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I

(Acts whose publication is obligatory)

REGULATION (EEC) No 2876/74 OF THE COMMISSION**of 18 November 1974****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 Council Regulation No 120/
67/EEC ⁽¹⁾ of 13 June 1967 on the common organiza-
tion of the market in cereals, as last amended by Regu-
lation (EEC) No 1996/74 ⁽²⁾, and in particular Article
13 (5) thereof;

Whereas the import levies on cereals, wheat and rye
flour, and wheat groats and meal were fixed by Regula-
tion (EEC) No 2524/74 ⁽³⁾ and subsequent amending
Regulations;

Whereas it follows from applying the provisions
contained in Regulation (EEC) No 2524/74 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 19
November 1974.

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

Done at Brussels, 18 November 1974.

For the Commission

P. J. LARDINOIS

Member of the Commission

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

⁽²⁾ OJ No L 209, 31. 7. 1974, p. 1.

⁽³⁾ OJ No L 271, 5. 10. 1974, p. 9.

ANNEX

to the Commission Regulation of 18 November 1974 fixing the import levies on cereals and wheat or rye flour groats and meal

CCT heading No	Description of goods	u.a./metric ton
10.01 A	Common wheat and meslin	0
10.01 B	Durum wheat	0 ⁽¹⁾ ⁽⁴⁾
10.02	Rye	6.01 ⁽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	0
10.07 D	Canary seed ; other cereals	0 ⁽⁴⁾
11.01 A	Wheat or meslin flour	0
11.01 B	Rye flour	27.35
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 2877/74 OF THE COMMISSION**of 18 November 1974****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 Council Regulation No 120/
67/EEC ⁽¹⁾ of 13 June 1967 on the common organiza-
tion of the market in cereals, as last amended by Regu-
lation (EEC) No 1996/74 ⁽²⁾, and in particular Article
15 (6) thereof ;

Whereas the premiums to be added to the levies on
cereals and malt were fixed by Regulation (EEC) No
2017/74 ⁽³⁾ and subsequent amending Regulations ;

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 Regula-
tion,

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 19
November 1974.

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

Done at Brussels, 18 November 1974.

For the Commission

P. J. LARDINOIS

Member of the Commission

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

⁽²⁾ OJ No L 209, 31. 7. 1974, p. 1.

⁽³⁾ OJ No L 210, 1. 8. 1974, p. 4.

ANNEX

to the Commission Regulation of 18 November 1974 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour ⁽¹⁾

(u.a. / metric ton)

CCT heading No	Description of goods	Current 11	1st period 12	2nd period 1	3rd period 2
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 in accordance with Regulation (EEC) No 2196/71 (OJ No L 231, 14. 10. 1971, p. 28), as last amended by Regulation (EEC) No 3148/73 (OJ No L 321, 22. 11. 1973, p. 13).

B. Malt

(u.a./100 kg)

CCT heading No	Description of goods	Current 11	1st period 12	2nd period 1	3rd period 2	4th period 3
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 2878/74 OF THE COMMISSION
of 18 November 1974
fixing the export refunds on fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 1035/72⁽¹⁾ of 18 May 1972 on the common organization of the market in fruit and vegetables, as last amended by Regulation (EEC) No 2745/72⁽²⁾, and in particular Article 30 (4) thereof;

Having regard to the Opinion of the Monetary Committee;

Whereas Article 30 of Regulation (EEC) No 1035/72 provides that, to the extent necessary to allow economically significant quantities to be exported, the difference between prices in international trade and prices in the Community for the products referred to in that Article may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 2518/69⁽³⁾ of 9 December 1969 laying down general rules for granting export refunds on fruit and vegetables and criteria for fixing the amount of such refunds as amended by Regulation (EEC) No 2455/72⁽⁴⁾ provides that, when refunds are being fixed, account must be taken of the current situation or foreseeable developments with regard to prices and availabilities of fruit and vegetables on the Community market on the one hand and prices in international trade on the other; whereas account must also be taken of the costs indicated in (b) of that Article and of the economic aspects of the proposed exports;

Whereas, pursuant to Article 3 of Regulation (EEC) No 2518/69, when prices on the Community market are being determined account must be taken of the prices which are most favourable from the exportation point of view; whereas, when prices in international trade are being determined, the prices and quotations referred to in paragraph 2 of that Article must be taken into account;

Whereas the situation with regard to international trade or the specific requirements of certain markets may make it necessary to vary the refund for a given product according to the destination of that product;

Whereas sweet fresh oranges, fresh mandarins, fresh lemons and apples of the common quality standards 'Extra' Class, Class I and Class II, 'Extra' Class and Class I hothouse and open-ground grapes, shelled hazelnuts, and shelled walnuts may at present be exported in economically significant quantities;

Whereas exports of these products to certain destinations cannot be routed through the Suez Canal and whereas the consequent detour via the Cape of Good Hope entails additional transport costs; whereas the refund can therefore be justifiably increased where exports have to be transported via the latter route;

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 it follows from applying these rules and criteria to the present situation on the market of the prospective development of this situation, and in particular to quotations and prices for fruit and vegetables in the Community and in international trade that the refund should be fixed as indicated below;

Whereas the Management Committee for Fruit and Vegetables has not delivered an opinion within the time limit set by its Chairman,

HAS ADOPTED THIS REGULATION:

Article 1

1. The export refunds on fruit and vegetables are hereby fixed at the amounts indicated in the Annex.
2. If apples are shipped to their destination via the Cape of Good Hope, the amount indicated in the Annex shall be increased by 4 u.a./100 kg.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 291, 28. 12. 1972, p. 147.

⁽³⁾ OJ No L 318, 18. 12. 1969, p. 17.

⁽⁴⁾ OJ No L 266, 25. 11. 1972, p. 7.

3. The provisions of Article 4 (1) (b) of Commission Regulation No 1041/67/EEC ⁽¹⁾ of 21 December 1967 on detailed rules for the application of export refunds on products subject to a single price system, as last amended by Regulation (EEC) No 2110/74 ⁽²⁾, shall apply to exports of sweet oranges, mandarins, table

grapes of open ground, unshelled walnuts and apples set out in the Annex.

