE COUNCIL.

Having regard to the Treaty establishing the European Economic Community (hereinafter called 'the Treaty') and the Third ACP-EEC Convention signed at Lomé on 8 December 1984, (hereinafter called 'the Convention'),

Whereas the representatives of the Community will have to adopt common positions in the Council of Ministers provided for by the Convention (hereinafter called 'the Council of ACP-EEC Ministers'); whereas, moreover, implementation of the decisions, recommendations and opinions of this Council may require, as the case may be, action by the Community, joint action by the Member States or action by a Member State;

Whereas, therefore, it is necessary for the Member States to specify the conditions for determining, in the fields for which they are competent, the common positions to be adopted by the representatives of the Community within the Council of ACP-EEC Ministers; whereas, in the same fields, it will also be for them to take the measures implementing such decisions, recommendations and opinions of that Council as may require joint action by the Member States or action by a Member State;

Whereas provision should, likewise, be made for the Member States to communicate to one another and to the Commission any Treaty, Convention, Agreement or arrangement and any part of a Treaty, Convention, Agreement or arrangement which concerns matters dealt with in the Convention and which has been, or will be, concluded between one or more Member States and one or more ACP States;

Whereas procedures should also be laid down whereby Member States may settle any disputes which may arise between them with regard to the Convention;

After consulting the Commission,

HAVE AGREED AS FOLLOWS:

Article 1

- 1. The common position to be supported by the representatives of the Community in the Council of ACP-EEC Ministers when the latter considers matters for which the Member States are competent shall be adopted by the Council, acting unanimously after consulting the Commission.
- 2. Where, pursuant to Article 271 of the Convention, the Council of ACP-EEC Ministers envisages delegating to the Committee of Ambassadors provided for by the Convention the power to take decisions or put forward recommendations or opinions in the fields for which the Member States are competent, the common position shall be adopted by the Council, acting unanimously after consulting the Commission.
- Common positions which the representatives of the Community support in the Committee of Ambassadors shall be adopted in the same manner as those laid down in paragraph 1.

Article 2

- Decisions and recommendations adopted by the Council of ACP-EEC Ministers in the fields for which the Member States are competent shall be implemented by acts adopted by the latter.
- 2. Paragraph 1 shall also apply in respect of decisions and recommendations adopted by the Committee of Ambassadors pursuant to Article 272 of the Convention.

Article 3

Any Treaty, Convention, Agreement or arrangement, or any part of a Treaty, Convention, Agreement or arrangement, of whatever form or nature, which has been, or will be, concluded between one or more Member States and one or more ACP States and which concerns matters dealt with in the Convention, shall be communicated at the earliest opportunity by the Member State or States concerned to the other Member States and to the Commission.

At the request of a Member State or of the Commission, any texts so communicated shall be discussed by the Council

^(*) Once the necessary procedures had been completed, this Agreement entered into force on 11 June 1986. (See information which appeared in OJ No L 292, 16.10.1986, p. 52).

Article 4

- 1. Any Member States having concluded with any ACP State a Treaty, Convention, Agreement or arrangement or part of a Treaty, Convention, Agreement or arrangement concerning investment promotion and protection, whether or not before entry into force of this Agreement, shall communicate the text at the earliest opportunity to the General Secretariat of the Council, which shall inform the other Member States and the Commission.
- Any Member State contemplating concluding with an ACP State a Treaty, Convention, Agreement or arrangement or part of a Treaty, Convention, Agreement or arrangement concerning investment promotion and protection may communicate its intention to the other Member States and the Commission through the General Secretariat of the Council.
- 3. At the request of any interested Member State, exchanges of views may take place within the Council on the basis of the communications referred to in paragraphs 1 and 2. A Member State which has started negotiations that have been the subject of such exchanges of views shall communicate to the other Member States and the Commission through the General Secretariat of the Council any further information of use to them. At the conclusion of the negotiations it shall communicate to them in the same manner the initialled text of the agreement reached as a result of the negotiations.

Article 5

Should a Member State consider it necessary to invoke Article 278 of the Convention in matters for which the Member States are competent, it shall first consult the other Member States.

If the Council of ACP-EEC Ministers has to reach a decision on the action by the Member State referred to in the first paragraph, the position put forward by the

Community shall be that of the Member State concerned, unless the representatives of the Governments of the Member States, meeting in the Council, decide otherwise.

Article 6

Disputes arising between Member States concerning the Convention, the Protocols attached thereto or the Internal Agreements signed for implementation of the Convention shall, at the request of the earliest petitioner, be submitted to the Court of Justice of the European Communities in the manner laid down in the Treaty and in the Protocol on the Statute of the Court of Justice annexed to the Treaty.

Article 7

The representatives of the Governments of the Member States, meeting in the Council, may at any time, after consulting the Commission, amend or supplement this Agreement.

Article 8

This Agreement shall be approved by each Member State in accordance with its own constitutional requirements. The government of each Member State shall notify the General Secretariat of the Council of the completion of the procedures required for the entry into force of the Agreement.

Provided that the provisions of the first paragraph have been complied with, this Agreement shall enter into force at the same time as the Convention. It shall remain in force for the duration of that Convention.

Article 9

This Agreement, drawn up in a single original in the Danish, Dutch, English, French, German, Greek and Italian languages, all seven texts being equally authentic, shall be deposited in the archives of the General Secretariat of the Council, which shall transmit a certified copy to each of the governments of the Signatory States.

Udfærdiget i Bruxelles, den nittende februar nitten hundrede og femogfirs.

Geschehen zu Brüssel am neunzehnten Februar neunzehnhundertfünfundachtzig.

Έγινε στις Βρυξέλλες, στις δεκαεννέα Φεδρουαρίου χίλια εννιακόσια ογδόντα πέντε.

Done at Brussels on the nineteenth day of February in the year one thousand nine hundred and eighty-five.

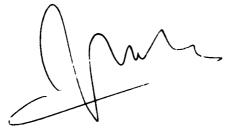
Fait à Bruxelles, le dix-neuf février mil neuf cent quatre-vingt-cinq.

Fatto a Bruxelles, addi diciannove febbraio millenovecentottantacinque.

Gedaan te Brussel, de negentiende februari negentienhonderdvijfentachtig.

Pour Sa Majesté le roi des Belges

Voor Zijne Majesteit de Koning der Belgen



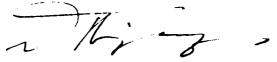
For Hendes Majestæt Dronningen af Danmark



Für den Präsidenten der Bundesrepublik Deutschland

Hum-m Jon C

Για τον Πρόεδρο της Ελληνικής Δημοκρατίας



Pour le président de la République française

C. Lluien

For the President of Ireland

leader de Borre

Per il Presidente della Repubblica italiana

gies and h

Pour Son Altesse Royale le grand-duc de Luxembourg

Voor Hare Majesteit de Koningin der Nederlanden

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

Michael Butle

III. - COMMUNITY ACTS RELATING TO THE APPLICATION OF THE LOME CONVENTION

A. TRADE

COUNCIL REGULATION (EEC) No 691/86

of 3 March 1986 (*)

establishing arrangements for trade between Spain and Portugal on the one hand and the African, Caribbean and Pacific States (ACP States) on the other

THE COUNCIL OF THE EUROPEAN COMMUNITIES.

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

Having regard to the proposal from the Commission,

Whereas the European Economic Community and the ACP States opened negotiations on 10 December 1985 for the conclusion of a protocol to adapt the Third ACP-EEC Convention to take account of the accession of Spain and Portugal to the European Communities;

Whereas Article 180 (1) and 367 of the Act of Accession of Spain and Portugal provide that if such a protocol has not been concluded by I January 1986 the Community shall take the necessary measures to remedy the situation;

Whereas the Third ACP-EEC Convention has not yet entered into force;

Whereas Council Regulation (EEC) No 485/85 of 26 February 1985 concerning the application of Decision No 2/85 of the ACP-EEC Council of Ministers on transitional measures valid from 1 March 1985 (¹), as extended by Regulation (EEC) No 690/86 (²), and Council Regulation (EEC) No 486/85 of 26 February 1985 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories (¹), as extended by Regulation (EEC) No 692/86 (¹), lay down transitional measures to apply pending the entry into force of the Third ACP-EEC Convention:

Whereas the said transitional measures apply as between the ACP States and the enlarged Community;

Whereas it is therefore necessary to lay down special provisions for the implementation by the Kingdom of Spain and the Portuguese Republic of the trade arrangements established by the above Regulations;

Whereas the Third ACP-EEC Convention is shortly due to enter into force and provides for trade arrangements identical to those established by the abovementioned Regulations;

Whereas the validity of the special provisions applying to Spain and Portugal should therefore be extended beyond the expiry of the abovementioned Regulations pending the conclusions of the negotiations under way with the ACP States for a protocol adapting the Third ACP-EEC Convention and laying down transitional measures to take account of the accession of Spain and Portugal;

Whereas quantitative restrictions which may be applied by the Kingdom of Spain or the Portuguese Republic visidevas third countries in respect of products listed in Annex II to the Treaty are covered by general provisions adopted by the Council applying to all third countries;

Whereas the Commission should therefore lay down detailed rules of application in respect of these measures;

Whereas the Canary Islands and Ceuta and Melilla do not form part of the customs territory of the Community and in principle autonomous acts or acts adopted under agreement of Community institutions concerning the common commercial policy and relating directly to the import or export of goods do not apply to those territories;

Whereas Article 7 of Protocol No 2 to the Act of Accession concerning the Canary Islands and Ceuta and Melilla provides, however, that customs duties, charges having equivalent effect and trade arrangements applying to imports into the Canary Islands and Ceuta and Melilla of goods coming from a third country may not be less favorable than those applied by the Community in accordance with its international commitments or preferential arrangements vis-à-vis such country, provided the country in question accords imports from the Canary Islands and Ceuta and Melilla the same treatment as it accords those from the Community;

Whereas provisions should therefore be adopted for implementation of the trade arrangements applicable to imports into the Canary Islands and Ceuta and Melilla of products originating in the ACP States,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 March 1986 until the entry into force of the protocol referred to in Articles 179 and 366 of the Act of Accession or

⁽¹⁾ OJ No L 61, 1, 3, 1985, p. 1.

⁽²⁾ See page 1 of this Official Journal.

⁽¹) OJ No L 61, 1, 3, 1985, p. 4.

^(*) See page 93 of this Official Journal.

^(*) See also Decisions 6/86 and 11/86 as well as Regulation No 4114/86, pages 87, 115 and 333 respectively of this Compilation of Texts.

until 31 December 1986, whichever is earlier, the Kingdom of Spain and the Portuguese Republic shall apply the same arrangements to imports originating in the ACP States as are applied by the other Member States of the Community, having regard to the specific provisions set out in the Annex hereto.

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 with effect from 1 March 1986.

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

Done at Brussels, 3 March 1986.

For the Council
The President
W. F. van EEKELEN

ANNEX

Provisions applicable to imports into Spain and Portugal of products originating in the African, Caribbean and Pacific States (ACP States)

CHAPTER I

PROVISIONS APPLICABLE TO SPAIN

Section I

General arrangements

Article 1

- From 1 March 1986 the Kingdom of Spain shall apply to imports of products originating in the African, Caribbean and Pacific States (ACP), other than those listed in Annex I, the same customs duties as it applies to like products from the Community as constituted on 31 December 1985.
- In particular, the Kingdom of Spain shall gradually dismantle customs duties on imports originating in the ACP States in accordance with the following timetable:
- on 1 March 1986 each duty shall be reduced to 90% of the basic duty,
- on 1 January 1987 each duty shall be reduced to 77,5 % of the basic duty.
- on 1 January 1988 each duty shall be reduced to 62,5% of the basic duty,
- on 1 January 1989 each duty shall be reduced to 47,5% of the basic duty,
- on 1 January 1990 each duty shall he reduced to 35% of the basic duty,
- on 1 January 1991 each duty shall be reduced to 22,5% of the basic duty,
- on 1 January 1992 each duty shall be reduced to 10% of the basic duty.

The final 10% reduction shall be made on 1 January 1993.

3. For the purposes of applying the duties calculated in accordance with paragraph 2 they shall be rounded down to one decimal place.

Article 2

 The basic duty for each product to which the successive reductions provided for in Article 1 (2) shall be applied shall be the duty actually applied by the Kingdom of Spain vis-à-vis the Community on 1 January 1985.

- 2. By way of derogation from paragraph 1:
- in the case of products listed in Annex I, the basic duty shall be the duty applied by the Kingdom of Spain vis-à-vis the ACP States on 1 January 1985,
- in the case of the following products the basic duties shall be those indicated:

CCT heading No	Description	Basic duty	
24.02	Manufactured tobacco; tobacco extracts and essences:	-	
	A. Cigarettes	50%	
	B. Cigars	55%	
	C. Smoking tobacco	46,8%	
	D. Chewing tobacco and snuff E. Other, including agglomerated tobacco in the form of sheets	26%	
	or strip	10,4%	
27.09	Petroleum oils and oils obtained from bituminous minerals, crude	free	

Article 3

Should the Kingdom of Spain suspend customs duties on imports from the Community as constituted on 31 December 1985 or reduce them more rapidly than envisaged under the timetable laid down, it shall also suspend or reduce by the same percentage the customs duties applying to like products originating in the ACP States, other than products listed in Annex 1.

Article 4

- 1. The Kingdom of Spain shall apply quantitative import restrictions:
- until 31 December 1988 for the products listed in Annex II.
- until 31 December 1989 for the products listed in Annex III.

Until 31 December 1989 the Kingdom of Spain may also apply quantitative import restrictions to products listed in Annex IV, provided it applies similar measures vis-à-vis non-preferential third countries.

- 2. The restrictions referred to in paragraph 1 shall take the form of global quotas open to all ACP States.
- 3. The initial quotas are indicated in Annex II, Annex III or Annex IV, as appropriate.

The quotas listed in Annexes II and IV and quotas 1-5 and 10-14 in Annex III shall be gradually increased at the beginning of each year by 25% in the case of value quotas and 20% in the case of volume quotas. Each successive increase shall be added to the quota and the following increase calculated on the basis of the total thus obtained.

Quotas 6-9 in Annex III shall be increased by:

- 13% in the first year.
- 18% in the second year,
- 20% in the third year,
- 20% in the fourth year.
- 4. Where it is found that Spanish imports of a product listed in Annex II, Annex III or Annex IV have been less than 90% of the quota level in two consecutive years, imports of that product originating in the ACP States shall be liberalized at the beginning of the year following the two years in question provided the product concerned is at that time liberalized vis-à-vis the Community as constituted on 31 December 1935.

Should the Kingdom of Spain liberalize imports from the Community as constituted on 31 December 1985 of a product listed in Annex III or Annex III, or increase a quota applicable to the Community as constituted on 31 December 1985 by more than the minimum percentage indicated in paragraph 3, it shall also liberalize imports of that product from the ACP States, or increase the global quota proportionately.

 The Kingdom of Spain shall administer the quotas referred to in paragraph 1 in accordance with the same rules and administrative practices it applies to imports of products originating in the Community as constituted on 31 December 1985.

Article 5

For products covered by Regulation (EEC) No 3033/80 and originating in the ACP States, the Kingdom of Spain:

 as from 1 March 1986, shall dismantle the customs duty constituting the fixed component of the charge in accordance with the timetable indicated in Article 1 (2), starting from the hasic duty indicated in Annex V, in respect of the variable component of the charge, shall apply the preferential rates provided for in the Third ACP-EEC Convention from 1 March 1986.

Section 11

Products listed in Annex II to the Treaty establishing the European Economic Community

Article 6

- For products listed in Annex II to the Treaty establishing the European Economic Community, starting on 1 March 1986 and subject to the special provisions laid down below, the Kingdom of Spain shall apply a duty which reduces the difference between the basic duty and the preferential duty in accordance with the following timetable:
- -- on 1 March 1986 the difference shall be reduced to 90.9% of the initial difference.
- on 1 January 1987 the difference shall be reduced to 81.8% of the initial difference.
- on 1 January 1988 the difference shall be reduced to 72.7% of the initial difference.
- on 1 January 1989 the difference shall be reduced to 63.6% of the initial difference.
- on 1 January 1990 the difference shall be reduced to 54,5% of the initial difference,
- on 1 January 1991 the difference shall be reduced to 45,4% of the initial difference,
- on 1 January 1992 the difference shall be reduced to 36,3% of the initial difference,
- on 1 January 1993 the difference shall be reduced to 27,2% of the initial difference,
- on 1 January 1994 the difference shall be reduced to 18,1% of the initial difference,
- on 1 January 1995 the difference shall be reduced to 9,0% of the initial difference.

The Kingdom of Spain shall apply the preferential rates in full as from 1 January 1996.

However, the following products originating in the ACP States may be imported into Spain duty-free as from 1 March 1986.

CCT heading No	Description		
09.01	Coffee, whether or not roasted or freed of caffeine; coffee husks and skins; coffee substitutes containing coffee in any proportion:		
	A. Coffre:		
	1. Unroasted:		
	a) Not freed of caffeine		
18.01	Cocoa beans, whole or broken, raw or roasted		

- The Kingdom of Spain shall postpone implementation
 of the preferential arrangements for olive oil, oil seeds and
 oleaginous fruit falling within Regulation No 136/66/EEC,
 and for products derived therefrom, until 31 December
 1990.
- The Kingdom of Spain shall postpone implementation
 of the preferential arrangements for fruit and vegetables
 falling within Regulation (EEC) No 1035/72 until 31
 December 1989.
- 4. Starting on 1 March 1986 the Kingdom of Spain shall apply to fishery products falling within Common Customs Tariff headings or subheadings 03.01, 03.02, 03.03, 05.15 A, 16.04, 16.05 and 23.01 B a duty which reduces the difference between the basic duty and the preferential duty in accordance with the following timetable:
- on 1 March 1986 the difference shall be reduced to 87,5% of the initial difference,
- on 1 January 1987 the difference shall be reduced to 75,0% of the initial difference,
- on 1 January 1988 the difference shall be reduced to 62,5% of the initial difference,
- on 1 January 1989 the difference shall be reduced to 50,0% of the initial difference,
- on 1 January 1990 the difference shall be reduced to 37,5 % of the initial difference,
- on 1 January 1991 the difference shall be reduced to 25,0% of the initial difference,
- on 1 January 1992 the difference shall be reduced to 12,5% of the initial difference.

The Kingdom of Spain shall apply the preferential rates in full as from 1 January 1993.

However, for prepared or preserved sardines falling within subheading 16.04 D of the Common Customs Tariff, starting on 1 March 1986 the Kingdom of Spain shall apply a duty which reduces the difference between the basic duty and the preferential duty in accordance with the timetable laid down in paragraph 1.

 For the purposes of paragraphs 1 and 4 the basic duty shall be that defined in Article 2 (1). However, the basic duty for domestic rabbits falling within subheading 01.06 A of the Common Customs Tariff shall be 6.5%.

Article 7

The Kingdom of Spain shall apply as from 1 March 1986 the non-tariff benefits, and in particular the levy reductions, accorded by the Community to products originating in the ACP States.

Article &

- 1. The Kingdom of Spain may apply quantitative restrictions to imports of products originating in the ACP States:
- (a) until 31 December 1989 in respect of the products listed in Annex VI;
- (b) until 31 December 1995 in respect of the products listed in Annex VII;
- (c) in respect of products subject under Article 81 of the Act of Accession to the supplementary mechanism applicable to imports into Spain from the Community as constituted on 31 December 1985, other than products falling within Regulation (EEC) No 1035/72.
- 2. Until 31 December 1990 the Kingdom of Spain shall apply quantitative restrictions to imports of products originating in the ACP States and referred to:
- in Article 1 (2) (a) of Regulation No 136/66/EEC other than soya beans falling within subheading ex 12.01 B of the Common Customs Tariff,
- in Article 1 (2) (b) of Regulation No 136/66/EEC other than products falling within subheading 15.17 B II and 23.04 B of the Common Customs Tariff.
- 3. Until 31 December 1992 the Kingdom of Spain may retain quantitative restrictions on imports of products listed in Annex VIII originating in the ACP States.
- 4. The Commission shall determine the rules for implementation of the measures referred to in paragraphs 1 to 3 in accordance with the arrangements established by the Council.

Article 9

1. In the case of products which are not subject on 1 March 1986 to a common organization of the market, Articles 130 (1) and 131 (1) of the Third ACP-EEC Convention concerning the elimination of charges having equivalent effect to customs duties and the abolition of quantitative restrictions and measures having equivalent effect shall not apply to such charges, restrictions or measures where they form an integral part of a national organization of the market in Spain at the time of accession.

These provisions shall apply only until a common organization of the market is established for such products or until 31 December 1995, whichever is the earlier, and only in so far as is strictly necessary to ensure the functioning of the national organization.

2. By way of derogation from paragraph 1, the Kingdom of Spain may retain quantitative restrictions on imports of bananas falling within subheading 08.01 B of the Common

Customs Tariff and originating in the ACP States, until a common organization of the market is established for such products, and in so far as is strictly necessary to ensure the functioning of the national organization.

Section III

Canary Islands and Ceuta and Melilla

Article 10

- Without prejudice to the following provisions, the arrangements for trade between the Canary Islands and Ceuta and Melilla on the one hand and the ACP States on the other shall be the same as those for trade between the Community and the ACP States provided the ACP States accord products originating in the Canary Islands and Ceuta and Melilla the same treatment they accord those from the Community.
- 2. Customs duties applied by the Canary Islands and Ceuta and Melilla to products other than those listed in Annex II to the Treaty establishing the European Economic Community and the charge known as 'arbitrio insular tarifa general' existing in the Canary Islands shall be dismantled in respect of products originating in the ACP States starting on 1 March 1986 and in accordance with the timetable and arrangements indicated in Articles 1, 2 and 3.
- 3. Customs duties applied by the Canary Islands and Ceuta and Meillla to products listed in Annex II to the Treaty establishing the European Economic Community and originating in the ACP States shall be aligned progressively on the preferential duties applied by the Community in respect of such products, subject to the proviso that those territories may accord more favourable treatment to such products than the Community does.

In no case shall duties be dismantled at a faster rate or otherwise than is laid down in Articles 1, 2 and 3.

 The charge known as 'arbitrio insular — tarifa especial' in the Canary Islands shall be abolished in respect of products originating in the ACP States as from 1 March 1986.

However, the said charge may be retained in respect of imports of the products listed in Annex IX at 90% of the rate therein indicated, provided the lower rate is applied uniformly to all imports of the products in question originating in all ACP States. The charge shall be abolished when it is abolished wis-a-vis the Community.

The said charge may at no time be higher than the Spanish customs tariff as amended with a view to the phasing in of the Common Customs Tariff.

CHAPTER II

PROVISIONS APPLICABLE TO PORTUGAL

Section I

General arrangements

Article 11

- 1. The Portuguese Republic shall abolish customs duties on imports of products originating in the ACP States as from I March 1986.
- 2. By way of derogation from paragraph 1, the Portuguese Republic shall gradually dismantle customs duties on imports originating in the ACP States of the products listed in Annex X in accordance with the following timerable:
- on 1 March 1986 each duty shall be reduced to 90% of the basic duty,
- on 1 January 1987 each duty shall be reduced to 80 % of the basic duty,
- on 1 January 1988 each duty shall be reduced to 65% of the basic duty,
- on 1 January 1989 each duty shall be reduced to 50 % of the basic duty,
- on 1 January 1990 each duty shall be reduced to 40 % of the basic duty.
- on 1 January 1991 each duty shall be reduced to 30 % of the basic duty,
- the final two 15% reductions shall be made on 1 January 1992 and 1 January 1993.
- 3. For the purpose of applying the duties calculated in accordance with paragraph 1 they shall be rounded down to one decimal place.

Article 12

- 1. The basic duty for each product to which the successive reductions provided for in Article 11 (2) shall be applied shall be the duty actually applied by the Portuguese Republic vis-à-vis the ACP States on 1 January 1985.
- 2. By way of derogation from paragraph 1, the Portuguese Republic shall dismantle customs duties on the products listed in Annex XI starting from the basic duties indicated in that Annex, provided the said duties are higher than the duties actually applied by the Portuguese Republic vis-à-vis the ACP States on 1 January 1985.

Article 13

Should the Portuguese Republic suspend customs duties on imports from the Community as constituted on 31 December

1985 or reduce them more rapidly than envisaged in the timetable laid down, it shall also suspend or reduce by the same percentage the customs duties applying to like products originating in the ACP States, other than products listed in Annex X (B).

Article 14

- 1. Charges having equivalent effect to customs duties applied by the Portuguese Republic to imports originating in the ACP States shall be abolished on 1 March 1986.
- 2. The following charges applied by the Portuguese Republic to trade with the ACP States shall be dismantled in accordance with the timetable indicated:
- (a) the 0,4% ad valorem charge applied:
 - to goods imported temporarily,
 - to reimported goods (other than containers),
 - to goods imported under inward processing arrangements allowing drawback of duties paid on the import goods following export of the products obtained.

shall be reduced to 0,2% on 1 January 1987 and abolished on 1 January 1988;

- (b) the 0,9% ad valorem charge applied to goods imported for home use shall be:
 - reduced to 0,6% on 1 January 1989,
 - reduced to 0,3% on 1 January 1990, and
 - abolished on 1 January 1991.

Article 15

- As of 1 March 1986 the Portuguese Republic shall abolish customs duties of a fiscal nature or the fiscal component of customs duties existing at that date on imports from the ACP States.
- In the case of the products listed in Annex XII, the customs duties of a fiscal nature or fiscal component of customs duties applied by the Portuguese Republic shall be eliminated in accordance with the timetable laid down in Article 11 (2).
- 3. Should the Portuguese Republic use the option open to it under Article 196 (3) of the Act of Accession of replacing a customs duty of a fiscal nature or fiscal component of a customs duty by an internal charge, such component as is not covered by that charge shall represent the basic duty to which the successive reductions shall be applied. That component shall be dismantled in trade with the ACP States in accordance with the timetable laid down in Article 11 (2).

Article 16

Until 31 December 1987 the Portuguese Republic shall retain quantitative restrictions on imports from the ACP States of motor vehicles subject to the special arrangements agreed between the Community and the Portuguese Republic in accordance with Protocol No 18 to the Act of Accession.

Article 17

For the products covered by Regulation (EEC) No 3033/80 and originating in the ACP States, the Portuguese Republic:

- as from 1 March 1986, shall dismantle the customs duty constituting the fixed component of the charge in accordance with the timetable indicated in Article 11 (2), starting from the basic duty indicated in Annex XIII,
- in respect of the variable component of the charge, shall apply the preferential rates provided for in the Third ACP-EEC Convention as from the date in the first year of the second stage of the transitional arrangements on which the second-stage rules come into force in respect of the commodities whose marketing year starts the latest.

Section II

Products listed in Annex II to the Treaty establishing the European Economic Community

Article 18

- For products listed in Annex II to the Treaty establishing the European Economic Community, starting on 1 March 1986 and subject to the special provisions laid down below, the Portuguese Republic shall apply a duty which reduces the difference between the basic duty and the preferential duty in accordance with the following timetable:
- on 1 March 1986 the difference shall be reduced to 90,9% of the initial difference,
- on 1 January 1987 the difference shall be reduced to 81,8% of the initial difference,
- on 1 January 1988 the difference shall be reduced to 72.7% of the initial difference.
- on 1 January 1989 the difference shall be reduced to 63,6% of the initial difference,
- on 1 January 1990 the difference shall be reduced to \$4,5% of the initial difference,
- on 1 January 1991 the difference shall be reduced to 45,4% of the initial difference,

- on 1 January 1992 the difference shall be reduced to 36,3% of the initial difference,
- on 1 January 1993 the difference shall be reduced to 27,2% of the initial difference,
- on 1 January 1994 the difference shall be reduced to 18,1% of the initial difference,
- on 1 January 1995 the difference shall be reduced to 9,0% of the initial difference.

The Portuguese Republic shall apply the preferential rates in full as from 1 January 1996.

- 2. The Portuguese Republic shall postpone implementation of the preferential arrangements for olive oil, oil seeds and oleaginous fruits falling within Regulation No 136/66/EEC, and for products derived therefrom, until 31 December 1990.
- 3. The Portuguese Republic shall postpone implementation of the preferential arrangements for products covered by the following Regulations until the beginning of the second stage as defined in Article 260 of the Act of Accession:
- Regulation (EEC) No 804/68 on the common organization of the market in milk and milk products,
- Regulation (EEC) No 805/68 · on the common organization of the market in beef and yeal,
- Regulation (EEC) No 1035/72 on the common organization of the market in fruit and vegetables,
- Regulation (EEC) No 2727/75 on the common organization of the market in cereals,
- Regulation (EEC) No 2759/75 on the common organization of the market in pigmeat,
- Regulation (EEC) No 2771/75 on the common organization of the market in eggs,
- Regulation (EEC) No 2777/75 on the common organization of the market in poultrymeat,
- Regulation (EEC) No 1418/76 on the common organization of the market in rice.
- Regulation (EEC) No 337/79 on the common organization of the market in wine.

Glucose and lactose falling within Regulation (EEC) No 2730/75 and ovalbumin falling within Regulation (EEC) No 2783/75 shall be subject to the transitional arrangements applying to the corresponding agricultural products.

- 4. Starting on 1 March 1986 the Portuguese Republic shall apply to fishery products falling within headings or subheadings 03.01, 03.02, 03.03, 05.15 A, 16.04, 16.05 and 23.01 B of the Common Customs Tariff, a duty which reduces the difference between the basic duty and the preferential duty in accordance with the following timerable:
- on 1 March 1986 the difference shall be reduced to 87,5% of the initial difference,

 on 1 January 1987 the difference shall be reduced to 75,0% of the initial difference,

5. 3. 86

- on 1 January 1988 the difference shall be reduced to 62,5% of the initial difference,
- on 1 January 1989 the difference shall be reduced to 50,0% of the initial difference,
- on 1 January 1990 the difference shall be reduced to 37,5% of the initial difference,
- on 1 January 1991 the difference shall be reduced to 25,0% of the initial difference,
- on 1 January 1992 the difference shall be reduced to 12,5 % of the initial difference.

The Portuguese Republic shall apply the preferential rates in full as from 1 January 1993.

However, for prepared or preserved sardines falling within subheading 16.04 D of the Common Customs Tariff, starting on 1 March 1986 the Portuguese Republic shall apply a duty which reduces the difference between the basic duty and the preferential duty in accordance with the timetable laid down in paragraph 1.

5. For the purposes of paragraphs 1 and 4 the basic duty shall be that defined in Article 12 (1).

Article 19

For the products referred to in Article 18, the Portuguese Republic shall postpone until the beginning of the second stage as defined in Article 260 of the Act of Accession, the application of the non-tariff benefits, and in particular the levy reductions, accorded by the Community to products originating in the ACP States.

Article 20

- 1. Until 31 December 1992 the Portuguese Republic may apply quantitative restrictions to imports of the products listed in Annex XIV originating in the ACP States.
- 2. Until 31 December 1995, the Portuguese Republic may retain quantitative restrictions for imports of the products listed in Annex XV and originating in the ACP States.
- Until 31 December 1990 the Portuguese Republic shall apply quantitative restrictions to imports originating in the ACP States of oil seeds, oleaginous fruits, flour from which the oil has not been extracted and all vegetable oils other than olive oil, intended for human consumption on the Portuguese domestic market.
- 4. Until 31 December 1992 the Portuguese Republic may retain quantitative restrictions for the products listed in Annex XVI and originating in the ACP States.

5. The Commission shall determine the rules for implementation of the measures referred to in paragraphs 1 to 4 in accordance with the arrangements established by the Council.

Article 21

In the case of products which are not subject on 1 March 1986 to a common organization of the market, the provisions of Articles 130 (1) and 131 (1) of the Third ACP-EEC Convention concerning the elimination of charges having equivalent effect to customs duties and the abolition of quantitative restrictions and measures having equivalent effect shall not apply to such charges, restrictions or measures where they form an integral part of a national organization of the market in Portugal at the time of accession.

These provisions shall apply only until a common organization of the market is established for such products or until 31 December 1995, whichever is the earlier, and only in so far as is strictly necessary to ensure the functioning of the national organization.

ANNEX I List provided for in Article 1 (1)

CCT heading No	Description
28.16	Ammonia, anhydrous or in aqueous solution
29.01	Hydrocarbons
29.04	Acyclic alcohols and their halogenated, sulphonated, nitrated or nitrosated derivatives
31.02	Mineral or chemical fertilizers, nitrogenous
39.02	Polymerization and copolymerization products (for example, polyethylene polytetrahaloethylenes, polyisobutylene, polystyrene, polyvinyl chloride, polyvinyl acetate polyvinyl chloroacetate and other polyvinyl derivatives, polyacrylic and polymethacrylic derivatives, coumarone-indene resins)
55.0 9	Other woven fabrics of cotton
56.05	Yarn of man-made fibres (discontinuous or waste), not put up for retail sale
60.02	Gloves, mittens and mitts, knitted or crocheted, not elastic nor rubberized
60.05	Outer garments and other articles, knitted or crocheted, not elastic nor rubberized
61.01	Men's and boy's outer garments
61.02	Women's, girls' and infants' outer garments
61.03	Men's and boys' under garments, including collars, shirr fronts and cuffs
85.15	Radiotelegraphic and radiotelephonic transmission and reception apparatus; radio-broadcasting and television transmission and reception apparatus (including receivers incorporating sound recorders or reproducers) and television cameras; radio navigational aid apparatus, radat apparatus and radio remote control apparatus
10.68	Ships, boats and other vessels not falling within any of the following headings of this Chapter:
	B. Other
89.02	Vessels specially designed for towing (tugs) or pushing other vessels

ANNEX II List provided for in Article 4 (1), first indent

Quora No	CCT heading No	Description	Basic quota
1	85.15	Radiotelegraphic and radiotelephonic transmission and reception apparatus; radio-broadcasting and television transmission and reception apparatus (including receivers incorporating sound recorders or reproducers) and television cameras; radio navigational aid apparatus, radar apparatus and radio remote control apparatus:	
	1	Radiotelegraphic and radiotelephonic transmission and reception apparatus; radio-broadcasting and television transmission and reception apparatus (including receivers incorporating sound recorders or reproducers) and television cameras:	1.5 units
		III. Receivers, whether or not incorporating sound recorders or reproducers: b) Other:	13 ums
		ex 2. Other: — Colour television receivers, the diagonal measurement of the screen of which is:	
		- From more than 42 cm up to and including 52 cm - More than 52 cm]
2	87.01	Tractors (other than those falling within heading No 87.07), whether or not fitted with power take-offs, winches or pulleys:	
		ex B. Agricultural tractors (excluding walking tractors) and forestry tractors, wheeled:	
		- With an engine of a cylinder capacity of 4 000 cm ³ or less	15 units

ANNEX III

List provided for in Article 1 (1), second indent

Quota No	CCT heading No	Description	Basic quota
1	25.03	Sulphur of all kinds, other than sublimed sulphur, precipitated sulphur and colloidal sulphur	80 tonnes
2	29.03	Sulphonated; nitrated or nitrosated derivatives of hydrocarbons: B. Nitrated and nitrosated derivatives: ex f. Trinitrotoluenes and dinitronaphthalenes: — Trinitrotoluenes	
	36.01	Propellent powders	
	36.02	Prepared explosives, other than propellent powders	6 tonnes
	ex 36,04	Safety fuses; detonating fuses; percussion and detonating caps; igniters; detonators: — Other than electrical detonators	
	36.05	Pyrotechnic articles (for example, fireworks, railway fog signals, amorces, rain rockets)	,
	36.06	Matches (excluding Bengal matches)	J
3	39.02	Polymerization and copolymerization products (for example, polyethylene, polytetrahaluethylenes, polyisobutylene, polystyrene, polyvinyl chloride, polyvinyl acetate, polyvinyl chloroacetate and other polyvinyl derivatives, polyacrylic and polymethacrylic derivatives, commarone-indene resins):	
		C. Other:	
		I. Polyethylene: ex b) In other forms:	-
		- Waste and scrap	
		ex II. Polytetrahaloethylenes:	
		- Waste and scrap	
		ex III. Polysulphohaloethylenes:	
		ex IV. Polypropylene: — Waste and scrap	
		ex V. Polyisobutylene: — Waste and scrap	
		VI. Polystyrene and copolymers of styrene: ex b) In other forms: — Waste and scrap	
		VII. Polyvinyl chloride: ex b) In other forms: — Waste and scrap	> 5 tonnes
		ex VIII. Polyvinylidene chloride; copolymers of vinylidene chloride with vinyl chloride:	

Quota No	CCT heading No	Description		Basic quota
	39.02	C. ex IX. Polyvinyl acetate:	l.	
	(cont'd)	Waste and scrap	Ш	
		· ex X. Copolymers of vinyl chloride with vinyl acetate: — Waste and scrap		
		ex X1. Polyvinyl alcohols, acetals and ethers:	П	
		Waste and scrap		
		ex XII. Acrylic polymers, methacrylic polymers and acrylo-methacrylic copolymers: — Waste and scrap		
		ex XIII. Coumarone resins, indene resins and coumarone-indene resins:	П	
		Waste and scrap		
		XIV. Other polymerization or copolymerization products: ex b) In other forms:		
		— Waste and scrap	ازا	
4	39.07	Articles of materials of the kinds described in heading Nos 39.01 to 39.06:	h	
		B. Other:		
		1. Of regenerated cellulose		
		III. Of hardened proteins	Ш	
		V. Of other materials:	П	
		 a) Spools, reels and similar supports for photographic and cinematographic film or for tapes, films and the like falling within heading No 92.12 		10 000 EC
		c) Corset busks and similar supports for articles of apparel or clothing accessories		
		ex d) Other:	П	
		 Excluding airtight clothing affording protection against radiation or radioactive contamination, not combined with breathing apparatus 		
5	ex 58.01	Carpets, carpeting and rugs, knotted (made up or not), other than hand-made)	
	58.02	Other carpets, carpeting, rugs, mats and matting, and 'Kelem', 'Schumacks' and 'Karamanie' rugs and the like (made up or not):	}	0,5 tonnes
		A. Carpets, carpeting, rugs, mats and matting	IJ	
6	ex 58.04	Woven pile fabrics and chenille fabrics (other than terry towelling or similar terry fabrics of cotton falling within heading No 58.08 and fabrics falling within heading No 58.05):		
		— Of cotton		
	58.09	Tulle and other net fabrics (but not including woven, knitted or crocheted fabrics), figured; hand or mechanically made lace, in the piece, in strips or in motifs:		
		B. Lace:	П	2.5 tonnes
		ex 1. Hand made: — Other than lace made from cotton, wool and man-made textile		2,5 tollies
		fibres II. Mechanically made		
i,	60.01	Knitted or crocheted fabric, not elastic nor rubberized:		
		C. Of other textile materials:		
1		I. Of cotton	ıı	

1

Quota .	CCT heading No	Description	Basic quota
7	60.04	Under garments, knitted or crocheted, not elastic or rubberized:	1
		A. Babies' garments; girls' garments up to and including commercial size 86:	H
		I. T-shirts:	
		a) Of cotton	
		II. Lightweight fine knit roll, polo or turtle-neck jumpers and pull-	
		overs: a) Of cotton	
		III. Other:	!
	ļ	b) Of cotton]
		B. Other:	
		I. T-shirts:	
		a) Of cotton	i
		II. Lightweight fine knit roll, polo or turtle-neck jumpers and pullovers:	
		a) Of cotton IV. Other:	
		d) Of cotton	
	60.05	Outer garments and other articles, knitted or crocheted, not elastic or rubberized:	
		A. Outer garments and clothing accessories:	
		II. Other:	
		ex a) Outer garments of knitted or crocheted textile fabrics of heading No 59.08:	
	İ	- Of cotton	
		b) Other:	
		Babies' garments, girls' garments up to and including commercial size 86:	
		cc) Of cotton	Į į
		2. Bathing costumes and trunks:	
		bb) Of cotton 3. Track suits:	l İ
		hb) Of cotton	
	İ	4. Other outer garments:	
		aa) Blouses and shirt-blouses for women, girls and infants:	
		55. Of cotton	
		bb) Jerseys, pullovers, slipovers, waistcoats, twinsers, cardigans, bed jackets and jumpers: (other than jackets referred to under subheading 60.05 A II b)	
		4 hh)): 11. Men's and boys':	} 1,5 tonne
		eee) Of cotton	11
		22. Women's, girls' and infants':	
		fff) Of cotton	-
		cc) Dresses:	11
		44. Of cotton	11
		dd) Skirts, including divided skirts:	11
		33. Of cotton] [
		ee) Trousers:	11
		ex 33. Of other textile materials: — Of cotton	
		ff) Suits and coordinate suits (excluding ski suits) for men and boys:	
		ex 22. Of other textile materials: — Of cotton	
		gg) Suits and coordinate suits (excluding ski suits), and costumes, for women, girls and infants:	
	i	44. Of cotton	11

}uota No	CCT heading No	Description	Basic quota
	60.05 (cont'd)	A. II. b) 4. hh) Coats, jackets (excluding anoraks, windcheaters, waister jackets and the like) and blazers:	
	İ	44. Of cotton	
		ijij) Anoraks, windcheaters, waister jackets and the like:	
		ex 11. Of wool or of fine animal hair, of cotton or of man-made textile fibres:	
	Ì	— Of cotton	
		kk) Ski suits consisting of two or three pieces: ex 11. Of wool or of fine animal hair, of cotton or of	1
		man-made textile fibres:	
		- Of cotton	
	l	II) Other outer garments:	ľ
	1	44. Of cotton 5. Clothing accessories:	
		ex cc) of other textile materials:	
		— Of cotton	
		B. Other:	
		ex III. Of other textile materials:	
•		— Of cotton	J
	i		
			<u> </u>
8	61.01	Men's and boys' outer garments)
		A. Garments of the 'cowboy' type and other similar garments for amusement	
		and play, less than commercial size 158; garments of textile fabric of heading	
	Ì	No 59.08, 59.11 or 59.12:	
		II. Other:	
		ex a) Coats: - Of cotton	
		ex b) Other:	
		— Of cotton	
		B. Other:	
		I. Industrial and occupational clothing:	
		a) Overalls, including boiler suits and bibs and braces:	
		1. Of cotton	1
		b) Other:	1
		1. Of cotton	1
		II. Swimwear:	1
		ex b) Of other textile materials:	
		— Of cotton	1
		III. Bath robes, dressing gowns, smoking jackets and similar indoor wear:	
		b) Of cotton .	
		IV. Parkas; anoraks, windcheaters, waister jackets and the like:	
		b) Of cotton	
		V. Other:	
		a) Jackets (excluding waister jackets) and blazers:	
		3. Of cotton	1
		b) Overcoats, raincoats and other coats; cloaks and capes:	
		3. Of cotton	
		c) Suits and coordinate suits (excluding ski suits): 3. Of cotton	ļ
		d) Shorts:	1

Quota No	CCT heading No	Description	Basic quota
	61.01 (cont'd)	B. V. e) Trousers: and a stand field and it is a stand	
	(cont a)	3. Of cotton	
		f) Ski suits consisting of two or three pieces:	
		ex 1. Of wool or of fine animal hair, of cotton or of man-made textile fibres:	
		— Of cotton	
		1	
		g) Other garments:	
		3. Of cotton	
	61.02	Women's, girls' and infants' outer garments:	
	*****	A. Babies' garments; girls' garments up to and including commercial size 86;	
		garments of the 'cowboy' type and other similar garments for amusement and play, less than commercial size 158:	3 tonnes
		Babies' garments; girls' garments up to and including commercial size	
		86:	
		B. Other:	
		I. Garments of textile fabric of heading No 59.08, 59.11 or 59.12:	
		ex a) Coats:	
		— Of cotton	
		ex b) Other:	
		— Of cotton	
		II. Other:	
		Aprons, overalls, smock-overalls and other industrial and occu- pational clothing (whether or not also suitable for domestic use):	
	,	1. Of cotton	
		b) Swimwear:	
		ex 2. Of other textile materials:	
		— Of cotton	
		c) Bath robes, dressing gowns, bed jackets and similar indoor wear: 2. Of cotton	
		d) Parkas, anoraks, windcheaters, waister jackets and the like:	
		2. Of cotron	,
		e) Other:	
		Jackets (excluding waister jackets) and blazers: cc) Of cotton	
		2. Coats and raincoats, cloaks and capes:	
		cc) Of cotton	
		3. Suits and coordinate suits (excluding ski suits), and costumes:	
		cc) Of cotton	
		4. Dresses:	
		ee) Of cotton	
		5. Skirts, including divided skirts:	
		cc) Of cotton	
		6. Frousers:	
		cc) Of cotton	
		7. Blouses and shirt-blouses:	
		cc) Of cotton	
		8. Ski suits consisting of two or three pieces:	
		ex aa) Of wool or of fine animal hair, of cotton or of man-made textile fibres:	
		- Of cotton	
		9. Other garments:	
		cc) Of cotton	
	1	25, 5, 50, 50, 50, 50	

Quota No	CCT heading No	Description	Basic quota
9	61.03	Men's and boys' under garments, including collars, shirt fronts and cuffs: A. Shirts: II. Of cotton B. Pyjamas: II. Of cotton C. Other: II. Of cotton	
	61.04	Women's, girls' and infants' under garments: A. Babies' garments; girls' garments up to and including commercial size 86: I. Of cotton B. Other: I. Pyjamas and nightdresses: b) Of cotton II. Other: b) Of cotton	1 tonne
10	84.41	Sewing machines; furniture specially designed for sewing machines; sewing machine needles: A. Sewing machines; furniture specially designed for sewing machines: I. Sewing machines (lock-stitch only), with heads of a weight not exceeding 16 kg without motor or 17 kg including the motor; sewing machine heads (lock-stitch only), of a weight not exceeding 16 kg without motor or 17 kg including the motor: a) Sewing machines having a value (not including frames, tables or furniture) of more than 65 ECU each b) Other	2 units
11	85.15	Radiotelegraphic and radiotelephonic transmission and reception apparatus; radio-broadcasting and television transmission and reception apparatus; (including receivers incorporating sound recorders or reproducers) and television cameras; radio navigational aid apparatus, radar apparatus and radio remote control apparatus. A. Radiotelegraphic and radiotelephonic transmission and reception apparatus; radiobroadcasting and television transmission and reception apparatus; radiobroadcasting and television recorders or reproducers) and television cameras: III. Receivers, whether or not incorporating sound recorders or reproducers: b) Other: ex 2. Other: — Colour television receivers, the diagonal measurement of the screen of which is 42 cm or less	8 units
12	87.01	Tractors (other than those falling within heading No 87.07), whether nr not fitted with power take-offs, winches or pulleys: A. Agricultural walking tractors, with either a spark ignition or a compression ignition engine	5 units
13	93.02	Revolvers and pistols, being firearms	<u> </u>
	93.04	Other firearms, including Very pistols, pistols and revolvers for firing blank	

Quota No	CCT heading No	Description	Basic quota
	93.04 (cont'd)	ex A. Sporting and target-shooting guns, rifles and carbines: — Excluding single-barrelled, rifled sporting and target-shooting guns and carbines, and other than ring firing, of a unit value greater than 200 ECU	7 000 ECU
	93.05	Arms of other descriptions, including air, spring and similar pistols, rifles and guns	
	93.06	Parts of arms, including gun barrel blanks, but not including parts of sidearms	
14	93.07	Bombs, grenades, torpedoes, mines, guided weapons and missiles and similar munitions of war, and parts thereof, ammunition and parts thereof, including cartridge wads; lead shot prepared for ammunition	1 tonne

ANNEX IV

List provided for in Article 4 (2) second indent

Quota No	CCT heading No	Description	Basic quota
1	39.02	Polymerization and copolymerization products (for example, polyethylene, polyetrahaloethylenes, polyisobutylene, polystyrene, polyvinyl chloride, polyvinyl acetate, polyvinyl chloroacetate and other polyvinyl derivatives, polyacrylic and polymethacrylic derivatives, coumarone-indene resins): C. Other: VII. Polyvinyl chloride (1)	3,5 tonnes
2	89.01	Ships, boats and other vessels not falling within any of the following headings of this Chapter:	
		B. Other: I. Sea-going vessels	100 000 ECL

⁽¹⁾ For products not covered by quota No 3 of Annex III.

