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I

(Information)

COMMISSION

Ecu (*)

22 March 1989

(89/C 75/01)

Currency amount for one ecu:

Belgian and Luxembourg franc con.	43,6439	Spanish peseta	129,723
Belgian and Luxembourg franc fin.	43,8023	Portuguese escudo	171,662
German mark	2,08335	United States dollar	1,11159
Dutch guilder	2,35046	Swiss franc	1,81023
Pound sterling	0,646274	Swedish krona	7,10085
Danish krone	8,12841	Norwegian krone	7,56716
French franc	7,05639	Canadian dollar	1,32168
Italian lira	1528,72	Austrian schilling	14,6608
Irish pound	0,779518	Finnish markka	4,69425
Greek drachma	175,465	Japanese yen	146,230
		Australian dollar	1,35494
		New Zealand dollar	1,80659

The Commission has installed a telex with an automatic answering device which gives the conversion rates in a number of currencies. This service is available every day from 3.30 p.m. until 1 p.m. the following day.

Users of the service should do as follows:

- call telex number Brussels 23789,
- give their own telex code,
- type the code 'cccc' which puts the automatic system into operation resulting in the transmission of the conversion rates of the ecu,
- the transmission should not be interrupted until the end of the message, which is marked by the code 'ffff'.

Note: The Commission also has an automatic telex answering service (No 21791) providing daily data on calculation of monetary compensatory amounts for the purposes of the common agricultural policy.

(*) Council Regulation (EEC) No 3180/78 of 18 December 1978 (OJ No L 379, 30. 12. 1978, p. 1), as amended by Regulation (EEC) No 2626/84 (OJ No L 247, 16. 9. 1984, p. 1).

Council Decision 80/1184/EEC of 18 December 1980 (Convention of Lomé) (OJ No L 349, 23. 12. 1980, p. 34).

Commission Decision No 3334/80/ECSC of 19 December 1980 (OJ No L 349, 23. 12. 1980, p. 27).

Financial Regulation of 16 December 1980 concerning the general budget of the European Communities (OJ No L 345, 20. 12. 1980, p. 23).

Council Regulation (EEC) No 3308/80 of 16 December 1980 (OJ No L 345, 20. 12. 1980, p. 1).

Decision of the Council of Governors of the European Investment Bank of 13 May 1981 (OJ No L 311, 30. 10. 1981, p. 1).

Average prices and representative prices for table wines at the various marketing centres (*)

(89/C 75/02)

(Established on 21 March 1989 for the application of Article 30 (1) of Regulation (EEC) No 822/87)

Type of wine and the various marketing centres	ECU per % vol/hl	Type of wine and the various marketing centres	ECU per % vol/hl
R I		A I	
Heraklion	No quotation	Athens	No quotation
Patras	No quotation	Heraklion	No quotation
Requena	No quotation (1)	Patras	No quotation
Reus	No quotation	Alcázar de San Juan	2,796
Villafranca del Bierzo	No quotation (1)	Almendralejo	2,824
Bastia	No quotation	Medina del Campo	No quotation
Béziers	2,752	Ribadavia	No quotation
Montpellier	2,784	Vilafranca del Penedés	No quotation
Narbonne	2,770	Villar del Arzobispo	No quotation (1)
Nimes	2,751	Villarrobledo	2,922
Perpignan	2,759	Bordeaux	3,444
Asti	3,726	Nantes	No quotation
Firenze	2,255	Bari	2,498
Lecce	No quotation	Cagliari	2,666
Pescara	No quotation	Chieti	2,620
Reggio Emilia	2,864	Ravenna (Lugo, Faenza)	2,803
Treviso	2,742	Trapani (Alcamo)	2,559
Verona (for local wines)	2,864	Treviso	3,169
Representative price	2,761	Representative price	2,830
R II			ECU/hl
Heraklion	No quotation	A II	
Patras	No quotation	Rheinfalz (Oberhaardt)	No quotation (1)
Calatayud	No quotation	Rheinhessen (Hügelland)	42,353
Falset	No quotation	The wine-growing region of the Luxembourg Moselle	No quotation (1)
Jumilla	3,939	Representative price	42,353
Navalcarnero	No quotation		
Requena	No quotation	A III	
Toro	No quotation	Mosel-Rheingau	73,021
Villena	No quotation (1)	The wine-growing region of the Luxembourg Moselle	No quotation (1)
Bastia	No quotation	Representative price	73,021
Brignoles	No quotation		
Bari	2,498		
Barletta	No quotation		
Cagliari	No quotation		
Lecce	2,620		
Taranto	No quotation		
Representative price	3,034		
	ECU/hl		
R III			
Rheinfalz-Rheinhessen (Hügelland)	110,118		

(*) Since 1 September 1988, the Spanish prices published are to be multiplied by a factor of 1,35 for the ratio between the Community and Spanish guide prices, in accordance with Regulation (EEC) No 481/86 of 25 February 1986.

