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Information and Notices

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⁽¹⁾ Text with EEA relevance

I

*(Information)***EUROPEAN PARLIAMENT
COUNCIL****INTERINSTITUTIONAL AGREEMENT****of 20 November 2002****between the European Parliament and the Council concerning access by the European Parliament to sensitive information of the Council in the field of security and defence policy**

(2002/C 298/01)

THE EUROPEAN PARLIAMENT AND THE COUNCIL,

HAVE CONCLUDED THIS INTERINSTITUTIONAL AGREEMENT:

Whereas:

(1) Article 21 of the Treaty on European Union states that the Council Presidency shall consult the European Parliament on the main aspects and the basic choices of the common foreign and security policy and shall ensure that the views of the European Parliament are duly taken into consideration. That Article also stipulates that the European Parliament shall be kept regularly informed by the Council Presidency and the Commission of the development of the common foreign and security policy. A mechanism should be introduced to ensure that these principles are implemented in this field.

(2) In view of the specific nature and the especially sensitive content of certain highly classified information in the field of security and defence policy, special arrangements should be introduced for the handling of documents containing such information.

(3) In conformity with Article 9(7) of Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents⁽¹⁾, the Council is to inform the European Parliament regarding sensitive documents as defined in Article 9(1) of that Regulation in accordance with arrangements agreed between the institutions.

(4) In most Member States there are specific mechanisms for the transmission and handling of classified information between governments and national parliaments. This Interinstitutional Agreement should provide the European Parliament with treatment inspired by best practices in Member States,

1. Scope

1.1. This Interinstitutional Agreement deals with access by the European Parliament to sensitive information, i.e. information classified as TRÈS SECRET/TOP SECRET, SECRET or CONFIDENTIEL, whatever its origin, medium or state of completion, held by the Council in the field of security and defence policy and the handling of documents so classified.

1.2. Information originating from a third State or international organisation shall be transmitted with the agreement of that State or organisation.

Where information originating from a Member State is transmitted to the Council without explicit restriction on its dissemination to other institutions other than its classification, the rules in sections 2 and 3 of this Interinstitutional Agreement shall apply. Otherwise, such information shall be transmitted with the agreement of the Member State in question.

In the case of a refusal of the transmission of information originating from a third State, an international organisation or a Member State, the Council shall give the reasons.

1.3. The provisions of this Interinstitutional Agreement shall apply in accordance with applicable law and without prejudice to Decision 95/167/EC, Euratom, ECSC of the European Parliament, the Council and the Commission of 19 April 1995 on the detailed provisions governing the exercise of the European Parliament's right of inquiry⁽²⁾ and without prejudice to existing arrangements, especially the Interinstitutional Agreement of 6 May 1999 between the European Parliament, the Council and the Commission on budgetary discipline and improvement of the budgetary procedure⁽³⁾.

⁽¹⁾ OJ L 145, 31.5.2001, p. 43.

⁽²⁾ OJ L 113, 19.5.1995, p. 2.

⁽³⁾ OJ C 172, 18.6.1999, p. 1.

2. General rules

- 2.1. The two institutions shall act in accordance with their mutual duties of sincere cooperation and in a spirit of mutual trust as well as in conformity with the relevant Treaty provisions. Communication and handling of the information covered by this Interinstitutional Agreement must have due regard for the interests which classification is designed to protect, and in particular the public interest as regards the security and defence of the European Union or of one or more of its Member States or military and non-military crisis management.
- 2.2. At the request of one of the persons referred to in point 3.1 below, the Presidency of the Council or the Secretary-General/High Representative shall inform them with all due despatch of the content of any sensitive information required for the exercise of the powers conferred on the European Parliament by the Treaty on European Union in the field covered by the present Interinstitutional Agreement, taking into account the public interest in matters relating to the security and defence of the European Union or of one or more of its Member States or military and non-military crisis management, in accordance with the arrangements laid down in section 3 below.

3. Arrangements for access to and handling of sensitive information

- 3.1. In the context of this Interinstitutional Agreement, the President of the European Parliament or the Chairman of the European Parliament's Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy may request that the Presidency of the Council or the Secretary-General/High Representative convey information to this committee on developments in European security and defence policy, including sensitive information to which point 3.3 applies.
- 3.2. In the event of a crisis or at the request of the President of the European Parliament or of the Chairman of the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy, such information shall be provided at the earliest opportunity.
- 3.3. In this framework, the President of the European Parliament and a special committee chaired by the Chairman of the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy and composed of four members designated by the Conference of Presidents shall be informed by the Presidency of the Council or the Secretary-General/High Representative of the content of the sensitive information where it is required for the exercise of the powers conferred on the European Parliament by the Treaty on European Union in the field covered by the present Interinstitutional Agreement. The President of the European Parliament and the special committee may ask to consult the documents in question on the premises of the Council.

