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Information and Notices

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I

(Information)

COMMISSION

Ecu ⁽¹⁾

(91/C 255/01)

Currency amount for one ecu:

	30. 9. 1991	September ⁽²⁾		30. 9. 1991	September ⁽²⁾
Belgian and Luxembourg franc	42,1805	42,2332	Portuguese escudo	177,035	176,076
German mark	2,04708	2,05022	United States dollar	1,23155	1,20782
Dutch guilder	2,30743	2,31043	Swiss franc	1,78538	1,79277
Pound sterling	0,702859	0,700558	Swedish krona	7,47304	7,46218
Danish krone	7,89854	7,91494	Norwegian krone	8,01246	8,02208
French franc	6,97672	6,97815	Canadian dollar	1,39337	1,37338
Italian lira	1531,43	1533,00	Austrian schilling	14,4054	14,4269
Irish pound	0,765889	0,766942	Finnish markka	4,98531	4,99213
Greek drachma	227,997	227,467	Japanese yen	163,550	162,497
Spanish peseta	129,678	128,640	Australian dollar	1,54001	1,52308
			New Zealand dollar	2,16822	2,08398

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.

⁽¹⁾ Council Regulation (EEC) No 3180/78 of 18 December 1978 (OJ No L 379, 30. 12. 1978, p. 1), as last amended by Regulation (EEC) No 1971/89 (OJ No L 189, 4. 7. 1989, 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).

⁽²⁾ The monthly average of ecu exchange rates will be published at the end of each month.

Notice of the expiry of an anti-dumping measure

(91/C 255/02)

1. The Commission gives notice that the anti-dumping measure mentioned below has expired.
2. This notice is published in accordance with Article 15 (5) of Council Regulation (EEC) No 2423/88 of 11 July 1988 ⁽¹⁾ on protection against dumped or subsidized imports from countries not members of the European Economic Community.

Product	Country of origin or exportation	Measure	Reference	Date of expiry
Electronic typewriters (Tokyo Juki Industrial Co. Ltd)	Japan	Undertakings	Decision 86/490/EEC OJ No L 283, 4. 10. 1986	1. 10. 1991

⁽¹⁾ OJ No L 209, 2. 8. 1988, p. 1.

II

(Preparatory Acts)

COMMISSION

Proposal for a Council Directive on the coordination of certain rules concerning copyright and neighbouring rights applicable to satellite broadcasting and cable retransmission

(91/C 255/03)

COM(91) 276 final — SYN 358

(Submitted by the Commission on 22 July 1991)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 57 (2) thereof,

Having regard to the proposal from the Commission,

In cooperation with the European Parliament,

Having regard to the opinion of the Economic and Social Committee,

- (1) Whereas the objectives of the Community as laid down in the Treaty include establishing an ever closer union among the peoples of Europe, fostering closer relations between the States belonging to the Community, and ensuring the economic and social progress of the Community countries by common action to eliminate the barriers which divide Europe;
- (2) Whereas to that end the Treaty provides for the establishment of a common market and an area without frontiers; whereas this is to include the abolition of obstacles to the free movement of services and the institution of a system ensuring that competition in the common market is not distorted; whereas to that end the Council may adopt directives for the coordination of the provisions laid down by law, regulation or administrative action in Member States concerning the taking up and pursuit of activities as self-employed persons;
- (3) Whereas broadcasts transmitted across frontiers within the Community, in particular by satellite and cable, are one of the most important ways of pursuing these Community objectives, which are at the same time political, economic, social, cultural and legal;

- (4) Whereas the Council has already adopted 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⁾, which makes provision for the promotion of the distribution and production of European television programmes and for advertising and sponsorship, the protection of minors and the right of reply;
- (5) Whereas, however, the achievement of these objectives in respect of cross-border satellite broadcasting and the cable retransmission of programmes from other Member States is currently still obstructed by a series of differences between national rules of copyright and some uncertainties as to the law; whereas this means that holders of rights are exposed to the threat of seeing their works exploited without payment of remuneration or that the individual holders of exclusive rights in various Member States block the exploitation of their rights; whereas the legal uncertainty in particular constitutes a direct obstacle to the free circulation of programmes within the Community;
- (6) Whereas a distinction is currently drawn for copyright purposes between broadcasting by direct satellite and broadcasting by communications satellite; whereas, since individual reception is possible and nowadays affordable with both types of satellite, there is no longer any justification for this differing legal treatment;
- (7) Whereas the free broadcasting of programmes is further impeded by the current legal uncertainty as to whether broadcasting by a satellite whose signals can be received directly affects the rights in the country of transmission only, or in all countries of reception together; whereas, since communications satellites and direct satellites are treated alike for

⁽¹⁾ OJ No L 298, 17. 10. 1989, p. 23.

copyright purposes, this legal uncertainty now affects almost all programmes broadcast in the Community by satellite;

- (8) Whereas, furthermore, the legal certainty, which is a prerequisite for the free movement of broadcasts within the Community, is missing where programmes transmitted across frontiers are fed into and retransmitted through cable networks.
- (9) Whereas the development of the acquisition of rights on a contractual basis is already making a vigorous contribution to the creation of the desired European audio-visual area; whereas the continuation of such contractual agreements should be ensured, and their smooth application in practice should be promoted wherever possible;
- (10) Whereas at present cable operators in particular cannot be sure to have actually acquired all the programme rights covered by such an agreement;
- (11) Whereas, lastly, parties in different Member States are not all similarly bound by obligations which prevent them from improperly refusing to negotiate on the acquisition of the rights necessary for cable distribution or improperly allowing such negotiations to fail;
- (12) Whereas the legal framework for the creation of a single audio-visual area laid down in Directive 89/552/EEC must therefore be supplemented with reference to copyright;
- (13) Whereas, therefore, an end should be put to the differences of treatment of the transmission of programmes by communications satellite which exist in the Member States, so that the vital distinction throughout the Community becomes whether protected works and other protected matter are communicated to the public; whereas this will also ensure equal treatment of the suppliers of cross-border broadcasts, regardless of whether they use a direct broadcasting satellite or communications satellite;
- (14) Whereas the legal uncertainty regarding the rights to be acquired which impedes cross-border satellite broadcasting will be overcome by defining the notion of communication to the public by satellite at a Community level; whereas this definition will at the same time specify where the act of communication takes place; whereas such a definition is necessary to avoid the cumulative application of several national laws to one single act of broadcasting; whereas communication to the public occurs only when, and in the Member State where,
- a broadcasting organization takes a single decision on the content and the transmission of programme-carrying signals; whereas there is no communication if the chain of broadcasting equipment between the point where such a single decision is taken and the transmission of the relevant signals from the satellite is interrupted;
- (15) Whereas in arriving at the amount of the payment to be made for the rights acquired the parties should take account of the actual or potential audiences throughout the area in which the broadcast can be received;
- (16) Whereas a special transitional provision applicable to existing agreements should be provided for so that at the latest by 1998 these agreements will be adapted in the light of the new legal framework;
- (17) Whereas programmes broadcast from non-member countries to the territory of the Community will be outside the scope of this Directive; whereas they may be treated differently in the law of the Member States from programmes transmitted from a Member State if the protection provided for by this Directive is not granted in the non-member country or only granted to a lesser extent;
- (18) Whereas the arrangements made should also include provisions for the protection of holders of copyrights and neighbouring rights; whereas it is necessary to ensure that protection for specific categories is accorded in all Member States to the extent provided for by this Directive and that this protection is not subject to a statutory licence system; whereas only in this way is it possible to ensure that any difference in the level of protection within the common market will not create distortions of competition which might result in an unjustified disadvantage for programme suppliers and holders of rights in Member States with a high level of protection;
- (19) Whereas the minimum protection provided for neighbouring rights is mainly taken from the substance of the Rome International Convention of the Protection of Performers, Producers of Phonograms and Broadcasting Organizations which at present must be considered to provide the most comprehensive standard of protection of neighbouring rights in the international field; whereas this standard has been accepted by the majority of Member States; whereas, however, in accordance with the aims of this Directive, it is not appropriate to allow for derogations corresponding to those provided for in the Rome International Convention;

