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I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EEC) No 2733/80
of 27 October 1980**

fixing the import levies on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2727/75 of 29 October 1975 on the common organiza-
tion of the market in cereals⁽¹⁾, as last amended by
Regulation (EEC) No 1870/80⁽²⁾, and in particular
Article 13 (5) thereof,

Having regard to Council Regulation No 129 on the
value of the unit of account and the exchange rates to
be applied for the purposes of the common agricul-
tural policy⁽³⁾, as last amended by Regulation (EEC)
No 2543/73⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary
Committee,

Whereas, the import levies on cereals, wheat and rye
flour, and wheat groats and meal were fixed by Regula-
tion (EEC) No 2035/80⁽⁵⁾ and subsequent amending
Regulations;

Whereas, if the levy system is to operate normally,
levies should be calculated on the following basis:

— in the case of currencies which are maintained in
relation to each other at any given moment within

a band of 2.25 %, a rate of exchange based on
their effective parity;

— for other currencies, an exchange rate based on the
arithmetic mean of the spot market rates of each
of these currencies in relation to the Community
currencies referred to in the previous indent;

Whereas these exchange rates being those recorded on
24 October 1980;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 2035/80 to today's
offer prices and quotations known to the Commission
that the levies at present in force should be altered to
the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products listed in
Article 1 (a), (b) and (c) of Regulation (EEC) No
2727/75 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 28 October
1980.

This Regulation shall be binding in its entirety and directly applicable in all Member
States.

Done at Brussels, 27 October 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 184, 17. 7. 1980, p. 1.

⁽³⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁴⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁵⁾ OJ No L 200, 1. 8. 1980, p. 1.

ANNEX

to the Commission Regulation of 27 October 1980 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CCT heading No	Description	Levies
10.01 A	Common wheat, and meslin	65.16
10.01 B	Durum wheat	64.24 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	51.37 ⁽⁶⁾
10.03	Barley	42.72
10.04	Oats	37.03
10.05 B	Maize, other than hybrid maize for sowing	72.70 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	0 ⁽⁴⁾
10.07 C	Grain sorghum	56.94 ⁽⁴⁾
10.07 D	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	103.69
11.01 B	Rye flour	85.32
11.02 A I a)	Durum wheat groats and meal	112.69
11.02 A I b)	Common wheat groats and meal	111.57

⁽¹⁾ Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by 0.60 ECU/tonne.

⁽²⁾ In accordance with Regulation (EEC) No 435/80, the levies are not applied to imports into the French overseas departments of products originating in the African, Caribbean and Pacific States or in the 'overseas countries and territories'.

⁽³⁾ Where maize originating in the ACP or OCT is imported into the Community the levy is reduced by 1.81 ECU/tonne.

⁽⁴⁾ Where millet and sorghum originating in the ACP or OCT is imported into the Community the levy is reduced by 50 %.

⁽⁵⁾ Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by 0.60 ECU/tonne.

⁽⁶⁾ The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 and Commission Regulation (EEC) No 2622/71.

COMMISSION REGULATION (EEC) No 2734/80

of 27 October 1980

fixing the premiums to be added to the import levies on cereals, flour and malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1870/80⁽²⁾, and in particular Article 15(6) thereof,

Having regard to Council Regulation No 129 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽³⁾, as last amended by Regulation (EEC) No 2543/73⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Regulation (EEC) No 2036/80⁽⁵⁾ and subsequent amending Regulations;

Whereas, if the levy system is to operate normally, levies should be calculated on the following basis:

— in the case of currencies which are maintained in relation to each other at any given moment within

a band of 2.25 % a rate of exchange based on their effective parity;

— for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies in relation to the Community currencies referred to in the previous indent;

Whereas these exchange rates being those recorded on 24 October 1980;

Whereas on the basis of today's cif prices and cif forward delivery prices, the premiums at present in force, which are to be added to the levies, should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The premiums referred to in Article 15 of Regulation (EEC) No 2727/75 to be added to the import levies fixed in advance in respect of cereals and malt shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 28 October 1980.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 27 October 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 184, 17. 7. 1980, p. 1.

⁽³⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁴⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁵⁾ OJ No L 200, 1. 8. 1980, p. 4.

ANNEX

to the Commission Regulation of 27 October 1980 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(ECU/tonne)

CCT heading No	Description	Current	1st period	2nd period	3rd period
		10	11	12	1
10.01 A	Common wheat, and meslin	0	0	0	0
10.01 B	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

(ECU/tonne)

CCT heading No	Description	Current	1st period	2nd period	3rd period	4th period
		10	11	12	1	2
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 B	Roasted malt	0	0	0	0	0

COMMISSION REGULATION (EEC) No 2735/80
of 27 October 1980

amending Regulation (EEC) No 1391/78 laying down amended rules for the application of the system of premiums for the non-marketing of milk and milk products and for the conversion of dairy herds

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1078/77 of 17 May 1977 introducing a system of premiums for the non-marketing of milk and milk products and for the conversion of dairy herds⁽¹⁾, as last amended by Regulation (EEC) No 1365/80⁽²⁾, and in particular Article 7 thereof,

Whereas, pursuant to Article 4 (1) of Commission Regulation (EEC) No 1391/78⁽³⁾, as last amended by Regulation (EEC) No 1799/79⁽⁴⁾, it was possible to lodge applications for the non-marketing premium only up to 15 September 1980, although by virtue of Regulation (EEC) No 1365/80 the system of conversion premiums has been extended up to the end of the 1980/81 milk marketing year;

Whereas Article 12a of Regulation (EEC) No 1391/78 provided beneficiaries of the conversion premium with the opportunity of opting subsequently for the non-marketing premium system; whereas, in that case, the situation of those concerned is adapted to that which would have been the case if they had applied at the outset for the non-marketing premium;

Whereas, with regard to beneficiaries of the conversion premium who lodged their application as from 16 September 1980, it should be specified that, since the non-marketing premium system has been abolished with effect from that date, the option referred to above was not available to them since it would no

longer have been possible for them to apply for the said premium at the outset;

Whereas, with regard to beneficiaries of the conversion premium who lodged their application before 16 September 1980, keeping the option available would be such as to circumvent the abolition of the non-marketing system as from that date; whereas, in these circumstances, it should be laid down that, at the expiry of a transitional period, the said beneficiaries of the conversion premium can no longer exercise that option;

Whereas the Management Committee for Milk and Milk Products has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The following paragraph 3 is hereby added to Article 12a of Regulation (EEC) No 1391/78:

'3. However, the declaration referred to in paragraph 1 may be presented to the competent authority only up to 31 December 1980 by beneficiaries of the conversion premium who lodged their application for the said premium before 16 September 1980.'

