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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1141/2006
of 27 July 2006
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⁾, and in particular Article 4(1) thereof,

Whereas:

- (1) 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.

- (2) 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 July 2006.

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

Done at Brussels, 27 July 2006.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 337, 24.12.1994, p. 66. Regulation as last amended by Regulation (EC) No 386/2005 (OJ L 62, 9.3.2005, p. 3).

ANNEX

to Commission Regulation of 27 July 2006 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)		
CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	052	71,2
	096	41,9
	999	56,6
0707 00 05	052	77,3
	388	52,4
	524	46,9
	999	58,9
0709 90 70	052	73,4
	999	73,4
0805 50 10	388	57,3
	524	54,3
	528	55,5
	999	55,7
0806 10 10	052	127,7
	204	133,5
	220	145,5
	388	8,7
	400	200,9
	508	94,8
	512	56,7
	624	158,2
	999	115,8
0808 10 80	388	95,0
	400	104,3
	508	77,3
	512	92,5
	524	67,7
	528	84,7
	720	78,9
	800	152,2
	804	102,0
999	95,0	
0808 20 50	052	71,2
	388	98,0
	512	89,9
	528	86,0
	720	30,0
	804	128,9
0809 10 00	052	148,9
	999	148,9
0809 20 95	052	277,8
	400	365,8
	999	321,8
0809 30 10, 0809 30 90	052	151,9
	999	151,9
0809 40 05	093	67,2
	098	88,9
	624	131,7
	999	95,9

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 750/2005 (OJ L 126, 19.5.2005, p. 12). Code '999' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 1142/2006**of 27 July 2006****fixing the export refunds on white and raw sugar exported without further processing**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 318/2006 of 20 February 2006 on the common organisation of the market in the sugar sector⁽¹⁾, and in particular the second subparagraph of Article 33(2) thereof,

Whereas:

- (1) Article 32 of Regulation (EC) No 318/2006 provides that the difference between prices on the world market for the products listed in Article 1(1)(b) of that Regulation and prices for those products on the Community market may be covered by an export refund.
- (2) Given the present situation on the sugar market, export refunds should therefore be fixed in accordance with the rules and certain criteria provided for in Articles 32 and 33 of Regulation (EC) No 318/2006.
- (3) The first subparagraph of Article 33(2) of Regulation (EC) No 318/2006 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund according to destination.

- (4) Refunds should be granted only on products that are allowed to move freely in the Community and that comply with the requirements of Regulation (EC) No 318/2006.

- (5) The negotiations within the framework of the Europe Agreements between the European Community and Romania and Bulgaria aim in particular to liberalise trade in products covered by the common organisation of the market concerned. For those two countries export refunds should therefore be abolished.

- (6) 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

Export refunds as provided for in Article 32 of Regulation (EC) No 318/2006 shall be granted on the products and for the amounts set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 28 July 2006.

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

Done at Brussels, 27 July 2006.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 58, 28.2.2006, p. 1.

ANNEX

Export refunds on white and raw sugar exported without further processing applicable from 28 July 2006 ^(a)

Product code	Destination	Unit of measurement	Amount of refund
1701 11 90 9100	S00	EUR/100 kg	24,00 ⁽¹⁾
1701 11 90 9910	S00	EUR/100 kg	24,00 ⁽¹⁾
1701 12 90 9100	S00	EUR/100 kg	24,00 ⁽¹⁾
1701 12 90 9910	S00	EUR/100 kg	24,00 ⁽¹⁾
1701 91 00 9000	S00	EUR/1 % sucrose × 100 kg of net product	0,2609
1701 99 10 9100	S00	EUR/100 kg	26,09
1701 99 10 9910	S00	EUR/100 kg	26,09
1701 99 10 9950	S00	EUR/100 kg	26,09
1701 99 90 9100	S00	EUR/1 % sucrose × 100 kg of net product	0,2609

NB: The destinations are defined as follows:

S00: all destinations except Albania, Croatia, Bosnia and Herzegovina, Bulgaria, Romania, Serbia, Montenegro, Kosovo, the former Yugoslav Republic of Macedonia.

^(a) The amounts set out in this Annex are not applicable with effect from 1 February 2005 pursuant to Council Decision 2005/45/EC of 22 December 2004 concerning the conclusion and application of the Agreement between the European Economic Community and the Swiss Confederation of 22 July 1972 as regards the provisions applicable to processed agricultural products (OJ L 23, 26.1.2005, p. 17).

⁽¹⁾ This amount is applicable to raw sugar with a yield of 92 %. Where the yield for exported raw sugar differs from 92 % the refund amount applicable shall be multiplied, for each exporting operation concerned, by a conversion factor obtained by dividing by 92 the yield of the raw sugar exported, calculated in accordance with paragraph 3 of Point III of the Annex I of Regulation (EC) 318/2006.

COMMISSION REGULATION (EC) No 1143/2006**of 27 July 2006****fixing the export refunds on syrups and certain other sugar products exported without further processing**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 318/2006 of 20 February 2006 on the common organisation of the market in the sugar sector ⁽¹⁾, and in particular the second subparagraph of Article 33(2) thereof,

Whereas:

- (1) Article 32 of Regulation (EC) No 318/2006 provides that the difference between prices on the world market for the products listed in Article 1(1)(c), (d) and (g) of that Regulation and prices for those products on the Community market may be covered by an export refund.
- (2) Given the present situation on the sugar market, export refunds should therefore be fixed in accordance with the rules and certain criteria provided for in Articles 32 and 33 of Regulation (EC) No 318/2006.
- (3) The first subparagraph of Article 33(2) of Regulation (EC) No 318/2006 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund according to destination.
- (4) Refunds should be granted only on products that are allowed to move freely in the Community and that comply with the requirements of Commission Regulation

(EC) No 951/2006 of 30 June 2006 laying down detailed rules for the implementation of Council Regulation (EC) No 318/2006 as regards trade with third countries in the sugar sector ⁽²⁾.

- (5) The negotiations within the framework of the Europe Agreements between the European Community and Romania and Bulgaria aim in particular to liberalise trade in products covered by the common organisation of the market concerned. For those two countries export refunds should therefore be abolished.
- (6) 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. Export refunds as provided for in Article 32 of Regulation (EC) No 318/2006 shall be granted on the products and for the amounts set out in the Annex to this Regulation subject to the conditions provided for in paragraph 2 of this Article.
2. To be eligible for a refund under paragraph 1 products must meet the relevant requirements laid down in Articles 3 and 4 of Regulation (EC) No 951/2006.

Article 2

This Regulation shall enter into force on 28 July 2006.

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

Done at Brussels, 27 July 2006.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 58, 28.2.2006, p. 1.

⁽²⁾ OJ L 178, 1.7.2006, p. 24.

ANNEX

Export refunds on syrups and certain other sugar products exported without further processing applicable from 28 July 2006 ^(a)

Product code	Destination	Unit of measurement	Amount of refund
1702 40 10 9100	S00	EUR/100 kg dry matter	26,09
1702 60 10 9000	S00	EUR/100 kg dry matter	26,09
1702 60 95 9000	S00	EUR/1 % sucrose × 100 kg of net product	0,2609
1702 90 30 9000	S00	EUR/100 kg dry matter	26,09
1702 90 60 9000	S00	EUR/1 % sucrose × 100 kg of net product	0,2609
1702 90 71 9000	S00	EUR/1 % sucrose × 100 kg of net product	0,2609
1702 90 99 9900	S00	EUR/1 % sucrose × 100 kg of net product	0,2609 ⁽¹⁾
2106 90 30 9000	S00	EUR/100 kg dry matter	26,09
2106 90 59 9000	S00	EUR/1 % sucrose × 100 kg of net product	0,2609

NB: The destinations are defined as follows:

S00: all destinations except Albania, Croatia, Bosnia and Herzegovina, Bulgaria, Romania, Serbia, Montenegro, Kosovo and the former Yugoslav Republic of Macedonia.

^(a) The amounts set out in this Annex are not applicable with effect from 1 February 2005 pursuant to Council Decision 2005/45/EC of 22 December 2004 concerning the conclusion and application of the Agreement between the European Economic Community and the Swiss Confederation of 22 July 1972 as regards the provisions applicable to processed agricultural products (OJ L 23, 26.1.2005, p. 17).

⁽¹⁾ The basic amount is not applicable to the product defined under point 2 of the Annex to Commission Regulation (EEC) No 3513/92 (OJ L 355, 5.12.1992, p. 12).

COMMISSION REGULATION (EC) No 1144/2006**of 27 July 2006****fixing the maximum export refund for white sugar in the framework of the standing invitation to tender provided for in Regulation (EC) No 958/2006**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 318/2006 of 20 February 2006 on the common organisation of the markets in the sugar sector ⁽¹⁾, and in particular the second subparagraph and point (b) of the third subparagraph of Article 33(2) thereof,

Whereas:

(1) Commission Regulation (EC) No 958/2006 of 28 June 2006 on a standing invitation to tender to determine refunds on exports of white sugar for the 2006/2007 marketing year ⁽²⁾ requires the issuing of partial invitations to tender.

(2) Pursuant to Article 8(1) of Regulation (EC) No 958/2006 and following an examination of the tenders submitted

in response to the partial invitation to tender ending on 27 July 2006, it is appropriate to fix a maximum export refund for that partial invitation to tender.

(3) 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

For the partial invitation to tender ending on 27 July 2006, the maximum export refund for the product referred to in Article 1(1) of Regulation (EC) No 958/2006 shall be 31,090 EUR/100 kg.

Article 2

This Regulation shall enter into force on 28 July 2006.

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

Done at Brussels, 27 July 2006.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 58, 28.2.2006, p. 1.

⁽²⁾ OJ L 175, 29.6.2006, p. 49.

COMMISSION REGULATION (EC) No 1145/2006
of 27 July 2006
fixing the export refunds on milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, and in particular Article 31(3) thereof,

Whereas:

- (1) Article 31(1) of Regulation (EC) No 1255/1999 provides that the difference between prices on the world market for the products listed in Article 1 of that Regulation and prices for those products on the Community market may be covered by an export refund.
- (2) Given the present situation on the market in milk and milk products, export refunds should therefore be fixed in accordance with the rules and certain criteria provided for in Article 31 of Regulation (EC) No 1255/1999.
- (3) The second subparagraph of Article 31(3) of Regulation (EC) No 1255/1999 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund according to destination.

- (4) In accordance with the Memorandum of Understanding between the European Community and the Dominican Republic on import protection for milk powder in the Dominican Republic ⁽²⁾ approved by Council Decision 98/486/EC ⁽³⁾, a certain amount of Community milk products exported to the Dominican Republic can benefit from reduced customs duties. For this reason, export refunds granted to products exported under this scheme should be reduced by a certain percentage.
- (5) The uptake of export refunds for certain products proves to be insignificant. For such products, export refunds should no longer be fixed.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

Export refunds as provided for in Article 31 of Regulation (EC) No 1255/1999 shall be granted on the products and for the amounts set out in the Annex to this Regulation subject to the conditions provided for in Article 1(4) of Commission Regulation (EC) No 174/1999 ⁽⁴⁾.

Article 2

This Regulation shall enter into force on 28 July 2006.

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

Done at Brussels, 27 July 2006.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2).

⁽²⁾ OJ L 218, 6.8.1998, p. 46.

⁽³⁾ OJ L 218, 6.8.1998, p. 45.

⁽⁴⁾ OJ L 20, 27.1.1999, p. 8.