(20) Whereas the cable retransmission of programmes from other Member States is an act subject to copyright and neighbouring rights; whereas the cable operator must therefore obtain the authorization from every holder of rights in each part of the programme retransmitted; whereas, pursuant to this Directive, the authorizations should be granted contractually unless an exception is provided for in the case of existing legal licence schemes;

(21) Whereas this Directive, through the obligation to have recourse to a collecting society, provides for the exclusive collective exercise of the authorization right to the extent that this is required by the special features of cable retransmission; whereas this Directive is thereby seeking to ensure that the smooth operation of contractual arrangements is not called into question by the intervention of outsiders holding rights in individual parts of the programme; whereas the authorization right as such remains intact and only the exercise of this right is regulated to some extent, so that the right to authorize a cable retransmission can still be assigned; whereas this Directive does not affect the exercise of moral rights;

(22) Whereas contractual agreements regarding the authorization of cable retransmission shall be promoted by additional measures; whereas, to begin with, all the rights necessary for a cable retransmission should be acquired in the form of a general contract; whereas, furthermore, any party shall be entitled, at any moment, to call upon the assistance of impartial mediators whose task it is to assist negotiations and to put forward non-binding proposals; whereas, finally, it is necessary to ensure that the negotiations are not improperly blocked or that individual holders of rights are not improperly prevented from taking part in the negotiations; whereas none of these measures for the promotion of the acquisition of rights calls into question the contractual nature of the acquisition of cable rights;

(23) Whereas, however, Community rules are not needed to deal with all of those matters whose effects, perhaps with some commercially insignificant exceptions, are felt only inside the borders of a single Member State;

(24) Whereas this Directive lays down the minimum rules needed to establish and guarantee free and uninterrupted cross-border broadcasting by satellite and simultaneous, unaltered cable retransmission of programmes broadcast from other Member States, on what is essentially a contractual basis;

(25) Whereas this Directive does not prejudice further harmonization in the field of copyright and neighbouring rights and the collective administration of such rights;

(26) Whereas it is therefore a matter for the Member States to supplement the general provisions needed to achieve the objectives of this Directive by taking legislative and administrative measures in their domestic law, provided these do not run counter to the objectives to this Directive and are compatible with Community law; whereas, in particular, Member States are accordingly free to lay down rules for the protection of rights related to copyright which go beyond those provided for in this Directive;

(27) Whereas this Directive does not affect the applicability of the competition rules in Articles 85 and 86 of the Treaty,

HAS ADOPTED THIS DIRECTIVE:

CHAPTER I

DEFINITIONS

Article 1

For the purpose of this Directive:

(a) 'satellite' means any satellite operating either on frequencies which under telecommunications law allow reception by the public (a broadcasting satellite) or on frequencies which are reserved for closed, point-to-point communication (a communications satellite). In the latter case, however, the circumstances in which individual reception of the signals takes place must be comparable to those which apply in the case of broadcasting satellites;

(b) 'communication to the public by satellite' inside the Community means the act of taking a single decision on the content and the transmission by satellite of programme-carrying signals by the broadcaster. This act of communication to the public by satellite occurs in the Member State where the broadcaster takes the single decision on the content and the transmission by satellite of programme-carrying signals. If the programme-carrying signals are encrypted, communication to the public by satellite means the act of taking a single decision on the content and the transmission of the programme-carrying signals under the condition that decoders are provided to the public by the broadcaster himself or with his approval. There is no

communication to the public by satellite, however, if there is any interruption of the chain of broadcasting equipment between the point where a single decision is taken and the transmission of the relevant signals from the satellite;

(c) 'cable retransmission' means the simultaneous, unaltered and unabridged retransmission of a broadcast from another Member State by a cable or microwave system for reception by the public;

(d) 'broadcasting' means the initial transmission, by wire or over the air, including that by satellite, of television or radio programmes intended for reception by the public;

(e) 'collecting society' means an organization whose members have appointed it to manage copyright or related rights.

CHAPTER II

BROADCASTING OF PROGRAMMES BY SATELLITE

Article 2

Broadcasting right

Member States shall provide a right for the author to authorize or to prohibit the communication to the public by satellite of copyright works, subject to the provisions set out in this Chapter.

Article 3

Acquisition of broadcasting rights

1. Member States shall ensure that the right referred to in Article 2 may be acquired only by agreement.

2. Where, on 31 July 1991, it is provided by a Member State that an agreement between a collecting society and a broadcasting organization may be extended to include holders of rights not represented by the collecting society, this shall continue to be possible until 31 December 1997.

3. Paragraph 2 shall not apply to cinematographic works, including works created by a process analogous to cinematography.

Article 4

Performers

Member States shall provide that performers shall enjoy the right:

- to authorize or prohibit the communication to the public by satellite of their performance except where the performance used in the broadcasting is itself already a broadcast performance or is made from a fixation,
- to authorize or prohibit the fixation of their unfixed performances,
- to authorize or prohibit the reproduction of a fixation of their performance.

Article 5

Remuneration for the use of phonograms

Member States shall provide that if a phonogram published for commercial purposes, or a reproduction of such phonogram, is used directly for a communication to the public by satellite, a single equitable remuneration shall be paid to the performers, or to the producers of phonograms, or to both.

Article 6

Broadcasting organizations

Member States shall provide that broadcasting organizations shall enjoy the right to authorize or prohibit:

- the simultaneous retransmission of their broadcasts by satellite,
- the fixation of their broadcasts,
- the reproduction of fixations of their broadcasts.

Article 7

Limitations on rights

1. Member States may provide for limitations to the protection guaranteed by Articles 4, 5, and 6 only as regards:

- private use,
- use of short excerpts in connection with the reporting of current events,
- ephemeral fixation by a broadcasting organization by means of its own facilities and for its own broadcasts,

— use solely for purposes of teaching or scientific research.

2. Notwithstanding paragraph 1 of this Article, any Member State may provide for the same kinds of limitation with regard to the protection of performers, producers of phonograms and broadcasting organizations as it provides for in its legislation concerning the protection of copyright in literary and artistic works. However, compulsory licences may be provided for only to the extent to which they are compatible with the Rome International Convention for the Protection of Performers, Producers of Phonograms and broadcasting organizations.

