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I

(Information)

COMMISSION

Euro exchange rates ⁽¹⁾

17 December 2004

(2004/C 313/01)

1 euro =

Currency	Exchange rate	Currency	Exchange rate
USD US dollar	1,3264	LVL Latvian lats	0,6849
JPY Japanese yen	138,37	MTL Maltese lira	0,4311
DKK Danish krone	7,4318	PLN Polish zloty	4,1465
GBP Pound sterling	0,68585	ROL Romanian leu	38 736
SEK Swedish krona	8,9980	SIT Slovenian tolar	239,79
CHF Swiss franc	1,5367	SKK Slovak koruna	38,631
ISK Iceland króna	84,09	TRL Turkish lira	1 864 100
NOK Norwegian krone	8,2170	AUD Australian dollar	1,7479
BGN Bulgarian lev	1,9559	CAD Canadian dollar	1,6351
CYP Cyprus pound	0,5788	HKD Hong Kong dollar	10,3193
CZK Czech koruna	30,445	NZD New Zealand dollar	1,8583
EEK Estonian kroon	15,6466	SGD Singapore dollar	2,1843
HUF Hungarian forint	245,58	KRW South Korean won	1 406,12
LTL Lithuanian litas	3,4528	ZAR South African rand	7,6747

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

Prior notification of a concentration
(Case COMP/M.3641 — BT/INFONET)

(2004/C 313/02)

(Text with EEA relevance)

1. On 13 December 2004, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 ⁽¹⁾ by which the undertaking British Telecommunications plc ('BT', United Kingdom) acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of the undertaking Infonet Services Corporation ('Infonet', USA) by way of purchase of shares.

2. The business activities of the undertakings concerned are:

- for undertaking BT: a provider of telecommunications services,
- for undertaking Infonet: a provider of telecommunications services.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of Regulation (EC) No 139/2004. 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 to the Commission.

Observations must reach the Commission not later than 10 days following the date of this publication. Observations can be sent to the Commission by fax (No (32-2) 296 43 01 or 296 72 44) or by post, under reference number COMP/M.3641 — BT/INFONET, to the following address:

European Commission
Directorate-General for Competition,
Merger Registry
J-70
B-1049 Bruxelles/Brussel

⁽¹⁾ OJ L 24, 29.1.2004, p. 1.

NEW NATIONAL SIDE OF EURO CIRCULATION COINS

(2004/C 313/03)



National side of the new EUR 2 commemorative circulation coin issued by the Italian Republic

Euro circulation coins have legal tender status throughout the euro area. The Commission publishes all new euro coin designs ⁽¹⁾ with a view to informing anyone required to handle coins in the course of their work and the public at large. In accordance with the Council conclusions of 8 December 2003 ⁽²⁾, Member States and countries that have concluded a Monetary Agreement with the Community providing for the issuance of euro circulation coins are allowed to issue certain quantities of commemorative euro circulation coins on condition that not more than one new coin design is issued per country per year and that only the EUR 2 denomination is used. These coins have the technical features of normal euro circulation coins, but bear a commemorative design on the obverse national side.

Issuing State: Italian Republic

Subject of commemoration: Fifth decade of the World Food Programme

Factual description of the design: The foreground shows the globe, tilted to the right and bearing the inscription 'WORLD FOOD PROGRAMME', from which emerges an ear of wheat, an ear of maize and an ear of rice, the three grains representing the world's basic sources of nourishment. To the right of the globe is the I superimposed on an R denoting 'Repubblica Italiana', below which there appears a smaller combination of the letters U and P, the initials of the engraver, Uliana Pernazza. To the upper left of the globe there appears the mint mark 'R' and under the globe the year mark '2004'. The 12 stars of the European Union are positioned around the outer circle.

Issue volume: maximum 16 million coins

Approximate issue period: from 15 December 2004

⁽¹⁾ See OJ C 373 of 28.12.2001, pages 1 to 30 for a reference to all national sides that were issued in 2002.

⁽²⁾ See conclusions of the General Affairs Council of 8 December 2003 on changes in the design of national sides of euro coins. See also Commission Recommendation of 29 September 2003 on a common practice for changes to the design of national obverse sides of euro circulation coins (OJ L 264, 15.10.2003, p. 38).

