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Information and Notices

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EN

I

(Information)

COMMISSION

Euro exchange rates ⁽¹⁾**19 September 2000**

(2000/C 269/01)

1 euro	=	7,4674	Danish krone
	=	338,98	Greek drachma
	=	8,3780	Swedish krona
	=	0,6084	Pound sterling
	=	0,8541	United States dollar
	=	1,2699	Canadian dollar
	=	91,310	Japanese yen
	=	1,5200	Swiss franc
	=	8,0055	Norwegian krone
	=	72,38	Icelandic króna ⁽²⁾
	=	1,5736	Australian dollar
	=	2,0653	New Zealand dollar
	=	6,2132	South African rand ⁽²⁾

⁽¹⁾ Source: reference exchange rate published by the ECB.

⁽²⁾ Source: Commission.

Information procedure — Technical rules

(2000/C 269/02)

(Text with EEA relevance)

Directive 98/34/EC of the European Parliament and of the Council of 22 June 1998 laying down a procedure for the provision of information in the field of technical standards and regulations and rules on Information Society services (OJ L 204, 21.7.1998, p. 37; OJ L 217, 5.8.1998, p. 18).

Notifications of draft national technical rules received by the Commission

Reference ⁽¹⁾	Title	End of three-month standstill period ⁽²⁾
2000/507/F	Order on health conditions governing the introduction of domestic carnivorous animals, not intended for sale and accompanying travellers into France from European Union Member States	27.11.2000
2000/508/F	Order on conditions governing the introduction of domestic carnivorous animals into France from third countries	27.11.2000
2000/515/UK	The Fishing Vessels (Code of Practice for Small Fishing Vessels) Regulations 2000	27.11.2000
2000/516/A	RVS 3.44, junctions, roundabouts on open country roads	6.12.2000
2000/517/UK	The Goods Vehicles (Plating and Testing) Regulations 2000	27.11.2000
2000/518/UK	The Road Vehicles (Construction and Use) (Amendment No) Regulations 2000	27.11.2000
2000/519/UK	The Motor Vehicles (Approval) Regulations 2000	27.11.2000
2000/520/UK	Annexes A and B to the Single Vehicle Approval (SVA) Inspection Manual	27.11.2000
2000/521/UK	UK Voluntary National Specification 2103 — performance parameters for fixed (point-to-point) terrestrial equipment operating in the 14,25 GHz to 14,5 GHz band	30.11.2000
2000/522/UK	UK Voluntary National Specification 2125 — performance parameters for fixed (point-to-point) terrestrial security video equipment operating in the 31 GHz band	30.11.2000
2000/523/NL	Chapter 3.9 of the system code	1.12.2000
2000/524/NL	Programme of requirements in respect of tenders for solar houses	⁽⁴⁾
2000/525/NL	Food and Drugs Act regulation on preserved wood	4.12.2000

⁽¹⁾ Year — registration number — Member State of origin.

⁽²⁾ Period during which the draft may not be adopted.

⁽³⁾ No standstill period since the Commission accepts the grounds of urgent adoption invoked by the notifying Member State.

⁽⁴⁾ No standstill period since the measure concerns technical specifications or other requirements linked to fiscal or financial measures, pursuant to the third indent of the second paragraph of Article 1(11) of Directive 98/34/EC.

⁽⁵⁾ Information procedure closed.

The Commission draws attention to the judgment given on 30 April 1996 in the 'CIA Security' case (C-194/94 — ECR I, p. 2201), in which the Court of Justice ruled that Articles 8 and 9 of Directive 98/34/EC (formerly 83/189/EEC) are to be interpreted as meaning that individuals may rely on them before the national court which must decline to apply a national technical regulation which has not been notified in accordance with the Directive.

This judgment confirms the Commission's Communication of 1 October 1986 (OJ C 245, 1.10.1986, p. 4).

Accordingly, breach of the obligation to notify renders the technical regulations concerned inapplicable, so that they are unenforceable against individuals.

