

Official Journal

of the European Communities

ISSN 0378-6986

C 92

Volume 39

28 March 1996

English edition

Information and Notices

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(1) Text with EEA relevance

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I

(Information)

COMMISSION

Ecu ⁽¹⁾

27 March 1996

(96/C 92/01)

Currency amount for one unit:

Belgian and Luxembourg franc	38,9260	Finnish markka	5,92606
Danish krone	7,31420	Swedish krona	8,49457
German mark	1,89420	Pound sterling	0,838616
Greek drachma	308,693	United States dollar	1,27470
Spanish peseta	159,171	Canadian dollar	1,73486
French franc	6,46589	Japanese yen	136,048
Irish pound	0,814190	Swiss franc	1,52849
Italian lira	2015,46	Norwegian krone	8,23836
Dutch guilder	2,11956	Icelandic krona	84,6526
Austrian schilling	13,3206	Australian dollar	1,64328
Portuguese escudo	195,653	New Zealand dollar	1,86495
		South African rand	5,08604

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

(96/C 92/02)

(Established on 26 March 1996 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 °	Type of wine and the various marketing centres	ECU per % vol/hl	% of GP °
<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	4,54	119 %	Patras	No quotation	
Reus	No quotation		Alcázar de San Juan	2,936	77 %
Villafranca del Bierzo	No quotation (°)		Almendralejo	No quotation	
Bastia	No quotation (°)		Medina del Campo	No quotation (°)	
Béziers	No quotation		Ribadavia	No quotation	
Montpellier	4,266	111 %	Villafranca del Penedés	No quotation	
Narbonne	4,312	113 %	Villar del Arzobispo	No quotation (°)	
Nîmes	4,236	111 %	Villarrobledo	2,936	77 %
Perpignan	No quotation		Bordeaux	No quotation	
Asti	No quotation		Nantes	No quotation	
Florence	No quotation		Bari	No quotation	
Lecce	No quotation		Cagliari	No quotation	
Pescara	No quotation		Chieti	No quotation	
Reggio Emilia	5,843	153 %	Ravenna (Lugo, Faenze)	3,912	102 %
Treviso	4,889	128 %	Trapani (Alcamo)	2,910	76 %
Verona (for local wines)	No quotation		Treviso	No quotation (°)	
Representative price	4,383	114 %	Representative price	3,656	96 %
<i>R II Guide price*</i>	3,828			ECU/hl	
Heraklion	No quotation		<i>A II Guide price*</i>	82,810	
Patras	No quotation		Rheinpfalz (Oberhaardt)	70,152	85 %
Calatayud	No quotation		Rheinhessen (Hügelland)	72,958	88 %
Falset	No quotation (°)		The wine-growing region of the Luxembourg Moselle	No quotation	
Jumilla	No quotation (°)		Representative price	71,981	87 %
Navalcarnero	No quotation (°)				
Requena	No quotation		<i>A III Guide price*</i>	94,57	
Toro	No quotation		Mosel-Rheingau	No quotation	
Villena	No quotation (°)		The wine-growing region of the Luxembourg Moselle	No quotation	
Bastia	No quotation		Representative price	No quotation	
Brignoles	No quotation				
Bari	No quotation				
Barletta	No quotation				
Cagliari	No quotation				
Lecce	No quotation				
Taranto	No quotation				
Representative price	No quotation (°)				
	ECU/hl				
<i>R III Guide price*</i>	62,15				
Rheinpfalz-Rheinhessen (Hügelland)	120,661				

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

* Applicable from 1. 2. 1995.

° GP = Guide price.

STATE AID

C 59/95 (ex NN 79/95)

Italy

(96/C 92/03)

*(Articles 92 to 94 of the Treaty establishing the European Community)***Commission communication pursuant to Article 93 (2) of the EC Treaty to the other Member States and interested parties concerning aid which Italy has decided to grant to the Ostellato sugar refinery**

By the following letter, the Commission informed the Italian Government of its decision to open the procedure provided for in Article 93 (2) of the EC Treaty.

By letter dated 25 April 1994, the Italian Permanent Representative to the European Union notified the Commission, pursuant to Article 93 (3) of the Treaty, of an investment programme for the restructuring of two sugar refineries, Minerbio (Bologna) and Ostellato (Ferrara).

On 27 June 1994, the Commission received a complaint against the aid granted to the Ostellato sugar refinery.

By letters Nos SG(95) D/1293 dated 3 February 1995 and SG(95) D/8388 dated 30 June 1995, the Commission raised no objection to the abovementioned aid under Articles 92 and 93 of the Treaty.

Under the abovementioned complaint procedure, from information supplied by the Italian authorities by letter dated 26 April 1995, the Commission learned of aid granted to the Ostellato refinery by those authorities by a decision of CIPE (*Comitato Interministeriale per la Programmazione Economica*) adopted on 28 June 1990.

By the same letter dated 26 April 1995, the Italian authorities notified the Commission of the aid.

The aid was entered as aid NN 79/95 in the register of non-notified aid.

The Commission regrets that the abovementioned measure was implemented before being notified to the Commission, in breach of Article 93 (3) of the Treaty. It therefore asks the Italian Government to take the steps necessary to ensure that the obligation to provide prior notification is complied with in future.

By the decision of CIPE of 28 June 1990, the Italian authorities authorized RIBS ("Risanamento Industriale Zuccheri", a financial institution of which the Government is a share-holder) to grant a loan of Lit 3 billion with an interest rebate for the investments necessary for the operation of the Ostellato sugar refinery during the 1990/91 marketing year.

The investments for which the aid was granted were in the various departments of the undertaking to permit production to restart and conversion to the production of granulated sugar. This principally involved the work necessary to update technology and managerial practices, re-establish certain departments and carry out routine and special maintenance of the plant.

The aid was granted in the form of a 15-year loan with an interest rebate (a grace period of five years at a fixed rate of 2,175 % and a repayment period of 10 years at a fixed rate of 8,7 %).

According to the Commission's calculations, the net subsidy equivalent of the interest rebate for the investments for which the aid was granted is 52,4 %.

The beneficiary of the aid was the CO.PRO.B. cooperative society (of agricultural producers).

The aid was paid to the CO.PRO.B. cooperative society as leaseholder of the Ostellato sugar refinery at the time of payment. Until 1990, the refinery belonged to the CO.PRO.A. cooperative society, which went into liquidation during that year.

