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I

(Acts whose publication is obligatory)

REGULATION (EEC) No 2277/73 OF THE COMMISSION**of 22 August 1973****fixing the 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 Council Regulation No 120/67/EEC ⁽¹⁾ of 13 June 1967 on the common organization of the market in cereals, as last amended by Regulation (EEC) No 1346/73 ⁽²⁾, and in particular Article 13 ⁽⁵⁾ 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 Regulation (EEC) No 2076/73 ⁽³⁾ 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 effective parity;

- 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 subparagraph;

Whereas it follows from applying the provisions contained in Regulation (EEC) No 2076/73 to the offer prices and today's quotations known to the Commission that the levies at present in force should be altered as shown in the Annex to this Regulation;

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the products listed in Article 1 (a), (b) and (c) of Regulation No 120/67/EEC are hereby fixed as shown in the Table annexed to this Regulation.

Article 2

This Regulation shall enter into force on 23 August 1973.

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

Done at Brussels, 22 August 1973.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No 117, 19. 6. 1967, p. 2269/67.

⁽²⁾ OJ No L 141, 28. 5. 1973, p. 8.

⁽³⁾ OJ No L 212, 1. 8. 1973, p. 1.

ANNEX

to the Commission Regulation of 22 August 1973 fixing the levies on cereals and on wheat or rye flour, groats and meal

CCT heading No	Description of goods	u.a./ton
10.01 A	Common wheat, and meslin	0
10.01 B	Durum wheat	0 ⁽¹⁾⁽⁴⁾
10.02	Rye	8.46 ⁽⁵⁾
10.03	Barley	0
10.04	Oats	0
10.05 B	Maize other than hybrid maize for sowing	0 ⁽²⁾⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	0
10.07 C	Grain sorghum	4.02
10.07 D	Canary seed ; other cereals	0 ⁽⁴⁾
11.01 A	Wheat or meslin flour	0
11.01 B	Rye flour	30.59
11.02 A I a	Durum wheat groats and meal	0
11.02 A I b	Common wheat groats and meal	0

⁽¹⁾ Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by 0.50 u.a./metric ton.

⁽²⁾ Where maize originating in the AASM and OCT is imported into the French Overseas Departments, the levy is reduced by 6 u.a./metric ton.

⁽³⁾ Where maize originating in Tanzania, Uganda and Kenya is imported into the Community, the levy is reduced by 1 u.a./metric ton.

⁽⁴⁾ Where wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by 0.50 u.a./metric ton.

⁽⁵⁾ 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 1234/71 and Commission Regulation (EEC) No 2622/71.

REGULATION (EEC) No 2278/73 OF THE COMMISSION

of 22 August 1973

fixing the premiums to be added to the 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 Council Regulation No 120/67/EEC ⁽¹⁾ of 13 June 1967 on the common organization of the market in cereals, as last amended by Regulation (EEC) No 1346/73 ⁽²⁾, and in particular Article 15 (6) 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 Regulation (EEC) No 2077/73 ⁽³⁾ 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 effective parity;
- 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 subparagraph;

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 as shown in the Tables annexed to this Regulation;

HAS ADOPTED THIS REGULATION:

Article 1

The scale of the premiums to be added, pursuant to Article 15 of Regulation No 120/67/EEC, to the import levies fixed in advance in respect of cereals and malt is hereby fixed as shown in the Tables annexed to this Regulation.

Article 2

This Regulation shall enter into force on 23 August 1973.

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

Done at Brussels, 22 August 1973.

For the Commission

/ P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No 117, 19. 6. 1967, p. 2269/67.

⁽²⁾ OJ No L 141, 28. 5. 1973, p. 8.

⁽³⁾ OJ No L 212, 1. 8. 1973, p. 3.

ANNEX

to the Commission Regulation of 22 August 1973 fixing the premiums to be added to the levies on cereals, flour and malt

A. Cereals and flour ⁽¹⁾

(u.a./ton)

CCT heading No	Description of goods	Current 8	1st period 9	2nd period 10	3rd period 11
10.01 A	Common wheat, and meslin	0	0	0	0
10.01 B	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	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

(¹) The period of validity of the licence is limited to thirty days in accordance with Regulation (EEC) No 1455/73 (OJ No L 144, 31. 5. 1973, p. 73).

B. Malt

(u.a./100 kg)

CCT heading No	Description of goods	Current 8	1st period 9	2nd period 10	3rd period 11	4th period 12
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

REGULATION (EEC) No 2279/73 OF THE COMMISSION
of 22 August 1973
altering the corrective amount applicable to the refund on cereals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

Having regard to Council Regulation No 120/67/EEC ⁽¹⁾ of 13 June 1967 on the common organization of the market in cereals, as last amended by Regulation (EEC) No 1346/73 ⁽²⁾, and in particular the second sentence of the first subparagraph of Article 16 (4) thereof ;

Having regard to the Opinion of the Monetary Committee ;

Whereas, the corrective amount applicable to the refund on cereals was fixed by Regulation (EEC) No 2227/73 ⁽³⁾ and subsequent amending Regulations ;

Whereas, if the refund system is to operate normally, refunds 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 effective parity ;

- 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 subparagraph ;

Whereas, on the basis of today's cif prices and cif forward delivery prices, taking foreseeable developments on the market into account, the corrective amount at present applicable to the refund on cereals should be altered ;

HAS ADOPTED THIS REGULATION :

Article 1

The corrective amount referred to in Article 16 (4) of Regulation No 120/67/EEC which is applicable to the export refunds fixed in advance in respect of cereals is hereby altered as shown in the Table annexed to this Regulation.

Article 2

This Regulation shall enter into force on 23 August 1973.

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

Done at Brussels, 22 August 1973.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No 117, 19. 6. 1967, p. 2269/67.

⁽²⁾ OJ No L 141, 28. 5. 1973, p. 8.

⁽³⁾ OJ No L 229, 17. 8. 1973, p. 7.

ANNEX

to the Commission Regulation of 22 August 1973 altering the corrective amount applicable to the refund on cereals

(u.a./ton)

CCT heading No	Description of goods	Current 8	1st period 9	2nd period 10	3rd period 11	4th period 12	5th period 1	6th period 2
10.01 A	Common wheat, and meslin	—	—	—	—	—	—	—
10.01 B	Durum wheat	—	—	—	—	—	—	—
10.02	Rye	—	—	—	—	—	—	—
10.03	Barley	—	—	—	—	—	—	—
10.04	Oats	—	—	—	—	—	—	—
10.05 B	Maize other than hybrid maize for sowing	—	—	—	—	—	—	—
10.07 C	Grain sorghum	—	—	—	—	—	—	—

REGULATION (EEC) No 2280/73 OF THE COMMISSION

of 22 August 1973

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 Council Regulation No 1009/67/EEC⁽¹⁾ of 18 December 1967 on the common organization of the market in sugar, as last amended by Regulation (EEC) No 1928/73⁽²⁾, and in particular Article 14 (7) thereof;

Having regard to the Opinion of the Monetary Committee;

Whereas the import levies on white sugar and raw sugar were fixed by Regulation (EEC) No 1738/73⁽³⁾ 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 effective parity;
- 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 subparagraph;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 1738/73 to the information at present available to the Commission that the levies at present in force should be altered as shown in the Annex to this Regulation;

HAS ADOPTED THIS REGULATION:

Article 1

The levies referred to in Article 14 (1) of Regulation No 1009/67/EEC are, in respect of white sugar and standard quality raw sugar, hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 23 August 1973.

