

English edition

Legislation

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⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

**DECISION No 2119/98/EC OF THE EUROPEAN PARLIAMENT AND OF
THE COUNCIL**

of 24 September 1998

setting up a network for the epidemiological surveillance and control of communicable diseases in the Community

THE EUROPEAN PARLIAMENT AND THE COUNCIL
OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 129 thereof,

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

Having regard to the opinion of the Economic and Social Committee ⁽²⁾,

Having regard to the opinion of the Committee of the Regions ⁽³⁾,

Acting in accordance with the procedure laid down in Article 189b of the Treaty ⁽⁴⁾, in the light of the joint text approved by the Conciliation Committee on 27 May 1998,

- (1) Whereas the prevention of disease, in particular of the major health scourges, is a priority for Community action, requiring a global approach coordinated between Member States;
- (2) Whereas the European Parliament, in its resolution on public health policy after Maastricht ⁽⁵⁾, invited the Commission to set up a transfrontier network to devise working definitions of notifiable diseases, to collect, update, analyse and disseminate Member States data on such diseases and to work with national and international agencies on these matters;

(3) Whereas in its resolution of 2 June 1994 ⁽⁶⁾ on the framework for Community action in the field of public health the Council agreed that priority should be given at present to communicable diseases in particular;

(4) Whereas in its conclusions of 13 December 1993 ⁽⁷⁾ the Council considered that there was a need to develop at Community level a network for the surveillance and control of communicable diseases, the main purpose of which would be to collect and coordinate information from monitoring networks in the Member States;

(5) Whereas in those same conclusions the Council requested the Commission to devote special attention, in its proposals relating to the framework for action in the field of public health, to setting up an epidemiological network in the Community, taking account of the current proceedings and mechanisms existing at Community and at Member State level, and ensuring the comparability and compatibility of data;

(6) Whereas in their resolution of 13 November 1992 on the monitoring and surveillance of communicable diseases ⁽⁸⁾ the Council and the Ministers for Health, meeting within the Council, underlined the desirability of improving, within the Community, the coverage and effectiveness of existing networks between Member States for the surveillance of communicable diseases (including data-processing networks), and also the desirability of maintaining, establishing or strengthening co-ordination between them for monitoring outbreaks of communicable diseases, where such action could add to the value of existing measures;

⁽¹⁾ OJ C 123, 26. 4. 1996, p. 10 and OJ C 103, 2. 4. 1997, p. 11.

⁽²⁾ OJ C 30, 30. 1. 1997, p. 1.

⁽³⁾ OJ C 337, 11. 11. 1996, p. 67.

⁽⁴⁾ Opinion of the European Parliament of 13 November 1996 (OJ C 362, 2. 12. 1996, p. 111), Council Common Position of 22 July 1997 (OJ C 284, 19. 9. 1997, p. 10) and Decision of the European Parliament of 14 January 1998 (OJ C 34, 2. 2. 98, p. 70). Decision of the European Parliament of 15 July 1998 (OJ C 292, 21. 9. 1998). Council Decision of 20 July 1998.

⁽⁵⁾ OJ C 329, 6. 12. 1993, p. 375.

⁽⁶⁾ OJ C 165, 17. 6. 1994, p. 1.

⁽⁷⁾ OJ C 15, 18. 1. 1994, p. 6.

⁽⁸⁾ OJ C 326, 11. 12. 1992, p. 1.

- (7) Whereas in that same resolution, the Council and the Ministers for Health, meeting within the Council, underlined the value of collecting data from the Member States on a limited number of rare and serious diseases which require large samples for epidemiological study;
- (8) Whereas in that same resolution the Council and the Ministers for Health, meeting within the Council, invited the Commission to examine the desirability of giving priority to certain suitable proposals relating to the control and surveillance of communicable diseases, in the light, *inter alia*, of their estimated cost-effectiveness;
- (9) Whereas, in accordance with the principle of subsidiarity, any new measure taken in an area which does not fall within the exclusive competence of the Community, such as the epidemiological surveillance and control of communicable diseases, may be taken by the Community only if, by reason of the scale or effects of the proposed action, the objectives of the proposed action can be better achieved by the Community than by the Member States;
- (10) Whereas the varying levels and needs of epidemiological surveillance of communicable diseases in the Member States make it necessary to establish a permanent network at Community level;
- (11) Whereas measures to be taken in the health field must take into account other actions undertaken by the Community in the field of public health or which have an impact on public health;
- (12) Whereas the measures to be taken under this Decision are adopted excluding any harmonisation of the laws and regulations of the Member States;
- (13) Whereas Decision 647/96/EC of the European Parliament and of the Council of 29 March 1996 adopting a programme of Community action on the prevention of AIDS and certain other communicable diseases within the framework for action in the field of public health (1996 to 2000) ⁽¹⁾ envisages a number of Community actions for the creation and development of networks for the control and surveillance of certain communicable diseases, the early detection of such diseases, and promotion of the training of field epidemiologists;
- (14) Whereas cooperation with the competent international organisations, particularly the World Health Organisation, notably with regard to disease classification, must be fostered, as well as the use of appropriate language and technology;
- (15) Whereas cooperation with non-member countries, in particular in the case of the appearance or resurgence of serious communicable diseases, must be supported;
- (16) Whereas the recent appearance or resurgence of serious communicable diseases has demonstrated that when an emergency situation occurs all necessary information and data gathered in accordance with an agreed methodology must be communicated swiftly to the Commission;
- (17) Whereas, in order to ensure protection of the population in an emergency, Member States must exchange relevant data and information immediately via the Community network; whereas priority must be given at all times to the protection of public health;
- (18) Whereas Council Directive 92/117/EEC of 17 December 1992 concerning measures for protection against specified zoonoses and specified zoonotic agents in animals and products of animal origin in order to prevent outbreaks of food-borne infections and intoxications ⁽²⁾ applies equally to information concerning zoonoses which affect human beings; whereas that same Directive provides for a system for collecting and transmitting information on specified zoonoses and zoonotic agents;
- (19) Whereas the setting-up of a network for the epidemiological surveillance and control of communicable diseases at Community level necessarily presupposes compliance with the legal provisions concerning the protection of individuals with regard to the processing of personal data and the introduction of arrangements to guarantee the confidentiality and security of such data; whereas in this connection the European Parliament and the Council adopted Directive 95/46/EC ⁽³⁾;
- (20) Whereas the Community projects in the field of the telematic interchange of data between administrations (IDA) ⁽⁴⁾ and the G7 projects should be closely coordinated with the implementation of the Community actions relating to the epidemiological surveillance and control of communicable diseases;
- (21) Whereas consideration must be given to the efforts deployed with a view to encouraging international cooperation in this field, particularly as part of a joint plan of action with the United States;

⁽¹⁾ OJ L 95, 16. 4. 1996, p. 16.

⁽²⁾ OJ L 62, 15. 3. 1993, p. 38.

⁽³⁾ OJ L 281, 23. 11. 1995, p. 31.

⁽⁴⁾ OJ L 269, 11. 11. 1995, p. 23.

- (22) Whereas it is important, in an emergency situation, that the competent national structures and/or authorities should strengthen their cooperation, in particular with regard to the identification of biological samples;
- (23) Whereas any Community procedures which may be set up for the rapid exchange of information do not affect the Member States' rights and obligations under bilateral or multilateral agreements and conventions;
- (24) Whereas a procedure needs to be established to promote coordination between the Member States concerning the measures they may decide to take to control the spread of communicable diseases; whereas the adoption and implementation of these measures fall within the exclusive competence of the Member States;
- (25) Whereas it is important that the Commission should implement the Community network in close cooperation with the Member States; whereas a procedure therefore needs to be established to ensure the Member States' full participation in this implementation;
- (26) Whereas the costs which may result from the operation of the network at Community level should be met from Community resources and/or from relevant Community programmes;
- (27) Whereas the costs which may result from the operation of the network at national level will have to be financed by the Member States themselves, unless Community provisions provide otherwise;
- (28) Whereas a *modus vivendi* between the European Parliament, the Council and the Commission concerning the implementing measures for acts adopted in accordance with the procedure laid down in Article 189b of the Treaty⁽¹⁾ was concluded on 20 December 1994,

HAVE ADOPTED THIS DECISION:

Article 1

The objective of this Decision is to set up a network at Community level to promote cooperation and coordination between the Member States, with the assistance of the Commission, with a view to improving the prevention and control, in the Community, of the categories of communicable diseases specified in the Annex. This network shall be used for:

- the epidemiological surveillance of these diseases, and
- an early warning and response system for the prevention and control of these diseases.

