

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(77) 175 final.

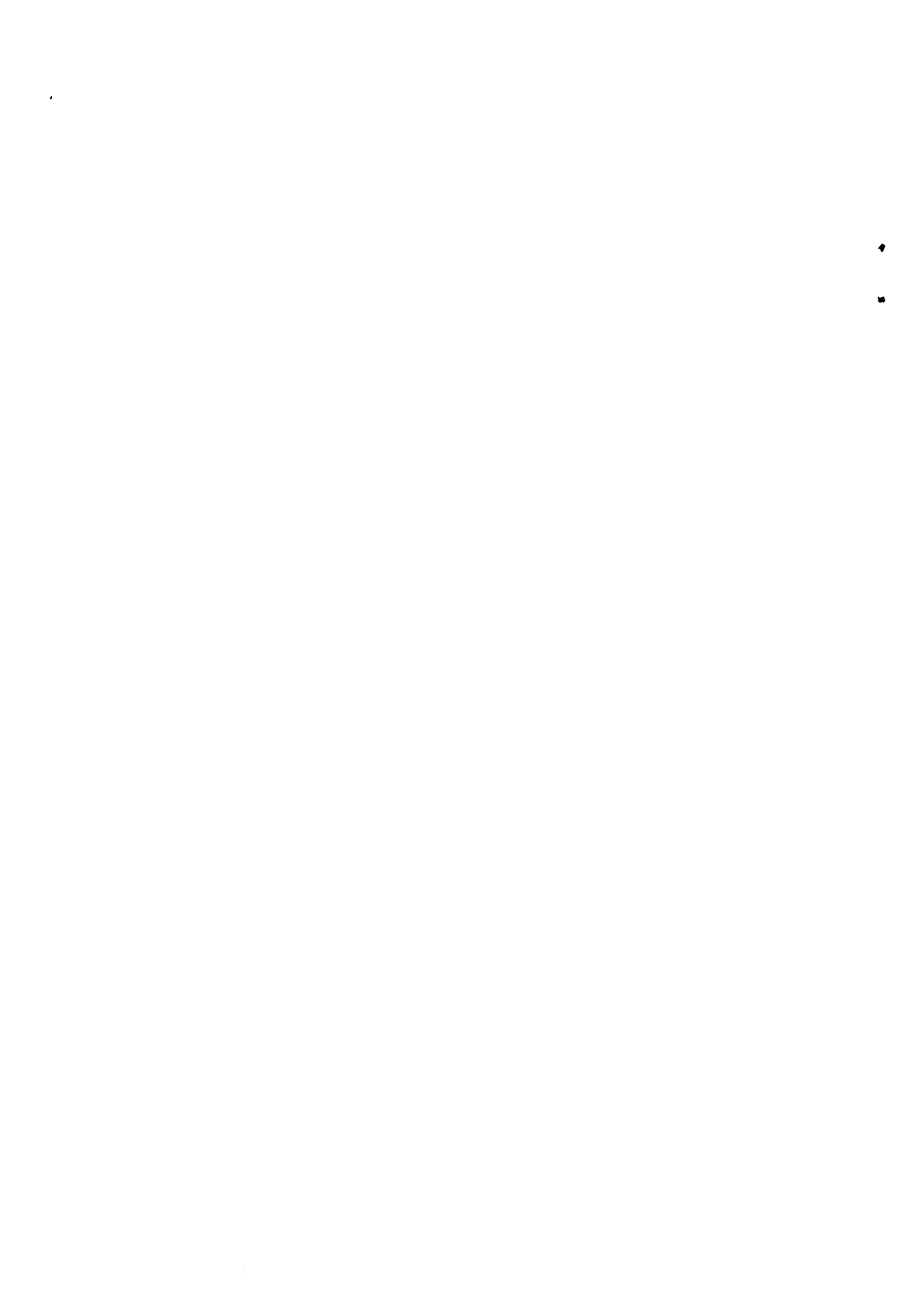
Brussels, 11 May 1977.

