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(Acts whose publication is obligatory)

**COUNCIL REGULATION (EEC) No 742/77
of 5 April 1977**

**concluding the Agreement in the form of an exchange of letters relating to
Article 3 of Protocol 8 to the Agreement between the European Economic
Community and the Portuguese Republic**

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community, and in particular Article 113
thereof,

Having regard to the recommendation from the
Commission,

Whereas the Agreement in the form of an exchange
of letters relating to Article 3 of Protocol 8 to the
Agreement between the European Economic Commu-
nity and the Portuguese Republic signed in Brussels
on 22 July 1972 should be concluded,

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement in the form of an exchange of letters
relating to Article 3 of Protocol 8 to the Agreement

between the European Economic Community and the
Portuguese Republic is hereby concluded on behalf of
the Community.

The text of the Agreement is annexed to this Regula-
tion.

Article 2

The President of the Council is hereby authorized to
appoint the person empowered to sign the Agreement
referred to in Article 1 and to confer on him the
powers necessary to bind the Community.

Article 3

This Regulation shall enter into force on the 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 Luxembourg, 5 April 1977.

For the Council

The President

D. OWEN

AGREEMENT

in the form of an exchange of letters relating to Article 3 of Protocol 8 to the Agreement between the European Economic Community and the Portuguese Republic

Letter No 1

Brussels,

Sir,

I have the honour to refer to Article 3 of Protocol 8 to the Agreement between the European Economic Community and the Portuguese Republic signed on 22 July 1972, as well as to the exchange of letters of 5 December 1975.

I have the honour to inform you that for 1977 the Community is ready to renew the agreed volume for the preceding year. Under these conditions the Portuguese Government undertakes to adopt the necessary measures in order that the quantities of tomatoes that have been prepared or preserved otherwise than by vinegar or acetic acid falling within subheading 20.02 C of the Common Customs Tariff supplied to the Community in 1977 do not exceed 90 000 tonnes, comprising 28 000 tonnes for the Community as originally constituted and a total of 62 000 tonnes for Denmark, Ireland and the United Kingdom.

I should be grateful if you would kindly confirm the agreement of your Government with the contents of this letter.

Please accept, Sir, the assurance of my highest consideration.

*On behalf of the Council
of the European Communities*

Letter No 2

Brussels,

Sir,

I have the honour to acknowledge receipt of your letter of today's date, worded as follows :

'I have the honour to refer to Article 3 of Protocol 8 to the Agreement between the European Economic Community and the Portuguese Republic signed on 22 July 1972, as well as to the exchange of letters of 5 December 1975.

I have the honour to inform you that for 1977 the Community is ready to renew the agreed volume for the preceding year. Under these conditions the Portuguese Government undertakes to adopt the necessary measures in order that the quantities of tomatoes that have been prepared or preserved otherwise than by vinegar or acetic acid falling within subheading 20.02 C of the Common Customs Tariff supplied to the Community in 1977 do not exceed 90 000 tonnes, comprising 28 000 tonnes for the Community as originally constituted and a total of 62 000 tonnes for Denmark, Ireland and the United Kingdom.

I should be grateful if you would kindly confirm the agreement of your Government with the contents of this letter.'

I have the honour to confirm the agreement of my Government with the contents of that letter.

Please accept, Sir, the assurance of my highest consideration.

*For the Government
of the Portuguese Republic*

COUNCIL REGULATION (EEC) No 743/77

of 5 April 1977

laying down general rules for the supply of butteroil to the Republic of India
under the 1977 food-aid programmeTHE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by Regulation (EEC) No 559/76⁽²⁾, and in particular Article 6 (6) thereof,

Having regard to the proposal from the Commission,

Whereas the Republic of India has made known its requirements in milk fats; whereas these fats may be supplied in the form of butteroil produced within the Community and meeting certain quality standards;

Whereas the amounts of butter held by the intervention agencies are sufficient to permit food aid to be supplied in the form of 3 000 tonnes of butteroil;

Whereas delivery must be made at the cheapest possible price; whereas, in order to achieve that aim, provision should be made for a tendering procedure,

HAS ADOPTED THIS REGULATION:

Article 1

A quantity of 3 000 tonnes of butteroil shall be made available to the Republic of India under the 1977 food-aid programme.

