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I

(Acts adopted under the EC Treaty/Euratom Treaty whose publication is obligatory)

REGULATIONS

COUNCIL REGULATION (EC, EURATOM) No 89/2007

of 30 January 2007

amending Council Regulation (EC, Euratom) No 2728/94 establishing a Guarantee Fund for external actions

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 308 thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 203 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament ⁽¹⁾,

Having regard to the opinion of the Court of Auditors ⁽²⁾,

Whereas:

(1) The efficiency of the use made of budgetary means reserved for the Guarantee Fund established by Council Regulation (EC, Euratom) No 2728/94 ⁽³⁾ should be improved and the administrative work related to the budgetary management of the Guarantee Fund reduced.

(2) The transparency and programming of budgetary transactions in relation to the provisioning of the Guarantee Fund should be enhanced.

(3) The Interinstitutional Agreement between the European Parliament, the Council and the Commission on budgetary discipline and sound financial management ⁽⁴⁾ adopted on 17 May 2006 sets the multiannual financial

framework of the European Union for the period 2007 to 2013. Pursuant to the Interinstitutional Agreement, the funding of the Guarantee Fund is provided for as an obligatory expenditure from the general budget of the European Union for that period.

(4) The main function of the Guarantee Fund, namely to shield the general budget of the European Union against shocks due to defaults on loans or guaranteed loans covered by the Fund, should be maintained.

(5) The Guarantee Fund covers defaults under loans issued by the European Investment Bank (hereinafter the EIB) for which the Community provides a guarantee under the EIB's external mandate. In addition, in line with the EIB's external mandate as taking effect from 1 February 2007, the Fund should also cover defaults under loan guarantees issued by the EIB for which the Community provides a guarantee.

(6) Council Regulation (EC, Euratom) No 2728/94 should therefore be amended accordingly.

(7) The Treaties provide for no powers, other than those in Article 308 of the EC Treaty and Article 203 of the Euratom Treaty, for the adoption of this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

Council Regulation (EC, Euratom) No 2728/94 is hereby amended as follows:

1. in Article 1, the first subparagraph shall be replaced by the following:

⁽¹⁾ Opinion delivered on 14 March 2006 (not yet published in the Official Journal).

⁽²⁾ OJ C 313, 9.12.2005, p. 6.

⁽³⁾ OJ L 293, 12.11.1994, p. 1. Regulation as last amended by Regulation (EC, Euratom) No 2273/2004 (OJ L 396, 31.12.2004, p. 28).

⁽⁴⁾ OJ C 139, 14.6.2006, p. 1.

'A Guarantee Fund, hereinafter referred to as the "Fund", shall be established, the resources of which shall be used to repay the Community's creditors in the event of default by the beneficiary of a loan granted or guaranteed by the Community or of a loan guarantee issued by the European Investment Bank for which the Community provides a guarantee.'

2. in Article 2, the first indent shall be replaced by the following:

'— one annual payment from the general budget of the European Union pursuant to Articles 4 and 5;'

3. in Article 3, the third subparagraph shall be replaced by the following:

'On the basis of the year-end "n-1" difference between the target amount and the value of the Fund's net assets, calculated at the beginning of the year "n", any surplus shall be paid in one transaction to a special heading in the statement of revenue in the general budget of the European Union of the year "n+1".'

4. Article 4 shall be replaced by the following:

'Article 4

Based on the year-end "n-1" difference between the target amount and the value of the Fund's net assets, calculated at the beginning of the year "n", the required provisioning amount shall be paid into the Fund in one transaction in the year "n+1" from the general budget of the European Union.'

5. Article 5 shall be replaced by the following:

'Article 5

1. If, as a result of one or more defaults, the activation of guarantees during year "n-1" exceeds EUR 100 million, the amount exceeding EUR 100 million shall be paid back into the Fund in annual tranches starting in year "n+1" and continuing over the following years until full repayment (smoothing mechanism). The size of the annual tranche is the lesser of the following:

— EUR 100 million, or

— the remaining amount due in accordance with the smoothing mechanism.

Any amount resulting from the activation of guarantees in years preceding year "n-1", that has not yet been repaid in full due to the smoothing mechanism, shall be paid back before the smoothing mechanism for defaults occurring in year "n-1" or subsequent years can take effect. Such remaining amounts shall continue to be deducted from the maximum annual amount to be recovered from the general budget of the European Union under the smoothing mechanism until such time as the full amount has been paid back into the Fund.