ANNEX

Export refunds on milk and milk products applicable from 28 July 2006

Product code	Destination	Unit of measurement	Refunds	Product code	Destination	Unit of measurement	Refunds
0401 30 31 9100	L02	EUR/100 kg	13,02	0402 21 99 9400	L02	EUR/100 kg	45,39
	L20	EUR/100 kg	18,61		L20	EUR/100 kg	58,28
0401 30 31 9400	L02	EUR/100 kg	20,34	0402 21 99 9500	L02	EUR/100 kg	46,22
	L20	EUR/100 kg	29,07		L20	EUR/100 kg	59,34
0401 30 31 9700	L02	EUR/100 kg	22,45	0402 21 99 9600	L02	EUR/100 kg	49,50
	L20	EUR/100 kg	32,06		L20	EUR/100 kg	63,53
0401 30 39 9100	L02	EUR/100 kg	13,02	0402 21 99 9700	L02	EUR/100 kg	51,32
	L20	EUR/100 kg	18,61		L20	EUR/100 kg	65,91
0401 30 39 9400	L02	EUR/100 kg	20,34	0402 29 15 9200	L02	EUR/100 kg	—
	L20	EUR/100 kg	29,07		L20	EUR/100 kg	—
0401 30 39 9700	L02	EUR/100 kg	22,45	0402 29 15 9300	L02	EUR/100 kg	37,83
	L20	EUR/100 kg	32,06		L20	EUR/100 kg	48,54
0401 30 91 9100	L02	EUR/100 kg	25,57	0402 29 15 9500	L02	EUR/100 kg	39,47
	L20	EUR/100 kg	36,54		L20	EUR/100 kg	50,67
0401 30 99 9100	L02	EUR/100 kg	25,57	0402 29 19 9300	L02	EUR/100 kg	37,83
	L20	EUR/100 kg	36,54		L20	EUR/100 kg	48,54
0401 30 99 9500	L02	EUR/100 kg	37,59	0402 29 19 9500	L02	EUR/100 kg	39,47
	L20	EUR/100 kg	53,70		L20	EUR/100 kg	50,67
0402 10 11 9000	L02	EUR/100 kg	—	0402 29 19 9900	L02	EUR/100 kg	42,06
	L20 (1)	EUR/100 kg	—		L20	EUR/100 kg	54,00
0402 10 19 9000	L02	EUR/100 kg	—	0402 29 99 9100	L02	EUR/100 kg	42,33
	L20 (1)	EUR/100 kg	—		L20	EUR/100 kg	54,32
0402 10 99 9000	L02	EUR/100 kg	—	0402 29 99 9500	L02	EUR/100 kg	45,39
	L20	EUR/100 kg	—		L20	EUR/100 kg	58,28
0402 21 11 9200	L02	EUR/100 kg	—	0402 91 11 9370	L02	EUR/100 kg	4,13
	L20	EUR/100 kg	—		L20	EUR/100 kg	5,90
0402 21 11 9300	L02	EUR/100 kg	37,83	0402 91 19 9370	L02	EUR/100 kg	4,13
	L20	EUR/100 kg	48,54		L20	EUR/100 kg	5,90
0402 21 11 9500	L02	EUR/100 kg	39,47	0402 91 31 9300	L02	EUR/100 kg	4,88
	L20	EUR/100 kg	50,67		L20	EUR/100 kg	6,97
0402 21 11 9900	L02	EUR/100 kg	42,06	0402 91 39 9300	L02	EUR/100 kg	4,88
	L20 (1)	EUR/100 kg	54,00		L20	EUR/100 kg	6,97
0402 21 17 9000	L02	EUR/100 kg	—	0402 91 99 9000	L02	EUR/100 kg	15,71
	L20	EUR/100 kg	—		L20	EUR/100 kg	22,46
0402 21 19 9300	L02	EUR/100 kg	37,83	0402 99 11 9350	L02	EUR/100 kg	10,55
	L20	EUR/100 kg	48,54		L20	EUR/100 kg	15,08
0402 21 19 9500	L02	EUR/100 kg	39,47	0402 99 19 9350	L02	EUR/100 kg	10,55
	L20	EUR/100 kg	50,67		L20	EUR/100 kg	15,08
0402 21 19 9900	L02	EUR/100 kg	42,06	0402 99 31 9300	L02	EUR/100 kg	9,40
	L20 (1)	EUR/100 kg	54,00		L20	EUR/100 kg	13,44
0402 21 91 9100	L02	EUR/100 kg	42,33	0403 90 11 9000	L02	EUR/100 kg	—
	L20	EUR/100 kg	54,32		L20	EUR/100 kg	—
0402 21 91 9200	L02	EUR/100 kg	42,57	0403 90 13 9200	L02	EUR/100 kg	—
	L20 (1)	EUR/100 kg	54,66		L20	EUR/100 kg	—
0402 21 91 9350	L02	EUR/100 kg	43,03	0403 90 13 9300	L02	EUR/100 kg	37,48
	L20	EUR/100 kg	55,21		L20	EUR/100 kg	48,11
0402 21 99 9100	L02	EUR/100 kg	42,33	0403 90 13 9500	L02	EUR/100 kg	39,13
	L20	EUR/100 kg	54,32		L20	EUR/100 kg	50,22
0402 21 99 9200	L02	EUR/100 kg	42,57	0403 90 13 9900	L02	EUR/100 kg	41,70
	L20 (1)	EUR/100 kg	54,66		L20	EUR/100 kg	53,51
0402 21 99 9300	L02	EUR/100 kg	43,03	0403 90 33 9400	L02	EUR/100 kg	37,48
	L20	EUR/100 kg	55,21		L20	EUR/100 kg	48,11

Product code	Destination	Unit of measurement	Refunds	Product code	Destination	Unit of measurement	Refunds
0403 90 59 9310	L02	EUR/100 kg	13,02	0405 90 90 9000	L02	EUR/100 kg	73,66
	L20	EUR/100 kg	18,61		L20	EUR/100 kg	99,32
0403 90 59 9340	L02	EUR/100 kg	19,06	0406 10 20 9640	L04	EUR/100 kg	26,72
	L20	EUR/100 kg	27,22		L40	EUR/100 kg	33,40
0403 90 59 9370	L02	EUR/100 kg	19,06	0406 10 20 9650	L04	EUR/100 kg	22,27
	L20	EUR/100 kg	27,22		L40	EUR/100 kg	27,84
0404 90 21 9120	L02	EUR/100 kg	—	0406 10 20 9830	L04	EUR/100 kg	8,27
	L20	EUR/100 kg	—		L40	EUR/100 kg	10,32
0404 90 21 9160	L02	EUR/100 kg	—	0406 10 20 9850	L04	EUR/100 kg	10,01
	L20	EUR/100 kg	—		L40	EUR/100 kg	12,52
0404 90 23 9120	L02	EUR/100 kg	—	0406 20 90 9913	L04	EUR/100 kg	19,83
	L20	EUR/100 kg	—		L40	EUR/100 kg	24,78
0404 90 23 9130	L02	EUR/100 kg	37,83	0406 20 90 9915	L04	EUR/100 kg	26,92
	L20	EUR/100 kg	48,54		L40	EUR/100 kg	33,65
0404 90 23 9140	L02	EUR/100 kg	39,47	0406 20 90 9917	L04	EUR/100 kg	28,62
	L20	EUR/100 kg	50,67		L40	EUR/100 kg	35,76
0404 90 23 9150	L02	EUR/100 kg	42,06	0406 20 90 9919	L04	EUR/100 kg	31,96
	L20	EUR/100 kg	54,00		L40	EUR/100 kg	39,96
0404 90 81 9100	L02	EUR/100 kg	—	0406 30 31 9730	L04	EUR/100 kg	3,56
	L20	EUR/100 kg	—		L40	EUR/100 kg	8,36
0404 90 83 9110	L02	EUR/100 kg	—	0406 30 31 9930	L04	EUR/100 kg	3,56
	L20	EUR/100 kg	—		L40	EUR/100 kg	8,36
0404 90 83 9130	L02	EUR/100 kg	37,83	0406 30 31 9950	L04	EUR/100 kg	5,18
	L20	EUR/100 kg	48,54		L40	EUR/100 kg	12,16
0404 90 83 9150	L02	EUR/100 kg	39,47	0406 30 39 9500	L04	EUR/100 kg	3,56
	L20	EUR/100 kg	50,67		L40	EUR/100 kg	8,36
0404 90 83 9170	L02	EUR/100 kg	42,06	0406 30 39 9700	L04	EUR/100 kg	5,18
	L20	EUR/100 kg	54,00		L40	EUR/100 kg	12,16
0405 10 11 9500	L02	EUR/100 kg	72,00	0406 30 39 9930	L04	EUR/100 kg	5,18
	L20	EUR/100 kg	97,08		L40	EUR/100 kg	12,16
0405 10 11 9700	L02	EUR/100 kg	73,79	0406 30 39 9950	L04	EUR/100 kg	5,87
	L20	EUR/100 kg	99,50		L40	EUR/100 kg	13,75
0405 10 19 9500	L02	EUR/100 kg	72,00	0406 40 50 9000	L04	EUR/100 kg	31,42
	L20	EUR/100 kg	97,08		L40	EUR/100 kg	39,26
0405 10 19 9700	L02	EUR/100 kg	73,79	0406 40 90 9000	L04	EUR/100 kg	32,27
	L20	EUR/100 kg	99,50		L40	EUR/100 kg	40,33
0405 10 30 9100	L02	EUR/100 kg	72,00	0406 90 13 9000	L04	EUR/100 kg	35,76
	L20	EUR/100 kg	97,08		L40	EUR/100 kg	51,19
0405 10 30 9300	L02	EUR/100 kg	73,79	0406 90 15 9100	L04	EUR/100 kg	36,97
	L20	EUR/100 kg	99,50		L40	EUR/100 kg	52,90
0405 10 30 9700	L02	EUR/100 kg	73,79	0406 90 17 9100	L04	EUR/100 kg	36,97
	L20	EUR/100 kg	99,50		L40	EUR/100 kg	52,90
0405 10 50 9500	L02	EUR/100 kg	72,00	0406 90 21 9900	L04	EUR/100 kg	35,93
	L20	EUR/100 kg	97,08		L40	EUR/100 kg	51,30
0405 10 50 9700	L02	EUR/100 kg	73,79	0406 90 23 9900	L04	EUR/100 kg	32,21
	L20	EUR/100 kg	99,50		L40	EUR/100 kg	46,31
0405 10 90 9000	L02	EUR/100 kg	76,50	0406 90 25 9900	L04	EUR/100 kg	31,59
	L20	EUR/100 kg	103,15		L40	EUR/100 kg	45,22
0405 20 90 9500	L02	EUR/100 kg	67,51	0406 90 27 9900	L04	EUR/100 kg	28,60
	L20	EUR/100 kg	91,01		L40	EUR/100 kg	40,96
0405 20 90 9700	L02	EUR/100 kg	70,20	0406 90 31 9119	L04	EUR/100 kg	26,45
	L20	EUR/100 kg	94,64		L40	EUR/100 kg	37,91
0405 90 10 9000	L02	EUR/100 kg	92,11	0406 90 33 9119	L04	EUR/100 kg	26,45
	L20	EUR/100 kg	124,18		L40	EUR/100 kg	37,91

Product code	Destination	Unit of measurement	Refunds	Product code	Destination	Unit of measurement	Refunds
0406 90 35 9190	L04	EUR/100 kg	37,66	0406 90 85 9970	L04	EUR/100 kg	33,57
	L40	EUR/100 kg	54,17		L40	EUR/100 kg	48,27
0406 90 35 9990	L04	EUR/100 kg	37,66	0406 90 86 9200	L04	EUR/100 kg	32,45
	L40	EUR/100 kg	54,17		L40	EUR/100 kg	48,11
0406 90 37 9000	L04	EUR/100 kg	35,76	0406 90 86 9400	L04	EUR/100 kg	34,77
	L40	EUR/100 kg	51,19		L40	EUR/100 kg	50,84
0406 90 61 9000	L04	EUR/100 kg	40,71	0406 90 86 9900	L04	EUR/100 kg	36,59
	L40	EUR/100 kg	58,91		L40	EUR/100 kg	52,67
0406 90 63 9100	L04	EUR/100 kg	40,11	0406 90 87 9300	L04	EUR/100 kg	30,22
	L40	EUR/100 kg	57,85		L40	EUR/100 kg	44,65
0406 90 63 9900	L04	EUR/100 kg	38,55	0406 90 87 9400	L04	EUR/100 kg	30,85
	L40	EUR/100 kg	55,87		L40	EUR/100 kg	45,09
0406 90 69 9910	L04	EUR/100 kg	39,12	0406 90 87 9951	L04	EUR/100 kg	32,78
	L40	EUR/100 kg	56,69		L40	EUR/100 kg	46,93
0406 90 73 9900	L04	EUR/100 kg	32,91	0406 90 87 9971	L04	EUR/100 kg	32,78
	L40	EUR/100 kg	47,15		L40	EUR/100 kg	46,93
0406 90 75 9900	L04	EUR/100 kg	33,57	0406 90 87 9973	L04	EUR/100 kg	32,19
	L40	EUR/100 kg	48,27		L40	EUR/100 kg	46,08
0406 90 76 9300	L04	EUR/100 kg	29,81	0406 90 87 9974	L04	EUR/100 kg	34,48
	L40	EUR/100 kg	42,66		L40	EUR/100 kg	49,14
0406 90 76 9400	L04	EUR/100 kg	33,38	0406 90 87 9975	L04	EUR/100 kg	34,19
	L40	EUR/100 kg	47,78		L40	EUR/100 kg	48,31
0406 90 76 9500	L04	EUR/100 kg	30,91	0406 90 87 9979	L04	EUR/100 kg	32,21
	L40	EUR/100 kg	43,87		L40	EUR/100 kg	46,31
0406 90 78 9100	L04	EUR/100 kg	32,69	0406 90 88 9300	L04	EUR/100 kg	26,69
	L40	EUR/100 kg	47,76		L40	EUR/100 kg	39,30
0406 90 78 9300	L04	EUR/100 kg	32,38	0406 90 88 9500	L04	EUR/100 kg	27,52
	L40	EUR/100 kg	46,25		L40	EUR/100 kg	39,32
0406 90 79 9900	L04	EUR/100 kg	26,74				
	L40	EUR/100 kg	38,44				
0406 90 81 9900	L04	EUR/100 kg	33,38				
	L40	EUR/100 kg	47,78				
0406 90 85 9930	L04	EUR/100 kg	36,59				
	L40	EUR/100 kg	52,67				