Where this is appropriate and possible in the light of the nature and content of the information or documents concerned, these shall be made available to the President of the European Parliament, who shall select one of the following options:

- (a) information intended for the chairman of the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy;
- (b) access to information restricted to the members of the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy only;
- (c) discussion in the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy, meeting in camera, in accordance with arrangements which may vary by virtue of the degree of confidentiality involved;
- (d) communication of documents from which information has been expunged in the light of the degree of secrecy required.

These options are not applicable if sensitive information is classified as TRÈS SECRET/TOP SECRET.

As to information or documents classified as SECRET or CONFIDENTIEL, the selection by the President of the European Parliament of one of these options shall be previously agreed with the Council.

The information or documents in question shall not be published or forwarded to any other addressee.

4. Final provisions

- 4.1. The European Parliament and the Council, each for its own part, shall take all necessary measures to ensure the implementation of this Interinstitutional Agreement, including the steps required for the security clearance of the persons involved.
- 4.2. The two institutions are willing to discuss comparable Interinstitutional Agreements covering classified information in other areas of the Council's activities, on the understanding that the provisions of this Interinstitutional Agreement do not constitute a precedent for the Union's or the Community's other areas of activity and shall not affect the substance of any other Interinstitutional Agreements.
- 4.3. This Interinstitutional Agreement shall be reviewed after two years at the request of either of the two institutions in the light of experience gained in implementing it.

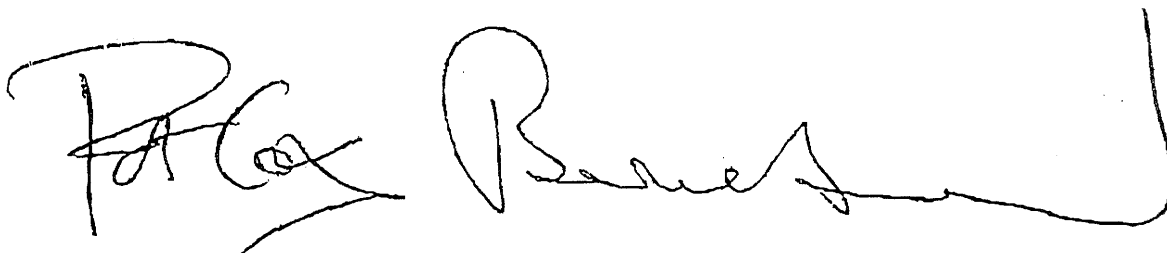
Done at, Strasbourg on 20 November 2002.

For the European Parliament

The President

For the Council

The President

The image shows two handwritten signatures in black ink. The signature on the left is for the President of the European Parliament, and the signature on the right is for the President of the Council. Both signatures are stylized and cursive.

ANNEX

This Interinstitutional Agreement shall be implemented in conformity with the relevant applicable regulations and in particular with the principle according to which the consent of the originator is a necessary condition for the transmission of classified information as laid down in point 1.2.

Consultation of sensitive documents by the members of the Special Committee of the European Parliament shall take place in a secured room at the Council premises.

This Interinstitutional Agreement shall enter into force after the European Parliament has adopted internal security measures which are in accordance with the principles laid down in point 2.1 and comparable to those of the other institutions in order to guarantee an equivalent level of protection of the sensitive information concerned.

EUROPEAN PARLIAMENT

DECISION OF THE EUROPEAN PARLIAMENT

of 23 October 2002

on the implementation of the Interinstitutional Agreement governing European Parliament access to sensitive Council information in the sphere of security and defence policy

(2002/C 298/02)

THE EUROPEAN PARLIAMENT,

HAS DECIDED:

having regard to Article 9, and in particular paragraphs 6 and 7 thereof, of Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents ⁽¹⁾,

Article 1

This Decision adopts the additional measures required to implement the Interinstitutional Agreement governing European Parliament access to sensitive Council information in the sphere of security and defence policy.

having regard to Annex VII, part A, point 1 of its Rules of Procedure,

Article 2

Parliament's requests for access to sensitive Council information shall be dealt with by the latter in a manner consistent with its relevant rules. If the documents requested have been drawn up by other institutions, Member States, third countries or international organisations, they shall be forwarded only with the agreement of the institutions, States or organisations concerned.