(1) Quotation not taken into account in accordance with Article 10 of Regulation (EEC) No 2682/77.

CALL FOR PROPOSALS FOR PARTICIPATION IN BRITE/EURAM

Area 5

Specific activities relating to aeronautics

(1989 and 1990)

(89/C 75/03)

1. The Council of Ministers gave, in its meeting of 14 March 1989, final approval to a proposal made by the Commission on Brite/Euram which specifies five areas of activities.

This call for proposals is for Area 5 of the Brite/Euram programme.

Area 5 covers precompetitive civil research in technological areas which are of primary relevance to aeronautics (in particular aeroplanes and helicopters) and are not covered in the other Brite/Euram programme areas.

The final date for submission of proposals in Area 5 is 9 June 1989 at 5.00 p.m.

2. This call for proposals for Area 5 covers the following fields:

- aerodynamics,
- acoustics,
- airborne systems and equipment,
- propulsion systems.

For more information concerning the objectives please refer to the *Official Journal of the European Communities* No C 33 and No S 27 of 9 February 1989. The fields are fully defined in a detailed work programme.

3. In Area 5 of the Brite/Euram programme there will be two separate forms of support:

3.1. Industrial applied research

— Industrial applied research will be implemented by cost-shared contracts, involving at least two industrial enterprises from two different Member States and independent from each other. Additional assets will be the participation of more than one aeronautical company, as well as of universities and research institutes in these projects.

The minimum size of a total project typically will be around ECU 1,0 million and should cover at least five man-years of activity. Each contractor will be expected to make a significant contribution to projects. An aeronautical industrial enterprise must be the lead participant in each project. The contracting parties shall bear a substantial part of the costs, up to 50 % of which may, as a rule, be borne by the

Community. Alternatively, when universities take part in the projects, the Community may bear up to 100 % of their additional expenditure involved.

3.2. Focused fundamental research

— Between 7 and 10 % of the Area 5 budget can be allocated by cost-shared contracts to focused fundamental research in areas where industrial progress is hindered by weakness in basic science. The projects, which need not be performed by industrial partners, shall involve at least two partners established in different Member States. — The size of these projects typically will be about ECU 0,5 million and they must cover at least five man-years of activity. To ensure a true industrial focus for this activity, when the partners are universities or research institutes, the project must be endorsed by named senior representatives from at least two aeronautical companies from different Member States, including industrial management and engagement of at least 10 man-days per year by each company. In this case of universities the Community can bear up to 100 % of the marginal costs.

4. Research contracts will be in a model format adapted to the needs of the Commission's R&D programmes.

Information and patents will be governed by standard conditions.

5. A separate information package containing full details of the specific aeronautical programme and details for proposal submission is now available with this call for proposals in Brite/Euram Area 5.

The information package including the work programme of Brite/Euram 5 will be sent to those already on the mailing list and can be obtained on written request from:

Commission of the European Communities,
Directorate-General for Science, Research and Development,
Directorate XII-H-Aerogroup (Mo75, 7/11),
200 Rue de la Loi,
B-1049 Brussels,
Telefax: + 32/2/235 06 56
Telex: COMEU B 21877.

THE EUROPEAN FOUNDATION FOR THE IMPROVEMENT OF LIVING AND WORKING
CONDITIONS

(Four-year programme)

(89/C 75/04)

The European Foundation for the Improvement of Living and Working Conditions is an autonomous Community body whose aim is 'to contribute to the planning and establishment of better living and working conditions through action designed to increase and disseminate knowledge likely to assist this development' (Regulation (EEC) No 1365/75 of the Council of Ministers, 26 May 1975).