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

Done at Brussels, 22 August 1973.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No 308, 18. 12. 1967, p. 1.

⁽²⁾ OJ No L 199, 19. 7. 1973, p. 7.

⁽³⁾ OJ No L 176, 30. 6. 1973, p. 30.

ANNEX

(u.a./100 kg)

CCT heading No	Description of goods	Levy
17.01	Beet sugar and cane sugar, solid : A. Denatured : I. White sugar II. Raw sugar B. Undenatured : I. White sugar II. Raw sugar	 8.82 7.04 ⁽¹⁾ 8.82 7.04 ⁽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.

REGULATION (EEC) No 2281/73 OF THE COMMISSION

of 22 August 1973

fixing the import levy on molasses

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation No 1009/67/EEC⁽¹⁾ of 18 December 1967 on the common organization of the market in sugar, as last amended by Regulation (EEC) No 1928/73⁽²⁾, and in particular Article 14 (7) thereof;

Having regard to the Opinion of the Monetary Committee;

Whereas the import levy on molasses was fixed by Regulation (EEC) No 1739/73 and subsequent amending Regulations⁽³⁾;

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 effective parity;

- 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 subparagraph;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 1739/73 to the information at present available to the Commission that the levy at present in force should be altered as shown in the Annex to this Regulation;

HAS ADOPTED THIS REGULATION:

Article 1

The levy referred to in Article 14 (1) of Regulation No 1009/67/EEC is, in respect of molasses, hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 23 August 1973.

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

Done at Brussels, 22 August 1973.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No 308, 18. 12. 1967, p. 1.

⁽²⁾ OJ No L 199, 19. 7. 1973, p. 7.

⁽³⁾ OJ No L 176, 30. 6. 1973, p. 32.

ANNEX

(u.a./100 kg)		
CCT heading No	Description of goods	Levy
17.03	Molasses, whether or not decolourized	0

REGULATION (EEC) No 2282/73 OF THE COMMISSION

of 22 August 1973

fixing the export levies on cereals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

Having regard to Council Regulation No 120/67/EEC ⁽¹⁾ of 13 June 1967 on the common organization of the market in cereals, as last amended by Regulation (EEC) No 1346/73 ⁽²⁾ ;

Having regard to Council Regulation (EEC) No 1968/73 ⁽³⁾ of 19 July 1973 laying down general rules to be applied in the event of the cereals market being disturbed, and in particular Article 5 thereof ;

Having regard to the Opinion of the Monetary Committee ;

Whereas Article 19 of Regulation No 120/67/EEC provides that the necessary measures may be taken if the cif price of one or more products is appreciably higher than the threshold price and if that situation is likely to continue thereby disturbing or threatening to disturb the Community market ;

Whereas Regulation (EEC) No 1968/73 specifies that the cif price may be regarded as appreciably higher than the threshold price when it exceeds it by at least 2 % ; whereas this excess may be regarded as being likely to continue where an imbalance between supply and demand is established and where this imbalance is likely to persist having regard to foreseeable production and market price trends ;

Whereas the high level of prices in international trade could impede importation of common wheat, barley and maize into the Community or provoke exportation from the Community ;

Whereas the situation described above can be said to exist for 22 August 1973 ; whereas to ensure supplies in the Community an export levy should be introduced for these products ;

Whereas the export levy for the products listed in Article 1 (a) and (b) of Regulation No 120/67/EEC must be based on the difference between the cif price and the threshold price ;

Whereas the threshold prices for the 1973/74 marketing year were fixed by Council Regulation (EEC) No 1964/73 ⁽⁴⁾ of 17 July 1973 ;

Whereas, for the purpose of calculating the cif prices used to determine the levies, the Commission must take into account the factors indicated in Regulation No 156/67/EEC ⁽⁵⁾, as amended by Regulation (EEC) No 1607/71 ⁽⁶⁾, and in particular the most favourable purchasing opportunities on the world market among those which are most representative of the real trend of the market, account being taken in particular of the need to prevent sudden variations likely to cause abnormal disturbances on the Community market ; whereas the quality of the goods offered must also be taken into account, whether this quality corresponds to the standard quality fixed in Regulations (EEC) No 786/69 ⁽⁷⁾ and (EEC) No 1397/69 ⁽⁸⁾, or whether adjustments need to be made by applying the coefficients of equivalence provided for in Regulation (EEC) No 158/67/EEC ⁽⁹⁾, as last amended by the Act ⁽¹⁰⁾ on the Conditions of Accession and the Adjustments to the treaties and by Regulation No 159/67/EEC ⁽¹¹⁾ ;

Whereas the cif price is calculated for Rotterdam on the basis of the abovementioned factors, offers for other ports being adjusted, account being taken of the corrections necessitated by the differences in transport charges in relation to Rotterdam ;

Whereas the factors set out in Article 3 (1) of Regulation (EEC) No 1963/73 must also be taken into account when the export levy is being fixed ;

Whereas, if the levy system is to operate normally, the following should be used to calculate the levies :

— for currencies the exchange rates for which are kept at any given moment within a band of 2.25 %, a conversion rate based on their actual parity ;

— for other currencies, a conversion rate based on the arithmetic mean of the spot market rates for

⁽⁴⁾ OJ No L 201, 21. 7. 1973, p. 3.

⁽⁵⁾ OJ No 128, 27. 6. 1967, p. 2533/67.

⁽⁶⁾ OJ No L 168, 27. 7. 1971, p. 16.

⁽⁷⁾ OJ No L 100, 28. 4. 1969, p. 8.

⁽⁸⁾ OJ No L 179, 21. 7. 1969, p. 6.

⁽⁹⁾ OJ No 128, 27. 6. 1967, p. 2536/67.

⁽¹⁰⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽¹¹⁾ OJ No 128, 27. 6. 1967, p. 2542/67.

⁽¹⁾ OJ No 117, 19. 6. 1967, p. 2269/67.

⁽²⁾ OJ No L 141, 28. 5. 1973, p. 8.

⁽³⁾ OJ No L 201, 21. 7. 1973, p. 10.

each of these currencies against the Community currencies referred to in the preceding paragraph over a specified period ;

Whereas it follows from applying these rules to the situation on the cereals market and in particular to prices in international trade that the export levies should be fixed as shown in the Annex to this Regulation ;

HAS ADOPTED THIS REGULATION :

Article 1

The export levy referred to in the first indent of Article 2 (1) of Regulation (EEC) No 1968/73 is hereby fixed as shown in the Annex for the products listed therein.

Article 2

This Regulation shall enter into force on 23 August 1973.

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

Done at Brussels, 22 August 1973.

For the Commission

The President

François-Xavier ORTOLI

ANNEX

to the Commission Regulation of 22 August 1973 fixing export levies on cereals

CCT heading No	Description of goods	u.a./ton
10.01 A	Common wheat, and meslin	43.00
10.03	Barley	18.00
10.05 B	Maize, other than hybrid maize for sowing	12.00

REGULATION (EEC) No 2283/73 OF THE COMMISSION
of 21 August 1973
establishing the standard average values for the valuation of imported citrus
fruits

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Commission Regulation (EEC) No 1570/70 ⁽¹⁾ of 3 August 1970 establishing a system of standard average values for citrus fruits, as last amended by the Act ⁽²⁾ annexed to the Treaty ⁽³⁾ on the Accession of new Member States to the European Economic Community and the European Atomic Energy Community, signed at Brussels on 22 January 1972, and in particular Article 2 thereof;

Whereas it follows from the application of the notes and criteria laid down by Regulation (EEC) No 1570/70 to the elements communicated to the

Commission in accordance with Article 4 (1) of that Regulation that the standard average values should be fixed as shown in the Annex to this Regulation;

HAS ADOPTED THIS REGULATION:

Article 1

The standard average values provided for in Article 2 (1) of Regulation (EEC) No 1570/70 shall be as shown in the Table in the Annex.