having regard to Article 20 of the Bureau Decision of 28 November 2001 on public access to Parliament documents ⁽²⁾,

having regard to the Interinstitutional Agreement between the European Parliament and the Council on European Parliament access to sensitive Council information in the sphere of security and defence policy ⁽³⁾,

Article 3

The President of Parliament shall be responsible for the implementation of the Interinstitutional Agreement within the Institution.

having regard to the Bureau proposal,

having regard to the specific nature and the particularly sensitive substance of some highly confidential items of information in the sphere of security and defence policy,

In that connection, he/she shall take all the measures required to guarantee that information received directly from the President of the Council or the Secretary-General/High Representative, or information obtained in the course of the consultation of sensitive documents on the Council's premises, is dealt with in a confidential manner.

whereas, in accordance with the provisions agreed between the institutions, the Council is required to make information about sensitive documents available to Parliament,

Article 4

whereas the Members of the European Parliament who sit on the special committee set up by the Interinstitutional Agreement must be cleared for access to sensitive information in accordance with the 'need-to-know' principle,

When the President of Parliament or the chairman of the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy asks the Council Presidency or the Secretary-General/High Representative to supply sensitive information to the special committee set up by the Interinstitutional Agreement, that information shall be provided as soon as possible. In that connection, Parliament shall fit out a room specially designed for the holding of meetings to deal with sensitive information. The room shall be chosen with a view to guaranteeing a level of protection equivalent to that laid down for this type of meeting by Council Decision 2001/264/EC of 19 March 2001 ⁽⁴⁾ adopting the Council's security regulations.

having regard to the need to lay down specific arrangements for receiving, dealing with and safeguarding sensitive information forwarded by the Council, Member States, third States or international organisations,

⁽¹⁾ OJ L 145, 31.5.2001, p. 43.

⁽²⁾ OJ C 374, 29.12.2001, p. 1.

⁽³⁾ OJ C 298, 30.11.2002.

⁽⁴⁾ OJ L 101, 11.4.2001, p. 1.

Article 5

The information meeting chaired by the President of Parliament or by the chairman of the abovementioned committee shall be held in camera.

With the exception of the four Members appointed by the Conference of Presidents, only those officials who, by virtue of their duties or in accordance with operational requirements, have been cleared and authorised to enter it subject to the 'need-to-know' principle shall have access to the meeting room.

Article 6

Pursuant to paragraph 3.3 of the abovementioned Interinstitutional Agreement, when the President of Parliament or the chairman of the abovementioned committee decides to request authorisation to consult documents containing sensitive information, that consultation shall be carried out on the Council's premises.

Documents shall be consulted on the spot in whatever version they are available.

Article 7

The Members of Parliament who are to attend information meetings or have access to sensitive documents shall be the subject of a clearance procedure similar to that undergone by Members of the Council and Members of the Commission. In that connection, the President of Parliament shall take the requisite steps vis-à-vis the competent national authorities.

Article 8

Officials who are to have access to sensitive information shall be cleared in accordance with the provisions laid down for the other institutions. Officials cleared in this way subject to the 'need-to-know' principle shall be invited to attend the abovementioned information meetings or to peruse the documents in question. In that connection, the Secretary-General, after consulting the competent Member State authorities, shall grant clearance on the basis of the security inquiry carried out by those same authorities.

Article 9

The information obtained at such meetings or during the consultation of such documents on the Council's premises shall not be disclosed, disseminated or reproduced, either in full or in part, in any form. By the same token, no recording of particulars relating to the sensitive information provided by the Council shall be authorised.

Article 10

The Members of Parliament designated by the Conference of Presidents to have access to the sensitive information shall be

bound by the requirement to maintain confidentiality. Any Member who breaches that requirement shall be replaced on the special committee by another Member designated by the Conference of Presidents. In that connection, the Member guilty of a breach of the requirement may, prior to his/her exclusion from the special committee, be heard by the Conference of Presidents, which shall hold a special meeting in camera. In addition to his/her exclusion from the special committee, the Member responsible for leaking information may, if appropriate, be the subject of judicial proceedings pursuant to the relevant legislation in force.

Article 11

Officials duly cleared to have access to sensitive information in accordance with the 'need-to-know' principle shall be bound by the requirement to maintain confidentiality. Any official who breaches that rule shall be the subject of an inquiry conducted under the authority of the President and, if appropriate, disciplinary proceedings in accordance with the Staff Regulations. Should judicial proceedings be initiated, the President shall take all the measures required to enable the competent national authorities to implement the appropriate procedures.