2. The calculations based on the smoothing mechanism shall be made separately from the calculations referred to in the third subparagraph of Article 3 and in Article 4. Nevertheless, they shall together result in one annual transfer. The amounts to be paid from the general budget of the European Union under the smoothing mechanism shall be treated as net assets of the Fund for the calculation pursuant to Articles 3 and 4.

3. If, as a result of the activation of guarantees following one or more major defaults, resources in the Fund fall below 80 % of the target amount, the Commission shall inform the budgetary authority thereof.

4. If, as a result of the activation of guarantees following one or more major defaults, resources in the Fund fall below 70 % of the target amount, the Commission shall submit a report on exceptional measures that may be required to replenish the Fund.'

6. the Annex shall be deleted.

Article 2

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

It shall apply from 1 January 2007.

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

Done at Brussels, 30 January 2007.

For the Council

The President

P. STEINBRÜCK

COMMISSION REGULATION (EC) No 90/2007
of 30 January 2007
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 31 January 2007.

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

Done at Brussels, 30 January 2007.

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 30 January 2007 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	IL	198,4
	MA	68,0
	TN	142,7
	TR	166,9
	ZZ	144,0
0707 00 05	MA	58,1
	TR	195,3
	ZZ	126,7
0709 90 70	MA	58,2
	TR	139,7
	ZZ	99,0
0709 90 80	EG	26,8
	ZZ	26,8
0805 10 20	EG	46,0
	IL	55,5
	MA	50,0
	TN	48,7
	TR	69,0
	ZZ	53,8
0805 20 10	MA	82,2
	TR	21,5
	ZZ	51,9
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	EG	88,0
	IL	67,4
	MA	59,5
	TR	65,8
	ZZ	70,2
0805 50 10	EG	53,9
	TR	55,8
	ZZ	54,9
0808 10 80	CA	103,5
	CN	92,3
	TR	99,7
	US	125,7
	ZZ	105,3
0808 20 50	US	100,1
	ZA	102,6
	ZZ	101,4

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 1833/2006 (OJ L 354, 14.12.2006, p. 19). Code 'ZZ' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 91/2007**of 30 January 2007****amending Regulation (EC) No 1483/2006 as regards the quantities covered by the standing invitation to tender for the resale on the Community market of cereals held by the intervention agencies of the Member States**

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 6 thereof,

Whereas:

(1) Commission Regulation (EC) No 1483/2006 ⁽²⁾ opened standing invitations to tender for the resale on the Community market of cereals held by the intervention agencies of the Member States.

(2) In view of the situation on the Community markets for common wheat, barley and maize and of the changes in demand for cereals in various regions in recent weeks, new quantities of cereals held in intervention should be made available in some Member States. The intervention agencies in the Member States concerned should therefore be authorised to increase the quantities put

out to tender by 28 724 tonnes of common wheat in France, 20 332 tonnes of barley in Finland and 9 363 tonnes in Lithuania, and 500 000 tonnes of maize in Hungary.

(3) Regulation (EC) No 1483/2006 should be amended accordingly.

(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

Annex I to Regulation (EC) No 1483/2006 is hereby replaced by the Annex hereto.

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, 30 January 2007.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽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 276, 7.10.2006, p. 58. Regulation as last amended by Regulation (EC) No 53/2007 (OJ L 17, 24.1.2007, p. 8).

ANNEX

'ANNEX I

LIST OF INVITATIONS TO TENDER

Member State	Quantities made available for sale on the Community market (tonnes)				Intervention Agency Name, address and contact details
	Common wheat	Barley	Maize	Rye	
БЪЛГАРИЯ	—	—	—	—	Държавен фонд 'Земеделие' Бул Цар Борис III № 136, 1618, София, България Tel. (359 2) 81 87 202 Fax (359 2) 81 87 267 E-mail: dfz@dfz.bg Website: www.mzgar.government.bg
Belgique/België	51 859	6 340	—	—	Bureau d'intervention et de restitution belge/ Belgisch Interventie- en Restitutiebureau Trierstraat 82/rue de Trèves B-1040 Bruxelles/Brussel Tel. (32-2) 287 24 78 Fax: (32-2) 287 25 24 E-mail: webmaster@birb.be Website: www.birb.be
Česká republika	0	0	0	—	Státní zemědělský intervenční fond Odbor rostlinných komodit Ve Smečkách 33 CZ-110 00, Praha 1 Tel. (420) 222 871 667 or 222 871 403 Fax (420) 296 806 404 E-mail: dagmar.hejrovaska@szif.cz Website: www.szif.cz
Danmark	174 021	28 830	—	—	Direktoratet for FødevarerErhverv Nyropsgade 30 DK-1780 København Tel. (45) 33 95 88 07 Fax (45) 33 95 80 34 E-mail: mij@dffe.dk and pah@dffe.dk Website: www.dffe.dk
Deutschland	1 350 000	767 343	—	336 565	Bundesanstalt für Landwirtschaft und Ernährung Deichmanns Aue 29 D-53179 Bonn Tel. (49-228) 68 45-3704 Fax 1 (49-228) 68 45-3985 Fax 2 (49-228) 68 45-3276 E-mail: pflanzlErzeugnisse@ble.de Website: www.ble.de
Eesti	0	0	—	—	Põllumajanduse Registreite ja Informatsiooni Amet Narva mnt. 3, 51009 Tartu Tel. (372) 7371 200 Fax (372) 7371 201 E-mail: pria@pria.ee Website: www.pria.ee