As regards epidemiological surveillance, the network shall be established by bringing into permanent communication with one another, through all appropriate technical means, the Commission and those structures and/or authorities which, at the level of each Member State and under the responsibility of that Member State, are competent at national level and are charged with collecting information relating to the epidemiological surveillance of communicable diseases, and by establishing procedures for the dissemination of the relevant surveillance data at Community level.

As regards the early warning and response system, this network shall be formed by bringing into permanent communication with one another, through appropriate means, the Commission and the competent public health authorities in each Member State responsible for determining the measures which may be required to protect public health.

The Commission shall provide for the coordination of the network in collaboration with the Member States.

Article 2

For the purpose of this Decision, the following terms shall have the following meanings:

1. 'epidemiological surveillance': the ongoing systematic collection, analysis, interpretation and dissemination of health data, including epidemiological studies, concerning the categories of communicable diseases set out in the Annex, in particular relating to the pattern of spread of such diseases over time and space and analysis of the risk factors for contracting such diseases, for the purpose of enabling appropriate preventive measures and counter-measures to be taken;
2. 'prevention and control of communicable diseases': the range of measures, including epidemiological investigations, taken by the competent public health authorities in the Member States to prevent and stop the spread of communicable diseases;
3. 'Community network': network for the epidemiological surveillance and control of communicable diseases, namely the system by which the necessary information for carrying out the activities referred to in points 1 and 2 is exchanged.

Article 3

With a view to the effective operation of the Community network with regard to epidemiological surveillance and to achieving uniform information within this framework, the following shall be determined in accordance with the procedure laid down in Article 7:

⁽¹⁾ OJ C 102, 4. 4. 1996, p. 1.

- (a) the communicable diseases to be progressively covered by the Community network;
- (b) the criteria for selection of these diseases, having regard to the categories set out in the Annex and the existing collaborative networks for disease surveillance that can be built on;
- (c) case definitions, in particular clinical and microbiological characteristics;
- (d) the nature and type of data and information to be collected and transmitted by the structures and/or authorities referred to in the second paragraph of Article 1 in the field of epidemiological surveillance and the ways in which such data are to be made comparable and compatible;
- (e) epidemiological and microbiological surveillance methods;
- (f) guidelines on the protective measures to be taken, in particular at external frontiers of the Member States, notably in emergency situations;
- (g) guidelines on information and guides to good practice for the public;
- (h) the appropriate technical means and the procedures by which the data will be disseminated and analysed at Community level.

Article 4

Each structure and/or authority referred to in the second paragraph or in the third paragraph, whichever is appropriate of Article 1 shall communicate to the Community network:

- (a) information regarding the appearance or resurgence of cases of communicable diseases as referred to in Article 3(a) in the Member State to which the structure and/or authority belongs, together with information on control measures applied;
- (b) any relevant information concerning the progression of epidemic situations for which it has responsibility for information collection;
- (c) information on unusual epidemic phenomena or new communicable diseases of unknown origin;
- (d) any relevant information in its possession:
 - on cases of communicable diseases covered by the categories set out in the Annex,
 - on new communicable diseases of unknown origin in non-member countries;
- (e) information concerning existing and proposed mechanisms and procedures for the prevention and control of communicable diseases, in particular in emergency situations;
- (f) any relevant considerations which could help Member States to coordinate their efforts for the prevention and control of communicable diseases, including any counter-measures implemented.

Article 5

The Commission shall make available the information referred to in Article 3 to all the structures and authorities referred to in Article 1. Each structure/authority shall ensure that the information which they communicate to the network, pursuant to Article 4, is promptly forwarded to all other participating structures/authorities and the Commission.

Article 6

1. Member States shall, on the basis of the information available through the Community network, consult each other in liaison with the Commission with a view to coordinating their efforts for the prevention and control of communicable diseases.

2. Where a Member State intends to adopt measures for the control of communicable diseases, it shall, before adopting those measures, inform the other Member States and the Commission on the nature and scope of those measures, through the Community network. The Member State in question shall also consult other Member States and the Commission through the Community network on the nature and scope of intended measures unless the need to protect public health is so urgent that consultation proves impossible.

3. Where a Member State has to adopt, as a matter of urgency, control measures in response to the appearance or resurgence of communicable diseases, it shall, as soon as possible, inform through the Community network the other Member States and the Commission.

In duly justified specific cases, appropriate prevention and protection measures, adopted by mutual agreement among Member States in conjunction with the Commission, may be taken by the Member States which so desire.

4. Member States shall, on the basis of their consultations and the information provided, coordinate among themselves in liaison with the Commission with regard to the measures which they have adopted, or intend to adopt at national level.

5. Procedures concerning the information and consultation referred to in paragraphs 1, 2 and 3 and procedures concerning the coordination referred to in paragraphs 1 and 4 shall be established in accordance with the procedure laid down in Article 7.

Article 7

1. For the purposes of implementing this Decision, the Commission shall be assisted by a committee composed of representatives of each 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 within three months of the matter being referred to it the Council has not acted, the proposed measures shall be adopted by the Commission.

Article 8

The Annex may be amended or supplemented in accordance with the procedure laid down in Article 7.

Article 9

Each Member State shall designate, within six months of the entry into force of this Decision, the structures and/or authorities referred to in the second and third paragraphs of Article 1 and shall notify the Commission and the other Member States thereof. The structures and/or authorities which have been so designated shall be described in public by the Member States as forming part of the Community network established by this Decision.

Article 10

For the purposes of this Decision, the competent authorities of the Member States and the Commission shall foster cooperation with non-member countries and international organisations competent in the field of public health, in particular the World Health Organisation.

Article 11

This Decision shall apply without prejudice to Directives 92/117/EEC and 95/46/EC.

Article 12

1. This Decision shall not affect the right of the Member States to maintain or introduce other arrangements, procedures and measures for their national systems

for the epidemiological surveillance and control of communicable diseases.

2. This Decision shall not affect Member States' rights and obligations deriving from existing or future bilateral or multilateral agreements or conventions in the field covered by this Decision.

Article 13

The Commission, with the help of the Member States, shall ensure that there is consistency and complementarity between this Decision and the relevant Community programmes and initiatives, including those in the context of public health action as well as, in particular, the framework programme for statistical information, projects in the field of telematic interchange of data between administrations and the framework programme for research and technological development, especially the telematics applications of the latter programme.

Article 14

1. The Commission shall submit regular reports evaluating the operation of the Community network to the European Parliament and the Council.

2. The first report, which shall be submitted within three years after the entry into force of this Decision shall, in particular, identify those elements of the Community network which should be improved or adapted. It shall also include any proposal that the Commission considers necessary for the amendment or adaptation of this Decision.

3. The Commission shall conduct an evaluation of the Community network every five years thereafter, paying particular attention to its structural capacity and effective use of resources, and shall submit a report to the European Parliament and the Council.

Article 15

This Decision shall enter into force on 3 January 1999.

Article 16

This Decision is addressed to the Member States.

Done at Brussels, 24 September 1998.