In 1992, after the sale of the Ostellato refinery by a public invitation to tender open to all interested parties, the CO.PRO.B. cooperative society became the proprietor of both the establishment and its sugar production quota.

According to the Italian authorities, the aid in question was granted pursuant to Article 46 (4) of Regulation (EEC) No 1785/81⁽¹⁾ (provision introduced by Regulation (EEC) No 305/91). That provision of the basic sugar Regulation had already been provided for in respect of the 1989/90 and 1990/91 marketing years by Regulation (EEC) No 1254/89.

According to that provision, aid must fulfil the following conditions:

1. the measures must be necessitated by exceptional requirements connected with current plans for restructuring the sugar sector in Italy (the first sentence of Article 46 (4) of Regulation (EEC) No 1785/81);
2. the measures must be consistent with the restructuring plan (second sentence of Article 46 (4) of Regulation (EEC) No 1785/81).

At the time of the approval of the restructuring plans for 1984/85 to 1989/90, extended by the Italian authorities up to the 1990/91 marketing year with the approval of the Commission (letter to the Italian Government No SG(91) D/11490 dated 20 June 1991) and that for 1991 to 1996, the Commission reserved its position on the specific measures planned, which had to be notified under Article 93 (3) of the Treaty before their implementation.

Prior notification was not given of the aid in question pursuant to Article 93 (3) of the Treaty.

With regard to criterion 1 referred to above, the Commission took account of the following:

The Council has spoken on several occasions of the need to restructure the Italian sugar sector⁽²⁾, being of the opinion that, for structural reasons, the sector is facing particular difficulties with both production and processing. The Italian sugar sector has very high production costs with the result that refineries work below the break-even point.

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ See Regulation (EEC) No 1254/89 (OJ No L 126, 9. 5. 1989, p. 1) and Regulation (EEC) No 305/91 (OJ No L 37, 9. 2. 1991, p. 1).

It was on the basis of such considerations that the Council granted Italy authorization to grant national adaptation aid and the possibility of adjusting "the aids ... where this is necessitated by exceptional requirements connected with current plans for restructuring the sugar sector in Italy. In applying Articles 92, 93 and 94 of the Treaty, the Commission shall assess in particular whether such aid is consistent with the restructuring plans." (Article 46 (4) of Regulation (EEC) No 1785/81 and Article 4 (3) of Regulation (EEC) No 1254/89).

The aid in question could be authorized under Article 46 (4) of Regulation (EEC) No 1785/81 and Article 4 (3) of Regulation (EEC) No 1254/89.

The restructuring plan valid at the time the aid was granted was that established on the basis of Law 700/83 of 19 December 1983. That plan, which *inter alia*, laid down the objectives of restructuring and provided for measures and aid for implementation of the plan for a period of five years (extended by the Italian authorities to the 1990/91 marketing year and approved by the Commission by letter No SG(91) D/11490 to the Italian authorities), was notified to the Commission in 1984. The Commission (see letter to the Italian Government No SG(84) D/6750 dated 23 May 1984) decided to authorize the aid subject to the following conditions:

- the restructuring plan presented was for a period of five years (but this was extended to the 1990/91 marketing year),
- the restructuring plan did not lead to an increase in sugar production in Italy beyond the A and B quotas allocated to Italy (15,7 million quintals per annum),
- the detailed rules for the payment of investment aid were notified under Article 93 (3) of the Treaty.

The Commission notes that the aid in question did not lead to an increase in sugar production in Italy beyond the quotas allocated to the country.

According to the information supplied by the Italian authorities, however, the measure concerned does not appear to be for the restructuring provided for in the sectoral plan approved by the Commission.

The Italian authorities do not describe the aid as a restructuring measure. According to the information available to the Commission, the measure is intended to ensure the recommencement of production and conversion to the production of granulated sugar in an undertaking which had converted, at least in part, to the

production of liquid sugar in 1984. This principally involved the work necessary to update technology and managerial practices, re-establish certain departments and carry out routine and special maintenance of the plant.

The Commission is unable to accept such measures as restructuring measures. The measures appear to be limited to what is necessary for normal sugar-beet processing operations without improving the viability of the undertaking concerned. Furthermore, the aid was granted for investments in an establishment (at Ostellato) belonging to the CO.PRO.A. cooperative society which had gone into liquidation. The aid was actually paid to the CO.PRO.B. cooperative society which was renting the establishment before its sale. The Commission does not understand how it can be claimed that the aid measure was for the restructuring of an undertaking, when that undertaking had gone into liquidation.

The investments would not therefore appear to respond to the need for a permanent improvement of the conditions for the processing of sugar in Italy, referred to in the plan approved by the Commission and constituting the exceptional requirements necessary for the granting of aid of this type.

In the light of these comments and on the basis of the information available to it, the Commission takes the view that the measure in question does not constitute aid necessitated by exceptional requirements connected with the restructuring plans. The Commission does not therefore consider that this measure fulfils criterion 1 referred to above.

With regard to criterion 2 referred to above, the Commission took account of the following:

The restructuring plan decided on in December 1984 defines the types of national measure to be carried out in the processing industry, setting out the form of the measures to be implemented, including loans with interest rebates granted via RIBS.

The plan lays down the objectives and beneficiaries of the national measures and aid for restructuring. As regards the processing industry, it stipulates:

- modernization work,
- the concentration and strengthening of sugar production through reductions in basic costs (modernization and technological improvement, mechanization and automation of installations, and energy savings).

The plan also identifies the establishments in which sugar production is to be concentrated. Among these installations is the Ostellato plant.

To be approved, however, the restructuring measures, according to the plan approved by the Commission, must be based on specific plans setting out in detail the restructuring to be carried out in the undertakings concerned.

The Italian authorities have not supplied the specific plans for the aid in question, but have simply submitted a list of eligible expenditure connected with the investments.

The investments in question, although carried out in an undertaking which, according to the national restructuring plan, should have remained in production, would not appear, on the basis of the information available to the Commission, to form part of a plan intended to ensure the medium/long-term viability of the undertaking. The sole purpose of the investments appears to be to permit processing to be carried out in the 1990 marketing year with a view to the subsequent sale of the establishment.

In view of the above, the Commission takes the view that the aid measure for the Ostellato plant does not form part of the plan for the restructuring of the sugar industry in Italy.

In the absence of restructuring as referred to above, the Commission must examine the aid on the basis of the criteria for investments in the processing and marketing of agricultural products.