(¹) As for the relevant products intended for exports to Dominican Republic under the quota 2006/2007 referred to in the Decision 98/486/EC, and complying with the conditions laid down in Article 20a of Regulation (EC) No 174/1999, the following rates should apply:

- (a) products falling within CN codes 0402 10 11 9000 and 0402 10 19 9000 0,00 EUR/100 kg
- (b) products falling within CN codes 0402 21 11 9900, 0402 21 19 9900, 0402 21 91 9200 and 0402 21 99 9200 28,00 EUR/100 kg

The destinations are defined as follows:

L02: Andorra and Gibraltar.

L20: All destinations except L02, Ceuta, Melilla, Holy See (Vatican City State), the United States of America, Bulgaria, Romania and the areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control.

L04: Albania, Bosnia and Herzegovina, Kosovo, Serbia, Montenegro and the former Yugoslav Republic of Macedonia.

L40: All destinations except L02, L04, Ceuta, Melilla, Iceland, Liechtenstein, Norway, Switzerland, Holy See (Vatican City State), the United States of America, Bulgaria, Romania, Croatia, Turkey, Australia, Canada, New Zealand and the areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control.

COMMISSION REGULATION (EC) No 1146/2006**of 27 July 2006****fixing the maximum export refund for butter in the framework of the standing invitation to tender provided for in Regulation (EC) No 581/2004**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, and in particular the third subparagraph of Article 31(3) thereof,

Whereas:

- (1) Commission Regulation (EC) No 581/2004 of 26 March 2004 opening a standing invitation to tender for export refunds concerning certain types of butter ⁽²⁾ provides for a permanent tender.
- (2) Pursuant to Article 5 of Commission Regulation (EC) No 580/2004 of 26 March 2004 establishing a tender procedure concerning export refunds for certain milk products ⁽³⁾ and following an examination of the

tenders submitted in response to the invitation to tender, it is appropriate to fix a maximum export refund for the tendering period ending on 25 July 2006.

- (3) The Management Committee for Milk and Milk Products has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

For the permanent tender opened by Regulation (EC) No 581/2004, for the tendering period ending on 25 July 2006, the maximum amount of refund for the products referred to in Article 1(1) of that Regulation shall be as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 28 July 2006.

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

Done at Brussels, 27 July 2006.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2).

⁽²⁾ OJ L 90, 27.3.2004, p. 64. Regulation as last amended by Regulation (EC) No 409/2006 (OJ L 71, 10.3.2006, p. 5).

⁽³⁾ OJ L 90, 27.3.2004, p. 58. Regulation as amended by Regulation (EC) No 1814/2005 (OJ L 292, 8.11.2005, p. 3).

ANNEX

(EUR/100 kg)

Product	Export refund Code	Maximum amount of export refund for export to the destinations referred to in the second subparagraph of Article 1(1) of Regulation (EC) No 581/2004
Butter	ex 0405 10 19 9500	101,00
Butter	ex 0405 10 19 9700	108,00
Butteroil	ex 0405 90 10 9000	130,00

COMMISSION REGULATION (EC) No 1147/2006**of 27 July 2006****granting no refund for skimmed milk powder in the framework of the standing invitation to tender provided for in Regulation (EC) No 582/2004**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, and in particular the third subparagraph of Article 31(3) thereof,

Whereas:

- (1) Commission Regulation (EC) No 582/2004 of 26 March 2004 opening a standing invitation to tender for export refunds of skimmed milk powder ⁽²⁾, provides for a permanent tender.
- (2) Pursuant to Article 5 of Commission Regulation (EC) No 580/2004 of 26 March 2004 establishing a tender procedure concerning export refunds for certain milk products ⁽³⁾ and following an examination of the

tenders submitted in response to the invitation to tender, it is appropriate not to grant any refund for the tendering period ending on 25 July 2006.

- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

For the permanent tender opened by Regulation (EC) No 582/2004, for the tendering period ending on 25 July 2006, no refund shall be granted for the product and destinations referred to in Article 1(1) of that Regulation.

Article 2

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

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

Done at Brussels, 27 July 2006.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2).

⁽²⁾ OJ L 90, 27.3.2004, p. 67. Regulation as last amended by Regulation (EC) No 409/2006 (OJ L 71, 10.3.2006, p. 5).

⁽³⁾ OJ L 90, 27.3.2004, p. 58. Regulation as last amended by Regulation (EC) No 1814/2005 (OJ L 292, 8.11.2005, p. 3).

COMMISSION REGULATION (EC) No 1148/2006
of 27 July 2006
fixing production refunds on cereals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003, on the common organisation of the market in cereals ⁽¹⁾, and in particular Article 8(2) thereof,

Whereas:

- (1) Commission Regulation (EEC) No 1722/93 of 30 June 1993 laying down detailed rules for the application of Council Regulations (EEC) No 1766/92 and (EEC) No 1418/76 concerning production refunds in the cereals and rice sectors respectively ⁽²⁾ lays down the conditions for granting production refunds. The basis for calculating the refund is laid down in Article 3 of that Regulation. The refund thus calculated, differentiated where necessary for potato starch, must be fixed once a month and may be amended if the price of maize and/or wheat changes significantly.

- (2) The production refunds fixed in this Regulation should be adjusted by the coefficients listed in the Annex II to Regulation (EEC) No 1722/93 to establish the exact amount to be paid.
- (3) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The refund per tonne of starch referred to in Article 3(2) of Regulation (EEC) No 1722/93, is hereby fixed at:

- (a) EUR/tonne 10,86 for starch from maize, wheat, barley and oats;
- (b) EUR/tonne 15,33 for potato starch.

Article 2

This Regulation shall enter into force on 28 July 2006.

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

Done at Brussels, 27 July 2006.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 270, 21.10.2003, p. 78. Regulation as amended by Commission Regulation (EC) No 1154/2005 (OJ L 187, 19.7.2005, p. 11).

⁽²⁾ OJ L 159, 1.7.1993, p. 112. Regulation as last amended by Regulation (EC) No 1548/2004 (OJ L 280, 31.8.2004, p. 11).

COMMISSION REGULATION (EC) No 1149/2006**of 27 July 2006****fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex I to the Treaty**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 15 May 1999 on the common organisation of the market in milk and milk products⁽¹⁾, and in particular Article 31(3) thereof,

Whereas:

- (1) Article 31(1) of Regulation (EC) No 1255/1999 provides that the difference between prices in international trade for the products listed in Article 1(a), (b), (c), (d), (e), and (g) of that Regulation and prices within the Community may be covered by an export refund.
- (2) Commission Regulation (EC) No 1043/2005 of 30 June 2005 implementing Council Regulation (EC) No 3448/93 as regards the system of granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty, and the criteria for fixing the amount of such refunds⁽²⁾, specifies the products for which a rate of refund is to be fixed, to be applied where these products are exported in the form of goods listed in Annex II to Regulation (EC) No 1255/1999.
- (3) In accordance with the first paragraph of Article 14 of Regulation (EC) No 1043/2005, the rate of the refund per 100 kilograms for each of the basic products in question is to be fixed each month.
- (4) However, in the case of certain milk products exported in the form of goods not covered by Annex I to the Treaty, there is a danger that, if high refund rates are fixed in advance, the commitments entered into in relation to those refunds may be jeopardised. In order to avert that danger, it is therefore necessary to take appropriate

precautionary measures, but without precluding the conclusion of long-term contracts. The fixing of specific refund rates for the advance fixing of refunds in respect of those products should enable those two objectives to be met.

- (5) Article 15(2) of Regulation (EC) No 1043/2005 provides that, when the rate of the refund is being fixed, account is to be taken, where appropriate, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organisation of the market in the product in question to the basic products listed in Annex I to Regulation (EC) No 1043/2005 or to assimilated products.
- (6) Article 12(1) of Regulation (EC) No 1255/1999 provides for the payment of aid for Community-produced skimmed milk processed into casein if such milk and the casein manufactured from it fulfil certain conditions.
- (7) Commission Regulation (EC) No 1898/2005 of 9 November 2005 laying down detailed rules for implementing Council Regulation (EC) No 1255/1999 as regards measures for the disposal of cream, butter and concentrated butter⁽³⁾, lays down that butter and cream at reduced prices should be made available to industries which manufacture certain goods.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of the refunds applicable to the basic products listed in Annex I to Regulation (EC) No 1043/2005 and in Article 1 of Regulation (EC) No 1255/1999, and exported in the form of goods listed in Annex II to Regulation (EC) No 1255/1999, shall be fixed as set out in the Annex to this Regulation.

⁽¹⁾ OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Commission Regulation (EC) No 186/2004 (OJ L 29, 3.2.2004, p. 6).

⁽²⁾ OJ L 172, 5.7.2005, p. 24.

⁽³⁾ OJ L 308, 25.11.2005, p. 1. Regulation amended by Regulation (EC) No 2107/2005 (OJ L 337, 22.12.2005, p. 20).

Article 2

This Regulation shall enter into force on 28 July 2006.

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

Done at Brussels, 27 July 2006.

For the Commission
Günter VERHEUGEN
Vice-President

ANNEX

Rates of the refunds applicable from 28 July 2006 to certain milk products exported in the form of goods not covered by Annex I to the Treaty ⁽¹⁾

(EUR/100 kg)

CN code	Description	Rate of refund	
		In case of advance fixing of refunds	Other
ex 0402 10 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content not exceeding 1,5 % by weight (PG 2):		
	(a) on exportation of goods of CN code 3501	—	—
	(b) on exportation of other goods	0,00	0,00
ex 0402 21 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content of 26 % by weight (PG 3):		
	(a) where goods incorporating, in the form of products assimilated to PG 3, reduced-price butter or cream obtained pursuant to Regulation (EC) No 1898/2005 are exported	20,93	20,93
	(b) on exportation of other goods	54,00	54,00
ex 0405 10	Butter, with a fat content by weight of 82 % (PG 6):		
	(a) where goods containing reduced-price butter or cream which have been manufactured in accordance with the conditions provided for in Regulation (EC) No 1898/2005 are exported	66,00	66,00
	(b) on exportation of goods of CN code 2106 90 98 containing 40 % or more by weight of milk fat	106,75	106,75
	(c) on exportation of other goods	99,50	99,50

⁽¹⁾ The rates set out in this Annex are not applicable to exports to Bulgaria, with effect from 1 October 2004, to Romania with effect from 1 December 2005, and to the goods listed in Tables I and II to Protocol No 2 the Agreement between the European Community and the Swiss Confederation of 22 July 1972 exported to the Swiss Confederation or to the Principality of Liechtenstein with effect from 1 February 2005.