If you require any information on these notifications, please contact the national departments listed below:

LIST OF NATIONAL DEPARTMENTS RESPONSIBLE FOR THE MANAGEMENT OF DIRECTIVE 98/34/EC**BELGIUM**

Institut belge de normalisation/Belgisch Instituut voor Normalisatie
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SPAIN

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Dirección General de Coordinación del Mercado Interior y otras

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Members of the Scientific Steering Committee

(2000/C 269/03)

List in alphabetical order of the eight scientists appointed by the Commission on 12 September 2000 as members of the Scientific Steering Committee set up by Commission Decision 97/404/EC⁽¹⁾:

Keith H. Jones	Director and Chief Executive of the UK Medicines Control Agency, London (United Kingdom)
Werner Klein	Professor, Fraunhofer-Institut für Umweltchemie und Ökotoxikologie, Schmallenberg (Deutschland)
Ib Knudsen	Executive Director, Danish Institute of Food Safety and Toxicology, Ministeriet for Fødevarer, Landbrug og Fiskeri, Fødevaredirektoratet, Søborg (Danmark)
Albert Osterhaus	Professor, Erasmus Universiteit Rotterdam, Faculteit der geneeskunde en gezondheidswetenschappen, Instituut voor Virologie, Rotterdam (Nederland)
Gérard Pascal	Directeur scientifique, Institut National de la Recherche Agronomique, direction scientifique Nutrition Humaine et Sécurité Alimentaire, Paris (France)
Pere Puigdomènech	Professor de Investigación del CSIC, Director del Instituto de Biología Molecular de Barcelona, Centro de Investigación y Desarrollo, CSIC, Departamento de Genética Molecular, Barcelona (España)
Vittorio Silano	Director-General for International Relations and Community Policies, Ministry of Health, Roma (Italia)
Staffan Skerfving	Head of Dept. of Occupational and Environmental Medicine, Lund University, Institute of Laboratory Medicine, Lund (Sverige)

⁽¹⁾ Commission Decision 97/404/EC of 10 June 1997 setting up a Scientific Steering Committee (OJ L 169, 27.6.1997, p. 85), amended by Commission Decision 2000/443/EC of 18 May 2000 (OJ L 179, 18.7.2000, p. 13).

Prior notification of a concentration**(Case COMP/M.2070 — TietoEnator/EDB Business Partner/JV)****Candidate case for simplified procedure**

(2000/C 269/04)

(Text with EEA relevance)

1. On 13 September 2000 the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No 4064/89 ⁽¹⁾, as last amended by Regulation (EC) No 1310/97 ⁽²⁾, by which the Swedish holding company, TietoEnator AB, belonging to the TietoEnator Corporation, and the Norwegian company, EDB Business Partner ASA, belonging to the Telenor Group, acquire, within the meaning of Article 3(1)(b) of the Regulation, joint control of a newly created company constituting a joint venture (Newco) by way of purchase of shares.

2. The business activities of the undertakings concerned are:

- TietoEnator Corporation: consulting services; IT systems; software products,
- Telenor Group: telecommunications; IT; media,
- Newco: IT-related consultancy services to hospitals.

3. On preliminary examination, the Commission finds that the notified concentration could fall within the scope of Regulation (EEC) No 4064/89. However, the final decision on this point is reserved. Pursuant to the Commission Notice on a simplified procedure for treatment of certain concentrations under Regulation (EEC) No 4064/89 ⁽³⁾, it should be noted that this case is a candidate for treatment under the procedure set out in the notice.

4. The Commission invites interested third parties to submit their possible observations on the proposed operation.

Observations must reach the Commission not later than 10 days following the date of this publication. Observations can be sent by fax (No (32-2) 296 43 01 or 296 72 44) or by post, under reference COMP/M.2070 — TietoEnator/EDB Business Partner/JV, to:

European Commission,
Directorate-General for Competition,
Directorate B — Merger Task Force,
Rue Joseph II/Jozef II-straat 70,
B-1000 Brussels.

⁽¹⁾ OJ L 395, 30.12.1989, p. 1; corrigendum: OJ L 257, 21.9.1990, p. 13.

⁽²⁾ OJ L 180, 9.7.1997, p. 1; corrigendum: OJ L 40, 13.2.1998, p. 17.

⁽³⁾ OJ C 217, 29.7.2000, p. 32.

Non-opposition to a notified concentration**(Case COMP/M.1819 — Rheinbraun/OMV/Cokowi (see also ECSC.1320))**

(2000/C 269/05)

(Text with EEA relevance)

On 1 August 2000, 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. The full text of the decision is only available in German and will be made public after it is cleared of any business secrets it may contain. It will be available:

- as a paper version through the sales offices of the Office for Official Publications of the European Communities (see list on the last page),
- in electronic form in the 'CDE' version of the CELEX database, under document number 300M1819. CELEX is the computerised documentation system of European Community law.