For the European Parliament

The President

J. M. GIL-ROBLES

For the Council

The President

J. FARNLEITNER

*ANNEX***LIST INDICATING CATEGORIES OF COMMUNICABLE DISEASES**

- Diseases preventable by vaccination
 - Sexually-transmitted diseases
 - Viral hepatitis
 - Food-borne diseases
 - Water-borne diseases and diseases of environmental origin
 - Nosocomial infections
 - Other diseases transmissible by non-conventional agents (including Creutzfeldt-Jakob's disease)
 - Diseases covered by the international health regulations (yellow fever, cholera and plague)
 - Other diseases (rabies, typhus, viral haemorrhagic fevers, malaria and any other as yet unclassified serious epidemic disease, etc.).
-

Commission statement

The Commission will take particular care to set up, in the light of the resources available, a clearly identified structure with sufficient staff to ensure application of the Decision.

COMMISSION REGULATION (EC) No 2120/98
of 2 October 1998
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⁽¹⁾, as last amended by Regulation (EC) No 1498/98⁽²⁾, 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⁽³⁾, as last amended by Regulation (EC) No 150/95⁽⁴⁾, 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 Commis-

sion 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 3 October 1998.

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

Done at Brussels, 2 October 1998.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 337, 24. 12. 1994, p. 66.

⁽²⁾ OJ L 198, 15. 7. 1998, p. 4.

⁽³⁾ OJ L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ L 22, 31. 1. 1995, p. 1.

ANNEX

to the Commission Regulation of 2 October 1998 establishing the standard import values for determining the entry price of certain fruit and vegetables

(ECU/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0709 90 70	052	126,4
	999	126,4
0805 30 10	052	73,9
	388	98,6
	512	60,3
	524	70,9
	528	65,9
	999	73,9
0806 10 10	052	93,0
	064	41,0
	400	191,0
	999	108,3
0808 10 20, 0808 10 50, 0808 10 90	060	39,5
	064	42,6
	388	40,6
	400	67,3
	442	43,2
	512	68,4
	528	82,0
	804	77,5
	999	57,6
0808 20 50	052	84,7
	064	58,4
	528	81,6
	999	74,9

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 2317/97 (OJ L 321, 22. 11. 1997, p. 19). Code '999' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 2121/98
of 2 October 1998

laying down detailed rules for the application of Council Regulations (EEC) No 684/92 and (EC) No 12/98 as regards documents for the carriage of passengers by coach and bus

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 684/92 of 16 March 1992 on common rules for the international carriage of passengers by coach and bus ⁽¹⁾, as amended by Regulation (EC) No 11/98 ⁽²⁾, and in particular point 3.4 of Article 2 and Articles 5(4), 6(2), 11(5) and 13(3) thereof,

Having regard to Council Regulation (EC) No 12/98 of 11 December 1997 laying down the conditions under which non-resident carriers may operate national road passenger transport services within a Member State ⁽³⁾, and in particular Articles 6(2) and (3) and 7(1) thereof,

After consulting the committee established by Article 10 of Regulation (EC) No 12/98,

1. Whereas Article 4(4) of Regulation (EEC) No 684/92 provides that regular services and certain special regular services are to be subject to authorisation;
2. Whereas Article 11(1) of that Regulation states that occasional services are to be carried out under cover of a journey form;
3. Whereas Article 13(1) of that Regulation provides that own-account transport operations are to be subject to a system of certificates;
4. Whereas rules should also be laid down governing the use of the journey form referred to in Article 11 of that Regulation and the means of communicating to the Member States concerned the names of the carriers carrying out those services and of the connection points en route;
5. Whereas the Commission adopted Regulation (EEC) No 1839/92 of 1 July 1992 laying down detailed rules for the application of Council Regulation (EEC) No 684/92 as regards documents for

the international carriage of passengers ⁽⁴⁾, as last amended by the Act of Accession of Austria, Finland and Sweden; whereas that Regulation has been amended by Regulation (EEC) No 2944/93 ⁽⁵⁾ in order to standardise, for reasons of simplicity, the control documents for shuttle services with accommodation and for occasional services;

6. Whereas Regulation (EC) No 11/98 abolished the concept of shuttle services and simplified the definition of occasional services by abolishing the concept of residual occasional services;
7. Whereas it is necessary to standardise, for reasons of simplicity, the journey form for international occasional services and for occasional services in the form of cabotage provided for in Regulation (EC) No 12/98;
8. Whereas the journey form used as a control document in the framework of special regular services in the form of cabotage must be completed in the form of a monthly statement;
9. Whereas, for reasons of transparency and simplicity, all the model documents laid down by Regulation (EEC) No 1839/92 should be adapted to the new regulatory framework applicable to international coach and bus services and that Regulation should be replaced by the present Regulation;
10. Whereas Member States need time to have the new documents printed and distributed;
11. Whereas carriers should in the meantime be able to continue to use the documents provided for in Regulation (EEC) No 1839/92 and Council Regulation (EEC) No 2454/92 ⁽⁶⁾, suitably amended where necessary to take account of Regulations (EEC) No 684/92 and (EC) No 12/98,

⁽¹⁾ OJ L 74, 20. 3. 1992, p. 1.

⁽²⁾ OJ L 4, 8. 1. 1998, p. 1.

⁽³⁾ OJ L 4, 8. 1. 1998, p. 10.

⁽⁴⁾ OJ L 187, 7. 7. 1992, p. 5.

⁽⁵⁾ OJ L 266, 27. 10. 1993, p. 2.

⁽⁶⁾ OJ L 251, 29. 8. 1992, p. 1.

HAS ADOPTED THIS REGULATION:

CHAPTER I

CONTROL DOCUMENT — JOURNEY FORM

Article 1

1. The control document — journey form for the occasional services referred to in point 3.1 of Article 2 of Regulation (EEC) No 684/92 shall conform to the model in Annex I to this Regulation.
2. The control document — journey form for the occasional services referred to in point 3 of Article 2 of Regulation (EC) No 12/98 shall conform to the model in Annex I to this Regulation.
3. The journey forms shall be in books of 25 forms, in duplicate, and detachable. Each book shall bear a number. The forms shall also be numbered from 1 to 25. The cover of the book shall conform to the model in Annex II to this Regulation. Member States shall take all necessary measures to adapt these requirements to computerised processing of journey forms.

Article 2

1. The book provided for in Article 1(3) shall be made out in the name of the carrier; it may not be transferred.
2. The journey form shall be filled in legibly in indelible letters, in duplicate, either by the carrier or by the driver for each journey prior to departure. It shall be valid for the entire journey.
3. The top copy of the journey form shall be kept on the vehicle during the whole of the journey to which it refers. A copy shall be kept at the company's base.
4. The carrier shall be responsible for keeping the journey forms.

Article 3

In the case of an international occasional service provided by a group of carriers acting on behalf of the same contractor, and which may include the travellers catching a connection en route with a different carrier of the same group, the original of the journey form shall be kept on the vehicle carrying out the service. A copy of the journey form shall be kept at the base of each carrier.

Article 4

1. Copies of the journey forms used as control documents for occasional services in the form of cabotage pursuant to Article 6 of Regulation (EC) No 12/98 shall be returned by the carrier to the competent authority or agency in the Member State of establishment in accordance with procedures to be laid down by that authority or agency.

2. In the case of special regular services in the form of cabotage pursuant to Article 3 of Regulation (EC) No 12/98, the journey form as set out in Annex I to this Regulation shall be completed in the form of a monthly statement and returned by the carrier to the competent authority or agency in the Member State of establishment in accordance with procedures to be laid down by that authority or agency.

Article 5

The journey form shall enable the holder, in the course of an international occasional service, to carry out local excursions in a Member State other than that in which the carrier is established, in accordance with the conditions laid down in the second paragraph of Article 12 of Regulation (EEC) No 684/92. The local excursions shall be entered on the journey forms before the departure of the vehicle on the excursion concerned. The original of the journey form shall be kept on board the vehicle for the duration of the local excursion.

Article 6

The control document shall be presented to any enforcement official on request.