COM documents other than legislative proposals adopted by the Commission

(2004/C 313/04)

Document	Part	Date	Title
COM(2004) 457		6.7.2004	Report from the Commission on the legal transposition of the Council Decision of 28 February 2002 setting up Eurojust with a view to reinforcing the fight against serious crime
COM(2004) 425		24.6.2004	Communication from the Commission to the Council and the European Parliament – Public finances in EMU – 2004

These texts are available on EUR-Lex: <http://europa.eu.int/eur-lex>.

II

(Preparatory Acts)

COMMISSION

Legislative proposals adopted by the Commission*(2004/C 313/05)*

Document	Part	Date	Title
COM(2004) 665		14.10.2004	Proposal for a Council Decision establishing the Community position with respect to the prolongation of the International Agreement on olive oil and table olives, 1986
COM(2004) 614		27.9.2004	Proposal for a Council Regulation on administering imports of certain steel products from Ukraine
COM(2004) 646		6.10.2004	Proposal for a Council Decision concerning the signature of an Agreement between the Community and the Swiss Confederation in the audiovisual field, establishing the terms and conditions for the participation of the Swiss Confederation in the Community programmes MEDIA Plus and MEDIA Training and a Final Act
COM(2004) 670		18.10.2004	Proposal for a Council Decision concerning the accession by the Republic of Moldova to the Agreement to establish a science and technology centre in Ukraine, of 25 October 1993, between Canada, Sweden, Ukraine and the United States of America
COM(2004) 348		29.4.2004	Proposal for a Council Regulation imposing certain restrictive measures in support of effective implementation of the mandate of the International Criminal Tribunal for the former Yugoslavia (ICTY)
COM(2004) 662		13.10.2004	Proposal for a Council Decision amending Decision 2001/865/EC authorising the Kingdom of Spain to apply a measure derogating from Article 11 of the sixth Council Directive 77/388/EEC on the harmonisation of the laws of the Member States relating to turnover taxes
COM(2004) 678		19.10.2004	Proposal for a Council Regulation imposing a definitive anti-dumping duty and collecting definitively the provisional duty imposed on imports of okoumé plywood originating in the People's Republic of China
COM(2004) 680		19.10.2004	Proposal for a Council Decision on the conclusion of an Agreement in the form of an Exchange of Letters between the European Community and the Palestine Liberation Organisation (PLO) for the benefit of the Palestinian Authority of the West Bank and the Gaza Strip concerning reciprocal liberalisation measures and the replacement of Protocols 1 and 2 to the EC-Palestinian Authority Interim Association

These texts are available on EUR-Lex: <http://europa.eu.int/eur-lex>.

III

(Notices)

COMMISSION

GR-Elliniko: operation of thirteen scheduled air routes**Invitation to tender for contracts for the operation of thirteen scheduled air routes subject to public service obligations, issued by the Hellenic Republic under Article (4)(1)(d) of Council Regulation (EEC) No 2408/92**

(2004/C 313/06)

(Text with EEA relevance)

1. **Introduction:** 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, the Greek Government has decided to impose a public service obligation in respect of scheduled services on the following routes:

- Athens — Astipalaia,
- Athens — Ikaria,
- Athens — Leros,
- Athens — Milos,
- Athens — Skiros,
- Thessaloniki — Samos,
- Thessaloniki — Khios,
- Limnos — Mitilini — Khios — Samos — Rodos,
- Rodos — Karpathos — Kasos,
- Rodos — Kastelorizo,
- Thessaloniki — Skiros,
- Alexandroupolis — Sitia,
- Aktio — Sitia.

The stipulations of the public service obligations in the above cases were published in the *Official Journal of the European Union*, No C 312 of 17 December 2004 (as regards the first ten routes) and the *Official Journal of the European Communities*, No C 164 of 10 July 2002 (as regards the last three routes).

If, by 31.3.2005, no air carrier has declared to the Civil Aviation Authority that it intends to operate scheduled flights on one or more of the above routes from 1.5.2005 in accordance with the stipulations of the public service obligation for the route or routes concerned and without financial compensation, Greece has decided that, under the procedure laid down in Article 4(1)(d) of the said Regulation, it will initiate the procedure to limit access to one or more of the above routes (as stated in the next article) to a single air carrier for three years and to offer the right to operate the routes concerned from 1.5.2005 by public tender.

