

Official Journal

of the European Communities

ISSN 0378-6986

C 349

Volume 43

6 December 2000

English edition

Information and Notices

<u>Notice No</u>	Contents	Page
	<i>I Information</i>	
	Commission	
2000/C 349/01	Euro exchange rates	1
2000/C 349/02	Information procedure — Technical rules ⁽¹⁾	2
2000/C 349/03	Notice of the impending expiry of certain anti-dumping measures	5
2000/C 349/04	Prior notification of a concentration (Case COMP/M.2216 — Enel/FT/Wind/Infostrada) ⁽¹⁾	6
2000/C 349/05	Prior notification of a concentration (Case COMP/M.2255 — Telefónica Intercontinental/Sonera 3G Holding/Consortium Ipse 2000) — Candidate case for simplified procedure ⁽¹⁾	7
	<i>II Preparatory Acts</i>	
	
	<i>III Notices</i>	
	European Parliament	
2000/C 349/06	Notice of open competition	8
2000/C 349/07	Notice of open competition	8



<u>Notice No</u>	Contents (continued)	Page
	Commission	
2000/C 349/08	Operation of scheduled air services — Invitation to tender issued by the Federal Republic of Germany pursuant to Article 4(1)(d) of Council Regulation (EEC) No 2408/92 of 23.7.1992 for the operation of scheduled air services on the Hof-Bayreuth-Frankfurt am Main route ⁽¹⁾	9
2000/C 349/09	Operation of scheduled air services — Invitation to tender issued by France pursuant to Article 4(1)(d) of Council Regulation (EEC) No 2408/92 for the operation of scheduled air services from Strasbourg ⁽¹⁾	10



⁽¹⁾ Text with EEA relevance

I

(Information)

COMMISSION

Euro exchange rates ⁽¹⁾**5 December 2000**

(2000/C 349/01)

1 euro	=	7,4531	Danish krone
	=	340,57	Greek drachma
	=	8,5805	Swedish krona
	=	0,6101	Pound sterling
	=	0,881	United States dollar
	=	1,3573	Canadian dollar
	=	97,52	Japanese yen
	=	1,5095	Swiss franc
	=	8,1035	Norwegian krone
	=	76,42	Icelandic króna ⁽²⁾
	=	1,6288	Australian dollar
	=	2,0902	New Zealand dollar
	=	6,7279	South African rand ⁽²⁾

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

⁽²⁾ Source: Commission.

Information procedure — Technical rules

(2000/C 349/02)

(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	Title	End of three-month standstill period
2000/651/NL	Regulation laying down requirements for the approval of agriculturally vital plant protection products (Regulation on Agriculturally Vital Plant Protection Products)	15.2.2001
2000/652/NL	Amendment to the Measurement Code	16.2.2001
2000/653/NL	Quality criteria (Article 31, first paragraph, under f, of the Electricity Act 1998)	16.2.2001
2000/654/NL	Regulation on the Use of Mechanical Devices in Youth Custodial Institutions	16.2.2001
2000/655/NL	Regulation on Urine Tests in Youth Custodial Institutions	16.2.2001
2000/656/NL	Instruction on the Use of Force in Youth Custodial Institutions	16.2.2001

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
Avenue de la Brabançonne/Brabançonnelaan 29
B-1040 Brussels
Mrs Hombert
Tel.: (32 2) 738 01 10
Fax: (32 2) 733 42 64
X400:O=GW;P=CEC;A=RTT;C=BE;DDA:RFC-822=CIBELNOR(A)IBN.BE
Internet: cibelnor@ibn.be

Mrs Descamps
Tel.: (32 2) 206 46 89
Fax: (32 2) 206 57 45
Internet: normtech@pophost.eunet.be

DENMARK

Danish Agency for Trade and Industry
Dahlerups Pakhus
Lagelinie Allé 17
DK-2100 Copenhagen Ø
Mr K. Dybkjaer
Tel.: (45) 35 46 62 85
Fax: (45) 35 46 62 03
X400:C=DK;A=DK400;P=EFS;S=DYBKJAER;G=KELD
Internet: kd@efs.dk

