

Official Journal

of the European Communities

ISSN 0378-6986

C 260

Volume 37

17 September 1994

English edition

Information and Notices

<u>Notice No</u>	<u>Contents</u>	<u>Page</u>
	<i>I Information</i>	
	Commission	
94/C 260/01	Ecu	1
94/C 260/02	Communication of Decisions under sundry tendering procedures in agriculture (cereals)	2
94/C 260/03	Guidelines for the examination of State aid to fisheries and aquaculture (*)	3
94/C 260/04	Notice of initiation of a review of Council Regulation (EEC) No 1768/89 concerning imports of video tape in cassettes originating in Hong Kong and the Republic of Korea and of Commission Decision 89/376/EEC accepting undertakings offered in that connection	10
94/C 260/05	Notice to Community importers of toys falling within HS/CN code 9503 41 originating in the People's Republic of China	11
	<i>II Preparatory Acts</i>	
	
	<i>III Notices</i>	
	Commission	
94/C 260/06	Call for expressions of interest in connection with the creation of a consultant base	14

<u>Notice No</u>	Contents (continued)	Page
94/C 260/07	Call for tenders for the provision of services with regard to the conclusion of a contract of supply of services entitled 'Implementation of the monitoring mechanism of community CO ₂ and other greenhouse gas emissions' — Open procedure — XI/B4/1099	16
94/C 260/08	Preparation of newsletters and dossiers — Open procedure	17
94/C 260/09	European Foundation for the Improvement of Living and Working Conditions — Programme of studies and other activities — Call for expressions of interest No 1/94	19

I

(Information)

COMMISSION

Ecu ⁽¹⁾

16 September 1994

(94/C 260/01)

Currency amount for one unit:

Belgian and Luxembourg franc	39,4513	United States dollar	1,23856
Danish krone	7,55956	Canadian dollar	1,67119
German mark	1,91667	Japanese yen	122,828
Greek drachma	291,892	Swiss franc	1,59031
Spanish peseta	159,056	Norwegian krone	8,40797
French franc	6,55322	Swedish krona	9,26988
Irish pound	0,801035	Finnish markka	6,13955
Italian lira	1934,74	Austrian schilling	13,4892
Dutch guilder	2,14866	Icelandic krona	84,0363
Portuguese escudo	194,987	Australian dollar	1,66428
Pound sterling	0,790150	New Zealand dollar	2,05230
		South African rand	4,40333

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) and an automatic fax answering service (No 296 10 97) providing daily data concerning calculation of the conversion rates applicable 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).

Communication of Decisions under sundry tendering procedures in agriculture (cereals)

(94/C 260/02)

(See notice in Official Journal of the European Communities No L 360 of 21 December 1982, page 43)

Standing invitation to tender	Weekly invitation to tender	
	Date of Commission Decision	Maximum refund
Commission Regulation (EC) No 1166/94 of 24 May 1994 opening an invitation to tender for the refund for the export of common wheat to all third countries (OJ No L 130, 25. 5. 1994, p. 15)	15. 9. 1994	ECU 32,69/tonne
Commission Regulation (EC) No 1081/94 of 10 May 1994 opening an invitation to tender for the refund for the export of barley to all third countries (OJ No L 120, 11. 5. 1994, p. 21)	15. 9. 1994	Tenders rejected
Commission Regulation (EC) No 1082/94 of 10 May 1994 on a special intervention measure for barley in Spain (OJ No L 120, 11. 5. 1994, p. 24)	—	No tenders received

Guidelines for the examination of State aid to fisheries and aquaculture

(94/C 260/03)

(Text with EEA relevance)

INTRODUCTION

The maintenance of a system of free and undistorted competition is one of the basic principles of the European Community. Community policy towards State aid is directed towards ensuring free competition, efficient allocation of resources and the unity of the Community market. Consequently, since the founding of the common market, the Commission's attitude has always been one of particular vigilance in this field.

The common fisheries policy aims to establish the conditions necessary for ensuring the viability and future of the fisheries sector. The market organization stabilizes prices and unifies the Community market; the rules of fishing provide for the best possible use of available stocks and their optimum conservation whilst ensuring relative stability of access for fishermen; and in addition to these measures, durable links have been established at international level with a view to maintaining or developing access to stocks outside Community waters. Moreover, the incorporation of the structural aspect of fisheries within the framework of the Structural Funds seeks to ensure the structural adaptation necessary to attain the objectives of the common fisheries policy by requiring action in the sector to comply with the objective of establishing balance between stocks and their exploitation.

State aid is only justified, therefore, if it is in accordance with the objectives of this policy.

It is within this framework that the Commission intends to administer the derogations to the principle of incompatibility of State aid with the common market (Article 92 (1) of the EC Treaty) provided for in Article 92 (2) and (3) of the Treaty and in its implementing instruments.

These guidelines apply to the entire fisheries sector and concern the exploitation of living aquatic resources and aquaculture together with the means of production, processing and marketing of the resultant products, but excluding non-commercial recreation and sports.

The Commission can, under the procedure for authorizing State aid schemes, ask the Member States to provide it with a report on the implementation of individual operations undertaken. The Commission would point out that these reports are a prerequisite for the authorization of aids. They enable checks to be made that the aid has been granted in compliance with the Commission authorization and the Community rules and that it has not been misused.

In order to ensure that the common market functions properly and develops gradually, the Commission finds it necessary to propose to the Member States, pursuant to Article 93 (1) of the EC Treaty, that they apply to their existing aid schemes for fisheries the criteria laid down in these guidelines.

These guidelines replace those published in 1992 in light of the changes that have taken place in the common fisheries policy, in particular the adoption of Council Regulation (EEC) No 3670/92 of 20 December 1992 establishing a Community system for fisheries and aquaculture⁽¹⁾, Council Regulation (EEC) No 2080/93 of 20 July 1993 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the financial instrument for fisheries guidance⁽²⁾ and Council Regulation (EC) No 3699/93 of 21 December 1993 laying down the criteria and arrangements regarding Community structural assistance in the fisheries and aquaculture sector and the processing and marketing of its products⁽³⁾.

1. GENERAL PRINCIPLES

- 1.1. These guidelines relate to all measures entailing a financial advantage in any form whatsoever funded directly or indirectly from the budgets of public authorities (national, regional, provincial, departmental or local). The following are to be considered as aid: capital transfers, reduced-interest loans, interest subsidies, certain State holdings in the capital of undertakings, aid financed by special levies and aid granted in the form of State securities against bank loans or the reduction of or exemption from charges or taxes, including accelerated depreciation and the reduction of social contributions.

All these measures are covered by the term 'State aid' as referred to in Article 92 (1) of the Treaty.

- 1.2. These guidelines do not concern subsidies which are partly funded by the Community.

⁽¹⁾ OJ No L 389, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 193, 31. 7. 1993, p. 1.

⁽³⁾ OJ No L 346, 31. 12. 1993, p. 1.

- 1.3. State aid may be granted only if it is consistent with the objectives of the common policy.

Aid may not be protective in its effect: it must serve to promote the rationalization and efficiency of the production and marketing of fishery products in a way which encourages and accelerates the adaptation of the industry to the new situation it faces.

In more practical terms, aid must provide incentives for development and adaptation which cannot be undertaken under normal market circumstances because of insufficient flexibility in the sector and the limited financial capacity of those employed in it. It must yield lasting improvements so that the industry can continue to develop solely on the basis of market earnings. Its duration must therefore be limited to the time needed to achieve the desired improvements and adaptations.