Article 2

This Regulation shall enter into force on 19 November 1974.

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

Done at Brussels, 18 November 1974.

For the Commission

The President

François-Xavier ORTOLI

⁽¹⁾ OJ No 314, 23. 12. 1967, p. 9.

⁽²⁾ OJ No L 220, 10. 8. 1974, p. 1.

ANNEX

to the Commission Regulation of 18 November 1974 fixing the export refunds on fruit and vegetables

CCT heading No	Description of goods	(u.u./100 kg net) Refund
ex 08.02 A I	Sweet fresh oranges : — of the varieties Biondo Comune and Sanguigno Comune ('Extra' Class, Class I and Class II) — of other varieties ('Extra' Class, Class I and Class II) (Extra Class, Class I and Class II)	4·00 6·00
ex 08.02 B	Fresh manderins ('Extra' Class, Class I and Class II)	6·00
ex 08.02 C	Fresh lemons ('Extra' Class, Class I and Class II) for export to : — Countries or states with a planned economy in cen- tral and eastern Europe — Other destinations	2·50 1·44
ex 08.04 A I	Table grapes : — Fresh, open ground 'Extra Class' and Class I — Fresh, hothouse 'Extra Class' and Class I	6·00 16·00
ex 08.05 B	Walnuts unshelled	8·00
ex 08.05 G	Shelled hazelnuts	4·00
ex 08.06 A II	Apples ('Extra' Class, Class I and Class II) other than cider apples : — for export to countries and territories of Africa (with the exception of South Africa), countries of the Arabian Peninsula, Syria, Iran, countries or states with a planned economy in central and eastern Europe, Brazil, Venezuela, Peru, Iceland, Sweden and Finland	3·00

REGULATION (EEC) No 2879/74 OF THE COMMISSION**of 18 November 1974****laying down detailed rules for the application of the special measures for soya beans for the 1974/75 marketing year**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 1900/74⁽¹⁾ of 15 July 1974 laying down special measures for soya beans, and in particular Article 2 (4) thereof;

Whereas, in view of normal price fluctuations on the world market, it is necessary in order to be able to determine the average world market price for soya beans to ascertain each week what that price is;

Whereas provision should be made for the offers and quotations used for this purpose to be adjusted so as to offset any difference in presentation, quality, terms and place of delivery in relation to those by reference to which the average world market price is determined;

Whereas, in order to ensure that the subsidy system operates as it should, the minimum information to be given in applications for subsidies must be specified, as must the information to be communicated to the Commission by the Member States;

Whereas the measures provided for in this Regulation are in accordance with the Opinion of the Management Committee for Oils and Fats,

HAS ADOPTED THIS REGULATION:

Article 1

1. For the purpose of determining the average world market price for soya beans, a world market price per 100 kilogrammes shall be established each week on the basis of the most favourable offers and quotations for deliveries to be made:

- within 30 days following the date on which the offers and quotations are recorded;
- during the third month following that in which the offers and quotations are recorded.

2. The average world market price shall be the arithmetic mean of the weekly prices referred to in paragraph 1 recorded over the period referred to in Article 1 (2) of Council Regulation (EEC) No 2783/74⁽²⁾ of 4 November 1974 on special measures for soya beans for the 1974/75 marketing year.

⁽¹⁾ OJ No L 201, 23. 7. 1974, p. 5.

⁽²⁾ OJ No L 297, 5. 11. 1974, p. 1.

Article 2

1. Where the offers and quotations are in respect of:

- (a) beans put up otherwise than in bulk, the amount thereof shall be reduced by the amount attributable to the form of presentation;
- (b) a quality other than the standard quality for which the guide price is fixed, the amount thereof shall be multiplied by the coefficients of equivalence shown in the Annex hereto;
- (c) products delivered c and f, the amount thereof shall be increased by 0.2 %;
- (d) products delivered cif at a frontier crossing point other than Rotterdam, the amount thereof shall be adjusted by reference to the difference between the freight and insurance costs in question and those for products delivered cif Rotterdam;
- (e) products delivered cif Rotterdam, the amount thereof shall be increased by 0.20 unit of account to take account of unloading and forwarding costs;
- (f) products delivered fas, fob or otherwise, the amount thereof shall be increased as appropriate by loading, transport and insurance costs from the point of shipment or loading to the frontier crossing point.

2. For the purposes of paragraph 1, only the lowest applicable loading, transport and insurance costs shall be taken into account.

Article 3

Producers wishing to obtain the subsidy provided for in Article 2 (1) of Regulation (EEC) No 1900/74 shall before 16 February 1975 submit to the competent authorities an application for a subsidy containing at least the following particulars:

- the surname, forename, address and signature of the applicant;
- the area sown and harvested, in hectares and ares.

Article 4

Producer Member States shall before 1 January 1975 provide the Commission with particulars of soya bean

yields per hectare in respect of their main production areas.

Article 5

Producer Member States shall inform the Commission :

- (a) before 1 January 1975, of the national subsidy arrangements retained by them pursuant to Article 5 (1) of Regulation (EEC) No 2783/74 ;
- (b) in the case of the subsidy provided for in Article 2 (1) of Regulation (EEC) No 1900/74, before 15

March 1975, of the crop areas in respect of which such subsidy has been applied for.

Article 6

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

It shall apply from 1 November 1974 to 31 October 1975.

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

Done at Brussels, 18 November 1974.

