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Notice — 41st edition of the *Directory of Community Legislation in Force*



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(Information)

COMMISSION

Euro exchange rates ⁽¹⁾

31 October 2003

(2003/C 263/01)

1 euro =

Currency		Exchange rate	Currency		Exchange rate
USD	US dollar	1,1622	LVL	Latvian lats	0,6457
JPY	Japanese yen	126,72	MTL	Maltese lira	0,4265
DKK	Danish krone	7,4338	PLN	Polish zloty	4,7002
GBP	Pound sterling	0,6863	ROL	Romanian leu	39 487
SEK	Swedish krona	9,0474	SIT	Slovenian tolar	235,8
CHF	Swiss franc	1,5506	SKK	Slovak koruna	41,4
ISK	Iceland króna	88,79	TRL	Turkish lira	1 725 367
NOK	Norwegian krone	8,211	AUD	Australian dollar	1,6464
BGN	Bulgarian lev	1,9485	CAD	Canadian dollar	1,5306
CYP	Cyprus pound	0,58316	HKD	Hong Kong dollar	9,0257
CZK	Czech koruna	32,035	NZD	New Zealand dollar	1,9022
EEK	Estonian kroon	15,6466	SGD	Singapore dollar	2,0214
HUF	Hungarian forint	259,26	KRW	South Korean won	1 375,46
LTL	Lithuanian litas	3,4525	ZAR	South African rand	8,0288

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

Communication Commission on the submission to individual notification of the application of all regional investment aid schemes to the shipbuilding sector and proposal of appropriate measures pursuant to Article 88 paragraph 1 of the EC Treaty

(2003/C 263/02)

(Text with EEA relevance)

The Commission has decided that the application of all regional investment aid schemes to the shipbuilding sector as defined in the Annex shall be notified as from 1 January 2004 to 31 December 2006, in order to allow the Commission to assess the compatibility of such aid on the basis of the rules applicable to the shipbuilding sector as from 1 January 2004.

The Commission has proposed, as an appropriate measure under Article 88(1) of the Treaty, the same notification requirement for the application of all existing regional investment aid schemes to the shipbuilding sector.

ANNEX

DEFINITION OF SHIPBUILDING SECTOR

The shipbuilding sector shall encompass all undertakings engaged in 'shipbuilding', 'ship repair' or 'ship conversion', as well as all 'related entities'.

- (a) 'shipbuilding' shall mean the building, in the Community, of 'self-propelled seagoing commercial vessels';
- (b) 'ship repair' shall mean the repair or reconditioning in the Community of 'self-propelled seagoing commercial vessels';
- (c) 'ship conversion' shall mean the conversion, in the Community, of 'self-propelled seagoing commercial vessels' of not less than 1 000 gt, on condition that conversion operations entail radical alterations to the cargo plan, the shell, the propulsion system or the passenger accommodation;
- (d) 'self-propelled seagoing commercial vessels' shall mean:
 - vessels of not less than 100 gt used for the transportation of passengers and/or goods,
 - vessels of not less than 100 gt for the performance of a specialised service (for example, dredgers and ice breakers),
 - tugs of not less than 365 kW,
 - fishing vessels of not less than 100 gt for export outside the Community,
 - unfinished shells of the abovementioned vessels that are afloat and mobile.

For the purposes of the above, 'self-propelled seagoing vessel' shall mean a vessel that, by means of its permanent propulsion and steering, has all the characteristics of self-navigability on the high seas. Military vessels (i.e. vessels which according to their basic structural characteristics and capability are specifically intended to be used exclusively for military purposes, such as warships and other vessels for offensive or defensive action) and modifications made or features added to other vessels exclusively for military purposes shall be excluded, provided that any measures or practices applied in respect of such vessels, modifications or features are not disguised actions taken in favour of commercial shipbuilding inconsistent with State aid control;

- (e) 'related entity' shall mean any natural or legal person who:
 - (i) owns or controls an undertaking engaged in shipbuilding, ship repair or ship conversion; or
 - (ii) is owned or controlled, directly or indirectly, whether through stock ownership or otherwise, by an undertaking engaged in shipbuilding, ship repair or ship conversion.

Control shall be presumed to arise once a person or undertaking engaged in shipbuilding, ship repair or ship conversion owns or controls an interest of more than 25 % in the other or vice versa.

Commission communication on the modification of the Multisectoral Framework on regional aid for large investment projects (2002) with regard to the establishment of a list of sectors facing structural problems and on a proposal of appropriate measures pursuant to Article 88 paragraph 1 of the EC Treaty, concerning the motor vehicle sector and the synthetic fibres sector

(2003/C 263/03)

(Text with EEA relevance)

The Multisectoral Framework on regional aid for large investment projects (OJ C 70, 19.3.2002) foresees that by 31 December 2003 sectors where serious structural problems prevail will be specified in a list of sectors annexed to the framework. In view of the methodological difficulties encountered in drawing up the list, the Commission has decided to postpone the adoption of such a list of sectors.

