

English edition

## Legislation

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## I

*(Acts whose publication is obligatory)*

**COUNCIL REGULATION (EC) No 2258/96**

**of 22 November 1996**

**on rehabilitation and reconstruction operations in developing countries**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 130w thereof,

Having regard to the proposal from the Commission <sup>(1)</sup>,

Acting in accordance with the procedure laid down in Article 189c of the Treaty <sup>(2)</sup>,

Whereas the Commission, in its communication of 12 May 1993 to the European Parliament and the Council on a special rehabilitation support programme in developing countries, highlighted the specific nature and scale of the rehabilitation and reconstruction aid needed by developing countries that have suffered serious destruction through war, civil disorder or natural disaster;

Whereas the conclusions of the Council (Development) of 2 December 1993 on rehabilitation aid define the principal objectives, conditions and criteria for such aid and emphasize the need for close coordination between the Commission and the Member States when planning and implementing it;

Whereas the Commission must ensure that coherence and continuity govern the efforts made in the fields of humanitarian aid, rehabilitation and development;

Whereas the European Parliament, in its Resolution of 16 November 1993 <sup>(3)</sup>, emphasized the scale of the developing countries' need for rehabilitation aid and proposed the establishment of a specific financial framework with considerable financial resources for that purpose in the general budget of the European Communities;

Whereas the European Parliament stressed the need to position rehabilitation operations in a medium-term or long-term development plan;

Whereas the European Parliament also noted that high priority needed to be accorded to the speed and efficiency of aid;

Whereas the budgetary authority included, in the budget, headings for the financing of rehabilitation programmes in southern Africa (B7-3210) and of rehabilitation and reconstruction operations in developing countries (B7-6410);

Whereas procedures should be established for the administration of such programmes and operations,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. The Community shall carry out rehabilitation and reconstruction operations in the developing countries referred to in paragraph 2 which have suffered serious damage through war, civil disorder or natural disaster with priority being given to the least developed among them. These operations, of limited duration and to be launched as quickly as possible without compromising the quality of assessment, shall be designed to help re-establish a working economy and the institutional capacities needed to restore social and political stability to the countries concerned and meet the needs of the people affected as a whole. The operations must progressively take over from humanitarian action and pave the way for the resumption of medium-term and long-term development aid. They must in particular permit refugees, displaced persons and demobilized troops to return home and must help the entire population to resume normal civilian life in their countries and regions of origin.

2. The countries to benefit from this Regulation shall be the African, Caribbean and Pacific countries, the Mediterranean countries, the countries of Latin America and Asia and the developing countries of the Caucasus and Central Asia.

<sup>(1)</sup> OJ No C 235, 9. 9. 1995, p. 11.

<sup>(2)</sup> Opinion of the European Parliament of 15 December 1995 (OJ No C 17, 22. 1. 1996, p. 448), common position of the Council of 29 January 1996 (OJ No C 87, 27. 3. 1996, p. 29) and decision of the European Parliament of 21 May 1996 (OJ No C 166, 10. 6. 1996, p. 33).

<sup>(3)</sup> OJ No C 329, 6. 12. 1993, p. 77.

*Article 2*

1. When operations are decided upon, account should be taken wherever possible of the existence of a minimal level of security and a real commitment to a transition process respecting democratic values and fundamental freedoms.

2. The priorities for operations under this Regulation shall be: the relaunch of production on a lasting basis, the physical and operational rehabilitation of basic infrastructure, including mine clearance, social reintegration, in particular of refugees, displaced persons and demobilized troops, and the restoration of the institutional capacities needed in the rehabilitation period, especially at local level.

*Article 3*

The cooperation partners eligible for financial support under this Regulation shall be regional and international organizations, non-governmental organizations, national, provincial and local government departments and agencies, community-based organizations, institutes and public and private operators.

*Article 4*

1. The instruments to be employed in the course of the operations referred to in Article 1 shall include studies, technical assistance, training or other services, supplies and works, along with audits and evaluation and monitoring missions.

2. Community financing may cover both investment, with the exception of the purchase of buildings, and recurring costs (including administrative, maintenance and operational costs), taking account of the fact that the project must aim to have the recurring costs taken over by the beneficiaries.

3. A financial contribution from the partners defined in Article 3 shall be sought for each cooperation operation. The contribution requested shall be within the means of the partners concerned and shall depend on the nature of the operation. In specific cases where the partner is an NGO or a community-based organization, a contribution in kind may be made.

4. Opportunities may be sought for cofinancing with other providers of funds, especially with Member States.

5. The necessary measures shall be taken to emphasize the Community character of the aid provided under this Regulation.

6. In order to achieve the objectives of coherence and complementarity referred to in the Treaty and with the aim of guaranteeing optimal efficiency of the totality of

these actions, the Commission will take all necessary coordination measures, notably:

- (a) the establishment of a system for the systematic exchange and analysis of information on actions financed or for which financing is foreseen by the Community and the Member States;
- (b) on-the-spot coordination of these actions by means of regular meetings and exchange of information between the representatives of the Commission and Member States in the beneficiary country.

7. The Commission, in conjunction with the Member States, may take any initiatives necessary for ensuring good coordination with the other providers of funds, in particular those forming part of the United Nations system.

*Article 5*

Financial support under this Regulation shall be in the form of grants.

*Article 6*

1. The Commission shall appraise, decide and administer operations covered by this Regulation according to the budgetary and other procedures in force, and in particular those laid down in the Financial Regulation applicable to the general budget of the European Communities.

2. Project and programme appraisal shall take into account the following factors:

- effectiveness and viability of operations,
- cultural, social, gender and environmental aspects,
- institutional development necessary to achieve project goals,
- experience gained from operations of the same kind.

3. Decisions relating to grants of more than ECU 2 million for individual operations financed under this Regulation shall be taken under the procedure laid down in Article 7.

The Commission shall inform the Committee referred to in Article 7 succinctly of any financing decisions it intends to take with regard to projects and programmes of less than ECU 2 million in value. The information shall be made available not later than one week before the decision is taken.

4. The Commission is authorized to approve, without seeking the opinion of the Committee referred to in Article 7, any extra commitments needed for covering expected or real cost overruns in connection with the operations, provided that the overrun or additional requirement is less than or equal to 20 % of the initial commitment fixed by the financing decision.

Where the additional commitment referred to in the previous subparagraph is less than ECU 4 million, the Committee referred to in Article 7 shall be informed of the decision taken by the Commission. Where the said additional commitment is more than ECU 4 million but less than 20 %, the Committee's opinion shall be sought.

5. All financing agreements or contracts concluded under this Regulation shall provide for the Commission and the Court of Auditors to conduct on-the-spot checks according to the usual procedures laid down by the Commission under the rules in force, and in particular those of the Financial Regulation applicable to the general budget of the European Communities.

6. Where operations are the subject of financing agreements between the Community and the host countries, such agreements shall stipulate that the payment of taxes, duties or any other charges is not to be covered by the Community.

7. Participation in invitations to tender and the award of contracts shall be open on equal terms to natural and legal persons of the Member States and of the recipient country. It may be extended to other developing countries and, in exceptional cases which are fully justified, to third countries.

8. Supplies shall originate in the Member States, the recipient country or other developing countries. In exceptional cases, where circumstances warrant, supplies may originate elsewhere.

#### Article 7

1. The Commission shall be assisted by the relevant geographical committee.

2. The Commission representative shall submit to the Committee a draft of the measures to be taken. The Committee shall deliver its opinion on the draft, within a time limit which the chairman may lay down according to the urgency of the matter. The opinion shall be delivered by the majority laid down in Article 148 (2) of the Treaty in the case of decisions which the Council is required to adopt on a proposal from the Commission. The votes of the representatives of the Member States within the Committee shall be weighted in the manner set out in that Article. The chairman shall not vote.

The Commission shall adopt the measures envisaged if they are in accordance with the opinion of the Committee.

If the measures envisaged are not in accordance with the opinion of the Committee, or if no opinion is delivered, the Commission shall without delay submit to the

Council a proposal relating to the measures to be taken. The Council shall act by a qualified majority.

If, within one month after the referral of the matter to the Council, the latter has not acted, the proposal measures shall be adopted by the Commission.

#### Article 8

An exchange of views shall take place, once a year, on the basis of a presentation by the Commission's representative of the general guidelines for the operations to be carried out in the year ahead, in the framework of a joint meeting of the committees referred to in Article 7 (1).

#### Article 9

After each budget year, the Commission shall report to the European Parliament and the Council, summarizing the operations financed in the course of that year and evaluating the implementation of this Regulation in that period.

The summary shall in particular contain information about those with whom contracts have been concluded.

The report shall also include a summary of the conclusions of any independent evaluations of specific operations.

The Commission shall inform the Member States, at the latest one month after its decision, of the operations and projects that have been approved, and shall indicate their amounts, character, recipient country and partners.

#### Article 10

The Commission shall regularly assess operations financed by the Community in order to establish whether the objectives of the operations have been achieved and to provide guidelines for improving the effectiveness of future operations. The Commission shall submit to the Committee referred to in Article 7 a summary of the assessments made, which the latter may, if necessary, examine. Assessment reports shall be made available to any Member States requesting them.

#### Article 11

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

Three years after this Regulation enters into force, the Commission shall submit to the European Parliament and the Council an overall assessment of operations financed by the Community under this Regulation, together with suggestions regarding the future of this Regulation and, where necessary, proposals for amending it.

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

Done at Brussels, 22 November 1996.

*For the Council*

*The President*

J. BURTON

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**COUNCIL REGULATION (EC) No 2259/96**  
**of 22 November 1996**  
**on development cooperation with South Africa**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 130w thereof,

Having regard to the proposal from the Commission <sup>(1)</sup>,

Acting in accordance with the procedure laid down in Article 189c <sup>(2)</sup>,

Whereas in the past Community policy towards South Africa took the form of punitive measures involving a trade embargo and economic sanctions against the government that bore responsibility for a policy of apartheid, and also of positive measures to help the victims of apartheid under the special programme of assistance channelled via Non Governmental Organizations;

Whereas, since the elections of April 1994 and the establishment of a democratic government, the Community has turned towards a strategy of support for the policies and reforms undertaken by the South African authorities;

Whereas in its declaration of 25 May 1993 the Council expressed its support for the establishment of democratic institutions;

Whereas, in its declaration of 19 April 1994 on future relations between the Community and South Africa, the Council confirmed its support for stepping up cooperation with South Africa by focusing Community assistance on areas of activity likely to improve the living conditions of the people, and especially the poorest sections of the population;

Whereas the aim of the Agreement on cooperation between the European Community and the Republic of South Africa signed in Pretoria in October 1994 is to promote harmonious and sustainable social and economic development and constitutes the first stage in the establishment of long-term cooperation with South Africa for which a proposal for negotiating directives was submitted by the Commission to the Council on 31 March 1995;

Whereas the budgetary authority has decided, in the framework of the 1986 budget, to create a budget line to support development actions in that country;

Whereas the arrangements for administering the financial resources set aside by the Community for implementing such cooperation should be laid down;

Whereas a financial reference amount, within the meaning of point 2 of the Declaration by the European Parliament, the Council and the Commission of 6 March 1995, is included in this Regulation for the duration of the programme, without thereby affecting the powers of the budgetary authority as they are defined by the Treaty,

HAS ADOPTED THIS REGULATION:

*Article 1*

The Community shall implement financial and technical cooperation with South Africa to support the policies and reforms carried out by that country's national authorities.

The aim of the Community cooperation programme, entitled the 'European Programme for Reconstruction and Development in South Africa', shall be to contribute to South Africa's harmonious and sustainable economic and social development and to consolidate the foundations laid for a democratic society and a State governed by the rule of law in which human rights and fundamental freedoms are respected.

Within this context the Community shall give priority to supporting operations to help the poorest sections of the population in South Africa.

*Article 2*

1. The operations to be carried out under this Regulation mainly concern the following:

- support for democratization and the protection of human rights,
- education and training,
- health,
- rural development,
- urban development and social housing,
- support of and cooperation with the private sector, and in particular for small and medium-size enterprises,
- strengthening of institutions and the organization of local communities,
- regional cooperation and integration,
- protection of the environment.

2. In its cooperation operations, the Community will take account of the priorities set by the South African Programme for Reconstruction and Development.

<sup>(1)</sup> OJ No C 235, 9. 9. 1995, p. 5.

<sup>(2)</sup> Opinion of the European Parliament of 10 October 1995 (OJ No C 287, 30. 10. 1995, p. 29), Council Common Position of 19 March 1996 (OJ No C 134, 6. 5. 1996, p. 12) and Decision of the European Parliament of 18 July 1996 (OJ No C 261, 9. 9. 1996, p. 144).

*Article 3*

Cooperation partners eligible for financial assistance under this Regulation shall be national, provincial and local authorities and public bodies, non-governmental organizations and community-based organizations, regional and international organizations, institutions and public or private operators.