For the Commission

The President

François-Xavier ORTOLI

ANNEX

Coefficients of equivalence for soya beans

	Amount to be deducted from the price u.a./100 kg	Amount to be added to the price u.a./100 kg
A. Soya beans from the United States Grade : US No 2	—	—
B. Soya beans from Brazil	0.50	—

REGULATION (EEC) No 2880/74 OF THE COMMISSION
of 18 November 1974

amending Regulation (EEC) No 689/73 laying down certain detailed rules necessary for the application of the subsidy provided for the refining of raw sugar produced in the French overseas departments

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 2476/74⁽²⁾, and in particular Article 9 (8) thereof;

Whereas Article 3 of Council Regulation (EEC) No 239/73⁽³⁾ of 31 January 1973, on the marketing price for sugar imported into the United Kingdom under the terms of the Commonwealth Sugar Agreement and on measures to assist the marketing of sugars produced in the French overseas departments fixed an amount of 0.43 unit of account per 100 kilogrammes of white sugar as the refining subsidy for the period from 1 July 1974 to 28 February 1975; whereas this amount has been varied by Council Regulation (EEC) No 1601/74⁽⁴⁾ of 29 April 1974 and by Commission Regulation (EEC) No 2518/74⁽⁵⁾ of 4 October 1974;

Whereas by Commission Regulation (EEC) No 689/73⁽⁶⁾ of 9 March 1973 laying down certain detailed rules necessary for the application of the subsidy provided for the refining of raw sugar produced in the French overseas departments the orig-

inal amount was converted so as to apply to 100 kilogrammes of raw sugar of standard quality; whereas it is therefore necessary to adjust this converted amount;

Whereas the measures provided for in this Regulation are in accordance with the Opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

Article 1 (c) of Regulation (EEC) No 689/73 is replaced by the following:

- '(c) 0.86 unit of account for raw sugar refined between 1 July 1974 and 6 October 1974 inclusive;
- (d) 0.97 unit of account for raw sugar refined between 7 October 1974 and 28 February 1975 inclusive.'

Article 2

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

It shall apply from 1 July 1974.

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

Done at Brussels, 18 November 1974.

For the Commission

The President

François-Xavier ORTOLI

⁽¹⁾ OJ No 308, 18. 12. 1967, p. 1.

⁽²⁾ OJ No L 264, 1. 10. 1974, p. 70.

⁽³⁾ OJ No L 29, 1. 2. 1973, p. 14.

⁽⁴⁾ OJ No L 172, 27. 6. 1974, p. 6.

⁽⁵⁾ OJ No L 270, 5. 10. 1974, p. 1.

⁽⁶⁾ OJ No L 66, 13. 3. 1973, p. 21.

REGULATION (EEC) No 2881/74 OF THE COMMISSION

of 18 November 1974

on the invitation to tender for the costs of delivery of skimmed-milk powder to Pakistan 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 804/68 ⁽¹⁾ of 27 June 1968 on the common organization of the market in milk and milk products, as last amended by Regulation (EEC) No 662/74 ⁽²⁾, and in particular Article 7 (5) thereof;

Whereas Council Regulation (EEC) No 1827/74 ⁽³⁾ of 11 July 1974 on the supply of skimmed-milk powder as food aid to certain developing countries and international organizations, makes *inter alia* provision for the supply to Pakistan of 600 metric tons of skimmed-milk powder held by the intervention agencies; whereas that country has made a request of delivering of the abovementioned quantity; whereas tenders must be invited for the costs of delivering this quantity, in accordance with Commission Regulation (EEC) No 2557/74 ⁽⁴⁾ of 4 October 1974 concerning the invitation to tender for the costs of delivery, as food aid, of skimmed-milk powder to certain third countries;

Whereas, however, for the purpose of applying Regulation (EEC) No 2557/74, certain points must be specified, in particular the time limit for the submission of tenders and the terms for delivering the skimmed-milk powder;

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

In accordance with the provisions of Regulation (EEC) No 2557/74, tenders shall be invited for the costs of

delivery of a lot of 600 metric tons of skimmed-milk powder for Pakistan.

Article 2

1. The skimmed-milk powder shall be collected from the United Kingdom intervention agency.
2. The intervention agency concerned shall have the packing marked, in letters at least two centimetres high, as follows: 'Skimmed-milk powder — Gift of the European Economic Community to the Islamic Republic of Pakistan'.

Article 3

1. Delivery shall be effected at a Community port accessible for ocean-going ships.
2. Delivery shall be effected on a date fixed by the intervention agency concerned which must be after 13 and before 29 January 1975.

Article 4

The time limit for the submission of tenders expires on 10 December 1974 at 12 noon.

Article 5

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, 18 November 1974.

For the Commission

The President

François-Xavier ORTOLI

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 85, 29. 3. 1974, p. 51.

⁽³⁾ OJ No L 190, 13. 7. 1974, p. 22.

⁽⁴⁾ OJ No L 274, 9. 10. 1974, p. 7.

REGULATION (EEC) No 2882/74 OF THE COMMISSION
of 18 November 1974
altering the special export levy 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 2476/74⁽²⁾;

Having regard to Council Regulation (EEC) No 608/72⁽³⁾ of 23 March 1972 laying down rules to be applied in cases of considerable price rises on the world sugar market, and in particular Article 1 (2) thereof;

Whereas the special export levy on white sugar and raw sugar was fixed by Regulation (EEC) No 1791/74⁽⁴⁾, as last amended by Regulation (EEC) No 2875/74⁽⁵⁾;

Whereas it follows from applying the rules, criteria and other provisions contained in the Regulation

(EEC) No 1791/74 to the information at present available to the Commission, that the special export levy at present in force should be altered as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The special export levy on sugar provided for in the second subparagraph of Article 16 (1) of Regulation No 1009/67/EEC fixed in the Annex to amended Regulation (EEC) No 1791/74 is altered as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 19 November 1974.

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

Done at Brussels, 18 November 1974.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No 308, 18. 12. 1967, p. 1.

⁽²⁾ OJ No L 264, 1. 10. 1974, p. 70.

⁽³⁾ OJ No L 75, 28. 3. 1972, p. 5.

⁽⁴⁾ OJ No L 187, 11. 7. 1974, p. 23.

⁽⁵⁾ OJ No L 306, 16. 11. 1974, p. 21.

