

English edition

Information and Notices

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I

(Information)

COMMISSION

Ecu ⁽¹⁾

24 February 1993

(93/C 54/01)

Currency amount for one unit:

Belgian and Luxembourg franc	39,7933	United States dollar	1,19284
Danish krone	7,41711	Canadian dollar	1,50263
German mark	1,93026	Japanese yen	139,527
Greek drachma	261,650	Swiss franc	1,78271
Spanish peseta	140,302	Norwegian krone	8,25389
French franc	6,55110	Swedish krona	9,25528
Irish pound	0,794912	Finnish markka	7,05806
Italian lira	1898,83	Austrian schilling	13,5841
Dutch guilder	2,17265	Icelandic krona	76,9027
Portuguese escudo	178,485	Australian dollar	1,71386
Pound sterling	0,827215	New Zealand dollar	2,27425

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).

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

(93/C 54/02)

(Established on 23 February 1993 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	1,746	Patras	No quotation
Reus	No quotation	Alcázar de San Juan	No quotation
Villafranca del Bierzo	No quotation (*)	Almendralejo	No quotation
Bastia	3,226	Medina del Campo	No quotation (*)
Béziers	3,012	Ribadavia	No quotation
Montpellier	3,014	Villafranca del Penedés	No quotation
Narbonne	3,040	Villar del Arzobispo	No quotation (*)
Nimes	3,040	Villarrobledo	No quotation (*)
Perpignan	3,095	Bordeaux	No quotation
Asti	No quotation	Nantes	No quotation
Florence	No quotation	Bari	1,901
Lecce	No quotation	Cagliari	No quotation
Pescara	No quotation	Chieti	No quotation (*)
Reggio Emilia	No quotation	Ravenna (Lugo, Faenze)	1,947
Treviso	2,040	Trapani (Alcamo)	1,855
Verona (for local wines)	No quotation	Treviso	2,156
Representative price	2,876	Representative price	1,942
R II			
Heraklion	No quotation		
Patras	No quotation		
Calatayud	No quotation		
Falset	No quotation		
Jumilla	1,967		
Navalcarnero	No quotation (*)		
Requena	No quotation		
Toro	No quotation (*)		
Villena	No quotation (*)		
Bastia	No quotation	A II	
Brignoles	No quotation	Rheinpfalz (Oberhaardt)	32,160
Bari	No quotation	Rheinhessen (Hügelland)	No quotation
Barletta	No quotation	The wine-growing region of the Luxembourg Moselle	No quotation (*)
Cagliari	No quotation	Representative price	32,160
Lecce	No quotation		
Taranto	No quotation		
Representative price	1,967		
	ECU/hl	A III	
		Mosel-Rheingau	No quotation
R III		The wine-growing region of the Luxembourg Moselle	No quotation
Rheinpfalz-Rheinhessen (Hügelland)	No quotation (*)	Representative price	No quotation

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

SOCIAL DIALOGUE AND EUROPEAN SOCIAL AREA

(93/C 54/03)

Subsidies for transnational meetings

For the second year running, the budget authorities have retained budget heading B3 4004 under the European Social Dialogue chapter. The allocation for 1993 is ECU 17 million.

The purpose of this budget heading is to support structured exchanges between workers' representatives pending adoption of the Commission's proposal on the establishment of a European works council in Community-scale undertakings or groups of undertakings⁽¹⁾.

The appropriations are intended to finance transnational activities involving employees' representatives from undertakings operating on a trans-frontier basis in the Community.

A guide specifying the eligible groups and promoters, relevant objectives, eligible activities and practical procedures is available to promoters, together with a subsidy application form. These may be obtained free of charge from the following address (requests by post or fax only):

Commission of the European Communities,
DG V, Employment, Industrial Relations and Social Affairs, (Subsidies for transnational meetings of employees' representatives, Heading B3 4004),
Rue de la Loi, 200,
B-1049 Brussels,
(Fax: (32-2) 239 17 44).

⁽¹⁾ COM(90) 581 final, 25. 1. 1991.

COURT OF JUSTICE

COURT OF JUSTICE

Action brought on 8 January 1993 by Erika Lenz against the Commission of the European Communities

(Case C-6/93)

(93/C 54/04)

An action against the Commission of the European Communities was brought before the Court of Justice of the European Communities on 8 January 1993 by Erika Lenz of D-W-4500 Osnabrück, represented by Dr Jürgen Schacht, 22 III Schlüterstraße, D-W-2000 Hamburg 13.