Member State	Quantities made available for sale on the Community market (tonnes)				Intervention Agency Name, address and contact details
	Common wheat	Barley	Maize	Rye	
Elláda	—	—	—	—	Payment and Control Agency for Guidance and Guarantee Community Aids (O.P.E.K.E.P.E) Acharnon 241 GR-104 46 Athens Tel. (30-210) 21 24 787 (30-210) 21 24 754 Fax (30-210) 21 24 791 E-mail: ax17u073@minagric.gr Website: www.opekepe.gr
España	—	—	—	—	S. Gral. Intervención de Mercados (FEGA) Almagro, 33 E-28010 Madrid España Tel. (34-91) 34 74 765 Fax (34-91) 34 74 838 E-mail: sgintervencion@fega.mapa.es Website: www.fega.es
France	28 724	318 778	—	—	Office national interprofessionnel des grandes cultures (ONIGC) 21, avenue Bosquet F-75326 Paris Cedex 07 Tel. (33) 144 18 22 29 et 23 37 Fax (33) 144 18 20 08-144 18 20 80 E-mail: f.abeasis@onigc.fr Website: www.onigc.fr
Ireland	—	0	—	—	Intervention Operations, OFI, Subsidies & Storage Division, Department of Agriculture & Food Johnstown Castle Estate, County Wexford, Ireland Tel. (353) 53 91 63400 Fax (353) 53 91 42843 Website: www.agriculture.gov.ie
Italia	—	—	—	—	Agenzia per le erogazioni in agricoltura — AGEA Via Torino, 45 I-00184 Roma Tel. (39) 06 49 49 97 55 Fax (39) 06 49 49 97 61 E-mail: d.spampinato@agea.gov.it Website: www.enterisi.it
Kypros/Kibris	—	—	—	—	
Latvija	27 020	0	—	—	Lauku atbalsta dienests Republikas laukums 2, Rīga, LV-1981 Tel. (371) 702 7893 Fax (371) 702 7892 E-mail: lad@lad.gov.lv Website: www.lad.gov.lv
Lietuva	0	35 150	—	—	The Lithuanian Agricultural and Food Products Market Regulation Agency L. Stuokos-Gucevičiaus Str. 9-12 Vilnius, Lithuania Tel. (370-5) 268 50 49 Fax (370-5) 268 50 61 E-mail: info@litfood.lt Website: www.litfood.lt

