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Contents

I *Acts whose publication is obligatory*

Commission Regulation (EEC) No 775/86 of 17 March 1986 fixing the import levies on cereals and on wheat or rye flour, groats and meal	1
Commission Regulation (EEC) No 776/86 of 17 March 1986 fixing the premiums to be added to the import levies on cereals, flour and malt	3
Commission Regulation (EEC) No 777/86 of 14 March 1986 on the supply of various lots of skimmed-milk powder as food aid	6
* Commission Regulation (EEC) No 778/86 of 14 March 1986 amending Regulation (EEC) No 1767/82 as regards imports of certain cheeses from Finland and Norway	21
Commission Regulation (EEC) No 779/86 of 17 March 1986 fixing the import levies on white sugar and raw sugar	24
* Council Regulation (EEC) No 780/86 of 24 February 1986 concerning the conclusion of the Agreement between the European Economic Community and the Government of the Democratic Republic of Madagascar on fishing off the coast of Madagascar	25
Agreement between the European Economic Community and the Government of the Democratic Republic of Madagascar on fishing off Madagascar	26
Protocol 1 between the European Economic Community and the Government of the Democratic Republic of Madagascar on tuna fishing	31
Protocol 2 between the European Economic Community and the Government of the Democratic Republic of Madagascar on types of fishing other than those covered by Protocol 1	32

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 775/86**of 17 March 1986****fixing the import levies on cereals and on wheat or rye flour, groats and meal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 3793/85 ⁽²⁾, and in particular Article 13 (5) thereof,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy ⁽³⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 720/86 ⁽⁴⁾ and subsequent amending Regulations;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central

rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85,

- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

Whereas these exchange rates being those recorded on 14 March 1986;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 720/86 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 18 March 1986.

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

Done at Brussels, 17 March 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 367, 31. 12. 1985, p. 19.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 65, 7. 3. 1986, p. 31.

ANNEX

to the Commission Regulation of 17 March 1986 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CCT heading No	Description	Levies (ECU/tonne)	
		Portugal	Third country
10.01 B I	Common wheat, and meslin	—	164,18
10.01 B II	Durum wheat	15,06	216,33 ⁽¹⁾ ⁽²⁾
10.02	Rye	35,50	150,42 ⁽⁴⁾
10.03	Barley	30,24	152,98
10.04	Oats	71,14	138,29
10.05 B	Maize, other than hybrid maize for sowing	—	145,94 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	—	0
10.07 B	Millet	30,24	77,90 ⁽⁴⁾
10.07 C	Grain sorghum	—	143,46 ⁽⁴⁾
10.07 D I	Triticale	—	⁽⁷⁾
10.07 D II	Canary seed ; other cereals	—	0 ⁽²⁾
11.01 A	Wheat or meslin flour	—	245,54
11.01 B	Rye flour	64,67	225,56
11.02 A I a)	Durum wheat groats and meal	37,01	348,98
11.02 A I b)	Common wheat groats and meal	—	263,01

⁽¹⁾ Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by 0,60 ECU/tonne.

⁽²⁾ In accordance with Regulation (EEC) No 486/85 the levies are not applied to imports into the French overseas departments of products originating in the African, Caribbean and Pacific States or in the 'overseas countries and territories'.

⁽³⁾ Where maize originating in the ACP or OCT is imported into the Community the levy is reduced by 1,81 ECU/tonne.

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

⁽⁵⁾ Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by 0,60 ECU/tonne.

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

⁽⁷⁾ The levy applicable to rye shall be charged on imports of the product falling within subheading 10.07 D I (triticale).

COMMISSION REGULATION (EEC) No 776/86

of 17 March 1986

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 3793/85 ⁽²⁾, and in particular Article 15 (6) thereof,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy ⁽³⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 2160/85 ⁽⁴⁾ and subsequent amending Regulations;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in

the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85,

- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

Whereas these exchange rates being those recorded on 14 March 1986;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 18 March 1986.

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

Done at Brussels, 17 March 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 367, 31. 12. 1985, p. 19.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 203, 1. 8. 1985, p. 11.

ANNEX I

to the Commission Regulation of 17 March 1986 fixing the premiums to be added to the import levies on cereals, flour and malt from Portugal

A. Cereals and flour

(ECU/tonne)					
CCT heading No	Description	Current 3	1st period 4	2nd period 5	3rd period 6
10.01 B I	Common wheat, and meslin	0	0	0	0
10.01 B II	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

(ECU/tonne)						
CCT heading No	Description	Current 3	1st period 4	2nd period 5	3rd period 6	4th period 7
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 B	Roasted malt	0	0	0	0	0

ANNEX II

to the Commission Regulation of 17 March 1986 fixing the premiums to be added to the import levies on cereals, flour and malt from third countries

A. Cereals and flour

CCT heading No	Description	(ECU/tonne)			
		Current 3	1st period 4	2nd period 5	3rd period 6
10.01 B I	Common wheat, and meslin	0	0	0	0
10.01 B II	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	2,14	2,14	2,14
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	2,12	2,12	0,64
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	7,59	7,59	7,59
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

CCT heading No	Description	(ECU/tonne)				
		Current 3	1st period 4	2nd period 5	3rd period 6	4th period 7
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	3,81	3,81	3,81	3,81
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	2,85	2,85	2,85	2,85
11.07 B	Roasted malt	0	3,32	3,32	3,32	3,32

COMMISSION REGULATION (EEC) No 777/86
of 14 March 1986
on the supply of various lots of skimmed-milk powder as food aid

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

Having regard to Council Regulation (EEC) No 3331/82 of 3 December 1982 on food-aid policy and food-aid management and amending Regulation (EEC) No 2750/75⁽¹⁾, and in particular the first subparagraph of Article 3 (1) thereof,

Having regard to Council Regulation (EEC) No 457/85 of 19 February 1985 laying down implementing rules for 1985 for Regulation (EEC) No 3331/82 on food-aid policy and food-aid management⁽²⁾,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽³⁾, as last amended by Regulation (EEC) No 3768/85⁽⁴⁾, and in particular Article 7 (5) thereof,

Whereas, following the taking of a number of decisions on the allocation of food aid, the Commission has allocated to certain countries and beneficiary organizations 4 806 tonnes of skimmed-milk powder to be supplied fob, cif or free at destination;

Whereas, therefore, supply should be effected in accordance with the rules laid down in Commission Regulation

(EEC) No 1354/83 of 17 May 1983 laying down general rules for the mobilization and supply of skimmed-milk powder, butter and butteroil as food aid⁽⁵⁾, as last amended by Regulation (EEC) No 3826/85⁽⁶⁾; whereas, in particular, the periods and terms for supply and the procedure to be used to determine the costs arising therefrom should be laid down;

Whereas 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 intervention agencies shall, in accordance with the provisions of Regulation (EEC) No 1354/83, supply skimmed-milk powder as food aid on the special terms set out in the Annex.