COMMISSION REGULATION (EC) No 1150/2006

of 27 July 2006

fixing the rates of the refunds applicable to certain cereal and rice products exported in the form of goods not covered by Annex I to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals ⁽¹⁾, and in particular Article 13(3) thereof,

Having regard to Council Regulation (EC) No 1785/2003 of 29 September 2003 on the common organisation of the market in rice ⁽²⁾, and in particular Article 14(3) thereof,

Whereas:

- (1) Article 13(1) of Regulation (EC) No 1784/2003 and Article 14(1) of Regulation (EC) No 1785/2003 provide that the difference between quotations or prices on the world market for the products listed in Article 1 of each of those Regulations and the prices within the Community may be covered by an export refund.
- (2) Commission Regulation (EC) No 1043/2005 of 30 June 2005 implementing Council Regulation (EC) No 3448/93 as regards the system of granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty, and the criteria for fixing the amount of such refunds ⁽³⁾, specifies the products for which a rate of refund is to be fixed, to be applied where these products are exported in the form of goods listed in Annex III to Regulation (EC) No 1784/2003 or in Annex IV to Regulation (EC) No 1785/2003 as appropriate.
- (3) In accordance with the first paragraph of Article 14 of Regulation (EC) No 1043/2005, the rate of the refund per 100 kilograms for each of the basic products in question is to be fixed each month.
- (4) The commitments entered into with regard to refunds which may be granted for the export of agricultural products contained in goods not covered by Annex I to the Treaty may be jeopardised by the fixing in advance of high refund rates. It is therefore necessary to take precautionary measures in such situations without, however, preventing the conclusion of long-

term contracts. The fixing of a specific refund rate for the advance fixing of refunds is a measure which enables these various objectives to be met.

- (5) Taking into account the settlement between the European Community and the United States of America on Community exports of pasta products to the United States, approved by Council Decision 87/482/EEC ⁽⁴⁾, it is necessary to differentiate the refund on goods falling within CN codes 1902 11 00 and 1902 19 according to their destination.
- (6) Pursuant to Article 15(2) and (3) of Regulation (EC) No 1043/2005, a reduced rate of export refund has to be fixed, taking account of the amount of the production refund applicable, pursuant to Commission Regulation (EEC) No 1722/93 ⁽⁵⁾, for the basic product in question, used during the assumed period of manufacture of the goods.
- (7) Spirituous beverages are considered less sensitive to the price of the cereals used in their manufacture. However, Protocol 19 of the Act of Accession of the United Kingdom, Ireland and Denmark provides that the necessary measures must be decided to facilitate the use of Community cereals in the manufacture of spirituous beverages obtained from cereals. Accordingly, it is necessary to adapt the refund rate applying to cereals exported in the form of spirituous beverages.
- (8) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of the refunds applicable to the basic products listed in Annex I to Regulation (EC) No 1043/2005 and in Article 1 of Regulation (EC) No 1784/2003 or in Article 1 of Regulation (EC) No 1785/2003, and exported in the form of goods listed in Annex III to Regulation (EC) No 1784/2003 or in Annex IV to Regulation (EC) No 1785/2003 respectively, shall be fixed as set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 28 July 2006.

⁽¹⁾ OJ L 270, 21.10.2003, p. 78.

⁽²⁾ OJ L 270, 21.10.2003, p. 96.

⁽³⁾ OJ L 172, 5.7.2005, p. 24.

⁽⁴⁾ OJ L 275, 29.9.1987, p. 36.

⁽⁵⁾ OJ L 159, 1.7.1993, p. 112. Regulation as last amended by Regulation (EC) No 1584/2004 (OJ L 280, 31.8.2004, p. 11).

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

Done at Brussels, 27 July 2006.

For the Commission
Günter VERHEUGEN
Vice-President

ANNEX

Rates of the refunds applicable from 28 July 2006 to certain cereals and rice products exported in the form of goods not covered by Annex I to the Treaty (*)

CN code	Description of products (1)	Rate of refund per 100 kg of basic product (EUR/100 kg)	
		In case of advance fixing of refunds	Other
1001 10 00	Durum wheat:		
	– on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America	—	—
	– in other cases	—	—
1001 90 99	Common wheat and meslin:		
	– on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America	—	—
	– in other cases:		
	– – where Article 15(3) of Regulation (EC) No 1043/2005 applies (2)	—	—
	– – where goods falling within subheading 2208 (3) are exported	—	—
	– – in other cases	—	—
1002 00 00	Rye	—	—
1003 00 90	Barley		
	– where goods falling within subheading 2208 (3) are exported	—	—
	– in other cases	—	—
1004 00 00	Oats	—	—
1005 90 00	Maize (corn) used in the form of:		
	– starch:		
	– – where Article 15(3) of Regulation (EC) No 1043/2005 applies (2)	2,742	2,742
	– – where goods falling within subheading 2208 (3) are exported	1,251	1,251
	– – in other cases	3,236	3,236
	– glucose, glucose syrup, maltodextrine, maltodextrine syrup of CN codes 1702 30 51, 1702 30 59, 1702 30 91, 1702 30 99, 1702 40 90, 1702 90 50, 1702 90 75, 1702 90 79, 2106 90 55 (4):		
	– – where Article 15(3) of Regulation (EC) No 1043/2005 applies (2)	1,933	1,933
	– – where goods falling within subheading 2208 (3) are exported	0,938	0,938
	– – in other cases	2,427	2,427
	– where goods falling within subheading 2208 (3) are exported	1,251	1,251
	– other (including unprocessed)	3,236	3,236
	Potato starch of CN code 1108 13 00 similar to a product obtained from processed maize:		
	– where Article 15(3) of Regulation (EC) No 1043/2005 applies (2)	2,171	2,171
	– where goods falling within subheading 2208 (3) are exported	1,251	1,251
	– in other cases	3,236	3,236

(*) The rates set out in this Annex are not applicable to exports to Bulgaria with effect from 1 October 2004, to Romania with effect from 1 December 2005, and to the goods listed in Tables I and II to Protocol No 2 to the Agreement between the European Community and the Swiss Confederation of 22 July 1972 exported to the Swiss Confederation or to the Principality of Liechtenstein with effect from 1 February 2005.

(EUR/100 kg)

CN code	Description of products ⁽¹⁾	Rate of refund per 100 kg of basic product	
		In case of advance fixing of refunds	Other
ex 1006 30	Wholly milled rice:		
	– round grain	—	—
	– medium grain	—	—
	– long grain	—	—
1006 40 00	Broken rice	—	—
1007 00 90	Grain sorghum, other than hybrid for sowing	—	—

⁽¹⁾ As far as agricultural products obtained from the processing of a basic product or/and assimilated products are concerned, the coefficients set out in Annex V to Commission Regulation (EC) No 1043/2005 is applicable.

⁽²⁾ The goods concerned fall under CN code 3505 10 50.

⁽³⁾ Goods listed in Annex III to Regulation (EC) No 1784/2003 or referred to in Article 2 of Regulation (EEC) No 2825/93 (OJ L 258, 16.10.1993, p. 6).

⁽⁴⁾ For syrups of CN codes NC 1702 30 99, 1702 40 90 and 1702 60 90, obtained from mixing glucose and fructose syrup, the export refund relates only to the glucose syrup.

COMMISSION REGULATION (EC) No 1151/2006**of 27 July 2006****fixing the rates of refunds applicable to certain products from the sugar sector exported in the form of goods not covered by Annex I to the Treaty**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 318/2006 of 20 February 2006 on the common organisation of the market in the sugar sector⁽¹⁾, and in particular Article 33(2)(a) and (4) thereof,

Whereas:

- (1) Article 32(1) and (2) of Regulation (EC) No 318/2006 provides that the differences between the prices in international trade for the products listed in Article 1(1)(b), (c), (d) and (g) of that Regulation and prices within the Community may be covered by an export refund where these products are exported in the form of goods listed in Annex VII to that Regulation.
- (2) Commission Regulation (EC) No 1043/2005 of 30 June 2005 implementing Council Regulation (EC) No 3448/93 as regards the system of granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty, and the criteria for fixing the amount of such refunds, and the criteria for fixing the amount of such refunds⁽²⁾, specifies the products for which a rate of refund is to be fixed, to be applied where these products are exported in the form of goods listed in Annex VII to Regulation (EC) No 318/2006.
- (3) In accordance with the first paragraph of Article 14 of Regulation (EC) No 1043/2005, the rate of the refund per 100 kilograms for each of the basic products in question is to be fixed each month.
- (4) Article 32(4) of Regulation (EC) No 318/2006 lays down that the export refund for a product contained in goods may not exceed the refund applicable to that product when exported without further processing.
- (5) The refunds fixed under this Regulation may be fixed in advance as the market situation over the next few months cannot be established at the moment.
- (6) The commitments entered into with regard to refunds which may be granted for the export of agricultural products contained in goods not covered by Annex I to the Treaty may be jeopardised by the fixing in advance of high refund rates. It is therefore necessary to take precautionary measures in such situations without, however, preventing the conclusion of long-term contracts. The fixing of a specific refund rate for the advance fixing of refunds is a measure which enables these various objectives to be met.
- (7) 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 rates of the refunds applicable to the basic products listed in Annex I to Regulation (EC) No 1043/2005 and in Article 1(1) and in point (1) of Article 2 of Regulation (EC) No 318/2006, and exported in the form of goods listed in Annex VII to Regulation (EC) No 318/2006, shall be fixed as set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 28 July 2006.

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

Done at Brussels, 27 July 2006.

For the Commission
Günter VERHEUGEN
Vice-President

⁽¹⁾ OJ L 58, 28.2.2006, p. 1.

⁽²⁾ OJ L 172, 5.7.2005, p. 24. Regulation as last amended by Regulation (EC) No 544/2006 (OJ L 94, 1.4.2006, p. 24).

ANNEX

Rates of refunds applicable from 28 July 2006 to certain products from the sugar sector exported in the form of goods not covered by Annex I to the Treaty ⁽¹⁾

CN code	Description	Rate of refund in EUR/100 kg	
		In case of advance fixing of refunds	Other
1701 99 10	White sugar	26,09	26,09

⁽¹⁾ The rates set out in this Annex are not applicable to exports to Bulgaria, with effect from 1 October 2004, to Romania with effect from 1 December 2005, and to the goods listed in Tables I and II to Protocol No 2 to the Agreement between the European Community and the Swiss Confederation of 22 July 1972 exported to the Swiss Confederation or to the Principality of Liechtenstein with effect from 1 February 2005.

COMMISSION REGULATION (EC) No 1152/2006**of 27 July 2006****fixing the maximum reduction in the duty on maize imported in connection with the invitation to tender issued in Regulation (EC) No 1058/2006**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals ⁽¹⁾, and in particular Article 12(1) thereof,

Whereas:

(1) An invitation to tender for the maximum reduction in the duty on maize imported into Spain from third countries was opened pursuant to Commission Regulation (EC) No 1058/2006 ⁽²⁾.

(2) Pursuant to Article 7 of Commission Regulation (EC) No 1839/95 ⁽³⁾ the Commission, acting under the procedure laid down in Article 25 of Regulation (EC) No 1784/2003, may decide to fix maximum reduction in the import duty. In fixing this maximum the criteria provided for in Articles 6 and 7 of Regulation (EC) No 1839/95 must be taken into account. A contract is awarded to any tenderer whose tender is equal to or less than the maximum reduction in the duty.

(3) The application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum reduction in the import duty being fixed at the amount specified in Article 1.

(4) 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

For tenders notified from 21 to 27 July 2006, pursuant to the invitation to tender issued in Regulation (EC) No 1058/2006, the maximum reduction in the duty on maize imported shall be 30,75 EUR/t and be valid for a total maximum quantity of 169 089 t.

Article 2

This Regulation shall enter into force on 28 July 2006.

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

Done at Brussels, 27 July 2006.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 270, 21.10.2003, p. 78. Regulation as amended by Commission Regulation (EC) No 1154/2005 (OJ L 187, 19.7.2005, p. 11).

⁽²⁾ OJ L 192, 13.7.2006, p. 10.

⁽³⁾ OJ L 177, 28.7.1995, p. 4. Regulation as last amended by Regulation (EC) No 1558/2005 (OJ L 249, 24.9.2005, p. 6).

COMMISSION REGULATION (EC) No 1153/2006**of 27 July 2006****concerning tenders notified in response to the invitation to tender for the export of common wheat issued in Regulation (EC) No 936/2006**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals ⁽¹⁾, and in particular Article 13(3) thereof,

Whereas:

- (1) An invitation to tender for the refund for the export of common wheat to certain third countries was opened pursuant to Commission Regulation (EC) No 936/2006 ⁽²⁾.
- (2) Article 7 of 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 ⁽³⁾, and in particular Article 13(3) thereof,

- (3) On the basis of the criteria laid down in Article 1 of Regulation (EC) No 1501/95, a maximum refund should not be fixed.
- (4) 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

No action shall be taken on the tenders notified from 21 to 27 July 2006 in response to the invitation to tender for the refund for the export of common wheat issued in Regulation (EC) No 936/2006.