ANNEXE V

List provided for in Article 5

CCT heading No	Description	Basic duty (*)
17.04	Sugar confectionery, not containing cocoa:	
	A. Liquorice extract containing more than 10 % by weight of sucrose but not containing other added substances	
	B. Chewing gum containing by weight of sucrose (including invert sugar expressed as sucrose):	
	I. Less than 60% II. 60% or more	
	C. White chocolate	
	D. Other:	
	I. Containing no milkfats or containing less than 1,5% by weight of such fats:	
	a) Containing no sucrose or containing less than 5% by weight of sucrose (including invert sugar expressed as sucrose)	
	b) Containing by weight of sucrose (including invert sugar expressed as sucrose): 1. 5% or more but less than 30%	
	2. 30% or more but less than 40%	
	3. 40 % or more but less than 50 %:	
	aa) Containing no starch	
	bb) Other	
	4. 50% or more but less than 60%	
	5. 60% or more but less than 70%	
	6. 70% or more but less than 80%	
	7. 80% or more but less than 90%	
	8. 90% or more	
	II. Other:	
	a) Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose)	
	b) Containing by weight of sucrose (including invert sugar expressed as sucrose):	
	1. 5% or more but less than 30%	
	2. 30 % or more but less than 50 %	
	3. 50% or more but less than 70%	
	* 4. 70% or more	
18.06	Chocolate and other food preparations containing cocoa:	
	A. Cocoa powder, not otherwise sweetened than by the addition of sucrose, containing by weight of sucrose:	
	I. Less than 65 %	
	II. 65% or more but less than 80%	
	III. 80% or more	
	B. Ice-cream (not including ice-cream powder) and other ices:	
	I. Containing no milkfats or containing less than 3% by weight of such fats	
	II. Containing by weight of milkfats:	
	a) 3% or more but less than 7%	
	b) 7% or more	

⁽¹⁾ These basic duties will be published at a later date in the Official Journal of the European Communities (Series C)

CCT heading No	Description	Basic duty
18.06 (cont'd)	C. Chocolate and chocolate goods, whether or not filled; sugar confectionery and substitutes therefor made from sugar substitution products, conraining cocoa:	
	Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose)	
	II. Other:	
	 a) Containing no milkfats or containing less than 1,5 % by weight of such fats and containing by weight of sucrose (including invert sugar expressed as sucrose): 	
	1. Less rhan 50%	
	2. 50% or more	
	b) Containing by weight of milkfats:	
	1. 1,5% or more but less than 3%	
	2. 3% or more bur less than 4,5%	
	3. 4,5% or more but less than 6%	
	4. 6% or more	
	D. Other:	i
	I. Containing no milkfats or containing less than 1,5 % by weight of such fats:	
	a) In immediate packings of a net capacity of 500 g or less	
	b) Other	
	II. Containing by weight of milkfats:	
	a) 1,5% or more but not more than 6,5%:	
	1. In immediate packings of a net capacity of 500 g or less	1
	2. Other	
	b) More than 6,5% but less than 26%:	
	1. In immediate packings of a net capacity of 500 g or less	
	2. Other	
	c) 26% or more:	
	1. In immediate packings of a net capacity of \$00 g or less	
	2. Other	
19.02	Malt extract; preparations of flour, meal, starch or malt extract, of a kind used as infant food or for dietetic or culinary purposes, containing less than 50% by weight of cocoa:	
	A. Malt extract:	
	I. With a dry extract content of 90% or more by weight	
	II. Other	
	B. Other:	
	Containing malt extract and not less than 30% by weight of reducing sugars (expressed as maltose)	
	II. Other:	
	a) Containing no milkfats or containing less than 1,5% by weight of such fats:	
	1. Containing less than 14% by weight of starch:	
	aa) Containing no sucrose or containing less than 5 % by weight of sucrose (including	
	invert sugar expressed as sucrose) bb) Containing by weight of sucrose (including invert sugar expressed as sucrose):	
	11. 5% or more but less than 60%	
	22. 60% or more but less than 60%	
	22. 00 % of more	I

CCT heading No	Description	Basic duty
19.02	B. II. a) 2. Containing 14% or more but less than 32% by weight of starch:	
(cont'd)	aa) Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose)	
	bb) Other	
	3. Containing 32% or more but less than 45% weight of starch:	
	aa) Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose)	
	bb) Other	
	4. Containing 45% or more but less than 65% by weight of starch:	
	a2) Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose)	
	bb) Other	
	5. Containing 65% or more but less than 80% by weight of starch:	
	aa) Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose)	
	bb) Other	
	6. Containing 80% or more but less than 85% by weight of starch:	
	aa) Containing no sucrose or containing less than 5% by weight of sucrose (including invert sugar expressed as sucrose)	
	bb) Other	
	7. Containing 85% or more by weight of starch	
	b) Containing by weight of milkfats:	
	1. 1,5% or more but less than 5%	
	2. 5% or more	
19.03	Macaroni, spaghetti and similar products:	
	A. Containing eggs	
	B. Other:	
	I. Containing no common wheat flour or meal	
	II. Other	
19.04	Tapioca and sago; tapioca and sago substitutes obtained from potato or other starches	-
19.05	Prepared foods obtained by the swelling or roasting of cereals or cereal products (puffed rice, corn flakes and similar products):	
	A. Obtained from maize	
	B. Obtained from rice	
•	C. Other	
19.07	Bread, ships' biscuits and other ordinary bakers' wares, not containing added sugar, honey, eggs, fats, cheese or fruit; communion wafers, cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products:	
	A. Crispbread	
	B. Matzos	
	C. Communion wafers, cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products	
	D. Other, containing by weight of starch:	
	I. Less than 50%	
	II. 50% or more	
	·	

CCT heading No	Description	Basic duty
19.08	Pastry, biscuits, cakes and other fine bakers' wares, whether or not containing cocoa in any proportion:	
	A. Gingerbread and the like, containing by weight of sucrose (including invert sugar expressed as sucrose):	
	1. Less than 30%	
	II. 30% or more but less than 50%	
	III. 50% or more	
	B. Other:	
	 Containing no starch or containing less than 5 % by weight of starch, and containing by weight of sucrose (including invert sugar expressed as sucrose): 	
	a) Less than 70%	
	b) 70% or more	
	II. Containing 5% or more but less than 32% by weight of starch:	
	 a) Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose) 	
	 b) Containing 5 % or more but less than 30 % by weight of sucrose (including invert sugar expressed as sucrose); 	
	Containing no milkfats or containing less than 1,5% by weight of such fats Other	
	 c) Containing 30% or more but less than 40% by weight of sucrose (including invert sugar expressed as sucrose): 	
	Containing no milkfats or containing less than 1,5 % by weight of such fats Other	
	d) Containing 40% or more by weight of sucrose (including invert sugar expressed as sucrose):	
	Containing no milkfats or containing less than 1.5% by weight of such fats Other	
	III. Containing 32% or more but less than 50% by weight of starch:	
	 a) Containing no sucrose or containing less than 5% by weight of sucrose (including invert sugar expressed as sucrose): 	
	 Containing no milkfats or containing less than 1,5% by weight of such fats Other 	
	b) Containing 5% or more but less than 20% by weight of sucrose (including invert sugar expressed as sucrose):	
•	1. Containing no milkfats or containing less than 1,5% by weight of such fats	
	Other Containing 20% or more by weight of sucrose (including invert sugar expressed as	
	sucrose): 1. Containing no milkfats or containing less than 1,5% by weight of such fats	
	2. Other	
	IV. Containing 50% or more but less than 65% by weight of starch:	
	 a) Containing no sucrose or containing less than 5% by weight of sucrose (including invert sugar expressed as sucrose): 	
	1. Containing no milkfats or containing less than 1,5% by weight of such fats	

2. Other

CCT heading No	Description	Basic duty
19.08 (cont'd)	B. IV. b) Containing 5% or more by weight of sucrose (including invert sugar expressed as sucrose): 1. Containing no milkfats or containing less than 1,5% by weight of such fats 2. Other	
	V. Containing 65% or more by weight of starch: a) Containing no sucrose or containing less than 5% by weight of sucrose (including invertisugar expressed as sucrose) b) Other	
21.02	Extracts, essences or concentrates, of coffee, tea or mate and preparations with a basis of those extracts, essences or concentrates; roasted chicory and other roasted coffee substitutes and extracts, essences and concentrates thereof:	
	C. Roasted chicory and other roasted coffee substitutes: II. Other	
	D. Extracts, essences and concentrates of roasted chicory and other roasted coffee substitutes II. Other	
21.06	Natural yeasts (active or inactive); prepared baking powders:	
	A. Active natural yeasts:	
	II. Bakers' yeast: a) Dried b) Other	
21.07	Food preparations not elsewhere specified or included:	
	A. Cereals in grain or ear form, pre-cooked or otherwise prepared: I. Maize	
	II. Rice III. Other	
	B. Ravioli, macaroni, spaghetti and similar products, not stuffed, cooked; the foregoing preparations, stuffed, whether or not cooked:	
	I. Not stuffed, cooked: a) Dried	
	b) Other	
	II. Stuffed:	
	a) Cooked	
	b) Other	
	C. Ice-cream (not including ice-cream powder) and other ices: Containing no milkfats or containing less than 3% by weight of such fats Containing by weight of milkfats:	
	a) 3% or more but less than 7% b) 7% or more	
	D. Prepared yoghurt; prepared milk, in powder form, for use as infants' food or for dietetic or culinary purposes:	
	I. Prepared yoghurt:	
	a) In powder form, containing by weight of milkfats:	
	1. Less than 1,5% 2. 1,5% or more	
	b) Other, containing by weight of milkfats:	
	1. Less than 1,5% 2. 1,5% or more but less than 4%	
	3. 4% or more	

CCT heading No	Description	Basic duty
21.07	D. II. Other, containing by weight of milkfats:	
(cont'd)	a) Less than 1,5% and containing by weight of milk proteins (nitrogen content × 6,38):	
	1. Less than 40%	
	2. 40% or more but less than 55%	•
	3. 55% or more but less than 70%	į
	4. 70% or more	į
	b) 1,5% or more	
	E. Cheese fondues	
	G. Other:	
	Containing no milkfats or containing less than 1,5% by weight of such fats:	
	a) Containing no numbers or containing less than 1,5 % by weight of such satisfies a) Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose):	
	Containing no starch or containing less than 5 % by weight of starch	
	2. Containing by weight of starch:	
	aa) 5% or more but less than 32%	
	bb) 32 % or more but less than 45 %	
	cc) 45% or more	
	b) Containing 5 % or more but less than 15 % by weight of sucrose (including invert sugar expressed as sucrose):	
	1. Containing no starch or containing less than 5% by weight of starch	
•	2. Containing by weight of starch:	1
	aa) 5% or more but less than 32%	
	bb) 32% or more but less than 45%	1
	cc) 45% or more	ļ
	 c) Containing 15% or more but less than 30% by weight of sucrose (including invert sugar expressed as sucrose): 	
	1. Containing no starch or containing less than 5 % by weight of starch	
	2. Containing by weight of starch:	
	aa) 5% or more but less than 32%	
	bb) 32% or more but less than 45%	
	cc) 45% or more	
	d) Containing 30% or more but less than 50% by weight of sucrose (including invert sugar expressed as sucrose):	
	1. Containing no starch or containing less than 5% by weight of starch	ĺ
	2. Containing by weight of starch:	
	aa) 5% or more but less than 32%	1
	bb) 32% or more	1
	 c) Containing 50 % or more but less than 85 % by weight of sucrose (including invert sugar expressed as sucrose); 	
	Containing no starch or containing less than 5% by weight of starch Other	
	f) Containing 85% or more by weight of sucrose (including invert sugar expressed as sucrose)	
	II. Containing 1,5% or more but less than 6% by weight of milkfats:	İ
	 a) Containing no sucrose or containing less than 5% by weight of sucrose (including invert sugar expressed as sucrose): 	
	L. Containing no starch or containing less than 5% by weight of starch	I

1. Containing no starch or containing less than 5 % by weight of starch

CCT heading No	, Description	Basic duty
21.07	G. II. a) 2. Containing by weight of starch:	
(cont'd)	aa) 5% or more but less than 32%	
	bb) 32% or more but less than 45%	
	cc) 45% or more	
	CC/ 15 N OI MORE	
	b) Containing 5 % or more but less than 15 % by weight of sucrose (including invert sugar expressed as sucrose):	
	1. Containing no starch or containing less than 5% by weight of starch	
	2. Containing by weight of starch:	
	aa) 5% or more but less than 32%	
	bb) 32% or more	
	 c) Containing 15% or more but less than 30% by weight of sucrose (including invert sugar expressed as sucrose): 	
	1. Containing no starch or containing less than 5 % by weight of starch	
	2. Containing by weight of starch:	
	aa) 5% or more but less than 32%	
	bb) 32% or more	
	,	
	 d) Containing 30 % or more but less than 50 % by weight of sucrose (including invert sugar expressed as sucrose); 	
	1. Containing no starch or containing less than 5% by weight of starch	
	2. Other	
	e) Containing \$0% or more by weight of sucrose (including invert sugar expressed as sucrose)	
	III Canadalaa (W. aa maa kuu lan daa 130 ku uudaba (Cadillifuu	
	III. Containing 6% or more but less than 12% by weight of milkfats:	
	Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose):	
	1. Containing no starch or containing less than 5% by weight of starch	
	2. Containing by weight of starch:	
	2a) 5% or more but less than 32%	
	bb) 32% or more	
	 b) Containing 5 % or more but less than 15 % by weight of sucrose (including invert sugar expressed as sucrose): 	
	1. Containing no starch or containing less than 5 % by weight of starch	
÷	2. Other	
	 Containing 15% or more but less than 30% by weight of sucrose (including invert sugar expressed as sucrose); 	
	1. Containing no starch or containing less than 5% by weight of starch	
	2. Other	
	d) Containing 30% or more but less than 50% by weight of sucrose (including invert sugar expressed as sucrose):	
	1. Containing no starch or containing less than 5% by weight of starch	
Ì	2. Other	
	e) Containing 50% or more by weight of sucrose (including invert sugar expressed as sucrose)	
	IV. Containing 12% or more but less than 18% by weight of milkfats:	
	a) Containing no sucrose or containing less than 5 % hy weight of sucrose (including invert	
i	sugar expressed as sucrose):	

21.07 (cont/d) G. IV. 1. Containing no starch or containing less than 5% by weight of starch 2. Other b) Containing 5% or more but less than 15% by weight of sucrose (including invert sugar expressed as sucrose): 1. Containing no starch or containing less than 5% by weight of starch 2. Other c) Containing 15% or more by weight of sucrose (including invert sugar expressed as sucrose): V. Containing 18% or more by weight of sucrose (including invert sugar expressed as sucrose): 1. Containing no starch or containing less than 5% by weight of sucrose (including invert sugar expressed as sucrose): 1. Containing no starch or containing less than 5% by weight of starch 2. Other b) Containing 5% or more by weight of sucrose (including invert sugar expressed as sucrose): 1. Containing 26% or more but less than 45% by weight of sucrose (including invert sugar expressed as sucrose): 1. Containing no sucrose or containing less than 5% by weight of sucrose (including invert sugar expressed as sucrose): 1. Containing 5% or more but less than 25% by weight of sucrose (including invert sugar expressed as sucrose): 1. Containing 5% or more but less than 25% by weight of sucrose (including invert sugar expressed as sucrose): 1. Containing 5% or more by weight of sucrose (including invert sugar expressed as sucrose): 1. Containing 65% or more by weight of sucrose (including invert sugar expressed as sucrose): 1. Containing 65% or more by weight of sucrose (including invert sugar expressed as sucrose): 1. Containing no sucrose or containing less than 5% by weight of sucrose (including invert sugar expressed as sucrose): 1. Containing 85% or more by weight of sucrose (including invert sugar expressed as sucrose): 1. Containing 85% or more by weight of sucrose (including invert sugar expressed as sucrose): 1. Containing 85% or more by weight of sucrose (including invert sugar expressed as sucrose): 1. Containing 85% or more by weight of sucrose (including invert sugar expressed as sucrose): 1. Containing 85% or more by weight of s	CCT heading No	Description	Basic duty
expressed as sucrose): 1. Containing no starch or containing less than 5% by weight of starch 2. Other c) Containing 15% or more by weight of sucrose (including invert sugar expressed as sucrose) V. Containing 18% or more but less than 26% by weight of milkfats: a) Containing no sucrose or containing less than 5% by weight of sucrose (including invert sugar expressed as sucrose): 1. Containing no starch or containing less than 5% by weight of starch 2. Other b) Containing 25% or more by weight of sucrose (including invert sugar expressed as sucrose): VI. Containing 26% or more but less than 45% by weight of sucrose (including invert sugar expressed as sucrose): 1. Containing no sucrose or containing less than 5% by weight of sucrose (including invert sugar expressed as sucrose): 1. Containing 5% or more but less than 25% by weight of sucrose (including invert sugar expressed as sucrose): 1. Containing 5% or more but less than 25% by weight of sucrose (including invert sugar expressed as sucrose): 1. Containing no starch or containing less than 5% by weight of starch 2. Other c) Containing 25% or more by weight of sucrose (including invert sugar expressed as sucrose): VII. Containing 25% or more by weight of sucrose (including invert sugar expressed as sucrose): 1. Containing 45% or more but less than 65% by weight of milkfats: a) Containing 35% or more but less than 65% by weight of starch 2. Other b) Containing 5% or more but less than 65% by weight of sucrose (including invert sugar expressed as sucrose): 1. Containing 65% or more by weight of sucrose (including invert sugar expressed as sucrose): 1. Containing no starch or containing less than 5% by weight of starch 2. Other b) Containing 65% or more but less than 85% by weight of sucrose (including invert sugar expressed as sucrose): 1. Containing no starch or containing less than 5% by weight of starch 2. Other VIII. Containing 85% or more by weight of milkfats: a) Containing no starch or containing less than 5% by weight of suc			
2. Other c) Containing 15% or more by weight of sucrose (including invert sugar expressed as sucrose) V. Containing 18% or more but less than 26% by weight of milkfats: a) Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose): 1. Containing no starch or containing less than 5 % by weight of starch 2. Other b) Containing 5% or more by weight of sucrose (including invert sugar expressed as sucrose) VI. Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose): 1. Containing no sucrose or containing less than 5 % by weight of starch 2. Other b) Containing 5 % or more but less than 25 % by weight of sucrose (including invert sugar expressed as sucrose): 1. Containing 5 % or more but less than 25 % by weight of sucrose (including invert sugar expressed as sucrose): 2. Other c) Containing 25% or more but less than 5 % by weight of starch 2. Other c) Containing 25% or more by weight of sucrose (including invert sugar expressed as sucrose): 1. Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose): 1. Containing no sucrose or containing less than 5 % by weight of starch 2. Other b) Containing 5 % or more by weight of sucrose (including invert sugar expressed as sucrose): 1. Containing no starch or containing less than 5 % by weight of starch 2. Other b) Containing no starch or containing less than 5 % by weight of starch 3. Containing no starch or containing less than 5 % by weight of starch 4. Other VIII. Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose): 1. Containing 85% or more but less than 85 % by weight of milkfats: a) Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose): b) Other VIII. Containing 85% or more but less than 85 % by weight of sucrose (including invert sugar expressed as sucrose): B. O			
V. Containing 18% or more but less than 26% by weight of milkfats: a) Containing no sucrose or containing less than 5% by weight of sucrose (including invert sugar expressed as sucrose): 1. Containing no starch or containing less than 5% by weight of starch 2. Other b) Containing 5% or more by weight of sucrose (including invert sugar expressed as sucrose): VI. Containing 26% or more but less than 45% by weight of milkfats: a) Containing no sucrose or containing less than 5% by weight of sucrose (including invert sugar expressed as sucrose): 1. Containing no starch or containing less than 5% by weight of starch 2. Other b) Containing 5% or more but less than 25% by weight of sucrose (including invert sugar expressed as sucrose): 1. Containing no starch or containing less than 5% by weight of starch 2. Other c) Containing 25% or more but less than 25% by weight of sucrose (including invert sugar expressed as sucrose): VII. Containing 45% or more but less than 65% by weight of sucrose (including invert sugar expressed as sucrose): 1. Containing no sucrose or containing less than 5% by weight of sucrose (including invert sugar expressed as sucrose): 1. Containing no starch or containing less than 5% by weight of sucrose (including invert sugar expressed as sucrose): 1. Containing 5% or more by weight of sucrose (including invert sugar expressed as sucrose): 1. Containing no starch or containing less than 5% by weight of starch 2. Other VIII. Containing no starch or containing less than 5% by weight of sucrose (including invert sugar expressed as sucrose): 1. Containing no starch or containing less than 5% by weight of sucrose (including invert sugar expressed as sucrose): 1. Containing 85% or more but less than 85% by weight of milkfats: a) Containing no sucrose or containing less than 5% by weight of sucrose (including invert sugar expressed as sucrose): b) Other IX. Containing 85% or more by weight of milkfats			
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including fruit and vegetable juices falling within heading No 20.07: B. Other, containing by weight of milkfatts:			
	22.02		
I. Less than 0,2%		B. Other, containing by weight of milkfats:	
The state of the s		1. Less than 0,2 %	
II. 0,2% or more but less than 2% III. 2% or more			

CCT heading No	Description	Basic duty
29.04	Acyclic alcohols and their halogenated, sulphonated, nitrated or nitrosated derivatives: C. Polyhydric alcohols:	
	II. D-Mannitol (mannitol)	
	III. D-Glucitol (sorbitol):	
	a) In aqueous solution:	
	Containing 2% or less by weight of D-mannitol, calculated on the D-glucitol content Cother	
	b) Other:	
	Containing 2% or less by weight of D-mannitol, calculated on the D-glucitol content Other	
35.05	Dextrins and dextrin glues; soluble or roasted starches; starch glues:	
	A. Dextrins: soluble or roasted starches	
	B. Glues made from dextrin or from starch, containing by weight of those materials:	
	I. Less than 25%	
	II. 25% or more but less than 55%	
	III. 55% or more but less than 80%	
	IV. 80% or more	
38.12	Prepared glazings, prepared dressings and prepared mordants, of a kind used in the textile, paper, leather or like industries:	
	A. Prepared glazings and prepared dressings:	
	With a basis of amylaceous substances, containing by weight of those substances: a) Less than 5.5%	
	b) 55% or more but less than 70%	
	c) 70% or more but less than 83%	
	d) 83% or more	
38.19	Chemical products and preparations of the chemical or allied industries (including those consisting of mixtures of natural products), not elsewhere specified or included; residual products of the chemical or allied industries, not elsewhere specified or included:	
	T. D-Glucitol (sorbitol) other than that falling within subheading 29.04 C III:	
	I. In aqueous solution:	
	a) Containing 2% or less by weight of D-mannitol, calculated on the D-glucitol content b) Other	
	II. Other:	
	a) Containing 2% or less by weight of n-mannitol, calculated on the n-glucitol content b) Other	

ANNEX VI

List provided for in Article 8 (1) (a)

CCT heading No	Description	
07.01	Vegetables, fresh or chilled:	
	B. Cabbages, cauliflowers and Brussels sprouts: 1. Cauliflowers	
	G. Carrots, turnips, salad beetroot, salsify, celeriac, radishes and similar edible ro- ex II. Carrots and turnips: — Carrots	ots
•	ex H. Onions, shallots and garlic: — Onions and garlic	
	M. Tomatoes	
08.02	Citrus fruit, fresh or dried:	
	A. Oranges	
	B. Mandarins (including tangerines and satsumas); clementines, wilkings and other sincitrus hybrids:	ila
	ex II. Other:	
	Mandarins (including tangerines and satsumas) C. Lemons	
08.04	Grapes, fresh or dried:	
	A. Fresh:	
	_ l	
	I. Table grapes	
08.06	1. Lable grapes Apples, pears and quinces, fresh:	
08.06		
08.06	Apples, pears and quinces, fresh:	
	Apples, pears and quinces, fresh: A. Apples	
	Apples, pears and quinces, fresh: A. Apples B. Pears	
08.0 6 08.07	Apples, pears and quinces, fresh: A. Apples B. Pears Stone fruit, fresh:	

ANNEX VII

List provided for in Article 8 (1) (b)

CCT heading No	Description
01.03	Live swine:
	A. Domestic species:
	II. Other
02.01	Meat and edible offals of the animals falling within heading No 01.01, 01.02, 01.03 or 01.04, fresh, chilled or frozen:
	A. Meat:
	III. Of swine:
	a) Of domestic swine
	B. Offals:
	II. Other:
	c) Of domestic swine
02.04	Other meat and edible meat offals, fresh, chilled or frozen:
	ex.A. Of domestic pigeons and domestic rabbits:
	Meat of domestic rabbits
02.05	Pig far free of lean meat and poultry far (not rendered or solvent-extracted), fresh, chilled, frozen, salted, in brine, dried or smoked:
	A. Subcutaneous pig fat:
	ex I. Fresh, chilled, frozen, salted or in brine: Fresh, chilled or frozen
	II. Dried or smoked
	ex B. Pig far, other than that falling within subheading A: — Fresh, chilled, frozen, dried or smoked
02.06	Meat and edible meat offals (except poultry liver), salted, in brine, dried or smoked:
	B. Meat and edible meat offals of domestic swine
11.01	Cereal flours:
	A. Wheat or meslin flour
11.02	Cereal groats and cereal meal; other worked cereal grains (for example, rolled, flaked, polished, pearled or kibbled but not further prepared), except rice falling within heading No 10.06; germ of cereals, whole, rolled, flaked or ground:
	A. Cereal groats and cereal meal
	B. Hulled grains (shelled or husked), whether or not sliced or kibbled .
	C. Pearled grains
	D. Grains not otherwise worked than kibbled
	E. Rolled grains; flaked grains:
	I. Barley and oats:
	a) Rolled
	II. Other cereals:
	ex a) Wheat:
	— Rolled ex b) Rye:
	Rolled
	•

CCT heading No	Description
11.02	E. II. ex c) Maize:
(cont'd)	Rolled
	d) Other:
	ex 2. Other:
	— Rolled
11.08	Starches; inulin:
	A. Starches:
	III. Wheat starch
11.09	Wheat gluten, whether or not dried
15.01	Lard, other pig fat and poultry fat, rendered or solvent-extracted:
	A. Lard and other pig fat
16.01	Sausages and the like, of meat, meat offal or animal blood
16.02	Other prepared or preserved meat or meat offal:
	A. Liver:
	II. Other
	B. Other:
	III. Other:
	a) Containing meat or offal of domestic swine

ANNEX VIII

List provided for in Article 8 (3)

CCT heading No	Description
03.01	Fish, fresh (live or dead), chilled or frozen:
	B. Saltwater fish:
	1. Whole, headless or in pieces:
	h) Cod (Gadus morhua, Boreogadus saida, Gadus ogac):
	1. Fresh or chilled
	p) Anchovies (Engraulis spp.):
	1. Fresh or chilled
	t) Hake (Merluccius spp.):
	1. Fresh or chilled
	2. Frozen
	u) Blue whiting (Micromesistius poutassou or Gadus poutassou)
	ex v) Other:
	Horse mackerel (Trachurus trachurus), fresh or chilled
	II. Fillets:
	ex a) Fresh or chilled:
	 Of Cod (Gadus morhua, Boreogadus saida, Gadus ogac)
	b) Frozen:
	9. Of hake (Merluccius spp.)
03.02	Fish, dried, salted or in brine; smoked fish, whether or not cooked before or during the smoking process:
	A. Dried, salted or in brine:
	t. Whole, headless or in pieces:
	ex b) Cod (Gadus morhua, Boreogadus saida, Gadus ogac):
	Not dried, salted or in brine
03.03	Crustaceans or molluscs, whether in shell or not, fresh (live or dead), chilled, frozen, salted, in brine or dried; crustaceans, in shell, simply boiled in water:
	A. Crustaceans:
	III. Crabs and freshwater crayfish:
	ex b) Other:
	- Spinous spider crab (Maia squinado), fresh (live)
	B. Molluscs:
	IV. Other:
	b) Other:
	ex 2. Other:
	- Venus clam (Venus gallina), fresh or chilled

ANNEX IX List provided for in Article 10 (4)

T heading No	Description	Rate (%)
02.01	Meat and edible offals of the animal falling within heading No 01.01, 01.02, 01.03 or 01.04,	
	fresh, chilled or frozen:	
	A Meat	
	II. Of bovine animals:	
	a) Fresh or chilled	20
	III. Of swine:	
	a) Of domestic swine:	
	ev 1. Carcases or half-carcases:	
	— Fresh or chilled	20
	ex 2. Legs and parts thereof:	
	— Fresh or chilled	20
	ex 3. Fore-ends or shoulders; parts thereof:	_
	— Fresh or chilled	20
	ex 4. Loins and parts thereof:	
	- Fresh or chilled	20
		20
	ex 5. Bellies and parts thereof: — Fresh or chilled	20
		20
	6. Other:	
	bb) Other:	
	— Fresh or chilled	20
	ex b) Other:	
	— Fresh or chilled	20
04.01	Milk and cream, fresh, not concentrated or sweetened:	
	A. Of a fat content, by weight, not exceeding 6%:	
	Yoghurt, kephir, curdled milk, whey, buttermilk and other fermented or acidified milk:	
	ex a) In immediate packings of a net capacity of two litres or less:	
	— Yoghurt	12,5
04.05	Birds' eggs and egg yolks, fresh, dried or otherwise preserved, sweetened or not:	
	A. Eggs in shell, fresh or preserved:	
	I. Poultry eggs:	
	ex b) Other:	
	- Of hens	9
09.01	Coffee, whether or not roasted or freed of caffeine; coffee husks and skins; coffee substitutes containing coffee in any proportion:	
	A. Coffee:	
	II. Roasted:	
	a) Not freed of caffeine	19
19.03	Macaroni, spaghetti and similar products:	
	B. Other	12
20.02	Vegetables prepared or preserved otherwise than by vinegar or acetic acid:	
	ex C. Tomatoes:	
	- Tomato concentrate, with a dry matter content of more than 30% by weight, in	

	No L 63/35
	Rate (%)
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CCT heading No	Description	Rate (%)
21.04	Sauces; mixed condiments and mixed seasonings:	
	B. Sauces with a basis of tomato purée	9
21.07	Food preparations not elsewhere specified or included:	
	D. Prepared yoghurt; prepared milk in powder form, for use as infants' food or for dietetic or culinary purposes:	
	Prepared yoghurt: b) Other	12,5
22.09	Spirits (other than those of heading No 22.08); liqueurs and other spirituous beverages; compound alcoholic preparations (known as 'concentrated extracts') for the manufacture of beverages:	
	C. Spirituous beverages:	
	I. Rum, arrack and tafia, in containers holding:	
	ex a) Two litres or less: Rum	39,1 Pta/litres
	ex b) More than two littes:	37,1 Fta/littes
	ex b) More than two litres: — Rum	39,1 Pra/litres
	— Kum	37,1 114/11115
39.02	Polymerization and copolymerization products (for example, polyethylene, polyettrahaloethylenes, polyisobutylene, polystyrene, polyvinyl chloride, polyvinyl acetate, polyvinyl chloroacetate and other polyvinyl derivatives, polyacrylic and polymethacrylic derivatives, coumarone-indene resins): C. Other:	
	ex IV. Polypropylene:	
	- In strips, of a width exceeding 0,1 mm	10,5
	VII. Polyvinyl chloride:	
	ex b) In other forms:	
	— In tubes	10,5
39.07	Articles of materials of the kinds described in heading Nos 39.01 to 39.06:	
	B. Other:	
	V. Of other materials:	
	ex d) Other: — Plates with a diameter of between 17 and 21 cm and 'glasses' of	
	polystyrene	15
	Bags, sachets and similar articles, of polyethylene	10,5
	Containers other than carboys, bottles and jars of polystyrene	15
	Tube and pipe fittings, and finished pipes of polyvinyl chloride	10,5
		,
42.02	Travel goods (for example, trunks, suit-cases, hat-boxes, travelling-bags, rucksacks), shopping-bags, handbags, satchels, brief-cases, wallets, purses, toilet-cases, tool-cases, tobacco-pouches, sheaths, cases, boxes (for example, for arms, musical instruments, binoculars, jewellery, bottles, collars, footwear, brushes) and similar containers, of leather or of composition leather, of vulcanized fibre, of artificial plastic sheeting, of paperboard or of textile fabric:	
	ex A. Of artificial plastic sheeting:	
!	— Bags of polyethylene sheeting	10,5
48,05	Paper and paperboard, corrugated (with or without flat surface sheets), creped, crinkled, embossed or perforated, in rolls or sheets:	
	A. Paper and paperboard, corrugated .	14
	ex B. Other:	
	— Creped household paper of a weight per m ² of 15 g or more and less than 50 g	12.5

CT heading No	Description	Rate (%)
ex 48.14	Writing blocks, envelopes, letter cards, plain postcards correspondence cards; boxes, pouches, wallets and writing compendiums, of paper or paperboard, containing only an assortment of paper stationery:	
	Writing blocks	15
48.15	Other paper and paperboard, cut to size or shape:	
	ex B. Other:	
	Toilet paper in rolls	12
	Paper in strips or rolls for office machines and the like	12
48.16	Boxes, bags and other packing containers, of paper or paperboard; box files, letter trays and similar articles, of paper or paperboard, of a kind commonly used in offices, shops and the like:	
	ex A. Boxes, bags and other packing containers:	
	Boxes, of corrugated paper or paperboard	15
	Bags and sacks, of kraft paper	11
	Boxes for cigars and cigarettes	14
ex 48.18	Registers, exercise books, note books, memorandum blocks, order books, receipt books, diaries, blotting-pads, binders (loose-leaf or other), file covers and other stationery of paper or paperboard; sample and other albums and book covers, of paper or paperboard:	
	Memorandum blocks and exercise books	13
ex 48.19	Paper or paperboard labels, whether or not printed or gummed:	
	- Labels of all kinds, excluding cigar bands	14,5
48.21	Other articles of paper pulp, paper, paperboard or cellulose wadding:	
	B. Napkins and napkin liners for babies:	
	ex 1. Not put up for retail sale:	
	Of cellulose wadding	14
•	ex II. Other: — Of cellulose wadding	14
	ex D. Bed linen, table linen, toilet linen (including handkerchiefs and cleaning tissues) and kitchen linen; garments:	14
	Hand towels and table napkins	
	ex E. Sanitary towels and tampons: — Sanitary towels, of cellulose wadding	14
	· · · · · · · · · · · · · · · · · · ·	
	F. Other: ex 1. Articles of a kind used for surgical, medical or hygienic purposes, not put up for retail sale:	
	Napkins and napkin liners of a kind used for hygienic purposes, of cellulose wadding	14
	ex II. Other: — Napkins and napkin liners of a kind used for hygienic purposes, of cellulose wadding	14
70.10	Carboys, bottles, jars, pots, tubular containers and similar containers, of glass, of a kind commonly used for the conveyance or packing of goods; stoppers and other closures, of glass:	
•	Excluding containers of a kind commonly used for the conveyance or packing of goods made from glass tubing of a thickness of less than 1 mm and stoppers and other closures	9
ex 76.08	Structures and parts of structures (for example, hangars and other buildings, bridges and bridge-sections, towers, lattice masts, roofs, roofing frameworks, door and window frames, balustrades, pillars and columns), of aluminium; plates, roofs, angles, shapes, sections, tubes and the like, prepared for use in structures, of aluminium:	
	- Doors, windows, and door and window frames	8,4
	- Plates, rods, angles, shapes, sections, tubes and the like, prepared for use in structures, of	
	aluminium alloy	8,4

CCT heading No	Description	Rate (%)
94.03	Other furniture and parts thereof:	•
	ex B. Other:	
	Beds of base metal	13
	Shelving and parts thereof, of base metal	11,5
94.04	Mattress supports; articles of bedding or similar furnishing fitted with springs or stuffed or internally fitted with any material or of expanded, foam or sponge rubber or expanded, foam or sponge artificial plastic material, whether or not covered (for example, mattresses, quilts, eiderdowns, cushions, pouffes and pillows):	
	A. Articles of bedding of similar furnishing of expanded, foam or sponge artificial plastic material, whether or not covered	12
	ex B. Other:	
	- Mattress supports, mattresses and pillows	13

ANNEX X

List provided for in Article 11 (2)

A. Sensitive products vis-à-vis the Community, as presently constituted

CCT heading No	Description
05.01	Human hair, unworked, whether or not washed or scoured; waste of human hair
05.02	Pigs', hogs' and boars' bristles or hair; badger hair and other brush-making hair; waste of such bristles and hair
05.03	Horsehair and horsehair waste, whether or not put up on a layer or between two layers of other material
05.05	Fish waste
05.07	Skins and other parts of birds, with their feathers or down, feathers and parts of feathers (whether or not with trimmed edges) and down; not further worked than cleaned, disinfected or treated for preservation; powder and waste of feathers or parts of feathers
05.08	Bones and horn-cores, unworked, defatted, simply prepared (but not cut to shape), treated with acid or degelatinized; powder and waste of these products
05.09	lvory, tortoise-shell, horns, antlers, hooves, nails, claws and beaks, unworked or simply prepared but not cut to shape, and waste and powder of these products; whalebone and the like, unworked or simply prepared but not cut to shape, and hair and waste of these products
05.12	Coral and similar substances, unworked or simply prepared but not otherwise worked; shells, unworked or simply prepared but not cut to shape; powder and waste of shells
05.13	Natural sponges
05.14	Amhergris, castoreum, civet and musk; cantharides; hile, whether or not dried; animal products, fresh, chilled or frozen, or otherwise provisionally preserved, of a kind used in the preparation of pharmaceutical products
05.15	Animal products not elsewhere specified or included; dead animals of Chapter 1 or Chapter 3, unfit for human consumption:
	ex B. Other: — Sinews and tendons; parings and similar waste, of raw hides or skins
09.03	Maté
13.02	Shellac, seed lac, stick lac and other lacs; natural gums, resins, gum-resins and balsams
13.03	Vegetable saps and extracts; pectic substances, pectinates and pectates; agar-agar and other mucilages and thickeners, derived from vegetable products:
	A. Vegetable saps and extracts
	B. Pectic substances, pectinates and pectates:
	ex I. Dry: — Pectates
	ex II. Other:
	— Pectates
	C. Agar-agar and other mucilages and thickeners, derived from vegetable products

CCT heading No	Description
14.01	Vegetable materials of a kind used primarily for plaiting (for example, cereal straw, cleaned, bleached or dyed, osier, reeds, rushes, rattans, bamboos, raffia and lime bark)
14.02	Vegetable materials, whether or not put up on a layer or between two layers of other material, of a kind used primarily as stuffing or as padding (for example, kapok, vegetable hair and cel-grass)
14.03	Vegetable materials of a kind used primarily in brushes or in brooms (for example, sorgho, piassava, couch-grass and istle), whether or not in bundles or hanks
14.05	Vegetable products not elsewhere specified or included
15.05	Wool grease and fatty substances derived therefrom (including lanolin)
15.06	Other animal oils and fats (including neat's-foot oil and fats from bones or waste)
15.08	Animal and vegetable oils, boiled, oxidized, dehydrated, sulphurized, blown or polymerized by heat in vacuum or in inert gas, or otherwise modified
15.10	Fatty acids; acid oils from refining; fatty alcohols
15.11	Glycerol and glycerol lyes
15.15	Spermaceti, crude, pressed or refined, whether or not coloured; beeswax and other insect waxes, whether or not coloured
15.16	Vegetable waxes, whether or not coloured
15.17	Degras; residues resulting from the treatment of fatty substances or animal or vegetable waxes
17.04	Sugar confectionery, not containing cocoa
18.03	Cocoa paste (in bulk or in block), whether or not defatted
18.04	Cocoa butter (fat or oil)
18.05	Cocoa powder, unsweetened
18.06	Chocolate and other food preparations containing cocoa
19.02	Malt extract; preparations of flour, meal, starch or malt extract, of a kind used as infant food or for dietetic or culinary purposes, containing less than 50 % by weight of cocoa
19.03	Macaroni, spaghetti and similar products
19.04	Tapioca and sago; tapioca and sago substitutes obtained from potato or other starches
19.05	Prepared foods obtained by the swelling or roasting of cereals or cereal products (puffed rice, corn flakes and similar products)
19.07	Bread, ships' biscuits and other ordinary bakers' wares, not containing added sugar, honey, eggs, fats, cheese or fruit; communion wafers, cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products
19.08	Pastry, biscuits, cakes and other fine bakers' wares, whether or not containing cocoa in any proportion
21.02	Extracts, essences or concentrates, of coffee, tea or mate and preparations with a basis of those extracts, essences or concentrates; roasted chicory and other roasted coffee substitutes and extracts, essences and concentrates thereof

CCT heading No	Description
21.03	Mustard flour and prepared mustard
21.04	Sauces; mixed condiments and mixed seasonings
21.05	Soups and broths, in liquid, solid or powder form; homogenized composite food preparations
21.06	Natural yeasts (active or inactive); prepared baking powders:
	A. Active natural yeasts
	C. Prepared baking powders
21.07	Food preparations not elsewhere specified or included:
	A. Cereals in grain or ear form, pre-cooked or otherwise prepared
	B. Ravioli, macaroni, spaghetti and similar products, not stuffed, cooked; the foregoing preparations, stuffed, whether or not cooked
	C. Ice-cream (not including ice-cream powder) and other ices
	D. Prepared yoghurt; prepared milk, in powder form, for use as infants' food or for dietetic or culinary purposes
	E. Cheese fondues
	G. Other
22.01	Waters, including spa waters and aerated waters; ice and snow:
	A. Spa waters, natural or artificial; aerated waters
22.02	Lemonade, flavoured spa waters and flavoured aerated waters, and other non-alcoholic beverages, not including fruit and vegetable juices falling within heading No 20.07
22.03	Beer made from malt
22.06	Vermouths, and other wines of fresh grapes flavoured with aromatic extracts
22.08	Ethyl alcohol or neutral spirits, undenatured, of an alcoholic strength of 80 % vol or higher; denatured spirits (including ethyl alcohol and neutral spirits) of any strength:
	ex A. Denatured spirits (including ethyl alcohol and neutral spirits) of any strength: — Excluding alcohol obtained from the agricultural products listed in Annex II to the EEC Treaty
	B. Erhyl alcohol or neutral spirits, undenatured, of an alcoholic strength of 80 % vol or higher
22.09	Spirits (other than those of heading No 22.08); liqueurs and other spirituous beverages; compound alcoholic preparations (known as 'concentrated extracts') for the manufacture of beverages:
	A. Spirits (other than those of heading No 22.08), in containers holding:
	ex I. Two litres or less: — Excluding alcohol obtained from the agricultural products listed in Annex II to the EEC Treaty
	ex II. More than two litres:
	Excluding alcohol obtained from the agricultural products listed in Annex II to the EEC Treaty
	B. Compound alcoholic preparations (known as 'concentrated extracts') for the manufacture of beverages
	C. Spirituous beverages:
	I. Rum, arrack and tafia
	II. Gin
	III. Whisky IV. Vodka, with an alcoholic strength of 45,4% vol or less and plum, pear or cherry
	spirit (excluding liqueurs) ex V. Other:
	— On a cereal base

CCT heading No	Description
24.02	Manufactured tobacco; tobacco extracts and essences
28.01	Halogens (fluorine, chlorine, bromine and iodine): B. Chlorine
28.03	Carbon (including carbon black)
28.54	Hydrogen peroxide (including solid hydrogen peroxide)
29.01	Hydrocarbons: A. Acyclic: ex 1. For use as power or heating fuels: — Excluding acetylene ex II. For other purposes: — Excluding acetylene B. Cyclanes and cyclenes: 1. Azulene and its alkyl derivatives II. Other: ex a) For use as power or heating fuels: — Excluding decahydronaphthalene ex b) For other purposes: — Excluding decahydronaphthalene C. Cycloterpenes D. Aromatic: 1. Benzene, toluene and xylenes II. Styrene III. Ethylbenzene IV. Cumene (isopropylbenzene) ex V. Naphthalene and anthracene: — Anthracene VI. Biphenyl and terphenyls ex VII. Other:
29.04	Excluding tetrahydronaphtalene Acyclic alcohols and their halogenated, sulphonated, nitrated or nitrosated derivatives: C. Polyhydric alcohols: II. o-Mannitol (mannitol)
29.10	III. D-Glucitol (sorbitol) Acetals and hemiacetals and single or complex oxygen-function acetals and hemiacetals, and their halogenated, sulphonated, nitrated or nitrosated derivatives: — Bethylglucosides
29.14	Monocarboxylic acids and their anhydrides, halides, peroxides and peracids, and their halogenated, sulphonated, nitrated or nitrosated derivatives: A. Saturated acyclic monocarboxylic acids: ex XI. Other: — Esters of D-Glucitol (sorbitol) B. Unsaturated acyclic monocarboxylic acids: ex IV. Other: b) Other — Esters of D-Glucitol (sorbitol)

CCT heading No	Description
29.15	Polycarboxylic acids and their anhydrides, halides, peroxides and peracids, and their halogenated, sulphonated, nitrated or nitrosated derivatives:
	A. Acyclic polycarboxylic acids: ex V. Other:
	Itaconic acid and its salts and esters
	C. Aromatic polycarboxylic acids:
	Phthalic anhydride ex III. Other:
	— Dibutyl phthalates (ortho)
	— Dioctyl orthophthalates
	Diisooctyl, diisononyl and diisodecyl phthalates Other esters of diiso-butyl
29.16	Carboxylic acids with alcohol, phenol, aldehyde or ketone function and other single or complex oxygen-function carboxylic acids and their anhydrides, halides, peroxides and peracids, and their halogenated, sulphonated, nitrated or nitrosated derivatives:
	A. Carboxylic acids with alcohol function:
	Lactic acid and its salts and esters Tartaric acid and its salts and esters
	IV. Citric acid and its salts and esters
	V. Gluconic acid and its salts and esters
	ex VIII. Other:
	 Glyceric acid, glycolic acid, saccharic acid, isosaccharic acid, heptasaccharic acid and their salts and esters
29.23	Single or complex oxygen — function amino-compounds:
	D. Amino-acids 1. Lysine and its esters, and their salts
	III. Glutamic acid and its salts
29.35	Heterocyclic compounds; nucleic acids:
	ex Q. Other:
	 Anhydride compounds of D-Glucitol (sorbitol) (e.g. sorbitans), excluding maltol and isomatol
	 Lactones which are internal esters of hydroxy acids and gluconic acid derivatives
	Intermediary products of the chemical processing of penicillin in the antibiotics falling within tariff subheading 29.44 A or C
29.38	Provitamins and vitamins, natural or reproduced by synthesis (including natural concentrates), derivatives thereof used primarily as vitamins, and intermixtures of the foregoing, whether or not in any solvent:
	B. Vitamins, unmixed, whether or not in aqueous solution:
	ex II. Vitamins B ₂ , B ₃ , B ₄ , B ₁₂ and H — Vitamin B ₁₂
	IV. Vitamin C
29.43	Sugars, chemically pure, other than sucrose, glucose and lactose; sugar ethers and sugar esters, and their salts, other than products of heading Nos 29.39, 29.41 and 29.42:
	ex B. Other:
	— Levulose
	- Levulose salts and esters - Sorbose and its salts and esters
	Occord and its saits and esters

CCT heading No	Description
29.44	Antibiotics:
	ex A. Penicillins:
	Excluding those requiring more than 15,3 kg of white sugar to produce one kilogram
	ex C. Other antibiotics:
	Oxytetracyclin and erythromycin and their salts
30.03	Medicaments (including veterinary medicaments):
	A. Not put up in forms or in packings of a kind sold by retail: II. Other
	B. Put up in forms or in packings of a kind sold by retail: II. Other:
	a) Containing penicillin, streptomycin or their derivatives ex b) Other:
	 Containing antibiotics or their derivatives other than those listed under subheading B. II. a); insulin, gold salts for the treatment of tuberculosis, organo-arsenous products for the treatment of syphilis and products for the treatment of leprosy
31.02	Mineral or chemical fertilizers, nitrogenous:
	A. Natural sodium nitrate
	ex C. Other:
	 Excluding ammonium nitrate in packages of a gross weight of not less than 45 kg, calcium nitrate having a nitrogen content of not more than 16%, calcium nitrate and magnesium nitrate
32.09	Varnishes and lacquers; distempers; prepared water pigments of the kind used for finishing leather; paints and enamels; pigments dispersed in linseed oil, white spritt, spirits of turpentine or other media of a kind used in the manufacture of paints or enamels; stamping foils; dyes or other colouring matter in forms or packings of a kind sold by retail; solutions as defined by Note 4 to this Chapter:
	A. Varnishes and lacquers; distempers; prepared water pigments of the kind used for finishing leather; paints and enamels; pigments dispersed in linseed oil, white spirit, spirits of turpentine or other media of a kind used in the manufacture of paints or enamels; solutions as defined by Note 4 to this Chapter:
	I. Pearl essence
	ex II. Other: — Excluding non-precious metals in paste form used in the manufacture of paints
	ex B. Stamping foils:
	- Common metal-hased
	C. Dyes or other colouring matter in forms or packings of a kind sold by retail
32.12	Glaziers' putty; grafting putty; painters' fillings; non-refractory surfacing preparations; stopping, sealing and similar mastics, including resin mastics and cements
32 .13	Writing ink, printing ink and other inks:
	B. Printing ink
	C. Other inks
ex 34.02	Organic surface-active agents; surface-active preparations and washing preparations, whether or not containing soap:
	— Ethoxylates
	4

CCT heading No	Description .
35.01	Casein, caseinates and other casein derivatives; casein glue:
35.02	Albumins, albuminates and other albumin derivatives:
	A. Albumins: II. Other:
	a) Ovalbumin and lactalbumin
35.05	Dextrins and dextrin glues; soluble or roasted starches; starch glues
35.06	Prepared glues not elsewhere specified or included; products suitable for use as glues put up for sale by retail as glues in packages not exceeding a net weight of 1 kg
35.07	Enzymes; prepared enzymes not elsewhere specified or included
ex 37.03	Sensitized paper, paperboard and cloth, unexposed or exposed but not developed:
	- Printing paper
38.12	Prepared glazings, prepared dressings and prepared mordants, of a kind used in the textile, paper, leather or like industries:
	A. Prepared glazings and prepared dressings: 1. With a basis of amylaceous substances
38.19	Chemical products and preparations of the chemical or allied industries (including those consisting of mixtures of natural products), not elsewhere specified or included; residual products of the chemical or allied industries, not elsewhere specified or included:
	Q. Foundry core binders based on synthetic resins
	T. D-Glucitol (sorbitol) other than that falling within subheading 29.04 C III
	X. Other
39.01	Condensation, polycondensation and polyaddition products, whether or not modified or polymerized and whether or not linear (for example, phenoplasts, aminoplasts, alkyds, polyallyl esters and other unsaturated polyesters, silicones):
	ex A. Ion exchangers:
	- Phenoplasts, excluding those of the Novolak type
	C. Other:
	I. Phenoplasts:
	ex a) In one of the forms mentioned in Note 3 (a) and (b) to this Chapter: — Resins, excluding those of the Novolak type
	ex b) In other forms:
	 Plates, sheets or strip, rigid, weighing more than 160 g/m², whether or not printed
	 Plates, sheets or strip, neither rigid nor spongy, weighing more than 160 g/m², not printed
	II. Aminoplasts:
	ex b) In other forms: — Plates, sheets or strip, rigid, weighing more than 160 g/m², whether
	or not printed

CCT heading No	Description
39.01 (cont'd)	C. III. Alkyds and other polyesters: ex a) In one of the forms mentioned in Note 3 (d) to this Chapter: — Plates, sheets or strip, rigid, weighing more than 160 g/m², whether or not printed — Plates, sheets or strip, neither rigid nor spongy, weighing more than 160 g/m², not printed ex b) Other: — Non alkydic polyesters, unsaturated, in one of the forms mentioned in Note 3 (a) and (b) to this Chapter, for polyurethanes, other than for moulding or extruding
	ex IV. Polyamides: — Plates, sheets or strip, rigid, weighing more than 160 g/m², whether or not printed — Plates, sheets or strip, neither rigid nor spongy, weighing more than 160 g/m², not printed
	ex V. Polyurethanes: — In one of the forms mentioned in Note 3 (a) and (b) to this Chapter — Plates, sheets or strip, rigid, weighing more than 160 g/m², whether or not printed — Plates, sheets or strip, neither rigid nor spongy, weighing more than 160 g/m², not printed
	ex VI. Silicones: — Plates, sheets or strip, neither rigid nor spongy, weighing more than 160 g/m², not printed
	ex VII. Other: — Plates, sheets or strip, rigid, weighing more than 160 g/m², whether or not printed — Plates, sheets or strip, neither rigid nor spongy, weighing more than 160 g/m², not printed — Resins, other than expoxide resins, in one of the forms mentioned in Note 3 (a) and (b) to this Chapter: — Polyether alcohols — Systems for polyurethanes
39.02	Polymerization and copolymerization products (for example, polyethylene, polytetrahalo- ethylenes, polyisobutylene, polystyrene, polyvinyl chloride, polyvinyl acetate, polyvinyl chloroacetate and other polyvinyl derivatives, polyacrylic and polymethacrylic derivatives, coumarone-indene resins):
	C. Other: 1. Polyethylene: a) In one of the forms mentioned in Note 3 (a) and (b) to this Chapter: ex b) In other forms: — Plates, sheets or strip, rigid, weighing more than 160 g/m², whether or not printed — Adhesives based on resin emulsions — Waste and scrap
	ex II. Polytetrahaloethylenes: — Plates, sheets or strip, rigid, weighing more than 160 g/m², whether or not printed — Adhesives based on resin emulsions

CCT heading No	Description
39.02 (cont'd)	C. ex III. Polysulphohalocthylenes: — Plates, sheets or strip, rigid, weighing more than 160 g/m², whether or not printed — Adhesives based on resin emulsions
	ex 1V. Polypropylene: — In one of the forms mentioned in Note 3 (a) and (b) to this Chapter, and waste and scrap — Plates, sheets or strip, rigid, weighing more than 160 g/m², whether or not printed — Adhesives based on resin emulsions
	ex V. Polyisobutylene: — Plates, sheets or strip, rigid, weighing more than 160 g/m², whether or not printed
	VI. Polystyrene and copolymers of styrene: ex b) In other forms:
	VII. Polyvinyl chloride: a) In one of the forms mentioned in Note 3 (a) and (b) to this Chapter — Products for moulding — Emulsion-type resins for pastes ex b) In other forms: — Plates, sheets or strip, rigid, weighing more than 160 g/m², whether or not printed — Adhesives based on resin emulsions
	 VIII. Polyvinylidene chloride; copolymers of vinylidene chloride with vinyl chloride: Plates, sheets or strip, rigid, weighing more than 160 g/m², whether or not printed Adhesives based on resin emulsions
	ex 1X. Polyvinyl acetate: — Plates, sheets or strip, rigid, weighing more than 160 g/m², whether or not printed — Adhesives based on resin emulsions
	ex X. Copolymers of vinyl chloride with vinyl acetate: — Plates, sheets or strip, rigid, weighing more than 160 g/m², whether or not printed — Adhesives based on resin emulsions
	ex XI. Polyvinyl alcohols, acetals and ethers: — Plates, sheets or strip, rigid, weighing more than 160 g/m², whether or not printed — Adhesives based on resin emulsions
	ex XII. Acrylic polymers, methacrylic polymers and acrylo-methacrylic copolymers: — Plates, sheets or strip, rigid, weighing more than 160 g/m², whether or not printed — Adhesives based on resin emulsions
	XIV. Other polymerization or copolymerization products: ex b) In other forms: Plates, sheets or strip, rigid, weighing more than 160 g/m², whether or not printed Adhesives based on resin emulsions

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CCT heading No	Description
39.03	Regenerated cellulose; cellulose nitrate, cellulose acetate and other cellulose esters, cellulose ethers and other chemical derivatives of cellulose, plasticized or not (for example, collodions, celluloid); vulcanized fibre:
	B. Other:
•	Regenerated cellulose:
	b) Other:
	ex 1. Sheets, film or strip, coiled or not, of a thickness of less than 0,75 mm:
	 Of a weight not exceeding 160 g/m², not printed
	ex 2. Other:
	 Plates, sheets or strip, of a weight not exceeding 160 g/m², not printed
	 Plates, sheets or strip, rigid, weighing more than 160 g/m², whether or not printed
	II. Cellulose nitrates:
	b) Plastizised:
	1. With camphor or otherwise (for example, celluloid):
	ex aa) Film in rolls or in strips, for cinematography or photography:
	- Of celluloid
	 Other, rigid, weighing more than 160 g/m², whether or not printed
	- Of a weight not exceeding 160 g/m ² , not printed
	ex bb) Other:
	- Plates, sheets, strips or tubes, of celluloid
	 Other plates, sheets or strip, rigid, weighing more than 160 g/m², whether or not printed
	 Plates, sheets or strip, of a weight not exceeding 160 g/m², whether or not printed
	III. Cellulose acetates:
	b) Plasticized:
	ex 2. Film in rolls or in strips, for cinematography or photography:
	 Of a weight not exceeding 160 g/m², not printed
	 Rigid, weighing more than 160 g/m², whether or not printed
	ex 3. Sheets, film or strip, coiled or not, of a thickness of less than 0,75 mm:
	 Of a weight not exceeding 160 g/m², not printed
	4. Other:
	ex bb) Other:
	 Plates, sheets or strip, rigid, weighing more than 160 g/m², whether or not printed
	 Plates, sheets or strip, of a weight not exceeding 160 g/m², not printed
	IV. Other cellulose esters:
	b) Plasticized:
	ex 2. Film in rolls or in strips, for cinematography or photography:
	- Rigid, weighing more than 160 g/m², whether or not printed

- Of a weight not exceeding 160 g/m², not printed

CCT heading No	Description
39.03 (cont'd)	B. IV. b) ex 3. Sheets, film or strip, coiled or not, of a thickness of less than 0.75 mm:
	— Of a weight not exceeding 160 g/m², not printed
	4. Other:
	ex bb) Other: — Plates, sheets or strip, rigid, weighing more than 160 g/m ²
	whether or not printed
	Plates, sheets or strip, of a weight not exceeding 160 g/m² not printed
	V. Cellulose ethers and other chemical derivatives of cellulose: b) Plasticized:
	— Other:
	ex 22) Ethylcellulose:
	 Plates, sheets or strip, rigid, weighing more than 160 g/m² whether or not printed
	Plates, sheets or strip, of a weight not exceeding 160 g/m², no printed bb) Other:
	Plates, sheets or strip, rigid, weighing more than 160 g/m² whether or not printed
	 Plates, sheets or strip, of a weight not exceeding 160 g/m², no printed
	ex VI. Vulcanized fibre:
	Plates, sheets or strip, rigid, weighing more than 160 g/m², whether or no printed, of artificial plastic materials
39.06	Other high polymers, artificial resins and artificial plastic materials, including alginic acid, in salts and esters; linoxyn:
	B. Other:
	I. Starches, esterified or etherified
	ex II. Other:
	Dexthans
	— Heteropolysaccharine
	— Other, excluding linoxyn
39.07	Articles of materials of the kinds described in heading Nos 39.01 to 39.06:
	A. Articles for technical uses, for use in civil aircraft
	B. Other:
	ex I. Of regenerated cellulose: — Excluding: artificial sausage casings; floor coverings; fans and hand screen comprising sheets of plastic materials and frames and handles of all materials except for precious metals; corset busks and similar supports for articles of apparel or clothing accessories; articles of clothing
	ex II. Of vulcanized fibre:
	Excluding: fans and hand screens comprising sheets of plastic materials an frames and handles of all materials, except for precious metals; corset busk and similar supports for articles of apparel or clothing accessories
	ex III. Of hardened proteins:
	 Excluding: artificial sausage casings; fans and hand screens comprising sheet of plastic materials and frames and handles of all materials, except for preciou metals

CCT heading No	Description
39.07 (cont'd)	B. ex IV. Of chemical derivatives of rubber: Excluding: floor coverings; fans and hand screens, comprising sheets of plastic materials and frames and handles of all materials except for precious metals; corset busks and similar supports for articles of apparel or clothing accessories; articles of clothing
	V. Of other materials: a) Spools, reels and similar supports for photographic and cinematographic film or for tapes, films and the like falling within heading No 92.12 ex d) Other: — Excluding: artificial sausage casings; floor coverings; articles of clothing
ex 40.10	Transmission, conveyor or elevator belts or belting, of vulcanized rubber:
40.11	Excluding transmission belts or belting, of trapezoidal cross-section Rubber tyres, tyre cases, interchangeable tyre treads, inner tubes and tyre flaps, for wheels of all kinds: ex A. Solid or cushion tyres and interchangeable tyre treads:
	— Interchangeable tyre treads weighing up to 20 kg each B. Other: ex I. Pneumatic tyres for use on civil aircraft: — Weighing up to 20 kg each ex II. Other: — Weighing up to 20 kg each
42.02	Travel goods (for example, trunks, suit-cases, hat-boxes, travelling-bags, rucksacks), shopping-bags, handbags, satchels, brief-cases, wallets, purses, toilet-cases, tool-cases, tobacco-pouches, sheaths, cases, boxes (for example, for arms, musical instruments, binoculars, jewellery, bottles, collars, footwear, brushes) and similar containers, of leather or of composition leather, of vulcanized fibre, of artificial plastic sheeting, of paperboard or of textile fabric: ex A. Of artificial plastic sheeting: Excluding cigar and cigarette cases, match holders, tobacco-pouches, trunks, suit-cases and valises, cases and similar articles for holding toiletries ex B. Of other materials:
	 Excluding cigar and cigarette cases, match holders, tobacco-pouches, trunks, suit-cases and valises, cases and similar articles for holding toiletries
44.14	Wood sawn lengthwise, sliced or peeled but not further prepared, of a thickness not exceeding 5 mm; veneer sheets and sheets for plywood, of a thickness not exceeding 5 mm
48.11	Wallpaper and lincrusta; window transparencies of paper
48.13	Carbon and other copying papers (including duplicator stencils) and transfer papers, cut to size, whether or not put up in boxes
48.15	Other paper and paperboard, cut to size or shape: ex B. Other: — Toilet paper
48.16	Boxes, bags and other packing containers, of paper or paperboard; box files, letter trays and similar articles, of paper or paperboard, of a kind commonly used in offices, shops and the like: ex A. Boxes, bags and other packing containers of paper or paperboard: — Boxes, bags and other packing containers, printed, and boxes and casks, not printed

CCT heading No	Description
48.21	Other articles of paper pulp, paper, paperboard or cellulose wadding:
	ex A. Perforated paper and paperboard for Jacquard and similar machines: — Of paper, of a weight not exceeding 106 g/m², not printed
	B. Napkins and napkin liners, for babies:
	ex I. Not put up for retail sale: — Of paper pulp, cellulose wadding or unprinted paper
	ex II. Other:
	Of paper pulp, cellulose wadding or unprinted paper
	ex D. Bed linen, table linen, toilet linen (including handkerchiefs and cleaning tissues) and kitchen linen; garments: — Of paper pulp, cellulose wadding or unprinted paper
	ex E. Sanitary towels and tampons:
	Of paper pulp, cellulose wadding or unprinted paper
	F. Other: ex 1. Articles of a kind used for surgical, medical or hygienic purposes, not put up for
	retail sale:
	Of paper pulp, cellulose wadding or unprinted paper ex II. Other:
	Off paper pulp, cellulose wadding or unprinted paper, excluding cards for statistical machines and chart paper for recording equipment
ex 49.09	Picture postcards, Christmas and other picture greeting cards, printed by any process, with or without trimmings:
	Picture postcards, cut to shape or in sheets
49.10	Calendars of any kind, of paper or paperboard, including calendar blocks
49.11	Other printed matter, including printed pictures and photographs: ex B. Other:
	 Excluding printed pictures and photographs, meteorological and scientific charts; communications, theses, dissertations and reports on scientific, literary and artistic subjects not falling within heading No 49.01, published by official bodies or cultural institutions, printed in any language and trade and tourist advertising books
51.04	Woven fabrics of man-made fibres (continuous), including woven fabrics of monofil or strip of heading No 51.01 or 51.02:
	A. Woven fabrics of synthetic textile fibres:
	ex I. For tyres: — excluding materials of monofil and artificial straw falling within heading No 51.02
	ex II. Fabrics containing elastomeric yarn: Excluding materials of monofil and artificial straw falling within heading No 51.02
,	ex IV. Other:
	Excluding materials of monofil and artificial straw falling within heading No 51.02
	B. Woven fabrics of regenerated textile fibres: ex 1. For tyres:
	Excluding materials of monofil and artificial straw falling within heading No 51.02
	ex II. Fabrics containing clastomeric yarn: — Excluding materials of monofil and artificial straw falling within heading No 51.02
	ex III. Other: — Excluding materials of monofil and artificial straw falling within heading No
	51.02

