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I

(Information)

COMMISSION

Euro exchange rates ⁽¹⁾

20 June 2005

(2005/C 149/01)

1 euro =

Currency	Exchange rate	Currency	Exchange rate		
USD	US dollar	1,2210	SIT	Slovenian tolar	239,53
JPY	Japanese yen	133,09	SKK	Slovak koruna	38,449
DKK	Danish krone	7,4455	TRY	Turkish lira	1,6609
GBP	Pound sterling	0,66855	AUD	Australian dollar	1,5695
SEK	Swedish krona	9,2273	CAD	Canadian dollar	1,5031
CHF	Swiss franc	1,5446	HKD	Hong Kong dollar	9,4928
ISK	Iceland króna	79,64	NZD	New Zealand dollar	1,7003
NOK	Norwegian krone	7,8770	SGD	Singapore dollar	2,0411
BGN	Bulgarian lev	1,9557	KRW	South Korean won	1 231,01
CYP	Cyprus pound	0,5735	ZAR	South African rand	8,1926
CZK	Czech koruna	29,968	CNY	Chinese yuan renminbi	10,1056
EEK	Estonian kroon	15,6466	HRK	Croatian kuna	7,3257
HUF	Hungarian forint	248,47	IDR	Indonesian rupiah	11 773,49
LTL	Lithuanian litas	3,4528	MYR	Malaysian ringgit	4,641
LVL	Latvian lats	0,6959	PHP	Philippine peso	68,040
MTL	Maltese lira	0,4293	RUB	Russian rouble	34,7930
PLN	Polish zloty	4,0725	THB	Thai baht	50,195
ROL	Romanian leu	36 155			

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

Amendment by France of public service obligations in respect of scheduled air services between Tarbes (Lourdes-Pyrénées) and Paris (Orly)

(2005/C 149/02)

(Text with EEA relevance)

1. France has decided to alter, with effect from 1 June 2005, the public service obligations imposed on scheduled air services between Tarbes (Lourdes-Pyrénées) and Paris (Orly) published in the *Official Journal of the European Union* C 22 of 27 January 2004 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.

2. The public service obligations are amended as follows:

The obligations set out in Point 2 regarding the type of aircraft used and the capacity to be provided are replaced by the following:

'The minimum daily capacity which must be available throughout the year is 360 seats from Monday to Friday and 180 on Saturdays and Sundays. The services must be operated with a pressurised aircraft.'

Imposition by France of a public service obligation on scheduled air services between Grenoble (Saint Geoirs) and Paris (Orly)

(2005/C 149/03)

(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 Grenoble (Saint Geoirs) and Paris (Orly).

2. The public service obligation is as follows:

Minimum frequency

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

The service must be operated without a stopover between Grenoble (Saint Geoirs) and Paris (Orly).

Minimum capacity

The service must be operated with twin jet or twin turbo prop aircraft having a seating capacity of at least 45.

Timetables

Timetables must be such as to enable passengers on business trips to make the round trip within the day and to spend at least eight hours at their destination, whether Grenoble or Paris.

Flight bookings

Seats on these flights must be sold using 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. The carrier must give six months' notice before discontinuing these services.

Community carriers are hereby informed that the operation of air services without regard to the above-mentioned public service obligations may result in administrative and/or legal sanctions.

3. Slots have been reserved at Paris (Orly) airport for the scheduled Grenoble (Saint Geoirs) — Paris (Orly) service pursuant to Article 9 of Council Regulation (EEC) No 95/93 of 18 January 1993 on common rules for the allocation of slots at Community airports, as amended by Regulation (EC) No 793/2004 of the European Parliament and of the Council of 21 April 2004. Air carriers interested in this route can obtain information about the allocation of these slots from the Paris airports coordinator.

Amendment by France of public service obligations in respect of scheduled air services between mainland France and Guadeloupe, French Guiana, Martinique and Réunion

(2005/C 149/04)

(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 alter, with effect from 1 July 2005, the public service obligations in respect of scheduled air services between all airports in mainland France and Guadeloupe, French Guiana, Martinique and Réunion which were published in the *Official Journal of the European Communities* C 243 of 9 August 1997 and supplemented by publication of a notice in the *Official Journal of the European Union* C 69 of 22 March 2003.

2. As of 1 July 2005, each of the air carriers operating scheduled air services on the routes in question must comply with the following public service obligations, in particular because of the insular and remote nature of the regions concerned:

2.1. Operating schedule

Between all airport in mainland France and the French Overseas Departments:

Services must be operated all year round.

The services must be operated with at least one flight per week to an airport in mainland France. Furthermore, in a single scheduling season, the average weekly capacity offered during the four weeks when it is least may not be less than a quarter of the average weekly capacity offered during the four weeks when it is greatest.

The capacity deployed must be suited to demand, taking account in particular of school holidays and public holidays.

If the combined capacity offered by all the carriers operating these routes no longer matches demand, particularly during peak periods, the French authorities reserve the right to amend or specify the public service obligations in question, subject to three month's notice and following consultation with the carriers concerned, in compliance with the provisions of Article 4 of Regulation (EEC) No 2408/92.

If there is a sudden considerable reduction in the capacity offered as a result of the withdrawal of a carrier's services without the period of notice specified in point 2.4 having been

given and if this seriously affects the continuity of services, the other carriers operating the route shall take the necessary steps to adjust their capacity as soon as possible.

The detailed operating schedule (including in particular the timetables, aircraft types and capacity, as well as the weekly capacity available) for each scheduling season must be forwarded for the approval of the minister responsible for civil aviation at least one month prior to the start of operation and/or before each scheduling season to the following address:

Direction Générale de l'Aviation Civile
Direction de la Régulation économique
50, rue Henry Farman
F-75720 Paris Cedex 15

The total capacity to be made available over two consecutive scheduling seasons by all carriers operating services between Paris (Orly) airport and each of the four French Overseas Departments must be at least the following number of seats:

- 1 100 000 on the Guadeloupe route,
- 183 000 on the French Guiana route,
- 1 000 000 on the Martinique route,
- 660 000 on the Réunion route.

Slots are currently reserved at Paris (Orly) airport for the services to the four French Overseas Departments pursuant to Article 9 of Council Regulation (EEC) No 95/93 of 18 January 1993 on common rules for the allocation of slots at Community airports. Carriers interested in these routes can obtain information about these slots from the Paris airports coordinator.