*Article 4*

1. The means that may be deployed under the cooperation operations referred to in Article 1 shall include in particular studies, technical assistance, training or other services, supplies and works, and also evaluation and monitoring audits and missions.

2. Community financing in local or foreign currency, depending on the needs of the operation, may cover:

— investment, with the exception of the purchase of buildings,

— in duly substantiated cases, recurrent expenditure (including administrative, maintenance and operating costs) to ensure optimum use of the investments referred to in the first indent, the exploitation of which temporarily represents a burden for the partner. In those cases, a plan providing for the costs to be borne by the partner under the project must accompany the proposal for Community financing.

3. A financial contribution from the partners referred to in Article 3 shall in principle be required for each cooperation operation. That contribution will be requested in accordance with the possibilities of the partners concerned and depending on the nature of each operation. In specific cases where the partner is either a non-governmental organization or a community-based organization, the contribution may be made in kind according to its possibilities.

4. Opportunities may be sought for cofinancing by other providers of funds, particularly the Member States.

5. The Commission may take any appropriate step to ensure that the Community character of aid provided under this Regulation is made known.

6. In order to achieve the objectives of coherence and complementarity referred to in the Treaty and with the aim of guaranteeing optimal effectiveness of the aid, the Commission may take all necessary coordination measures, notably:

(a) the establishment of a system for the systematic exchange of information on actions financed or

planned to be financed by the Community and the Member States;

(b) on-the-spot coordination of these actions by means of regular meetings and exchange of information between the representatives of the Commission and Member States in the beneficiary country.

7. The Commission, in liaison with the Member States, may take any steps necessary to ensure adequate coordination with other providers of funds concerned.

*Article 5*

Financial support under this Regulation shall take the form of grants.

*Article 6*

Multiannual indicative programming based on specific objectives and the identification and implementation of the resulting operations referred to in Article 2 shall be carried out in the context of close contacts with the South African Government and taking account of the results of the coordination referred to in Article 4 (6) and (7).

In order to prepare for programming, in the context of increased coordination with the Member States, including on the spot, the Commission shall draw up a recapitulative document on cooperation strategy to be examined by the Committee referred to in Article 8 hereafter referred to as the 'Committee'. The Commission shall forward the multiannual indicative programme, drawn up on the basis of that examination, to the Committee for discussion, which shall take place at the request of the Commission or one or more Committee members. In that case, where it is not possible to reach a desirable consensus on the recapitulative document or the programme, the committee shall give its opinion in accordance with the procedure referred to in Article 8. The same procedure shall apply where amendments to the programme prove necessary.

*Article 7*

1. The Commission shall be responsible for appraising, taking decisions on and managing operations conducted under this Regulation, in accordance with the budgetary and other procedures in force, notably those laid down in the Financial Regulation applicable to the general budget of the European Communities.

2. In order to ensure transparency and achievement of the objectives referred to in Article 4 (6), the Commission shall forward project profiles to the Member States and their local representatives as soon as the decision to appraise them has been taken. The Commission shall subsequently update the project profiles and forward them to the Member States.



3. Decisions concerning any operation financed under this Regulation at a cost of over ECU 2 million, or any adjustment of such an operation involving an increase of more than 20 % in the amount initially agreed, and proposals for fundamental amendments to be made as a result of difficulties which emerged in implementing projects which have already started, shall be adopted by means of the procedure laid down in Article 8.

Where the overrun referred to in the first paragraph is more than ECU 4 million but less than 20 % of the original commitment, the Committee's opinion shall be sought by simplified and accelerated procedures.

The Commission shall inform the Committee succinctly of financing decisions it intends to take concerning projects and programmes of a value of under ECU 2 million. Such information shall be given at least one week before the decision is taken.

4. All financing agreements or contracts concluded under this Regulation shall provide for on-the-spot checks by the Commission and the Court of Auditors in accordance with the usual arrangements established by the Commission pursuant to the rules in force, in particular those laid down in the Financial Regulation applicable to the general budget of the European Communities.

5. Where operations give rise to financing agreements between the Community and South Africa, such agreements shall stipulate that taxes, duties and charges shall not be borne by the Community.

6. Participation in invitations to tender and contracts shall be open on equal terms to all natural and legal persons in the Member States, South Africa and the ACP States. Participation may be extended to include other developing countries in duly substantiated cases and in order to ensure the best cost-effectiveness ratio.

7. Supplies shall originate in the Member States, South Africa or the ACP States. In duly substantiated exceptional cases, they may originate in other countries.

#### Article 8

1. The Commission shall be assisted by a committee, consisting of representatives of the Member States and chaired by the representative of the Commission.

2. The Commission representative shall submit to the committee a draft of measures to be adopted. The committee shall deliver its opinion on the draft within a time limit which the chairman may lay down according

to the urgency of the matter. The opinion shall be delivered by the majority laid down in Article 148 (2) of the Treaty in the case of decisions which the Council is required to adopt on a proposal from the Commission. The votes of the representatives of the Member States within the committee shall be weighted in the manner set out in that Article. The chairman shall not vote.

3. (a) The Commission shall adopt the measures envisaged if they are in accordance with the opinion of the committee.

(b) If the measures envisaged are not in accordance with the opinion of the committee, or if no opinion is delivered, the Commission shall, without delay, submit to the Council a proposal relating to the measures to be taken. The Council shall act by a qualified majority.

If, on the expiry of a period of one month, the Council has not acted, the proposed measures shall be adopted by the Commission.

#### Article 9

After each financial year the Commission shall submit an annual report on implementation of this Regulation to the European Parliament and the Council. The report shall set out the budget turnout with regard to commitments and payments and the projects and programmes financed in the course of the year. It shall contain precise and detailed statistics on contracts awarded for implementing projects and programmes.

The Commission shall regularly appraise operations financed by the Community to determine whether those operations' objectives have been reached and to establish guidelines for improving the effectiveness of future operations. Summaries of appraisal reports shall be forwarded to the Member States. Full reports shall be made available to Member States which request them.

#### Article 10

This Regulation shall enter into force on the third day following that of its publication in the *Official Journal of the European Communities* and shall expire on 31 December 1999.

The financial reference amount for the implementation of this Regulation for the period from 1 January 1996 to 31 December 1999 shall be ECU 500 million.

The annual appropriations shall be authorized by the budgetary authority within the limits of the financial perspective.

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

Done at Brussels, 22 November 1996.

*For the Council*

*The President*

J. BURTON

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**COMMISSION REGULATION (EC) No 2260/96**

of 27 November 1996

**altering the export refunds on white sugar and raw sugar exported in the natural state**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,  
Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector <sup>(1)</sup>, as last amended by Regulation (EC) No 1599/96 <sup>(2)</sup>, and in particular the second subparagraph of Article 19 (4) thereof,

Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EC) No 2211/96 <sup>(3)</sup>;

Whereas it follows from applying the detailed rules contained in Regulation (EC) No 2211/96 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;

Whereas, in the light of the amendment introduced by Regulation (EC) No 1222/96 <sup>(4)</sup>, the figure 9 after the first

eight digits corresponding to the combined nomenclature subheadings should be regarded as forming part of the refund nomenclature code from 1 January 1997,

HAS ADOPTED THIS REGULATION:

*Article 1*

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, as fixed in the Annex to Regulation (EC) No 2211/96 are hereby altered to the amounts shown in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 28 November 1996.

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

Done at Brussels, 27 November 1996.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ No L 206, 16. 8. 1996, p. 43.

<sup>(3)</sup> OJ No L 296, 21. 11. 1996, p. 3.

<sup>(4)</sup> OJ No L 161, 29. 6. 1996, p. 62.

## ANNEX

## to the Commission Regulation of 27 November 1996 altering the export refunds on white sugar and raw sugar exported in its unaltered state

Product code	Amount of refund <sup>(1)</sup>
	— ECU/100 kg —
1701 11 90 100	39,60 <sup>(1)</sup>
1701 11 90 910	38,44 <sup>(1)</sup>
1701 11 90 950	<sup>(2)</sup>
1701 12 90 100	39,60 <sup>(1)</sup>
1701 12 90 910	38,44 <sup>(1)</sup>
1701 12 90 950	<sup>(2)</sup>
	— ECU/1 % of sucrose × 100 kg —
1701 91 00 000	0,4305
	— ECU/100 kg —
1701 99 10 100	43,05
1701 99 10 910	43,69
1701 99 10 950	43,69
	— ECU/1 % of sucrose × 100 kg —
1701 99 90 100	0,4305

<sup>(1)</sup> Applicable to raw sugar with a yield of 92 %; if the yield is other than 92 %, the refund applicable is calculated in accordance with the provisions of Article 17a (4) of Regulation (EEC) No 1785/81.

<sup>(2)</sup> Fixing suspended by Commission Regulation (EEC) No 2689/85 (OJ No L 255, 26. 9. 1985, p. 12), as amended by Regulation (EEC) No 3251/85 (OJ No L 309, 21. 11. 1985, p. 14).

<sup>(3)</sup> Refunds on exports to the Federal Republic of Yugoslavia (Serbia and Montenegro) may be granted only where the conditions laid down in amended Regulation (EEC) No 990/93 and Regulation (EC) No 462/96 are observed.

**COMMISSION REGULATION (EC) No 2261/96**

of 27 November 1996

**fixing the maximum export refund for white sugar for the 17th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EC) No 1464/96**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector<sup>(1)</sup>, as last amended by Regulation (EC) No 1599/96<sup>(2)</sup>, and in particular the second subparagraph of Article 17 (5) (b) thereof,Whereas Commission Regulation (EC) No 1464/96 of 25 July 1996 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar<sup>(3)</sup>, requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EC) No 1464/96 a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question;

Whereas, following an examination of the tenders submitted in response to the 17th partial invitation to tender, the provisions set out in Article 1 should be adopted;

Whereas Council Regulation (EEC) No 990/93<sup>(4)</sup>, as amended by Regulation (EC) No 1380/95<sup>(5)</sup>, prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); whereasthis prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof and in Council Regulation (EC) No 462/96<sup>(6)</sup>; whereas account should be taken of this fact when fixing the refunds;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. For the 17th partial invitation to tender for white sugar issued pursuant to Regulation (EC) No 1464/96 the maximum amount of the export refund is fixed at ECU 46,704 per 100 kilograms.
2. Refunds on exports to the Federal Republic of Yugoslavia (Serbia and Montenegro) may be granted only where the conditions laid down in amended Regulation (EEC) No 990/93 and Regulation (EC) No 462/96 are observed.

*Article 2*

This Regulation shall enter into force on 28 November 1996.

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

Done at Brussels, 27 November 1996.

*For the Commission*

Franz FISCHLER

*Member of the Commission*<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.<sup>(2)</sup> OJ No L 206, 16. 8. 1996, p. 43.<sup>(3)</sup> OJ No L 187, 26. 7. 1996, p. 42.<sup>(4)</sup> OJ No L 102, 28. 4. 1993, p. 14.<sup>(5)</sup> OJ No L 138, 21. 6. 1995, p. 1.<sup>(6)</sup> OJ No L 65, 15. 3. 1996, p. 1.

## COMMISSION REGULATION (EC) No 2262/96

of 27 November 1996

## fixing the representative prices and the additional import duties for molasses in the sugar sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the market in sugar<sup>(1)</sup>, as last amended by Regulation (EC) No 1599/96<sup>(2)</sup>,

Having regard to Commission Regulation (EC) No 1422/95 of 23 June 1995 laying down detailed rules of application for imports of molasses in the sugar sector and amending Regulation (EEC) No 785/68<sup>(3)</sup>, and in particular Articles 1 (2) and 3 (1) thereof,

Whereas Regulation (EC) No 1422/95 stipulates that the cif import price for molasses, hereinafter referred to as the 'representative price', should be set in accordance with Commission Regulation (EEC) No 785/68<sup>(4)</sup>; whereas that price should be fixed for the standard quality defined in Article 1 of the above Regulation;

Whereas the representative price for molasses is calculated at the frontier crossing point into the Community, in this case Amsterdam; whereas that price must be based on the most favourable purchasing opportunities on the world market established on the basis of the quotations or prices on that market adjusted for any deviations from the standard quality; whereas the standard quality for molasses is defined in Regulation (EEC) No 785/68;

Whereas, when the most favourable purchasing opportunities on the world market are being established, account must be taken of all available information on offers on the world market, on the prices recorded on important third-country markets and on sales concluded in international trade of which the Commission is aware, either directly or through the Member States; whereas, under Article 7 of Regulation (EEC) No 785/68, the Commission may for this purpose take an average of several prices as a basis, provided that this average is representative of actual market trends;

Whereas the information must be disregarded if the goods concerned are not of sound and fair marketable quality or

if the price quoted in the offer relates only to a small quantity that is not representative of the market; whereas offer prices which can be regarded as not representative of actual market trends must also be disregarded;

Whereas, if information on molasses of the standard quality is to be comparable, prices must, depending on the quality of the molasses offered, be increased or reduced in the light of the results achieved by applying Article 6 of Regulation (EEC) No 785/68;

Whereas a representative price may be left unchanged by way of exception for a limited period if the offer price which served as a basis for the previous calculation of the representative price is not available to the Commission and if the offer prices which are available and which appear not to be sufficiently representative of actual market trends would entail sudden and considerable changes in the representative price;

Whereas where there is a difference between the trigger price for the product in question and the representative price, additional import duties should be fixed under the conditions set out in Article 3 of Regulation (EC) No 1422/95; whereas should the import duties be suspended pursuant to Article 5 of Regulation (EC) No 1422/95, specific amounts for these duties should be fixed;

Whereas application of these provisions will have the effect of fixing the representative prices and the additional import duties for the products in question as set out in the Annex to this Regulation;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

*Article 1*

The representative prices and the additional duties applying to imports of the products referred to in Article 1 of Regulation (EC) No 1422/95 are fixed in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 28 November 1996.

