

English edition

Information and Notices

<u>Notice No</u>	Contents	Page
	<i>I Information</i>	
	Commission	
95/C 186/01	Ecu.....	1
95/C 186/02	Average prices and representative prices for table wines at the various marketing centres	2
95/C 186/03	Notice of the impending expiry of certain anti-dumping measures	3
95/C 186/04	Notice to the Member States laying down guidelines for an initiative in the framework of the special support programme for peace and reconciliation in Northern Ireland and the border counties of Ireland	3
95/C 186/05	Non-opposition to a notified concentration (Case No IV/M.542 — Babcock/Siemens/BS Railcare) (¹)	8
	<i>II Preparatory Acts</i>	
	Commission	
95/C 186/06	Proposal for a Council Decision on a Community financial contribution towards certain expenditures incurred by the Member States in implementing the monitoring and control system applicable to the common fisheries policy (¹)	9



<u>Notice No</u>	Contents (continued)	Page
	III <i>Notices</i>	
	Commission	
95/C 186/07	Phare — road modernization — Ministry of Transport and Maritime Economy — General Directorate of Public Roads.....	14
	Corrigenda	
95/C 186/08	Surveillance service contract for the Office for Harmonization in the Internal market (OJ No C 161, 27. 6. 1995, p. 18).....	15
95/C 186/09	LEONARDO da Vinci Programme (OJ No C 128, 24. 5. 1995, p. 23)	15
95/C 186/10	Med-Migration Programme (OJ No C 164, 30. 6. 1995, p. 13)	16
95/C 186/11	Invitations to tender with a view to concluding contracts (OJ No C 173, 8. 7. 1995, p. 14).....	16

I

(Information)

COMMISSION

Ecu ⁽¹⁾

19 July 1995

(95/C 186/01)

Currency amount for one unit:

Belgian and Luxembourg franc	38,3825	Finnish markka	5,68605
Danish krone	7,26199	Swedish krona	9,64407
German mark	1,86610	Pound sterling	0,844615
Greek drachma	303,184	United States dollar	1,34581
Spanish peseta	161,147	Canadian dollar	1,83367
French franc	6,49151	Japanese yen	117,960
Irish pound	0,821467	Swiss franc	1,55764
Italian lira	2180,33	Norwegian krone	8,29153
Dutch guilder	2,09112	Icelandic krona	84,6783
Austrian schilling	13,1257	Australian dollar	1,83553
Portuguese escudo	196,313	New Zealand dollar	1,99586
		South African rand	4,90379

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).

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

(95/C 186/02)

(Established on 18 July 1995 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	% of GP ^o	Type of wine and the various marketing centres	ECU per % vol/hl	% of GP ^o
<i>R I Guide price*</i>	3,828		<i>A I Guide price*</i>	3,828	
Heraklion	No quotation		Athens	No quotation	
Patras	No quotation		Heraklion	No quotation	
Requena	No quotation		Patras	No quotation	
Reus	No quotation (1)		Alcázar de San Juan	2,993	78 %
Villafranca del Bierzo	No quotation		Almendralejo	No quotation	
Bastia	No quotation		Medina del Campo	No quotation	
Béziers	3,956	103 %	Ribadavia	No quotation	
Montpellier	No quotation		Villafranca del Penedés	No quotation	
Narbonne	4,085	107 %	Villar del Arzobispo	No quotation (1)	
Nîmes	No quotation		Villarrobledo	3,084	81 %
Perpignan	No quotation		Bordeaux	No quotation	
Asti	No quotation		Nantes	No quotation	
Florence	No quotation (1)		Bari	No quotation	
Lecce	No quotation		Cagliari	2,891	76 %
Pescara	No quotation		Chieti	2,847	74 %
Reggio Emilia	No quotation		Ravenna (Lugo, Faenze)	3,114	81 %
Treviso	No quotation (1)		Trapani (Alcamo)	2,624	69 %
Verona (for local wines)	No quotation		Treviso	No quotation (1)	
Representative price	4,000	104 %	Representative price	2,958	77 %
<i>R II Guide price*</i>	3,828				
Heraklion	No quotation				
Patras	No quotation				
Calatayud	No quotation				
Falset	3,543	93 %			
Jumilla	No quotation				
Navalcarnero	No quotation (1)				
Requena	No quotation				
Toro	No quotation				
Villena	No quotation (1)				
Bastia	3,608	94 %	<i>A II Guide price*</i>	82,810	
Brignoles	No quotation		Rheinfalz (Oberhaardt)	47,546	57 %
Bari	No quotation (1)		Rheinhessen (Hügelland)	61,731	75 %
Barletta	No quotation		The wine-growing region of the Luxembourg Moselle	No quotation	
Cagliari	3,336	87 %	Representative price	59,237	72 %
Lecce	No quotation				
Taranto	No quotation				
Representative price	3,544	93 %			
			<i>A III Guide price*</i>	94,57	
	ECU/hl		Mosel-Rheingau	No quotation	
<i>R III Guide price*</i>	62,150		The wine-growing region of the Luxembourg Moselle	No quotation	
Rheinfalz-Rheinhessen (Hügelland)	No quotation (1)		Representative price	No quotation	

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

* Applicable from 1. 2. 1995.

o GP = Guide price.