Article 2

This Regulation shall enter into force on 28 July 2006.

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

Done at Brussels, 27 July 2006.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 270, 21.10.2003, p. 78. Regulation as amended by Commission Regulation (EC) No 1154/2005 (OJ L 187, 19.7.2005, p. 11).

⁽²⁾ OJ L 172, 24.6.2006, p. 6.

⁽³⁾ OJ L 147, 30.6.1995, p. 7. Regulation as last modified by Regulation (EC) No 777/2004 (OJ L 123, 27.4.2004, p. 50).

COMMISSION REGULATION (EC) No 1154/2006**of 27 July 2006****on the issue of rice import licences for applications lodged in the first 10 working days of July 2006
under Regulation (EC) No 327/98**

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 1785/2003 of 29 September 2003 on the common organisation of the market in rice ⁽¹⁾,

Having regard to Commission Regulation (EC) No 327/98 of 10 February 1998 opening and providing for the administration of certain tariff quotas for imports of rice and broken rice ⁽²⁾, and in particular Article 5(2) thereof,

Whereas:

Examination of the quantities for which rice import licence applications have been lodged for the July 2006 tranche shows that licences should be issued for the quantities applied for, multiplied, where appropriate, by a percentage reduction and that the quantities available for carry-over to the following tranche and the total quantities available for the various quotas should be fixed,

Article 1

1. Import licence applications for the tariff quotas for rice opened by Regulation (EC) No 327/98, submitted in the first 10 working days of July 2006 and notified to the Commission, shall be subject to percentage reduction coefficients as set out in the Annex to this Regulation.

2. The quantities available under the July 2006 tranche, to be carried over to the following tranche, and the total quantities available for the September 2006 tranche shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 28 July 2006.

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

Done at Brussels, 27 July 2006.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 270, 21.10.2003, p. 96. Regulation as amended by Regulation (EC) No 247/2006 (OJ L 42, 14.2.2006, p. 1).

⁽²⁾ OJ L 37, 11.2.1998, p. 5. Regulation as last amended by Commission Regulation (EC) No 965/2006 (OJ L 176, 30.6.2006, p. 12).

ANNEX

Reduction percentages to be applied to quantities applied for under the July 2006 tranche and quantities carried over to the following tranche

- (a) Quota of wholly milled or semi-milled rice falling within CN code 1006 30 provided for in Article 1(1)(a) of Regulation (EC) No 327/98

Origin	Serial No	Reduction percentage for the July 2006 tranche	Quantity carried over to the September 2006 tranche (t)	Total quantities available for the September 2006 tranche (t)
United States of America	09.4127	0 (1)	7 650,306	7 650,306
Thailand	09.4128	0 (1)	708,210	708,210
Australia	09.4129	0 (1)	451,5	451,5
Other origins	09.4130	—	—	—

(1) Issue for the quantity applied for.

- (b) Quota of husked rice falling within CN code 1006 20 provided for in Article 1(1)(b) of Regulation (EC) No 327/98

Origin	Serial No	Reduction percentage for the July 2006 tranche	Quantity carried over to the October 2006 tranche (t)	Total quantities available for the October 2006 tranche (t)
All countries	09.4148	66,8156	0	0

- (c) Quota of broken rice falling within CN code 1006 40 00 provided for in Article 1(1)(c) of Regulation (EC) No 327/98

Origin	Serial No	Reduction percentage for the July 2006 tranche
Thailand	09.4149	0 (1)
Australia	09.4150	0 (1)
Guyana	09.4152	0 (1)
United States of America	09.4153	0 (1)
Other origins	09.4154	98,2456

(1) Issue for the quantity applied for.

(d) Quota of wholly milled or semi-milled rice falling within CN code 1006 30 provided for in Article 1(1)(d) of Regulation (EC) No 327/98

Origin	Serial No	Reduction percentage for the July 2006 tranche	Quantity carried over to the September 2006 tranche (t)	Total quantities available for the September 2006 tranche (t)
Thailand	09.4112	98,4928	0	0
United States of America	09.4116	—	—	—
India	09.4117	—	—	—
Pakistan	09.4118	—	—	—
Other origins	09.4119	—	—	—
All countries	09.4166	98,6067	0	0

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 11 July 2006

appointing Czech, German, Estonian, Spanish, French, Italian, Latvian, Lithuanian, Luxembourg, Hungarian, Maltese, Austrian, Slovenian and Slovak members of the European Economic and Social Committee

(2006/524/EC, Euratom)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 259 thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 167 thereof,

Having regard to the opinion of the European Commission,

Whereas:

(1) The terms of office of the present members of the European Economic and Social Committee expire on 20 September 2006. The members of that Committee should therefore be appointed for a further period of four years as from 21 September 2006.

(2) The Czech, German, Estonian, Spanish, French, Latvian, Lithuanian, Luxembourg, Hungarian, Maltese, Austrian, Slovenian and Slovak Governments have submitted lists containing a number of candidates equal to the number of seats allocated to them by the Treaties.

(3) The Italian Government has submitted a list containing 22 candidates. At a later stage it will propose two further candidates to complete this list and arrive at a number of candidates equal to the number of seats allocated to it by the Treaties,

HAS DECIDED AS FOLLOWS:

Article 1

The persons listed in the Annex to this Decision are hereby appointed members of the European Economic and Social Committee for the period from 21 September 2006 to 20 September 2010.

Article 2

This Decision shall take effect on the date of its adoption.

Done at Brussels, 11 July 2006.

For the Council
The President
E. HEINÄLUOMA

ANNEX

Czech Republic

Ms Helena ČORNEJOVÁ
Head of the Socio-Economic Department, Czech-Moravian Confederation of Trade Unions (CMKOS)

Ms Vladimíra DRBALOVÁ
Director of the Department of International Organisations and EU Affairs, Confederation of Industry of the Czech Republic (SP)

Mr Roman HAKEN
Executive Director of the Center for Community Organizing (CCO)

Mr Ludvík JÍROVEC
Director of Corporate Company STAŇKOV Inc. (Společný podnik STAŇKOV a.s.), member of the Czech Agrarian Chamber

Mr Vladimír MATOUŠEK
Advisor in the International Department, Czech-Moravian Confederation of Trade Unions (CMKOS)

Mr Jaroslav NĚMEC
Director of the Archdiocesan Charity Prague, Chair of the Board of the Central Bohemian Regional Council of Humanitarian Organisations

Ms Dana ŠTECHOVÁ
Advisor of the International Department, Czech-Moravian Confederation of Trade Unions (CMKOS)

Mr Josef SUCHEL
Advisor in social affairs, Czech-Moravian Confederation of Trade Unions (CMKOS)

Mr Pavel TRANTINA
Director of the Secretariat and Chair of the Board of the Czech Council for Children and Youth

Mr Ivan VOLEŠ
Deputy Secretary, Economic Chamber of the Czech Republic (HK ČR)

Mr Josef ZBOŘIL
Member of the Board of Directors, Confederation of Industry of the Czech Republic (SP)

Ms Marie ZVOLSKÁ
Member of the Confederation of Employers' and Entrepreneurs' Associations of the Czech Republic

Germany

Frau Karin ALLEWELDT
Referatsleiterin internationale Gewerkschaftspolitik beim Bundesvorstand des DGB

Frau Annelie BUNTENBACH
Mitglied des Geschäftsführenden Bundesvorstandes des DGB

Diplom-Volkswirt Peter CLEVER
Mitglied der Hauptgeschäftsführung Bundesvereinigung der Deutschen Arbeitgeberverbände

Dr. Göke FRERICHS
Präsidiumsmitglied Bundesverband des Deutschen Groß- und Außenhandels

Dr. Renate HEINISCH
Bundesarbeitsgemeinschaft der Senioren-Organisationen (BAGSO) e.V.

Herr Adalbert KIENLE
Stellvertretender Generalsekretär Deutscher Bauernverband e.V.

Diplom-Volkswirt Peter KORN
Leiter des Bereichs Umwelt und Energie und Leiter des Deutschen Industrie- und Handelskammertags (DIHK) in Brüssel

Herr Jochen LEHNHOFF
Mitglied des Vorstandes Bundesverband der deutschen Volksbanken und Raiffeisenbanken e.V.

Herr Claus MATECKI
Mitglied des Geschäftsführenden Bundesvorstandes des DGB

Herr Arno METZLER
Hauptgeschäftsführer Bundesverband der Freien Berufe

Herr Erhard OTT
Mitglied des Geschäftsführenden Bundesvorstandes von Ver.di

Dr. Volker J. PETERSEN
Stellvertretender Generalsekretär Deutscher Raiffeisenverband e.V.

Herr Lutz RIBBE
Direktor bei der Stiftung Europäisches Naturerbe und Mitglied des Bundesvorstandes BUND

Herr Jörg RUSCHE
Geschäftsführer Bundesverband der Deutschen Binnenschifffahrt e.V.

Herr Manfred SCHALLMEYER
Beauftragter des 1. Vorsitzenden der IG Metall

Herr Hanns-Eberhard SCHLEYER
Generalsekretär des Zentralverbandes des Deutschen Handwerks (ZDH)

Prof. Dr. Dr. h.c. Heiko STEFFENS
Verbraucherzentrale Bundesverband

Herr Frank STÖHR
Stellvertretender Bundesvorsitzender dbb Beamtenbund und Tarifunion

Graf Alexander von SCHWERIN
Betriebsrat DVG

Dr. Ludolf von WARTENBERG
Hauptgeschäftsführer und Mitglied des Präsidiums Bundesverband der Deutschen Industrie

Herr Hans-Joachim WILMS
Stellvertretender Bundesvorsitzender Bundesvorstand IG Bauen-Agrar-Umwelt Büro Berlin, VB III

Prof. Dr. Gerd WOLF
Direktor a.D. am Institut für Plasmaphysik des Forschungszentrums Jülich

Herr Wilfried WOLLER
Mitglied des Geschäftsführenden Hauptvorstandes der IG Bergbau, Chemie, Energie

Gräfin Soscha zu EULENBURG
Vizepräsidentin der Bundesarbeitsgemeinschaft der Freien Wohlfahrtspflege und Vizepräsidentin des Deutschen Roten Kreuzes DRK-Generalsekretariat

Estonia

Ms Eve PÄÄRENDSON
Estonian Employers' Confederation

Ms Kristina TSHISTOVA
Estonian Chamber of Commerce and Industry

Ms Liina CARR
Confederation of Estonian Trade Unions

Ms Mare VIIES
Estonian Employees' Unions' Confederation

Ms Mall HELLAM
Network of the Estonian Nonprofit Organizations (NENO)

Mr Meelis JOOST
The Estonian Chamber of Disabled People

Mr Kaul NURM
Estonian Farmers' Federation

Spain

D. Pedro BARATO TRIGUERO
Presidente Nacional de ASAJA

D. Rafael BARBADILLO LÓPEZ
Subdirector General de la Federación Española de Empresas de Transportes de Viajeros (ASINTRA)

D. Miguel Ángel CABRA DE LUNA
Vocal de la Junta Directiva de la Confederación Empresarial Española de la Economía Social

D^a Lourdes CAVERO MESTRE
Miembro de la Junta Directiva de la Confederación Española de Organizaciones Empresariales (CEOE)

D. Francisco CEBALLO HERRERO
Asociación General de Consumidores (Asgeco)

D^a M^a Carmen COBANO SUÁREZ
Unión de Pequeños Agricultores y Ganaderos (UPA)

D. José María ESPUNY MOYANO
Consejero de la Federación Española de Industrias de Alimentación y Bebidas (FIAB)

D. José Isaías RODRÍGUEZ GARCÍA-CARO
Director para la Unión Europea de la Confederación Española de Organizaciones Empresariales (CEOE)

D^a Laura GONZÁLEZ DE TXABARRI ETXANIZ
Miembro del Comité Ejecutivo de la Confederación Sindical ELA, Responsable del Departamento Internacional

D. Bernardo HERNÁNDEZ BATALLER
Asociación de Usuarios de Comunicación (AUC)

D^a Margarita LÓPEZ ALMENDARIZ
Miembro del Comité Ejecutivo de la Confederación Española de Organizaciones Empresariales (CEOE)

D. Juan MENDOZA CASTRO
Colaborador de UGT para asuntos internacionales

D. Juan MORENO PRECIADOS
Miembro de la Secretaría Confederal de Acción Sindical Internacional de CC.OO.

D. Ángel PANERO FLORES
Miembro de la Junta Directiva de la Confederación Española de Organizaciones Empresariales (CEOE)

D. Luis Miguel PARIZA CASTAÑOS
Miembro de la Secretaría Confederal de Acción Sindical Internacional de CC.OO.

D. Javier SÁNCHEZ ANSÓ
Miembro de la Comisión Ejecutiva de COAG, Responsable de Relaciones Internacionales, Estructuras Agrarias y Desarrollo Rural

D^a María Candelas SÁNCHEZ MIGUEL
Miembro de la Secretaría Confederal de Acción Sindical Internacional de CC.OO.