The Foundation's administrative board, comprising representatives of the Commission and of the government, employers' federations and trade unions of each Member State, has adopted a four-year programme which will take the work of the Foundation up to 1992.

The programme, drawn up after consultation with the Commission, the Economic and Social Committee and the European Parliament, has been influenced by the Single European Act and the completion of the internal market, as well as by trends in society which are likely to have significant impact on the quality of life in the Community during the 1990s. The action areas and themes of the 1989 to 1992 programme are set out below:

1992 and beyond:

**New opportunities for action to improve living and working
conditions in Europe**

Developing social dialogue and industrial relations

- the involvement of those concerned in the introduction of new technologies,
- changes in industrial relations,
- national systems of industrial relations;

Restructuring working life

- new forms of work and lifestyles,
- patterns of time use: working time/leisure time;

Promoting health and safety

- Community data on the state and evolution of living and working conditions,
- health and safety at the design stage,
- health and safety for workers and citizens;

Protecting the environment, the worker and the public

- economic activity and the environment,
- the environment in disadvantaged areas and regions;

Raising the standard and quality of life for all

- social cohesion and areas of disadvantage,
- social cohesion and groups at risk;

Assessing technologies of the future

- the impact of biotechnology on work, society and the environment,
- electronics in the home,
- technologies of the future and the quality of living and working conditions.

The Foundation would be pleased to hear from research institutes and other organizations wishing to receive further details regarding the implementation of the above programme. Inquiries should be addressed to: The Head of Information, European Foundation for the Improvement of Living and Working Conditions, Loughlinstown House, Shankill, County Dublin, Ireland; tel. Dublin 82 68 88, telex 30726 EURF EI, telefax Dublin 82 64 56.

Commission communication concerning participation in the research and technological development programme in the field of marine science and technology

MAST

(1989 to 1992)

Call for proposals

(89/C 75/05)

The Commission has submitted to the Council a proposal for a three-year research and technological development programme in the field of marine science and technology (MAST). The purpose of the programme is to contribute to establishing a scientific and technological basis for the exploration, exploitation, management and protection of European coastal waters and of the seas surrounding the European Community. The proposed budget is ECU 50 million.

The Council of Ministers adopted a common position and the proposal for the MAST programme on 14 March 1989. The final decision is expected to be taken by the Council by mid-1989. The call for proposals in MAST is being issued now in order to avoid delay in implementing the programme.

The programme comprises four parts as follows:

- I. Basic and applied marine science.
- II. Coastal zone science and engineering.
- III. Marine technology.
- IV. Supporting initiatives.

Proposals are invited in parts I to III. A complete list of topics included under this call for proposals is given in the Annex.

Community contribution to shared-cost projects will not normally exceed 50 % of the full cost, the remainder of which is to be provided by the partners. In the case of universities and establishments of higher education, the Community may contribute up to 100 % of the marginal costs. Projects should not be for more than three years.

Proposals may be submitted by any legal entity (i.e. enterprise, research institution, university or higher education institute, etc.) located within the Community. Proposals should as a general rule include at least two independent participants from two different Member States.

Proposal must reach the Commission at the address given below by 30 June 1989. They will be treated in strict confidence.

Further details of the programme and how to apply are given in the MAST information package. It also contains the standard application form and notes for applicants. This package may be obtained on request at the following address:

Commission of the European Communities,
Directorate-General for Science, Research and Development,
Directorate XII/E,
200 rue de la Loi,
B-1049 Brussels;
telex 21877 COMEU B,
telefax 2-236 30 24.

ANNEX

List of topics included in the MAST call for proposals

PART I: BASIC AND APPLIED MARINE SCIENCE

1. Modelling
 - 1.1. Continental shelf and regional seas
 - 1.2. Coastal waters
 - 1.3. Ecosystem models
2. Oceanography
 - 2.1. Circulation and exchange of water masses
 - 2.2. Biogeochemical cycles and fluxes
 - 2.3. Interface and boundary processes
 - 2.4. Biological processes
 - 2.5. Sedimentary processes

PART II: COASTAL ZONE SCIENCE AND ENGINEERING

1. Coastal morphodynamics
2. Coastal ecosystems
3. Meteomarine predictions
4. Coastal engineering

PART III: MARINE TECHNOLOGY

1. Instrumentation for science
2. Generic enabling technologies

Conversion rate to be used for sales of alcohol by invitation to tender

(89/C 75/06)