Notice of the impending expiry of certain anti-dumping measures

(95/C 186/03)

1. The Commission gives notice that, unless a review is initiated in accordance with the following procedure, the anti-dumping measures mentioned below will expire on the date mentioned in the table below, as provided in Article 11 (2) of Council Regulation (EC) No 3283/94⁽¹⁾ on protection against dumped imports from countries not members of the European Community.

2. Procedure

Community producers may lodge a written review request. This request must contain sufficient evidence that the removal of the measures would be likely to result in a continuation or recurrence of dumping and injury.

Should the Commission decide to review the measures concerned, importers, exporters, representatives of the exporting country and Community producers will then be provided with the opportunity to amplify, rebut or comment on the matters set out in the review request.

3. Time limit

Community producers should submit a review request on the basis of the abovementioned Article 11 (2) in writing, to reach the Commission of the European Communities, Directorate-General for External Relations (Division I-C-2) rue de la Loi 200, B-1049 Brussels⁽²⁾ at any time from the date of the publication of the present notice but no later than three months before the date mentioned in the table below.

If a request for a review is not received in adequate form within the time limit specified above, the Community authorities may disregard the request and the measures concerned will expire in accordance with Article 11 (2) of the abovementioned Regulation.

4. This notice is published in accordance with Article 11 (2) of Regulation (EC) No 3283/94.

Product	Country of origin or exportation	Measures	Reference OJ No and date	Date of expiry
Linear tungsten halogen lamps	Japan	Duty	Regulation (EEC) No 117/91 (OJ No L 14, 19. 1. 1991)	20. 1. 1996

⁽¹⁾ OJ No L 349, 31. 12. 1994.

⁽²⁾ Telex COMEU B 21877; Telefax: (32-2) 295 65 05.

NOTICE TO THE MEMBER STATES

laying down guidelines for an initiative in the framework of the special support programme for peace and reconciliation in Northern Ireland and the border counties of Ireland

(95/C 186/04)

1. At its meeting on 16 May 1995, the European Commission decided to establish a Community initiative in the framework of the special support programme for peace and reconciliation in Northern Ireland and the border counties of Ireland, within the meaning of Article 11 of Council Regulation (EEC) No 4253/88, as amended by Regulation (EEC)

No 2082/93⁽¹⁾, and Article 3 of Regulation (EEC) No 4254/88, as amended by Council Regulation (EEC) No 2083/93⁽²⁾.

⁽¹⁾ OJ No L 193, 31. 7. 1993, p. 24.

⁽²⁾ OJ No L 193, 31. 7. 1993, p. 16.

2. This initiative applies to Northern Ireland and the border counties of Ireland (hereafter referred to as the border counties).

I. Background and objectives

3. Arising from the cessation of violence and the developing peace process in Northern Ireland, a special Commission task force was established in September 1994 for the purpose of looking into further ways of giving practical assistance to Northern Ireland and the border counties in consultation with the two Member States directly concerned. In particular, the task force was requested to consider ways to develop and refocus the policies of the European Union to help those who have been most affected by the conflict to live together in mutual respect and economic prosperity.

4. The task force adopted a broad and open consultative approach. The MEPs for Northern Ireland and the border counties were in close touch with the task force. Extensive consultations took place and valuable input was received from many different quarters, including local authorities, business, trade unions, voluntary and other groups. The input from this consultative process was of great interest and indispensable for the work of the task force.

5. The report of the task force, which was submitted to the Commission in December 1994, considered the new opportunities and additional needs arising from the cessation of violence and the developing peace process and noted that the improved climate on the ground and renewed prospects for peace and reconciliation should provide new opportunities, especially for the vulnerable sections of the population. The report noted none the less that, while providing new opportunities for employment and job creation, the peace process will also create additional needs, such as the redirection of redundant skills. However, the new momentum for peace provides above all the potential for a lasting and meaningful reconciliation between the divided communities.

6. The task force concluded that the European Union has a clear interest and vital role to play in maintaining the momentum for peace by means of a special support programme for Northern Ireland and the border counties. The central objective of the programme should be reconciliation; it should benefit all communities in an equitable and balanced way, while focusing more particularly on those areas and sections of the population suffering most acute deprivation, and it must have an immediate and visible impact on the ground. The positive effect of the European Union's involvement in promoting lasting peace and reconciliation between its citizens should ultimately benefit not only the region most affected, but the European Union as a whole.

7. The task force recommended that the main element of a special support programme should be a new Community initiative for Northern Ireland and the border counties.

8. The report of the task force formed the basis of a subsequent Commission communication to the Council and the European Parliament, in which the Commission supported its recommendations. The principle of a special programme for Northern Ireland and the allocation of financial resources of ECU 300 million for the period 1995 to 1997 were subsequently endorsed by the European Council at Essen on 9 and 10 December 1994.