Consequently the following principles apply:

- State aid must not impede the application of the rules of the common fisheries policy. In particular, aid to the export of or to trade in fishery products within the Community is compatible with the common market.
- Those aspects of the common fisheries policy that cannot be considered to be fully regulated, in particular as regards structural policy, may still warrant State aid provided such aid complies with the objectives of the common rules so as not to jeopardize or risk distorting the full effect of these rules; this is why it must, where relevant, be included in the various programming instruments provided for under Community rules.
- State aid which is granted without imposing any obligation on the part of recipients and which is intended to improve the situation of undertakings and increase their business liquidity (subject to 2.10.2), or is calculated on the quantity produced or marketed, product prices, units produced or the means of production, and which has the effect of reducing the recipient's production costs or

improving the recipient's income is, as operating aid, incompatible with the common market. The Commission will examine such aid on a case-by-case basis where it is directly linked to a restructuring plan considered to be compatible with the common market.

- 1.4. The examination of aid schemes will be based on values expressed in gross subsidy equivalent. However, account will be taken of all factors making it possible to assess the real (net) advantage to the recipient.

The cumulative effect for the recipient of all measures involving an element of subsidy granted by the State authorities pursuant to Community, national, regional or local law, particularly those that are designed to promote regional development, will be taken into account when State aid schemes are being assessed.

If the available Community funds are insufficient to cover the part-financing of the measures eligible for such assistance, the overall rate of the State aid may be aggregated, where appropriate, with the rate of Community part-financing provided it does not exceed the overall rate of the aid laid down under the Community rules.

- 1.5. State aid is to be considered incompatible with the common market where it is financed by means of parafiscal taxes both on products imported from other Member States and on domestic products. However, in view of the particular characteristics of certain activities in the fisheries and aquaculture sector, aid schemes funded by special charges, in particular parafiscal charges, will be considered on a case-by-case basis in the light of the criteria laid down by the Court of Justice.
- 1.6. In its letter of 21 December 1978⁽¹⁾ the Commission informed the Member States of the principles of coordination which it would apply to regional aid schemes in force or to be established in the regions of the Community. These principles, as set out in that communication, do not apply to the products listed in Annex II to the EC Treaty and consequently the components of regional aid schemes involving

(¹) OJ No C 31, 3. 2. 1979, p. 9.

the fisheries sector will therefore be examined on the basis of the present guidelines.

- 1.7. The Commission will continue to amplify or modify these guidelines as and when experience is gained in the regular examination of inventories of State aid schemes and in the light of the gradual development of the common fisheries policy.

2. PRINCIPLES OF COMPATIBILITY OF THE VARIOUS CATEGORIES OF AID

2.1. AID OF A GENERAL NATURE

2.1.1. Aid for training and advisory services

Aid for the technical and economic training of persons working in the fisheries sector and aid to the provision of advisory services in new techniques and to technical or economic assistance is deemed to be compatible with the common market provided it is directed exclusively at improving the knowledge of recipients so as to help them increase the efficiency of their operations.

2.1.2. Aid to research

Without prejudice to the provisions laid down in the scheme for a Community framework for State aids for research and development⁽¹⁾, aid or other schemes implemented by the Member States relating to scientific and technical research may be deemed compatible with the common market provided that:

- (a) the use of such aid is supervised by the authorities of the Member States concerned, if it is organized by trade associations or private undertakings; and
- (b) the results of the research work are made accessible to nationals of all the Member States in a manner consistent with industrial property rights.

2.1.3. Aid to advertising, product promotion and the search for new markets

- 2.1.3.1. Without prejudice to Article 12 of Council Regulation (EEC) No 3699/93, advertising aid in the strict sense, namely any measure which uses advertising media to invite consumers to buy a given product, may be regarded as being compatible with the common market provided that it relates to one or more of the following schemes:

- (a) an entire sector or product or group of products in such a way that they do not promote the products of one or more specific undertakings;
- (b) an advertising campaign which is regarded as being compatible with Article 30 of the Treaty pursuant to the Commission communication concerning State involvement in the promotion of agricultural, fisheries and aquaculture products;
- (c) generic advertising for fish in general or publicity:
 - for species which have rarely or never been used for human consumption, which are not subject to quantitative catch restrictions and catches of which could be increased, or
 - of a temporary nature, in particular seasonal advertising for species which are subject to quantitative restrictions and the supply of which temporarily exceeds demand, or
 - for new fishery products, over a period which should not normally extend beyond the first two years after such products have been introduced on the market, or
 - relating to fish products which are typical of production in particularly less-favoured regions as covered by Article 92 (3) (a) of the Treaty.

- 2.1.3.2. Aid for product promotion and that aimed at seeking new market outlets for fishery products may be deemed to be compatible with the common market provided that the following conditions are met:

- (a) it concerns the measures provided for in Article 12 of Regulation (EC) No 3699/93;
- (b) the conditions for its payment are comparable with those laid down in Annex III to the above Regulation and are at least as stringent.

- 2.1.3.3. The rate of such aid may not exceed, in subsidy equivalent, the overall rate of the national and Community subsidies permitted under Annex III to Regulation (EC) No 3699/93.

2.1.4. Aid in the form of advice to small and medium-sized undertakings

Aid to promote better use of the undertakings' equipment, relating in particular to advice on financial and technical management and data processing, is in principle compatible with the common market.

⁽¹⁾ OJ No C 83, 11. 4. 1986, p. 2.

2.2. AID TO SEA-FISHING

2.2.1. Aid for the permanent withdrawal of fishing vessels

Aid for the permanent withdrawal of fishing vessels which is not linked to the purchase or construction of new vessels is compatible with the common market provided that it meets the requirements of Regulation (EC) No 3699/93 for eligibility for Community aid.

In the case of vessels of less than 25 gross registered tonnes (GRT), only the scrapping of the vessel may qualify for public assistance.

2.2.2. Aid for the temporary cessation of fishing

Aid for the temporary cessation of fishing may be deemed compatible if it is intended to offset part of the loss of income associated with a temporary cessation measure introduced as a result of unforeseen and non-recurring circumstances attributable to biological causes, without prejudice to the provisions contained in the following numbered paragraph.

Other aid schemes for the temporary cessation of fishing will be examined by the Commission on a case-by-case basis.

However, aid to restrict fishing activities which is introduced for the purpose of helping to achieve the target reductions in fishing effort under the multiannual guidance programmes for Community fishing fleets is incompatible with the common market.

2.2.3. Aid for investment in the fleet

2.2.3.1. *Aid for the construction of new fishing vessels* may be deemed to be compatible with the common market subject to the requirements of Articles 7 and 10 and Annex III (paragraph 1.3) of Regulation (EC) No 3699/93 and provided that the scales set out in Annex IV to that Regulation are observed and that the sum of the State aids does not exceed, in subsidy equivalent, the level of the State aid fixed by Annex IV to that Regulation.

2.2.3.2. *Aid for the modernization of commissioned vessels* may be deemed compatible with the common market subject to the requirements of Articles 7 and 10 and Annex III (paragraph 1.4) of Regulation (EC) No 3699/93 and provided that the scales set out in Annex IV to that Regulation are observed and that the sum of the State aids does

not exceed, in subsidy equivalent, the level of the State aid fixed by Annex IV to that Regulation.