As regards the processing and marketing of agricultural products, pursuant to Regulation (EEC) No 866/90 (OJ No L 91, 6. 4. 1990, p. 1), Member States may implement aid measures for which the conditions or rules of payment differ from those laid down in the above-mentioned Regulation or of which the amounts of aid exceed those provided for in that Regulation provided that those measures are implemented in accordance with Articles 92 to 94 of the Treaty (Article 16 (5) of Regulation (EEC) No 866/90).

In order to ensure that the processing and marketing of agricultural products develops in accordance with Community policies, national aid must conform with the selection criteria adopted by the Commission for Community aid for investments for improving the processing and marketing conditions for agricultural products (Commission Decision 90/342/EEC of 7 June 1990; OJ No L 163, 29. 6. 1990, p. 71) which it applies by analogy to State aid (see letter No SG(85) D/13962 of 30 October 1985 to the Member States).

In the sugar sector, the abovementioned Decision excludes all investments with the exception of those which provide for:

- (a) rationalization, without increase of capacity, in the French overseas departments;
- (b) utilization of the quota provided for in the Treaty of Accession of Portugal.

It should be pointed out that the selection criteria (OJ No C 152, 10. 6. 1983) for projects financed under Regulation (EEC) No 355/77 (replaced by Regulation (EEC) No 866/90) which applied at the time the aid was paid also precluded all investments in the sugar sector.

The investment aid in question does not therefore comply with the selection criteria applicable at the time the aid was paid.

In the light of the above, on the basis of the information available to it, the Commission takes the view that the aid granted by the decision of CIPE of 28 June 1990 to the Ostellato sugar refinery in the form of a loan of Lit 3 billion with an interest rebate is incompatible with the common market. It fulfils the conditions laid down in Article 92 (1) of the Treaty without being eligible for any of the derogations provided for in paragraphs 2 and 3 of that Article.

Consequently, the Commission has decided to initiate the procedure provided for in Article 93 (2) of the Treaty in respect of that aid. Pursuant to that procedure, the Commission hereby gives notice to the Italian Government to submit its comments within one month of the date of this letter.

The Commission also informs the Italian Government that it will give notice to the other Member States and interested parties, by publishing this letter in the *Official Journal of the European Communities*, to submit their comments within the same period.

The Commission would draw the attention of the Italian Government to the letter it sent to all the Member States on 3 November 1983 concerning their obligations under Article 93 (3) of the EC Treaty and to the notice published in *Official Journal of the European Communities* No C 318, 24. 11. 1983, p. 3, which stated that any aid granted illegally, i.e. without a final decision under the procedure laid down in Article 93 (2) of the Treaty having been reached, is likely to be the subject of a request for reimbursement and/or a refusal to charge to the EAGGF budget expenditure on national measures directly affecting Community measures.

Repayment must be made in accordance with the provisions of Italian law and include interest calculated from the day the illegal aid was paid on the basis of the interest rate used as the reference rate for the assessment of regional aid schemes.'

The Commission hereby gives the other Member States and interested parties notice to submit their comments on the measures in question within one month from the date of publication of this notice to:

Commission of the European Communities,
Rue de la Loi/Wetstraat 200,
B-1049 Brussels.

The comments will be communicated to the Italian Government.

II

(Preparatory Acts)

COMMISSION

**Amended proposal for a Council Regulation amending Council Regulation (EEC) No 1973/92
establishing a financial instrument for the Environment (LIFE) ⁽¹⁾**

(96/C 92/04)

(Text with EEA relevance)

COM(96) 25 final — 95/0093(SYN)

(Submitted by the Commission pursuant to Article 189a (2) of the EC Treaty on 26 January 1996)

⁽¹⁾ OJ No C 184, 18. 7. 1995, p. 12.

ORIGINAL TEXT

Whereas the additional protocols to the Europe agreements between the Community and certain central and eastern European countries provide for the participation of those countries in Community programmes, in particular concerning the environment;

MODIFIED TEXT

Recital 6

Whereas the additional protocols to the Europe agreements between the Community and certain central and eastern European countries provide for the participation of those countries in Community programmes, in particular those concerning the environment; whereas, therefore, access of these countries to LIFE must be ensured under conditions similar to those applicable to the activities to be carried out in the Community;

Recital 7 (new)

Whereas, given that the aforementioned Central and European countries will themselves meet the cost of their participation, the Community may decide, if appropriate for specific cases and in conformity with the rules applicable to the General Budget of the European Communities, to grant supplements to the countries' national contribution;

Recital 8 (new)

Whereas, for third countries of the Mediterranean or the Baltic other than the Central and Eastern European countries which have signed association agreements with the European Community, there is a need to implement technical assistance activities and demonstration activities for nature conservation and in other areas of the environment;

ORIGINAL TEXT

MODIFIED TEXT

Recital 9 (new)

Whereas, during the various phases of implementation, evaluation of the results of the demonstration initiatives must be ensured by suitable and sufficient means; whereas in particular these means must make it possible to monitor the initiatives to detect any administrative or technical problems in good time and to determine the possible synergy between projects; whereas this approach aims to promote a multiplier effect adding value to these activities;

Article 1

Regulation (EEC) No 1973/92 is hereby amended as follows:

1. Article 1 is replaced by the following:

'Article 1

A financial instrument for the environment, hereinafter referred to as "LIFE", is hereby established.

The general objective of LIFE shall be to contribute to the development and, where appropriate, to implementation of Community environment policy and legislation.'

Article 1

Regulation (EEC) No 1973/92 is hereby amended as follows:

1. Article 1 is replaced by the following:

'Article 1

A financial instrument for the environment, hereinafter referred to as "LIFE", is hereby established.

The general objective of LIFE shall be to contribute to the development and, where appropriate, to implementation of Community environment policy and legislation by financing projects aimed at nature conservation, preparatory or demonstration activities, or technical assistance.