9. A key element of the report of the task force and the subsequent communication to the Commission was the need to promote social inclusion. Community conflict and divisions have been a major element of social and labour market exclusion in Northern Ireland. They have tended to divide the labour market and have thus impeded its effective functioning and have limited opportunities for employment growth. In order to combat this exclusion and promote integration of the labour market, it is therefore necessary to support action to address the underlying problems in Northern Ireland's social and economic fabric. The fundamental problem of understanding and communication should be approached by the development of a reconciliation process which builds on the existing solidarity within communities in the most deprived areas of Northern Ireland, both urban and rural.

The severity of the exclusion problem in Northern Ireland, combined with the unique opportunities for change and improvement offered by the cessation of violence, call for radical solutions. Tackling the root cause of these problems will require a flexible combination of economic and social measures across a broad range of fields, including early childhood education, health, housing and cross-community cooperation.

II. Priorities for action

10. On the basis of its consultations and subsequent deliberations, the task force identified five priority areas which should be addressed in the context of the consolidation of the peace process:

- employment,
- urban and rural regeneration,
- cross-border development,
- social inclusion,
- productive investment and industrial development.

11. In its communication to the Council and the European Parliament, the Commission indicated the key

issues to be addressed in the framework of these priorities:

(i) *Employment*

This would include measures to boost economic growth and employment and would support and enhance the expected growth in sectors such as tourism (including agri-tourism). It should also support the redirection of redundant skills as well as reinforce efforts for the long-term unemployed and the young, and provide for the greater participation by women in the labour force.

(ii) *Urban and rural regeneration*

This would involve the promotion of wide-ranging local development and of social and economic regeneration, in particular through the improvement of the social and physical environment in the worst-affected urban areas, towns, villages and rural areas.

(iii) *Cross-border development*

This would involve a wide range of measures to exploit the opportunities for increased cross-border development arising from the new situation.

(iv) *Social inclusion*

This would aim to promote pathways to reconciliation by encouraging grassroots, cross-community and, where appropriate, cross-border cooperation, especially in the most deprived areas in Northern Ireland and the border counties as well as action to address the specific difficulties faced by vulnerable groups and others at a disadvantage such as victims, children, young people, and those previously caught up with violence including prisoners and ex-prisoners. It would combine economic and social measures including contacts and exchanges following models which have been successful in other Community programmes. It should be flexible and responsive to change and constitute a framework of support for relevant actors (neighbourhoods, communities, youth services, non-governmental organizations (NGO), grassroots organizations, women's groups, local authorities, etc.) to build their reconciliation package.

(v) *Productive investment and industrial development*

This would aim to enhance existing facilities to promote productive investment, industrial development and services, particularly the development of SMEs, thus promoting competitiveness.

III. Eligible measures

12. In this section an indicative list of eligible measures is proposed in the framework of the five priority areas mentioned above. Further measures related to the priority areas but not included in the list may also be considered for support:

(i) *Employment*

- development of mechanisms to anticipate industrial change, including skill and labour market observatories,
- improvement of training, guidance and counselling services, including training of trainers, development of equal opportunities modules,
- innovatory training schemes, especially those aimed at women, including combined training, education and work experience for young people,
- improvement and development of training delivery for employed persons, including management development,
- work placement, community employment schemes combining good quality training and work experience,
- local employment initiatives, especially those which tap new sources of employment (e.g. environment, care services),
- initiatives aimed at helping young people, in particular, to develop entrepreneurial and work skills,
- setting up of specialized placement centres with links to employers, drawing on up-to-date information on job, skill and qualification needs and provision of career and training information and guidance, counselling, retraining, support for self-employment with a view to redirecting redundant skills,
- provision of care services for dependants with a view to increasing access to training, education and employment opportunities,
- strengthening innovation and research and technical development (R&TD), especially among SMEs, including the building of closer links between educational establishments, research centres and firms,
- promotion of tourism, including agri-tourism and heritage tourism,
- management training for SMEs.

(ii) *Urban and rural regeneration*

- development, training and capacity building related to urban and rural regeneration,
- investments to remedy the physical problems of the peace lines,
- pedestrianization of selected areas,
- provision of parks and children's playgrounds,
- village renewal, landscaping, the clearing and development of derelict sites,
- measures to meet the needs of rural dwellers, including small rural infrastructures,
- community development, including the creation of local partnerships to develop and manage integrated development plans,
- support in the modernization of commerce in urban and rural areas,
- collective measures and provision of facilities for fisheries, aquaculture and angling tourism,
- provision of facilities for small businesses,
- support for development of social, cultural and artistic activities.

(iii) *Cross-border development*

- enhanced trade, economic and agricultural cooperation,
- upgrading of infrastructures through reinstating closed cross-border roads and bridges and improving energy links,
- joint animal health, food and forestry actions,
- joint fisheries and aquaculture actions,
- cooperation between local authorities, health boards, business (in particular SMEs), education and training providers, health establishments, voluntary organizations and other groups,
- support for joint-venture companies (marketing, R&TD) on a cross-border basis.