Article 12

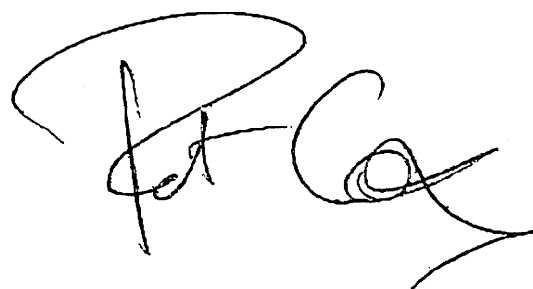
The Bureau shall be competent to undertake any revision, amendment or interpretation necessitated by the implementation of this Decision.

Article 13

This Decision shall be annexed to Parliament's Rules of Procedure and shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

For the European Parliament

The President



COMMISSION

Euro exchange rates ⁽¹⁾

29 November 2002

(2002/C 298/03)

1 euro =

Currency	Exchange rate	Currency	Exchange rate		
USD	US dollar	0,9927	LVL	Latvian lats	0,5984
JPY	Japanese yen	121,56	MTL	Maltese lira	0,4147
DKK	Danish krone	7,4261	PLN	Polish zloty	3,986
GBP	Pound sterling	0,6395	ROL	Romanian leu	33300
SEK	Swedish krona	9,0453	SIT	Slovenian tolar	229,9512
CHF	Swiss franc	1,4754	SKK	Slovak koruna	41,974
ISK	Iceland króna	85,43	TRL	Turkish lira	1523000
NOK	Norwegian krone	7,282	AUD	Australian dollar	1,7755
BGN	Bulgarian lev	1,9535	CAD	Canadian dollar	1,5586
CYP	Cyprus pound	0,5731	HKD	Hong Kong dollar	7,7417
CZK	Czech koruna	30,857	NZD	New Zealand dollar	1,999
EEK	Estonian kroon	15,6466	SGD	Singapore dollar	1,7527
HUF	Hungarian forint	237,72	KRW	South Korean won	1187,47
LTL	Lithuanian litas	3,4524	ZAR	South African rand	9,2276

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

Authorisation for State aid pursuant to Articles 87 and 88 of the EC Treaty**Cases where the Commission raises no objections**

(2002/C 298/04)

Date of adoption of the decision: 30.10.2002**Member State:** The Netherlands**Aid No:** N 29/02**Title:** Organic platform (Platform Biologica)**Objective:** Market studies, technical support and publicity for the organic sector**Legal basis:** Decreet van het ministerie van Landbouw, natuurbeheer en visserij**Budget:** EUR 459 824,56**Aid intensity or amount:** Various according to the measures**Duration:** 2001 to 2004

The authentic text(s) of the decision, from which all confidential information has been removed, can be found at:

http://europa.eu.int/comm/secretariat_general/sgb/state_aids**Date of adoption of the decision:** 30.10.2002**Member State:** France**Aid No:** N 367/02**Title:** Regional aid for investments in the sector of arable crops**Objective:** Encourage undertakings downstream of production to invest in traceability, quality and marketing of quality arable crops**Budget:** EUR 155 000 for organic farming for the duration of the 'contrat de plan' 2000-2006; EUR 300 000 for conventional farming over the same period**Aid intensity or amount:** 20 % for organic farming; 30 % for conventional farming**Duration:** From 2000 to 2006

The authentic text(s) of the decision, from which all confidential information has been removed, can be found at:

http://europa.eu.int/comm/secretariat_general/sgb/state_aids**Date of adoption of the decision:** 30.10.2002**Member State:** Germany (Bayern)**Aid No:** N 30/01**Title:** Agrarinvestitionsförderungsprogramm**Objective:** To promote investment on farms, in particular to help to stabilise and improve farm incomes and improve living, working and production conditions**Legal basis:** Richtlinien des Bayerischen Staatsministeriums für Landwirtschaft und Forsten zur einzelbetrieblichen Investitionsförderung**Budget:** EUR 335 million**Aid intensity or amount:** The maximum overall aid intensity is 40 %. In the case of investments made by young farmers within five years of start-up, the maximum intensity is 45 %**Duration:** Until 31 December 2005

The authentic text(s) of the decision, from which all confidential information has been removed, can be found at:

http://europa.eu.int/comm/secretariat_general/sgb/state_aids**Date of adoption of the decision:** 30.10.2002**Member State:** Germany (Saxony)**Aid No:** N 473/02**Title:** Sonderprogramm des Freistaates Sachsen für BSE-Auswirkungen**Objective:** The various measures under the programme are designed to alleviate the financial burdens associated with the BSE crisis**Legal basis:** Richtlinie des Sächsischen Staatsministeriums für Soziales, Gesundheit, Jugend und Familie über die Gewährung von Zuwendungen im Rahmen des Sonderprogramms für BSE-Auswirkungen**Budget:** EUR 1 200 000**Aid intensity or amount:** Variable**Duration:** Until 31 December 2002