CCT heading No	Description
56.01	Man-made fibres (discontinuous), not carded, combed or otherwise prepared for spinning:
	ex A. Synthetic textile fibres:
	With the exception of polyester
56.02	Continuous filament tow for the manufacture of man-made fibres (discontinuous): A. Of synthetic textile fibres
56.03	Waste (including yarn waste and pulled or garnetted rags) of man-made fibres (continuous o discontinuous), not carded, combed or otherwise prepared for spinning:
	A. Of synthetic textile fibres
56.04	Man-made fibres (discontinuous or waste), carded, combed or otherwise prepared fo spinning:
	A. Synthetic textile fibres
\$6.05	Yarn of man-made fibres (discontinuous or waste), not put up for retail sale:
	ex A. Of synthetic textile fibres:
	- Fancy yarn
	ex B. Of regenerated textile fibres: — Fancy yarn
58.04	Woven pile fabrics and chenille fabrics (other than terry towelling or similar terry fabrics o cotton falling within heading No 55.08 and fabrics falling within heading No 58.05):
	- Of silk, of man-made fibres and of wool or of fine animal hair
58.05	Narrow woven fabrics, and narrow fabrics (bolduc) consisting of warp without weft assembled by means of an adhesive, other than goods falling within heading No 58.06:
	A. Narrow woven fabrics: J. Pile fabrics or chenille fabrics:
	ex a) Of man-made fibres or of cotton:
	Of man-made fibres
	b) Of silk, of noil silk or of other waste silk
58.07	Chenille yarn (including flock chenille yarn), gimped yarn (other than metallized yarn of heading No 52.01 and gimped horsehair yarn); braids and ornamental trimmings in the piece; tassels, pompons and the like:
	ex A. Braids of a width of 5 cm or less, of man-made fibres (including monofil or strip of heading No 51.01 or 51.02), of flax, or ramie or of vegetable textile fibres of Chapter 57:
	- Of silk or man-made fibres, without metals
	ex B. Other: — Of silk or man-made fibres, without metals
58.08	Tulle and other net fabrics (but not including woven, knitted or crocheted fabrics), plain:
	ex A. Tulle or other net fabrics not comprised in B below: — Of man-made fibres
	ex B. Knotted net fabrics: — Of man-made fibres
58.09	Tulle and other net fabrics (but not including woven, knitted or crocheted fabrics), figured; hand or mechanically made lace, in the piece, in strips or in motifs:
	ex A. Tulle and other net fabrics:
	Of man-made fibres

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heading No	Description
58.09	B. Lace:
(cont'd)	ex I. Hand-made:
	— Of man-made fibres
	ex II. Mechanically made:
	— Of man-made fibres
59.02	Felt and articles of felt, whether or not impregnated or coated:
	ex A. Felt in the piece or simply cut to rectangular shape: — Rugs, carpets and runners
	ex B. Other:
	- Rugs, carpets and runners
ex 59.10	Linoleum and materials prepared on a textile base in a similar manner to linoleum, whether or not cut to shape or of a kind used as floor coverings; floor coverings consisting of a coating applied on a textile base, cut to shape or not:
	— Weighing more than 1 400 g/m ²
ex 59.12	Textile fabrics otherwise impregnated or coated; painted canvas being theatrical scenery, studio back-cloths or the like:
	— Impregnated or coated textile fabrics of a weight not exceeding 1 400 g/m²
ex 59.13	Elastic fabrics trimmings (other than knitted or crocheted goods) consisting of textile materials combined with rubber threads:
	— of a width not exceeding 50 cm, excluding those of wool or of fine animal hair
60.01	Knitted or crocheted fabric, not elastic nor rubberized:
	A. Of wool or of fine animal hair
	B. Of man-made fibres
	C. Of other textile materials:
	I. Of cotton
	ex II. Of other textile materials:
	Excluding those of silk
61.06	Shawls, scarves, mufflers, mantillas, veils and the like:
	A. Of silk or of noil or other waste silk
	B. Of synthetic textile fibres
	C. Of regenerated textile fibres
64.05	Parts of footwear, removable in-soles, hose protectors and heel cushions, of any material except metal:
	ex A. Assemblies of uppers affixed to inner soles or to other sole components, but without outer soles:
	Of rubber or artificial plastic materials
	ex B. Other:
,	Of rubber or artificial plastic materials
68.02	Worked monumental or building stone, and articles thereof (including mosaic cubes), other than goods falling within heading No 68.01 or within Chapter 69
68.04	Hand polishing stones, whetstones, oilstones, hones and the like, and millstones, grindstones, grinding wheels and the like (including grinding, sharpening, polishing, trueing and cutting wheels, heads, dises and points), of natural stone (agglomerated or not), of agglomerated natural or artificial abrasives, or of pottery, with or without cores, shanks, sockets, axles and the like of other materials, but without frameworks; segments and other finished parts of such stones and wheels, of natural stone (agglomerated or not), of agglomerated natural or artificial abrasives, or of pottery:

CCT heading No	Description .
68.04 (cont'd)	B. Other:
10 4,	1. Of agglomerated abrasives:
	ex a) Made of natural or synthetic diamonds:
	— Artificial, excluding millstones, etc.
	ex b) Other: — Artificial, excluding millstones, etc.
	·
	ex II. Other: — Artificial, excluding millstones, etc.
	— Artherat, excluding ministolies, etc.
68.06	Natural or artificial abrasive powder or grain, on a base of woven fabric, of paper, or paperboard or of other materials, whether or not cut to shape or sewn or otherwise made up
69.02	Refractory bricks, blocks, tiles and similar refractory constructional goods
70.04	Unworked cast or rolled glass (including flashed or wired glass), whether figured or not, in rectangles:
	ex B. Other:
	Of a thickness greater than 5 mm but no greater than 10 mm
ex 70.05	Unworked drawn or blown glass (including flashed glass), in rectangles:
	— Of a thickness no greater than 3 mm
ex 70.06	Cast, rolled, drawn or blown glass (including flashed or wired glass), in rectangles, surface ground or polished, but not further worked:
	— Not wired, of a thickness по greater than 5 mm
70.08	Safety glass consisting of toughened or laminated glass, shaped or not
70.14	Illuminating glassware, signalling glassware and optical elements of glass, not optically worked nor of optical glass:
	A. Articles for electrical lighting fittings:
	ex 1. Facetted glass, plates, balls, pear-shaped drops, flower-shaped pieces, pendants and similar articles for trimming chandeliers:
	 Of coloured, mart, irisated, cut, marbled, opaque, opaline or painted glass, or of moulded glass with hollows or protruding parts
	ex II. Other (for example, diffusers, ceiling lights, bowls, cups, lampshades, globes, tulip-shaped pieces):
	— Lamp glass
	 Of coloured, matt, irisated, cut, marbled, opaque, opaline or painted glass, or of moulded glass with hollows or protruding parts
	ex B. Other:
	 Of coloured, matt, irisated, cut, marbled, opaque, opaline or painted glass, or of moulded glass with hollows or protruding parts
70.20	Glass fibre (including wool), yarns, fabrics and articles made therefrom:
	ex B. Textile fibre, yarns, fabrics and articles made therefrom:
	 Rovings and mats

CCT heading No	Description
ex 70.21	Other articles of glass:
	Of coloured, matt engraved, irisated, cut, marbled, opaque, opaline or painted glass, or of moulded glass with hollows or protruding parts
71.05	Silver including silver gilt and platinum-plated silver, unwrought or semi-manufactured:
	ex B. Bars, rods, wires and sections; plates, sheets and strips of a thickness, excluding any backing, greater than 0,15 mm
	— Wire; other, beaten or rolled
,	D. Foil of a thickness, excluding any backing, not exceeding 0,15 mm
ex 73.14	Iron or steel wire, whether or not coated, but not insulated:
	— Without textile coating
73.15	Alloy steel and high carbon steel in the forms mentioned in heading Nos 73.06 to 73.14:
	A. High carbon steel:
	ex VIII. Wire, whether or not coated, but not insulated:
	— Without textile coating, not coated with other metals 1.1.4 not consisting of alloy steel containing, by weight, one or more elements in the following proportions: 2% or more of silicon, 2% or more of manganese, 2% or more of chromium, 2% or more of nickel, 0,3% or more of molybdenum, 0,3% or more of tungsten, 0,5% or more of cobalt, 0,3% or more of copper
	B. Alloy steel:
	ex VIII. Wire, whether or not coated, but not insulated:
	— Without textile coating, not coated with other metals and not consisting of alloy steel containing, by weight, one or more elements in the following proportions: 2 % or more of silicon, 2 % or more of manganese, 2 % or more of chromium, 2 % or more of nickel, 0,3 % or more of molybdenum, 0,3 % or more of vanadium, 0,5 % or more of tungsten, 0,5 % or more of cobalt, 0,3 % or more of aluminium, 1 % or more of copper
73.18	Tubes and pipes and blanks therefor, of iron (other than of cast iron) or steel, excluding high-pressure hydroelectric conduits:
	ex A. Tubes and pipes, with attached fittings, suitable for conducting gases or liquids, for use in civil aircraft:
	 Excluding unworked or painted, varnished, enamelled or otherwise treated tubes and pipes (including Mannesmann tubes and tubes obtained by swaging) whether or not with sockets or flanges, but not otherwise worked, seamless
	B. Other:
	ex II. Straight and of uniform wall-thickness, other than those falling in B I above, of a maximum length of 4,50 m, of alloy steel containing by weight not less than 0,90% but not more than 1,15% of carbon, not less than 0,50% but not more than 2% of chromium and not more than 0,50% of molyhdenum
	ex III. Other:
	 Excluding unworked or painted, varnished, enamelled or otherwise treated tubes and pipes (including Mannesmann tubes and tubes obtained by swaging), whether or not with sockets or flanges, but not otherwise worked, scamless

CCT heading No	Description
ex 73.21	Structures and parts of structures (for example, hangars and other buildings, bridges and bridge-sections, lock-gates, towers, lattice masts, roofs, roofing frameworks, door and window frames, shutters, balustrades, pillars and columns), of iron or steel; plates, strip, rods, angles, shapes, sections, tubes and the like, prepared for use in structures, of iron or steel:
	— Excluding lock-gates for hydraulic plant
ex 73.24	Containers, of iron or steel, for compressed or liquefied gas:
	- Welded, with a capacity not exceeding 300 litres
73.25	Stranded wire, cables, cordage, ropes, plaited bands, slings and the like, of iron or steel wire, but excluding insulated electric cables:
	A. With fittings attached, or made up into articles for use in civil aircraft
	ex B. Other: — Excluding closed or semi-closed carrying cables for cable cars and reinforcing cables for pre-stressed concrete
ex 73.29	Chain and parts thereof, of iron or steel:
	Articulated link chain for Galle, Renold or Morse type, of a pitch not exceeding 2 cm, excluding key chains
73.31	Nails, tacks, staples, hook-nails, corrugated nails, spiked cramps, studs, spikes and drawing pins, of iron or steel, whether or not with heads of other materials, but not including such articles with heads of copper
	ex B. Other:
	- For drawing-boards and offices
73.32	Bolts and nuts (including bolt ends and screw studs), whether or not threaded or tapped, screws (including screw hooks and screw rings), rivets, cotters, cotterpins and similar articles, of iron or steel; washers (including spring washers) of iron or steel:
	A. Not threaded or tapped:
	ex I. Screws, nuts, rivets and washers, turned from bars, rods, angles, shapes, sections or wire, of solid section, of a shank thickness or hole diameter not exceeding 6 mm:
	 Of ordinary cast iron, cast steel and malleable cast iron, excluding articles for fixing rails, screws and rivets
	ex II. Other:
	 Of ordinary cast iron, cast steel and malleable cast iron, excluding articles for fixing rails, screws and rivets
	B. Threaded or tapped:
	ex I. Screws and nuts, turned from bars, rods, angles, shapes, sections or wire, of solid section, of a shank thickness or hole diameter not exceeding 6 mm:
	 Nuts in ordinary cast iron, cast steel and malleable cast iron, excluding those put up with screws
	ex II. Other:
	 Of ordinary cast iron, cast steel and malleable cast iron, excluding articles for fixing rails, bolts and screws, when with washers and nuts fitted thereto
ex 73.35	Springs and leaves for springs, of iron or steel:
	- Leaf-springs for vehicles, excluding those for railway rolling stock
	Spiral springs, of wire or bars, of a diameter greater than 8 mm or of rectangular bars the smallest side of which measures more than 8 mm

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heading No	Description
ex 73.37	Boilers (excluding boilers of heading No 84.01) and radiators, for central heating, not electrically heated, and parts thereof, of iron or steel; air heaters and hot air distributors (including those which can also distribute cool or conditioned air), not electrically heated, incorporating a motor-driven fan or blower, and parts thereof, of iron or steel:
	Of refined, rolled or forged iron or steel
73.38	Articles of a kind commonly used for domestic purposes, sanitary ware for indoor use, and parts of such articles and ware, of iron or steel; iron or steel wool; pot scourers and scouring or polishing pads, gloves and the like, of iron or steel:
	A. Sanitary ware (excluding parts thereof) for use in civil aircraft
	B. Other:
	I. Sinks and wash basins and parts thereof, of stainless steel ex II. Other:
	Excluding iron or steel wool, pot scourers and scouring or polishing pads, gloves and the like, and pressure cookers for direct steam cooking
ex 74.07	Tubes and pipes and blanks therefore, of copper; hollow bars of copper:
	Excluding those unworked, painted, varnished, enamelled or otherwise prepared (including Mannesmann tubes and tubes obtained by swaging), whether or not with sockets or flanges, but not otherwise worked, of a wall-thickness greater than 1 mm and with a maximum interior cross-section of more than 80 mm
ex 74.19	Other articles of copper:
	- Excluding the following articles:
	Pins, sliding rings and hairpins, excluding ornamental pins, thimbles and fittings for belts, corsets and braces
	Reservoirs, tanks, vats and similar containers, for any material (other than compressed or liquefied gas) of a capacity exceeding 300 litres, whether or not lined or heat-insulated, but not fitted with mechanical or thermal equipment Chain and parts thereof
ex 76.02	Wrought bars, rods, angles, shapes and sections, of aluminium; aluminium wire — Wire rod
76.04	Aluminium foil (whether or not embossed, cut to shape, perforated, coated, printed, or backed with paper or other reinforcing material), of a thickness (excluding any backing) not exceeding 0,20 mm
76.06	Tubes and pipes and blanks therefor, of aluminium; hollow bars of aluminium
76.08	Structures and parts of structures (for example, hangars and other buildings, bridges and bridge-sections, towers, lattice masts, roofs, roofing frameworks, door and window frames, balustrades, pillars and columns), of aluminium; plates, rods, angles, shapes, sections, tubes and the like, prepared for use in structures, of aluminium
76.12	Stranded wire, cables, cordage, ropes, plaited bands and the like, of aluminium wire, but excluding insulated electric wires and cables
76.15	Articles of a kind commonly used for domestic purposes, sanitary ware for indoor use, and parts of such articles and ware, of aluminium
79.01	Unwrought zinc, zinc waste and scrap:
	ex A. Unwrought:
	- Electrolytic zinc (ingots) with a Zn content of 99,95% or more

CCT heading No	Description
ex 82.01	Hand tools, the following: spades, shovels, picks, hoes, forks and rakes; axes, bill hooks and similar hewing tools; scythes, sickles, hay knives, grass shears, timber wedges and other tools of a kind used in agriculture, horticulture or forestry:
	— Spades, hoes, forks and rakes, scythes and sickles
82.02	Saws (non-mechanical) and blades for hand or machine saws (including toothless saw blades):
	A. Şaws (non-mechanical)
	B. Saw blades:
	I. Bandsaw blades
	ex III. Other:
	- Handsaw blades
ex 82.04	Hand tools, including glaziers' diamonds, not falling within any other heading of this Chapter; blow lamps, anvils; vices and clamps, other than accessories for, and parts of, machine tools; portable forges; grinding wheels with frameworks (hand or pedal operated):
	Hammers, mortice chisels, stone chisels, cutters, centre-punches, chasing chisels and die stocks
82.05	Interchangeable tools for hand tools, for machine tools or for power-operated hand tools (for example, for pressing, stamping, drilling, tapping, threading, boring, broaching, milling, cutting, turning, dressing, morticing or screw driving), including dies for wire drawing, extrusion dies for metal, and rock drilling bits with a working part of:
	ex A. Base metal: Chisels, twist drills, spoon bits, drills, reamers (other than adjustable or extensible), screwing dies, taps and chaser dies
	ex B. Metal carbides:
	 Chisels, twist drills, spoon bits, drills, reamers (other than adjustable or extensible), screwing dies, taps and chaser dies
	ex C. Diamond or agglomerated diamond:
	Chisels, twist drills, spoon bits, drills, reamers (other than adjustable or extensible), screwing dies, taps and chaser dies
	ex D. Other materials: — Chisels, twist drills, spoon bits, drills, reamers (other than adjustable or extensible), screwing dies, taps and chaser dies
82.09	Knives with cutting blades, serrated or not (including pruning knives), other than knives falling within heading No 82.06, and blades therefor:
	ex A. Knives: — Excluding engineers' knives
82.14	Spoons, forks, fish-eaters, butter knives, ladles, and similar kitchen or tableware
82.15	Handles of base metal for articles falling within heading No 82.09, 82.13 or 82.14
83.01	Locks and padlocks (key, combination or electrically operated), and parts thereof, of base metal; frames incorporating locks, for handbags, trunks or the like, and parts of such frames, of base metal; keys for any of the foregoing articles, of base metal
83.02	Base metal fittings and mountings of a kind suitable for furniture, doors, staircases, windows, blinds, coachwork, saddlery, trunks, caskets and the like (including automatic door closers); base metal hat-racks, hat-pegs, brackets and the like

CCT heading No	Description
83.06	Statuettes and other ornaments of a kind used indoors, of base metal; photograph, pictur and similar frames, of base metal; mirrors of base metal:
	A. Statuettes and other ornaments of a kind used indoors
ex 83.09	Clasps, frames with clasps for handbags and the like, buckles, buckleclasps, hooks, eyes eyelets, and the like, of base metal, of a kind commonly used for clothing, travel goods handbags or other textile or leather goods; tubular rivets and bifurcated rivets, of base metal beads and spangles, of base metal.
	Excluding beads and spangles, tubular rivets and bifurcated rivets
83.13	Stoppers, crown corks, bottle caps, capsules, hung covers, seals and plombs, case corne protectors and other packing accessories, of base metal
83.15	Wire, rods, tubes, plates, electrodes and similar products, of base metal or of metal carbide coated or cored with flux material, of a kind used for soldering, brazing, welding c deposition of metal or of metal carbides; wire and rods, of agglomerated base metal powder used for metal spraying
ex 84.01	Steam and other vapour generating boilers (excluding central heating hot water boiler capable also of producing low pressure steam); super-heated water boilers:
	— Excluding parts thereof
84.06	Internal combustion piston engines:
n 5.	C. Other engines:
	I. Spark ignition engines of a cylinder capacity of:
	a) 250 cm ³ or less:
	ex 1. For use in civil aircraft:
	. — Of a power of 25 kW or less
	ex 2. Other:
	 Of a power of 25 kW or less and for auto-cycles of a cylinder capaci of no more than 50 cm³
	b) More than 250 cm ³ :
	ex 1. For the industrial assembly of:
	Agricultural walking tractors of subheading 87.01 A,
	Motor vehicles for the transport of persons, including vehicles designe for the transport of both passengers and goods, with a seating capacity less than 15,
	Motor vehicles for the transport of goods or materials, with an engine of cylinder capacity of less than 2 800 cm ³ ,
	Special purpose motor vehicles of heading No 87.03:
	0((25)777)

ex aa) For use in civil aircraft: — Of a power of 25 kW or less ex bb) Other: — Of a power of 25 kW or less II. Compression ignition engines: — Of a power of 25 kW or less b) Other: ex 1. For the industrial assembly of: Agricultural walking tractors of subhead

- Of a power of 25 kW or less

Agricultural walking tractors of subheading 87.01 A,

Motor vehicles for the transport of persons, including vehicles designed for the transport of both passengers and goods, with a seating capacity of less than 15,

Motor vehicles for the transport of goods or materials, with an engine of a cylinder capacity of less than 2 500 cm³,

CCT heading No	Description
84.06	C. II. b) ex 1. Special purpose motor vehicles of heading No 87.03:
(cont'd)	 Of a power of 25 kW or less
	ex 2. Other:
	 Of a power of 25 kW or less
	D. Parts:
	ex 1. Of engines for use in civil aircraft
	- Liner-cylinders, cylinder liners, piston pins, pistons and piston rings
	II. Of other engines:
	ex a) For aircraft:
	Liner-cylinders, cylinder liners, piston pins, pistons and piston rings ex b) Other:
	- Liner-cylinders, cylinder liners, piston pins, pistons and piston rings
84.07	Hydraulic engines and motors (including water wheels and water turbines)
	ex A. Hydraulic engines and motors and parts thereof, for use in civil aircraft: — Excluding parts
	B. Other hydraulic engines and motors
84.10	Pumps (including motor pumps and turbo pumps) for liquids, whether or not fitted with measuring devices; liquid elevators of bucket, chain, screw, band and similar kinds:
	ex A. Delivery pumps fitted, or designed to be fitted, with a measuring device: — Parts
	B. Other pumps:
	I. For use in civil aircraft
	II. Other:
	ex a) Pumps:
	 Excluding pumps for sprinklers and submersible pumps with motor attached, without ceramic or rubber lining, weighing not more than 1 000 kg each
	b) Parts
	C. Liquid elevators of bucket, chain, screw, band and similar kinds
84.11	Air pumps, vacuum pumps and air or gas compressors (including motor and turbo pumps and compressors, and free-piston generators for gas turbines); fans, blowers and the like:
	C. Fans, blowers and the like:
	ex 1. For use in civil aircraft:
	Weighing not more than 200 kg each, excluding parts
	ex II. Other: — Weighing not more than 200 kg each, excluding parts
84.15	Defining a definition of the size and advantage of the size and advant
07.13	Refrigerators and refrigerating equipment (electrical and other):
	ex A. Refrigerators and refrigerating equipment (excluding parts thereof), for use in civil aircraft:
	 Excluding equipment mounted on a common base or with interdependent elements, for freezers and cupboards and other items of furniture imported with their own freezing equipment weighing not more than 200 kg, and parts thereof
	C. Other:
	ex I. Refrigerators of a capacity of more than 340 litres: — Weighing more than 200 kg each

CCT heading No	Description
84.15 (cont'd)	C. ex II. Other: Excluding equipment mounted on a common base or with interdependent elements, for freezers and cupboards and other items of furniture imported with their own freezing equipment weighing not more than 200 kg, and parts thereof
84.17	Machinery, plant and similar laboratory equipment, whether or not electrically heated, for the treatment of materials by a process involving a change of temperature such as heating, cooking, roasting, distilling, rectifying, sterilizing, pasteurizing, steaming, drying, evaporating, vaporizing, condensing or cooling, not being machinery or plant of a kind used for domestic purposes; instantaneous or storage water heaters, non-electrical:
	ex A. Machinery and equipment for the manufacture of the products mentioned in subheading 28.51 A (Euratom): — Parts
	ex B. Machinery and equipment specially designed for the separation of irradiated nuclear fuels, for the treatment of radio-active waste or for the recycling of irradiated nuclear fuels (Euratom): — Parts
	C. Heat exchange units: ex 1. For use in civil aircraft: — Parts
	ex II. Other: - Parts
	D. Percolators and other appliances for making coffee and other hot drinks: ex I. Electrically heated: — Parts
	ex II. Other: — Parts
	E. Medical and surgical sterlizing apparatus: ex I. Electrically heated: — Parts
	ex II. Other: — Parts
	F. Other: ex 1. Water heaters, non-electric: — For domestic use ex 11. Other:
	ex II. Other: — Parts
ex 84.20	Weighing machinery (excluding balances of a sensitivity of 5 cg or better) including weight-operated counting and checking machines; weighing machine weights of all kinds:
	 Weighing machines, including automatic and semi-automatic balances, weighing not more than 250 kg each, excluding parts thereof
84.22	Lifting, handling, loading or unloading machinery, telphers and conveyors (for example, lifts, hoists, winches, cranes, transporter cranes, jacks, pulley tackle, belt conveyors and teleferics), not heing machinery falling within heading No 84.23:
	ex A. Machines and apparatus (excluding parts thereof), for use in civil aircraft: — Excluding winches and jacks
	B. Other: ex I. Machinery and mechanical applicances specially designed for dealing with highly radio-active substances (Euratom):
	Excluding winches, hoists and pulley tackle, and all parts thereof Excluding winches, hoists and pulley tackle, and all parts thereof Excluding parts Excluding parts

CCT heading No	Description
84.22 (cont'd)	B. ex III. Rolling-mill machinery; roller tables for feeding and removing products; tilters and manipulators for ingots, balls, bars and slabs: — Excluding parts ex IV. Other: — Excluding winches, hoists and pulley tackle, jacks for vehicles and all parts thereof
ex 84.24	Agricultural and horticultural machinery for soil preparation or cultivation (for example, ploughs, harrows, cultivators, seed and fertilizer distributors), lawn and sports ground rollers:
	 Mould boards and ploughshares, excluding those of cast iron and steel, slades, discs, skim coulters, blade-shaped and disc-shaped coulters, for ploughs; teeth for cultivators and scarifiers, discs for sprayers; weeding, ridging and furrowing implements, for weeding machines
ex 84.27	Presses, crushers and other machinery, of a kind used in wine-making, cider-making, fruit juice preparation or the like:
	 Continuous crushing and stalk-removing machines and presses for grapes excluding parts thereof
84.31	Machinery for making or finishing cellulosic pulp, paper or paperboard:
	A. For making paper or paperboard
	ex B. Other: - Excluding ruling machines weighing not more than 2 000 kg each
84.36	Machines for extruding man-made textiles; machines of a kind used for processing natural or man-made textile fibres; textile spinning and twisting machines; textile doubling, throwing and reeling (including weft-winding) machines
84.37	Weaving machines, knitting machines and machines for making gimped yarn, tulle, lace, embroidery, trimmings, braid or net; machines for preparing yarns for use on such machines, including warping and warp sizing machines:
	ex A. Weaving machines: — Non-automatic and automatic machines weighing not more than 2 500 kg each and excluding automatic machines for cotton
	ex B. Knitting machines: — Flat
	ex C. Machines for making gimped yarn, tulle, lace, embroidery, trimmings, braid or net:
	- Machines weighing not more than 2 500 kg each
ex 84.38	Auxiliary machinery for use with machines of heading No 84.37 (for example, dobbies, Jacquards, automatic stop motions and shuttle changing mechanisms); parts and accessories suitable for use solely or principally with the machines of the present heading or with machines falling within heading No 84.16 or 84.37 (for example, spindles and spindle flyers, card clothing, combs, extruding nipples, shuttles, healds and heald-lifters and hosiery needles):
	 excluding continuous spinning machines (grooved beams weighing not more than 2,5 kg each; spindles, pressure cylinders, and shafts and tension pulleys for driving belts for spindles, with ball, roller or needle bearings); toothed iron or steel bands for card clothing; extruding nipples of precious metal
84.40	Machinery for washing, cleaning, drying, bleaching, dyeing, dressing, finishing or coating textile yarns, fabrics or made-up textile articles (including laundry and dry-cleaning machinery); fabric folding, reeling or cutting machines; machines of a kind used in the manufacture of linoleum or other floor overings for applying the paste to the base fabric or other support; machines of a type used for printing a repetitive design, repetitive words or overall colour on textiles, leather, wallpaper, wrapping paper, linoleum or other materials, and engraved or etched plates, blocks or rollers therefor:

CCT heading No	Description
84.40 (cont'd)	B. Clothes-washing machines, each of a dry linen capacity not exceeding 6 kg; domestic wringers:
	ex I. Electrically operated: — For clothes-washing, excluding parts
	ex II. Other:
	For clothes-washing, excluding parts
	ex C. Other:
-1-	Clothing-washing machines, excluding parts
	Machinery for dyeing textile yarns, excluding parts
84.45	Machine-tools for working metal, or metal carbides, not being machines falling within heading No 84.49 or 84.50:
	C. Other machine-tools:
	I. Lathes:
	ex a) Automated by coded information:
	Parallel lathes, weighing not more than 2 000 kg each
	ex b) Other:
	 Parallel lathes, weighing not more than 2 000 kg each
	III. Planing machines:
	ex a) Automated by coded information:
	Weighing not more than 2 000 kg each ex b) Other:
	- Weighing not more than 2 000 kg each
	IV. Shaping machines, sawing machines and cutting-off machines, broaching machines and slotting machines:
	ex a) Automated by coded information:
	 Shaping machines and sawing machines weighing not more than 2 000 kg each
	ex b) Other:
	Shaping machines and sawing machines weighing not more than 2 000 kg each
	V. Milling machines and drilling machines:
	ex a) Automated by coded information:
	Drilling machines weighing not more than 2 000 kg each
	ex b) Other: — Drilling machines weighing not more than 2 000 kg each
	VI. Sharpening, trimming, grinding, honing and lapping, polishing or finishing machines and similar machines operating by means or grinding wheels, abrasives or polishing products:
	a) Fitted with a micrometric adjusting system within the meaning of Additional Note to this Chapter:
	ex 1. Automated by coded information:
	- Saw-sharpening machines weighing not more than 2 000 kg each
	ex 2. Other: — Saw-sharpening machines weighing not more than 7 000 kg each
	— Saw-sharpening machines weighing not more than 2 000 kg each b) Other:
	ex 1. Automated by coded information:
	- Saw-sharpening machines weighing not more than 2 000 kg each
	ex 2. Other:

- Saw-sharpening machines weighing not more than 2 000 kg each

CCT heading No	Description
ex 84.47	Machine-tools for working wood, cork, bone, ebonite (vulcanite), hard artificial plastic materials or other hard carving materials, other than machines falling within heading No 84.49:
	- Excluding hydraulic presses weighing not more than 2 000 kg each
84.51	Typewriters, other than typewriters incorporating calculating mechanisms; cheque writing machines:
	A. Typewriters
ex 84.56	Machinery for sorting, screening, separating, washing, crushing, grinding or mixing earth, stone, ores or other mineral substances, in solid (including powder and paste) form; machinery for agglomerating, moulding or shaping solid mineral fuels, ceramic paste, unhardened cements, plastering materials or other mineral products in powder or paste form; machines for forming foundry moulds of sand:
	 Grinders weighing not more than 5 000 kg each; granulators and crushers, with or without selector sieves, weighing not more than 5 000 kg each; fixed or moveable cement-mixers weighing not more than 2 000 kg each; excluding parts of the machinery mentioned
84.59	Machines and mechanical appliances, having individual functions, not falling within any other heading of this Chapter:
	ex A. For the manufacture of the products mentioned in subheading 28.51 A (Euratom): — Hydraulic presses weighing not more than 5 000 kg each and presses with mechanical transmission weighing not more than 1 000 kg each, excluding parts thereof
	ex C. Specially designed for the recycling of irradiated nuclear fuels (for example, sintering of radio-active metal oxides, sheathing) (Euratom):
	 Hydraulic presses weighing not more than 5 000 kg each and presses with mechanical transmission weighing not more than 1 000 kg each, excluding parts thereof
	E. Other: ex II. Other machines and mechanical appliances:
	Hydraulic presses weighing not more than 5 000 kg each and presses with mechanical transmission weighing not more than 1 000 kg each, excluding parts thereof
ex 84.60	Moulding boxes for metal foundry; moulds of a type used for metal (other than ingot moulds), for metal carbides, for glass, for mineral materials (for example, ceramic pastes, concrete or cement) or for rubber or artificial plastic materials:
	- Moulds for machine work
84.61	Taps, cocks, valves and similar appliances, for pipes, boiler shells, tanks, vats and the like, including pressure reducing valves and thermostatically controlled valves
ex 84.62	Ball, roller or needle roller bearings:
	Bearings with row of balls, in which balls are not detachable manually, or in which the row of balls is not separable, or in which the faces of the two rings are aligned in the same plane, of which the external diameter is more than 36 mm but not more than 72 mm; excluding parts
84.63	Transmission shafts, cranks, bearing housings, plain shaft bearings, gears and gearing (including friction gears and gear-boxes and other variable speed gears), flywheels, pulleys and pulley blocks, clutches and shaft couplings:
	ex A. For use in civil aircraft:
	Reduction gears, step-up gears and speed variators B. Other:
	ex II. Other:
	 Reduction gears, step-up gears and speed variators

CCT heading No	Description
85.01	Electrical goods of the following descriptions: generators, motors, converters (rotary or static), transformers, rectifiers and rectifying apparatus, inductors:
	ex A. The following goods, for use in civil aircraft:
	Generators, converters (rotary or static), transformers, rectifiers and rectifying apparatus, inductors:
	Electric motors of an output of not less than 0,75 kW but less than 150 kW:
	 Asynchronous three-phase motors; single-phase motors; generators, rotary or static converters (excluding rectifiers) and other motors, weighing not more than 100 kg each; transformers
	B. Other machines and apparatus:
	 Generators, motors (whether or not equipped with speed reducing, changing or step-up gear) and rotary converters:
	a) Synchronous motors of an output of not more than 18 watrs
	ex b) Other:
	 Asynchronous three-phase motors; single-phase motors; generators, rotary converters and other motors, weighing not more than 100 kg each
	II. Transformers, static converters, rectifiers and rectifying apparatus; inductors:
	 Transformers, rectifiers and rectifying apparatus, inductors: weighing more than 500 kg each, static converters, excluding rectifiers, weighing not more than 100 kg each
ex 85.03	Primary cells and primary batteries:
	— Dry
85.12	Electric instantaneous or storage water heaters and immersion heaters; electric soil heating apparatus and electric space heating apparatus; electric hairdressing appliances (for example, hair dryers, hair curlers, curling tong heaters) and electric smoothing irons; electro-thermic domestic appliances; electric heating resistors, other than those of carbon:
	A. Electric instantaneous or storage water heaters and immersion heaters:
	I. For use in civil aircraft (excluding parts)
	ex II. Other:
	— Excluding parts
	B. Electric soil heating apparatus and electric space heating apparatus:
	For use in civil aircraft (excluding parts)
	ex II. Other:
	— Excluding parts
	D. Electric smoothing irons
	E. Electro-thermic domestic appliances: I. Electric cooking stoves, ranges, ovens and food warmers (excluding parts thereof), for use in civil aircraft
	ex II. Other:
	 Hot plates, cooking stoves, ranges, and similar cooking appliances for domestic use
85.13	Electrical line telephonic and telegraphic apparatus (including such apparatus for carrier- current line systems):
	ex A. Apparatus for carrier-current line systems: — Telephonic apparatus, including parts for telephone sets and receivers
	ex B. Other: — Telephonic apparatus, including parts for telephone sets and receivers

CCT heading No	Description
85.19	Electrical apparatus for making and breaking electrical circuits, for the protection of electrical circuits, or for making connections to or in electrical circuits (for example, switches, relays, fuses, lightning arresters, surge suppressors, plugs, lampholders and junction boxes); resistors, fixed or variable (including potentiometers), other than heating resistors; printed circuits; switchboards (other than telephone switchboards) and control panels:
	ex A. Electrical apparatus for making and breaking electrical circuits, for the protection of electrical circuits or for making connections to or in electrical circuits:
	 Non-automatic make-and-break switches, weighing not more than 2 kg each, other than of ceramic materials or glass, and those weighing more than 500 kg each
	Automatic make-and-break-switches, circuit-breakers and contactors Parts
	as B. Decisions Good on variable (including parential areas), other than begging resistors.
	ex B. Resistors, fixed or variable (including potentiometers), other than heating resistors: — Variable resistors, weighing not more than 2 kg each, other than of ceramic materials or glass, and those weighing more than 500 kg each — Parts
	- rans
	D. Switchboards and control panels
85.20	Electric filament lamp and electric discharge lamps (including infra-red and ultra-violet lamps); arc lamps:
	A. Filament lamps for lighting II. Other
	ex B. Other lamps: — For lighting
	ex C. Parts: — For electric lamps for lighting
85.23	Insulated (including enamelled or anodized) electric wire, cable, bars, strip and the like (including co-axial cable), whether or not fitted with connectors:
	ex A. Ignition wiring sets and wiring sets, for use in civil aircraft: — With metallic armouring or sheathing, whether or not covered with other materials, excluding co-axial cable
	ex B. Other:
	With metallic armouring or sheating, whether or not covered with other materials, excluding co-axial cable and submarine cable
89.01	Ships, boats and other vessels not falling within any of the following headings of this Chapter:
	ex A. Warships:
	Mechanically propelled, of a gross tonnage not exceeding 4 000 tonnes, excluding air-cushion vehicles
	B. Other:
	ex I. Sea-going vessels:
	 Mechanically propelled, of a gross tonnage not exceeding 4 000 tonnes, excluding: air-cushion vehicles; vessels designed exclusively for sporting purposes, acquired by legally constituted nautical associations or by members thereof; vessels acquired, for their service, by pilots' corporations
	II. Other:
	ex a) Weighing 100 kg or less each:
	 Mechanically propelled, excluding: air-cushion vehicles; vessels designed exclusively for sporting purposes, acquired by legally constituted nautical associations or by members thereof; vessels acquired, for their service, by pilots' corporations

CCT heading No	Description
89.01	B. II. ex b) Other:
(cont'd)	 Mechanically propelled, of a gross tonnage not exceeding 4 000 tonnes, excluding: air-cushion vehicles, vessels designed exclusively for sporting-purposes, acquired by legally constituted nautical associations or by members thereof; vessels acquired, for their service, by pilots' corporations
ex 90.03	Frames and mountings and parts thereof, for spectacles, pince-nez, lorgnettes, goggles and the like:
	- Excluding those of gold
ex 90.04	Spectacles, pince-nez, lorgnettes, goggles and the like, corrective, protecting or other: — Excluding those with frames of gold or plated metals or gold-plated or gilt and engineers' protective spectacles
90.16	Drawing, marking-out and mathematical calculating instruments, drafting machines, pantographs, drawing sets, slide rules, disc calculators and the like; measuring or checking instruments, appliances and machines, not falling within any other heading of this Chapter (for example, micrometers, callipers, gauges, measuring rods, balancing machines); profile projectors:
	ex A. Drawing, marking-out and mathematical calculating instruments, drafting machines, pantographs, slide rules, disc calculators and the like:
	 Set-squares, rulers, protractors and French curves Cases of drawing instruments, lengthening bars of compasses, compasses, mathematical drawing pens and the like
90.24	Instruments and apparatus for measuring, checking or automatically controlling the flow, depth, pressure or other variables of liquids or gases, or for automatically controlling temperature (for example, pressure gauges, thermostats, level gauges, flow meters, heat meters, automatic ovendraught regulators), not being articles falling within heading No 90.14.
	ex A. For use in civil aircraft:
	- Manometers
	B. Other:
	I. Manometers
90.28	Electrical measuring, checking, analysing or automatically controlling instruments and apparatus:
	A. Electronic instruments and apparatus:
	ex I. For use in civil aircraft: — Non-recording galvanometers, with thermal scale, ammeters, voltmeters and wattmeters
	ex II. Other:
	b) Other: — Non-recording galvanometers, with thermal scale, ammeters, voltmeters and wattmeters
	B. Other:
	ex 1. For use in civil aircraft:
	Non-recording galvanometers, with thermal scale, ammeters, voltmeters and wattmeters
	ex II. Other: - Non-recording galvanometers, with thermal scale, ammeters, voltmeters and wattmeters
91.04	Other clocks:
	ex A. Electric or electronic:
	For standing or suspending: assembled, weighing more than 500 g; unassembled, regardless of weight
	ex B. Other:
	 For standing or suspending: assembled, weighing more than 500 g; unassembled, regardless of weight

CCT heading No	Description
92.12	Gramophone records, and other sound or similar recordings; matrices for the production of records, prepared record blanks, film for mechanical sound recording, prepared tapes, wires, strips and like articles of a kind commonly used for sound or similar recording:
	B. Recorded:
	Wax recordings, discs, matrices and other intermediate forms, excluding magnetically recorded tapes:
	b) Other II. Other:
	a) Records:
	2. Other
	b) Other recording media (tapes, wires, strips and like articles): 1. Magnetically recorded for the scoring of cinematograph film
	ex 2. Other: — Excluding those for language teaching
94.01	Chairs and other seats (other than those falling within heading No 94.02), whether or not
	convertible into beds, and parts thereof: ex A. Chairs and other seats, not leather covered (excluding parts thereof), for use in civil
	aircraft:
	Excluding those of wood, iron or steel
	B. Other:
	ex 1. Specially designed for aircraft: — Excluding those of wood, iron or steel
	ex II. Other:
	Excluding those of wood, iron or steel, wicker and other vegetable materials
94.03	Other furniture and parts thereof:
	ex A. Furniture (excluding parts thereof), for use in civil aircraft: — Of base metal
	 Of wood, carved, veneered, waxed, polished or varnished, turned, with mouldings, painted and covered with any materials other than leather or imitations thereof or fabrics containing silk and man-made textile fibres
	 Of wood, inlaid, lacquered, gilt, with appliqué work of fine wood, decorated with metal or other materials and covered with leather and imitations thereof or with fabrics containing silk and man-made textile fibres
	Of other materials, other than wicker and other vegetable materials
	ex B. Other furniture:
	Of base metal Of wood, carved, veneered, waxed, polished or varnished, turned, with mould-
	ings, painted and covered with any materials other than leather or imitations thereof or fabrics containing silk and man-made textile fibres
	 Of wood, inlaid, lacquered, gilt, with appliqué work of fine wood, decorated with metal or other materials and covered with leather and imitations thereof or with fabrics containing silk and man-made textile fibres
	Of other materials, other than wicker and other vegetable materials
98.01	Buttons and button moulds, studs, cuff-links, and press-fasteners, including snap-fasteners and press-studs; hlanks and parts of such articles:
	ex A. Blanks and moulds:
	 Excluding cuff-links, collar-studs and shirt-studs and other such articles of faience, glass, silk or other textile fibres
	ex B. Buttons, studs, cuff-links and press-fasteners and parts thereof:
	 Excluding cuff-links, collar-studs and shirt-studs and other such articles of faience, glass, silk or other textile fibres

CCT heading No	Description
98.03	Fountain pens, stylograph pens and pencils (including ball point pens and pencils) and other pens, pen-holders, pencil-holders and similar holders, propelling pencil and sliding pencils parts and fittings thereof, other than those falling within heading No 98.04 or 98.05:
	ex A. Fountain pens and stylograph pens and pencils (including ball point, felt tipped and fibre tipped pens and pencils):
	 Stylograph pens and ball-point pencils
	ex B. Other pens, pen-holders; propelling pencils and sliding pencils; pencil-holders and similar holders:
	Stylograph pens and ball-point pencils
	C. Parts and fittings:
	ex 1. Parts of base metal, turned from bars, rods, angles, shapes, sections or wire, of solid section:
	- Of stylograph pens and ball-point pencils
	ex II. Other:
	Of stylograph pens and ball-point pencils
ex 98.08	Typewriter and similar ribbons, whether or not on spools; ink-pads, with or without boxes:
	- Ribbons on reels, for immediate use
98.10	Mechanical lighters and similar lighters, including chemical and electrical lighters, and parts thereof, excluding flints and wicks:
	ex A. Parts of base metal, turned from bars, rods, angles, shapes, sections or wire, of solid section, the greatest diameter of which does not exceed 25 mm:
	 Neither gilt, nor silvered, nor of rolled precious metal
	ex B. Other:
	- Neither gilt, nor silvered, nor of rolled precious metal, nor of precious metal
ex 98.12	Combs, hair-slides and the like:
	Of artificial plastic materials and of vulcanite

B. Products considered sensitive vis-a-vis ACP States

CCT heading No	Description
ex 28.16	Ammonia, anhydrous or in aqueous solution: — Anhydrous
29.39	Hormones, natural or reproduced by synthesis; derivatives thereof, used primarily as hormones; other steroids used primarily as hormones
60.04	Under garments, knitted or crocheted, not elastic nor rubberized
60.05	Outer garments and other articles, knitted or crocheted, not elastic nor rubberized
61.01	Men's and boys' outer garments
73.02	Ferro-alloys:
	A. Ferro-manganese:
	II. Other
	B. Ferro-aluminium, ferro-silico-aluminium and ferro-silico-mangano-aluminium
	C. Ferro-silicon
	D. Ferro-silico-manganese
	E. Ferro-chromium and ferro-silico-chromium
	F. Ferro-nickel
	G. Other

ANNEX XI List provided for in Article 12 (2)

CCT heading No	Description	Basic duty (%)
ex 34.02	Organic surface-active agents, surface-active preparations, and washing preparations, whether or not containing soap:	
	Sodium dodecan-1-yl sulphate	20
	— Triethanolamine dodecan-1-yl sulphate	20
	- Sulphonic acid, sodium alkylbenzenesulphonate and ammonium alkybenzenesulphonate	20
	Mixtures and preparations of sodium sulphate, dodecan-1-yl and triethanolamine sulphate	20
38.19	Chemical products and preparations of the chemical or allied industries (including those consisting of mixtures of natural products), not elsewhere specified or included residual products of the chemical or allied industries, not elsewhere specified or included:	
	Q. Foundry core binders based on synthetic resins ex X. Other:	20
	Refractory coatings of a kind used in foundries to improve the surface of cast-tron pieces	20
	Anti-sealing and similar preparations for boilers and for treatment of industrial refrigeration water	
39.01	Condensation, polycondensation and polyaddition products, whether or not modified or pulymerized, and whether or not linear (for example, phenoplasts, aminoplasts, alkyds, polyallyl esters and other unsaturated polyesters, silicones):	
	C. Other:	
	II. Aminoplasts:	
	ex a) In one of the forms mentioned in Note 3 (a) and (b) to this Chapter:	
	Urea, resins, modified with furfuryl alcohol, in etherified solutions, used in foundries	20
	III. Alkyds and other polyesters:	
	ex b) Other:	
	 Saturated poly(ethylene terephthalate), other black polymers, in one of the forms mentioned in Note 3 (a) and (b) to this Chapter, prepared for moulding or extrusion 	20
	Powdered, containing additives and pigments, used for thermosetting coatings or paints	20
	ex VII. Other:	
	Epoxy (ethoxyline) resins, powdered, containing addirives and pigments, used for thermosetting coatings or paints	20
39.02	Polymerization and copolymerization products (for example, polyethylene, polytetrahaloethylenes, polyisobutylene, polystyrene, polyvinyl chloride, polyvinyl acetate, polyvinyl chloroacetate and other polyvinyl derivatives, polyacrylic and polymethacrylic derivatives, coumarone-indene resins):	
	C. Other:	
	VII. Polyvinyl chloride:	
	ex a) In one of the forms mentioned in Note 3 (a) and (b) to this Chapter:	
	— In microsuspension	20
	ex X. Copolymers of vinyl chloride with vinyl acetate:	
	Preparations for the moulding of gramophone records	20
40.06	Unvulcanized natural or synthetic rubber, including rubber latex, in other forms or states (for example, rods, tubes and profile shapes, solutions and dispersions); articles of unvulcanized natural or synthetic rubber (for example, coated or impregnated textile thread, rings and discs):	
	ex B. Other:	20

CCT heading No	Description	Basic duty (%)
40.07	Vulcanized rubber thread and cord, whether or not textile covered, and textile thread covered or impregnated with vulcanized rubber:	
	ex A. Vulcanized rubber thread and cord, whether or not textile covered: — Thread, uncovered, of round cross-section	20
48.07	Paper and paperboard, impregnated, coated, surface-coloured, surface-decorated or printed (not constituting printed matter within Chapter 49), in rolls or sheets:	
	ex D. Other: — Flocked paper and paperboard	10
56.01	Man-made fibres (discontinous), not carded, combed or otherwise prepared for spinning:	
	ex A. Synthetic textile fibres: — Of polyesters, with a length of less than 65 mm and tenacity of more than 53 cN/tex	16
59.03	Bonded fibre fabrics, similar bonded yarn fabrics, and articles of such fabrics, whether or not impregnated or coated:	
	ex B. Other: — Bonded fibre fabrics and similar bonded yarn fabrics, in the piece or simply cut to rectangular shape, flocked	10
	 Bonded fibre fabrics and similar bonded yarn fabrics, in the piece or simply cut to rectangular shape, weighing not less than 17 g per m² and not more than 80 g per m² 	20
ex 59.08	Textile fabrics impregnated, coated, covered or laminated with preparations of cellulose derivatives or of other artificial plastic materials: — Unimpregnated, flocked with polyvinyl chloride	10
	- Unimpregnated, toked with polyving thiolide - Unimpregnated, other than textile-faced flocked with preparations of cellulose derivatives or of other artificial plastic materials with the exception of polyurethane	10
ex 59.12	Textile fabrics otherwise impregnated or coated; painted canvas being theatrical scenery, studio back-cloths or the like:	
	— Flocked	10
ex 70.06	Cast, rolled, drawn or blown glass (including flashed or wired glass), in rectangles, surface ground or polished, but not further worked:	
	Float glass, not being wired glass, other than ground but not further worked, more than 2 mm and not more than 10 mm in thickness	16
70.08	Safety glass consisting of toughened or laminated glass, shaped or not:	
	ex B. Other: — Laminated glass for vebicles or boats	20
ex 70.13	Glassware (other than articles falling within heading No 70.19) of a kind commonly used for table, kitchen, toilet or office purposes, for indoor decoration, or for similar uses:	
	 Of soda glass gathered mechanically, other than cut or otherwise decorated drinking glasses, sterilizing bottles and articles of toughened glass 	10
73.38	Articles of a kind commonly used for domestic purposes, sanitary ware for indoor use, and parts of such articles and ware, of iron or steel; iron or steel wool; pot scourers and scouring or polishing pads, gloves and the like, of iron or steel:	
	B. Other: ex II. Other:	
	 Bathrubs, of sheets or plates of iron or steel not more than 3 mm in thickness, enamelled 	20

ex 83.01 Locks and padlocks (key, combination or electrically operated), and parts thereof, of base metal; frames incorporating locks, for handbags, trunks or the like and parts of such frames, of base metal; keys for any of the foregoing articles, of base metal: Lock cases, cylinders and springs, carriers and cams, obtained by sintering Pumps (including motor pumps and turbo pumps) for liquids, whether or not fitted with measuring devices; liquid elevators of bucket, chain, screw, band and similar kinds: 8. Other pumps: II. Other: ex a) Pumps: — Centrifugal pumps, submersible, other than metering pumps Air conditioning machines, self-contained, comprising a motor-driven fan and elements for changing the temperature and humidity of air: ex B. Other: — Other than parts 84.15 Refrigerators and refrigerating equipment (electrical and other): C. Other: ex I. Refrigerators of a capacity of more than 340 litres: — Weighing more than 200 kg cach, excluding parts ex II. Other: — Refrigerators and deep-freeze storage units of the chest or cabinet type, weighing not more than 200 kg cach, excluding parts ex 84.20 Weighing machinery (excluding balances of a sensitivity of 5 cg or better) including weight-operated counting and checking machines; weighing machine weights of all kinds: — Electronic machines for weighing and labelling pre-packed products, excluding parts — Electronic machines for weighing and labelling pre-packed products, excluding parts — Electronic weighing swith capacities over 5 000 kg, excluding parts — Electronic weighing machines and platforms, with digital display, other than personal weighping scales, excluding parts — Electronic weighing machines and platforms, with digital display, other than personal weighping scales, excluding parts — Electronic weighing machines and platforms, with digital display, other than personal weighping scales, excluding parts — Electronic weighing machines and platforms, with digital display, other than personal weighing scales, excluding part	eading No	Description	Basic duty (%)
- Bars and rods of round cross-section, of unalloyed copper, coiled - Wire of round cross-section, of unalloyed copper Wire of round cross-section, of unalloyed copper Locks and padlocks (key, combination or electrically operated), and parts thereof, of base metal; keys for any of the foregoing articles, of base metal; base metal; keys for any of the foregoing articles, of base metal; base for the fixe and parts of such frames, of base metal; keys for any of the foregoing articles, of base metal; base for any of the fixed with measuring devices; liquid elevators of bucket, chain, screw, band and similar kinds: B. Other pumps: II. Other: cx a) Pumps: - Centrifugal pumps, submersible, other than metering pumps 84.12 Air conditioning machines, self-contained, comprising a motor-driven fan and elements for changing the temperature and humidity of air: ex B. Other: - Other than parts 84.15 Refrigerators and refrigerating equipment (electrical and other): C. Other: ex 1. Refrigerators of a capacity of more than 340 hitres: - Weighing more than 200 kg each, excluding parts ex II. Other: Refrigerators and deep-freeze storage units of the chest or cabinet type, weighing not more than 200 kg each, excluding parts Ex III. Other: - Refrigerators and deep-freeze storage units of the chest or cabinet type, weighing not more than 200 kg each, excluding parts Ex III. Other: - Electronic hopper scales or scales for discharging a pre-determined weight of all kinds: - Electronic machines for weighing and labelling pre-packed products, excluding parts - Electronic weighbridges with capacities over 5 000 kg, excluding parts - Electronic weighing machines and platforms, with digital display, other than personal weighing scales, excluding parts - Electronic weighing machines and platforms, with digital display, other than personal weighing scales, excluding parts - Electronic weighing machines for preparing, tanning or working hides, skins or Ex 84.42 Machinery (other than sewing machines) for preparing, t	74.03	Wrought bars, rods, angles, shapes and sections, of copper: copper wire:	
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Sewing machine parts, obtained by sintering A A A A A A A A A A A A A	- 1	A. Sewing machines: furniture specially designed for sewing machines:	
ex 84.42 Machinery (other than sewing machines) for preparing, tanning or working hides, skins or	l	ex III. Parts; furniture specially designed for sewing machines:	
		Sewing machine parts, obtained by sintering	20
I desired Gradudina have and above markings:	4.42		
leather (including boot and shoe machinery): — Press-cutters for hides, skins, furskins or leather, excluding parts			20

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CCT heading No	Description	Basic dury (%)
84.53	Automatic data-processing machines and units thereof; magnetic or optical readers, machines for transcribing data onto data media in coded form and machines for processing such data, not elsewhere specified or included:	
	ex B. Other:	
	Integrated operational digital units comprising, as a set, at least one central unit and	
	one input and output unit, for use in industrial systems for production and distribution and use of electrical energy	20
	Modulator/demodulator (Modem) units for data transmission	20
•	THOUSEN CONTROL (TOURS), WIND TO LEEK WITHINGTON	20
84.59	Machines and mechanical appliances, having individual functions, not falling within any other heading of this Chapter:	
	E. Other:	
	ex II. Other machines and mechanical appliances:	
	Injection moulding machines, extrusion moulding machines, grinders and blow moulding machines, for the rubber and artificial plastics industry	20
ex 84.62	Ball, roller or needle roller bearings:	
	- Rings for bearings, obtained by sintering, intended for cycles	20
84.63	Transmission shafts, cranks, bearing housings, plain shaft bearings, gears and gearing (including friction gears and gear-boxes and other variable speed gears), flywheels, pulleys and pulley blocks, clutches and shaft couplings:	
	B. Other:	
	ex il. Other:	
	- Plain shaft bearings, obtained by sintering:	
	Weighing not more than 500 g each	20
	For gears, self-lubricating, of bronze or iron	20
85.01	Electrical goods of the following descriptions; generators, motors, converters (rotary or static), transformers, rectifiers and rectifying apparatus, inductors:	
	B. Other machines and apparatus:	
	Generators, motors (whether or not equipped with speed reducing, changing or step-up gear) and rotary converters: ex b) Other:	
	- Generating sets with internal combustion engines, of an output of not more	
	than 750 kVA, including sets whose performance is not expressed in kW or kVA, weighing more than 100 kg each	20
	AC generators, weighing more than 100 kg each and of an output of not	
	more than 750 kVA	20
	 DC motors and generators, weighing more than 100 kg each, excluding motors and other generators whose performance is not expressed in kW 	
	or kVA	20
	- Rotary converters, weighing more than 100 kg each	20
	ex II. Transformers, static converters, rectifiers and rectifying apparatus; inductors:	
	Static converters, weighing more than 100 kg each, and rectifiers and rectifying	
	apparatus, other than specially designed for welding	20
	Three-phase transformers, without liquid dielectric, of an output of not less than 50 kVA and not more than 2 500 kVA	20
85.04	Electric accumulators:	
55.01	B. Other:	
	ex II. Other accumulators:	
	Nickel-cadmium accumulators not hermetically closed	20