2.2.3.3. *Aid for the purchase of used vessels* may be deemed compatible with the common market only if all the following requirements are met:

(a) vessels which can be used for fishing for a further 10 years at least, and which, at the time of purchase, are not more than 10 years old, with possible exceptions in certain cases to be examined on an individual basis are concerned;

(b) its aim is to enable sea-fishermen to acquire part-ownership of vessels so that their means of livelihood can be kept in commission, or to help young fishermen establish themselves initially, or to enable fishing vessels to be replaced after their total loss, e.g. in a shipwreck, or in other similar circumstances to be examined on an individual basis;

(c) the rate of aid does not exceed, in subsidy equivalent, 50 % of the participation rate provided for in Annex IV to Regulation (EC) No 3699/93, applying the scale relating to construction aid set out in that Annex;

(d) any aid granted less than 10 years previously for the construction or modernization of a vessel or for the earlier purchase of the same vessel is reimbursed in proportion to the amount of time elapsed. However, a Member State may waive this reimbursement if the purchaser in turn fulfils the conditions to qualify for aid and undertakes to assume the rights and obligations of the previous beneficiary of the aid.

2.2.4. *Aid for temporary joint ventures* may be deemed compatible with the common market if it meets the requirements of the Community rules (Article 9 of and Annex III to Regulation (EC) No 3699/93) provided that the scales set out in Annex IV to that Regulation are observed and that its level does not exceed, in subsidy equivalent, the level of the State aids fixed in Annex IV to that Regulation.

2.2.5. *Aid for the creation of joint enterprises* may be deemed compatible with the common market if it meets the requirements of the Community rules (Article 9 and Annex III to Regulation (EC) No 3699/93) provided that the scales set

out in Annex IV to that Regulation are observed and that its level does not exceed, in subsidy equivalent, the level of the State aids fixed in Annex IV to that Regulation.

2.2.6. Aid for technical assistance at sea

Aid for technical assistance at sea is compatible with the common market in so far as such assistance is provided only in emergencies which cannot be coped with by means of the equipment and supplies normally found on fishing vessels.

2.2.7. Aid for activities in ports

Aid for the operation of ports and aid granted either directly or indirectly to reduce port charges to which fishermen are liable will be examined case by case.

2.2.8. Aid for improving stock conservation and management

Where, pursuant to Council Regulation (EEC) No 3094/86 of 7 October 1986 laying down certain technical measures for the conservation of fishery resources (*) a Member State adopts measures intended to improve stock conservation and management by limiting catches by means of technical measures going beyond the minimum requirements laid down in that Regulation, State aid designed to encourage or facilitate the implementation of such measures may be considered compatible with the common market subject to a case-by-case examination. The measures must not go beyond what is strictly necessary in order to attain the conservation objective pursued.

2.2.9. Aid to strengthen the monitoring of fishing activities

Aid to strengthen the monitoring of fishing activities may be deemed compatible with the common market, subject to a case-by-case examination, if it is aimed at improving the effectiveness of the control measures adopted in accordance with Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy. (**).

2.3. AID TO PROCESSING AND MARKETING IN THE FISHERIES SECTOR

Aid to investment in the processing and marketing of fishery products may be deemed to be compatible with the common market provided that:

- (a) the conditions for granting it are comparable with those laid down in Regulation (EC) No 3699/93 and are at least as stringent;
- (b) the level of the aid does not exceed, in subsidy equivalent, the overall level of the national and Community subsidies permitted under those rules (see Annex IV to Regulation (EC) No 3699/93).

If this aid concerns investments which, according to the above Regulation, is not eligible for Community assistance, the Commission shall consider its compatibility with the objectives of the common fisheries policy on a case-by-case basis.

2.4. AID FOR PORT FACILITIES

Aid for fishing port facilities intended to assist landing operations and the provision of supplies to fishing vessels may be regarded as being compatible with the common market provided that:

- (a) it meets all the requirements for eligibility for Community aid pursuant to Regulation (EC) No 3699/93;
- (b) the rate of aid does not exceed, in subsidy equivalent, the total rate of national and Community subsidies permitted under that Regulation (see Annex IV to Regulation (EC) No 3699/93).

2.5. AID FOR THE DEVELOPMENT OF COASTAL WATERS

Aid for the protection and development of fish stocks in coastal waters may be deemed to be compatible with the common market provided that:

- (a) the conditions for granting it are comparable with those laid down in Regulation (EC) No 3699/93 and are at least as stringent;
- (b) the rate of aid does not exceed, in subsidy equivalent, the total rate of national and Community subsidies permitted under Annex IV to that Regulation.

(*) OJ No L 288, 11. 10. 1986, p. 1.

(**) OJ No L 261, 20. 10. 1993, p. 1

2.6. AID RELATING TO PRODUCT QUALITY

Aid relating to product quality may be deemed compatible with the common market subject to the following conditions:

- (a) it concerns quality control carried out under binding national or Community rules, where the aid only covers the expenditure necessary to carry out such control, or measures aimed at promoting product quality when restricted to advice to undertakings, the promotion of quality marks and to voluntary monitoring of the measures;
- (b) it is granted without distinction in respect of the specified products intended for marketing within the Member States concerned.

Aid to advertising using a quality mark is subject to the provisions laid down in 2.1.3 of these guidelines.

2.7. AID TO PRODUCER ASSOCIATIONS

Aid intended to improve or provide support for the activities of producer groups or associations other than the producer organizations recognized under Council Regulation (EEC) No 3759/92⁽¹⁾ is incompatible with the common market, notwithstanding the provisions below.

Such aid for trade organizations which are not recognized under Community rules may be deemed to be compatible with the common market provided that its rate does not exceed 80 % of the rate of aid granted to such organizations recognized at Community level.

The other categories of aid granted to the said producer associations, groups and organizations are subject to examination under these guidelines.

Aid for measures implemented by members of the industry may be deemed to be compatible with the common market provided that it covers joint schemes of limited duration and contributes to attaining the objectives of the common fisheries policy.

2.8. FRESH-WATER FISHING AND AQUACULTURE

- (a) Aid for investment in commercial fresh-water fisheries (stocking with fry,

restocking, installing/improving waterways and ponds) may be considered compatible with the common market.

- (b) Aid for investment in aquaculture may be regarded as being compatible with the common market provided that:

- the conditions for granting it are comparable with those laid down in Article 11 and Annex III to Regulation (EC) No 3699/93 and are at least as stringent,
- the rate of aid does not exceed, in subsidy equivalent, the overall rate of national and Community subsidies permitted under Annex IV to that Regulation.

2.9. AID IN THE VETERINARY AND HEALTH FIELDS

Aid in veterinary and health-protection fields (e.g. veterinary fees, health checks, tests, screening, preventive treatment, drugs, eradication action following outbreaks of disease) may be deemed compatible with the common market provided that there are national or Community provisions which show that the competent public authority is concerned about the disease in question, either by organizing an eradication campaign, in particular a compulsory scheme with compensation, or by introducing — as a first step — an early-warning system, possibly combined with aid incentives to encourage individuals to take part on a voluntary basis in preventive measures.

This will ensure that only action involving the public interest, notably in view of the danger of contamination, will attract aid to the exclusion of cases in which managers must reasonably themselves take responsibility for the normal risks run by the firm.