The authentic text(s) of the decision, from which all confidential information has been removed, can be found at:

http://europa.eu.int/comm/secretariat_general/sgb/state_aids

Date of adoption of the decision: 30.10.2002

The authentic text(s) of the decision, from which all confidential information has been removed, can be found at:

Member State: Italy (Sardinia)

http://europa.eu.int/comm/secretariat_general/sgb/state_aids

Aid No: N 594/02

Title: Interventi per i danni provocati dalla siccità 2001/2002 e dalle gelate dell'inverno 2001/2002

Date of adoption of the decision: 30.10.2002

Member State: Luxembourg

Objective: To compensate farmers and Consorzi di bonifica for the losses suffered due to adverse weather conditions in 2001/02

Aid No: N 647/01

Title: Aid towards farmers' income — bad weather in 2000

Legal basis: Progetto di legge della Regione Sardegna

Objective: To compensate farmers for losses suffered as a result of heavy rains in July 2000

Budget: EUR 250 000

Budget: EUR 562 307

Aid intensity or amount: 80 % of losses

Aid intensity or amount: Up to 100 %

The authentic text(s) of the decision, from which all confidential information has been removed, can be found at:

Duration: Up to three years after the adverse weather event

http://europa.eu.int/comm/secretariat_general/sgb/state_aids

Prior notification of a concentration

(Case COMP/M.2868 — Linde/Sonatrach/JV)

(2002/C 298/05)

(Text with EEA relevance)

1. On 20 November 2002 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 German undertaking Linde International AG (Linde) and the Algerian State-owned undertaking Société nationale pour la recherche, la production, le transport, la transformation et la commercialisation des hydrocarbures SpA (Sonatrach), acquire, within the meaning of Article 3(1)(b) of the Regulation, joint control of the newly created joint ventures Société de production and Société de commercialisation by way of transfer of assets.

2. The business activities of the undertakings concerned are:

- Linde: manufacturing and supply of industrial and medical gases as well as engineering, material handling and refrigeration,
- Sonatrach: prospecting, production, transport and commercialisation of hydrocarbons,
- Société de production: production of helium,
- Société de commercialisation: wholesale of helium.

⁽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. 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.2868 — Linde/Sonatrach/JV, to:

European Commission,
Directorate-General for Competition,
Directorate B — Merger Task Force,
J-70,
B-1049 Brussels.

Prior notification of a concentration

(Case COMP/M.3018 — Candover/Cinven/KAP)

Candidate case for simplified procedure

(2002/C 298/06)

(Text with EEA relevance)

1. On 21 November 2002 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 Candover Partners Ltd (Candover), belonging to the Candover Group and Cinven Ltd (Cinven), belonging to the Cinven Group Ltd, acquire, within the meaning of Article 3(1)(b) of the Regulation, joint control of the undertaking Kluwer Academic Publishers BV (KAP) by way of purchase of shares.

2. The business activities of the undertakings concerned are:

- Candover: investment and management advice to and management investments on behalf of investment funds,
- Cinven: investment and management advice to and management investments on behalf of investment funds,
- KAP: academic publishing.

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.3018 — Candover/Cinven/KAP, to:

European Commission,
Directorate-General for Competition,
Directorate B — Merger Task Force,
J-70,
B-1049 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.

Prior notification of a concentration**(Case COMP/M.3034 — CVC Group/El Árbol)****Candidate case for simplified procedure**

(2002/C 298/07)

(Text with EEA relevance)

1. On 21 November 2002 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 undertaking CVC Capital Partners Group Ltd (CVC Group, UK) acquires, within the meaning of Article 3(1)(b) of the Regulation, control of the whole of the undertaking Grupo El Árbol Distribución y Supermercados SAU (El Árbol, Spain), controlled currently by Laurus Luxembourg SQRL (Laurus, Luxembourg) by way of purchase of shares.

2. The business activities of the undertakings concerned are:

— CVC Group: provision of investment and management advice to investment funds,

— El Árbol: retail sales of food and other non-specialised merchandise.

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.3034 — CVC Group/El Árbol, to:

European Commission,
Directorate-General for Competition,
Directorate B — Merger Task Force,
J-70,
B-1049 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.