Experience gathered in recent years and information available on the current situation of the relevant sectors have led the Commission to decide that limitations currently applying to regional investment aid in the motor vehicle sector and in the synthetic fibres sector should be maintained.

The Commission has decided not to include the shipbuilding sector within the scope of the Multisectoral Framework.

The Commission has decided to introduce a technical correction to the wording of the transitional rules to the motor vehicle sector, to become applicable for aid awarded after 31 December 2003.

For reasons of transparency, the text of the Multisectoral Framework is therefore modified as follows.

Point 31 is modified as follows:

31. Sectors where serious structural problems prevail may be specified in a list of sectors to be annexed to the framework. No regional investment aid will be authorised in these sectors, subject to the provisions laid down in this section. The technical feasibility and political and economic opportunity to adopt such a list of sectors will be examined before the end of 2005. If the Commission should decide to adopt such a list of sectors, it will be adopted and published before 31 March 2006 and become applicable on the 1 of January 2007. Any appropriate measures pursuant to Article 88 paragraph 1 of the EC-Treaty that may become necessary in this context will be proposed before 1 July 2006.

Point 32 is modified as follows:

32. For the purpose of examining the technical feasibility of drawing up the list of sectors, serious structural problems will in principle be measured on the basis of apparent consumption data, at the appropriate level of the CPA classification⁽¹⁶⁾ in the EEA, or, if such information is not available, on the basis of any other market segmentation generally accepted for the products

concerned and for which statistical data are readily available. Other relevant data and information, including sectoral studies, may also be taken into account. No sector will be included on the basis of a purely mechanistic statistical approach. The list of sectors may be updated whenever necessary.

⁽¹⁶⁾ Council Regulation (EEC) No 3696/93 of 29 October 1993 on the statistical classification of products by activity (CPA) in the European Economic Community (OJ L 342, 31.12.1993, p. 1), as last amended by Commission Regulation (EC) No 204/2002 (OJ L 36, 6.2.2002, p. 1).

The first sentence of point 33 is modified as follows:

33. If the Commission should decide to adopt such a list of sectors, as from 1 January 2007, for sectors included in the list of sectors with serious structural problems, all regional investment aid concerning an investment project involving eligible expenditure above an amount to be determined by the Commission at the time of drawing up the list of sectors⁽¹⁸⁾ must be individually notified to the Commission, without prejudice to the provisions laid down in Regulation (EC) No 70/2001.

⁽¹⁸⁾ This amount can in principle be set at EUR 25 million but may vary from sector to sector.

Point 42 is modified as follows:

42. Until 31 December 2006, and without prejudice to Regulation (EC) No 70/2001:
- (a) for aid amounts exceeding EUR 5 million, expressed in gross grant equivalent, the maximum aid intensity for regional investment aid in the motor vehicle sector as defined in Annex C to be granted under existing aid schemes, is limited to 30 % of the corresponding regional aid ceiling;
 - (b) no expenditure incurred in the context of investment projects in the synthetic fibres sector as defined in Annex D will be eligible for investment aid.

This point enters into force as from 1 January 2004.

Points 43 and 44 are repealed.

After point 46, two new points 46 bis and 46 ter are inserted:

46 bis. *In order to have, in the absence of a list of sectors where serious structural problems prevail, a clear set of rules applicable to regional investment in the motor vehicle sector and in the synthetic fibres sector as from 1 January 2004, the Commission has decided to propose as appropriate measures under Article 88(1) of the Treaty:*

- *to continue to apply the existing transitional rules for the synthetic fibres sectors as defined in Annex D until 31 December 2006,*

— *for aid amounts exceeding EUR 5 million, expressed in gross grant equivalent, to limit the maximum aid intensity for regional investment aid in the motor vehicle sector as defined in Annex C to be granted under existing aid schemes, to 30 % of the corresponding regional aid ceiling.*

46 ter. *The Member States are invited to give their explicit agreement to the proposed appropriate measures within the deadline specified in the letter addressed to them. In the absence of any reply, the Commission will assume that the Member State in question does not agree with the proposed measures.*

**List of the national authorities responsible for liaising with the Commission and with the other Member States within the framework of the measures to strengthen controls in the wine sector
(Article 3 paragraph 2 of Regulation (EC) No 2729/2000)**

(2003/C 263/04)

(This list cancels and replaces the list published in *Official Journal of the European Communities* C 46 of 19 February 1999, page 1)

BELGIË/BELGIQUE

Ministère des classes moyennes et de l'agriculture
Administration de la politique agricole (DG 2)
Service des produits végétaux WTC III
Bd Simon Bolivar 30
B-1000 Bruxelles

Téléphone (32-2) 208 32 11
Télécopieur (32-2) 208 49 25
Courrier électronique:
guy.lambrechts@cmlag.fgov.be