Member State	Quantities made available for sale on the Community market (tonnes)				Intervention Agency Name, address and contact details
	Common wheat	Barley	Maize	Rye	
Luxembourg	—	—	—	—	Office des licences 21, rue Philippe II Boîte postale 113 L-2011 Luxembourg Tel. (352) 478 23 70 Fax (352) 46 61 38 Telex: 2 537 AGRIM LU
Magyarország	350 000	0	1 400 000	—	Mezőgazdasági és Vidékfejlesztési Hivatal Soroksári út 22-24. H-1095 Budapest Tel. (36-1) 219 45 76 Fax (36-1) 219 89 05 E-mail: ertekeletes@mvh.gov.hu Website: www.mvh.gov.hu
Malta	—	—	—	—	
Nederland	—	—	—	—	Dienst Regelingen Roermond Postbus 965 6040 AZ Roermond Nederland Tel. (31) 475 35 54 86 Fax (31) 475 31 89 39 E-mail: p.a.c.m.van.de.lindeloo@minlnv.nl Website: www9.minlnv.nl
Österreich	0	22 461	0	—	AMA (Agrarmarkt Austria) Dresdnerstraße 70 A-1200 Wien Tel. (43-1) 331 51-258 (43-1) 331 51-328 Fax (43-1) 331 51-4624 (43-1) 331 51-4469 E-mail: referat10@ama.gv.at Website: www.ama.at/intervention
Polska	44 440	41 927	0	—	Agencja Rynku Rolnego Biuro Produktów Roślinnych Nowy Świat 6/12 PL – 00-400 Warszawa Tel. (48) 22 661 78 10 Fax (48) 22 661 78 26 E-mail: cereals-intervention@arr.gov.pl Website: www.arr.gov.pl
Portugal	—	—	—	—	Instituto Nacional de Intervenção e Garantia Agrícola (INGA) R. Castilho, n.º 45-51 P-1269-163 Lisboa Tel. (+351) 21 751 85 00 (+351) 21 384 60 00 Fax (+351) 21 384 61 70 E-mail: inga@inga.min-agricultura.pt edalberto.santana@inga.min-agricultura.pt Website: www.inga.min-agricultura.pt
România	—	—	—	—	Agencia de Plăși și Intervenție pentru Agricultură B-dul Carol I, nr. 17, sector 2 București 030161 România Tel. 40 21 3054802 and 40 21 3054842 Fax 40 21 3054803 Website: www.apia.org.ro

Member State	Quantities made available for sale on the Community market (tonnes)				Intervention Agency Name, address and contact details
	Common wheat	Barley	Maize	Rye	
Slovenija	—	—	—	—	Agencija Republike Slovenije za kmetijske trge in razvoj podeželja Dunajska 160, SI-1000 Ljubljana Tel. (386-1) 580 76 52 Fax (386-1) 478 92 00 E-mail: aktrp@gov.si Website: www.arsktrp.gov.si
Slovensko	0	0	227 699	—	Pôdohospodárska platobná agentúra Oddelenie obilnín a škrobu Dobrovičova 12 815 26 Bratislava Tel. (421-2) 58 24 32 71 Fax (421-2) 53 41 26 65 E-mail: jvargova@apa.sk Website: www.apa.sk
Suomi/Finland	30 000	95 332	—	—	Maa- ja metsätalousministeriö (MMM) Interventioyksikkö – Intervention Unit Malminkatu 16, Helsinki PL 30 FIN-00023 Valtioneuvosto Tel. (358-9) 160 01 Fax (358-9) 1605 27 72 (358-9) 1605 27 78 E-mail: intervention.unit@mmm.fi Website: www.mmm.fi
Sverige	172 272	58 004	—	—	Statens jordbruksverk S-551 82 Jönköping Tel. (46) 36 15 50 00 Fax (46) 36 19 05 46 E-mail: jordbruksverket@sjv.se Website: www.sjv.se
United Kingdom	—	24 825	—	—	Rural Payments Agency Lancaster House Hampshire Court Newcastle upon Tyne NE4 7YH United Kingdom Tel. (44) 191 226 5882 Fax (44) 191 226 5824 E-mail: cerealsintervention@rpa.gsi.gov.uk Website: www.rpa.gov.uk

“—” means no intervention stock of this cereal in this Member State.’

COMMISSION REGULATION (EC) No 92/2007**of 30 January 2007****fixing a complementary quantity of raw cane sugar originating in the ACP States and India for supply to refineries for the marketing year 2006/07**

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 of Article 29(4),

of 82 500 tonnes to meet the most urgent supply needs for the first months of the 2006/07 marketing year. As there will be no withdrawal of sugar from the market in accordance with Article 19 of Regulation (EC) No 318/2006, the traditional supply need of sugar for refining, as referred to in Article 29(1) of that Regulation, will not be reduced. Moreover, the Portuguese sugar quota has been reduced by more than 50 % in the marketing year 2006/07. Therefore, in accordance with Article 29(2)(b) of Regulation (EC) No 318/2006, the traditional supply need fixed for Portugal under Article 29(1) of that Regulation is to be increased by a supplementary 35 000 tonnes.

Whereas:

(1) Article 29(4) of Regulation (EC) No 318/2006 lays down that, during the 2006/07, 2007/08 and 2008/09 marketing years and in order to ensure adequate supply to Community refineries, import duties on a complementary quantity of imports of raw cane sugar originating in the States referred to in Annex VI to that Regulation are to be suspended.