(iv) *Social inclusion*

- the development of grassroots capacities and cross-community partnerships promoting reconciliation, e.g. in the fields of culture and the arts, leisure, sport, the environment, care, informal education, equal opportunities, as well as in the

workplace. Such partnerships should be locally driven, involve all relevant actors, and offer a practical opportunity for both communities to get together and build reconciliation as well as be designed and managed on a cross-community basis. Action under this heading will also require support for:

- the study of problems and opportunities at neighbourhood and cross-community level,
- the development of capacities and skills of local neighbourhoods in the field of community development,
- the establishment of common interest plans in the social and economic fields involving cross-border areas,
- support for women's groups and activities, both at individual neighbourhood and cross-community level, including the promotion of activities which bridge the generation barrier,
- dialogue and exchange between local authorities, local communities and NGOs.
- measures to promote the full inclusion of children and young people, including the provision of pre-school education and child care and incentives to develop integrated schooling especially at secondary level, family support services and the building of home/school/community/business links, more remedial support, effort to increase levels of educational attainment and action to promote common cultural aspects as well as acknowledgement of cultural diversity,
- measures to improve the accessibility and quality of services for vulnerable groups and people at a disadvantage, including training of trainers, improved research and diagnosis of exclusion problems, the promotion of self-help activity and outreach services,
- measures to promote the full inclusion of vulnerable groups and those at a disadvantage (including victims of violence and former offenders), including specialized guidance and counselling, psychological support, accommodation, social advice and assistance, second chance education,
- developing innovative model actions for reconciliation, including support for international activity aimed at enabling community, cross-

community and cross-border initiatives to exchange views and learn from other conflict resolution situations and enabling communities to break out of their isolation, including the 'twinning' of communities (both urban and rural), schools, voluntary and other groups, etc., possibly with the support of a third partner from outside the regions covered by the initiative.

(v) *Productive investment and industrial development*

- marketing support (particularly to SMEs),
- development measures to strengthen R&TD and its applications (especially in SMEs),
- access to seed and venture capital funds,
- interest subsidies to SMEs through the European Investment Bank,
- measures to improve linkages between large firms and SMEs and to promote local supplier networks.

IV. Community contribution to the financing of the initiative

13. The operational programme under the initiative will be financed jointly by the Community and the Member States concerned. The Community contribution to the financing of the initiative amounts to ECU 300 million for the first three years, from 1995 to 1997. Further financing for the last two years will be subject to a review on the basis of a Commission report. Loans may also be made available by the European Investment Bank. The Community will finance up to 75 % of the cost of measures under the initiative.

The Commission considers that in order to maximize the benefit from this initiative, there should be an indicative allocation of assistance between the areas concerned: Northern Ireland, on the one hand and the border counties on the other. The Commission also believes that genuine cross-border activities are an essential element for the success of the programme and, therefore, an appropriate amount of assistance should be assigned to these activities. In the Commission's view, and as an indicative target, this would mean that up to 80 % of funding would be available for activities in Northern Ireland and not less than 20 % for activities in the border counties. Moreover, at least 15 % of the overall amount will be devoted to activities which are carried out in a cross-border context.

V. Implementation

14. The Member States concerned must submit detailed proposals for an operational programme, which could include one or more global grants, within two months of the date of this notice, outlining activities in Northern Ireland, activities in the border counties and activities which are to be carried out in a cross-border context.

The proposals must include an appreciation of the situation indicating the objectives to be attained and should include a timetable, criteria and procedures for implementation, monitoring and assessment. During and at the end of the planning period the Commission shall evaluate the results of the programme, in partnership with the Member States concerned. The European Parliament, the Management Committee on the Community initiatives and the appropriate monitoring committees shall be informed of the results of such evaluations and the action taken in response to them.

The proposals will need to be prepared with the appropriate involvement of local authorities, business, trade unions, community groups and voluntary organizations. Provision should be made for a mechanism for continuing consultation with these bodies, possibly in the form of a consultative platform, during the implementation and follow up of the programme.

15. Community assistance may be granted either to a central government administration or, for example, in the form of global grants, directly to decentralized organizations responsible for implementation and designated by the Member State concerned, including local authorities, voluntary bodies, community groups and organizations responsible for managing cross-border actions which involve expenditure in both Member States.

16. Since an integrated approach for the implementation of this initiative is considered both desirable and necessary, mechanisms should be put in place to ensure the consistency and complementarity of the initiative with existing supports (notably the social programme document (SPD) for Northern Ireland, the Community support framework (CSF) for Ireland and existing Community initiatives) and also with other organizations such as the International Fund for Ireland. At the level of subprogrammes and/or measures, the monitoring arrangements (subcommittees) should reflect the matter under consideration.

The aim should be to ensure that, during implementation, the management of the programme, through the Monitoring Committee, will facilitate genuine bottom-up involvement by empowering local agencies and groups to

participate in the direction and control of spending, thereby providing a real input for local interests. As during the preparation stage, in addition to representatives from both governments, local authorities, business, trade unions, community groups and voluntary organizations will also be involved.