Amendment to the
proposal for a Council Regulation (ECSC, EEC, EURATOM)

on the procedure for applying the European unit of account (EUA)
to the legal acts adopted by the Institutions of the European
Communities

(presented by the Commission to the Council pursuant to
the second paragraph of Article 149 of the EEC Treaty)

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Annex : Proposal for a Council Regulation (ECSC, EEC, Euratom) on the procedure for applying the European unit of account (EUA) to the legal acts adopted by the Institutions of the European Communities

Amendments consequent upon the opinion of the European Parliament +)

Article 1

Definitions

1. Unchanged
2. Unchanged
3. 'General quotation day' for the purposes of Article 20 and 26 below shall mean a day on which the counter-value of the EUA is published in respect of the currency of each Member State.

Article 4

Commitment, recovery and payment in EUA

1. Unchanged
2. A payment order made out in EUA shall be executed by a transfer made in EUA.
If the beneficiary is unable or unwilling to receive or keep sums in EUA, he may request the financial institution instructed to execute the payment order to convert the EUA into one of the currencies of the Member States.
In such cases, the conversion shall be made by the institution at the rate applying on the day of execution.

+)
Including details incorporated by the Commission in certain Articles. The changes are underlined.

Any costs involved in such conversion shall be charged to the budget of the Communities, when for contractual or regulatory reasons payment in EUA is not legal tender.

Article 6

Counter-value in EUA for the operations referred to in Article 5

1. Unchanged
2. Unchanged
3. When a debt expressed in a national currency-other than debts pertaining to own resources-is collected, the original recovery order shall, if necessary, be changed on the basis of the EUA national currency exchange rate obtaining on the day of payment (value date). In the case of recovery orders executed by instalments, such change shall not apply to the sums already recovered.

Article 9

Entry in the accounts of expenditure in respect of the EAGGF Guarantee Section and Food Aid operations financed by advances

1. Unchanged
2. Unchanged
3. Provisions for adopting the procedures for implementing this Article are set out at Article 29 below.

Article 11

Expenditure relating to persons working with the institution

1. Application of the unit of account to the Communities' rights and financial obligations with respect to certain categories of persons referred to in Title 1 of the General Budget and who are working with the institution shall be the subject of special provisions.
2. Unchanged

Article 14

Price revision index

When, by way of exception, contracts must contain a price revision clause the following provisions shall apply :

1. Unchanged
2. Unchanged

Article 16

Expression of amounts in applications for, and decisions on, financial aid

1. Unchanged
2. If, however, the amounts are expressed in a national currency in applications for aid, such amounts shall be converted into EUA at the rate obtaining on the date set as a deadline for submitting the application, where such a date has been fixed; where no date has been fixed, the conversion shall be made at the rate obtaining on the day when the application is received by the Commission.

Article 18

Closing of accounts, final settling of the accounts;
cancelling or increasing commitments and appropriations

1. Unchanged
2. Unchanged
3. First paragraph unchanged

Second paragraph :

But where, during the period between the date on which the commitment was entered into and the date on which financial aid is finally paid a currency appreciates by comparison with the EUA, the Commission shall take the appropriate measures, where the individual projects of the EAGGF Guidance Section are concerned, to ensure that the intervention rate fixed at the time that the aid was granted is maintained.

Article 19

Entering revenue

Entries on the credit side of the account as referred to in Article 7 (1) of Regulation (EEC) No 2/71 shall be made in EUA. Where own resources are established in national currency, they shall be converted into EUA at the conversion rate obtaining on the first working day of the month during which payment is made.

Second paragraph deleted.

Article 23

Customs value arrangements, Transit arrangements, verification of origin and duty-free arrangements

The provisions governing the customs value arrangements, the application of Community transit, verification of origin and customs and fiscal exemptions will be covered by a separate regulation.

Article 28

EUA conversion rates

1. Unchanged
2. Unchanged
3. Deleted and included at Article 1 above.

Article 29

Detailed rules for application

1. The procedures for implementing Article 9 shall be adopted by the Commission in accordance with the procedure laid down in Article 13 of Council Regulation (EEC) No. 729/70 of 21 April 1970 concerning the financing of the common agricultural policy.
2. The detailed rules for the application of this Regulation in respect of matters dealt with by the Financial Regulation applicable to the General Budget of the European Communities shall be adopted in accordance with Article 118 of the Financial Regulation (1).

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