2.2. Fares

The passenger fares offered must be published.

Fares for children under the age of two, between two and twelve and between twelve and eighteen must be reduced by 90 %, 33 % and 20 % respectively as compared with the adult fares offered under the same conditions for the flight in question, whether or not they are travelling unaccompanied

The carrier must make every effort to give priority on the next departing flight to persons forced to make an urgent journey because of the death of a close relative (parent/child). Upon presentation of a copy of the death certificate such persons shall be given the best rate available on the flight taken without applying the conditions applicable to the fare.

Air carriers are hereby informed that the French authorities reserve the right to grant aid having a social character to certain categories of passengers on these routes.

2.3. Medical evacuation and disasters

In all circumstances, medical evacuation procedures are given priority when embarking passengers on the next departing flight. The general conditions applicable to the carriage of such passengers are specified in the annex.

In addition, in the event of a disaster, carriers must make every effort to resume the service as quickly as possible and to adapt it to the transport requirements.

2.4. Flight cancellations

Advance notice of any flight cancelled must be given to the *Direction Générale de l'Aviation Civile* (Directorate-General for Civil Aviation).

Except in cases of *force majeure*, the number of flights cancelled for reasons directly attributable to the carrier must not exceed 10 % of the number of flights scheduled in any IATA scheduling season in the approved operating schedule.

The carrier must give at least six months' notice before discontinuing these services.

2.5. Monitoring and inspection

For each of the services operated, the air carriers must each month send the *Direction Générale de l'Aviation Civile* the operating schedule carried out and detailed weekly statistics: number of seats offered, flights operated, numbers of children and unaccompanied children carried, numbers of children per age category (less than two years old, two to twelve and twelve to eighteen). The air companies must also provide quarterly statistics on the breakdown of the capacity and the number of passengers carried in each fare category, as well as the overall result, including the total number of persons carried, how particular fares were applied, the company's commercial policy to assist sick, handicapped or injured persons, or persons accompanying them, as well as persons required to travel due to the death of a close relative.

In accordance with Article 4(1)(j) of Regulation (EEC) No 2408/92, an air carrier may offer seat-only sales (i.e. direct sale to the public by the air carrier, his approved agent or a charterer, excluding any other associated service such as accommodation) only if the air service in question meets all the requirements of the public service obligation.

The following are not subject to these public service obligations:

- charter flights in which all the seats are placed for sale at a lump-sum purchase price,
- flights carrying only freight,
- flights using aircraft with less than 20 seats.

Community carriers are hereby informed that the operation of air services without due regard to these public service obligations may result in the application of the penalties provided for in the rules in force.

ANNEX

The carriage of sick and injured passengers

In the context of these public service obligations, the air carrier must undertake to carry sick and injured passengers in accordance with the following rules and conditions:

A. Compulsory medical certificate

A sick or injured passenger will only be carried if the person concerned is able to produce a letter of authorisation from a medical doctor approved by the carrier in cases where:

1. the person is suffering from a contagious disease as recognised by the carrier;
2. the person may, on account of a specific illness or handicap, display unusual behaviour or be in a physical condition which may distress other passengers or crew members;
3. the person represents a potential risk to the safety or punctuality of the flight (including the potential need to re-route the flight or make an unscheduled landing);
4. the person will need medical assistance and/or special equipment to be able to undertake the flight;
5. the person's physical condition may deteriorate during the flight, or because of it.

The carrier must set up a fast system to forward the medical authorisation to the booking services as quickly as possible.

B. Special fares

1. All categories of passenger, excluding those referred to in points 2 and 3 above, must be given the best fare available for the flight taken.
 2. Sick or injured passengers travelling on a stretcher:
 - five times the best fare available on the flight taken,
 - for persons accompanying: the best fare available for the flight taken.
 3. For passengers with plaster casts on their legs who take up two seats:
 - twice the best rate available on the flight in question.
 4. Personal wheelchairs are permitted without surcharge and are carried free of charge.
-

Amendment by France of public service obligations imposed on scheduled air services between Ajaccio, Bastia, Calvi and Figari, and Marseille and Nice

(2005/C 149/05)

(Text with EEA relevance)

1. Pursuant to the decision of the Corsican regional authorities of 31 March 2005, France has decided to amend, from 30 October 2005, the public service obligations imposed on scheduled air services between Ajaccio, Bastia, Calvi and Figari on the one hand and Marseille and Nice on the other, as published in the *Official Journal of the European Communities* C 9 of 15 January 2003, pursuant to Article 4(1)(a) of Council Regulation (EEC) No 2408/92 on access for Community air carriers to intra-Community air routes.

2. The amended public service obligations take account of Corsica's island status and are as follows:

2.1. Minimum frequency, timetables, type of aircraft used and capacity provided

(a) *Between Marseille and Ajaccio*

— Frequency

(i) At least three round trips per day Monday to Friday, except on public holidays; morning and evening, to enable customers to make a return trip the same day and spend at least 8 hours at Ajaccio or 11 hours at Marseille, and one in the middle of the day.

(ii) At least three round trips per day, evenly spread throughout the day, on Saturdays and Sundays.

— The services must be non-stop between Ajaccio and Marseille.

— The capacity provided must satisfy the following conditions.

(i) From Monday to Friday at least 135 seats must be provided in each direction, morning and evening.

(ii) The following minimum weekly capacities must be provided and indicated in the published timetables (combined capacity for both directions):

— throughout the year, a basic capacity of 5 000 seats per week, including 700 seats per day on Saturdays and Sundays,

— to this basic capacity should be added:

— 2 500 seats per week during a ten-week period from late June to early September,

— 1 500 seats per week during the IATA summer scheduling season (excluding the ten-week period referred to above).

(iii) In view of the distribution of traffic peaks throughout the year, due to school and public holiday dates (in particular All Saints, Christmas, Easter, Ascension, bridging days, and departing and returning summer holidaymakers), additional capacities (combined capacity for both directions) must be offered and agreed in advance of each IATA scheduling season in a memorandum of understanding with the Corsican Transport Board:

— 6 000 seats to be allocated to peaks during the IATA winter scheduling season,

— 6 000 seats during a ten-week period from late June to early September,

— 6 000 seats to be allocated to peaks during the IATA summer scheduling season (excluding the ten-week period referred to above).