Article 2

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

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

Done at Brussels, 14 March 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 352, 14. 12. 1982, p. 1.

⁽²⁾ OJ No L 54, 23. 2. 1985, p. 1.

⁽³⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽⁴⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽⁵⁾ OJ No L 142, 1. 6. 1983, p. 1.

⁽⁶⁾ OJ No L 371, 31. 12. 1985, p. 1.

ANNEX

Notice of invitation to tender⁽¹⁾

Description of the lot	A
1. Programme :	1985
(a) legal basis	Council Regulation (EEC) No 457/85
(b) purpose	Commission Decision of 6 May 1985
2. Recipient	WFP
3. Country of destination	Mozambique
4. Stage and place of delivery	fob
5. Representative of the recipient ^{(2) (3)}	—
6. Total quantity	400 tonnes
7. Origin of the skimmed-milk powder	Intervention stock
8. Intervention agency holding the stocks	German
9. Specific characteristics	Entry into intervention stock after 1 September 1985
10. Packaging	25 kg
11. Supplementary markings on the packaging	'MOÇAMBIQUE 0247701 / ACÇÃO DO PROGRAMA ALIMENTAR MUNDIAL / MAPUTO'
12. Shipment period	Before 15 May 1986
13. Closing date for the submission of tenders	7 April 1986
14. In the case of a second invitation to tender pursuant to Article 14 (2) of Regulation (EEC) No 1354/83 :	
(a) shipment period	Before 31 May 1986
(b) closing date for the submission of tenders	21 April 1986
15. Miscellaneous	(⁴)

Description of the lot	B
<p>1. Programme :</p> <p> (a) legal basis</p> <p> (b) purpose</p> <p>2. Recipient</p> <p>3. Country of destination</p> <p>4. Stage and place of delivery</p> <p>5. Representative of the recipient</p> <p>6. Total quantity</p> <p>7. Origin of the skimmed-milk powder</p> <p>8. Intervention agency holding the stocks</p> <p>9. Specific characteristics</p> <p>10. Packaging</p> <p>11. Supplementary markings on the packaging</p> <p>12. Shipment period</p> <p>13. Closing date for the submission of tenders</p> <p>14. In the case of a second invitation to tender pursuant to Article 14 (2) of Regulation (EEC) No 1354/83 :</p> <p> (a) shipment period</p> <p> (b) closing date for the submission of tenders</p> <p>15. Miscellaneous</p>	<p>1985</p> <p>Council Regulation (EEC) No 457/85</p> <p>Commission Decision of 15 November May 1985</p> <p>Republic of Mali</p> <p>Mali</p> <p>Free-at-destination Bamako</p> <p>Union laitière de Bamako, (telex 553 SADABKO)</p> <p>Route de Sotuba, BP 20, Bamako, Mali</p> <p>500 tonnes</p> <p>Intervention stock</p> <p>German</p> <p>Entry into intervention stock after 1 September 1985</p> <p>25 kg</p> <p>'À LA RÉPUBLIQUE DU MALI'</p> <p>Before 15 May 1986</p> <p>7 April 1986</p> <p>Before 31 May 1986</p> <p>21 April 1986</p> <p>(*)</p>

Description of the lot	C
1. Programme :	1985
(a) legal basis	Council Regulation (EEC) No 457/85
(b) purpose	Commission Decision of 6 May 1985
2. Recipient	WFP
3. Country of destination	Senegal
4. Stage and place of delivery	fob
5. Representative of the recipient ⁽²⁾ ⁽³⁾	—
6. Total quantity	29 tonnes
7. Origin of the skimmed-milk powder	Community market
8. Intervention agency	Belgian
9. Specific characteristics	Annex I B of Regulation (EEC) No 1354/83
10. Packaging	25 kg
11. Supplementary markings on the packaging	'SÉNÉGAL 0234401 / ACTION DU PROGRAMME ALIMENTAIRE MONDIAL / DAKAR'
12. Shipment period	Before 15 April 1986
13. Closing date for the submission of tenders	—
14. In the case of a second invitation to tender pursuant to Article 14 (2) of Regulation (EEC) No 1354/83 :	
(a) shipment period	—
(b) closing date for the submission of tenders	—
15. Miscellaneous	The costs of supply are determined by the Belgian intervention agency in accordance with Article 15 of Regulation (EEC) No 1354/83 ^(*) ⁽²⁾

Description of the lot	D
1. Programme : (a) legal basis (b) purpose	1985 Council Regulation (EEC) No 457/85 Commission Decision of 6 May 1985
2. Recipient	WFP
3. Country of destination	Botswana
4. Stage and place of delivery	fob
5. Representative of the recipient ⁽²⁾ ⁽³⁾	—
6. Total quantity	14 tonnes
7. Origin of the skimmed-milk powder	Community market
8. Intervention agency	Dutch
9. Specific characteristics	Annex I B of Regulation (EEC) No 1354/83
10. Packaging	25 kg
11. Supplementary markings on the packaging	'BOTSWANA 0247800 / ACTION OF THE WORLD FOOD PROGRAMME / DURBAN IN TRANSIT TO FRANCISTOWN'
12. Shipment period	Before 15 April 1986
13. Closing date for the submission of tenders	—
14. In the case of a second invitation to tender pursuant to Article 14 (2) of Regulation (EEC) No 1354/83 :	
(a) shipment period	—
(b) closing date for the submission of tenders	—
15. Miscellaneous	The costs of supply are determined by the Dutch intervention agency in accordance with Article 15 of Regulation (EEC) No 1354/83 (*)