CCT heading No	Description	Basic duty (%)
85.12	Electric instantaneous or storage water heaters and immersion heaters; electric soil heating apparatus and electric space heating apparatus; electric hair dressing appliances (for example, hair dryers, hair curlers, curling tong heaters) and electric smoothing irons; electro-thermic domestic appliances; electric heating resistors, other than those of carbon:	
	ex C. Electric hair dressing appliances (for example, hair dryers, hair curlers, curling tong heaters):	
	Hair driers, excluding drying hoods	20
85.13	Electrical line telephonic and telegraphic apparatus (including such apparatus for carrier-current line systems):	
	ex B. Other: — Automatic electronic telephone sets, excluding parts thereof	
85.15	Radiotelegraphic and radiotelephonic transmission and reception apparatus; radio- broadcasting and television transmission and reception apparatus; (including receivers incorporating sound recorders or reproducers) and television cameras; radio navigational aid apparatus, radar apparatus and radio remote control apparatus:	
	A. Radiotelegraphic and radiotelephonic transmission and reception apparatus; radio-broadcasting and television transmission and reception apparatus (including receivers incorporating sound recorders or reproducers) and television cameras: J. Transmitters:	
	ex b) Other: — Using the HF and MF bands	20
	II. Transmitter-receivers:	
	ex b) Other: — Using the VHF band	20
	Portable mounts for VHF transmitter-receivers	20
	III. Receivers, whether or not incorporating sound recorders or reproducers: b) Other: ex 2. Other:	
	Radiotelegraphic and radiotelephonic receivers using the VLF, LF, MF and HF bands	20
ex 85.16	Electric traffic control equipment for railways, roads or inland waterways and equipment used for similar purposes in port installations or upon airfields:	
	- Excluding equipment for railways and parts	20
35.17	Electric sound or visual signalling apparatus (such as bells, sirens, indicator panels, burglar and fire alarms), other than those of heading No 85.09 or 85.16:	
	ex B. Other: — Excluding burglar, fire and similar alarms and parts	20
85.19	Electrical apparatus for making and breaking electrical circuits, for the protection of electrical circuits, or for making connections to or in electrical circuits (for example, switches, relays, fuses, lightning arresters, surge suppressors, plugs, lampholders and junction boxes); resistors, fixed or variable (including potentiometers), other than heating resistors; printed circuits; switchboards (other than telephone switchboards) and control panels:	
	ex A. Electrical apparatus for making and breaking electrical circuits, for the protection of electrical circuits or for making connections to or in electrical circuits:	
	For industrial applications, other than apparatus for making connections in electrical circuits: Rated at 1 000 V or more:	
	 Make-and-break and isolating switches, including switches for breaking circuits under load, rated at not less than 1 kV but less than 60 kV 	20
	Fuses rated at not less than 6 kV and up to and including 36 kV, of the HT type	20

CCT heading No	Description	Basic duty (%)
85.19 (cont'd)	ex A. — Rated at less than 1 000 V: — NH-type fuses	20
	Switches from 63 A up to 1 000 A, three- or four-pole, double breaking ex D. Switchboard and control panels: Fitted with apparatus and instruments: For industrial applications other than for telecommunications and instrument applications:	20
	Not less than 1 000 V, including removable cells with switches or circuit breakers for metal clad transformers 1 000 V or less	20 20
85.23	Insulated (including enamelled or anodized) electric wire, cable, bars, strip and the like (including co-axial cable), whether or not fitted with connectors: ex B. Other:	
	 Wires and cables for power distribution rated at 60 kV or less, not ready for connectors to be fitted or already provided with connectors, insulated with polyethylene, excluding winding wire 	20
	Copper winding wire, Jacquered, varnished or enamelled, of a diameter of 0,40 mm or more but not more than 1,20 mm (class F, grades I and II)	20
87.02	Motor vehicles for the transport of persons, goods or materials (including sports motor vehicles, other than those of heading No 87.09):	
	A. For the transport of persons, including vehicles designed for the transport of both passengers and goods: I. With either a spark ignition or a compression ignition engine:	
	ex b) Other: — With four-wheel drive, a ground clearance of more than 205 mm, an unladen weight of more than 1 350 kg and less than 1 900 kg, a total laden weight of 1 950 kg or more and less than 3 600 kg, a spark ignition engine of a cylinder capacity of more than 1 560 cm³ and less than 2 900 cm³ or a compression ignition engine of a cylinder capacity of more than 1 980 cm³ and less than 2 500 cm³ and less than 2 500 cm²	20
	B. For the transport of goods or materials: II. Other: a) With either a spark ignition or a compression ignition engine:	
	1. Motor lorries with either a spark ignition engine of a cylinder capacity of 2 800 cm³ or more or a compression ignition engine of a cylinder capacity of 2 500 cm³ or more: ex bb) Other:	
	With four-wheel drive, a ground clearance of more than 205 mm, an unladen weight of more than 1 350 kg and less than 1 900 kg, a total laden weight of 1 950 kg or more and less than 3 600 kg, a spark ignition engine of a cylinder capacity of less than 2 900 cm ³ 2. Other:	20
	ex bb) Other: — With four-wheel drive, ground clearance of more than 205 mm, an unladen weight of more than 1 350 kg and less than 1 900 kg, a total laden weight of 1 950 kg or more and less than 3 600 kg, a spark ignition engine of a cylinder capacity of more than 1 560 m² and less than 2 900 cm² or a compression ignition engine of a cylinder capacity	
	or more than 1 980 cm ³ and less than 2 500 cm ³	20
87.06	Parts and accessories of the motor vehicles falling within heading No 87.01, 87.02 or 87.03: B. Other:	
	ex II. Other: — Pistons and rod guides for shock absorbers, obtained by sintering	20

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CCT heading No	Description	Basic duty (%)
87.06 (cont'd)	B. ex II. — Parts and accessories, obtained by sintering, other than parts and accessories for bodies, complete gearboxes, complete rear-axles with differentials, wheels, parts of wheels and wheel accessories, non-driving axles and disc-brake pad assemblies.	20
	- Wheel-balancing weights	20
	— Witcer-barancing weights	20
87.12	Parts and accessories of articles falling within heading No 87.09, 87.10 or 87.11:	
	ex B. Other:	
	- Toothed wheels, obtained by sintering	20
ex 90.17	Medical, dental, surgical and veterinary instruments and appliances (including electro-medical apparatus and ophthalmic instruments):	
	— Syringes of plastic materials	20
90.28	Electrical measuring, checking, analysing or automatically controlling instruments and apparatus:	
	A. Electronic instruments and apparatus:	
	II. Other:	
	ex b) Other:	
	— Regulators	20
	Checking and automatically controlling instruments used in industrial systems for the generation, distribution and use of electric power	20
	B. Other:	
	ex II. Other:	
	— Regulators	20

ANNEX XII

List provided for in Article 15 (2)

CCT		Custom	s duties
heading No	Description	Fiscal component	Prorective componen
17.04	Sugar confectionery, not containing cocoa:		
	A. Liquorice extract containing more than 10% by weight of sucrose but not containing other added substances	5 Esc/kg	12 Esc/k
21.03	Mustard flour and prepared mustard:		
	A. Mustard flour, in immediate packings	13 %	22 %
	B. Prepared mustard	13 %	22 %
22.08	Ethyl alcohol or neutral spirits, undenatured, of an alcoholic strength of 80 % vol or higher; denatured spirits (including ethyl alcohol and neutral spirits) of any strength:		
	B. Ethyl alcohol or neutral spirits, undenatured, of an alcoholic strength of 80 % vol or higher, in containers holding:		
	Two litres or less More than two litres	280 Esc per hl of pure alcohol 214 Esc per	2 190 Es per hl o pure alcol 2 256 Es
		hi of pure alcohol	per hl o pure alcol
24.02	Manufactured tobacco; tobacco extracts and essences:		
	A. Cigarettes	180 Esc/kg	Free
	ex B. Cigars:		
	With outer-wrapper leaf in tobacco	200 Esc/kg	Free
	ex C. Smoking tobacco:		
	— Shredded tobacco	170 Esc/kg	Free
	ex D. Chewing tobacco and snuff: — Shredded tobacco	170 Esc/kg	Free
	ex E. Other, including agglomerated tobacco in the form of sheets or strip:		
	Shredded tobacco	170 Esc/kg	Free

ANNEX XIII

List provided for in Article 17

CCT heading	Description	Basic duty (1)
No		
17.04	Sugar confectionery, not containing cocoa:	
	A. Liquorice extract containing more than 10 % by weight of sucrose but not containing other added substances	
	B. Chewing gum containing by weight of sucrose (including invert sugar expressed as sucrose):	
	i. Less than 60%	
	11. 60 % or more	
	C. White chocolate	
	D. Other:	
	1. Containing no milkfats or containing less than 1,5% by weight of such fats:	
	Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose)	
	b) Containing by weight of sucrose (including invert sugar expressed as sucrose):	
	1. 5% or more but less than 30%	
	2. 30% or more but less than 40%	
	3. 40% or more but less than 50%:	
	aa) Containing no starch	
	bb) Other	
	4. 50% or more but less than 60%	
	5. 60% or more but less than 70% 6. 70% or more but less than 80%	
	6. 70% or more but less than 80% 7. 80% or more but less than 90%	
	8. 90% or more	
	II. Other:	
	a) Containing no sucrose or containing less than 5% by weight of sucrose (including invert sugar expressed as sucrose)	
	b) Containing by weight of sucrose (including invert sugar expressed as sucrose):	
	1. 5% or more but less than 30%	
	2. 30% or more but less than 50%	
	3. 50% or more but less than 70%	
	4. 70% or more	
18.06	Chocolate and other food preparations containing cocoa:	
	A. Cocoa powder, not otherwise sweetened than by the addition of sucrose, containing by weight of sucrose:	
	I. Less than 65%	
	II. 65% or more but less than 80%	
	III. 80% or more	
	B. Ice-cream (not including ice-cream powder) and other ices: 1. Containing no milkfats or containing less than 3 % by weight of such fats	
	II. Containing by weight of milkfats:	
	a) 3% or more but less than 7%	
	b) 7% or more	
	C. Chocolate and chocolate goods, whether or not filled; sugar confectionery and substitutes therefor made from sugar substitution products, containing cocoa:	
	Containing no sucrose or containing less than 5 % hy weight of sucrose (including invert sugar expressed as sucrose)	
	II. Other:	
	 a) Containing no milkfats or containing less than 1,5 % by weight of such fats and containing by weight of sucrose (including invert sugar expressed as sucrose): 	

⁽¹⁾ These basic duties will be published at a later date in the Official Journal of the European Communities (°C' series).

CCT heading No	Description	Basic duty
18.06	C. II. a) 1. Less than 50%	
(cont'd)	2. 50% or more	
	b) Containing by weight of milkfats:	
	1. 1,5% or more but less than 3%	
	2. 3% or more but less than 4,5%	
	3. 4,5% or more but less than 6%	
	4. 6% or more	
	D. Other:	
	1. Containing no milkfats or containing less than 1,5% by weight of such fats:	
	a) In immediate packings of a net capacity of 500 g or less	
	b) Other	
	II. Containing by weight of milkfats:	
	a) 1,5% or more but not more than 6,5%:	
	1. In immediate packings of a net capacity of 500 g or less	1
	2. Other	
	b) More than 6,5% but less than 26%:	
	1. In immediate packings of a net capacity of 500 g or less	
	2. Other	
	c) 26% or more:	
	1. In immediate packings of a net capacity of 500 g or less	
	2. Other	
19.02	Malt extract; preparations of flour, meal, starch or malt extract, of a kind used as infant food or for dietetic or culinary purposes, containing less than 50 % by weight of cocoa:	
	A. Malt extract:	
	1. With a dry extract content of 90% or more by weight	
	II. Other	
	B. Other:	
•	Containing malt extract and not less than 30% by weight of reducing sugars (expressed as maltose)	
	II. Other:	
	a) Containing no milkfats or containing less than 1,5 % by weight of such fats:	
	1. Containing less than 14% by weight of starch:	
	aa) Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose)	
	bb) Containing by weight of sucrose (including invert sugar expressed as sucrose):	
	11. 5% or more but less than 60%	
	22. 60 % or more	
	2. Containing 14% or more but less than 32% by weight of starch:	
	aa) Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose)	
	bb) Other	
	3. Containing 32% or more but less than 45% by weight of starch:	
	 aa) Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose) 	
	hb) Other	

CCT heading No	Description	Basic duty
19.02	B. II. a) 4. Containing 45% or more but less than 65% by weight of starch:	
(cont'd)	 aa) Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose) 	
	bb) Other	
	5. Containing 65% or more but less than 80% by weight of starch:	
	aa) Containing no sucrose or containing less than 5% by weight of sucrose (including invert sugar expressed as sucrose) bb) Other	
	6. Containing 80% or more but less than 85% by weight of starch:	
	aa) Containing no sucrose or containing less than 5% by weight of sucrose (including invert sugar expressed as sucrose) bb) Other	,
	7. Containing 85% or more by weight of starch	
	b) Containing by weight of milkfats:	
	1. 1,5% or more but less than 5%	
	2. 5% or more	
	•	
19.03	Macaroni, spaghetti and similar products:	
	A. Containing eggs	
	B. Other:	
	I. Containing no common wheat flour or meal	
	II. Other	
19.04	Tapioca and sago; tapioca and sago substitutes obtained from potato or other starches	
19.05	Prepared foods obtained by the swelling or roasting of cereals or cereal products (puffed rice, corn flakes and similar products):	
	A. Obtained from maize	
	B. Obtained from rice	
	C. Other	
19.07	Bread, ships' biscuits and other ordinary bakers' wares, not containing added sugar, honey, eggs, fats, cheese or fruit; communion wafers, cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products:	
	A. Crispbread	
	B. Matzos	
	C. Communion wafers, cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products	
	D. Other, containing by weight of starch:	
	I. Less than 50 %	
	II. 50% or more	
19.08	Pastry, biscuits, cakes and other fine bakers' wares, whether or not containing cocoa in any proportion:	
	 Gingerbread and the like, containing by weight of sucrose (including invert sugar expressed as sucrose): 	
	I. Less than 30%	
	II. 30% or more but less than 50%	
	III. 50 % or more	

CCT heading No	· Description	Basic duty
19.08	B. Other:	
cont'd)	Containing no starch or containing less than 5 % by weight of starch, and containing by weight of sucrose (including invert sugar expressed as sucrose):	
	a) Less than 70 %	
	b) 70% or more	
	II. Containing 5% or more but less than 32% by weight of starch:	
	a) Containing no sucrose or containing less than 5% by weight of sucrose (including invert sugar expressed as sucrose)	
	b) Containing 5 % or more but less than 30 % by weight of sucrose (including invert sugar expressed as sucrose):	
	Containing no milkfats or containing less than 1,5 % by weight of such fats Other	
	c) Containing 30% or more but less than 40% by weight of sucrose (including invert sugar expressed as sucrose):	
	Containing no milkfats or containing less than 1,5 % by weight of such fats Other	
	d) Containing 40% or more by weight of sucrose (including invert sugar expressed as sucrose):	
	Containing no milkfats or containing less than 1,5 % by weight of such fats Other	
	Containing 32% or more but less than 50% by weight of starch: a) Containing no sucrose or containing less than 5% by weight of sucrose (including invert sugar expressed as sucrose):	
	Containing no milkfats or containing less than 1,5 % by weight of such fats	
	2. Other	
	b) Containing 5 % or more but less than 20 % by weight of sucrose (including invert sugar expressed as sucrose):	
	Containing no milkfats or containing less than 1,5% by weight of such fats Other	
	 c) Containing 20% or more by weight of sucrose (including invert sugar expressed as sucrose): 	
	1. Containing no milkfats or containing less than 1,5% by weight of such fats	
	2. Other	
	IV. Containing 50% or more but less than 65% by weight of starch:	
	a) Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose):	
	Containing no milkfats or containing less than 1,5 % by weight of such fats Other	
	b) Containing 5% or more by weight of sucrose (including invert sugar expressed as sucrose):	
	1. Containing no milkfats or containing less than 1,5% by weight of such fats,	
	2. Other	

	·	
CCT heading No	Description	Basic duty
19.08 (cont'd)	B. V. Containing 65% or more by weight of starch: a) Containing no sucrose or containing less than 5% by weight of sucrose (including invert sugar expressed as sucrose) b) Other	
21.02	Extracts, essences or concentrates, of coffee, tea or mate and preparations with a basis of those extracts, essences or concentrates, roasted chicory and other roasted coffee substitutes and extracts, essences and concentrates thereof:	
	C. Roasted chicory and other roasted coffee substitutes: II. Other	
	D. Extracts, essences and concentrates of roasted chicory and other roasted coffee substitutes: 11. Other	
21.06	Natural yeasts (active or inactive); prepared baking powders:	
	A. Active natural yeasts: II. Bakers' yeast a) Dried b) Other	
21.07	Food preparations not elsewhere specified or included:	
	A. Cereals in grain or ear form, pre-cooked or otherwise prepared:	
	I. Maize	
	II. Rice	
	III. Other	
	B. Ravioli, macaroni, spaghetti and similar products, not stuffed, cooked; the foregoing preparations, stuffed, whether or not cooked:	
	I. Not stuffed, cooked: a) Dried	
	b) Other	
	II. Stuffed:	
	a) Cooked	
	b) Other	
	C. Ice-cream (not including ice-cream powder) and other ices: I. Containing no milkfats or containing less than 3 % by weight of such fats	
	II. Containing by weight of milkfats:	
	a) 3% or more but less than 7% b) 7% or more	
	D. Prepared yoghurt; prepared milk, in powder form, for use as infants' food or for dietetic or culinary purposes:	
	I. Prepared yoghurt:	
	a) In powder form, containing by weight of milkfats: Less than 1,5 %	
	1,5 % or more b) Other, containing by weight of milkfats:	
	1. Less than 1,5%	
	2. 1,5% or more but less than 4% 3. 4% or more	
	II. Other, containing by weight of milkfats:	
ļ	a) Less than 1,5% and containing by weight of milk proteins (nitrogen content × 6,38):	
	 Less than 40% 40% or more but less than 55% 	
	2. 70 % or more put less than 33 %	

CCT heading No	Description	Basic duty
21.07	D. II. a) 3. 55% or more but less than 70%	
(cont'd)	4. 70% or more	
	b) 1,5 % or more	
	E. Cheese fondues	
	G. Other:	
	I. Containing no milkfats or containing less than 1,5% by weight of such fats:	
	 a) Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose): 	i
	2. Containing by weight of starch:	
	aa) 5% or more but less than 32%	
	bb) 32% or more but less than 45%	
	cc) 45% or more	
	b) Containing 5% or more but less than 15% by weight of sucrose (including invert sugar expressed as sucrose):	
	1. Containing no starch or containing less than 5 % by weight of starch	
	2. Containing by weight of starch:	
	aa) 5% or more but less than 32%	
	bb) 32% or more but less than 45%	
	cc) 45% or more	
	 c) Containing 15% or more but less than 30% by weight of sucrose (including invert sugar expressed as sucrose); 	
	1. Containing no starch or containing less than 5% by weight of starch	
	2. Containing by weight of starch:	
	aa) 5% or more but less than 32%	
	bb) 32% or more but less than 45%	
	cc) 45% or more	
	d) Containing 30 % or more but less than 50 % by weight of sucrose (including invert sugar expressed as sucrose):	
	1. Containing no starch or containing less than 5% by weight of starch	
•	2. Containing by weight of starch:	
	aa) 5% or more but less than 32%	
	bb) 32% or more	
	 e) Containing 50% or more but less than 85% by weight of sucrose (including invert sugar expressed as sucrose); 	
	 Containing no starch or containing less than 5 % by weight of starch Other 	
	f) Containing 85% or more by weight of sucrose (including invert sugar expressed as sucrose)	
	II. Containing 1,5% or more but less than 6% by weight of milkfats:	
	Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose):	
	1. Containing no starch or containing less than 5% by weight of starch	
	2. Containing by weight of starch:	
	aa) 5% or more but less than 32%	
	bb) 32% or more but less than 45%	
	cc) 45% or more	
	•	

CCT heading No	Description	Basic duty
21.07 (cont'd)	G. II. b) Containing 5% or more but less than 15% by weight of sucrose (including invert sugar expressed as sucrose): 1. Containing no starch or containing less than 5% by weight of starch 2. Containing by weight of starch:	
	aa) 5% or more but less than 32% bb) 32% or more	
	c) Containing 15% or more but less than 30% by weight of sucrose (including invert sugar expressed as sucrose): 1. Containing no starch or containing less than 5% by weight of starch	
	2. Containing by weight of starch: aa) 5 % or more but less than 32 % bb) 32 % or more	
	d) Containing 30% or more but less than 50% by weight of sucrose (including invert sugatexpressed as sucrose): 1. Containing no starch or containing less than 5% by weight of starch	
	2. Other	
	e) Containing 50% or more by weight of sucrose (including invert sugar expressed as sucrose)	
	III. Containing 6% or more but less than 12% by weight of milkfats:	
	Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose): Containing no starch or containing less than 5 % by weight of starch	
	Containing by weight of starch: aa) 5 % or more but less than 32 % bb) 32 % or more	
	b) Containing 5 % or more but less than 15 % by weight of sucrose (including invert sugar expressed as sucrose): 1. Containing no starch or containing less than 5 % by weight of starch	
	2. Other	
	c) Containing 15% or more but less than 30% by weight of sucrose (including invert sugar expressed as sucrose):	
	Containing no starch or containing less than 5% by weight of starch Other	
	d) Containing 30% or more but less than 50% by weight of sucrose (including invert sugar expressed as sucrose):	
	Containing no starch or containing less than 5% by weight of starch Other	
	e) Containing 50% or more by weight of sucrose (including invert sugar expressed as sucrose)	
	IV. Containing 12% or more but less than 18% by weight of milkfats:	
	a) Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose): 1. Containing no starch or containing less than 5 % by weight of starch	
	2. Other	
	b) Containing 5 % or more but less than 15 % by weight of sucrose (including invert sugar expressed as sucrose):	

CCT heading No	Description	Basic duty
21.07 (cont'd)	G. IV. b) 1. Containing no starch or containing less than 5% by weight of starch 2. Other	
	c) Containing 15% or more by weight of sucrose (including invert sugar expressed as sucrose)	
	V. Containing 18% or more but less than 26% by weight of milkfats:	
	 a) Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose): 	
	1. Containing no starch or containing less than 5% by weight of starch	
	2. Other	
	 b) Containing 5% or more by weight of sucrose (including invert sugar expressed as sucrose) 	
	VI. Containing 26% or more but less than 45% by weight of milkfats:	
	 a) Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose); 	
	Containing no starch or containing less than 5 % by weight of starch Other	
	b) Containing 5 % or more but less than 25 % by weight of sucrose (including invert sugar	
	expressed as sucrose): 1. Containing no starch or containing less than 5% by weight of starch	
	2. Other	
	c) Containing 25% or more by weight of sucrose (including invert sugar expressed as sucrose)	
	VII. Containing 45% or more but less than 65% by weight of milkfats:	
	a) Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose):	
	1. Containing no starch or containing less than 5% by weight of starch	
	2. Other	
	 b) Containing 5% or more by weight of sucrose (including invert sugar expressed as sucrose): 	
•	 Containing no starch or containing less than 5% by weight of starch Other 	
	VIII. Containing 65 % or more but less than 85 % by weight of milkfats:	
	 a) Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose) 	
	b) Other	
	1X. Containing 85% or more by weight of milkfats	
22.02	Lemonade, flavoured spa waters and flavoured aerated waters, and other non-alcoholic beverages, not including fruit and vegetable juices falling within heading No 20.07:	
	B. Other, containing by weight of milkfats:	
	I. Less than 0,2%	
	II. 0,2% or more but less than 2%	
	III. 2% or more	

CCT heading No	Description	Basic dury
29.04	Acyclic alcohols and their halogenated, sulphonated, nitrated or nitrosated derivatives: C. Polyhydric alcohols:	
	II. D-Mannitol (mannitol)	
	III. D-Glucitol (sorbitol):	
	a) In aqueous solution: 1. Containing 2% or less by weight of D-mannitol, calculated on the D-glucitol content 2. Other	
	b) Other:	
	1. Containing 2% or less by weight of D-mannitol, calculated on the D-glucitol content 2. Other	
35.05	Dextrins and dextrin glues; soluble or roasted starches; starch glues:	
	A. Dextrins; soluble or roasted starches	
	B. Glues made from dextrin or from starch, containing by weight of those materials:	
	1. Less than 25 %	
	11. 25% or more but less than 55%	
	III. 55% or more but less than 80%	
	IV. 80% or more	
38.12	Prepared glazings, prepared dressings and prepared mordants, of a kind used in the textile, paper, leather or like industries:	
	A. Prepared glazings and prepared dressings:	
	I. With a basis of amylaceous substances, containing by weight of those substances:	
	a) Less than 55 %	
	b) 55% or more but less than 70%	
	c) 70% or more but less than 83% d) 83% or more	
38.19	Chemical products and preparations of the chemical or allied industries (including those consisting of mixtures of natural products), not elsewhere specified or included; residual products of the chemical or allied industries, not elsewhere specified or included:	
	T. D-Glucitol (sorbitol) other than that falling within subheading 29.04 C III:	
	I. In aqueous solution:	
	a) Containing 2% or less by weight of D-mannitol, calculated on the D-glucitol content b) Other	
	II. Other:	
	a) Containing 2% or less by weight of D-mannitol, calculated on the D-glucitol content b) Other	

ANNEX XIV

List provided for in Article 20 (1)

CCT heading No	Description
02.04	Other meat and edible meat, offals, fresh, chilled or frozen:
	ex A. Of domestic pigeons and domestic rabbits:
	— Of domestic rabbits
06.02	Other live plants, including trees, shrubs, bushes, roots, cuttings and slips:
	ex D. Other:
	— Rose bushes
	Ornamental plants
06.03	Cut flowers and flower buds of a kind suitable for bouquets or for ornamental purposes, fresh, dried, bleached, impregnated or otherwise prepared:
	A. Fresh:
	ex 1. From 1 June to 31 October:
	— Roses — Carnations
	ex II. From 1 November to 31 May:
	Roses
	— Carnations
06.04	Foliage, branches and other parts (other than flowers or buds) of trees, shrubs, bushes and other plants, and mosses, lichens and grasses being goods of a kind suitable for bouquets or ornamental purposes, fresh, dried, dyed, bleached, impregnated or otherwise prepared, excluding the cut flowers and flower buds falling within heading No 06.03:
	ex B. Other:
	Asparagus (asparagus plumosus)
08.11	Fruit provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption:
	A. Apricots
	E. Other
12.08	Chicory roots, fresh or dried, whole or cut, unroasted; locust beans, fresh or dried, whether or not kibbled or ground, but not further prepared; fruit kernels and other vegetable products of a kind used primarily for human food, not falling within any other heading:
	B. Locust beans
	C. Locust bean seeds
20.05	Jams, fruit jellies, marmalades, fruit purées and fruit pastes, being cooked preparations, whether or not containing added sugar
20.06	Fruit otherwise prepared or preserved whether or not containing added sugar or spirit:
	B. Other:
	II. Not containing added spirit:
	a) Containing added sugar, in immediate packings of a net capacity of more than 1 kg:
	1. Ginger
	2. Grapefruit segments
	3. Mandarins (including tangerines and satsumas); elementines, wilkings and
	other similar citrus hybrids

20.06 (cont'd)	
(cout'd)	B. H. a) 4. Grapes
(LOME O)	6. Pears:
	bb) Other
	7. Peaches and apricots:
	ex 22) With a sugar content exceeding 13% by weight:
	— Apricots
	bb) Other
	ex 8. Other fruits:
	— Excluding cherries
	9. Mixtures of fruit
	b) Containing added sugar in immediate packings of a net capacity of 1 kg or less:
	1. Ginger
	2. Grapefruit segments
	 Mandarins (including tangerines and satsumas); clementines, wilkings and other similar citrus hybrids
	4. Grapes
	7. Peaches and apricots:
	aa) With a sugar content exceeding 15% by weight:
	22. Apricots
	bb) Other: 22. Apricots
	ex 8. Other fruits:
	- Excluding cherries
	9. Mixtures of fruit
	c) Not containing added sugar
20.07	Fruit juices (including grape must) and vegetable juices, whether or not containing added sugar, but unfermented and not containing spirit:
	A. Of a density exceeding 1,33 g/cm ³ at 20 °C:
	II. Apple and pear juice; mixtures of apple and pear juice
	III, Other:
	ex a) Of a value exceeding 30 ECU per 100 kg net weight:
	Excluding orange and lemon juices
	ex b) Other:
	Excluding orange and lemon juices
	B. Of a density of 1,33 g/cm ³ or less at 20 °C:
	Grape, apple and pear juice (including grape must); mixtures of apple and pear juice:
	a) Of a value exceeding 18 ECU per 100 kg net weight:
	2. Apple and pear juice
	3. Mixtures of apple and pear juice
	b) Of a value of 18 ECU or less per 100 kg net weight:
	2. Apple juice
	3. Pear juice
	4. Mixtures of apple and pear juice
	II. Other:
	a) Of a value exceeding 30 ECU per 100 kg net weight:
	2. Grapefruit juice
	3. Lemon juice and other citrus fruit juices:
	ex aa) Containing added sugar: — Excluding lemon juice
	ex bb) Other:
	- Excluding lemon juice
	4. Pineapple juice
	1

CCT heading No	Description
20.07	B. II. a) 6. Other fruit and vegetable juices
(cont'd)	7. Mixtures
	b) Of a value of 30 ECU or less per 100 kg net weight:
	2. Grapefruit juice
	4. Other citrus fruit juices
	5. Pineapple juice
	7. Other fruit and vegetable juices
	8. Mixtures
23.04	Oil cake and other residues (except dregs) resulting from the extraction of vegetable oils:
	ex B. Other:
	— Oil-cake

ANNEX XV

List provided for in Article 20 (2)

CCT heading No	Description
01.03	Live swine:
	A. Domestic species
01.05	Live poultry, that is to say, fowls, ducks, geese, turkeys and guinea fowls:
	A. Of a weight not exceeding 185 g:
	ex I. Turkeys and geese:
	— Turkeys ex II. Other:
	— Hens
02.01	Meat and edible offals of the animals falling within heading No 01.01, 01.02, 01.03 or 01.04, fresh, chilled or frozen:
	A. Meat:
	III. Of swine:
	a) Of domestic swine B. Offals:
	II. Other:
	c) Of domestic swine
04.04	Cheese and curd:
	D. Processed cheese, not grated or powdered, of a fat content, by weight
	E. Other:
	 Not grated or powdered, of a fat content, by weight, not exceeding 40% and a water content, calculated by weight of the non-fatty matter:
	b) Exceeding 47% but not exceeding 72%:
	ex 1. Cheddar:
	— Of the 'Ilha' type
	ex 2. Other: — Of the 'Holland' type
04.05	Birds' eggs and egg yolks, fresh, dried or otherwise preserved, sweetened or not:
	A. Eggs in shell, fresh or preserved: 1. Poultry eggs:
	a) Eggs for hatching:
	ex 1. Of turkeys or geese:
	— Of turkeys
	ex 2. Other:
	— Of hens II. Other eggs
07.01	Vegetables, fresh or chilled:
	B. Cabbages, cauliflowers and Brussels sprouts:
	I. Cauliflowers:
	ex a) From 15 April to 30 November:
	— From 1 to 30 November
	ex b) From 1 December to 14 April:
	— From 1 December to 31 March
	ex H. Onions, shallots and garlic: — Onions, from 1 August to 30 November
	— Garlic, from 1 August to 31 December
	·

CCT heading No	Description
07.01	M. Tomatoes:
(cont'd)	ex I. From 1 November to 14 May:
	- From 1 December to 14 May
	ex II. From 15 May to 31 October:
	From 15 to 31 May
08.02	Citrus fruit, fresh or dried:
	A. Oranges:
	I. Sweet oranges, fresh:
	a) From 1 April to 30 April
	b) From 1 to 15 May
	ex c) From 16 May to 15 October:
	- From 16 May to 31 August
	ex d) From 16 October to 31 March:
	From 1 February to 31 March
	II. Other:
	ex a) From 1 April to 15 October:
	- From 1 April to 31 August
	· · ·
	ex b) From 16 October to 31 March:
	— From 1 February to 31 March
	B. Mandarins (including tangerines and satsumas); clementines, wilkings and other
	similar citrus hybrids:
	ex II. Other:
	Mandarins, including tangerines and satsumas from 1 November to 31 March
	ex C. Lemons: — From 1 June to 31 October
08.04	Grapes, fresh or dried:
	A. Fresh:
	l. Table grapes:
	ex b) From 15 July to 31 October:
	— From 15 August to 30 September
	— From 13 August to 30 septemoer
08.06	Apples, pears and quinces, fresh:
	A. Apples:
	II. Other:
	ex b) From 1 January to 31 March:
	From 1 to 31 March
	ex c) From 1 April to 31 July:
	- From 1 April to 30 June
	B. Pears:
	II. Other:
	ex a) From 1 January to 31 March:
	- From 1 February to 31 March
	b) From 1 April to 15 July
	c) From 16 to 31 July
	ex d) From 1 August to 31 December:
	- From 1 to 31 August
08.07	Stone fruit, fresh:
	ex A. Apricots:
	— From 15 June to 15 July
	ex B. Peaches, including nectarines: — Peaches, from 1 May to 30 September

CCT heading No	Description
11.08	Starches; inulin:
	A. Starches:
	i. Maize starch
15.01	Lard, other pig fat and poultry fat, rendered or solvent-extracted:
	A. Lard and other pig fat:
	II. Other
22.05	Wine of fresh grapes; grape must with fermentation arrested by the addition of alcohol:
	ex B. Wine other than that referred to in A, in bottles with 'mushroom' stoppers held in place by ties or fastenings; wine otherwise put up with an excess pressure due to carbon dioxide in solution of not less than 1 bar but less than 3 bar, measured at a temperature of 20 °C:
	 Wines put up other than in bottles with 'mushroom' stoppers, with an excess pressure due to carbon dioxide in solution of not less than 1 bar but less than 3 bar, measured at a temperature of 20 °C
	C. Other:
	1. Of an actual alcoholic strength by volume not exceeding 13% vol

II. Of an actual alcoholic strength by volume exceeding 13 % vol but not exceeding 15 % vol

ANNEX XVI

List provided for in Article 20 (4)

CCT heading No	Description		
03.01	Fish, fresh (live or dead), chilled or frozen:		
	B. Saltwater fish:		
	I. Whole, headless or in pieces:		
	h) Cod (Gadus morhua, Boreogadus saida, Gadus ogac):		
	2. Frozen		
	ij) Saithe (Pollachius virens):		
	2. Frozen		
*. ** * *	k) Haddock (Melanogrammus aeglefinus): 2. Frozen		
	m) Ling (Molva spp.): 2. Frozen		
	n) Alaska pollack (Theragra chalcogramma) and pollack (Pollachius pollachius):		
•	2. Frozen		
	t) Hake (Merluccius spp.):		
	1. Fresh or chilled 2. Frozen		
	ex v) Other:		
	- Horse mackerel (Trachurus trachurus), fresh, chilled or frozen		
	Similar to cod, frozen (Gadus macrocephalus, Brosme brosme) 11. Fillets:		
	b) Frozen:		
	Of cod (Gadus morhua, Boreogadus saida, Gadus ogae) Of haddock (Melanogrammus aeglefinus)		
	9. Of hake (Merluccius spp.)		
	11. Of plaice (Pleuronectes platessa)		
	12. Of flounder (Platichthys flesus)		
03.02	Fish, dried, salted or in brine; smoked fish, whether or not cooked before or during the smoking process:		
	A. Dried, salted or in brine:		
	1. Whole, headless or in pieces:		
	 b) Cod (Gadus morhua, Boreogadus saida, Gadus ogac) 		
	ex f) Other:		
	 Products similar to cod (saithe, haddock, Alaska pollack, pollack, Gadus macrocephalus, Brosme brosme) 		
03.03	Crustaceans and molluses, whether in shell or not, fresh (live or dead), chilled, frozen, salted, in brine or dried; crustaceans, in shell, simply boiled in water:		
	A. Crustaceans:		
	IV. Shrimps and prawns:		
	éx a) Prawns and shrimps of the <i>Pandalidae</i> family: — Frozen		
	b) Shrimps of the genus Crangon:		
	ex 2. Other:		
	— Frozen		
	ex c) Other:		
	— Frozen		
	V. Other:		
	Norway lobsters (Nephrops norvegicus): Frozen		
	B. Molluscs: IV. Other:		
	a) Frozen:		
	1. Squid		
	in the same of the		

COUNCIL REGULATION (EEC) No 4114/86

of 22 December 1986

extending the provisional arrangements for trade between Spain and Portugal on the one hand and the African, Caribbean and Pacific States (ACP States) on the other (*)

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 Regulation (EEC) No 691/86 (1) establishing provisional arrangements for trade between Spain and Portugal on the one hand and the African, Caribbean and Pacific States (ACP States) on the other, pending the entry into force of the additional protocol to the Third ACP-EEC Convention provided for in Articles 179 and 366 of the Act of Accession of Spain and Portugal, expires on 31 December 1986:

Whereas it will not be possible for the said protocol to enter into force on the date indicated;

Whereas Article 2 of ACP-EEC Decision No 11/86 extending ACP-EEC Decision No 6/86 provides that the ACP States, the Member States and the Community are obliged, each to the extent to which it is concerned, to take the measures entailed by the implementation of this Decision;

Whereas the period of validity of Regulation (EEC) No 691/86 should, therefore, be extended beyond 31 December 1986,

HAS ADOPTED THIS REGULATION:

Article 1

The period of validity of Regulation (EEC) No 691/86 is hereby extended until the closure of the negotiations for the conclusion of the protocol referred to in Articles 179 and 366 of the Act of Accession of Spain and Portugal or 30 June 1987, whichever is the earlier.

Article 2

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

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

Done at Brussels, 22 December 1986.

For the Council
The President
G. SHAW

⁽¹⁾ OJ No L 63, 5, 3, 1986, p. 3.

^(*) See also Decisions Nos 6/86 and 10/86, as well as Regulation No 691/86, pages 87, 115 and 243 respectively of this Compilation of Texts.

DECISION OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES, MEETING WITHIN THE COUNCIL

of 3 March 1986

establishing arrangements for trade between Spain and Portugal on the one hand and the African, Caribbean and Pacific States (ACP States) on the other in products falling within the ECSC Treaty (*)

(86/49/ECSC)

THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES OF THE EUROPEAN COAL AND STEEL COMMUNITY, MEETING WITHIN THE COUNCIL,

Whereas the Member States have concluded the Treaty establishing the European Coal and Steel Community;

Whereas the Community and the ACP States opened negotiations on 10 December 1985 for the conclusion of a protocol to adapt the Third ACP-EEC Convention to take account of the accession of Spain and Portugal to the European Communities;

Whereas Articles 180 (1) and 367 of the Act of Accession of Spain and Portugal provide that if such a protocol has not been concluded by 1 January 1986 the Community shall take the necessary measures to remedy the situation;

Whereas the Third ACP-EEC Convention has not yet entered into force:

Whereas Council Regulation (EEC) No 485/85 of 26 February 1985 concerning the application of Decision No 2/85 of the ACP-EEC Council of Ministers on transitional measures valid from 1 March 1985 (1), as extended by Council Regulation (EEC) No 690/86(2), lays down transitional measures to apply pending the entry into force of the Third ACP-EEC Convention;

Whereas the said transitional measures apply as between the ACP States and the enlarged Community;

Whereas it is therefore necessary to lay down special provisions for the implementation by the Kingdom of Spain and the Portuguese Republic of the trade arrangements established by the above Regulation;

Whereas the Third Convention is shortly due to enter into force and provides for trade arrangements identical to those established by the abovementioned Regulations;

Whereas the validity of the special provisions applying to Spain and Portugal should therefore be extended beyond the expiry of the abovementioned Regulation, pending the conclusion of the negotiations under way with the ACP States for a protocol adapting the Third ACP-EEC Convention and laying down transitional measures to take account of the accession of Spain and Portugal;

Whereas the Canary Islands, Ceuta and Melilla are not part of the customs territory of the Community and, in principle, unilateral or contractual acts of Community institutions concerning the common commercial policy and relating directly to the import or export of goods do not apply to those territories:

Whereas Article 7 of Protocol No 2 to the Act of Accession concerning the Canary Islands, Ceuta and Melilla provides, however, that customs duties, charges having equivalent effect and trade arrangements applying to imports into the Canary Islands, Ceuta and Melilla of goods coming from a third country may not be less favourable than those applied by the Community in accordance with its international commitments or preferential arrangements vis-à-vis such country, provided the country in question accords imports from the Canary Islands, Ceuta and Melilla the same treatment as it accords those from the Community;

Whereas provisions should therefore be adopted for implementation of the trade arrangements applicable to imports into the Canary Islands, Ceuta and Melilla of products originating in the ACP States,

In agreement with the Commission,

HAVE DECIDED AS FOLLOWS:

Article 1

From 1 March 1986 until the entry into force of the protocol referred to in Articles 179 and 366 of the Act of Accession or until 31 December 1986, whichever is the earlier, the Kingdom of Spain and the Republic of Portugal shall apply to imports originating in the ACP States of products falling within the ECSC Treaty the same arrangements as are applied by the other Member States, having regard to the special provisions set out in the Annex.

⁽¹⁾ OJ No L 61, 1. 3. 1985, p. 1.

⁽²⁾ See page 1 of this Official Journal.

^(*) See Decisions Nos 1/86, 6/86 and 11/86 and 86/643/ECSC as well as Regulations 690/86, 691/86 and 4114/86, pages 23, 87, 115, 338, 233, 243 and 333 of this Compilation of Texts.

5. 3. 86

Article 2

Member States shall take the measures necessary to implement this Decision.

Article 3

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

It shall take effect on the day of its publication and apply as from 1 March 1986.

Done at Brussels, 3 March 1986.

The President

W. F. van EEKELEN

Special provisions for imports into Spain and Portugal of products falling within the ECSC Treaty and originating in the African, Caribbean and Pacific (ACP States)

CHAPTER I

SPECIAL PROVISIONS APPLICABLE TO THE KINGDOM OF

will be the duty actually applied by the Kingdom of Spain vis-à-vis the Community on 1 January 1985.

Article 1

- 1. From 1 March 1986 the Kingdom of Spain shall apply to products falling within the ECSC Treaty and originating in the African, Caribbean and Pacific (ACP) States the same customs duties as it applies to like products from the Community as constituted on 31 December 1985.
- 2. The Kingdom of Spain shall dismantle customs duties on imports of the products referred to in paragraph 1 in accordance with the following timetable:
- on 1 March 1986 each duty shall be reduced to 90% of the basic duty,
- on 1 January 1987 each duty shall be reduced to 77,5% of the basic duty,
- on 1 January 1988 each duty shall be reduced to 62,5% of the basic duty,
- on 1 January 1989 each duty shall be reduced to 47,5% of the basic duty,
- on 1 January 1990 each duty shall be reduced to 35 % of the basic duty,
- on 1 January 1991 each duty shall be reduced to 22,5 % of the basic duty,
- on 1 January 1992 each duty shall be reduced to 10% of the basic duty.

The final 10% reduction shall be made on 1 January 1993.

3. For the purposes of applying the duties calculated in accordance with paragraph 2 they shall be rounded down to one decimal place.

Article 2

The basic duty for each product, at which the successive reductions provided for in Article 1 (2) shall be applied,

Article 3

Should the Kingdom of Spain suspend or reduce customs duties on imports from the Community as constituted on 31 December 1985 more rapidly than envisaged under the timetable laid down, it shall also suspend or reduce by the same percentage the customs duties applying to like products originating in the ACP States.

Article 4

Provided the ACP States accord imports coming from the Canary Islands, Ceuta and Melilla the same treatment as they accord imports from the Community:

- customs duties existing in those territories and the charge known as the 'arbitrio insular — tarifa general' existing in the Canary Islands shall be dismantled in respect of products originating in the ACP States in accordance with the timetable and arrangements laid down in Articles 1, 2 and 3,
- the charge known as the 'arbitrio insular tarifa especial' existing in the Canary Islands shall be abolished on 1 March 1986 in respect of products originating in the ACP States.

CHAPTER II

SPECIAL PROVISIONS APPLICABLE TO PORTUGAL

Article 5

- 1. As from 1 March 1986 the Portuguese Republic shall abolish customs duties on imports originating in the ACP States of products falling within the ECSC Treaty.
- 2. By way of derogation from paragraph 1, the Portuguese Republic shall dismantle customs duties on imports of the following products in accordance with the timetable set out below:

CCT heading No	Description
73.10	Bars and rods (including wire rod), of iron or steel, hot-rolled, forged, extruded, cold-formed or cold-finished (including precision-made); hollow mining drill steel:
	A. Not further worked than hot-rolled or extruded: 1. Wire rod (ECSC)
73.11	Angles, shapes and sections, of iron or steel, hot-rolled, forged, cold-formed or cold-finished, sheet piling of iron or steel, whether or not drilled, punched or made from assembled elements:
	A. Angles, shapes and sections:
	Not further worked than hot-rolled or extruded (ECSC)
73.13	Sheets and plates, of iron or steel, hot-rolled or cold-rolled:
	B. Other sheets and plates:
	IV. Clad, coated or otherwise surface- treated:
	ex d) Other (for example, copper-plated, artificially oxidized, lacquered, nickel-plated, varnished, clad, parkerised, printed) (ECSC): — coated with polyvinyl chloride

- on 1 March 1986 each duty shall be reduced to 90% of the basic duty,
- on 1 January 1987 each duty shall be reduced to 80% of the basic duty,
- on 1 January 1988 each duty shall be reduced to 65% of the basic duty,
- on 1 January 1989 each duty shall be reduced to 50 % of the basic duty,
- on 1 January 1990 each duty shall be reduced to 40 % of the basic duty,
- on 1 January 1991 each duty shall be reduced to 30% of the basic duty,
- the final two 15 % reductions shall be made on 1 January 1992 and 1 January 1993.
- 3. For the purpose of applying the duties calculated in accordance with paragraph 2 they shall be rounded down to one decimal place.

Article 6

- The basic duty for each product, to which the successive reductions provided for in Article 5 (2) shall be applied, will be the duty actually applied by the Portuguese Republic vis-3-vis the ACP States on 1 January 1985.
- 2. By way of derogation from paragraph 1, the Portuguese Republic shall dismantle customs duties on products falling within subheading ex 73.12 B IV d) of the Common Customs Tariff starting from a basic duty of 20%, provided the said duties are higher than the duties referred to in paragraph 1.

Article 7

Should the Portuguese Republic suspend customs duties on imports from the Community as constituted on 31 December 1985 or reduce them more rapidly than envisaged in the timetable laid down in Article 5 (2), it shall also suspend or reduce by the same percentage the customs duties applying to like products originating in the ACP States.

Article 8

- 1. The following charges applied by the Portuguese Republic to trade with the ACP States shall be dismantled in accordance with the timetable indicated:
- (a) The 0,4% ad valorem charge applied:
 - to goods imported temporarily,
 - to reimported goods (other than containers),
 - to goods imported under inward processing arrangements allowing drawback of duties paid on the import goods following export of the products obtained,

shall be:

- reduced to 0,2 % on 1 January 1987, and
- abolished on 1 January 1988.
- (b) The 0,9% ad valorem charge applied to goods imported for home use shall be:
 - reduced to 0,6% on 1 January 1989,
 - reduced to 0,3% on 1 January 1990, and
 - abolished on 1 January 1991.

DECISION OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES OF THE EUROPEAN COAL AND STEEL COMMUNITY, MEETING WITHIN THE COUNCIL

of 22 December 1986

extending the provisional arrangements for trade between Spain and Portugal on the one hand and the African, Caribbean and Pacific States (ACP States) on the other in products falling within the ECSC Treaty (*)

(86/643/ECSC)

THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES OF THE EUROPEAN COAL AND STEEL COMMUNITY, MEETING WITHIN THE COUNCIL,

Whereas the Member States have concluded the Treaty establishing the European Coal and Steel Community;

Whereas Decision 86/49/ECSC (1) establishing provisional arrangements for trade between Spain and Portugal on the one hand and the African, Caribbean and Pacific States (ACP States) on the other in products falling within the ECSC Treaty, pending the entry into force of the additional protocol to the Third ACP-EEC Convention provided for in Articles 179 and 366 of the Act of Accession of Spain and Portugal, expires on 31 December 1986;

Whereas it will not be possible for the said protocol to enter into force on the date indicated:

Whereas Article 2 of ACP-EEC Decision No 11/86 extending ACP-EEC Decision No 6/86 provides that the ACP States, the Member States and the Community are obliged, each to the extent to which it is concerned, to take the measures entailed by the implementation of this Decision:

Whereas the period of validity of Decision 86/49/ECSC should, therefore, be extended beyond 31 December 1986:

In agreement with the Commission,

HAS DECIDED AS FOLLOWS:

Article 1

The period of validity of Decision 86/49/ECSC shall be extended until the closure of negotiations for the conclusion of the Protocol referred to in Articles 174 and 366 of the Act of Accession or 30 June 1987, whichever is the earlier. However, this Decision shall cease to have effect should the transitional arrangements adopted jointly with the ACP States no longer be in force.

Article 2

Member States shall take the measures necessary to implement this Decision.

Article 3

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

It shall take effect on the day of its publication.

Done at Brussels, 22 December 1986.

The President

G. SHAW

⁽¹⁾ OJ No L 63, 5. 3. 1986, p. 187.

^(*) See Decision 86/49/ECSC, Decisions Nos 1/86, 6/86 and 11/86 of the ACP-EEC Council of Ministers and Regulations Nos 690, 691 and 4114/86, pp. 334, 23, 87, 115, 233, 243 and 333 respectively of this compilation of texts.

COMMISSION REGULATION (EEC) No 903/86

of 26 March 1986

fixing the levies for certain products imported from the African, Caribbean and Pacific States and the overseas countries and territories

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals (¹), as last amended by Regulation (EEC) No 3793/85 (¹), and in particular Articles 13 (5) and 14 (4) thereof.

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice (²), as last amended by Regulation (EEC) No 3768/85 (²), and in particular Articles 11 (2) and 12 (4) thereof.

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy (?), and in particular Article 3 thereof,

Whereas Council Regulation (EEC) No 486/85 (*), as last amended by Regulation (EEC) No 692/86 (*), lays 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 Regulation (EEC) No 692/86 extends, with rectroactive effect, the period of validity of Regulation (EEC) No 485/85; whereas the levies applicable to imports, from those countries and territories, of the products concerned should accordingly be fixed with retroactive effect,

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(*) OJ No L 281, I. II. 1975, p. I.

(*) OJ No L 367, 31. 12. 1985, p. 19.

(*) OJ No L 166, 25. 6. 1976, p. I.

(*) OJ No L 362, 31. 12. 1985, p. 8.

(*) OJ No L 164, 24. 6. 1985, p. I.

(*) OJ No L 61, I. 3. 1985, p. 4.

(*) OJ No L 63, 5. 3. 1986.
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Article 1

The Annexes to the following Commission Regulations:

- fixing or altering the import levies on products processed from cereals and rice:
 - (EEC) No 536/86 of 28 February 1986 (*), (EEC) No 566/86 of 28 February 1986 (*), (EEC) No 676/86 of 3 March 1986 (*), and
 - (EEC) No 703/86 of 5 March 1986 ("),
- fixing the import levies on cereals and on wheat or rye flour, groats and meal:
 - (EEC) No 550/86 of 28 February 1986 (17), (EEC) No 670/86 of 3 March 1986 (13), (EEC) No 679/86 of 4 March 1986 (14), and
 - (EEC) No 693/86 of 5 March 1986 (15),
- fixing the import levies on rice and broken rice: (EEC) No 564/86 of 28 February 1986 (16), and (EEC) No 695/86 of 5 March 1986 (17).
- fixing the import levies on compound feedingstuffs:

 (EEC) No 537/86 of 28 February 1986 (19),

are hereby replaced by the corresponding Annexes to this Regulation.

Article 2

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

The levies shown in the Annexes to this Regulation shall be applicable from the date of entry into force of each of the corresponding Regulations referred to in Article 1 of this Regulation.

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(*) OJ No L 55, 1. 3. 1986, p. 25.

(*) OJ No L 55, 1. 3. 1986, p. 99.

(*) OJ No L 61, 4. 3. 1986, p. 15.

(*) OJ No L 64, 6. 3. 1986, p. 25.

(*) OJ No L 55, 1. 3. 1986, p. 56.

(*) OJ No L 61, 4. 3. 1986, p. 3.

(*) OJ No L 64, 6. 3. 1986, p. 9.

(*) OJ No L 64, 6. 3. 1986, p. 9.

(*) OJ No L 55, 1. 3. 1986, p. 9.

(*) OJ No L 55, 1. 3. 1986, p. 9.
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This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 26 March 1986.

For the Commission Frans ANDRIESSEN Vice-President

11.02 F IV (*)

to the Commission Regulation of 28 February 1986 fixing the import levies on products processed from cereals and rice

ANNEX

(ECU/tonne) Imports CCT heading No Third countries (other than ACP or OCT) Portugal ACP or OCT 07.06 A I 29,60 146,81 (1) 145,00 (1) (7) 145,00 (') (*) 149,83 (1) 07.06 A II 32.62 11.01 C (2) 59,32 270,30 264,26 _11.01 D (*) 133,16 240,62 234,58 11.01 E I (²) 6,04 232,16 226,12 11.01 E II (*) 3,02 131,15 128,13 11.01 F (*) 32,28 168,02 165,00 140,70 137,68 11.01 G (4) 3,02 11.02 A II (*) 68,81 250,93 244,89 11.02 A III (*) 59,32 270,30 264,26 133,16 234,58 11.02 A IV (2) 240,62 11.02 A V a) 1 (4) 197,22 6,04 191,18 11.02 A V a) 2 (²) 6,04 232,16 226,12 11.02 A V b) (*) 3,02 131,15 128,13 11.02 A VI (1) 32,28 168,02 165,00 11.02 A VII (*) 3,02 140,70 137,68 11.02 B I a) 1 (³) 50,38 237,92 234,90 11.02 B [a) 2 aa) 75,05 135,95 132,93 11.02 B I a) 2 bb) (4) 130,14 237,60 234,58 11.02 B I b) 1 (1) 50,38 237,92 234,90 11.02 B I b) 2 (4) 130,14 237,60 234,58 11.02 B II a) (4) 3.02 213,25 210,23 49,40 11.02 B II b) (4) 183,97 180,95 11.02 B II c) (2) 3,02 204,01 200,99 11.02 B II d) (^a) 215,97 3,02 218,99 11.02 C I (4) 3,02 255,93 252,91 11.02 C II (*) 58,81 220,70 217,68 11.02 C III (4) 80,04 373,07 367,03 11.02 C IV (4) 116,01 211,53 208,51 11.02 C V (*) 3,02 204,01 200,99 11.02 C VI (*) 3,02 218.99 215,97 11.02 D I (*) 3.02 164,25 161.23 11.02 D II (*) 38,59 141,79 138,77 11.02 D III (*) 33.21 152,77 149,75 11.02 D IV (*) 75.05 13595 132.93 11.02 D V (2) 3,02 131,15 128,13 11.02 D VI (*) 3.02 140.70 137.68 11.02 E I a) 1 (4) 33,21 152,77 149,75 11.02 E I a) 2 (4) 75,05 135,95 132,93 11.02 E I b) 1 (²) 299,66 65.24 293.62 11.02 E I b) 2 (4) 147,28 266,68 260,64 11.02 E II a) (2) 290,57 284,53 6,04 11.02 E II b) (4) 68.81 250.93 244.89 11.02 E II c) (4) 6,04 232,16 226,12 11.02 E II d) 1 (4) 55,72 286,23 280,19 11.02 E II d) 2 (4) 6.04 249,00 242.96 11.02 F I (4) 6,04 290,57 284,53 11.02 F II (*) 68,81 250,93 244,89 11.02 F III (*) 59.32 270.30 264.26

133,16

240,62

234,58

			(ECU/tonn
		Imports	
CCT heading No	Portugal	Third countries (other than ACP or OCT)	ACP or OCT
11.02 F V (*)	6,04	232,16	226,12
11.02 F VI (*)	32,28	168,02	165,00
11.02 F VII (*)	3,02	140,70	137,68
11.02 G I	6,04	1 24,59	118,55
11.02 G II	6,04	100,26	94,22
11.04 C I	32,62	149,83	143,18 (*)
11.04 C II a)	20,55	191,55	1 67,37 (¹)
11.04 C II b)	20,55	222,80	198,62 (*)
11.07 A I a)	10,88	292,24	281,36
11.07 A I b)	10,88	221,11	210,23
11.07 A II a)	63,57	272,20 (*)	261,32
11.07 A II b)	50,25	206,14	195,26
11.07 B	56,76	238,44 (*)	227,56
11.08 A I	20,55	191,55	171,00
11.08 A II	72,78	231,09	200,26
11.08 A III	20,55	307,17	286,62
11.08 A IV	20,55	191,55	171,00
11.08 A V	20,55	191,55	85,50 (*)
11.09	181,34	702,46	521,12
17.02 B II a) (3)	96,72	319,76	223,04
17.02 B II b) (')	66,49	237,49	171,00
17.02 F II a)	96,72	330,38	233,66
17.02 F II b)	66,49	228,99	162,50
21.07 F 11	66,49	237,49	171,00
23.02 A l a)	10,14	66,27	60,27
23.02 A I b)	14,88	135,15	129,15
23.02 A II a)	10,14	66,27	60,27
23.02 A II b)	14,88	135,15	129,15
23.03 A I	181,34	393,76	212,42

- (1) This levy is limited to 6 % of the value for customs purposes, subject to certain conditions.
- (7) For the purpose of distinguishing between products falling within heading Nos 11.01 and 11.02 and those falling within subheading 23.02 A, products falling within heading Nos 11.01 and 11.02 shall be those meeting the following specifications:
 - a starch content (determined by the modified Ewers polarimetric method), referred to dry matter, exceeding 45 % by weight,
 - an ash content, by weight, referred to dry matter (after deduction of any added minerals), not exceeding 1,6 % for rice, 2,5 % for wheat, 3 % for barley, 4 % for buckwheat, 5 % for oats and 2 % for other cereals.
 Germ of cereals, whole, rolled, flaked or ground, falls in all cases within heading No 11.02.
- (?) Pursuant to Regulation (EEC) No 2730/75 the product falling within subheading 17.02 B I is subject to the same levy as products falling within subheading 17.02 B II.
- (?) In accordance with Regulation (EEC) No 1180/77 this levy is reduced by 5,44 ECU/tonne for products originating in Turkey.
- (7) In accordance with Regulation (EEC) No 486/85 the levy shall not be charged on the following products originating in the African, Caribbean and Pacific States and in the overseas countries and territories:
 - arrowroot falling within subheading ex 07.06 A,
 - flours and meal of arrowroot falling within subheading 11.04 C,
 - arrowroot starch falling within subheading ex 11.08 A V.