For the purposes of this Regulation, the following definitions shall apply:

- "nature conservation" means measures required to maintain or to reestablish natural habitats and wild species of fauna and flora in a favourable state,
- "preparatory activities" means projects concerning the promotion of joint initiatives, cooperation and the transfer of know-how between (local, regional or national) government agencies and/or non-governmental organizations and/or socio-economic actors,
- "demonstration activities" means the introduction of a new technical process and/or innovative or original approaches for the country concerned and the carrying out of exploratory projects designed to facilitate sustainable development,

ORIGINAL TEXT

MODIFIED TEXT

2. Article 2 is replaced by the following:

Article 2

The areas of activity eligible for financial support from LIFE are:

1. In the Community

1.1. nature protection measures:

Measures needed to implement Council Directive 79/409/EEC, of 2 April 1979, on the conservation of wild birds and Council Directive 92/43/EEC, of 21 May 1992, on the conservation of natural habitats and of wild fauna and flora and, in particular, the Natura 2000 European Network

1.2. Other measures designed to implement Community environment policy:

(a) preparatory and support measures designed to help implement Community legislation by increasing the efficiency of structural aid for the environment in the priority sectors in which it is used, namely:

- protection of coastal areas and their rational management,
- reduction of industrial waste, in particular toxic and hazardous waste, including reclamation of contaminated sites,
- water protection, including waste water treatment;

2. Article 2 is replaced by the following:

Article 2

The areas of activity eligible for financial support from LIFE are:

1. In the Community and, where appropriate, in the Central and Eastern European countries which have signed association agreements with it.

1.1. nature conservation measures:

Measures needed to implement Council Directive 79/409/EEC, of 2 April 1979, on the conservation of wild birds and Council Directive 92/43/EEC, of 21 May 1992, on the conservation of natural habitats and of wild fauna and flora and, in particular, the Natura 2000 European Network or equivalent activities outside the Community;

1.2. Other measures designed to implement Community environment policy and to promote sustainable development:

(a) preparatory and support measures designed to help implement Community legislation or to help direct structural aid towards the environment, and namely:

- protection of coastal areas, including the coastal part of catchment areas and their rational management,
- prevention and reduction of industrial waste, especially toxic and dangerous waste,
- protection of water resources and management of water, including waste water and contaminated water treatment;

— “technical assistance” means projects to be promoted by local government or non-governmental organizations to encourage rational management of the environment through increased cooperation, in particular transnational cooperation, where cross-border or global problems are involved.’

ORIGINAL TEXT

MODIFIED TEXT

- (b) demonstration, promotion and technical assistance projects for local authorities with a view to incorporating environmental factors into regional planning and development;
- (c) innovative and demonstration projects designed to promote sustainable development in industrial activities, such as projects to check the economic feasibility of clean technologies, to provide appropriate environmental training for the use of such technologies and to promote environmental audits and ecolabels, etc.

2. ...

3. Accompanying measures implemented at the initiative of the Commission needed to analyse, evaluate or promote the projects undertaken under paragraphs 1 and 2 above and dissemination of information on this subject.'

3. Article 8 is replaced by the following:

'Article 8

1. (c) 5 % for measures undertaken under Article 2 (2);
2. The rate of Community financial support for the measures referred to in Article 2 (1) shall normally be 50 % of the eligible cost.

Nonetheless, this rate shall be:

— 30 % of the cost for projects generating significant income,

— prevention of atmospheric pollution, especially in urban areas,

- (b) demonstration, promotion and technical assistance activities for local authorities with a view to incorporating environmental factors into regional planning and development;
- (c) innovative and demonstration projects designed to promote sustainable development in industrial activities.

2. Unchanged

(c) new

conservation or rehabilitation, from a nature conservation viewpoint, of important habitats sheltering endangered species of flora and fauna.

3. Accompanying measures needed for the monitoring, evaluation or the promotion of the activities undertaken during the first phase and/or within the framework defined by paragraphs 1 and 2 above, and dissemination of information concerning the experience gained during and the results of these activities.'

3. Article 8 is replaced by the following:

'Article 8

1. (c) 5 % for activities undertaken under Article 2 (2) in equal shares, between nature conservation and other activities.
2. The rate of Community financial support for the measures referred to in Article 2 (1) and 2 (b) shall be a maximum of 50 % of the eligible cost.

However, this rate shall be:

— a maximum of 30 % of the cost of activities which it is considered will generate a potentially significant income,

ORIGINAL TEXT

- by way of exception, a maximum of 75 % of the cost of projects concerning, in the European Union, natural habitats or priority species as defined in Directive 92/43/EEC or populations of birds in danger of extinction.'

MODIFIED TEXT

- by way of exception, a maximum of 75 % of the cost of activities concerning, in the European Union, natural habitats or priority species as defined in Directive 92/43/EEC or the bird species covered by Directive 79/409/EEC which are in danger of extinction,
- by way of exception, a maximum of 75 % of the cost of activities to be carried out, in fields other than nature conservation, by non-governmental organizations in partnership with public authorities and, where appropriate, with private companies.

2. (a) (new) Activities carried out in Central and Eastern European countries with which the Union has concluded association agreements are financed from the financial resources provided by these countries. Any financial contribution from the Community shall be decided on a case by case basis according to available resources, as provided for in the aforementioned association agreements. The financial allocation between nature conservation measures and other activities shall be made under the same conditions as for the Community.

Article 8 (a) (new)

1. For activities covered by paragraph 1.2 (b) and (c) of Article 2, the Commission, in accordance with the Article 15 procedure and before 31 May 1996, shall establish a reference framework covering:

- the evaluation of the chief environmental needs with regard to the regional planning, particularly for urban areas, with a view to providing guidelines for activities to be undertaken by local authorities,
- an analysis of the environmental situation in industry at sectoral level with a view to identifying suitable guidelines for sustainable development in this sector.

2. The reference framework referred to in paragraph 1, which is intended to provide information for parties concerned by financial support under LIFE in fields which are of particular Community interest, shall be adapted by the Commission every two years as necessary.'

4. In Article 9:

- paragraph 1 is replaced by the following:

'1. Proposals for measures to be financed shall be submitted to the Commission by the Member States. Where measures involve more than one Member State, proposals shall be submitted by the coordinating authority or body.

4. In Article 9:

- paragraph 1 is replaced by the following:

'1. Proposals for measures to be financed shall be submitted to the Commission by the Member States. Where measures involve more than one Member State, proposals shall be submitted by the coordinating authority or body. Proposals shall be

ORIGINAL TEXT

MODIFIED TEXT

forwarded to the Commission before 30 September. The Commission shall rule on these proposals by 30 April.'

2. 'However, the Commission may ask any legal or natural persons established in the Community to submit applications for assistance in respect of measures of particular interest to the Community by means of a notice published in the *Official Journal of the European Communities*.'

2. Deleted.

— paragraph 4 is replaced by the following:

— paragraph 4 is replaced by the following:

'4. The Commission shall inform the Member States of the content of proposals received in the framework of expressions of interest and of applications submitted by third countries.'