Article 2

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 27 October 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 131, 26. 5. 1977, p. 1.

⁽²⁾ OJ No L 140, 5. 6. 1980, p. 18.

⁽³⁾ OJ No L 167, 24. 6. 1978, p. 45.

⁽⁴⁾ OJ No L 206, 14. 8. 1979, p. 12.

COMMISSION REGULATION (EEC) No 2736/80

of 27 October 1980

fixing the import levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1837/80 of 27 June 1980 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾, and in particular the first paragraph of Article 11 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas under Article 10 (2) of Regulation (EEC) No 1837/80 a levy is applicable to the products specified in Article 1 (a) of that Regulation;

Whereas the levy on products falling within subheading 02.01 A IV a) 1 listed in Annex I to Regulation (EEC) No 1837/80 is to be equal to the difference between the seasonally-adjusted basic price and the Community free-at-frontier offer price;

Whereas the seasonally-adjusted basic price is fixed in Article 32 of Regulation (EEC) No 1837/80 for the 1980/81 marketing year;

Whereas the Community free-at-frontier offer price is determined in the light of the most representative purchasing possibilities, as regards quality and quantity, recorded over the period from 21st day of the preceding month to the 20th day of the month during which the levies are determined, taking particular account of the supply and demand situation for fresh or chilled meat, the world market price for frozen meat of a category which is competitive with fresh or chilled meat and of past experience;

Whereas the free-at-frontier offer price is to be determined, if necessary, on the basis of the most representative purchasing possibilities recorded for live sheep;

Whereas, pursuant to Article 3 of Regulation (EEC) No 2668/80⁽²⁾, the free-at-frontier offer prices are to be based *inter alia* on the prices shown in the customs documents which accompany products

imported from non-member countries or on other information concerning the export prices applied by those non-member countries; whereas offer prices which do not correspond to actual purchasing possibilities or which relate to unrepresentative quantities and offer prices which, in view of general price movements or other information available, may be considered not to be representative of actual price trends in the country of origin to be disregarded;

Whereas a special levy may be fixed for products originating in or coming from one or more non-member countries if exports the said products are made at abnormally low prices;

Whereas the levy on live animals within subheading 01.04 B and on the meat falling within subheadings 02.01 A IV a) 2, 3, 4 and 5 and 02.06 C II a) listed in Annex I to Regulation (EEC) No 1837/80 is to be equal to the levy determined for carcasses, multiplied by a standard coefficient fixed for each of the products in question, whereas these coefficients are fixed in Annex I to Regulation (EEC) No 2668/80;

Whereas the levies should be so fixed that the obligations arising from international agreements concluded by the Community continue to be fulfilled; whereas, moreover, account should be taken of the voluntary restraint arrangements made by the Community with certain non-member countries;

Whereas the levies are fixed before the 27th day of each month for each week during the following month; whereas they are applicable from Monday to Sunday; whereas they can be altered within that period if necessary;

Whereas, if the levy system is to operate normally, levies should be calculated on the following basis:

— in the case of currencies which are maintained in relation to each other at any given moment within a band of 2.25 %, a rate of exchange based on their effective parity,

— in the case of other currencies, an exchange based on the arithmetic mean of the spot market rates of

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽²⁾ OJ No L 276, 20. 10. 1980, p. 39.

each of those currencies recorded for a given period in relation to the Community currencies referred to in the previous indent;

Whereas, having regard to the provisions of the above-mentioned Regulations and, in particular, to the information and quotations known to the Commission, the levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat should be as set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 3 November 1980.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 27 October 1980.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to Commission Regulation of 27 October 1980 fixing the import levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat

(ECU/100 kg)

CCT heading No	Week No 31 from 3 to 9 November 1980	Week No 32 from 10 to 16 November 1980	Week No 33 from 17 to 23 November 1980	Week No 34 from 24 to 30 November 1980
01.04 B	33·840 ⁽¹⁾	34·310 ⁽¹⁾	35·015 ⁽¹⁾	35·485 ⁽¹⁾
02.01 A IV a) 1	72·000 ⁽²⁾	73·000 ⁽²⁾	74·500 ⁽²⁾	75·500 ⁽²⁾
2	50·400 ⁽²⁾	51·100 ⁽²⁾	52·150 ⁽²⁾	52·850 ⁽²⁾
3	79·200 ⁽²⁾	80·300 ⁽²⁾	81·950 ⁽²⁾	83·050 ⁽²⁾
4	93·600 ⁽²⁾	94·900 ⁽²⁾	96·850 ⁽²⁾	98·150 ⁽²⁾
5 aa)	93·600 ⁽²⁾	94·900 ⁽²⁾	96·850 ⁽²⁾	98·150 ⁽²⁾
bb)	131·040 ⁽²⁾	132·860 ⁽²⁾	135·590 ⁽²⁾	137·410 ⁽²⁾
02.06 C II a) 1	93·600	94·900	96·850	98·150
2	131·040	132·860	135·590	137·410

⁽¹⁾ The levy applicable is limited in the conditions laid down in Council Regulation (EEC) No 2645/80 and Commission Regulations (EEC) No 2664/80 and (EEC) No 2665/80.

⁽²⁾ The levy applicable is limited to the amount bound under GATT or in the conditions laid down in the voluntary restraint agreements or those laid down in Commission Regulations (EEC) No 2664/80 and (EEC) No 2665/80.