The objectives of the aid measures must be either preventive, in that they involve tests, screening, action against certain living organisms transmitting disease, prevention or preventive destruction of apparently healthy fish, crustaceans or molluscs that are in fact real or presumed bearers of epizootic disease, or compensatory, in that the animals affected are destroyed by order or recommendation of the competent public authority or die following and

⁽¹⁾ OJ No L 388, 31. 12. 1992, p. 1.

because of previous preventive measures, imposed or recommended by that authority, or mixed, in that the compensatory aid scheme for the loss of products affected by one of the diseases referred to is combined with the conditions that the beneficiary undertakes to take appropriate prevention action as specified by the competent public authority.

2.10. SPECIAL CASES

2.10.1. These guidelines also apply to fishery undertakings which are entirely or partly publicly-owned.

2.10.2. As regards aid granted in the form of management loans at reduced rates linked to operating expenditure over a fishing year or production cycle, the Commission may, if appropriate, draw up specific guidelines in the light of the results of a 'horizontal' examination of aids of this type in all Member States.

2.10.3. Direct income aid to workers in the fisheries and aquaculture sector and to workers employed in the processing and marketing of fishery and aquaculture products may be considered compatible with the common market provided it forms part of socio-economic back-up measures designed to resolve difficulties linked to the adjustment or reduction of capacity (e.g. aids for training, in connection with retraining, etc.).

3. PROCEDURAL MATTERS

3.1. The implementation of these guidelines presupposes discipline both on the part of the authorities in the Member States and on the part of the Commission, particularly as regards the formal obligations to provide notification and the time limits set for this purpose.

In the interests of accelerating the examination of aid measures, the Commission reminds the Member States of their duty to notify aid schemes at the draft stage in accordance with Article 93 (3) of the EC Treaty, supplying all the particulars necessary for their assessment. Where aid is granted without being notified beforehand or before the Commission has taken a position on the draft scheme, the Commission intends in future to apply the procedure arising from the Court of Justice judgment of 14 February 1990 in Case C-301/87 (Boussac judgment). (See letter from the Commission to

the Member States of 4 March 1991 on the procedure for notifying aids and the procedures regarding aids granted in breach of Article 93 (3) of the EC Treaty).

In the case of existing aid schemes for fisheries, the Member States will confirm to the Commission before 31 December 1994 that these will comply with the criteria laid down in these guidelines.

3.2. Furthermore, the Commission draws the attention of the Member States to its letter of 2 November 1983 ⁽¹⁾ concerning the recovery of aid granted unlawfully and the possible repercussions of such aid on the European Agricultural Guidance and Guarantee Fund. The economic effects of this aid, i.e. its impact on competition, will be taken into consideration when decisions are taken regarding the reimbursement of aid unlawfully granted.

With regard to the impact of unlawfully granted aid on the activities financed by the EAGGF Guarantee Section, any repercussions on expenditure financed by the Guarantee Section will be taken into account during the clearance of the accounts.

3.3. As granted the non-financing by the EAGGF Guarantee Section of any expenditure likely to be affected by a unilateral national measure which is incompatible in particular with the nature and objectives of the fisheries market organization or which impedes the proper operation of its instruments, the Commission must ensure that the Community budget does not contribute to operations constituting infringements of Community law; it may therefore withhold the advances provided for in Article 5 of Regulation (EEC) No 729/70 and Regulation (EEC) No 2776/88 where such advances would finance operations affected by a national measure.

3.4. Aid schemes in the fisheries and aquaculture sector not covered by these guidelines will be examined by the Commission on a case-by-case basis in the light of the objectives of the common fisheries policy. The same procedure will apply to aid schemes contemplated by Member States pursuant to Article 16 (2) of Regulation (EC) No 3699/93.

⁽¹⁾ OJ No C 318, 24. 11. 1983, p. 3.

Notice of initiation of a review of Council Regulation (EEC) No 1768/89 concerning imports of video tape in cassettes originating in Hong Kong and the Republic of Korea and of Commission Decision 89/376/EEC accepting undertakings offered in that connection

(94/C 260/04)

The Commission has received a request for a review of the anti-dumping measures currently in force concerning imports of video tapes in cassettes originating in Hong Kong and the Republic of Korea, as provided for in Article 15 of Council Regulation (EEC) No 2423/88 ⁽¹⁾. The request was received from the European Chemical Industry Council (Cefic) acting on behalf of producers said to represent a major proportion of total Community output of the product in question.

Product

The products concerned are video tapes in cassettes, prepared for recording but not recorded upon (i.e. video cassettes operating under VHS standards) ⁽²⁾.

Previous proceeding

The previous proceeding resulted in the imposition of definitive anti-dumping duties ⁽³⁾ in June 1989, except for one exporter in Hong Kong for which an undertaking was accepted ⁽⁴⁾.

Two partial reviews were subsequently carried out at the request of two other Hong Kong companies which had not exported during the original investigation period (so-called newcomer reviews). These reviews resulted in one exporter having no measures imposed against it ⁽⁵⁾, whilst the other had variable and *ad valorem* duties imposed ⁽⁶⁾.

Grounds for the review

In December 1993, in accordance with Article 15 of Regulation (EEC) No 2423/88, the Commission published a notice of impending expiry ⁽⁷⁾ of the above-mentioned anti-dumping measures. A request for a review of the Regulation imposing the anti-dumping measures was subsequently lodged by Cefic in February 1994. In May 1994, the Commission gave notice of its intention to carry out the requested review ⁽⁸⁾.

The request of Cefic shows a number of negative factors with regard to the situation of the Community industry. The applicants' sales of E 180 type cassettes, taken as an example because these represent a high volume of total video cassette sales, have sharply declined from 100 (index basis) in 1990 to 48,2 in 1993. Their total production declined during the same period from 100 (index basis) in 1990 to 93,7 in 1993. Capacity utilization, after having temporarily increased, also declined from 90,4 % in 1992 to 77,4 % in 1993.

According to the request, these negative factors are the result of an aggressive pricing policy practised by the exporters which has forced the Community producers' prices to levels which are below their cost of production. It is also claimed that the prices of the exporters undercut those of the Community producers by almost a third and that, in addition, the current dumping margins, based on recent prices are far higher than those on which the present duties were based in 1989.

In the light of the high production capacity in the exporting countries (200 million units for the Republic of Korea and 160 million units for Hong Kong) and spare capacity of more than 25 million units in both countries, the applicants allege it is inevitable that dumped exports to the Community will significantly increase if the measures were allowed to lapse and that, as a result, the Community industry would experience renewed and increased material injury resulting from dumped imports from the countries concerned.

Procedure

Having decided, after consultations, that there is sufficient evidence to justify the initiation of a review, the Commission has commenced an investigation in accordance with Article 15 of Regulation (EEC) No 2423/88. Interested parties may make their views known in writing, in particular by replying to the questionnaire addressed to the parties known to be concerned and by providing supporting evidence. Furthermore, the Commission will hear parties who so request when making their views known provided they can show that they are likely to be affected by the result of the proceeding.

This notice is published in accordance with Article 7 (1) (a) of the abovementioned Regulation.

⁽¹⁾ OJ No L 209, 2. 8. 1988, p. 1, as last amended by Regulations (EC) No 521/94 and (EC) No 522/94 (OJ No L 66, 10. 3. 1994, p. 7 and p. 10).

⁽²⁾ It is alleged that the product in question falls within CN code ex 8523 13 00.

⁽³⁾ OJ No L 174, 22. 6. 1989, p. 1.