These minimum additional capacities must be offered for sale at least two months before the dates of the flights concerned.

(b) *Between Marseille and Bastia*

— Frequency

(i) At least three round trips per day Monday to Friday, except on public holidays; morning and evening, to enable customers to make a return trip the same day and spend at least 8 hours at Bastia or 11 hours at Marseille, and one in the middle of the day.

(ii) At least three round trips per day, evenly spread throughout the day, on Saturdays and Sundays.

— The services must be non-stop between Bastia and Marseille.

— The capacity provided must satisfy the following conditions.

(i) From Monday to Friday at least 135 seats must be provided in each direction, morning and evening.

(ii) The following minimum weekly capacities must be provided and indicated in the published timetables (combined capacity for both directions):

- throughout the year, a basic capacity of 5 000 seats per week, including 700 seats per day on Saturdays and Sundays;
- to this basic capacity should be added:
 - 2 500 seats per week during a ten-week period from late June to early September,
 - 1 500 seats per week during the IATA summer scheduling season (excluding the ten-week period referred to above).

(iii) In view of the distribution of traffic peaks throughout the year, due to school and public holiday dates (in particular All Saints, Christmas, Easter, Ascension, bridging days, and departing and returning summer holidaymakers), additional capacities (combined capacity for both directions) must be offered and agreed in advance of each IATA scheduling season in a memorandum of understanding with the Corsican Transport Board:

- 6 000 seats to be allocated to peaks during the IATA winter scheduling season,
- 6 000 seats during a ten-week period from late June to early September,
- 6 000 seats to be allocated to peaks during the IATA summer scheduling season (excluding the ten-week period referred to above).

These minimum additional capacities must be offered for sale at least two months before the dates of the flights concerned.

(c) *Between Marseille and Calvi*

— Frequency

- (i) At least one round trip per day during the IATA winter scheduling season, with a minimum stay of between 7 and 10 hours at Marseille from Monday to Friday, excluding public holidays, depending on the opening hours of Calvi airport.
- (ii) At least two round trips per day on Saturdays, Sundays and public holidays.
- (iii) At least two round trips per day during the IATA summer scheduling season, with a minimum stay of between 7 and 10 hours at Marseille from Monday to

Friday, excluding public holidays, depending on the opening hours of Calvi airport.

- The services must be non-stop between Marseille and Calvi.
- The capacity provided must satisfy the following conditions.

(i) The following minimum weekly capacities must be provided and indicated in the published timetables (combined capacity for both directions):

- a basic capacity of 900 seats per week throughout the year, increased to 1 400 seats per week during the IATA summer scheduling season,
- 500 seats per week should be added to this basic capacity during the ten-week period from late June to early September.

(ii) In view of the distribution of traffic peaks throughout the year, due to school and public holiday dates (in particular All Saints, Christmas, Easter, Ascension, bridging days, and departing and returning summer holidaymakers), additional capacities (combined capacity for both directions) must be offered and agreed in advance of each IATA scheduling season in a memorandum of understanding with the Corsican Transport Board:

- 1 000 seats to be allocated to peaks during the IATA winter scheduling season,
- 3 800 seats during a ten-week period from late June to early September,
- 5 200 seats to be allocated to peaks during the IATA summer scheduling season (excluding the ten-week period referred to above).

These minimum additional capacities must be offered for sale at least two months before the dates of the flights concerned.

(d) *Between Marseille and Figari*

— Frequency

- (i) At least two round trips per day Monday to Friday, except on public holidays, morning and evening, to enable customers to make a return trip the same day and spend between 10 and 13 hours in Marseille and at least 7 hours in Figari.
- (ii) At least two round trips per day on Saturdays, Sundays and public holidays.
- The services must be non-stop between Marseille and Figari.

— The capacity provided must satisfy the following conditions.

(i) The following minimum weekly capacities must be provided and indicated in the published timetables (combined capacity for both directions):

— a basic capacity of 1 400 seats per week throughout the year, increased to 1 600 seats per week during the IATA summer scheduling season,

— 1 200 seats per week should be added to this basic capacity during the ten-week period from late June to early September.

(ii) In view of the distribution of traffic peaks throughout the year, due to school and public holiday dates (in particular All Saints, Christmas, Easter, Ascension, bridging days, and departing and returning summer holiday-makers), additional capacities (combined capacity for both directions) must be offered and agreed in advance of each IATA scheduling season in a memorandum of understanding with the Corsican Transport Board:

— 1 000 seats to be allocated to peaks during the IATA winter scheduling season,

— 3 800 seats during a ten-week period from late June to early September,

— 5 200 seats to be allocated to peaks during the IATA summer scheduling season (excluding the ten-week period referred to above).

These minimum additional capacities must be offered for sale at least two months before the dates of the flights concerned.

(e) *Between Nice and Ajaccio*

— Frequency

(i) At least three round trips per day Monday to Friday, except on public holidays; morning and evening, to enable customers to make a return trip the same day and spend at least 8 hours at Ajaccio or 11 hours at Nice, and one in the middle of the day.

(ii) At least six round trips in total spread over Saturday and Sunday.

— The services must be non-stop between Ajaccio and Nice.

— The capacity provided must satisfy the following conditions.

(i) From Monday to Friday at least 60 seats must be provided in each direction, morning and evening.

(ii) The following minimum weekly capacities must be provided and indicated in the published timetables (combined capacity for both directions):

— a basic capacity of 2 500 seats per week throughout the year,

— to this basic capacity should be added:

— 900 seats per week during a ten-week period from late June to early September,

— 400 seats per week during the IATA summer scheduling season (excluding the ten-week period referred to above).

(iii) In view of the distribution of traffic peaks throughout the year, due to school and public holiday dates (in particular All Saints, Christmas, Easter, Ascension, bridging days, and departing and returning summer holiday-makers), additional capacities (combined capacity for both directions) must be offered and agreed in advance of each IATA scheduling season in a memorandum of understanding with the Corsican Transport Board:

— 1 500 seats to be allocated to peaks during the IATA winter scheduling season,

— 4 000 seats during a ten-week period from late June to early September,

— 3 000 seats to be allocated to peaks during the IATA summer scheduling season (excluding the ten-week period referred to above).