(Article 15 of Regulation (EEC) No 1915/86)

Currency	= ECU ...	ECU 1 = ... national currency
1 Bfr	0,0207096	48,2869
1 Dkr	0,111981	8,93007
1 DM	0,427144	2,34113
1 FF	0,127359	7,85183
1 £ Irl	1,14430	0,873900
1 Fl	0,379097	2,63785
1 £	1,38443	0,722317
100 Lit	0,0589036	16,9769 (*)
100 Dr	0,513685	1,94672 (*)
100 Pta	0,690894	1,44740 (*)
100 Esc	0,521648	1,91700 (*)

(*) ECU 1 = 100 × ... national currency.

COURT OF JUSTICE

JUDGMENT OF THE COURT

of 22 February 1989

in Case 54/87: Commission of the European Communities v. Italian Republic ⁽¹⁾

(Own resources — Default interest — Establishment of duties — Rectification)

(89/C 75/07)

(Language of the Case: Italian)

(Provisional translation: the definitive translation will be published in the Reports of Cases before the Court)

In Case 54/87: Commission of the European Communities (Agents: Johan Forman and Eugenio de March) against Italian Republic (Agent: Luigi Ferrari Bravo, assisted by Oscar Fiumara, Avvocato dello Stato) — application for a declaration that,

by refusing to pay default interest pursuant to Article 11 of Council Regulation No 2891/77 of 19 December 1977 implementing the Decision of 21 April 1970 on the replacement of financial contributions from Member States by the Communities' own resources (OJ No L 336, 27. 12. 1977, p. 1) following a misclassification of a number of customs duties in January, February and March 1980,

by failing to notify the Commission as regards similar misclassifications occurring in May and June 1980 which of the amounts subsequently credited referred to May and which to June, and

by failing to notify the Commission whether and, if so, when similar misclassifications occurred and were rectified, if at all, before 1 January 1980,

the Italian Republic has failed to fulfil its obligations under the EEC Treaty — the Court, composed of O. Due, President, T. F. O'Higgins and F. Grévisse (Presidents of Chambers), G. F. Mancini, C. N. Kakouris, F. A. Schockweiler, J. C. Moitinho de Almeida, M. Díez de Velasco and M. Zuleeg, Judges; M. Darmon, Advocate-General; B. Pastor, Administrator, acting for the Registrar, gave a judgment on 22 February 1989, the operative part of which is as follows:

1. *By refusing to pay pursuant to Article 11 of Council Regulation No 2891 of 19 December 1977 implementing the Decision of 21 April 1970 on the replacement of financial contributions from Member States by the Communities' own resources, default interest due as a result of an accounting error in respect of a number of customs duties in January, February and March 1980, the Italian Republic has failed to fulfil its obligations under the EEC Treaty;*

2. *The Italian Republic is ordered to pay the costs.*

JUDGMENT OF THE COURT

(Fourth Chamber)

of 28 February 1989

in Joined Cases 100/87, 146/87 and 153/87: Rosa Basch and Others v. Commission of the European Communities ⁽¹⁾

(Officials — Competition Procedure — Non-admission to tests)

(89/C 75/08)

(Language of the Case: French)

(Provisional translation; the definitive translation will be published in the Reports of Cases before the Court)

In Joined Cases 100/87, 146/87 and 153/87: Rosa Basch and Others, officials and members of the temporary staff of the Commission of the European Communities, represented by Marcel Slusny, of the Brussels Bar, with an address for service in Luxembourg at the home of Catherine Brandenbourger (née Wolter), 4 Rue Lemire; Giuseppe d'Elicio, an official of the Commission of the European Communities, represented by Victor Biel, of the Luxembourg Bar, with an address for service in Luxembourg at his Chambers, 18a Rue des Glacis; and Héléne Goyens de Heusch, an official of the Commission of the European Communities, represented by Jean-Noël Louis, of the Brussels Bar, with an address for service in Luxembourg at the Chambers of Yvette Hamilius, 11 Boulevard Royal, against the Commission of the European Communities (Agent: Dimitrios Gouloussis) — applications for the annulment of the decisions of the selection board for competition No COM/B/2/82 refusing to allow the applicant to take part in the tests for that competition and, in

⁽¹⁾ OJ No C 80, 27. 3. 1987.