D. Sergio SANTILLÁN CABEZA
Abogado, Unión General de Trabajadores (UGT)

D. Gabriel SARRÓ IPARRAGUIRRE
Gerente de la Organización de Productores Asociados de Grandes Atuneros Congelados (OPAGAC)

D. José SARTORIUS ÁLVAREZ DE BOHÓRQUEZ
Consejero del Banco Popular Español

D. José María ZUFIAUR NARVAIZA
Director del grupo de análisis sociolaborales LABOUR

France

M. Jean-Paul BASTIAN
Vice-président, FNSEA (Fédération nationale des syndicats d'exploitants agricoles)

Mme Laure BATUT
Assistante confédérale au secteur international et Europe (Force ouvrière)

M. Jean-Michel BLOCH-LAINE
Président, UNIOPSS (Union nationale interfédérale des ceuvres et organismes privés sanitaires et sociaux)

M. Lucien BOUIS
Conseiller du président de l'UNAF, UNAF (Union nationale des associations familiales)

M. Gilbert BROS
Vice-président, APCA (Assemblée permanente des chambres d'agriculture)

M. Stéphane BUFFETAUT
Chargé de mission Europe, UTP (Union des transports publics)

M. Bruno CLERGEOT
Membre du conseil confédéral, CNMCCA (Confédération nationale de la mutualité, de la coopération et du crédit agricoles)

- M. Hervé COUPEAU
Membre du bureau, CNJA (Centre national des jeunes agriculteurs)
- M. Gérard DANTIN
Chargé de mission au sein du secteur Europe et international, CFDT (Confédération française démocratique du travail)
- Francis DAVOUST
Vice-président du Conseil national des professions de l'automobile (CNPA), UPA (Union professionnelle artisanale) et APCMA
- M. Pierre GENDRE
Assistant confédéral au secteur international et Europe, FO (Force ouvrière)
- M. Hubert GHIGONIS
Vice-président, CGPME (Confédération générale des petites et moyennes entreprises)
- M. Bernard HUVELIN
Vice-président de la Fédération française du bâtiment, MEDEF (Mouvement des entreprises de France)
- Mme An LENOUIL-MARLIÈRE
Membre de la Confédération exécutive confédérale, CGT (Confédération générale du travail)
- M. Georges LIAROKAPIS
Délégué national, pôle service — cadre de vie — Europe et international, CGC/CFE (Confédération générale des cadres)
- Mme Reine-Claude MADER-SAUSSAYE
Secrétaire générale de la confédération de la consommation, du logement et du cadre de vie, membre du conseil de la concurrence, CLVC (Association consommation, logement et cadre de vie)
- M. Henri MALOSSE
Directeur, conseiller pour les affaires européennes auprès de la présidence de l'ACFCI, ACFCI (Assemblée des chambres françaises de commerce et d'industrie)
- M. André-Luc MOLINIER
Directeur adjoint — coordination Europe, MEDEF (Mouvement des entreprises de France)
- Mme Béatrice OUIN
Chargée de mission au sein du secteur Europe et international, CFDT (Confédération française démocratique du travail)
- M. Jean-Paul PANZANI
Membre du comité exécutif, président des mutuelles de France, FNM (Fédération nationale de la mutualité française)
- Mme Evelyne PICHENOT
Présidente de la délégation pour l'Union européenne du Conseil économique et social, CES (Conseil économique et social)
- Mme Nicole PRUD'HOMME
Vice-présidente, CFTC (Confédération française des travailleurs chrétiens)
- M. Jacques REIGNAULT
Vice-président délégué, président de la commission des affaires européennes et internationales, UNAPL (Union nationale des professions libérales)
- M. Daniel RETUREAU
Conseiller à l'espace confédéral Europe-international, CGT (Confédération générale du travail)

Italy

- Sig. Maurizio ANGELO
in rappresentanza CIDA
- Sig. Paolo BEDONI
in rappresentanza di COLDIRETTI
- Sig. Umberto BURANI
in rappresentanza di ABI
- Sig. Mario CAMPLI
in rappresentanza LEGA NAZIONALE COOPERATIVE E MUTUE
- Sig. Claudio CAPPELLINI
in rappresentanza di CONFARTIGIANATO
- Sig. Francesco CAVALARO
in rappresentanza CISAL (Confederazione Italiana Sindacati Autonomi Lavoratori)

Sig. Carmelo CEDRONE
in rappresentanza UIL

Sig. Franco CHIRIACO
in rappresentanza CGIL

Sig. Roberto CONFALONIERI
in rappresentanza CONFEDIR

Sig.ra Susanna FLORIO
in rappresentanza CGIL

Sig. Angelo GRASSO
in rappresentanza Confcooperative

Sig. Edgardo Maria IOZIA
in rappresentanza UIL

Sig. Luca JAHIER
in rappresentanza ACLI

Sig. Sandro MASCIA
in rappresentanza di CONFAGRICOLTURA

Sig.ra Rosa Angela MAURO
in rappresentanza SIN.PA

Sig. Paolo NICOLETTI
in rappresentanza di CONFINDUSTRIA

Sig. Antonio PEZZINI
in rappresentanza di CONFINDUSTRIA

Sig.ra Renata POLVERINI
in rappresentanza UGL

Sig. Virgilio RANOCCHIARI
in rappresentanza di CONFINDUSTRIA

Sig. Corrado ROSSITTO
in rappresentanza CIU

Sig. Claudio ROTTI
in rappresentanza di CONFCOMMERCIO

Sig. Valerio SALVATORE
in rappresentanza CONFESAL

Latvia

Ms Gunta ANČA
The Latvian Umbrella Body for Disability Organisations SUSTENTO, Chairperson

Mr Andris BĒRZIŅŠ
Parex Bank, member of the Board; AB *konsultants*, owner

Mr Vitālijs GAVRILOVS
20 Ice-Balt Invest ehf, Vice-chairman; LTD "Vitalian", Chairman of the Board; JSC Grindex, Vice-chairman of the Board

Ms Irina HOMKO
Free Trade Union Confederation of Latvia, Expert in social and economic and health care matters

Mr Viesturs KOCIŅŠ
Latvian Chamber of Commerce and Industry (LCCL), Head of the Foreign Trade Document Department

Mr Armands KRAUZE
Latvian Beekeepers Association, Board Chairman, project manager

Mr Pēteris KRĪGERS
Free Trade Union Confederation of Latvia, President; Member of Consultative board of Latvian Social insurance government agency

Lithuania

Mr Danukas ARLAUSKAS
Director General, Lithuanian Confederation of Business Employers

Mr Linas LASIAUSKAS
Deputy Director General, Lithuanian Apparel and Textile Industry Association

Mr Vitas MAČIULIS
Director General, Association of Lithuanian Chambers of Commerce, Industry and Crafts

Mr Gintaras MORKIS
Deputy Director General, Lithuanian Confederation of Industrialists

Ms Daiva KVEDARAITĖ
Director, Information and external relations centre of Lithuanian Trade Union „Solidarumas“

Mr Algirdas Aleksandras KVEDARAVIČIUS
Vice-chairperson, Lithuanian Trade Union Confederation

Ms Inga PREIDIENĖ
Vice-chairperson, Lithuanian Labour Federation Youth Organization

Mr Zenonas Rokus RUDZIKAS
President, Lithuanian Academy of Sciences

Mr Algirdas ŠIUPŠINSKAS
Member of the Board, Lithuanian Consumer Association

Luxembourg

M. Paul JUNCK
Secrétaire général Arcelor

M. Raymond HENCKS
Membre du comité exécutif de la Confédération générale de la fonction publique (CGFP)

M. Jean-Claude REDING
Président de la Confédération générale du travail — Luxembourg (CGT-L/OGBL)

Mme Josiane WILLEMS
Directeur de la Centrale paysanne luxembourgeoise (CPL)

M. Paul RECKINGER
Président de la chambre des métiers du Grand-Duché de Luxembourg

M. Robert SCHADECK
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EUROPEAN CENTRAL BANK

GUIDELINE OF THE EUROPEAN CENTRAL BANK

of 14 July 2006

on certain preparations for the euro cash changeover and on frontloading and sub-frontloading of euro banknotes and coins outside the euro area

(ECB/2006/9)

(2006/525/EC)

THE GOVERNING COUNCIL OF THE EUROPEAN CENTRAL BANK,

Having regard to the Treaty establishing the European Community, and in particular to Article 106(1) thereof,

Having regard to Article 16 and Article 26.4 of the Statute of the European System of Central Banks and of the European Central Bank,

Whereas:

(1) Article 10 of Council Regulation (EC) No 974/98 of 3 May 1998 on the introduction of the euro ⁽¹⁾ states that 'with effect from the respective cash changeover dates, the ECB and the central banks of the participating Member States shall put into circulation banknotes denominated in euro in the participating Member States'.

(2) To permit a smooth introduction of the euro in future participating Member States, a legal framework to enable the national central banks (NCBs) of these Member States to borrow euro banknotes and coins from the Eurosystem for the purpose of frontloading and sub-frontloading them prior to the cash changeover should be established, taking into account different possible national cash changeover scenarios.

(3) Frontloading of euro banknotes and coins to eligible counterparties, and sub-frontloading to professional third parties, would contribute to a smooth cash changeover, alleviate the logistical burden of adopting the euro and contribute to reducing the costs associated with dual currency circulation.

(4) Frontloading and sub-frontloading of euro banknotes and coins should not amount to putting such euro banknotes and coins into circulation as they will not have the status of legal tender in the future participating Member States before the cash changeover date; consequently the contractual arrangements for loans of euro banknotes and coins should contain obligations to impose certain restrictions on eligible counterparties and professional third parties in order to avoid this happening.

(5) Frontloading to eligible counterparties and sub-frontloading to professional third parties may only take place if statutory provisions in the future participating Member States provide sufficient protection, or contractual arrangements are established between the parties involved, in relation to: (i) loans of euro banknotes and coins for frontloading; (ii) frontloading; and (iii) sub-frontloading.

(6) This Guideline should: (i) set out the rules to be applied for the contractual framework and conditions for frontloading and sub-frontloading; (ii) lay down the accounting and financial reporting requirements to be observed in relation to frontloading and sub-frontloading; and (iii) provide for appropriate arrangements to insure frontloaded and sub-frontloaded euro banknotes and coins.

(7) While the primary competence for establishing the regime for the issue of euro coins lies with the participating Member States, future Eurosystem NCBs play an essential role in the distribution of euro coins. Therefore, the provisions of this Guideline which relate to euro coins should be viewed as recommendations to be applied by the NCBs within the framework for the issue of euro coins to be set up by the competent national authorities of the future participating Member States.

⁽¹⁾ OJ L 139, 11.5.1998, p. 1. Regulation as last amended by Regulation (EC) No 2169/2005 (OJ L 346, 29.12.2005, p. 1).