Article 8

Minimum protection

1. Member States may provide for more far-reaching protection for authors, and holders of neighbouring rights under their jurisdiction than that required by Articles 2 to 6.

2. In applying paragraph 1 Member States shall observe the definitions contained in points (a) and (b) of Article 1.

Article 9

Transitional provision

Agreements concerning the exploitation of protected works and services, in force on 1 January 1995, shall not be subject to Articles 2 to 8 until 31 December 1997 if they expire after that date.

CHAPTER III

CABLE RETRANSMISSION

Article 10

Cable retransmission right

1. Member States shall ensure that when programmes from other Member States are retransmitted by cable in their territory the applicable copyright and neighbouring rights are observed, and that such retransmission takes place on the basis of agreements between copyright owners, holders of neighbouring rights and cable operators.

2. Notwithstanding paragraph 1, Member States may retain until 31 December 1997 such statutory licence

systems as are in operation or expressly provided for by the national law on 31 July 1991.

Article 11

Exercise of the cable retransmission right

1. Member States shall ensure that the right of copyright owners and holders of neighbouring rights to authorize or prohibit the cable retransmission of a broadcast may be exercised only through a collecting society.

2. A holder of a right who has not transferred the management of his rights to a collecting society shall have a claim to compensation on the collecting society which manages rights of the same category. His claim shall be confined to the sum which he would have received if he had mandated the collecting society to exercise his rights.

Article 12

Exercise of the cable retransmission right by broadcasting organizations

Article 11 shall not apply to the rights exercised by a broadcasting organization in respect of its own transmissions.

Article 13

General contracts

Member States shall ensure that a party seeking the conclusion of a general contract is for its part obliged to submit collective proposals for an agreement.

Article 14

Mediators

1. Where no agreement is concluded regarding authorization of the cable retransmission of a broadcast, Member States shall ensure that either party may call upon the assistance of one or several mediators referred to in paragraphs 2 and 3.

2. The mediators shall have the task of providing assistance with negotiation. They may also submit non-binding recommendations to the parties.

3. Member States shall ensure that the mediators are so selected that their impartiality is beyond doubt.

*Article 15***Prevention of the abuse of negotiating positions**

Member States shall ensure that the parties do not improperly prevent negotiation regarding authorization for cable retransmission.

CHAPTER IV

GENERAL PROVISIONS

*Article 16***Competition rules**

This Directive shall be without prejudice to the Community competition rules.

*Article 17***Collective administration of rights**

The regulation of the activities of collecting societies shall be a matter for the Member States.

*Article 18***Final provisions**

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 1 January 1995. They shall immediately inform the Commission thereof.

When Member States adopt these provisions, these shall contain a reference to this Directive or shall be accompanied by such reference at the time of their official publication. The procedure for such reference shall be adopted by Member States.

2. Member States shall communicate to the Commission the provisions of national law which they adopt in the field covered by this Directive.

Article 19

This Directive is addressed to the Member States.

Proposal for a Council Regulation (EEC) establishing a support system for soya beans, rape seed and sunflower seed

(91/C 255/04)

COM(91) 318 final

(Submitted by the Commission on 31 July 1991)

THE COUNCIL OF THE EUROPEAN ECONOMIC COMMUNITY,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 42 and 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas a new support system for the producers of soya beans, rape seed and sunflower seed harvested within the Community, has to be established; whereas the best way to achieve this objective is to provide for a compensatory

payment for producers who sow and intend to harvest such products; whereas this system shall be applied with effect from those plantings intended for harvest in 1992 thereby superseding the provisions relating to oil seeds aids contained in Council Regulations 136/66/EEC ⁽¹⁾ and (EEC) No 1491/85 ⁽²⁾;

Whereas such compensatory payments should reflect the specific structural characteristics that influence yields and that the drawing up of a regionalization plan based on objective criteria should be left to the Member States; whereas the regionalization plans must be consistent with the average yields of each region achieved in a given period; whereas a specific procedure should be provided in order to examine these plans on the Community level;

⁽¹⁾ OJ No 172, 30. 9. 1966, pp. 3025/66.

⁽²⁾ OJ No L 151, 10. 6. 1985, p. 15.

Whereas in order to calculate a compensatory payment it is necessary to establish a projected reference price, a Community reference amount, the calculation method and appropriate corrective measures;

Whereas it is necessary to specify when producers shall be paid.

Whereas rules must be established in order to take into account the specific situation in Spain and Portugal;

Whereas as long as an integrated approach to support for the producers of arable crops as proposed by the Commission is not in application, it seems appropriate to ensure a system of maximum guaranteed areas;

Whereas a quality policy for rape seed is required;

Whereas the Member States should enact appropriate measures in order to ensure the respect of Community legislation concerning oil seeds;

Whereas it is necessary to provide for transitional measures, in particular to preserve the acquired rights of operators holding stocks of oil seeds on 30 June 1992 as foreseen by the Treaty of Accession,

HAS ADOPTED THIS REGULATION:

Article 1

1. This regulation hereby establishes a support system for producers of soya beans, rape seed and sunflower seed.

2. This system shall be applied with effect from those plantings intended for harvest in 1992 thereby superseding the provisions relating to oil seeds aids contained in Council Regulations 136/66/EEC and (EEC) No 1491/85.

3. The marketing year for the products listed in paragraph 1 shall run from 1 July to 30 June.

Article 2

1. Producers established in the Community who sow and intend to harvest the products listed in Article 1 shall be entitled to apply for a compensatory payment. The compensatory payment shall be paid directly to the producer who makes the application, provided that entitlement to the payment is recognized by the Member State on whose territory the production holding is located.

2. In order to qualify for payment of the compensatory aid, a producer must, by, at the latest, 30 April preceding the marketing year in which the product is to be harvested;

— have sown the seed,

— have lodged an application in accordance with Article 5 (3).

3. The application must be accompanied by the references enabling the planted area to be identified. Applications may only be made in respect of arable land cultivated during the period 1989/90 to 1990/91, including land fallowed in conformity with a publicly funded scheme.

Article 3

1. Each Member State shall establish a regionalization plan setting out the criteria for the establishment of separate production regions. The criteria used must be appropriate, objective and provide the necessary flexibility for the recognition of distinctive homogenous zones of a minimum size and allow for specific structural characteristics that influence yields such as soil fertility.

2. For each production region, the Member State shall give details of the areas and yields of cereals and oil seeds produced in that region during the five-year period 1986/87 to 1990/91. An average cereals yield shall be calculated for each region by excluding the year with the highest and the year with the lowest yield during that period.

3. Member States shall submit their regionalization plan to the Commission by 15 November 1991 together with all available supporting information.

4. The Commission shall examine the regionalization plans submitted by the Member States and shall ensure that each plan is based on appropriate, objective criteria and is consistent with available historical information, notably the Community average yield for cereals (4,6 tonnes per hectare) and oil seeds (2,36 tonnes per hectare). Plans which are not in conformity or not compatible with the average yield shall be subject to adjustment by the Member State concerned after consultation with the Commission.

5. The regionalization plan may be revised by the Member State concerned at the request of the Commission in accordance with the same procedure as outlined in the preceding paragraphs.