⁽¹⁾ OJ No C 148, 6. 6. 1987 and OJ No C 159, 17. 6. 1987.

Case 100/87, for the interpretation of the Court's judgments of 11 March 1986 in Cases 293/84 and 294/84 ([1984] ECR 967 and 977) — the Court (Fourth Chamber) composed of T. Koopmans, President of the Chamber, C.N. Kakouris and M. Díez de Velasco, Judges; F. Jacobs, Advocate-General; H.A. Rühl, Principal Administrator, acting for the Registrar, gave a judgment on 28 February 1989, the operative part of which is as follows:

1. *The decision of the selection board for competition No COM/B/2/82, arising from the letter sent in identical terms to all the applicants on 12 February 1987 refusing to allow them to take part in the tests for that competition, is annulled;*
2. *The Commission is ordered to pay the costs.*

JUDGMENT OF THE COURT

(Fourth Chamber)

of 26 January 1989

in Case 259/88: Ursula Godfroy v. Court of Justice of the European Communities (*)

(Admissibility)

(89/C 75/09)

(Language of the Case: French)

(Provisional translation; the definitive translation will be published in the Reports of Cases before the Court)

In Case 259/88: Ursula Godfroy, née Wagner, an official of the Court of Justice of the European Communities, residing at 5 Hagsfelder Weg, 7513 Blankenloch, Federal Republic of Germany, represented by Edmond Lebrun, of the Brussels Bar, with an address for service in Luxembourg at the Chambers of Tony Bieber, 83 Boulevard Grande-Duchesse Charlotte, against Court of Justice of the European Communities (Agent: Francis Hubeau, assisted by Denis Waelbroeck, of the Brussels Bar) — application to have the applicant reinstated after leave on personal grounds which ended on 15 September 1972 — the Court (Fourth Chamber), composed of T. Koopmans, President of the Chamber, C.N. Kakouris and M. Díez de Velasco, Judges; F. Jacobs, Advocate-General; J.-G. Giraud, Registrar, gave a judgment on 26 January 1989, the operative part of which is as follows:

1. *The application is dismissed as inadmissible;*
2. *The parties are to bear their own costs.*

(*) OJ No C 269, 18. 10. 1988.

Action brought on 3 February 1989 by the Commission of the European Communities against the Italian Republic

(Case 29/89)

(89/C 75/10)

An action against the Italian Republic was brought before the Court of Justice of the European Communities on 3 February 1989 by the Commission of the European Communities, represented by Dr Guido Berardis, a member of its Legal Department, acting as Agent, with an address for service in Luxembourg at the office of Dr Georgios Kremis, Wagner Centre, Kirchberg.

The applicant claims that the Court should:

- declare that, by imposing unjustified restrictions on the marketing and use of black-core malleable cast iron connexions and by not communicating draft standard UNI 5192/86 to the Commission, the Italian Republic has failed to fulfil its obligations under Article 30 of the EEC Treaty and Article 4 of Council Directive 83/189/EEC (*) respectively,
- order the Italian Republic to pay the costs.

Contentions and main arguments adduced in support:

The Italian rules on the marketing and use of malleable cast iron connexions which encourage, if not require, the use of white-core connexions (typical of Italian production) as opposed to black-core connexions (manufactured in other Member States) constitute a measure having an effect equivalent to a quantitative restriction on imports. It is apparent from the information at the Commission's disposal that black-core malleable cast iron connexions offer guarantees of security, yield, durability and reliability equivalent to those provided by white-core malleable cast iron connexions, and both kinds are capable of being used for the same purposes (see, for instance, German standard DIN 2950/83, French standard NF E 29-801 and international standard ISO 49/83).

The UNI 5192/86 standard which transposes international standard ISO 49/83, albeit with amendments and omissions, should have been communicated to the Commission at the draft stage.

(*) OJ No L 109, 26. 4. 1983, p. 8.

**Action brought on 14 February 1989 by E. P. Latham
against the Commission of the European Communities**

(Case 36/89)

(89/C 75/11)

An action against the Commission of the European Communities was brought before the Court of Justice of the European Communities on 14 February 1989 by E. P. Latham, residing at 25 Pieter Marchandstraat, B-1970 Wezembeek-Oppem, represented by G. Vander-sanden, of the Brussels Bar, with an address for service in Luxembourg at the Chambers of A. Schmitt, 62 Avenue Guillaume.