The applicant claims that the Court should:

1. order the defendant to pay to the applicant the salary of a Community official employed as a principal administrator for the period of seven years from 1985 to 1991, together with the usual expatriation allowance, pension scheme contributions and default interest;
2. order the defendant to pay DM 50 000 as compensation for loss of enjoyment of life;
3. order the defendant to pay DM 50 000, together with default interest, as compensation for stratagems causing her damage which have been practised with a view to concealing the abetting by its officials of the criminal activities of doctors in contravention of Belgian law, and for its failure to answer letters;
4. order the defendant to pay damages of DM 100 000, together with default interest, as compensation for the uncommonly deceitful threats, insults, aspersions and calumnies suffered by her at the hands of its medical and legal services;
5. order the defendant to pay the costs.

Pleas in law and main arguments adduced in support:

The action is founded on the second paragraph of Article 215 of the EEC Treaty together, as regards the first claim, with the first paragraph of Article 215 in conjunction with Article 179 of the EEC Treaty. The applicant considers that the Commission has left to her work of several years' duration (clearing up the suspected fraudulent bills from the doctors treating her and her son) which the Commission should have done itself.

Appeal brought on 21 January 1993 by Anna-Maria Campogrande against the judgment delivered on 19 November 1992 by the Third Chamber of the Court of First Instance of the European Communities in Case T-80/91 between Anna-Maria Campogrande and the Commission of the European Communities

(Case C-22/93 P)

(93/C 54/05)

An appeal against the judgment delivered on 19 November 1992 by the Third Chamber of the Court of First Instance of the European Communities in Case T-80/91 between Anna-Maria Campogrande and the Commission of the European Communities was brought before the Court of Justice of the European Communities on 21 January 1993 by Anna-Maria Campogrande, represented by Alain H. Pilette, of the Brussels Bar, with an address for service in Luxembourg at the Chambers of Marc Loesch, 8 rue Zithe.

The appellant claims that the Court should:

- declare the application admissible and well founded and consequently allow the appeal, set aside the contested judgment of the Court of First Instance and, in deciding the original action, declare that action to be well founded and grant the forms of order sought in the proceedings at first instance.

Pleas in law and main arguments adduced in support:

- The contested judgment wrongly holds that Article 55 of the Staff Regulations affords a sufficient legal basis for the letter of 9 December 1987 and hence the disciplinary measure.
- The Court of First Instance has failed in its duty to review the legality of the contested decision in so far as (a) it confined itself to a purely literal interpretation of the Agreement of 3 April 1987 whereas it was aware that the Commission's interpretation of that agreement was contrary to Article 12 (b) of the Protocol on privileges and immunities; and (b) it held the following argument put forward by the appellant to be invalid: 'on the Belgian authorities' interpretation of the Agreement' — an interpretation shared by the Commission, as the appellant pointed out during the written procedure and at the hearing — 'it replaces, in the case of Community officials, the formalities for the registration of aliens, whereas

under Article 12 (b) of the protocol such officials are exempted from those formalities'.

Reference for a preliminary ruling by the Raad van State by interlocutory judgment of that court of 11 May 1992 in the case of TV 10 SA v. Commissariaat voor de Media

(Case C-23/93)

(93/C 54/06)

Reference has been made to the Court of Justice of the European Communities by an interlocutory judgment of the Raad van State (Council of State) of 11 May 1992, which was received at the Court Registry on 26 January 1993, for a preliminary ruling in the case of TV 10 SA against the Commissariaat voor de Media on the following questions:

1. Where a broadcaster not eligible for access to the cable network in Member State A transmits material from Member State B with the manifest purpose, as shown by objective circumstances, of thereby evading the legislation of the Member State to which the material is primarily but not exclusively transmitted, is that a case of cross-border provision of services for the purposes of Community law?
2. Are restrictions imposed by the receiving Member States on the provision of the services described in Question 1 whereby a broadcaster is regarded as a domestic organization despite the fact that it has chosen to establish itself in another Member State and is therefore denied access for its programmes to the national cable network if they do not comply with the provisions regarding such access applicable to domestic broadcasters — relying on the fact that the broadcaster established in another Member State is seeking to evade the legislation of the receiving Member State designed to maintain the pluralist and non-commercial character of national broadcasting — compatible with Community law, having regard *inter alia* to Articles 10 and 14 of the European Convention on the Protection of Human Rights and Fundamental Freedoms?