<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ No L 206, 16. 8. 1996, p. 43.

<sup>(3)</sup> OJ No L 141, 24. 6. 1995, p. 12.

<sup>(4)</sup> OJ No L 145, 27. 6. 1968, p. 12.

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

Done at Brussels, 27 November 1996.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

ANNEX

**fixing the representative prices and additional import duties applying to imports of molasses in the sugar sector**

CN code	Amount of the representative price in ECU per 100 kg net of the product in question	Amount of the additional duty in ECU per 100 kg net of the product in question	Amount of the duty to be applied to imports in ECU per 100 kg net of the product in question because of suspension as referred to in Article 5 of Regulation (EC) No 1422/95 <sup>(2)</sup>
1703 10 00 <sup>(1)</sup>	7,53	0,00	—
1703 90 00 <sup>(1)</sup>	11,21	—	0,00

<sup>(1)</sup> For the standard quality as defined in Article 1 of amended Regulation (EEC) No 785/68.

<sup>(2)</sup> This amount replaces, in accordance with Article 5 of Regulation (EC) No 1422/95, the rate of the Common Customs Tariff duty fixed for these products.

**COMMISSION REGULATION (EC) No 2263/96**  
**of 26 November 1996**  
**establishing unit values for the determination of the customs value of certain**  
**perishable goods**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,  
Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code <sup>(1)</sup>, as amended by Regulation (EEC) No 2454/93 <sup>(2)</sup>,

Having regard to Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code, as last amended by Regulation (EC) No 2153/96 <sup>(3)</sup>, and in particular Article 173 (1) thereof,

Whereas Articles 173 to 177 of Regulation (EEC) No 2454/93 provide that the Commission shall periodically establish unit values for the products referred to in the classification in Annex 26 to that Regulation;

Whereas the result of applying the rules and criteria laid down in the abovementioned Articles to the elements

communicated to the Commission in accordance with Article 173 (2) of Regulation (EEC) No 2454/93 is that unit values set out in the Annex to this Regulation should be established in regard to the products in question,

HAS ADOPTED THIS REGULATION:

*Article 1*

The unit values provided for in Article 173 (1) of Regulation (EEC) No 2454/93 are hereby established as set out in the table in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 29 November 1996.

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

Done at Brussels, 26 November 1996.

*For the Commission*  
Martin BANGEMANN  
*Member of the Commission*

<sup>(1)</sup> OJ No L 302, 19. 10. 1992, p. 1.

<sup>(2)</sup> OJ No L 253, 11. 10. 1993, p. 1.

<sup>(3)</sup> OJ No L 289, 12. 11. 1996, p. 1.



## ANNEX

Code	Description Species, varieties, CN code	Amount of unit values per 100 kg						
		a) b) c)	ECU FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
1.10	New potatoes 0701 90 51 0701 90 59	a)	61,03	829,73	117,90	452,91	18 607,07	9 917,99
		b)	355,86	399,63	46,56	117 640,82	132,27	11 923,43
		c)	519,46	2 430,03	46,59			
1.30	Onions (other than seed) 0703 10 19	a)	2,58	35,13	4,99	19,18	787,79	419,91
		b)	15,07	16,92	1,97	4 980,70	5,60	504,82
		c)	21,99	102,88	1,97			
1.40	Garlic 0703 20 00	a)	93,69	1 273,74	180,99	695,27	28 563,97	15 225,24
		b)	546,28	613,48	71,48	180 592,05	203,05	18 303,82
		c)	797,43	3 730,37	71,52			
1.50	Leeks ex 0703 90 00	a)	47,34	643,66	91,46	351,34	14 434,21	7 693,76
		b)	276,05	310,01	36,12	91 258,47	102,61	9 249,46
		c)	402,97	1 885,06	36,14			
1.60	Cauliflowers 0704 10 10 0704 10 05 0704 10 80	a)	75,84	1 031,08	146,51	562,81	23 122,40	12 324,76
		b)	442,21	496,61	57,86	146 188,43	164,37	14 816,86
		c)	645,52	3 019,71	57,89			
1.70	Brussels sprouts 0704 20 00	a)	53,71	730,21	103,76	398,59	16 375,32	8 728,41
		b)	313,17	351,70	40,98	103 530,86	116,40	10 493,32
		c)	457,16	2 138,57	41,00			
1.80	White cabbages and red cabbages 0704 90 10	a)	31,08	422,55	60,04	230,65	9 475,79	5 050,81
		b)	181,22	203,52	23,71	59 909,50	67,36	6 072,10
		c)	264,54	1 237,51	23,72			
1.90	Sprouting broccoli or calabrese ( <i>Brassica oleracea</i> L. <i>convar. botrytis</i> (L.) <i>Alef</i> var. <i>italica</i> Plenck) ex 0704 90 90	a)	105,95	1 440,44	204,68	786,26	32 302,46	17 217,93
		b)	617,78	693,77	80,84	204 228,16	229,62	20 699,45
		c)	901,80	4 218,60	80,88			
1.100	Chinese cabbage ex 0704 90 90	a)	78,85	1 072,01	152,32	585,15	24 040,10	12 813,91
		b)	459,76	516,32	60,16	151 990,47	170,89	15 404,92
		c)	671,14	3 139,56	60,19			
1.110	Cabbage lettuce (head lettuce) 0705 11 10 0705 11 05 0705 11 80	a)	56,79	772,09	109,71	421,44	17 314,36	9 228,94
		b)	331,13	371,87	43,33	109 467,84	123,08	11 095,06
		c)	483,37	2 261,20	43,35			
1.120	Endives ex 0705 29 00	a)	21,82	296,65	42,15	161,93	6 652,57	3 545,97
		b)	127,23	142,88	16,65	42 060,01	47,29	4 262,97
		c)	185,72	868,80	16,66			
1.130	Carrots ex 0706 10 00	a)	30,34	412,49	58,61	225,16	9 250,18	4 930,55
		b)	176,91	198,67	23,15	58 483,08	65,75	5 927,53
		c)	258,24	1 208,04	23,16			
1.140	Radishes ex 0706 90 90	a)	49,31	670,39	95,26	365,93	15 033,83	8 013,37
		b)	287,52	322,89	37,62	95 049,46	106,87	9 633,69
		c)	419,71	1 963,37	37,64			
1.160	Peas ( <i>Pisum sativum</i> ) 0708 10 90 0708 10 20 0708 10 95	a)	359,35	4 885,48	694,19	2 666,73	109 558,72	58 397,25
		b)	2 095,29	2 353,04	274,17	692 670,99	778,80	70 205,35
		c)	3 058,61	14 308,03	274,30			

Code	Description Species, varieties, CN code	Amount of unit values per 100 kg						
		a) b) c)	ECU FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
1.170	Beans:							
1.170.1	Beans ( <i>Vigna</i> spp., <i>Phaseolus</i> spp.) ex 0708 20 90 ex 0708 20 20 ex 0708 20 95	a) b) c)	106,91 623,40 910,01	1 453,54 700,08 4 256,97	206,54 81,57 81,61	793,41 206 085,59	32 596,25 231,71	17 374,53 20 887,71
1.170.2	Beans ( <i>Phaseolus</i> spp., <i>vulgaris</i> var. <i>Compressus Savi</i> ) ex 0708 20 90 ex 0708 20 20 ex 0708 20 95	a) b) c)	96,51 562,74 821,45	1 312,10 631,96 3 842,73	186,44 73,63 73,67	716,21 186 031,71	29 424,35 209,16	15 683,84 18 855,16
1.180	Broad beans ex 0708 90 00	a) b) c)	92,83 541,28 790,13	1 262,07 607,86 3 696,20	179,33 70,83 70,86	688,90 178 938,18	28 302,38 201,19	15 085,80 18 136,20
1.190	Globe artichokes 0709 10 30	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
1.200	Asparagus:							
1.200.1	— green ex 0709 20 00	a) b) c)	402,27 2 345,60 3 423,99	5 469,11 2 634,14 16 017,30	777,12 306,92 307,07	2 985,31 775 419,15	122 646,88 871,84	65 373,53 78 592,25
1.200.2	— other ex 0709 20 00	a) b) c)	203,52 1 186,70 1 732,29	2 766,97 1 332,68 8 103,58	393,17 155,28 155,35	1 510,35 392 305,04	62 050,30 441,08	33 074,20 39 761,90
1.210	Aubergines (eggplants) 0709 30 00	a) b) c)	116,74 680,67 993,62	1 587,09 764,41 4 648,09	225,51 89,07 89,11	866,31 225 020,50	35 591,15 253,00	18 970,88 22 806,85
1.220	Ribbed celery ( <i>Apium graveolens</i> L., var. <i>dulce</i> (Mill.) Pers.) ex 0709 40 00	a) b) c)	84,57 493,11 719,83	1 149,77 553,78 3 367,32	163,37 64,52 64,55	627,60 163 016,29	25 784,04 183,29	13 743,47 16 522,44
1.230	Chantarelles 0709 51 30	a) b) c)	1 085,28 6 328,09 9 237,44	14 754,88 7 106,54 43 212,37	2 096,56 828,03 828,43	8 053,93 2 091 969,29	330 883,62 2 352,09	176 368,38 212 030,59
1.240	Sweet peppers 0709 60 10	a) b) c)	102,80 599,40 874,98	1 397,60 673,14 4 093,12	198,59 78,43 78,47	762,88 198 153,55	31 341,65 222,79	16 705,80 20 083,76
1.250	Fennel 0709 90 50	a) b) c)	73,55 428,86 626,03	999,95 481,61 2 928,53	142,09 56,12 56,14	545,82 141 774,24	22 424,22 159,40	11 952,61 14 369,46
1.270	Sweet potatoes, whole, fresh (intended for human consumption) 0714 20 10	a) b) c)	55,14 321,54 469,36	749,71 361,09 2 195,66	106,53 42,07 42,09	409,23 106 295,02	16 812,52 119,51	8 961,45 10 773,48
2.10	Chestnuts ( <i>Castanea</i> spp.), fresh ex 0802 40 00	a) b) c)	131,85 768,81 1 122,28	1 792,60 863,39 5 249,96	254,72 100,60 100,65	978,49 254 157,56	40 199,72 285,76	21 427,35 25 760,02
2.30	Pineapples, fresh ex 0804 30 00	a) b) c)	48,43 282,40 412,23	658,45 317,14 1 928,39	93,56 36,95 36,97	359,41 93 355,88	14 765,96 104,96	7 870,59 9 462,04

Code	Description Species, varieties, CN code	Amount of unit values per 100 kg						
		a) b) c)	ECU FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
2.40	Avocados, fresh ex 0804 40 90 ex 0804 40 20 ex 0804 40 95	a) b) c)	97,72 569,79 831,76	1 328,56 639,89 3 890,93	188,78 74,56 74,59	725,19 188 365,25	29 793,45 211,79	15 880,57 19 091,67
2.50	Guavas and mangoes, fresh ex 0804 50 00	a) b) c)	74,41 433,87 633,34	1 011,63 487,24 2 962,76	143,75 56,77 56,80	552,20 143 431,01	22 686,27 161,27	12 092,29 14 537,38
2.60	Sweet oranges, fresh:							
2.60.1	— Sanguines and semi-sanguines 0805 10 42 0805 10 51 0805 10 37	a) b) c)	17,65 102,91 150,23	239,96 115,57 702,77	34,10 13,47 13,47	130,98 34 021,96	5 381,20 38,25	2 868,30 3 448,28
2.60.2	— Navels, navelines, navelates, salustianas, vernas, Valencia lates, Maltese, shamou- tis, ovalis, trovita and hamlins 0805 10 44 0805 10 55 0805 10 38	a) b) c)	34,74 202,54 295,66	472,25 227,45 1 383,06	67,10 26,50 26,51	257,78 66 956,00	10 590,33 75,28	5 644,88 6 786,29
2.60.3	— Others 0805 10 39 0805 10 46 0805 10 59	a) b) c)	39,42 229,84 335,51	535,91 258,12 1 569,51	76,15 30,07 30,09	292,53 75 982,32	12 018,01 85,43	6 405,87 7 701,15
2.70	Mandarins (including tangerines and sats- umas), fresh; clementines, wilkings and simi- lar citrus hybrids, fresh:							
2.70.1	— Clementines 0805 20 21	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.70.2	— Monreales and satsumas 0805 20 23	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.70.3	— Mandarines and wilkings 0805 20 25	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.70.4	— Tangerines and others ex 0805 20 27 ex 0805 20 29	a) b) c)	47,04 274,28 400,39	639,53 308,02 1 872,99	90,87 35,89 35,91	349,09 90 673,83	14 341,74 101,95	7 644,47 9 190,20
2.85	Limes ( <i>Citrus aurantifolia</i> ), fresh ex 0805 30 90	a) b) c)	100,41 585,48 854,65	1 365,13 657,50 3 998,02	193,97 76,61 76,65	745,15 193 549,50	30 613,43 217,62	16 317,65 19 617,12