27. 3. 86

ANNEX

to the Commission Regulation of 28 February 1986 fixing the import levies on products processed from cereals and rice

	Imports	
CCT heading No	Third countries (other than ACP or OCT)	ACP or OCT
07.06 ∧ 1	155,87 (')	154,06 (¹) (⁵
77.06 A II	1 58,89 (¹)	154,06 (1) (5
1.01 C (*)	286,61	280,57
1.01 D (*)	256,92	250,88
1.01 E I (3)	270,21	264,17
1.01 E II (*)	1.52,72	149,70
1.01 F (-)	174,42	171,40
1.01 G (*)	149,94	146,92
1.02 A II (*)	272,67	266,63
1.02 A III (*)	286,61	280,57
1.02 A IV.(7)	256,92	250,88
1.02 A V a) 1 (*)	235,27	229,23
1.02 A V a) 2 (*)	270,21	264,17
1.02 A V b) (*)	152.72	149,70
1.02 A VI (*)	174,42	171,40
1.02 A VII (*)	149,94	146,92
1.02 B I a) 1 (²)	252,41	249,39
1.02 B I a) 2 aa)	145.19	142.17
1.02 B (a) 2 bb) (*)	253,90	250,88
1.02 B l b) l (²)	252,41	249,39
1.02 B I b) 2 (^a)	253,90	250,88
1.02 B II a) (4)	221,29	218,27
, , , ,	1	
1.02 B II b) (*)	200,03	197,01
1.02 B II c) (²)	237,84	234,82
1.02 B II d) (*)	233,48	230,46
1.02 C I (*)	265,60	262,58
1.02 C II (*)	240,03	237,01
1.02 C III (*)	395,72	389,68
1.02 C IV (*)	226,03	223,01
1.02 C V (*)	237,84	234,82
1.02 C VI (*)	233,48	230,46
1.02 D I (7)	170,41	167,39
1.02 D II (*)	154,11	151,09
1.02 D III (*)	162,01	158,99
1.02 D IV (*)	145,19	142,17
1.02 D V (²)	152,72	149,70
1.02 D VI (*)	149,94	146,92
1.02 E [a) 1 (^a)	162,01	158,99
1.02 E l a) 2 (²)	145,19	142,17
1.02 E [b) 1 (*)	317,78	311,74
1.02 E I b) 2 (³)	284,80	278,76
1.02 E II 2) (²)	301,44	29 5,40
1.02 E II b) (7)	272,67	266,63
1.02 E II c) (²)	270,21	264,17
1.02 E 11 d) 1 (³)	297,10	291.06
1.02 E II d) 2 (*)	265,31	259,27
1.02 F I (*)	301,44	295.40
1.02 F II (*)	272,67	266,63
.02 F III (*)	286,61	280,57
.02 F IV (*)	256,92	2.50,88

	Impor	ts
CCT heading No	Third countries (other than ACP or OCT)	ACP or OCT
t.02 F V (²)	27 0,2 †	264,17
1.02 F VI (*)	174,42	171,40
1.02 F VII (*)	149,94	146,92
1.02 G I	129,12	123,08
1.02 G II	116,11	110,07
1.04 C I	158,89	152,24 (2)
1.04 C H a)	225,58	201,40 (2)
1.04 С П Ы)	256,83	232,65 (1)
1.07 Å I a)	303,00	292,12
1.07 A I b)	229,15	218,27
1.07 A II a)	288,33 (4)	277,45
1.07 A II b)	218,19	207,31
1.07 B	252,48 (9	241,60
1.08 A I	225,58	205,03
II A 80.1	240,27	209,44
111 A 80.1	320,45	299,90
1.08 A IV	225,58	205,03
1.08 A V	225,58	102,51 (*)
1.09	726,62	545,28
7.02 B II a) (²)	364,16	267,44
7.02 B II b) (²)	271,52	205,03
7.02 F II a)	376,89	280,17
7.02 F II b)	261,34	194,85
1.07 F II	271,52	205,03
3.02 A I a)	71,35	65,35
3.02 A I b)	146,03	140,03
3.02 A II a)	71,35	65,35
3.02 A [I b]	146,03	140,03
3.03 A I	436,04	254,70

- (') This levy is limited to 6 % of the value for customs purposes, subject to certain conditions.
- (f) For the purpose of distinguishing between products falling within heading Nos 11.01 and 11.02 and those falling within subheading 23.02 A, products falling within heading Nos 11.01 and 11.02 shall be those meeting the following specifications:
 - a starch content (determined by the modified Ewers polarimetric method), referred to dry matter, exceeding 45 % by weight,
 - an ash content, by weight, referred to dry matter (after deduction of any added minerals), not exceeding 1,6% for rice, 2,5% for wheat, 3% for barley, 4% for buckwheat, 5% for oats and 2% for other cereals.

Germ of cereals, whole, rolled, flaked or ground, falls in all cases within heading No 11.02.

- (*) Pursuant to Regulation (EEC) No 2730/75 the product falling within subheading 17.02 B I is subject to the same levy as products falling within subheading 17.02 B II.
- (*) In accordance with Regulation (EEC) No 1180/77 this levy is reduced by 5,44 ECU/tonne for products originating in Turkey.
- (f) In accordance with Regulation (EEC) No 486/85 the levy shall not be charged on the following products originating in the African, Caribbean and Pacific States and in the overseas countries and territories:
 - -- arrowroot falling within subheading ex 07.06 A,
 - flours and meal of arrowroot falling within subheading 11.04 C,
 - arrowroot starch falling within subheading ex 11.08 A V.

to the Commission Regulation of 3 March 1986 altering the import levies on products processed from cereals and rice

(ECU/tonne) Import Third countries (other than ACP or OCT) CCT heading No ACP or OCT 11.01 E I (*) 275,64 269,60 11.01 E II (*) 155,80 15278 11.02 A V a) 1 (4) 240,71 234,67 11.02 A V a) 2 (1) 275,64 269,60 11.02 A V b) (1) 155,80 152,78 11.02 B II c) (4) 242,67 239,65 11.02 C V (1) 242,67 239,65 11.02 D V (1) 155,80 152,78 11.02 E II c) (4) 275,64 269.60 11.02 F V (4) 275,64 269,60 11.02 G II 118,38 112,34 11.04 C II a) 230,45 206,27 (1) 11.04 C II b) 261,70 237,52 (1) 11.08 A I 209.90 230,45 11.08 A IV 230,45 209,90 230,45 11.08 A V 104,95 (1) 17.02 B II a) (4) 370,50 273,78 209.90 17.02 B II b) (3) 276,39 17.02 F II a) 383.53 286.81 17.02 F II b) 265,96 199,47 21.07 F II 276.39 209,90 23.03 A I 442,08 260,74

- (f) For the purpose of distinguishing between products falling within heading Nos 11.01 and 11.02 and those falling within subheading 23.02 A, products falling within heading Nos 11.01 and 11.02 shall be those meeting the following specifications:
 - a starch content (determined by the modified Ewers polarimetric method), referred to dry matter, exceeding 45 % by weight,
 - an ash content, by weight, referred to dry matter (after deduction of any added minerals), not exceeding 1,6 % for rice, 2,5 % for wheat, 3 % for barley, 4 % for buckwheat, 5 % for oats and 2 % for other cereals.
 - Germ of cereals, whole, rolled, flaked or ground, falls in all cases within heading No 11.02.
- (*) Pursuant to Regulation (EEC) No 2730/75 the product falling within subheading 17.02 B I is subject to the same levy as products falling within subheading 17.02 B II.
- (7) In accordance with Regulation (EEC) No 486/85 the levy shall not be charged on the following products originating in the African, Caribbean and Pacific States and in the overseas countries and territories:
 - arrowroot falling within subheading ex 07.06 A,
 - flours and meal of arrowroot falling within subheading 11.04 C,
 - arrowroot starch falling within subheading ex 11.08 A V.

to the Commission Regulation of 5 March 1986 altering the import levies on products processed from cereals and rice

(ECUtonne)

	Import le	rvies
CCT heading No	Third countries (other than ACP or OCT)	ACP or OCT
11.01 F (*)	180,82	177,80
11.02 A II (²)	278,11	272,07
11.02 A VI (*)	180,82	177,80
11.02 В II b) (³)	. 204,05	201,03
1.02 C II (*)	244,86	241,84
11.02 D II (*)	157,19	154,17
11.02 Е II b) (⁻)	278,11	272,07
11.02 E II d) 1 (*)	307,97	301,93
11.02 F II (²)	278,11	272,07
11.02 F VI (*)	180,82	177,80
11.08 A II	249,45	218,62

⁽f) For the purpose of distinguishing between products falling within heading Nos 11.01 and 11.02 and those falling within subheading 23.02 A, products falling within heading Nos 11.01 and 11.02 shall be those meeting the following specifications:

Germ of cereals, whole, rolled, flaked or ground, falls in all cases within heading No 11.02.

a starch content (determined by the modified Ewers polarimetric method), referred to dry matter, exceeding 45 % by weight,

an ash content, by weight, referred to dry matter (after deduction of any added minerals), not exceeding 1,6% for rice, 2,5% for wheat, 3% for barley, 4% for buckwheat, 5% for oats and 2% for other cereals.

to the Commission Regulation of 28 February 1986 fixing the import levies on cereals and on wheat or rye flour, groats and meal

		(ECU/tonne)
CCT heading No	Description	Levies
10.01 B I	Common wheat, and meslin	163,56
10.01 B II	Durum wheat	220,82 (1) (7)
10.02	Rye	147,42 (9)
10.03	Barley	155,52
10.04	Oats	139,66
10.05 B	Maize, other than hybrid maize for	
	sowing	147,84 (*) (*)
10.07 A	Buckwheat	0
10.07 B	Millet	89,57 (1)
10.07 C	Grain sorghum	145,18 (9)
10.07 D I	Triticale	0
10.07 D II	Canary seed; other cereals	0 (2)
11.01 A	Wheat or meslin flour	243,96
11.01 B	Rye flour	221,36
11.02 A I a)	Durum wheat groats and meal	355,94
11.02 A I b)	Common wheat groats and meal	261,30

- (*) Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by 0,60 ECU/tonne.
- (?) In accordance with Regulation (EEC) No 486/85 the levies are not applied to imports into the French overseas departments of products originating in the African, Caribbean and Pacific States or in the 'overseas countries and territories'.
- (7) Where maize originating in the ACP or OCT is imported into the Community the levy is reduced by 1,81 ECU/tonne.
- (*) Where millet and sorghum originating in the ACP or OCT are imported into the Community the levy is reduced by 50 %.
- (?) Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by 0,60 ECU/tonne.
- (*) The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 and Commission Regulation (EEC) No 2622/71.
- (*) The levy applicable to rye shall be charged on imports of the product falling within subheading 10.07 D I (triticale).

to the Commission Regulation of 3 March 1986 fixing the import levies on cereals and on wheat or rye flour, groats and meal

		(ECU/tonne)
CCT heading No	Description	Levies
10.01 B I	Common wheat, and meslin	162,35
10.01 B II	Durum wheat	219,86 (1) (7)
10.02	Rye	148,72 (4)
10.03	Barley	155,52
0.04	Oats	139,66
10.05 B	Maize, other than hybrid maize for	
	sowing	150,12(*)(*)
10.07 A	Buckwheat	0
10.07 B	Millet	88,58 (*)
10.07 C	Grain sorghum	145,18 (9)
10.07 D I	Triticale	l o "
10.07 D II	Canary seed; other cereals	0 (1)
11.01 A	Wheat or meslin flour	242,26
11.01 B	Rye flour	223,18
11.02 A I a)	Durum wheat groats and meal	354,45
11.02 A I b)	Common wheat groats and meal	259,46

- (¹) Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by 0,60 ECU/tonne.
- (7) In accordance with Regulation (EEC) No 486/85 the levies are not applied to imports into the French overseas departments of products originating in the African, Caribbean and Pacific States or in the 'overseas countries and territories'.
- (7) Where maize originating in the ACP or OCT is imported into the Community the levy is reduced by 1,81 ECU/tonne.
- (*) Where millet and sorghum originating in the ACP or OCT are imported into the Community the levy is reduced by 50 %.
- (7) Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by 0,60 ECU/tonne.
- (9) The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 and Commission Regulation (EEC) No 2622/71.
- (7) The levy applicable to rye shall be charged on imports of the product falling within subheading 10.07 D I (triticale).

to the Commission Regulation of 4 March 1986 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU)tonne				
CCT heading	Description	Levies		
No	Description	Portugal	Third country	
10.01 B I	Common wheat, and meslin	_	162,35	
10.01 B II	Durum wheat	14,09	219,86 (1) (2)	
10.02	Rye	34,87	1.50,54 (*)	
0.03	Barley	29,60	155,52	
0.04	Oats	70,62	138,92	
0.05 B	Maize, other than hybrid maize for			
	sowing		150,12 (2) (2)	
0.07 A	Buckwheat	_	0	
0.07 B	Millet	_	88,58 (*)	
0.07 C	Grain sorghum	_	145,18 (9)	
0.07 D I	Triticale	(*)	1 0	
0.07 D II	Canary seed; other cereals		0 (*)	
1.01 A	Wheat or meslin flour		242,26	
1.01 B	Rye flour	48,82	22.5,73	
1.02 A I a)	Durum wheat groats and meal	21,84	354,45	
1.02 A I b)	Common wheat groats and meal	_	259,46	

- (*) Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by 0,60 ECU/tonne.
- (?) In accordance with Regulation (EEC) No 486/85 the levies are not applied to imports into the French overseas departments of products originating in the African, Caribbean and Pacific States or in the 'overseas countries and territories'.
- (*) Where maize originating in the ACP or OCT is imported into the Community the levy is reduced by 1,81 ECU/tonne.
- (1) Where millet and sorghum originating in the ACP or OCT are imported into the Community the levy is reduced by 50 %.
- (7) Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by 0,60 ECU/tonne.
- (9) The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 and Commission Regulation (EEC) No 2622/71.
- (7) The levy applicable to rye shall be charged on imports of the product falling within subheading 10.07 D I (triticale).

to the Commission Regulation of 5 March 1986 fixing the import levies on cereals and on wheat or sye flour, groats and meal

(ECU/tonne)

			120000	
CCT heading No	Description	Levies		
	Eckapaon	Portugal	Third country	
10.01 B I	Common wheat, and meslin		163,51	
10.01 B II	Durum wheat	15,06	220,82 (1) (7)	
10.02	Rye	35,50	151,27 (9)	
10.03	Barley	30,24	155,52	
10.04	Oats	71,14	139,66	
10.05 B	Maize, other than hybrid maize for		-	
	sowing	_	150,12 (*) (*)	
10.07 A	Buckwheat	_	0	
10.07 B	Millet	_ `	89,56 (1)	
10.07 C	Grain sorghum	_	146,91 (9)	
10.07 D I	Triticale	n	_ ი :	
10.07 D II	Canary seed; other cereals	-	ο (₂)	
11.01 A	Wheat or meslin flour	_	243,89	
11.01 B	Rye flour	49,70	226,75	
11.02 A I a)	Durum wheat groats and meal	23,34	355,94	
11.02 A I b)	Common wheat groats and meal	_	261,22	

- (f) Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by 0,60 ECU/tonne.
- (?) In accordance with Regulation (EEC) No 486/85 the levies are not applied to imports into the French overseas departments of products originating in the African, Caribbean and Pacific States or in the 'overseas countries and territories'.
- (*) Where maize originating in the ACP or OCT is imported into the Community the levy is reduced by 1,81 ECU/tonne.
- (9) Where millet and sorghum originating in the ACP or OCT are imported into the Community the levy is reduced by 50 %.
- (7) Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by 0,60 ECU/tonne.
- (9) The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 and Commission Regulation (EEC) No 2622/71.
- (*) The levy applicable to rye shall be charged on imports of the product falling within subheading 10.07 D I (triticale).

ANNEX to the Commission Regulation of 28 February 1986 fixing the import levies on rice and broken rice

				(ECU/tonne
CCT heading No	Description	Portugal .	Third countries (?)	ACP or OCT (') (') (')
ex 10.06	Rice:			
	B. Other:			İ
	I. Paddy rice; husked rice:			i '
	a) Paddy rice:			ļ
	1. Round grain	_	312,18	152,49
	2. Long grain	_	315,11	153,95
	b) Husked rice:	1		
	1. Round grain	_	390,22	191,51
	2. Long grain	_	393,89	193,34
	II. Semi-milled or wholly milled rice:			
	a) Semi-milled rice:			•
	1. Round grain	13,05	481,92	229,03
	2. Long grain	12,97	611,78	294,00
	b) Wholly milled rice:			
	1. Round grain	13,90	513,25	244,27
	2. Long grain	13,90	655,83	315,56
	III. Broken rice	_	162,01	78,00
	l .	1	ı	ı

⁽¹) Subject to the application of the provisions of Articles 10 and 11 of Regulation (EEC) No 486/85 and of Regulation No 551/85.

^(?) In accordance with Regulation (EEC) No. 486/85, the levies are not applied to imports into the overseas department of Réunion of products originating in the African, Caribbean and Pacific States or in the 'overseas countries and territories'.

⁽⁷⁾ The import levy on rice entering the overseas department of Réunion is specified in Article 11a of Regulation (EEC) No 1418/76.

ANNEX to the Commission Regulation of 5 March 1986 fixing the import levies on rice and broken

(ECU/tonne) CCT ACP or OCT (') (') (') Third Description heading No Portugal countries (*) ex 10.06 Rice: B. Other: I. Paddy rice; husked rice: a) Paddy rice: 1. Round grain 316,78 154,79 2. Long grain 320,30 156,55 b) Husked rice: 1. Round grain 395,98 194,39 400,37 196,58 2. Long grain II. Semi-milled or wholly milled rice: a) Semi-milled rice: 1. Round grain 13,05 489,13 232,64 2. Long grain 12,97 618,42 297,32 b) Wholly milled rice: 1. Round grain 13,90 520,93 248,11 13,90 662,95 319,12 2. Long grain III. Broken rice 30,24 166,85 80,42

⁽¹⁾ Subject to the application of the provisions of Articles 10 and 11 of Regulation (EEC) No 486/85 and of Regulation No 551/85.

⁽⁷⁾ In accordance with Regulation (EEC) No. 486/85, the levies are not applied to imports into the overseas department of Réunion of products originating in the African, Caribbean and Pacific States or in the overseas countries and territories.

^(*) The import levy on rice entering the overseas department of Réunion is specified in Article 11a of Regulation (EEC) No 1418/76.

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ANNEX to the Commission Regulation of 28 February 1986 fixing the import levies on compound feedingstuffs

(ECU/tonne) Levies Third countries CCT heading No Nomenclature in simplified wording (other than ACP or Portugal ACP or oct OCT) Preparations of a kind used in animal feeding, covered by Regulation (EEC) No 968/68, containing starch, glucose or glucose syrup falling within subheadings 17.02 B and 21.07 F II, or milk products (falling within heading Nos 04.01, 04.02, 04.03 and 04.04, and subheadings 17.02 A and 21.07 P I) containing starch, glucose or glucose syrup : Containing no starch or containing 10 % or less by weight of 23.07 B I a) ! - Containing no milk products or containing less than 10 % by 30,98 20,10 weight of such products 10,88 23.07 B I a) 2 - Containing 10 % or more but less than 50 % by weight of milk 10.88 792,79 781,91 Containing more than 10 % but not more than 30 % by weight of starch: 23.07 B I b) 1 - Containing no milk products or containing less than 10 % by 10.88 62.81 weight of such products 73.69 23.07 В І Ы) 2 - Containing 10 % or more but less than 50 % by weight of milk products 10.88 835,50 824,62 Containing more than 30 % by weight of starch: 23.07 B I c) 1 - Containing no milk products or containing less than 10 % by 10,88 136,50 125,62 weight of such products - Containing 10 % or more but less than 50 % by weight of milk 23.07 B I c) 2 products 10,88 898,31 887,43

COMMISSION REGULATION (EEC) No 3061/86

of 7 October 1986

opening, allocating and providing for the administration of a Community tariff quota for fresh or chilled tomatoes, falling within subheading ex 07.01 M I of the Common Customs Tariff and originating in the African, Caribbean and Pacific States and the overseas countries and territories (1986/87)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 486/85 of 26 February 1985 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States and the overseas countries and territories (1), extended by Council Regulation (EEC) No 692/86 (2), and in particular Articles 13 and 22 thereof,

Whereas Article 13 of Council Regulation (EEC) No 486/85 provides for the opening by the Community of a Community tariff quota of 2 000 tonnes of fresh or chilled tomatoes, falling within subheading ex 07.01 M I of the Common Customs Tariff and originating in the countries in question; whereas the quota period runs from 15 November to 30 April; whereas the customs duty applicable to the quota is set at 4,4 %, with a minimum charge of 0,8 ECU per 100 kilograms net weight; whereas this Community tariff quota should be opened for the period 15 November 1986 to 30 April 1987:

Whereas, according to Articles 6 and 18 of the Annex to Council Regulation (EEC) No 691/86 of 3 March 1986 establishing arrangements for trade between Spain and Portugal on the one hand and the African, Caribbean and Pacific States (ACP States) on the other (3), the Kingdom of Spain and the Portuguese Republic shall postpone implementation of the preferential arrangements for fruit and vegetables falling within Council Regulation (EEC) No 1035/72 (*) until 31 December 1989 and 31 December 1990 respectively; whereas, consequently, the present Regulation applies only to the Community as constituted at 31 December 1985;

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 period of application of the quota is very short, it seems possible to avoid allocating it among the Member States, without prejudice to the drawing against the quota volume of such quantities as they may need, in the conditions and according to the procedure specified in Article 1 (2); whereas this method of management requires close cooperation between the Member States and the Commission; whereas the latter must, in particular, be able to monitor the rate at which the quota is used up and inform the Member States thereof;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any operation relating to the administration of the shares allocated to that economic union may be carried out by any one of its members;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

For the period 15 November 1986 to 30 April 1987 a Community tariff quota of 2 000 tonnes shall be opened in the Community as constituted at 31 December 1985 for fresh or chilled tomatoes, falling within subheading ex 07.01 M I of the Common Customs Tariff and originating in the African, Caribbean and Pacific States and 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 0,8 ECU per 100 kilograms net weight.

- If an importer notifies an imminent importation of the product in question in a Member State and requests the benefit of the quota, the Member State concerned shall inform the Commission and draw an amount corresponding to these requirements to the extent that the available balance of the reserve permits this.
- The shares drawn pursuant to paragraph 2 shall be valid until the end of the quota period.

Article 2

Member States shall take all appropriate measures to ensure that their drawings pursuant to Article 1 (2) are carried out in such a way that imports may be charged without interruption against their accumulated shares of the Community quota.

⁽¹) OJ No L 61, 1. 3. 1985, p. 4. (²) OJ No L 63, 5. 3. 1986, p. 93. (¹) OJ No L 63, 5. 3. 1986, p. 3. (¹) OJ No L 118, 20. 5. 1972, p. 1.

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- 2. Each Member State shall ensure that importers of the said goods have free access to the quota so long as the residual balance of the quota volume allows this.
- 3. Member States shall charge imports of the said goods against their shares as and when the goods are entered for free circulation.
- 4. The extent to which the quota has been exhausted shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 3

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

Article 4

The Member States and the Commission shall collaborate closely in order to ensure that this Regulation is complied with.

Article 5

This Regulation shall enter into force on 15 November 1986.

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

Done at Brussels, 7 October 1986.

For the Commission COCKFIELD Vice-President

COMMISSION REGULATION (EEC) No 3076/86 of 8 October 1986

establishing ceilings and Community surveillance for imports of carrots and onions, falling within heading No ex 07.01 of the Common Customs Tariff and originating in the African, Caribbean and Pacific States and the overseas countries and territories (1987)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 486/85 of 26 February 1985 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States and the overseas countries and territories (1), extended by Regulation (EEC) No 692/86 (2), and in particular Articles 13 and 22

Whereas Article 13 of Regulation (EEC) No 486/85 stipulates that, for the period 1 January to 31 March, carrots, falling within subheading ex 07.01 G II of the Common Customs Tariff, and, for the period 15 February to 15 May, onions, falling within subheading ex 07.01 H of the Common Customs Tariff and originating in the countries in question are subject on importation into the Community to the reduced rates of duty of 10,2 and 4,8 % respectively; whereas such reduction of duties applies only to imports up to ceilings of 500 tonnes for each of these products above which the customs duties actually applicable to third countries are re-established;

Whereas, according to Articles 6 and 18 of the Annex to Council Regulation 691/86 of 3 March 1986 establishing arrangements for trade between Spain and Portugal on the one hand and the African, Caribbean and Pacific States (ACP States) on the other (3), the Kingdom of Spain and the Portuguese Republic shall postpone implementation of the preferential arrangements for fruit and vegetables falling within Council Regulation (EEC) No 1035/72 (*) until 31 December 1989 and 31 December 1990 respectively; whereas, consequently, the present Regulation applies only to the Community as constituted at 31 December 1985;

Whereas the application of ceilings requires the Community to be regularly informed of the trend of imports of the relevant products originating in these countries; whereas imports should, therefore, be made subject to a system of surveillance;

Whereas this objective may be achieved by means of an administrative procedure based on offsetting imports of the products in question against the ceilings at Community level as and when these products are entered with customs authorities for free circulation; whereas this administrative procedure must make provision for the possible re-establishment of customs tariff duties as soon as the ceilings are reached at Community level;

Whereas this administrative procedure requires close and particularly swift cooperation between the Member States and the Commission; whereas the latter must, in particular, be able to follow the progress of quantities charged against the ceilings and keep the Member States informed; whereas this cooperation has to be particularly close since the Commission must be able to take the appropriate measures to re-establish customs tariff duties if one of the ceilings is reached;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

Imports of the products, originating in the African, Caribbean and Pacific States, and the overseas countries and territories, which are listed in the Annex, shall in the Community as constituted at 31 December 1985, be subject to ceilings and to Community surveillance.

The products referred to in the first subparagraph, their tariff headings, the customs duties applicable, the periods of validity and the levels of the ceilings are set out in the said Annex.

Quantities shall be charged against the ceilings as and when products are entered with customs authorities for free circulation, accompanied by a movement certificate.

Products may be charged against a ceiling only if the movement certificate is submitted before the date on which customs duties are re-established.

The extent to which a ceiling is used up shall be determined at Community level on the basis of the imports charged against it, as defined in the preceding subparagraphs.

Member States shall inform the Commission, at the intervals and within the time limits specified in paragraph 4, of imports effected in accordance with the above procedures.

^(*) OJ No L 61, 1. 3. 1985, p. 4. (*) OJ No L 63, 5. 3. 1986, p. 93. (*) OJ No L 63, 5. 3. 1986, p. 3. (*) OJ No L 118, 20. 5. 1972, p. 1.

- As soon as a ceiling has been reached, the Commission shall adopt a regulation re-establishing, until the end of its period of validity, the customs duties applicable to third countries.
- Member States shall send the Commission statements of the quantities charged for periods of 10 days, to be forwarded within five clar days of the end of each 10-day period.

Article 2

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

Article 3

This Regulation shall enter into force on 1 January 1987.

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

Done at Brussels, 8 October 1986.

For the Commission COCKFIELD Vice-President

ANNEX

Order No	CCT heading No	Description	Customs duty applicable	Level of ceiling (tonnes)
	07.01	Vegetables, fresh or chilled: G. Carrots, turnips, salad beetroot, salsify, celeriac, radishes and similar edible roots: ex II. Carrots and turnips:		
12.0010		— Carrots, from 1 January to 31 March 1987 ex H. Onions, shallots and garlic:	10.2 %	500
12.0020		- Onions, from 15 February to 15 May 1987	4,8 %	500

COMMISSION REGULATION (EEC) No 3077/86

of 8 October 1986

opening, allocating and providing for the administration of a Community tariff quota for strawberries falling within subheading ex 08.08 A II of the Common Customs Tariff and originating in the African, Caribbean and Pacific States and the overseas countries and territories (1986/87)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 486/85 of 26 February 1985 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States and the overseas countries and territories (1), extended by Regulation (EEC) No 692/86 (2), and in particular Articles 13 and 22 thereof.

Whereas Article 13 of Council Regulation (EEC) No 486/85 provides for the opening by the Community of a Community tariff quota of 700 tonnes of strawberries, falling within subheading ex 08.08 A II of the Common Customs Tariff and originating in the countries in question; whereas the quota period runs from 1 November to 28 February; whereas the customs duty applicable to the quota is set at 5,6 %;

Whereas, according to Articles 6 and 18 of the Annex to Council Regulation 691/86 of 3 March 1986 establishing arrangements for trade between Spain and Portugal on the one hand and the African, Caribbean and Pacific States (ACP States) on the other (3), the Kingdom of Spain and the Portuguese Republic shall postpone implementation of the preferential arrangements for fruit and vegetables falling within Council Regulation (EEC) No 1035/72 (*) until 31 December 1989 and 31 December 1990 respectively; whereas, consequently, the present Regulation applies only to the Community as constituted at 31 December 1985;

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 period of application of the quota is very short, it seems possible to avoid allocating it among the Member States, without prejudice to the drawing against the quota volume of such quantities as they may need, in the conditions and according to the procedure specified in Article 1 (2); whereas this method of management requires close cooperation between the Member States and the Commission; whereas the latter must, in particular, be able to monitor the rate at which the quota is used up and inform the Member States thereof:

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any operation relating to the administration of the shares allocated to that economic union may be carried out by any one of its members;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

For the period 1 November 1986 to 28 February 1987 a Community tariff quota of 700 tonnes shall be opened in the Community as constituted at 31 December 1985 for strawberries, falling within subheading ex 08.08 A II of the Common Customs Taritf and originating in the African, Caribbean and Pacific States and the overseas countries and territories.

Within this tariff quota, the Common Customs Tariff duty applicable to the products shall be suspended at 5,6 %.

- If an importer notifies an imminent importation of the product in question in a Member State and requests the benefit of the quota, the Member State concerned shall inform the Commission and draw an amount corresponding to these requirements to the extent that the available balance of the reserve permits this.
- The shares drawn pursuant to paragraph 2 shall be valid until the end of the quota period.

Article 2

- Member States shall take all appropriate measures to ensure that their drawings pursuant to Article 1 (2) are carried out in such a way that imports may be charged without interruption against their accumulated shares of the Community quota.
- Each Member State shall ensure that importers of the said goods have free access to the quota so long as the residual balance of the quota volume allows this.
- Member States shall charge imports of the said goods against their shares as and when the goods are entered for free circulation.

^(*) OJ No L 61, 1. 3. 1985, p. 4. (*) OJ No L 63, 5. 3. 1986, p. 93. (*) OJ No L 63, 5. 3. 1986, p. 3. (*) OJ No L 118, 20. 5. 1972, p. 1.

4. The extent to which the quota has been exhausted shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 4

The Member States and the Commission shall collaborate closely in order to ensure that this Regulation is complied with.

Article 3

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

Article 5

This Regulation shall enter into force on 1 November 1986.

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

Done at Brussels, 8 October 1986.

For the Commission

COCKFIELD

Vice-President

COUNCIL REGULATION (EEC) No 2054/86

of 30 June 1986

opening, allocating and providing for the administration of a Community tariff quota for rum, arrack and tafia, falling within subheading 22.09 C 1 of the Common Customs Tariff and originating in the African, Caribbean and Pacific States (ACP) (1986/87)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas Protocol 5 annexed to the Third ACP-EEC Convention, signed at Lomé on 8 December 1984 (1), provides that products originating in the ACP States which fall within subheading 22.09 C I of the Common Customs Tariff shall, until the entry into force of a common organization of the market in spirits, be allowed into the Community free of customs duties under conditions such as to permit the development of traditional trade flows between the ACP States and the Community and between the Member States; whereas the Community shall fix each year the quantities which may be imported free of customs duties on the basis of the largest quantities imported annually from the ACP States into the Community in the past three years for which statistics are available, increased by an annual growth rate of 37 % on the market of the United Kingdom and 27 % on the other markets of the Community; whereas, however, the annual volume can in no case be less than 170 000 hectolitres of pure alcohol; whereas, on account of the inherent particularities of the rum market, the quota period ranges from 1 July to 30 June;

Whereas in default of the Protocols provided for in Articles 180 and 367 of the Act of Accession of Spain and Portugal, the Community has established by Council Regulation (EEC) No 691/86 (2) the arrangements for trade between Spain and Portugal on the one hand and the ACP States on the other;

Whereas, having regard to the levels reached by imports of the products concerned into the Community and the Member States during the past three years for which statistics are available, the annual quota volume would amount to 159 444 hectolitres of pure alcohol; whereas this volume is less than the threshold established by Protocol No 5, the quota volume for the period 1 July 1986 to 30 June 1987 must be fixed at 170 000 hectolitres of pure alcohol;

Whereas, during the past three years for which statistics are available, the corresponding imports by each of the Member States represent the following percentages of the imports into the Community from the ACP States of the products concerned:

Member State	1983	1984	1985
Benelux	5,1	5,7	5,2
Denmark	1,6	1,8	1,9
Germany	24,3	28,0	34,0
Greece	0,0	0,0	0,0
Spain	0,1	0,0	n.c.
France	1,7	1,0	2,1
Ireland	1,8	1,9	1,8
Italy	0,5	0,6	0,4
Portugal	0,0	0,0	0,0
United Kingdom	64,9	61,0	54,6

Whereas, in view of these factors, of market forecasts for the products in question and of the estimates submitted by certain Member States, quota shares may be fixed approximately at the following percentages:

Benelux :	5,35
Denmark:	1,75
Germany:	29,02
Greece:	0,03
Spain:	0,15
France:	1,62
Ireland :	1,83
Italy:	0,44
Portugal:	0,02
United Kingdom:	59,79

Whereas an arrangement for using the Community tariff quota, based on an allocation between the United Kingdom on the one hand and the other Member States on the other, would seem likely to reconcile the application of the growth rates provided for in Protocol 5 with the uninterrupted application of the duty-free entry arrangements in respect of the said quota to all imports of the products concerned into the Member States until the quota is exhausted; whereas in order to reflect as closely as possible actual market trends for the products concerned, allocation of the Community tariff quota among Member States should be made in accordance with the requirements of the Member States; whereas, in this case, the tariff quota should be allocated among the Member States on the basis of the largest quantities imported annually into each Member State during the past two years and taking into account the abovementioned growth rates;

⁽¹) OJ No L 86, 31. 3. 1986, p. 3. (²) OJ No L 63, 5. 3. 1986, p. 3.

Whereas measures should be laid down to ensure that Protocol 5 is implemented under conditions such as to permit the development of traditional trade flows between the ACP States and the Community, on the one hand, and between the Member States on the other;

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 within and jointly represented by the Benelux Economic Union, any measure concerning the administration of the share allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

- From 1 July 1986 to 30 June 1987 rum, arrack and tafia falling within subheading 22.09 C 1 of the Common Customs Tariff and originating in the ACP States shall be imported duty free into the Community within the limits of a Community tariff quota of 170 000 hectolitres of pure alcohol.
- 2. Within the limit of their shares, as indicated in Article 2, the Kingdom of Spain and the Portuguese Republic shall apply customs duties calculated in accordance with the relevant provisions of the 1985 Act of Accession and of Regulation (EEC) No 691/86.

Article 2

- The tariff quota referred to in Article 1 shall be divided into two instalments. A first instalment of 101 650 hectolitres of pure alcohol shall be for United Kingdom consumption. A second instalment of 68 350 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 shall consist of the following quantities:

Benelux :

Denmark:

(hectolitre	s of
	pure alco	ohol)
	9 10	0
	2 97	n

Germany:	49 330
Greece:	50
Spain:	260
France:	2 750
Ireland:	3 110
Italy:	750
Portugal:	30

No L 173/97

Article 3

- Member States shall manage the shares allocated to them in accordance with their own arrangements.
- The extent to which the Member States have taken up their shares shall be determined on the basis of the imports of the products in question, originating in the ACP States, entered for customs clearance under declarations for free circulation.

Article 4

- 1. Member States shall inform the Commission each month of imports actually charged against the tariff quota.
- 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 taken 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 1470/80 of 9 June 1980 on the safeguard measures provided for in the Second ACP-EEC Convention (') shall apply to the products covered by this Regulation.

Article 7

This Regulation shall enter into force on 1 July 1986.

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

Done at Luxembourg, 30 June 1986.

For the Council
The President
N. SMIT-KROES

COMMISSION REGULATION (EEC) No 905/86

of 25 March 1986

fixing the amounts by which import duties on beef and veal originating in the African, Caribbean and Pacific States are to be reduced

THE COMMISSION OF THE EUROPEAN COMMUNITIES.

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 486/85 of 26 February 1985 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 (*), as last amended by Regulation (EEC) No 692/86 (*), and in particular Article 4 thereof.

Whereas Article 4(1) of Regulation (EEC) No 486/85 provides for a 90 % reduction in the import duties on beef and veal; whereas the amount of this reduction must be calculated in conformity with Article 3 of Commission

Regulation (EEC) No 552/85 (3), as amended by Regulation (EEC) No 3815/85 (4),

HAS ADOPTED THIS REGULATION:

Article 1

The amounts by which import duties on beef and veal are to be reduced pursuant to Article 4(1) of Regulation (EEC) No 486/85 shall, in respect of importations during the second quarter of 1986, be as shown in the Annex hereto.

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 April 1986.

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

Done at Brussels, 25 March 1986.

⁽¹) OJ No L 61. 1. 3. 1985, p. 4. (²) OJ No L 63. 5. 3. 1986.

^(*) OJ No L 63, 2, 3, 1985, p. 13, (*) OJ No L 368, 31, 11, 1985, p. 11,

Número del arancel aduanero común Position i den tælles toldtarif Nummer des Gemeinsamen Zolliarifs K\\(\text{\text{\text{Aton}}\) tou konvoù \text{\texi{\texi{\text{\texit{\texi{\text{\texi{\texi{\texi{\texi{\	España Pta/100 kg	Belgique Luxembourg FB/Flux/100 kg	Danmark Dkr./100 kg	Deutschland DM/100 kg	Ελλάδα Δρχ/100 χγρ	France FF/100 kg	Ireland £ Irl/100 kg	Italia Lit/100 kg	Nederland FI/100 kg	United Kingdom £/100 kg
01.02 A II	12 926,68	5 067,5	918,81	261,80	9 941,19	764,41	81,903	159 920	294,98	65,512
02.01 A II a) 1	24 599,14	9 628,4	1 745,74	497,42	18 888,30	1 452,38	155,615	303 848	560,48	124,473
02.01 A II a) 2	19 679,21	7 702,7	1 396,58	397,94	15 110,53	1 161,89	124,491	243 077	448,37	99,578
02.01 A II a) 3	29 518,94	11 554,0	2 094,89	596,91	22 665,84	1 742,85	186,737	364 617	672,57	149,367
02.01 A II a) 4 aa)	40 646,29	14 442,6	2 618,60	738,08	35 576,18	2 178,56	233,421	466 901	831,63	198,672
02.01 A II a) 4 bb)	42 184,83	16 520,2	2 995,31	849,47	36 002,79	2 491,96	267,001	526 861	957,15	219,505
02.01 A II b) 1	24 369,53	9 382,5	1 701,15	483,74	19 285,34	1 415,28	151,640	297 439	545,06	122,747
02.01 A II b) 2	19 496,12	7 506,0	1 360,92	386,99	15 428,21	1 132,22	121,312	237 951	436,05	98,197
02.01 A II b) 3	30 489,23	11 728,1	2 126,44	604,67	24 106,70	1 769,10	189,550	371 799	681,32	153,433
02.01 A II b) 4 aa)	39 927,57	14 073,7	2 551,73	718,43	35 371,04	2 122.92	227,460	456 057	809,51	194,760
02.01 A II b) 4 bb) 11	30 489,23	11 728,1	2 126,44	604,67	24 106,70	1 769,10	189,550	371 799	681,32	153,433
02.01 A II b) 4 bb) 22 (1)	30 489,23	11 728,1	2 1 26,44	604.67	24 106,70	1 769,10	189,550	371 799	681,32	153,433
02.01 A II b) 4 bb) 33	41 904,80	16 137,8	2 925,97	827,22	37 496,79	2 434,28	260,820	518 241	932,08	218,267
02.06 C I a) 1	40 646,29	14 442,6	2 618,60	738,08	35 576.18	2 178,56	233,421	466 901	831,63	198,672
02.06 C I a) 2	42 184 83	16 520,2	2 995,31	846,86	38 344,77	2 491,96	267,001	530 459	954,21	223,373
16.02 B III b) 1 aa)	42 184,83	16 520.2	2 995,31	846,86	38 344,77	2 491.96	267,001	530 459	954,21	223,373

- (*) La inclusión en esta subpartida estará subordinada a la presentación de un certificado expedido en las condiciones que las autoridades competentes de las Comunidades Europeas determinen.
- (1) Henførsel under denne underposition er betinget af, at der fremlægges en licens, der opfylder de betingelser, der er fastsat af de kompetente myndigheder i De europæiske Fællesskaber.
- (*) Die Zulassung zu dieser Tarifstelle ist abhängig von der Vorlage einer Bescheinigung, die den von den zuständigen Stellen der Europäischen Gemeinschaften festgesetzten Voraussetzungen entspricht.
- (') Η υπαγωγή εις την διάκρισιν ταύτην εξαρτάται εκ της προσκομίσεως πιστοποιητικού εκδιδομένου καθ' όρους προδλεπομένους παρά των αρμοδίων αρχών.
- (') Entry under this subheading is subject to the production of a certificate issued on conditions laid down by the competent authorities of the European Communities.
- (¹) L'admission dans cette sous-position est subordonnée à la présentation d'un certificat délivré dans les conditions prévues par les autorités compétentes des Communautés européennes.
- (*) L'ammissione in questa sottovoce è subordinata alla presentazione di un certificato conformemente alle condizioni stabilite dalle autorità competenti delle Comunità europee.
- (1) Indeling onder deze onderverdeling is onderworpen aan de voorwaarde dat een certificaat wordt voorgelegd hetwelk is afgegeven onder de voorwaarden en bepalingen, vastgesteld door de bevoegde autoriteiten van de Europese Gemeenschappen.
- (1) A admissão nesta subposição está subordinada à apresentação de um certificado emitido nas condições previstas pelas autoridades competentes das Comunidades Europeias.

COMMISSION DECISION

of 2 May 1986

amending Decision 83/243/EEC as regards the list of establishments in Botswana approved for the purpose of importing fresh meat into the Community

(86/243/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES.

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat from third countries (1), as last amended by Regulation (EEC) No 3768/85 (1), and in particular Articles 4 (1) and 18 (1) thereof,

Whereas a list of establishments in Botswana, approved for the purpose of importing fresh meat into the Community, was drawn up initially by Commission Decision 83/243/EEC (3);

Whereas a routine inspection under Article 5 of Directive 72/462/EEC and Article 3 (1) of Commission Decision 83/196/EEC of 8 April 1983 concerning on-the-spot inspections to be carried out in respect of the importation of bovine animals and swine and fresh meat from nonmember countries (*) has revealed that the level of hygiene of one establishment has altered since the last inspection;

Whereas the list of establishments should therefore be amended:

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

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Decision 83/243/EEC is hereby replaced by the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 2 May 1986.

OJ No L 362, 31. 12. 1985, p. 8. OJ No L 129, 19. 5. 1983, p. 70. OJ No L 108, 26. 4. 1983, p. 18.

ANNEX

LIST OF ESTABLISHMENTS FROM WHICH FRESH MEAT MAY BE INTRODUCED INTO THE TERRITORY OF THE COMMUNITY ONLY UNTIL THE STATED DATE

Number	Establishment	Address

BOVINE MEAT

Slaughterhouse and cutting premises

1 (')	Botswana Meat Commission	Lobatse
(I) Heel 21 C	Artahar 1996	

COMMISSION REGULATION (EEC) No 1953/86

of 24 June 1986

fixing the amounts by which import duties on beef and veal originating in the African, Caribbean and Pacific States are to be reduced

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Regulation (EEC) No 552/85 (*), as amended by Regulation (EEC) No 3815/85 (*),

Having regard to the Treaty establishing the European Economic Community,

cultural products and certain goods resulting from the

processing of agricultural products originating in the

African, Caribbean and Pacific States or in the overseas

countries and territories (1), as last amended by Regulation (EEC) No 692/86 (3), and in particular Article 4 thereof,

HAS ADOPTED THIS REGULATION:

Having regard to Council Regulation (EEC) No 486/85 of 26 February 1985 on the arrangements applicable to agri-

Article 1

The amounts by which import duties on beef and veal are to be reduced pursuant to Article 4 (1) of Regulation (EEC) No 486/85 shall, in respect of importations during the third quarter of 1986, be as shown in the Annex hereto.

Whereas Article 4 (1) of Regulation (EEC) No 486/85 provides for a 90 % reduction in the import duties on beef and veal; whereas the amount of this reduction must be calculated in conformity with Article 3 of Commission

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 with effect from 1 July 1986.

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

Done at Brussels, 24 June 1986.

Número del arancel aduanero común Position i den fælles toldtarif Nummer des Gemeinsamen Zolltarifs Kλάση του κοινού δασμολογίου CCT heading No Numéro du tarif douanier commun Numero della tariffa doganale comune Nr. van het gemeenschappelijk douanetarief N° da pauta aduaneira comum	Belgique Lexembourg FB/Flux/100 kg	Danmark Dkr/100 kg	Deutschland DM/100 kg	Ελλάδα Δρχ/100 χγρ	España Pta/100 kg	France FF/100 kg	Ircland Ω IrU/100 kg	ltalia Lit∕100 kg	Nederland FI/100 kg	United Kingdom £/100 kg
01.02 A II	5 167,9	937,00	261,80	11 840,24	14 027,62	778,70	84,360	168 932	294.98	67,838
02.01 A II a) 1	9 819,1	1 780,31	497,42	22 496,26	26 679,74	1 479,51	160,284	320 970	560,48	128,891
02.01 A II a) 2	7 855,2	1 424,24	397,94	17 997,01	21 344,22	1 183,61	128,227	256 775	448,37	103,112
02.01 A II a) 3	11 782,9	2 136,37	596,91	26 995,64	32 015,13	1 775,42	192,341	385 163	672.57	154,670
02.01 A II a) 4 aa)	14 728,6	2 670,46	738,08	39 023,51	42 721,69	2 263,90	240,426	485 831	831,63	202,525
02.01 A II a) 4 bb)	16 847,5	3 054,63	849,47	41 218,62	45 760,95	2 560 67	275,013	552 887	957.15	225,708
02.01 A II b) 1	9 568,3	1 734,84	483,74	22 562,78	26 285,33	1 447,15	156,191	313 304	545,06	126,715
)2.01 A II b) 2	7 654,6	1 387,87	386,99	18 050,18	21 029,03	1 157,72	124,952	250 643	436.05	101.372
02.01 A II b) 3	11 960,4	2 168,55	604,67	28 203,48	32 875,90	1 808,93	195,238	391 631	681,32	158,394
02.01 A II b) 4 aa)	14 352,4	2 602,25	718,43	38 539,54	41 860,40	2 210,40	234,285	473 847	809,51	198,246
02.01 A II b) 4 bb) 11	11 960,4	2 168,55	604,67	28 203,48	32 875,90	1 808,93	195.238	391 631	681,32	158,394
)2.01 A II b) 4 bb) 22 (')	11 960,4	2 168,55	604,67	28 203,48	32 875,90	1 808,93	195,238	391 631	681,32	158,394
02.01 A II b) 4 bb) 33	16 457,4	2 983,91	827,22	41 960,53	45 203,84	2 515,73	268,646	541 495	932,08	223,437
02.06 C [a) 1	14 728,6	2 670,46	738,08	39 023,51	42 721,69	2 263,90	240,426	485 831	831,63	202,525
2.06 C I a) 2	16 847,5	3 054,63	846,86	42 925,38	45 760,95	2 575,10	275,013	554 303	954,21	228,679
16.02 B III b) 1 aa)	16 847,5	3 054,63	846,86	42 925,38	45 760 95	2 575,10	275,013	554 303	954,21	228,679

- (1) La inclusión en esta subpartida estará subordinada a la presentación de un certificado expedido en las condiciones que las autoridades competentes de las Comunidades Europeas determinen.
- (') Henførsel under denne underposition er betinget af, at der fremlægges en licens, der opfylder de betingelser, der er fastsat af de kompetente myndigheder i De europæiske Pællesskaber.
- (*) Die Zulassung zu dieser Tarifstelle ist abhängig von der Vorlage einer Bescheinigung, die den von den zuständigen Stellen der Europäischen Gemeinschaften festgesetzten Voraussetzungen entspricht.
- (') Η υπαγωγή εις την διάκρισιν ταύτην εξαρτάται εκ της προσκομίσεως πιστοποιητικού εκδιδομένου καθ' όρους προδλεπομένους παρά των αρμοδίων αρχών,
- (1) Entry under this subheading is subject to the production of a certificate issued on conditions laid down by the competent authorities of the European Communities.
- (1) L'admission dans cette sous-position est subordonnée à la présentation d'un certificat délivré dans les conditions prévues par les autorités compétentes des Communautés européennes.
- (1) L'ammissione in questa sottovoce è subordinata alla presentazione di un certificato conformemente alle condizioni stabilite dalle autorità competenti delle Comunità europee.
- (*) Indeling onder deze onderverdeling is onderworpen aan de voorwaarde dat een certificaat wordt voorgelegd hetwelk is afgegeven onder de voorwaarden en bepalingen, vastgesteld door de bevoegde autoriteiten van de Europese Gemeenschappen.
- (1) A admissão nesta subposição está subordinada à apresentação de um certificado emitido nas condições previstas pelas autoridades competentes das Comunidades Europeias.

COMMISSION REGULATION (EEC) No 2962/86

of 23 September 1986

fixing the amounts by which import duties on beef and veal originating in the African, Caribbean and Pacific States are to be reduced

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community.

Having regard to Council Regulation (EEC) No 486/85 of 26 February 1985 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories (1), as last amended by Regulation (EEC) No 692/86 (7), and in particular Article 4 thereof,

Whereas Article 4 (1) of Regulation (EEC) No 486/85 provides for a 90 % reduction in the import duties on beef and veal; whereas the amount of this reduction must be calculated in conformity with Article 3 of Commission

Regulation (EEC) No 552/85 (3), as amended by Regulation (EEC) No 3815/85 (3),

HAS ADOPTED THIS REGULATION:

Article 1

The amounts by which import duties on beef and veal are to be reduced pursuant to Article 4 (1) of Regulation (EEC) No 486/85 shall, in respect of importations during the fourth quarter of 1986, be as shown in the Annex hereto.

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 with effect from 1 October 1986.

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

Done at Brussels, 23 September 1986.

⁽¹) OJ No L 61, 1. 3. 1985, p. 4. (²) OJ No L 63, 5. 3. 1986, p. 93.

Número del arancel aduanero común Position i den fælles toldanif Nummer des Gemeinsamen Zolltarifs Kλάση του κοινού δασμολογίου CCT heading No Numero du tanif douanier commun Numero della tanifa doganale comune Nr. van het gemeenschappelijk douanetarief N° da pauta aduaneirs comum	Belgique Luxembourg FB/Flux/100 kg	Danmark Dkr/100 kg	Deutschland DM/100 kg	Ελλάδα Δρχ/100 χγρ	España Pta/100 kg	Prance PF/100 kg	Ireland £ Irl/100 kg	Italia Lit/100 kg	Nederland FI/100 kg	United Kingdom \$/100 kg
01.02 A II	4 999,0	906,36	253,44	11 149,10	13 895,09	752,14	86,020	163 577	285.57	63,224
02.01 A II a) 1	9 498,0	1 722,09	481,53	21 183,22	26 421,04	1 429,05	163,437	310 793	542.57	120,127
02.01 A II a) 2	7 598,4	1 377,68	385,23	16 946,65	21 136,37	1 143,24	130.751	248 636	434.05	96,101
02.01 A II a) 3	11 397,5	2 066,50	577,84	25 419,78	31 705,70	1 714.85	196,124	372 952	651.08	144,151
02.01 A II a) 4 aa)	14 246,9	2 583,13	714,24	37 973,71	42 021,36	2 188,19	246,999	469 108	804,77	200,834
02.01 A Il a) 4 bb)	16 296,5	2 954,74	822,21	39 422,03	45 438,26	2 474,08	281,338	534 704	926,43	216,356
02.01 A II b) I	9 276,9	1 682,01	469,32	21 462,89	26 072 15	1 401,35	159,863	303 925	528.80	119,904
02.01 A II b) 2	7 421,5	1 345,61	375,45	17 170,29	20 857,17	1 121 09	127,891	243 140	423,05	95,923
02.01 A II b) 3	11 596,1	2 102,52	586,65	26 828,65	32 604,62	1 751,69	199,830	379 905	661.01	149,880
02.01 A II b) 4 aa)	13 915,4	2 523,01	696,81	37 708,03	41 256,15	2 141,71	241,433	458 481	785,13	198,218
02.01 A II b) 4 bb) 11	11 596,1	2 102,52	586,65	26 828,65	32 604 62	1 751,69	199,830	379 905	661,01	149,880
02.01 A II b) 4 bb) 22 (')	11 596,1	2 102,52	586,65	26 828,65	32 604,62	1 751,69	199,830	379 905	661.01	149,880
02.01 A II b) 4 bb) 33	15 956,3	2 893,05	802,41	40 618,15	44 980,22	2 436,97	276,065	524 491	904,13	218,563
02.06 C I a) 1	14 246,9	2 583,13	714,24	37 973,71	42 021,36	2 188,19	246,999	469 108	804,77	200,834
02.06 C I a) 2	16 296,5	2 954,74	819,60	41 426,24	45 515,45	2 488,51	281,934	535 648	923,49	223,030
16.02 B III b) 1 aa)	16 296,5	2 954,74	819,60	41 426,24	45 515 45	2 488,51	281.934	535 648	923,49	223,030

- (1) La inclusión en esta subpartida estará subordinada a la presentación de un certificado expedido en las condiciones que las autoridades competentes de las Comunidades Europeas determinen.
- (1) Henførsel under denne underposition er betinget af, at der fremlægges en licens, der opfylder de betingelser, der er fastsat af de kompetente myndigheder i De europæiske Fællesskaber.
- (*) Die Zulassung zu dieser Tarifstelle ist abhängig von der Vorlage einer Bescheinigung, die den von den zuständigen Stellen der Europäischen Gemeinschaften festgesetzten Voraussetzungen entspricht.
- (1) Η υπαγωγή εις την διάκρισιν ταύτην εξαρτάται εκ της προσκομίσεως πιστοποιητικού εκδιδομένου καθ' όρους προδλεπομένους παρά των αρμοδίων αρχών.
- (1) Entry under this subheading is subject to the production of a certificate issued on conditions laid down by the competent authorities of the European Communities.
- (1) L'admission dans cette sous-position est subordonnée à la présentation d'un certificat délivré dans les conditions prévues par les autorités compétentes des Communautés européennes.
- (1) L'ammissione in questa sottovoce è subordinata alla presentazione di un certificato conformemente alle condizioni stabilite dalle autorità competenti delle Comunità europee.
- (1) Indeling onder deze onderverdeling is onderworpen aan de voorwaarde dat een certificaat wordt voorgelegd hetwelk is afgegeven onder de voorwaarden en bepalingen, vastgesteld door de bevoegde autoriteiten van de Europese Gemeenschappen.
- (1) A admissão nesta subposição está subordinada à apresentação de um certificado emitido nas condições previstas pelas autoridades competentes das Comunidades Europeias.