Description of the lot	E
1. Programme :	1985
(a) legal basis	Council Regulation (EEC) No 457/85
(b) purpose	Commission Decision of 6 May 1985
2. Recipient	WFP
3. Country of destination	Guinea
4. Stage and place of delivery	fob
5. Representative of the recipient (*) (*)	—
6. Total quantity	15 tonnes
7. Origin of the skimmed-milk powder	Intervention stock
8. Intervention agency holding the stocks	German
9. Specific characteristics	Entry into intervention stock after 1 September 1985
10. Packaging	25 kg
11. Supplementary markings on the packaging	'GUINÉE CONAKRY 0267400 / ACTION DU PROGRAMME ALIMENTAIRE MONDIAL / CONAKRY'
12. Shipment period	Before 15 April 1986
13. Closing date for the submission of tenders	—
14. In the case of a second invitation to tender pursuant to Article 14 (2) of Regulation (EEC) No 1354/83 :	
(a) shipment period	—
(b) closing date for the submission of tenders	—
15. Miscellaneous	The costs of supply are determined by the German intervention agency in accordance with Article 15 of Regulation (EEC) No 1354/83 (*) (*)

Description of the lot	F
1. Programme :	1985
(a) legal basis	Council Regulation (EEC) No 457/85
(b) purpose	Commission Decision of 6 June 1985
2. Recipient	} Honduras
3. Country of destination	
4. Stage and place of delivery	
5. Representative of the recipient	fob
	Ambassade du Honduras (M. Zapata), 3, avenue des Gaulois, B-1040 Bruxelles (tel. 734 00 00)
6. Total quantity	800 tonnes
7. Origin of the skimmed-milk powder	Intervention stock
8. Intervention agency holding the stocks	United Kingdom
9. Specific characteristics	Entry into intervention stock after 1 June 1985
10. Packaging	25 kg ⁽⁶⁾
11. Supplementary markings on the packaging	'LECHE EN POLVO DESCREMADA / DONACIÓN DE LA COMUNIDAD ECONÓMICA EUROPEA A HONDURAS'
12. Shipment period	Before 15 May 1986
13. Closing date for the submission of tenders	7 April 1986
14. In the case of a second invitation to tender pursuant to Article 14 (2) of Regulation (EEC) No 1354/83 :	
(a) shipment period	Before 31 May 1986
(b) closing date for the submission of tenders	21 April 1986
15. Miscellaneous	^(*) ⁽⁹⁾

Description of the lot	G
1. Programme :	1985
(a) legal basis	Council Regulation (EEC) No 457/85
(b) purpose	Commission Decision of 6 May 1985
2. Recipient	ICRC
3. Country of destination	Nicaragua
4. Stage and place of delivery	cif Corinto
5. Representative of the recipient ⁽²⁾ ⁽³⁾	—
6. Total quantity	100 tonnes
7. Origin of the skimmed-milk powder	Community market
8. Intervention agency	United Kingdom
9. Specific characteristics	Annex I B of Regulation (EEC) No 1354/83 ⁽⁷⁾
10. Packaging	25 kg following point 4.2 of Annex I B of Regulation (EEC) No 1354/83
11. Supplementary markings on the packaging	A red cross 10 × 10 cm and :
	'NIC-137 / ACCIÓN DEL COMITÉ INTERNACIONAL DE LA CRUZ ROJA /
	CORINTO'
12. Shipment period	Before 15 April 1986
13. Closing date for the submission of tenders	—
14. In the case of a second invitation to tender pursuant to Article 14 (2) of Regulation (EEC) No 1354/83 :	
(a) shipment period	—
(b) closing date for the submission of tenders	—
15. Miscellaneous	The costs of supply are determined by the United Kingdom intervention agency in accordance with Article 15 of Regulation (EEC) No 1354/83 ⁽⁴⁾ ⁽⁵⁾

Description of the lot	H
1. Programme :	1985
(a) legal basis	Council Regulation (EEC) No 457/85
(b) purpose	Commission Decision of 6 May 1985
2. Recipient	WFP
3. Country of destination	Indonesia
4. Stage and place of delivery	fob
5. Representative of the recipient ^(*) ^(*)	—
6. Total quantity	100 tonnes
7. Origin of the skimmed-milk powder	Community market
8. Intervention agency	French
9. Specific characteristics	Annex I B of Regulation (EEC) No 1354/83
10. Packaging	25 kg
11. Supplementary markings on the packaging	'INDONESIA 0259700 / ACTION OF THE WORLD FOOD PROGRAMME / KENDARI'
12. Shipment period	Before 15 April 1986
13. Closing date for the submission of tenders	—
14. In the case of a second invitation to tender pursuant to Article 14 (2) of Regulation (EEC) No 1354/83 :	
(a) shipment period	—
(b) closing date for the submission of tenders	—
15. Miscellaneous	The costs of supply are determined by the French intervention agency in accordance with Article 15 of Regulation (EEC) No 1354/83 ^(*) ^(*) ^(*)

Description of the lot	I
1. Programme :	1985
(a) legal basis	Council Regulation (EEC) No 457/85
(b) purpose	Commission Decision of 20 December 1985
2. Recipient	WFP
3. Country of destination	—
4. Stage and place of delivery	Free warehouse of Huybregts Europa Transport, Gooikensdam 1, NL-4905 BM Oosterhout (telex 54628, tel. 01620/27922)
5. Representative of the recipient (?) (?)	—
6. Total quantity	150 tonnes
7. Origin of the skimmed-milk powder	Community market
8. Intervention agency	Dutch
9. Specific characteristics	Annex I B of Regulation (EEC) No 1354/83
10. Packaging	25 kg
11. Supplementary markings on the packaging	'ACTION OF THE WORLD FOOD PROGRAMME'
12. Delivery period	Before 15 April 1986
13. Closing date for the submission of tenders	—
14. In the case of a second invitation to tender pursuant to Article 14 (2) of Regulation (EEC) No 1354/83 :	
(a) shipment period	—
(b) closing date for the submission of tenders	—
15. Miscellaneous	The costs of supply are determined by the Dutch intervention agency in accordance with Article 15 of Regulation (EEC) No 1354/83 (?)