COMMISSION REGULATION (EEC) No 2737/80

of 27 October 1980

fixing the import levies on frozen sheepmeat and goatmeat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1837/80 of 27 June 1980 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾, and in particular the first paragraph of Article 11 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas under Article 10 (2) of Regulation (EEC) No 1837/80 a levy is applicable to the products falling within subheading 02.01 A IV b) listed in Annex I to that Regulation ;

Whereas, pursuant to Article 13 of Regulation (EEC) No 1837/80, the levy on frozen carcasses and half-carcasses is to be equal to the difference between :

- (a) the basic price multiplied by a coefficient representing the relationship existing in the Community between the price of fresh meat of a category competitive with the frozen meat in question, presented in the same form, and the average price of fresh and chilled sheep carcasses, and
- (b) the Community free-at-frontier offer price for the said frozen meat ;

Whereas the basic price for the 1980/81 marketing year is fixed in Article 31 of Regulation (EEC) No 1837/80 ; whereas the coefficient referred to in Article 13 (1) (a) of Regulation (EEC) No 1837/80 is fixed in Article 2 (2) of Regulation (EEC) No 2668/80⁽²⁾ ;

Whereas the Community free-at-frontier offer price is determined in the light of the most representative purchasing possibilities, as regards quality and quantity, recorded over the period from the 21st day of the preceding month to the 20th day of the month during which the levies are determined, taking particular account of the supply and demand situation for fresh or chilled meat, the world market price for frozen meat of a category which is competitive with fresh or chilled meat and of past experience ;

Whereas, pursuant to Article 3 of Regulation (EEC) No 2668/80, the free-at-frontier offer prices are to be based *inter alia* on the prices shown in the customs documents which accompany products imported from non-member countries or on other information concerning the export prices applied by those non-member countries ; whereas offer prices which do not correspond to actual purchasing possibilities or which relate to unrepresentative quantities and offer prices which, in view of general price movements or other information available, may be considered not to be representative of actual price trends in the country of origin are to be disregarded ;

Whereas a special levy may be fixed for products originating in or coming from one or more non-member countries if exports of the said products are made at abnormally low prices ;

Whereas the levy on the meat falling within subheadings 02.01 A IV b) 2, 3, 4 and 5 listed in Annex I to Regulation (EEC) No 1837/80 is to be equal to the levy determined for frozen carcasses, multiplied by a standard coefficient fixed for each of the products in question ; whereas these coefficients are fixed in Annex II to Regulation (EEC) No 2668/80 ;

Whereas the levies should be so fixed that the obligations arising from international agreements concluded by the Community continue to be fulfilled ; whereas, moreover, account should be taken of the voluntary restraint arrangements made by the Community with certain non-member countries ;

Whereas the levies are fixed before the 27th day of each month for each week during the following month ; whereas they are applicable from Monday to Sunday ; whereas they can be altered within that period if necessary ;

Whereas, if the levy system is to operate normally, levies should be calculated on the following basis :

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2.25 %, a rate of exchange based on their effective parity,

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽²⁾ OJ No L 276, 20. 10. 1980, p. 39.

— in the case of other currencies, an exchange based on the arithmetic mean of the spot market rates of each of those currencies recorded for a given period in relation to the Community currencies referred to in the previous indent ;

Whereas, having regard to the provisions of the above-mentioned Regulations and, in particular, to the information and quotations known to the Commission, the levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat should be as set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

The import levies on frozen sheepmeat and goatmeat shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 3 November 1980.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 27 October 1980.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

to Commission Regulation of 27 October 1980 fixing the import levies on frozen sheepmeat and goatmeat

(ECU/100 kg)

CCT heading No	Week No 31 from 3 to 9 November 1980 ⁽¹⁾	Week No 32 from 10 to 16 November 1980 ⁽¹⁾	Week No 33 from 17 to 23 November 1980 ⁽¹⁾	Week No 34 from 24 to 30 November 1980 ⁽¹⁾
02.01 A IV b) 1	54.000	54.750	55.875	56.625
2	37.800	38.325	39.112	39.637
3	59.400	60.225	61.462	62.287
4	70.200	71.075	72.637	73.612
5 aa)	70.200	71.075	72.637	73.612
bb)	98.280	99.645	101.692	103.057

⁽¹⁾ The levy applicable is limited to the amount bound under GATT or in the conditions laid down in the voluntary restraint agreements or those laid down in Commission Regulations (EEC) No 2664/80 and (EEC) No 2665/80.

COMMISSION REGULATION (EEC) No 2738/80
of 27 October 1980

altering the export refunds on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2727/75 of 29 October 1975 on the common organiza-
tion of the market in cereals⁽¹⁾, as last amended by
Regulation (EEC) No 1870/80⁽²⁾ and in particular the
second sentence of the fourth subparagraph of Article
16 (2) thereof,

Whereas the export refunds on cereals and on wheat
or rye flour, groats and meal were fixed by Regulation
(EEC) No 2715/80⁽³⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 2715/80 to the

information known to the Commission that the
export refunds at present in force should be altered to
the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1
(a), (b) and (c) of Regulation (EEC) No 2727/75,
exported in the natural state, as fixed in the Annex to
Regulation (EEC) No 2715/80, are hereby altered as
shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 28 October
1980.

This Regulation shall be binding in its entirety and directly applicable in all Member
States.

Done at Brussels, 27 October 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 184, 17. 7. 1980, p. 1.

⁽³⁾ OJ No L 280, 24. 10. 1980, p. 29.

ANNEX

to the Commission Regulation of 27 October 1980 altering the export refunds on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CCT heading No	Description	Refund
10.01 A	Common wheat and meslin :	
	— for exports to :	
	— Switzerland, Austria and Liechtenstein	24.00
	— the Iberian peninsula	34.00
	— other third countries	—
10.01 B	Durum wheat	—
10.02	Rye	
	— for exports to :	
	— Switzerland, Austria and Liechtenstein	25.00
	— Zone II b)	35.00
	— other third countries	—
10.03	Barley :	
	— for exports to :	
	— Switzerland, Austria and Liechtenstein	5.00
	— the Iberian peninsula	15.00
	— other third countries	—
10.04	Oats :	
	— for exports to :	
	— Switzerland, Austria and Liechtenstein	5.00
	— Zone I	15.00
	— other third countries	—
10.05 B	Maize, other than hybrid maize for sowing	—
10.07 C	Grain sorghum	—
ex 11.01 A	Wheat flour :	
	— of an ash content of 0 to 520 :	
	— for exports to the USSR	—
	— for exports to other third countries ⁽¹⁾	45.00
	— of an ash content of 521 to 600 :	
	— for exports to the USSR	—
	— for exports to other third countries ⁽¹⁾	41.30
	— of an ash content of 601 to 900 :	
	— for exports to the USSR	—
	— for exports to other third countries ⁽¹⁾	36.35
	— of an ash content of 901 to 1 100 :	
	— for exports to the USSR	—
	— for exports to other third countries ⁽¹⁾	32.00
	— of an ash content of 1 101 to 1 650 :	
	— for exports to the USSR	—
	— for exports to other third countries ⁽¹⁾	27.80
	— of an ash content of 1 651 to 1 900 :	
	— for exports to the USSR	—
	— for exports to other third countries ⁽¹⁾	22.25
ex 11.01 B	Rye flour :	
	— of an ash content of 0 to 700 :	
	— for exports to the USSR	—
	— for exports to other third countries ⁽¹⁾	35.00
	— of an ash content of 701 to 1 150 :	
	— for exports to the USSR	—
	— for exports to other third countries ⁽¹⁾	35.00
	— of an ash content of 1 151 to 1 600 :	
	— for exports to the USSR	—
	— for exports to other third countries ⁽¹⁾	35.00
	— of an ash content of 1 601 to 2 000 :	
	— for exports to the USSR	—
	— for exports to other third countries ⁽¹⁾	35.00
11.02 A I a)	Durum wheat groats and meal :	
	— of an ash content of 0 to 1 500	
	— for exports to the USSR	—
	— for exports to other third countries ⁽¹⁾	75.00
11.02 A I b)	Common wheat groats and meal :	
	— of an ash content of 0 to 520 :	
	— for exports to the USSR	—
	— for exports to other third countries ⁽¹⁾	45.00

