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EN

Price:
EUR 3

⁽¹⁾ Text with EEA relevance

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II

*(Information)*INFORMATION FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES
AND AGENCIES

EUROPEAN COMMISSION

Authorisation for State aid pursuant to Articles 107 and 108 of the TFEU**Cases where the Commission raises no objections****(Text with EEA relevance)**

(2010/C 230/01)

Date of adoption of the decision	5.1.2010
Reference number of State aid	N 625/09
Member State	Spain
Region	Galicia
Title (and/or name of the beneficiary)	Ayudas para daños causados en los establecimientos comerciales, industriales, turísticos y mercantiles por el temporal acaecido en Galicia a partir del 23 de enero de 2009
Legal basis	<ul style="list-style-type: none"> — Decreto 13/2009, de 29 de enero, de medidas urgentes para la reparación de los daños causados por el temporal acaecido en Galicia a partir del 23 de enero de 2009. — Orden del 2 de febrero de 2009 que regula la concesión de ayudas por daños provocados en los establecimientos comerciales, industriales, turísticos y mercantiles y en las infraestructuras energéticas y turísticas de titularidad municipal, por la que se desarrolla el Decreto 13/2009, del 29 de enero
Type of measure	Aid scheme
Objective	Compensation for damage caused by natural disasters or exceptional occurrences
Form of aid	Direct grant
Budget	Overall budget: EUR 2,6 million
Intensity	≤ 100 %
Duration (period)	4.3.2009-4.11.2009
Economic sectors	All sectors

Name and address of the granting authority	Consejero de Economía e Industria Calle San Caetano s/n. Bloque 5, 4 ^a 15781 Santiago de Compostela ESPAÑA
Other information	—

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

http://ec.europa.eu/community_law/state_aids/state_aids_texts_en.htm

Date of adoption of the decision	30.4.2010
Reference number of State aid	N 646/09
Member State	Italy
Region	—
Title (and/or name of the beneficiary)	Banda larga nelle aree rurali. Progetto di intervento pubblico nell'ambito dei Programmi di Sviluppo rurale 2007-2013
Legal basis	PSN 2007-2013. PSR regionali 2007-2013
Type of measure	Aid scheme
Objective	Execution of important projects of common European interest, Innovation
Form of aid	Direct grant
Budget	Overall budget: EUR 210,5 million
Intensity	100 %
Duration (period)	1.1.2010-31.12.2015
Economic sectors	Post and telecommunications
Name and address of the granting authority	Ministero per le Politiche Agricole
Other information	—

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

http://ec.europa.eu/community_law/state_aids/state_aids_texts_en.htm

Date of adoption of the decision	23.6.2010
Reference number of State aid	N 224/10
Member State	Hungary
Region	—

Title (and/or name of the beneficiary)	Tőkeemelés és befolyásszerzés
Legal basis	2008. évi CIV. törvény a pénzügyi közvetítőrendszer stabilitásának erősítéséről
Type of measure	Aid scheme
Objective	Aid to remedy serious disturbances in the economy
Form of aid	Other forms of equity intervention
Budget	Overall budget: HUF 300 000 million
Intensity	—
Duration (period)	1.7.2010-31.12.2010
Economic sectors	Financial intermediation
Name and address of the granting authority	Pénzügyminisztérium Budapest József nádor tér 2-4. 1051 MAGYARORSZÁG/HUNGARY
Other information	—

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

http://ec.europa.eu/community_law/state_aids/state_aids_texts_en.htm

Date of adoption of the decision	22.6.2010
Reference number of State aid	N 249/10
Member State	Germany
Region	—
Title (and/or name of the beneficiary)	Verlängerung der einstweiligen Genehmigung zusätzlicher Beihilfen für die WestLB AG im Rahmen der Auslagerung von Vermögenswerten
Legal basis	Finanzmarktstabilisierungsfondsgesetz
Type of measure	Individual aid
Objective	Aid to remedy serious disturbances in the economy
Form of aid	Other forms of equity intervention
Budget	Overall budget: EUR 3 000 million
Intensity	—
Duration (period)	—
Economic sectors	Financial intermediation

Name and address of the granting authority	Sonderfonds Finanzmarktstabilisierung (SoFFin) Taunusanlage 6 60329 Frankfurt am Main Land Nordrhein-Westfalen DEUTSCHLAND Stadttor 1 40219 Düsseldorf DEUTSCHLAND
Other information	—

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

http://ec.europa.eu/community_law/state_aids/state_aids_texts_en.htm

Authorisation for State aid pursuant to Articles 107 and 108 of the TFEU

Cases where the Commission raises no objections

(Text with EEA relevance)

(2010/C 230/02)