'4. The Commission shall transmit to Member States a summary of the principal points and of the contents of the proposals received, including requests from the third countries and the Central and Eastern European countries which have signed association agreements with the European Community.'

— paragraph 5 is replaced by the following:

— paragraph 5 is replaced by the following:

'5. Measures provided for in Article 2 (1) (1) shall be subject to the procedure set out in Article 21 of Directive 92/43/EEC; other LIFE measures shall be approved in accordance with the procedure provided for in Article 13.

'5. Nature conservation measures provided for in paragraphs 1.1 and 2 of Article 2 and the corresponding accompanying measures shall be subject to the procedure set out in Article 21 of Directive 92/43/EEC; other LIFE measures shall be approved in accordance with the procedure provided for in Article 13.

The measures approved shall give rise:

The measures approved shall give rise:

— for projects to be undertaken in the European Community, to an outline decision from the Commission addressed to the Member States concerning proposals which have been accepted and to individual decisions addressed to the beneficiaries concerning specific projects,

— for activities to be undertaken in the European Community, to an outline decision from the Commission addressed to the Member States concerning proposals which have been accepted and to individual decisions addressed to the beneficiaries concerning specific projects, the financial conditions of which shall be agreed with the latter,

— for projects to be undertaken in third countries, to a contract or an agreement setting out the rights and obligations of the partners, as drawn up with the beneficiaries responsible for implementation of the said projects.'

— for activities to be undertaken in third countries, to a contract or an agreement setting out the rights and obligations of the partners, as drawn up with the beneficiaries responsible for implementation of the said activities.'

ORIGINAL TEXT

MODIFIED TEXT

6. Deleted.

6. Deleted.

5. A new Article 9a is added as follows:

5. A new Article 9a is added as follows:

'Article 9a

1. Requests for financial support shall be for projects meeting the following criteria:

'Article 9a

1. Requests for financial support concerning measures to be implemented in the Community and the countries of Central and Eastern Europe which have signed association agreements with it shall be for activities which meet the following criteria, where relevant:

(a) be of Community interest, in particular as a result of:

- the habitats or species concerned, or
- the answers found to a problem frequently encountered in the Community;

(a) they must be of Community interest, in particular because of:

- the habitats or species concerned, or
- the answers found to a problem frequently encountered in the Community;

(b) make a significant contribution to the implementation of Community environment policy promoting, in particular, a multinational or biogeographical region approach;

A. General criteria

(b) Unchanged

(c) as regards nature conservation projects be aimed at the sites proposed by a Member State under Article 4 of Directive 92/43/EEC or sites classified pursuant to Article 4 of Directive 79/409/EEC or species mentioned in Annexes II and I respectively to those Directives;

(c) as regards nature conservation measures, they must concern sites proposed by a Member State under Article 4 of Directive 92/43/EEC or sites classified pursuant to Article 4 of Directive 79/409/EEC or species as referred to in Annexes II and I, respectively, to those Directives;

(d) as regards, in particular, demonstration, promotion and technical assistance projects:

(d) Unchanged

- be innovative and example-setting and represent progress compared with the current situation or current available technology,
- be capable of promoting widespread application of practices and technologies conducive to environmental protection,
- aim at developing and transferring know-how which can be used in identical or similar situations,

ORIGINAL TEXT

- have a satisfactory cost-benefit ratio and, where appropriate, guarantees of economic viability,
- comply with the polluter pays principle.'

MODIFIED TEXT

3 (a) (new) Requests for financial support from third countries of the Mediterranean or the Baltic other than the Central and Eastern European countries which have signed association agreements with the European Community shall be for activities which meet the following criteria:

- they must be of Community interest, and in particular contribute to the implementation of the regional and international agreements and guidelines,
- they must contribute to a policy encouraging sustainable development at all levels (national, regional or international),
- they must help to solve very serious environmental problems in the region of the field concerned,
- they must increase cross-border cooperation,
- they must guarantee the feasibility of the technical proposals, and their technical and financial management and provide a good cost-benefit ratio.'

6. In Article 12

'2. For each multinational action the beneficiary shall submit progress reports to the Commission within six months of the end each full year of implementation. Within six months of completion of the action a final report shall also be forwarded to the Commission. For each action lasting less than two years the beneficiary shall submit a report to the Commission within six months of completion of the action. The Commission shall determine the form and content of these reports.'

6. In Article 12

'2. For each multinational action the beneficiary shall submit progress reports to the Commission within six months of the end of each full year of implementation. Within six months of completion of the action a final report shall also be forwarded to the Commission. For each action lasting less than two years the beneficiary shall submit a report to the Commission within six months of completion of the action. The Commission shall determine the form and content of these reports.'

ORIGINAL TEXT

MODIFIED TEXT

7. Article 14 is replaced by the following:

'Article 14

No later than 31 December 1998, the Commission shall submit a report to the European Parliament and to the Council on the implementation of this Regulation and on the use of appropriations and shall make proposals for any adjustment to be made with a view to continuing the action beyond the second phase.

The Council, acting by a qualified majority on a proposal from the Commission, shall decide on the implementation of the second phase as from 1 January 2000.'

8. A new Article 14a is added as follows:

'Article 14a

Applications for financial support for measures which could not be granted such support because of the inadequacy of the financial resources available in 1995 may be taken into consideration in accordance with the conditions of this Regulation in the context of the 1996 budget year.'

Reports are based on physical and financial indicators defined in the Commission Decision which approves the projects, or in the contract or agreement concluded with the beneficiaries.

These indicators are structured so as to indicate the state of progress of the project and the objectives to be achieved within a given time.'

7. Article 14 is replaced by the following:

'Article 14

Unchanged

The Council, acting in accordance with the Treaty, shall decide on the implementation of the third stage as from 1 January 2000.'