ANNEX

to the Commission Regulation of 18 November 1974 altering the special export levy on white sugar and raw sugar

(n.a./100 kg)		
CCT heading No	Description of goods	Amount of the special export levy
17.01	Beet sugar and cane sugar, solid :	
	A. Denatured :	
	I. White sugar	100.50
	II. Raw sugar	85.50 ⁽¹⁾
	B. Undenatured :	
	I. White sugar	100.50
	ex II. Raw sugar other than candy sugar	85.50 ⁽¹⁾

⁽¹⁾ This amount applies to raw sugar with a 92 % yield. If the yield of the exported raw sugar is different from 92 % the levy to be applied shall be calculated in conformity with Article 2 of Regulation (EEC) No 1076/72

REGULATION (EEC) No 2883/74 OF THE COMMISSION
of 18 November 1974
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 last amended by Regulation (EEC) No 1860/74 ⁽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, as amended by Regulation (EEC) No 1999/74 ⁽⁵⁾, and in particular Article 5 thereof;

Whereas compensatory amounts for cereals and rice have been fixed pursuant to Regulation (EEC) No 2756/74 ⁽⁶⁾, as last amended by Regulation (EEC) No 2863/74 ⁽⁷⁾;

Whereas the application of the rules referred to in Regulation (EEC) No 2756/74 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 2756/74 are amended as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 19 November 1974.

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

Done at Brussels, 18 November 1974.

For the Commission

P. J. LARDINOIS

Member of the Commission

⁽¹⁾ OJ No L 73, 27. 3. 1972, p. 5.

⁽²⁾ OJ No L 27, 1. 2. 1973, p. 25.

⁽³⁾ OJ No L 197, 19. 7. 1974, p. 1.

⁽⁴⁾ OJ No L 29, 1. 2. 1973, p. 26.

⁽⁵⁾ OJ No L 209, 31. 7. 1974, p. 5.

⁽⁶⁾ OJ No L 294, 1. 11. 1974, p. 29.

⁽⁷⁾ OJ No L 305, 15. 11. 1974, p. 38.

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/u.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
10.02	—	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 douanetarief CCT heading No	DK	IRL	UK
11.01 B ⁽¹⁾	—	1-000	1-000
11.02 A II ⁽¹⁾	—	0-840	0-840
11.02 B II b) ⁽¹⁾	—	0-798	0-798
11.02 C II ⁽¹⁾	—	0-840	0-840
11.02 D II ⁽¹⁾	—	0-612	0-612
11.02 E II b) ⁽¹⁾	—	0-840	0-840
11.02 F II ⁽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 Gewichtshundertteilen,
- einen auf den Trockenstoff bezogenen Aschegehalt (abzüglich etwa zugesetzter Mineralstoffe) der bei Reis 1,6 Gewichtshundertteile oder weniger, bei Weizen und Roggen 2,5 Gewichtshundertteile oder weniger, bei Gerste 3 Gewichtshundertteile oder weniger, bei Buchweizen 4 Gewichtshundertteile oder weniger, bei Hafer 5 Gewichtshundertteile oder weniger und bei anderen Getreidearten 2 Gewichtshundertteile 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 gewichtspercenten, 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 gewichtspercent voor rijst, 2,5 gewichtspercenten voor tarwe en rogge, 3 gewichtspercenten voor gerst, 4 gewichtspercenten voor boekweit, 5 gewichtspercenten voor haver en 2 gewichtspercenten 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)

COUNCIL

COUNCIL DIRECTIVE

of 12 November 1974

on admission to the occupation of road haulage operator in national and international transport operations

(74/561/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 75 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament⁽¹⁾;

Having regard to the Opinion of the Economic and Social Committee⁽²⁾;

Whereas the organization of the transport market is one of the essential factors in the implementation of the common transport policy provided for in the Treaty;

Whereas the adoption of measures aimed at coordinating the conditions of admission to the occupation of haulage operator is likely to favour effective exercise of the right of establishment;

Whereas it is necessary to provide for the introduction of common rules for admission to the occupation of road haulage operator in national and international transport operations in order to ensure that road haulage operators are better qualified, thus contributing to rationalization of the market, improvement in the quality of the service provided, in the interests of users, operators and the economy as a whole, and to greater road safety;

Whereas, therefore, the rules for admission to the occupation of road haulage operator should cover the good repute, financial standing and professional competence of operators;

Whereas, however, it is not necessary to include in these common rules certain kinds of transport which are of limited economic importance;

Whereas transitional measures must be introduced to enable Member States to adapt their national rules to those of the Community;

Whereas the harmonization of conditions for applying these common rules requires that provision be made for a Community consultation procedure as regards the appropriate national measures to be taken,

HAS ADOPTED THIS DIRECTIVE:

Article 1

1. Admission to the occupation of road haulage operator shall be governed by the provisions adopted by the Member States in accordance with the common rules contained in this Directive.

2. For the purposes of this Directive, 'the occupation of road haulage operator' means the activity of any natural person or any undertaking transporting goods for hire or reward by means of either a self-contained motor vehicle or a combination of coupled vehicles.

⁽¹⁾ OJ No C 72, 19. 7. 1968, p. 53.

⁽²⁾ OJ No C 49, 17. 5. 1968, p. 2.

For the purposes of this Directive, 'undertaking' means any association or group of persons with or without legal personality, whether profit-making or not, or any official body whether having its own legal personality or being dependent upon an authority having such personality.

Article 2

1. This Directive shall not apply to natural persons or undertakings engaging in the occupation of road haulage operator by means of vehicles the permissible payload of which does not exceed 3.5 metric tons or the permissible total laden weight of which does not exceed six metric tons. Member States may, however, lower the said limits for all or some categories of transport operations.

2. Member States may, after consulting the Commission, exempt from the application of all or some of the provisions of this Directive natural persons or undertakings engaged exclusively in national transport operations having only a minor impact on the transport market because of:

- the nature of the goods carried, or
- the short distance involved.

Article 3

1. Natural persons or undertakings wishing to engage in the occupation of road haulage operator shall:

- (a) be of good repute;
- (b) be of appropriate financial standing;
- (c) satisfy the condition as to professional competence.

Where the applicant is a natural person and does not satisfy provision (c), the competent authorities may nevertheless permit him to engage in the occupation of road haulage operator provided that he designates to the said authorities another person, satisfying provisions (a) and (c) above, who shall continuously and effectively manage the transport operations of the undertaking.

Where the applicant is an undertaking, provisions (a) and (c) above must be satisfied by one of the natural persons who will continuously and effectively manage the transport operations of the undertaking. Member States may also require that other persons in the undertaking satisfy provision (a) above.