(2) That complementary quantity should be calculated in accordance with Article 19 of Commission Regulation (EC) No 950/2006 of 28 June 2006 laying down detailed rules of application for the 2006/07, 2007/08 and 2008/09 marketing years for the import and refining of sugar products under certain tariff quotas and preferential agreements ⁽²⁾, on the basis of an exhaustive Community forecast supply balance for raw sugar. For the 2006/07 marketing year, the balance indicated the need to import a complementary quantity of raw sugar so that the Community refineries' supply needs can be met.

(3) Commission Regulation (EC) No 1249/2006 of 18 August 2006 fixing the complementary quantity of raw cane sugar originating in the ACP States and India for supply to refineries in the period from 1 July 2006 to 30 September 2007 ⁽³⁾ fixed a first complementary quantity

(4) To ensure an adequate supply of the refineries in the Community, it is therefore appropriate to fix a supplementary quantity of complementary sugar of 120 000 tonnes for the marketing year 2006/07.

(5) This adequate supply of the refineries can only be guaranteed if the traditional export agreements between the beneficiary countries are respected. Therefore a breakdown between the beneficiary countries or group of countries is needed. For India, the quantities fixed in Regulation (EC) No 1249/2006 correspond already to the traditional import quantity. Therefore a limited quantity of 3 500 tonnes is opened for India. The remaining quantities should be fixed for the ACP States, which have collectively undertaken to implement between themselves procedures for the allocation of the quantities in order to ensure the appropriate supply of the refineries.

(6) Prior to the import of this complementary sugar, the refiners need to make supply and shipping arrangements with the beneficiary countries and trade. In order to allow them to prepare for the application for import licences in due time, it is appropriate to provide for the entry into force of this Regulation as from the date of its publication.

(7) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

⁽¹⁾ OJ L 58, 28.2.2006, p. 1. Regulation as last amended by Regulation (EC) No 2011/2006 (OJ L 384, 29.12.2006, p. 1).

⁽²⁾ OJ L 178, 1.7.2006, p. 1. Regulation as last amended by Regulation (EC) No 2031/2006 (OJ L 414, 30.12.2006, p. 43).

⁽³⁾ OJ L 227, 19.8.2006, p. 22.

HAS ADOPTED THIS REGULATION:

Article 1

In addition to the quantities laid down in Regulation (EC) No 1249/2006, a complementary quantity of 120 000 tonnes of complementary raw cane sugar in white-sugar equivalent is fixed for the marketing year 2006/07:

- (a) 116 500 tonnes expressed as white-sugar originating in the States listed in Annex VI to Regulation (EC) No 318/2006 except India;
- (b) 3 500 tonnes expressed as white-sugar originating in India.

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, 30 January 2007.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

COMMISSION REGULATION (EC) No 93/2007**of 30 January 2007****amending Regulation (EC) No 2099/2002 of the European Parliament and of the Council establishing a Committee on Safe Seas and the Prevention of Pollution from Ships (COSS)****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 2099/2002 of the European Parliament and the Council of 5 November 2002 establishing a Committee on Safe Seas and the Prevention of Pollution from Ships (COSS) and amending the Regulations on maritime safety and the prevention of pollution from ships ⁽¹⁾, and in particular Article 7 thereof,

Whereas:

- (1) Regulation (EC) No 2099/2002 has established the Committee on Safe Seas and the Prevention of Pollution from Ships (COSS).
- (2) The role of the COSS is to centralise the tasks of the committees set up under the Community legislation on maritime safety, the prevention of pollution from ships and the protection of shipboard living and working conditions.
- (3) All new Community legislation adopted in the field of maritime safety should provide for recourse to the COSS.
- (4) Article 7 of Regulation (EC) No 789/2004 of the European Parliament and of the Council of 21 April 2004 on the transfer of cargo and passenger ships between registers within the Community and repealing Council Regulation (EEC) No 613/91 ⁽²⁾, Article 13 of Directive 2005/35/EC of the European Parliament and of the Council of 7 September 2005 on ship-source pollution and on the introduction of penalties for infringements ⁽³⁾ and Article 12 of Regulation (EC) No

336/2006 of the European Parliament and the Council of 15 February 2006 on the implementation of the International Safety Management Code within the Community and repealing Council Regulation (EC) No 3051/95 ⁽⁴⁾ provides that the Commission shall be assisted by the COSS for the implementation of those Regulations.