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	ECU FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
2.90	Grapefruit, fresh:							
2.90.1	— white ex 0805 40 90 ex 0805 40 20 ex 0805 40 95	a) b) c)	45,43 264,89 386,67	617,63 297,47 1 808,84	87,76 34,66 34,68	337,13 87 568,29	13 850,54 98,46	7 382,65 8 875,44
2.90.2	— pink ex 0805 40 90 ex 0805 40 20 ex 0805 40 95	a) b) c)	46,37 270,37 394,68	630,41 303,63 1 846,28	89,58 35,38 35,40	344,11 89 380,81	14 137,23 100,49	7 535,46 9 059,15
2.100	Table grapes 0806 10 21 0806 10 29 0806 10 61 0806 10 30 0806 10 69	a) b) c)	210,03 1 224,63 1 787,66	2 855,41 1 375,28 8 362,60	405,73 160,24 160,32	1 558,62 404 844,60	64 033,66 455,18	34 131,37 41 032,84
2.110	Water melons 0807 11 00	a) b) c)	37,14 216,56 316,12	504,94 243,20 1 478,80	71,75 28,34 28,35	275,62 71 590,69	11 323,39 80,49	6 035,62 7 256,04
2.120	Melons (other than water melons):							
2.120.1	— Amarillo, cuper, honey dew (including cantalene), onteniente, piel de sapo (including verde liso), rochet, tendral, futuro ex 0807 19 00	a) b) c)	62,32 363,38 530,44	847,27 408,08 2 481,38	120,39 47,55 47,57	462,48 120 127,02	19 000,31 135,06	10 127,59 12 175,42
2.120.2	— other ex 0807 19 00	a) b) c)	119,54 697,02 1 017,47	1 625,20 782,76 4 759,70	230,93 91,21 91,25	887,11 230 423,53	36 445,74 259,07	19 426,40 23 354,47
2.140	Pears							
2.140.1	Pears — nashi ( <i>Pyrus pyrifolia</i> ) ex 0808 20 41	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.140.2	Other ex 0808 20 41	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.150	Apricots 0809 10 10 0809 10 50	a) b) c)	331,46 1 932,71 2 821,28	4 506,40 2 170,46 13 197,81	640,33 252,90 253,02	2 459,81 638 923,80	101 057,61 718,37	53 865,97 64 757,83
2.160	Cherries 0809 20 11 0809 20 19 0809 20 21 0809 20 29 0809 20 71 0809 20 79	a) b) c)	118,83 692,88 1 011,43	1 615,55 778,11 4 731,44	229,56 90,66 90,71	881,85 229 055,52	36 229,37 257,54	19 311,06 23 215,82
2.170	Peaches 0809 30 19 0809 30 59	a) b) c)	223,46 1 302,97 1 902,02	3 038,07 1 463,26 8 897,56	431,69 170,49 170,58	1 658,33 430 742,73	68 129,93 484,30	36 314,78 43 657,73
2.180	Nectarines ex 0809 30 11 ex 0809 30 51	a) b) c)	263,21 1 534,74 2 240,33	3 578,47 1 723,53 10 480,19	508,47 200,82 200,92	1 953,30 507 360,19	80 248,40 570,45	42 774,19 51 423,26

Code	Description Species, varieties, CN code	Amount of unit values per 100 kg						
		a) b) c)	ECU FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
2.190	Plums 0809 40 10 0809 40 40	a)	118,37	1 609,24	228,66	878,40	36 087,81	19 235,61
		b)	690,17	775,07	90,31	228 160,54	256,53	23 125,11
		c)	1 007,48	4 712,96	90,35			
2.200	Strawberries 0810 10 10 0810 10 05 0810 10 80	a)	147,35	2 003,30	284,65	1 093,50	44 924,66	23 945,85
		b)	859,18	964,87	112,42	284 030,39	319,35	28 787,77
		c)	1 254,18	5 867,02	112,48			
2.205	Raspberries 0810 20 10	a)	1 053,81	14 327,07	2 035,77	7 820,41	321 289,81	171 254,66
		b)	6 144,61	6 900,48	804,02	2 031 313,62	2 283,89	205 882,86
		c)	8 969,61	41 959,45	804,41			
2.210	Fruit of the species <i>Vaccinium myrtillus</i> 0810 40 30	a)	336,77	4 578,56	650,58	2 499,20	102 675,78	54 728,49
		b)	1 963,66	2 205,21	256,95	649 154,48	729,87	65 794,75
		c)	2 866,45	13 409,14	257,07			
2.220	Kiwi fruit ( <i>Actinidia chinensis Planch.</i> ) 0810 50 00	a)	106,29	1 445,12	205,34	788,82	32 407,40	17 273,87
		b)	619,79	696,03	81,10	204 891,64	230,37	20 766,70
		c)	904,73	4 232,31	81,14			
2.230	Pomegranates ex 0810 90 85	a)	87,42	1 188,48	168,87	648,73	26 652,17	14 206,20
		b)	509,72	572,42	66,70	168 504,91	189,46	17 078,74
		c)	744,06	3 480,69	66,73			
2.240	Khakis (including sharon fruit) ex 0810 90 85	a)	73,18	994,91	141,37	543,07	22 311,29	11 892,42
		b)	426,70	479,19	55,83	141 060,27	158,60	14 297,10
		c)	622,88	2 913,78	55,86			
2.250	Lychees ex 0810 90 30	a)	593,37	8 067,21	1 146,29	4 403,47	180 909,99	96 429,08
		b)	3 459,87	3 885,48	452,73	1 143 780,25	1 286,00	115 927,32
		c)	5 050,56	23 626,28	452,94			

## COMMISSION REGULATION (EC) No 2264/96

of 27 November 1996

## opening an invitation to tender for the refund for the export of durum wheat to all third countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals<sup>(1)</sup>, as last amended by Commission Regulation (EC) No 923/96<sup>(2)</sup>,

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals<sup>(3)</sup>, as last amended by Regulation (EC) No 95/96<sup>(4)</sup>, and in particular Article 4 thereof,

Whereas, in view of the current situation on the cereals market, an invitation should be opened, in respect of durum wheat, to tender for the export refund provided for in Article 4 of Regulation (EC) No 1501/95;

Whereas the detailed procedural rules governing invitations to tender are as regards the fixing of the export refund in Regulation (EC) No 1501/95; whereas the commitments on the part of the tenderer include an obligation to lodge an application for an export licence; whereas compliance with this obligation may be ensured by requiring tenderers to lodge a tendering security of ECU 12 per tonne when they submit their tenders;

Whereas it is necessary to provide for a specific period of validity for licences issued under that invitation to tender; whereas that period of validity must meet the needs of the world market for the 1996/97 marketing year;

Whereas, in order to ensure the smooth operation of the export tendering procedure it is appropriate to prescribe a minimum quantity to be tendered for and a time limit and form for the communication of tenders submitted to the competent authorities;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. Tenders shall be invited for the export refund provided for in Article 4 of Regulation (EC) No 1501/95.

<sup>(1)</sup> OJ No L 181, 1. 7. 1992, p. 21.

<sup>(2)</sup> OJ No L 126, 24. 5. 1996, p. 37.

<sup>(3)</sup> OJ No L 147, 30. 6. 1995, p. 7.

<sup>(4)</sup> OJ No L 18, 24. 1. 1996, p. 10.

2. The tendering procedure shall concern durum wheat for export to all third countries.

3. The invitation shall remain open until 29 May 1997. During this period weekly awards shall be made, for which the quantities and the time limits for the submission of tenders shall be as prescribed in the notice of invitation to tender.

*Article 2*

A tender shall be valid only if it relates to an amount of not less than 1 000 tonnes.

*Article 3*

The security referred to in Article 5 (3a) of Regulation (EC) No 1501/95 shall be ECU 12 per tonne.

*Article 4*

1. Notwithstanding Article 21 (1) of Commission Regulation (EEC) No 3719/88<sup>(5)</sup>, export licences issued under Article 8 (1) of Regulation (EC) No 1501/95 shall, for the purpose of determining their period of validity, be deemed to have been issued on the day on which the tender was submitted.

2. Subject to the provisions of Article 1 of Commission Regulation (EC) No 1521/94<sup>(6)</sup> export licences issued in connection with the invitations to tender pursuant to this Regulation shall be valid from their date of issue, as defined in paragraph 1, until the end of the fourth month following that of issue.

*Article 5*

1. The Commission shall decide, pursuant to the procedure laid down in Article 23 of Regulation (EEC) No 1766/92:

<sup>(5)</sup> OJ No L 331, 2. 12. 1988, p. 1.

<sup>(6)</sup> OJ No L 162, 30. 6. 1994, p. 47.

- to fix a maximum export refund, taking account in particular of the criteria laid down in Article 1 of Regulation (EC) No 1501/95, or
- to make no award.

2. Where a maximum export refund is fixed, a contract shall be awarded to any tenderer whose tender indicates a rate of refund equal to or less than such maximum export refund.

#### *Article 6*

Tenders submitted must reach the Commission through the intermediary Member States, at the latest one and a half hours after expiry of the period for the weekly submission of tenders as specified in the notice of invita-

tion to tender. They must be communicated in the form indicated in Annex I, to the telex or fax numbers in Annex II.

If no tenders are received, Member States shall inform the Commission of this within the time limit indicated in the preceding paragraph.

#### *Article 7*

The time limits fixed for the submission of tenders shall correspond to Belgian time.

#### *Article 8*

This Regulation shall enter into force on the day following 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 November 1996.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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*ANNEX I***Weekly tender for the refund for the export of durum wheat to all third countries**

(Regulation (EC) No 2264/96)

(Closing date for the submission of tenders (date/time))

1	2	3
Number of tender	Quantity in tonnes	Amount of export refund in ecu per tonne
1		
2		
3		
etc.		

*ANNEX II*

The only numbers to use to call Brussels (DG VI-C-1, External Market) are:

- telex:           — 22037 AGREC B,  
                      — 22070 AGREC B (Greek characters);
  - fax:             — 295 25 15,  
                      — 296 49 56.
-



**COMMISSION REGULATION (EC) No 2265/96**  
**of 27 November 1996**  
**amending Regulation (EEC) No 1517/77 fixing the list of the various groups of**  
**hop varieties cultivated in the Community**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,  
Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1696/71 of 26 July 1971 on the common organization of the market in hops <sup>(1)</sup>, as amended by the Act of Accession of Austria, Finland and Sweden and by Regulation (EC) No 3290/94 <sup>(2)</sup>, and in particular Article 12 (8) thereof,

Whereas Commission Regulation (EEC) No 1517/77 <sup>(3)</sup>, as last amended by Regulation (EC) No 675/96 <sup>(4)</sup>, divides varieties of hops into 'aromatic hops', 'bitter hops' and 'others' according to commercial practice on the Community and world hops markets, with particular emphasis on the content of bitter and aromatic substances;

Whereas certain experimental varieties have now reached the stage where they can be marketed; whereas they should accordingly be added to the Annex to Regulation (EEC) No 1517/77;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Hops,

HAS ADOPTED THIS REGULATION:

*Article 1*

The Annex to Regulation (EEC) No 1517/77 is hereby replaced by the Annex hereto.

*Article 2*

This Regulation shall enter into force on the seventh day following 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 November 1996.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 175, 4. 8. 1971, p. 1.

<sup>(2)</sup> OJ No L 349, 31. 12. 1994, p. 105.

<sup>(3)</sup> OJ No L 169, 7. 7. 1977, p. 13.

<sup>(4)</sup> OJ No L 94, 16. 4. 1996, p. 3.