The applicant claims that the Court should:

- declare the action admissible and well-founded,
- in consequence, annul the decision of 17 March 1988 of F. Braun, Director-General (DG III) acting as appeal assessor, not to amend the applicant's staff report,
- award the applicant compensation for material and non-material damage equal to two years' salary in grade A 3 and a sum of Bfrs 200 000,
- order the defendant to pay the costs.

Contentions and main arguments adduced in support:

The decision challenged is unlawful because the relevant time-limits were far exceeded; the applicant's superiors in DG XI, where he had worked for part of the period covered by the staff report, were not consulted; certain observations contained in the general assessment in the staff report are superfluous and wrong.

The material damage resides in the fact that the applicant could not be considered for an A 3 post at a time when his staff report for 1981 to 1983 had not yet been drawn up.

**Reference for a preliminary ruling by the Tribunal de
Police, Aix les Bains, by judgment of that court of
30 June 1988 in the case of Ministère Public v. Guy
Blanguernon**

(Case 38/89)

(89/C 75/12)

Reference has been made to the Court of Justice of the European Communities by a judgment of the Tribunal de Police (Local Criminal Court), Aix les Bains, of 30 June 1988, which was received at the Court Registry on 16 February 1989, for a preliminary ruling in the case of Ministère Public (Public Prosecutor) against Guy Blanguernon on the following question:

In accordance with the wording and spirit of Article 54 (3) (g) of the EEC Treaty and the Fourth Council Directive (78/660/EEC) of 25 July 1978, may national laws enacted pursuant thereto enter into force individually when not all the Member States of the European Communities have adopted equivalent legislation which is a necessary condition for the simultaneous coordination required by the aforesaid Fourth Council Directive?

**Action brought on 16 February 1989 by Günter Sterl
against the Commission of the European Communities**

(Case 40/89)

(89/C 75/13)

An action against the Commission of the European Communities was brought before the Court of Justice of the European Communities on 16 February 1989 by Günter Sterl, represented by Dr Bernd Potthast, Dr Hans-Josef Rüber and Partners, Rechtsanwälte, 56-58 Komödienstraße, 5000 Köln 1, with an address for service in Luxembourg at the Chambers of Ernest Arendt, 4 Avenue Marie-Thérèse.

The applicant claims that the Court should:

1. annul the staff report dated 30 November 1988;
2. order the Commission to pay the applicant DM 1 000;
3. order the Commission to pay the costs.

Contentions and main arguments adduced in support:

The staff report is on the whole incorrect, does not state the reasons on which it was based and was drawn up in a manner which infringed the right to a fair hearing. The

report involves a misuse of powers inasmuch as the analytical assessments do not pursue the aim laid down in the guide to staff reports and instead reflect the opinion that the applicant has not made a sufficient effort to re-establish a confidential relationship with his superiors. Finally, the assessment of the quality of the work is contrary to the rules of logic, since the applicant's work was consistently free from errors and was therefore 'excellent'.

The claim for compensation is based, in accordance with the Court's case-law, on the lengthy delay in drawing up the report.

Reference for a preliminary ruling by the Tariefcommissie by judgment of that court of 12 December 1988 in the case of Gerlach & Co. BV v. Inspecteur der Invoerrechten en Accijnzen

(Case 43/89)

(89/C 75/14)

Reference has been made to the Court of Justice of the European Communities by a judgment of the Tariefcom-

missie (Administrative court of last instance in revenue matters) of 12 December 1988, which was received at the Court Registry on 20 February 1989, for a preliminary ruling in the case of the limited liability company Gerlach & Co. BV, Schiphol, v. Inspecteur der Invoerrechten en Accijnzen (Inspector of Customs and Excise), Schiphol, on the following question:

Under which heading (subheading) of the Common Customs Tariff must the COM-recorder, described in the body of the reference ⁽¹⁾, be classified.