Ministerie van Middenstand en Landbouw
Bestuur voor het Landbouwbeleid (DG 2)
Dienst Plantaardige producten WTC III
Simon Bolivarlaan 30
B-1000 Brussel

Tel. (32-2) 208 32 07
Fax (32-2) 208 49 25

DANMARK

Direktoratet for FødevarerErhverv
Ministeriet for Fødevarer, Landbrug og Fiskeri
Kampmannsgade 3
DK-1780 København V

Tlf. (45) 33 95 80 00
Fax (45) 33 95 80 80
E-post: dffe@dffe.dk

DEUTSCHLAND

Bundesministerium für Verbraucherschutz,
Ernährung und Landwirtschaft
Referat 414
Postfach 14 02 70
D-53107 Bonn

Tel. (49-18 88) 529 37 55, 529 36 45
Fax (49-18 88) 529 42 62, 529 33 75
E-Mail: poststelle@bmvel.bund.de
414@bmvel.bund.de

GREECE

The Ministry of Agriculture
Directorate for Processing, Standardisation and Quality
Control
Division: Wine and alcoholic beverages
Acharnon 2
GR-101 76 Athens

Tel. (30 210) 212 41 71, 212 41 72
Fax (30 210) 523 83 37
E-mail: ax2u043@minagric.gr

ESPAÑA

Dirección General de Alimentación
Ministerio de Agricultura, Pesca y Alimentación
Paseo Infanta Isabel, 1
E-28071 Madrid

Tel. (34) 913 47 53 61
Fax (34) 913 47 57 70
E-mail: saliment@mapya.es

FRANCE

Commission interministérielle de coordination des
contrôles sur les bénéficiaires ou redevables de la
section «Garantie» du FEOGA
2, rue Saint-Charles
F-75740 Paris Cedex 15

Téléphone (33) 1 40 58 71 58
Télécopieur (33) 1 40 59 04 60
Courrier électronique:
frederique.sicot@acofa.gouv.fr

IRELAND

Department of Agriculture and Food
Food Division
Kildare Street
Dublin 2
Ireland

Tel. (353-1) 607 23 03
Fax (353-1) 607 20 38
E-mail: ciaran.rapple@agriculture.gov.ie

ITALIA

Comitato tecnico di controllo nel settore vitivinicolo
Gabinetto del ministro per le Politiche agricole
Via XX Settembre, 20
I-00187 Roma
Coordinatore del Comitato,
Dott. Giuseppe Ambrosio
Responsabile della Segreteria tecnica operativa,
Dott.ssa Maria Severina Liberati

Tel. (39-06) 46 65 60 82
Fax (39-06) 481 97 14
E-mail: gambrosio@politicheagricole.it
s.liberati@politicheagricole.it

LUXEMBOURG

Institut vitivinicole
BP 50
L-5501 Remich

Téléphone (352) 23 612-1
Télécopieur (352) 23 69 95 90
Courrier électronique:
Marc.Kuhn@ivv.etat.lu

NEDERLAND

Ministerie van Landbouw, Natuur en Voedselkwaliteit
Directie Internationale Zaken
Dienst Plantaardige en Dierlijke Producten
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Nederland

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(31-70) 378 52 23
Fax (31-70) 378 61 06
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website: www.minlnv.nl
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Sektion III
Stubenring 12
A-1010 Wien

Tel. (43-1) 711 00-28 15
Fax (43-1) 711 00-27 25
E-Mail: christian.jaborek@bmlfuw.gv.at

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F. (358-9) 16 05 34 00
Sähköposti: maija.heinonen@mmm.fi

SVERIGE

Jordbruksdepartementet
S-103 33 Stockholm

Tfn (46-8) 405 10 00
Fax (46-8) 20 64 96
(46-8) 24 95 46
E-post:
anette.yli-lantta@agriculture.ministry.se

UNITED KINGDOM

Department for Environment, Food and Rural Affairs
Food and Drink Industry Division (Alcoholic Drinks Branch)
Nobel House
17 Smith Square
London SW1A 2HH
United Kingdom

Tel. (44-207) 238 31 89
Fax (44-207) 238 31 77
E-mail: martyn.ibbotson@defra.gsi.gov.uk

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Commission européenne
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B-1049 Bruxelles

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Télécopieur (32-2) 299 40 33
Courrier électronique:
erik.dubreuil@cec.eu.int

Prior notification of a concentration
(Case COMP/M.3307 — Cap Gemini/Transiciel)

Candidate case for simplified procedure

(2003/C 263/05)

(Text with EEA relevance)

1. On 22 October 2003, 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 undertaking Cap Gemini (France), acquires, within the meaning of Article 3(1)(b) of the Regulation, control of the whole of the France-based Transiciel group (France), by way of purchase of shares.

2. The business activities of the undertakings concerned are:

— Cap Gemini: provision of IT services,

— Transiciel: provision of IT 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. 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 to the Commission.

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.3307 — Cap Gemini/Transiciel, to:

European Commission,
Directorate-General for Competition,
Merger Registry,
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.

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