CHAPTER II

AUTHORISATIONS

Article 7

1. Applications for authorisation of regular services and special regular services subject to authorisation shall conform to the model in Annex III.
2. Applications for authorisation shall contain the following information:
 - (a) the timetable;
 - (b) fare scales;
 - (c) a certified true copy of the Community licence for the international carriage of passengers by coach and bus for hire or reward provided for in Article 3a of Regulation (EEC) No 684/92;
 - (d) information concerning the type and volume of the service which the applicant plans to provide, in the case of an application to create a service, or which has been provided, in the case of an application for renewal of an authorisation;
 - (e) a map on an appropriate scale, on which are marked the route and stopping points where passengers are to be taken up or set down;
 - (f) a driving schedule to permit verification of compliance with the Community legislation on driving and rest periods.

3. Applicants shall provide any further information which they consider relevant or which is requested by the issuing authority in support of the application.

Article 8

1. Authorisations shall conform to the model in Annex IV.
2. Each vehicle carrying out a service subject to authorisation shall have on board an authorisation or a copy certified by the issuing authority.

CHAPTER III

CERTIFICATES

Article 9

1. Certificates for the own-account transport operations defined in point 4 of Article 2 of Regulation (EEC) No 684/92 shall conform to the model in Annex V to this Regulation.
2. Undertakings requesting a certificate shall provide the issuing authority with evidence or an assurance that the conditions laid down in point 4 of Article 2 of Regulation (EEC) No 684/92 have been met.
3. Each vehicle carrying out a service subject to a system of certificates shall carry on board for the duration of the journey a certificate or a certified true copy, which shall be presented to enforcement officials on request.
4. Certificates shall be valid for a maximum of five years.

CHAPTER IV

COMMUNICATION OF STATISTICAL DATA

Article 10

The data on cabotage transport operations referred to in Article 7 of Regulation (EC) No 12/98 shall be communi-

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

Done at Brussels, 2 October 1998.

cated in tabular form in accordance with the model in Annex VI to this Regulation.

CHAPTER V

TRANSITIONAL AND FINAL PROVISIONS

Article 11

Regulation (EEC) No 1839/92 shall be repealed with effect from 31 December 1999.

Article 12

Member States may authorise the use of the journey forms, applications for authorisation, authorisations and certificates drawn up in conformity with Regulation (EEC) No 1839/92 and with Regulation (EEC) No 2454/92 until 31 December 1999 at the latest, provided that they are amended, legibly, indelibly and appropriately in so far as is necessary, in order to conform to Regulations (EEC) No 684/92, (EC) No 12/98 and this Regulation.

The other Member States shall accept those documents on their territory until 31 December 1999.

Article 13

Member States shall take the necessary measures to implement this Regulation and forthwith inform the Commission thereof.

Article 14

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

It shall apply from 11 December 1998, except for Articles 1(2), 4 and 10, which shall apply from 11 June 1999.

For the Commission

Neil KINNOCK

Member of the Commission

ANNEX II

Cover page
(Paper — A4)

To be worded in the official language(s) or one of the official languages of the carrier's Member State of establishment

ISSUING STATE

Competent authority

— International distinguishing sign — ⁽¹⁾

.....

BOOK No

of journey forms:

- (a) for international occasional services by coach and bus between Member States, issued on the basis of Regulation (EEC) No 684/92
- (b) for occasional services by coach and bus in the form of cabotage carried out in a Member State other than that in which the carrier is established, issued on the basis of Regulation (EC) No 12/98

to:
(Surname and first name or trade name of carrier)

.....

.....
(Full address, telephone and fax number)

.....
(Place and date of issue)

.....
(Signature and stamp of issuing authority or agency)

⁽¹⁾ Austria (A), Belgium (B), Denmark (DK), Finland (FIN), France (F), Germany (D), Greece (GR), Ireland (IRL), Italy (I), Luxembourg (L), Netherlands (NL), Portugal (P), Spain (E), Sweden (S), United Kingdom (UK).

Second page

To be worded in the official language(s) or one of the official languages of the carrier's Member State of establishment

Important notice

A. GENERAL PROVISIONS COMMON TO INTERNATIONAL OCCASIONAL SERVICES AND OCCASIONAL SERVICES IN THE FORM OF CABOTAGE

1. Articles 11(1) and 4(1) of Regulation (EEC) No 684/92 and Article 6(1), (2) and (3) of Regulation (EC) No 12/98 state that occasional services shall be carried out under cover of a control document — journey form.
2. The provisions referred to in the previous paragraph define occasional services as services 'which do not fall within the definition of regular services, including special regular services, and whose main characteristic is that they carry groups constituted on the initiative of a customer or of the carrier himself'.

Regular services are 'services which provide for the carriage of passengers at specified intervals along specified routes, passengers being taken up and set down at predetermined stopping points. Regular services shall be open to all, subject, where appropriate, to compulsory reservation.

The regular nature of the service shall not be affected by any adjustment to the service operating conditions.

Services, by whomsoever organized, which provide for the carriage of specified categories of passengers to the exclusion of other passengers, in so far as such services are operated under the conditions specified in 1.1, shall be deemed to be regular services. Such services are called 'special regular services'.

Special regular services shall include:

- (a) the carriage of workers between home and work;
- (b) carriage to and from the educational institution for school pupils and students;
- (c) the carriage of soldiers and their families between their state of origin and the area of their barracks.

The fact that a special service may be varied according to the needs of users shall not affect its classification as a regular service.'

3. The journey form shall be valid for the entire journey.
4. The Community licence and the journey form entitle the holder to carry out:
 - (a) international occasional services by coach and bus between two or more Member States;
 - (b) occasional services in the form of cabotage in a Member State other than that in which the carrier is established.
5. The journey form shall be completed in duplicate, either by the carrier or by the driver before the beginning of each service. The copy of the journey form shall remain in the undertaking. The driver shall keep the original on board the vehicle throughout the journey and present it on request to enforcement officials.
6. The driver shall return the journey form to the undertaking which delivered it at the end of the journey in question. The carrier shall be responsible for keeping the documents. They shall be filled in legibly and indelibly.

Third page

B. PROVISIONS SPECIFIC TO INTERNATIONAL OCCASIONAL SERVICES

1. The second subparagraph of Article 2(3.1) of Regulation (EEC) No 684/92 states that the organisation of parallel or temporary services comparable to existing regular service and serving the same clientele as the latter shall be subject to authorisation.
2. Carriers may carry out local excursions in a Member State other than that in which they are established in the case of international occasional services. Such local excursions shall be intended exclusively for non-resident passengers previously transported by the same carrier in the framework of an international occasional service. They shall be transported in the same vehicle or a vehicle belonging to the same carrier or group of carriers.
3. In the case of local excursions, the journey form must be completed before the departure of the vehicle on the excursion in question.
4. In the case of an international occasional service operated by a group of carriers acting on behalf of the same customer and possibly involving the passengers catching a connection *en route* with a different carrier of the same group, the original of the journey form shall be kept on the vehicle carrying out the service. A copy of the journey form shall be kept at the base of each carrier involved.

C. PROVISIONS SPECIFIC TO OCCASIONAL SERVICES IN THE FORM OF CABOTAGE

1. Occasional services in the form of cabotage shall be subject, save as otherwise provided in Community legislation, to the laws, regulations and administrative measures in force in the host Member State in the following areas:
 - (a) rates and conditions governing the transport contract;
 - (b) weights and dimensions of the road vehicles. Such weights and dimensions may, where appropriate, exceed those applicable in the carrier's Member State of establishment, but in no circumstances may they exceed the weights and dimensions set out in the certificate of conformity;
 - (c) requirements relating to the carriage of certain categories of passenger, *viz.* schoolchildren, children and persons with reduced mobility;
 - (d) driving and rest periods;
 - (e) value added tax (VAT) on the transport services. In this area, Article 21(1)(a) of Council Directive 77/388/EEC of 17 May 1977 on the harmonisation of the laws of the Member States relating to turnover taxes — common system of value added tax: uniform basis or assessment⁽¹⁾, as last amended by Directive 96/95/EC⁽²⁾, shall apply to the services referred to in Article 1 of this Regulation.
2. The technical standards for construction and equipment which the vehicles used to carry out the cabotage transport operations must meet shall be those laid down for vehicles put into circulation in international transport.
3. Member States shall apply the national provisions referred to in paragraphs 1 and 2 above to non-resident carriers on the same conditions as those applied to their own citizens, in order effectively to prevent any open or hidden discrimination on grounds of nationality or place of establishment.
4. In the case of an occasional service in the form of cabotage, the journey forms shall be returned by the carrier to the competent authority or agency of the Member State of establishment in accordance with procedures to be laid down by that authority or agency⁽³⁾.
5. In the case of special regular services in the form of cabotage, the journey forms shall be completed in the form of a monthly statement and returned by the carrier to the competent authority or agency of the Member State of establishment in accordance with procedures to be laid down by that authority or agency.