COMMISSION

COMMISSION DECISION

of 17 November 1986

amending Decision 85/472/EEC on health protection measures in respect of Zimbabwe

(86/564/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES.

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat from third countries (1), as last amended by Directive 86/469/EEC (1), and in particular Article 15

Whereas Commission Decision 85/472/EEC (*) granted the Member States the option of authorizing imports into their territory, under certain conditions and from certain regions, of fresh meat from Zimbabwe, taking into account, in particular, the existing health situation in that country and the measures taken by that country's authorities to combat foot-and-mouth disease and to avoid its spreading into other, unaffected regions;

Whereas the situation concerning foot-and-mouth disease in Zimbabwe continues to improve, no outbreak of the disease having occured since September 1984; whereas it is now possible to extend the disease-free area by including certain districts of Midlands Province and Manicaland Province which are adjacent to Mashonaland;

Whereas competent authorities of Zimbabwe have repeated their assurances that meat intended for the Community will be produced, handled and stored entirely from meat which does not fulfill the terms of this Decision:

Whereas the situation in Zimbabwe will continue to be kept under review;

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 85/472/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, in respect of boned carcase meat of bovine animals, to the following areas of Zimbabwe:

- the veterinary region of Mashonaland,
- the districts of KweKwe, Chilimanzi, Charter, Selukwe and Gwelo in the Midlands Province,
- the district of Makoni in the Manicaland Province'.
- 2. The Annex is replaced by the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 17 November 1986.

^(*) OJ No L 302, 31. 12. 1972, p. 28. (*) OJ No L 275, 26. 9. 1986, p. 36. (*) OJ No L 278, 18. 10. 1985, p. 31.

ANNEX

ANIMAL HEALTH CERTIFICATE

for fresh meat(') from boned carcases(') of bovine animals from Zimbabwe

Keterei	ice number of the public health certificate
	y
Depart	ment
Refere	nce
	(Optional)
I. Ide	entification of meat
Мс	at (*) of bovine animals
Na	ture of cuts()
Na	ture of packaging
Nu	mber of cuts or packages
Ne	t weight
	igin of meat
	dress and veterinary approval number of the approved slaughterhouse
	dress and veterinary approval number of the approved cutting plant
••••	······································
II. De	stination of meat
The	meat will be sent from
	(Place of loading)
	to(Country and place of destination)
by	the following means of transport (7)
Na	me and address of consignor
	•
	me and address of consigner

⁽¹) 'Fresh meat' means all parts of domestic bovine animals fit for human consumption which have not undergone any preserving process; however, chilled and frozen meat shall be considered to be fresh meat.

^{(?) &}quot;Carcase" means the whole body of a slaughtered animal after bleeding, evisceration, removal of the limbs at the carpus and tarsus, removal of the head, tail and mammary gland and in addition, in the case of bovine animals, after skinning.

^(?) Only fresh boned carcase meat of bovine animals from which the major accessible lymphatic glands have been removed is authorized for importation.

⁽⁹⁾ Fresh carcase meat is authorized for importation only if all bones have been removed.

^(*) For railway wagons or lorries, the vehicle registration number should be stated, for aircraft the flight number and for vessels the name.

IV. Attestation of health

- I, the undersigned, official veterinarian, certify that:
- 1. The fresh, boned carcase meat described above :
 - (a) originates from cattle which:
 - were born and reared in the Republic of Zimbabwe and which, in the preceding 12 months or since birth, have remained in one or more of the following areas:
 - the veterinary region of Mashonaland,
 - --- the districts of KweKwe, Chilimanzi, Charter, Selukwe and Gwelo in the Midlands Province,
 - the district of Makoni in the Manicaland province,
 - bore, in accordance with the legal provisions, a mark indicating their region of origin,
 - had not been vaccinated against foot-and-mouth disease within the past 12 months,
 - on the way to the slaughterhouse and while awaiting slaughter therein did not come into contact with animals not satisfying the requirements laid down in the Decisions of the European Economic Community currently in force as regards export of their meat to a Member State, and if they were conveyed by vehicle or container, the latter was cleaned and disinfected before loading.
 - when subjected to an ante-mortern health inspection at the slaughterhouse during the 24 hours preceding slaughter, which included examination of the mouth and feet, showed no symptom of foot-and-mouth disease,
 - --- were slaughtered after the entry into force of Commission Decision 86/564/EEC (date of slaughter);
 - (b) was obtained in a slaughterhouse in which no case of foot-and-mouth disease has been detected for at least three months;
 - (c) has been kept strictly separate from meat not conforming to the requirements for export to a Member State laid down in the Decisions of the European Economic Community currently in force;
 - (d) has had the major accessible lymphatic glands removed;
 - (e) originates from carcases which were matured at an ambient temperature of more than +2°C for at least 24 hours after slaughter and before boning.
- 2. During the period between arrival of the cattle at the slaughterhouse and completion of the packing of the meat of the same cattle for export to a Member State, in boxes or cartons, no animal or meat not conforming to the requirements laid down in the Decisions of the European Economic Community currently in force as regards export of meat to a Member State was present in the slaughterhouse or cutting plant.

Done at	 ол		
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·)			
Seal			
\ /			
	(Signature	of official veterinarian)	

COMMISSION DECISION

of 19 November 1986

on import licences in respect of beef and veal products originating in Botswana, Kenya, Madagascar, Swaziland and Zimbabwe

(Only the Spanish, Danish, German, Greek, English, French, Italian and Dutch texts are authentic)

(86/568/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES.

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal.

Having regard to Council Regulation (EEC) No 486/85 of 26 February 1985 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories (1), as last amended by Regulation (EEC) No 692/86 (3), and in particular Article 22 thereof,

Having regard to Commission Regulation (EEC) No 2377/80 of 4 September 1980 on special detailed rules for the application of the system of import and export licences in the beef and veal sector (2), as last amended by Regulation (EEC) No 3815/85 (9, and in particular Article 15 (6) (b) (i) thereof,

Whereas Regulation (EEC) No 486/85 provides for the possibility of issuing import licences for beef and veal products; whereas, however, imports must take place within the limits of the quantities specified for each of these exporting non-member countries;

Whereas the applications for import licences submitted between 1 and 10 November 1986, expressed in terms of boned meat, in accordance with Article 15 (1) (b) of Regulation (EEC) No 2377/80, do not exceed, in respect of products originating from Botswana, Kenya, Madagascar, Swaziland and Zimbabwe, the quantities available from these States; whereas it is therefore possible to issue import licences in respect of the quantities requested;

Whereas the remaining quantities, in respect of which licences may be applied for from 1 December 1986, should be fixed within the scope of the total quantity of 30 000 tonnes to which should be added, where appropriate automatically, the additional quantity of 8 100 tonnes referred to in Article 5 (2) and (3) of Regulation (EEC) No 486/85;

Whereas it seems expedient to recall that this Decision is without prejudice 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 (3), as last amended by Regulation (EEC) No 3768/85 (9),

HAS ADOPTED THIS DECISION:

Article 1

The following Member States shall issue on 21 November 1986 import licences concerning beef and veal products, expressed in terms of boned meat, originating from certain African, Caribbean and Pacific States, in respect of the quantities and the countries of origin stated:

- 1. Federal Republic of Germany:
 - 380,0 tonnes originating in Zimbabwe,
 - 200,0 tonnes originating in Swaziland.
- United Kingdom:
 - 15,0 tonnes originating in Botswana,
 - 333,0 tonnes originating in Zimbabwe.

Article 2

Applications for licences may be submitted, in accordance with Article 15 (6) (b) (ii) of Regulation (EEC) No 2377/80 during the first 10 days of December 1986, in respect of the following quantities of boned beef and veal:

— Botswana :

7 240,4 tonnes,

— Kenya :

142,0 tonnes,

- Madagascar :

7 579,0 tonnes,

— Swaziland :

— Zimbabwe :

966,0 tonnes, 4 472,7 tonnes.

Article 3

This Decision is addressed to the Member States, with the exception of Portugal.

Done at Brussels, 19 November 1986.

^(*) OJ No L 61, 1. 3. 1985, p. 4. (*) OJ No L 63, 5. 3. 1986, p. 93. (*) OJ No L 241, 13. 9. 1980, p. 5. (*) OJ No L 368, 31. 12. 1985, p. 11.

^(*) OJ No L 302, 31. 12. 1972, p. 28. (*) OJ No L 362, 31. 12. 1985, p. 8.

COMMISSION REGULATION (EEC) No 3954/86

of 23 December 1986

fixing the amounts by which import duties on beef and veal originating in the African, Caribbean and Pacific States are to be reduced

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Regulation (EEC) No 552/85 (1), as amended by Regulation (EEC) No 3815/85 (1),

Having regard to the Treaty establishing the European Economic Community,

HAS ADOPTED THIS REGULATION:

Having regard to Council Regulation (EEC) No 486/85 of 26 February 1985 on the arrangements applicable to agricultural products and certain goods resulting from the

cultural 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 (*), as last amended by Regulation (EEC) No 692/86 (*), and in particular Article 4 thereof,

Article 1

The amounts by which import duties on beef and veal are to be reduced pursuant to Article 4 (1) of Regulation (EEC) No 486/85 shall, in respect of importations during the first quarter of 1987, be as shown in the Annex hereto.

Whereas Article 4 (1) of Regulation (EEC) No 486/85 provides for a 90 % reduction in the import duties on beef and veal; whereas the amount of this reduction must be calculated in conformity with Article 3 of Commission

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 with effect from 1 January 1987.

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

Done at Brussels, 23 December 1986.

⁽¹) OJ No L 61, 1. 3. 1985, p. 4. (²) OJ No L 63, 5. 3. 1986, p. 93.

^{(&}lt;sup>3</sup>) OJ No L 63, 2. 3. 1985, p. 13. (⁵) OJ No L 368, 31. 11. 1985, p. 11.

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Position i den fælles toldtarif Nummer des Gemeinamen Zolltarifs Κλάση του κοινού δασμολογίου CCT heading No Numéro du tarif douanier commun Numero della tariffa doganale comune Nr. van het gemeenschappelijk douanetarief N° da pauta aduancira comum	Belgique Luxembourg FB/Flux/100 kg	Danmark Dkr/100 kg	Deutschland DM/100 kg	Ελλάδα Δρχ/100 χγρ	España Pts/100 kg	France FF/100 kg	Ireland £ Irl/100 kg	Îtalia Lit/100 kg	Nederland FI/100 kg	United Kingdom £/100 kg
01.02 A II	4 886,3	885,93	247,86	10 465,40	13 414,48	734,43	84,050	159 840	279,28	59,931
02.01 A II a) 1	9 284,0	1 683,28	470,93	19 884,13	25 508,54	1 395,41	159,695	303 69 5	530,64	113,869
02.01 A II a) 2	7 427,1	1 346,62	376,76	15 907,27	20 406,22	1 116,32	127,756	242 956	424,50	91,094
02.01 A II a) 3	11 140,7	2 019,93	565,13	23 861,09	30 610,85	1 674,49	191,634	364 435	636,76	136,643
02.01 A II a) 4 aa)	13 925,9	2 524,91	698,36	37 645,96	41 406,75	2 137,73	241,385	458 460	786,86	198,966
02.01 A II a) 4 bb)	15 929,2	2 888,15	804,03	37 997,53	44 215,81	2 416,36	274,916	522 525	905,95	209,350
02.01 A II b) I	7 353,9	1 333,34	374,16	14 662,78	19 735,34	1 099,11	126,239	240 155	421,58	86,280
02.01 A II b) 2	5 883,1	1 066,67	299,32	11 730,23	15 787,73	879, 2 9	100,992	192 124	337,27	69,024
02.01 A II b) 3	9 192,3	1 666,67	467,69	18 328,54	24 684,01	1 373,89	1.57,800	300 193	526,99	107,850
02.01 A II b) 4 aa)	11 030,9	2 000,01	554,06	28 949,62	32 422,41	1 688,35	190,998	362 827	624,29	154,469
02.01 A II b) 4 bb) 11	9 192,3	1 666,67	467,69	18 328,54	24 684,01	1 373,89	1.57,800	300 193	526,99	107,850
02.01 A II b) 4 bb) 22 (1)	9 192,3	1 666,67	467,69	18 328,54	24 684,01	1 373,89	1.57,800	300 193	526,99	107,850
02.01 A II b) 4 bb) 33	12 648,6	2 293,34	638,73	29 889,97	34 494,21	1 917,11	218,232	414 806	719,70	165,219
02.06 C I a) I	13 925,9	2 524,91	698,36	37 645,96	41 406,75	2 137,73	241,385	458 460	786,86	198,966
02.06 C 1 a) 2	15 929,2	2 888,15	801,42	40 525,72	44 516,88	2 430,78	275,512	523 468	903,01	218,455
16.02 B III b) 1 aa)	15 929,2	2 888,15	801,42	40 525,72	44 516,88	2 430,78	275,512	523 468	903,01	218,455

- (1) La inclusión en esta subpartida estará subordinada a la presentación de un certificado expedido en las condiciones que las autoridades competentes de las Comunidades Europeas deter-
- (1) Henførsel under denne underposition er betinget af, at der fremlægges en licens, der opfylder de betingelser, der er fastsat af de kompetente myndigheder i De europæiske Fællesskaber.
- (1) Die Zulassung zu dieser Tarifstelle ist abhängig von der Vorlage einer Bescheinigung, die den von den zuständigen Stellen der Europäischen Gemeinschaften festgesetzten Voraussetzungen entspricht.
- (*) Η υπαγωγή εις την διάκρισιν ταύτην εξαρτάται εκ της προσκομίσεως πιστοποιητικού εκδιδομένου καθ' όρους προδλεπομένους παρά των αρμοδίων αρχών.
- (1) Entry under this subheading is subject to the production of a certificate issued on conditions laid down by the competent authorities of the European Communities.
- (1) L'admission dans cette sous-position est subordonnée à la présentation d'un certificat délivré dans les conditions prévues par les autorités compétentes des Communautés européennes.
- (1) L'ammissione in questa sottovoce è subordinata alla presentazione di un certificato conformemente alle condizioni stabilite dalle autorità competenti delle Comunità europee.
- (1) Indeling onder deze onderverdeling is onderworpen aan de voorwaarde dat een certificaat wordt voorgelegd hetwelk is afgegeven onder de voorwaarden en bepalingen, vastgesteld door de bevoegde autoriteiten van de Europese Gemeenschappen.
- (1) A admissão nesta subposição está subordinada à apresentação de um certificado emitido nas condições previstas pelas autoridades competentes das Comunidades Europeias.

COMMISSION REGULATION (EEC) No 1427/86 of 14 May 1986

regarding the application of Decision No 1/86 of the ACP-EEC Customs Cooperation Committee extending the application of Decisions No 1/85, No 2/85 and No 3/85 of the ACP-EEC Customs Cooperation Committee, derogating from the definition of the concept of 'originating products'

THE COMMISSION OF THE EUROPEAN COMMUNITIES.

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Decision 81/968/EEC of 24 November 1981 on the application of derogations from the definition of originating products under the Second ACP-EEC Convention (1),

Whereas Council Regulation (EEC) No 690/86 of 3 March 1986 concerning the application of Decision No 1/86 of the ACP-EEC Council of Ministers concerning the extension of Decision No 2/85 of the ACP-EEC Council of Ministers on the transitional measures valid from 1 March 1985 (2), has extended the transitional measures adopted with Council Regulation (EEC) No 485/85 (3), beyond 28 February 1986;

Whereas the ACP-EEC Customs Cooperation Committee set up under the Second ACP-EEC Convention, signed at Lomé on 31 Octobrer 1979, adopted pursuant to Articles 28 (3) and 30 (1) of Protocol 1 to that Convention, Decision No 1/86, concerning the prolongation of Decisions No 1/85, No 2/85 and No 3/85 of the ACP-BBC Customs Cooperation Committee, derogating from the definition of the concept of 'originating products';

Whereas it is necessary in accordance with Article 33 of the said Protocol 1 to take the measure required to implement those Decisions,

HAS ADOPTED THIS REGULATION:

Article 1

Decision No 1/86 of the ACP-EEC Customs Cooperation Committee annexed to this Regulation shall apply in the Community.

Article 2

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

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

Done at Brussels, 14 May 1986

For the Commission COCKFIELD Vice-President

OJ No L 354, 9. 12. 1981, p. 30.

^(*) O) No L 63, 5. 3. 1986, p. 1. (*) O) No L 61, 1. 3. 1985, p. 1.

^(*) See Decision No 1/86 of the CCC, p. 221.

III. - COMMUNITY ACTS RELATING TO THE APPLICATION OF THE LOME CONVENTION

B. SUGAR

COUNCIL REGULATION (EEC) No 1930/87 (*) of 19 January 1987

on the conclusion of Agreements in the form of an Exchange of Letters between the European Economic Community and, on the one hand, Barbados, Belize, the People's Republic of the Congo, Fiji, the Cooperative Republic of Guyana, the Republic of the Ivory Coast, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, St Christopher and Nevis, the Republic of Suriname, the Kingdom of Swaziland, the United Republic of Tanzania, the Republic of Trinidad and Tobago, the Republic of Uganda and the Republic of Zimbabwe and, on the other hand, the Republic of India on the guaranteed prices for cane sugar for the 1986/87 delivery period

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 implementation of Protocol 7 on ACP sugar annexed to the Third ACP-EEC Convention (1) and of the Agreement between the European Economic Community and the Republic of India on cane sugar (7) is carried out, in accordance with Article 1 (2) of each, within the framework of the management of the common organization of the sugar market;

Whereas it is appropriate to approve the Agreements in the form of an Exchange of Letters between the European Economic Community and, on the one hand, the States referred to in the aforementioned Protocol and, on the other, the Republic of India on the guaranteed prices for cane sugar for the 1986/87 delivery period,

HAS ADOPTED THIS REGULATION:

Article 1

The Agreements in the form of an Exchange of Letters between the European Economic Community and, on the one hand, Barbados, Belize, the People's Republic of the Congo, Fiji, the Cooperative Republic of Guyana, the Republic of the Ivory Coast, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, St Christopher and Nevis, the Republic of Suriname, the Kingdom of Swaziland, the United Republic of Tarzania, the Republic of Trinidad and Tobago, the Republic of Uganda and the Republic of Zimbabwe and, on the other hand, the Republic of India on the guaranteed prices for cane sugar for the 1986/87 delivery period are hereby approved on behalf of the Community.

The text of the Agreements is attached to this Regulation.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreements in order to bind the Community.

Article 3

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

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

Done at Brussels, 19 January 1987.

For the Council
The President
P. DE KEERSMAEKER

⁽¹⁾ OJ No L 86, 31. 3. 1986, p. 164. (2) OJ No L 190, 22. 7. 1975, p. 35.

^(*) See Agreement, p. 209 of this Compilation of Texts.

III. - COMMUNITY ACTS RELATING TO THE APPLICATION OF THE LOME CONVENTION

C. FINANCIAL AND TECHNICAL CO-OPERATION

INTERNAL AGREEMENT

on the financing and administration of Community aid (*)

(signed in Brussels on 19 February 1985)

(86/126/EEC)

THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES, MEETING WITHIN THE COUNCIL

Having regard to the Treaty establishing the European Economic Community, (hereinafter referred to as 'the Treaty'),

Whereas the Third ACP-EEC Convention, signed at Lome on 8 December 1984 (hereinafter referred to as 'the Convention'), set the aggregate amount of Community aid to the ACP States at 8 500 million ECU;

Whereas the representatives of the Governments of the Member States, meeting within the Council, agreed to set at 100 million ECU the amount of aid from the European Development Fund for the overseas countries and territories to which Part Four of the Treaty applies (hereinafter referred to as 'the countries and territories'); whereas provision is also made for operations to the amount of 20 million ECU to be undertaken by the European Investment Bank (hereinafter referred to as 'the Bank') from its own resources in the countries and territories;

Whereas the ECU used in application of this Agreement is defined in Council Regulation (EEC) No 2626/84 of 15 September 1984 amending Article 1 of Council Regulation (EEC) No 3180/78 changing the value of the unit of account used by the European Monetary Cooperation Fund or in any subsequent Council Regulation defining the composition of the ECU;

Whereas, in order to implement the Convention and the Decision concerning the countries and territories (hereinafter referred to as 'the Decision'), a sixth European Development Fund should be established and a procedure should be laid down for the provision of funds and for contributions from Member States to these funds:

Whereas the rules for the management of financial cooperation should be determined, the procedure for programming, examining and approving aid should be decided and the detailed rules for supervising the use of the aid should be laid down:

Whereas a Committee of Representatives of the Governments of the Member States should be set up under the auspices of the Commission and a similar Committee should be set up under the auspices of the Bank;

Whereas the work done by the Commission and the Bank to apply the Convention and the corresponding provisions of the Decision should be harmonized; whereas it is therefore desirable that, as far as possible, the composition of the Committees set up under the auspices of the Commission and of the Bank should be identical;

Having regard to the Council Resolution of 5 June 1984 on the coordination of cooperation policies and operations within the Community;

After consulting the Commission,

HAVE AGREED AS FOLLOWS:

CHAPTER I

Article 1

- 1. The Member States hereby set up a European Development Fund (1985), hereinafter referred to as 'the Fund'.
- 2. (a) The Fund shall consist of 7 500 million ECU;
 - (b) The schedule of contributions to be made by the contributing States shall be drawn up as provided for in Annex I, which forms an integral part of this Agreement;
 - (c) The Council, acting unanimously, shall adopt the final schedule of contributions to be made by the Member States in accordance with the guidelines laid down in Annex II, which forms an integral part of this Agreement;
 - (d) The schedule referred to in (c) may be amended by Council Decision, reached unanimously, in the event of the accession of a new State to the Community.

^(*) Once the necessary procedures had been completed, this Agreement entered into force on 11 June 1986. (See information which appeared in OJ No I 292, 16.10.1986, p. 52).

Article 2

- 1. The amount stated in Article 1 (2) (a) shall be allocated as follows:
- (a) 7 400 million ECU for the ACP States, comprising:
 - 4 860 million ECU in the form of grants,
 - 600 million ECU in the form of special loans,
 - 600 million ECU in the form of risk capital.
 - 925 million ECU in the form of transfers pursuant to Part Three, Title II, Chapter 1, of the Convention,
 - 415 million ECU in the form of the special financing facility pursuant to Part Three, Title II, Chapter 3, of the Convention;
- (b) 100 million ECU for the countries and territories, comprising:
 - (i) 55 million ECU in the form of grants,
 25 million ECU in the form of special loans,
 15 million ECU in the form of risk capital,
 token entry for the special financing facility
 pursuant to the provisions of the
 Decision relating to mining
 products;
 - (ii) 5 million ECU 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.
- 2. Where a country or territory which has become independent accedes to the Convention, the amounts indicated in paragraph 1 (b) (i) shall be reduced and those indicated in paragraph 1 (a) correspondingly increased by a decision of the Council acting unant-mously on a proposal from the Commission.

In such cases, the country concerned will continue to be eligible for the funds provided for in paragraph 1 (b) (ii), subject to the management rules laid down in Part Three, Title II, Chapter 3, of the Convention.

Article 3

To the amount laid down in Article 1 (2) (a) shall be added 1 120 million ECU in the form of loans granted by the Bank from its own resources under the conditions laid down by it in accordance with its Statute.

These loans shall be allocated as follows:

- (a) the amount of 1 100 million ECU for financing operations to be carried out in the ACP States;
- (b) the amount of 20 million ECU for financing operations to be carried out in the countries and territories.

Article 4

An amount of up to 210 million ECU shall be set aside from the grant aid specified in Article 2 (1) (a) and (b) (i) for financing the interest rate subsidies referred to in Article 196 of the Convention and in the corresponding provisions of the Decision. Any part of this amount not committed by the end of the period during which loans are granted by the Bank shall again become available as grant aid.

The Council may decide, on a proposal from the Commission drawn up in agreement with the Bank, to raise this ceiling.

Article 5

With the exception of loans granted by the Bank from its own resources, all financial operations undertaken for the benefit of the ACP States or the countries and territories in accordance with the Convention or the Decision shall be carried out under the conditions laid down in this Agreement and shall be charged to the Fund.

Article 6

- 1. Within one month of the entry into force of the Convention, and subsequently before 1 October of each year, the Commission shall draw up and communicate to the Council estimates of the commitments to be entered into during the budget year, taking into account the Bank's forecasts in respect of the operations which it manages.
- 2. In the same manner, the Commission shall establish and communicate to the Council a statement of the payments to be made in the budget year in question. On the basis of this statement and taking into account cash requirements, the Commission shall draw up a schedule of calls for contributions determining the dates on which payment is due; the detailed rules for payment of such contributions by the Member States shall be determined by the Financial Regulation referred to in Article 28. This schedule shall be submitted by the Commission to the Council, which shall decide thereon by the qualified majority laid down in Article 18 (4).

If the contributions are insufficient to meet the actual requirements of the Fund in the budget year in question, proposals for supplementary payments shall be submitted by the Commission to the Council, which shall decide thereon as soon as possible by the qualified majority laid down in Article 18 (4).

- 3. The Commission shall wholly or partially refrain from calling for an instalment due during a financial year when the amounts available are sufficient to cover payment requirements until the next due date.
- 4. Until used by the Commission for financing projects, action programmes or transfers adopted under the conditions laid down in Articles 10 to 21, 26 and 27, the funds obtained from the calls for contributions referred to in paragraph 2 shall remain deposited in special accounts opened by each Member State with its Treasury or with such bodies as it may designate, in accordance with the rules laid down by the Financial Regulations referred to in Article 28.

Article 7

- 1. Any remaining balance of the Fund shall be used up in accordance with the same rules as those laid down in the Convention, the Decision and this Agreement.
- 2. Upon expiry of this Agreement, Member States shall still be obliged to pay, as provided in Article 6, the portion of their contributions not yet called for.

Article 8

- 1. The Member States undertake to act as guarantor for the Bank, waiving any right to object and in proportion to their contributions to its capital, in respect of all financial commitments arising for its borrowers out of the loan contracts concluded by the Bank with its own resources in implementation both of Article 194 of the Convention and the corresponding provisions of the Decision and, where appropriate, Article 83 of the Convention.
- This guarantee shall be restricted to 75 % of the total amount of the credits opened by the Bank under all the loan contracts; it shall be applied to cover all risks.
- 3. Notwithstanding the overall guarantee referred to in paragraphs 1 and 2, the Member States may, with regard to financial commitments under Article 83 of the Convention, act as guarantor for the Bank, in specific cases and at the latter's request, in respect of a percentage greater than 75 % and up to 100 % of the credits opened by the Bank under the corresponding loan contracts.
- The undertakings arising from paragraphs 1 to 3 shall be the subject of guarantee contracts between each Member State and the Bank.

Article 9

1. Payments made to the Bank in respect of special loans granted to the ACP States, the countries and territories and the French overseas departments since 1 June 1964, as well as the proceeds and income from risk capital operations undertaken since 1 February 1971 for the benefit of those States, countries, territories and departments, shall be credited to the Member States in proportion to their contributions to the Fund from which the sums are derived, unless the Council decides unanimously, on a proposal from the Commission, to place them in reserve or allocate them to other operations.

- Any commission due to the Bank for managing the loans and operations referred to in the first subparagraph shall be deducted in advance from these sums.
- 2. The amounts referred to in Article 2 (1) shall be supplemented by any other revenue accruing to the Fund; without prejudice to Article 153 (2) of the Convention and acting on a proposal from the Commission, the Council shall decide by the qualified majority referred to in Article 18 (4) on the allocation of any such other revenue.

CHAPTER II

Article 10

- Subject to Articles 19, 20 and 21 and without prejudice to the Bank's responsibilities for the administration of certain forms of aid, the Fund shall be administered by the Commission in accordance with the rules laid down in the Financial Regulation referred to in Article 28.
- 2. Subject to Articles 22, 23 and 24, risk capital and interest rate subsidies financed from the Fund's resources shall be administered by the Bank on behalf of the Community in accordance with its Statute and the rules laid down by the Financial Regulation referred to in Article 28.

Article 11

The Commission shall be responsible for implementing the aid policy defined by the Council and the general guidelines for financial and technical cooperation defined by the ACP-EEC Council of Ministers pursuant to Article 193 of the Convention.

Article 12

- 1. The Commission and the Bank shall provide each other periodically with appropriate information on the requests made to them for finance and on preliminary contacts made with them, before their requests were submitted, by the relevant bodies of the ACP States, the countries and territories, or other recipients of aid as provided for in Article 191 of the Convention and in the corresponding provisions of the Decision.
- The Commission and the Bank shall keep each other informed of the progress made in appraising requests for finance. They shall exchange all general information in order to promote the harmonization of administrative procedure and the assessment of requests.

Article 13

 The Commission shall appraise projects and action programmes which, pursuant to Article 197 of the Convention and the corresponding provisions of the Decision, could be financed by grants or special loans from the Fund's resources. The Commission shall also appraise requests for transfers submitted pursuant to Part Three, Tide II, Chapter 1, of the Convention and the corresponding provisions of the Decision, together with projects and action programmes eligible for the special financing facility pursuant to Part Three, Title II, Chapter 3, of the Convention.

- 2. The Bank shall appraise projects and action programmes which, pursuant to its Statute, Article 197 of the Convention and the corresponding provisions of the Decision, could be financed by loans from its own resources, with or without interest rate subsidies, or by risk capital.
- 3. Projects and action programmes which come under the industrial, agro-industrial, mining or tourism sectors, and energy-production, transport and telecommunications schemes linked to those sectors, shall be presented to the Bank, which shall examine whether they are eligible for one of the forms of aid it administers.
- 4. Where, in the course of appraisal of a project or action programme by the Commission or by the Bank, it is found that such project or programme could not be financed by one of the forms of aid administered by the institution in question, the latter will, having informed the potential recipient, transmit the request to the other institution.

Article 14

- 1. Without prejudice to general instructions which the Bank receives from the Community in respect of the recovery of principal and interest relating to special loans and operations under the special financing facility, the Community, the financial execution of operations carried out with the Fund's resources in the form of grants, special loans, transfers or the special financing facility; it shall make payments in accordance with the Financial Regulation referred to in Article 28.
- 2. The Bank shall undertake, on behalf of the Community, the financial execution of operations carried out with the Fund's resources in the form of risk capital. In this context, the Bank shall act on behalf and at the risk of the Community. Any resulting rights, and particularly rights as creditor or owner, shall be vested in the Community.
- The Bank shall undertake the financial execution of operations carried out in the form of loans from its own resources combined with interest rate subsidies from the Fund's resources.

Article 15

1. In order to ensure coordination between cooperation operations and improve complementarity between them and the Member States' bilateral aid, the Commission shall regularly and in good time communicate to the Member States the notes identifying projects which are to be appraised.

- For their part the Member States shall communicate in good time to the Commission a periodically updated statement of any development aid they have granted or intend to grant.
- The Member States and the Commission shall also communicate to each other any information they possess on other bilateral, regional or multilateral aid granted to or envisaged for ACP States.
- 4. The Bank shall regularly and confidentially inform the representatives of the Member States and of the Commission designated by name of any projects for the benefit of the ACP States which it intends to appraise.

Article 16

- 1. The programming provided for in Article 215 of the Convention shall be undertaken in each ACP State under the responsibility of the Commission.
- 2. In order to prepare the programming, the Commission, in consultation with the Member States, in particular those represented on the spot, and in conjunction with the Bank, shall undertake an analysis of each ACP State's economic situation so that any obstacles to development can be identified and any consequent necessary changes in line of policy can be assessed, account being taken of the sectoral policies pursued and the results which they have made it possible to achieve with the means deployed.

The analysis shall concern sectors in which the Community is particularly active and those for which a request for Community support may be envisaged; it shall take account of the interdependence between sectors and be based on a detailed assessment of past Community aid and of the lessons learned therefrom.

Article 17

- For the purposes of Article 215 of the Convention, programming missions shall be undertaken in each ACP State under the responsibility of the Commission and with the participation of the Bank in order to establish the indicative programme of Community aid.
- Before programming missions are sent out, the Commission shall, in collaboration with the Bank, prepare a brief document on each country giving the conclusions of the preparation of programming and setting out the sectors on which Community aid is to be concentrated.

An exchange of views shall take place between the representatives of the Member States, of the Commission and of the Bank, on the basis of this document, in order to assess the general framework of the Community's cooperation with each ACP State and to ensure, as far as possible, coordination and complementarity of Community aid and aid from the Member States.

- 3. Following the programming missions undertaken in the ACP States by the Commission and the Bank, the indicative programme of Community aid for each ACP State shall be forwarded to the Member States so that an exchange of views can take place between the representatives of the Member States, of the Commission and of the Bank. This exchange of views shall be held if the Commission or one or more Member States so request.
- 4. If need be, and at least once during the period covered by the Convention, the representatives of the Member States, of the Commission and of the Bank shall examine progress in implementing the indicative programmes and any amendments to be made thereto at the request of the ACP States concerned.
- 5. The exchange of views referred to in paragraphs 2 and 3 and the examination referred to in paragraph 4 shall take place in a Programming Committee consisting of representatives of the Member States and of the Bank and chaired by a representative of the Commission.

The Programming Committee shall also consider the general guidelines contemplated for the implementation of regional cooperation.

Article 18

1. A Committee (hereinafter called 'the EDF Committee') consisting of representatives of the governments of the Member States shall be set up under the auspices of the Commission.

The EDF Committee shall be chaired by a Commission representative, and its secretariat shall be provided by the Commission.

A representative of the Bank shall take part in its work.

- 2. The Council, acting unanimously, shall adopt the rules of procedure of the EDF Committee.
- On a transitional basis, until a decision is taken pursuant to the first subparagraph of paragraph 5, the votes of the Member States in the EDF Committee shall be weighted as follows:

Belgium	6
Denmark	3
Germany	27
Greece	2
France	24
Ireland	2
Italy	13
Luxembourg	1
Netherlands	8
United Kingdom	17

- 4. The EDF Committee shall act by a qualified majority of 70 votes.
- 5. The weightings laid down in paragraph 3 and where appropriate the qualified majority mentioned in paragraph 4 shall be amended, by a decision of the Council, acting unanimously, in the case referred to in Article 1 (2) (c).

The weightings laid down in paragraph 3 and the qualified majority mentioned in paragraph 4 may be amended by a decision of the Council, acting unanimously, in the case referred to in Article 1 (2) (d).

Article 19

- The EDF Committee shall give its opinion on financing proposals, submitted to it by the Commission, for projects or action programmes to be financed by grants or special loans or special financing facility resources, amended, if appropriate, to take account of any comments made by the ACP State or States concerned.
- 2. The financing proposals shall set out the relevance of the projects or action programmes to the development prospects of the country or countries concerned and how they fit in with the sectoral policies receiving Community support. They shall mention the use to which such countries have put previous Community aid in the same sector; any existing project evaluations for that sector shall be attached.

Article 20

 If the EDF Committee requests substantial changes in the financing proposal, or in the absence of a favourable opinion on the proposal, the Commission shall consult the representatives of the ACP State or States concerned.

Following such consultations, the Commission shall communicate the results to the Member States at the next meeting of the EDF Committee.

2. Following the consultations referred to in paragraph 1 the Commission may resubmit the financing proposal, after review or extension, to the EDF Committee at one of its subsequent meetings.

- If the EDF Committee still refuses to deliver a favourable opinion, the Commission shall inform the ACP State or States concerned, which may then request either:
- that the matter be brought before the ACP-EEC Ministerial Committee referred to in Article 193 of the Convention (hereinafter called 'the Article 193 Committee', or
- that it or they be given a hearing by the Community's decision-making bodies, on the conditions set out in Article 21 (2).

Article 21

- The financing proposals, together with the opinion of the EDF Committee, shall be submitted to the Commission for its decision.
- 2. If the Commission decides to differ from the opinion expressed by the EDF Committee or if the Committee has not delivered a favourable opinion, the Commission shall either withdraw the financing proposal or, at the earliest opportunity, refer the proposal to the Council, which shall decide on it according to the same voting procedure as the EDF Committee.

In the latter case the ACP State concerned may, if it has not decided to refer the matter to the Article 193 Committee, forward to the Council, in accordance with Article 220 (7) of the Convention, any additional information it considers necessary before the final decision is taken and may be heard by the President and the members of the Council.

- Save in exceptional circumstances the Community shall take a final decision within a maximum period of four months of communication of the financing proposal to the ACP State or States concerned.
- 4. The Commission shall regularly inform the EDF Committee of all requests for financing officially submitted to it by one or more ACP States, irrespective of whether such requests are selected by its departments.

Article 22

 A Committee (hereinafter called 'the Article 22 Committee') consisting of representatives of the governments of the Member States shall be set up under the auspices of the Bank.

The Article 22 Committee shall be chaired by the representative of the Member State currently chairing the Board of Governors of the Bank; its secretariat shall be provided by the Bank.

A representative of the Commission shall take part in its work.

2. The Council, acting unanimously, shall adopt the rules of procedure of the Article 22 Committee.

3. The weighting of the votes of the Member States and the qualified majority applicable to the Article 22 Committee shall be those resulting from the application of Article 18 (3), (4) and (5).

Article 23

 The Article 22 Committee shall deliver an opinion on requests for loans with interest rate subsidies and on proposals for financing by risk capital which are submitted to it by the Bank.

The Commission representative may, at meetings, submit the Commission's assessment of these proposals. This assessment shall cover the conformity of the projects with Community development aid policy, with the objectives of financial and technical cooperation laid down by the Convention and with the general guidelines adopted by the ACP-EEC Council of Ministers.

- In addition, the Bank shall inform the Article 22 Committee of any loans without interest rate subsidies that it intends to grant in the oil sector.
- 2. The document submitted to the Article 22 Committee by the Bank shall, in particular, explain the relevance of the project to the development prospects of the country or countries concerned and, where appropriate, indicate the situation as regards repayable aid granted by the Community and holdings acquired by it and the use made of previous aid in the same sector; any existing project evaluations for that sector shall be attached.
- 3. Where the Article 22 Committee delivers a favourable opinion in respect of a request for a loan with an interest rate subsidy, the request, together with the reasoned opinion of the Committee and, where appropriate, the assessment of the Commission representative, shall be submitted for a decision to the Board of Directors of the Bank, which shall act in accordance with the provisions of the Bank's Statute.
- In the absence of a favourable opinion from the Article 22 Committee, the Bank shall either withdraw the request or decide to uphold it. In the latter event the request, together with the reasoned opinion of the Committee and, where appropriate, the assessment given by the Commission representative, shall be submitted for a decision to the Bank's Board of Directors, which shall act in accordance with the provisions of the Bank's Statute.
- 4. Where the Article 22 Committee delivers a favourable opinion in respect of a proposal for financing by risk capital, the proposal shall be submitted for a decision to the Bank's Board of Directors, which shall act in accordance with the provisions of the Bank's Statute.

In the absence of a favourable opinion from the Article 22 Committee, the Bank, in accordance with Article 220 of the Convention, and in particular paragraphs 5, 6 and 7 thereof, shall inform the representatives of the ACP State or States concerned, who may request either:

- that the matter be referred to the Article 193 Committee, or
- that they be given a hearing by the competent body of the Bank.

At the end of that hearing, and within the time limits laid down in Article 220 (8) of the Convention, the Bank may either:

- decide not to follow up the proposal, or
- request that the Member State chairing the Article 22 Committee refer the matter to the Council as soon as possible.

In the latter case, the proposal shall be submitted to the Council together with the reasoned opinion of the Article 22 Committee and, where appropriate, the assessment of the Commission representative and any further information which the ACP State concerned considers the Council requires.

The Council shall act in accordance with the same voting procedure as the Article 22 Committee.

If the Council confirms the Article 22 Committee's position, the Bank shall withdraw its proposal.

If, however, the Council is in agreement with the Bank's proposal, the Bank shall implement the procedures laid down in its Statute.

Article 24

Subject to such adjustments as are necessary to take account of the nature of the operations financed and of the procedures laid down in the Statute of the Bank, the latter shall inform the Article 22 Committee regularly of all requests for financing officially submitted to it, irrespective of whether they are selected by its departments.

Article 25

- The Commission and the Bank shall ascertain, each for their respective parts, how the Community aid they administer is used by the ACP States, the countries and territories or any other recipients.
- They shall also ascertain, each for their respective parts and in close collaboration with the relevant authorities of the country or countries concerned, how projects financed with Community aid are used by the recipients.

- 3. When ascertaining how Community aid and projects are used, as provided for in paragraphs 1 and 2, the Commission and the Bank shall examine the extent to which the objectives referred to in Articles 185 and 186 of the Convention and in the corresponding provisions of the Decision have been attained.
- 4. The Commission and the Bank shall inform the Council at least once a year of their findings pursuant to paragraphs 1, 2 and 3. The report by the Commission and the Bank shall also contain an assessment of the impact of Community aid on the economic and social development of the recipient countries.

The Council, acting by the qualified majority laid down in Article 18 (4), shall take the necessary measures.

5. The Council shall be informed periodically of the results of work done by the Commission and the Bank on the evaluation of projects being carried out or completed, particularly in relation to development objectives set.

CHAPTER III

Article 26

- 1. The amounts of the transfers referred to in Articles 157 and 167 of the Convention and in the corresponding provisions of the Decision, and the contributions to the replenishment of resources referred to in Article 172 of the Convention and in the corresponding provisions of the Decision, shall be expressed in ECU.
- Payments shall be made in the currency of one or more Member States chosen by the Commission after consultation of the ACP State or the relevant authorities of the countries and territories.

Article 27

1. Each year the Commission shall draw up a comprehensive report for the Member States on the operation of the system of stabilization of export earnings and the use made by the ACP States of the funds transferred.

The report shall indicate in particular the effect of the transfers made on the development of the sectors to which they were allocated.

2. Paragraph 1 shall also apply as regards the countries and territories.

CHAPTER IV

Article 28

The provisions for implementing this Agreement shall be the subject of a Financial Regulation adopted, upon the entry into force of the Convention, by the Council, acting by the qualified majority laid down in Article 18 (4), on the basis of a Commission draft, after an opinion has been delivered by the Bank on the provisions of concern to it and by the Court of Auditors established under Article 206 of the Treaty.

Article 29

- At the end of each financial year the Commission shall adopt the revenue and expenditure account and the balance sheet of the Fund.
- 2. Without prejudice to paragraph 4, the Court of Auditors established under Article 206 of the Treaty shall also exercise its powers in respect of the Fund's operations. The conditions under which the Court exercises its powers shall be laid down in the Financial Regulation referred to in Article 28.
- 3. The discharge for the financial management of the Fund shall be given to the Commission by Parliament on the recommendation of the Council, which shall act by the qualified majority laid down in Article 18 (4).
- 4. The operations financed from the resources of the Fund managed by the Bank shall be subject to the control and discharge procedures laid down by the Statute of the Bank for all its operations. Each year the Bank shall send the Commission and the Council a report on the execution of operations financed from the resources of the Fund managed by the Bank.
- 5. The Commission shall draw up periodically, in agreement with the Bank, lists of the information it receives from the latter in order to assess how the Bank is carrying out its brief and to encourage close coordination between the Commission and the Bank.

Article 30

1. The remaining balance of the Fund set up under the Internal Agreement of 1969 on the financing and administration of Community aid shall continue to be administered as provided in that Agreement and in accordance with the rules and regulations in force on 31 January 1975.

The remaining balance of the Fund set up under the Internal Agreement of 1975 on the financing and administration of Community aid shall continue to be administered as provided in that Agreement and in accordance with the rules and regulations in force on 1 March 1980.

The remaining balance of the Fund set up under the Internal Agreement of 1979 on the financing and administration of Community aid shall continue to be administered as provided in that Agreement and in accordance with the rules and regulations in force on 28 February 1985.

2. In the event of successful completion of projects financed from the Funds referred to in paragraph 1 being jeopardized by a lack of resources owing to the remaining balance being used up, proposals for additional financing may be submitted by the Commission under the conditions laid down in Article 19.

Article 31

- 1. This Agreement shall be approved by each Member State in accordance with its own constitutional requirements. The Government of each Member State shall notify the General Secretariat of the Council of the European Communities when the procedures required for its entry into force have been completed.
- This Agreement is concluded for the same duration as the Convention. However, it shall remain in force for as long as is necessary for all the operations financed under the Convention to be fully executed.

Article 32

This Agreement, drawn up in a single original in the Danish, Dutch, English, French, German, Greek and Italian languages, each of these texts being equally authentic, shall be deposited in the archives of the General Secretariat of the Council of the European Communities, which shall transmit a certified copy to each of the governments of the Signatory States.

Udfærdiget i Bruxelles, den nittende februar nitten hundrede og femogfirs.

Geschehen zu Brüssel am neunzehnten Februar neunzehnhundertfünfundachtzig.

Έγινε στις Βρυξέλλες, στις δεκαεννέα Φεδρουαρίου χίλια εννιακόσια ογδόντα πέντε.

Done at Brussels on the nineteenth day of February in the year one thousand nine hundred and eighty-five.

Fait à Bruxelles, le dix-neuf février mil neuf cent quatre-vingt-cinq.

Fatto a Bruxelles, addì diciannove febbraio millenovecentottantacinque.

Gedaan te Brussel, de negentiende februari negentienhonderdvijfentachtig.

Pour Sa Majesté le roi des Belges

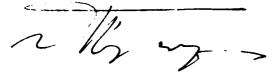
Voor Zijne Majesteit de Koning der Belgen

For Hendes Majestæt Dronningen af Danmark

Für den Präsidenten der Bundesrepublik Deutschland

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Για τον Πρόδεδρο της Ελληνικής Δημοκρατίας



Pour le président de la République française



For the President of Ireland



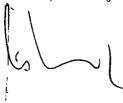
Per il Presidente della Repubblica italiana



Pour Son Altesse Royale le grand-duc de Luxembourg



Voor Hare Majesteit de Koningin der Nederlanden



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

31. 3. 86

ANNEX I

Schedule of contributions to be made by the States contributing to the Fund

(Article 1 (2) (b))

	(million ECU)
Belgium	296,94 (1)
Denmark	155,82 (')
Federal Republic of Germany	1 954,40
Greece	93,03
France	1 768,20
Ireland	41,30
Italy	943,80
Luxembourg	14,00
Netherlands	423,36 (')
United Kingdom	1 243,20
Spain Portugal estimate	565,95
· ,	7 500,00

^(*) Provisional figure (1983 VAT base); the final contribution will be fixed by reference to the 1984 VAT base (see Annex II, point 3 (a)).

ANNEX II

Guidelines on the final schedule of contributions to be made by the States contributing to the Fund

(Article 1 (2) (c))

- 1. The recipients of the amount fixed in Article 1 (2) (a) shall include Angola and Mozambique irrespective of the date on which those two States accede to the Convention:
- The abovementioned amount was fixed taking into account the enlargement of the Community to include Portugal and Spain. Article 195 (2) (b) of the Convention does not therefore apply to the enlargement to include Portugal and/or Spain.

On enlargement, the present Member States will therefore endeavour to negotiate contributions by Portugal and Spain at a level which will not be less than 7,7 %.

- 3. As already reflected in Annex I, the amount of the contributions of Portugal and Spain will be used:
- (a) to reduce the rates of contribution to be made by Belgium, Denmark and the Netherlands by threequarters of the difference between their rates on the 1984-based VAT scale and their rates under the Lome II scale:
- (b) in the case of the balance, to reduce the contributions by Greece, France, Ireland and Luxembourg proportionally, so that the sizes of their shares are as nearly as possible what they would have contributed under the Lome II scale of contributions assuming a Fund of 7 000 million ECU.
- 4. If the contributions by Portugal and Spain are fixed overall at a total of less than 7,5 %, the contributions of the present Member States will be adjusted.
- 5. The Federal Republic of Germany, Italy and the United Kingdom will not contribute more than 1 954,4 million ECU, 943,8 million ECU and 1 243,2 million ECU respectively.
- 6. If the estimates of Portuguese and Spanish contributions are not fulfilled, to the point where serious imbalances are created, the problem will be re-examined.

COUNCIL

COUNCIL DECISION

of 23 June 1986

amending the Internal Agreement dated 19 February 1985 on the Financing and Administration of Community Aid under the Third ACP-EEC Convention

(86/281/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES.

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Third ACP-EEC Convention, signed at Lomé on 8 December 1984,

Having regard to the Internal Agreement on the Financing and Administration of Community Aid signed in Brussels on 19 February 1985, hereinafter referred to as the Internal Agreement, and in particular Articles 1 (2) and 18 (5) thereof,

Whereas, on 1 January 1986, the Kingdom of Spain and the Portuguese Republic acceded to the Community;

After consulting the Commission,

HAS DECIDED AS FOLLOWS:

Article 1

- Article 1 (2) of the Internal Agreement shall be replaced by the following:
 - '2. (a) The Fund shall consist of 7 500 million ECU to be financed by the Member States as follows:

	(million ECU)
Belgium	296,94
Denmark	155,82
Germany	1 954,40
Greece	93,03
Spain	499,80
France	1 768,20
Ireland	41,30

Italy	943,80
Luxembourg	14,00
Netherlands	423,36
Portugal	66,15
United Kingdom	1 243,20

- (b) The allocation of financing under (a) may be amended by decision of the Council, acting unanimously, should a new State accede to the Community.'
- 2. Annexes I and II to the Internal Agreement shall be deleted.

Article 2

- In Article 18 of the Internal Agreement, (3) and (4) shall be replaced by the following:
 - '3. Within the EDF Committee, the votes of the Member States shall be weighted as follows:

Belgium	8,
Denmark	5,
Germany	52,
Greece	` 4 ,
Spain	14,
France	48,
Ireland	2,
Italy	26,
Luxembourg	1,
Netherlands	12,
Portugal	3,
United Kingdom	34.

- 4. The EDF Committee shall act by a qualified majority of 145 votes.'
- 2. The first subparagraph of Article 18 (5) shall be deleted.

^(*) This amendment had to be made as a result of the accession of spain and Portugal to the European Communities on 1.1.1986.

This Decision shall take effect on the day following its adoption by the Council.

Done at Luxembourg, 23 June 1986.

For the Council

The President

W.F. van ERKELEM

COUNCIL

FINANCIAL REGULATION

of 11 November 1986

applicable to the Sixth European Development Fund

(86/548/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES.

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Third ACP-EEC Convention, signed at Lome on 8 December 1984 (1), hereinafter referred to as 'the Convention',

Having regard to the Integral Agreement on the financing and administration of Community aid, signed in Brussels on 19 February 1985 (7), hereinafter referred to as 'the Internal Agreement' and in particular Article 28 thereof,

Having regard to Council Decision 86/283/EEC of 30 June 1986 on the association of the overseas countries and territories with the European Economic Community (3), hereinafter referred to as 'the Decision'.

Having regard to the draft Financial Regulation submitted by the Commission,

Having regard to the consultation of the European Parli-

Having regard to the opinion of the European Investment Bank, hereinafter referred to as 'the Bank',

Having regard to the opinion of the Court of Audtitors (1),

Whereas, pursuant to Article 1 (1) of the Internal Agreement, the Member States have set up a Sixth European. Development Fund, hereinafter referred to as 'the EDF';

Whereas under Article 28 of the Internal Agreement, the provisions for implementing the Agreement shall be the subject of a Financial Regulation adopted, upon the entry into force of the Convention, by the Council acting by the qualified majority laid down in Article 18 (4) of the said Agreement,

HAS ADOPTED THIS FINANCIAL REGULATION:

TITLE I

FINANCIAL ARRANGEMENTS

Article 1

The Council shall notify the Commission by 30 November each year of the decision which it adopts pursuant to the first subparagraph of Article 6 (2) of the Internal Agreement and which relates to the schedule of calls for contributions to the EDF.

^(*) OJ No L 86, 31. 3. 1986, p. 3. (*) OJ No L 86, 31. 3. 1986, p. 210. (*) OJ No L 175, 1. 7. 1986, p. 1.

^{2.} Annual contribution to the EDF shall in principle be called up in four instalments payable on:

^{— 20} јапиату,

^{--- 1} April,

^{— 1} July,

 ¹ October.

^{(&#}x27;) OJ No C 361, 31. 12. 1985, p. 1.

The Commission shall notify the Member States as soon as possible, and in any event at the beginning of each financial year, of the amount of the quarterly instalments of contributions to be paid on each of the due dates.

- 3. The Commission shall inform the Member States as soon as possible before the date on which each instalment of contributions is due of its intentions in respect of limiting its call for contributions as provided for in Article 6 (3) of the Internal Agreement.
- 4. Supplementary contributions to the EDF decided upon pursuant to the second subparagraph of Article 6 (2) of the Internal Agreement shall, unless otherwise decided by the Council, be due and be made within as brief a period as possible which shall be laid down in the decision to call for such contributions and which may not in any case exceed three months.
- Each Member State shall make the contributions referred to in paragraphs 2 and 4 in proportion to its contributions to the EDF as fixed in Article 1 (2) of the Internal Agreement.
- 6. Where an instalment of contributions payable under this Article is not paid within 15 days of the due date, the Member State concerned shall, without further notice, be required to pay interest in respect of the amount not paid. The late payment penalty interest shall be calculated on the basis of a rate of two percentage points above the interest rate for short-term financing applicable on the date on which the instalment is due on the money market of the Member State for the ECU or the national currency, whichever has been chosen for the payment of the instalment in question. This rate shall be increased by 0,25 of a percentage point for each month of delay. The increased rate shall be applicable to the entire period of delay.

Article 2

- The financial contributions of the Member States shall be expressed in ECU.
- 2. Each Member State shall pay the amount of its contribution either:
- (a) in ECU; or
- (b) in its national currency on the basis of the conversion rate of the ECU in force seven working days preceding the date on which the payment was due.

However, where a Member State adopts the second alternative, it may, in the first instance, base each instalment of its annual contribution on a conversion rate of the ECU in force on a date of its choice during the quarter preceding the date on which the instalment falls due. In that event, the Commission shall transmit to the Member State concerned as soon as possible after the due date a statement of the adjustment to be made to the instalment in question to bring it into line with the requirements of this paragraph. Payment of the amount of the adjustment shall be made by the Commission or the Member State,

- as appropriate, not later than the next due date. The provisions of this paragraph shall apply only where instalments are paid on the due date.
- Financial contributions shall be credited by each Member State to a special account entitled 'Commission of the European Communities — European Development Fund' opened with the bank of issue of that Member State or the financial institution designated by it.
- 4. Upon expiry of the Convention, that part of the contributions which the Member States remain obliged to make shall be called up by the Commission, as required, on the conditions laid down in the Internal Agreement and this Financial Regulaton.
- The Commission shall credit amounts paid in national currencies to the accounts provided for in paragraph 3 on the basis of the exchange rates for the ECU provided for in paragraph 2 (b).

Article 3

In order to make all necessary payments, the Commission shall open accounts at the bank of issue or other financial institutions in each Member State. Subject to the provisious of Article 229 (3) of the Convention, deposits in these accounts shall bear interest which shall be credited to the resources of the EDF.

Article 4

The signatures of the Commission officials empowered to carry out operations on the EDF's accounts shall be lodged when the accounts are opened or, in the case of officials who are authorized subsequently, when they are designated.

Article 5

- EDF resources shall be used in accordance with the principles of economy and sound financial management.
- The Commission shall, as far as possible, make any withdrawals from the special accounts referred to in Article 2 (3) in such a way as to maintain a distribution of its assets in those accounts corresponding to the proportions in which the various Member States contribute to the EDF.

Article 6

The Commission shall transfer from the special accounts opened pursuant to Article 2 (3) of this Financial Regulation amounts needed to replenish the accounts opened in its name in accordance with Article 3 (1) of the Regulation and Article 229 of the Convention. Such transfers shall be made on the basis of the cash requirements for the execution of projects and programmes, including amounts required for payment into the account of the system for stabilization of export earnings from agricultural commodities (hereinafter referred to as the 'Stabex' system) as provided for in Article 153 of the Convention.

