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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1125/94

of 17 May 1994

on the deadlines for forwarding statistics on trade between the Member States

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3330/91 of 7 November 1991 on the statistics relating to the trading of goods between Member States⁽¹⁾, amended by Commission Regulation (EEC) No 3046/92⁽²⁾, and in particular Articles 26 and 30 thereof,

Whereas, in order to ensure that Community statistics on trade between the Member States are compiled regularly and within a reasonable time, the Member States must forward their results according to a common timetable;

Whereas, in order to ensure optimum satisfaction of user needs and take account of data collection and processing requirements, a distinction must be made between overall results and detailed results;

Whereas the measures provided in this Regulation are in accordance with the opinion of the Committee on the statistics relating to the trading of goods between Member States,

HAS ADOPTED THIS REGULATION:

Article 1

The Member States shall forward without delay to the Commission (Eurostat) the monthly results of their statistics on trade between the Member States compiled in accordance with Council Regulation (EEC) No 3330/91 and no later than:

- eight weeks after the end of the reference month in the case of the total values, broken down by the Member State of destination on dispatch and the Member State of consignment on arrival,
- 10 weeks after the end of the reference month in the case of detailed results which present all the data referred to in Article 23 (1) of Council Regulation (EEC) No 3330/91.

Article 2

This Regulation shall enter into force on the seventh 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, 17 May 1994.

For the Commission

Henning CHRISTOPHERSEN

Vice-President

⁽¹⁾ OJ No L 316, 16. 11. 1991, p. 1.

⁽²⁾ OJ No L 307, 23. 10. 1992, p. 27.

COMMISSION REGULATION (EC) No 1126/94
of 16 May 1994

laying down rates of compensatory interest applicable during the second half of 1994 to customs debts incurred in relation to compensating products or goods in the unaltered state (inward processing relief arrangements and temporary importation)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code ⁽¹⁾,

Having regard to Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code ⁽²⁾, as last amended by Regulation (EC) No 655/94 ⁽³⁾, and in particular Article 589 (4) (a) and Article 709 thereof,

Whereas Article 589 (4) (a) of Regulation (EEC) No 2454/93 provides that the Commission shall set rates of compensatory interest applicable to customs debts incurred in relation to compensating products or goods in the unaltered state, in order to make up for the unjustified financial advantage arising from the postponement of the date on which the customs debt is incurred in the case of non-exportation out of the customs territory of the Community; whereas the rates of compensatory interest for the second half of 1994 must be established in accordance with the rules laid down in that Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The annual rated of compensatory interest referred to Articles 589 (4) (a) and 709 (3) (a) of Regulation (EEC) No 2454/93 applicable for the period from 1 July until 31 December 1994 are hereby established as follows:

Belgium	8,48 %
Denmark	9,47 %
Federal Republic of Germany	6,53 %
Greece	23,05 %
Spain	9,91 %
France	7,26 %
Ireland	6,53 %
Italy	9,05 %
Luxembourg	8,48 %
Netherlands	6,19 %
Portugal	10,83 %
United Kingdom	5,73 %

Article 2

This Regulation shall enter into force on 1 July 1994.

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

Done at Brussels, 16 May 1994.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 302, 19. 10. 1992, p. 1.

⁽²⁾ OJ No L 253, 11. 10. 1993, p. 1.

⁽³⁾ OJ No L 82, 25. 3. 1994, p. 15.

COMMISSION REGULATION (EC) No 1127/94

of 17 May 1994

fixing the maximum export refunds on olive oil for the 11th partial invitation to tender under the standing invitation to tender issued by Regulation (EC) No 3142/93

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats ⁽¹⁾, as last amended by Regulation (EC) No 3179/93 ⁽²⁾,

Having regard to Council Regulation (EEC) No 1650/86 of 26 May 1986 on the refunds and levies applicable to exports of olive oil ⁽³⁾, and in particular Article 7 thereof,

Whereas Commission Regulation (EC) No 3142/93 ⁽⁴⁾ issued a standing invitation to tender with a view to determining the export refunds on olive oil;

Whereas Council Regulation (EEC) No 990/93 ⁽⁵⁾ prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof; whereas account should be taken of this fact when fixing the refunds;