GERMANY

Bundesministerium für Wirtschaft und Technologie
Referat V D 2
Villenomblerstraße 76
D-53123 Bonn
Mr Shirmer
Tel.: (49-228) 615 43 98
Fax: (49-228) 615 20 56
X400:C=DE;A=BUND400;P=BMW;O=BONN1;S=SHIRMER
Internet: Shirmer@BMW.Bund400.de

GREECE

Ministry of Development
General Secretariat of Industry
Michalacopoulou 80
GR-115 28 Athens
Tel.: (30-1) 778 17 31
Fax: (30-1) 779 88 90

ELOT
Acharnon 313
GR-11145 Athens

Mr E. Melagrakis
Tel.: (30-1) 212 03 00
Fax: (30-1) 228 62 19
Internet: 83189@elot.gr

SPAIN

Ministerio de Asuntos Exteriores
Secretaría de Estado de política exterior y para la Unión Europea
Dirección General de Coordinación del Mercado Interior y otras Políticas Comunitarias
Subdirección general de asuntos industriales, energeticos, transportes, comunicaciones y medio ambiente
c/Padilla 46, Planta 2ª, Despacho 6276
E-28006 Madrid

Mrs Nieves García Pérez
Tel.: (34-91) 379 83 32
Mrs María Ángeles Martínez Álvarez
Tel.: (34-91) 379 84 64
Fax: (34-91) 575 56 29/575 86 01/431 55 51
X400:C=ES;A=400NET;P=MAE;O=SEPEUE;S=D83-189

FRANCE

Délégation interministérielle aux normes
SQUALPI
22, rue Monge
F-75005 Paris
Mrs Piau
Tel.: (33-1) 43 19 51 43
Fax: (33-1) 43 19 50 44
Internet: suzanne.piau@industrie.gouv.fr
X400:C=FR;A=ATLAS;O=TEDECO;S=IDMI-SQUAL

IRELAND

NSAI
Glasnevin
Dublin 9
Ireland
Mr Owen Byrne
Tel.: (353-1) 807 38 66
Fax: (353-1) 807 38 38
X400:C=IE;A=EIRMAIL400;P=NRN;O=NSAI;S=BYRNEO
Internet: byrneo@nsai.ie

ITALY

Ministero dell'Industria, del commercio e dell'artigianato
via Molise 2
I-00100 Roma
Mr P. Cavanna
Tel.: (39-06) 47 88 78 60
X400:C=IT;A=MASTER400;P=GDS;OU1=M.I.C.A-ISPIND;
DDA:CLASSE=IPM;DDA:ID-NODO=BF9RM001;S=PAOLO CAVANNA
Mr E. Castiglioni
Tel.: (39-06) 47 05 30 69/47 05 26 69
Fax: (39-06) 47 88 77 48
Internet: Castiglioni@minindustria.it

LUXEMBOURG

SEE — Service de l'Énergie de l'État
34 avenue de la Porte-Neuve BP 10
L-2010 Luxembourg

Mr J.P. Hoffmann

Tel.: (352) 46 97 46 1

Fax: (352) 22 25 24

Internet: jean-paul.hoffmann@eg.etat.lu

THE NETHERLANDS

Ministerie van Financiën — Belastingdienst — Douane
Centrale Dienst voor In- en uitvoer (CDIU)

Engelse Kamp 2

Postbus 30003

9700 RD Groningen

Nederland

Mr IJ. G. van der Heide

Tel.: (31-50) 5 23 91 78

Fax: (31-50) 5 23 92 19

Mrs H. Boekema

Tel.: (31-50) 5 23 92 75

E-mail X400:C=NL;A=400NET;P=CDIU;OU1=CDIU;S=NOTIF

AUSTRIA

Bundesministerium für wirtschaftliche Angelegenheiten

Abt. II/1

Stubenring 1

A-1011 Wien

Mrs Haslinger-Fenzl

Tel.: (43-1) 711 00 55 22/711 00 54 53

Fax: (43-1) 715 96 51

X400:S=HASLINGER;G=MARIA;O=BMWA;P=BMWA;A=GV;C=AT

Internet: maria.haslinger@bmwa.gv.at

X400:C=AT;A=GV;P=BMWA;O=BMWA;OU=TBT;S=POST

PORTUGAL

Instituto português da Qualidade

Rua C à Avenida dos Três vales

P-2825 Monte da Caparica

Mrs Cândida Pires

Tel.: (351-1) 294 81 00

Fax: (351-1) 294 81 32

X400:C=PT;A=MAILPAC;P=GTW-MS;O=IPQ;OU1=IPQM;S=DIR83189

FINLAND

Kauppa- ja teollisuusministeriö

Ministry of Trade and Industry

Aleksanterinkatu 4

PL 230 (PO Box 230)