2. **Subject of the invitation to tender:** The exclusive right to operate scheduled air services on the following routes subject to public service obligations for three years from 1.5.2005:

- Athens — Astipalaia,
- Athens — Ikaria,
- Athens — Leros,
- Athens — Milos,
- Athens — Skiros,
- Thessaloniki — Samos,
- Thessaloniki — Khios,
- Limnos — Mitilini — Khios — Samos — Rodos,
- Rodos — Karpathos — Kasos,
- Rodos — Kastelorizo,

- Thessaloniki — Skiros,
- Alexandroupolis — Sitia,
- Aktio — Sitia.

Services on these routes are to be operated in accordance with the stipulations of the corresponding public service obligations, which was published in the *Official Journal of the European Union*, No C 312 of 17 December 2004 and the *Official Journal of the European Communities*, No C 164 of 10 July 2002.

Tenders may be submitted for one or more of the above routes. However, all tenders shall be submitted separately for each of the above routes.

Because of the special nature of the air routes concerned, air carriers must be able to demonstrate that cabin crew serving passengers on the above routes speak and understand Greek.

3. **Participation in the tender procedure:** All air carriers holding a valid operating licence issued by a Member State pursuant to Council Regulation (EEC) No 2407/92 on licensing of air carriers may take part in the tender procedure.

Air carriers covered by the restrictions or grounds for ineligibility set out in Law No 3021/2002 (Greek Government Gazette I 143 of 19 June 2002) concerning restrictions on the signing of public contracts by persons running or participating in media companies and other provisions are excluded from taking part in the tender procedure.

4. **Tender procedure:** This tender procedure is subject to the provisions of Article 4(1)(d)-(i) of Regulation (EEC) No 2408/92 on access for Community air carriers to intra-Community air routes and to the provisions of the Presidential Decree 346/98 aligning Greek legislation on public service contracts with the provisions of Council Directive 92/50/EEC of 18 July 1992, as amended by Presidential Decree 18/2000.

In an emergency, if it is decided to repeat the tender procedure (on account of the unsuccessful outcome of the initial procedure), the Ministry of Transport and Communications may take the necessary measures to ensure that the vital air transport needs of a particular remote region are covered, provided such measures are in line with the principles of non-discrimination, proportionality and transparency and will not last for more than six months.

Moreover, should only one tender be submitted, and should that tender be considered financially unacceptable, the negotiations procedure may be followed.

Bidders shall be bound by the tenders they have submitted until the contracts are awarded.

5. **Tender dossier:** The full tender dossier, setting out the specifications, the supporting documents required for

participation and other information is available free of charge from:

Hellenic Civil Aviation Authority, Directorate for Air Operations, Section II, Vas. Georgiou 1, GR-166 04 Elliniko. Tel.: +30 210 8916149 or 8916121. Fax: +30 210 8947101.

6. **Financial compensation:** Tenders must explicitly state the amount required per quarter by way of compensation for operating each route for three years from the proposed date of commencement of operations (with an annual breakdown of the accounts as stated in the specifications). The financial compensation will be paid on a quarterly basis thirty days after the date of the corresponding invoice issued by the air carrier by means of a transfer to the account which the air carrier shall hold at a bank recognised in Greece. The exact amount of the compensation will be determined on the basis of the flights actually operated, a certificate from the relevant bodies of the Civil Aviation Authority stating that the terms of the contract have been properly complied with, and the amount of compensation due pro rata.
7. **Selection criterion:** For each route covered by the invitation to tender, the criterion for choosing between the air carriers judged to be in a position to provide services on that route smoothly and in accordance with the stated requirements shall be the lowest figure for the total financial compensation sought in respect of that route.
8. **Duration, amendment and annulment of the contract:** The contract will apply from 1.5.2005 and expire on 30.4.2008. In the event of delay in the completion of a subsequent tender procedure, the Ministry of Transport and Communications may extend the contract on the same terms for a period not exceeding six months. In such a case, such extension shall be compulsory for the contractor.

Any amendment to the contract must comply with the public service obligations published in the *Official Journal of the European Union*, No C 312 of 17 December 2004 and the *Official Journal of the European Communities*, No C 164 of 10 July 2002. Amendments to the contract shall be made in writing.

If there is any unexpected change in the operating conditions, the amount of the compensation may be reviewed.