⁽¹⁾ This is a so-called COM-recorder, that is to say apparatus by which computer data are transcribed into legible form and then recorded on microfilm or microfiche. The imported COM-recorder consists of the following components:

- a control unit
 - a microcomputer
 - an acoustic/modem
 - two diskette drives
 - a control panel
 - a film-holder
 - a camera
 - a lens
 - a slide projector
 - an optical laser system
 - a developer
 - a keyboard/printer.
-

II

(Preparatory Acts)

COMMISSION

Amendment to the proposal for a Council Decision adopting a specific research and technological development programme in the field of marine science and technology 'MAST' (1989 to 1992) ⁽¹⁾

COM(89) 92 final — SYN 162

(Submitted by the Commission pursuant to Article 149 (3) of the EEC Treaty on 22 February 1989)

(89/C 75/15)

The Commission proposal is hereby amended as follows:

Preamble unchanged

Recitals 1 to 4 unchanged

Add the following new recital:

Whereas the European Parliament in its resolution also called for a comprehensive European programme for marine high-technology which would be implemented either through the creation of an agency for the purpose or in the form of a strategic programme on the lines of Esprit:

Recitals 5 to 10 unchanged

Article 1 unchanged

Article 2

The amount estimated as necessary for the Community's financial contribution to the programme amounts to ECU 50 million including expenditure on a staff of 13.

An indicative breakdown of the amount estimated as necessary is given in Annex II.

Articles 3 and 4 unchanged

Article 5

The Commission shall be responsible for implementing the programme.

The Commission shall be assisted by a committee of an advisory nature, hereinafter referred to as 'the Committee', composed of the representatives of the Member States and chaired by the representative of the Commission.

Add the following new article:

Article 6

- 1. The representative of the Commission shall submit to the Committee a draft of the measures to be taken. The Committee shall deliver its opinion on the draft within a time-limit which the Chairman may lay down according to urgency of the matter, if necessary by taking a vote.**

⁽¹⁾ OJ No C 298, 23. 11. 1988, p. 17.

2. The opinion shall be recorded in the minutes; in addition, each Member State shall have the right to have its position recorded in the minutes.
3. The Commission shall take the utmost account of the opinion delivered by the Committee. It shall inform the Committee of the manner in which its opinion has been taken into account.'

Article 7

1. The Commission is hereby authorized to negotiate, in accordance with Article 130 N of the Treaty, agreements with non-Member States and international organizations, in particular with those countries participating in European cooperation in the field of scientific and technological research (COST), and those having concluded framework agreements in scientific and technical cooperation with the Community with a view to associating them wholly or partly with the programme.

2. Where framework agreements for scientific and technical cooperation between non-Member States and the European Communities have been concluded, organizations and enterprises established in those countries may participate in a project undertaken within this programme.

No contractor established outside the Community who participates as a partner in a project undertaken within the programme shall be entitled to Community financing intended for the programme. The contractor will contribute to general administrative expenses.

Article 7 (unchanged) becomes Article 8

ANNEX

R & D PROGRAMME ON MARINE SCIENCE AND TECHNOLOGY (MAST)

I. Objectives

First indent:

- to contribute to better knowledge of the marine environment, in order to improve its management and protection and to predict change,

Second indent:

- to encourage the development of new technologies for the exploration, protection and exploitation of **the marine environment,**

Third indent:

- to improve coordination, cooperation **and exchange of information** amongst national marine R & D programmes in the Member States, and to help increase the effectiveness of these programmes through better use of research facilities;

Fourth indent unchanged

Add new fifth indent:

- **to contribute to the economic and social cohesion of the Community by encouraging the involvement of scientists from the less-developed Member States and stimulating technology transfer and the more efficient use of facilities, and simultaneously strengthening the scientific and technical excellence of the Community.'**

Fifth indent (unchanged) becomes sixth indent

Seventh indent unchanged

Eighth indent:

- to assist as far as possible Community participation in international ocean programmes.'

Last paragraph incorporated in Annex II

II. Contents

	<i>Indicative allocation</i>
PART I — BASIC AND APPLIED MARINE SCIENCE	30 to 35 %

Directed at the study of the structure, stability and dynamics of the marine environment, with reference *inter alia* to the quality of sea water and of fauna and flora. Emphasis is on coastal waters and on the seas surrounding the European Community (Baltic, Irish, Mediterranean and North seas, and also the East Atlantic, north of the tropical zone).