Article 4

1. A projected reference price for oil seeds is set at ECU 163 per tonne.

2. A Community reference amount for oil seeds is set at ECU 384 per hectare.

3. For each region identified pursuant to Article 3, a projected regional reference amount shall be established by the Commission which reflects the comparison between the cereals yield for that region and the average cereals yield for the Community (4,6 tonnes per hectare).

4. Before 30 January in each marketing year the Commission, in accordance with the procedure laid down in Article 38 of Regulation 136/66/EEC, shall calculate a final regional reference amount based on the observed reference price for oil seeds. This final calculation shall be made by substituting the observed reference price for the projected reference price; no account shall be taken of price variations within 8 % of the projected reference price.

5. Exceptionally, notably for the 1992/93 marketing year, the Commission may make the final calculations separately for each oil seed in order to avoid favouring one oil seed rather than another and to take account of the possible application of Article 7.

6. The Commission shall publish the aforementioned amounts in the *Official Journal of the European Communities*. The publication shall include a succinct explanation of the calculations made.

Article 5

1. The final regional reference amount shall be payable provided that proof is supplied that the crop has been harvested.

2. Those producers who lodge a contract or a plan in accordance with Article 2 shall be entitled to an advance payment of no more than 50 % of the provisional regional reference amount. Member States shall carry out the necessary checks to ensure entitlement to the advance is justified.

3. In order to qualify for an advance payment a producer must have lodged with the competent agency of the Member State by 30 April at the latest either,

— a contract with an approved first buyer for the cultivation of oil seeds,

or,

— a detailed cultivation plan for his holding showing the land to be used for cultivating oil seeds.

4. Where an advance has been made a balance shall be paid equal to the difference, if any, between the amount of the advance and the final regional reference amount subject to proof of harvesting being provided.

5. Where a producer demonstrates that he has retained ownership of the product for a period to be determined, an orderly marketing bonus may be payable. The amount of the bonus and the conditions determining eligibility shall be set by the Commission in accordance with the procedure referred to in Article 38 of Regulation 136/66/EEC.

6. Payment shall be made by the Member State to each eligible producer within a period of 90 days after publication of the amounts (advances and final payments) in the *Official Journal of the European Communities*. Where a Member State fails to comply with this provision it shall be obliged to pay the amount without reimbursement from the EAGGF.

Article 6

Until the end of the 1994/95 marketing year, a standard bonus for sunflower seed cultivation will be payable in Spain and Portugal. These amounts, which are in addition to the compensatory payment, will be calculated by the Commission annually for Spain and Portugal to reflect the differential foreseen in current legislation. The amounts will be subject to the possible application of Article 7.

Article 7

1. For the 1992/93 marketing year, a system of maximum guaranteed areas shall apply for payments. The maximum guaranteed areas shall be:

Soya beans

EC12	509 000 hectares,
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Rape seed

EC12	2 377 000 hectares,
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Sunflower seed

Spain	1 411 000 hectares,
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Portugal	122 000 hectares,
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The rest of the Community	1 202 000 hectares.
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2. If the area planted to an oil seed exceeds the maximum guaranteed area then the relevant compensatory aids will be reduced by 1 % for each 1 % overshoot. The relevant compensatory aids will be reduced by the Commission when the final regional representative amounts are calculated.

Article 8

Access to the compensatory payment for growers of oil seed rape is restricted to those using certified seed from the national list. The Commission, in accordance with the procedure laid down in Article 38 of Regulation 136/66/EEC, may specify that certain varieties of rape seed included in the national list are ineligible for aid.

Article 9

The determination of the amounts, the rules governing the payment of the compensatory aid, including the determination of the minimum size of a region and the other detailed rules for the implementation of this Regulation shall be decided on by the Commission in accordance with the procedure laid down in Article 38 of Regulation 136/66/EEC.

Article 10

1. Member States shall take all action necessary to ensure that the provisions of this Regulation are fully respected.

2. Detailed rules for the application of this Regulation shall be adopted in accordance with the procedure laid down in Article 38 of Regulation 136/66/EEC, and in particular:

- those relating to the minimum area to be cultivated; such rules shall take particular account of the monitoring requirements and of the sought-after effectiveness of the scheme in question,
- those relating to monitoring; such rules shall include, *inter alia*, the use of means of remote sensing and/or plausibility monitoring on the basis of binding official documents that are already available in the national administrations,

— the date of 30 April referred to in Article 2 (2) and Article 5 (3) may be varied for specific regions to take account of exceptional circumstances.

Article 11

1. The provisions of Regulation (EEC) No 1491/85 and the related provisions in the regulations in force on 30 June 1992 shall continue to apply after that date to soya beans harvested in the Community and identified by 30 June 1992.

2. The provisions of Regulation No 136/66/EEC and the related provisions in the regulations in force on 30 June 1992 shall continue to apply after that date to rape seed and sunflower seed harvested in the Community and identified by 30 June 1992.

3. The relevant provisions relating to the Community support system for the products mentioned in paragraphs 1 and 2 above shall remain applicable until the products in question are no longer eligible for Community support. Transitional measures necessary to facilitate the disposal or orderly marketing of the products mentioned in paragraphs 1 and 2 of this Article shall be adopted in accordance with the procedure laid down in Article 38 of Regulation 136/66/EEC.

4. Regulations 136/66/EEC and (EEC) No 1491/85 as well as the implementing rules thereof shall remain in force in so far as they are compatible with the provisions of this Regulation.

Article 12

Should additional or transitional measures be necessary to facilitate the transition from the system in force to that established by this Regulation, in particular if the introduction of this system would give rise to substantial difficulties in respect of certain products such measures shall be adopted in accordance with the procedure laid down in Article 38 of Regulation 136/66/EEC.

Article 13

The present Regulation shall enter into force on the third day after 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.

III

(Notices)

COMMISSION

Outcome of the invitations to tender (Community food aid)

(91/C 255/05)

as provided for in Article 9 (5) of Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid

(Official Journal of the European Communities No L 204 of 25 July 1987, page 1)