Article 2

The butteroil referred to in Article 1 shall be processed from butter purchased in accordance with Article 6 (1) of Regulation (EEC) No 804/68.

Article 3

For the purposes of Article 1, the cost of the butteroil delivered to the port of shipment or to a corresponding stage, shall be financed by the Community.

Article 4

Contracts for delivery of the product, including packing, labelling and forwarding to the port of shipment or to a corresponding stage shall be put out to tender.

Article 5

The sums to be paid to the undertaking selected shall be due only if:

- (a) the undertaking satisfies the conditions laid down in the invitation to tender; and
- (b) the quality and packing of the delivered product are found on inspection to comply with the relevant Community provisions.

Provision may be made for part of such sums to be paid in advance.

Article 6

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 Luxembourg, 5 April 1977.

For the Council

The President

D. OWEN

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 67, 15. 3. 1976, p. 9.

COUNCIL REGULATION (EEC) No 744/77

of 5 April 1977

on the advance implementation of certain provisions of the ACP-EEC Convention of Lomé relating to trade in respect of certain States which have signed Agreements of Accession to the Convention

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 113 thereof,

Having regard to Council Regulation (EEC) No 1059/69 of 28 May 1969 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products⁽¹⁾, as last amended by Regulation (EEC) No 3058/75⁽²⁾, and in particular Article 12 thereof,

Having regard to the Act of Accession, and in particular Article 116 (2) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament⁽³⁾,

Whereas Agreements of Accession to the ACP-EEC Convention of Lomé⁽⁴⁾, in accordance with Article 90 thereof, were signed between the European Economic Community and the Democratic Republic of Sao Tome and Principe, the Republic of Cape Verde and Papua New Guinea;

Whereas, when these Agreements were signed, the Community and the States concerned agreed in exchanges of letters to apply unilaterally from the first day of the second month following the signing of these exchanges of letters certain provisions of the ACP-EEC Convention of Lomé relating to trade, in accordance with the arrangements laid down in the Accession Agreements;

Whereas it is, therefore, necessary to take appropriate measures to this end;

Whereas, furthermore, the arrangements provided for in Article 116 (1) of the Act of Accession for imports into the United Kingdom of products originating in or coming from Papua New Guinea must cease to have effect as from the date of entry into force of the new arrangements applicable under this Regulation to trade between that country and the Member States of the Community,

HAS ADOPTED THIS REGULATION:

Article 1

The following shall apply from 1 May 1977 to the States referred to in Annex I:

⁽¹⁾ OJ No L 141, 12. 6. 1969, p. 1.

⁽²⁾ OJ No L 306, 26. 11. 1975, p. 3.

⁽³⁾ OJ No C 83, 4. 4. 1977, p. 26.

⁽⁴⁾ OJ No L 25, 30. 1. 1976, p. 1.

- (a) — Articles 2, 3, 4, 9 and 10 of the ACP-EEC Convention of Lomé,
— Protocols 1, 6 and 7 annexed to the Convention,
— the joint declaration on fishing activities annexed to the Convention,
— the declarations by the Community on Article 2 of the Convention, on Article 3 of the Convention and on Article 10 (2) of the Convention contained in Annexes XIV, XV and XVI to the Final Act of the Convention;
- (b) Council Regulation (EEC) No 706/76 of 30 March 1976 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories⁽⁵⁾;
- (c) Council Regulation (EEC) No 157/76 of 20 January 1976 on the safeguard measures provided for in the ACP-EEC Convention of Lomé⁽⁶⁾;
- (d) Council Regulation (EEC) No 1464/76 of 21 June 1976 on the opening, allocation and administration of a Community tariff quota for the products falling within subheading 22.09 C I of the Common Customs Tariff originating in the ACP States⁽⁷⁾;
- (e) Annex II to this Regulation.

Article 2

The provisions of Article 116 (1) of the Act of Accession shall cease to apply.

Article 3

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

It shall apply in respect of each of the States referred to in Annex I until the entry into force of the Accession Agreement concerning it or until 31 December 1977 at the latest.

⁽⁵⁾ OJ No L 85, 31. 3. 1976, p. 2.