⁽¹⁾ And destinations mentioned in Article 5 of Commission Regulation (EEC) No 2730/79 (OJ No L 317, 12. 12. 1979, p. 1).

N.B. The zones are those defined in Regulation (EEC) No 1124/77 (OJ No L 134, 28. 5. 1977).

COMMISSION REGULATION (EEC) No 2739/80
of 27 October 1980

altering the export refunds on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2727/75 of 29 October 1975 on the common organiza-
tion of the market in cereals⁽¹⁾, as last amended by
Regulation (EEC) No 1870/80⁽²⁾, and in particular the
fifth subparagraph of Article 16 (2) thereof,

Having regard to Council Regulation (EEC) No
1418/76 of 21 June 1976 on the common organiza-
tion of the market in rice⁽³⁾, as last amended by Regu-
lation (EEC) No 1871/80⁽⁴⁾, and in particular the fifth
subparagraph of Article 17 (2) thereof,

Whereas the export refunds on products processed
from cereals and rice were fixed by Regulation (EEC)
No 2485/80⁽⁵⁾;

Whereas it follows from applying the rules, criteria
and other provisions contained in Regulation (EEC)

No 2485/80 to the information at present available to
the Commission that the export refunds at present in
force should be altered as shown in the Annex to this
Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

The export refunds on the products listed in Article 1
(d) of Regulation (EEC) No 2727/75 and in Article 1
(1) (c) of Regulation (EEC) No 1418/76 and subject to
Regulation (EEC) No 2744/75⁽⁶⁾, as fixed in the
Annex to Regulation (EEC) No 2485/80, are hereby
altered as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 28 October
1980.

This Regulation shall be binding in its entirety and directly applicable in all Member
States.

Done at Brussels, 27 October 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 184, 17. 7. 1980, p. 1.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 184, 17. 7. 1980, p. 4.

⁽⁵⁾ OJ No L 256, 1. 10. 1980, p. 9.

⁽⁶⁾ OJ No L 281, 1. 11. 1975, p. 65.

ANNEX

to the Commission Regulation of 27 October 1980 altering the export refunds on products processed from cereals and rice

Number in nomenclature used for refunds	Nomenclature in simplified wording	(ECU/tonne) Refund
11.01 C (I)	Barley flour, of an ash content, referred to dry matter, not exceeding 0.9 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0.9 % weight	—
11.01 C (II)	Barley flour not included under No 11.01 C (I)	—
11.01 D (I)	Oat flour, of an ash content, referred to dry matter, not exceeding 2.3 % by weight, of a crude fibre content, referred to dry matter, not exceeding 1.8 % by weight, of a moisture content not exceeding 11 % and of which the peroxydase is virtually inactivated	—
11.01 D (II)	Oat flour not included under No 11.01 D (I)	—
11.01 E (I)	Maize flour, of a fat content, referred to dry matter, not exceeding 1.3 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0.8 % by weight	—
11.01 E (II)	Maize flour, of a fat content, referred to dry matter, exceeding 1.3 % but not exceeding 1.7 % by weight and of a crude fibre content, referred to dry matter, not exceeding 1 % by weight	—
11.01 E (III)	Maize flour not included under No 11.01 E (I) and (II)	—
11.01 F	Rice flour	—
11.02 A III (a)	Barley groats and meal, of an ash content, referred to dry matter, not exceeding 1 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0.9 % by weight	—
11.02 A III (b)	Barley groats and meal not included under No 11.02 A III (a)	—
11.02 A IV (a)	Oat groats and meal, of an ash content, referred to dry matter, not exceeding 2.3 % by weight, of a tegument content not exceeding 0.1 %, of a moisture content not exceeding 11 % and of which the peroxydase is virtually inactivated	—
11.02 A IV (b)	Oat groats and meal not included under No 11.02 A IV (a)	—
11.02 A V (a)	Maize groats and meal, of a fat content, referred to dry matter, not exceeding 0.9 % by weight and a crude fibre content, referred to dry matter, not exceeding 0.6 % by weight ⁽¹⁾	—
11.02 A V (b)	Maize groats and meal, of a fat content, referred to dry matter, not exceeding 1.3 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0.8 % by weight ⁽¹⁾	—
11.02 A V (c)	Maize groats and meal, of a fat content, referred to dry matter, exceeding 1.3 % by weight but not exceeding 1.7 % by weight and of a crude fibre content, referred to dry matter, not exceeding 1.0 % weight ⁽¹⁾	—
11.02 A VI	Rice groats and meal	—
11.02 B I a) 1 (aa)	Hulled (shelled or husked) barley, of an ash content, referred to dry matter, not exceeding 1 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0.9 % by weight ⁽²⁾	—
11.02 B I a) 1 (bb)	Hulled (shelled or husked) barley not included under No 11.02 B I a) 1 (aa) ⁽²⁾	—
11.02 B I a) 2 (aa)	Clipped oats	—
11.02 B I a) 2 bb) (11)	Hulled (shelled or husked) oats, of an ash content, referred to dry matter, not exceeding 2.3 % by weight, of a tegument content not exceeding 0.5 % of a moisture content not exceeding 11 % and of which the peroxydase is virtually inactivated ⁽²⁾	—
11.02 B I a) 2 bb) (22)	Hulled (shelled or husked) oats, not included under No 11.02 B I a) 2 bb) (11) ⁽²⁾	—