⁽⁴⁾ OJ No L 174, 22. 6. 1989, p. 30.

⁽⁵⁾ OJ No L 354, 4. 12. 1992, p. 1.

⁽⁶⁾ OJ No L 139, 22. 5. 1992, p. 1.

⁽⁷⁾ OJ No C 344, 22. 12. 1993, p. 3.

⁽⁸⁾ OJ No C 142, 25. 5. 1994, p. 2.

Time limit

Any information relating to the matter, any arguments concerning the allegations of dumping and injury resulting therefrom and any request for a hearing should be sent in writing to reach the Commission of the European Communities; Directorate-General for External Economic Relations (Unit I-C-2), 200 rue de la Loi, B-1049 Brussels ⁽¹⁾ no later than 30 days following the date of publication of this notice or, for parties known to be concerned, the date on which the letter accompanying the abovementioned questionnaire was received, whichever date is the later. The receipt of this

⁽¹⁾ Telex COMEU B 21877; telefax (32 2) 295 65 05.

letter is deemed to occur seven days following the date of its despatch.

Any party which has not received a questionnaire should request such a questionnaire within two weeks of the present publication. All questionnaires so requested (or requested subsequent to that date) should be sent in completed form to the above address, no later than 45 days after the publication of this notice.

If the required information and argumentation are not received in adequate form within the time limit specified above, the Community authorities may make preliminary or final findings on the basis of the facts available in accordance with Article 7 (7) (b) of Regulation (EEC) No 2423/88.

Notice to Community importers of toys falling within HS/CN code 9503 41 originating in the People's Republic of China

(94/C 260/05)

In accordance with Article 3 of Council Regulation (EC) No 520/94 of 7 March 1994 establishing a Community procedure for administering quantitative quotas ⁽¹⁾, Community importers are hereby informed that:

1. In Regulation (EC) No 2247/94 of 15 September 1994, the Commission established the procedures for administering the additional quantitative quota introduced by Council Regulation (EC) No 1921/94 ⁽²⁾.
2. This quantitative quota shall be allocated using the method based on traditional trade flows (Article 2 (2) (a) of Regulation (EC) No 520/94). Under this method the quota is divided into two portions, one reserved for traditional importers (75 %), and the other for other importers (25 %). However, that portion of the quota set aside for other importers shall be allocated on a pro rata basis according to the quantities applied for; the amount requested by any importer other than traditional may not exceed ECU 30 000.
3. To qualify for the allocation of these quotas, importers established in the Community irrespective of where this may be, may submit a single licence application for each quota to the competent authorities of the Member State of their choice, drawn up in the official language or languages of the Member State concerned. The list of competent authorities is given in the Annex to this notice.
4. In accordance with Article 3 of Commission Regulation (EC) No 738/94 of 30 March 1994 laying down certain rules for the implementation of Regulation (EC) No 520/94 ⁽³⁾, the licence application gives only:
 - (a) the applicant's name and full address (including telephone and fax number, and any identification number registered with the competent national authorities), and VAT registration number, if it is a VAT taxpayer;
 - (b) the period to which the quota relates, i.e. 1994;
 - (c) if necessary, the declarant's name and full address or, where appropriate, that of the applicant's representative (including telephone and fax number);

⁽¹⁾ OJ No L 66, 10. 3. 1994, p. 1.

⁽²⁾ OJ No L 198, 30. 7. 1994, p. 1.

⁽³⁾ OJ No L 87, 31. 3. 1994, p. 47.

- (d) a description of the goods, giving:
- trade description,
 - combined nomenclature (CN) code,
 - details of origin and place of consignment;
- (e) the amount applied for, expressed in ecus;
- (f) whether the licence to be issued and any extracts thereof will be used in the Member State of issue, or in another Member State;
- (g) the following statement followed by the date and applicant's signature and name printed in capital letters:

'I, the undersigned, declare that the information given in this application is correct and is given in good faith, that I am established in the European Community, and that this application is the only one made by me or on my behalf for the quota relating to the goods described in the application.

I undertake to return the licence to the competent issuing authority within 10 working days of its expiry in the event that all or part of it is not used.'

5. To qualify for the allocation of the part of the quota set aside for the traditional importers, importers shall enclose with their licence applications certified copies of the originals of the release for free circulation declarations made out during calendar years 1991 and 1992 in their name or, where applicable, that of the operator whose activities they have taken over; these declarations must refer to the release for free circulation of the product originating in the People's Republic of China covered by the quantitative quota concerned by the licence application.

Alternatively, applicants may enclose with their licence applications, documents drawn up and certified by the competent national authorities on the basis of the available customs information as evidence of the imports of the products in question during calendar years 1991 and 1992 carried out by them or, where applicable, by the operator whose activities they have taken over.

Alternatively, applicants already holding import licences issued under Community legislation (Regulation (EC) No 1012/94 of 29 April 1994) applying to toys falling within CN code 9503 41 may enclose a copy of their previous licences with their licence applications. In this case, however, they shall indicate in their import licence applications the aggregate value of imports of the product or products in question in each of the years of the reference period (1991 and 1992).

6. Applications for import licences may be lodged from the day following the day of publication of Commission Regulation (EC) No 2247/94 of 15 September 1994 in the *Official Journal of the European Communities* until 28 September 1994 at 3 p.m., Brussels time.
7. *NB:*

The provisions applying to the quotas covered by this notice result from the following Regulations:

- Council Regulation (EC) No 520/94 of 7 March 1994 (OJ No L 66, 10. 3. 1994, p. 1),
- Council Regulation (EC) No 1921/94 of 25 July 1994 (OJ No L 198, 30. 7. 1994, p. 1),
- Commission Regulation (EC) No 738/94 of 30 March 1994 (OJ No L 87, 31. 3. 1994, p. 47),
- Commission Regulation (EC) No 2247/94 of 15 September 1994 (OJ No L 242, 17. 9. 1994, p. 2).