Article 14a

Deleted

Proposal for a Council Regulation amending Council Regulation (EC) No 2686/94 establishing a special system of assistance to traditional ACP suppliers of bananas

(96/C 92/05)

COM(96) 33 final — 96/0028(SYN)

(Submitted by the Commission on 1 February 1996)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 130w thereof,

Having regard to the proposal from the Commission,

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

Acting in accordance with the procedure laid down in Article 189c of the Treaty,

Whereas Council Regulation (EC) No 2686/94⁽¹⁾ provides for financial assistance in the form of income support;

Whereas this income support should be complementary to transfers under the export earnings stabilization system (Stabex) triggered by the same set of circumstances;

Whereas the statistics necessary to calculate Stabex transfers and income support for the previous year are not available until the second quarter of each year, it is therefore necessary that in order to fulfil all the requirements of the Regulation the date of expiry be extended;

Whereas the Regulation also provides for technical and financial assistance, additional to that provided for in the fourth ACP-EC Convention, for programmes designed to help producers adapt to new market conditions;

Whereas in order to have a reasonable length of time in which to prepare, submit and approve such programmes under the existing budget it is necessary to extend the Regulation's date of expiry;

Whereas in order to meet all the requirements of the Regulation regarding the allocation of assistance and in order to allow the reasonable management and allocation of the budget already assigned for this year it is necessary to extend the Regulation's date of expiry from 28 February 1996 to 31 December 1996,

HAS ADOPTED THIS REGULATION:

Article 1

Article 11, second indent of Regulation (EC) No 2686/94 should be amended to read: 'It shall apply with effect from 1 July 1993. It shall expire on 31 December 1996'

Article 2

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*. It shall apply with effect from 29 February 1996. It shall expire on 31 December 1996.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

⁽¹⁾ OJ No L 286, 5. 11. 1994, p. 1.

Amended proposal for a Council Regulation amending Regulation (EEC) No 404/93 on the common organization of the market in bananas, Regulation (EEC) No 1035/72 on the common organization of the market in fruit and vegetables, and Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff

(96/C 92/06)

COM(96) 37 final — 95/0084(CNS)

(Submitted by the Commission pursuant to Article 189a (2) of the EC Treaty)

On 6 April 1995 the Commission presented the above proposal to the Council ⁽¹⁾.

In the light of Parliament's opinion, delivered on 12 December 1995, the original proposal is amended as follows:

1. The title now becomes:

Proposal for a Council Regulation (EC) No ... amending Regulation (EEC) No 404/93 on the common organization of the market in bananas.

2. The first recital is deleted.

3. In Article 1, paragraph 1 is deleted (The subsequent paragraphs are renumbered accordingly).

4. Articles 2 and 3 are deleted.

⁽¹⁾ COM(95) 114 final, OJ No C 136, 3. 6. 1995, p. 18.

III

(Notices)

COMMISSION

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

(96/C 92/07)

(Official Journal of the European Communities No C 271 of 17 October 1995)

On page 19, the text of paragraph 2 under heading I 'Subject', is amended as follows:

- '2. The total quantity in respect of which there may be fixed a maximum export refund as provided in Article 1 (2), of Commission Regulation (EEC) No 584/75 (³), as last amended by Regulation (EEC) No 299/95 (⁴), is approximately 40 000 tonnes.'

Invitation to tender for the provision of neutron detectors for Euratom safeguards

(96/C 92/08)

1. **Awarding authority:** Commission of the European Communities, Directorate-General for Energy, Euratom safeguards, Cube building, E4B, Plateau du Kirchberg, L-2920 Luxembourg.
- Tel. (352) 43 01-332 36.
Facsimile (352) 43 01-335 45.
2. a) **Award procedure:** Open invitation to tender for supplies.
- b) **Contract type:** Supply of equipment.
3. a) **Place of delivery:** As in 1.
- b) The Euratom safeguards Directorate of the European Commission has a requirement for 3 neutron detectors for the measurement of fissile material. The equipment is to be supplied to a mixed-oxide fuel plant and integrated into the production process. The detectors essentially consist of ³He radiation counter tubes, coated in polyethylene, and with associated electronics. The details concerning the mechanical interface must be agreed with those responsible, at the plant, for the installation of the equipment. The 3 instruments will need to be individually designed for their specific measuring function. The design optimization, within the framework of precise mechanical boundary conditions, is a part of the contract. The supplies also include weak neutron sources, to be integrated into the detectors.
- c) The contract is divided into 3 lots.
4. **Delivery deadline:** As soon as possible (approximately 6 months from the signature of the contract); the deadline is an award criterion.
5. a) **Name and address from which tender documents may be obtained:** As in 1, Mr M. van den Boomen.
- b) **Final date for requesting tender documents:** Tender documents will be available until 6. 5. 1996.
6. a) Final date for the submission of tenders: 20. 5. 1996.
- b) As in 1, Mr M. van den Boomen.
- c) In 1 of the 11 official languages of the European Union.

7. a) **Persons admitted to the opening of tenders:** Each tenderer may be represented by 1 duly authorized person following prior notification.
- b) **Date, time and place of the opening of tenders:** 29. 5. 1996 (15.00) in the Cube building, Plateau du Kirchberg, L-2920 Luxembourg.
8. The submission of a tender presupposes the acceptance of the 'General conditions which apply to service and works contracts' of the awarding authority (reference XIX/410/93) for all the elements not included in this invitation to tender.
9. **Terms of payment:** See tender documents.
- 10.
11. **Minimum conditions to be fulfilled by the tendering companies:**
- evidence of experience in the following areas during the past 3 years: manufacture, supply, repair and maintenance of neutron detectors with associated electronics,
 - evidence of their capacity to design neutron detectors and adapt them to the client's requirements, in particular where it concerns maximum detection probability, the regularity of detection probability, counting rate, etc.
 - evidence of their capacity to test this type of detector with ad hoc radioactive sources,
 - evidence of their capacity to provide neutron sources (for example ^{252}Cf),
 - evidence that they are not in a situation of bankruptcy or liquidation,
- evidence of their capacity to finance production costs of up to 100 000 ECU,
 - enrolment on a trade register. Important: only those registers included in Article 21 of Council Decision 93/36/EEC, published in the Official Journal of the European Communities of 9. 8. 1993, will be accepted.
12. **Tender validity period:** Tenders valid until 30. 11. 1996.
13. **Award criteria:** Contract to be awarded to company(ies) having submitted the economically most advantageous tender with regard to quality, functionality, overall price and delivery period.
- The following criteria will be taken into account:
- quality and specifications of the proposed equipment,
 - design credibility,
 - price of the equipment, in ECUs,
 - delivery period.
14. **Derogation from standards:** Possible derogations from standards will be examined on a case-by-case basis subject to respecting functionality.
15. **Further information:** None.
16. **Pre-information:** None.
17. **Date of dispatch of the notice:** 18. 3. 1996.
18. **Date of receipt by the Office for Official Publications of the European Communities:** 18. 3. 1996.