		(ECU/tonne)
Number in nomenclature used for refunds	Nomenclature in simplified wording	Refund
11.02 B I b) 1 (aa)	Hulled and sliced or kibbled barley, of an ash content, referred to dry matter, not exceeding 1 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0.9 % by weight ('Grütze' or 'Grutten') ⁽²⁾	—
11.02 B I b) 1 (bb)	Hulled and sliced or kibbled barley, not included under No 11.02 B I b) 1 (aa) ('Grütze' or 'Grutten') ⁽²⁾	—
11.02 B I b) 2 (aa)	Hulled and sliced or kibbled oats, of an ash content, referred to dry matter, not exceeding 2.3 % weight, of a tegument content not exceeding 0.1 %, of a moisture content not exceeding 11 % and of which the peroxydase is virtually inactivated ('Grütze' or 'Grutten') ⁽²⁾	—
11.02 B I b) 2 (bb)	Hulled and sliced or kibbled oats not included under No 11.02 B I b) 2 (aa) ('Grütze' or 'Grutten') ⁽²⁾	—
11.02 B II a) (1)	Hulled (shelled or husked) wheat, not sliced or kibbled ⁽²⁾	—
11.02 C III (a)	Pearled barley, of an ash content, referred to dry matter, not exceeding 1 % by weight (without talc) — 1st category ⁽³⁾	—
11.02 C III (b)	Pearled barley, of an ash content, referred to dry matter, not exceeding 1 % by weight (without talc) — 2nd category ⁽³⁾	—
11.02 C IV	Pearled oats ⁽³⁾	—
11.02 D I	Wheat not otherwise worked than kibbled	—
11.02 D II	Rye not otherwise worked than kibbled	—
11.02 E I b) 1 (aa)	Flaked oats, of an ash content, referred to dry matter, not exceeding 1 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0.9 % by weight	—
11.02 E I b) 1 (bb)	Flaked barley not included under 11.02 E I b) 1 (aa)	—
11.02 E I b) 2 (aa)	Flaked oats, of an ash content, referred to dry matter, not exceeding 2.3 % by weight, of a tegument content not exceeding 0.1 %, of a moisture content not exceeding 12 % and of which the peroxydase is virtually inactivated	—
11.02 E I b) 2 (bb)	Flaked oats, of an ash content, referred to dry matter, not exceeding 2.3 % by weight, of a tegument content exceeding 0.1 % but not exceeding 1.5 %, of a moisture content not exceeding 12 % and of which the peroxydase is virtually inactivated	—
11.02 E I b) 2 (cc)	Flaked oats not included under Nos 11.02 E I b) 2 (aa) and 11.02 E I b) 2 (bb)	—
ex 11.02 E II c) (1)	Flaked maize, of a fat content, referred to dry matter, not exceeding 0.9 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0.7 % by weight	—
ex 11.02 E II c) (2)	Flaked maize, of a fat content, referred to dry matter, not exceeding 1.3 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0.8 % by weight	—
ex 11.02 E II c) (3)	Flaked maize, of a fat content, referred to dry matter, exceeding 1.3 % but not exceeding 1.7 % by weight and of a crude fibre content, referred to dry matter, not exceeding 1 % weight	—
11.02 E II d) 1	Flaked rice	—
11.02 F III	Barley pellets	—
11.02 F IV	Oat pellets	—
11.02 F V	Maize pellets	—
11.02 G I	Wheat germ, whole, rolled, flaked or ground	—
11.02 G II	Germ of cereals other than wheat, whole, rolled, flaked or ground	—

		(ECU/tonne)
Number in nomenclature used for refunds	Nomenclature in simplified wording	Refund
11.07 A I a)	Unroasted malt, obtained from wheat, in the form of flour	—
11.07 A II a)	Unroasted malt, other than that obtained from wheat, in the form of flour	—
11.08 A I	Maize starch ⁽⁵⁾ (⁶)	—
11.08 A II	Rice starch ⁽⁶⁾	—
11.08 A III	Wheat starch ⁽⁵⁾ (⁶)	—
11.08 A IV	Potato starch ⁽⁵⁾ (⁷)	—
11.08 A V	Starches other than maize, rice, wheat, or potato starch ⁽⁶⁾	—
11.09 A	Dried wheat gluten, of a protein content, referred to dry matter, of 82 % or more by weight ($N \times 6.25$) ⁽⁵⁾	—
17.02 B II a)	Glucose other than glucose containing, in the dry state, 99 % or more by weight of the pure product, in the form of white crystalline powder, whether or not agglomerated ⁽⁴⁾ (⁵)	—
17.02 B II b)	Glucose and glucose syrup not containing, in the dry state, 99 % or more by weight of the pure product, other than glucose in the form of white crystalline powder, whether or not agglomerated ⁽⁴⁾ (⁵)	—
21.07 F II	Flavoured or coloured glucose and glucose syrup, other than in the form of white crystalline powder, whether or not agglomerated ⁽⁵⁾	—
23.02 A I a)	Brans, sharps and other residues derived from the sifting, milling or working of maize or rice of a starch content not exceeding 35 % by weight	—
23.02 A I b) 2	Brans, sharps and other residues derived from the sifting, milling or working of maize or rice, of a starch content exceeding 35 % by weight, and not having undergone a denaturing process, or of a starch content exceeding 45 % by weight and having undergone denaturing process	—
23.02 A II a)	Brans, sharps and other residues derived from the sifting, milling or working of maize or rice, of a starch content not exceeding 28 % by weight and of which the percentage which passes through a sieve with an aperture of 0.2 mm does not exceed 10 % by weight or of which the sifted product has an ash content, calculated on dry matter, not exceeding 1.5 % by weight	—
23.02 A II b)	Brans, sharps and other residues derived from the sifting, milling or working of cereals other than maize or rice, not included under No 23.02 A II a)	—
23.03 A I	Residues from the manufacture of starch from maize (excluding concentrated steeping liquors), of a protein content, calculated on dry matter, of 63 % or more by weight ($N \times 6.25$) ⁽⁵⁾	—