FIN-00171 Helsinki

Mr Petri Kuurma

Tel.: +358-9-160 3627

Fax: +358-9-160 4022

Internet: petri.kuurma@ktm.vn.fi

Website: <http://www.vn.fi/ktm/index.html>

X400:C=FI;A=MAILNET;P=VN;O=KTM;S=TEKNISET;G=MAARAYKSET

SWEDEN

Kommerskollegium

(National Board of Trade)

Box 6803

S-11386 Stockholm

Mrs Kerstin Carlsson

Tel.: 46 86 90 48 00

Fax: 46 86 90 48 40

E-mail: kerstin.carlsson@kommers.se

X400:C=SE;A=400NET;O=KOMKOLL;S=NAT NOT POINT

Website: <http://www.kommers.se>

UNITED KINGDOM

Department of Trade and Industry

Standards and Technical Regulations Directorate 2

Bay 327

151 Buckingham Palace Road

London SW 1 W 9SS

United Kingdom

Mrs Brenda O'Grady

Tel.: (44) 171 215 14 88

Fax: (44) 171 215 15 29

X400:S=TI, G=83189, O=DTI, OU1=TIDV, P=HMG DTI, A=Gold 400, C=GB

Internet: uk98-34@gtnet.gov.uk

Website: <http://www.dti.gov.uk/strd>

EFTA — ESA

EFTA Surveillance Authority (DRAFTTECHREGESA)

X400:O=gw;P=iihe;A=rtt;C=be;DDA:RFC-822=Solveig.Georgsdottir

@surv.efta.be

C=BE;A=BT;P=EFTA;O=SURV;S=DRAFTTECHREGESA

Internet: Solveig.Georgsdottir@surv.efta.be

Notice of the impending expiry of certain anti-dumping measures

(2000/C 349/03)

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 384/96 of 22 December 1995 ⁽¹⁾ on protection against dumped imports from countries not members of the European Community.

2. Procedure

Community producers may lodge a written request for a review. 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 may submit a written request for a review on the above basis, to reach the Commission of the European Communities, Directorate-General for Trade (Division B-1), rue de la Loi/Wetstraat 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.

4. This notice is published in accordance with Article 11(2) of Regulation (EC) No 384/96 of 22 December 1995.

Product	Country(ies) of origin or exportation	Measures	Reference	Date of expiry
Powdered activated carbon	People's Republic of China	Duty	Regulation (EC) No 1006/96 (OJ L 134, 5.6.1996, p. 20)	6.6.2001

⁽¹⁾ OJ L 56, 6.3.1996, p. 1, as last amended by Regulation (EC) No 2238/2000 (OJ L 257, 11.10.2000, p. 2).

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

Prior notification of a concentration**(Case COMP/M.2216 — Enel/FT/Wind/Infostrada)**

(2000/C 349/04)

(Text with EEA relevance)

1. On 28 November 2000 the Commission received 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 Italian undertaking Enel Holding SpA (Enel) and the French undertaking France Télécom SA (FT) acquire, within the meaning of Article 3(1)(b) of the Regulation, joint control of the Italian undertaking Infostrada SpA (Infostrada) by way of Enel purchasing shares in Infostrada and thereafter merging Infostrada into the Italian undertaking Wind Telecomunicazioni SpA (Wind). Wind is jointly controlled by Enel and FT.

2. The business activities of the undertakings concerned are:

- Enel: generation, transmission and supply of electricity, fixed-line telecommunications transmission capacity,
- FT: full range of fixed-line and wireless telecommunications services, Internet services,
- Wind: fixed-line and wireless telecommunications services, Internet services,
- Infostrada: fixed-line telecommunications services.

