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(Acts whose publication is not obligatory)

COUNCIL

**DECISION No 4/2000 OF THE EU-BULGARIA ASSOCIATION COUNCIL
of 23 November 2000**

**adopting the terms and conditions for the participation of Bulgaria in a Community Programme
within the framework of Community audiovisual policy**

(2001/49/EC)

THE ASSOCIATION COUNCIL,

Having regard to the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Bulgaria of the other ⁽¹⁾, and in particular Articles 92 and 98 thereof,

Having regard to the Additional Protocol to the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Bulgaria, of the other part ⁽²⁾ concerning Bulgaria's participation in Community programmes, and in particular Articles 1 and 2 thereof,

Whereas:

- (1) According to Article 1 of the Additional Protocol, Bulgaria may participate in Community framework programmes, specific programmes, projects or other actions in particular in the fields of the audiovisual sector and culture.
- (2) Pursuant to Article 2 of the said Additional Protocol the terms and conditions for the participation of Bulgaria in the activities referred to in Article 1 are to be decided by the Association Council,

HAS DECIDED AS FOLLOWS:

Article 1

Bulgaria shall participate in the European Community Programme MEDIA II established by Decisions 95/563/EC ⁽³⁾ and 95/564/EC ⁽⁴⁾ in accordance with the terms and conditions set out in Annexes I and II which form an integral part of this Decision.

Article 2

This Decision shall apply until 31 December 2000.

Article 3

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

Done at Brussels, 23 November 2000.

For the Association Council

The President

N. MIHAILOVA

⁽¹⁾ OJ L 358, 31.12.1994, p. 3.

⁽²⁾ OJ L 317, 30.12.1995, p. 25.

⁽³⁾ Council Decision 95/563/EC of 10 July 1995 on the implementation of a programme encouraging the development and distribution of European audiovisual works (MEDIA II — Development and Distribution (1996-2000)) (OJ L 321, 30.12.1995, p. 25).

⁽⁴⁾ Council Decision 95/564/EC of 22 December 1995 on the implementation of a training programme for professionals in the European audiovisual programme industry (MEDIA II — Training) (OJ L 321, 30.12.1995, p. 33).

ANNEX I

Terms and conditions for the participation of Bulgaria in the MEDIA II Programme

1. Bulgaria shall participate in all actions of the MEDIA II Programme (hereinafter called 'the Programme') subject to the following condition:
 - adoption of a timetable for the complete alignment of Bulgarian legislation with Council Directive 89/552/EEC of 3 October 1989 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the pursuit of television broadcasting activities ⁽¹⁾.

Bulgaria's participation in the Programme shall be in conformity, unless otherwise provided in this Decision, with the objectives, criteria, procedures and deadlines as defined in Decision 95/563/EC and Decision 95/564/EC.
2. The terms and conditions for the submission, assessment and selection of applications related to eligible institutions, organisations and individuals of Bulgaria shall be the same as those applicable to eligible institutions, organisations and individuals of the Community.
3. In conformity with the terms of the relevant provisions of the Decisions on MEDIA II, Bulgaria shall provide the appropriate structures and mechanisms at national level and shall take all other necessary steps to ensure national coordination and organisation of the implementation of the Programme. In particular Bulgaria shall undertake to establish a MEDIA Desk in collaboration with the European Commission.
4. Bulgaria shall pay each year a contribution to the budget of the European Communities to cover the costs resulting from its participation in the Programme.

The rules governing the financial contribution of Bulgaria shall be those set out in Annex II, which constitutes an integral part of this Decision. The Association Committee shall be entitled to adapt this contribution whenever necessary.
5. The Member States of the Community shall make every effort to facilitate free movement and residence of all eligible persons to the programmes moving between Bulgaria and the Community for the purpose of participating in activities covered by this Decision.
6. Without prejudice to the responsibilities of the European Commission and the Community's Court of Auditors in relation to the monitoring and evaluation of the programmes pursuant to Article 7 and Article 6 of MEDIA II (Development and Distribution), and MEDIA II (Training), respectively, the participation of Bulgaria in the Programme shall be continuously monitored on a partnership basis involving the Commission and Bulgaria. Bulgaria shall submit to the Commission relevant reports and take part in other specific activities set out by the Community to this end.
7. Without prejudice to the procedures referred to in Article 4 (MEDIA II — Training) Article 5 (MEDIA II — Development and Distribution), Bulgaria shall be invited to coordination meetings on any question concerning the implementation of this Decision prior to the regular meetings of the Programme Committee. The Commission shall inform Bulgaria about the results of such regular meetings.
8. The Commission and Bulgaria shall exchange information on, and continually monitor the progress of legislative alignment in the audiovisual sector, with particular reference to Directive 89/552/EEC. Bulgaria shall be invited, where appropriate, to participate in the work of the Contact Committee set up by Directive 97/36/EC.
9. The language to be used as regards the application process, contracts, reports to be submitted and other administrative arrangements for the Programme, shall be one of the official languages of the Community.

⁽¹⁾ OJ L 298, 17.10.1989, p. 23. Directive amended by Directive 97/36/EC of the European Parliament and of the Council (OJ L 202, 30.7.1997, p. 60).

ANNEX II

Financial contribution of Bulgaria to MEDIA II

1. The financial contribution of Bulgaria will cover:
 - financial support from the Programme to Bulgarian participants;
 - financial support from the Programme to a MEDIA Desk up to 50 % of its overall running costs;
 - supplementary costs of an administrative nature related to the management of the Programme by the Commission stemming from Bulgaria's participation.

The aggregated amount of the financial support received from the Programme by Bulgarian beneficiaries and by the MEDIA Desk of Bulgaria will not exceed the contribution paid by Bulgaria, after deduction of the supplementary costs of an administrative nature.

2. Bulgaria's annual contribution will be of EUR 334 312 for 2000. From this sum, an amount of EUR 23 402 (7 % of the total contribution of EUR 334 312) will cover supplementary costs of an administrative nature related to the management of the Programme by the Commission stemming from Bulgaria's participation.
3. The Financial Regulation applicable to the general budget of the European Communities shall apply, in particular to the management of the contribution of Bulgaria.

After the entry into force of this Decision, the Commission shall send to Bulgaria a call for funds corresponding to its contribution to the costs under the Decision.

This contribution shall be expressed in euro and paid into a euro bank account of the Commission.

Bulgaria shall pay its contribution to the annual costs under this Decision according to the call for funds and at the latest three months after the call for funds is sent. Any delay in the payment of the contribution shall give rise to the payment of interest by Bulgaria on the outstanding amount from the due date. The interest rate corresponds to the rate applied by the European Central Bank, for the month of the due date, for its operations in euro, increased by 1,5 percentage points.

4. Bulgaria shall pay the supplementary costs of an administrative nature referred to in paragraph 2 from its national budget.
 5. For the year 2000, Bulgaria shall pay EUR 23 402 from its national budget (corresponding to the 7 % supplementary costs of an administrative nature), and EUR 310 910 from its PHARE annual programme subject to regular PHARE programming procedures.
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