-
- (1) The export refund is paid in respect of maize, groats and meal :
- of which a percentage not exceeding 30 % passes through a sieve with an aperture of 315 microns,
 - of which a percentage not exceeding 5 % passes through a sieve with an aperture of 150 microns.
- (2) 'Hulled grains' are grains corresponding to the definition given in the Annex to Regulation (EEC) No 821/68 (OJ No L 149, 29. 6. 1968, p. 46).
- (3) 'Pearled grains' are grains corresponding to the definition given in the Annex to Regulation (EEC) No 821/68 (OJ No L 149, 29. 6. 1968, p. 46).
- (4) Pursuant to Regulation (EEC) No 2730/75 the product falling within subheading 17.02 B I enjoys the same export refund as the product falling within subheading 17.02 B II.
- (5) The export refund to be granted shall be arrived at by first applying the monetary coefficient to the amount shown in this column and, thereafter, deducting a sum equal to the production refund per tonne of finished product as follows :
- 11.08 A I, 11.08 A IV, 11.08 A V, 17.02 B II b) and 21.07 F : 27.74 ECU/tonne,
 - 11.08 A III : 54.27 ECU/tonne,
 - 11.09 A : 98.68 ECU/tonne,
 - 17.02 B II a) : 36.18 ECU/tonne,
 - 23.03 A I : 34.46 ECU/tonne.
- (6) The export refund is granted on products falling within this subheading which have a starch content of not less than 85 % by weight.
- (7) The export refund is granted on products falling within this subheading which have a starch content of not less than 78 % by weight.
-

COMMISSION REGULATION (EEC) No 2740/80

of 27 October 1980

altering the export refunds on cereal-based compound feedingstuffs

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2727/75 of 29 October 1975 on the common organiza-
tion of the market in cereals⁽¹⁾, as last amended by
Regulation (EEC) No 1870/80⁽²⁾, and in particular the
fifth subparagraph of Article 16 (2) thereof,

Whereas the export refunds on cereal-based
compound feedingstuffs were fixed by Regulation
(EEC) No 2486/80⁽³⁾;

Whereas it follows from applying the rules, criteria
and other provisions contained in Regulation (EEC)
No 2486/80 to the information at present available to

the Commission that the export refunds at present in
force should be altered as shown in the Annex to this
Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

The export refunds on the compound feedingstuffs
covered by Regulation (EEC) No 2727/75 and subject
to Regulation (EEC) No 2743/75⁽⁴⁾, fixed in the
Annex to Regulation (EEC) No 2486/80, are hereby
altered as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 28 October
1980.

This Regulation shall be binding in its entirety and directly applicable in all Member
States.

Done at Brussels, 27 October 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 184, 17. 7. 1980, p. 1.

⁽³⁾ OJ No L 256, 1. 10. 1980, p. 15.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 60.

ANNEX

to the Commission Regulation of 27 October 1980 altering the export refunds on cereal-based compound feedingstuffs

(ECU/tonne)

CCT heading No	Special specification for refund	Nomenclature in simplified wording	Refund
23.07 B I		<p>Preparations of a kind used in animal feeding, covered by Regulation (EEC) No 2743/75, containing starch, glucose or glucose syrup falling within subheadings 17.02 B and 21.07 F II or milk products (falling within heading Nos 04.01, 04.02, 04.03 and 04.04 and subheadings 17.02 A and 21.07 F I):</p> <p>Of a milk powder content of less than 50 % by weight and of a cereal products ⁽¹⁾ content by weight:</p> <p>— Exceeding 5 % but not exceeding 15 %</p> <p>— Exceeding 15 % but not exceeding 30 %</p> <p>— Exceeding 30 % but not exceeding 50 %</p> <p>— Exceeding 50 % but not exceeding 65 %</p> <p>— Exceeding 65 %</p>	<p>—</p> <p>—</p> <p>—</p> <p>—</p> <p>—</p>

⁽¹⁾ 'Cereal products' means the products falling within Chapter 10 and heading Nos 11.01 and 11.02 (excluding subheading 11.02 G) of the Common Customs Tariff.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 20 October 1980

**appointing a member of the Management Board of the European Centre for the
Development of Vocational Training**

(80/985/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 337/75 of 10 February 1975 on the creation of a European Centre for the Development of Vocational Training ⁽¹⁾, and in particular Article 4 thereof,

Having regard to the Council Decision of 15 January 1979 appointing the members of the Management Board of the European Centre for the Development of Vocational Training for the period ending on 14 January 1982,

Whereas a member's seat on the Management Board of the above Centre in the government representatives category has become vacant as a result of the resignation of Dr Johnson, of which the Council was informed on 10 July 1980;

Having regard to the nomination submitted on 30 September 1980,

HAS DECIDED AS FOLLOWS:

Sole Article

Mr A. Brown is hereby appointed a member of the Management Board of the European Centre for the Development of Vocational Training to replace Dr Johnson for the remainder of his term of office, namely until 14 January 1982.

Done at Luxembourg, 20 October 1980.

For the Council

The President

J. SANTER

⁽¹⁾ OJ No L 39, 13. 2. 1975, p. 1.

COUNCIL DECISION

of 20 October 1980

**appointing two alternate members of the Advisory Committee on Safety,
Hygiene and Health Protection at Work**

(80/986/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Council Decision of 27 June 1974 on the setting up of an Advisory Committee on Safety, Hygiene and Health Protection at Work⁽¹⁾, and in particular Article 4 thereof,

Having regard to the Council Decision of 23 November 1978 appointing the full members and alternate members of the Advisory Committee on Safety, Hygiene and Health Protection at Work for the period ending on 22 November 1981,

Whereas two alternate members' seats in the employers' representatives category of the Advisory Committee on Safety, Hygiene and Health Protection at Work have fallen vacant following the resignation of Mr Petrie and Mr Dewsbury, notified to the Council on 1 October 1980;

Having regard to the candidates proposed on 1 October 1980,

HAS DECIDED AS FOLLOWS:

Sole Article

Miss A. Mackie and Mr R. F. Eberlie are hereby appointed alternate members of the Advisory Committee on Safety, Hygiene and Health Protection at Work in place of Mr Petrie and Mr Dewsbury for the remainder of their term of office, which runs until 22 November 1981.

Done at Luxembourg, 20 October 1980.

*For the Council**The President*

J. SANTER

⁽¹⁾ OJ No L 185, 9. 7. 1974, p. 15.

COUNCIL DIRECTIVE

of 20 October 1980

on the approximation of the laws of the Member States relating to the protection of employees in the event of the insolvency of their employer

(80/987/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 100 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas it is necessary to provide for the protection of employees in the event of the insolvency of their employer, in particular in order to guarantee payment of their outstanding claims, while taking account of the need for balanced economic and social development in the Community;

Whereas differences still remain between the Member States as regards the extent of the protection of employees in this respect; whereas efforts should be directed towards reducing these differences, which can have a direct effect on the functioning of the common market;

Whereas the approximation of laws in this field should, therefore, be promoted while the improvement within the meaning of Article 117 of the Treaty is maintained;

Whereas as a result of the geographical situation and the present job structures in that area, the labour market in Greenland is fundamentally different from that of the other areas of the Community;

Whereas to the extent that the Hellenic Republic is to become a member of the European Economic Community on 1 January 1981 in accordance with the Act concerning the Conditions of Accession of the Hellenic Republic and the Adjustments to the Treaties, it is appropriate to stipulate in the Annex to the Directive under the heading 'Greece', those categories of employees whose claims may be excluded in accordance with Article 1 (2) of the Directive,

HAS ADOPTED THIS DIRECTIVE:

SECTION I

Scope and definitions

Article 1

1. This Directive shall apply to employees' claims arising from contracts of employment or employment relationships and existing against employers who are in a state of insolvency within the meaning of Article 2 (1).