These minimum additional capacities must be offered for sale at least two months before the dates of the flights concerned.

(f) *Between Nice and Bastia*

— Frequency

(i) At least three round trips per day Monday to Friday, except on public holidays; morning and evening, to enable customers to make a return trip the same day and spend at least 8 hours at Bastia or 11 hours at Nice, and one in the middle of the day.

(ii) At least six round trips in total spread over Saturday and Sunday.

— The services must be non-stop between Bastia and Nice.

- The capacity provided must satisfy the following conditions.
- (i) From Monday to Friday at least 60 seats must be provided in each direction, morning and evening.
- (ii) The following minimum weekly capacities must be provided and indicated in the published timetables (combined capacity for both directions):
- a basic capacity of 2 500 seats per week throughout the year,
 - to this basic capacity should be added:
 - 500 seats per week during a ten-week period from late June to early September,
 - 250 seats per week during the IATA summer scheduling season (excluding the ten-week period referred to above).
- (iii) In view of the distribution of traffic peaks throughout the year, due to school and public holiday dates (in particular All Saints, Christmas, Easter, Ascension, bridging days, and departing and returning summer holidaymakers), additional capacities (combined capacity for both directions) must be offered and agreed in advance of each IATA scheduling season in a memorandum of understanding with the Corsican Transport Board:
- 1 500 seats to be allocated to peaks during the IATA winter scheduling season,
 - 3 000 seats during a ten-week period from late June to early September,
 - 3 000 seats to be allocated to peaks during the IATA summer scheduling season (excluding the ten-week period referred to above).
- These minimum additional capacities must be offered for sale at least two months before the dates of the flights concerned.
- (g) *Between Nice and Calvi*
- Frequency: at least one round trip per day.
 - The services must be non-stop between Nice and Calvi.
 - The capacity provided must satisfy the following conditions.
 - (i) The following minimum weekly capacities must be provided and indicated in the published timetables (combined capacity for both directions):
 - a basic capacity of 550 seats per week throughout the year,
 - to this basic capacity should be added:
 - 1 300 seats per week during a ten-week period from late June to early September,
 - 350 seats per week during the IATA summer scheduling season (excluding the ten-week period referred to above).
- (h) *Between Nice and Figari*
- Frequency: at least one round trip per day.
 - The services must be non-stop between Nice and Figari.
 - The capacity provided must satisfy the following conditions.
 - (i) The following minimum weekly capacities must be provided and indicated in the published timetables (combined capacity for both directions):
 - a basic capacity of 550 seats per week throughout the year,
 - to this basic capacity should be added:
 - 1 300 seats per week during a ten-week period from late June to early September,
 - 350 seats per week during the IATA summer scheduling season (excluding the ten-week period referred to above).
- These minimum additional capacities must be offered for sale at least two months before the dates of the flights concerned.

(ii) In view of the distribution of traffic peaks throughout the year, due to school and public holiday dates (in particular All Saints, Christmas, Easter, Ascension, bridging days, and departing and returning summer holiday-makers), additional capacities (combined capacity for both directions) must be offered and agreed in advance of each IATA scheduling season in a memorandum of understanding with the Corsican Transport Board:

- 1 000 seats to be allocated to peaks during the IATA winter scheduling season,
- 2 500 seats during a ten-week period from late June to early September,
- 2 200 seats to be allocated to peaks during the IATA summer scheduling season (excluding the ten-week period referred to above).

These minimum additional capacities must be offered for sale at least two months before the dates of the flights concerned.

2.2. Fares

The following fares exclude distribution costs and per capita taxes and duties charged by the State, local authorities and airport authorities, and identified as such on the air ticket.

- The normal single fare on Marseille-Corsica routes must be no more than EUR 102, and no more than EUR 107 during the ten-week period from late June to early September; on Nice-Corsica routes, it must be no more than EUR 99, and no more than EUR 104 during the ten-week period from late June to early September.
- Passengers whose principal place of residence is in Corsica and who use tickets purchased in Corsica, the validity of which is restricted to a stay outside the island of less than 40 days, in order to make a round trip starting from Corsica, other than resident students under 27 years of age, must be entitled to a fare of EUR 42 per leg on Marseille-Corsica routes and a fare of EUR 39 per leg on Nice-Corsica routes all year round on all flights, without capacity restriction.
- The following categories of passengers must be entitled to a fare of EUR 45 per leg, increased to EUR 50 per leg during the ten-week period from late June to early September, on Marseille-Corsica routes, and to a fare of EUR 42 per leg, increased to EUR 47 per leg during the ten-week period from late June to early September, on Nice-Corsica routes:

- (i) young persons (under 25 years of age);
- (ii) senior citizens (aged 60 years or over);
- (iii) students under 27 years of age;
- (iv) families (at least two members of the same family travelling together);
- (v) disabled persons.

In respect of at least 50 % of daily capacity in each direction on each route, carriers must authorise the sale of tickets at the above fares to the above categories of passenger without any restriction whatsoever until the last seat available has been sold.

For the above categories of passenger, and for residents of Corsica, carriers may require tickets to be issued and paid for by a deadline proportional to the period of advance reservation, in accordance with a table drawn up for that purpose.

If an abnormal and unforeseeable increase in the cost factors affecting the operation of the routes takes place for which the carriers are not responsible, these maximum fares may be raised in proportion to the increase. The new maximum fares will be notified to the carriers operating the services and will apply within an appropriate period. They will also be communicated forthwith to the European Commission for publication in the *Official Journal of the European Union*.

2.3. Continuity of service

Except in cases of *force majeure*, the number of flights cancelled for reasons directly attributable to the carrier must not exceed 1 % of the number of flights, other than additional flights, scheduled in any IATA scheduling season.

In accordance with Article 4(1)(c) of Regulation (EEC) No 2408/92, any carrier intending to operate any of these routes must undertake to do so for at least twelve consecutive months.

The carrier may discontinue these services only on the first day of an IATA winter scheduling season, and only after giving at least six months' advance notice.

Community carriers should be aware that operation of these routes without complying with the public service obligations mentioned above may, in addition to incurring the stipulated administrative and/or legal penalties, lead to their being banned from taking part in any tender procedures organised by the Corsican regional authorities for a period of at least 5 years.