Date of adoption of the decision	8.2.2010
Reference number of State Aid	N 596/09
Member State	Italy
Region	Lombardia
Title (and/or name of the beneficiary)	Strategia per la riduzione del digital divide in Lombardia
Legal basis	Delibera Giunta Regionale Lombardia n. 10707/2009 «Determinazioni in ordine alla diffusione di servizi a banda larga nelle aree in digital divide in fallimento di mercato in Lombardia»; dlgs. 1 agosto 2003 n. 259, «Codice delle comunicazioni elettroniche»; dlgs. 7 marzo 2005 n. 82, «Codice della pubblica amministrazione digitale»; delibera CIPE n. 166, 21 dicembre 2007 «Attuazione del Quadro Strategico Nazionale (QSN) 2007-2013 Programmazione del Fondo per le Aree Sottoutilizzate».
Type of measure	Aid scheme
Objective	Sectoral development
Form of aid	Direct grant
Budget	Overall budget: EUR 41 million
Intensity	70 %
Duration (period)	Until 2011
Economic sectors	Post and telecommunications
Name and address of the granting authority	Regione Lombardia
Other information	—

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

http://ec.europa.eu/community_law/state_aids/state_aids_texts_en.htm

Date of adoption of the decision	6.7.2010
Reference number of State Aid	N 654/09
Member State	France
Region	Réunion
Title (and/or name of the beneficiary)	Aménagement de zones d'activités à la Réunion

Legal basis	Articles L. 1511-3 et L. 4211-1 du code général des collectivités territoriales
Type of measure	Aid scheme
Objective	Regional development
Form of aid	Direct grant
Budget	Annual budget: EUR 8,9 million Overall budget: EUR 63 million
Intensity	—
Duration (period)	Until 31.12.2013
Economic sectors	All sectors
Name and address of the granting authority	Ministère de l'intérieur, de l'outre-mer et des collectivités territoriales 27 rue Oudinot 75007 Paris FRANCE
Other information	—

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

http://ec.europa.eu/community_law/state_aids/state_aids_texts_en.htm

IV

(Notices)

NOTICES FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES AND AGENCIES

EUROPEAN COMMISSION

Euro exchange rates ⁽¹⁾

25 August 2010

(2010/C 230/03)

1 euro =

Currency	Exchange rate	Currency	Exchange rate		
USD	US dollar	1,2613	AUD	Australian dollar	1,4349
JPY	Japanese yen	106,49	CAD	Canadian dollar	1,3449
DKK	Danish krone	7,4475	HKD	Hong Kong dollar	9,8098
GBP	Pound sterling	0,81850	NZD	New Zealand dollar	1,8101
SEK	Swedish krona	9,4710	SGD	Singapore dollar	1,7169
CHF	Swiss franc	1,2994	KRW	South Korean won	1 509,33
ISK	Iceland króna		ZAR	South African rand	9,3234
NOK	Norwegian krone	8,0165	CNY	Chinese yuan renminbi	8,5751
BGN	Bulgarian lev	1,9558	HRK	Croatian kuna	7,2770
CZK	Czech koruna	24,920	IDR	Indonesian rupiah	11 329,59
EEK	Estonian kroon	15,6466	MYR	Malaysian ringgit	3,9650
HUF	Hungarian forint	284,35	PHP	Philippine peso	57,105
LTL	Lithuanian litas	3,4528	RUB	Russian rouble	39,0290
LVL	Latvian lats	0,7084	THB	Thai baht	39,715
PLN	Polish zloty	4,0070	BRL	Brazilian real	2,2324
RON	Romanian leu	4,2405	MXN	Mexican peso	16,4500
TRY	Turkish lira	1,9318	INR	Indian rupee	59,1500

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

NOTICES CONCERNING THE EUROPEAN ECONOMIC AREA

EFTA SURVEILLANCE AUTHORITY

Announcement from Norway concerning Directive 94/22/EC of the European Parliament and of the Council on the conditions for granting and using authorisations for the prospection, exploration and production of hydrocarbons**Announcement of invitation to apply for petroleum production licences on the Norwegian Continental Shelf — 21st licensing round**

(2010/C 230/04)

The Norwegian Ministry of Petroleum and Energy hereby announces an invitation to apply for petroleum production licences in accordance with Directive 94/22/EC of the European Parliament and of the Council of 30 May 1994 on the conditions for granting and using authorisations for the prospection, exploration and production of hydrocarbons, Article 3(2)(a).

Production licences will be awarded to joint stock companies registered in Norway or in another State party to the Agreement on the European Economic Area (the EEA Agreement), or to natural persons domiciled in a State party to the EEA Agreement. The joint stock company shall have a minimum equity share capital of NOK 1 million or an amount equivalent to this in the currency of the country of registration.