Action brought on 1 February 1993 by Jean Trelhu against the Council of the European Communities and the Commission of the European Communities

(Case C-27/93)

(93/C 54/07)

An action against the Council of the European Communities and the Commission of the European

Communities was brought before the Court of Justice of the European Communities on 1 February 1993 by Jean Trelhu, represented by Richard Le Roy, of the Brest Bar.

The applicant claims that the Court should:

- give judgment against the Council and the Commission jointly and severally, or one of them,
- award him the sum of FF 201 201, which corresponds to his loss, calculated in litres, of the reference quantity for milk from 1983 to 1991, at a price per litre fixed at FF 0,8132 (price per litre for the quantities frozen on 23 September 1992),
- in addition, award him a lump sum of FF 50 000 corresponding to the material and non-material damage suffered by him as a result of the refusal to allocate him a quota since 1983,
- award the sum of FF 30 000 by way of costs.

Pleas in law and main arguments adduced in support:

The applicant, who had received a premium for the non-marketing of milk for the period 1978 to 1982, took up other activities in 1983 in compliance with Community recommendations. When the Council adopted Regulation (EEC) No 857/84 ⁽¹⁾ introducing the 'milk quota' system, the applicant was denied any opportunity to resume milk production, since the period in which he provisionally ceased marketing corresponded to the reference period laid down.

The applicant considers that he is essentially in the same situation as the applicants in Joined Cases C-104/89 and C-37/90 and relies on the judgment of the Court in those cases ⁽²⁾.

⁽¹⁾ OJ No L 90, 1. 4. 1984, p. 13.

⁽²⁾ Judgment of 19 May 1992 (OJ No C 152, 17. 6. 1992, p. 16).

Removal from the Register of Case C-342/92 ⁽¹⁾

(93/C 54/08)

By order of 27 January 1993 the President of the Court of Justice of the European Communities ordered the removal from the Register of Case C-342/92: Ireland v. Commission of the European Communities.

⁽¹⁾ OJ No C 246, 24. 9. 1992.

COURT OF FIRST INSTANCE

Action brought on 19 January 1993 by Langnese-Iglo GmbH against the Commission of the European Communities

(Case T-7/93)

(93/C 54/09)

An action against the Commission of the European Communities was brought before the Court of First Instance of the European Communities on 19 January 1993 by Langnese-Iglo GmbH of Hamburg, represented by Dr Martin Heidenhain, Dr Bernhard Maassen and Dr Horst Satzky, Rechtsanwälte, of Frankfurt, with an address for service in Luxembourg at the Chambers of Jean Hoss, of Elvinger, Hoss & Prussen, 15 Côte d'Eich.

The applicant claims that the Court should:

- annul the Commission's decision of 23 December 1992 concerning a proceeding under Article 85 of the EEC Treaty (Case IV/34.072 — Langnese-Iglo GmbH), and
- order the Commission to pay the costs.

Pleas in law and main arguments adduced in support:

In the contested decision the Commission stated that the agreements concluded by the applicant, granting to retailers an exclusive right of sale from retail outlets, infringing Article 85 of the EEC Treaty, and withdrew from those agreements the benefit of Regulation (EEC) No 1984/83; it required the applicant to inform resellers who were currently party to such agreements of that decision within three months and prohibited the applicant from concluding such agreements in the future.