## ANNEX

## ANNEX

A. Group I: Aromatic hops	B. Group II: Bitter hops	C. Group III: Others
Aurora Bramling Cross Céleia Challenger Cicero First Gold Fuggles Goldings Hallertauer Hallertauer Tradition Hersbrücker Spät Hüller Malling Perle Phoenix Pioneer Progress Saaz Spalter Spalter Select Strisselspalt Tettnanger W.G.V.	Admiral Brewers Gold Buket Bullion Chinook Galena H-3 Leones H-7 Leones Hallertauer Magnum Hallertauer Taurus Herald Northdown Northern Brewer Nugget Omega Orion Target Yeoman	Record Zenith Others, including experimental varieties'

## COMMISSION REGULATION (EC) No 2266/96

of 27 November 1996

**amending Council Regulation (EC) No 1981/94 of 25 July 1994, opening and providing for the administration of Community tariff quotas for certain products originating in Algeria, Cyprus, Egypt, Israel, Jordan, Malta, Morocco, the West Bank and the Gaza Strip, Tunisia and Turkey, and providing detailed rules for extending and adapting these tariff quotas**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1981/94 of 25 July 1994, opening and providing for the administration of Community tariff quotas for certain products originating in Algeria, Cyprus, Egypt, Israel, Jordan, Malta, Morocco, the West Bank and the Gaza Strip, Tunisia and Turkey, and providing detailed rules for extending and adapting these tariff quotas<sup>(1)</sup>, as last amended by Regulation (EC) No 1877/96<sup>(2)</sup>, and in particular Articles 6 and 7 thereof,

Whereas, in the context of the agreements concluded during the Uruguay Round of the GATT negotiations the import regime for oranges has been changed;

Whereas Article 22 of the Cooperation Agreement between the European Economic Community and the Arab Republic of Egypt provides that, where the existing rules are changed, the Community may amend the regime set out in the Agreement for the products concerned;

Whereas the Community has agreed with the Arab Republic of Egypt that the said regime will be adjusted on the basis of an agreement in the form of an exchange of letters<sup>(3)</sup> that provides a special entry price for 8 000 tonnes of fresh Egyptian oranges imported during the period from December to May;

Whereas Council Regulation (EC) No 1981/94 should be modified to implement the concession as provided for in the abovementioned Agreement, with effect from 1 December 1996;

Whereas the measures provided in this Regulation are in accordance with the opinion of the Customs Code Committee,

*Article 1*

Regulation (EC) No 1981/94 is hereby amended as follows:

1. In Annex VI, in the column 'Rate of duty', a footnote<sup>(?)</sup> shall be inserted next to Order No 09.1707 relating to fresh oranges originating in Egypt.
2. At the end of Annex VI the following text shall be inserted as footnote<sup>(?)</sup>:

'(2) In the framework of a tariff quota of 8 000 tonnes (Order No 09.1711), the agreed entry price beyond which the specific additional duty provided in the Community's list of concessions to the WTO is reduced to zero, is:

- ECU 273/tonne, from 1 December 1996 to 31 May 1997,
- ECU 271/tonne, from 1 December 1997 to 31 May 1998,
- ECU 268/tonne, from 1 December 1998 to 31 May 1999,
- ECU 266/tonne, from 1 December 1999 to 31 May 2000,
- ECU 264/tonne, for every period thereafter, from 1 December to 31 May.

If the entry price for a consignment is 2, 4, 6 or 8 % lower than the agreed entry price, the specific customs duty shall be equal respectively to 2, 4, 6 or 8 % of this agreed entry price.

If the entry price of a consignment is less than 92 % of the agreed entry price, the specific customs duty bound within the WTO shall apply.'

*Article 2*

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

It shall apply from 1 December 1996.

<sup>(1)</sup> OJ No L 199, 2. 8. 1994, p. 1.

<sup>(2)</sup> OJ No L 249, 1. 10. 1996, p. 1.

<sup>(3)</sup> OJ No L 292, 15. 11. 1996, p. 31.

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

Done at Brussels, 27 November 1996.

*For the Commission*  
Mario MONTI  
*Member of the Commission*

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**COMMISSION REGULATION (EC) No 2267/96**  
**of 27 November 1996**  
**establishing the standard import values for determining the entry price of**  
**certain fruit and vegetables**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables<sup>(1)</sup>, as last amended by Regulation (EC) No 1890/96<sup>(2)</sup>, and in particular Article 4 (1) thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy<sup>(3)</sup>, as last amended by Regulation (EC) No 150/95<sup>(4)</sup>, and in particular Article 3 (3) thereof,

Whereas Regulation (EC) No 3223/94 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third

countries, in respect of the products and periods stipulated in the Annex thereto;

Whereas, in compliance with the above criteria, the standard import values must be fixed at the levels set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

*Article 1*

The standard import values referred to in Article 4 of Regulation (EC) No 3223/94 shall be fixed as indicated in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 28 November 1996.

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

Done at Brussels, 27 November 1996.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 337, 24. 12. 1994, p. 66.

<sup>(2)</sup> OJ No L 249, 1. 10. 1996, p. 29.

<sup>(3)</sup> OJ No L 387, 31. 12. 1992, p. 1.

<sup>(4)</sup> OJ No L 22, 31. 1. 1995, p. 1.

## ANNEX

to the Commission Regulation of 27 November 1996 establishing the standard import values for determining the entry price of certain fruit and vegetables

*(ECU/100 kg)*

CN code	Third country code <sup>(1)</sup>	Standard import value
0702 00 45	204	71,3
	624	126,9
	999	99,1
0707 00 40	624	131,1
	999	131,1
0709 90 79	052	77,6
	999	77,6
0805 20 31	052	70,6
	204	99,1
	999	84,8
0805 20 33, 0805 20 35, 0805 20 37, 0805 20 39	052	59,3
	999	59,3
0805 30 40	052	65,5
	528	44,9
	600	81,2
	999	63,9
	999	63,9
0808 10 92, 0808 10 94, 0808 10 98	052	70,1
	060	42,9
	064	48,5
	400	78,2
	404	69,6
	999	61,9
	999	61,9
0808 20 67	052	69,9
	064	69,8
	400	91,4
	624	68,6
	999	74,9

<sup>(1)</sup> Country nomenclature as fixed by Commission Regulation (EC) No 68/96 (OJ No L 14, 19. 1. 1996, p. 6). Code '999' stands for 'of other origin'.

**COMMISSION REGULATION (EC) No 2268/96**  
**of 27 November 1996**  
**fixing the export refunds on olive oil**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats<sup>(1)</sup>, as last amended by Regulation (EC) No 1581/96<sup>(2)</sup>, and in particular Article 3 (3) thereof,

Whereas Article 3 of Regulation No 136/66/EEC provides that, where prices within the Community are higher than world market prices, the difference between these prices may be covered by a refund when olive oil is exported to third countries;

Whereas the detailed rules for fixing and granting export refunds on olive oil are contained in Commission Regulation (EEC) No 616/72<sup>(3)</sup>, as last amended by Regulation (EEC) No 2962/77<sup>(4)</sup>;

Whereas Article 3 (3) of Regulation No 136/66/EEC provides that the refund must be the same for the whole Community;

Whereas, in accordance with Article 3 (4) of Regulation No 136/66/EEC, the refund for olive oil must be fixed in the light of the existing situation and outlook in relation to olive oil prices and availability on the Community market and olive oil prices on the world market; whereas, however, where the world market situation is such that the most favourable olive oil prices cannot be determined, account may be taken of the price of the main competing vegetable oils on the world market and the difference recorded between that price and the price of olive oil during a representative period; whereas the amount of the refund may not exceed the difference between the price of olive oil in the Community and that on the world market, adjusted, where appropriate, to take account of export costs for the products on the world market;

Whereas, in accordance with Article 3 (3) third indent, point (b) of Regulation No 136/66/EEC, it may be decided that the refund shall be fixed by tender; whereas the tendering procedure should cover the amount of the refund and may be limited to certain countries of destination, quantities, qualities and presentations;

Whereas the second indent of Article 3 (3) of Regulation No 136/66/EEC provides that the refund on olive oil may be varied according to destination where the world market situation or the specific requirements of certain markets make this necessary;

Whereas the refund must be fixed at least once every month; whereas it may, if necessary, be altered in the intervening period;

Whereas it follows from applying these detailed rules to the present situation on the market in olive oil and in particular to olive oil prices within the Community and on the markets of third countries that the refund should be as set out in the Annex hereto;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92<sup>(5)</sup>, as last amended by Regulation (EC) No 150/95<sup>(6)</sup>, are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93<sup>(7)</sup>, as last amended by Regulation (EC) No 1482/96<sup>(8)</sup>;

Whereas Council Regulation (EEC) No 990/93<sup>(9)</sup>, as amended by Regulation (EC) No 1380/95<sup>(10)</sup>, prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof and in Council Regulation (EC) No 462/96<sup>(11)</sup>; whereas account should be taken of this fact when fixing the refunds;

Whereas, in the light of the amendment introduced by Regulation (EC) No 1222/96<sup>(12)</sup>, the figure 9 after the first eight digits corresponding to the combined nomenclature subheadings should be regarded as forming part of the refund nomenclature code from 1 January 1997;

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

<sup>(1)</sup> OJ No 172, 30. 9. 1966, p. 3025/66.

<sup>(2)</sup> OJ No L 206, 16. 8. 1996, p. 11.

<sup>(3)</sup> OJ No L 78, 31. 3. 1972, p. 1.

<sup>(4)</sup> OJ No L 348, 30. 12. 1977, p. 53.

<sup>(5)</sup> OJ No L 387, 31. 12. 1992, p. 1.

<sup>(6)</sup> OJ No L 22, 31. 1. 1995, p. 1.

<sup>(7)</sup> OJ No L 108, 1. 5. 1993, p. 106.

<sup>(8)</sup> OJ No L 188, 27. 7. 1996, p. 22.

<sup>(9)</sup> OJ No L 102, 28. 4. 1993, p. 14.

<sup>(10)</sup> OJ No L 138, 21. 6. 1995, p. 1.

<sup>(11)</sup> OJ No L 65, 15. 3. 1996, p. 1.

<sup>(12)</sup> OJ No L 161, 29. 6. 1996, p. 62.

HAS ADOPTED THIS REGULATION:

*Article 1*

The export refunds on the products listed in Article 1 (2) (c) of Regulation No 136/66/EEC shall be as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 28 November 1996.

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

Done at Brussels, 27 November 1996.

*For the Commission*  
 Franz FISCHLER  
 Member of the Commission

ANNEX

to the Commission Regulation of 27 November 1996 fixing the export refunds on olive oil

<i>(ECU/100 kg)</i>	
Product code	Amount of refund <sup>(1)</sup> <sup>(2)</sup>
1509 10 90 100	30,00
1509 10 90 900	0,00
1509 90 00 100	34,00
1509 90 00 900	0,00
1510 00 90 100	2,50
1510 00 90 900	0,00

<sup>(1)</sup> For destinations mentioned in Article 34 of amended Commission Regulation (EEC) No 3665/87 (OJ No L 351, 14. 12. 1987, p 1), as well as for exports to third countries.

<sup>(2)</sup> Refunds on exports to the Federal Republic of Yugoslavia (Serbia and Montenegro) may be granted only where the conditions laid down in amended Regulation (EEC) No 990/93 and Regulation (EC) No 462/96 are observed.

*NB:* The product codes and the footnotes are defined in amended Commission Regulation (EEC) No 3846/87.



## COMMISSION REGULATION (EC) No 2269/96

of 27 November 1996

fixing the maximum export refunds for olive oil for the second partial invitation to tender under the standing invitation to tender issued by Regulation (EC) No 2081/96

THE COMMISSION OF THE EUROPEAN COMMUNITIES,  
Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats<sup>(1)</sup>, as last amended by Regulation (EC) No 1581/96<sup>(2)</sup>, and in particular Article 3 thereof,

Whereas Commission Regulation (EC) No 2081/96<sup>(3)</sup> issued a standing invitation to tender with a view to determining the export refunds on olive oil;

Whereas Council Regulation (EEC) No 990/93<sup>(4)</sup>, as amended by Regulation (EC) No 1380/95<sup>(5)</sup>, prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof and in Council Regulation (EC) No 462/96<sup>(6)</sup>; whereas account should be taken of this fact when fixing the refunds;

Whereas Article 6 of Regulation (EC) No 2081/96 provides that maximum amounts are to be fixed for the export refunds in the light in particular of the current situation and foreseeable developments on the Community and world olive-oil markets and on the basis of the tenders received; whereas contracts are awarded to any tenderer who submits a tender at the level of the maximum refund or at a lower level;

Whereas, for the purposes of applying the abovementioned provisions, the maximum export refunds should be set at the levels specified in the Annex;

Whereas, in the light of the amendment introduced by Regulation (EC) No 1222/96<sup>(7)</sup>, the figure 9 after the first eight digits corresponding to the combined nomenclature subheadings should be regarded as forming part of the refund nomenclature code from 1 January 1997;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The maximum export refunds for olive oil for the second partial invitation to tender under the standing invitation to tender issued by Regulation (EC) No 2081/96 are hereby fixed in the Annex, on the basis of the tenders submitted by 23 November 1996.