Companies which are not presently licensees on the Norwegian Continental Shelf may be awarded production licences if they are qualified as licensees on the Norwegian Continental Shelf.

Companies submitting individual applications and companies applying as part of a group will be treated on equal terms by the Ministry. Applicants submitting an individual application, or applicants being part of a group submitting a joint application, will all be considered as an applicant for a production licence. The Ministry may, on the basis of applications submitted by groups or individual applicants, determine the composition of the licence groups and appoint the operator for such groups.

The award of a participating interest in a production licence will be subject to the licensees' entering into an Agreement for Petroleum Activities, including a Joint Operating Agreement and an Accounting Agreement. If the production licence is stratigraphically divided, the licensees of the two stratigraphically divided licences will also be required to enter into a specific Joint Operating Agreement, regulating the relationship between them in this respect.

Upon signing the said agreements the licensees will form a joint venture in which the size of their participating interest will at all times be identical to their participating interest in the production licence.

The licence documents will mainly be based on relevant documents from the Awards in Predefined Areas 2010 and 20th licensing round. The aim is to make the main elements of any adjustments to the framework available to the industry prior to the time of application.

Criteria for the award of a production licence

To promote good resource management and rapid and efficient exploration for and production of petroleum on the Norwegian Continental Shelf, including the composition of licence groups to ensure this, the following criteria shall apply to the award of participating interests in production licences and to the appointment of operator:

- (a) the relevant technical expertise of the applicant, including expertise related to development work, research, safety and the environment, and how this expertise may actively contribute to cost effective exploration and, as appropriate, the production of petroleum from the geographical area in question;
- (b) that the applicant has the satisfactory financial capacity to carry out exploration for and, as appropriate, production of petroleum in the geographical area in question;
- (c) the applicant's geological understanding of the geographical area in question, and how the licensees propose to perform efficient exploration for petroleum;
- (d) the applicant's previous experience on the Norwegian Continental Shelf or equivalent relevant experience from other areas;
- (e) the Ministry's experience regarding the applicant's petroleum activities;
- (f) where applicants apply as part of a group, the composition of the group, the operator recommended and the collective competence of the group will be taken into account;
- (g) production licences will mainly be awarded to a joint venture where at least one participant has drilled at least one exploration well on the Norwegian Continental Shelf as operator, or has equivalent relevant operational experience outside the Norwegian Continental Shelf;
- (h) production licences will mainly be awarded to two or more participants, where at least one of them has experience as mentioned under (g);
- (i) the appointed operator for production licences in the Barents Sea must have drilled at least one exploration well on the Norwegian Continental Shelf as operator or have equivalent relevant operational experience outside the Norwegian Continental Shelf;
- (j) the appointed operator for production licences in deep waters must have drilled at least one exploration well on the Norwegian Continental Shelf as operator or have equivalent relevant operational experience outside the Norwegian Continental Shelf;
- (k) the appointed operator for production licences in which the drilling of exploration wells implies high pressure and/or high temperatures (HPHT), must have drilled at least one exploration well on the Norwegian Continental Shelf as operator or have equivalent relevant operational experience outside the Norwegian Continental Shelf.

Blocks available for application

Applications for petroleum production licences may be submitted for the following blocks or parts of blocks in the Norwegian Sea and the Barents Sea:

6301/3	7119/1,2,3
6302/1,2,3	7216/1,2,3
6303/7,8	7217/1,10,11
6401/12	7218/8,9
6402/10,11,12	7219/7,8
6404/9,12	7220/6,9,11,12
6506/5	7221/4
6601/6,9	7222/2,3
6602/4,7	7223/3,6
6605/2,3,5,6	7224/1,2,3,4,5
6606/1,2,3,7,8	7228/3,6
6607/1,2,3	7229/1,2,4,5
6609/3	7317/9
6610/1	7318/7,8,9
6704/11,12	7319/7,11,12
6705/7,10	7320/10,11
6706/7,8,9,10,11,12	7322/10,11
6707/7,10	7324/1,2,3,9
7118/3	7325/1,7

Maps showing the available blocks may be found on the web-page of the Norwegian Petroleum Directorate (Fact maps: <http://www.npd.no/en/Topics/Production-licences/Theme-articles/Licensing-rounds/21th-licensing-round/21round-utlysning/>), or by contacting the Ministry of Petroleum and Energy, tel. +47 22246209.

Applications for petroleum production licences shall be submitted to:

Ministry of Petroleum and Energy
P.O. Box 8148 Dep.
0033 Oslo
NORWAY

Deadline: 12.00 noon on 3 November 2010.

The award of petroleum production licences in the 21st licensing round on the Norwegian Continental Shelf will take place no less than 90 days after the date of publication of the invitation to submit applications and is planned spring 2011, but no later than 30 June 2011.