 Financial transactions shall be effected either in ECU or in national currencies.

Subject to the exceptions provided for in the second subparagraph of Article 48 (2) and in Article 48 (3) respectively and in Articles 50 (6) and 54 (4), any Fund operations involving conversion between the ECU and national currencies shall be made on the basis of the current market rate applicable on the day on which each such operation is effected.

Any exchange differences and costs shall be charged against the EDF.

Article 8

- The Commission shall communicate to the Council each year a statement of contribution payments and a progress report on EDF financial operations.
- 2. The Commission shall include with the estimates of contributions which it has to submit to the Council in accordance with Article 6 (2) of the Internal Agreement its forecasts of expenditure (including those relating to earlier Conventions) in respect of each of the four years following that covered by the request for contributions. These forecasts shall be updated annually and communicated to the Council when the annual request for contributions is made.

TITLE II

MANAGEMENT OF THE EDF

SECTION 1

GENERAL PROVISIONS

Article 9

- The EDF shall be administered financially in accordance with the principle that authorizing officers and accounting officers shall be different individuals. Appropriations shall be administered by authorizing officers, who alone shall have the power to enter into commitments regarding expenditure, establish sums due to be collected and issue recovery orders and payment orders.
- Collection and payment operations shall be carried out by the accounting officers.
- The duties of authorizing officer, financial controller and accounting officer shall be mutually incompatible.

Article 10

- Within the limit of the appropriations provided for in Article 1 of the Internal Agreement, the Commission shall, without prejudice to Article 10 (2) therof, manage the EDF on its own responsibility in accordance with the conditions laid down in the Convention, the Decision, the Internal Agreement and this Financial Regulation.
- 2. The Commission may delegate part of the duties of the accounting officer and part of the responsibility for monitoring to authorized agents appointed by it. The rules governing responsibilities adopted under this Title shall apply to such authorized agents within the limits of the powers delegated to them. Each decision to delegate powers shall state the duration and extent of the mandate.
- 3. Those to whom powers are delegated may act only within the limits of the powers expressly conferred upon them. Decisions to delegate powers shall be notified to those to whom powers are delegated, to the accounting officer, the financial controller, the authorizing officers and the Court of Auditors.

4. The principles of the provisions of this Financial Regulation relating to the monitoring and payment of expenditure shall be applicable to expenditure effected by delegation. Such expenditure may not be finally entered into the BDF accounts until the Commission has verified that the expenditure has been correctly cleared and that the authorization and payment are in order, in accordance with the requirements of this Regulation.

Article 11

In accordance with Article 226 (1) of the Convention, the Commission shall appoint the chief authorizing officer of the EDF. He shall be responsible for the preparation of the management accounts referred to in Article 67. He may have recourse to deputy authorizing officers, whom he shall appoint subject to approval by the Commission.

Article 12

- 1. The Commission shall appoint the financial controller, who shall be responsible for monitoring the commitment and authorization of expenditure and for monitoring revenue. The financial controller may be assisted in his duties by one or more assistant financial controllers.
- Monitoring shall be carried out by the financial controller by means of inspection of the files relating to expenditure and revenue and, if necessary, on the spot.
- 3. The special rules applicable to the financial controller shall be formulated in such a way as to ensure his independence in carrying out his duties. Measures taken in respect of his appointment and promotion, disciplinary action or transfer, and the various procedures of interruption or termination of his appointment shall be the subject of reasoned decisions which shall be forwarded to the Council for its information.
- 4. The persons concerned or the Commission may institute proceedings before the Court of Justice.

The collection of revenue and the payment of expenditure shall be carried out by an accounting officer appointed by the Commission. Subject to Article 34 (2), this accounting officer alone shall be empowered to manage funds and assets. He shall be responsible for their

The accounting officer shall be responsible for maintaining the accounts, as provided for in Articles 36 and 37 and for the preparation of the financial statements provided for in Article 66.

He may be assisted in his duties by one or more assistant accounting officers appointed under the same conditions as the accounting officer.

Article 14

The Court of Auditors shall be notified of the appointment of the authorizing officer, the financial controller, the accounting officer and the administrator of advance funds and of the accounting plan referred to in Article 37. The Commission shall forward to the said Court any rules of procedure drawn up by it in respect of financial matters.

SECTION II

REVENUE

Article 15

- 1. The recovery of any sum due to the EDF shall give rise to the issue by the authorizing officer of a recovery order.
- 2. Recovery orders shall be transmitted by the authorizing officer, to the financial controller and shall be subject to the latter's approval. On approval by the financial controller, the recovery orders shall be registered by the accounting officer. The purpose of approval by the financial controller shall be to establish that:
- (a) the revenue is correctly credited;
- (b) the recovery order is correct and in conformity with the provisions applicable to the management of the EDF and with all measures taken in implementation of those provisions;
- (c) the principles of sound financial management have been applied;
- (d) the supporting documents are in order;
- (e) the debtor is correctly described;
- (f) the due date is indicated;
- (g) the amount and currency of the sum to be recovered are correct.
- The financial controller may withhold his approval
 if he considers that the conditions laid down in paragraph
 2 (a) to (g) are not met.

The Commission may, by a decision stating the full reasons therefor and on its sole responsibility, overrule this refusal. This decision shall be final and binding; it shall be communicated for information to the financial controller. The Commission shall inform the Court of Auditors of all such decisions every three months.

4. If the authorizing officer waives the right to recover an established debt, he shall send beforehand a proposal for cancellation to the financial controller for his approval and to the accounting officer for his information. The purpose of approval by the financial controller shall be to establish that the waiver is in order and conforms with the principles of sound financial management. The proposal concerned shall be registered by the accounting officer.

If approval is withheld, the Commission may, by a decision stating the full reasons therefor and on its sole responsibility, overrule this refusal. This decision shall be final and binding. It shall be communicated for information to the financial controller. The Commission shall inform the Court of Auditors of all such decisions every three months.

Where the financial controller finds that a document establishing a debt has not been drawn up or that a sum due has not been recovered, he shall inform the Commission thereof.

Article 16

- The accounting officer shall assume responsibility for recovery orders forwarded to him by the authorizing officer.
- The accounting officer shall do all in his power to ensure that EDF resources are recovered at the due dates and that the Community's rights are safeguarded.
- The accounting officer shall inform the authorizing officer and the financial controller of any revenue not recovered within the time limits laid down.

SECTION III

COMMITMENT, CLEARANCE, AUTHORIZATION AND PAYMENT OF EXPENDITURE

1. Commitment of expenditure

Article 17

- All measures which may give rise to expenditure payable by the EDF must be preceded by a proposal for commitment of expenditure from the authorizing officer. A provisional commitment may be entered into in respect of current expenditure.
- Without prejudice to Article 34, decisions taken by the Commission in accordance with the provisions authorizing it to grant financial aid from the EDF shall constitute commitments of expenditure.
- 3. An account shall be kept of commitments and authorizations.

Article 18

Proposals for commitments accompanied by the supporting documents, shall be transmitted to the financial controller. They shall show in particular the purpose of the expenditure, the estimated amount involved, the item to which it is to be charged and the name and description of the creditor. They shall be registered by the authorizing officer after approval by the financial controller.

- The purpose of approval of proposals for commitments by the financial controller shall be to establish that:
- (a) the expenditure has been charged to the correct item;
- (b) appropriations are available;
- (c) the expenditure is correct and in conformity with the provisions applicable to the management of the EDF and with all measures taken in implementation of those provisions, in particular, the general and special conditions of the financing or loan agreement relating to the operation;
- (d) the principles of sound financial management have been applied.
- Approval may not be conditional.

Article 20

The financial controller may withhold his approval
if he considers that the conditions laid down in Article 19
are not met. If he withholds his approval, he shall furnish
a written statement giving the reasons therefor. The
authorizing officer shall be notified accordingly.

Where approval is withheld and the authorizing officer maintains his proposal, the refusal shall be referred for a decision to the Commission.

2. Except where the availability of appropriations is in doubt, the Commission may, by means of a decision stating the full reasons therefor and taken on its sole responsibility, overrule such a refusal. This decision shall be final and binding; it shall be communicated for information to the financial controller. The Commission shall inform the Court of Auditors of all such decisions every three months.

2. Clearance of expenditure

Article 21

The clearance of expenditure shall be the act whereby the authorizing officer:

- (a) verifies the existence of the creditor's claim;
- (b) determines or verifies the existence and the amount of the sum due; and
- (c) verifies the conditions under which payment falls due.

. Article 22

- Clearance of any expenditure shall be subject to the submission of supporting documents showing the creditor's claim and, where appropriate, the service rendered or the existence of a document justifying payment. The Commission shall lay down the nature and contents of the supporting documents to be enclosed with the payment orders.
- For certain categories of expenditure, advances may be granted under the conditions laid down by the Commission.

- 3. The supporting documents relating to the accounts and to the establishment of the revenue and expenditure account and the balance sheet referred to in Title IV shall be kept for a period of five years following the date of the decision giving discharge in respect of the the implementation of the EDF, referred to in Article 29 (3) of the Internal Agreement. However, the documents relating to transactions not finally closed shall be kept beyond this period.
- The authorizing officer empowered to clear expenditure shall personally check the supporting documents or shall, on his own responsibility, ascertain that this has been done.

3. Authorization of expenditure

Article 23

Authorization is the act whereby the authorizing officer, by the issue of a payment order, authorizes the accounting officer to pay an item of expenditure which he has cleared.

Article 24

The payment order shall state:

- (a) the item against which payment shall be charged;
- (b) the amount to be paid, in words and figures, showing the currency;
- (c) the name and address of the payee;
- (d) the method of payment;
- (e) the purpose of the expenditure.

The payment order shall be dated and signed by the authorizing officer.

Article 25

- The payment order shall be accompanied by the original supporting documents, which shall bear or be accompanied by the statement of the authorizing officer confirming that the amounts to be paid are correct and that the supplies have been received or the service performed. The payment order shall show the numbers and dates of the relevant approvals of commitment.
- Copies of the supporting documents, certified as true copies by the authorizing officer or the Commission delegate, may, in duly warranted cases, be accepted in place of the originals.

Article 26

For payments by instalment, the first payment order shall be accompanied by documents establishing the creditor's claim to payment of the instalment in question. Subsequent payment orders shall refer to the supporting documents already furnished and repeat the reference number of the first payment order.

Payment orders shall be sent to the financial controller for prior approval. The purpose of this prior approval shall be to establish that:

- (a) the payment order was properly issued;
- (b) the payment order agrees with the commitment of expenditure and that the amount thereof is correct;
- (c) the expenditure is charged to the correct item;
- (d) the appropriations are available;
- (e) the supporting documents are in order;
- (f) the payee is correctly named and described.

Article 28

Should approval be withheld, the provisions of Article 20 shall apply.

Article 29

After approval, the original of the payment order, together with all supporting documents, shall be forwarded to the accounting officer.

4. Payment of expenditure

Article 30

- Without prejudice to the provisions of Article 227 (4) of the Convention concerning the responsibilities of the national authorizing officer, payment is the final act whereby the EDF is discharged of its obligations resulting from carrying out the operations financed.
- 2. Payment shall be made by the accounting officer within the limits of the funds available.

Article 31

In the event of a substantive error or of the validity of the discharge being contested or of failure to observe the formalities prescribed by this Financial Regulation, the accounting officer shall suspend payment.

Article 32

- If payment is suspended, the accounting officer shall give the reasons for his decision in a written statement which he shall send forthwith to the authorizing officer and, for information, to the financial controller.
- Except where the validity of the discharge is contested, the authorizing officer may, where payment is suspended, refer the matter to the Commission. The latter may require, in writing and on its own responsibility, that payment be effected.

Article 33

 Payments shall, as a general rule, be effected through a bank account or post office giro account. The procedures for opening, administering and using such accounts shall be determined by the Commission.

2. These procedures shall in particular require two signatures on cheques and on transfer orders, one signature necessarily being that of the accounting officer, an assistant accounting officer or a duly authorized administrator of advance funds; the procedures shall, moreover, require the specification of the expenditure in respect of which payment must necessarily be made either by cheque or by transfer.

Article 34

- 1. For the payment of certain categories of expenditure, advance funds may be set up under the conditions laid down by the Commission.
- 2. The rules governing the management of the advance funds shall cover in particular:
- (a) the appointment of administrators of advance funds;
- (b) the nature and maximum amount of each item of expenditure to be incurred;
- (c) the maximum amounts which may be advanced;
- (d) the procedures for the production of supporting documents and the time within which they must be produced:
- (e) the responsibility of the administrator of advance funds.
- The authorizing officer and the accounting officer shall take the necessary steps towards clearing, in respect of the exact amounts and within the appropriate period, advances granted under the terms of Article 230 of the Convention.

Article 35

The conversion rates to be used for the calculation in ECU of payments to be made for the purpose of the projects or programme referred to in Title III of Part Three of the Convention shall be those in force on the effective date of such payments. This date shall correspond to that on which the Commission accounts referred to in Article 229 of the Convention and in Article 3 of this Financial Regulation were debited.

SECTION IV

ACCOUNTS

Article 36

The EDF accounts shall be kept in ECU by the double entry method and on the basis of the calendar year. They shall show all revenue and expenditure for the year and shall be substantiated by supporting documents. The financial statements provided for in Title IV shall be drawn up in ECU. However, when debts or commitments are expressed in national currencies, the accounting system should make it possible, where necessary, for them to be recorded in national currencies as well as in ECU.

- Entries in the accounts shall be made on the basis of an accounting plan comprising a nomenclature of budgetary items which makes a clear distinction between the balance sheet and the revenue and expenditure accounts. These entries shall make it possible to draw up a general monthly balance and a statement of expenditure and revenue.
- 2. The detailed conditions for drawing up and operating the accounting plan shall be defined by the Commission.

Article 38

The accounts shall be closed at the end of the calendar year to enable the financial statements of the EDF to be drawn up. These shall be submitted to the financial controller.

SECTION V

RESPONSIBILITIES OF AUTHORIZING OFFICERS, FINANCIAL CONTROLLERS, ACCOUNTING OFFICERS AND ADMINISTRATORS OF ADVANCE FUNDS

Article 39

Without prejudice to Article 227 (4) of the Convention, authorizing officers who, when establishing entitlements to be recovered, or issuing recovery orders, entering into commitments of expenditure or signing payment orders, do so without complying with this Financial Regulation, shall render themselves liable to disciplinary action, and, where appropriate, to payment of compensation. The same shall apply if they omit to draw up a document establishing a claim or if they neglect to issue recovery orders or are, without justification, late in issuing them.

Article 40

Financial controllers shall be liable to disciplinary action and, where appropriate, to payment of compensation for any action taken during their term of office, in particular where they approve expenditure in excess of appropriations.

Article 41

The accounting officer and assistant accounting officers shall be liable to disciplinary action and, where appropriate, to payment of compensation as regards payments they make in disregard of Article 31.

They shall render themselves liable to disciplinary action and to payment of compensation as regards any loss or deterioration of the monies, assets and documents in their charge where such loss or deterioration was caused intentionally or was due to serious negligence on their part.

Under the same conditions, they shall be responsible for the correct execution of orders received by them in respect of the use and administration of bank accounts and post office accounts and in particular:

- (a) where the recoveries or payments made by them do not agree with the amounts on the corresponding recovery or payment orders;
- (b) where they effect payments to a party other than the entitled payee.
- Administrators of advance funds shall be liable to disciplinary action and, where appropriate, to payment of compensation:
- (a) where they cannot show due warrant with proper documents for payments made by them;
- (b) where they effect payments to a party other than the entitled payee.

They shall be liable to disciplinary action and to payment of compensation in respect of any loss or deterioration of the monies, assets and documents in their charge where such loss or deterioration was caused intentionally or was due to serious negligence on their part.

 The accounting officer, assistant accounting officers and administrators of advance funds shall insure themselves against any risk they may incur under this Article, and which cannot be covered by the guarantee fund provided for in paragraph 4 of this Article.

The Commission shall cover the relevant insurance costs. It shall specify the categories of officials qualifying as accounting officers or administrators of advance funds and the terms on which it shall cover the insurance costs borne by these officials in order to protect themselves against the risks involved in their duties.

4. Special allowances shall be granted to accounting officers and administrators of advance funds. The amount of these allowances shall be determined by the Commission departments. The sums corresponding to these allowances shall be credited each month to an account opened by the Commission on behalf of each of these officials in order to establish a guarantee fund to cover any cash or bank shortage for which the person concerned might render himself liable, in so far as such shortage has not been covered by refunds from insurance companies.

The credit balance in these guarantee accounts shall be paid over to the persons concerned after they terminate their appointment as accounting officer or administrator of advance funds and after they have been given final discharge for their management.

Article 42

The liability of authorizing officers, financial controllers, accounting officers, assistant accounting officers and administrators of advance funds to payment of compensation and disciplinary action may be determined in accordance with Articles 22 and 86 to 89 of the Staff Regulations of Officials of the European Communities.

Article 43

The Commission shall be allowed a period of two years from the date on which the financial statements are submitted to the Council to take a decision on the final discharge to be given to accounting officers for the transactions relating thereto.

TITLE III

IMPLEMENTING MEASURES

SECTION I

EXECUTION OF EDF OPERATIONS ADMINISTERED BY THE COMMISSION

Article 44

The Commission shall take all appropriate measures to ensure the effective dissemination of information for the economic operators concerned, notably through periodical publication of forecasts of contracts to be financed from the resources of the EDF.

Article 45

The Commission shall inform the Council each year of any contract concluded during that year. Where appropriate, it shall notify the Council of any measures it has taken or proposes to take to improve the terms of competition for participation in invitations to tender issued by the EDF.

In its report, the Commission shall provide the Council with information enabling it to assess whether the measures taken by the Commission have in fact given all undertakings of the various Member States, of the ACP States and of the associated countries and territories equal opportunity of access to works and supply contracts financed by the EDF.

Article 46

Within the framework of Article 234 (3) of the Convention a favourable opinion of the EDF Committee shall be required prior to the placing of contracts by direct agreement or after restricted invitations to tender or where recourse is had to direct labour.

However, where they are justified by urgency and by unforeseen circumstances, the above exceptions to the rules governing competition may be authorized by the Commission without a prior opinion from the EDF Committee. In that event, the Commission shall immediately inform the EDF Committee thereof.

Article 47

The results of international invitations to tender referred to in this Section shall be published as soon as possible in the Official Journal of the European Communities.

Article 48

1. Tenders for supply contracts financed by the EDF shall be drawn up and payments made, at the option of the tenderer, in ECU, in the currency of the recipient State, country or territory, in the currency of the country of his registered place of business or in that of the country producing the supplies.

Tenders for works contracts and for technical assistance service contracts financed by the EDF shall be drawn up and payments made in the currency of the recipient State, country or territory.

However, the tenderer may request in his tender that a justified part of the nominal amount of his tender be paid in the currency of the country of his registered place of business or in the currency of one of the Member States on the basis of the conversion rate in force on the first day of the month preceding the month in which the date set for the opening of tenders falls. He may also express this part in ECU on the basis of the conversion rate referred to above.

The justification required under this paragraph shall be assessed in the light of the verifiable facts as regards the real origin of the services to be provided and of the expenditure to which they give rise.

 Tenders for service contracts financed by the EDF shall be drawn up and payments made, at the option of the contractor, either in ECU or in the currency of the country in which the contractor has his registered place of business.

However, that part of the services provided which corresponds to expenditure in the currency of the recipient State, country or territory shall be paid in that currency. Where the sums to be paid in the various currencies are defined by reference to another currency, the conversion shall be effected on the basis of the rate specified in the contract.

4. Where payment is made in the currency of the recipient State, country or territory it must be made through a bank established in the recipient country.

Where payment is made in another currency it must be made through the intermediary of an approved bank or agency established in the country where the contractor has his registered place of business.

Where, however, the registered place of business is in an ACP State or in an associated country or territory, payment may be made in the currency of a Member State where the contractor so wishes provided that he maintains, with the prior approval of the national authorities in the State where his business is registered, a bank account in the Member State in whose currency payments are to be made.

SECTION II

FINANCIAL COMMITMENTS

Article 49

 Commitments of amounts from the EDF shall be decided on in accordance with the terms of the relevant provisions of the Convention following the procedures in Articles 18 to 21 of the Internal Agreement in respect of aid managed by the Commission and in Articles 22 and 23 of the Agreement for aid managed by the Bank.

- The financing agreement and the loan contract referred to in Article 222 of the Convention shall specify the amount of the EDF's financial commitment in respect of each operation in question.
- 3. No expenditure in excess of this amount may be charged to the EDF unless a decision has been taken to commit additional funds thereto under the conditions laid down in Articles 21 to 24 of the Internal Agreement and Article 59 of this Financial Regulation. The request for the commitment of additional funds shall be addressed to the Commission and appraised under the conditions laid down in Article 223 of the Convention.

SECTION III

SPECIAL LOANS

Article 50

- 1. Each decision to grant a special loan shall set the limit to the Community's commitment. Contracts relating to such loans, drawn up in conjunction with the Bank for the parts concerning it, shall be concluded by the Commission on behalf of the Community.
- The amounts of the appropriations corresponding to each loan granted shall be expressed in ECU. If an appropriation is subsequently revoked before all or part of the payments related thereto are made, any unpaid amounts from the loan shall be regarded as not having been granted.
- 3. Loans shall be paid in ECU or in the currency or currencies of the Member States as fixed by the Commission after consultation with the borrower.
- 4. Amounts due to the Community in respect of special loans shall be collected by the Bank on behalf of the Community on the basis of a mandate notified by the Commission to the Bank, in accordance with the procedures laid down in Article 53.
- 5. Amounts to be reimbursed and interest payments due in respect of special loans shall be expressed in ECU. Reimbursements and interest payments shall be made either in ECU or in one or more of the currencies of the Member States chosen by the borrower.
- The exchange rates with the ECU for calculating sums due in respect of debt service charges and any commission due shall be those in force on the 10th day preceding payment.

Article 51

In accordance with Article 184 of the Convention, the implementing measures concerning special loans shall also apply in respect of the aid granted from the special financing facility for the mining sector.

SECTION IV

RISK CAPITAL

Article 52

 Each decision to grant risk capital shall set a limit to the Community's commitment and financial responsibilities and to the extent of the rights in the company to which such operations relate.

The instruments giving effect to risk capital operations shall be concluded by the Bank acting as the Community's authorized agent.

- The Bank, acting for and on behalf of the Community, shall manage the operations referred to in paragraph 1 which have been the subject of a financing decision by the Board of Directors of the Bank.
- 3. When each disbursement takes place, the Bank shall request the Commission to pay the equivalent in ECU of the amounts of national currencies in which the risk capital will be disbursed. The Commission shall pay the amount in ECU within 21 days of receipt of the request for payment.

The conversion rates to be used for the determination of the amounts to be disbursed in national currencies shall be those obtained by the Bank from the correspondants carrying out the transaction. These exchange rates shall be communicated to the Commission.

4. Amounts due in respect of receipts, income and repayments relating to risk capital operations shall be collected by the Bank on behalf of the Community, in accordance with the provisions of Article 53 of this Financial Regulation.

Article 53

The sums collected by the Bank either in the form of repayments of principal, interest or charges in respect of special loans or the aid granted from the special financing facility or in the form of products, revenue or repayments from risk capital operations shall be credited to a special account opened on behalf of the Community for the Member States in proportion to their contributions to the EDF. The account shall be denominated in ECU and managed by the Bank in accordance with the provisions of Article 9 of the Internal Agreement. The Bank shall agree with the Member States on the information to be supplied concerning the account.

The technical procedures for the management of the account, including those relating to the fixing of the rates of interest on it, shall be decided upon by the Council and the Bank in agreement with the Commission.

SECTION V

SUBSIDIZED LOANS FROM THE BANK

Article 54

- The aggregate amount of interest rate subsidies on each loan from the Bank shall be calculated in ECU in accordance with Article 196 of the Convention on the basis of the composite interest rate to be fixed in accordance with the procedures set out in paragraph 3 (iii) below.
- 2. On the signing of each loan contract, the Bank shall communicate to the Commission the estimated total amount of the interest rate subsidy expressed in ECU.
- 3. On disbursement of each instalment of the loan, the Bank shall request the Commission to pay the interest subsidy relating to the instalment based on the following calculations:
- (i) the equivalent in ECU of the amounts of currencies in which the loan instalment was disbursed at the conversion rates for those currencies and the ECU as published in the Official Journal of the European Communities in operation on the date on which the amount of currencies to be disbursed is determined, which date shall be communicated to the Commission;
- (ii) application of the percentage rate of interest subsidy to the declining annual capital balance due at each repayment date;
- (iii) the present value of the interest subsidies relating to the loan disbursement. Calculation of the present value shall be made by reference to a composite discount rate equal to the annual interest rate which the Bank would in fact receive in the currency or currencies used for the relevant disbursement of the loan if the loan did not benefit from an interest subsidy. The actual calculation of present value shall use this composite discount rate reduced by fourtenths of a percentage point.
- 4. The Commission shall pay in ECU the amount of subsidy, discounted in accordance with the procedures described in paragraph 3, within 21 days of receipt of the request for payment, the value date being that of the disbursement of the relevant loan instalment.
- 5. Where the whole of an interest subsidized loan is repaid in advance, the Bank shall pay to the Commission on each contractual repayment date subsequent to the advance repayment, in each of the currencies concerned, a part of the undiscounted subsidy calculated in accordance with the terms of point (ii) of paragraph 3. Where only part of such a loan is repaid, the Bank shall pay to the Commission on each contractual repayment date subsequent to the advance repayment, in each of the currencies

- concerned, a part of the undiscounted subsidy calculated in the proportion which the amount of the advance repayment bears to the balance outstanding prior to the advance repayment.
- The sums reimbursed to the Commission shall be credited to the amount of 210 million ECU provided for in Article 4 of the Internal Agreement to finance interest rate subsidies.
- 7. All payments provided for in this Article shall be made in ECU.

SECTION VI

MANAGEMENT OF THE EXPORT EARNINGS STABILIZATION SYSTEM

Article 55

- 1. The annual resources available to the Stabex system provided for in Article 153 of the Convention shall be managed by the Commission in accordance with the following procedures:
 - (i) half of each annual instalment shall be transferred on 1 April and 1 July respectively from the accounts provided for in Article 3 of this Financial Regulation and credited to a special interest-bearing account. However the first transfer in each year shall be reduced by the amount of any advances granted in the preceding year under Article 155 (1) of the Convention. Any sums due to the Stabex account in the calendar year in which the Convention came into force shall be transferred to the Stabex account on the date of entry into force of this Financial Regulation, with effect from the due dates laid down above;
- (ii) amounts in the Stabex account, including interest, shall be used to finance transfers provided for in Part Three, Title II Chapter 1 of the Convention;
- (iii) any amounts remaining in the Stabex account at the end of each calendar year shall be carried forward automatically to the next year.
- The transfer agreement referred to in Article 170 of the Convention shall state the currencies in which the transfer of this amount is to be made, the reference date to be used to fix the conversion rate of ECU into the currencies concerned and, where appropriate, the conditions of the replenishment of resources made available to the stabilization system referred to in Part Three, Title II, of the Convention.

Article 56

Where advance use is made of the following year's instalment as provided for in Article 155 of the Convention, the advances referred to in Article 170 (1) of the Convention shall be reduced proportionately.

- 1. The Commission shall inform the Council every three months of the financial situation of the system.
- 2. The information referred to in paragraph 1 shall be supplemented or updated whenever proposals for transfers are laid before the Member States.

SECTION VII

EXECUTIVE AGENTS

Chapter 1

The Chief Authorizing Officer

Article 58

 The Chief Authorizing Officer of the EDF, referred to in Article 226 of the Convention, shall take all measures necessary for the implementation of the provisions of Articles 232 to 238 of the Convention.

Where he deems it appropriate, the Chief Authorizing Officer shall consult experts chosen for their technical competence and their independence vis-à-vis the firms concerned with the award of contracts.

- 2. The Chief Authorizing Officer shall ensure, before the publication of an invitation to tender, that the documents relating to tenders do not contain any direct or indirect discriminatory provisions. He shall ensure that tenders are compared under equal conditions and, in particular, that the import duties or taxes of the recipient State, country or territory do not constitute an obstacle to participation in invitations to tender.
- 3. The Chief Authorizing Officer may suspend the publication of a notice of invitation to tender where it is found that corrections must be made to the specifications or other documents in replacement thereof. To this end, he shall inform the relevant authorities of the recipient State, country or territory of his observations.

Article 59

In accordance with Article 223 of the Convention, decisions to commit additional funds required to cover any excess expenditure incurred on a project or programme shall be taken by the Chief Authorizing Officer where the excess expenditure is equal to, or lower than, a ceiling of 15 % of the original commitment set out in the financing decision. Where the excess is greater than the 15 % ceiling, the procedures of Articles 18 to 21 of the Internal Agreement shall apply to the relevant financing decision.

Article 60

- The Chief Authorizing Officer shall take all measures to ensure that National Authorizing Officers perform the tasks for which they are responsible by virtue of Articles 216 (4) and 227 of the Convention and in particular that they comply with the provisions of this Financial Regulation regarding commitment, clearance and authorization of expenditure.
- Where the Chief Authorizing Officer becomes aware
 of delays in the carrying out of procedures relating to
 projects financed by the EDF he shall, in conjunction
 with the National Authorizing Officer, make all contacts
 necessary to remedy the situation.
- 3. If, for any reason whatsoever, services have been rendered but further delay in clearance, authorization or payment gives rise to difficulties likely to call into question the full performance of the contract, the Chief Authorizing Officer may take all appropriate measures to resolve these difficulties, to remedy, where necessary, the financial consequences of the resultant situation and, more generally, to enable the project, projects or programmes to be completed under the best economic conditions. He shall inform the National Authorizing Officer of such measures as soon as possible. If payments are thus made directly by the Commission to the beneficiary of the contract, the Community shall automatically acquire that beneficiary's right as creditor vis-à-vis the national authorities.

Chapter II

The Commission delegate

Article 61

The Commission delegate shall comply with this Financial Regulation in the performance of his duties, as provided for in Article 228 of the Convention.

Article 62

During the performance of operations financed by the EDF, the delegate shall verify on the spot and on the basis of records that work carried out or services rendered correspond with their descriptions as given in the financing agreements, loan or other contracts or estimates.

Article 63

In the event of failure to comply with this Financial Regulation, of misconduct or gross negligence in the performance of his duties, the delegate shall be answerable to the Commission.

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Chapter III

The Paying Agent

Article 64

In the performance of its tasks, as laid down in Article 229 of the Convention, the paying agent shall comply with this Financial Regulation. In the event of failure to observe the provisions in force, of misconduct or of gross negligence which entail financial loss for the Community, the paying agent shall be held financially responsible under the conditions and in accordance with the terms laid down in the contract binding it to the Commission.

TITLE IV

PRESENTING AND AUDITING ACCOUNTS

Article 66

- The Commission shall draw up, not later than 15 April each year, a balance sheet of assets and liabilities of the EDF as at 31 December of the preceding year and a statement of sources and uses of funds since the date of the previous balance sheet.
- 2. The financial statements referred to in paragraph 1 shall be accompanied by a table of revenue showing:
- estimated revenue for the financial year;
- amendments to the revenue estimates;
- entitlements established in the course of the financial year:
- amounts still to be collected at the end of the financial year;
- additional revenue.

Article 67

- The Commission shall in respect of each calendar year, draw up not later than 15 April of the following year, management accounts for the EDF.
- 2. The management accounts shall include:
- (a) a table of revenue containing the items specified in Article 66 (2);
- (b) expenditure tables which shall comprise:
 - a table showing the decisions taken by the Commission or the Council during the calendar year, together with a table showing the overall situation regarding sums committed;
 - a table showing the situation regarding delegated appropriations and expenditure authorizations effected during the calendar year, together with a table showing the overall situation regarding delegated appropriations and expenditure authorizations effected.
- 3. The tables referred to in paragraph 2 shall be accompanied by a cumulative statement showing for each recipient country or territory the aggregate figure for the commitment decisions taken, for delegated appropriations granted and for expenditure authorizations effected.

Article 68

Without prejudice to Article 29 (4) of the Internal Agreement, the Commission shall forward the balance sheet, statement of sources and uses of funds and the management accounts to the European Parliament, the Council and the Court of Auditors not later than 15 April of the following financial year.

Article 69

The Court of Auditors and its members may, in carrying out the task of the Court, seek assistance from officers of the Court.

In such cases, the Court itself, or one of its members, shall notify to the authorities with whom such officers shall work, the tasks delegated to these officers.

Article 70

- The audit carried out by the Court of Auditors shall be based on records and, if necessary, be performed on the spot. It shall be concerned with operations and projects financed from EDF resources managed by the Commission and its purpose shall be to establish that all revenue has been received and all expenditure incurred in a lawful and regular manner with regard to the provisions applicable, and that the financial management has been sound.
- 2. In the performance of its tasks, the Court of Auditors may, under the conditions laid down in paragraph 4, consult all documents and information relating to the financial management of the departments subject to its inspection; it has the power to hear any official responsible for revenue and expenditure operations and to use any of the auditing procedures appropriate to those departments.
- The Court of Auditors shall ensure that all securities and cash on deposit are checked against vouchers signed by the depositaries. The Court may itself carry out such checks.
- 4. The Commission shall provide the Court of Auditors with all the facilities and give it all the information which the Court may consider necessary for the performance of its tasks. In particular, it shall place at the disposal of the Court of Auditors all documents concerning the conclusion and implementation of contracts and

all accounts of cash or materials, all accounting records or supporting documents and also the administrative documents pertaining thereto, all documents relating to revenue and expenditure, all inventories, and all lists of posts in the departments which the Court of Auditors may consider necessary.

To this end, officials subject to audit by the Court of Auditors shall in particular:

- (a) submit the supporting documents in respect of their management of which they are the depositaries and any books, registers and other documents relating thereto:
- (b) present the correspondence or any other document required for the full implementation of the audits.

The information referred to under (b) may be requested only by the Court of Auditors.

The Court of Auditors shall be empowered to audit the documents in respect of EDF revenue and expenditure which are held by the Commission's departments and, in particular, by the departments responsible for decisions on such revenue and expenditure.

Article 71

1. The Court of Auditors shall communicate to the Commission, not later than 15 July in any year, any observations which it considers should appear in the annual report provided for in Article 206a of the Treaty. These observations shall remain confidential.

The Commission shall forward its replies to the Court of Auditors not later than 31 October of the relevant year.

2. The Court of Auditors shall attach to its report an assessment of the soundness of the financial management.

 The Court of Auditors may also, at any time, submit observations on specific questions and deliver opinions at the request of one of the institutions of the Community.

Article 72

The Court of Auditors shall send its annual report, together with the Commission's replies, not later than 30 November in any year, to the European Parliament, to the Council and to the Commission and shall ensure its publication in the Official Journal of the European Communities.

Article 73

- Befure 30 April of the following year, the European Parliament, upon a recommendation from the Council acting by a qualified majority, shall give the Commission a discharge in respect of the financial management of the EDF for the preceding year, in accordance with Article 29
 of the Internal Agreement.
- 2. The financial controller shall take account of the observations appearing in the decision giving discharge.
- 3. The Commission shall take all appropriate steps to act on the observations appearing in the decision giving discharge. At the request of the European Parliament or the Council it shall report on the measures taken in the light of these observations and in particular on the instructions given to those of its departments which are responsible for the management of the EDF. Such reports shall also be forwarded to the Court of Auditors.
- 4. Subject to the second sentence of paragraph 3, the Commission must, in an Annex to the revenue and expenditure account for the next financial year, give an account of the measures taken in the light of the observations appearing in the decision giving discharge.
- 5. The balance sheet, statement of sources and uses of funds and the management accounts for each financial year and the decision giving the discharge shall be published in the Official Journal of the European Communities.

TITLE V

GENERAL AND FINAL PROVISIONS

Article 74

Unless otherwise specified, references in this Financial Regulation to the provisions of the Convention shall be deemed to refer to the corresponding provisions of the Decision as shown in the Annex.

Article 75

This Pinancial Regulation shall be applicable for the same period as the Internal Agreement.

Done at Brussels, 11 November 1986.

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For the Council
The President

C. PATTEN

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ANNEX

Cross references between provisions in the Convention referred to in the Financial Regulation and corresponding provisions in the Decision

Article in Convention	Article in Decision		
153	89		
155	91		
170 (1)	105 (1)		
196	129		
222	152		
223	153		
226 (1)	156 (1) 157 (4) 158		
227 (4)			
228			
229	159		
230	160		
232	162		
to	to		
238	168		
234 (3)	164 (3)		

IV. - COMMUNITY ACTS RELATING TO BILATERAL RELATIONS BETWEEN THE COMMUNITY AND CERTAIN ACP STATES

FISHERIES

COUNCIL REGULATION (EEC) No 780/86

of 24 February 1986

concerning the conclusion of the Agreement between the European Economic Community and the Government of the Democratic Republic of Madagascar on fishing off the coast of Madagascar

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,

Having regard to the opinion of the European Parliament (1),

Whereas it is in the Community's interest to approve the Agreement between the European Economic Community and the Government of the Democratic Republic of Madagascar on fishing off the coast of Madagascar, signed in Tananarivo on 28 January 1986,

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement between the European Economic Community and the Government of the Democratic

Republic of Madagascar on fishing off the coast of Madagascar is hereby approved on behalf of the Community.

The text of the Agreement is annexed to this Regulation.

Article 2

The President of the Council shall give the notification provided for in Article 15 of the Agreement (?),

Article 3

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, 24 February 1986.

For the Council
The President
G. BRAKS

⁽⁷⁾ The date of entry into force of the Agreement will be published in the Official Journal of the European Communities by the General-Secretariat of the Council.

AGREEMENT

between the European Economic Community and the Government of the Democratic Republic of Madagascar on fishing off Madagascar

THE EUROPEAN ECONOMIC COMMUNITY.

hereinafter referred to as the 'Community', and

THE GOVERNMENT OF THE DEMOCRATIC REPUBLIC OF MADAGASCAR.

hereinafter referred to as 'Madagascar',

CONSIDERING the spirit of cooperation resulting from the ACP-EEC Convention and the good cooperative relations between the Community and Madagascar;

CONSIDERING the desire of the Government of Madagascar to promote the rational exploitation of its fishery resources by means of intensified cooperation;

CONSIDERING the regional project for the development of commercial tuna fishing in the South-West Indian Ocean;

RECALLING THAT, in respect of sea fishing, Madagascar exercises its sovereignty or jurisdiction over a zone extending up to 200 nautical miles from its coast;

TAKING INTO ACCOUNT the work of the Third United Nations Conference on the Law of the

DETERMINED to conduct their relations in a spirit of mutual trust and respect for each other's interests in the sphere of sea fishing;

DESIROUS of establishing the terms and conditions governing fishing activities of common interest to both parties,

HAVE AGREED AS FOLLOWS:

Article 1.

The purpose of this Agreement is to establish the principles and rules which will in future govern, in all respects, the fishing activities of vessels flying the flags of Member States of the Community, hereinafter referred to as 'Community vessels' in the waters over which Madagascar has sovereignty or jurisdiction in respect of fisheries, hereinafter referred to as 'Madagascar's fishing zone'.

Article 2

The Government of Madagascar shall permit fishing by Community vessels in Madagascar's fishing zone in accordance with this Agreement and shall ensure ease of access to the port facilities required for the fishing activities of Community vessels operating in the Indian Ocean.

Article 3

- The Community hereby undertakes to take all appropriate steps to ensure that its vessels observe the provisions of this Agreement and the rules and regulations governing fishing in Madagascar's fishing zone.
- 2. The authorities of Madagascar shall notify the Commission of the European Communities of any proposed changes to the said rules and regulations.

Article 4

- Fishing activities by Community vessels in Madagascar's fishing zone shall be subject to possession of a fishing licence issued at the Community's request by the authorities of Madagascar.
- The authorities of Madagascar will issue fishing licences within the limits laid down by category of vessel in the Protocols referred to in Article 7 of this Agreement.
- 3. Licences shall be valid in the defined zones according to the activity and type of the vessels in question
- 4. The validity of tuna-fishing licences shall correspond to the periods of validity of this Agreement as laid down in Article 14, although the number of tuna boats carrying out their activities simultaneously may not exceed the number laid down in Article 1 of Protocol 1.
- 5. Licences for the species referred to in Protocol 2 shall be valid, at the request of the shipowner, for periods covering full months.
- 6. A licence shall be issued for a given vessel and shall not be transferable.

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7. At the request of the Community and particularly in the event of force majeure a vessel's fishing licence may be replaced by a licence for another vessel of which the capacity does not exceed that of the vessel to be replaced.

Article 5

- 1. Fishing licences shall be issued by the authorities of Madagascar subject to payment of a fee by the shipowner
- 2. The fee for a tuna-fishing licence shall be set per tonne of tuna caught in Madagascar's exclusive economic zone.

The fee for a fishing licence for the species covered by Protocol 2 shall be set according to the number of gross register tonnes per month admissible under the licence, in proportion to the period for which the licence is valid.

The amount of these fees and the methods of payment are set out in the Annex.

Article 6

The Parties undertake to consult each other, either directly or within international organizations, to ensure the management and conservation of the living resources in the Indian Ocean, and to facilitate the relevant scientific research.

They will exchange studies and information relating to oceanography, marine biology and fishing statistics, and they will pass on the results of their scientific research on these subjects.

Article 7

In return for the fishing opportunities granted under Article 2, the Community will contribute, in accordance with the conditions and arrangements stipulated in the Protocols annexed to this Agreement, to the execution of projects connected with the development of Madagascar's fishing industry without prejudice to the financing received by Madagascar under the ACP-EEC Convention.

Article 8

The Parties undertake to examine in the most objective and conciliatory spirit any difference of opinion arising from the interpretation or application of this Agreement, with a view to overcoming the difficulty.

Article 9

A Joint Committee shall be set up to ensure that this Agreement is applied correctly.

The Committee shall meet, at the request of either Contracting Party, alternately in Madagascar and in the Community.

Article 10

Should the authorities of Madagascar decide, as a result of developments in the state of stocks, to take conservation measures which affect the activities of Community vessels, consultations shall be held between the Parties in order to adapt the Annex referred to in Article 5 and the Protocols referred to in Article 7 of this Agreement.

Article 11

Nothing in this Agreement shall affect or prejudice in any manner the view of either Party with respect to any matter relating to the Law of the Sea.

Article 12

This Agreement shall apply, on the one hand, to the territories in which the Treaty establishing the European Economic Community is applied and under the conditions laid down in that Treaty and, on the other hand, to the territory of the Democratic Republic of Madagascar.

Article 13

The Annex and the Protocols shall form an integral part of this Agreement and, unless otherwise specified, a reference to this Agreement shall constitute a reference to the Annex and Protocols.

Article 14

This Agreement shall be concluded for an initial period of three years from the date of its entry into force. Unless one of the Parties ends it by giving notice to that effect six months before the date of expiry of the three-year period, it shall remain in force for further periods of two years unless denounced by notice given at least three months before the date of expiry of each such two-year period.

In that event the Parties shall enter into negotiations to determine by agreement what amendments or additions to the Annex or Protocols required.

Article 15

This Agreement shall enter into force on the date on which the Parties notify each other of the completion of the procedures necessary for this purpose.

Article 16

This Agreement, drawn up in duplicate in the Danish, German, Greek, English, French, Italian, Dutch and Malagasy languages, each of these texts being equally authentic, shall be deposited in the archives of the General-Secretariat of the Council of the European Communities, which shall transmit a certified copy to each of the Parties.

Udfærdiget i Antananarivo, den otteogtyvende januar nitten hundrede og seksogfirs.

Geschehen zu Tananarivo am achtundzwanzigsten Januar neunzehnhundertsechsundachtzig.

Έγινε στην Ταναναρίδη, στις είκοσι οκτώ Ιανουαρίου χίλια εννιακόσια ογδόντα έξι.

Done at Antananarivo on the twenty-eighth day of January in the year one thousand nine hundred and eighty-six.

Fait à Antananarivo, le vingt-huit janvier mil neuf cent quatre-vingt-six.

Fatto a Antananarivo, addì ventotto gennaio millenovecentottantasei.

Gedaan te Antananarivo, de achtentwintigste januari negentienhonderd zesentachtig.

Natso tato Antananarivo, ny faha-valo amby roa-polo janoary anina amby valo-polo ay sivin-jato sy arivo.

For Rådet for De europæiske Fællesskaber
Für den Rat der Europäischen Gemeinschaften
Για το Συμβούλιο των Ευρωπαϊκών Κοινοτήτων
For the Council of the European Communities
Pour le Conseil des Communautés européennes
Per il Consiglio delle Comunità europee
Voor de Raad van de Europese Gemeenschappen
Ny ri an-kavritry ry Communautés européennes

Color Ren

DMM Bain

For regeringen for Den demokratiske republik Madagaskar
Für die Regierung der Demokratischen Republik Madagaskar
Για την κυθέρνηση της Λαϊκής Δημοκρατίας της Μαδαγασκάρης
For the Government of the Democratic Republic of Madagascar
Pour le gouvernement de la république démocratique de Madagascar
Per il governo della Repubblica democratica del Madagascar
Voor de Regering van de Democratische Republiek Madagascar
Ny Governamantan'ny Reooblika Demokratika Malagasy

Jun .

ANNEX

Conditions governing the pursuit of fishing activities by Community vessels in Madagascar's fishing zone

 The relevant Community authorities shall, after payment of the fees by shipowners, present to the relevant Malagasy authorities an application for each vessel that wishes to fish under the Agreement.

For all payments of fees provided for in this Annex, supporting documents will be sent to the relevant Commission departments.

The Malagasy authorities shall then forward the licence provided for in Article 4 of the Agreement to the Delegation of the Commission of the European Communities in Antananarivo.

2. Provisions for tuna boats:

- (a) The fees provided for in Article 5 of the Agreement and payable by the owners of the vessels referred to in point 1 are hereby set at 20 ECU per tonne of tuna caught in Madagascar's fishing zone.
- (b) Once the Agreement enters into force, the sum of 15 000 ECU shall be paid by tuna-boat owners to the Treasury of Madagascar as an advance on the fees.
- (c) A provisional statement of the fees due in respect of each fishing year shall be drawn up at the end of each calendar year, on the basis of the catch statements drawn up by shipowners and forwarded simultaneously to the Malagasy authorities and to the relevant authorities of the Commission of the European Communities. The corresponding amount shall be paid to the Treasury of Madagascar no later than 31 January of the following year.

The final statement of the fees due in respect of a fishing year shall be drawn up by the relevant authorities of the Commission of the European Communities, taking into account available scientific opinions particularly of experts from the FAO (Food and Agriculture Organization) and the CNRO (National Centre for Oceanographic Research) established in Madagascar, and any statistical data which can be gathered by an international fishing organization in the Indian Ocean.

The shipowners shall be notified of the statement and shall have 30 days in which to meet their financial obligations.

- (d) Upon expiry of the Agreement, the sum paid as an advance by tuna-boat owners shall be deducted from the final payment; however, if the amount of the sums due for actual fishing operations in the course of the first year does not equal the advance, the corresponding balance remaining shall not be reimbursable.
- (e) Tuna boats shall take observers on board at the request of the Malagasy authorities. The time spent by the observer on board shall be fixed by the Malagasy authorities, but, as a general rule, an observer must not be present for longer than the time required to make spot checks on the catches.
- (f) Shipowners shall be obliged to be represented by an agent in Madagascar.
- 3. Provisions for deep-water crustacean fishing:
 - (a) During the reconnaissance campaigns referred to in Protocol 2 the annual fees for fishing authorizations amount to:
 - 25 ECU per gross register tonne for nephrops fishing,
 - 25 ECU per gross register tonne for crab fishing,
 - 25 ECU per gross register tonne for deep-water shrimp fishing,
 - 25 ECU per gross register tonne for fishing for species other than deep-water crustaceans.
 - (b) The payment of fees for species other than tuna may, at Madagascar's request, be replaced in part by landings of fish in accordance with procedures to be fixed by the Joint Committee referred to in Article 9 of the Agreement.
 - (c) Moreover, at the request of the Malagasy authorities, vessels fishing for deep-water crustaceans shall sign on:
 - for the term of validity laid down in Article 1 of Protocol 2, a Malagasy scientist capable of analysing the results of the reconnaissance campaigns,

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- for the remaining 18 months of the first period of application provided for in Article 14 of the Agreement, a Malagasy fisherman to carry out the role of observer over and above his seaman's duties; such member of the crew carrying out the duties of observer shall have access to the places and documents necessary for these purposes.
- Before the Agreement comes into force the Malagasy authorities shall give notice of the arrangements for the payment of fees, and in particular the account and currencies to be used.
- 5. While they are engaged in fishing activities in Madagascar's fishing zone, vessels shall communicate to the Antsiranana radio station, every three days, their position and catches and, at the end of each trip, the result of their catches. The Malagasy authorities shall forward data on the state of catches twice a year to the Delegation of the Commission of the European Communities in Antagasino.
- The shipowner shall make a payment of 10 ECU to the Malagasy Government for each day spent by an observer on board a tuna boat.
 - Should a tuna boat with a Malagasy observer on board leave Madagascar's fishing zone, every step will be taken to ensure that the observer returns to Madagascar as soon as possible, at the shipowner's expense.
- 7. (a) Every vessel fishing for deep-water crustaceans must employ a Malagasy seaman.
 - (b) For the ocean-going tuna fleet, two Malagasy seamen shall be signed on permanently for the duration of the fishing year.
 - (c) Should the Malagasy side not have any applicants to propose, these commitments must be replaced by a flat-rate sum equivalent to 50 % of the wages of these seamen in proportion to the duration of the season; this sum will be used for the training of Malagasy fishermen.
- Community vessels shall have access to all the waters outside the limit of the first two nautical miles of the waters under Madagascar's jurisdiction. Vessels fishing for deep-water crustaceans may not fish at depths less than the 200 m isobath.
- The authorities of Madagascar and the beneficiaries of the Agreement will lay down the conditions for using port facilities.

PROTOCOL 1

between the European Economic Community and the Government of the Democratic Republic of Madagascar on tuna fishing

Article 1

Pursuant to Article 2 of the Agreement and for the period of application of this Protocol, which is limited to three years, tuna-fishing licences in Madagascar's fishing zone shall be issued for 27 ocean-going freezer tuna boats, although the number of such vessels fishing simultaneously may not exceed 18. The relevant Community authorities shall communicate at regular intervals the list of vessels fishing under these rules.

Article 2

The amount of the contribution referred to in Article 7 of the Agreement shall be fixed at a flat-rate of at least 900 000 ECU for the duration of the Protocol, payable in three equal annual instalments. This amount shall cover the fishing activities referred to in Article 1 up to, in the case of tuna fishing, a catch weight in Madagascar's fishing zone of 6 000 tonnes of tuna fish per year; if the amount of tuna caught by Community vessels in Madagascar's fishing zone exceeds this quantity, the abovementioned amount shall be increased accordingly; however, irrespective of the amount actually caught, the ceiling for financial compensation shall be fixed at 3 000 000 ECU for the duration of the Protocol, and hence at 1 000 000 ECU per year.

Article 3

During the first period of application of the Agreement, the Community shall contribute the sum of 350 000 ECU towards the financing of a scientific programme in Madagascar to gain greater knowledge of the fishery resources in the region of the Indian Ocean surrounding Madagascar.

At the request of the Government of Madagascar, this contribution may go towards the cost of international meetings to improve both the aforesaid knowledge and the management of fishery resources.

Article 4

The two Parties hereby agree that an essential condition for the success of their cooperation is that the skills and know-how of persons engaged in sea fishing be improved. To this end, the European Economic Community will make it easier for nationals of Madagascar to find places in establishments in its Member States and will provide 10 study grants for three-year courses and five grants for six-month further training courses, or their annual equivalent, in the various scientific, technical and economic subjects relating to fisheries.

Article 5

In the event of substantial growth of the Community fleet, the two Parties will enter into negotiations with a view to reviewing this Protocol and making any amendments they might consider appropriate. All Francisco Art 18. September 18. September 18.

PROTOCOL 2

between the European Economic Community and the Government of the Democratic Republic of Madagascar on types of fishing other than those covered by Protocol 1

Article 1

Pursuant to Article 2 of the Agreement and for the period of application of this Protocol, which is limited to 18 months, authorizations to fish in Madagascar's fishing zone for crabs or deep-water shrimps, in the context of reconnaissance campaigns, shall be granted for up to an annual average of 5 000 gross registered tonnes per month.

Article 2

Without prejudice to Protocol 1, the financial contribution referred to in Article 7 of the Agreement shall be fixed at a flat-rate of 375 000 ECU per year for the duration of reconnaissance compaigns, including a contribution towards the financing of a scientific programme in Madagascar to gain greater knowledge of fishery resources in the region of the Indian Ocean surrounding Madagascar.

Article .

Upon expiry of this Protocol, the Parties will consult each other within the Joint Committee referred to in Article 9 of the Agreement in order to determine fishing rights for the remaining 18 months of the first period of application provided for in Article 14 of the Agreement, in the light of the results of the reconnaissance campaigns, and to fix the corresponding Community compensation.

COUNCIL DECISION

of 6 May 1986

on the conclusion of an Agreement in the form of an exchange of letters concerning an extension of the Protocol annexed to the Agreement between the European Economic Community and the Government of the Republic of Guinea-Bissau on fishing off the coast of Guinea-Bissau for a period of three months from 15 March 1986

(86/182/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES.

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Agreement between the European Economic Community and the Government of the Republic of Guinea-Bissau on fishing off the coast of Guinea-Bissau (¹), as amended by the Agreement signed on 15 March 1983 (²), and in particular the second paragraph of Article 17 thereof.

Having regard to the proposal from the Commission,

Whereas the Community and the Republic of Guinea-Bissau have begun the negotiations, provided for in the second paragraph of Article 17 of the Agreement, in order to determine the arrangements that will apply from 15 March 1986, when the Protocol annexed to the Agreement expires;

Whereas, on 12 March 1986, the two parties agreed to extend the said Protocol for an interim period of three months from 15 March 1986, pending the final result of the said negotiations.

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement in the form of an exchange of letters concerning an extension of the Protocol annexed to the Agreement between the European Economic Community and the Government of the Republic of Guinea-Bissau on fishing off the coast of Guinea-Bissau is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Decision.

Article 2

The President of the Council is hereby authorized to designate the persons empowered to sign the Agreement in order to bind the Community.

Done at Brussels, 6 May 1986.

For the Council
The President
P. H. van ZEIL

⁽¹) OJ No L 226, 29. 8. 1980, p. 33. (²) OJ No L 84, 30. 3. 1983, p. 1.

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AGREEMENT

in the form of an exchange of letters concerning an extension of the Protocol annexed to the Agreement between the European Economic Community and the Government of the Republic of Guinea-Bissau on fishing off the coast of Guinea-Bissau

A. Letter from the Community

Sir.

I have the honour to confirm that we have agreed on the following interim arrangements to ensure the continued application of the Agreement on fishing between the Government of the Republic of Guinea-Bissau and the European Economic Community pending the conclusion of the negotiations on the amendments to be agreed to the protocol annexed to the agreement on fishing:

 The arrangements applicable during the last three years shall be extended for a period of three months from 15 March 1986.

The compensation to be paid by the Community and its contribution to the financing of a Guinean scientific programme under the interim arrangements shall correspond pro rata temporis to that provided for in Articles 2 and 5 of the current Protocol.

The same pro rata temporis rule shall apply to the arrangements for training grants provided for under point C of the Annex to the Agreement.

- Licences shall be granted during the interim period within the limits fixed in Article 1 of the current Protocol subject to payment of the fees which correspond pro rata temporis to those laid down in part A of the Annex to the Agreement.
- 3. The rights and obligations that derive from the Agreements on fishing concluded by the Government of the Republic of Guinea-Bissau, on the one hand, with the Government of the Portuguese Republic and, on the other hand, with the Government of the Kingdom of Spain, which the Community is responsible for managing as from 1 January 1986, shall not be affected by this interim extension.

I should be obliged if you would acknowledge receipt of this letter.

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

On behalf of the Council of the European Communities

B. Letter from the Government of the Republic of Guinea-Bissau

Sir.

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

'I have the honour to confirm that we have agreed on the following interim arrangements to ensure the continued application of the Agreement on fishing between the Government of the Republic of Guinea-Bissau and the European Economic Community pending the conclusion of the negotiations on the amendments to be agreed to the Protocol annexed to the Agreement on fishing:

The arrangements applicable during the last three years shall be extended for a period
of three months from 15 March 1986.