While this initiative will have a separate and distinct identity it will report on a regular basis to both the SPD Monitoring Committee (Northern Ireland) and the CSF Monitoring Committee (Ireland).

17. Both Governments will have to demonstrate the truly additional nature of this aid package (including the requisite matching funds), over and above the additionality situation as already set out for Northern Ireland and Ireland in the SPD and CSF respectively.

The Commission and the Member States concerned will agree, in establishing this Community initiative, the exact arrangements (including the frequency of additionality assessments) for verifying additionality.

18. In order to promote the full involvement of all relevant actors and to implement effectively the bottom-up approach that is essential to the success of this initiative, technical assistance should be made available during the preparation and implementation of the programme. In the preparation stage, the Commission will offer the necessary technical assistance

for the definition of measures in relation to the priorities and mechanisms of implementation.

The programme jointly submitted by both Member States should include a provision to cover technical assistance during the implementation of the programme. Technical assistance may include:

- dissemination of information and other awareness actions,
- provision of consultancy and expert services interim assessment of the programme, including the initial review of its operation which is foreseen during the third year of its implementation,
- funding for seminars, conferences etc.; which will facilitate the promotion of the aims of this initiative, namely peace and reconciliation,
- the establishment of a coordination mechanism to develop existing potential in the community and voluntary sector, especially amongst women's groups, and to assist local groups to develop proposals and evaluation processes and to act as an animator and general project development resource.

Information and publicity on access to the funding will also be made widely available.

Non-opposition to a notified concentration
(Case No IV/M.542 — Babcock/Siemens/BS Railcare)
(95/C 186/05)

(Text with EEA relevance)

On 30 June 1995, the Commission decided not to oppose the above notified concentration and to declare it compatible with the common market. This decision is based on Article 6 (1) (b) of Council Regulation (EEC) No 4064/89⁽¹⁾. Third parties showing a sufficient interest can obtain a copy of the decision by making a written request to:

Commission of the European Communities,
Directorate-General for Competition (DG IV),
Merger Task Force,
Avenue de Cortenberg/Kortenberglaan 150,
B-1049 Brussels,
fax number: (32 2) 296 43 01.

⁽¹⁾ OJ No L 395, 30. 12. 1989. Corrigendum: OJ No L 257, 21. 9. 1990, p. 13.

II

(Preparatory Acts)

COMMISSION

Proposal for a Council Decision on a Community financial contribution towards certain expenditures incurred by the Member States in implementing the monitoring and control system applicable to the common fisheries policy

(95/C 186/06)

(Text with EEA relevance)

COM(95) 243 final — 95/0142(CNS)

(Submitted by the Commission on 12 June 1995)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

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

Whereas Council Decision 89/631/EEC of 27 November 1989 on a Community financial contribution towards expenditure incurred by Member States for the purpose of ensuring compliance with the Community system for the conservation and management of fishery resources⁽¹⁾, as last amended by Decision 94/207/EC⁽²⁾, and in particular Article 1 (5) thereof, provides that the Council must adopt, before 30 June 1995, the provisions for Community financial assistance which could apply from 1 January 1996;

Whereas the common fisheries policy, which guarantees the long-term existence of fishery stocks and thus employment in the sector, can achieve its objectives only if its rules are complied with and effectively controlled;

Whereas those objectives and rules are primarily established by Council Regulation (EEC) No 3760/92 of 20 December 1992 establishing a Community system for fisheries and aquaculture⁽³⁾ and by Council Regulation

(EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy⁽⁴⁾;

Whereas the Member States, by guaranteeing the implementation of the control system applicable to the common fisheries policy, are carrying out an obligation of Community interest;

Whereas for some Member States the scale of the enforcement task is unrelated to budget capacity and may in certain cases constitute a disproportionate burden;

Whereas it is therefore appropriate to provide for a contribution by the Community towards certain inspection and monitoring expenditures incurred by some Member States;

Whereas Article 7 of Council Regulation (EEC) No 685/95 of 27 March 1995 on the management of fishing effort relating to certain Community fishing areas and resources⁽⁵⁾ provides for additional Community financial support for Ireland, including support for operating expenditure, for the purposes of improving controls, with due regard for authorized Community practices and in the framework of financial guidelines;

Whereas the total Community contribution should remain within the limits of a budget provision of ECU 41 million per annum for a period of five years (1996 to 2000) and the corresponding financial resources should be entered as annual appropriations in the general budget of the European Communities;

Whereas any such contribution should be conditional on the attainment, by the Member States which are beneficiaries, of a satisfactory standard of enforcement both at

⁽¹⁾ OJ No L 364, 14. 12. 1989, p. 64.

⁽²⁾ OJ No L 101, 20. 4. 1994, p. 9.

⁽³⁾ OJ No L 389, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 261, 20. 10. 1993, p. 1.