The work programme for each new licence in the 21st licensing round will be made public at the time of awards.

The full text of the announcement, including detailed maps of available areas may be obtained by visiting <http://www.npd.no/en/Topics/Production-licences/Theme-articles/Licensing-rounds/21th-licensing-round/21round-utlysning/> or by contacting the Ministry of Petroleum and Energy, tel. +47 22246209.

Communication from the EFTA Surveillance Authority under Article 4.1(a) of the Act referred to in point 64(a) of Annex XIII to the EEA Agreement (Council Regulation (EEC) No 2408/92 on access for Community air carriers to Community air routes)

**Imposition of public service obligations in respect of scheduled air services (helicopter)
Værøy-Bodø v.v.**

(2010/C 230/05)

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⁽¹⁾, Norway has decided to impose public service obligations as of 1 August 2011 in respect of scheduled air services on the following route:

1. Værøy-Bodø v.v.

**2. THE PUBLIC SERVICE OBLIGATIONS INCLUDE THE FOLLOWING SPECIFICATIONS FOR THE ROUTE
AREA VÆRØY-BODØ V.V.**

2.1. Minimum frequencies, seating capacity, routing and timetables

General requirements:

- the requirements apply throughout the year,
- the seating capacity offered shall be adjusted in accordance with the rules laid down by the Ministry of Transport and Communications in Appendix A to this publication,
- account shall be taken of the public demand for air travel.

Frequencies:

- minimum two daily return services Monday-Friday, one on Saturday and one on Sunday.

Seating capacity:

- in both directions at least 180 seats shall be offered weekly.

Routing:

The required services must be non-stop.

Timetables:

The following apply to the required flights on Monday-Friday (local times):

- at least 5 hours and 30 minutes between first arrival in Bodø and last departure from Bodø.

2.2. Aircraft category

Helicopter registered for minimum 15 passengers shall be used for the required flights.

⁽¹⁾ Regulation (EEC) No 2408/92 of 23 July 1992 has been replaced by Regulation (EC) No 1008/2008 of 24 September 2008. Regulation (EC) No 1008/2008 has not been included in the EEA Agreement. Legal authority for this tender is therefore Council Regulation (EEC) No 2408/92 that is in force as Norwegian regulation.

2.3. Technical and operative conditions

Carriers' attention is especially drawn to technical and operative conditions applying at the airports. For further information, please contact:

Luftfartstilsynet (Civil Aviation Authority)
P.O. Box 243
8001 Bodø
NORWAY

Tel. +47 75585000

2.4. Fares

The maximum basic fully flexible one-way fare (maximum fare) in the operating year beginning 1 August 2011 must not exceed the following amounts in NOK:

Værøy–Bodø 827,-

For each subsequent operating year the maximum fare shall be adjusted on 1 August within the limit of the consumer price index for the 12-month period ending 15 June the same year, as made public by Statistics Norway (<http://www.ssb.no>).

The carrier shall offer tickets through at least one sales channel belonging to the carrier. The carrier is responsible for making tickets available at a price not exceeding the maximum fare through all sales channels belonging to the carrier.

Maximum fare applies also to tickets offered by other companies controlled by the carrier. The carrier is responsible for the compliance of the maximum fare by such companies.

The maximum fare shall include all taxes and fees to the authorities, and all other extra charges (service-fees etc.) the carrier adds on when issuing the tickets.

The carrier shall be party to the domestic interline agreements in force at any time, and shall offer all discounts available under such agreements.

The carrier shall offer tickets through a Computer Reservation System (CRS).

3. ADDITIONAL CONDITIONS FOLLOWING A TENDER PROCEDURE

Following a tender procedure, which limits access to the routes to one carrier, these conditions apply in addition:

Fares:

- all connecting fares to/from other air services shall be offered on equal terms for all carriers. Exempted from this are connecting fares to/from other services carried out by the tenderer, provided that the fare is maximum 40 per cent of the fully flexible fare,
- bonus points from frequent flyer programmes can neither be earned nor redeemed on the flights,
- social discounts shall be granted in accordance with the guidelines published in Appendix B to this notification.

Transfer conditions:

- all conditions set out by the carrier for the transfer of passengers to and from other carriers' routes, including connecting times and through check-in of tickets and baggage, shall be objective and non-discriminatory.

4. REPLACEMENT AND LIFTING OF PREVIOUS PUBLIC SERVICE OBLIGATIONS

These public service obligations replace those previous published in the *Official Journal of the European Union* C 138 and the *EEA Supplement* No 31/2008 of 5 June 2008 regarding air services on the route Værøy–Bodø v.v.