23 and 24 September 1991

Decision/ Regulation	Action No	Lot	Recipient	Product	Quantity (tonnes)	Delivery stage	Num- ber of tender- ers	Successful tenderer	Awarded price (ECU/ tonne)
2437/91	1439/90	C	Pakistan	LEPv	300	DEST	0	n.a.	n.a.
Decision of 10. 9. 1991	56/91	A	UNRWA/ Jordan	LENP	36	DEB	0	n.a. (1)	n.a. (1)
2668/91	613-615/91	A	ONG/...	LEPv	745	EMB	3	Bord Banne — Dublin (IRL)	1 409,50
	616-618/91	B	ONG/...	LEPv	510	EMB	2	n.a. (1)	n.a. (1)
	619-626/91	C	ONG/...	LEPv	425	EMB	2	n.a. (1)	n.a. (1)
	627/91	D	ONG/Burundi	LEPv	600	EMB	2	n.a. (1)	n.a. (1)
	628-629/91	E	ONG/...	LEPv	405	EMB	3	DMK — Hamburg (D)	1 407,35
	630-632/91	F	ONG/...	LEPv	205	EMB	3	DMK — Hamburg (D)	1 399,50
2605/91	61/91	1	UNHCR/Algeria	RsC	150	DEB	0	n.a. (2)	n.a. (2)
Decision of 26. 8. 1991	592/91	B	UNHCR/Malawi	HCOLZ	500	DEST	4	Lesieur — Boulogne Billancourt (F)	860,10
2622/91	717/90	A	LICROSS/Rwanda	HCOLZ	25	DEST	1	Mutual Aid — Antwerp (B)	990,46
	719/90	B	LICROSS/Burkina Faso	HCOLZ	50	DEST	1	n.a. (2)	n.a. (2)
	1275/90	C	LICROSS/ North Yemen	HCOLZ	50	DEB	1	n.a. (2)	n.a. (2)
	75/91	D	UNHCR/Zaire	HCOLZ	700	DEST	3	n.a. (2)	n.a. (2)
	66/91	E	UNHCR/Uganda	HCOLZ	100	DEST	0	n.a. (2)	n.a. (2)
	332/91	F	UNHCR/Ethiopia	HCOLZ	530	DEB	4	n.a. (2)	n.a. (2)
	73/91	G	UNHCR/Tanzania	HCOLZ	80	DEB	0	n.a. (2)	n.a. (2)
Decision of 5. 9. 1991	253/91	A	ONG/...	HCOLZ	307	EMB	2	Cebag — Zwolle (NL)	569,00
	256-258/91	B	ONG/Ethiopia, Sudan	HCOLZ	345	EMB	2	Cebag — Zwolle (NL)	579,00
	259-261/91	C	ONG/Sudan	HCOLZ	885	EMB	2	n.a. (1)	n.a. (1)
2673/91	223-224/91 584/91	A	ONG/...	FBLT	8 300	EMB	6	Sava — Paris (F)	125,00
2674/91	1359/90								
	1360/90	A	Bolivia	FBLT	5 000	DEST	4	Gefar — Paris (F)	234,00
	1367/90	B	Bolivia	FBLT	5 950	DEST	4	Gefar — Paris (F)	234,00
	1421/90	C	Peru	FBLT	10 950	DEB	5	n.a. (1)	n.a. (1)
		D	Djibouti	FBLT	1 825	DEB	5	Alfred Toepfer — Hamburg (D)	179,50

n.a.: No contract was awarded.

(1) Second invitation to tender to be held on 7 October 1991 at 12 noon.

(2) Third invitation to tender to be held on 1 October 1991 at 12 noon.

(3) Second invitation to tender to be held on 1 October 1991 at 12 noon.

BLT: Common wheat
FBLT: Common wheat flour
CBL: Long grain milled rice
CBM: Medium grain milled rice
CBR: Round grain milled rice
BRI: Broken rice
FHAF: Rolled oats
SU: Sugar
ME: Meslin
SOR: Sorghum
DUR: Durum wheat
GDUR: Durum wheat groats

MAI: Maize
FMAI: Maize flour
GMAI: Maize groats
SMAI: Maize meal
LENP: Whole milk powder
LEP: Skimmed-milk powder
LEPv: Vitaminized skimmed-milk powder
CT: Tomato concentrate
B: Butter
BO: Butteroil
HOLI: Olive oil
HCOLZ: Refined rape or colza oil

HPALM: Semi-refined palm oil
HTOUR: Refined sunflower oil
CB: Corned beef
RsC: Currants
PA: Pasta
FEQ: Horse beans (*Vicia faba equina*)
FMA: Broad beans (*Vicia faba major*)
DEB: Free at port of landing — landed
DEN: Free at port of landing — ex ship
EMB: Free at port of shipment
DEST: Free at destination

Notice of invitation to tender for the refund for the export of milled medium-grain and long-grain A rice to certain third countries

(91/C 255/06)

I. Subject

1. An invitation to tender is hereby opened for the export refund referred to in Article 4 of Regulation (EEC) No 1431/76 ⁽¹⁾, for Zones I, II (b), IV, V, VI and VIII (except Guyana, Madagascar and Surinam, as specified in Annex I to Regulation (EEC) No 1124/77 ⁽²⁾ of milled medium-grain and long-grain A rice falling within CN codes 1006 30 63, 1006 30 65, 1006 30 94 and 1006 30 96.
2. The total quantity in respect of which there may be fixed a maximum export refund as provided in Article 1 (2) of Commission Regulation (EEC) No 584/75 ⁽³⁾, as last amended by Regulation (EEC) No 409/90 ⁽⁴⁾, is approximately 30 000 tonnes.
3. The invitation to tender will be conducted in accordance with the provisions of Commission Regulation (EEC) No 2846/91 ⁽⁵⁾.

II. Time limits

1. The period for the receipt of tenders for the first of the weekly awards will begin on 4 October 1991 and will expire at 10 a.m. on 10 October 1991.
2. For the subsequent weekly awards, the period for the receipt of tenders will expire at 10 a.m. on the Thursday of each week. The last period for the receipt of tenders will begin on 12 June 1992 and will expire at 10 a.m. on 18 June 1992.

For the second and subsequent weekly awards, the period for the receipt of tenders will begin on the first working day following the expiry of the preceding period.

However for the periods 20 December 1991 to 2 January 1992, 10 to 16 April 1992 and 22 to 28 May 1992 the invitation to tender is suspended.

3. This notice is published only for the purposes of the present invitation to tender. Until such time as it is

amended or replaced, its terms will apply to each weekly award held during the period of validity of this invitation.

III. Tenders

1. Tenders must be submitted in writing and may be delivered personally against a receipt or sent by registered post or by telex or telegram, but must in any event arrive not later than the time and date indicated in heading II above at one of the following addresses:
 - Bundesanstalt für landwirtschaftliche Marktordnung (BALM), D-6000 Frankfurt am Main, Adickesallee 40 (telex 4-11475, 4-16044),
 - Office national interprofessionnel des cereales, 21 avenue Bosquet, F-75326 Paris, Cedex 07 (telex Ofible A 270807),
 - Ministero per il commercio con l'estero, direzione generale import-export, divisione II, viale Shakespeare, I-00100 Roma (telex Mincomes 610 083),
 - Hoofdproduktschap voor Akkerbouwprodukten, Stadhoudersplantsoen 12, NL-Den Haag (telex Hovakker 32 579),
 - Office belge de l'économie et de l'agriculture (OBEA), rue des Trèves 82, B-1040 Bruxelles (telex Obea 24 076),
 - Intervention Board for Agricultural Produce, Fountain House, 2 Queens Walk, UK-Reading RG1 7QW, Berks (telex 848 302),
 - The Department of Agriculture and Fisheries, Cereals Division, Agriculture House, Kildare Street, IRL-Dublin 2 (telex Agri EI 93 607),
 - Direktoratet for Markedsordningerne Frederiksborggade 18, DK-1360 København K (telex 15 137 DK),
 - Service d'économie rurale, office du blé, 113-115, rue de Hollerich, L-1741 Luxembourg (telex Agrim Lux 2537),
 - Ministry of Agriculture, 2 Acharnon Street, GR-Athens (telex 216 185 and 216 186/yg gr),
 - Servicio Nacional de Productos Agrarios (SENPA) c/Beneficencia 8, Madrid 28004 (telex 23427 SENPA E),
 - Ministério do Comércio e Turismo, Direcção do Comércio Externo, avenida da República, nº 79, 1000 Lisboa (telex 13 418).