ANEXO — BILAG — ANHANG — ΠΑΡΑΡΤΗΜΑ — ANNEX — ANNEXE — ALLEGATO —
BIJLAGE — ANEXO

Lista de las autoridades nacionales competentes

Liste over kompetente nationale myndigheder

Liste der zuständigen Behörden der Mitgliedstaaten

Πίνακας των αρμόδιων εθνικών αρχών

List of the national competent authorities

Liste des autorités nationales compétentes

Elenco delle competenti autorità nazionali

Lijst van bevoegde nationale instanties

Lista das autoridades nacionais competentes

1. BELGIQUE/BELGIË
Ministère des affaires économiques/Ministerie
van Economische Zaken
Office central des contingents et licences/Centrale
Dienst voor Contingenten en Vergunningen
rue J. A. De Motstraat 24-26
B-1040 Bruxelles/Brussel
Tél.: (32 2) 233 61 11
Télécopieur (32 2) 230 83 22
2. DANMARK
Erhvervsfremmestyrelsen
Søndergade 25
DK-8600 Silkeborg
Tlf. (45) 87 20 40 60
Fax (45) 87 20 40 77
3. DEUTSCHLAND
Bundesamt für Wirtschaft
Frankfurter Straße 29—31
D-65760 Eschborn
Tel.: (49) 6196/404-0
Fax: (49) 6196/40 42 12
4. ΕΛΛΑΔΑ
Υπουργείο Εθνικής Οικονομίας
Γενική Γραμματεία Διεθνών Οικονομικών Σχέσεων
Γενική Διεύθυνση Εξωτερικών Οικονομικών
και Εμπορικών Σχέσεων
Δ/νση Διαδικασιών Εξωτερικού Εμπορίου
Μητροπόλεως 1
GR-105 57 Αθήνα
Τηλ.: (30-1) 323 04 18, 322 84 93
Τέλεφαξ: (30-1) 323 43 93
5. ESPAÑA
Ministerio de Comercio y Turismo
Dirección General de Comercio Exterior
Paseo de la Castellana 162
E-28071 Madrid
Tel.: (34 1) 349 38 17 — 349 37 48
Telefax: (34 1) 563 18 23 — 349 38 31
6. FRANCE
Services des titres du commerce extérieur
8, rue de la Tour-des-Dames
F-75436 Paris Cedex 09
Tél.: (33 1) 44 63 25 25
Télécopieur: (33 1) 44 63 26 59 — 44 63 26 67
7. IRELAND
Department of Tourism and Trade
Single Market Unit (Room 315)
Kildare Street
IRL-Dublin 2
Tel. (353 1) 662 14 44
Fax (353 1) 676 61 54
8. ITALIA
Ministero del Commercio con l'Estero
Direzione Generale delle Importazioni e delle Esportazioni
Viale America, 341
I-00144 Roma
Tel.: (39-6) 59 931
Telefax: (39-6) 59 93 26 31 — 59 93 22 35
Telex: 610083 — 610471 — 614478
9. LUXEMBOURG
Ministère des affaires étrangères
Office des licences
Boîte postale 113
L-2011 Luxembourg
Tél.: (352) 22 61 62
Télécopieur: (352) 46 61 38
10. NEDERLAND
Centrale Dienst voor In- en Uitvoer
Engelse Kamp 2
Postbus 30003
NL-9700 RD Groningen
tel. (31-50) 23 91 11
telefax (31-50) 26 06 98
11. PORTUGAL
Ministério do Comércio e Turismo
Direcção-Geral do Comércio
Avenida da República, 79
P-1000 Lisboa
Tel.: (351 1) 793 09 93 — 793 30 02
Telefax: (351 1) 793 22 10 — 796 37 23
Telex: 13418
12. UNITED KINGDOM
Department of Trade and Industry
Import Licencing Branch
Queensway House
West Precinct
Billingham
UK-Cleveland TS23 2NF
Tel. (44 642) 36 43 33 — 36 43 34
Fax (44 642) 53 35 57
Telex 58608

III

(Notices)

COMMISSION

Call for expressions of interest in connection with the creation of a consultant base

(94/C 260/06)

1. European Commission, Directorate-General XXIII, 'Enterprise Policy, Distributive Trades, Tourism and Cooperatives', rue de la Loi 200, B-1049 Brussels.
2. Call for expressions of interest.
3. The present call for tenders invites individual consultants, associations and organizations to inform the Commission of their possible interest in providing research and advisory services in connection with enterprise policy, trade, skilled work, tourism, and cooperatives.
4. The Commission will examine the offers received and draw up a list of contractors who could be called upon in the framework of a study or a consulting contract to carry out tasks related to the evaluation, preparation and implementation of actions in the abovementioned fields. The list will be used to determine applicants who could be invited to submit detailed offers to the Commission under restricted calls for tenders related to specific themes. The maximum value of a contract is 200 000 ECU (100 000 ECU in the case of a study contract).
5. Applicants invited to tender under a restricted procedure will be selected on the basis of the following criteria:
 - competence and experience in the field concerned;
 - overall experience in the field of SMEs;
 - capacity to carry out the assignments planned: geographic cover, language skills, availability, etc.;
 - quality of the dossier;
 - price scale.
6. The present call for tenders does not stipulate a final date for receipt of applications. Applicants may at any time submit dossiers for examination and request to be included in the abovementioned list.
7. The present call for tenders in no manner obligates the European Commission vis-à-vis applicants.
8. The list of potential contractors will remain valid to 31. 5. 1997.
9. Study and research contracts will concern various aspects of enterprise policy, trade, skilled work, tourism and cooperatives, in particular in the countries of the European Economic Area. Some initiatives will cover central and eastern European countries (CEEC) or third countries and geographic zones.
10. The expertise required relates to the following general objectives:
 - 10.1. improved understanding of the situations, processes and problems related to enterprise policy, trade, skilled work, tourism and cooperatives, to be obtained by means of integrated transnational, national, regional and/or local studies.
 - 10.2. identification of good practices and explanation of the preoccupations and orientations common to actions and policies implemented in the Member States of the European Union principally, to be achieved by means of deliberative, evaluative and integrative studies and legal, economic or statistical reports.
11. The Commission may issue restricted calls for tenders in order to select contractors who have demonstrated competence and experience in enterprise matters, in particular:
 - A. Comparative law
 - A.1. Commercial law/taxation
 - A.2. Civil law
 - A.3. Public law
 - A.4. Community law
 - B. Strategies for providing information to enterprises

- C. Information for enterprises
 - C.1. Information networks
 - C.2. Information management
 - C.3. New information products
 - C.4. Organization of conferences for tourism professionals
 - C.5. Preparation, where required, translation, and publication of reports and brochures concerning tourism
 - D. New technologies
 - D.1. Innovation and R & D technologies
 - D.2. Technology transfers
 - D.3. New technologies of interest to trade, tourism and, more generally, SMEs
 - D.4. Technologies for tourist information and/or reservations
 - E. Urban planning, area planning, SMEs, trade and skilled work
 - F. Transnational projects favouring SMEs
 - F.1. Information
 - F.2. Cooperation
 - F.3. Promotion
 - F.4. Utilization of information and telecommunications technologies in such projects
 - G. Training and support
 - G.1. Training of managers and executive aides
 - G.2. Standardization, certification, quality and security, including quality assurances and total quality management
 - G.3. Small businesses, skilled work and family businesses
 - G.4. Professional training for commerce
 - G.5. Exchange of apprentices and skilled workers
 - G.6. Initial and continuing training in tourism, hotel work and catering
 - G.7. Quality of tourist services
 - H. Financing
 - H.1. Specific problems related to SME financing
 - H.2. Financial engineering and financial instruments (start-up capital)
 - H.3. Unlisted securities markets
 - H.4. Mutual guarantees
 - I. Market access and access to new markets
 - I.1. Public procurement
 - I.2. Third countries
 - I.3. Impact of the single market on SMEs and skilled workers
 - I.4. Promotion in third-country markets of Europe as a tourist destination
 - I.5. Touristic cooperation with central and eastern Europe and with the Maghreb-Mediterranean region
 - J. Environment
 - J.1. Regulations and SMEs, environmental audits
 - J.2. Clean technologies and SMEs
 - J.3. Tourism and the environment (sustainable development)
 - K. SMEs
 - K.1. Studies and research in the field of SMEs
 - K.2. Analysis of the economic, financial and regulatory situation of SMEs in the European Economic Area
 - K.3. Computer and technical support of actions in favour of SMEs
 - K.4. SMEs involved in tourism
 - L. Subcontracting
 - L.1. Economic aspects of European subcontracting
 - L.2. Legal aspects of European subcontracting
 - L.3. Technical aspects of European subcontracting
 - L.4. Importance of networking, information and cooperation for subcontractors
 - M. Provision of qualified personnel
 - M.1. Legal
 - M.2. Economic
 - M.3. Commercial
 - M.4. Computer
 - M.5. Secretariat
12. Applications dossiers are to include a form to be requested from facsimile No 296 12 41, for the attention of Mrs R. Stern (as in 16).
13. Dossiers are also to include the following documentation in duplicate:

- 13.1. a note introducing the candidate and describing his activities, in order to permit the Commission to evaluate his competence in the fields indicated. Where the applicant is a natural person, a document certifying his legal status, and a curriculum vitae accompanied by a detailed description of his activities, in order to allow the range and depth of his experience to be evaluated;
- 13.2. where the applicant is a legal entity, a statement of the names and capacities of the persons forming part of directors' and executive boards; substantiated proof (financial statements and profit-and-loss accounts for the past 2 financial years) providing evidence of financial resources;
- 13.3. an indicative scale or, where called for, the range of prices per person/day, all expenses included with the exception of projected expenses for travel and lodging costs in connection with work away from the principal place of work; prices are to be expressed in ecus and net of fees and taxes (the European Commission is exempt from fees and taxes under the Protocol on the Privileges and Immunities of the European Communities);
- 13.4. information concerning the applicant's resources, providing evidence that he will be able to assign qualified personnel and the necessary infrastructure to a task entrusted to him; appropriate documents are to be included;
- 13.5. references for previous work in the fields proposed; details of studies, service contracts, consulting and other work executed previously.
14. A dossier is to cover no more than 1 field. Applicants are to submit 1 dossier for every field for which they wish to be considered.
15. Applications are to be submitted in an official language of the European Union.
16. Applicants are to send their application dossier in a sealed envelope to the following address:
— Commission of the European Communities, DG XXIII, Mrs R. Stern, rue de la Loi 200 (AN80 5/28), B-1049 Brussels.
17. The envelope is to be marked: 'Call for expressions of interest No ...'.
18. Requests to participate not accompanied by the required documentation or with the required form inadequately completed will not be examined by the Commission.
19. The Commission reserves the right to request supplementary information from applicants after submission and during the examination of their dossier.
20. Applicants are to keep the Commission regularly informed of any change in their situation, in order that their application dossier may be kept up to date.

Call for tenders for the provision of services with regard to the conclusion of a contract of supply of services entitled 'Implementation of the monitoring mechanism of community CO₂ and other greenhouse gas emissions'

Open procedure

XI/B4/1099

(94/C 260/07)

1. **Awarding authority:** The European Commission, Directorate-General for Environment, Nuclear Safety and Civil Protection as represented by the Director General of DG XI, rue de la Loi 200, B-1049 Brussels.
2. **Description of the services to be provided**
- In the context of the implementation of the monitoring mechanism of community CO₂ and other greenhouse gas emissions (Council decision 93/389/EEC), the European Commission intends to conclude a contract of supply of services with regard to the following areas:
- refinement of the methodology used for the evaluation of emissions' trajectories submitted by the Member States;
 - analysis of the contents of the national programmes and assessments of their implementation stage, in terms of both quantifiable impact on emissions and qualitative appreciation of progress towards the stabilization target;
 - technical advice, follow up and monitoring of the efficiency of the measures in respect of synergies, both in the community and nationally;

- technical support on the elaboration of the relevant reports and working documents.
3. **Deadline for the receipt of tenders:** within 52 calendar days from the date of publication of the notice.
4. **Duration:** 12 months from the date of signature of the contract.
5. a) **Address where the invitation to tender may be requested:** Mr J. J. Groenendaal, DG XI/Unit 3, BU5 3/178, rue de la Loi 200, B-1049 Brussels, facsimile (02) 299 10 69.
- Each request must bear the reference No: XI/B4/1099.
- b) **Final date for requesting the invitation to tender:** within 37 calendar days from the date of dispatch of the notice.
6. **Submission for tenders:**
- Address: European Commission, for the attention of Mr J. J. Groenendaal, DG XI/Unit 3, Finance and Contracts, BU5 03/170, rue de la Loi 200, B-1049 Brussels.
7. **Legal form in the case of group bidders:** tenders may be submitted individually or jointly. If 2 or more applicants submit a joint bid, 1 must be designated as the lead contractor and agent responsible.

8. *Minimum requirements*

The tenders shall produce:

- a copy of a certificate attesting to their registration in the national trade, professional register or an equivalent register conforming to the national legislation in force;
 - the tenderer's balance sheets and income/expenditure statements where publication of balance sheets is required under the business law in the country in which the tenderer is established;
 - the tenderer's educational and professional qualifications and/or those of the firm's managerial staff and, in particular, those of the persons(s) responsible.
9. **Validity of the tender:** 6 months from the closing date given above.
10. **Award criteria:** criteria for the evaluation of bids will be sent out in the invitation to tender.
11. **Date of dispatch of the notice:** 8. 9. 1994.
12. **Date of receipt of the notice by the Office for the Official Publications of the European Communities:** 8. 9. 1994.

Preparation of newsletters and dossiers

Open procedure

(94/C 260/08)

1. **Awarding authority:** Commission of the European Communities, Directorate-General for Information, Communication, Culture and Audiovisual Media (DG X), Unit X.A.7, General public, Office 4/97, rue de Trèves 120, B-1049 Brussels.

Tel. (02) 299 94 16. Facsimile (02) 299 92 83.

2. a) **Award procedure:** Invitation to tender.

b) **Nature of award:** Contract.

3. a) **Place of delivery:** Brussels.

b) **Subject of contract:** The publication of:

four-page newsletter aimed at women's groups and distributed 10 times a year. It includes the following supplies and services:

- gathering of information, determination of content, writing, correction of content, translation into the 9 Community languages (possibly 12 with the new member countries), printing on paper and finishing, management of mailing list, franking and dispatch, general coordination, storage and archiving.

The aim of the newsletter is to:

- provide the various women's groups with topical and detailed information on institutional and European affairs, especially items of concern to women.

Preparation of dossiers 3 times a year on specific areas of Community policy with reference to women or various aspects of women's lives, intended for students and researchers and others requiring information on the subject.

The contract includes the following supplies and services:

- identification of topics for the year, selection of authors and graphic design for the cover page, checking of content and spelling, translation into the 9 Community languages (possibly 12 with the new member countries), printing on paper and finishing, management of mailing list, general coordination, reprints, storage and archiving.

If necessary, preparation of special brochures for certain events.

The contract is indivisible; 1 contractor will be awarded the entire contract.

- c) The contract is indivisible; 1 contractor will be awarded all the supplies and services.

4. **Delivery:** To be agreed.

- 5. a) **Requests for specifications to:** Mrs Véronique Houdart-Blazy, European Commission, Directorate-General for Information, Communication, Culture and Audiovisual Media, Unit X.A.7, General public, Office 4/97, rue de Trèves 120, B-1049 Brussels.

The envelope must be marked 'concerning tender No ...'.

- b) **Final date for making such requests:** 30 days following the date of publication of this notice in the Official Journal of the European Communities.

c)

6. a) **Final date for receipt of tenders:** 3. 11. 1994.

- b) **Address:** Attention: Mr Richard Weber, European Commission, Directorate-General for Information, Communication, Culture and Audiovisual Media, Unit X.2, Planning, budgets and finance, Office 6/92, rue de Trèves 120, B-1049 Brussels.

- c) **Language:** One of the 9 official languages of the European Union.

7. a) **Persons authorized to be present at the opening of tenders:** The Commission officials concerned.