Each contracting party may terminate the contract by giving six-months' advance notice. If there are particularly serious grounds or if the air carrier has failed to comply properly with the contractual terms relating to the public service obligation, the awarding authority may terminate the contract without giving advance notice. The contract shall also be deemed to have terminated automatically if the contractor's operating licence or air operator's certificate (AOC) is suspended or revoked.

9. Penalties for failure to honour the terms of the contract: The air carrier will be responsible for the proper performance of his obligations under the contract.

- The number of flights cancelled for reasons for which the air carrier is responsible may not exceed 2% of the total annual number of flights. In such cases, the amount of the financial compensation shall be reduced pro rata.
- In the event of failure to discharge all or part of the contractor's obligations under the contract for reasons which do not constitute force majeure (other than the case where the number of flights cancelled does not exceed 2% of the total annual number of flights, referred to in the preceding paragraph), the awarding authority will be entitled to impose the following reductions in the financial compensation and additional penalties:
 - where the number of flights cancelled on a given route exceeds 2% of the total annual number of flights scheduled, the financial compensation payable in respect of that route (for the flights actually operated during the quarter) will be further reduced by an amount equal to that which would have applied had the flights been operated normally;
 - where the failure concerns the weekly number of seats actually offered during the quarter, the financial compensation will be reduced in proportion to the number of seats not offered;
 - where the failure concerns the fares charged, the financial compensation will be reduced in proportion to the difference between the fares charged and the required fares;

in the event of any other failure to honour the terms of the contract, the fine provided for in the airport regulations will be imposed;

where the contractor commits the same error for the third time in the same quarter on the same route, in addition to the above penalties, the forfeiture in whole or in part of

the letter of guarantee of proper performance of the terms of the contract corresponding to that route may be demanded as a forfeit clause, following written notification from the Civil Aviation Authority to the contractor and provided the contractor does not adduce sufficient evidence that he is not to blame. In deciding whether to impose the penalties provided for in this point, account will be taken of the seriousness of every failure which has been ascertained, and the principle of proportionality will be applied.

The awarding authority may also demand compensation for damage caused.

10. **Submission of tenders:** Tenders must be sent in five copies by registered post with recorded delivery or be delivered by hand against receipt to the following address:

Ministry of Transport and Communications
Civil Aviation Authority, Directorate General for Air Transport, Directorate for Air Operations, Section II
Vasileos Georgiou 1
16604 Elliniko

The closing time and date for the submission of tenders shall be 12.00 on the 32nd day following the date of publication of this invitation to tender in the *Official Journal of the European Union*. In the case of tenders sent by post, they must be received by the time and date stated above, as certified by the record of delivery.

11. **Validity of the invitation to tender:** This invitation to tender shall be valid provided that, by 31.3.2005, no Community air carrier has declared (by submitting a flight plan to the Civil Aviation Authority) its intention of operating scheduled flights on one or more of the above-mentioned routes from 1.5.2005, in accordance with the public service obligation imposed and without receiving financial compensation.

In any event the invitation to tender shall continue to apply in respect of those routes for which no air carrier has declared an interest as above by 31.3.2005 on the terms stated above.

Notice of call for proposals 86/04**MEDIA Training (2001 to 2006)**

(2004/C 313/07)

1. Objectives and Description

This notice of a call for proposals is based on Decision No 163/2001/EC of the European Parliament and of the Council on the implementation of a training programme for professionals in the European audiovisual programme industry (MEDIA Training) (2001 to 2005), published in the *Official Journal of the European Communities* L 26 of 27 January 2001.

One of the measures to be implemented under this Decision involves improving the continuous vocational training of professionals in the audiovisual sector, so as to give them the know-how and skills needed to create competitive products on the European and other markets, in particular in the field of:

- the application of new technologies, and in particular digital technologies, for the production and distribution of audiovisual programmes,
- economic, financial and commercial management, including the legal framework,
- script-writing techniques.

2. Eligible Candidates

This notice is addressed to candidates in one of the categories of establishment below whose activities contribute to the abovementioned measures:

- film and television schools
- universities
- specialist vocational training establishments
- private companies in the audiovisual sector
- organisations/professional associations specialising in the audiovisual sector.