*Article 2*

This Regulation shall enter into force on 28 November 1996.

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

Done at Brussels, 27 November 1996.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No 172, 30. 9. 1966, p. 3025/66.

<sup>(2)</sup> OJ No L 206, 16. 8. 1996, p. 11.

<sup>(3)</sup> OJ No L 279, 31. 10. 1996, p. 17.

<sup>(4)</sup> OJ No L 102, 28. 4. 1993, p. 14.

<sup>(5)</sup> OJ No L 138, 21. 6. 1995, p. 1.

<sup>(6)</sup> OJ No L 65, 15. 3. 1996, p. 1.

<sup>(7)</sup> OJ No L 161, 29. 6. 1996, p. 62.

## ANNEX

to the Commission Regulation of 27 November 1996 fixing the maximum export refunds for olive oil for the second partial invitation to tender under the standing invitation to tender issued by Regulation (EC) No 2081/96

*(ECU/100 kg)*

Product code	Amount of refund (1)
1509 10 90 100	31,20
1509 10 90 900	—
1509 90 00 100	35,50
1509 90 00 900	—
1510 00 90 100	—
1510 00 90 900	—

(1) Refunds on exports to the Federal Republic of Yugoslavia (Serbia and Montenegro) may be granted only where the conditions laid down in amended Regulation (EEC) No 990/93 and Regulation (EC) No 462/96 are observed.

*NB:* The product codes and the footnotes are defined in amended Commission Regulation (EEC) No 3846/87.

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**COMMISSION REGULATION (EC) No 2270/96**  
**of 27 November 1996**  
**amending the import duties in the rice sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,  
Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice<sup>(1)</sup>,

Having regard to Commission Regulation (EC) No 1503/96 of 29 July 1996 laying down detailed rules for the application of Council Regulation (EC) No 3072/95 as regards import duties in the rice sector<sup>(2)</sup>, as amended by Regulation (EC) No 2131/96<sup>(3)</sup>, and in particular Article 4 (1) thereof,

Whereas import duties in the rice sector have been fixed by Commission Regulation (EC) No 2218/96<sup>(4)</sup>;

Whereas Article 4 (1) of Regulation (EC) No 1503/96 provides that if during the period of application, the

average import duty calculated differs by ECU 10 per tonne from the duty fixed, a corresponding adjustment is to be made; whereas such a difference has arisen; whereas it is therefore necessary to adjust the import duties fixed in Regulation (EC) No 2218/96,

HAS ADOPTED THIS REGULATION:

*Article 1*

Annexes I and II to Regulation (EC) No 2218/96 are hereby replaced by Annexes I and II to this Regulation.

*Article 2*

This Regulation shall enter into force on 28 November 1996.

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

Done at Brussels, 27 November 1996.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ No L 329, 30. 12. 1995, p. 18.

<sup>(2)</sup> OJ No L 189, 30. 7. 1996, p. 71.

<sup>(3)</sup> OJ No L 285, 7. 11. 1996, p. 6.

<sup>(4)</sup> OJ No L 296, 21. 11. 1996, p. 41.

## ANNEX I

## to the Commission Regulation of 27 November 1996 amending the import duties on rice and broken rice

(ECU/tonne)

CN code	Duties (%)		
	Third countries (except ACP and Bangladesh) <sup>(1)</sup> <sup>(7)</sup>	ACP Bangladesh <sup>(1)</sup> <sup>(2)</sup> <sup>(3)</sup> <sup>(4)</sup>	Basmati India and Pakistan <sup>(5)</sup>
1006 10 21	(7)	140,81	
1006 10 23	(7)	140,81	
1006 10 25	(7)	140,81	
1006 10 27	(7)	140,81	
1006 10 92	(7)	140,81	
1006 10 94	(7)	140,81	
1006 10 96	(7)	140,81	
1006 10 98	(7)	140,81	
1006 20 11	(7)	177,31	
1006 20 13	(7)	177,31	
1006 20 15	(7)	177,31	
1006 20 17	314,91	153,12	64,91
1006 20 92	(7)	177,31	
1006 20 94	(7)	177,31	
1006 20 96	(7)	177,31	
1006 20 98	314,91	153,12	64,91
1006 30 21	(7)	271,09	
1006 30 23	(7)	271,09	
1006 30 25	(7)	271,09	
1006 30 27	(7)	271,09	
1006 30 42	(7)	271,09	
1006 30 44	(7)	271,09	
1006 30 46	(7)	271,09	
1006 30 48	(7)	271,09	
1006 30 61	(7)	271,09	
1006 30 63	(7)	271,09	
1006 30 65	(7)	271,09	
1006 30 67	(7)	271,09	
1006 30 92	(7)	271,09	
1006 30 94	(7)	271,09	
1006 30 96	(7)	271,09	
1006 30 98	(7)	271,09	
1006 40 00	(7)	84,38	

(<sup>1</sup>) Subject to the application of the provisions of Articles 12 and 13 of amended Council Regulation (EEC) No 715/90 (OJ No L 84, 30. 3. 1990, p. 85).

(<sup>2</sup>) In accordance with Regulation (EEC) No 715/90, the duties are not applied to products originating in the African, Caribbean and Pacific States and imported directly into the overseas department of Réunion.

(<sup>3</sup>) The import levy on rice entering the overseas department of Réunion is specified in Article 11 (3) of Regulation (EC) No 3072/95.

(<sup>4</sup>) The duty on imports of rice not including broken rice (CN code 1006 40 00), originating in Bangladesh is applicable under the arrangements laid down in Council Regulation (EEC) No 3491/90 (OJ No L 337, 4. 12. 1990, p. 1) and amended Commission Regulation (EEC) No 862/91 (OJ No L 88, 9. 4. 1991, p. 7).

(<sup>5</sup>) No import duty applies to products originating in the OCT pursuant to Article 101 (1) of amended Council Decision 91/482/EEC (OJ No L 263, 19. 9. 1991, p. 1).

(<sup>6</sup>) For husked rice of the Basmati variety originating in India and Pakistan, a reduction of ECU 250 per tonne applies (Article 4b of amended Regulation (EC) No 1503/96).

(<sup>7</sup>) Duties fixed in the Common Customs Tariff.

## ANNEX II

## Calculation of import duties for rice

	Paddy	Indica rice		Japonica rice		Broken rice
		Husked	Milled	Husked	Milled	
1. Import duty (ECU/tonne)	( <sup>1</sup> )	314,91	572,00	363,30	572,00	( <sup>1</sup> )
2. Elements of calculation:						
(a) Arag cif price (\$/tonne)	—	407,02	368,75	380,00	420,00	—
(b) fob price (\$/tonne)	—	—	—	350,00	390,00	—
(c) Sea freight (\$/tonne)	—	—	—	30,00	30,00	—
(d) Source	—	USDA	USDA	Operators	Operators	—

(<sup>1</sup>) Duties fixed in the Common Customs Tariff.

## II

(Acts whose publication is not obligatory)

## COUNCIL

## COUNCIL DECISION

of 21 November 1996

amending Decision 93/246/EEC adopting the second phase of the trans-European cooperation scheme for higher education (Tempus II) (1994 to 1998)

(96/663/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 235 thereof,

Having regard to the proposal from the Commission <sup>(1)</sup>,

Having regard to the opinion of the European Parliament <sup>(2)</sup>,

Having regard to the opinion of the Economic and Social Committee <sup>(3)</sup>,

Having regard to the opinion of the Committee of the Regions <sup>(4)</sup>,

- (1) Whereas on 18 December 1989 the Council adopted Regulation (EEC) No 3906/89 on economic aid to the Republic of Hungary and the Polish People's Republic <sup>(5)</sup>, which provides for aid to support the process of economic and social reform in central and eastern European countries in areas including training;
- (2) Whereas on 19 July 1993 the Council adopted Regulation (Euratom, EEC) No 2053/93 concerning the provision of technical assistance to economic reform and recovery in the independent States of the former Soviet Union and Mongolia <sup>(6)</sup>;

(3) Whereas on 29 April 1993 the Council adopted Decision 93/246/EEC adopting the second phase of the trans-European cooperation scheme for higher education (Tempus II) <sup>(7)</sup> for a period of four years from 1 July 1994;

(4) Whereas the countries of Central and Eastern Europe and of the former Soviet Union, which are beneficiaries of the Phare and Tacis programmes, consider training and, in particular, higher education, to be one of the key areas for the process of economic and social reform;

(5) Whereas the European Community has concluded Association Agreements with six countries of Central Europe <sup>(8)</sup> and has signed such agreements with four others <sup>(9)</sup>;

(6) Whereas other Association Agreements may be signed in the future with other countries of Central Europe;

(7) Whereas the Essen European Council (December 1994) established a 'pre-accession' strategy for these associated countries, involving, notably, access to Community programmes, especially in the area of education and training;

(8) Whereas Tempus can still make an effective contribution to the structural development of higher education required to improve occupational skills

<sup>(1)</sup> OJ No C 207, 18. 7. 1996, p. 8.

<sup>(2)</sup> Opinion delivered on 15 November 1996 (not yet published in the Official Journal).

<sup>(3)</sup> OJ No C 295, 7. 10. 1996, p. 34.

<sup>(4)</sup> Opinion delivered on 19 September 1996 (not yet published in the Official Journal).

<sup>(5)</sup> OJ No L 375, 23. 12. 1989, p. 11. Regulation last amended by Council Regulation (EEC) No 463/96. (OJ No L 65, 15. 3. 1996, p. 3).

<sup>(6)</sup> OJ No L 187, 29. 7. 1993, p. 1.

<sup>(7)</sup> OJ No L 112, 6. 5. 1993, p. 34.

<sup>(8)</sup> Poland, Hungary, the Czech Republic, the Slovak Republic, Romania and Bulgaria.

<sup>(9)</sup> Estonia, Latvia, Lithuania and Slovenia.

adapted to economic reform, with a view to their incorporation into the internal market of the Community; whereas there is no other instrument for achieving this objective;

- (9) Whereas the associated countries of Central Europe are required to define a particular strategy and their specific needs in connection with Tempus, with particular regard to the new possibility of participation in the Socrates and Leonardo programmes;
- (10) Whereas the Socrates programme pursuant to (Article 7 (3)) and the Leonardo programme pursuant to (Article 9 (1)) are open to participation by the associated countries of Central and Eastern Europe (CCEE), in accordance with the conditions laid down in the Additional Protocols of the Association Agreements regarding access to Community programmes to be concluded with these countries;
- (11) Whereas the European Community has signed Partnership Agreements with Belarus, Kazakhstan, Kyrgyzstan, Moldova, the Russian Federation and Ukraine and whereas it is currently negotiating agreements with other independent States of the former Soviet Union;
- (12) Whereas the recent establishment of Tempus in the countries which are recipients of Tacis assistance, whose needs are greater and whose area is more extensive, fully warrants the continuation of the existing measures;
- (13) Whereas a funding plan has been drawn up for the Phare and Tacis programmes up to 31 December 1999;
- (14) Whereas Article 11 of Decision 93/246/EEC stipulates that the Commission will evaluate the implementation of the Tempus programme and will submit, before 30 April 1996, a proposal for the continuation or adaptation of the programme for the period beginning 1 July 1998;
- (15) Whereas the results of this evaluation confirmed the decision to adopt and further diversify the forms of assistance in line with national needs and the priorities of the systems of higher education;
- (16) Whereas this evaluation has shown the ability of Tempus to make an effective contribution in the partner countries to the diversification of educational opportunities and to cooperation between universities, thereby creating the right conditions for the development of scientific, cultural and economic cooperation;
- (17) Whereas the results of the evaluation, as set out above, are confirmed by the assessment of the programme by the competent authorities of the countries of Central and Eastern Europe and of the

Republics of the former Soviet Union, and by the opinions expressed by the users of the programme and the facilities responsible for its organization in the partner countries and in the European Union, and by the qualified experts and representatives reflecting the views of the university community in Europe;

- (18) Whereas there exist in the Community and in third countries regional and/or national, public and/or private facilities which can be called upon to assist in the effective provision of financial support in the area of training at higher-education level;
- (19) Whereas the Treaty does not provide, for the adoption of this Decision, powers other than those of Article 235; whereas the conditions for invoking that Article have been satisfied,

HAS DECIDED AS FOLLOWS:

*Sole Article*

Decision 93/246/EEC is hereby amended as follows:

1. Article 1 shall be replaced by the following:

*Article 1*

**Duration of Tempus II**

The second phase of the trans-European cooperation scheme for university studies (hereinafter referred to as "Tempus II") is hereby adopted for a period of six years as of 1 July 1994.'

2. The Annex shall be replaced by the text appearing in the Annex to this Decision.
3. The last two paragraphs of Article 11 shall be replaced by the following:

'The Commission shall submit an interim report, including the results of the evaluation, before 30 April 1998. If appropriate, this report shall be accompanied by a proposal for the continuation or adaptation of Tempus for the period beginning 1 July 2000 for the partner countries which do not yet have the possibility of taking part in the higher education activities of the Community programmes of education and training (Socrates — Leonardo).