2. Pending coordination at a later date, each Member State shall determine the provisions relating to good repute which must be satisfied by the applicant and, where appropriate, by the natural persons referred to in paragraph 1.

3. Appropriate financial standing shall consist in having available sufficient resources to ensure the launching and proper administration of the under-

taking. Pending coordination at a later date, each Member State shall determine what provisions and what methods of furnishing proof may be adopted for this purpose.

4. The condition as to professional competence shall consist in the possession of skills in the subjects listed in the Annex and recognized by the authority or body designated for that purpose by each Member State. The necessary knowledge shall be acquired by attending courses, by practical experience in a transport undertaking or by a combination of both. Member States may exempt from the application of these provisions the holders of certain advanced diplomas or technical diplomas implying sound knowledge of the subjects listed in the Annex.

The production of a certificate issued by the authority or body referred to in the preceding subparagraph shall constitute proof of professional competence.

Article 4

1. Member States shall determine the circumstances in which a road haulage undertaking may, by way of derogation from Article 3 (1), be operated on a temporary basis for a maximum period of one year, with extension for a maximum period of six months, in duly justified special cases in the event of the death or physical or legal incapacity of the natural person engaged in the occupation of transport operator or of the natural person who satisfies the provisions of Article 3 (1) (a) and (c).

2. However, the competent authorities in the Member States may, by way of exception and in certain special cases, definitively authorize a person not fulfilling the condition of professional competence referred to in Article 3 (1) (c) to operate the transport undertaking provided that such person possesses at least three years' practical experience in the day-to-day management of the undertaking.

Article 5

1. Natural persons and undertakings furnishing proof that, before 1 January 1978, they were authorized under national regulations in a Member State to engage in the occupation of road haulage operator in national and/or international road transport operations shall be exempt from the requirement to furnish proof that they satisfy the provisions laid down in Article 3.

2. However, those natural persons who, after 31 December 1974 and before 1 January 1978, were:

- authorized to engage in the occupation of road haulage operator without having furnished proof, under national regulations, of their professional competence, or
- designated continuously and effectively to manage the transport operations of the undertaking,

must satisfy, before 1 January 1980, the condition of professional competence referred to in Article 3 (4).

The same requirement shall apply in the case referred to in the third subparagraph of Article 3 (1).

Article 6

1. Decisions taken by the competent authorities of the Member States pursuant to the measures adopted on the basis of this Directive and entailing the rejection of an application for admission to the occupation of road haulage operator shall state the grounds on which they are based.

2. Member States shall ensure that the competent authorities withdraw the authorization to pursue the occupation of haulage operator if they establish that the provisions of Article 3 (1) (a), (b) or (c) are no longer satisfied. In this case, however, they shall allow sufficient time for a substitute to be appointed.

3. With regard to the decisions referred to in paragraphs 1 and 2, Member States shall ensure that the natural persons or undertakings covered by this Directive are able to defend their interests by appropriate means.

Article 7

1. Member States shall, after consulting the Commission and before 1 January 1977, adopt the measures necessary for the implementation of this Directive, in particular Article 3 (4) thereof.

2. Member States shall ensure that the procedure for official verification of the skills mentioned in Article 3 (4) shall become operative for the first time before 1 January 1978.

Article 8

This Directive is addressed to the Member States.

Done at Brussels, 12 November 1974.

For the Council

The President

J. SAUVAGNARGUES

ANNEX**LIST OF SUBJECTS REFERRED TO IN ARTICLE 3 (4)**

The knowledge to be taken into consideration for the official recognition of professional competence must cover at least the subjects listed below. These must be described in full detail and have been worked out or approved by the competent national authorities. They must be so designed as to be within the grasp of those persons whose education corresponds to the level normally reached at school-leaving age.

A. SUBJECTS OF WHICH KNOWLEDGE IS REQUIRED FOR TRANSPORT OPERATORS INTENDING TO ENGAGE EXCLUSIVELY IN NATIONAL TRANSPORT OPERATIONS**1. Law**

Elements of civil, commercial, social and fiscal law, as necessary for engaging in the occupation, with particular emphasis on :

- general contracts ;
- transport contracts, with particular reference to the responsibility of the haulage operator (nature and limits) ;
- commercial companies ;
- ledgers ;
- regulations governing labour, social security ;
- taxation systems.

2. Business and financial management of an undertaking

- methods of payment and financing ;
- costing ;
- pricing and haulage terms ;
- business accounts ;
- insurance ;
- invoicing ;
- transport agents.

3. Access to the market

- provisions relating to the taking up and pursuit of the occupation ;
- transport documents.

4. Technical standards and aspects of operation

- weight and dimensions of vehicles ;
- vehicle selection ;
- type-approval and registration ;
- vehicle maintenance standards ;
- loading and unloading of vehicles.

5. Road safety

- laws, regulations and administrative provisions applicable to traffic ;
- traffic safety ;
- accident prevention and procedure in the event of an accident.

**B. SUBJECTS OF WHICH KNOWLEDGE IS REQUIRED FOR HAULAGE OPERATORS
INTENDING TO ENGAGE IN INTERNATIONAL TRANSPORT**

- subjects listed under A ;
 - provisions applicable to the transport of goods by road between Member States and between the Community and non-member countries arising out of national laws, Community standards, international conventions and agreements ;
 - customs practice and formalities ;
 - main traffic regulations in the Member States.
-

COUNCIL DIRECTIVE

of 12 November 1974

on admission to the occupation of road passenger transport operator in national and international transport operations

(74/562/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 75 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament⁽¹⁾;

Having regard to the Opinion of the Economic and Social Committee⁽²⁾;

Whereas the organization of the transport market is one of the essential factors in the implementation of the common transport policy provided for in the Treaty;

Whereas the adoption of measures aimed at coordinating the conditions of admission to the occupation of road passenger transport operator is likely to favour effective exercise of the right of establishment;

Whereas it is necessary to provide for the introduction of common rules for admission to the occupation of road passenger transport operator in national and international transport operations in order to ensure that road passenger transport operators are better qualified, thus contributing to rationalization of the market, improvement in the quality of the service provided in the interests of users, transport operators and the economy as a whole, and to greater road safety;

Whereas, therefore, the rules for admission to the occupation of road passenger transport operator should cover the good repute, financial standing and professional competence of operators;

Whereas, however, it is not necessary to include in these common rules certain kinds of transport which are of limited economic importance;

Whereas transitional measures must be introduced to enable Member States to adapt their national rules to those of the Community;

Whereas the harmonization of conditions for applying these common rules requires that provision be made for a Community consultation procedure as regards the appropriate national measures to be taken,

HAS ADOPTED THIS DIRECTIVE:

Article 1

1. Admission to the occupation of road passenger transport operator shall be governed by the provisions adopted by the Member States in accordance with the common rules contained in this Directive.