Description of the lot	K
1. Programme :	1985
(a) legal basis	Council Regulation (EEC) No 457/85
(b) purpose	Commission Decision of 20 December 1985
2. Recipient	WFP
3. Country of destination	Mexico
4. Stage and place of delivery	fob
5. Representative of the recipient ⁽²⁾ ⁽³⁾	—
6. Total quantity	562 tonnes
7. Origin of the skimmed-milk powder	Intervention stock
8. Intervention agency holding the stocks	German
9. Specific characteristics	Entry into intervention stock after 15 September 1985
10. Packaging	25 kg
11. Supplementary markings on the packaging	'MÉXICO 0144600 / DESPACHADO POR EL PROGRAMA MUNDIAL DE ALIMENTOS / COATZACOALCOS'
12. Shipment period	Before 15 May 1986
13. Closing date for the submission of tenders	7 April 1986
14. In the case of a second invitation to tender pursuant to Article 14 (2) of Regulation (EEC) No 1354/83 :	
(a) shipment period	Before 31 May 1986
(b) closing date for the submission of tenders	21 April 1986
15. Miscellaneous	⁽⁴⁾ ⁽⁵⁾ ⁽⁶⁾ ⁽⁹⁾ ⁽¹⁰⁾

Description of the lot	L
1. Programme :	1985
(a) legal basis	Council Regulation (EEC) No 457/85
(b) purpose	Commission Decision of 6 May 1985
2. Recipient	WFP
3. Country of destination	Nicaragua
4. Stage and place of delivery	fob
5. Representative of the recipient (?) (?)	—
6. Total quantity	1 400 tonnes
7. Origin of the skimmed-milk powder	Intervention stock
8. Intervention agency holding the stocks	United Kingdom
9. Specific characteristics	Entry into intervention stock after 1 June 1985
10. Packaging	25 kg
11. Supplementary markings on the packaging	'NICARAGUA 0259301 / DESPACHADO POR EL PROGRAMA MUNDIAL DE ALIMENTOS / CORINTO'
12. Shipment period	Before 31 May 1986
13. Closing date for the submission of tenders	7 April 1986
14. In the case of a second invitation to tender pursuant to Article 14 (2) of Regulation (EEC) No 1354/83 :	
(a) shipment period	Before 15 June 1986
(b) closing date for the submission of tenders	21 April 1986
15. Miscellaneous	(*) (?) (?)

Description of the lot	M
1. Programme : (a) legal basis (b) purpose	1985 Council Regulation (EEC) No 457/85 Commission Decision of 6 May 1985
2. Recipient	WFP
3. Country of destination	Nicaragua
4. Stage and place of delivery	fob
5. Representative of the recipient ^(?) ^(?)	—
6. Total quantity	444 tonnes
7. Origin of the skimmed-milk powder	Community market confined to Ireland, United Kingdom and Denmark
8. Intervention agency	—
9. Specific characteristics	Annex I B of Regulation (EEC) No 1354/83
10. Packaging	25 kg following point 4.2 of Annex I B of Regulation (EEC) No 1354/83
11. Supplementary markings on the packaging	'NICARAGUA 0253601 / DESPACHADO POR EL PROGRAMA MUNDIAL DE ALIMENTOS / CORINTO'
12. Shipment period	Before 15 May 1986
13. Closing date for the submission of tenders	7 April 1986
14. In the case of a second invitation to tender pursuant to Article 14 (2) of Regulation (EEC) No 1354/83 :	
(a) shipment period	Before 31 May 1986
(b) closing date for the submission of tenders	21 April 1986
15. Miscellaneous	(*) (?) (?)

Description of the lot	N
1. Programme : (a) legal basis (b) purpose 2. Recipient 3. Country of destination 4. Stage and place of delivery 5. Representative of the recipient ⁽²⁾ ⁽³⁾ 6. Total quantity 7. Origin of the skimmed-milk powder 8. Intervention agency holding the stocks 9. Specific characteristics 10. Packaging 11. Supplementary markings on the packaging 12. Shipment period 13. Closing date for the submission of tenders 14. In the case of a second invitation to tender pursuant to Article 14 (2) of Regulation (EEC) No 1354/83 : (a) shipment period (b) closing date for the submission of tenders 15. Miscellaneous	1985 Council Regulation (EEC) No 457/85 Commission Decision of 6 May 1985 WFP Nicaragua fob — 292 tonnes Intervention stock United Kingdom Entry into intervention stock after 15 June 1985 25 kg 'NICARAGUA 0276600 / DESPACHADO POR EL PROGRAMA MUNDIAL DE ALIMENTOS / CORINTO' Before 15 May 1986 7 April 1986 Before 31 May 1986 21 April 1986 (*) (?) (?)

Notes

- (¹) This Annex, together with the notice published in *Official Journal of the European Communities* No C 208 of 4 August 1983, page 9, shall serve as notice of invitation to tender.
 - (²) See the list published in *Official Journal of the European Communities* No C 229 of 26 August 1983, page 2.
 - (³) The successful tenderer shall make immediate contact with the beneficiary to determine the necessary shipping papers.
 - (⁴) Commission delegate to be contacted by the successful tenderer : see list published in *Official Journal of the European Communities* No C 227 of 7 September 1985, page 4.
 - (⁵) Veterinary certificate issued by an official entity stating that the product was processed with pasteurized milk, coming from healthy animals, processed under excellent sanitary conditions which are supervised by qualified technical personnel and that the area of production of raw milk had not registered foot-and-mouth disease nor any other notifiable infectious/contagious disease during the 90 days prior to the processing.
 - (⁶) To be delivered on standard pallets — 40 bags each pallet — wrapped in plastic shrink cover.
 - (⁷) The milk must have undergone ultra-high-temperature treatment (148 °C for three seconds). A certificate to that effect is required.
 - (⁸) The successful tenderer shall give the beneficiaries' representatives, at the time of delivery, a certificate of origin.
 - (⁹) The successful tenderer shall give the beneficiaries' representative, at the time of delivery, a health certificate.
 - (¹⁰) The certificates specified in (⁵), (⁸) and (⁹) above must be attested by the Mexican Consulate.
-

COMMISSION REGULATION (EEC) No 778/86
of 14 March 1986
amending Regulation (EEC) No 1767/82 as regards imports of certain cheeses
from Finland and Norway

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 3768/85 ⁽²⁾, and in particular Article 14 (7) thereof,