8.

9. **Financing and payment:** 50 % at the time of ordering, 50 % after delivery.

10. **Legal form:** Sub-contracting is not accepted.

11. **Minimum economic, technical and professional conditions:** Tenderers must provide evidence of their financial and technical capacity and give the following information:

- copy of the articles of association and past 2 balance sheets,
- relevant bank declaration,
- description of human resources and technical equipment, whether or not part of the firm,
- list of authorized officers and composition of governing bodies.

Tenderers must provide evidence of their professional capacity by:

- showing proof of their enrolment on the professional register as required by the legislation of the Community country where they are established,
- reference to similar contracts and tasks performed in the past 3 years.

12. **Period during which tenders must be kept open:** 6 months from the final date fixed for the receipt of tenders.

13. **Criteria for award of the contract:**

- best value for money,
- thorough knowledge of publishing and its organization,
- proven experience of similar activities,
- price.

14. **Variants:** are not accepted.

15.

16. No pre-information notice was published.

17. **Date of dispatch of the notice:** 12. 9. 1994.

18. **Date of receipt of the notice by the Office for Official Publications of the European Communities:** 13. 9. 1994.

European Foundation for the Improvement of Living and Working Conditions

Programme of studies and other activities

Call for expressions of interest No 1/94

(94/C 260/09)

1. This notice is issued by the European Foundation for the Improvement of Living and Working Conditions, Loughlinstown House, Shankill, Co. IRL-Dublin.
2. Call for expressions of interest.
3. The purpose of the call for the expressions of interest is to invite individual researchers, consultants or research institutes to inform the Foundation of their interest in possible cooperation in the implementation of its programme.
4. After examining the applications received, the Foundation will draw up a register of potential contractors. Contractors not included in the register will be informed. The register will be used to select candidates who may be invited, at a later stage, to submit detailed proposals to the Foundation under a restricted invitation to tender, relating to the subject in question and for a sum not exceeding 200 000 ECU.
5. Selection of candidates will be on the basis of the following criteria:
 - competence and experience in the field in question;
 - capacity to carry out the anticipated tasks; geographical coverage, knowledge of languages, availability, etc.;
 - quality of the dossier;
 - scale of charges.
6. This call for expressions of interest will remain valid in order to enable interested parties to apply at any time by sending their dossier for examination with a view to being entered in the register thus drawn up.
7. This call in no way constitutes a contractual undertaking on the part of the European Foundation for the Improvement of Living and Working Conditions.
8. The list of potential contractors will remain valid until 31. 12. 1996.
9. Study and research contracts will relate to the various aspects of living and working conditions, particularly in the Member States. However, certain initiatives may cover member countries of the European Free Trade Association (EFTA), the countries of Central and Eastern Europe or other countries and geographical regions.
10. The subjects covered will be those contained in the programme of work of the Foundation:

Chapter 1 - Social cohesion

 - 0100 Consumer-oriented action in the public services
 - 0150 The role of partnerships in promoting social cohesion
 - 0151 Combating age barriers in job recruitment and training

Chapter 2 - Access to employment, innovation and work organization

 - 0105 Eurocounsel: counselling and long-term unemployment
 - 0106 Developments in working-time legislation and agreements
 - 0107 Monitoring developments in working-time organization (e.g. shiftwork)
 - 0109 Telehomeworking: working at home or living at the workplace?
 - 0110 Flexispace/mobility of work
 - 0152 Sharing work: who wants to work, how, when and why?

Chapter 3 - Human relations within the company, social dialogue and industrial relations

 - 0114 Workplace Europe: direct participation in organizational change
 - 0115 Innovative work forms in Europe and North America: the ecology of work
 - 0118 European labour and industrial relations glossaries and database (EMIRE)
 - 0139 Alternatives to migration: the role of the Social Partners
 - 0154 Preventing racism at the workplace

Chapter 4 - Health and safety

 - 0121 Identification and assessment of occupational health strategies in Europe
 - 0122 Design for health - information sources and design guides
 - 0123 Ill-health and workplace absenteeism: initiatives for prevention
 - 0125 Assessing the benefits of stress prevention
 - 0156 European survey on the working environment

- 0159 Economic incentive models to improve the working environment in Europe
- 0160 The European working environment in figures
- Chapter 5 - Socio-economic aspects of the environment**
- 0128 The firm and the environment - regional/local cooperation initiatives in the southern Member States
- 0129 Employment potential of sustainable development policies
- 0130 Training in environmental management (industry and sustainability)
- 0132 Innovations for the improvement of the urban environment
- 0133 The medium-size cities and socio-economic and environmental developments at regional level
- 0162 Rural areas and sustainability
- 0164 The cooperation of the Social Partners in the environment
- Chapter 6 - Equal opportunities between women and men**
- 0166 Practice of collective agreements on equal opportunities in Europe
- 0167 Family, labour market and gender roles
- 0168 Equity between women and men in living and working conditions
- Chapter 7 - Programme of coordination, exchange and information/dissemination**
- 0119 Innovative workplace action for health
- 0143 ACCEPT
- 0145 Information transfer to Central/Eastern Europe
11. Candidates' dossiers must include the completed form, which may be obtained from the European Foundation for the Improvement of Living and Working Conditions, Loughlinstown House, Shankill, Co. IRL-Dublin.
12. The dossier must also include the following documentation in duplicate:
- 12.1 descriptive details of the applicant and his/her activities, illustrating his/her special competence in the areas he/she has chosen. In the case of independent applicants, a certificate of legal status and a curriculum vitae are required, accompanied by a detailed description of the person's activities, showing the nature and extent of his/her experience;
- 12.2 if the applicant is a legal person, a document listing managers (names and functions) and the appropriate operational staff (with curricula vitae), as well as documentary evidence (balance sheets and profit and loss accounts relating to the past 2 financial years) to establish the financial stability of the applicant;
- 12.3 a scale, with cost bands if necessary, indicating the remuneration per person/month and/or per person/day, all expenses included, except for travel and other expenses incurred away from the main place of work; prices must be listed in ecus exclusive of duty and taxation (the European Foundation is exempt from all duties and taxes in accordance with the provisions of the Protocol on the Privileges and Immunities of the European Communities, attached to the Treaty of 8.4.1965 establishing a Single Council and a Single Commission of the European Communities);
- 12.4 information on the funds available to the applicant, showing that he/she can commit the necessary qualified personnel and infrastructure to any tasks he/she might be asked to perform (please attach all relevant documents);
- 12.5 references to previous activities in areas related to the proposed topics, with details of studies, publications, consultations and other work previously undertaken.
13. Expressions of interest are to be presented in 1 of the official languages of the European Community.
14. Those who are interested are invited to send their application in a sealed envelope to the following address: European Foundation for the Improvement of Living and Working Conditions, Loughlinstown House, Shankill, Co. IRL-Dublin.
15. The envelope must bear the words: 'Call for expressions of interest No 1/94'.
16. Incomplete applications or those with insufficient documentation will not be considered by the Foundation.
17. The Foundation reserves the right to ask for supplementary information from candidates when their dossier is examined.
18. Candidates will be informed of the receipt of their dossier.
19. Candidates will inform the Foundation of any alteration to their situation in order that their application may be kept up to date.
20. This notice cancels and replaces that which was published in the Supplement to the *Official Journal of the European Communities* No S 168 of 2.9.1994, p. 106.