2. Member States may, by way of exception, exclude claims by certain categories of employee from the scope of this Directive, by virtue of the special nature of the employee's contract of employment or employment relationship or of the existence of other forms of guarantee offering the employee protection equivalent to that resulting from this Directive.

The categories of employee referred to in the first subparagraph are listed in the Annex.

3. This Directive shall not apply to Greenland. This exception shall be re-examined in the event of any development in the job structures in that region.

Article 2

1. For the purposes of this Directive, an employer shall be deemed to be in a state of insolvency:

(a) where a request has been made for the opening of proceedings involving the employer's assets, as provided for under the laws, regulations and administrative provisions of the Member State concerned, to satisfy collectively the claims of creditors and which make it possible to take into consideration the claims referred to in Article 1 (1), and

(b) where the authority which is competent pursuant to the said laws, regulations and administrative provisions has:

- either decided to open the proceedings,
- or established that the employer's undertaking or business has been definitively closed down and that the available assets are insufficient to warrant the opening of the proceedings.

⁽¹⁾ OJ No C 135, 9. 6. 1978, p. 2.

⁽²⁾ OJ No C 39, 12. 2. 1979, p. 26.

⁽³⁾ OJ No C 105, 26. 4. 1979, p. 15.

2. This Directive is without prejudice to national law as regards the definition of the terms 'employee', 'employer', 'pay', 'right conferring immediate entitlement' and 'right conferring prospective entitlement'.

SECTION II

Provisions concerning guarantee institutions

Article 3

1. Member States shall take the measures necessary to ensure that guarantee institutions guarantee, subject to Article 4, payment of employees' outstanding claims resulting from contracts of employment or employment relationships and relating to pay for the period prior to a given date.

2. At the choice of the Member States, the date referred to in paragraph 1 shall be :

- either that of the onset of the employer's insolvency ;
- or that of the notice of dismissal issued to the employee concerned on account of the employer's insolvency ;
- or that of the onset of the employer's insolvency or that on which the contract of employment or the employment relationship with the employee concerned was discontinued on account of the employer's insolvency.

Article 4

1. Member States shall have the option to limit the liability of guarantee institutions, referred to in Article 3.

2. When Member States exercise the option referred to in paragraph 1, they shall :

- in the case referred to in Article 3 (2), first indent, ensure the payment of outstanding claims relating to pay for the last three months of the contract of employment or employment relationship occurring within a period of six months preceding the date of the onset of the employer's insolvency ;
- in the case referred to in Article 3 (2), second indent, ensure the payment of outstanding claims relating to pay for the last three months of the contract of employment or employment relationship preceding the date of the notice of dismissal issued to the employee on account of the employer's insolvency ;
- in the case referred to in Article 3 (2), third indent, ensure the payment of outstanding claims relating to pay for the last 18 months of the contract of

employment or employment relationship preceding the date of the onset of the employer's insolvency or the date on which the contract of employment or the employment relationship with the employee was discontinued on account of the employer's insolvency. In this case, Member States may limit the liability to make payment to pay corresponding to a period of eight weeks or to several shorter periods totalling eight weeks.

3. However, in order to avoid the payment of sums going beyond the social objective of this Directive, Member States may set a ceiling to the liability for employees' outstanding claims.

When Member States exercise this option, they shall inform the Commission of the methods used to set the ceiling.

Article 5

Member States shall lay down detailed rules for the organization, financing and operation of the guarantee institutions, complying with the following principles in particular :

- (a) the assets of the institutions shall be independent of the employers' operating capital and be inaccessible to proceedings for insolvency ;
- (b) employers shall contribute to financing, unless it is fully covered by the public authorities ;
- (c) the institutions' liabilities shall not depend on whether or not obligations to contribute to financing have been fulfilled.

SECTION III

Provisions concerning social security

Article 6

Member States may stipulate that Articles 3, 4 and 5 shall not apply to contributions due under national statutory social security schemes or under supplementary company or inter-company pension schemes outside the national statutory social security schemes.

Article 7

Member States shall take the measures necessary to ensure that non-payment of compulsory contributions due from the employer, before the onset of his insolvency, to their insurance institutions under national statutory social security schemes does not adversely affect employees' benefit entitlement in respect of these insurance institutions inasmuch as the employees' contributions were deducted at source from the remuneration paid.

Article 8

Member States shall ensure that the necessary measures are taken to protect the interests of employees and of persons having already left the employer's undertaking or business at the date of the onset of the employer's insolvency in respect of rights conferring on them immediate or prospective entitlement to old-age benefits, including survivors' benefits, under supplementary company or inter-company pension schemes outside the national statutory social security schemes.

SECTION IV

General and final provisions*Article 9*

This Directive shall not affect the option of Member States to apply or introduce laws, regulations or administrative provisions which are more favourable to employees.

Article 10

This Directive shall not affect the option of Member States :

- (a) to take the measures necessary to avoid abuses ;
- (b) to refuse or reduce the liability referred to in Article 3 or the guarantee obligation referred to in Article 7 if it appears that fulfilment of the obligation is unjustifiable because of the existence of special links between the employee and the

employer and of common interests resulting in collusion between them.

Article 11

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive within 36 months of its notification. They shall forthwith inform the Commission thereof.

2. Member States shall communicate to the Commission the texts of the laws, regulations and administrative provisions which they adopt in the field governed by this Directive.

Article 12

Within 18 months of the expiry of the period of 36 months laid down in Article 11 (1), Member States shall forward all relevant information to the Commission in order to enable it to draw up a report on the application of this Directive for submission to the Council.

Article 13

This Directive is addressed to the Member States.

Done at Luxembourg, 20 October 1980.