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 36.

⁽²⁾ OJ No L 134, 28. 5. 1977, p. 53.

⁽³⁾ OJ No L 61, 7. 3. 1975, p. 25.

⁽⁴⁾ OJ No L 43, 17. 2. 1990, p. 21.

⁽⁵⁾ OJ No L 272, 28. 9. 1991, p. 58.

Tenders not submitted by telex or telegram must be enclosed in a sealed envelope marked: 'Tender under invitation to tender for the refund for the export of rice to certain third countries as provided for in Regulation (EEC) No 2846/91 — Confidential', itself enclosed in a further sealed envelope addressed as above.

Once submitted, no tender may be withdrawn before the Member State concerned has informed the tenderer of the result of the tender.

2. Every tender and the accompanying proof mentioned in Article 2 of Regulation (EEC) No 584/75 must be in the official language, or in one of the official languages, of the Member State of the competent authority to which it is submitted.

IV. Security for tender

The security for tender must be made out in favour of the competent authority concerned.

V. Award of contracts

The award will give the party concerned the right to be issued, in the Member State in which the tender was submitted, with an export licence for the quantity in question indicating the export refund specified in the tender for export as provided for in Regulation (EEC) No 2846/91.

VI. General provisions

The rates to be used for the conversion to ecu of tenders made in national currencies are those which apply for the purposes of the common agricultural policy.

Notice of invitation to tender for the refund for the export of milled medium-grain and long-grain A rice to certain third countries

(91/C 255/07)

I. Subject

1. An invitation to tender is hereby opened, for the export refund referred to in Article 4 of Regulation (EEC) No 1431/76 ⁽¹⁾, for Zones II (a) and III as specified in Annex I to Regulation (EEC) No 1124/77 ⁽²⁾, of milled medium-grain and long-grain A rice falling within CN codes 1006 30 63, 1006 30 65, 1006 30 94 and 1006 30 96.
2. The total quantity in respect of which there may be fixed a maximum export refund as provided in Article 1 (2), of Commission Regulation (EEC) No 584/75 ⁽³⁾, as last amended by Regulation (EEC) No 409/90 ⁽⁴⁾, is approximately 20 000 tonnes.
3. The invitation to tender will be conducted in accordance with the provisions of Commission Regulation (EEC) No 2845/91 ⁽⁵⁾.

II. Time limits

1. The period for the receipt of tenders for the first of the weekly awards will begin on 4 October 1991 and will expire at 10 a.m. on 10 October 1991.
2. For the subsequent weekly awards, the period for the receipt of tenders will expire at 10 a.m. on the Thursday of each week. The last period for the receipt of tenders will begin on 12 June 1992 and will expire at 10 a.m. on 18 June 1992.

For the second and subsequent weekly awards, the period for the receipt of tenders will begin on the first working day following the expiry of the preceding period.

However for the periods 20 December 1991 to 2 January 1992, 10 to 16 April 1992 and 22 to 28 May 1992 the invitation to tender is suspended.

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 36.

⁽²⁾ OJ No L 134, 28. 5. 1977, p. 53.

⁽³⁾ OJ No L 61, 7. 3. 1975, p. 25.

⁽⁴⁾ OJ No L 43, 17. 2. 1990, p. 21.

⁽⁵⁾ OJ No L 272, 28. 9. 1991, p. 56.

3. This notice is published only for the purposes of the present invitation to tender. Until such time as it is amended or replaced, its terms will apply to each weekly award held during the period of validity of this invitation.

III. Tenders

1. Tenders must be submitted in writing and may be delivered personally against a receipt or sent by registered post or by telex or telegram, but must in any event arrive not later than the time and date indicated in heading II above at one of the following addresses:

- Bundesanstalt für landwirtschaftliche Marktordnung (BALM), D-6000 Frankfurt am Main, Adickesallee 40 (telex 4-11475, 4-16044),
- Office national interprofessionnel des cereales, 21 avenue Bosquet, F-75326 Paris, Cedex 07 (telex Ofible A 270807),
- Ministero per il commercio con l'estero, direzione generale import-export, divisione II, viale Shakespeare, I-00100 Roma (telex Mincomes 610 083),
- Hoofdprodukschap voor Akkerbouwprodukten, Stadhoudersplantsoen 12, NL-Den Haag (telex Hovakker 32 579),
- Office belge de l'économie et de l'agriculture (OBEA), rue des Trèves 82, B-1040 Bruxelles (telex Obea 24 076),
- Intervention Board for Agricultural Produce, Fountain House, 2 Queens Walk, UK-Reading RG1 7QW, Berks (telex 848 302),
- The Department of Agriculture and Fisheries, Cereals Division, Agriculture House, Kildare Street, IRL-Dublin 2 (telex Agri EI 93 607),
- Direktoratet for Markedsordninger Frederiksborggade 18, DK-1360 København K (telex 15 137 DK),
- Service d'économie rurale, office du blé, 113-115, rue de Hollerich, L-1741 Luxembourg (telex Agrim Lux 2537),
- Ministry of Agriculture, 2 Acharnon Street, GR-Athens (telex 216 185 and 216 186/yg gr),

— Servicio Nacional de Productos Agrarios (SENPA) c/Beneficencia 8, Madrid 28004 (telex 23427 SENPA E),

— Ministério do Comércio e Turismo, Direcção do Comércio Externo, avenida da República, n.º 79, 1000 Lisboa (telex 13 418).

Tenders not submitted by telex or telegram must be enclosed in a sealed envelope marked: 'Tender under invitation to tender for the refund for the export of rice to certain third countries as provided for in Regulation (EEC) No 2845/91 Confidential', itself enclosed in a further sealed envelope addressed as above.

Once submitted, no tender may be withdrawn before the Member State concerned has informed the tenderer of the result of the tender.

2. Every tender and the accompanying proof mentioned in Article 2 of Regulation (EEC) No 584/75 must be in the official language, or in one of the official languages, of the Member State of the competent authority to which it is submitted.

IV. Security for tender

The security for tender must be made out in favour of the competent authority concerned.

V. Award of contracts

The award will give the party concerned the right to be issued, in the Member State in which the tender was submitted, with an export licence for the quantity in question indicating the export refund specified in the tender for export as provided for in Regulation (EEC) No 2845/91.

VI. General provisions

The rates to be used for the conversion to ecu of tenders made in national currencies are those which apply for the purposes of the common agricultural policy.

Notice of invitation to tender for the refund for the export of milled round grain rice to certain third countries

(91/C 255/08)

I. Subject

1. Tenders are invited for the refund for the export to the Zones I to VI and VIII, excluding Guyana, Madagascar and Surinam, defined in Annex I to Regulation (EEC) No 1124/77⁽¹⁾ of milled round grain rice falling within CN codes 1006 30 61 and 1006 30 92.
2. The total quantity in respect of which there may be fixed a maximum export refund as provided in Article 1 (2) of Commission Regulation (EEC) No 584/75⁽²⁾, as last amended by Regulation (EEC) No 409/90⁽³⁾, is approximately 20 000 tonnes.
3. The invitation to tender will be conducted in accordance with the provisions of Commission Regulation (EEC) No 2844/91 of 27 September 1991.⁽⁴⁾

II. Time limits

1. The period for the receipt of tenders for the first of the weekly awards will begin on 4 October 1991 and will expire at 10 a.m. on 10 October 1991.
2. For the subsequent weekly awards, the period for the receipt of tenders will expire at 10 a.m. on the Thursday of each week. The last period for the receipt of tenders will begin on 12 June 1992 and will expire at 10 a.m. on 18 June 1992.