Whereas Annex II to Council Regulation (EEC) No 2915/79 of 18 December 1979 determining the groups of products and the special provisions for calculating levies on milk and milk products and amending Regulation (EEC) No 950/68 on the Common Customs Tariff ⁽³⁾, as last amended by Regulation (EEC) No 3679/85 ⁽⁴⁾, lays down, *inter alia*, annual tariff quotas for cheeses which may be imported from Finland and Norway;

Whereas, as a result of the conclusion of new arrangements between the Community and these third countries on trade in cheese, Regulation (EEC) No 2915/79 has

been amended; whereas Annexes I, III and IV of Commission Regulation (EEC) No 1767/82 of 1 July 1982 laying down detailed rules for applying specific import levies on certain milk products ⁽⁵⁾, as last amended by Regulation (EEC) No 1821/85 ⁽⁶⁾, should, accordingly, be altered;

Whereas 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

1. In Annex I Regulation (EEC) No 1767/82 is hereby amended as follows: the description appearing under c), h), q), r) and s) and the levy in ECU per 100 kg net weight appearing under s) are hereby replaced by the following:

CCT heading No	Description	Country of origin	Import Levy in ECU per 100 kg net weight
(c) ex 04.04 A	<p>Emmentaler, Gruyère, Sbrinz and Bergkäse, not grated or powdered, of a minimum fat content of 45 % by weight, in the dry matter, matured for at least three months:</p> <p>— Whole cheeses with rind (1) (a), within the limit of an annual tariff quota of:</p> <p style="margin-left: 40px;">(a) 5 000 tonnes originating in Austria;</p> <p style="margin-left: 40px;">(b) 6 850 tonnes, including the consignment of Finlandia referred to under q), originating in Finland;</p> <p>— Pieces packed in vacuum or in inert gas, with rind (1) (a) on at least one side of a net weight of not less than 1 kg but less than 5 kg, within the limit of an annual tariff quota of:</p> <p style="margin-left: 40px;">(a) 300 tonnes, originating in Austria;</p> <p style="margin-left: 40px;">(b) 1 700 tonnes originating in Finland.</p> <p>The quantities referred to in the first and second indents under (b) are interchangeable within the limit of 25 % of the stated quantities.</p>	Austria Finland	18,13

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽³⁾ OJ No L 329, 24. 12. 1979, p. 1.

⁽⁴⁾ OJ No L 351, 28. 12. 1985, p. 2.

⁽⁵⁾ OJ No L 196, 5. 7. 1982, p. 1.

⁽⁶⁾ OJ No L 172, 2. 7. 1985, p. 6.

CCT heading No	Description	Country of origin	Import Levy in ECU per 100 kg net weight
(h) ex 04.04 D	Processed cheese, not grated or powdered, in the blending of which only Emmentaler, Gruyère and Appenzell have been used and which may contain, as an addition, Glarus herb cheese (known as Schabziger), put up for retail sale (*) and of a fat content not exceeding 56 % by weight, in the dry matter, within the limit of an annual tariff quota of : (a) 3 700 tonnes, originating in Austria, (b) 700 tonnes originating in Finland, including the Tilsit, Turunmaa and Lappi cheeses referred to under s).	Austria Finland	36,27
(q) ex 04.04 E I b) 2	Finlandia, of a minimum fat content of 45 % by weight, in the dry matter, matured for at least 100 days, in rectangular blocks of a net weight of not less than 30 kg, originating in Finland, within the limit of an annual tariff quota of 3 000 tonnes. Quantities of this product which are not imported may be replaced by corresponding quantities of cheeses appearing under (c) 1b)	Finland	18,13
(r) ex 04.04 E I b) 2	— Jarlsberg, of a minimum fat content of 45 % by weight, in the dry matter, and of a dry matter content by weight of not less than 56 %, matured for at least three months : — Whole cheeses with rind, of between 8 kg and 12 kg, — Rectangular blocks of a net weight not exceeding 7 kg (?) — Pieces packed in vacuum or in inert gas, of a net weight of not less than 150 g but not exceeding 1 kg (?) — Ridder, of a minimum fat content of 60 % by weight, in the dry matter, matured for at least four weeks — Whole cheeses with rind, of between 1 kg and 2 kg, — Pieces packet in vacuum or in inert gas, with rind on at least one side, of a net weight of not less than 150 g, Originating in Norway, within the limit of an annual tariff quota of : — 1 700 tonnes for 1986, — 1 800 tonnes for 1987, — 1 900 tonnes for 1988.	Norway	55,00
(s) ex 04.04 E I b) 2	Tilsit, Turunmaa and Lappi, within the limit of the annual tariff quota appearing under (h) (b), originating in Finland	Finland	60,00'

2. At the end of the Annex I to Regulation (EEC) No 1767/82,

- the last indent of footnote 1 (a) on Jarlsberg is deleted,
- footnote 3 is replaced by the following :

(?) The concession shall apply to rectangular blocks and to pieces packed in vacuum or in inert gas provided that the packings of such goods bear at least the following particulars :

- the name of the cheese,
- the fat content by weight in the dry matter,
- the packer responsible,
- the country of origin of the cheese.'

3. In Annex III sections H and Q are hereby replaced by the following :

'H. As regards Tilsit, Butterkäse, Turunmaa and Lappi cheeses listed under (i), (k) and (s) in Annex I and falling within subheading 04.04 E I b) 2 of the Common Customs Tariff :

1. Box 7 by specifying, as appropriate, "Tilsit cheese" or "Butterkäse cheese" or "Turunmaa cheese" or "Lappi cheese",
2. Box 10 by specifying, "exclusively home-produced cows' milk",
3. Boxes 11 and 12.'

'Q. As regards Jarlsberg and Ridder cheeses listed under (r) in Annex I and falling within subheading 04.04 E I b) 2 of the Common Customs Tariff :

1. Box 7 by specifying
either "Jarlsberg cheese" and, as appropriate :
— "in whole cheeses with rind, of a net weight of not less than 8 kg and not more than 12 kg" or
— "in rectangular blocks of a net weight of not more than 7 kg" or
— "in pieces packed in vacuum or in inert gas, of a net weight of not less than 150 g and not more than 1 kg"
or "Ridder cheese" and, as appropriate :
— "in whole cheeses, with rind, of between 1 kg and 2 kg" or,
— "in pieces packed in vacuum or in inert gas, with rind on at least one side, and of a net weight of not less than 150 g".
2. Box 11 by specifying, as appropriate, "at least 45 %" or "at least 60 %".
3. Box 14 by specifying, as appropriate, "at least three months" or "at last four weeks".