Whereas Article 6 of Regulation (EC) No 3142/93 provides that maximum amounts are to be fixed for the export refunds in the light in particular of the current situation and foreseeable developments on the Commu-

nity and world olive-oil markets and on the basis of the tenders received; whereas contracts are awarded to any tenderer who submits a tender at the level of the maximum refund or at a lower level;

Whereas, for the purposes of applying the above-mentioned provisions, the maximum export refunds should be set at the levels specified in the Annex;

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

The maximum export refunds for olive oil for the 11th partial invitation to tender under the standing invitation to tender issued by Regulation (EC) No 3142/93 are hereby fixed in the Annex, on the basis of the tenders submitted by 9 May 1994.

Article 2

This Regulation shall enter into force on 18 May 1994.

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

Done at Brussels, 17 May 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽²⁾ OJ No L 285, 20. 11. 1993, p. 9.

⁽³⁾ OJ No L 145, 30. 5. 1986, p. 8.

⁽⁴⁾ OJ No L 281, 16. 11. 1993, p. 3.

⁽⁵⁾ OJ No L 102, 28. 4. 1993, p. 14.

ANNEX

to the Commission Regulation of 17 May 1994 fixing the maximum export refunds on olive oil for the 11th partial invitation to tender under the standing invitation to tender issued by Regulation (EC) No 3142/93

(ECU/100 kg)

Product code	Amount of refund ⁽¹⁾
1509 10 90 100	37,00
1509 10 90 900	—
1509 90 00 100	44,00
1509 90 00 900	71,00
1510 00 90 100	10,00
1510 00 90 900	33,00

⁽¹⁾ Refunds on exports to the Federal Republic of Yugoslavia (Serbia and Montenegro) may be granted only where the conditions laid down in Regulation (EEC) No 990/93 are observed.

NB: The product codes and the footnotes are defined in Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1).

COMMISSION REGULATION (EC) No 1128/94

of 17 May 1994

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 Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as amended by Commission Regulation (EEC) No 2193/93⁽²⁾, and in particular Article 10 (5) and Article 11 (3) thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy⁽³⁾, as amended by Regulation (EC) No 3528/93⁽⁴⁾,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EC) No 819/94⁽⁵⁾ and subsequent amending Regulations;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market

rate established during the reference period from 16 May 1994, as regards floating currencies, should be used to calculate the levies;

Whereas it follows from applying the detailed rules contained in Regulation (EC) No 819/94 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products listed in Article 1 (1) (a), (b) and (c) of Regulation (EEC) No 1766/92 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 18 May 1994.

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

Done at Brussels, 17 May 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 196, 5. 8. 1993, p. 22.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁵⁾ OJ No L 94, 13. 4. 1994, p. 16.

ANNEX

to the Commission Regulation of 17 May 1994 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Third countries ^(*)
0709 90 60	97,01 ⁽²⁾
0712 90 19	97,01 ⁽²⁾
1001 10 00	25,68 ⁽¹⁾ ⁽⁵⁾
1001 90 91	89,55
1001 90 99	89,55 ^(*)
1002 00 00	122,37 ⁽⁶⁾
1003 00 10	125,96
1003 00 90	125,96 ^(*)
1004 00 00	100,83
1005 10 90	97,01 ⁽²⁾ ⁽³⁾
1005 90 00	97,01 ⁽²⁾ ⁽³⁾
1007 00 90	105,85 ^(*)
1008 10 00	32,63 ^(*)
1008 20 00	50,69 ^(*) ^(*)
1008 30 00	0 ⁽⁷⁾
1008 90 10	(7)
1008 90 90	0
1101 00 00	162,92 ^(*)
1102 10 00	208,87
1103 11 10	73,26
1103 11 90	186,87
1107 10 11	170,28
1107 10 19	129,98
1107 10 91	235,09 ⁽¹⁰⁾
1107 10 99	178,41 ^(*)
1107 20 00	206,12 ⁽¹⁰⁾

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

⁽²⁾ In accordance with Regulation (EEC) No 715/90 the levies are not applied to products imported directly into the French overseas departments, originating in the African, Caribbean and Pacific States.