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.

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.2216 — Enel/FT/Wind/Infostrada, 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.

Prior notification of a concentration**(Case COMP/M.2255 — Telefónica Intercontinental/Sonera 3G Holding/Consortium Ipse 2000)****Candidate case for simplified procedure**

(2000/C 349/05)

(Text with EEA relevance)

1. On 29 November 2000 the Commission received 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 undertakings Telefónica Intercontinental SA, controlled by the Spanish Telefónica SA (Telefónica), and Sonera 3G Holding BV, controlled by the Finnish Sonera Corporation (Sonera), acquire, within the meaning of Article 3(1)(b) of the Regulation, joint control of the Italian undertaking Cosortium Ipse 2000 by way of purchase of shares in a newly created company constituting a joint venture.

2. The business activities of the undertakings concerned are:

— Telefónica: fixed-line and mobile voice and data communications, value added and Internet access services, media and entertainment,

— Sonera: fixed-line and mobile voice and data communications, Internet and service provision,

— Ipse: vehicle company set up for the purpose of acquiring a UMTS licence in Italy.

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.2255 — Telefónica Intercontinental/Sonera 3G Holding/Consortium Ipse 2000, 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.

III

(Notices)

EUROPEAN PARLIAMENT

NOTICE OF OPEN COMPETITION

(2000/C 349/06)

The Secretariat of the European Parliament is holding the following open competition ⁽¹⁾:

PE/220/LA — Danish-language INTERPRETERS
(career bracket LA 7-LA 6)

⁽¹⁾ OJ C 349 A, 6.12.2000 (Danish edition).

NOTICE OF OPEN COMPETITION

(2000/C 349/07)

The Secretariat of the European Parliament is holding the following open competition ⁽¹⁾:

PE/221/LA — Portuguese-language INTERPRETERS
(career bracket LA 7-LA 6)

⁽¹⁾ OJ C 349 A, 6.12.2000 (Portuguese edition).

COMMISSION

Operation of scheduled air services

Invitation to tender issued by the Federal Republic of Germany pursuant to Article 4(1)(d) of Council Regulation (EEC) No 2408/92 of 23.7.1992 for the operation of scheduled air services on the Hof-Bayreuth-Frankfurt am Main route

(2000/C 349/08)

(Text with EEA relevance)

1. **Introduction:** Pursuant to Article 4(1)(a) of Council Regulation (EEC) No 2408/92 of 23.7.1992 on access for Community air carriers to intra-Community air routes, the German Government decided to impose a public service obligation in respect of scheduled air services on the Hof-Bayreuth-Frankfurt am Main route with effect from 1.11.1998. The details of this public service obligation were published in 'Official Journal of the European Communities' C 199 of 25.6.1998.

No air carrier has submitted proof of commencement of air services on the Hof-Bayreuth-Frankfurt am Main route in accordance with the public service obligation imposed in respect of this route and without requesting compensation. Consequently, pursuant to Article 4(1)(d) of the abovementioned Regulation and after a public invitation to tender, Germany limited access to the Hof-Bayreuth-Frankfurt am Main route to a single air carrier for the period 1.11.1998- 31.10.2001. This situation now needs to be reviewed. Accordingly, the right to operate these services from 1.11.2001 will be put out to public tender.

2. **Subject of the invitation to tender:** Operation of scheduled air transport services on the Hof-Bayreuth-Frankfurt am Main route in accordance with the public service obligation published in 'Official Journal of the European Communities' C 199 of 25.6.1998 and partly replaced and/or supplemented by publication of a notice in 'Official Journal of the European Communities' C 348 of 5.12.2000.
3. **Participation in the invitation to tender:** Participation is open to all carriers who hold a valid operating licence issued by a Member State in accordance with Council Regulation (EEC) No 2407/92 of 23.7.1992 on licensing of air carriers.
4. **Tender procedure:** This invitation to tender is subject to the provisions of Article 4(1)(d)-(i) of Regulation (EEC) No 2408/92.

to start negotiations if no economically acceptable tender is received.

Tenderers are bound by their tender until the tender is awarded. The contract will be awarded only for a tender which is economically acceptable in its entirety.