Applicants must be established in one of the following countries:

- the 25 countries of the European Union,
- the EFTA and EEA countries: Iceland, Liechtenstein, Norway,
- the candidate country for EU membership: Bulgaria.

3. Budget for projects

The European Union has allocated a total amount of EUR 59 400 000 for the implementation of the MEDIA Training programme over the period 2001 to 2006.

The total budget allocated for co-financing of projects is EUR 8 200 000.

The financial assistance from the Commission may not exceed 50 % (in certain cases 60 %) of the total eligible costs.

The financial contribution will be awarded in the form of a grant.

The maximum duration of projects is 24 months.

4. Deadline for submission of applications

Applications must be submitted to the Commission by no later than 1.3.2005.

5. Full details

The full text of the call for proposals, together with the application forms, can be found at the following Internet address: http://europa.eu.int/comm/avpolicy/media/index_en.html.

Applications must comply with all the terms of the full text and be submitted on the form provided.

CALL FOR PROPOSALS — DG EAC No 88/04**Support for the transnational distribution of European films and audiovisual works on video (VHS and DVD)**

(2004/C 313/08)

1. Objectives and description

This call for proposals is based on Council Decision 2000/821/EC on the implementation of a programme encouraging the development, distribution and promotion of European audiovisual works (Media Plus — Development, distribution and promotion 2001 to 2006), adopted by the Council on 20 December 2000 and published in the *Official Journal of the European Communities* on 17 January 2001 (OJ L 13, pages 34 to 43). The proposition to prolong the MEDIA programme until 31 December 2006 was approved by the Council of Ministers on 26 April 2004.

In the distribution sector, the objective of the programme is to strengthen the distribution sector for European works on video intended for private use, by encouraging publishers to invest in digital technology and the promotion of non-domestic European works.

2. Eligible applicants

This notice is intended for European video and DVD publishers whose activities contribute to the attainment of the aforementioned objectives, in particular to publishers of works on video for private use.

Applicants must be established in one of the following countries:

- the 25 countries of the European Union,
- the EFTA and EEA countries: Iceland, Liechtenstein, Norway,
- the candidate country for EU membership: Bulgaria.

3. Budget and duration of projects

The potential fund available to each publisher is determined on the basis of the market performance by the publisher in the reference year (2003). Under any circumstances the fund allocated to one company may not exceed EUR 150 000.

The financial assistance from the Commission per project will amount to a minimum of EUR 1 000 but may in no case exceed 50 % of the total eligible costs of the presented reinvestment project.

The maximum duration of the projects is six months.

4. Deadline for submission of applications

Applications must be submitted to the Commission by no later than 25 February 2005.

5. Full details

The full text of the call for proposals, together with the application forms, can be found at the following Internet address: http://europa.eu.int/comm/avpolicy/media/distr_en.html.

Applications must comply with all the terms of the guidelines and be submitted on the forms provided.

CALL FOR PROPOSALS — DG EAC No 91/04**Actions to preserve and commemorate the main sites and archives associated with the deportations**

(2004/C 313/09)

1. Objectives and description

The Annex I – Part 3 of the Decision 792/2004/EC ⁽¹⁾ establishes a Community Programme to support actions to preserve and commemorate the main sites and archives associated with the deportations, symbolised by the memorials which have been raised on the sites of the former camps and other places of mass-civilian martyrdom and extermination, and to keep alive the memory of victims at these sites.

2. Eligible candidates

Eligible candidates are non-profit-making bodies and a non-governmental bodies, with legal status, active in the field of culture, with an objective aimed at public good and in particular in the field defined in point 1.

These organisations have to be based in one of the 25 Member States of the European Union as of 1 May 2004.

3. Budget and length of projects

The total available budget for 2005 is EUR 800 000. The Funding requested for projects must range from EUR 10 000 to EUR 40 000 and may not exceed 75 % of the project's total eligible budget.

The project must begin on 1 July 2005 at the latest and must finish by 30 June 2006.

4. Deadlines for submission of applications

28 February 2005.

5. Additional information

The specifications and the application forms are available on the Commission's internet site:

http://europa.eu.int/comm/culture/eac/index_en.html

Applications for funding must respect the conditions set out in the specifications and must be submitted on the forms provided with the specifications.

⁽¹⁾ Decision 792/2004/EC establishes a Community Action Programme to promote bodies active at European level in the field of culture.