Furniture for Comprehensive Child Education Centre in Luxembourg**Open procedure**

(96/C 92/09)

1. **Awarding authority:** European Commission, Directorate-General for Personnel and Administration, IX.40, Buildings Policy, Options and Contracts Unit, JMO B1/12, rue Alcide de Gasperi, L-2920 Luxembourg.
Tel. (352) 43 01-331 17.
Facsimile (352) 43 01-321 09.
2. a) **Award procedure:** Open invitation to tender.
b) **Type of contract:** Supply contract for which deliveries will be carried out in execution of orders which will be given, on 1 or more occasions, to the contractor.
3. a) **Place of delivery:** Comprehensive Child Education Centre, L-Kirchberg.
b) **Purpose of contract, CPA reference No:** Furniture for fitting out the extension to the Comprehensive Child Education Centre, the day nursery and the Centre for studies and supervised leisure activities.
Invitation to tender divided into 3 lots.
CPA No: category 36.14.1.
c) **Division into lots:** Possibility to tender for all or part (by lot) of the supplies.
4. **Deadline for delivery:** Delivery should take place by mid-8/1996 at the latest.
5. a) **Request for documents:** As in 1. All requests must be submitted in writing, indicating reference AO 21/96/IX.PIM.
b) **Final date for making such requests:** 23. 4. 1996.
c) **Payment:** Free of charge.
6. a) **Final date for the receipt of tenders:** 8. 5. 1996.
b) **Address to which they must be sent:** As in 1.
c) **Language(s) in which they must be drawn up:** 1 of the official languages of the European Union.
7. a) **Persons admitted to the opening of tenders:** 1 person only, duly authorized, per tenderer.
b) **Date, time and place:** 14. 5. 1996 (11.00), at the Jean Monnet building, rue Alcide de Gasperi, L-2920 Luxembourg.
8. **Deposits and guarantees:** A deposit guaranteeing the good performance of the contract will be required.
9. **Terms of financing and payment:** Payment within a maximum delay of 60 days from receipt of the final invoice, denominated in ECUs.
10. **Legal form of the grouping:**
11. **Minimum conditions:** Tenderers must submit, along with their tenders:
 - a statement indicating the overall annual turnover and the annual turnover for the supplies to which this contract relates, achieved during the past 3 financial years, accompanied by balance sheets and trading accounts or other relevant documents,
 - a list of similar major deliveries carried out during the past 3 years, their values, dates and recipients, public or private.
12. **Period during which the tender is bound to keep open his tender:** 8 months from 8. 5. 1996.
13. **Award criteria:** The contract will be awarded to the economically most advantageous tender(s) having regard to the following criteria:
 - price,
 - general solidity and resistance to intensive usage and indelicate handling,
 - ergonomic comfort,
 - aesthetic design in relation to the general architecture of the premises and the existing furniture in the actual centre,
 - use of environment-friendly materials.
14. **Prohibition on variants:** No.
15. **Other information:**
16. **Date of dispatch of the notice:** 18. 3. 1996.
17. **Date of receipt by the Office for Official Publications of the European Communities:** 18. 3. 1996.
18. The contract is covered by the GATT Agreement.

Milk and dairy products**Post-information notice****Call for proposals, open procedure No 95/C 187/12**

(96/C 92/10)

1. **Awarding authority:** Commission of the European Community, Directorate-General for Agriculture, VI-D-1, Milk Products, Mr H. Glaeser, rue de la Loi/Wetstraat 130, Office 8/53, B-1040 Bruxelles/Brussel.
2. **Award procedure:** Call for proposals, open procedure.
3. **The contract involves:** Development of analytical methods for the control of composition and quality of dairy products.
4. **Date of contract award:** 14. 2. 1996.
5. **Contract award criteria:** As mentioned in the call for proposals.
6. **Number of tenders received:** 5 tenders.
7. **Successful bidder:**
 - Project (i): Furosine in cheese and milk powder:
JRC Ispra, I-21020 Ispra (Varese) + 8 research institutes.
Price: 468 000 ECU.
 - Project (ii): Chemical parameters for the evaluation of cheese ripening:
JRC Ispra, I-21020 Ispra (Varese) + 8 research institutes.
Price: 195 000 ECU.
 - Project (iii): Determination of the range of whey protein/casein:
JRC Ispra, I-21020 Ispra (Varese) + 6 research institutes.
Price: 234 000 ECU.
 - Project (iv): Determination of milk fat content of mixed spreadable fats:
JRC Ispra, I-21020 Ispra (Varese) + 4 research institutes.
Price: 312 000 ECU.
 - Project (v): Sensory evaluation of butter, milk powder and cheeses:
No tender received.
 - Project (vi): Coordination of collaborative studies for the evaluation of microbiological methods:
No tender received.
 - Project (vii): Development of an adequate procedure for the determination of the raw-milk quantity and the average fat content of raw milk:
Bundesanstalt für Milchwissenschaft, Institut für Chemie und Physik, Hermann-Weigmannstraße 1, D-24103 Kiel.
Price: 91 000 ECU.
8. **Date of publication of the contract notice in the Supplement to the Official Journal of the European Communities:** 21. 7. 1995.
9. **Date of dispatch of the notice:** 18. 3. 1996.
10. **Date of receipt by the Office for Official Publications of the European Communities:** 18. 3. 1996.

Elaboration of language tests for general recruitment competitions

Service contract notice

Open procedure

(96/C 92/11)

1. **Name, address, telephone, telegraph, telex and facsimile numbers of the awarding authority:** European Commission, Directorate-General for Personnel and Administration, IX.C.1, Buildings Policy - Options and Contracts, Orbn 1/69, rue de la Loi/Wetstraat 200, B-1049 Bruxelles/Brussel.

Tel. 295 21 00. Facsimile 295 23 72.
2. **Category of service and description:** Elaboration of language tests for general recruitment competitions for officials and other agents from present and future Member States of the European Union.

These services must be provided in the 11 official languages of the European Union, in the 2 alphabets, Latin and Greek. The number of recruitment procedures is estimated at around 30 per annum.