Amendment by France of public service obligations imposed on scheduled air services between Ajaccio, Bastia, Calvi and Figari, and Paris-Orly airport

(2005/C 149/06)

(Text with EEA relevance)

1. Pursuant to the decision of the Corsican regional authorities of 31 March 2005, France has decided to amend, from 30 October 2005, the public service obligations imposed on scheduled air services between Paris-Orly on the one hand and Ajaccio, Bastia, Calvi and Figari on the other, as published in the *Official Journal of the European Communities* C 85 of 9 April 2002 pursuant to Article 4(1)(a) of Council Regulation (EEC) No 2408/92 on access for Community air carriers to intra-Community air routes.

In accordance with Article 9 of Council Regulation (EEC) No 95/93 of 18 January 1993 on common rules for the allocation of slots at Community airports, the French authorities have decided to reserve certain slots at Orly airport for the operation of the abovementioned services.

2. The amended public service obligations take account of Corsica's island status and are as follows:

2.1. Minimum frequency, timetables, type of aircraft used and capacity provided

(a) *Between Paris-Orly and Ajaccio*

Frequency

(i) At least three round trips per day Monday to Friday, except on public holidays, with the timetables enabling passengers to make a return trip the same day and spend at least 10 hours in Paris or 7 hours in Ajaccio.

(ii) At least three round trips per day, evenly spread throughout the day, on Saturdays, Sundays and public holidays.

The services must be operated by turbojet aircraft.

The services must be non-stop between Paris-Orly and Ajaccio.

The capacity provided must satisfy the following conditions.

(i) At least 160 seats must be provided in each direction during the IATA summer scheduling season, and at least 140 seats during the IATA winter scheduling season:

— from Monday to Friday, except for public holidays, in each direction, in the morning and in the evening after 18.00,

— on Sunday, unless the following Monday is a public holiday, on a flight after 18.00 from Corsica to Paris,

— on the last day of a long weekend where the day before Saturday and/or after Sunday is a public holiday, on a flight after 18.00 from Corsica to Paris,

— on a single-day public holiday occurring on Tuesday, Wednesday or Thursday, on a flight after 18.00 from Corsica to Paris.

(ii) The following minimum capacities must be offered and indicated in the published timetables (total capacity in both directions):

— throughout the year, a basic capacity of 850 seats per day,

— to this basic capacity should be added:

— 1 200 seats per day during a ten-week period from late June to early September,

— 600 seats per day from late March to late October (excluding the ten-week period referred to above).

(iii) In view of the distribution of traffic peaks throughout the year, due to school and public holiday dates (in particular All Saints, Christmas, Easter, Ascension, bridging days, and departing and returning summer holidaymakers), additional capacities (combined capacity for both directions) must be offered, agreed in advance of each IATA scheduling season in a memorandum of understanding with the Corsican Transport Board, focusing on:

— the first and last days of school holidays,

— a single-day holiday occurring on Tuesday, Wednesday or Thursday and the day before that holiday,

— the day before and the last day of long weekends, where the day before Saturday and/or after Sunday is a public holiday.

The minimum additional capacity is as follows:

- 12 000 seats to be allocated to traffic peaks during the IATA winter scheduling season,
- during a ten-week period in summer (from late June to early September): 2 800 seats per week, plus 10 000 additional seats over the period on flights tailored to the calendar each year in order to cover extra demand at the following peak times: early July, mid-July, late July/early August, mid-August, and late August/start of the school year,
- 33 000 seats to be allocated to peaks during the rest of the IATA summer scheduling season (excluding the ten-week period referred to above).

These additional capacities must be offered for sale at least two months before the dates of the flights concerned.

(b) *Between Paris-Orly and Bastia*

Frequency

- (i) At least three round trips per day Monday to Friday, except on public holidays, with the timetables enabling passengers to make a return trip the same day and spend at least 10 hours in Paris or 7 hours in Bastia.
- (ii) At least three round trips per day, evenly spread throughout the day, on Saturdays, Sundays and public holidays.

The services must be operated by turbojet aircraft.

The services must be non-stop between Paris-Orly and Bastia.

The capacity provided must satisfy the following conditions.

- (i) At least 160 seats must be provided in each direction during the IATA summer scheduling season, and at least 140 seats during the IATA winter scheduling season:
 - from Monday to Friday, except for public holidays, in each direction, in the morning and in the evening after 18.00,
 - on Sunday, unless the following Monday is a public holiday, on a flight after 18.00 from Corsica to Paris,
 - on the last day of a long weekend where the day before Saturday and/or after Sunday is a public holiday, on a flight after 18.00 from Corsica to Paris,
 - on a single-day public holiday occurring on Tuesday, Wednesday or Thursday, on a flight after 18.00 from Corsica to Paris.

- (ii) The following minimum capacities must be offered and indicated in the published timetables (total capacity in both directions):

- throughout the year, a basic capacity of 850 seats per day,
- to this basic capacity should be added:
 - 800 seats per day during a ten-week period from late June to early September,
 - 250 seats per day from late March to late October (excluding the ten-week period referred to above).

- (iii) In view of the distribution of traffic peaks throughout the year, due to school and public holiday dates (in particular All Saints, Christmas, Easter, Ascension, bridging days, and departing and returning summer holidaymakers), additional capacities (combined capacity for both directions) must be offered, agreed in advance of each IATA scheduling season in a memorandum of understanding with the Corsican Transport Board, focusing on:

- the first and last days of school holidays,
- a single-day holiday occurring on Tuesday, Wednesday or Thursday and the day before that holiday,
- the day before and the last day of long weekends where the day before Saturday and/or after Sunday is a public holiday.

The minimum additional capacity is as follows:

- 10 000 seats to be allocated to traffic peaks during the IATA winter scheduling season,
- during a ten-week period in summer (from late June to early September): 2 000 seats per week, plus 10 000 additional seats over the period on flights tailored to the calendar each year in order to cover extra demand at the following peak times: early July, mid-July, late July/early August, mid-August, and late August/start of the school year,
- 33 000 seats to be allocated to peaks during the rest of the IATA summer scheduling season (excluding the ten-week period referred to above).

These additional capacities must be offered for sale at least two months before the dates of the flights concerned.