The compensation to be paid by the Community and its contribution to the financing of a Guinean scientific programme under the interim arrangements shall correspond pro rata temporis to that provided for in Articles 2 and 5 of the current Protocol.

The same pro rata temporis rule shall apply to the arrangements for training grants provided for under point C of the Annex to the Agreement.

- Licences shall be granted during the interim period within the limits fixed in Article 1 of the current Protocol subject to payment of the fees which correspond pro rata temporis to those laid down in part A of the Annex to the Agreement.
- 3. The rights and obligations that derive from the Agreements on fishing concluded by the Government of the Republic of Guinea-Bissau, on the one hand, with the Government of the Portuguese Republic and, on the other hand, with the Government of the Kingdom of Spain, which the Community is responsible for managing as from 1 January 1986, shall not be affected by this interim extension.

I should be obliged if you would acknowledge receipt of this letter.'

I have the honour to confirm that the content of your letter is acceptable to the Government of the Republic of Guinea-Bissau and that your letter and this letter constitute an Agreement in accordance with your proposal.

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

For the Government of the Republic of Guinea-Bissau Information concerning the date of entry into force of the Agreement between the European Economic Community and the Government of the Democratic Republic of Madagascar on fishing off the coast of Madagascar (1)

The European Economic Community and the Government of the Democratic Republic of Madagascar notified one another on 27 February 1986 and 21 May 1986 respectively of the completion of the procedures necessary for the entry into force of the Agreement.

The Agreement accordingly entered into force, pursuant to Article 15 thereof, on 21 May 1984

^{(&#}x27;) OJ No L 73, 18. 3. 1986, p. 25.

COUNCIL

COUNCIL DECISION

of 18 June 1986

on the conclusion of an Agreement in the form of an exchange of letters concerning an interim extension of the Protocol annexed to the Agreement between the Government of the Republic of Senegal and the European Economic Community on fishing off the coast of Senegal for the period 1 to 31 May 1986

(86/258/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES.

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Agreement between the Government of the Republic of Senegal and the European Economic Community on fishing off the coast of Senegal (1), as amended by the Agreement signed on 21 January 1982 (7) and by the Agreement signed on 20 November 1985 (3), and in particular the second paragraph of Article 17 thereof,

Having regard to the proposal from the Commission,

Whereas the Community and the Republic of Senegal have embarked upon negotiations, as provided for in the second paragraph of Article 17 of the Agreement, in order to determine the arrangements that will apply after 15 January 1986, when the Agreement signed on 20 November 1985 expires;

Whereas the two parties extended the Protocol, amended in 1984 (*) and annexed to the Agreement, for an interim period from 16 January to 30 April 1986 (5);

Whereas, on 30 April 1986, the two parties initialled an Agreement in the form of an exchange of letters concerning the extension of the said Protocol for a further interim period of 1 to 31 May 1986, pending the final result of these negotiations,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement in the form of an exchange of letters concerning an interim extension of the Protocol annexed to the Agreement between the Government of the Republic of Senegal and the European Economic Community on fishing off the coast of Senegal for the period 1 to 31 May 1986 is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Decision.

Article 2

The President of the Council is hereby authorized to designate the persons empowered to sign the Agreement in order to bind the Community.

Done at Luxembourg, 18 June 1986.

For the Council The President N. SMIT-KROES

^(*) OJ No L 226, 29. 8. 1980, p. 17. (*) OJ No L 234, 9. 8. 1982, p. 9. (*) OJ No L 361, 31. +2. 1985, p. 87. (*) OJ No L 37, 8. 2. 1984, p. 53. (*) OJ No L 75, 20. 3. 1986, p. 28.

AGREEMENT

in the form of an exchange of letters concerning an interim extension of the Protocol annexed to the Agreement between the Government of the Republic of Senegal and the European Economic Community on fishing off the coast of Senegal for the period 1 to 31 May 1986

A. Letter from the Community

Sir.

I have the honour to confirm that, pending the conclusion of the negotiations on the amendments to be agreed to the Protocol annexed to the Agreement on fishing between the Government of the Republic of Senegal and the European Economic Community, we have agreed to extend until 31 May 1986 the interim arrangements laid down by the Agreement in the form of an exchange of letters which was signed in Dakar on 15 April 1986.

I should be obliged if you would acknowledge receipt of this letter and confirm that its content is acceptable to the Government of the Republic of Senegal.

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

On behalf of the Council of the European Communities

B. Letter from the Government of the Republic of Senegal

Sir,

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

'I have the honour to confirm that, pending the conclusion of the negotiations on the amendments to be agreed to the Protocol annexed to the Agreement on fishing between the Government of the Republic of Senegal and the European Economic Community, we have agreed to extend until 31 May 1986 the interim arrangements laid down by the Agreement in the form of an exchange of letters which was signed in Dakar on 15 April 1986.

I should be obliged if you would acknowledge receipt of this letter and confirm that its content is acceptable to the Government of the Republic of Senegal.'

I have the honour to confirm that the content of your letter is acceptable to the Government of the Republic of Senegal.

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

For the Government of the Republic of Senegal

COUNCIL

COUNCIL DECISION

of 8 September 1986

on the conclusion of an Agreement in the form of an Exchange of Letters concerning the provisional application, as from 16 June 1986, of the Agreement amending for the second time the Agreement between the European Economic Community and the Government of the Republic of Guinea-Bissau on fishing off the coast of Guinea-Bissau

(86/449/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Agreement between the Government of the Republic of Guinea-Bissau and the European Economic Community on fishing off the coast of Guinea-Bissau(1), signed on 27 February 1980, as amended by the Agreement signed on 15 March 1983 (7).

Having regard to the proposal from the Commission,

Whereas, pursuant to the second paragraph of Article 17 of the Agreement on fishing off the coast of Guinea-Bissau, the Community and the Republic of Guinea-Bissau conducted negotiations to determine the amendments or additions to be made to the Agreement at the end of the second three-year period of application;

Whereas, as a result of these negotiations, an Agreement amending for the second time the abovementioned Agreement on fishing was initialled on 22 May 1986;

Whereas, under that Agreement, fishermen from the enlarged Community retain the fishing opportunities open to them in the waters under the sovereignty or jurisdiction of the Republic of Guinea-Bissau;

Whereas, in order to avoid any interruption in the fishing activities of Community vessels, it is indispensable that the Agreement in question be applied as soon as possible; whereas, for this reason, the two parties initialled an Agreement in the form of an Exchange of

Letters approved by Decision 86/182/EEC (?); whereas the said Agreement in the form of an Exchange of Letters should be approved, pending a final decision to be taken on the basis of Article 43 of the Treaty,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement in the form of an Exchange of Letters concerning the provisional application, as from 16 June 1986, of the Agreement amending for the second time the Agreement between the European Economic Community and the Government of the Republic of Guinea-Bissau on fishing off the coast of Guinea-Bissau is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Decision.

Article 2

The President of the Council is hereby authorized to designate the persons empowered to sign the Agreement in the form of an Exchange of Letters referred to in Article 1 in order to bind the Community.

Done at Brussels, 8 September 1986.

For the Council
The President
P. BROOKE

^(*) OJ No L 226, 29. 8. 1980, p. 33. (*) OJ No L 84, 30. 3. 1983, p. 1.

^{(&#}x27;) OJ No L 131, 17. 5. 1986, p. 51.

AGREEMENT

in the form of an Exchange of Letters concerning the provisional application, as from 16 June 1986, of the Agreement amending for the second time the Agreement between the European Economic Community and the Republic of Guinea-Bissau on fishing off the coast of Guinea-Bissau

A. Letter from Guinea-Bissau

Sir,

With reference to the Agreement between the European Economic Community and the Government of the Republic of Guinea-Bissau, initialled on 22 May 1986, amending for the second time the Agreement on fishing off the coast of Guinea-Bissau, signed in Brussels on 27 February 1980, I have the honour to inform you that the Government of the Republic of Guinea-Bissau is ready to apply this Agreement on a provisional basis, with effect from 16 June 1986, until its entry into force in accordance with Article 2, provided that the European Economic Community is disposed to do the same.

This is on the understanding that payment of a first instalment equal to one-third of the financial compensation specified in the Agreement is effected by 15 September 1986.

I should be obliged if you would confirm the European Economic Community's agreement to such provisional application.

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

For the Government of the Republic of Guinea-Bissau

B. Letter from the Community

Sir,

I am in receipt of your letter of today's date, which reads as follows:

With reference to the Agreement between the European Economic Community and the Government of the Republic of Guinea-Bissau, initialled on 22 May 1986, amending for the second time the Agreement on fishing off the coast of Guinea-Bissau, signed in Brussels on 27 February 1980, I have the honour to inform you that the Government of the Republic of Guinea-Bissau is ready to applx this Agreement on a provisional basis, with effect from 16 June 1986, until its entry into force in accordance with Article 2, provided that the European Economic Community is disposed to do the same.

This is on the understanding that payment of a first instalment equal to one-third of the financial compensation specified in the Agreement is effected by 15 September 1986.

I should be obliged if you would confirm the European Economic Community's agreement to such provisional application.'

I have the honour to confirm the European Economic Community's agreement to such provisional application.

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

On behalf of the Council of the European Economic Community

AGREEMENT

amending for the second time the Agreement between the European Economic. Community and the Government of the Republic of Guinea-Bissau on fishing off the coast of Guinea-Bissau

Article 1

The Annex referred to in Article 5 and the Protocol referred to in Article 9 of the Agreement between the European Economic Community and the Government of the Republic of Guinea-Bissau on fishing off the coast of Guinea-Bissau, signed on 27 February 1980, shall be replaced by the texts annexed to this Agreement.

The Agreement in the form of Exchanges of Letters No 1 and No 2, signed on 27 February 1980 and referring to the Agreement on fishing mentioned in the preceding paragraph, shall be repealed.

Article 2

This Agreement, drawn up in duplicate in the Danish, German, Greek, English, French, Italian, Dutch, Portuguese and Spanish languages, each of these texts being equally authentic, shall enter into force on the date on which the Parties notify each other of the completion of the procedures necessary for this purpose. It shall be applicable from 16 June 1986 to 15 June 1989.

ANNEX

CONDITIONS FOR THE PURSUIT OF FISHING ACTIVITIES IN GUINEA-BISSAU'S FISHING ZONE BY VESSELS FLYING THE FLAGS OF MEMBER STATES OF THE COMMUNITY

A. Licence application and issuing formalities

The procedure for applications for, and issue of, the licences enabling vessels flying the flags of the Member States of the Community to fish in Guinea-Bissau's fishing zone shall be as follows:

The relevant Community authorities shall present to the Office of the Secretary of State for Fisheries of the Republic of Guinea-Bissau, via the Delegation of the Commission in Guinea-Bissau, an application for each vessel that wishes to fish under this Agreement, at least 30 days before the date of commencement of the period of validity requested.

The applications shall be made on the forms provided for that purpose by the Government of the Republic of Guinea-Bissau, a specimen of which is annexed hereto.

Bach licence application shall be accompanied by proof of payment for the period of the licence's validity

By way of derogation from Article 4 (3) of the Agreement, licences shall be valid for quarterly, half-yearly or annual periods.

Licences must be held on board at all times.

- 1. Provisions applicable to trawlers
 - a) The fees for annual licences shall be set as follows:
 - 100 ECU/GRT per year for fin fish trawlers;
 - 116 ECU/GRT per year for cephalopod trawlers;
 - 133 ECU/GRT per year for shrimp trawlers.

Vessels shall be required to put in at the port of Bissau for the issuing of the licence.

b) By way of derogation from Article 5 (2) of the Agreement, the annual fees may, at the shipowner's request, be paid quarterly or half-yearly, in which case they shall be increased respectively by 5 % and 3 %.

Applications shall be accompanied by proof of a banker's guarantee held at the Banque Nationale de Paris in favour of the BNGB/Office of the Secretary of State for Fisheries covering an amount equal to the fee due for the period not covered by the payment, which shall be forfeited to the Guinea-Bissau authorities if the licence is not used.

- c) The fees for half-yearly licences shall be set as follows:
 - 57,5 ECU/GRT per half year for fin fish trawlers;
 - 66,5 ECU/GRT per half year for cephalopod trawlers;
 - 76,5 ECU/GRT per half year for shrimp trawlers.

The fees for quarterly licences shall be set as follows:

- 30 ECU/GRT per quarter for fin fish trawlers;
- 35 ECU/GRT per quarter for cephalopod trawlers;
- 40 ECU/GRT per quarter for shrimp trawlers.
- d) Trawlers authorized to fish in the Guinea-Bissau fishing zone shall make a contribution to fish supplies for the local population by landing each quarter:
 - fin fish trawlers: 20 kg of fish/GRT,
 - cephalopod trawlers: 16 kg of fish/GRT,
 - shrimp trawlers: 14 kg of fish/GRT,

at a price set by the Office of the Secretary of State for Fisheries by mutual agreement with the shipowner on the basis of equivalent prices for that quality fish at the Dakar and Conakry markets and in consultation with the Delegation of the Commission of the European Communities at Rissau. Should the licence be renewed, the fee may be accordingly reduced in relation to the value of the fish landed.

Landings may be made individually or collectively.

Any failure to comply with the obligation to land catches shall render the offender liable to the following sanctions on the part of the Guinea-Bissau authorities:

- fine of 1 000 ECU per tonne not landed, and
- withdrawal and non-renewal of the licence of the vessel concerned or another vessel belonging to the same shipowner.

e) By-catch

Cephalopod and fin fish trawlers may not take more than 5 tonnes of shrimps per year per vessel as by-catch.

In the case of by-catches exceeding this limit, shipowners shall be required to pay to the Office of the Secretary of State for Fisheries a sum equal to 50 % of their commercial value at a price fixed according to the procedure set out in d).

Provisions on by-catches of other crustaceans may be adopted at the next meeting of the Joint Committee.

2. Provisions applicable to tuna vessels and longliners

- a) The fees shall be set at 20 ECU per tonne caught within Guinea-Bissau's fishing zone.
- b) Applications for licences for tuna vessels and longliners shall be issued following payment to the Office of the Secretary of State of an overall lump sum of 35 000 ECU equivalent to the fees for:
 - 1 600 tonnes of tuna caught per year in the case of seiners,
 - 100 tonnes of tuna caught per year in the case of pole-and-line vessels,
 - 50 tonnes of swordfish caught per year in the case of longliners.

A provisional statement of the fees due for the fishing year shall be drawn up by the Commission of the European Communities at the end of each calendar year on the basis of the catch statements made by the shipowners and forwarded simultaneously to the Guinea-Bissau authorities and the Commission departments responsible. The corresponding amount shall be paid by shipowners to the Office of the Secretary of State for Pisheries no later than 31 March of the following year.

The final statement of the fees due shall be drawn up by the Commission following verification of the volume of catch by a specialist scientific body in the region. The final statement shall be communicated to the Guinea-Bissau authorities and notified to the shipowners, who shall have 30 days to discharge their financial obligations.

However, if the amount of the statement is lower than the abovementioned advance, the resulting balance shall not be reimbursable.

c) The competent authorities of Guinea-Bissau shall examine each application for a licence in order to ensure that it complies with the provisions of the Agreement and with the laws of Guinea-Bissau

The competent Guinea-Bissau authorities shall inform the Community authroities of their decisions.

d) Should there be any difficulties or additional information needed when applications are examined and licences issued, consultations shall be held between the representatives of the Contracting Parties, in particular through the Office of the Secretary of State for Fisheries and the Delegation of ** the Commission of the European Communities in Guinea-Bissau.

B. Statement of catch

 All vessels authorized to fish in Guinea-Bissau's waters under the Agreement shall be obliged to forward to the Office of the Secretary of State for Fisheries a statement of their catch made out according to the specimen annexed hereto.

Such statement of catch must be drawn up for each month and presented at least once every quarter.

Should this provision not be adhered to, the Government of Guinea-Bissau reserves the right to suspend the licence of the offending vessel until the formality has been complied with.

2. Any Community vessel fishing in Guinea-Bissau's fishing zone shall allow on board, and assist in the accomplishment of his duties, any official of Guinea-Bissau responsible for inspection and monitoring.

C. Training grants

The two Parties agree that an essential condition for the success of their cooperation is that the competence and know-how of persons engaged in sea fishing should be improved. To this end, the Community shall make it easier for nationals of Guinea-Bissau to find places in establishments in its Member States and shall provide for that purpose, during the period from 16 June 1986 to 15 June 1989, sixteen study and training grants of a maximum duration of five years in the various scientific, technical and economic subjects connected with fisheries. The equivalent of one of these grants of five years will be converted to cover the costs of participation in international meetings in the fisheries sector.

D. Signing on of seamen

Shipowners who have been issued fishing licences under the Agreement shall contribute to the on-the-job vocational training of Guinea-Bissau nationals subject to the conditions and limits set out below:

- 1. Each trawler owner shall undertake to employ:
 - one fisherman on vessels of less than 200 GRT,
 - two fishermen on vessels of between 200 and 300 GRT,
 - three fishermen on vessels of more than 300 GRT, and apply the salary scales applicable in Guinea-Bissau.
- 2. Owners of tuna vessels and longliners shall undertake to employ Guines-Bissau nationals either on board their vessels or in appropriate posts on 'land, to have been approved by the Guinea-Bissau authorities. The number of those to be employed and the duration of employment shall be decided on a general basis taking into account the scale of these vessels' activities in Guinea-Bissau's fishing zone and the employment of other nationals of countries in whose fishing zones the said vessels fish.
- 3. The employment contracts of the fishermen shall be drawn up in Bissau between the shipowner's representative and the fisherman in agreement with the Office of the Secretary of State for Fisheries. These contracts shall cover the social security arrangements applicable to the fishermen (including life, accident and sickness insurance).

E. Taking on board of observers

Each trawler shall take on board an observer designated by the Office of the Secretary of State for Fisheries The skipper shall assist the observer in the accomplishment of his duties and the observer shall be accorded the conditions enjoyed by officers of that vessel. The salary and the social contributions of the observer shall be borne by the Government of Guines-Bissau.

REPUBLIC OF GUINEA-BISSAU

OFFICE OF THE SECRETARY OF STATE FOR FISHERIES

APPLICATION FOR A FISHING LICENCE (1)

1. Valid	from : to :
2. Name	of vessel:
3. Name	of shipowner:
	nd registration number:
5. Type	of fishing:
6. Author	rized mesh size:
7. Length	n of vessel:
8. Width	of vessel:
9. Gross	registered tonnage:
10. Hold	capacity:
11. Engine	rating:
12. Type (of construction :
13. Usual	number of seamen aboard:
14. Radio/	electrical equipment:
15. Master	's name:
The above	information is the sole responsibility of the shipowner or his representative.
	Date of application:

^{(&#}x27;) The original application form is issued in French and Portuguese only.

OFFICE OF THE SECRETARY OF STATE FOR FISHERIES

Name of vessel: Nationality (flag):

STATISTICS ON CATCH AND ACTIVITY

Engine rating:		Fish
Gross registered tonnage :		Port

	Month:	Year:
- [Fishing method:	
- 1	Post of landing :	

Fishing zone					Species of fish							
Date	Longitude	Latitude	Number of fishing operations	Number of fishing hours								Totals
1/				-								
2/						1					T	
3/											1	
4/						1						
5/												
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INSTRUCTIONS FOR FILLING IN THE LOG-BOOK

Each ship's master shall be responsible for the information supplied every month to the Office of the Secretary of State for Fisheries. He shall fill in this log-book in a spirit of frank cooperation.

The following information is requested:

1. Month:

Year:

2. Name of vessel:

Nationality (flag):

- 3. Engine rating in HP: Gross registered tonnage (GRT):
- Fishing method (gear):
 Port of landing:

The statistical table of catches and fishing activity is divided into two parts:

The first part shows the daily fishing activity (each horizontal line corresponds to a day's activity). The first page should be used for the first half of the month and the second page for the last half.

The master should indicate the fishing zone by noting the latitude and longitude. He should note the number of times the net is thrown per day. He should give the total number of fishing hours for each day.

The second part of the log is for information on catches, in kilograms or in tonnes. It should be clearly stated whether the figure is in kilograms or tonnes. There are seven columns, one for each species. Only the six most important species fished should be entered in the log. The column before the total (headed 'other') should be reserved for the sum of all other species fished.

The monthly logs, once filled in, should be sent every month to the Office of the Secretary of State for Fisheries for those vessels landing their catches in Bissau. For other vessels, the monthly logs should be sent, duly filled in, to the Office of the Secretary of State for Fisheries every three months.

No L 261/29

PROTOCOL

establishing rights and financial compensation for the period from 16 June 1986 to 15 June 1989

Article 1

For a period of three years from 16 June 1986 the limits referred to in Article 4 of the Agreement shall be as follows:

- 1. Trawlers: 11 000 GRT per month, annual average
- 2. 45 freezer tuna seiners: 900 GRT on average
- 3. 25 wet pole-and-line tuna vessels: 130 GRT on average
- 4. 6 longliners: 160 GRT on average

Article 2

The financial compensation referred to in Article 9 of the Agreement shall be, for the period referred to in Article 1 of this Protocol, 7 500 000 ECU, payable in three annual instalments.

Article 3

The use to which the compensation provided for in Article 2 is put shall be the sole responsibility of the Government of Guinea-Bissau.

The compensation shall be paid into the account of the 'Office of the Secretary of State for Fisheries'.

Article 4

At the request of the Community, the fishing rights referred to in Article 1 (1) may be increased by successive instalments of 1 000 GRT a month on annual average. In this case, the financial compensation referred to in Article 2 shall be increased proportionately pro rata temporis.

Article 5

The Community shall also contribute a sum of 400 000 ECU towards the financing of a Guinea-Bissau scientific programme to ensure the operation of a marine biology laboratory aand improve information on the fishery resources within the exclusive economic zone of Guinea-Bissau.

This sum shall be made available to the Office of the Secretary of State for Fisheries.

The competent Guines-Bissau authorities shall send to the Commission of the European Communities a brief report on the utilization of the funds.

Article 6

Should the Community fail to make the payments provided for in this Protocol, the Agreement on fishing shall be suspended.

COUNCIL DECISION

of 3 December 1986

on the conclusion of an Agreement in the form of an Exchange of Letters concerning an extension of the Protocol annexed to the Agreement between the European Economic Community and the Government of the Democratic Republic of Sao Tomé and Principe on fishing off the coast of Sao Tomé and Principe

(86/595/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Agreement between the European Economic Community and the Government of the Democratic Republic of Sao Tomé and Principe on fishing off the coast of Sao Tomé and Principe (1), and in particular Article 8 thereof,

Having regard to the proposal from the Commission,

Whereas the Community and the Democratic Republic of Sao Tomé and Principe have begun the negotiations provided for in Article 8 of the Agreement in order to determine the arrangements that will apply from 31 August 1986 when the Protocol annexed to the Agreement expires;

Whereas on 22 August 1986, the two parties agreed to extend the Protocol for an interim period of two months from 31 August 1986 pending the final result of these negotiations,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement in the form of an Exchange of Letters concerning an extension of the Protocol annexed to the Agreement between the European Economic Community and the Government of the Democratic Republic of Sao Tomé and Principe on fishing off the coast of Sao Tomé and Principe is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Decision.

Article 2

The President of the Council is hereby authorized to designate the persons enpowered to sign the Agreement in order to bind the Community.

Done at Brussels, 3 December 1986.

For the Council
The President
M. JOPLING

ni filozof Len ini

AGREEMENT

in the form of an Exchange of Letters on the extension of the Protocol annexed to the Agreement between the European Economic Community and the Democratic Republic of Sao Tomé and Principe on fishing off the coast of Sao Tomé and Principe

A. Letter from the Community

Brussels,

Sir,

I have the honour to confirm that we have agreed on the following interim arrangements to ensure the continued application of the Agreement on fishing between the Government of the Democratic Republic of Sao Tomé and Principe and the European Economic Community pending the conclusion of the negotiations on the amendments to be agreed to the Protocol annexed to the Agreement on fishing.

1. The arrangements applicable during the last three years shall be extended from 31 August 1986 for a period of two months.

The compensation to be paid by the Community under the interim arrangements shall correspond pro rata temporis to that provided for in Article 2 of the current Protocol.

- 2. Licences shall be granted during the interim period within the limits fixed in Article 1 of the current Protocol.
- 3. The rights and obligations that derive from the Agreement on fishing between the Government of the Democratic Republic of Sao Tomé and Principe and the Portuguese Republic, which the Community is responsible for managing as from 1 January 1986, shall not be affected by this interim extension.

I should be obliged if you would acknowledge receipt of this letter and indicate your agreement on its contents.

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

On behalf of the Council of the European Communities

B. Letter from the Democratic Republic of Sao Tomé and Principe

Brussels,

Sir.

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

'I have the honour to confirm that we have agreed on the following interim arrangements to ensure the continued application of the Agreement on fishing between the Government of the Democratic Republic of Sao Tomé and Principe and the European Economic Community pending the conclusion of the negotiations on the amendments to be agreed to the Protocol annexed to the Agreement on fishing.

 The arrangements applicable during the last three years shall be extended from 31 August 1986 for a period of two months.

The compensation to be paid by the Community under the interim arrangements shall correspond *pro rata temporis* to that provided for in Article 2 of the current Protocol.

- 2. Licences shall be granted during the interim period within the limits fixed in Article 1 of the current Protocol.
- 3. The rights and obligations that derive from the Agreement on fishing between the Government of the Democratic Republic of Sao Tomé and Principe and the Portuguese Republic, which the Community is responsible for managing as from 1 January 1986, shall not be affected by this interim extension.

I should be obliged if you would acknowlege receipt of this letter and indicate your agreement on its contents.'

I have the honour to confirm that the contents of your letter are acceptable to the Government of the Democratic Republic of Sao Tomé and Principe and that your letter and this letter constitute an Agreement in accordance with your proposal.

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

For the Government of the Democratic Republic of Sao Tomé and Principe

COUNCIL DECISION

of 11 December 1986

on the conclusion of an Agreement in the form of an Exchange of Letters concerning the provisional application of the Agreement amending the Agreement between the European Economic Community and the Government of the Republic of Equatorial Guinea on fishing off the coast of Equatorial Guinea, signed at Malabo on 15 June 1984 for the period starting on 27 June 1986

(86/636/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES.

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 155 (2) (b) and Article 167 (3) thereof.

Having regard to the Agreement between the European Economic Community and the Government of the Republic of Equatorial Guinea, on fishing off the coast of Equatorial Guinea (1), signed at Malabo on 15 June 1984,

Having regard to the proposal from the Commission,

Whereas, pursuant to Article 12 of the Agreement on fishing off the coast of Equatorial Guinea, the Community and the Republic of Equatorial Guinea conducted negotiations to determine the amendments or additions to be made to the Agreement at the end of the first three-year period of application of the Agreement;

Whereas, as a result of those negotiations, an Agreement amending the Agreement was initialled on 25 June 1986;

Whereas, under that Agreement, fishermen from the enlarged Community retain the fishing opportunities open to them in the waters under the sovereignty or jurisdiction of the Republic of Equatorial Guinea;

Whereas under the terms of Article 155 (2) (b) of the Act of Accession, it is for the Council to determine the procedures appropriate to take into consideration all or part of the interests of the Canary Islands when it adopts decisions, case by case, particularly with a view to the conclusion of fisheries agreements with third countries; whereas, in the case in point, the procedures in question should be determined;

Whereas, in order to avoid any interruption in the fishing activities of Community vessels, it is indispensable that the draft Agreement in question be approved as soon as

possible; for this reason, the two parties initialled an Agreement in the form of an Exchange of Letters providing for the provisional application of the initialled draft Agreement from the date of expiry of the Agreement between the European Economic Community and the Government of the Republic of Equatorial Guinea on fishing off the coast of Equatorial Guinea approved on 28 June 1984; whereas the Agreement in the form of an Exchange of Letters should be concluded subject to a definitive decision under Article 43 of the Treaty,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement in the form of an Exchange of Letters concerning the provisional application of the Agreement amending the Agreement between the European Economic Community and the Government of the Republic of Equatorial Guinea on fishing off the coast of Equatorial Guinea, signed at Malabo on 15 June 1984 for the period starting on 27 June 1986, is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Decision.

Article 2

With a view to taking into consideration the interests of the Canary Islands, the Agreement referred to in Article 1 and, in so far as is necessary for its application, the provisions of the common fisheries policy relating to the conservation and management of fishery resources shall also apply to vessels which sail under the flag of Spain, which are recorded on a permanent basis in the registers of the competent authorities at local level ('registros de base') in the Canary Islands, under the conditions defined in Note 6 to Annex 1 to Council Regulation (EEC) No 570/86 of 24 February 1986 concerning the definition of the concept of 'originating products' and methods of administrative cooperation in trade between the customs territory of the Community, Ceuta and Melilla and the Canary Islands (³).

⁽¹⁾ OJ No L 188, 16. 7. 1984, p. 1.

⁽²⁾ OJ No L 56, 1. 3. 1986, p. 1.

Article 3

The President of the Council is hereby authorized to designate the persons empowered to sign the Agreement in the form of an Exchange of Letters in order to bind the Community.

Done at Brussels, 11 December 1986.

For the Council
The President
K. CLARKE

AGREEMENT

in the form of an Exchange of Letters concerning the provisional application of the Agreement amending the Agreement between the European Economic Community and the Government of the Republic of Equatorial Guinea on fishing off the coast of Equatorial Guinea, signed at Malabo on 15 June 1984, for the period starting on 27 June 1986

A. Letter from the Government of Equatorial Guinea

Sir,

With reference to the Agreement hetween the European Economic Community and the Government of the Republic of Equatorial Guinea, initialled on 25 June 1986, amending the Agreement on fishing off the coast of Equatorial Guinea, signed at Malabo on 15 June 1984, I have the honour to inform you that the Government of the Republic of Equatorial Guinea is ready to apply this Agreement on a provisional basis, with effect from 27 June 1986, until its entry into force in accordance with Article 2 of the said Agreement, provided that the European Economic Community is disposed to do the same.

This is on the understanding that payment of a first instalment equal to 40 % of the financial compensation specified in the Agreement is effected by 31 December 1986.

I should be obliged if you would confirm the European Economic Community's agreement to such provisional application.

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

For the Government of the Republic of Equatorial Guinea

B. Letter from the European Economic Community

Sir,

I am in receipt of your letter of today's date, which reads as follows:

With reference to the Agreement between the European Economic Community and the Government of the Republic of Equatorial Guinea, initialled on 25 June 1986, amending the Agreement on fishing off the coast of Equatorial Guinea, signed at Malabo on 15 June 1984, I have the honour to inform you that the Government of the Republic of Equatorial Guinea is ready to apply this Agreement on a provisional basis, with effect from 27 June 1986, until its entry into force in accordance with Article 2 of the said Agreement, provided that the European Community is disposed to do the same.

This is on the understanding that payment of a first instalment equal to 40 % of the financial compensation specified in the Agreement is effected by 31 December 1986.

I should be obliged if you would confirm the European Economic Community's agreement to such a provisional application.'.

I have the honour to confirm the European Economic Community's agreement to this provisional application of the Agreement.

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

On behalf of the Council of the European Communities

AGREEMENT

amending the Agreement between the European Economic Community and the Government of the Republic of Equatorial Guinea on fishing off the coast of Equatorial Guinea, signed at Malabo on 15 June 1984

Article 1

The Annex referred to in Article 4 and the Protocol referred to in Article 6 of the Agreement between the European Economic Community and the Government of the Republic of Equatorial Guinea on fishing off the coast of Equatorial Guinea, signed on 15 June 1984 shall be replaced by the texts annexed to this Agreement.

Article 2

This Agreement, drawn up in duplicate in the Danish, German, Greek, English, French, Italian, Dutch, Portuguese and Spanish languages, each of these texts being equally authentic, shall enter into force on the dute of signature.

It shall be applicable from 27 June 1986 to 26 June 1989.

ANNEX

CONDITIONS FOR THE PURSUIT OF FISHING ACTIVITIES IN EQUATORIAL GUINEA'S FISHING ZONE BY VESSELS FLYING THE FLAGS OF MEMBER STATES OF THE COMMUNITY

A. Licence application and issuing formalities

The procedure for applications for, and issue of, the licences enabling vessels flying the flags of the Member States of the Community to fish in Equatorial Guinea's fishing zone shall be as follows:

The relevant Community authorities shall present to the Ministry of Water, Forestry and Reafforestation of the Republic of Equatorial Guinea, via the Delegation of the Commission in Equatorial Guinea, an application for each vessel that wishes to fish under this Agreement, at least 30 days before the date of commencement of the period of validity requested.

The applications shall be made on the forms provided for that purpose by the Government of the Republic of Equatorial Guinea, a specimen of which is annexed hereto.

Each licence application shall be accompanied by proof of payment for the period of the licence's validity into the account referred to in Article 3 of the Protocol. Once signed, the licences shall be issued by the Equatorial Guinea authorities to the shipowners or their representatives. Licences must be held on board at all times.

1. Provisions applicable to trawlers

- (a) The licences for trawlers shall be issued for a year, six months or three months. They shall be renewable.
- (b) The fees for annual licences shall be set as follows:
 - 55 ECU per grt per year for fin fish trawlers;
 - 75 ECU per grt per year for shrimp trawlers.

The fees for shorter periods shall be set pro rata temporis.

2. Provisions applicable to tuna vessels

- (a) The fees shall be set at 20 ECU per tonne caught within Equatorial Guinea's fishing zone.
- (b) Applications for licences for tuna vessels shall be issued following payment to the Ministry of Water, Forestry and Reafforestation of a lump sum of 1 000 ECU a year for each tuna seiner and 200 ECU a year for each pole-and-line tuna vessel, equivalent to the fees for:
 - 50 tonnes of tuna caught per year in the case of seiners,
 - 10 tonnes of tuna caught a year in the case of pole-and-line vessels.

A provisional statement of the fees due for the fishing year shall be drawn up by the Commission of the European Communities at the end of each calendar year on the basis of the catch statements made by each shipowner and forwarded simultaneously to the Equatorial Squinea authorities and the Commission departments responsible. The corresponding amount shall be paid by each shipowner to the Ministry of Water, Forestry and Reafforestation no later than 31 March of the following year in accordance with the procedure for payment set out in Article 3 of the Protocol.

The final statement of the fees due shall be drawn up by the Commission following verification of the volume of catch by a specialist scientific body in the region. The final statement shall be communicated to the Equatorial Guinea authorities and notified to the shipowners, who shall have 30 days to discharge their financial obligations.

However, if the amount of the final statement is lower than the abovementioned advance, the resulting balance shall not be reimbursable.

B. Statement of catch

 Vessels authorized to fish in Equatorial Guinea's waters under the Agreement shall be obliged to make to the Ministry of Water, Forestry and Reafforestation a statement of their catch and send a copy of the statement to the Commission using the procedures set out below:

- trawlers and pole-and-line tuna vessels shall make out a statement according to the specimen annexed hereto, the statements being drawn up monthly and presented at least once every quarter,
- tuna seiners shall communicate the results of each haul to the radio station at Annobon (call sign 3 CA-24).
- 2. Any Community vessel fishing in Equatorial Guinea's fishing zone shall allow on board, and assist in the accomplishment of his duties, any official of Equatorial Guinea responsible for inspection and monitoring. Officials should not remain on board any longer than the time required to make spot checks on the catch and carry out any other inspection concerning fishing activities.
- 3. Should this provision not be adhered to, the Government of Equatorial Guinea reserves the right to suspend the licence of the offending vessel until the formality has been complied with.

C. Landing of catch .

Trawlers authorized to fish in the Equatorial Guinea zone shall make a contribution to fish supplies for the local population by landing:

- fin fish trawlers: 6 000 kilograms of fish per vessel per year,
- shrimp trawlers: 4 000 kilograms of fish per vessel per year,
- at a price set by the Ministry of Water, Forestry and Reafforestation by mutual agreement with the shipowner on the basis of local market prices and in consultation with the Delegation of the Commission of the European Communities in Equatorial Guinea.

Should the licence be renewed, the fee may be accordingly reduced in relation to the value of the fish landed.

Landings may be made individually or collectively at the most convenient port of Equatorial Guinea.

Any failure to comply with the obligation to land catches shall render the offender liable to the following sanctions on the part of the Equatorial Guinea authorities:

- fine of 1 000 ECU per tonne not landed and
- withdrawal or non-renewal of the licence of the vessel concerned or another vessel belonging to the same shipowner.

D. Signing on of seamen

- Owners of trawlers who have been issued fishing licences under the Agreement shall contribute to the on-the-job vocational training of Equatorial Guinea nationals subject to the conditions and limits set out below:
- one fisherman on vessels of up to 300 grt,
- two fishermen on vessels of more than 300 grt.
- The wages of these fishermen, to be borne by the shipowners, shall be fixed by mutual agreement between the shipowners and the Equatorial Guinea authorities. Should Equatorial Guinea not have any candidates to put forward, this obligation shall take the form of a lump sum payment equivalent to 30 % of the fishermen's wages.

This sum will be used for the training of fishermen in Equatorial Guinea and is to be paid into an account specified by the Equatorial Guinea authorities.

E. Fishing zones

The freezer trawlers referred to in Article 1 of the Protocol shall be authorized to carry out fishing activities beyond the six-mile limit.

Annex 1 to the fisheries law

INFORMATION ON CATCHES RESULTING FROM INDUSTRIAL FISHING

(Article 42 of the Fisheries Law)

-	Nationality:									
۷.	ivationality:									
3.	. Type of vessel: (i.e. for fresh fish, tuna, etc									
4.	Master's nan	ne:								
5.	Fishing licen	ce issued by:								
		valid for the period:			••••••					
6.	Type of fishi	ing:		•••••						
7.	Date of leavi	ing port:								
	Date of ente	ring port:			***************************************					
8.	Catches:									
	Date	Fishing zone	Species caught	Tonnage	Port of landing					

Witnessed by The Observer of the Government Signed The Master

REPUBLIC OF EQUATORIAL GUINEA

APPLICATIONS FOR A FISHING LICENCE

1.	Valid from: to:
2.	Name of vessel:
3.	Name of shipowner:
4.	Port and registration number:
5.	Type of fishing:
6.	Authorized mesh size:
7.	Length of vessel:
8.	Width of vessel:
9.	Gross registered tonnage:
10.	Hold capacity:
11.	Engine rating:
12.	Type of construction:
	Usual number of seamen aboard:
14.	Radio/electrical equipment:
15.	Master's name:
The	above information is the sole responsibility of the shipowner or his representative.

PROTOCOL.

Establishing fishing rights and financial compensation for the period from 27 June 1986 to 26 June 1989

Article 1

From 27 June 1986, for a period of three years, the fishing authorizations granted pursuant to Article 2 of the Agreement shall be as follows:

- 1. Freezer trawlers: 9 000 per month, annual average
- 2. Freezer tuna seiners: 48 vessels
- 3. Pole-and-line tuna vessels: 11 vessels.

Article 2

The financial compensation referred to in Article 6 of the Agreement shall be, for the period referred to in Article 1, 5115 000 ECU, payable as follows: 40 % before 31 December 1986 and the balance in two equal annual instalments on 31 January 1988 and 31 January 1989 at the latest.

Article 3

The use to which the compensation provided for in Article 2 is put shall be the sole responsibility of the Government of the Republic of Equatorial Guinea.

The compensation funds shall be paid into Account No 4280 of the Treasury of Equatorial Guinea, opened at the 'Banque des États d'Afrique Centrale' at Malabo. Any changes shall be communicated to the Commission of the European Communities.

Article 4

At the request of the Community, the fishing rights referred to in Article 1 (1) may be increased by successive instalments of 1 000 grt a month on annual average. In this case, the financial compensation referred to in Article 2 shall be increased proportionately pro rata temporis.

Article 5

The Community shall also contribute during the period of application of this Agreement a sum of 200 000 ECU towards the financing of an Equatorial Guinea scientific and technical programme to improve information on the fishery resources within the exclusive economic zone of Equatorial Guinea. One of the aims of the programme shall be to undertake a study that will improve knowledge of shrimp resources.

This sum shall be made available to the Government of the Republic of Equatorial Guinea and paid into the account referred to in Article 3. Half of this sum shall be paid before 31 December 1986, payment of the balance being made in relation to progress on the study.

The competent Equatorial Guinea authorities shall send to the Commission a brief report on the utilization of the funds.

Article 6

The Community shall make it easier for nationals of Equatorial Guinea to find places in establishments in its Member States and shall provide for that purpose, during the period referred to Article 1, 10 study and training grants of a maximum duration of four years in subjects connected with fisheries. One of these grants will be used to cover expenses for participation in international meetings on fisheries.

Article 7

Should the Community fail to make the payments provided for in this Protocol, the Agreement on fishing shall be suspended.

COUNCIL DECISION

of 22 December 1986

on the conclusion of an Agreement in the form of an exchange of letters concerning the provisional application of the Protocol establishing the fishing rights and financial compensation provided for in the Agreement between the European Economic Community and the Government of the Republic of Senegal on fishing off the coast of Senegal for the period 1 October 1986 to 28 February 1988

(86/658/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Articles 155 (2) and 167 (3) thereof,

Having regard to the proposal from the Commission,

Whereas, pursuant to the second paragraph of Article 17 of the Agreement between the European Economic Community and the Government of the Republic of Senegal on fishing off the coast of Senegal (1), as amended by the Agreement signed on 21 January 1982 (2), and by the Agreement signed on 20 November 1985 (1), extended for two interim periods from 16 January 1986 to 30 April (4) and from 1 to 31 May 1986 (3), both parties have conducted negotiations to determine the amendments or additions to be made to the said Agreement at the end of the period of application of the Protocol:

Whereas, as a result of these negotiations, a Protocol laying down the fishing rights and the financial compensation provided for in the abovementioned Agreement for the period from 1 October 1986 to 28 February 1988 was initialled on 1 October 1986;

Whereas under that Protocol the fishermen of the enlarged Community maintain their fishing possibilities in the waters under the sovereignty or jurisdiction of Senegal;

Whereas, under the terms of Article 155 (2) (b) of the Act of Accession, it is for the Council to determine the procedures appropriate to take into consideration all or part of the interests of the Canary Islands when it adopts decisions, case by case, particularly with a view to the conclusion of fisheries agreements with third countries; whereas in the case in point, the procedure in question should be determined;

Whereas, in order 16: Community vessels to resume fishing, following the halt in their activities since 31 May 1986, it is essential for the Protocol to be approved as soon as possible; for that reason, the two sides have initialled an exchange of letters providing for the application of the initialled Protocol on a provisional basis from 1 October 1986; whereas this agreement should be approved pending a final decision under Article 43 of the Treaty,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement in the form of an exchange of letters concerning the provisional application of the Protocol establishing the fishing rights and compensation provided for in the Agreement between the European Economic Community and the Government of the Republic of Senegal on fishing off the coast of Senegal for the period from 1 October 1986 to 28 February 1988, is hereby approved on behalf of the Community.

The text of the Agreement in the form of an exchange of letters and Protocol is attached to this Decision.

Article 2

With a view to taking into consideration the interests of the Canary Islands, the Protocol referred to in Article 1 and in so far as is necessary for its application, the provisions of the common fisheries policy relating to the conservation and management of fishery resources shall also apply to vessels which sail under the flag of Spain, which are recorded on a permanent basis in the registers of the competent authorities at local level ('registros de base') in the Canary Islands, under the conditions defined in Note 6 to Annex I to Council Regulation (EEC) No 570/86 of 24 February 1986 concerning the definition of the concept of 'originating products' and methods of administrative cooperation in trade between the customs territory of the Community, Ceuta and Melilla and the Canary Islands (9).

⁽¹⁾ OJ No L 226, 29. 8. 1980, p. 17.

⁽¹⁾ OJ No L 234, 9, 8, 1982, p. 9.

⁽¹⁾ OJ No L 361, 31, 12, 1985, p. 87. (1) OJ No L 75, 20, 3, 1986, p. 53.

^(*) C] No L 168, 25. 6. 1986, p. 22.

⁽⁴⁾ OJ No L 56, 1, 3, 1986, p. 1.

Article 3

The President of the Council is hereby authorized to designate the persons empowered to sign the Agreement in the form of an exchange of letters in order to bind the Community.

Done at Brussels, 22 December 1986.

For the Council
The President
G. SHAW

ACREEMENT

in the form of an exchange of letters concerning the provisional application of the Protocol establishing the fishing rights and the financial compensation provided for in the Agreement between the European Economic Community and the Government of the Republic of Senegal on fishing off the coast of Senegal for the period from 1 October 1986 to 28 February 1988

A. Letter from the Government of the Republic of Senegal

Brussels,

Sir,

With reference to the new Protocol, initialled on 1 October 1986, establishing the fishing rights and financial compensation provided for in the Agreement between the European Economic Community and the Government of the Republic of Senegal on fishing off the coast of Senegal for the period from 1 October 1986 to 28 February 1988, I have the honour to inform you that the Government of Senegal is prepared to apply that Protocol provisionally from 1 October 1986 until it enters into force in accordance with Article 14 of the said Protocol, provided that the European Economic Community, is prepared to do likewise.

It is understood that, in this case, a first instalment equivalent to 50 % of the compensation laid down in Article 2 of the Protocol must be paid before 28 February 1987.

I should be obliged if you would confirm that the European Economic Community agrees to provisional application as indicated above.

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

For the Government of the Republic of Senegal

B. Letter from the Community

Brussels.

Sir,

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

With reference to the new Protocol, initialled on 1 October 1986, establishing the fishing rights and the financial compensation provided for in the Agreement between the European Economic Community and the Government of the Republic of Senegal on fishing off the coast of Senegal for the period from 1 October 1986 to 28 February 1988, I have the honour to inform you that the Government of Senegal is prepared to apply that Protocol provisionally from 1 October 1986 until it enters into force in accordance with Article 4 of the said Protocol, provided that the European Economic Community is prepared to do likewise.

It is understood that, in this case, a first instalment equivalent to 50 % of the compensation laid down in Article 2 of the Protocol must be paid before 28 February 1987.

I should be obliged if you would confirm that the European Economic Community agrees to provisional application as indicated above.

I have the honour to confirm that the European Economic Community agrees to provisional application as indicated above.

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

On behalf of the Council of the European Communities

Official Journal of the European Communities

PROTOCOL

establishing the fishing rights and financial compensation provided for in the Agreement between the European Economic Community and the Government of the Republic of Senegal on fishing off the coast of Senegal for the period from 1 October 1986 to 28 February 1988

THE PARTIES TO THIS PROTOCOL.

Having regard to the Agreement between the European Economic Community and the Government of the Republic of Senegal on fishing off the coast of Senegal, signed on 15 June 1979 and amended by the Agreement signed on 21 January 1982 and by the Agreement signed on 20 November 1985.

HAVE AGREED AS FOLLOWS:

Article 1

For the period from 1 October 1986 to 28 February 1988, the limits referred to in Article 4 of the abovementioned Agreement shall be set as follows:

 Tuna boats obliged to land their entire catch in Senegal:

3 000 GRT

- 2. Wet trawlers:
 - (a) obliged to land their entire catch in Senegal;

1 000 GRT

- (b) not obliged to land their entire catch in Senegal:
- 3. Tuna boats not obliged to land their entire catch in Senegal: 23 300 GRT
- 4. Freezer trawlers not obliged to land

of which

(a) per month for the duration of this Protocol:

6 000 GRT

8 000 GRT

(b) for four months a year

their entire catch in Senegal:

6 000 GRT above the tonnage referred to in point (a)

Article 2

- The financial compensation referred to in Article 9 of the Agreement shall be CFAF 1700 million for the period referred to in Article 1.
- The compensation shall be paid into the account of the Treasurer-General of Senegal.

Article 3

At the request of the Community, the fishing rights referred to in Article 1 (2), 4a and 4b of this Protocol may be increased to 1 500 GRT, 7 000 GRT and 7 000 GRT respectively. In this case, the financial compensation referred to in Article 2 shall be increased proportionately on the basis of the period involved.

Article 4

The Community shall in addition contribute CFAF 90 million towards the financing of a Senegalese scientific programme.

This sum shall be put at the disposal of the Centre for Oceanographic Research of Dakar-Thiaroye (CRODT), which comes under the Senegalese Institute for Agricultural Research (ISRA). The Senegalese authorities concerned shall send the Commission a summary report on the use made of this sum.

Article 5

- 1. The two parties agree that an essential condition for the success of their cooperation is that the competence and know-how of persons engaged in sea fishing should be improved. To this end, the Community shall make it easier for nationals of Senegal to find places in establishments in its Member States and shall provide for that purpose, during the period referred to Article 1, 10 study and training grants of a maximum duration of five years in the various scientific, technical and economic subjects connected with fisheries.
- Point D of Annex I to the Agreement, 'Training grants and scientific programme' is hereby repealed.

Article 6

- During the period from 1 March 1987 until 28 February 1988, the limits laid down in Article 1 of this Protocol shall be increased by:
- (a) 500 GRT for tuna boats obliged to land their entire catch in Senegal;
- (b) 6 000 GRT for wet trawlers not obliged to land their entire catch in Senegal;
- (c) 33 500 GRT for tuna boats not obliged to land their entire catch in Senegal;

- (d) 10 000 GRT for freezer trawlers not obliged to land their entire catch in Senegal.
- During this period, the limits for surface longliners shall be set at 1 200 GRT.

Article 7

- The wet trawlers referred to in Article 6 (1) (b) above and the shrimp-fishing freezer trawlers referred to in paragraph 1 (d) of the same Article shall be authorized to fish outside the limit of the first 12 nautical miles of the waters under Senegalese jurisdiction north of latitude 14°27'00N and outside the limit of the first 25 nautical miles of the waters under Senegalese jurisdiction south of latitude 14°27'00N.
- 2. The longliners referred to in Article 6 (2) shall be authorized to operate in the zone delimited as follows:
- outside the first 15 nautical miles north of latitude 14°45'00N,
- outside the first 25 nautical miles south of latitude 14°45'06N.

Article 8

In return for the increase in the fishing rights referred to in Article 6, the financial compensation paid by the Community for the period specified in that Article shall be CFAF 1,55 thousand million.

Article 9

The licences shall be valid for the entire period laid down in Article 1. However, licences issued for the vessels referred to in paragraph 4 (b) of that Article are valid for only four months, and those issued under Article 6, for 12 months.

Article 10

Each Community vessel intending to fish in Senegal's fishing zone shall inform the radio station of the 'Projet de Protection et Surveillance des Pèches du Sénégal' (PSPS — Senegal Fisheries Protection and Surveillance Project) each time it enters or leaves the zone. Shipowners shall be notified of the call sign of the fishing licence. Any vessel found to be fishing without having informed the PSPS of its presence shall be considered to be fishing without a licence.

Article 11

By way of derogation from Article 8 of the Agreement and Annex I to the Agreement:

- Article 8 (1) of the Agreement shall not apply to wet trawlers.
- 2. Paragraph A.1.6 shall read as follows:

The fees shall be set according to the following scale:

- (a) trawlers landing their entire catch:
 - CFAF 16 250 per GRT per year for shrimp boats;
 - CFAF 15 000 per GRT per year for other trawlers:
- (b) trawlers not landing their entire catch and fishing throughout the year;
 - CFAF 32 500 per GRT per year for shrimp
 - CFAF 27 500 per GRT per year for other trawlers:
- (c) trawlers not landing their entire catch and fishing for a period of four months determined for each vessel on the basis of an overall fishing plan presented by the Community to the Senegalese Government every six months: CFAF 20 000 per GRT.
- (d) in the case of licences issued under Article 6 of the Protocol, the fees shall be fixed in proportion to the length of the period of validity of the licences.
- 3. Paragraphs A.1.6 (d) and (e) are hereby replaced by the following paragraph A.1.7.:
 - (a) tuna boats and longliners landing their entire catch: CFAF 2 per kilogram of fish caught;
 - (b) tuna boats and longliners not landing their entire catch: CFAF 7 per kilogram of fish caught;
 - *(c) the licences referred to under (b) shall be issued on payment of a fixed sum of CFAF 350 000 per vessel of the State Secretariat for Sea Fisheries as an advance on the fees, corresponding to 50 tonnes of tuna or swordfish caught by tuna seiner or longliner per year.

A provisional statement of the fees due for the fishing year shall be drawn up by the Commission of the European Communities upon the expiry of this Protocol, on the basis of the catch statements made by each shipowner and forwarded simultaneously to the Senegalese authorities and the Commission departments responsible. The fixed amount in respect of these fees shall be paid by each shipowner to the Office of the Secretary of State for fisheries no later than 31 December 1987.

The final statement of the fees due shall be drawn up by the Commission following verification of the volume of catch by the CRODT. The final statement shall be communicated to the Senegalese authorities and notified to the shipowners, who shall have 30 days to discharge their financial obligations.

However, if the amount of the final statement is lower than the abovementioned advance, the resulting balance shall not be reimbursable.

4. The following shall be added to paragraph C.1:

'In the case of wet tuna boats, the target set by the two parties shall be to land a minimum quantity of 3 500 tonnes of tuna a year in Senegal's ports from 1 March 1987.

If during the fishing year, the total landings by the fleet concerned fall short of this minimum amount, as a result of an unforeseeable change in the state of the fish stocks or the structure of the said fleet, the two parties shall consult each other without delay in order to determine and ensure implementation of the action required to reach the said amount.'

5. Paragraph C.2 shall read as follows:

Freezer tuna boats shall land 11 000 tonnes of tuna a year from 1 March 1987 at the international price in force and in accordance with a programme to be determined by common accord between Community shipowners and Senegalese canners. In the event of disagreement on the timetable for landings, the Joint Committee referred to in Article 11 of the Agreement shall hold a special meeting at the request of one of the parties.

During the first phase of the period of application of this Protocol, from 1 October 1986 to 28 February 1987, the freezer tuna boats shall be obliged to land at least 1 833 tonnes of tuna at the international price in force.

- 6. Paragraph C.3 shall read as follows: 'Freezer trawlers shall land 136 kilograms of fish and crustaceans per GRT per six months. Any failure to comply with the obligation to land catches shall render the shipowner liable to the following penalties imposed by the Senegalese authorities:
 - fine of CFAF 300 000 per tonne not landed,
 - withdrawal of the licence (which will not be renewed) for the vessels concerned or another vessel operating under the same shipowner.

In order to guarantee payment of the fine, the licence shall be issued subject to the lodging of a banker's guarantee in Senegal of CFAF 39 000 per GRT per six months.

Article 12

Should the Community fail to make the payments provided for in Article 2, 4, 5 and 8 of this Protocol, the Agreement on fishing shall be suspended.

Article 13

Until the expiry of the Fisheries Agreement concluded between the Government of the Kingdom of Spain and the Government of the Republic of Sengal, which has been administered by the Community since 1 January 1986, the rights and obligations arising from that Agreement shall not be affected by this Protocol.

Article 14

This Protocol shall enter into force on the date of its signature.

It shall apply from 1 October 1986 until 28 February 1988.

European Communities — Council

Third ACP-EEC Convention of Lomé Compilation of texts XI

Luxembourg: Office for Official Publications of the European Communities

 $1988 - 454 \text{ pp.} - 14.8 \times 21.0 \text{ cm}$

ES, DA, DE, GR, EN, FR, IT, NL, PT

ISBN 92-824-0508-7

Catalogue number: BX-50-87-704-EN-C

Price (excluding VAT) in Luxembourg

ECU 9.50 BFR 400 IRL 7.50 UKL 6.50 USD 12

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Librairie européenne / Europese Boekhandel Rue de la Loi 244 / Wetstraat 244 1040 Bruxelles / 1040 Brussel

Rue de la Montagne 34 / Bergstraat 34 Bte 11 / Bus 11 1000 Bruxelles / 1000 Brussel

DANMARK

Schultz EF-publikationer Montergade 19 1116 Kobenhavn K Iff: (01) 14 11 95 Telecopier: (01) 32 75 11

BR DEUTSCHLAND

Bundesanzeiger Verlag

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Staatsdrukkerij- en uitgeverijbedrijf Christoffel Plantijnstraat Postbus 20014

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Imprensa Nacional Casa da Moeda, E. P.

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Distribuidora Livros Bertrand Lda. Grupo Bertrand, SARL Rua das Terras dos Vales, 4-A

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European Community Information Service

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JAPAN

Kinokuniya Company Ltd

17-7 Shinjuku 3-Chome Shiniuku-ku Tokyo 160-91 Tel. (03) 354 0131

Journal Department

PO Box 55 Chitose Tokyo 156 Tel. (03) 439 0124

Price (excluding VAT) in Luxembourg

ECU 9.50

BFR 400

IRL 7.50

UKL 6.50

USD 12



ISBN 92-824-0508-7