⁽⁶⁾ OJ No L 18, 27. 1. 1976, p. 1.

⁽⁷⁾ OJ No L 165, 25. 6. 1976, p. 5.

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

Done at Luxembourg, 5 April 1977.

For the Council

The President

D. OWEN

ANNEX I

List of the States referred to in Article 1

The Democratic Republic of Sao Tome and Principe

The Republic of Cape Verde

Papua New Guinea

ANNEX II

concerning the transitional arrangements for the issue of certificates of origin

Goods which conform to the provisions of Protocol 1 to the ACP-EEC Convention of Lomé on the concept of 'originating products' and which, on the date of entry into force of the Accession Agreement, are being either transported or held in the Community, in an ACP State or in one of the States referred to in Annex I, in bonded warehouses or in free zones (including free ports and free warehouses) may be allowed to benefit under the provisions of the aforesaid Agreement, subject to the submission to the customs authorities in the importing country, within four months of the said date, of:

- (a) a movement certificate EUR.1 issued retrospectively by the customs authorities of the exporting State; or
- (b) a certificate of origin issued by the competent authorities in that State,

and, in either case, any documents which provide supporting evidence of direct transport.

COUNCIL REGULATION (EEC) No 745/77
of 5 April 1977

extending the application of Regulation (EEC) No 194/77 laying down certain interim measures for the conservation and management of fishery resources applicable to vessels flying the flag of Poland, the GDR or the USSR

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession ⁽¹⁾,

Having regard to the proposal from the Commission,

Whereas the Council adopted, on 3 November 1976, a set of resolutions concerning certain external and internal aspects of the common fisheries policy;

Whereas in Regulation (EEC) No 194/77 ⁽²⁾ the Council laid down, for the period 1 January to 31 March 1977, certain interim measures for the conservation and management of fishery resources applicable to vessels flying the flag of Poland, the GDR or the USSR;

Whereas, since the adoption of that Regulation, those countries have requested the opening of negotiations with the Community for the conclusion of framework agreements on fisheries and these negotiations are still in progress; whereas, therefore, the consultations which should be held pursuant to the framework agreements in order to lay down the rules governing fishing, in particular in the Community fishing zone, have not yet been started;

Whereas, consequently, pending these consultations, the application of Regulation (EEC) No 194/77 and the period of validity of the licences granted to vessels flying the flag of the countries in question should be extended for a period of two months, subject to any provisions which may be adopted by the Council in the light of the outcome of the consultations to be held following the conclusion of framework agreements,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 7 of Regulation (EEC) No 194/77 '31 March 1977' shall be replaced by '31 May 1977'.

Article 2

1. The fishing quotas granted to Poland, the GDR and the USSR for the period 1 April to 31 May 1977 shall be the same, on a *pro rata* basis, as those granted to them during the period 1 January to 31 March 1977.

2. The fishing quotas shall be granted subject to compliance with the conservation measures and supervisory measures and other provisions governing fishing in the zones referred to in Article 1 of Regulation (EEC) No 194/77.

Article 3

The period of validity of the licences granted to vessels flying the flag of the countries in question pursuant to Regulation (EEC) No 194/77 shall be extended for the period of application of this Regulation.

Article 4

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 April until 31 May 1977.

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

Done at Luxembourg, 5 April 1977.

For the Council

The President

D. OWEN

⁽¹⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽²⁾ OJ No L 25, 29. 1. 1977, p. 46.

COUNCIL REGULATION (EEC) No 746/77**of 5 April 1977****extending the application for Spain, Finland and Portugal of certain provisions of Regulation (EEC) No 373/77 laying down certain interim measures for the conservation and management of fishery resources applicable to vessels flying the flag of certain non-member countries**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession⁽¹⁾,

Having regard to the proposal from the Commission,

Whereas the Council adopted, on 3 November 1976, a set of resolutions concerning certain external and internal aspects of the common fisheries policy;

Whereas in Regulation (EEC) No 373/77⁽²⁾ the Council laid down, for the period 1 January to 31 March 1977, certain interim measures for the conservation and management of fishery resources applicable, in particular, to vessels flying the flag of Spain, Finland or Portugal;

Whereas the negotiations between the Community and these countries for the conclusion of framework agreements on fisheries are still in progress or are about to begin; whereas, therefore, the consultations which should be held pursuant to the framework agreements in order to lay down the rules governing fishing, in particular in the Community fishing zone, have not yet been started;

Whereas, consequently, pending these consultations, the application of Regulation (EEC) No 373/77 should be extended for the said countries for a period of three months, subject to any provisions which may be adopted by the Council in the light of the outcome of the consultations to be held following the conclusion of framework agreements,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 373/77 '31 March 1977' shall be replaced by '30 June 1977'.