(c) *Between Paris-Orly and Calvi*

Frequency

- (i) At least five round trips per week, including three from Friday to Sunday and one mid-week, with the capacity to carry at least 140 passengers each way on each of the days in question, during the IATA winter scheduling season.
- (ii) At least one round trip per day, with the capacity to carry at least 140 passengers, during the IATA summer scheduling season.

The services must be operated by turbojet aircraft.

The services must be non-stop between Paris-Orly and Calvi.

The capacity provided must satisfy the following conditions.

- (i) The following minimum capacities must be offered and indicated in the published timetables (total capacity in both directions):

- a basic capacity of 1 400 seats per week throughout the year,
- from the end of March to the end of October, the minimum capacity must be at least 140 seats in the afternoon:
 - on Fridays from Paris to Calvi,
 - on Sunday, unless the following Monday is a public holiday, from Calvi to Paris,
 - where the day before Saturday and/or after Sunday is a public holiday, on the day before the long weekend from Paris to Calvi and on the last day of the long weekend from Calvi to Paris,
 - on the day before a public holiday from Paris to Calvi and on the public holiday itself from Calvi to Paris in the case of a single-day public holiday occurring on Tuesday, Wednesday or Thursday;
- to this basic capacity should be added:
 - 2 800 seats per week during a ten-week period from late June to early September,
 - 650 seats per week from late March to late October (excluding the ten-week period referred to above).

- (ii) In view of the distribution of traffic peaks throughout the year, due to school and public holiday dates (in particular All Saints, Christmas, Easter, Ascension, bridging days, and departing and returning summer holidaymakers), additional capacities (combined capacity for both directions) must be offered, agreed in advance of each IATA scheduling season in a memorandum of understanding with the Corsican Transport Board, focusing on:
 - the first and last days of school holidays,
 - a single-day holiday occurring on Tuesday, Wednesday or Thursday and the day before that holiday,
 - the day before and the last day of long weekends where the day before Saturday and/or after Sunday is a public holiday.

— the first and last days of school holidays,

— a single-day holiday occurring on Tuesday, Wednesday or Thursday and the day before that holiday,

— the day before and the last day of long weekends where the day before Saturday and/or after Sunday is a public holiday.

The minimum additional capacity is as follows:

- 2 000 seats to be allocated to traffic peaks during the IATA winter scheduling season,
- during a ten-week period in summer (from late June to early September): 1 900 seats per week, plus 7 300 additional seats over the period on flights tailored to the calendar each year in order to cover extra demand at the following peak times: early July, mid-July, late July/early August, mid-August, and late August/start of the school year,
- 15 000 seats to be allocated to peaks during the rest of the IATA summer scheduling season (excluding the ten-week period referred to above).

These additional capacities must be offered for sale at least two months before the dates of the flights concerned.

(d) *Between Paris-Orly and Figari*

Frequency

- (i) At least five round trips per week, including three from Friday to Sunday, with the capacity to carry at least 140 passengers each way on each of the days in question, during the IATA winter scheduling season.
- (ii) At least seven round trips per week with the capacity to carry at least 140 passengers each way on each of the days in question, during the IATA summer scheduling season.

The services must be operated by turbojet aircraft.

- the day before and the last day of long weekends where the day before Saturday and/or after Sunday is a public holiday.

The services must be non-stop between Paris-Orly and Figari.

The capacity provided must satisfy the following conditions.

The minimum additional capacity is as follows:

(i) The following minimum capacities must be offered and indicated in the published timetables (total capacity in both directions):

- 2 000 seats to be allocated to traffic peaks during the IATA winter scheduling season,

- a basic capacity of 1 490 seats per week throughout the year,

- during a ten-week period in summer (from late June to early September): 1 900 seats per week, plus 7 300 additional seats over the period on flights tailored to the calendar each year in order to cover extra demand at the following peak times: early July, mid-July, late July/early August, mid-August, and late August/start of the school year,

- throughout the year, there must be sufficient capacity to carry at least 160 passengers after 18.00:

- on Fridays from Paris to Figari,

- 15 000 seats to be allocated to peaks during the rest of the IATA summer scheduling season (excluding the ten-week period referred to above).

- on Sunday, unless the following Monday is a public holiday, from Figari to Paris,

- where the day before Saturday and/or after Sunday is a public holiday, on the day before the long weekend from Paris to Figari and on the last day of the long weekend from Figari to Paris,

These additional capacities must be offered for sale at least two months before the dates of the flights concerned.

- on the day before a public holiday from Paris to Figari and on the public holiday itself from Figari to Paris in the case of a single-day public holiday occurring on Tuesday, Wednesday or Thursday;

2.2. Fares

- to this basic capacity should be added:

- 2 800 seats per week during a ten-week period from late June to early September,

The following fares exclude distribution costs and per capita taxes and duties levied by the State, local authorities and airport authorities, and identified as such on the air ticket, but include value added tax (VAT) on the mainland section of the route.

- 650 seats per week from late March to late October (excluding the ten-week period referred to above).

(ii) In view of the distribution of traffic peaks throughout the year, due to school and public holiday dates (in particular All Saints, Christmas, Easter, Ascension, bridging days, and departing and returning summer holidaymakers), additional capacities (combined capacity for both directions) must be offered, agreed in advance of each IATA scheduling season in a memorandum of understanding with the Corsican Transport Board, focusing on:

- The normal single fare on routes between Paris-Orly and Corsica must be no more than EUR 136, and no more than EUR 167 during the ten-week period from late June to early September.

- the first and last days of school holidays,

- Passengers whose principal place of residence is in Corsica and who use tickets purchased in Corsica, the validity of which is restricted to a stay outside the island of less than 40 days, in order to make a round trip, other than resident students under 27 years of age, must be entitled to a return fare of EUR 136 all year round on all flights on routes between Paris-Orly and Corsica, without capacity restriction.

- a single-day holiday occurring on Tuesday, Wednesday or Thursday and the day before that holiday,

— The following categories of passengers must be entitled to a fare of EUR 75 per leg, increased to EUR 86 per leg during the ten-week period from late June to early September, on all flights on routes between Paris-Orly and Corsica:

- (i) young persons (under 25 years old);
- (ii) senior citizens (aged 60 years or over);
- (iii) students under 27 years of age;
- (iv) families (at least two members of the same family travelling together);
- (v) disabled persons.