- (8) Providing the future Eurosystem NCBs with euro banknotes and coins for the purpose of frontloading entails certain financial risks. To cover these risks, the future Eurosystem NCBs should commit to repay the euro banknotes borrowed from the Eurosystem from the future banknote production requirements allocated to them. Furthermore, frontloading should only be permitted if eligible counterparties provide the relevant future Eurosystem NCB with sufficient eligible collateral.
- (9) The Eurosystem NCB delivering euro banknotes and coins for the purpose of frontloading and the future Eurosystem NCBs should conclude specific contractual arrangements to adhere to the rules and procedures laid down in this Guideline.
- (10) Unless national statutory provisions in force in the future participating Member States ensure that equivalent rules and procedures apply, the conditions laid down in this Guideline for frontloading and subsequent sub-frontloading must be incorporated in contractual arrangements between the future Eurosystem NCBs, eligible counterparties and professional third parties.
- (11) The ECB, as coordinator of frontloading, should be informed in advance of requests for frontloading, and the future Eurosystem NCBs should inform the ECB of any decisions to frontload,
- ‘euro area’ means the territory of the participating Member States;
 - ‘cash changeover date’ means the date on which euro banknotes and coins become legal tender in a given future participating Member State;
 - ‘participating Member State’ means a Member State that has adopted the euro;
 - ‘future participating Member State’ means a non-participating Member State that has fulfilled the conditions set for the adoption of the euro and in relation to which a decision on the abrogation of the derogation (pursuant to Article 122(2) of the Treaty) has been taken;
 - ‘non-participating Member State’ means a Member State that has not adopted the euro;
 - ‘Eurosystem’ means the NCBs of the participating Member States and the ECB;
 - ‘eligible counterparty’ means an entity as defined in Article 5 which fulfils the requirements to receive euro banknotes and coins for the purpose of frontloading;

HAS ADOPTED THIS GUIDELINE:

CHAPTER I

GENERAL PROVISIONS

Article 1

Definitions

For the purposes of this Guideline:

- ‘frontloading’ means the physical delivery of euro banknotes and coins by a future Eurosystem NCB to eligible counterparties in the territory of a future participating Member State during the frontloading/sub-frontloading period;
- ‘frontloading/sub-frontloading period’ means the period during which frontloading and sub-frontloading take place, which shall commence no sooner than four months prior to the cash changeover date and end at 00.00 (local time) on the cash changeover date;
- ‘sub-frontloading’ means the delivery of frontloaded euro banknotes and coins by an eligible counterparty to professional third parties in the territory of a future participating Member State during the frontloading/sub-frontloading period;
- ‘professional third parties’ means certain commercial target groups, such as retailers, the cash-operated machine industry and cash in transit companies which are located in the same future participating Member State as an eligible counterparty, and which the eligible counterparty considers to have a legitimate need to be sub-frontloaded and to be able to satisfy the requirements in relation to sub-frontloading;
- ‘cash in transit company’ means an entity providing transport, storage and handling services of banknotes and coins for credit institutions;
- ‘Eurosystem NCB’ means the NCB of a participating Member State;
- ‘future Eurosystem NCB’ means the NCB of a future participating Member State;
- ‘eligible collateral’ means collateral as defined in Article 8;
- ‘delivering Eurosystem NCB’ means a Eurosystem NCB that delivers to a future Eurosystem NCB euro banknotes and coins for the purpose of frontloading, regardless of which Eurosystem NCB is the legal owner of such banknotes and coins;

- 'launch requirements' means the quantity of euro banknotes and coins that it is expected will be needed in a future participating Member State on the cash changeover date to cover demand for a period of one year;
- 'Eurosysteem business day' means a day on which the ECB or one or more NCBs are open for business, on which TARGET or the system replacing TARGET is open, and which is a settlement day for euro money market and foreign exchange transactions involving the euro;
- 'TARGET' means the Trans-European Automated Real-time Gross settlement Express Transfer system;
- 'credit institution' means an institution as defined in Article 1(1)(a) of Directive 2000/12/EC of the European Parliament and of the Council of 20 March 2000 relating to the taking up and pursuit of the business of credit institutions ⁽¹⁾;
- 'legacy currency' means the national currency unit of a future participating Member State before the cash changeover date.

Article 2

Applicability of the provisions set out in this Guideline

1. The rules and procedures concerning frontloading and sub-frontloading laid down in this Guideline shall be applied to frontloading and sub-frontloading arrangements regardless of whether a future Eurosystem NCB: (i) borrows the banknotes and coins to be frontloaded; or (ii) produces or procures them.
2. This Guideline shall not apply to the physical delivery of euro banknotes and coins from Eurosystem NCBs to NCBs of non-participating Member States until the latter have the status of future Eurosystem NCBs.

CHAPTER II

LOANS OF EURO BANKNOTES AND COINS FOR FRONT-LOADING

Article 3

Delivery

1. One or more Eurosystem NCBs, as the case may be, may deliver euro banknotes and coins to a future Eurosystem NCB for the purpose of frontloading and launch requirements.

2. A delivering Eurosystem NCB shall not request collateral from a receiving future Eurosystem NCB.

3. The delivery of euro banknotes and coins by a Eurosystem NCB to a future Eurosystem NCB shall not take place before the delivering Eurosystem NCB and the receiving future Eurosystem NCB have concluded contractual arrangements stipulating that the conditions set out in this Guideline apply to the loan of euro banknotes and coins to the future Eurosystem NCB, and hence will be applied when establishing the arrangements for frontloading and sub-frontloading.

4. The delivery of euro banknotes and coins shall not commence before a decision on the abrogation of the derogation of a non-participating Member State has been adopted pursuant to Article 122(2) of the Treaty.

5. After having consulted the delivering Eurosystem NCB, the ECB shall clearly specify the stocks from which the euro banknotes and coins to be delivered will be taken, and the name of the delivering Eurosystem NCB. The delivering Eurosystem NCB shall ensure that a decision concerning the replenishment of such stocks has been taken.

Article 4

Conditions applicable to a loan of euro banknotes and coins

1. The conditions set out in this Article shall be specified in the contractual arrangements referred to in Article 3(3).
2. The exact volume, broken down by denomination of euro banknotes and coins to be delivered, and the time of delivery, shall be specified in any contractual arrangements.
3. Euro banknotes and coins shall be transported to a future Eurosystem NCB for the purpose of frontloading and launch requirements in accordance with the rules on security and insurance that normally apply to bulk transfers of euro banknotes and coins between the NCBs. The risk of destruction, loss, theft and robbery of the delivered euro banknotes and coins shall pass to the future Eurosystem NCB from the moment when the euro banknotes and coins leave the vaults of the delivering Eurosystem NCB.
4. A future Eurosystem NCB shall pay the cost of transporting euro banknotes and coins from a Eurosystem NCB to it. The delivering Eurosystem NCB shall ensure that the transport is carried out efficiently.

⁽¹⁾ OJ L 126, 26.5.2000, p. 1.

5. If a future Eurosystem NCB needs a bulk transfer of euro banknotes and coins from the Eurosystem within 12 months of the cash changeover date, these requirements will be regarded as part of the launch requirements and, as regards repayment, shall be treated similarly to frontloaded euro banknotes and coins, as provided for in paragraphs 6 to 8. In all other respects, the fulfilment of such requirements shall be treated in the same way as a bulk transfer.

6. A future Eurosystem NCB shall observe the following accounting and financial reporting obligations in relation to delivering Eurosystem NCB(s):

- (a) During the frontloading/sub-frontloading period, the future Eurosystem NCB shall record the amount of euro banknotes and coins delivered for the purpose of frontloading (and for launch requirements) off-balance sheet at their face value.
- (b) The future Eurosystem NCB shall report the amount of the frontloaded and sub-frontloaded euro banknotes and coins to the delivering Eurosystem NCB(s).
- (c) The future Eurosystem NCB shall report the total amount (broken down by denomination) of any frontloaded or sub-frontloaded euro banknotes that entered into circulation before the cash changeover date, as well as the date on which it became aware that these banknotes had entered into circulation.

7. From the cash changeover date, a future Eurosystem NCB shall observe the following accounting and financial reporting obligations:

- (a) Unless they have already been recorded pursuant to paragraph 10, frontloaded euro banknotes shall be recorded as on balance sheet items as at the cash changeover date.
- (b) The total amount of frontloaded euro banknotes, excluding any banknotes that entered into circulation before the cash changeover date reported under paragraph 6(c), shall be recorded in the balance sheet of the future Eurosystem NCB within the 'banknotes in circulation' figure.
- (c) The difference between the total amount of frontloaded euro banknotes and the amounts of frontloaded euro banknotes that have been debited in the accounts of frontloaded eligible counterparties held with a future Eurosystem

NCB under the provisions of Article 15 shall be treated as a collateralised, non-remunerated loan granted to the eligible counterparties and to be repaid by them in accordance with Article 15.

8. A future Eurosystem NCB shall repay the euro banknotes borrowed from a Eurosystem NCB for the purpose of frontloading by delivering an equivalent number and quality of euro banknotes that it produces or procures as a result of an allocation to it in the Eurosystem's euro banknote production for one or more consecutive years immediately following the year in which the cash changeover takes place, in addition to its normal share in the Eurosystem's euro banknote production allocation for the years concerned. The calculation of the equivalent number and quality of banknotes to be repaid will be decided by the Governing Council. The equivalent number and quality of banknotes to be repaid for the euro second series will be calculated as established by the Governing Council in due time.

9. A future Eurosystem NCB shall conduct frontloading in accordance with the conditions set out in Chapters III and IV. No delivery shall take place until the future Eurosystem NCB and an eligible counterparty have concluded contractual arrangements that incorporate such conditions, unless national statutory provisions on frontloading ensure that equivalent conditions to those set out in Chapters III and IV apply to all eligible counterparties.

10. If frontloaded euro banknotes enter into circulation before the cash changeover date, a delivering Eurosystem NCB shall record them as having been issued and being in circulation. The delivering Eurosystem NCB shall record a claim vis-à-vis the future Eurosystem NCB amounting to the nominal value of the euro banknotes that entered into circulation before the cash changeover date. The future Eurosystem NCB shall pay to the delivering Eurosystem NCB remuneration on that claim. The remuneration shall be payable from the date when the future Eurosystem NCB became aware that these euro banknotes entered into circulation until the first Eurosystem business day following the cash changeover date. On that date, the liability of the future Eurosystem NCB and the related remuneration shall be settled by TARGET or a system replacing TARGET. The reference rate for the remuneration shall be the latest available marginal interest rate used by the Eurosystem in its tenders for main refinancing operations under paragraph 3.1.2 of Annex I to Guideline ECB/2000/7 of 31 August 2000 on monetary policy instruments and procedures of the Eurosystem⁽¹⁾. In the event that more than one Eurosystem NCB delivers euro banknotes to the future Eurosystem NCB for the purpose of frontloading, the contractual arrangements referred to in Article 3(3) shall specify the delivering NCB which shall record the banknotes in circulation and the claim vis-à-vis the future Eurosystem NCB.

⁽¹⁾ OJ L 310, 11.12.2000, p. 1. Guideline as last amended by Guideline ECB/2005/17 (OJ L 30, 2.2.2006, p. 26).

11. A future Eurosystem NCB shall report the following to the ECB:

- (a) the final total amount of frontloaded and sub-frontloaded euro banknotes (broken down by denomination); and
- (b) the final total amount of frontloaded and sub-frontloaded euro coins (broken down by denomination).

CHAPTER III

FRONTLOADING

Article 5

Eligible counterparties

Credit institutions established in a future participating Member State (including branches of foreign credit institutions located in the future participating Member State) and national post offices that have an account with their future Eurosystem NCB shall be considered eligible to receive euro banknotes and coins for the purpose of frontloading once the contractual arrangements provided for in Article 4(9) have been established.

Article 6

Delivery for frontloading

1. A future Eurosystem NCB may not start delivery of euro banknotes and coins for frontloading before the frontloading/sub-frontloading period has commenced.
2. A future Eurosystem NCB may frontload euro banknotes and coins in accordance with the provisions of this Guideline. The frontloading of euro banknotes and coins shall not commence before the future Eurosystem NCB and the receiving eligible counterparty have concluded contractual arrangements that incorporate the conditions set out in this Chapter and Chapter IV (unless equivalent rules and procedures have been established by statutory provisions in the future participating Member State in question).

Article 7

Provision of collateral

1. Eligible counterparties that are to be frontloaded shall provide their future Eurosystem NCB with eligible collateral, as defined in Article 8, to:
 - (a) cover the full face value of frontloaded euro banknotes and coins; and

- (b) ensure performance of the obligations set out in Article 10 to be included in the contractual arrangements between the future Eurosystem NCB and the eligible counterparty.

2. If collateral is realised to ensure the performance of the obligations set out in Article 10, the eligible counterparty shall provide the future Eurosystem NCB with additional collateral to cover the full face value of frontloaded euro banknotes and coins, as required under paragraph 1(a).

3. The collateral shall be provided to the future Eurosystem NCB before it starts frontloading euro banknotes and coins, and shall cover risks arising from the start of delivery for frontloading.