⁽⁵⁾ OJ No L 71, 31. 3. 1995, p. 5.

sea and on land; whereas the effectiveness of the enforcement must be made apparent in the annual report referred to in Article 35 of Council Regulation (EEC) No 2847/93,

HAS ADOPTED THIS DECISION:

Article 1

1. The Community may, under the conditions set out in this Decision, contribute to the financing of certain expenditures by Member States relating to the implementation of the control system applicable to the common fisheries policy provided for in Regulation (EEC) No 2847/93, as amended by Regulation (EC) No .../95. The following expenditure may be regarded as eligible:

- (a) the acquisition or modernization of inspection and control equipment;
- (b) specific measures intended to improve the quality and effectiveness of the monitoring of fishing and related activities, the duration of which does not exceed two years.

This expenditure must contribute to the mobilization of monitoring facilities in accordance with Article 1 (2) of Regulation (EEC) No 2847/93.

2. The Community contribution shall relate to eligible expenditure incurred by Member States between 1 January 1996 and 31 December 2000.

Eligible expenditure means the legal and financial undertakings entered into by national authorities within the above period.

3. The maximum amount of Community expenditure deemed necessary to carry out the scheme introduced by this Decision shall be ECU 41 million per annum.

4. The budgetary authority shall determine the available appropriations for each financial year. The Community contribution shall be granted within the limits of the appropriations allocated to that end in the Community budget.

Article 2

1. The financial contribution referred to in Article 1 (1) (a) shall cover investment expenditure relating to the acquisition or modernization of:

- vessels, aircraft and land vehicles employed in the monitoring and control of fishing activities,
- systems for the detection and recording of fishing activities (including equipment installed on fishing vessels),

- systems for the recording, management and transmission of data relating to controls, including computer applications and software.

The above expenditure shall be eligible on condition that it is actually used for the implementation of the control system referred to in Article 1.

2. The financial contribution referred to in Article 1 (1) (b) shall cover eligible expenditure which is intended to increase the effectiveness of the application of the common fisheries policy and relates to measures and projects not exceeding two years in duration and having the following purposes:

- (a) the implementation of joint inspection programmes as referred to in Article 2 (4) of Regulation (EEC) No 2847/93;
- (b) experiments with and the introduction of new technologies to improve the monitoring of fishing and related activities;
- (c) the implementation of specific control programmes established by Community initiative and carried out by the Member State(s) concerned;
- (d) programmes to computerize the processing and exchange of data developed by joint agreement between several Member States and, where appropriate, the Commission;
- (e) other control measures of Community interest to be adopted at a later date.

3. The financial contribution referred to in Article 1 (1) (b) may also relate to eligible expenditure intended for the training of national officials connected with control activities, in particular in a Member State other than that in which they work.

Detailed rules for the application of this paragraph will be adopted in accordance with Article 18 of Regulation (EEC) No 3760/92 of 20 December 1992 establishing a Community system for fisheries and aquaculture.

Article 3

1. The Community financial contribution shall not exceed the following rates per Member State and per annum:

- 35 % of the amount of eligible expenditure referred to in Article 2 (1),
- 50 % of the amount of eligible expenditure referred to in Article 2 (2) and (3).

2. However, notwithstanding paragraph 1, the Commission may decide to grant a higher rate, in particular in order to permit:

- the realization of a joint measure by Member States and the Commission likely to remedy control difficulties affecting an area of special Community interest,
- experiments with and the introduction of new technologies to improve the monitoring of fishing and related activities.

The annual budget allocation reserved for such measures shall be limited to 15 % of the budget allocation.

3. The Commission may, notwithstanding paragraph 1, decide to grant a higher rate in order to provide for additional financial support for Ireland for the purpose of improving controls, including support for the following operating expenditure:

- remuneration of national officials connected with monitoring and control activities and occupying additional posts created after 1 January 1996 within the framework of a detailed programme, for a period not exceeding one year, and relating to the inspection and control of specific fisheries and zones; for the purposes of this paragraph, 'remuneration' means the salaries, less taxes and charges levied in accordance with national legislation, of the officials concerned and the travel allowances necessary for the carrying out of their duties,
- costs relating to training and providing information for the national officials connected with control activities,
- costs incurred as a result of controls entrusted to surveillance companies.

The financial support for operating expenditure for Ireland shall be granted up to a total amount of ECU 2 million per annum.

Article 4

1. Member States wishing to benefit from a financial contribution shall forward to the Commission, before 30 September 1995:

- (a) a five-year programme describing the controls which they intend to carry out during the period referred to in Article 1 (2). The control programme must contain in particular the objectives of the proposed control and inspection measures, the envisaged operational measures and the anticipated results;
- (b) a programme of forecast annual expenditure for the period referred to in Article 1 (2) for which they wish to receive a financial contribution from the Community.

2. Every Member State shall forward to the Commission, for the first time in 1996 and each year thereafter, a report on progress achieved with regard to forecasts and to the need to adjust the control programme. That report shall form a special chapter in the report referred to in Article 35 of Regulation (EEC) No 2847/93.

3. The information referred to in paragraphs 1 and 2 must enable the Commission to ensure adequate monitoring of the expenditure relating to the implementation of the control system applicable to the common fisheries policy.