Article 2

This Regulation shall enter into force on 24 August 1973.

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

Done at Brussels, 21 August 1973.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 171, 4. 8. 1970, p. 10.

⁽²⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽³⁾ OJ No L 73, 27. 3. 1972, p. 5.

ANNEX

Code	Description of goods	(u.a./100 kg gross) Amount of standard average values
1.	Lemons :	
1.1	— Spain	23.81
1.2	— Tunisia, Morocco, Algeria	—
1.3	— Countries in southern Africa	41.36
1.4	— Other African countries and countries on the Medi- terranean	9.37
1.5	— U.S.A.	28.79
1.6	— Other countries	25.43
2.	Sweet oranges :	
2.1	— Countries on the Mediterranean :	
2.1.1	— Navels (with the exception of Navel sanguines), Navelines, Navelates, Salustianas, Vernas, Va- lencia lates, Maltese blondes, Shamoutis, Ovalis, Trovita, Hamlins	12.35
2.1.2	— Sanguines and semi-sanguines, including Navel sanguines and Maltese sanguines	—
2.1.3.	— Other	—
2.2	— Countries in southern Africa	18.03
2.3	— U.S.A.	21.09
2.4	— Brazil	7.69
2.5	— Other countries	14.33
3.	Grapefruit and pomelos :	
3.1	— Tunisia, Morocco, Algeria	—
3.2	— Cyprus, Israel, Gaza, Egypt, Turkey	13.98
3.3	— Countries in southern Africa	25.81
3.4	— U.S.A.	22.61
3.5	— Other American countries	19.01
3.6	— Other countries	—
4.	Clementines	—
5.	Mandarines including Wilkings	29.04
6.	Monreales and Satsumas	—
7.	Tangerines	17.57

REGULATION (EEC) No 2284/73 OF THE COMMISSION
of 22 August 1973
amending the amounts applicable as compensatory amounts for cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to the Treaty ⁽¹⁾ concerning the Accession of new Member States to the European Economic Community and the European Atomic Energy Community, signed at Brussels 22 January 1972;

Having regard to Council Regulation (EEC) No 229/73 ⁽²⁾ of 31 January 1973 laying down general rules for a system of compensatory amounts for cereals and fixing these amounts for certain products, as amended by Regulation (EEC) No 1967/73 ⁽³⁾, and in particular Article 7 thereof;

Having regard to Council Regulation (EEC) No 243/73 ⁽⁴⁾ of 31 January 1973 laying down general rules for a system of compensatory amounts for rice and fixing these amounts for certain products, and in particular Article 5 thereof;

Whereas compensatory amounts for cereals and rice have been fixed pursuant to Regulation (EEC) No 2100/73 ⁽⁵⁾ as last amended by Regulation (EEC) No 2265/73 ⁽⁶⁾;

Whereas the application of the rules referred to in Regulation (EEC) No 2100/73 requires that the amounts at present in force should be amended as shown in the Annex to this Regulation;

HAS ADOPTED THIS REGULATION:

Article 1

The amounts applicable as compensatory amounts shown in the Annexes to amended Regulation (EEC) No 2100/73 are amended as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 23 August 1973.

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

Done at Brussels, 22 August 1973.

For the Commission

The President

François-Xavier ORTOLI

⁽¹⁾ OJ No L 73, 27. 3. 1972, p. 5.

⁽²⁾ OJ No L 27, 1. 2. 1973, p. 25.

⁽³⁾ OJ No L 201, 21. 7. 1973, p. 8.

⁽⁴⁾ OJ No L 29, 1. 2. 1973, p. 26.

⁽⁵⁾ OJ No L 212, 1. 8. 1973, p. 57.

⁽⁶⁾ OJ No L 233, 21. 8. 1973, p. 20.

ANNEXE A — BILAG A — ANHANG A — ALLEGATO A — BIJLAGE A — ANNEX A

Montants applicables au titre des montants compensatoires pour les céréales

Beløb, der skal anvendes som udligningsbeløb for korn

Für Getreide als Ausgleichsbeträge anzuwendende Beträge

Importi applicabili a titolo di importi di compensazione per i cereali

Als compenserende bedragen toe te passen bedragen voor granen

Amounts applicable as compensatory amounts for cereals

(RE/UC/n.a./1 000 kg)

N° du tarif douanier commun Position i den fælles toldtarif Nr. des Gemeinsamen Zolltarifs N. della tariffa doganale comune Nr. van het gemeenschappelijk douanetarief CCT heading No	DK	IRL	UK
10.07 C	—	6.00	6.00

ANNEXE C — BILAG C — ANHANG C — ALLEGATO C — BIJLAGE C — ANNEX C

Montants applicables au titre des montants compensatoires pour les produits transformés à base de céréales et de riz

Beløb, der skal anvendes som udligningsbeløb for produkter, der er forarbejdet på basis af korn og ris

Für Getreide- und Reisverarbeitungserzeugnisse als Ausgleichsbeträge anzuwendende Beträge

Importi applicabili a titolo di importi di compensazione per i prodotti trasformati dei cereali e del riso

Als compenserende bedragen toe te passen bedragen voor op basis van granen en rijst verwerkte produkten

Amounts applicable as compensatory amounts for products processed from cereals or rice

(RE/UC/u.a./100 kg)

N° du tarif douanier commun Position i den fælles toldtarif Nr. des Gemeinsamen Zolltarifs N. della tariffa doganale comune Nr. van het gemeenschappelijk douanetarif CCT heading No	DK	IRL	UK
11.01 K ⁽¹⁾	—	0-612	0-612
11.02 A IX ⁽¹⁾	—	0-612	0-612
11.02 B II d) ⁽¹⁾	—	0-840	0-840
11.02 C VIII ⁽¹⁾	—	0-840	0-840
11.02 D VIII ⁽¹⁾	—	0-612	0-612
11.02 E II d) ⁽¹⁾	—	0-840	0-840
11.02 F IX ⁽¹⁾	—	0-612	0-612

⁽¹⁾ Pour la distinction entre les produits des n°s 11.01 et 11.02, d'une part, et ceux de la sous-position 23.02 A, d'autre part, sont considérés comme relevant des n°s 11.01 et 11.02 les produits ayant simultanément :

- une teneur en amidon (déterminée d'après la méthode polarimétrique Ewers modifiée) supérieure à 45 % (en poids) sur matière sèche.
- une teneur en cendres (en poids) sur matière sèche (déduction faite des matières minérales ayant pu être ajoutées) inférieure ou égale à 1,6 % pour le riz, 2,5 % pour le froment et le seigle, 3 % pour l'orge, 4 % pour le sarrasin, 5 % pour l'avoine et 2 % pour les autres céréales.

Les germes de céréales, même en farines, relèvent en tout cas du n° 11.02.