1. Modelling: to establish decision support systems for better management.
 - 1.1. Continental shelf and regional seas: to develop three-dimensional physical models and fourth generation management systems for self and regional seas.
 - 1.2. Coastal waters: to compare and improve models of coastal waters and currents and integrate these with models of regional seas.
 - 1.3. Ecosystem models: to upgrade models of marine ecosystems in order to understand biological processes and thereby achieve more realistic management schemes.
 - 1.4. Modelling coordination within the Community.
2. Oceanography: with emphasis on multidisciplinary studies of processes which contribute to a better understanding of marine systems.
 - 2.1. Circulation and exchange of water masses: to determine the prevailing physical forces, the fate of inputs, and to evaluate exchanges at the shelf/ocean interface.
 - 2.2. Biogeochemical cycles and fluxes: to establish the major pathways and reservoirs in biogeochemical processes.
 - 2.3. Interface and boundary processes: to understand the mechanisms governing exchange of matter and energy at the boundaries of the marine system.
 - 2.4. Biological processes: to improve understanding of biological processes in the marine environment, particularly in relation to physical and chemical determinants.
 - 2.5. Sedimentary processes: to obtain better information on sedimentary processes, for the balanced development of resources and uses of the sea floor and the coast.

PART II — COASTAL ZONE SCIENCE AND ENGINEERING	15 to 20 %
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Concerned with coastal problems and processes (including coastal protection), and with the development of better design criteria for coastal engineering.

1. Coastal morphodynamics: to understand and predict changes in coastal morphology.
2. Coastal ecosystems: to improve knowledge of the predominant physical, chemical and biological processes in coastal waters.
3. Meteomarine predictions: to provide the basis for improved modelling and forecasting of waves, particularly for coastal engineering design requirements.

4. Coastal engineering: to study coastal protection problems (e.g. those relating to breakwaters, beach nourishment and sea outfalls), and to prepare for the impact of the anticipated rise in sea level.

*Indicative
allocation*

PART III — MARINE TECHNOLOGY

30 to 35 %

Focussed mainly on encouraging the development of new instrumentation and generic enabling technology necessary for the advancement of marine science.

1. Instrumentation for science: to promote the development of new sensors, instrument packages and systems, especially for long term *in situ* and remote measurements.
2. Generic enabling technologies: to assist R & D in critical areas of underwater communication, imaging and robotics.
3. Design aspects of large facilities: to carry out studies on the design of specialized facilities, e.g. research vessels and manned or unmanned long range submersibles.
4. Studies on the outlook for the 1990s (technology and resources): to carry out technico-economic feasibility studies assessing the benefits of future strategic initiatives.

PART IV — SUPPORTING INITIATIVES

10 to 15 %

Aimed at improving coordination, avoiding duplication of work, achieving more cost-effective use of facilities, encouraging advanced training, assisting technology transfer, and contributing to pre-standardization.

1. European ocean data and information network: to establish a common system linking existing ocean data centres in Europe.
2. Research vessel and heavy equipment coordination: to set up a communication system for the coordination of research cruises and shared use of equipment.
3. Advanced training: to establish advanced courses, and encourage training and exchange of personnel. **Consideration will be given to supporting already existing facilities in the Member States.**
4. Surveying for resource evaluation: to encourage cooperative new approaches to mapping, bathymetric and hydrographic surveying.
5. Preparation of **technical** norms and standards: to promote comparative testing and calibration of oceanographic instruments and systems, **taking into account the requirements for environmental protection.**
6. Marine polar and marine lithospheric research: to support planning and coordination of European efforts in marine polar and lithospheric research.

III. Implementation

First paragraph:

The programme will be implemented by means of shared-cost contracts, coordination activities (including concerted action), supporting initiatives, study contracts, training and exchange of staff, **and dissemination activities.**

Second paragraph unchanged

Third paragraph unchanged

Fourth paragraph:

For shared-cost contracts, the Community participation will, as a general rule, be up to 50 % of the total costs, but this percentage may be varied according to the nature and the stage of development of the research. In respect of universities and **higher education** institutes carrying out projects, the Community may bear up to 100 % of the additional expenditure, **only in cases where such funding will guarantee additional research.**

Add new fifth paragraph:

In coordination with the Value programme, the Commission will disseminate and encourage the application of the R & D results, and make the information available in the relevant data base networks.

Add new sixth paragraph:

The contracts entered into by the Commission shall regulate the rights and obligations of each party, including the methods of disseminating, protecting and exploiting the research results.

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