5. INFORMATION

Further information can be obtained from:

The Ministry of Transport and Communications
P.O. Box 8010 Dep
0030 Oslo
NORWAY

Tel. +47 22248353
Fax +47 22245609

Appendix A

THE PRODUCTION ADJUSTMENT CLAUSE**1. Purpose of the production adjustment clause**

The purpose of the production adjustment clause is to ensure that supplied capacity/seats offered by the operator is adjusted to changes in market demand. Whenever the number of passengers increases significantly and exceeds the following specified limits for the percentage of seats occupied at any time (the passenger load factor), the operator *shall* increase available seats offered. The operator *may* accordingly decrease available seats offered when the number of passengers decreases significantly. See specification below in 3.

2. Periods for measuring passenger load factors

The periods during which the passenger load factor shall be monitored and assessed range from 1 January to 30 June inclusive and 1 August to 30 November inclusive.

3. Conditions for changing production/available seats offered**3.1. Conditions for increasing production**

3.1.1. An increase in production/available seats offered *shall* take place when the average passenger load factor on each single route encompassed by public service obligations is higher than 70 per cent. When the average passenger load factor on these routes exceeds 70 per cent in any of the periods mentioned in 2, the operator shall increase production/available seats offered by at least 10 per cent on these routes, at latest from the start of the following IATA traffic season. Production/available seats offered shall be increased at least so that the average passenger load factor does not exceed 70 per cent.

3.1.2. When increasing production/available seats offered according to the above, the new production may take place by using aircraft with lower seating capacity than specified in the original tender, if preferred by the operator.

3.2. Conditions for decreasing production

3.2.1. A decrease in production/available seats offered may take place when the average passenger load factor on each single route encompassed by public service obligations is lower than 35 per cent. When the average passenger load factor on these routes is lower than 35 per cent in any of the periods mentioned in 2, the operator may decrease production/available seats offered by no more than 25 per cent on these routes from the first day after the end of the above-mentioned periods.

3.2.2. On routes with more than two daily frequencies offered in each direction, reduction in production according to 3.2.1 shall take place by reducing frequencies offered. The only exception from this is when the operator uses aircraft with larger seating capacity than the minimum specified in the imposition of public service obligations. The operator may then use smaller aircraft, however, not with lower seating capacity than the minimum specified in the imposition of public service obligations.

3.2.3. On routes with only one or two daily frequencies offered in each direction, reduction in available seats offered can only take place by using aircraft with lower seating capacity, even if this involves reduced seating capacity than specified in the imposition of public service obligations.

4. Procedures for changes in production

4.1. The Norwegian Ministry of Transport and Communications has the responsibility for approving proposed time schedules submitted by the operator, including changes in production/number of provided seats. Reference is made to Circular N-3/2005 by the Norwegian Ministry of Transport and Communications, included in the tender file.

4.2. If production/available seats offered shall be reduced according to 3.2, a proposal for a new traffic program shall be circulated to the affected county councils, and these shall have sufficient time to make a statement before the change is put into effect. If the proposed new traffic program includes changes violating any other requirements than the number of flights and seat capacity, laid down in the public service obligations, the new traffic program must be sent to the Ministry of Transport and Communications for approval.

- 4.3. When production/number of provided seats shall be increased according to 3.1, time schedules for new production/new seats should be agreed between the operator and the county (counties) as administrative unit affected.
 - 4.4. If new production/number of provided seats shall be offered according to 3.1, and the operator and the county (counties) as administrative unit affected cannot agree upon time schedules according to 4.3, the operator can seek approval according to 4.1 for a different time schedule for the new production/provided seats from the Norwegian Ministry of Transport and Communications. This does not mean that the operator may apply for approval of a time schedule that does not include the required increase in production. There must exist substantial reasons if the Ministry shall approve proposals that diverge from those which could be agreed by the counties.
5. **Unchanged financial compensation when changing production**
- 5.1. The financial compensation to the operator remains unchanged when increasing production according to 3.1.
 - 5.2. The financial compensation to the operator remains unchanged when decreasing production according to 3.2.
-