For the second and subsequent weekly awards, the period for the receipt of tenders will begin on the first working day following the expiry of the preceding period.

However for the periods 20 December 1991 to 2 January 1992, 10 to 16 April 1992 and 22 to 28 May 1992 the invitation to tender is suspended.

3. This notice is published only for the purposes of the present invitation to tender. Until such time as it is amended or replaced, its terms will apply to each weekly award held during the period of validity of this invitation.

III. Tenders

1. Tenders must be submitted in writing and may be delivered personally against a receipt or sent by registered post or by telex or telegram, but must in any event arrive not later than the time and date indicated in heading II above at one of the following addresses:

— Bundesanstalt für landwirtschaftliche Mark-tordnung (BALM), D-6000 Frankfurt am Main, Adickesallee 40 (telex 4-11475, 4-16044),

— Office national interprofessionnel des cereales, 21 avenue Bosquet, F-75326 Paris, Cedex 07 (telex Ofible A 270807),

— Ministero per il commercio con l'estero, direzione generale import-export, divisione II, viale Shakespeare, I-00100 Roma (telex Mincomes 610 083),

— Hoofdproduktschap voor Akkerbouwprodukten, Stadhoudersplantsoen 12, NL-Den Haag (telex Hovakker 32 579),

— Office belge de l'économie et de l'agriculture (OBEA), rue des Trèves 82, B-1040 Bruxelles (telex Obea 24 076),

— Intervention Board for Agricultural Produce, Fountain House, 2 Queens Walk, UK-Reading RG1 7QW, Berks (telex 848 302),

— The Department of Agriculture and Fisheries, Cereals Division, Agriculture House, Kildare Street, IRL-Dublin 2 (telex Agri EI 93 607),

— Direktoratet for Markedsordningerne Frederiksborggade 18, DK-1360 København K (telex 15 137 DK),

— Service d'économie rurale, office du blé, 113-115, rue de Hollerich, L-1741 Luxembourg (telex Agrim Lux 2537),

— Ministry of Agriculture, 2 Acharnon Street, GR-Athens (telex 216 185 and 216 186/yr gr),

— Servicio Nacional de Productos Agrarios (SENPA) c/Beneficencia 8, Madrid 28004 (telex 23427 SENPA E),

— Ministério do Comércio e Turismo, Direcção do Comércio Externo, avenida da República, nº 79, 1000 Lisboa (telex 13 418).

⁽¹⁾ OJ No L 134, 28. 5. 1977, p. 53.

⁽²⁾ OJ No L 61, 7. 3. 1975, p. 25.

⁽³⁾ OJ No L 43, 17. 2. 1990, p. 21.

⁽⁴⁾ OJ No L 272, 28. 9. 1991, p. 54.

Tenders not submitted by telex or telegram must be enclosed in a sealed envelope marked: 'Tender under invitation to tender for the refund for the export of rice to certain third countries as provided for in Regulation (EEC) No 2844/91 — Confidential', itself enclosed in a further sealed envelope addressed as above.

Once submitted, no tender may be withdrawn before the Member State concerned has informed the tenderer of the result of the tender.

2. Every tender and the accompanying proof mentioned in Article 2 of Regulation (EEC) No 584/75 must be in the official language, or in one of the official languages, of the Member State of the competent authority to which it is submitted.

IV. Security for tender

The security for tender must be made out in favour of the competent authority concerned.

V. Award of contracts

The award will give the party concerned the right to be issued, in the Member State in which the tender was submitted, with an export licence for the quantity in question indicating the export refund specified in the tender for export as provided for in Regulation (EEC) No 2844/91.

VI. General provisions

The rates to be used for the conversion to ecu of tenders made in national currencies are those which apply for the purposes of the common agricultural policy.

TELEMAN-Programme

Commission communication concerning the research and training programme on remote handling in hazardous or disordered nuclear environments: TELEMAN

Second Call for research proposals

(91/C 255/09)

TELEMAN is a cost-shared research programme ⁽¹⁾ falling under Activity 5.1., Fission: Nuclear Safety, of the Commission's framework programme for research and technological development ⁽²⁾, ⁽³⁾.

TELEMAN's technical objective is to strengthen the scientific and engineering bases upon which the design of remote equipment for use throughout the nuclear industry rests. This will be done by providing new solutions to problems of manipulation, material transport and mobile surveillance in nuclear environments and by demonstrating their feasibility using advanced tele-operators that respond to the needs of the nuclear industry, as defined in cooperation with the TELEMAN Users Group.

As a result of the First Call for Proposals in 1989, sixteen contracts are in progress dealing with the development of tele-operator components and sub-systems and their environmental tolerance.

It has been agreed in consultation with the TELEMAN Users Group that submissions for the Second Call for Proposals should concern the integration and testing under realistic conditions of components and sub-systems fitted to existing research machines of the following types:

- i) improved, light, mobile machines that can be used to collect information, relay signals, provide alternative viewpoints or carry a manipulator;
- ii) more robust, mobile machines for maintenance, repair, replacement, post accident intervention or decommissioning. This includes manipulators attached to gantries, and tele-operated cranes;

⁽¹⁾ OJ No L 226, 3.6.1989, p. 16 (Council Decision 89/464/Euratom of 18.7.1989).

⁽²⁾ OJ No L 302, 24.10.1987, p. 1.

⁽³⁾ OJ No L 89, 6.4.1988, p. 35.

- iii) improved long reach devices able to work through restricted apertures.

Each proposal should include the workstation for the research machine. A minor part of a proposal could include work on the further development of components and sub-systems necessary for the research machine provided that equivalent or similar work has not already been funded under the First Call for Proposals.

Efforts will be made to involve all sectors engaged in research: universities, public and private research organizations, and industrial manufacturers and users, including SMEs. The Commission will give priority to joint proposals from independent bodies of different Member States. In the interests of rationalization and technology transfer individual proposals may be asked to merge.

Research proposals may be submitted by any natural or legal person established on the territory of a Member State, and preferably should be led by industrial manufacturers or users to ensure exploitation of results. Entities established in non-Member States may be allowed on a case by case basis to take part as sub-contractors only.

The Commission will contribute to the actual allowable costs of research projects as follows:

- universities and institutes of higher education: contribution up to 100 % of the actual marginal costs, which are the additional direct costs of the project not met by normal recurrent expenditure,
- other organizations: contribution up to 50 % of the actual full economic costs of the research project,
- NB: note shall allowable costs do not include costs of sub-contracts with entities established in non-Member States.

It is envisaged that the Community contribution to contracts funded under the Second Call for Proposals will not exceed 8 million ECU.

Persons and undertakings are requested to submit their proposals not later than 14. 2. 1992 (17.00), to the address given in the Information Package. The Commission reserves the right not to consider proposals submitted after that date.