Article 5

1. Member States wishing to benefit from a Community financial contribution towards the expenditure referred to in Article 2 shall forward to the Commission, on the first occasion before 30 September 1995 and subsequently before 31 May of each year, an application for funding for the following year containing the information specified in points 1, 2 and 3 of the Annex hereto. Applications received after those dates shall not be considered except in exceptional, duly justified cases.

2. The application for funding must be drawn up within the framework of the programmes referred to in Article 4.

Article 6

On the basis of information provided by the Member States, the Commission shall decide, for the first time before 31 December 1995 and subsequently before 31 December of each year, in accordance with the procedure laid down in Article 18 of Council Regulation (EEC) No 3760/92, on:

- the eligibility of the planned expenditure,
- the rate of the Community contribution,
- any conditions to which the contribution may be subject.

Article 7

At the reasoned request of a Member State, the Commission may grant advances up to a maximum of 25 % of the Community's annual contribution. That advance shall be deducted from the final amount of the Community contribution to the eligible expenditure actually incurred.

Article 8

In the event that a Member State decides not to realize all or part of the expenditure which the Commission has deemed eligible, in accordance with Article 6, it shall inform the Commission thereof without delay giving details of the impact on its control programme.

Article 9

1. Member States shall present their applications for reimbursement of expenditure no later than 31 May of the year following that during which the expenditure was incurred.
2. When submitting an application for the reimbursement of expenditure, Member States should have a national control authority verify and certify that the expenditure was incurred with due regard to the conditions laid down in this Decision, in particular point 4 of the Annex hereto.
3. If the application reveals indications that the conditions set out in paragraph 2 have not been complied with, the Commission shall undertake a thorough examination of the case by asking the Member State to forward its comments within a specific time limit. If the examination confirms that the conditions have not been complied with the Commission shall set a suitable time limit for compliance by the Member State. If, when the time limit has expired, the Member State has not acted on the recommendations the Commission may reduce, suspend or cancel its contribution in the area of assistance concerned.

Article 10

Member States shall provide the Commission with any information which it may request for the performance of its duties under this Decision.

Member States shall provide the Commission with any information which will enable it to verify the use of the surveillance and control facilities which have been the subject of a Community financial contribution pursuant to this Decision.

If the Commission considers that the facilities are not being used for the intended purpose or in accordance with the conditions set out in this Decision, it shall inform the Member State accordingly. The Member State shall then conduct an administrative inquiry in which Commission officials may participate. The Member State shall inform the Commission of the progress and results of the inquiry and provide the Commission without delay with a copy of the report of the inquiry and the principal data used in preparing it.

Article 11

The Commission may carry out any checks which it deems necessary to ensure that the conditions and tasks imposed on the Member States by this Decision are fulfilled, and the Member States shall provide assistance to the staff appointed by the Commission for this purpose.

The provisions of this Article shall be without prejudice to Article 29 of Council Regulation (EEC) No 2847/93.

Article 12

This Decision is addressed to the Member States.

ANNEX

1. The applications for financing referred to in Article 5 shall state the expenditure envisaged for the following years. It shall specify in particular:
 - the timetable for the expenditure envisaged,
 - the technical features of the equipment, its cost, the method of payment envisaged and its control objective relative to the programme,
 - the planned use of the equipment, including its date of entry into service,
 - the nature and cost of specific measures intended to improve the quality and effectiveness of the control of fishing and related activities and details of their envisaged duration.
2. Member States shall justify the above measures with regard to the following criteria:
 - the objectives pursued within the framework of the expenditure which they wish to incur,
 - the anticipated results linked to the expenditure to be incurred,
 - in the case of expenditure on the purchase of vessels, aircraft and land vehicles, the amount of time which they will devote to fisheries inspection and monitoring,
 - the use made by a Member State of any financial contribution granted under Decision 89/631/EEC or under this Decision in any previous year,

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- the improvement in the Member State's performance in fisheries enforcement at sea and on land in the period preceding the application, under the programme referred to in Article 4, and the improvement likely to result from the expenditure envisaged.
3. The Member State shall also provide the following information for each measure:
- the prevention, detection and prosecution of infringements against the common fisheries policy,
 - the presence in national legislation and the application in practice of penalties that are commensurate with the seriousness of infringements and effectively discourage further infringements of the same kind,
 - the reliability of the catch figures forwarded by the Member State to the Commission and the Member State's ability to prevent the overfishing of its quotas,
 - the amount and effectiveness of the human and material resources devoted by the Member State to fisheries enforcement,
 - the diversity of the fishing activities in the Member State's fishery zone,
 - the degree of cooperation in fisheries enforcement between that Member State and other Member States and the Commission,
 - where applicable, that Member State's contribution to fisheries enforcement in areas governed by international conventions to which the Community is a Contracting Party and the scale and effectiveness of that enforcement,
 - the enforcement effort devoted by the Member State to the fishing activities of its vessels on the high seas.
4. The reimbursement of expenditure and the payment of advances shall be made only if the provisions of the Directives coordinating procedures for the award of public works and supply contracts have been complied with, in the sense that the duly completed public contract questionnaires must make reference to the notices on the award of public contracts published in the *Official Journal of the European Communities*. In case of non-publication of the notices in the *Official Journal of the European Communities*, the beneficiary shall certify that the public contracts have been awarded in conformity with Community legislation.