⁽¹⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽²⁾ OJ No L 53, 25. 2. 1977, p. 1.

Article 2

1. The fishing quotas granted to Spain, Finland and Portugal for the period 1 April to 30 June 1977 shall be the same as those granted to them during the period 1 January to 31 March 1977.

2. The fishing quotas shall be granted subject to compliance with the conservation measures and supervisory measures and other provisions governing fishing in the zones referred to in Article 1 of Regulation (EEC) No 373/77.

Article 3

Fishing within the zones referred to in Article 1 of Regulation (EEC) No 373/77 by vessels flying the flag of Spain or of Portugal shall be subject to the granting of a licence on behalf of the Community by the authorities of the Member State holding the Presidency of the Council of the European Communities. The number of licences which may be issued for these vessels is laid down in the Annex.

Article 4

When an application for a licence is submitted to the authorities referred to in Article 3, the following information shall be supplied:

- (a) name of the vessel;
- (b) registration number and external identification letters and numbers;
- (c) port of registration;
- (d) gross tonnage and overall length;
- (e) call sign.

Article 5

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 April until 30 June 1977.

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

Done at Luxembourg, 5 April 1977.

For the Council

The President

D. OWEN

ANNEX

Maximum number of vessels and vessel types permitted to fish at the same time in a given zone for which a licence has been obtained

Zone	Type of vessel (horsepower or tonnage (GRT))		Number of vessels
SPAIN			
VI ICES	Not greater than 1 000 hp	Not greater than 1 000 tonnes	2
VII ICES	Not greater than 700 hp	Not greater than 500 tonnes	30
VIII ICES	Not greater than 700 hp	Not greater than 500 tonnes	92
			124
PORTUGAL			
1 ICNAF		Between 2 000 and 3 500 tonnes	1

COUNCIL REGULATION (EEC) No 747/77

of 5 April 1977

extending the application for Sweden of certain provisions of Regulation (EEC) No 373/77 laying down certain interim measures for the conservation and management of fishery resources applicable to vessels flying the flag of certain non-member countries

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession ⁽¹⁾,

Having regard to the proposal from the Commission,

Whereas the Council adopted, on 3 November 1976, a set of resolutions concerning certain external and internal aspects of the common fisheries policy;

Whereas in Regulation (EEC) No 373/77 ⁽²⁾ the Council laid down, for the period 1 January to 31 March 1977, certain interim measures for the conservation and management of fishery resources applicable, in particular, to vessels flying the flag of Sweden;

Whereas the consultations now being held under the framework agreement in order to lay down the rules governing fishing, in particular in the Community fishing zone, have not yet been completed;

Whereas, consequently, pending the completion of these consultations, the application of Regulation (EEC) No 373/77 should be extended, for Sweden, for a period of three months, subject to any provisions which may be adopted by the Council in the light of the outcome of the consultations, while adding a special quota of blue whiting for experimental purposes,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 373/77 '31 March 1977' shall be replaced by '30 June 1977'.

Article 2

1. The fishing quotas granted to Sweden for the period 1 April to 30 June 1977 shall be the same as those granted to it during the period 1 January to 31 March 1977.

A fishing quota of 5 000 tonnes of blue whiting shall, moreover, be granted to Sweden for experimental purposes for the period 1 to 30 April 1977.

2. The fishing quotas shall be granted subject to compliance with the conservation measures and supervisory measures and other provisions governing fishing in the zones referred to in Article 1 of Regulation (EEC) No 373/77.

Article 3

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 April until 30 June 1977.

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

Done at Luxembourg, 5 April 1977.

For the Council

The President

D. OWEN

⁽¹⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽²⁾ OJ No L 53, 25. 2. 1977, p. 1.