4. In Annex IV the following is added to the description appearing in the third column for Finland and Norway :

Finland	04.04 A 04.04 D 04.04 E I b) 2	Emmentaler, Gruyère, Processed cheese, Finlandia, Tilsit, Turunmaa, Lappi	Maitotaloustuotteiden Tarkastuslaitos	Helsinki
Norway	04.04 E I b) 2	Jarlsberg Ridder	Norske Meierier	Oslo

Article 2

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

Is shall apply, at the request of the person concerned, with effect from 1 January 1986.

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

Done at Brussels, 14 March 1986.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 779/86
of 17 March 1986
fixing the import levies on white sugar and raw sugar

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

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 3768/85 ⁽²⁾, and in particular Article 16 (8) thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 1809/85 ⁽³⁾, as last amended by Regulation (EEC) No 773/86 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1809/85 to the infor-

mation known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

The import levies referred to in Article 16 (1) of Regulation (EEC) No 1785/81 shall be, in respect of white sugar and standard quality raw sugar, as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 18 March 1986.

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

Done at Brussels, 17 March 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽³⁾ OJ No L 169, 29. 6. 1985, p. 77.

⁽⁴⁾ OJ No L 72, 15. 3. 1986, p. 29.

ANNEX

to the Commission Regulation of 17 March 1986 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)		
CCT heading No	Description	Levy
17.01	Beet sugar and cane sugar, in solid form :	
	A. White sugar : flavoured or coloured sugar	46,86
	B. Raw sugar	40,24 ⁽¹⁾

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the levy applicable is calculated in accordance with the provisions of Article 2 of Regulation (EEC) No 837/68.

COUNCIL REGULATION (EEC) No 780/86**of 24 February 1986****concerning the conclusion of the Agreement between the European Economic Community and the Government of the Democratic Republic of Madagascar on fishing off the coast of Madagascar**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission,

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

Whereas it is in the Community's interest to approve the Agreement between the European Economic Community and the Government of the Democratic Republic of Madagascar on fishing off the coast of Madagascar, signed in Tananarivo on 28 January 1986,

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement between the European Economic Community and the Government of the Democratic

Republic of Madagascar on fishing off the coast of Madagascar is hereby approved on behalf of the Community.

The text of the Agreement is annexed to this Regulation.

Article 2

The President of the Council shall give the notification provided for in Article 15 of the Agreement ⁽²⁾,

Article 3

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

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

Done at Brussels, 24 February 1986.

For the Council

The President

G. BRAKS

⁽¹⁾ OJ No C 141, 10. 6. 1985, p. 496.

⁽²⁾ The date of entry into force of the Agreement will be published in the *Official Journal of the European Communities* by the General-Secretariat of the Council.

AGREEMENT**between the European Economic Community and the Government of the Democratic Republic of Madagascar on fishing off Madagascar**

THE EUROPEAN ECONOMIC COMMUNITY,

hereinafter referred to as the 'Community', and

THE GOVERNMENT OF THE DEMOCRATIC REPUBLIC OF MADAGASCAR,

hereinafter referred to as 'Madagascar',

CONSIDERING the spirit of cooperation resulting from the ACP-EEC Convention and the good cooperative relations between the Community and Madagascar;

CONSIDERING the desire of the Government of Madagascar to promote the rational exploitation of its fishery resources by means of intensified cooperation;

CONSIDERING the regional project for the development of commercial tuna fishing in the South-West Indian Ocean;

RECALLING THAT, in respect of sea fishing, Madagascar exercises its sovereignty or jurisdiction over a zone extending up to 200 nautical miles from its coast;

TAKING INTO ACCOUNT the work of the Third United Nations Conference on the Law of the Sea;

DETERMINED to conduct their relations in a spirit of mutual trust and respect for each other's interests in the sphere of sea fishing;

DESIROUS of establishing the terms and conditions governing fishing activities of common interest to both parties,

HAVE AGREED AS FOLLOWS:

Article 1

The purpose of this Agreement is to establish the principles and rules which will in future govern, in all respects, the fishing activities of vessels flying the flags of Member States of the Community, hereinafter referred to as 'Community vessels' in the waters over which Madagascar has sovereignty or jurisdiction in respect of fisheries, hereinafter referred to as 'Madagascar's fishing zone'.

Article 2

The Government of Madagascar shall permit fishing by Community vessels in Madagascar's fishing zone in accordance with this Agreement and shall ensure ease of access to the port facilities required for the fishing activities of Community vessels operating in the Indian Ocean.

Article 3

1. The Community hereby undertakes to take all appropriate steps to ensure that its vessels observe the provisions of this Agreement and the rules and regulations governing fishing in Madagascar's fishing zone.
2. The authorities of Madagascar shall notify the Commission of the European Communities of any proposed changes to the said rules and regulations.

Article 4

1. Fishing activities by Community vessels in Madagascar's fishing zone shall be subject to possession of a fishing licence issued at the Community's request by the authorities of Madagascar.
2. The authorities of Madagascar will issue fishing licences within the limits laid down by category of vessel in the Protocols referred to in Article 7 of this Agreement.
3. Licences shall be valid in the defined zones according to the activity and type of the vessels in question.
4. The validity of tuna-fishing licences shall correspond to the periods of validity of this Agreement as laid down in Article 14, although the number of tuna boats carrying out their activities simultaneously may not exceed the number laid down in Article 1 of Protocol 1.
5. Licences for the species referred to in Protocol 2 shall be valid, at the request of the shipowner, for periods covering full months.
6. A licence shall be issued for a given vessel and shall not be transferable.

7. At the request of the Community and particularly in the event of *force majeure* a vessel's fishing licence may be replaced by a licence for another vessel of which the capacity does not exceed that of the vessel to be replaced.

Article 5

1. Fishing licences shall be issued by the authorities of Madagascar subject to payment of a fee by the shipowner concerned.

2. The fee for a tuna-fishing licence shall be set per tonne of tuna caught in Madagascar's exclusive economic zone.

The fee for a fishing licence for the species covered by Protocol 2 shall be set according to the number of gross register tonnes per month admissible under the licence, in proportion to the period for which the licence is valid.

The amount of these fees and the methods of payment are set out in the Annex.