*Appendix B***PROVISIONS ON SOCIAL DISCOUNTS**

1. On routes where the Norwegian Ministry of Transport and Communications purchases air services in accordance with the public service obligations, the following groups of people are entitled to social discounts:
 - (a) persons aged from 67 years at the day of departure;
 - (b) blind persons aged from 16 years;
 - (c) disabled persons aged from 16 years who receive disability pension according to the Norwegian Act No 19 of 28 February 1997 on National insurance 'Folketrygdløven' Chapter 12, or similar law in any EEA country;
 - (d) students aged from 16 years attending special schools for people with hearing problems;
 - (e) accompany spouse/partner irrespective of age, or a person who has to accompany persons included in (a)-(d). The person entitled to discount decides the need for escort;
 - (f) travellers aged under 16 years at the day of departure
 2. The discount for people included in section 1 shall be 50 per cent of the maximum fare.
 3. This discount is not applicable when the travel is paid for by the government and/or social security office.
 4. An adult (aged from 16 years) may carry a child aged under 2 years for free, provided that the child does not occupy its own seat and when travelling together on the entire journey.
 5. Following documents may be required by the passenger:
 - (a) persons mentioned in section 1 letter (a) must show an official document with picture and day of birth;
 - (b) persons mentioned in section 1 letter (b) and (c) must provide proof of eligibility by means of official documentation from the Norwegian National insurance or 'Norges Blindforbund'. Persons from other EEA countries must provide similar documentation from their home country;
 - (c) persons mentioned in section 1 letter (d) must present a student certificate and a letter from the social security office stating that the student is receiving pension according to the Norwegian act of National insurance. Persons from other EEA countries must provide similar documentation from their home country.
-

Scheduled air services (helicopter) Værøy–Bodø v.v.**Invitation to tender**

(2010/C 230/06)

1. Introduction

Norway has decided to publish a new tender for operation of scheduled regional air services on the route Værøy–Bodø v.v. for the period 1 August 2011–31 July 2014.

With effect from 1 August 2011, Norway has decided to amend public service obligations on scheduled regional air services on the route Værøy–Bodø v.v., previously published according 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⁽¹⁾. The amended obligations were published in the *Official Journal of the European Union* C 138, 5.6.2008 and the EEA Supplement No 31, 5.6.2008.

Insofar as by two months from the latest day of submission of tender (cf. Section 6) no air carrier has provided documentary evidence to the Ministry of Transport and Communications of commencing scheduled flights on 1 August 2011 in conformity with the amended public service obligation on the route area stated in Section 2 of this publication, the Ministry will apply the tender procedure provided for by Article 4.1(d) of Regulation (EEC) No 2408/92, thereby limiting access as of 1 August 2011 to only one air carrier for the route area stated in Section 2.

The purpose of this invitation is to invite tenders which will be used as basis for assignment of such exclusive rights.

Below, the most important parts of the Conditions of Tenders will be reproduced. The complete invitation to tender, can be downloaded from: <http://www.regjeringen.no/en/dep/sd/Documents/Other-documents/Tenders>

or be obtained free of charge on application to:

Ministry of Transport and Communications
P.O. Box 8010 Dep.
0030 Oslo
NORWAY
Tel. +47 22248353
Fax +47 22245609

All tenderers are obliged to acquaint themselves with the complete invitation to tender.

2. Services covered by the invitation

The invitation comprises scheduled flights from 1 August 2011 until 31 July 2014, in accordance with the public service obligations mentioned in Section 1. The following route area is covered by the competition:

— Værøy–Bodø v.v.

In case a carrier submits a tender where the claim for compensation is NOK zero, it will be understood as a wish from the carrier to operate the route on an exclusive basis, but without any compensation from the Norwegian State.

3. Eligibility to tender

All air carriers holding a valid operating licence pursuant to Council Regulation (EEC) No 2407/92 of 23 July 1992 on licensing of air carriers, or Regulation (EC) No 1008/2008 of 24 September 2008.

⁽¹⁾ Regulation (EEC) No 2408/92 of 23 July 1992 has been replaced by Regulation (EC) No 1008/2008 of 24 September 2008. Regulation (EC) No 1008/2008 has not been included in the EEA Agreement. Legal authority for this tender is therefore Council Regulation (EEC) No 2408/92 that is in force as Norwegian regulation.

4. Tender procedure

The invitation to tender is subject to the provisions of subparagraph (d)-(i) of Article 4.1 of Council Regulation (EEC) No 2408/92, and Section 4 of the Norwegian Regulation No 256 of 15 April 1994 on tender procedures in connection with public service obligations to implement Article 4 of Council Regulation (EEC) No 2408/92.

The procurement will be effected by means of an open tender procedure.

The Ministry of Transport and Communications reserves the right to apply subsequent negotiations if only one tender is received at the closing date for submission of tender, or if only one tender is not rejected. Such negotiation shall be in accordance with the public service obligations imposed. In addition, the parties are not entitled to make substantial amendments to the original terms of contract during such negotiations. If the subsequent negotiations do not lead to an acceptable solution, the Ministry of Transport and Communications reserves the right to cancel the entire procedure. In that case, a new invitation to tender on new terms may be published.

The Ministry of Transport and Communications may make procurements through negotiations without publication in advance if no tenders are submitted. In that case, no substantial amendments must be made in the original public service obligations or in the remaining terms of contract. In case reasonable grounds appear as a result of the tender, the Ministry of Transport and Communications reserves the right to refuse each and all tenders.