When selecting proposals, the Commission will take into account the opinion of the Advisory Committee called upon to assist in this instance. The Commission reserves the right to consult in confidence experts of its own choice for assessment of the proposals.

The Commission will decide on the action to be taken concerning the proposals, which will be regarded as confidential in order to protect the industrial property rights and the commercial interests of the proposers.

Research contracts will be in a model format adapted to the Commission's research programmes, and will be Complementary Contracts with the others selected under the TELEMAT Programme.

Information and patents will be governed by standard conditions in the model contract.

The Commission is preparing an information package containing further information necessary for submitting research proposals, in particular:

- a description of the parts of the programme which form the subject of the call for proposals and the envisaged Community contribution to each of these parts,
- functional requirements and testing procedures for the research machines,
- the basic principles governing research contracts,
- the criteria applied in the selection of the proposals,
- the standard forms to be used in making the proposals.

Furthermore, it is intended to hold a TELEMAT Open Day in Brussels, on 24. 10. 1991. Information on current and future aspects of TELEMAT will be available. It is intended to be an occasion when interested organizations can meet and discuss common interests concerning participation in TELEMAT.

The information package and information on the Open Day may be obtained upon written request from:

- Commission of the European Communities, Directorate-General for Science, Research and Development, Division XII-D-1 (ARTS 2/43), TELEMAT Programme, Rue de la Loi, 200, B-1049 Brussels, telex 21877 COMEU B, facsimile (32) 2/236 20 06.

Call for expressions of interest in carrying out training courses and pilot projects in the field of accidental pollution at sea

(91/C 255/10)

Commission

1. The Directorate-General for the Environment, Nuclear Safety and Civil Protection of the Commission of the European Communities plans to grant financial support for training courses and pilot projects to be carried out in 1992 and 1993 in the field of accidental pollution at sea.

2. Proposals will be considered in 3 tranches namely on 30. 11. 1991, 31. 5. 1992 or 30. 11. 1992. Applicants are requested to express their interest by registered letter addressed to:

— Commission of the European Communities, Directorate-General for the Environment, Nuclear Safety and Civil Protection, 200 Rue de la Loi, Office B-34 2/14, B-1049 Brussels, for the attention of Mr. A. Barisich.

All letters will be acknowledged.

Presentation of proposals

3. The proposals may be submitted by any natural or legal persons, or association of persons, residing in a Community Member State. There is no standard application form but the following information must be submitted for each proposal:

a) Administrative and financial information

1. Name and address of proposer (including telephone, telex and facsimile numbers).
2. Nature of proposer (eg. limited company, university, research institute, etc.).
3. Short title of the training course or pilot project.
4. Objectives and brief description of the training course or pilot project (not exceeding 500 words).
5. Time schedule (venue and duration of training courses and estimated time schedule of pilot projects).
6. The working language of the training course, or the language in which the report on the pilot project will be written (see paragraph 14).
7. Summary of previous experience in the chosen field.

8. Details of collaboration with other EEC partners, if applicable, and benefits to be gained from such collaboration.

9. Total estimated cost (in ECU) and detailed breakdown of costs (i.e. labour costs (number of days, weeks or months at X unit cost in ECU for each category of staff); travel and subsistence; durable equipment (only depreciation over the duration of the project); consumables (specified); subcontractors; overheads). The maximum cost of each proposal should, as far as possible, not exceed 100 000 ECU.

10. Level of funding requested from the Commission.

b) A detailed description of the training course or pilot project.

4. Reference documents, briefly presenting previous work which demonstrated the capability of the proposer in the chosen field, may be annexed in support of the summary of previous experience referred to in point 6 above.

5. An applicant may submit any number of proposals. However, the information specified in paragraph 3 should be provided separately for each training course or pilot project for which an expression of interest is made. Each proposal must be written in one of the official languages of the Community.

Training courses

6. In the field of training, the Commission invites proposals to be carried out in 1992 and 1993 in the following areas:

1. Community courses on combating accidental pollution at sea. Such courses will normally cater for high level national and/or regional officials, on-scene commanders or operational team leaders from each maritime Member State. They may be general courses on the combating of accidental marine pollution (eg response strategies and techniques), with a particular emphasis on oil or other harmful substances; alternatively, they may be restricted to special aspects of the problem (eg hazard assessment).

2. national courses on combating accidental pollution at sea. Such courses will normally aim to improve the response capabilities of strike teams in the Member States. They may cover the response to incidents involving oil or chemicals. They may be general courses (eg introductory courses) dealing with all the principal problems which can arise in combating pollution at sea, or specialized courses dealing with specific aspects (eg. beach clean-up techniques; utilization of dispersants).

7. The examples mentioned above are illustrative and do not represent the Commission's preference for the content of particular training courses. proposals for training courses concerned with other aspects of combating accidental pollution at sea would be welcome.

Pilot projects

8. The Commission also intends to finance pilot projects designed to evaluate the clean-up operations in the coastal areas polluted by hydrocarbons.

The project will include the following main parts:

- existing techniques, efficiency, costs and optimal and minimal conditions of application,
- equipment, costs, efficiency and conditions of use,
- products used (chemicals, detergents, etc.), costs, efficiency and environmental impact, including the evaluation of means used for the application of products,
- training aspects of personnel involved in the operations.

The result of the evaluation should be incorporated in an operational guide.

The Commission invites to send proposals for pilot projects denominated 'Evaluation of clean-up operations of coastal areas polluted by hydrocarbons'.

Financial support

9. In principle, contracts will be issued on a cost sharing basis and the Commission's contribution will not normally exceed 50 % of the total costs actually incurred. However, the Commission's contribution may be increased up to 100 % of the total costs in the case of Community training courses which will be considered by the Commission after consultation of the relevant advisory committee as being of special interest to all Member States or a certain number of them.

10. In the case of pilot projects, financial assistance may be granted to a project in its entirety or to different phases of a project.

Selection criteria

11. In the case of training courses, proposals will be selected on the basis of their practicability, as well as taking account of the estimated price of the course. The duration of training courses would normally not exceed 6 days. However, any other proposal whatever the duration, will be considered.

12. In the case of pilot projects, the potential operational and practical value of the proposals will be important factors in deciding which projects will receive financial assistance.

13. For those training courses and pilot projects which are approved for financial assistance, the Commission will require a final report to be submitted in English or French. Translation expenses likely to be incurred can be included in the price of proposals and will be paid by the Commission. Such translation costs will not constitute a selection criterion in the financial assessment of proposals.

14. The Commission will decide which training courses and pilot projects to approve for financial assistance, taking into account the priorities expressed by the relevant advisory committee.

Further information

15. Where necessary, requests for further information may be addressed to A. Barisich, tel. (32 2) 235 17 27, facsimile (32 2) 236 10 93.



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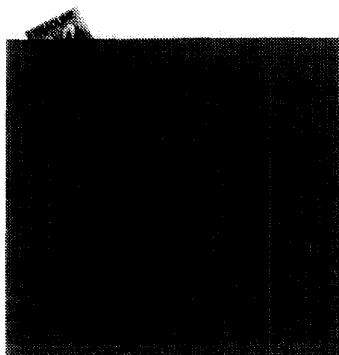
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