1. The applicant's distribution system using traditional specialist outlets is governed by the relevant requirements of the sale of ice-cream. The development of the market and the maintenance of geographically comprehensive, regular and competitively priced supplies to consumers of a wide, high-quality range of ice-creams would be impossible without the grant of exclusivity to retail outlets.
2. The relevant market for the purpose of the proceeding is the market in ice-cream for direct consumption. The market comprises all types of ice-cream which are considered by users as equivalent with regard to their characteristics, price and intended use.
3. The level of tied sales — i. e. the proportion of the quantities of ice-cream which are sold by those participating in the market through the intermediary of tied retail outlets — amounts to approximately 25 to 30 % and is thus in any event lower, whether the Commission's definition of the market is adopted or the applicant's, than the 30 % level of tied sales regarded as unobjectionable in the Fifteenth Report on Competition Policy.
4. Access to traditional specialist outlets is neither impeded nor barred as a result of the existing networks of exclusive purchasing agreements. The majority of retail outlets are open to any competitor. The duration of the exclusive purchasing agreements is limited. A retail outlet can change from one competitor to another without any commercial difficulties.
5. The initially successful entry by Mars into the ice-cream market has not been maintained. This is due not to the exclusive purchasing agreements but to the market strategies pursued by Mars.
6. The Commission is bound by the administrative letter ('comfort letter') of 20 September 1985. The factual circumstances — in particular, the number of competitors, their market shares and distribution systems — have not substantially altered since the comfort letter was issued. Neither the change in the Commission's interpretation of the law nor the entry into the market of Mars and its complaint are circumstances warranting a derogation from the comfort letter.
7. The Commission has stated in the comfort letter and in the Fifteenth Report on Competition Policy that the networks of exclusive purchasing agreements built up by the applicant and its competitors are compatible with Article 85 (1) of the EEC Treaty. This view has been confirmed by the principles laid down in the judgment of the Court of Justice in Case C-234/89 *Delimitis v. Henninger* (1991) ECR I-935.
8. Even if the exclusive purchasing agreements maintained by the applicant are caught by Article 85 (1) of the EEC Treaty, they are exempted by Regulation (EEC) No 1984/83 from the prohibition contained in Article 85 (1) of the EEC Treaty.
9. The withdrawal of the benefit of the group exemption is unlawful. The provisions of Article 14 (a) and (b) of Regulation (EEC) No 1984/83 are void, since they are not covered by the underlying authority. Quite apart from this, the conditions laid down by them do not exist. The ice-cream market is essentially governed by competition. There is no substantial impediment restricting access to traditional specialist outlets.

10. The prohibition of all exclusive purchasing agreements is incompatible with the principle of proportionality. In considering a network of exclusive purchasing agreements, the Commission has to distinguish between those agreements which qualify for a group exemption and those agreements from which the benefit of group exemption may be withdrawn pursuant to Article 14 of Regulation No 1984/83.

11. The total prohibition on the future conclusion of any exclusive purchasing agreements is incompatible with Article 85 (1) of the EEC Treaty, Article 3 of Regulation No 17 and Article 14 of Regulation (EEC) No 1984/83. The Commission is not empowered to prohibit the conclusion of agreements which fall outside Article 85 (1) of the EEC Treaty or which are exempt by virtue of Regulation (EEC) No 1984/83. There is no legal basis for the prohibition of future agreements.

III

(Notices)

COMMISSION

Amendment to notice of invitation to tender for the refund for the export of maize to the countries of Zones I and III (b)

(93/C 54/10)

(Official Journal of the European Communities No C 31 of 4 February 1993)

The destinations in the title and in point III are to read as follows:

‘Zones I, III (b) and Cuba’.

Call for expression of interest in carrying out studies in the field of social protection (including social security, social assistance and supplementary social welfare provision)

(93/C 54/11)

1. The Commission of the European Communities, in particular the Directorate-General for Employment, Industrial Relations and Social Affairs, is planning to conclude study and/or service and/or consultancy contracts on a range of issues within the sphere of social protection. The various aspects which might be covered by such contracts are detailed in points 3 to 5.

2. The purpose of this call for expressions of interest is to constitute, after due selection procedures by way of thorough examination of those expressions of interest received, a file of potential contractors according to subject matter. This file will be used to select, depending on Commission requirements and the nature of subject matter involved, the firms, consultants, individuals and other agencies invited to participate in restricted invitations to tender.

The file of potential contractors is not subject to a deadline and will remain open, thus allowing further candidates to be added as and when they submit expressions of interest adjudged satisfactory after the due examination procedures have been carried out.

3. Such study, service or consultancy contracts as are referred to in point 1, will relate to a broad spectrum of subjects relating to varied aspects of social protection but principally concerning national systems, their efficiency of operation and adequacy in meeting (in part or in whole) the needs of the populations (in part or in whole)

they are designed to serve, the ways in which they satisfy the requirement of Community legislation (notably that in respect of the free movement of persons, goods, services and capital). A further area of interest will be that of information and, notably, the importance the Commission attaches to the dissemination of accurate and timely information relating to social protection to a broad, and expanding, array of users, viz. companies, private individuals, research organizations, academic institutions, trade unions, employers and representative organizations.

For these and other purposes it will be necessary for expressions of interest to adopt a broad definition of social protection which will encompass:

- compulsory (state) social security schemes;
- social assistance (including income, housing, material and other support mechanisms provided at national, regional or local level);
- supplementary/occupational social security schemes of whatever nature;
- where appropriate social protection benefits disbursed on a discretionary basis by non-governmental voluntary (charitable) organizations.