2. For the purpose of this Directive, 'the occupation of road passenger transport operator' means the activity of any natural person or any undertaking operating by means of motor vehicles so constructed and equipped as to be suitable for carrying more than nine persons — including the driver — and intended for that purpose, passenger transport services for the public or for specific categories of users against payment by the person transported or by the transport organizer.

For the purposes of this Directive, 'undertaking' means any association or group of persons with or without legal personality, whether profit-making or not, or any official body, whether having its own legal personality or being dependent upon an authority having such personality.

3. Member States may, after consulting the Commission, exempt from the application of all or some of the provisions of this Directive natural persons or undertakings engaged exclusively in road passenger transport services for non-commercial purposes or having a main occupation other than that of road passenger transport operator, in so far as their transport operations have only a minor impact on the transport market.

Article 2

1. Natural persons or undertakings wishing to engage in the occupation of road passenger transport operator shall:

(a) be of good repute;

(b) be of appropriate financial standing;

(c) satisfy the condition as to professional competence.

Where the applicant is a natural person and does not satisfy provision (c), the competent authorities may

(¹) OJ No C 17, 12. 2. 1969, p. 6.

(²) OJ No C 26, 28. 2. 1969, p. 8.

nevertheless permit him to engage in the occupation of road passenger transport operator provided that he designates to the said authorities another person, satisfying provisions (a) and (c) above, who shall continuously and effectively manage the transport operations of the undertaking.

Where the applicant is an undertaking, provisions (a) and (c) above must be satisfied by one of the natural persons who will continuously and effectively manage the transport operations of the undertaking. Member States may also require that other persons in the undertaking satisfy provision (a) above.

2. Pending coordination at a later date, each Member State shall determine the provisions relating to good repute which must be satisfied by the applicant and, where appropriate, the natural persons referred to in paragraph 1.

3. Appropriate financial standing shall consist in having available sufficient financial resources to ensure the launching and proper administration of the undertaking. Pending coordination at a later date, each Member State shall determine what provisions and what methods of furnishing proof may be adopted for this purpose.

4. The condition as to professional competence shall consist in the possession of skills in the subjects listed in the Annex and recognized by the authority or body designated for that purpose by each Member State. The necessary knowledge shall be acquired by attending courses, by practical experience in a transport undertaking or by a combination of both. The Member States may exempt from the application of these provisions the holders of certain advanced diplomas or technical diplomas implying sound knowledge of the subjects listed in the Annex.

The production of a certificate issued by the authority or body referred to in the preceding subparagraph shall constitute proof of professional competence.

Article 3

1. Member States shall determine the circumstances in which operation of a road passenger transport undertaking may, by way of derogation from the provisions of Article 2 (1), be continued on a temporary basis for a maximum period of one year, with extension for a maximum period of six months, in duly justified special cases, in the event of the death or physical or legal incapacity of the natural person engaged in the occupation of transport operator or of the natural person who satisfies the provisions of Article 2 (1) (a) and (c).

2. However, the competent authorities in the Member States may, by way of exception and in certain special cases, definitively authorize a person not fulfilling the condition as to professional competence referred to in Article 2 (1) (c) to continue to

operate the transport undertaking provided that such person possesses at least three years' practical experience in the day-to-day management of the undertaking.

Article 4

1. Natural persons and undertakings furnishing proof that before 1 January 1978, they were authorized under national regulations in a Member State to engage in the occupation of road passenger transport operator in national and/or international transport operations shall be exempt from the requirement to furnish proof that they satisfy the provisions laid down in Article 2.

2. However, those natural persons who, after 31 December 1974 and before 1 January 1978, were:

- authorized to engage in the occupation of road passenger transport operator without having furnished proof, under national regulations, of their professional competence, or
- designated continuously and effectively to manage the transport operations of the undertaking,

must satisfy, before 1 January 1980 the condition of professional competence referred to in Article 2 (4).

The same requirement shall apply in the case referred to in the third subparagraph of Article 2 (1).

Article 5

1. Decisions taken by the competent authorities of Member States pursuant to the measures adopted on the basis of this Directive and entailing the rejection of an application for admission to the occupation of road passenger transport operator shall state the grounds on which they are based.

2. Member States shall ensure that the competent authorities withdraw the authorization to pursue the occupation of passenger transport operator if they establish that the provisions of Article 2 (1) (a), (b) or (c) are no longer satisfied. In this case, however, they shall allow sufficient time for a substitute to be appointed.

3. With regard to the decisions referred to in paragraphs 1 and 2, Member States shall ensure that the natural persons or undertakings covered by this Directive are able to defend their interests by appropriate means.

Article 6

1. Member States shall, after consulting the Commission and before 1 January 1977, adopt the measures necessary for the implementation of this Directive, in particular Article 2 (4) thereof.

2. Member States shall ensure that the procedure for official verification of the skills mentioned in

Article 2 (4) shall become operative for the first time
before 1 January 1978.

Done at Brussels, 12 November 1974.

For the Council

Article 7

The President

This Directive is addressed to the Member States.

J. SAUVAGNARGUES

ANNEX

LIST OF SUBJECTS REFERRED TO IN ARTICLE 2 (4)

The knowledge to be taken into consideration for the official recognition of professional competence must cover at least the subjects listed below. These must be described in full detail and have been worked out or approved by the competent national authorities. They must be so designed as to be within the grasp of those persons whose education corresponds to the level normally reached at school-leaving age.