The tender is binding on the tenderer until the tender procedure is ended, or the award is made.

5. The tender

The tender shall be framed in accordance with the requirements in Section 5 of the Conditions of Tender, including the requirements listed in the public service obligations.

6. Submission of tender

The deadline for submission of tender is 27 September 2010 at 12.00 (local time). The tender must be received by the Ministry of Transport and Communications at the address mentioned in Section 1 not later than the deadline for submission of tender.

The tender shall be delivered either personally at the office address of the Ministry of Transport and Communications, or sent by post or courier services.

Tenders received too late will be rejected. However, tenders received after the deadline for submission of tender, but before the opening date, will not be rejected if it clearly appears that the dispatch is sent so early that it normally should have been received before the closing date. Receipt from the delivery of the dispatch is accepted as evidence for the delivery, and the time for delivery.

All tenders must be submitted in 3 — three — copies.

7. Award of contract

7.1. The contract shall as the principle rule be awarded to the tender that has the lowest claim for compensation for the whole contract period from 1 August 2011 until 31 July 2014.

7.2. If tenders are submitted that do not require compensation but only exclusive rights in accordance with Section 2, last paragraph, award shall, irrespective of Section 7.1, be made to such tenders.

7.3. In case award can not be made because there are tenders requiring identical amounts of compensation, the award shall be made to the tender, offering the highest number of seats for the whole contract period.

8. Contract period

All tender contracts will be entered into for the period from 1 August 2011 until 31 July 2014. The contract is non-terminable, except for those situations described in the contract provisions reproduced in Section 11.

9. Financial compensation

The operator is entitled to financial compensation from the Ministry of Transport and Communications in accordance with the tender agreement. The compensation shall be specified for each of the three operating years, and for the entire contract period.

No adjustment of the compensation shall be made for the first operating year.

For the second and third operating year, the compensation will be recalculated on the basis of the tender budget adjusted for operating revenues and expenses. These adjustments must be within the limits defined by Statistics Norway's consumer price index for the 12-month period ending on 15 June the same year.

No change shall be made in the compensation as a result of the production volume being adjusted upwards or downwards pursuant to Section 5.1, second paragraph of the Terms of Contract.

This is subject to the proviso that the Storting (the Norwegian Parliament), when adopting its annual budget, makes the necessary funds available to the Ministry of Transport and Communications to cover the compensation requirements.

The operator shall retain all revenues generated by the service. If the revenues are greater or the expenditure smaller than the figures on which the tender budget is based, the operator may retain the balance. Correspondingly, the Ministry of Transport and Communications is not obliged to cover any negative balance in relation to the tender budget.

All public charges, including aviation charges, are payable by the operator.

The financial compensation shall be reduced in proportion to the total number of flights cancelled for reasons directly attributable to the carrier, if the number of flights cancelled for such reasons during an operating year exceeds 1,5 per cent of the planned number of flights in accordance with the approved time schedule.

10. Renegotiation

If, during the contract period, material or unforeseen changes occur in the assumptions on which this contract is based, each of the parties may request negotiations for revision of the contract. Such request must be made three months at the latest after the change has occurred.

Material changes in the public charges for which the operator is liable always constitute grounds for renegotiation.

If new statutory or regulatory requirements, or orders issued by the Civil Aviation Authority result in an airfield having to be used in a different manner than originally assumed by the operator, the parties shall endeavour to negotiate amendments in the contract that allow the operator to continue operations for the rest of the contract period. If the parties fail to reach agreement, the operator is entitled to compensation pursuant to the rules relating to shutting down or closure (Section 11) insofar as they are applicable.

11. Termination of contract following breach of contract or unforeseen changes in important conditions

Subject to the restrictions following from insolvency law, the Ministry of Transport and Communications may terminate the contract with immediate effect if the operator becomes insolvent, initiate debt settlement proceedings, goes bankrupt or is subject to any other situation dealt with in Section 14(2) of the Norwegian Regulation No 256 of 15 April 1994 on tender procedures in connection with public service obligations.

The Ministry of Transport and Communications may terminate the contract with immediate effect if the operator loses, or is not able to renew, his licence.

If, due to *force majeure* or other circumstances beyond the operator's control, the operator has been unable to fulfil its contractual obligations for more than four of the last six months, the contract can be terminated by both parties by giving one month's written notice.

If the Starting decides to close an airfield, or if an airfield is closed as a result of an order issued by the Civil Aviation Authority, the parties' ordinary contractual obligations lapse from such time as the airfield is actually shut down or closed.