⁽¹⁾ Med henblik på sondringen mellem varer tariferet under pos. 11.01 og 11.02 på den ene side og under pos. 23.02 A på den anden side anses som tariferet under pos. 11.01 og 11.02 varer, der samtidig har

- et indhold af stivelse (bestemt ved Ewers modificerede polarimetriske metode) på over 45 vægtprocent, beregnet på grundlag af tørsubstansen,
- et askeindhold (efter fradrag af eventuelle tilsatte mineralske stoffer) på 1,6 vægtprocent eller derunder for ris, 2,5 vægtprocent eller derunder for hvede og rug, 3 vægtprocent eller derunder for byg, 4 vægtprocent eller derunder for boghvede, 5 vægtprocent eller derunder for havre og 2 vægtprocent eller derunder for de øvrige kornsorter, beregnet på grundlag af tørsubstansen.

Kim af korn samt mel deraf tariferes under alle omstændigheder under pos. 11.02.

⁽¹⁾ Für die Abgrenzung der Erzeugnisse der Tarifnummern 11.01 und 11.02 von denen der Tarifstelle 23.02 A gelten als Erzeugnisse der Tarifnummern 11.01 und 11.02 Erzeugnisse, die gleichzeitig folgendes aufweisen :

- einen auf den Trockenstoff bezogenen Stärkegehalt (bestimmt nach dem abgeänderten polarimetrischen Ewers-Verfahren) von mehr als 45 Gewichthundertteilen,
- einen auf den Trockenstoff bezogenen Aschegehalt (abzüglich etwa zugesetzter Mineralstoffe) der bei Reis 1,6 Gewichthundertteile oder weniger, bei Weizen und Roggen 2,5 Gewichthundertteile oder weniger, bei Gerste 3 Gewichthundertteile oder weniger, bei Buchweizen 4 Gewichthundertteile oder weniger, bei Hafer 5 Gewichthundertteile oder weniger und bei anderen Getreidearten 2 Gewichthundertteile oder weniger beträgt.

Getreidekeime, auch gemahlen, gehören auf jeden Fall zur Tarifnummer 11.02.

- (¹) Per la distinzione tra i prodotti delle voci nn. 11.01 e 11.02 da un lato, e quelli della sottovoce 23.02 A dall'altro, si considerano come appartenenti alle voci nn. 11.01 e 11.02 i prodotti che abbiano simultaneamente :
- un tenore in amido (determinato in base al metodo polarimetrico Ewers modificato), calcolato sulla materia secca, superiore al 45 % (in peso),
 - un tenore in ceneri (in peso), calcolato sulla materia secca (dedotte le sostanze minerali che possono essere state aggiunte), inferiore o pari a 1,6 % per il riso, a 2,5 % per il frumento e la segala, a 3 % per l'orzo, a 4 % per il grano saraceno, a 5 % per l'avena ed a 2 % per gli altri cereali.

I germi di cereali, anche sfarinati, rientrano comunque nella voce n. 11.02.

- (¹) Voor het onderscheid tussen de produkten van de nummers 11.01 en 11.02 enerzijds en die van de onderverdeling 23.02 A anderzijds, worden geacht onder de nummers 11.01 en 11.02 te vallen de produkten die tegelijkertijd :
- een zetmeelgehalte hebben (bepaald volgens de gewijzigde polarimetrische methode van Ewers) van meer dan 45 gewichtspersenten, berekend op de droge stof, en
 - een asgehalte hebben (onder aftrek van eventueel toegevoegde minerale stoffen) berekend op de droge stof, van ten hoogste : 1,6 gewichtspersent voor rijst, 2,5 gewichtspersenten voor tarwe en rogge, 3 gewichtspersenten voor gerst, 4 gewichtspersenten voor boekweit, 5 gewichtspersenten voor haver en 2 gewichtspersenten voor andere granen.

Graankiemen ook indien gemalen, vallen in elk geval onder nummer 11.02.

- (¹) For the purpose of distinguishing between products falling within headings Nos 11.01 and 11.02 and those falling within subheading No 23.02 A, products falling within headings Nos 11.01 and 11.02 shall be those meeting the following specifications :
- a starch content (determined by the modified Ewers polarimetric method), referred to dry matter, exceeding 45 % by weight,
 - an ash content, by weight, referred to dry matter (after deduction of any added minerals) not exceeding 1.6 % for rice, 2.5 % for wheat and rye, 3 % for barley, 4 % for buckwheat, 5 % for oats and 2 % for other cereals.

Germ of cereals, whole, rolled, flaked or ground, falls in all cases within heading No 11.02.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION OPINION

of 20 February 1973

addressed to the Government of the French Republic on a draft decree amending Decree No 49-1473 of 14 November 1949 on the coordination and harmonization of rail and road transport

(73/253/EEC)

In accordance with Article 1 of the Council Decision of 21 March 1962⁽¹⁾ instituting a procedure for prior examination and consultation in respect of certain laws, regulations and administrative provisions concerning transport proposed in Member States, the French Government communicated to the Commission by letter of 17 January 1973 from its Permanent Representative to the European Communities, the text, along with an explanatory note, of a draft decree amending Decree No 49-1473 of 14 November 1949 on the coordination and harmonization of rail and road transport.

The letter from the Permanent Representative reached the Commission on 22 January 1973 and the French Government has also notified the other Member States of the draft.

I.

1. The explanatory note shows that the amendments submitted for the Commission's Opinion are intended to promote the development and organization of certain categories of transport of persons by national road traffic.

The aim of these amendments is to extend certain occasional services, private services transporting personnel and other users, and to improve cooperation between public city and inter-city transport. Moreover, as regards occasional services, measures may be

adopted by ministerial order for the purpose of laying down general implementing conditions, in particular those designed to avoid abusive competition with regular services.

II

Pursuant to Article 2 of the Council Decision of 21 March 1962, the Commission delivers the following Opinion :

2. The Commission notes that the aims pursued by the French government relating in particular to gradual liberalization of certain occasional services, are consistent with the general guidelines of the common transport policy such may be deduced (there being in the present stage of development of that policy no specific Community rules on the transport of passengers by road carried out at national level) from the ideas formed on the subject within the Community institutions and from the specific measures adopted in the field of international road transport of passengers.

It also supports the principle outlined in Article 8 of the draft decree according to which the liberalization of occasional services must not be allowed to lead to abusive competition against regular services, and takes note that the general conditions for operating occasional services, and in particular those conditions designed to prevent such abusive competition, are to be the subject of a ministerial decree.

⁽¹⁾ OJ No 23, 3. 4. 1962, p. 720/62.

3. The Commission notes, however, that the proposed amendments do not alter the differences which exist between the definitions of the different forms of passenger road services at national level and the definitions adopted by the Community in respect of such services at international level; this situation could constitute a barrier to bringing about freedom of establishment and freedom to provide services.

As a result the Commission points out to the French government that the present occasion would be a good opportunity to alter the national definitions, in order to reach a harmonization at Community level of the definitions and the structures of passenger road services.

4. Subject to the foregoing considerations, the Commission delivers a favourable Opinion concerning the draft decree.

5. The Commission does not consider it necessary to consult the other Member States pursuant to Article 2 (3) of the Council Decision of 21 March 1962.

6. The Commission will inform the other Member States of this Opinion.

Done at Brussels, 20 February 1973.