In respect of at least 50 % of daily capacity in each direction on each route, carriers must authorise the sale of tickets at the above fares to the above categories of passenger without any restriction whatsoever until the last seat available has been sold.

For the above categories of passenger, and for residents of Corsica, carriers may require tickets to be issued and paid for by a deadline proportional to the period of advance reservation, in accordance with a table drawn up for that purpose.

If an abnormal and unforeseeable increase in the cost factors affecting the operation of the routes takes place for which the carriers are not responsible, these maximum fares may be

raised in proportion to the increase. The new maximum fares will be notified to the carriers operating the services and will apply within an appropriate period. They will also be communicated forthwith to the European Commission for publication in the *Official Journal of the European Union*.

2.3. Continuity of service

Except in cases of force majeure, the number of flights cancelled for reasons directly attributable to the carrier must not exceed 1 % of the number of flights scheduled in any IATA scheduling season.

In accordance with Article 4(1)(c) of Regulation (EEC) No 2408/92, any carrier intending to operate any of these routes must undertake to do so for at least 12 consecutive months.

The carrier may discontinue these services only on the first day of an IATA winter scheduling season, and only after giving at least six months' advance notice.

Community carriers should be aware that repeated serious failure to fulfil the public service obligations mentioned above may, in addition to incurring the stipulated administrative and/or legal penalties, lead to their being banned from taking part in any tender procedures organised by the Corsican regional authorities for a period of at least 5 years.

Cancellation by France of public service obligation imposed on scheduled air services between Corsica and Lyon and between Corsica and Montpellier

(2005/C 149/07)

(Text with EEA relevance)

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, in accordance with the decision of the Territorial Collectivity of Corsica of 31 March 2005, to cancel the public service obligation imposed on the following scheduled air-services, with effect from 30 October 2005:

- between Lyon and Ajaccio, Lyon and Bastia, Lyon and Calvi, and Lyon and Figari, as published in the *Official Journal of the European Communities* C 297 of 19 October 2000;
 - between Montpellier and Ajaccio and between Montpellier and Bastia, as published in the *Official Journal of the European Communities* C 9 of 15 January 2003.
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Prior notification of a concentration
(Case COMP/M.3845 — PAI/Chr. Hansen)

(2005/C 149/08)

(Text with EEA relevance)

1. On 13 June 2005, 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 PAI partners S.A.S. ('PAI', France) acquires within the meaning of Article 3(1)(b) of the Council Regulation control of the whole of the food ingredients activities collectively named Chr. Hansen ('Chr. Hansen') of Chr. Hansen Holding A/S ('Chr. Hansen A/S', Denmark) by way of purchase of shares and assets.

2. The business activities of the undertakings concerned are:

— for PAI: private equity fund;

— for Chr. Hansen: production and sale of food ingredients (in particular dairy enzymes, dairy cultures, natural colours, flavours).

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.3845 — PAI/Chr. Hansen, to the following address:

European Commission
Directorate-General for Competition
Merger Registry
J-70
B-1049 Brussels

⁽¹⁾ OJ L 24, 29.1.2004, p. 1.

Non-opposition to a notified concentration
(Case COMP/M.3812 — Goldman Sachs/Euramax)

(2005/C 149/09)

(Text with EEA relevance)

On 6 June 2005, the Commission decided not to oppose the above notified concentration and to declare it compatible with the common market. This decision is based on Article 6(1)(b) of Council Regulation (EC) No 139/2004. The full text of the decision is available only in English and will be made public after it is cleared of any business secrets it may contain. It will be available:

- from the Europa competition web site (<http://europa.eu.int/comm/competition/mergers/cases/>). This web site provides various facilities to help locate individual merger decisions, including company, case number, date and sectoral indexes,
 - in electronic form on the EUR-Lex website under document number 32005M3812. EUR-Lex is the on-line access to European law. (<http://europa.eu.int/eur-lex/lex>)
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III

(Notices)

COMMISSION

LIFE 2005-2006
CALL FOR PROPOSALS

(2005/C 149/10)

The Commission invites 'legal entities' established in the European Union and in the candidate countries associated to LIFE to present proposals for the LIFE selection round 2005-2006. Candidate countries associated to LIFE can take part in this round according to the provisions set up in the decisions by the Association Councils concerning their participation to LIFE. Currently: Romania.

Applications

Proposals must be written on specific application forms. The application file that includes detailed explanations in regard to eligibility and procedures, as well as the required application forms can be obtained from the Commission's web-site on the following address:

<http://www.europa.eu.int/comm/environment/life/home.htm>

Where and when to submit a project

Detailed instructions are contained in the application file for each LIFE sector.

The following calls are covered by this announcement:1. LIFE-Nature projects*Objective:*

projects aiming at the conservation of natural habitats and of wild fauna and flora of Community and (for candidate countries only) international interest.

Deadline:

- All projects concerning the above objective and covering not less than 80 % of the 2006 budget for LIFE-Nature shall be submitted to the national competent authorities at the latest by 30 September 2005.

- Projects will then be submitted (two paper copies) by the national authorities to the Commission at the latest by 31 October 2005.

- Member States and candidate countries associated to LIFE may change the national submission deadline and the total number of copies required. It will be up to them to inform the public consequently.

An additional call for proposals, covering up to 20 % of the 2006 budget for LIFE Nature, will be launched in autumn 2005, to support the preparation of, at least, long-term national plans for the period 2007-2013, aimed at achieving a favourable conservation status for the habitats and/or species targeted by the EU 'birds' and 'habitats' directives. This call will be aimed at Member States' national authorities in charge of implementing Natura 2000. The proposed deadline for submitting proposals is 31 December 2005.

2. (a) LIFE-Environment Demonstration projects*Objective:*

demonstration projects which contribute to the development of innovative and integrated techniques and methods, and to the further development of Community environment policy, and which

- integrate environmental and sustainable development considerations into land-use development and planning, particularly in urban and coastal areas, or

- promote the sustainable management of ground and surface water, or

- minimise the environmental impact of economic activities, notably through the development of clean technologies and by placing the emphasis on prevention, including the reduction of emission of greenhouse gases, or

- promote the prevention, reuse, recovery and recycling of waste of all kinds and ensure the sound management of waste flows, or
- reduce the environmental impact of products through an integrated approach to production, distribution and consumption, and handling at the end of their life-time, including the development of environmentally-friendly products.