4. While stressing a particular interest in expressions of interest which reflect a sound knowledge of social protection aspects at the Community level the Commission acknowledges that the technical nature of the subject need not preclude expressions of interest from persons and bodies who are able to demonstrate a high level of competence and knowledge on social protection aspects relating to one or more (as opposed to the totality of) Member State. The areas of competence to be specified in the expression of interest could relate to the following:

- a) the legal bases and administrative procedures underlying the operation of all components of social protection systems operating within the Member State at national, regional, local or professional levels;
- b) full acquaintance with changes (legal, administrative, procedural) introduced within the sphere of social protection systems and their consequences in terms of the efficiency, adequacy or transparency of systems;
- c) the significance of social protection systems particularly in macro-economic terms; assessment of the impact and consequences of demographic trends on the scope and quality of social protection; the relation between social security financing and general economic policy;
- d) the comparison of the scope, availability and quality of social protection received in relation to full-time employees and to 'atypical' categories of workers, i.e. part-time, seasonal, temporary and home workers, the self-employed, public officials;
- e) the role played by non-governmental, voluntary and charitable organizations in the provision of certain types of social protection benefit;
- f) equality of treatment between men and women within social protection systems;
- g) the question of, and measures taken to combat, fraud;
- h) assessment of the importance, and evolution, of supplementary social welfare provision schemes, principally within the areas of pensions and health;
- i) the nature and consequences of changes in the scope, coverage, financing and management of national health insurance systems or national health services;
- j) fiscal and para-fiscal aspects, particularly as they relate to the scale of imposition of social security contributions and their tax deductibility;
- k) social protection systems within the European Free Trade Association countries;

- l) social protection systems within Central and Eastern European countries, the state of existing legislation and proposals for change;
- m) provision of the technical and management services required for the periodic update and dissemination, in publication form and by way of rapid data transmission, of comparative information on social protection systems within the Community.

5. Expressions of interest in any of the above-mentioned fields (the list of which cannot be considered exhaustive) may also contain additional information concerning practical experience in, or specific knowledge of, the following aspects of Community activity in the social protection policy area:

- the nature and scope of existing Community legislation (whether enshrined in Treaty or other legally binding instruments);
- the interaction between such legally binding instruments and the fields mentioned; knowledge of such interaction particularly within the spheres of freedom of movement of services and persons;
- the nature of proposals for changes in, or extension of, Community legislation;
- the existence of the Commission sponsored MISSOC system which already publishes and disseminates updated information on social protection systems within each of the Member States.

6. Expressions of interest (interested parties are reminded that the file of potential contractors is not subject to a deadline in terms of time) may be submitted by registered post to the following address:

- Commission of the European Communities, DG V, Employment, Industrial Relations and Social Affairs, (CORT 80 - 2/66), 200 Rue de la Loi, B-1049 Brussels.

7. The letter of expression of interest must state the fields in which the proposer wishes to offer his services, and must give the numbers and designations listed at point 4.

The following documentation, in duplicate, must be enclosed with the letter:

- 1) details of the proposer: name, legal status, address, telephone, telex and facsimile numbers, name of person to contact;
- 2) a description of the proposer and his activities showing his specific competence in the field(s) selected. If the proposer is a natural person (private individual), a curriculum vitae with a detailed description of his activities permitting an assessment of the quality and extent of his experience;

- 3) if the proposer is a legal person, a document giving the names and positions of the persons on the governing body (bodies); additionally documentary proof (balance sheet and profit and loss accounts in respect of the 2 previous completed years of trading) must be provided with a view to establishing the financial viability of the legal person;
- 4) an indicative scale of charges, with tracket rates, if applicable, per person/month inclusive of all costs except travel and subsistence outside the principal place of performance of the work; rates must be expressed in ecus and quoted free of duties, taxes and dues (the Commission of the European Communities is exempt from such charges under the Protocol on the Privileges and Immunities of the European Communities, annexed to the Treaty of 8. 4. 1965 establishing a single Council and a single Commission of the European Communities);
- 5) information on the proposer's resources demonstrating that he is able to assign the necessary qualified staff and infrastructure to the performance of the task entrusted to him; in this connection appropriate curricula vitae would be helpful;
- 6) information on the proposer's working languages and on the languages in which he is able to present his reports;
- 7) references to previous work in the fields proposed and description of any studies, service contracts, consultancy or other work previously carried out for the Commission.

Invitation to submit proposals relating to general measures to provide information and raise awareness about the environment

(93/C 54/12)

1. Background

In the European Community programme of policy and action in relation to the environment (Towards Sustainability) (COM(92) 23 final - Volume II of 30. 3. 1992) the Commission announced plans to grant financial support for general measures to provide information and raise awareness.