CPC reference No 86504, human resources management consultancy.
3. **Place of delivery:** Brussels.
4. a) **Indication of whether the execution of the service is reserved by law, regulation or administrative provision to a particular profession:**

b) **Reference of the law, regulation or administrative provision:**

c) **Indication of whether legal persons should indicate the names and professional qualifications of the staff to be responsible for the execution of the service:**
5. **Indication of whether the service providers can tender for a part of the services concerned:** This invitation to tender comprises of 2 lots. The service providers may only tender for the 2 grouped lots.
6. **Where applicable, non-acceptance of variants:**
7. **Contract period or final date for the performance of the service:** Framework contract for an initial duration of 2 years with the possibility of annual renewal up to a maximum duration of 5 years.
8. a) **Name and address of the service from which the necessary documents may be requested:** The invitation to tender documents may be obtained from the address in 1. All requests must be submitted in writing, indicating reference 95/28/IX.C.1.

b) **Final date for making such requests:** 30. 4. 1996.

c) **Where applicable, the amount and terms of payment for obtaining these documents:** Free of charge.
9. a) **Persons authorized to assist during the opening of tenders:** 1 person only per tenderer is authorized. The name and status of the participant at the opening must be notified, in writing (if possible by facsimile to No 295 23 72 in Brussels), at the latest on the date of submission of tenders.

b) **Date, time and place of the opening:** 25. 5. 1996 (11.00) meeting room 1/55 of the Orban building (Square Frère Orban 8, B-1040 Brussels).
10. **Where applicable, deposits and guarantees required:**
11. **Main terms concerning financing and payment and/or references to the relevant provisions:** Payment within 60 days of receipt of invoice or request for payment, with the payment considered as being made on the day of debit from the Commission account.
12. **Where applicable, the legal form to be taken by the grouping of suppliers winning the contract:**
13. **Information concerning the service provider's own position, and information and formalities necessary for an appraisal of the minimum economic and technical standards required of him:** Tenderers must submit, with their tenders:

— a statement indicating the overall annual turnover and the annual turnover in respect of the services to which the contract relates for the previous 3 financial years, with balance sheets and trading accounts or other relevant documents,

- answers to a questionnaire included in the tender documents and concerning professional and technical capacity in relation to know-how, efficiency, experience and reliability in the design and preparation of language tests.
14. **Period during which the tenderer is bound to keep open his tender:** 7 months from 15. 5. 1996.
15. **Contract award criteria and, if possible, their order of importance. Criteria other than lowest price shall be mentioned if they do not appear in the contract documents:** The contract will be awarded to the economically most advantageous tender in terms of proposed prices and the technical value of the tender.
16. **Other information:** Final date for the submission of tenders: 15. 5. 1996.
17. **Date of dispatch of the notice:** 18. 3. 1996.
18. **Date of receipt by the Office for Official Publications of the European Communities:** 18. 3. 1996.
19. **Indicate whether the contract is covered by the GATT Agreement:** The contract is covered by the agreement concerning public procurement contracts of the WTO (ex-GATT).

Phare — construction of A4 motorway

(Phare Programme PL-9406)

Prequalification notice

(96/C 92/12)

1. Notice is hereby given on behalf of the Government of Poland for prequalification of the contractors for structural works on A4 motorway to be financed by the European Commission within the scope of the Phare programme.
2. Participation is open on equal terms to all natural and legal persons of the Member States of the European union and of Phare beneficiary countries.
3. The project consists of construction of the A4 toll motorway between Bielany near Wrocław and Nogawczyce, of the total length of about 126 km. The A4 motorway represents the major east-west road link running through industrialized southern Poland which will eventually connect the German border at Zgorzelec with the Ukrainian border.
4. The roadworks will include 3 contract sections, as follows:
- Wrocław/Bielany-Przylesie: 40,8 km.
- Przylesie-Prady: 28,9 km.
- Prady-Nogawczyce: 56,5 km.
- Total: 126,2 km.
- The roadworks are to be financed by the loan from the European Investment Bank and by the Polish Government.
5. The bridgeworks will include 2 contracts financed from the Phare programme:
- Wrocław/Bielany-Prady
- Prady-Nogawczyce
- which may be subdivided into subsections.
- The works for the abovementioned contracts include widening and rehabilitation of 50 bridges and construction of 30 new bridges (in the first contract) and widening and rehabilitation of 20 bridges and construction of 40 bridges (in the second contract).
- The completion time for bridgeworks is 32 months.
- The works will be based on the Polish specification translated in English.

6. Provisional date for the commencement of the contract is 1/1997.
 7. Application for pre-qualification will be considered from experienced contractors from the Member States of the European Union and from the Phare beneficiary countries. The association with Polish companies will be considered as an advantage and shall be clearly indicated in the application. The invitation to tender is expected to be issued to prequalified contractors in 7/1996.
 8. The candidates for prequalification will be required to produce:
 - 8.1. proof of enrolment on a professional or trade register;
 - 8.2. balance sheet for the past 3 years, including a statement of turnover;
 - 8.3. a list of key personnel, managerial and technical, stating the professional qualifications and experience in major bridge contracts;
 - 8.4. a list of all bridgeworks exceeding 3 000 000 ECU carried out during the past 5 years, with relevant details (value, location, number and type of bridgeworks, project authority, etc.), whether contractor or subcontractor, and if subcontractor what percentage of the total;
 - 8.5. a list of equipment for bridgeworks at the contractor's disposal (owned or to be leased for the project);
 - 8.6. banking statement from the candidate's bankers indicating the financial soundness of the company and eventual line of credit.
 9. In case of joint venture, the leading partner (with at least 51 % participation) should have previous experience in managing bridgeworks of similar nature.
 10. Pre-qualification documents may be obtained from the General Directorate of Public Roads, Motorway Construction Office at the undermentioned address, against payment of a non-refundable fee of 1 000 PLZ (new Polish Zloty) or submission of certificate of payment to the account with P.B.I. S.A. O.Opole No 708267-38436-3111-9.
 11. Applications must be received on or before 30.4.1996 (14.00), local time, at the delivery address:

General Directorate of Public Roads, Motorway Construction Office, attention: Mr Z. Brzostowski, Ul. Niedzialkowskiego 6, PL-45085 Opole.

and should be clearly marked: 'Prequalification documents - A4 Motorway - Structural works'.
 12. All documents, attachments and certificates must be submitted in English. The exception is made for the documents listed under p. 8.2 and 8.6 which may be produced in Polish with English headings (8.2) and brief summary in English (8.6).
 13. Applicants will be informed about the results of pre-qualification for tendering within 30 days after approval by the European Commission. Pre-qualified companies or consortia will be invited to tender at the date indicated later.
 14. The awarding authority for the abovementioned contract is the General Directorate of Public Roads. It is acting on behalf of the Ministry of Transport and Maritime Economy and of the Agency for Motorway Construction and Operation, ul Chalubinskiego 4/6, PL-00928 Warsaw.
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