- (5) Regulation (EC) No 2099/2002 should therefore be amended accordingly.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Committee on Safe Seas and the Prevention of Pollution from Ships (COSS),

HAS ADOPTED THIS REGULATION:

Article 1

The following points shall be added to Article 2(2) of Regulation (EC) No 2099/2002:

- '(t) Regulation (EC) No 789/2004 of the European Parliament and of the Council of 21 April 2004 on the transfer of cargo and passenger ships between registers within the Community and repealing Council Regulation (EEC) No 613/91 (*);
- (u) Directive 2005/35/EC of the European Parliament and of the Council of 7 September 2005 on ship-source pollution and on the introduction of penalties for infringements (**);
- (v) Regulation (EC) No 336/2006 of the European Parliament and of the Council of 15 February 2006 on the implementation of the International Safety Management Code within the Community and repealing Council Regulation (EC) No 3051/95 (***)

(*) OJ L 138, 30.4.2004, p. 19.

(**) OJ L 255, 30.9.2005, p. 11.

(***) OJ L 64, 4.3.2006, p. 1.

⁽¹⁾ OJ L 324, 29.11.2002, p. 1. Regulation as amended by Commission Regulation (EC) No 415/2004 (OJ L 68, 6.3.2004, p. 10).

⁽²⁾ OJ L 138, 30.4.2004, p. 19.

⁽³⁾ OJ L 255, 30.9.2005, p. 11.

⁽⁴⁾ OJ L 64, 4.3.2006, p. 1.

Article 2

This Regulation shall enter into force on the day following 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, 30 January 2007.

For the Commission
Jacques BARROT
Vice-President

II

(Acts adopted under the EC Treaty/Euratom Treaty whose publication is not obligatory)

DECISIONS

COUNCIL

COUNCIL DECISION

of 30 January 2007

authorising Romania to apply a reduced rate of VAT to certain labour-intensive services referred to in Article 106 of Directive 2006/112/EC

(2007/50/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to the 2005 Treaty of Accession⁽¹⁾, and in particular Article 4(3) thereof,

Having regard to the 2005 Act of Accession⁽²⁾, and in particular Article 55 thereof,

Having regard to Council Directive 2006/112/EC of 28 November 2006 on the common system of value added tax⁽³⁾, and in particular Article 106 thereof,

Having regard to the proposal from the Commission,

Whereas:

(1) The Council may authorise Member States to apply a reduced rate of VAT to certain labour-intensive services, which must meet the conditions provided for in Directive 2006/112/EC and be included in the list given in Annex IV thereto.

(2) Directive No 2006/112/EC extended the period of application of the reduced rates of VAT until 31 December 2010. It enables Member States, both those wishing to avail themselves for the first time of the facility provided for, and those wishing to change the list of services to

which they have applied the said provision in the past, to submit their request to the Commission.

(3) This is intended to make it possible for all Member States to take part under the same conditions in the trial of reduced rates for labour-intensive services. It is therefore appropriate to grant the acceding States, from their accession to the European Union, the same possibility of applying a reduced rate of VAT to certain labour-intensive services.

(4) By letter dated 31 March 2006, Romania submitted a request to apply a reduced rate of VAT to certain labour-intensive services covered by the said trial.

(5) To ensure equality among the Member States, this Decision should apply from the date of entry into force of the Treaty of Accession of Bulgaria and Romania.

(6) This Decision will have no impact on the Communities' own resources derived from VAT,

HAS ADOPTED THIS DECISION:

Article 1

Under Article 55 of the 2005 Act of Accession, read in conjunction with Articles 106 and 108 of Directive 2006/112/EC, Romania is authorised to apply, from the entry into force of the 2005 Treaty of Accession until 31 December 2010, the reduced rates provided for in Article 98 to the following services, referred to in points 1 and 4 of Annex IV to Directive 2006/112/EC:

⁽¹⁾ OJ L 157, 21.6.2005, p. 11.

⁽²⁾ OJ L 157, 21.6.2005, p. 203.

⁽³⁾ OJ L 347, 11.12.2006, p. 1. Directive as amended by Directive No 2006/138/EC (OJ L 384, 29.12.2006, p. 92).

(a) minor services of repairing clothing and household linen
(including mending and alteration);

Article 3

This Decision is addressed to Romania.

(b) domestic care services.

Done at Brussels, 30 January 2007.

Article 2

This Decision shall apply from the date of entry into force of the 2005 Treaty of Accession, and shall cease to have effect on 31 December 2010.

For the Council

The President

P. STEINBRÜCK