4. The future Eurosystem NCB shall ensure that the collateral is fully enforceable. For this purpose it shall mobilise the eligible collateral by means of appropriate collateralisation procedures in a manner set out in Annex I to Guideline ECB/2000/7.

5. A future Eurosystem NCB shall implement adequate risk control measures to bear the risks relating to frontloading. It shall consult the ECB prior to frontloading on the risk control measures referred to in this Article. Where the market value of the eligible collateral is adjusted to take into account the applied risk control measures, the amount of collateral should be adjusted accordingly so that it always covers the full face value of frontloaded euro banknotes and coins which has not been debited on eligible counterparties' accounts with the future Eurosystem NCB that provided the frontloading euro banknotes and coins.

6. The contractual arrangements to be concluded before frontloading shall provide that an eligible counterparty shall grant the future Eurosystem NCB the right to realise the collateral if the frontloaded eligible counterparty breaches any of the obligations referred to in this Guideline as a precondition to frontloading and specifically agreed on between the eligible counterparty and the future Eurosystem NCB, and the frontloaded eligible counterparty does not pay the contractual penalties provided for in Article 10.

Article 8

Eligible collateral

1. All eligible assets for Eurosystem monetary policy operations as defined in Annex I to Guideline ECB/2000/7 shall be considered to be eligible collateral for frontloading purposes.

2. Assets denominated either in the legacy currencies of future participating Member States or in euro, which fulfil the uniform criteria laid down in Annex I to Guideline ECB/2000/7 and are eligible for Eurosystem monetary policy operations (with the exception of the criterion on the place of settlement and currency of denomination), shall be considered to be eligible collateral for frontloading purposes. The assets shall be held (settled) in the euro area, or in the future participating Member State, with a domestic securities settlement system (SSS) assessed against the ECB's 'Standards for the use of EU Securities Settlement Systems in ESCB credit operations'.

3. The following may also be provided as eligible collateral: (a) cash deposits denominated in a legacy currency; (b) cash deposits in euro on a dedicated account, remunerated at the same rate as applied for minimum reserves; or (c) deposits denominated in a legacy currency or in euro and in another form considered appropriate by the future Eurosystem NCB.

Article 9

Reporting

1. An eligible counterparty shall report to its future Eurosystem NCB:

- (a) the final total amount of sub-frontloaded euro banknotes (broken down by denomination); and
- (b) the final total amount of sub-frontloaded euro coins (broken down by denomination).

2. Immediately upon sub-frontloading, a frontloaded eligible counterparty shall provide its future Eurosystem NCB with information on the identity of the professional third parties that have been sub-frontloaded, as well as the amounts of sub-frontloaded euro banknotes and coins per individual customer. The future Eurosystem NCB shall treat such information as confidential and shall only use it to monitor how the professional third parties comply with their obligations relating to the avoidance of early circulation of euro banknotes and coins, and for reporting pursuant to Article 4(11).

3. A frontloaded eligible counterparty shall immediately inform the future Eurosystem NCB that frontloaded it (which shall then inform the ECB thereof):

- (a) if there is any reason to believe that any frontloaded euro banknotes or coins have entered into circulation before the cash changeover date; and
- (b) of the total amount (broken down by denomination) of frontloaded banknotes, if any, that entered into circulation before the cash changeover date.

Article 10

Commitments of an eligible counterparty regarding sub-frontloading

Before sub-frontloading takes place, the frontloaded eligible counterparties shall undertake to carry out sub-frontloading only in accordance with the rules and procedures laid down in this Guideline, which shall be agreed upon between themselves and the professional third parties to be sub-frontloaded. In particular, the following conditions shall be agreed before the eligible counterparty may sub-frontload:

- (a) The eligible counterparty shall ensure that the sub-frontloaded euro banknotes and coins remain on the premises of the sub-frontloaded professional third parties, where they shall be stored separately from any other euro banknotes and coins, other currency or other property, to avoid them entering into circulation prior to the cash changeover date. Such early circulation shall be subject to the payment of appropriate contractual penalties.
- (b) The eligible counterparty shall agree with the professional third party to be sub-frontloaded that the latter will allow the future Eurosystem NCB to carry out audits and inspections at the sub-frontloaded professional third party's premises in order to verify the presence of the sub-frontloaded euro banknotes and coins.
- (c) The eligible counterparty shall pay to the future Eurosystem NCB contractual penalties in an amount proportional to any damage suffered, however no less than 10 % of the sub-frontloaded amount if: (i) the future Eurosystem NCB is not given access to carry out the audit and inspections referred to in paragraph (b); or (ii) if the sub-frontloaded euro banknotes and coins are not stored on the premises of the sub-frontloaded professional third party as set out in this Article. A future Eurosystem NCB shall not impose such contractual penalties: (i) if its future participating Member State has established a regulatory framework providing for an equivalent level of protection; or (ii) to the extent that a sub-frontloaded professional third party has already paid penalties pursuant to Article 16(2)(f).

Article 11

Statistical aspects

For the purposes of the application of Regulation (EC) No 2423/2001 (ECB/2001/13) of 22 November 2001 concerning the consolidated balance sheet of the monetary financial institutions sector⁽¹⁾, a future Eurosystem NCB shall ensure that monetary financial institutions within its Member State do not record items and transactions relating to frontloaded euro banknotes and coins on their balance sheet during the frontloading/sub-frontloading period.

⁽¹⁾ OJ L 333, 17.12.2001, p. 1. Regulation as last amended by Regulation (EC) No 2181/2004 (ECB/2004/21) (OJ L 371, 18.12.2004, p. 42).

*Article 12***Distribution to branches**

A future Eurosystem NCB shall allow eligible counterparties to distribute frontloaded euro banknotes and coins only to their branches within the future participating Member State.

*Article 13***Prohibition on early circulation**

1. A future Eurosystem NCB shall prohibit eligible counterparties from disposing of the euro banknotes and coins delivered to them before 00:00 (local time) on the cash changeover date, unless otherwise provided for by this Guideline. In particular, the future Eurosystem NCB shall require that eligible counterparties store the frontloaded euro banknotes and coins in their vaults separately from any other euro banknotes and coins, other currency or other property, and safely in order to avoid destruction, theft, robbery or any other cause of early circulation.

2. Eligible counterparties shall ensure that there is no circulation of any frontloaded euro banknotes and coins prior to the cash changeover date.

3. In order to verify the presence of the frontloaded euro banknotes and coins and the arrangements under which the eligible counterparties carry out sub-frontloading, eligible counterparties shall grant their future Eurosystem NCB the right to audit and inspect their premises.

4. Eligible counterparties shall undertake to pay penalties to the future Eurosystem NCB, in the event that the eligible counterparty breaches the obligations relating to frontloading, including but not limited to putting, or acting in a way that is conducive to putting, the frontloaded banknotes into circulation before the cash changeover date, or refusing to allow auditing or inspections. The future Eurosystem NCB shall ensure that such breaches are subject to contractual or statutory penalties, as appropriate, payable in an amount proportional to any damage suffered. The future Eurosystem NCB shall not impose such penalties if the future participating Member State in question has established a regulatory framework providing for an equivalent level of protection.

*Article 14***Risk of destruction, loss, theft and robbery**

Eligible counterparties shall bear the risk of destruction, loss, theft and robbery of frontloaded euro banknotes and coins from the moment when such banknotes and coins leave the vaults of the future Eurosystem NCB. A future Eurosystem NCB may require eligible counterparties to cover these risks by taking out adequate insurance or by any other appropriate means.

However, the future Eurosystem NCB and the eligible counterparty shall agree that notwithstanding such insurance, the provisions of Article 15 relating to immediate debiting of frontloaded euro banknotes or coins that enter into circulation early and related remuneration payments shall apply. Notwithstanding the above, a future Eurosystem NCB and an eligible counterparty may agree that the future Eurosystem NCB shall take care of the practical arrangements relating to the transport of euro banknotes and coins for the purpose of frontloading on behalf of and at the risk of the eligible counterparty, or if the future Eurosystem NCB so wishes, at the risk of the future Eurosystem NCB.

*Article 15***Debiting and crediting**

1. Euro banknotes and coins frontloaded to eligible counterparties shall be debited in those counterparties' accounts with their future Eurosystem NCB at their face value, in accordance with the following 'linear debiting model': the total amount of frontloaded euro banknotes and coins shall be debited in three equal instalments, on the settlement date of the first, fourth and fifth Eurosystem main refinancing operations following the cash changeover date.

2. If there are not enough funds available on a frontloaded eligible counterparty's account with the future Eurosystem NCB that frontloaded it to debit the account as provided for in paragraph 1, then the eligible counterparty shall be considered to have breached its obligation to pay for the frontloaded euro banknotes and coins.

3. Euro banknotes and coins delivered to eligible counterparties on or after the cash changeover date shall be debited in their respective accounts with future Eurosystem NCBs in accordance with current Eurosystem practice. Euro banknotes and coins returned by eligible counterparties on or after the cash changeover date shall likewise be credited to their respective accounts with future Eurosystem NCBs.

4. Banknotes and coins denominated in a legacy currency and returned by eligible counterparties shall be credited to their respective accounts with the future Eurosystem NCB in accordance with current Eurosystem practice.

5. If euro banknotes or coins enter into circulation prior to the cash changeover date then the amount of such banknotes or coins shall be immediately charged to the frontloaded eligible counterparty as foreign exchange. Any such euro banknotes shall be recorded as being 'in circulation' in the accounts of the Eurosystem NCB that delivered them to the future Eurosystem NCB for the purpose of frontloading. The recording shall occur regardless of the reason for the banknotes entering into circulation prior to the cash changeover date.

CHAPTER IV

SUB-FRONTLOADING*Article 16***Conditions applying to delivery of euro banknotes and coins for sub-frontloading**

1. Sub-frontloading of professional third parties may not start before the frontloading/sub-frontloading period has commenced.
2. Before any sub-frontloading may start, the eligible counterparty and the professional third parties shall conclude contractual arrangements that cover at least the following:
 - (a) Sub-frontloading shall take place at the full risk and responsibility of the professional third party and subject to any conditions agreed in accordance with this Guideline.
 - (b) The professional third party shall report all sub-frontloaded euro banknotes and coins to the ECB via its future Eurosystem NCB.
 - (c) The professional third party shall store sub-frontloaded euro banknotes and coins as required under Article 10(a), and shall not dispose of them prior to 00:00 (local time) on the cash changeover date.
 - (d) The professional third party shall grant its future Eurosystem NCB the right to audit and inspect its premises to verify the presence of sub-frontloaded banknotes and coins.
 - (e) The professional third party shall report to the future Eurosystem NCB the total amount (broken down by denomination) of sub-frontloaded banknotes, if any, that entered into circulation before the cash changeover date.
 - (f) The professional third party shall undertake to pay penalties to the future Eurosystem NCB in the event that the professional third party breaches the obligations relating to sub-frontloading, including but not limited to a breach of the obligation set out in paragraph (c) or a refusal to allow auditing or inspections, as referred to in paragraph (d). Such breaches shall be subject to contractual or statutory penalties, as appropriate, payable in an amount proportional to any damage suffered, however no less than 10 % of the sub-frontloaded amount. The future Eurosystem NCB shall not impose such penalties if the future participating Member State in question has established a regulatory framework providing for an equivalent level of protection.

*Article 17***Exclusion of the general public**

1. A future Eurosystem NCB shall prohibit eligible counterparties from sub-frontloading euro banknotes and coins to the general public.
2. Paragraph 1 of this Article does not prohibit the provision to the general public of coin starter kits containing small amounts of euro coins of different denominations, as specified by the competent national authorities in some future participating Member States, as the case may be.

CHAPTER V

FINAL PROVISIONS*Article 18***Verification**

Future Eurosystem NCBs shall forward to the ECB copies of any legal instruments and measures adopted in their Member State in relation to this Guideline at the latest three months prior to commencement of the frontloading/sub-frontloading period, however not before any decision on abrogation of the derogation has been taken in relation to such Member State.

*Article 19***Euro coins**

It is recommended that future Eurosystem NCBs should apply the provisions of this Guideline to euro coins unless otherwise provided for within the framework set up by their competent national authorities.

*Article 20***Final provisions**

1. This Guideline shall enter into force on 19 July 2006.
2. This Guideline is addressed to the NCBs of participating Member States.

Done at Frankfurt am Main, 14 July 2006.

For the Governing Council of the ECB

The President of the ECB

Jean-Claude TRICHET