Deadline:

- All projects shall be submitted to the national competent authorities at the latest by 30 September 2005.
- Projects will then be submitted (two paper copies) by the national authorities to the Commission at the latest by 30 November 2005.
- Member States and candidate countries associated to LIFE may change the national submission deadline and the total number of copies required. It will be up to them to inform the public.

2. (b) LIFE Environment Preparatory Projects

Objective:

Projects which are preparatory to the development of new Community environmental actions and instruments, and/or to the updating of environmental legislation and policies.

Deadline:

Proposals should be sent directly to the Commission by 30 November 2005 (two paper copies). The proposals must be sent or delivered by registered letter, by private courier or by hand by the fixed deadline to the address indicated in the application file. Faxes, electronic mail, incomplete applications, or applications sent in several parts will not be accepted. Proposals sent by the fixed deadline but received by the Commission after **30 November 2005** will not be considered eligible.

3. LIFE Third Countries projects

Objective:

projects of technical assistance which contribute to the establishment of the means and administrative structures needed in the environmental sector and in the development of environmental policy and action programmes in eligible third countries bordering on the Mediterranean and Baltic Seas.

Deadline:

- All projects shall be submitted to the national competent authorities at the latest by 31 October 2005.
- Projects will then be submitted (two paper copies) by the national authorities to the Commission at the latest by 30 November 2005.
- The national authorities may change the national submission deadline and the total number of copies required. It will be up to them to inform the public.

NO-Oslo: operation of scheduled air services**Cancellation**

(“Supplement to the *Official Journal of the European Union*’ No S 115 of 16.6.2005, open procedure, 113429-2005)

(2005/C 149/11)

Ministry of Transport and Communications, PO Box 8010 Dep, 0030 Oslo, Norway; tel. (47) 22 24 83 53, fax: (47) 22 24 56 09.

This notice has been cancelled.

F-Paris: 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

(2005/C 149/12)

1. **Introduction:** Pursuant to Article 4(1)(a) of Regulation (EEC) No 2408/92 of 23 July 1992 on access for Community air carriers to intra-Community air routes, France has imposed public service obligations on scheduled air services between Strasbourg and Amsterdam, Strasbourg and Milan and Strasbourg and Munich, the standards required for which were published in the *Official Journal of the European Union* C 85/04 of 9.4.2002, C 257/04 and C 257/05 of 25.10.2003 respectively.

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

- Strasbourg – Amsterdam,
- Strasbourg – Milan (Malpensa/Linate/Bergame),
- Strasbourg – Munich.

If on 17 September 2005 no air carrier has commenced or is about to commence operating the routes in question 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 procedure laid down in Article 4(1)(d) of the above-mentioned Regulation, to limit access to each of these routes to a single carrier and, after the invitation to tender, to offer the right to operate such services from 17 October 2005 until the day before the start of the IATA 2007 summer scheduling season, i.e. 24 March 2007.

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 listed in paragraph 1 above, operation from 17 October 2005 of scheduled air services in accordance with the public service obligations concerned, as published in the *Official Journal of the European Union* C 85/04 of 9.4.2002 and in the *Official Journal of the European Union* C 257 of 25.10.2003.

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 July 1992 on licensing of air carriers.

4. **Tender procedure:** Each invitation to tender is subject to the provisions of Article 4(1)(d), (e), (f), (g), (h) and (i) of 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 the Strasbourg airport catchment area, note on Strasbourg airport, market study, note on the European Parliament and text of the public service obligations published in the *Official Journal of the European Union*), is obtainable free of charge from:

Ministère des affaires étrangères, Direction des affaires budgétaires et financières, Sous-direction du budget et des interventions financières, Bureau des interventions, 23 rue La Pérouse, F-75775 Paris Cedex 16. Tel. (33-1) 43 17 77 99; fax: (33-1) 43 17 77 69. E-mail: marie-francoise.luciani@diplomatie.gouv.fr.

6. **Bank guarantee:** A bank guarantee of EUR 1 000 000 must be provided by a bank established in the European Union at long-term Standard and Poors A+ rating (or equivalent). This guarantee will be taken up in respect of all unsuccessful bidders as soon as the bid opening committee has taken a decision. It will ensure that the contract is duly carried out throughout the term of the contract with the successful bidder and will be taken up only when the books are finally closed.

7. **Financial compensation:** Tenders must explicitly state the amount of compensation required for the operation of each route for the planned length of the contract (with a breakdown for a first period from 17 October 2005 to 25 March 2006 and a second period from 26 March 2006 to 24 March 2007). The exact amount of compensation finally granted will be determined for each period 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.

8. **Fares:** Tenders must indicate the proposed fare structure and the conditions under which changes may be introduced.

9. **Duration, amendment and termination of the contract:** The contract will begin on 17 October 2005. It will end the day before the start of the IATA 2007 summer scheduling season, i.e. on 24 March 2007. The operation of the contracted services will be the subject of an examination in cooperation with the carrier at the end of each of the 2 periods specified in Article 7. 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 the services, in accordance with the public service obligations published in the *Official Journal of the European Union* C 85 of 9.4.2002 and the *Official Journal of the European Union* C 257 of 25.10.2003.

10. **Penalties:** Failure by the carrier to observe the period of notice referred to in point 9 will be subject to a penalty. This is calculated by applying:

- in the first period, from the start of the contract on 25 March 2006, a coefficient of 3 to the average monthly deficit recorded over the first operating months multiplied by the number of months of default;
- in the following year, a coefficient of 3 to the average monthly deficit recorded over the previous period 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,
- ask the carrier for explanations. 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.

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

Ministère des Affaires Étrangères, Direction des affaires budgétaires et financières, Sous-direction du budget et des interventions financières, Bureau des interventions, 23 rue La Pérouse, F-75775 Paris Cedex 16,

at the latest 5 weeks after the date of publication of this invitation to tender in the *Official Journal of the European Union*, and must be sent by registered letter with acknowledgement of receipt, date as on the receipt, or delivered by hand with acknowledgement of receipt.

12. **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 17 September 2005 a programme for operating the route in question from 17 October 2005 in accordance with the public service obligation imposed, without requesting any financial compensation.