Imposition of a public service obligation on scheduled air services within France

(2002/C 298/08)

(Text with EEA relevance)

1. Pursuant to Article 4(1)(a) of Council Regulation (EEC) No 2408/92 of 23 July 1992 on access for Community air carriers to intra-Community air routes, France has decided to impose a public service obligation on scheduled air services between Lannion and Paris (Orly).

2. The public service obligation is as follows:

Minimum frequency

The minimum level of service provided throughout the year must be two return trips per day, morning and evening, from Monday to Friday, excluding public holidays and the last week of December.

The service must be operated without a stopover between Lannion and Paris (Orly).

Type of aircraft used and capacity provided

The service must be operated with a pressurised aircraft having a seating capacity of at least 70 which is suited to conditions at the airport. There must be toilets on board.

Timetables

The timetables must allow passengers travelling on business to make a round trip in a day spanning at least eight hours to both Paris and Lannion.

Slots have been reserved at Paris (Orly) airport from Monday to Friday for the scheduled Paris (Orly)–Lannion service pursuant to Article 9 of Council Regulation (EEC) No 95/93 on common rules for the allocation of slots at Community airports. Carriers interested in this service may obtain any information on these slots from the coordinator for Paris airports.

Commercial policy

Seats on these flights must be marketed by at least one computerised booking system.

Continuity of service

Except in cases of force majeure, the number of flights cancelled for reasons directly attributable to the carrier must not exceed 3 % of the number of flights scheduled in any year. In addition, the carrier must give six months' notice before discontinuing the services.

Community carriers are hereby informed that the operation of air services without regard to the abovementioned public service obligation may result in administrative and/or criminal penalties.

III

(Notices)

COMMISSION

Call for applications with a view to constituting a list of experts to carry out evaluations, surveys and analyses in connection with the Community vocational training action programme Leonardo da Vinci and other activities in the field of vocational training

(2002/C 298/09)

1. PURPOSE OF THE CALL FOR APPLICATIONS

As part of its activities to achieve the objectives of Council Decision 1999/382/EC of 26 April 1999 ⁽¹⁾ establishing the second phase of the Community vocational training action programme Leonardo da Vinci, the Commission is inviting applications with a view to constituting lists of experts:

1. to evaluate proposals;
2. to evaluate reports of projects;
3. to evaluate products and results of projects;
4. to perform surveys, analyses, monitoring and follow-up activities related to projects.

The tasks of the experts will be to assist the Commission in the execution of the abovementioned tasks, with reference to the objectives of the programme, the priorities and criteria laid down in the calls for proposals, the general guide for promoters, the specific guides for each measure and the administrative and financial handbook for promoters.

The Council Decision, the current call for proposals, the guide for promoters, the administrative and financial handbook and additional information concerning programme implementation are available on the following website:

http://europa.eu.int/comm/education/leonardo/leonardo2_en.html

2. OBJECTIVES OF THE LEONARDO DA VINCI PROGRAMME

In filling in the application form and model curriculum vitae provided, applicants must provide evidence of established competence in activities geared to achieving the objectives set out in Article 2 of the abovementioned Decision, which are to:

- improve skills and competencies of people, especially young people, in initial vocational training at all levels, with a view to facilitating vocational integration and reintegration,

- improve the quality of continuing vocational training and the lifelong acquisition of skills and competencies,

- promote and reinforce the contribution of vocational training to the process of innovation in order to improve competitiveness and entrepreneurship, also with a view to creating new employment possibilities.

3. ELIGIBILITY CRITERIA

Applications may be submitted by natural persons who are nationals of a country taking part in the Leonardo da Vinci programme, i.e. the Member States of the European Union, Iceland, Liechtenstein, Norway, Bulgaria, Hungary, Czech Republic, Slovak Republic, Poland, Lithuania, Latvia, Estonia, Romania, Slovenia, Malta and Cyprus. As soon as Turkey participates fully in the programme, Turkish nationals will also be eligible under this call.

4. SELECTION CRITERIA

The experts will be selected for their established competence in the field of vocational training in Europe. They must fulfil the following criteria:

4.1. Applicants must have a broad knowledge of vocational training in Europe in fields such as:

- conception, implementation and evaluation of projects for initial vocational training and the transition of young people towards working life, with particular attention to on- and off-the-job training,
- forecasting training needs in relation to the demand for qualifications, and the evaluation of continuing vocational training for employees in enterprises,
- innovation and quality improvement in training curricula, training methods, pedagogy, vocational guidance and counselling, and access to employment,
- the development and functioning of transnational training networks,
- the transfer of technological innovations especially in the framework of cooperation between universities and enterprises, and the effects of this on vocational training,

⁽¹⁾ OJ L 146, 11.6.1999.