The Commission shall present a final report by 30 June 2004 at the latest.'

Done at Brussels, 21 November 1996.

*For the Council*

*The President*

N. BHREATHNACH

## ANNEX

## ANNEX

**Joint European projects**

1. The European Community will provide support for joint European projects of a maximum duration of three years.

Joint European projects will comprise at least one university from a partner country, one university from a Member State and one partner institution (university or enterprise) from another Member State.

2. Joint European project grants may be awarded for activities according to the specific needs of the institutions concerned and according to the priorities laid down, including:
  - (i) joint education and training measures, notably for the establishment of new curricula, the development and overhaul of existing curricula, the development of universities' capacities to provide continuing education and retraining, the provision of short intensive courses, and the development of systems of distance learning;
  - (ii) measures for the reform and development of the higher education system and its capacities, notably by means of the restructuring of the management of higher education institutions and systems, the upgrading of existing facilities by the acquisition of the equipment needed to implement a joint European project and, where appropriate, the provision of technical and financial assistance to the competent authorities;
  - (iii) the promotion of cooperation between universities and the socio-economic players, including industry, through joint projects;
  - (iv) the development of the mobility of teachers, university administrative staff and students within the framework of joint European projects:
    - (a) grants will be awarded to teaching/administrative staff from universities or to instructors from enterprises, in the Member States, to carry out teaching/training assignments for periods lasting from one week to one year in partner countries and *vice versa* (1);
    - (b) grants will be awarded to teaching/administrative staff of universities in the partner countries to undertake retraining and updating training in the European Community (1);
    - (c) grants will be awarded to students, up to and including at doctorate level, and will be available both to students from the partner countries carrying out periods of study in the European Community and to students from the Community spending study periods in the partner countries. These grants will normally be awarded for a period of between three months and one year (1);
    - (d) for students participating in joint European projects, whose specific aim is to foster mobility, priority will be given to students participating in projects in which the period of study abroad will be granted full recognition by the student's home university (1);
    - (e) support will be provided for industrial or practical placements, of between one month and one year, to teachers, instructors, students and graduates of the partner countries between the end of these studies and their first employment, so that they can undertake a period of practical training in enterprises in the Community and *vice versa* (1).
  - (v) activities to ensure the success of a joint European project involving two or more partner countries.

**Structural and/or complementary measures**

Grants will be awarded for a number of structural and/or complementary measures (including technical assistance, seminars, studies, publications, information activities). These measures are designed to support the objectives of the programme, notably to contribute to the development and restructuring of the higher education systems in the partner countries.

In connection with these structural measures, grants will be awarded, in order to, among other things:

- develop and strengthen the capacities for strategic planning and institutional development of institutes of higher education at university or faculty level,
- support the multiplication of cooperation measures designed to achieve the objectives of Tempus and to ensure its duration,
- draw up a national strategy in a particular partner country for the development of a specific aspect of higher education.

(1) No individual mobility grants will be awarded where these activities are available under the Community programmes of education and training (Socrates, Leonardo).



#### Individual grants

In addition to joint European projects and structural and/or complementary measures, the European Community will also support the provision of individual grants to teachers, instructors, university administrators, senior Ministry officials, education planners and other training experts from partner countries or the Community for visits designed to promote the quality, development and restructuring of higher education and training in the partner countries.

These visits will cover the following areas in particular:

- the development of courses and teaching material,
- the development of staff, notably by periods of retraining and industrial placements,
- teaching assignments,
- activities for supporting the development of higher education.

#### Support activities

1. The necessary technical assistance will be provided to the Commission to underpin the activities carried out in accordance with the Decision and to ensure the necessary monitoring of the implementation of the programme.
  2. Support will be provided for appropriate external evaluation of Tempus II.
-

## COUNCIL DECISION

of 21 November 1996

## on the adoption of a multiannual programme to promote the linguistic diversity of the Community in the information society

(96/664/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 130 (3) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament<sup>(1)</sup>,

Having regard to the opinion of the Economic and Social Committee<sup>(2)</sup>,

Having regard to the opinion of the Committee of the Regions<sup>(3)</sup>,

(1) Whereas the advent of the information society provides industry and in particular the language industry with new prospects for communication and trade on European and world markets which are marked by a rich linguistic and cultural diversity;

(2) Whereas industry and all other players concerned must work out specific and adequate solutions to overcome the linguistic barriers if they are to benefit fully from the advantages of the internal market and remain competitive on world markets;

(3) Whereas the private sector in this field consists mainly of small and medium-sized enterprises (SMEs), which face considerable difficulties in addressing different language markets and must thus be supported, especially when their role as a source of employment is considered;

(4) Whereas it is necessary to encourage the use of technologies, tools and methods which reduce the cost of transferring information between people or applications using different languages, while also assuring the quality of translations, particularly in the case of literary translation, which requires a specific creative effort;

(5) Whereas the European Council, meeting in Corfu on 24 and 25 June 1994, stressed the importance of the

cultural and linguistic aspects of the information society, and whereas the European Council in Cannes on 26 and 27 June 1995 restated the importance to the European Union of its linguistic diversity; whereas the G7 Conference of Ministers meeting in Brussels on 25 and 26 February 1995, drew attention to the importance of linguistic and cultural diversity in the global information society;

(6) Whereas the emergence of the information society could afford the citizens of Europe greater access to information and offer them an outstanding opportunity for access to the cultural and linguistic wealth and diversity of Europe;

(7) Whereas language policies are a matter for the Member States, taking account of Community law; whereas, however, promoting the development of modern language-processing tools and their use is a field of activity in which Community action is necessary in order to achieve substantial economies of scale and cohesion between the various language areas; whereas the measures to be taken at Community level must be commensurate with the objectives to be attained and concern only those fields which are likely to produce an added value for the Community;

(8) Whereas the Member States could envisage using the structural funds within the present regulatory framework to develop linguistic skills within the information society;

(9) Whereas the Community should take into account the cultural and linguistic aspects of the information society;

(10) Whereas efforts must be made to ensure that all European citizens have equal opportunities to participate in the information society, irrespective of their social, cultural, linguistic or geographical situation;

(11) Whereas it is essential to provide citizens with equitable access to information; whereas this information should be available to them in their language;

(12) Whereas languages that remain excluded from the information society would run the risk of a more or less rapid marginalization;

<sup>(1)</sup> OJ No C 198, 8. 7. 1996, p. 248.

<sup>(2)</sup> OJ No C 212, 22. 7. 1996, p. 19.

<sup>(3)</sup> Opinion delivered on 13 June 1996 (OJ No C 337, 11. 11. 1996).

- (13) Whereas access to information should be enriched by the citizens' knowledge of other languages; whereas, consequently, this programme is supplemented by initiatives of the Community to expand the teaching of other Community languages in schools;
- (14) Whereas it is in the Community's interests to support the set-up of an infrastructure encouraging the creation and exploitation of the language resources required to improve language services and tools and give a boost to Research, Technology and Development (RTD) work;
- (15) Whereas raising awareness of and stimulating provision of multilingual services in the Community which make use of language technologies, resources and standards and their incorporation into computer applications should be encouraged in order to reduce communication costs and to safeguard linguistic diversity;
- (16) Whereas the information and communications technology industries should be encouraged to draw up standards which take account of linguistic diversity and to incorporate them in their products and applications;
- (17) Whereas it is useful for the Community institutions and the administrations concerned in the Member States to collaborate more closely in order to reduce the cost of developing and using the language tools required to carry out their tasks, making full use of the facilities of this programme and the Community's initiative adopted pursuant to Council Decision 95/468/EC of 6 November 1995 on a Community contribution for telematic interchange of data between administrations in the Community (IDA) (1);
- (18) Whereas the actions carried out in implementing this programme should be coordinated closely with other national and Community initiatives, as outlined notably in the Commission's action plan 'Europe's way to the information society — an action plan', and should be performed in synergy with the Commission's education, training, audiovisual, exchange of information, RTD and SME initiatives;
- (19) Whereas complementarity and synergy with related Community initiatives must be ensured by the Commission through appropriate coordination mechanisms;
- (20) Whereas progress of the programme should be continuously and systematically monitored with a view to adapting it, where appropriate, to developments with respect to multilingualism; whereas in due course there should be an independent evaluation of the progress of the programme so as to provide the background information needed in order to determine the objectives for subsequent actions;
- (21) Whereas at the end of this programme there should be a final evaluation of the results obtained compared with the objectives set out in this Decision;
- (22) Whereas the actions in this programme will not in any case prejudice the competition rules of the Community;
- (23) Whereas a financial reference amount, within the meaning of point 2 of the Declaration by the European Parliament, the Council and the Commission of 6 March 1995, is included in this decision for the entire duration of the programme, without thereby affecting the powers of the budgetary authority as they are defined by the Treaty;
- (24) Whereas mutual benefits can be obtained by involving international organizations and legal entities from third countries in the implementation of all or part of the programme, while respecting the general policies of the Community towards these organizations; whereas cooperation with third countries in this field should be integrated with the economic and technical cooperation programmes of the Community with third countries,

HAS ADOPTED THIS DECISION:

*Article 1*

A Community programme is hereby adopted, the aims of which shall be:

- to raise awareness of and stimulate provision of multilingual services in the Community, which make use of language technologies, resources and standards,
- to create favourable conditions for the development of the language industries,
- to reduce the cost of information transfer among languages, in particular for the sake of SMEs,
- to contribute to the promotion of the linguistic diversity of the Community.

For the purposes of this Decision:

- (a) multilingual services are defined as services allowing communication between users of different languages of the Community;
- (b) language industries are defined as companies, institutions and professionals that provide, or enable the provision of, monolingual or multilingual services, in fields such as information retrieval, translation, language engineering and electronic dictionaries.

(1) OJ No L 269, 11. 11. 1995, p. 23.

### Article 2

In order to attain the objectives referred to in Article 1, the following actions shall be undertaken in accordance with the action lines contained in Annex I and the procedures for implementing the programme set out in Annex III:

- support for the creation of a framework of services for language resources and encouragement for the associations involved in such a construction,
- encouragement for the use of language technologies, resources and standards and their incorporation into computer applications,
- promotion of the use of advanced language tools in the Community and Member States public sector,
- accompanying measures.

None of these actions should duplicate the work being carried out in these fields under Community or national programmes.

In all schemes planned, existing national, Community and international resource-pooling cooperation arrangements in the field of translation, terminology, lexica and corpora shall be taken into account in the Community's measures, so as to make use of available facilities and avoid duplication of work.

### Article 3

The programme shall start on the day this Decision is adopted and cover a period of three years.

The financial reference amount for the implementation of this programme for the abovementioned period shall be ECU 15 million.

The annual appropriations shall be authorized by the budgetary authority within the limits of the financial perspective.

An indicative breakdown of expenditure is given in Annex II.

### Article 4

1. The Commission shall be responsible for the implementation of the programme and its coordination with other Community programmes.

The Commission shall be assisted by a committee composed of the representatives of the Member States and chaired by the representative of the Commission.

2. The representative of the Commission shall submit to the Committee a draft of the measures to be taken. The Committee shall deliver its opinion on the draft within a time limit which the chairman may lay down according to the urgency of the matter. The opinion shall be delivered by the majority laid down in Article 148 (2) of the Treaty in the case of decisions which the Council is

required to adopt on a proposal from the Commission. The votes of the representatives of the Member States within the Committee shall be weighted in the manner set out in that Article. The chairman shall not vote.

3. (a) The Commission shall adopt the measures envisaged if they are in accordance with the opinion of the Committee.
- (b) If the measures envisaged are not in accordance with the opinion of the Committee, or if no opinion is delivered, the Commission shall without delay submit to the Council a proposal relating to the measures to be taken. The Council shall act by a qualified majority.

If, on the expiry of a period of three months from the date of referral to the Council, the Council has not acted, the proposed measures shall be adopted by the Commission.

### Article 5

1. The procedure laid down in Article 4 shall apply to:

- the adoption of the work programme,
- the breakdown of the budgetary expenditure,
- the criteria and content of calls for proposals,
- the assessment of the projects proposed under calls for proposals for Community funding and the estimated amount of the Community contribution for each project where this is equal to, or more than, ECU 100 000; where, however, the amount is less than ECU 100 000, the Commission shall merely inform the Committee of the projects and of the outcome of their assessment,
- the measures for programme evaluation,
- any departure from the rules normally applied as set out in Annex III,
- participation in any project by legal entities from third countries and international organizations.

2. The Commission shall regularly inform the Committee of progress with the implementation of the programme as a whole.

### Article 6

1. The Commission shall ensure that actions under this decision are subject to effective prior appraisal, monitoring and subsequent evaluation.

2. During implementation of projects and after their completion, the Commission shall evaluate the manner in which they have been carried out and the impact of their implementation in order to assess whether the original objectives have been achieved.