⁽¹⁾ OJ L 145, 13. 6. 1977, p. 1.

⁽²⁾ OJ L 338, 28. 12. 1996, p. 89.

⁽³⁾ Member States' competent authorities may supplement point 4 with particulars of the agency responsible for collecting the journey forms and the procedure for forwarding the information.

ANNEX III

Cover page
(White paper — A4)

To be worded in the official language(s) or one of the official languages of the carrier's Member State of establishment

APPLICATION ⁽¹⁾:

- TO START A REGULAR SERVICE
- TO START A SPECIAL REGULAR SERVICE ⁽²⁾
- TO RENEW AUTHORISATION FOR A SERVICE

carried out by coach and bus between Member States in accordance with Regulation (EEC) No 684/92

to:
(Competent authority)

1. Name and first name or trade of the applicant and, where appropriate, of the managing carrier in the case of an association (pool):
.....
.....

2. Service(s) carried out ⁽¹⁾
by an undertaking as a member of an association (pool) as a subcontractor

3. Names and addresses of the carrier, associated carrier(s) or subcontractor(s) ⁽³⁾ ⁽⁴⁾

3.1. tel.

3.2. tel.

3.3. tel.

3.4. tel.

⁽¹⁾ Tick or complete as appropriate.
⁽²⁾ Special regular services not covered by a contract between the organiser and the carrier.
⁽³⁾ Indicate in each case whether a member of an association or a subcontractor is concerned.
⁽⁴⁾ Attach list if applicable.

(Second page of the application for authorisation or for renewal of authorisation)

4. In the case of a special regular service:

4.1. Category of passengers:

5. Duration of authorisation requested or date on which the service ends:

.....
.....
.....

6. Principal route of service (underline passenger pick-up points):

.....
.....
.....
.....

7. Period of operation:

.....
.....
.....

8. Frequency (daily, weekly, etc.):

9. Fares: Annex attached

10. Enclose a driving schedule to permit verification of compliance with the Community legislation on driving and rest periods

11. Number of authorisations or of copies of authorisations requested ⁽¹⁾:

.....

12. Any additional information:

.....
.....
.....

13.

(Place and date)

.....

(Signature of applicant)

⁽¹⁾ The attention of the applicant is drawn to the fact that, since the authorisation has to be kept on board the vehicle, the number of authorisations which the applicant must have should correspond to the number of vehicles needed for carrying out the service requested at the same time.

(Third page of the application for authorisation or for renewal of authorisation)

Important notice

1. The following must be attached to the application, as appropriate:
 - (a) the timetable;
 - (b) fare scales;
 - (c) a certified true copy of the Community licence for the international carriage of passengers by road for hire or reward provided for in Article 3(a) of Regulation (EEC) No 684/92;
 - (d) information concerning the type and volume of the service that the applicant plans to provide in the case of a new service, or that has been provided in the case of renewal of an authorisation;
 - (e) a map on an appropriate scale on which are marked the route and the stopping points at which passengers are to be taken up or set down;
 - (f) a driving schedule to permit verification of compliance with the Community legislation on driving and rest periods.
2. Applicants shall provide any additional information in support of their application which they consider relevant or which is requested by the issuing authority.
3. Article 4(4) of Regulation (EEC) No 684/92 states that the following services are subject to authorisation:
 - (a) regular services, services which provide for the carriage of passengers at specified intervals along specified routes, passengers being taken up and set down at predetermined stopping points. Regular services shall be open to all, subject, where appropriate, to compulsory reservation. The regular nature of the service shall not be affected by any adjustment to the service operating conditions;
 - (b) special regular services not covered by a contract between the organiser and the carrier. Services, by whomsoever organised, which provide for the carriage of specified categories of passengers to the exclusion of other passengers, in so far as such services are operated under the conditions specified in 1.1, shall be deemed to be regular services. Such services are hereinafter called 'special regular services'. Special regular services shall include:
 - (i) the carriage of workers between home and work;
 - (ii) carriage to and from the educational institution for school pupils and students;
 - (iii) the carriage of soldiers and their families between their State of origin and the area of their barracks.

The fact that a special service may be varied according to the needs of users shall not affect its classification as a special regular service.
4. The application shall be made to the competent authority of the Member State from which the service departs, namely one of the service termini.
5. The maximum period of validity of the authorisation is five years.

—

ANNEX IV

(First page of the authorisation)

(Pink paper — A4)

To be worded in the official language(s) or one of the official languages of the carrier's Member State of establishment

ISSUING STATE

Competent authority

— International distinguishing sign — ⁽¹⁾

.....

AUTHORISATION No

for a regular service ⁽²⁾

for a non-liberalised special regular service

by coach and bus between Member States in accordance with Regulation (EEC) No 684/92

to:
(Surname, first name or trade name of carrier or of managing carrier in the case of an association of undertakings (pool))

.....

Address: Tel. and fax:

Name, address, telephone and fax numbers of associates or members of the association of undertakings (pool) and subcontractors:

- (1)
- (2)
- (3)
- (4)
- (5)

List attached, if appropriate

Expiry date of authorisation:

.....
(Place and date of issue)

.....
(Signature and stamp of the issuing authority or agency)

⁽¹⁾ Austria (A), Belgium (B), Denmark (DK), Germany (D), Greece (GR), Finland (FIN), France (F), Ireland (IRL), Italy (I), Luxembourg (L), Netherlands (NL), Portugal (P), Spain (E), Sweden (S), United Kingdom (UK).

⁽²⁾ Delete as appropriate.

(Second page of authorisation No)

1. Route:

(a) Place of departure of service:

(b) Place of destination of service:

(c) Principal itinerary, with passenger pick-up and set-down points underlined:

.....

.....

.....

.....

2. Periods of operation:

.....

3. Frequency:

4. Timetable:

5. Special regular service:

— Category of passengers:

6. Other conditions or special points:

.....

.....

.....

.....

.....

.....

.....
(Stamp of authority issuing the authorisation)

(Third page of the authorisation)

To be worded in the official language(s) or one of the official languages of the carrier's Member State of establishment

Important notice

1. This authorisation is valid for the entire journey. It may not be used except by a party whose name is indicated thereon.
 2. The authorisation or a true copy certified by the issuing authority shall be kept on the vehicle for the duration of the journey and shall be presented to enforcement officials on request.
 3. A true certified copy of the Community licence shall be kept on board the vehicle.
-

ANNEX V

(First page of the certificate)

(Yellow paper — A4)

To be worded in the official language(s) or one of the official languages of the carrier's Member State of establishment

ISSUING STATE

Competent authority

— International distinguishing sign — (1)

.....

CERTIFICATE

issued for own-account transport operations by coach and bus between Member States on the basis of Regulation (EEC) No 684/92

(Part for the person or entity carrying out the own-account transport operations)

The undersigned

responsible for the undertaking, non-profit-making body or other (describe)

.....