Article 6

The Parties undertake to consult each other, either directly or within international organizations, to ensure the management and conservation of the living resources in the Indian Ocean, and to facilitate the relevant scientific research.

They will exchange studies and information relating to oceanography, marine biology and fishing statistics, and they will pass on the results of their scientific research on these subjects.

Article 7

In return for the fishing opportunities granted under Article 2, the Community will contribute, in accordance with the conditions and arrangements stipulated in the Protocols annexed to this Agreement, to the execution of projects connected with the development of Madagascar's fishing industry without prejudice to the financing received by Madagascar under the ACP-EEC Convention.

Article 8

The Parties undertake to examine in the most objective and conciliatory spirit any difference of opinion arising from the interpretation or application of this Agreement, with a view to overcoming the difficulty.

Article 9

A Joint Committee shall be set up to ensure that this Agreement is applied correctly.

The Committee shall meet, at the request of either Contracting Party, alternately in Madagascar and in the Community.

Article 10

Should the authorities of Madagascar decide, as a result of developments in the state of stocks, to take conservation measures which affect the activities of Community vessels, consultations shall be held between the Parties in order to adapt the Annex referred to in Article 5 and the Protocols referred to in Article 7 of this Agreement.

Article 11

Nothing in this Agreement shall affect or prejudice in any manner the view of either Party with respect to any matter relating to the Law of the Sea.

Article 12

This Agreement shall apply, on the one hand, to the territories in which the Treaty establishing the European Economic Community is applied and under the conditions laid down in that Treaty and, on the other hand, to the territory of the Democratic Republic of Madagascar.

Article 13

The Annex and the Protocols shall form an integral part of this Agreement and, unless otherwise specified, a reference to this Agreement shall constitute a reference to the Annex and Protocols.

Article 14

This Agreement shall be concluded for an initial period of three years from the date of its entry into force. Unless one of the Parties ends it by giving notice to that effect six months before the date of expiry of the three-year period, it shall remain in force for further periods of two years unless denounced by notice given at least three months before the date of expiry of each such two-year period.

In that event the Parties shall enter into negotiations to determine by agreement what amendments or additions to the Annex or Protocols required.

Article 15

This Agreement shall enter into force on the date on which the Parties notify each other of the completion of the procedures necessary for this purpose.

Article 16

This Agreement, drawn up in duplicate in the Danish, German, Greek, English, French, Italian, Dutch and Malagasy languages, each of these texts being equally authentic, shall be deposited in the archives of the General-Secretariat of the Council of the European Communities, which shall transmit a certified copy to each of the Parties.

Udfærdiget i Antananarivo, den otteogtyvende januar nitten hundrede og seksogfirs.

Geschehen zu Tananarivo am achtundzwanzigsten Januar neunzehnhundertsechundachtzig.

Έγινε στην Ταναναρίβη, στις είκοσι οκτώ Ιανουαρίου χίλια εννιακόσια ογδόντα έξι.

Done at Antananarivo on the twenty-eighth day of January in the year one thousand nine hundred and eighty-six.

Fait à Antananarivo, le vingt-huit janvier mil neuf cent quatre-vingt-six.

Fatto a Antananarivo, addì ventotto gennaio millenovecentottantasei.

Gedaan te Antananarivo, de achtentwintigste januari negentienhonderd zesentachtig.

Natso tato Antananarivo, ny faha-valo amby roa-polo janoary anina amby valo-polo ay sivin-jato sy arivo.

For Rådet for De europæiske Fællesskaber

Für den Rat der Europäischen Gemeinschaften

Για το Συμβούλιο των Ευρωπαϊκών Κοινοτήτων

For the Council of the European Communities

Pour le Conseil des Communautés européennes

Per il Consiglio delle Comunità europee

Voor de Raad van de Europese Gemeenschappen

Ny ri an-kavritry ry Communautés européennes



For regeringen for Den demokratiske republik Madagaskar

Für die Regierung der Demokratischen Republik Madagaskar

Για την κυβέρνηση της Λαϊκής Δημοκρατίας της Μαδαγασκάρης

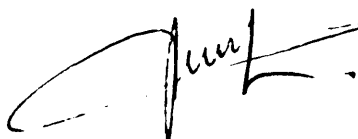
For the Government of the Democratic Republic of Madagascar

Pour le gouvernement de la république démocratique de Madagascar

Per il governo della Repubblica democratica del Madagascar

Voor de Regering van de Democratische Republiek Madagascar

Ny Governamantan'ny Reooblika Demokratika Malagasy



ANNEX

Conditions governing the pursuit of fishing activities by Community vessels in Madagascar's fishing zone

1. The relevant Community authorities shall, after payment of the fees by shipowners, present to the relevant Malagasy authorities an application for each vessel that wishes to fish under the Agreement.

For all payments of fees provided for in this Annex, supporting documents will be sent to the relevant Commission departments.

The Malagasy authorities shall then forward the licence provided for in Article 4 of the Agreement to the Delegation of the Commission of the European Communities in Antananarivo.

2. Provisions for tuna boats :

- (a) The fees provided for in Article 5 of the Agreement and payable by the owners of the vessels referred to in point 1 are hereby set at 20 ECU per tonne of tuna caught in Madagascar's fishing zone.
- (b) Once the Agreement enters into force, the sum of 15 000 ECU shall be paid by tuna-boat owners to the Treasury of Madagascar as an advance on the fees.
- (c) A provisional statement of the fees due in respect of each fishing year shall be drawn up at the end of each calendar year, on the basis of the catch statements drawn up by shipowners and forwarded simultaneously to the Malagasy authorities and to the relevant authorities of the Commission of the European Communities. The corresponding amount shall be paid to the Treasury of Madagascar no later than 31 January of the following year.

The final statement of the fees due in respect of a fishing year shall be drawn up by the relevant authorities of the Commission of the European Communities, taking into account available scientific opinions particularly of experts from the FAO (Food and Agriculture Organization) and the CNRO (National Centre for Oceanographic Research) established in Madagascar, and any statistical data which can be gathered by an international fishing organization in the Indian Ocean.

The shipowners shall be notified of the statement and shall have 30 days in which to meet their financial obligations.