For the Commission

The President

François-Xavier ORTOLI

COMMISSION OPINION

of 28 February 1973

addressed to the Government of the French Republic concerning a draft Ministerial decree implementing the SNCF tariff system for the transport of goods and a draft Decision relating to arrangements for the publication of the rates and charges applicable to transport by the SNCF, by road and by inland waterways

(73/254/EEC)

In accordance with Article 1 of the Council Decision of 21 March 1962⁽¹⁾ instituting a procedure for prior examination and consultation in respect of certain laws, regulations and administrative provisions concerning transport, the French Government communicated to the Commission by letter of 11 January 1973 from the Office of its Permanent Representatives to the European Communities the text, along with an explanatory note, of a draft Ministerial decree implementing the tariff system of the Société Nationale des Chemins de fer Français (SNCF) (French National Railways) for the transport of goods, and a draft Decision relating to arrangements for the publication of the rates and charges applicable to transport by SNCF, by road and by inland waterways. The letter from the Office of the Permanent Representatives reached the Commission on 15 January 1973 and the French Government has also notified the other Member States of the draft.

On the initiative of the Commission, a fact-finding meeting was held, with the representatives of the French government on 5 February 1973 in Brussels. In accordance with Article 2(4) of the Council Decision and in agreement with the French government, the time-limit of one month provided in paragraph 1 of that article has been extended.

The Commission considered it unnecessary to consult the other Member States under the terms of Article 2(3) of the Council Decision of 21 March 1962.

I

1. The written submission and the explanations given by the French representatives at the meeting referred to above, disclosed the following facts:

- the text submitted for the Opinion of the Commission contain provisions implementing the new general operating conditions of the SNCF approved by Decree No 71-1024 of 23 December 1971 and Article 16 of Decree No 71-933 of 22 November 1971, amending the Decree of 14 November 1949 on the coordination and harmonization of rail and road transport;

⁽¹⁾ OJ No 23, 3. 4. 1962, p. 720/62.

- the texts have a two-fold object, namely: to provide the SNCF with a tariff system suitable for the running of an independent business which gained its autonomy as a result of the reform embodied in the text of the Supplement of 27 January 1971 to the Agreement of 31 August 1937; and to ensure equality of treatment between the three modes of inland transport as regards access to the market;
- those considerations have led the French Government to consider the possibility of applying a basic or reference tariff generally to all goods transported by the SNCF, except ECSC products, for which compulsory rates are retained;
- due to differences in the tariffing range of the three modes of inland transport, and to the difficulty in making arrangements for the publication of tariffs for road, and waterway traffic at present untariffed; the French government has had to exempt the SNCF from the obligation to publish certain transport rates and charges;
- the arrangements proposed under the measures contained in the two drafts in question are provisional;
- the maximum spread of the tariff brackets of the SNCF which under Article 11(1) of its general operating conditions, shall not exceed the maximum difference fixed by the Minister of Transport for the other competitive modes of transport and for the same category of goods, would appear to be 23 % in respect of all SNCF tariffs, even in cases where the other competitive modes of transport are not subject to tariffing.

II

Pursuant to Article 2 of the Council Decision of 21 March 1962 the Commission has, on the basis of general guidelines adopted by the Community institutions as regards tariff policy, issued the following Opinion;

2. The rules for the publication of rates and charges laid down in the two drafts under consideration in

respect of the three modes of transport and the easing of regulations as regards private contracts entered into subject to the SNCF compulsory tariffing, where the SNCF is in competition with a transporter whose mode of transport is not subject to any compulsory tariff are undeniably directed towards the harmonization of conditions of competition with regard to tariffs.

However, the range of the measures provided for by the French government is not fully in accordance with the principles defined in the Council Agreement of 22 June 1965 both as regards the extent to which compulsory tariffing and the reference tariffs should apply to the different modes of transport and as regards the extent of publication.

On this last point the Commission notes that while the French Government is proposing to exempt the SNCF from the obligation to publish certain transport rates and charges, the Council Agreement of 22 June 1965 lays down that all rates and charges, even where there are no tariffs, relative to transport over a distance of more than 50 kilometres, shall, without exception, be published.

The Commission draws attention to the comments it made in that respect in its Opinion of 29 January 1971 ⁽¹⁾ on the new operating articles and conditions of the SNCF.

Moreover the Commission points out that the proposed exemptions are more extensive than those on which it was called upon to comment on in that Opinion, and that they create an exception, in that they apply equally to SNCF transport which, in the field of international road transport, is subject to tariffing and to publication without exception.

3. As regards conditions under which road transport undertakings are authorized to fix prices outside tariff brackets, the Commission pointed out, in its Recommendation of 26 May 1971 on the amendment of the Decree of 14 November 1949 ⁽²⁾ on the coordination and harmonization of rail and road transport, that it could only appraise the tariff system applicable to road transport upon being consulted on the rules for fixing and publishing the appropriate rates and charges.

As the proposed measures only relate to rules of publication, the Commission therefore abides by its previous statement as regards rules for the fixing of rates and charges outside tariff brackets.

4. The Commission takes note of the statements made by the representatives of the French government to the system proposed in the two drafts submitted for consideration is only a transitory step in the move towards the subsequent harmonization of the tariff systems relating to all inland transport.

Under these conditions and subject to the comments made above, the Commission issues a favourable Opinion on the drafts in question.

III

5. The Commission shall inform the other Member States of this Opinion.

Done at Brussels, 28 February 1973.

For the Commission

The President

François-Xavier ORTOLI

⁽¹⁾ OJ No L 32, 9. 2. 1971, p. 19.

⁽²⁾ OJ No L 134, 20. 6. 1971, p. 2.

COMMISSION DECISION

of 24 May 1973

authorizing France to apply special intervention measures for barley

(Only the French text is authentic)

(73/255/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation No 120/67/EEC⁽¹⁾ of 13 June 1967 on the common organization of the market in cereals, as last amended by the Act⁽²⁾ annexed to the Treaty⁽³⁾ concerning the Accession of new Member States to the European Economic Community and the European Atomic Energy Community, signed at Brussels on 22 January 1972, and in particular the second paragraph of Article 8 thereof;

Having regard to Council Regulation No 174/67/EEC⁽⁴⁾ of 27 June 1967 on special intervention measures for cereals, as last amended by Regulation (EEC) No 445/68⁽⁵⁾, and in particular Article 1 thereof;

Having regard to the request from the French Republic which reached the Commission on 11 May 1973;

Whereas the 1972/73 marketing year is characterized by an exceptional barley harvest, which in France will exceed 6 200 000 metric tons; whereas stocks in existence at the end of May will probably be in the region of 1 000 000 metric tons; whereas market prices are at present very low, mainly because of these stocks and also because of the downward trend in transactions recorded on the Community market and in exports to third countries; whereas this situation would undoubtedly lead to holders offering their stocks for intervention before the end of May, in order to benefit from the last monthly increase in the intervention price before that fixed for the first month of the marketing year is applied in June and July;

Whereas, as a result, firstly, of market prices and, secondly, of the rules governing the offering for sale by intervention agencies of the cereals held by them, it would be virtually impossible for the French intervention agency to sell the barley delivered to it, but yet marketing possibilities exist or may arise, at the market price, both inside France in some other Member States;

Whereas, this being so, measures appropriate to the circumstances described above should be taken so that the intervention agency is not obliged to make substantial purchases of barley, and to enable that cereal to be marketed normally within the Community;

Whereas, to attain the desired objectives, holders of barley should be free to endeavour to market their barley until towards the end of July without the need for apprehension that if they are not successful in marketing if they will have to sustain the considerable loss which they may anticipate as a result of the application of the intervention price prevailing at the beginning of the next marketing year; whereas the intervention price prevailing at the beginning of the next marketing year; whereas they should also be given the assurance that, if they cannot sell their barley on the market before July, they will receive an indemnity in respect of those storage costs they have incurred which would automatically have been borne in full by the intervention agency if they had delivered their stocks to it before 31 May;

Whereas the measures provided for in this Decision are in accordance with the Opinion of the Management Committee for Cereals;

HAS ADOPTED THIS DECISION:

Article 1

France may in connection with the provisions hereinafter contained take special intervention measures through its intervention agency in respect of up to 500 000 metric tons of barley.