For the Council

The President

J. SANTER

*ANNEX***Categories of employee whose claims may be excluded from the scope of this Directive, in accordance with Article 1 (2)****I. Employees having a contract of employment, or an employment relationship, of a special nature****A. GREECE**

The master and the members of a crew of a fishing vessel, if and to the extent that they are remunerated by a share in the profits or gross earnings of the vessel.

B. IRELAND

1. Out-workers (i.e. persons doing piece-work in their own homes), unless they have a written contract of employment.
2. Close relatives of the employer, without a written contract of employment, whose work has to do with a private dwelling or farm in, or on, which the employer and the close relatives reside.
3. Persons who normally work for less than 18 hours a week for one or more employers and who do not derive their basic means of subsistence from the pay for this work.
4. Persons engaged in share fishing on a seasonal, casual or part-time basis.
5. The spouse of the employer.

C. NETHERLANDS

Domestic servants employed by a natural person and working less than three days a week for the natural person in question.

D. UNITED KINGDOM

1. The master and the members of the crew of a fishing vessel who are remunerated by a share in the profits or gross earnings of the vessel.
2. The spouse of the employer.

II. Employees covered by other forms of guarantee**A. GREECE**

The crews of sea-going vessels.

B. IRELAND

1. Permanent and pensionable employees of local or other public authorities or statutory transport undertakings.
2. Pensionable teachers employed in the following: national schools, secondary schools, comprehensive schools, teachers' training colleges.
3. Permanent and pensionable employees of one of the voluntary hospitals funded by the Exchequer.

C. ITALY

1. Employees covered by benefits laid down by law guaranteeing that their wages will continue to be paid in the event that the undertaking is hit by an economic crisis.
2. The crews of sea-going vessels.

D. UNITED KINGDOM

1. Registered dock workers other than those wholly or mainly engaged in work which is not dock work.
 2. The crews of sea-going vessels.
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COUNCIL DECISION**of 20 October 1980****designating representative organizations required to draw up lists of candidates
for the Consultative Committee of the European Coal and Steel Community****(80/988/ECSC)**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to Article 18 of the Treaty establishing the European Coal and Steel Community,

Whereas by its Decisions of 2 August 1978 ⁽¹⁾ and 16 October 1978 ⁽²⁾ the Council designated the producers' and workers' organizations referred to in the third subparagraph of that Article ;Whereas by its Decision of 16 October 1978 ⁽³⁾ the Council appointed the members of the Consultative Committee for the period extending from 16 October 1978 to 15 October 1980 ;

Whereas the representative organizations, which are required to draw up lists of twice as many candidates as there are seats allotted to them, should be designated in order that the Consultative Committee may be renewed for a period of two years,

HAS DECIDED AS FOLLOWS :

Sole Article

The representative organizations of producers and workers listed in the table annexed to this Decision are hereby designated to draw up lists of candidates on the basis of which the members of the Consultative Committee of the European Coal and Steel Community shall be appointed in numbers equal to those shown in the aforesaid table in respect of those same organizations.

Done at Luxembourg, 20 October 1980.

*For the Council**The President*

J. SANTER

⁽¹⁾ OJ No L 226, 17. 8. 1978, p. 20.

⁽²⁾ OJ No L 314, 8. 11. 1978, p. 5.

⁽³⁾ OJ No L 314, 8. 11. 1978, p. 6.

ANNEX

Country	Name of organization	Number of seats
	1. Producers' organizations	
Belgium	— Comité de la sidérurgie belge, Bruxelles Belgisch IJzer- en Staalcomité, Brussel	2
	— Fédération charbonnière de Belgique, Bruxelles Belgische Steenkoolfederatie, Brussel	1
Denmark	— Foreningen af Danske Stålproducenter, Frederiksværk	1
Germany	— Unternehmensverband Ruhrbergbau, Essen	2
	— Unternehmensverband Saarbergbau, Saarbrücken	1
	— Unternehmensverband des Aachener Steinkohlenbergbaus, Aachen	1
	— Wirtschaftsvereinigung Eisen- und Stahlindustrie, Düsseldorf	2
	— Verband der Saalhütten, Fach- und Arbeitgeberverband, Saarbrücken	1
France	— Charbonnages de France, Paris	2
	— Chambre syndicale de la sidérurgie française, Paris	1
	— Chambre syndicale des mines de fer de France, Paris	1
Ireland	— Irish Steel Ltd., Dublin	1
Italy	— Associazione industrie siderurgiche italiane (Assider), Milano	1
	— Industrie siderurgiche associate (ISA), Milano	1
Luxembourg	— Groupement des industries sidérurgiques luxembourgeoises, Luxembourg	2
Netherlands	— Vereniging de Nederlandse IJzer- en Staalproducerende Industrie (NIJSI), Nijmegen	1
United Kingdom	— National Coal Board, London	3
	— British Steel Corporation, London	2
	— British Independent Steel Producers Association, London	1
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Country	Name of organization	Number of seats
	2. Workers' organizations	
Belgium	— Confédération des syndicats chrétiens de Belgique (CSCB), Bruxelles	1
	— Algemeen Christelijk Vakverbond van België (ACVB) Brussel	
	— Fédération générale du travail de Belgique (FGTB), Bruxelles	2
	— Algemeen Belgisch Vakverbond (ABVV), Brussel	
Denmark	— Dansk Metalarbejderforbund, København	1
Germany	— Industriegewerkschaft Bergbau und Energie, Bochum	3
	— Industriegewerkschaft Metall, Frankfurt/Main	2
	— Deutscher Gewerkschaftsbund, Düsseldorf	1
France	— Confédération générale du travail (CGT), Paris	1
	— Confédération française des travailleurs chrétiens (CFTC), Paris	1
	— Confédération française démocratique du travail (CFDT), Paris	1
	— Confédération générale du travail — Force ouvrière (CGT-FO), Paris	1
Ireland	— Irish Congress of Trade Unions, Dublin	1
Italy	— Federazione italiana operai metalmeccanici (FIOM) — CGIL, Roma	1
	— Federazione italiana metalmeccanici (FIM) — CISL, Roma	1
	— Unione italiana lavoratori metalmeccanici (UILM) — UIL, Roma	1
Luxembourg	— Confédération syndicale indépendante (OGBL), Esch/Alzette	1
Netherlands	— Christelijk Nationaal Vakverbond, Utrecht	1
	— Nederlands Verbond van Vakverenigingen, Amsterdam	1
United Kingdom	— National Union of Mine Workers, London	2
	— National Association of Colliery Overmen, Deputies and Shotfirers, London	1
	— TUC Steel Industry Consultative Committee, London	3
		27