- vocationally oriented language teaching and learning: language policies, language methods and tools, training of language trainers and instructors, language and communication audits, assessment and validation of language skills,
- the development, especially by the use of information technology, of products, tools, and methodologies/methods of vocational training in various fields and the dissemination of results and products in this field,
- the preparation of studies, surveys, analyses and observations of best practices in the field of initial and continuing vocational training.

For this purpose, applicants are required to:

- (a) have a good knowledge of vocational training systems of at least one country participating in the Leonardo da Vinci programme;
- (b) have developed expertise in at least three of the following fields, namely:
 - accreditation of skills acquired in the workplace
 - certification,
 - transparency of diplomas, qualifications and skills,
 - training of trainers,
 - mobility in vocational training,
 - innovation in teaching methods,
 - development of training courses,
 - development of teaching materials,
 - guidance and counselling,
 - new employment profiles,
 - quality in vocational training,
 - employability,
 - cooperation between vocational training bodies, businesses and social partners,
 - social inclusion,
 - equal opportunity,
 - social dialogue,

- adaptability and entrepreneurship,
- application of ICT within vocational training,
- e-learning,
- intercultural dialogue, fight against discrimination,
- vocationally oriented language teaching and learning.

The applicants must clearly indicate and substantiate their knowledge and their precise field of expertise on the application form. They may also specify in the application form other areas of relevant expertise.

In the future, applicants might be asked by the Commission to update their CV. Information on this matter will be published on the website (see point 1).

4.2. Experts should also have the following skills:

- (a) the capacity to work in English, French or German. Selected experts will also be required to draft their evaluations in English or French. Applicants must state on the application form which languages they can read and write;
- (b) basic computer skills and sufficient experience in using PC to be able to encode proposals, reports, products and/or results online;
- (c) capacity to undertake financial and budgetary analyses, particularly as laid down in the administrative and financial handbook for pilot projects and other types of measures.

4.3. In addition, it is an asset if applicants have specific experience in the following fields:

- project management,
- evaluation of vocational training projects.

5. APPLICATION PROCEDURE

Applications should be submitted in accordance with the procedures set out below.

Applicants must use the application form and the model curriculum vitae, the format of which must be complied with. The application form and model curriculum vitae must be completed in one of the 11 official languages of the European Union, but preferably in French or English. Both forms must be signed. The application form and the model curriculum vitae are available on the website mentioned in point 1.

They can also be requested by fax, e-mail or post from:

European Commission
Directorate-General for Education and Culture
Implementation of the Leonardo da Vinci programme
Unit B.2
Rue Belliard 7
Office 4/57
B-1049 Brussels
Fax (32-2) 295 57 04
E-mail: eac-ldv-callexperts@cec.eu.int

Applications must either be sent by mail to the address indicated above or delivered by private courier service or in person, against an acknowledgement of receipt, to:

European Commission
Directorate-General for Education and Culture
Implementation of the Leonardo da Vinci programme
Unit B.2
Rue Belliard 7
Office 4/57
B-1049 Brussels.

Envelopes must be marked 'Leonardo da Vinci call for applications for experts'.

6. SELECTION PROCEDURE

Each application will be examined on the basis of the criteria set out in point 4 of this call for applications. The Commission will inform applicants as to whether or not they will be included in the list of potential experts.

This list may be used to establish panels of experts and/or to select experts for individual assignments. It is valid until the end of the second phase of the Leonardo da Vinci programme.

The deadlines for submitting applications (date as postmark) in order to participate to a particular evaluation exercise will be communicated on the Leonardo da Vinci website:

http://europa.eu.int/comm/education/leonardo/leonardo2_en.html

7. ORGANISATION OF ASSESSMENT EXERCISES

When constituting panels of experts, the Commission will ensure that they are set up in a balanced way and that there is a suitable rotation of experts. The applicants' geographical origin, language skills and professional background will also be taken into account. Subject to the principle of choosing the best qualified experts, the Commission will also seek a fair balance between women and men.

The evaluation exercise will normally take place in Brussels, or in the countries taking part in the Leonardo da Vinci programme (see point 3).

8. CONFLICT OF INTEREST

To ensure impartiality, the applicants will be required to sign a declaration certifying that there is no conflict of interest between the proposals, reports, products and/or results they will have to evaluate and their past, present or future professional interests, and that they have no personal involvement in the projects to which the proposals refer. For this purpose, applicants are required to indicate their experience in the Leonardo da Vinci programme in the appropriate section of the application form. Selected experts will be asked to update this form before being invited to participate in any given assessment exercise.