5. **Tender dossier:** The full tender dossier, including the technical specifications, the terms of contract and details regarding the imposition of the public service obligation, is obtainable free of charge from:

Bayerisches Staatsministerium für Wirtschaft, Verkehr und Technologie, Prinzregentenstraße 28, D-80538 Munich, fax: (089) 21 62-25 88.

6. **Financial compensation:** Tenders must explicitly state the amount of compensation required for the operation of the route in question for 3 years from the planned date of commencement of service (with an annual breakdown).
7. **Fares:** The tenders submitted must indicate the proposed fares and the conditions attached to them. The fares must be in agreement with the public service obligation published in 'Official Journal of the European Communities' C 348 of 5.12.2000.
8. **Duration of the contract:** The contract commences on 1.11.2001 and terminates on 31.10.2004.
9. **Alteration or notice of termination of contract:** The contract may only be altered if the changes are in agreement with the public service obligation published in 'Official Journal of the European Communities' C 199 of 25.6.1998 and No C 348 of 5.12.2000. Changes to the contract must be put in writing. The contract may be terminated by either party subject to 6 months' notice. This is without prejudice to the right of extraordinary termination of contract without notice for serious reasons.

The Bavarian Staatsministerium für Wirtschaft, Verkehr und Technologie, reserves the right to reject all offers or

10. Failure to perform the contract / contractual penalties:

The air carrier is responsible for the project of its contractual obligations. In the event of failure to comply with, or the incomplete performance of, the contractual obligations by the air carrier, the provider of the compensation is entitled to reduce the compensation payment proportionately. This may also apply where damage has been caused.

Tenders must be submitted at the latest 1 month after the date of publication of this notice. All tenders must be submitted in septuplicate.

11. Submission of tenders:

Tenders must be sent by registered letter, or delivered by hand with receipt, to the following address:

Bayerisches Staatsministerium für Wirtschaft, Verkehr und Technologie, Prinzregentenstraße 28, D-80538 Munich.

12. Validity of the invitation to tender: Pursuant to Article 4(1)(d) of Council Regulation (EEC) No 2408/92, the validity of this invitation to tender is subject to the condition that, by 1.10.2001, no EU carrier has applied for a licence to operate the air services on the abovementioned route from 1.11.2001 in accordance with the public service obligation imposed and without requesting financial compensation.

Operation of scheduled air services

Invitation to tender issued by France pursuant to Article 4(1)(d) of Council Regulation (EEC) No 2408/92 for the operation of scheduled air services from Strasbourg

(2000/C 349/09)

(Text with EEA relevance)

1. Foreword: France has amended, with effect from 25.3.2001, the public service obligations imposed on scheduled air services between F-Strasbourg and DK-Copenhagen, P-Lisbon, I-Milan or A-Vienna published in the 'Official Journal of the European Communities' C 385 of 19.12.1997, and has imposed public service obligations on scheduled air services between F-Strasbourg and E-Madrid or I-Rome, pursuant to Article 4(1)(a) of Council Regulation (EEC) No 2408/92 of 23.7.1992 on access for community air carriers to intra-community air routes. The standards required by these new public service obligations were published in the 'Official Journal of the European Communities' C 348 of 5.12.2000.

Separate invitations to tender are being issued for each of the following routes:

- Strasbourg to Copenhagen (Kastrup/Roskilde);
- Strasbourg to Lisbon;
- Strasbourg to Madrid;
- Strasbourg to Milan (Malpensa/Linate/Bergamo);
- Strasbourg to Rome (Fiumicino/Ciampino);
- Strasbourg to Vienna.

In so far as by 24.2.2001 no air carrier has commenced or is about to commence scheduled air services in accordance with the public service obligation imposed on each of the above routes and without requesting financial compensation, France has decided, in accordance with the procedures laid down in Article 4(1)(d) of the abovementioned Regulation, to limit access to each of these routes to a single air carrier and to offer the right to operate such services for a period of 3 years from 25.3.2001 by public tender.