These measures shall consist in the conclusion before 31 May 1973 of contracts between the intervention agency and such holders of barley as apply therefor, under the terms of which:

- (a) the intervention agency guarantees that up to 25 July 1973, the holder shall have the right to deliver his stocks for intervention up to the amount of the maximum quantity fixed by the

(1) OJ No 117, 19. 6. 1967, p. 2269/67.

(2) OJ No L 73, 27. 3. 1972, p. 14.

(3) OJ No L 73, 27. 3. 1972, p. 5.

(4) OJ No 130, 28. 6. 1967, p. 2609/67.

(5) OJ No L 91, 12. 4. 1968, p. 3.

intervention agency, at the intervention price prevailing, at the time the contract is concluded, at the centre designated by the holder under Article 1 of Regulation No 132/67/EEC⁽¹⁾ of 13 June 1967 laying down general rules for intervention on the market in cereals;

- (b) the holder may, between conclusion of the contract and 25 July 1973, retain possession of the barley and market it, but so that by exercising this right he shall be taken to renounce his rights under the guarantee provided for in (a);
- (c) if on or after 1 July 1973 before 11 July 1973 the holder exercises his right to deliver his cereal for intervention, the intervention agency shall grant him a flat-rate storage indemnity of 0.80 unit of account per metric ton.

This amount shall be 0.95 unit of account per metric ton if the holder exercises the right aforesaid on or after 11 July 1973 but before 26 July 1973.

The intervention agency shall, before signature of the contract, check the existence of applicants' stocks.

Article 2

The measures referred to in Article 1 shall apply to barley in storage in the following economic regions:

Bourgogne, Centre, Champagne, Nord, Picardie, Franche-Comte, Lorraine, Alsace and the Paris region.

Article 3

The acceptance and offering for sale by the intervention agency of the barley deliveries for intervention by the holders referred to in Article 1 (c) shall take place in accordance with the arrangements made in pursuance of Article 7 of Regulation No 120/67/EEC.

Article 4

France shall keep the Commission informed of progress in implementing the measures provided for in this Decision.

Article 5

This Decision is addressed to the French Republic.

Done at Brussels, 24 May 1973.

For the Commission

The President

François-Xavier ORTOLI

⁽¹⁾ OJ No 120, 21. 6. 1967, p. 2364/67.

COMMISSION RECOMMENDATION

of 29 June 1973

to the Government of Denmark on the draft order implementing Regulation
(EEC) No 2829/72

(73/256/EEC)

In a letter dated 5 February 1973, the Office of the Danish Permanent Representative sent to the Commission the text of a draft order laying down provisions for the implementation of Council Regulation (EEC) No 2829/72 ⁽¹⁾ of 28 December 1972 on the Community quota for road carriage of goods between Member States.

This constitutes consultation within the meaning of Article 7 of Council Regulation (EEC) No 2829/72.

The Commission takes note of the fact that the Danish draft order contains the implementing measures which the Member States must take pursuant to the abovementioned Regulation. Such measures must cover the organization, the procedure and the means of supervision, and the penalties for breaches of the Regulation.

1. The Commission notes that the draft order repeats certain provisions already contained in the abovementioned Community Regulation.

Under Article 189 of the Treaty, the provisions of this Regulation are directly applicable in the Member States and entered into force in Denmark on 1 January 1973. There is therefore no need to incorporate these provisions in national instruments. This could lead to confusion as to the entry into force or the direct applicability of Community Regulations as such. The repetition, even in part, of provisions of a Community Regulation in a national legal instrument

should at most be permitted only where this is necessary to make the instrument comprehensible to users.

The Commission accordingly recommends the Danish government to delete from the draft order the following provisions, for which no justification exists:

Article 2, 3 and 6, paragraph 2 in their entirety.

Article 8

'... in particular where they are not being sufficiently used or are being used solely for bilateral transport operations.'

2. As regards their intention and general substance, the other provisions of the draft order fulfil the requirements of the abovementioned Regulation.

However, it would have been desirable that the Danish government completes its provisions of implementation, especially concerning penalties, based on the Commission's Recommendation of 9 June 1969 ⁽²⁾ to the Member States regarding the introduction of the Regulation of the Community quota.

Done at Brussels, 29 June 1973.

For the Commission

The President

François-Xavier ORTOLI

⁽¹⁾ OJ No L 298, 31.12.1972, p. 16.

⁽²⁾ OJ No L 165, 5. 7. 1969, p. 7.

PUBLIC WORKS CONTRACTS

(Publication of notices of public works contracts and licences in conformity with Council Directive 71/305/EEC of 26 July 1971 supplemented by Council Directive 72/277/EEC of 26 July 1972)

MODEL NOTICES OF CONTRACTS**A. Open procedures**

1. Name and address of the authority awarding the contract (Article 16e)⁽¹⁾:
2. The award procedure chosen (Article 16b):
3. a) The site (Article 16c):
b) The nature and extent of the services to be provided and the general nature of the work (Article 16c):
c) If the contract is subdivided into several lots, the size of the different lots and the possibility of tendering for one, for several, or for all of the lots (Article 16c):
d) Information relating to the purpose of the contract if the contract entails the drawing up of projects (Article 16c):
4. Any time limit for the completion of the works (Article 16d):
5. a) Name and address of the service from which the contract documents and additional documents may be requested (Article 16f):
b) The final date for making such request (Article 16f):
c) Where applicable, the amount and terms of payment of any sum payable for such documents (Article 16f):
6. a) The final date for receipt of tenders (Article 16g):
b) The address to which they must be sent (Article 16g):
c) The language or languages in which they must be drawn up (Article 16g):
7. a) The persons authorized to be present at the opening of tenders (Article 16h):
b) The date, time and place of this opening (Article 16h):
8. Any deposits and guarantees required (Article 16i):
9. The main procedure for financing and payment and/or references to the instruments regulating these (Article 16j):
10. Where applicable, the specific legal form which must be assumed by the group of contractors to whom the contract is awarded (Article 16k):
11. The minimum economic and technical standards required of the contractors (Article 16l):
12. Period during which the tenderer is bound to keep open his tender (Article 16m):
13. Criteria for the award of the contract. Criteria other than that of the lowest price shall be mentioned if they do not appear in the contract documents (Article 29):
14. Other information:
15. The date of despatch of the notice (Article 16a):

⁽¹⁾ The Articles in brackets refer to Council Directive No 71/305/EEC of 26 July 1971 (OJ No L 185, 16. 8. 1971, p. 5).