(Surname and first name or official name, full address)

certifies that:

- the transport service provided is non-profit-making and non-commercial,
- transport is only an ancillary activity for the person or entity,
- the coach or bus registration No is the property of the person or entity or has been obtained by them on deferred terms or has been the subject of a long-term leasing contract,
- the coach or bus will be driven by a member of staff of the undersigned person or entity or by the undersigned in person.

.....

(Signature of the person or representative of the entity)

(Part for the competent authority)

This constitutes a certificate within the meaning of Article 13 of Regulation (EEC) No 684/92.

.....

(Period of validity)

.....

(Place and date of issue)

.....

(Signature and stamp of the competent authority)

(1) Austria (A), Belgium (B), Denmark (DK), Finland (FIN), France (F), Germany (D), Greece (EL), Ireland (IRL), Italy (I), Luxembourg (L), Netherlands (NL), Portugal (P), Spain (E), Sweden (S), United Kingdom (UK).

(Second page of the certificate)

To be worded in the official language(s) or one of the official languages of the carrier's Member State of establishment

General provisions

1. Article 2(4) of Regulation (EEC) No 684/92 states that 'own-account transport operations are transport operations carried out for non-commercial and non-profit-making purposes by a natural or legal person, provided that:
 - the transport activity is only an ancillary activity for that natural or legal person;
 - the vehicles used are the property of that natural or legal person or have been obtained on deferred terms by them or have been the subject of a long-term leasing contract and are driven by a member of the staff of the natural or legal person or by the natural person himself.
 2. Own-account carriers are licensed to carry out this type of transport operation without discrimination on grounds of nationality or place of establishment provided that they:
 - are authorised in the State of establishment to undertake transport by coach and bus on the conditions of access to the market laid down in national legislation;
 - meet the requirements on road safety as far as the standards for drivers and vehicles are concerned.
 3. The own-account transport operations referred to in point 1 are exempt from authorisation but subject to a system of certificates.
 4. The certificate entitles the holder to carry out international transport operations by coach and bus for own-account. It is issued by the competent authority of the Member State where the vehicle is registered and is valid for the entire journey, including any transit journeys.
 5. The relevant parts of this certificate must be completed in indelible letters in triplicate by the person or the representative of the entity carrying out the operation and by the competent authority. One copy must be kept by the administration and one by the person or entity. The driver must keep the original or a certified true copy on board the vehicle for the entire duration of any international journeys. It must be presented to the enforcement authorities on request. The person or entity, as appropriate, is responsible for keeping the certificates.
 6. The certificate is valid for a maximum of five years.
-

ANNEX VI

MODEL COMMUNICATION

Referred to in Article 7(1) of Council Regulation (EC) No 12/98 of 11 December 1997 laying down the conditions under which non-resident carriers may operate national road passenger transport services within a Member State

Cabotage transport operations carried out in (quarter) (year)

by carriers established in (name of the Member State)

Host Member State	Number of passengers		Number of passenger — km	
	Type of services		Type of services	
	Special regular	Occasional	Special regular	Occasional
A				
B				
D				
DK				
E				
GR				
FIN				
F				
I				
IRL				
L				
NL				
P				
S				
UK				
Total cabotage				

COMMISSION REGULATION (EC) No 2122/98

of 2 October 1998

fixing the production levies in the sugar sector for the 1997/98 marketing year

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 ⁽¹⁾, as last amended by Regulation (EC) No 1148/98 ⁽²⁾, and in particular Articles 28(8) and 28a(5) thereof,

Whereas Article 7(1) of Commission Regulation (EEC) No 1443/82 of 8 June 1982 laying down detailed rules for the application of the quota system in the sugar sector ⁽³⁾, as last amended by Regulation (EC) No 392/94 ⁽⁴⁾, provides that the basic production levy and the B levy together with, if required, the coefficient referred to in Article 28a(2) of Regulation (EEC) No 1785/81 for sugar, isoglucose and inulin syrup are to be fixed before 15 October in respect of the preceding marketing year;

Whereas Commission Regulation (EC) No 1753/97 ⁽⁵⁾ increased, for the 1997/98 marketing year, the maximum amount referred to in the first indent of Article 28(4) of Regulation (EEC) No 1785/81 to 37,5 % of the intervention price for white sugar;

Whereas the estimated total loss recorded in accordance with Article 28(1) and (2) of Regulation (EEC) No 1785/81 necessitates in respect of the 1997/98 marketing year, the retention of the maximum amounts referred to in Article 28(3) of the said Regulation in so far as the basic production levy is concerned and the taking into account of an amount equal to 36,8891 % of the intervention price for white sugar for the calculation of the B levy in conformity with Article 28(4) and (5) of the same Regulation;

Whereas the total uncovered loss recorded on the basis of the known information and in application of Article 28(1) and (2) of Regulation (EEC) No 1785/81 is covered in its

entirety by the receipts from the basic production levy and the B levy; whereas the coefficient referred to in Article 28a(2) of the said Regulation should not as a consequence be fixed for the 1997/98 marketing year;

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 production levies in the sugar sector for the 1997/98 marketing year are hereby fixed as follows:

- (a) ECU 1,2638 per 100 kilograms of white sugar as the basic production levy on A sugar and B sugar;
- (b) ECU 23,3102 per 100 kilograms of white sugar as the B levy on B sugar;
- (c) ECU 0,5330 per 100 kilograms of dry matter as the basic production levy on A isoglucose and B isoglucose;
- (d) ECU 9,7833 per 100 kilograms of dry matter as the B levy on B isoglucose;
- (e) ECU 1,2638 per 100 kilograms of dry matter equivalent sugar/isoglucose of the basic production levy on A inulin syrup and B inulin syrup;
- (f) ECU 23,3102 per 100 kilograms of dry matter equivalent sugar/isoglucose as the B levy on B inulin syrup.

Article 2

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

⁽¹⁾ OJ L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ L 159, 3. 6. 1998, p. 38.

⁽³⁾ OJ L 158, 9. 6. 1982, p. 17.

⁽⁴⁾ OJ L 53, 24. 2. 1994, p. 7.

⁽⁵⁾ OJ L 248, 11. 9. 1997, p. 1.

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

Done at Brussels, 2 October 1998.

For the Commission
Franz FISCHLER
Member of the Commission

COMMISSION DECISION No 2123/98/ECSC**of 2 October 1998****amending Annex IV to Commission Decision No 1401/97/ECSC on administering certain restrictions on imports of certain steel products from Ukraine**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

Having regard to Commission Decision No 1401/97/ECSC of 7 July 1997 on administering certain restrictions on imports of certain steel products from Ukraine ⁽¹⁾, as previously amended by Commission Decision No 2233/97/ECSC of 10 November 1997 ⁽²⁾ and in particular Article 8 in conjunction with Article 7 thereof,

Whereas Ukraine has, in accordance with Article 3(4) of the Agreement on trade in certain ECSC steel products ⁽³⁾, requested the transfer of certain quantitative limits for 1998 between different product groups, and whereas the European Coal and Steel Community consents to this request;

Whereas it is therefore necessary to amend Annex IV to Decision No 1401/97/ECSC to take account of the amended quantitative limits;

Whereas the measures provided for in this Decision are in conformity with the opinion of the Committee established under Article 7 of Decision No 1401/97/ECSC,

HAS ADOPTED THIS DECISION:

Article 1

Annex IV to Decision No 1401/97/ECSC is replaced by the text contained in the Annex to this Decision.

Article 2

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

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

Done at Brussels, 2 October 1998.

For the Commission

Leon BRITTAN

Vice-President

⁽¹⁾ OJ L 193, 22. 7. 1997, p. 12.

⁽²⁾ OJ L 306, 11. 11. 1997, p. 7.

⁽³⁾ OJ L 210, 4. 8. 1997, p. 32.