For more information concerning subscriptions please contact:

EUR-OP,
Information, Marketing and Public Relations (OP/A/4-B),
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II

(Preparatory Acts)

COUNCIL

Initiative of the French Republic with a view to the adoption of a Council Directive concerning the harmonisation of financial penalties imposed on carriers transporting into the territory of the Member States third-country nationals lacking the documents necessary for admission

(2000/C 269/06)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Articles 61(a) and 63(3)(b) thereof,

Having regard to the initiative of the French Republic ⁽¹⁾,

Having regard to the Opinion of the European Parliament ⁽²⁾,

Whereas:

(1) In order to combat illegal immigration effectively, it is essential that all the Member States introduce provisions laying down the obligations of carriers transporting foreign nationals into the territory of the Member States. In addition, in order to ensure the full effectiveness of this objective, the financial penalties currently provided for by the Member States should be harmonised by establishing a minimum amount for cases where carriers fail to meet their obligations;

(2) It is essential that the existence of such provisions should not prejudice the exercise of the right to asylum. With this in mind, it is important that Member States should not apply the penalties which they are required to introduce under this Directive if the third-country national is admitted to the territory for asylum purposes;

(3) The freedom of the Member States to retain or introduce additional obligations for carriers should not be affected;

(4) As soon as it decides to reintroduce checks at its borders, under the conditions laid down in Article 2(2) of the Convention implementing the Schengen Agreement of 14 June 1985, signed at Schengen on 19 June 1990 ⁽³⁾, a Member State should be able to make the measures adopted under this Directive applicable at its internal borders;

(5) This Directive builds on the Schengen acquis, in accordance with the Protocol integrating the Schengen acquis into the framework of the European Union,

HAS ADOPTED THIS DIRECTIVE:

Article 1

The aim of this Directive is to approximate the laws, regulations and administrative provisions of the Member States with regard to the imposition of financial penalties on carriers who fail to meet their obligation to check that third-country nationals whom they transport into the territory of the Member States are in possession of the travel documents and, where appropriate, the visas required by the rules applicable to them by virtue of their nationality.

Article 2

For the purposes of this Directive the following definitions shall apply:

'third-country national' means any person who is not a national of a Member State of the European Community, Iceland or Norway,

'carrier' means any air or sea carrier, as well as carriers transporting groups by coach over cross-border international links, with the exception of local border traffic.

Article 3

1. If a third-country national is refused entry on crossing the external border of one of the Member States owing to lack of the travel documents and, where appropriate, the visas referred to in Article 1, the carrier who brought him by air, sea or land shall be obliged to take charge of him immediately and return him to:

(a) the State of origin;

(b) the third State which issued the travel document with which he travelled; or

⁽¹⁾ OJ C ...

⁽²⁾ OJ C ...

⁽³⁾ OJ C ... (not yet published)

(c) any other State where his admission is guaranteed.

2. The measures referred to in paragraph 1 shall also apply when entry is refused to a third-country national in transit if:

(a) the carrier who was to take him to his country of destination refuses to take him on board;

(b) or the authorities of the State of destination have refused him entry and have sent him back to the State through which he transited.

3. If the carrier is unable to effect the return of the third-country national in question, he shall be obliged to find means of onward transportation immediately and to bear the cost thereof.

Furthermore, if immediate onward transportation is not possible, the carrier shall take charge of the third-country national who has been refused entry.

Article 4

1. Member States shall provide in their national law for financial penalties to be imposed on carriers bringing into the territory of the Member States third-country nationals who are not in possession of the travel documents and, where appropriate, the visas required by the rules applicable to them by virtue of their nationality.

2. The penalties referred to in the first paragraph must be dissuasive. The minimum amount of such penalties shall be EUR 2 000 for each person carried.

3. Paragraphs 1 and 2 shall not apply if the third-country national is admitted to the territory for asylum purposes.

Article 5

This Directive shall not prevent Member States from adopting or retaining, for carriers who do not comply with the obligations referred to in Article 1, other measures involving more stringent financial penalties or penalties of another kind such

as immobilisation or seizure of the vehicle or temporary suspension or withdrawal of the operating licence.

Article 6

As soon as it decides to apply the provisions of Article 2(2) of the Convention implementing the Schengen Agreement of 14 June 1985, signed at Schengen on 19 June 1990, a Member State may make the measures adopted under this Directive applicable to the crossing of its internal borders to which that decision applies.

Article 7

1. Member States shall take the necessary measures to comply with this Directive not later than ... (*). They shall forthwith inform the Commission thereof.

2. When Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such reference shall be laid down by Member States.

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

Article 8

This Directive shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

Article 9

This Directive is addressed to the Member States.

Done at Brussels, ...

For the Council

The President

...

(*) 18 months following the date of its adoption.

III

(Notices)

COMMISSION

Call for proposals for the Phare Access programme issued by the Delegation of the European Commission to Lithuania

(2000/C 269/07)

1. Publication number

SCR-E/111454/D/G/LT.

elderly, homeless, street and/or abused children, unemployed, victims of addiction, AIDS, prisoners, etc.).