B. Restricted procedures

1. Name and address of the authority awarding the contract (Article 17a)⁽¹⁾:
2. The award procedure chosen (Article 17a):
3. a) The site (Article 17a):
 - b) The nature and extent of the services to be provided and the general nature of the work (Article 17a):
 - c) If the contract is subdivided into several lots, the size of the different lots and the possibility of tendering for one, for several or for all of the lots (Article 17a):
 - d) Information relating to the purpose of the contract if the contract entails the drawing up of projects (Article 17a):
4. Any time limit for the completion of the works (Article 17a):
5. Where applicable, the specific legal form which must be assumed by the group of contractors to whom the contract is awarded (Article 17a):
6. a) The final date for the receipt of requests to participate (Article 17b):
 - b) The address to which they must be sent (Article 17b):
 - c) The language or languages in which they must be drawn up (Article 17b):
7. The final date for the dispatch of invitations to tender (Article 17c):
8. Information concerning the contractor's personal position, and the minimum economic and technical standards required of him (Article 17d):
9. The criteria for the award of the contract if these are not stated in the invitation to tender (Article 18d):
10. Other information:
11. The date of despatch of the notice (Article 17a):

⁽¹⁾ The Articles in brackets refer to Council Directive No 71/305/EEC of 26 July 1971 (OJ No L 185, 16. 8. 1971, p. 5).

Open procedure

1. Ministeriet for offentlige arbejder, Vejdirektoratet (Ministry of Public Works, Highways Directorate), Havnegade 23, DK 1058 Copenhagen K.
 2. Public invitation to tender pursuant to Law No 216 of 8 June 1966 relating to notices of contract, etc.
 3. a) Zealand, Elsinore motorway between Brønsholm and Mørdrup.
 b) The work comprises the execution of :
 Roadworks : supply and spreading of asphalt concrete on approximately 12.7 km motorway including hard shoulder and access roads.
 The quantities for this part of the work are as follows :
 frost protection gravel c. 20 000 m³,
 mechanically stable aggregate c. 19 000 m³,
 asphalt concrete screed 177 000 tons,
 asphalt concrete wearing course 25 000 tons,
 surface treatment 85 000 m²,
 grass seeding 280 000 m²,
 steel crash barrier 9 000 m.
 c)
 d)
 4. 1 November 1973 to 1 December 1974. The work should be completed within a specified time and at a fixed price in accordance with Housing Ministry Circular No 80 of 9 May 1971.
 5. a) Vejdirektoratet, Motorvejskontoret i Birkerød, Datavej 38, 3460 Birkerød — Tel. (01) 81 50 22.
 b) As from Tuesday, 21 August 1973. As from the same date the tender documents may be inspected at the Motorvejskontoret, Birkerød.
 c) Deposit of Dkr 1 000 will be refunded on return of tender documents. This deposit is to be paid to the Motorvejskontoret by crossed cheque made out to Vejdirektoratet, Motorvejskontoret, Birkerød. The tender documents are to be returned as soon as possible, but not later than 8 days after the tenderer has received notification that the work has been awarded, when the deposit will be returned.
 6. a) Tuesday, 18 September 1973 at 2 p.m.
 b) Bids marked 'Heslingørmotorvejen, Belægnings-entreprise' shall be handed in or posted to Vejdirektoratet, Havnegade 23, DK 1058 Copenhagen K.
 c) Danish.
 7. a) Tenderers are entitled to be present at the opening of bids.
 b) Tuesday, 18 September 1973 at 2 p.m. at Vejdirektoratet Havnegade 23, DK 1058 Copenhagen K (room 332 — conference room).
 8. Before work is commenced, the tenderer shall take out a bond for 10 % of the total amount of the work (excluding VAT) as security for performance of his obligations to the principal.
 9. Monthly progress instalments. 10 % of these payments will be retained until the sum retained amounts to 5 % of the total cost of the work.
 10.
 11. Within a week of being requested to do so, the tenderer should give details of his financial and technical resources by supplying the following information :
 — a statement from bankers indicating the tenderer's financial resources,
 — a statement of the tenderer's turnover in regard to work executed during the past three financial years,
 — a statement of work executed within the past five years, expenditure on such work and stating the time and place of such work and the principal's name.
 12. The tenderer shall maintain his offer for six weeks as from the date of award.
 13. With reference to 2 above, the applicant should also provide evidence of experience in carrying out this type of work.
 14.
 15. 8 August 1973.

Restricted procedure

1. Borough of Pontefract, Yorkshire, England.
 2. Lowest acceptable offer in competition amongst selected tenderers.
 3. a) Old Barracks site, Pontefract.
b) Erection of 187 dwellings, central boilerhouse, garages and associated site works, etc.
c)
d)
 4. 2 years.
 5. Articles of agreement and schedule of conditions of building contract, local authorities 1963 edition (July 1972 revision) with quantities.
 6. a) 21 days from date of posting, plus any intervening bank holiday.
b) Borough of Pontefract, Municipal Offices, Pontefract, Yorkshire WF8 1BE, England.
c) English.
 7. One week after the date in 6 a) above.
 8. Adequate proof of the financial and economic standing of all tenderers will be required.
 - 9.
 - 10.
 11. 8 August 1973.
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Restricted procedure

1. Scottish Development Department (Road Project Team), NCR Building, 2 Roseburn Gardens, Edinburgh EH12 5NJ, Scotland.
 2. Lowest acceptable offer in competition among selected tenderers.
 3. a) Scotland trunk road A9 in Invernessshire some 90 km south of Inverness.
b) Construction of some 13.5 km of 7.3 m single carriageway and 1.5 km of dual carriageway with 4.5 m central reserve in rough country some 300 m above sea level. The works include for side road connections, drainage and 7 minor structures. Estimated cost £ 2.5 million.
c)
d)
 4. 24 months from the date of the engineer's written order to commence the works.
 5. In the event of a group of contractors submitting an acceptable offer it will be necessary for each member of the group to sign an undertaking that each company or firm in the group will be jointly and severally responsible for the due performance of the contract.
 6. a) 6 September 1973.
b) The Secretary, Scottish Development Department (Road Project Team), NCR Building, 2 Roseburn Gardens, Edinburgh EH12 5NJ, Scotland.
c) English.
 7. Approximately November/December 1973.
 8. — Proof of inscription of the company on a professional register or the companies register in the United Kingdom or Ireland.
— Balance sheets/accounts for the past three years including a statement of turnover on construction work and proportion of turnover on civil engineering work.
— A statement of the technical qualifications of the managerial and supervisory staff who would be responsible for executing the work and any previous experience of UK construction practice.
— A list of jobs over 1 million units of account carried out during the past five years, the value and site of each job and the authority for whom executed.
— Details of plant and machinery available for executing the work.
— Whether the tenderer proposes to use his own labour force or to rely on locally recruited labour.
 9. Details of the award criteria will be shown in instructions for tendering.
 10. The contract will be based on the Institution of Civil Engineers conditions of contract for use in connection with works of civil engineering construction (fourth edition) as modified by the Scottish Development Department for use in highways works contracts, the specification for road and bridge works, drawings and bill of quantities. Price fluctuations on labour and materials will not be permitted. Interim payments will be made monthly on the basis of the valuation of work and materials delivered to the site.
 11. 9 August 1973.
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Restricted procedure

1. Peterlee Development Corporation, Shotton Hall, Peterlee, County Durham, England.
 2. The award procedure to be followed is the restricted tendering procedure as described in Article 5 and the successful tender will be the lowest acceptable offer in competition among selected tenderers.
 3. a) The site comprises an area of 11.64 acres (4.71 hectares) at The North Western Industrial Estate, Peterlee, County Durham, England.

b) Erection of a pre-cast concrete framed, pre-cast concrete panel clad factory of c. 7 300 m² of floor space including workshop offices and amenity area together with services and external works at Peterlee, County Durham.