ANNEX

ANNEX IV

QUANTITATIVE LIMITS

Ukraine

(tonnes)

Products	1997	1998	1999	2000	2001
<i>SA. Flat products</i>					
1. Coils	30 362	31 250	32 032	32 832	33 653
2. Heavy plate	102 707	107 843	110 539	113 302	116 135
3. Other flat products	12 862	14 135	14 488	14 850	15 222
<i>SB. Long products</i>					
1. Beams	8 359	8 163 ⁽¹⁾	8 996	9 221	9 452
2. Wire rod	22 000	27 894 ⁽²⁾	23 677	24 269	24 876
3. Other long products	56 864	55 527 ⁽³⁾	61 200	62 730	64 298

⁽¹⁾ This figure has been reduced by 614 tonnes.

⁽²⁾ This figure has been increased by 4 794 tonnes.

⁽³⁾ This figure has been reduced by 4 180 tonnes.

COMMISSION DECISION No 2124/98/ECSC**of 2 October 1998****amending Annex IV to Commission Decision No 2136/97/ECSC on administering certain restrictions on imports of certain steel products from the Russian Federation**

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

Having regard to Commission Decision No 2136/97/ECSC of 12 September 1997 on administering certain restrictions on imports of certain steel products from the Russian Federation⁽¹⁾ and in particular Article 8 in conjunction with Article 7 thereof,

Whereas the Russian Federation has, in accordance with Article 3(4) of the Agreement on trade in certain ECSC steel products⁽²⁾, requested the transfer of certain quantitative limits for 1998 between different product groups, and whereas the European Coal and Steel Community consents to this request;

Whereas it is therefore necessary to amend Annex IV to Decision No 2136/97/ECSC to take account of the amended quantitative limits;

Whereas the measures provided for in this Decision are in conformity with the opinion of the Committee established under Article 7 of Decision No 2136/97/ECSC,

HAS ADOPTED THIS DECISION:

Article 1

Annex IV to Decision No 2136/97/ECSC is replaced by the text contained in the Annex to this Decision.

Article 2

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

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

Done at Brussels, 2 October 1998.

For the Commission

Leon BRITTAN

Vice-President

⁽¹⁾ OJ L 300, 4. 11. 1997, p. 15.

⁽²⁾ OJ L 300, 4. 11. 1997, p. 52.

ANNEX

ANNEX IV

QUANTITATIVE LIMITS

Russian Federation

(tonnes)

Products	1997	1998	1999	2000	2001
<i>SA. Flat products</i>					
1. Coils	207 487	204 861 ⁽¹⁾	223 308	228 890	234 613
1.a. Hot-rolled coils for re-rolling	430 000	430 000	440 750	451 769	463 063
2. Heavy plate	31 115	42 671 ⁽²⁾	33 488	34 325	35 183
3. Other flat products	28 265	32 678 ⁽³⁾	30 420	31 180	31 960
<i>SB. Long products</i>					
1. Beams	12 000	11 718 ⁽⁴⁾	12 915	13 238	13 569
2. Wire rod	28 000	27 342 ⁽⁵⁾	30 135	30 889	31 661
3. Other long products	104 357	112 515 ⁽⁶⁾	112 314	115 122	118 000

⁽¹⁾ This figure has been reduced by 13 000 tonnes.

⁽²⁾ This figure has been increased by 10 000 tonnes.

⁽³⁾ This figure has been increased by 3 000 tonnes.

⁽⁴⁾ This figure has been reduced by 882 tonnes.

⁽⁵⁾ This figure has been reduced by 2 058 tonnes.

⁽⁶⁾ This figure has been increased by 2 940 tonnes.

COMMISSION REGULATION (EC) No 2125/98**of 2 October 1998****fixing the minimum selling prices for beef put up for sale under the fourth invitation to tender referred to in Regulation (EC) No 1324/98**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organisation of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EC) No 1633/98 ⁽²⁾, and in particular Article 7(3) thereof,Whereas tenders have been invited for certain quantities of beef fixed by Commission Regulation (EC) No 1324/98 ⁽³⁾;Whereas, pursuant to Article 9 of Commission Regulation (EEC) No 2173/79 ⁽⁴⁾, as last amended by Regulation (EC) No 2417/95 ⁽⁵⁾, the minimum selling prices for meat put up for sale by tender should be fixed, taking into account tenders submitted;

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

HAS ADOPTED THIS REGULATION:

Article 1

The minimum selling prices for beef for the invitation to tender held in accordance with Article 2(1)(d) of Regulation (EC) No 1324/98 for which the time limit for the submission of tenders was 21 September 1998 are as set out in the Annex hereto.

*Article 2*This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

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

Done at Brussels, 2 October 1998.

For the Commission

Franz FISCHLER

Member of the Commission⁽¹⁾ OJ L 148, 28. 6. 1968, p. 24.⁽²⁾ OJ L 210, 28. 7. 1998, p. 17.⁽³⁾ OJ L 183, 26. 6. 1998, p. 38.⁽⁴⁾ OJ L 251, 5. 10. 1979, p. 12.⁽⁵⁾ OJ L 248, 14. 10. 1995, p. 39.

*ANEXO — BILAG — ANHANG — ΠΑΡΑΡΤΗΜΑ — ANNEX — ANNEXE — ALLEGATO —
BIJLAGE — ANEXO — LIITE — BILAGA*

Estado miembro	Productos	Precio mínimo expresado en ecus por tonelada
Medlemsstat	Produkter	Mindestpriser i ECU/ton
Mitgliedstaat	Erzeugnisse	Mindestpreise, ausgedrückt in ECU/Tonne
Κράτος μέλος	Προϊόντα	Ελάχιστες πωλήσεις εκφραζόμενες σε Ecu ανά τόνο
Member State	Products	Minimum prices expressed in ECU per tonne
État membre	Produits	Prix minimaux exprimés en écus par tonne
Stato membro	Prodotti	Prezzi minimi espressi in ecu per tonnellata
Lidstaat	Producten	Minimumprijzen uitgedrukt in ecu per ton
Estado-membro	Produtos	Preço mínimo expresso em ecus por tonelada
Jäsenvaltio	Tuotteet	Vähimmäishinnat ecuina tonnia kohden ilmaistuna
Medlemsstat	Produkter	Minimipriser i ecu per ton

a) **Carne con hueso — Kød, ikke udbenet — Fleisch mit Knochen — Κρέατα με κόκαλα —
Bone-in beef — Viande avec os — Carni non disossate — Vlees met been — Carne com osso —
Luullinen naudanliha — Kött med ben**

DEUTSCHLAND	Kompensierte Viertel	630
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COMMISSION REGULATION (EC) No 2126/98
of 2 October 1998

fixing, for September 1998, the specific agricultural conversion rate for the amount of the reimbursement of storage costs 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 organisation of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EC) No 1148/98 ⁽²⁾,

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 ⁽³⁾, as last amended by Regulation (EC) No 150/95 ⁽⁴⁾,

Having regard to Commission Regulation (EEC) No 1713/93 of 30 June 1993 establishing special detailed rules for applying the agricultural conversion rate in the sugar sector ⁽⁵⁾, as last amended by Regulation (EC) No 59/97 ⁽⁶⁾, and in particular Article 1(3) thereof,

Whereas Article 1(2) of Regulation (EEC) No 1713/93 provides that the amount of the reimbursement of storage costs referred to in Article 8 of Regulation (EEC) No 1785/81 is to be converted into national currency using a specific agricultural conversion rate equal to the average, calculated *pro rata temporis*, of the agricultural conver-

sion rates applicable during the month of storage; whereas that specific rate must be fixed each month for the previous month;

Whereas application of these provisions will lead to the fixing, for September 1998, of the specific agricultural conversion rate for the amount of the reimbursement of storage costs in the various national currencies as indicated in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The specific agricultural conversion rate to be used to convert the amount of the reimbursement of storage costs referred to in Article 8 of Regulation (EEC) No 1785/81 into each of the national currencies for September 1998 shall be as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 3 October 1998.

It shall apply with effect from 1 September 1998.

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

Done at Brussels, 2 October 1998.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ L 159, 3. 6. 1998, p. 38.

⁽³⁾ OJ L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ L 22, 31. 1. 1995, p. 1.