2. Financing source

B7-500 Access programme 1999.

Geographical area: all project partners must be established and run in one of the candidate countries eligible for the Phare programme or an EU Member State.

3. Nature of activities, geographical area, and project duration

The programme will support projects within the following areas of activity:

Maximum project duration: The macro-project duration must be at least 12 months and may not exceed 18 months. Micro-projects have to be implemented within 12 months.

— **activities related to the adoption and implementation of the *acquis communautaire* (the body of EU laws) in the following fields:**

— environmental protection — effective management of waste, nature protection, water protection, ozone protection, implementation of sustainable development principles, integrated prevention of contamination, environment-friendly farming, etc.,

— socioeconomic — the projects should in particular aim at raising awareness and activeness of consumers under conditions of increasing competition of companies and elimination of commercial monopolies; retraining of labour force aimed at better flexibility and the market economy; promotion of social dialogue; raising awareness about new legal developments in the field of consumer protection, promotion of occupational health and safety, etc.,

— **activities in the social sector:**

— activities in the social sector, which aim at contributing to the social reintegration and/or to promote sustainable health and social support for marginalised groups of the population (such as members of minority groups, handicapped,

4. Overall amount available for this call for proposals

The total allocation for grants in Lithuania is EUR 1 100 000. The total budget for macro-projects in Lithuania is EUR 600 000; micro-projects EUR 450 000; networking facility EUR 50 000.

5. Maximum and minimum grant amounts

Minimum grants of EUR 40 000 and maximum grants of EUR 100 000 will be made available as the EU co-financing contribution towards the total macro-project costs. However, the Phare grant may only cover part of the total project costs. The ceilings for the Phare grant have been fixed as follows: within EU-Phare partnerships: maximum 80 % of total project costs; within Phare-Phare partnerships: maximum 90 % of total project costs.

The size of the grants for micro-projects ranges from a minimum of EUR 5 000 up to a maximum of EUR 30 000 per project. The EC grant can cover up to 90 % of the micro-project cost.

Under the networking facility the maximum amount of the grant is EUR 4 000. No co-financing is required.

6. Indicative maximum number of grants to be awarded

It is expected to provide 40 to 50 grants for projects within all three facilities.

7. Eligibility: who may apply?

The Access programme is open for non-governmental and non-profit organisations, which must be truly decentralised, demonstrate that they are formally constituted, and be non-exclusive organisations. Private sector companies (consultancies, individual enterprises etc.) and central government bodies (ministries, government departments and agencies etc.) are not eligible as project partners. Local and regional authorities (e.g. municipalities, city councils, regional councils) and local and regional development agencies may be involved as partners and/or co-financers in projects but may not apply as lead applicants. All macro-project applications must be submitted by at least two partner organisations from different countries. The lead applicant must be based in Lithuania. Micro-project applications may be submitted by a single organisation based in Lithuania.

8. Provisional publication date of results of the award process

It is planned that final decisions concerning the selection round will be taken in January 2001. Both successful and non-successful applicants will be notified within one month.

9. Selection criteria

Initial screening: All applications are checked against fixed eligibility and conformity criteria. Projects that do not meet these criteria are eliminated at this stage.

Evaluation: Each application is examined by at least three independent experts, and a technical score is given on the basis of fixed criteria as described below.

Selection: The Final Evaluation Council composed of the EC Delegation staff selects the projects of highest quality based on the results of the technical evaluation. Finally, the Head of the EC Delegation approves the list of selected projects.

10. Award criteria

Project proposals will be assessed according to the following criteria: project quality, capacity of partners and quality of the partnership, budget and cost-effectiveness.

11. Application format and details

Applications must be submitted using the standard application form attached to the 'programme guidelines' which format and instructions must be strictly observed. For each application **one signed original** and **four copies** must be supplied.

12. Language

Applications are accepted in Lithuanian or English.

13. Deadline for applications

To be accepted, all applications must have been received by **Wednesday, 20 December 2000 before 12.00** (local time). Any application received after this deadline will not be considered by the contracting authority.

14. How applications may be submitted

Applications must be hand delivered (including courier services) to: NGO Information and Support Centre, A. Jakšto 9-301, Vilnius 2600. Tel./fax (370-2) 22 60 45. Faxed or e-mailed applications will not be considered.

15. Detailed information

Detailed information on this call for proposals is contained in the programme guidelines published on the Internet website of the European Commission Delegation to Lithuania:

http://www.eudel.lt/ek_skelbimai.html

or might be obtained in print at the NGO Information and Support Centre, A. Jakšto 9-301, Vilnius 2600.