Tenderers may present bids to operate several of the abovementioned routes, particularly where this results in a reduction in the overall compensation required. However, they must set out clearly the amount of compensation required in respect of each route, where appropriate specifying different rates depending on which parts of their bid are accepted, in the event that they are awarded a contract covering some but not all of the routes for which they have bid.

2. Subject of the invitations to tender: For each of the routes in 1, operation from 25.3.2001 of scheduled air services in accordance with the relevant public service obligation, as published in the 'Official Journal of the European Communities' C 348 of 5.12.2000.

3. **Participation in the tender procedure:** Participation is open to all community air carriers who hold a valid operating licence issued in accordance with Council Regulation (EEC) No 2407/92 of 23.7.1992 on licensing of air carriers.
4. **Call procedure:** Each invitation to tender is subject to the provisions of Article 4(1)(d)-(i) of Council Regulation (EEC) No 2408/92.
5. **Tender dossier:** The full tender dossier, including the specific rules for this invitation to tender and the public service delegation agreement and its technical annex (note on demographic and socio-economic features of Strasbourg airport catchment area, note on Strasbourg airport, market study, note on the European Parliament, text of the public service obligation published on 5.12.2000 in the 'Official Journal of the European Communities') is obtainable free of charge from:
- Ministère des Affaires Étrangères, Bureau des Interventions, 23, rue la Pérouse, F-75775 Paris Cedex 16, tél.: (33) 1 43 17 77 99, télécopieur (33) 1 43 17 77 69.
6. **Financial compensation:** Tenders must explicitly state the amount of compensation required for the operation of each route for 3 years from the scheduled starting date, accounted on an annual basis. The exact amount of compensation finally granted will be determined annually ex post on the basis of the proven costs and revenue actually generated by the service, within the limits of the amount given in the tender.
7. **Fares:** Tenders must indicate the proposed fare structure and the conditions under which changes may be introduced.
8. **Duration, amendment and termination of the contract:** The contract will commence on 25.3.2001. It will end the day before the start of the IATA 2004 summer scheduling season. In addition, the operation of the contracted services will be the subject of an annual examination in cooperation with the carrier during the 2 months preceding the anniversary of the starting date. The amount of the compensation may be revised in the event of unforeseen changes in operating conditions.

The carrier selected must give 6 months' notice before discontinuing these services, in accordance with the public service obligations published on 5.12.2000 in the 'Official Journal of the European Communities'.

9. **Penalties:** Failure by the carrier to observe the period of notice referred to in 8 will be subject to a penalty. This is calculated by applying, in the first year, a coefficient of 3 to the average monthly deficit recorded over the operating period multiplied by the number of months of default, and in subsequent years, a coefficient of 3 to the average monthly deficit recorded over the previous year multiplied by the number of months of default.

If the carrier should be prevented from operating the service in question by force majeure, the amount of financial compensation may be reduced in proportion to the number of flights not carried out.

In the event that the carrier fails to operate the service in question for reasons other than force majeure, or fails to respect the public service obligations, the Strasbourg Chamber of Commerce and Industry or the Ministry of Foreign Affairs may:

reduce the amount of financial compensation in proportion to the number of flights not carried out;

request explanations from the carrier. If the explanations offered are not satisfactory, the contract may be terminated.

These penalties shall apply without prejudice to the application of the provisions of Article R.330-20 of the Civil Aviation Code.

10. **Presentation of tenders:** Tenders must reach the following address before 17.00 (local time):

Ministère des Affaires Étrangères, Bureau des Interventions, bureau 547, 23, rue la Pérouse, F-75775 Paris Cedex 16. Tel.: (33) 1 43 17 77 99. Fax: (33) 1 43 17 77 69.

At the earliest 1 month, and at the latest 5 weeks, after the date of publication of this invitation to tender in the 'Official Journal of the European Communities', and must be sent by registered letter with acknowledgement of receipt, date as postmarked, or delivered by hand with receipt.

11. **Validity of the invitation to tender:** In accordance with the first sentence of Article 4(1)(d) of Council Regulation (EEC) No 2408/92, the validity of each invitation to tender is subject to the condition that no community carrier presents by 24.2.2001 a programme for operating the route in question from 25.3.2001 in accordance with the public service obligation imposed, without requesting any financial compensation.