**A. SUBJECTS OF WHICH KNOWLEDGE IS REQUIRED FOR TRANSPORT OPERATORS
INTENDING TO ENGAGE EXCLUSIVELY IN NATIONAL TRANSPORT OPERATIONS**

1. Law

Elements of civil, commercial, social and fiscal law, as necessary for engaging in the occupation, with particular emphasis on :

- general contracts ;
- transport contracts, with particular reference to the responsibility of the transport operator (nature and limits) ;
- commercial companies ;
- ledgers ;
- regulations governing labour, social security ;
- taxation systems.

2. Business and financial management of an undertaking

- methods of payment and financing ;
- costing ;
- system of fares, prices and conditions of transport ;
- business accounts ;
- insurance ;
- invoices ;
- travel agencies.

3. Regulation of road passenger services

- institution of transport services and transport plans ;
- conditions of fulfilment of passenger services ;
- provisions relating to admission to and pursuit of the occupation ;
- transport documents.

4. Technical standards and aspects of operation

- vehicle selection ;
- type-approval and registration ;
- vehicle maintenance standards.

5. Road safety

- laws, regulations and administrative provisions applicable to traffic ;
- traffic safety ;
- geographical knowledge of routes ;
- accident prevention and procedure in the event of an accident.

B. SUBJECTS OF WHICH KNOWLEDGE IS REQUIRED FOR TRANSPORT OPERATORS
INTENDING TO ENGAGE IN INTERNATIONAL TRANSPORT

- subjects listed under A ;
 - provisions applicable to passenger transport by road between Member States and between the Community and non-member countries, arising out of national laws, Community standards, international conventions and agreements ;
 - practice and formalities connected with border-crossings ;
 - main traffic regulations in the Member States.
-

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. Autobahndirektion München, 8000 München 2, Seidlstraße 9, Postfach 200109, Federal Republic of Germany.
 2. Public invitation to tender.
 3. a) The Eching and Garching district.
b) Roadworks for a six-lane extension of the Eching-Garching section between km posts 51415 and 51841 on the Nuremberg-Munich motorway (A 3). The work comprises mainly:
36 000 m³ topsoil work;
150 000 m³ earthworks;
72 000 m³ frost protection;
230 000 m² base course;
130 000 m² asphaltic binding course;
51 000 m² asphaltic surfacing;
88 000 m² mastic asphalt surfacing;
1 700 m drainage pipes.
c)
d)
 4. October 1976.
 5. a) As in item 1. The tender documents may also be obtained on presentation of the receipt (see item 5 c)) in room 313, Seidlstraße 9, Munich.
b) From 25 November 1974 (issued personally or posted).
c) The specifications are obtainable only on payment of DM 300 to the Munich postal cheque account No 9016-805 (BLZ 70010080) or to account No 24869 with the Bayerische Landesbank in Munich (BLZ 70050000), quoting 'A 3 - U 13'. The cost of the specifications is not refundable.
 6. a) 14 January 1975 at 10 a.m.
b) As in item 1.
 - c) German.
 7. a) Tenderers and their authorized representatives.
b) Tuesday, 14 January 1975 at 10 a.m. at the address given in item 1, canteen (ground floor).
 8. Guarantee of 5 % of the contract price for fulfilment of contract and completion of the work.
Only guarantees from a credit insurer or credit institution approved in the Federal Republic of Germany will be accepted.
 9. Interim and final payments in accordance with the regulations governing construction work contracts — Part B (VOB/B) (but payment to be completed within six months) relating to Article 13 of the 1973 edition of ZVStRa, including the additional clauses affecting Bavaria.
 - 10.
 11. The tenderer must be able to prove that he has, over the past three years, carried out construction work which is comparable in importance and in its technical aspects and duration to the work being put out to tender.
 12. Until 11 April 1975.
 13. In accordance with § 25 VOB/A the contract will be awarded to the tender which appears the most acceptable when all technical and economic aspects are considered.
 - 14.
 15. 8 November 1974.
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Open procedure

1. Landschaftsverband Westfalen-Lippe, Landesstraßenbauamt, 58 Hagen, Rheinstraße 8, Postfach 4203, Federal Republic of Germany.
2. Public invitation to tender.
3. a) Construction of a bridge over the Ruhr and discharge culverts on trunk road 673 in Westhofen.
b) The work comprises mainly the following approximate quantities:
 - 1 400 m² sheet piling for trench reinforcement;
 - 18 000 m³ supply of additional fill material;
 - 2 800 m³ trench excavation;
 - 1 320 m³ concrete for the discharge culverts;
 - 9 metric tons steel (I);
 - 130 metric tons steel (III);
 - 900 m² waterproofing for piers and abutment;
 - 2 800 m² bridge superstructure;
 - 200 m³ cross bar cement;
 - 390 m bar-steel railings with no struts;
 - 400 m safety boards;
 - 2 900 m² waterproofing of bridge slabs and cross bars;
 - 1 300 m² slope sett paving as bank reinforcement;
 - 190 m cast-steel pressure pipe for drainage;
 - 400 m² construction of farm tracks;
 - 900 m² reinforcement of approach road;
 - two large oil traps to be constructed in concrete.c)
d)
4. Starting date : February 1975.
Duration of work : 500 working days.
5. a) As in item 1.
b) 25 November 1974 (applications to be made in writing). Applications should be accompanied by a crossed cheque for DM 25, quoting 'L 673'. Payment will not be accepted in any other form.
6. a) 19 December 1974 at 10.30 a.m.
b) As in item 1.
c) German.
7. a) Tenderers or their authorized representatives.
b) 19 December 1974 at 11 a.m. at the Landesstraßenbauamt, Hagen.
8. A guarantee for the completion of the work amounting to 3 % of the contract price is payable. Only guarantees from a credit insurer or credit institution approved in the Federal Republic of Germany will be accepted.
9. Interim and final payments in accordance with the regulations governing construction work contracts — Part B (VOB/B).
10. Consortia will be considered.
11. The tenderer must provide the following evidence of his financial and technical reliability:
 - a certificate proving that his firm is entered in the trade register;
 - a document evidencing the firm's total turnover over the past three years;
 - a list of similar projects carried out over the past three years.
12. Until 27 February 1975.
13. In accordance with § 25 VOB/A the contract will be awarded to the tender which appears the most acceptable when all technical and economic aspects are taken into account.
15. 11 November 1974.