The aim of the proposed measures is to help identify the responsibilities and encourage the active participation of the various actors concerned (economic operators, including the trade unions, regional or local authorities, environmental protection organizations and organizations for the defence of consumers) in preventing environmental problems, and also to promote partnership between them.

These measures are primarily targeted at the partners defined above and not at the general public.

2. Selection criteria

In order to be eligible for selection the projects submitted must meet all the following criteria:

- they should generate a marked Community-wide multiplier effect;

- they should have a direct transfrontier impact via multinational or interregional collaboration;

- they should bring about a lasting change in the behaviour patterns of the partners concerned;

- they should entail effective cooperation between the various partners (for example, environmental protection bodies and regional authorities);

- they should promote the incorporation of environmental aspects in one or more of the following sectors: industry, energy, transport, agriculture and tourism.

Consideration will be given in the selection process, in so far as the quality of the proposals permits, to the need to take into account the different situations in the Community, especially where environmental awareness is at its lowest.

3. Conditions relating to the project timetable

Work on the project must not begin until its financing has been authorized by the Commission and must be concluded by 31. 10. 1994. The final statement of all expenditure must be submitted before that date.

4. Conditions relating to the proposer

Any natural or legal persons and associations, of natural persons bearing ultimate responsibility for the execution of the project may qualify for Community assistance.

5. Financial conditions

The financial feasibility of the project must be demonstrated. Consequently, the Commission must be informed of the financial arrangements envisaged for the purpose of implementing the project and the state of negotiations with the various partners.

The proposer must show evidence of good financial standing.

The project must not pursue commercial aims.

Activities already in progress will not be eligible for financing.

Proposals for research or for studies will not be financed.

Likewise, proposals which include investments, formation expenses or operating costs will not be financed.

The beneficiary must keep accounts for the project, which may be subjected to audit by the Commission or the Court of Auditors at any time during a period of five years.

6. Financial support

As a general rule, financial support for the projects selected may not be less than 10 % or more than 50 % of the actual costs incurred in carrying out the projects. By way of exception, financial support may exceed 50 % in the case of measures to assist regions where there is least awareness of environmental issues.

7. Appraisal procedure

The procedure for appraising proposals is as follows:

- receipt, registration and acknowledgement of receipt by the Commission;
- scrutiny by officials of the Commission;
- final decision and communication of the outcome to the proposer.

Proposals will be selected on the basis of the relevance of the projects to the context and criteria specified above and of whether they satisfy all the conditions set out in this invitation to submit proposals. The entire procedure is strictly confidential. In the event of approval by the Commission, a contract (in ecus) will be concluded between the Community and the proposer.

8. Submission of a proposal

The proposal must be written in one of the official languages of the Community. It must include:

- a) a detailed description of the project;
- b) a fact sheet containing the following particulars.

Administrative information:

- the proposer's administrative details (business name, articles of association where appropriate, address of the registered place of business, telephone number, facsimile number, name and duties of the authorized representative and of the person in charge of the project);
- name of bank, account number, code.

Financial information:

- total cost of the project;
 - percentage of funding requested from the Community;
 - breakdown of costs: by item (staff, showing unit costs, travel and subsistence expenses, durable equipment and material, consumables, subcontracting, overheads, etc.);
 - source and percentage of the various financial contributions expected and state of negotiations with the various partners;
 - other Community financing requested or received.
- c) A summary of not more than 4 pages in length, containing:

- the title of the project;
- an outline of the proposed activity and the anticipated results;
- an indication of how the requirements under 2 (selection criteria) and 5 (financial conditions) are to be met;
- the duration of the project and timetable for implementation;
- the total cost of the project and the percentage of funding requested from the Community.

Proposals must be sent by 31. 3. 1993 (first series), or before 30. 6. 1993 (second series) to the following address:

- Commission of the European Communities, Directorate-General for the Environment, Nuclear Safety and Civil Protection, Unit XI.C.4, T-174 0/77, 200 Rue de la Loi, B-1049 Brussels.

All the documents required for a proposal must be sent in triplicate to the above address. As far as possible they should be in A 4 format and printed on one side of the page only.

Proposals may be submitted:

- a) by post, or
- b) by hand to the above address.

Preferably proposals should be sent by post, in which case they must be registered. Proof of the date of submission will be the postmark, or the receipt dated and signed by the official who took delivery.