The contract will provide for the erection of a factory with production area, workshop offices and amenity areas totalling c. 7 300 m² together with necessary services, road drains and external works.

c) The contract will not be subdivided into different lots.

d)
 4. The work is to be completed within a period of 48 weeks from the date agreed with the contractor for possession of the site.
 5. The form of contract to be entered into between the contractor and the corporation will be the current revision of the standard form of building contract (local authorities edition — with quantities) issued by the Joints Contracts Tribunal.
 6. a) 5 September 1973.
b) A.V. Williams, Esq., C.B.E., B.A. (Oxon), General Manager, Peterlee Development Corporation, Shotton Hall, Peterlee, County Durham, England.
c) English.
 7. 16 October 1973.
 8. The authority will require the tenderer to procedure the following information :
a) Proof that none of the circumstances set out in Article 23 apply to the tenderer.
b) Proof of the tenderer's financial and economic standing as set out in Articles 25a, b and c.
c) Proof of the tenderer's technical knowledge and ability as set out in Articles 26a, b, c, d and e.
 - 9.
 - 10.
 11. 9 August 1973.
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Restricted procedure

1. Peterlee Development Corporation, Shotton Hall, Peterlee, County Durham, England.
 2. The award procedure to be followed is the restricted tendering procedure as described in Article 5 and the successful tender will be the lowest acceptable offer in competition among selected tenderers.
 3. a) The site comprises an area of 17.59 acres (7.12 hectares) at the North Western Industrial Estate, Peterlee, County Durham, England.
b) Erection of four steel-framed brick-clad advance factories totalling c. 8 200 m² of lettable floor space, together with offices and amenities blocks totalling c. 400 m² including all necessary services and works at Peterlee, County Durham.
The contract will provide for the erection of four advance factories with offices and amenity blocks having a total area of c. 8 600 m² together with all necessary external services and works (including access roads and main sewers).
c) The contract will not be subdivided into different lots.
d)
 4. The work is to be completed within a period of 69 weeks from the date agreed with the tenderer for possession of the site.
 5. The form of contract to be entered into between the tenderer and the corporation will be the current revision of the standard form of building contract (local authorities edition — with quantities) issued by the Joint Contracts Tribunal.
 6. a) 5 September 1973.
b) A.V. Williams, Esq. C.B.E., B.A. (Oxon), General Manager, Peterlee Development Corporation, Shotton Hall, Peterlee, County Durham, England.
c) English.
 7. 3 December 1973.
 8. The authority will require the tenderer to produce the following information :
 - a) Proof that none of the circumstances set out in Article 23 apply to the tenderer.
 - b) Proof of the tenderer's financial and economic standing as set out in Article 25a, b and c.
 - c) Proof of the tenderer's technical knowledge and ability as set out in Article 26a, b, c, d and e.
 - 9.
 - 10.
 11. 9 August 1973.
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Restricted procedure

1. Gladsaxe Kommunalbestyrelse, Kontorvej 1, 2860 Søborg, Denmark.

Separate bids can be made for each lot, but not a collective bid for the whole of the work.
 2. Restricted invitation to tender.
 3. a) Property Register No 18 bd, Buddinge, Kontorvej 2, 2860 Søborg, Denmark.

4. The work shall be completed in 30 months, and is expected to commence 1 January 1974.
 - b) Municipal Library. The work consists of the erection of a four-storey library building, in all c. 6 800 m² gross floor area, comprising :

5.

 - basement :
 - services rooms ;
 - semi basement :
 - cafeteria,
 - archives,
 - small room,
 - room for study groups ;
 - ground and first floor :
 - lending sections ;
 - materials :
 - concrete support structures,
 - façades of anodized aluminium sections with double-glazed windows and Corten steel combined sun shade/window cleaning ledge,
 - internal walls of concrete and tiles,
 - suspended combined radiant heat/cooling ceilings,
 - concrete floor with fitted carpeting,
 - air-conditioning throughout the building.
 - c) The work is being put out to tender in 3 lots :

6. a) Monday 3 September 1973.
b) Arkitektfirma Juul Møller — Erik Korshagen, Farvergade 2, DK 1463 Copenhagen K, Denmark.
c) Danish.
 1. Main construction work.

7. Monday 10 September 1973.
 2. Façades.

8. Applications to participate in the tender shall be accompanied by reference lists of comparable work to a total value of over 1.5 million dollars.
 3. Installation.

On award of the tender, a banker's guarantee shall be given equivalent to a cash deposit of 10 % of the total value of the work. The guarantee shall be released one year after the building has been approved and handed over.

In addition, documentary evidence shall be supplied that the tenderer's resources are sufficient to enable him to complete the work in the specified time.
 - 10.
 11. 8 August 1973.
 9. Assessment of information regarding the tenderers financial and technical resources as well as information from principals or technical experts, concerning the execution of the work described in the reference list.
- The principal reserves the right to choose freely from the bids received.

Restricted procedure ⁽¹⁾

1. Der Nieders. Minister für Wirtschaft und öffentl. Arbeiten, 3 Hannover, dieser vertreten durch die Oberfinanzdirektion Hannover, 3 Hannover, diese vertreten durch das Staatshochbauamt II Oldenburg, 29 Oldenburg, Stau 5, Tel. : 0441/26 303.
2. Beschränkte Ausschreibung nach der Verdingungsordnung für Bauleistungen — Teil A (VOB/A) mit vorangegehendem öffentlichem Teilnehmerwettbewerb.
3. a) 29 Oldenburg/Oldb., 91er Straße ;
b) Neubau eines Dienstgebäudes für das Finanzamt Oldenburg, Hochhaus, Blöcke A + B ca. 30 000 cbm umb. Raum, einschl. Neben- und Außenanlagen, Gesamtherstellung.
c) Keine Lose — Generalunternehmerausschreibung.
d)
4. Ausführungsfrist November 1973 bis März 1975.
- 5.
6. a) 29. August 1973.
b) Staatshochbauamt II, 29 Oldenburg (Oldb.), Stau 5, Tel. : 0441/26 303.
c) Deutsch.
7. 3. September 1973.
8. Eintragung nach Artikel 24 und Forderungen nach Artikel 25 Buchstabe c) und Artikel 26 Buchstabe b) der Richtlinie des Rates vom 26. Juli 1971 über die Koordinierung der Verfahren zur Vergabe öffentlicher Bauaufträge (71/305/EWG) (ABl. Nr. L 185 vom 16. 8. 1971, S. 5).
9. Eintragung: Der Zuschlag wird nach § 25 der VOB/A auf das Angebot erteilt, das unter Berücksichtigung aller technischen und wirtschaftlichen Gesichtspunkte als das annehmbarste erscheint.
Andere Zuschlagskriterien werden in der Aufforderung zur Angebotsabgabe aufgeführt.
10. Staatshochbauamt II, 29 Oldenburg (Oldb.), Stau 5,
11. 17. August 1973.

⁽¹⁾ See Council Directive No 71/305/EEC, Article 12 (3), and Article 15 (OJ No L 185, 16. 8. 1971, p. 8).