Open procedure

1. Straßenbauverwaltung Hessen, Autobahnamt Frankfurt (M), 6000 Frankfurt (M), Münchener Straße 4-6, Federal Republic of Germany — Tel. 0611/26091, telex: 4.12.0.20.
2. Public invitation to tender.
3. a) A3 (A15) Federal motorway (Cologne-Frankfurt (M)), between, the Idstein and Niedernhausen interchanges.
b) Renewal of the carriageway surfacing of the first and second lanes, extension of the third lane and shoulder, and construction of three new lanes and shoulders in each direction in the area of the curve easement between km 138.8 and km 142.0 of the Cologne-Frankfurt (M) section of the A3 (A15) motorway.
The work comprises:
60 000 m² applying a 22 cm thickness of old concrete carriageway surfacing and a 10 cm thickness of bituminous overlay, and removing the rubble;
100 000 m³ excavating and loading soil of soil class 2.26, and replacing it in the causeway sections;
400 000 m³ excavating, loading and placing soil of soil classes 2.27 and 2.28;
75 000 m³ excavating, loading and removing unsuitable soil;
6 500 l.m supplying and laying jar-squeeze pipes, 300 to 800 mm in diameter;
60 000 m³ supplying, placing and compacting frost protection material;
110 000 m² preparing soil-cement, 15 cm thick;
87 000 m² supplying asphalt base 18 cm thick and asphaltic binder 8.5 cm thick and placing them over a width of 12.75 m;
17 000 m² supplying asphalt base 10 cm thick and asphaltic binder 3.5 cm thick and placing them over a width of 2.50 m.
77 000 m² preparing a mastic asphalt wearing course 3.5 cm thick and 11.25 m wide;
21 000 m² preparing an asphaltic concrete wearing course 3.5 cm thick and 3 m wide;
120 000 m² replacing topsoil and turfing.
c) The contract will be awarded as a single lot.
d)
4. Work to start at the beginning of April 1975.
Time for completion: 700 working-days.
5. a) See item 1.
b) 13 December 1974.
The documents will be dispatched on 17/18 December 1974.
c) DM 80. Payment should be made to the Frankfurt (M) postal cheque account No 6821-601 at the Staatskasse Frankfurt (M), endorsed: 'Baumaßnahme 75-1; Fahrbahndeckenherstellung auf der BAB A3 (A15) im Bereich der Theistalbrücke'. This fee can in no circumstances be returned.
6. a) 30 January 1975 at 10 a.m.
b) See item 1.
c) German.
7. a) Tenderers and their authorized agents.
b) 30 January 1975.
Zimmer (room) 421, at the address given in item 1.
8. For completion of the work according to contract: 5 % of the contract price.
For fulfilment of the guarantee: as above, but of the final price.
Only guarantees from a credit insurer or credit institution approved in the Federal Republic of Germany will be accepted.
9. Interim and final payments in accordance with the regulations governing construction work contracts — Part B (VOB/B, October 1973 version).
- 10.
11. Proof must be supplied that the tenderer's financial, technical and personal resources are adequate to execute the project competently and within the required period.
12. 18 April 1975.
13. In accordance with § 25 VOB/A the contract will be awarded to the tender which appears the most acceptable when all technical and economic aspects are taken into account.
- 14.
15. 11 November 1974.

Open procedure

1. Rijksdienst voor de IJsselmeerpolders (on behalf of the Ministerie van Verkeer en Waterstaat (Ministry of Works)), Smedinghuis, Zuiderwagenplein 2, Lelystad, Netherlands — Tel. 03200-99111.
2. Public invitation to tender pursuant to the Uniform Aanbestedingsreglement (standard regulations for invitations to tender).
3. a) Almere, a port in Southern Flevoland.
b) The construction of a temporary dock for the use of the Ministry of Works, and raising the level of the land outside the dike with sand, along the Gooimeerdijk (Specification No 8103).
The work mainly involves: the dredging of mixed soil, 425 000 m³; the getting, haulage and placement of sand, 1 825 000 m³; the installation of narrow width mattresses and dumping stones, 16 000 m²; the application of a slope revetment of clinker, concrete and natural rock, 11 300 m².
c)
d)
4. 65 weeks, from the date of commencement of the work.
5. a) See item 1.
The specification may be inspected at:
De Dienst der Zuiderzeewerken, Kanaalweg 3, The Hague;
De Dienst der Zuiderzeewerken, Wigstraat, Lelystad.
b)
c) Fl 40, inclusive of VAT, to be paid to post office giro No 869847 or the AMRO-Bank NV in Lelystad, in favour of the Rijksdienst voor de IJsselmeerpolders, or forwarded by money order.
6. a) Not later than 10 a.m. on Monday, 23 December 1974.
b) See item 1.
c) Dutch.
7. a) Public.
b) Monday, 23 December 1974 at 10 a.m., address as in item 1 (room 1.42).
- 8.
9. In four-weekly instalments, from the date of commencement of the work.
- 10.
11. The tenderer must prove his financial and economic resources and technical expertise within a week of being requested to do so by supplying the following information:
proof of his firm's entry in the trade register;
a banker's statement showing the firm's financial resources;
a statement of the total turnover and turnover on construction works for the past three financial years;
a list of projects completed by his firm in the past five years, giving the cost of these projects, time and place of execution and the name of the principal.
12. 30 days from the day on which the contract is awarded.
13. The tenderer must be able to prove that he possesses experience in the execution of similar projects.
14. Information will be provided by the Dienst der Zuiderzeewerken, Kanaalweg 3, The Hague, from 2 p.m. to 4 p.m. on Wednesday, 4 December 1974.
The information notice may be inspected, and copies obtained free of charge, from Wednesday, 11 December 1974 at the above address and at the Dienst der Zuiderzeewerken, Wigstraat, Lelystad.
15. 8 November 1974.

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

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