⁽⁵⁾ OJ L 159, 1. 7. 1993, p. 94.

⁽⁶⁾ OJ L 14, 17. 1. 1997, p. 25.

ANNEX

to the Commission Regulation of 2 October 1998 fixing, for September 1998, the specific agricultural conversion rate for the amount of the reimbursement of storage costs in the sugar sector

Agricultural conversion rates		
ECU 1 =	40,9321	Belgian and Luxembourg francs
	7,56225	Danish kroner
	1,98391	German marks
	338,319	Greek drachmas
	168,336	Spanish pesetas
	6,68769	French francs
	0,796521	Irish pound
1	973,93	Italian lire
	2,23593	Dutch guilders
	13,9576	Austrian schillings
	203,183	Portuguese escudos
	6,02811	Finnish marks
	8,92333	Swedish kroner
	0,677353	Pound sterling

DIRECTIVE 98/61/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
of 24 September 1998
amending Directive 97/33/EC with regard to operator number portability and carrier pre-selection

THE EUROPEAN PARLIAMENT AND THE COUNCIL
 OF THE EUROPEAN UNION,

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

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

Having regard to the opinion of the Economic and Social Committee ⁽²⁾,

Acting in accordance with the procedure laid down in Article 189b of the Treaty ⁽³⁾,

Whereas the Commission organised a broad public consultation on the basis of a Green Paper on a numbering policy for telecommunications services in Europe;

Whereas this consultation underlined the importance of equal quantitative and qualitative access to numbering resources for all market players and the crucial significance of adequate numbering mechanisms, in particular for number portability and carrier selection, as key facilitators of consumer choice and effective competition in a liberalised telecommunications environment;

Whereas the Council adopted a resolution ⁽⁴⁾ on 22 September 1997 inviting the Commission to submit proposals to the European Parliament and to the Council regarding the accelerated introduction of number portability and regarding the introduction of carrier pre-selection;

Whereas on 17 July 1997 the European Parliament adopted a resolution ⁽⁵⁾ calling on the Commission to submit a proposal for an amendment to an already existing directive with a view to introducing carrier pre-selection and number portability;

Whereas, in the interests of the consumer and taking into account specific national market situations, national regulatory authorities may extend the obligation to provide carrier pre-selection with call-by-call override to organ-

isations operating public telecommunications networks without significant market power, where this does not impose a disproportionate burden on such organisations or create a barrier to entry in the market for new operators;

Whereas Directive 97/33/EC of the European Parliament and of the Council of 30 June 1997 on interconnection in telecommunications with regard to ensuring universal service and interoperability through application of the principles of open network provision (ONP) ⁽⁶⁾ should therefore be amended accordingly,

HAVE ADOPTED THIS DIRECTIVE:

Article 1

Directive 97/33/EC is hereby amended as follows:

1. the following definitions shall be added to Article 2(1):

(h) "subscriber" means any natural or legal person who or which is party to a contract with the provider of publicly available telecommunications services for the supply of such services;

(i) "geographic number" means a number from the national numbering plan where part of its digit structure contains geographic significance used for routing calls to the physical location of the network termination point of the subscriber to whom the number has been assigned;

2. the first subparagraph of Article 12(5) shall be replaced by the following:

'5. National regulatory authorities shall encourage the earliest possible introduction of operator number portability whereby subscribers who so request can retain their number(s) on the fixed public telephone network and the integrated services digital network (ISDN) independent of the organisation providing service, in the case of geographic numbers at a specific location and in the case of other than geographic numbers at any location, and shall ensure that this

⁽¹⁾ OJ C 330, 1. 11. 1997, p. 19, and OJ C 13, 17. 1. 1998, p. 10.

⁽²⁾ OJ C 73, 9. 3. 1998, p. 107.

⁽³⁾ Opinion of the European Parliament of 20 November 1997 (OJ C 371, 8. 12. 1997, p. 180), Council common position of 12 February 1998 (OJ C 91, 26. 3. 1998, p. 42) and Decision of the European Parliament of 14 May 1998 (OJ C 167, 1. 6. 1998). Council Decision of 20 July 1998.

⁽⁴⁾ OJ C 303, 4. 10. 1997, p. 1.

⁽⁵⁾ OJ C 286, 22. 9. 1997, p. 232.

⁽⁶⁾ OJ L 199, 26. 7. 1997, p. 32.

facility is available by 1 January 2000 at the latest or, in those countries which have been granted an additional transition period, as soon as possible after, but no later than two years after any later date agreed for full liberalisation of voice telephony services.'

3. the following paragraph shall be added to Article 12:

'7. National regulatory authorities shall require at least organisations operating public telecommunications networks as set out in Part 1 of Annex I and notified by national regulatory authorities as organisations having significant market power, to enable their subscribers, including those using ISDN, to access the switched services of any interconnected provider of publicly available telecommunications services. For this purpose facilities shall be in place by 1 January 2000 at the latest or, in those countries which have been granted an additional transition period, as soon as possible thereafter, but no later than two years after any later date agreed for full liberalisation of voice telephony services, which allow the subscriber to choose these services by means of pre-selection with a facility to override any pre-selected choice on a call-by-call basis by dialling a short prefix.

National regulatory authorities shall ensure that pricing for interconnection related to the provision of this facility is cost-orientated and that direct charges to consumers, if any, do not act as a disincentive for the use of this facility.'

4. the first sentence of Article 20(2) shall be replaced by the following:

'2. Deferment of the obligations under Article 12(5) and (7) may be requested where the Member States concerned can prove that they would impose an exces-

sive burden on certain organisations or classes of organisation.'

Article 2

1. Member States shall take the measures necessary to comply with this Directive before 31 December 1998. They shall forthwith inform the Commission thereof.

When Member States adopt these measures they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such reference shall be laid down by the Member States.

2. Member States shall communicate to the Commission the text of the main provisions of domestic law which they adopt in the field governed by this Directive.

Article 3

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

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 24 September 1998.

For the European Parliament

The President

J. M. GIL-ROBLES

For the Council

The President

J. FARNLEITNER

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 1 October 1998

concerning the appointment of new members and the renewal of the terms of office of the members of the Committee of experts on the transit of electricity between grids set up under Commission Decision 92/167/EEC

(notified under document number C(1998) 2884)

(Text with EEA relevance)

(98/559/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Decision 92/167/EEC⁽¹⁾, setting up a Committee of experts of the transit of electricity between grids under the aegis of the Commission, last amended by Decision 97/559/EC⁽²⁾, and in particular Article 4(2) thereof,

Whereas several members have resigned; new appointments are necessary to take place within the Committee following consultation of the circles involved concerning the representatives of the high voltage grids and the independent expert,

HAS DECIDED AS FOLLOWS:

Article 1

The following shall be appointed to the position of new members of the Committee of experts on the transit of electricity between grids:

⁽¹⁾ OJ L 74, 20. 3. 1992, p. 43.

⁽²⁾ OJ L 230, 21. 8. 1997, p. 18.

— as representatives of the high-voltage grids:

for France:

Mr Jean Kowal, Deputy General Controller, Production and Transmission Directorate EDF,

to replace the outgoing Mr Jacob,

for Germany:

Mr Peter Reeh, Managing Director, Head of Trade and Exchanges Department, VEAG,

to replace the outgoing Mr Hartenstein,

for Belgium:

Mr Daniel Dobbeni, Member of the Board, CPTE,

to replace the outgoing Mr Waha,

for Sweden:

Mr Roger Kearsley, Deputy Head of Market Division, Svenska Kraftnät,

to replace the outgoing Mr Magnusson.

— as independent expert:

Mr Jean-Paul Aghetti, Energy Manager France, Pechiney,

to replace the outgoing Mr Declercq.

Article 2

This Decision shall take effect on the second day following its publication in the *Official Journal of the European Communities*.

Done at Brussels, 1 October 1998.

For the Commission
Christos PAPOUTSIS
Member of the Commission