The selected experts must adhere to the highest standards of professional conduct and respect the confidentiality of the information and documents that come to their attention during the evaluation process. To this end, specific clauses will be included in the contract.

9. TERMS OF CONTRACT

Expert contracts may be signed either by the applicant or, in the case of those employed by a legal entity, by an authorised representative of that entity. The applicants selected will be remunerated in accordance with the rate valid at the time of signature of the contract. Their travel and subsistence expenses will be reimbursed on the basis of the provisions in force within the Commission.

Operation of scheduled air services

Invitation to tender issued by the Autonomous Region of the Azores under Article 4(1)(d) of Council Regulation (EEC) No 2408/92 in respect of the operation of scheduled air services within the Autonomous Region of the Azores

(2002/C 298/10)

(Text with EEA relevance)

1. **Introduction:** In pursuance of Article 4(1)(a) of Council Regulation (EEC) No 2408/92 of 23 July 1992 on access for Community air carriers to intra-Community air routes, the Autonomous Region of the Azores has decided to impose public service obligations in respect of scheduled air services operated within the Autonomous Region of the Azores.

The standards required by these public service obligations were published in *Official Journal of the European Communities* C 115/02 of 16 May 2002.

In view of the fact that no air carrier has applied to operate scheduled air services on the routes mentioned in the communication published in *Official Journal of the European Communities* C 115/02 of 16 May 2002, in accordance with the public service obligations imposed, without claiming financial compensation or exclusive rights to the routes, the Autonomous Region of the Azores has decided, in accordance with the procedure laid down by Article 4(1)(d) of that Regulation, to limit access to these routes to only one air carrier and to offer by public tender the right to operate these scheduled air services from 1 April 2003.

Tenderers must submit bids for the provision of services on all of the routes referred to in this invitation to tender.

2. **Object of invitation to tender:** Operation from 1 April 2003 of scheduled air services within the Autonomous Region of the Azores, in accordance with the public service obligations imposed on all of the routes, as published in *Official Journal of the European Communities* C 115/02 of 16 May 2002.

3. **Participation:** All air carriers holding a valid and appropriate operating licence issued by a Member State in accordance with Council Regulation (EEC) No 2407/92 of 23 July 1992 on licensing of air carriers can operate these services.

4. **Procedure:** This invitation to tender is subject to the provisions of paragraphs d, e, f, g, h and i of Article 4(1) of Council Regulation (EEC) No 2408/92 of 23 July 1992.

5. **Tender dossier:** The complete tender dossier may be obtained at the price of 100 EUR from:

Secretaria Regional da Economia - Direcção Regional dos Transportes e Comunicações, Rua de S. João, 47, P-9504-533 Ponta Delgada - São Miguel - Azores.

6. **Financial compensation:** The tenders submitted must explicitly indicate the amount required by way of compensation for operating the service for three years from the scheduled starting date (with an annual breakdown).

The exact amount of compensation finally granted will be determined six monthly 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. **Duration, amendment and termination of contract:** The duration of the public service obligation contract is three years from the date of commencement of the operation of the air services mentioned in point 2 of this invitation to tender. All changes in the operating conditions for these routes will be published in the *Official Journal of the European Communities*.

8. **Verification of the operation of the service and of the carrier's accounts:** The operation of the service shall be subject to an annual review, in cooperation with the carrier, during February and March. The amount of the financial compensation may be revised in the event of unforeseen changes in the operating conditions.

9. **Penalties:** Should the carrier be unable to operate the service owing to force majeure, the amount of the financial compensation may be reduced in proportion to the number of flights not operated.

Should the carrier fail to operate the services for reasons other than force majeure or fail to fulfil the public service obligations, the Government of the Autonomous Region of the Azores may:

— reduce the amount of the financial compensation in proportion to the flights not operated;

— request explanations from the carrier and, should these prove unsatisfactory, terminate the contract without notice and claim compensation for damages.

10. **Submission of tenders:** Bids and accompanying documents must be submitted at the latest by 17.00 (local time) on the thirty-first day following publication of this invitation to tender in the 'Supplement to the *Official Journal of the European Communities*'. They may be delivered by hand to the

Secretaria Regional da Economia - Direcção Regional dos Transportes e Comunicações, Rua de S. João n.º 47, 9504-533 Ponta Delgada São Miguel, Azores. Tel.: 296 209 800. Fax: 296 281 112,

between 9.00 and 17.00 (local time), or sent by registered letter to the same address to arrive by the set deadline.