The Commission may request any information which it considers necessary for judging whether Community legislation on public contracts has been respected.

Reimbursement shall be subject to the presentation of documentary evidence in duplicate. That evidence should contain at least the main elements of the agreement between the Member State and the service providers(s) and the corresponding proofs of payment. To be eligible for reimbursement, individual items of expenditure must be listed in a summary statement indicating explicitly for each item the object of the expenditure, its connection with the proposed programme and the net amount excluding VAT.

III

(Notices)

COMMISSION

Phare — road modernization

Ministry of Transport and Maritime Economy

General Directorate of Public Roads

(95/C 186/07)

The Ministry of Transport and Maritime Economy, on behalf of the General Directorate of Public Roads, invites sealed tenders from eligible contractors having sufficient experience and references in similar contracts to furnish the necessary labour, materials, equipment and services for the completion of:

Modernization of National Road No A-6, Section 1: State Border, 'Kolbaskowo Interchange' (from 0+000 km to 3+800 km).

The works will be executed within the framework of the financial and technical assistance provided by the European Union to the Republic of Poland under the Phare programme.

All tenderers from the EU Member States and Phare programme beneficiary countries are eligible for tendering on equal terms.

The project includes upgrading of the existing road section (earthworks, drainage, bituminous works).

Expected commencement of works: 27. 11. 1995.

Completion time: 12 months.

Interested eligible tenderers may obtain further information and purchase the complete tender documents at the address given below from 17. 7. 1995 (between 10.00 and 15.00 on workdays), against certificate of payment of a non-refundable sum of 800 PLN from:

Generalna Dyrekcja Dróg Publicznych (GDDP), Phare Programme Management Unit, ul. Wspólna 1/3, Office No 380, PL-00-921 Warszawa.

Remittances are to be made to the account of GDDP: No 1052-5568-223 in NBP O/W-wa.

Tenders must be delivered, accompanied by a tender bond in an acceptable form in the amount of 400 000 PLN to the address above, no later than 31. 8. 1995 (12.00).

Tenders will be opened on 31. 8. 1995 (12.05), in the presence of tenderers' representatives who wish to attend.

CORRIGENDA**Surveillance service contract for the Office for Harmonization in the Internal market**

(Official Journal of the European Communities No C 161, 27 June 1995, p. 18)

(95/C 186/08)

Office for Harmonization in the Internal Market, avenida Aguilera 20, E-03080 Alicante.

Tel. (34-6) 513 91 37. Facsimile 513 91 72.

instead of:

8. b) *Final date for making such requests:* 22. 7. 1995.

9. a) *Final date for receipt of tenders:* 5. 8. 1995.

read:

8. b) *Final date for making such requests:* See point 18 + 38 days.

9. a) *Final date for receipt of tenders:* See point 18 + 52 days.

LEONARDO da Vinci Programme

(Official Journal of the European Communities No C 128, 24 May 1995, p. 23)

(95/C 186/09)

**European Commission, DG XXII 'Education, Training and Youth', rue de la Loi/Wetstraat 200, B-1049
Bruxelles/Brussel**

Page 23, French version, right-hand column, 10th line:

Autriche/Austria

instead of:

A-1010 Vienna, tel. (43-1) 531 08 30.

read:

A-1010 Vienna, tel. (43-1) 534 08 30.

Med-Migration Programme

(Official Journal of the European Communities No C 164, 30 June 1995, p. 13)

(95/C 186/10)

European Commission, Directorate-General for External Economic Relations, Directorate I/H/2 (Science 14 - Office 8/56), rue de la Loi/Wetstraat 200, B-1049 Bruxelles/Brussel.

Facsimile (32-2) 299 02 04

instead of:

8. a) facsimile (32-2) 29 99 02 04.

read:

8. a) The European Commission facsimile number for requests for the form to be used for presenting proposals and for obtaining tender documents is (32-2) 299 02 04.

instead of:

3. Participants:

A network must associate at least 2 MNC partners and at least 2 partners from 2 European Union Member States.

read:

3. Participants:

A network must associate at least 1 MNC partner and at least 2 partners from 2 European Union Member States.

Invitations to tender with a view to concluding contracts

(Official Journal of the European Communities No C 173, 8 July 1995, p. 14)

(95/C 186/11)

European Commission, Directorate-General XXIII, Tourism Unit, rue d'Arlon 80, B-1040 Bruxelles.

instead of:

5. An invitation to tender dossier may be obtained from Directorate-General XXIII of the European Commission at the address in 1 by 11. 7. 1995 at the latest.

read:

5. An information dossier may be obtained from Directorate-General XXIII of the European Commission by 11. 8. 1995 at the latest.