- (d) Upon expiry of the Agreement, the sum paid as an advance by tuna-boat owners shall be deducted from the final payment ; however, if the amount of the sums due for actual fishing operations in the course of the first year does not equal the advance, the corresponding balance remaining shall not be reimbursable.
- (e) Tuna boats shall take observers on board at the request of the Malagasy authorities. The time spent by the observer on board shall be fixed by the Malagasy authorities, but, as a general rule, an observer must not be present for longer than the time required to make spot checks on the catches.
- (f) Shipowners shall be obliged to be represented by an agent in Madagascar.

3. Provisions for deep-water crustacean fishing :

- (a) During the reconnaissance campaigns referred to in Protocol 2 the annual fees for fishing authorizations amount to :
 - 25 ECU per gross register tonne for nephrops fishing,
 - 25 ECU per gross register tonne for crab fishing,
 - 25 ECU per gross register tonne for deep-water shrimp fishing,
 - 25 ECU per gross register tonne for fishing for species other than deep-water crustaceans.
- (b) The payment of fees for species other than tuna may, at Madagascar's request, be replaced in part by landings of fish in accordance with procedures to be fixed by the Joint Committee referred to in Article 9 of the Agreement.
- (c) Moreover, at the request of the Malagasy authorities, vessels fishing for deep-water crustaceans shall sign on :
 - for the term of validity laid down in Article 1 of Protocol 2, a Malagasy scientist capable of analysing the results of the reconnaissance campaigns,

- for the remaining 18 months of the first period of application provided for in Article 14 of the Agreement, a Malagasy fisherman to carry out the role of observer over and above his seaman's duties; such member of the crew carrying out the duties of observer shall have access to the places and documents necessary for these purposes.
4. Before the Agreement comes into force the Malagasy authorities shall give notice of the arrangements for the payment of fees, and in particular the account and currencies to be used.
 5. While they are engaged in fishing activities in Madagascar's fishing zone, vessels shall communicate to the Antsiranana radio station, every three days, their position and catches and, at the end of each trip, the result of their catches. The Malagasy authorities shall forward data on the state of catches twice a year to the Delegation of the Commission of the European Communities in Antananarivo.
 6. The shipowner shall make a payment of 10 ECU to the Malagasy Government for each day spent by an observer on board a tuna boat.

Should a tuna boat with a Malagasy observer on board leave Madagascar's fishing zone, every step will be taken to ensure that the observer returns to Madagascar as soon as possible, at the shipowner's expense.
 7. (a) Every vessel fishing for deep-water crustaceans must employ a Malagasy seaman.
(b) For the ocean-going tuna fleet, two Malagasy seamen shall be signed on permanently for the duration of the fishing year.
(c) Should the Malagasy side not have any applicants to propose, these commitments must be replaced by a flat-rate sum equivalent to 50 % of the wages of these seamen in proportion to the duration of the season; this sum will be used for the training of Malagasy fishermen.
 8. Community vessels shall have access to all the waters outside the limit of the first two nautical miles of the waters under Madagascar's jurisdiction. Vessels fishing for deep-water crustaceans may not fish at depths less than the 200 m isobath.
 9. The authorities of Madagascar and the beneficiaries of the Agreement will lay down the conditions for using port facilities.
-

PROTOCOL 1**between the European Economic Community and the Government of the
Democratic Republic of Madagascar on tuna fishing***Article 1*

Pursuant to Article 2 of the Agreement and for the period of application of this Protocol, which is limited to three years, tuna-fishing licences in Madagascar's fishing zone shall be issued for 27 ocean-going freezer tuna boats, although the number of such vessels fishing simultaneously may not exceed 18. The relevant Community authorities shall communicate at regular intervals the list of vessels fishing under these rules.

Article 2

The amount of the contribution referred to in Article 7 of the Agreement shall be fixed at a flat-rate of at least 900 000 ECU for the duration of the Protocol, payable in three equal annual instalments. This amount shall cover the fishing activities referred to in Article 1 up to, in the case of tuna fishing, a catch weight in Madagascar's fishing zone of 6 000 tonnes of tuna fish per year; if the amount of tuna caught by Community vessels in Madagascar's fishing zone exceeds this quantity, the abovementioned amount shall be increased accordingly; however, irrespective of the amount actually caught, the ceiling for financial compensation shall be fixed at 3 000 000 ECU for the duration of the Protocol, and hence at 1 000 000 ECU per year.

Article 3

During the first period of application of the Agreement, the Community shall contribute the sum of 350 000 ECU

towards the financing of a scientific programme in Madagascar to gain greater knowledge of the fishery resources in the region of the Indian Ocean surrounding Madagascar.

At the request of the Government of Madagascar, this contribution may go towards the cost of international meetings to improve both the aforesaid knowledge and the management of fishery resources.

Article 4

The two Parties hereby agree that an essential condition for the success of their cooperation is that the skills and know-how of persons engaged in sea fishing be improved. To this end, the European Economic Community will make it easier for nationals of Madagascar to find places in establishments in its Member States and will provide 10 study grants for three-year courses and five grants for six-month further training courses, or their annual equivalent, in the various scientific, technical and economic subjects relating to fisheries.

Article 5

In the event of substantial growth of the Community fleet, the two Parties will enter into negotiations with a view to reviewing this Protocol and making any amendments they might consider appropriate.

PROTOCOL 2

between the European Economic Community and the Government of the Democratic Republic of Madagascar on types of fishing other than those covered by Protocol 1

Article 1

Pursuant to Article 2 of the Agreement and for the period of application of this Protocol, which is limited to 18 months, authorizations to fish in Madagascar's fishing zone for crabs or deep-water shrimps, in the context of reconnaissance campaigns, shall be granted for up to an annual average of 5 000 gross registered tonnes per month.

Article 2

Without prejudice to Protocol 1, the financial contribution referred to in Article 7 of the Agreement shall be fixed at a flat-rate of 375 000 ECU per year for the duration of reconnaissance campaigns, including a contribution towards the financing of a scientific programme in Madagascar to gain greater knowledge of fishery resources in the region of the Indian Ocean surrounding Madagascar.

Article 3

Upon expiry of this Protocol, the Parties will consult each other within the Joint Committee referred to in Article 9 of the Agreement in order to determine fishing rights for the remaining 18 months of the first period of application provided for in Article 14 of the Agreement, in the light of the results of the reconnaissance campaigns, and to fix the corresponding Community compensation.