If the period of time between the operator first being informed about the shutting down or closure and the actual shutting down or closure is greater than one year, the operator is not entitled to compensation for any financial loss it incurs as a result of the termination of the contract. If the period mentioned is less than one year, the operator is entitled to be restored to the financial situation it would have been in had operations been continued for one year from the date it was notified of the shutting down or closure, or alternatively until 31 July 2014 if this date is earlier.

In the event of material breach of contract, the contract may be cancelled with immediate effect by the other party.

V

*(Announcements)*PROCEDURES RELATING TO THE IMPLEMENTATION OF THE COMMON
COMMERCIAL POLICY

EUROPEAN COMMISSION

Notice of the expiry of certain anti-dumping measures

(2010/C 230/07)

Further to the publication of a notice of impending expiry ⁽¹⁾ following which no request for a review was lodged, the Commission gives notice that the anti-dumping measure mentioned below will shortly expire.

This notice is published in accordance with Article 11(2) of Council Regulation (EC) No 1225/2009 of 30 November 2009 ⁽²⁾ on protection against dumped imports from countries not members of the European Community.

Product	Country(ies) of origin or exportation	Measures	Reference	Date of expiry
Grain oriented flat-rolled products of silicon-electrical steel	United States of America	Anti-dumping duty	Council Regulation (EC) No 1371/2005 (OJ L 223, 27.8.2005, p. 1)	28.8.2010
		Undertaking	Commission Decision 2005/622/EC (OJ L 223, 27.8.2005, p. 42)	

⁽¹⁾ OJ C 95, 15.4.2010, p. 9.

⁽²⁾ OJ L 343, 22.12.2009, p. 51.

PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION
POLICY

EUROPEAN COMMISSION

Prior notification of a concentration

(Case COMP/M.5933 — Marfrig/Keystone)

(Text with EEA relevance)

(2010/C 230/08)

1. On 18 August 2010 the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 ⁽¹⁾ by which the undertakings Marfrig Alimentos S.A. ('Marfrig', Brazil) acquires within the meaning of Article 3(1)(b) of the Merger Regulation sole control of Keystone Foods Intermediate LLC ('Keystone', the USA), which is ultimately controlled by LBG Keystone LLC ('LBG Keystone', the USA) by way of purchase of shares.
2. The business activities of the undertakings concerned are:
 - Marfrig: supply of fresh and processed meat and other food; manufacture of leather products,
 - Keystone: supply of meat and other products for the foodservice channel; contract logistics for food services and food retail industries.
3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope the EC Merger Regulation. 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 (+32 22964301), by e-mail to COMP-MERGER-REGISTRY@ec.europa.eu or by post, under reference number COMP/M.5933 — Marfrig/Keystone, to the following address:

European Commission
Directorate-General for Competition
Merger Registry
J-70
1049 Bruxelles/Brussel
BELGIQUE/BELGIË

⁽¹⁾ OJ L 24, 29.1.2004, p. 1 (the 'EC Merger Regulation').

Prior notification of a concentration
(Case COMP/M.5918 — GDF Suez/Gaselys)
Candidate case for simplified procedure
(Text with EEA relevance)
(2010/C 230/09)

1. On 20 August 2010 the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EC) No 139/2004 ⁽¹⁾ by which GDF Suez ('GDF Suez', France) acquires within the meaning of Article 3(1)(b) of the Merger Regulation exclusive control of Gaselys ('Gaselys', France), previously jointly controlled by GDF Suez, through its wholly owned subsidiary Cogac ('Cogac', France), and 49 % by Société Générale ('SG', France), through its wholly owned subsidiary Société Générale Energie ('SGE', France).

2. The business activities of the undertakings concerned are:

- GDF Suez is an international industrial and services group present across the gas chain and related energy services. The group is also active across the electricity sector and develops sustainable environmental solutions,
- Gaselys carries on the activity of trading in raw materials and derivative products of the energy sector.

3. On preliminary examination, the Commission finds that the notified transaction could fall within the scope of the EC Merger Regulation. However, the final decision on this point is reserved. Pursuant to the Commission Notice on a simplified procedure for treatment of certain concentrations under the EC Merger Regulation ⁽²⁾ 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 to the Commission by fax (+32 22964301), by email to COMP-MERGER-REGISTRY@ec.europa.eu or by post, under reference number COMP/M.5918 — GDF Suez/Gaselys, to the following address:

European Commission
Directorate-General for Competition
Merger Registry
J-70
1049 Bruxelles/Brussel
BELGIQUE/BELGIË

⁽¹⁾ OJ L 24, 29.1.2004, p. 1 (the 'EC Merger Regulation').

⁽²⁾ OJ C 56, 5.3.2005, p. 32 ('Notice on a simplified procedure').

PROCEDURES RELATING TO THE IMPLEMENTATION OF COMPETITION POLICY

European Commission

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⁽¹⁾ Text with EEA relevance

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