In so doing, the Commission shall in particular investigate the extent to which the SMEs target group has benefited from the projects implemented.

3. The selected beneficiaries shall submit an annual report to the Commission.

4. The Commission shall submit to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions, once the Committee referred to in Article 4 has examined them, an intermediate and a final evaluation report drawn up on the basis of an analysis made by independent experts, of the results obtained in implementing the actions referred to in Article 2. The Commission may present, on the basis of those results, proposals for adjusting the orientation of the programme.

This analysis shall be submitted before any follow-up programme is approved.

*Article 7*

Participation in the programme may be open, in conformity with the procedure laid down in Article 4,

without financial support by the Community for the programme, to legal entities established in third countries and to international organizations, where such participation contributes effectively to the implementation of the programme and taking into account the principle of mutual benefit.

*Article 8*

This Decision is addressed to the Member States.

Done at Brussels, 21 November 1996.

*For the Council*

*The President*

N. BHREATHNACH

## ANNEX I

## ACTION LINES

**1. Action line 1: Support for the creation of a framework of services for language resources and encouragement for the associations involved in such a construction**

Language resources such as dictionaries, terminological databanks, grammar books, collections of texts and voice recordings are an essential raw material for linguistic research, the development of language-processing tools integrated into data processing systems, language learning and for improving translation services. Considerable amounts of money have already been invested by the Member States, the Commission and some private companies on producing language resources. However, the size and complexity of these resources vary from language to language depending, in particular, on demand for that language in the Community public or private sector, thus hindering linguistic diversity. In addition, the full utilization of the available resources is currently hampered by the fact that they are mainly monolingual, often difficult to locate and the basic specifications sometimes differ, thus limiting their wider use. The aim of this action line is to support, for all European languages, the construction of a European infrastructure of multilingual resources and to stimulate the creation of electronic language resources. Most of the enterprises operating in this sector are SMEs, which are often innovative and efficient, but whose financial means are insufficient in view of the level of investments required.

- 1.1. Support for and synergy with associations of public and private sector suppliers and users in the fields of electronic corpora, lexicons, speech recordings and terminologies, may contribute to the objectives of this programme, fostering Europe-wide cooperation with respect to availability and compatibility of databases and networking, standardization, quality certification and elaboration of property rights, user access rights and cost policies.
- 1.2. The availability of lexical databanks and textual and speech corpora, which are suited for various applications and cover all the European languages, is essential in order for a European language industry to make progress. Most of the resources currently available in Europe are partial, variable in size and complexity, monolingual and mutually incompatible, which makes their use for the production of multilingual applications impossible. The Commission will encourage the launch of concerted actions between public and private sector operators in the different Member States with the aim of developing standards and compatible vocal and lexical resources.
- 1.3. The work in the field of terminology covers a vast range of activities with important implications for trade, science, the cultural sector and technology and the implementation of Community decisions, directives and regulations. This work is being undertaken by a very wide range of public and private operators who often lack the means to coordinate their actions with those of their counterparts in other Member States.

In this field too, the Commission will encourage the launch of concerted actions between interested bodies in the different Member States in areas which have priority in attaining the objectives of Community policies for standards, dissemination of information and networking.

- 1.4. The Commission will ensure that the concerted actions receiving its support have appropriate links with international work in this field.
- 2. Action line 2: Encouragement for the use of language technologies, resources and standards and their incorporation into computer applications**

It is the private sector's role to produce and market modern tools facilitating the development of multilingual data processing applications and information transfer between languages. Europe has solid scientific and technological base in this field which has been strengthened by Community research and development programmes, in particular the programmes relating to information and communications technologies and telematic systems of general interest. However, the European market lags behind when it comes to exploiting the advances made by research in the area of language engineering. A concentrated effort needs to be made to speed up the process of getting new language-processing technology on to the market, particularly as part of the actions for disseminating and exploiting the results of research carried out under the framework programme and the specific programmes. All the action lines proposed in the present programme seek to create an environment which is conducive to the expansion of the language industries such as language engineering and translation industries.

The aim of this action line is to spur the language industries into action by stimulating technology transfer and demand through a limited number of share-cost demonstration projects which could act as a catalyst in certain key sectors.

While taking care to avoid duplication, synergies shall be sought between the present programme and the other programmes relating to the information society, in particular the fourth framework programme concerning research, technological development and demonstration, the integrated programme for SMEs and craft industries, and with the IDA initiative and the proposed Ariane programme.

- 2.1. A number of industries have experimented with controlled language to facilitate drafting of technical documents and user-support information. This approach improves general document management and allows effective use of machine-translation. A limited number of shared-cost projects will demonstrate the cost-effectiveness of integrating controlled language, authoring and translation tools, in operational document management systems for different industrial and business environments.
- 2.2. Localization of multimedia software, including translation of the spoken and written word, is becoming increasingly in demand in the information society. To stimulate professionalism and to improve competitiveness of the localization and multimedia industries, a call will be issued to launch a small number of shared-cost projects, demonstrating the integration of localization methodology and tools, training of localization staff and developing best practice guidelines of particular importance for SMEs.
- 2.3. The Commission will promote the use of networks by the translation and interpretation industries. These give access to advanced tools, including electronic dictionaries, improve logistics, allow integration with other functions, and generally improve the functioning of the translation market. A call for proposals will ask for the definition and implementation of European translation directory services, the definition of an open translation environment in Europe and for European tele-translation and tele-interpretation demonstrators with the involvement of the translation industry and profession.

In consultation with the performers concerned, including translation schools, the Commission shall examine the measures to be taken to speed up its networking to increase its efficiency and bring it closer to potential users.

- 2.4. The information and technologies in the field of terminology and translation available in the Community institutions and bodies will be made accessible as far as possible to all interested parties. Access to relevant data will be simplified so that cost-efficient use will be within the reach even of SMEs.
3. **Action line 3: Promotion of the use of advanced language tools in the Community and Member States public sector**

In many Community programmes, the catalytic role of the public sector for the quicker, widespread adoption of common standards has been recognized. With the further development of the internal market and the removal of internal frontiers, there will be an increase in the transfer of information between administrations in the different Member States. These will be faced with an increasing number of situations where they will need advanced language tools in order to make communication with their counterparts in other Member States easier and cheaper. Exchanging the experience acquired in the processing of multilingualism by the Member States and the Community institutions and sharing the language resources which each produces can help achieve economies of scale and reduce the cost of multilingual communication.

- 3.1. The goal is to promote cooperation between administrations in the Member States and the Community institutions in order to reduce the cost of multilingual communication in the European public sector in particular by centralizing advanced language tools. This will favour the establishment of an infrastructure enabling each party to use the different linguistic tools available in the Community institutions and the different administrations without any loss of their current functions, whilst encouraging convergence in future developments.
- 3.2. Work will continue on share-cost cooperation projects conducted with certain Member States in order to improve terminological tools and existing computer-assisted translation systems, and will be extended to include other interested Member States, in particular those using less widely spoken languages.

- 3.3. A special effort will be made to bring the language tools for the new official Community languages up to the level of the others.

**4. Accompanying measures**

Achieving the multilingual information society calls for the devising of converging strategies on the part of the public authorities, associations and institutions working to develop language resources and tools, the experimental users and the market operators producing and disseminating the information services or providing language-processing tools, services and systems. To help in this, the Commission will carry out the following accompanying measures:

- promoting technical standards which meet the linguistic needs of users,
  - organizing concertation and coordination between the principal operators involved in developing a multilingual information society,
  - assessing progress made towards the multilingual information society, and identifying remaining barriers,
  - launching promotional activities and user awareness campaigns and supporting the exchange of best practice,
  - exploring the possibilities for fruitful collaboration with third countries and multilingual international organizations.
-



*ANNEX II***INDICATIVE BREAKDOWN OF EXPENDITURE**

1. Support for the creation of a framework of services for language resources and encouragement for the associations involved in such construction (29 to 38 %).
2. Encouragement for the use of language technologies, resources and standards and their incorporation into computer applications (29 to 38 %).
3. Promotion of the use of advanced language tools in the Community and Member States public sector (29 to 38 %).
4. Accompanying measures (4 to 9 %).

TOTAL: 100 %

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## ANNEX III

## PROCEDURES FOR IMPLEMENTING THE PROGRAMME

1. The Commission shall implement the programme in accordance with the technical specifications set out in Annex I.
2. Where appropriate, the action lines in the programme shall be carried out by means of shared-cost projects, except in the case of developments for the Community institutions, in which case the rate may initially be up to 100 %. The Community's financial contribution shall not exceed the minimum considered necessary for a project and shall be granted in principle only if the project meets financial obstacles which cannot otherwise be overcome. In addition, the Community's financial contribution shall not normally exceed 50 % of the cost of the projects except in duly justified exception cases taking into account in particular participation by SMEs and less-favoured regions, this proportion decreasing the closer the project is to being marketed. Universities, other institutes and non-profit making research centres which do not have cost-accounting systems shall be reimbursed at 100 % of their additional costs.
3. The selection of shared-cost projects is, in principle, based on the normal procedure for calls for proposals published in the *Official Journal of the European Communities*. The objectives shall be set out in work plans compiled in close cooperation with the market operators and the Committee referred to in Article 4 of the Decision.
4. In exceptional cases, having received the opinion of the Committee referred to in Article 4, the Commission may consider proposals for projects which have not been requested but which might involve particularly promising and important developments for achieving the objectives of the programme and which could not be submitted under the normal procedure for calls for proposals.
5. Applications for Community support should provide, where appropriate, a financial plan listing all the components of the funding of the projects, including the financial support requested from the Community, and any other requests for or grants of support from other sources.
6. Support for attempts to construct an infrastructure for linguistic resources and/or the promotion of the use of advanced linguistic tools in the Community and Member State public sector could take the form of concerted actions to coordinate the development of multilingual linguistic resources, particularly through 'concertation networks'. The Community's financial contribution could cover up to 100 % of the coordinating costs.
7. Projects financed entirely from the Community budget under study and service contracts shall be implemented through a call for tenders by the Commission in accordance with the provisions of the Financial Regulation <sup>(1)</sup> and the regulation laying down provisions for the implementation of the Financial Regulation. Transparency will be ensured by the publication and regular dissemination of the work programme to professional associations and other interested bodies concerned.
8. To implement the programme, the Commission shall also carry out activities drawn up in accordance with the general objectives of the programme and the specific aims of each action line. Such activities shall include workshops, seminars, conferences, studies, publications, awareness campaigns, training courses, participation in cooperative projects with the administrations in the Member States, the Community institutions and international organizations, helping national language observatories recognised by the public authorities and specific support for the development of language tools and resources for those Community languages most in need of such assistance. All activities receiving financial support must, at appropriate occasions, show acknowledgement of Community funding.

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<sup>(1)</sup> OJ No L 356, 31. 12. 1977, p. 1. Regulation as last amended by Regulation (EC, Euratom, ECSC) No 2335/95 (OJ No L 240, 7. 10. 1995, p. 12).

# COMMISSION

## COMMISSION DECISION

of 15 November 1996

**concerning the conclusion on behalf of the European Coal and Steel Community and the European Atomic Energy Community of the Interim Agreement between the European Community, the European Coal and Steel Community and the European Atomic Energy Community, of the one part, and the Republic of Kazakhstan, of the other part, on trade and trade-related matters**

(96/665/Euratom, ECSC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular the first paragraph of Article 95 thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular the second paragraph of Article 101 thereof,

Whereas, pending the entry into force of the Partnership and Cooperation Agreement signed in Brussels on 23 January 1995, it is necessary to approve the Interim Agreement signed in Brussels on 5 December 1995 between the European Community, the European Coal and Steel Community and the European Atomic Energy Community, of the one part, and the Republic of Kazakhstan, of the other part, on trade and trade-related matters;

Whereas the conclusion of the Interim Agreement is necessary to attain the objectives of the Community set out in Articles 2 and 3 of the Treaty establishing the European Coal and Steel Community and whereas the Treaty did not make provision for all the cases covered by this Decision,

Having consulted the Consultative Committee and with the assent of the Council, given on 13 May 1996,

HAS DECIDED AS FOLLOWS:

### *Article 1*

The Interim Agreement between the European Community, the European Coal and Steel Community and the European Atomic Energy Community, of the one part, and the Republic of Kazakhstan, of the other part, on trade and trade-related matters, together with the Protocol and the declarations, is hereby approved on behalf of the European Coal and Steel Community and the European Atomic Energy Community.

These texts are attached to this Decision<sup>(1)</sup>.

### *Article 2*

The President of the Commission shall give the notification provided for in Article 33 of the Interim Agreement on behalf of the European Coal and Steel Community and the European Atomic Energy Community.

Done at Brussels, 15 November 1996.

*For the Commission*

*The President*

Jacques SANTER

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<sup>(1)</sup> OJ No L 147, 20. 6. 1996, p. 2.