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

⁽⁴⁾ Where millet and sorghum originating in the ACP is imported into the Community the levy is applied in accordance with Regulation (EEC) No 715/90.

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

⁽⁶⁾ The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 (OJ No L 142, 9. 6. 1977, p. 10), as last amended by Regulation (EEC) No 1902/92 (OJ No L 192, 11. 7. 1992, p. 3), and Commission Regulation (EEC) No 2622/71 (OJ No L 271, 10. 12. 1971, p. 22), as amended by Regulation (EEC) No 560/91 (OJ No L 62, 8. 3. 1991, p. 26).

⁽⁷⁾ The levy applicable to rye shall be charged on imports of the product falling within CN code 1008 90 10 (triticale).

⁽⁸⁾ No levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.

⁽⁹⁾ Products falling within this code, imported from Poland or Hungary under the Agreements concluded between those countries and the Community and under the Interim Agreement between the Czech Republic, the Slovak Republic, Bulgaria and Romania and the Community and in respect of which EUR.1 certificates issued in accordance with Regulation (EC) No 121/94 or (EC) No 335/94 have been presented, are subject to the levies set out in the Annex to that Regulation.

⁽¹⁰⁾ In accordance with Council Regulation (EEC) No 1180/77 this levy is reduced by ECU 5,44 per tonne for products originating in Turkey.

COMMISSION REGULATION (EC) No 1129/94**of 17 May 1994****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 Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals ⁽¹⁾, as amended by Commission Regulation (EEC) No 2193/93 ⁽²⁾, and in particular Article 12 (4) thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy ⁽³⁾, as amended by Regulation (EC) No 3528/93 ⁽⁴⁾,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 1681/93 ⁽⁵⁾ and subsequent amending Regulations;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market

rate established during the reference period from 16 May 1994, as regards floating currencies, should be used to calculate the levies;

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

HAS ADOPTED THIS REGULATION:

Article 1

The premiums to be added to the levies fixed in advance for the import in respect of the products listed in Article 1 (1) (a), (b) and (c) of Regulation (EEC) No 1766/92 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 18 May 1994.

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

Done at Brussels, 17 May 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 196, 5. 8. 1993, p. 22.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁵⁾ OJ No L 159, 1. 7. 1993, p. 11.

ANNEX

to the Commission Regulation of 17 May 1994 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CN code	Current	1st period	2nd period	3rd period
	5	6	7	8
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 00	0	0	0	0
1001 90 91	0	2,22	3,48	2,62
1001 90 99	0	2,22	3,48	2,62
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 00	0	0	0	0
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	3,12	4,87	3,66
1102 10 00	0	0	0	0
1103 11 10	0	0	0	0
1103 11 90	0	0	0	0

B. Malt

CN code	Current	1st period	2nd period	3rd period	4th period
	5	6	7	8	9
1107 10 11	0	3,95	6,19	4,66	4,66
1107 10 19	0	2,95	4,63	3,48	3,48
1107 10 91	0	0	0	0	0
1107 10 99	0	0	0	0	0
1107 20 00	0	0	0	0	0

COMMISSION REGULATION (EC) No 1130/94

of 17 May 1994

altering the export refunds 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 Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals ⁽¹⁾, as amended by Commission Regulation (EEC) No 2193/93 ⁽²⁾, and in particular the fourth subparagraph of Article 13 ⁽²⁾ thereof,

Whereas the export refunds on cereals and on wheat or rye flour, groats and meal were fixed by Commission Regulation (EC) No 964/94 ⁽³⁾, as amended by Regulation (EC) No 1033/94 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EC) No 964/94 to the information known to the Commission that the export refunds at present in force should be altered to the amounts set out in the Annex hereto;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽⁵⁾, as amended by Regulation (EC) No 3528/93 ⁽⁶⁾, are used to

convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93 ⁽⁷⁾, as amended by Regulation (EC) No 547/94 ⁽⁸⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 1766/92, exported in the natural state, as fixed in the Annex to amended Regulation (EC) No 964/94 are hereby altered as shown in the Annex to this Regulation in respect of the products set out therein.

Article 2

This Regulation shall enter into force on 18 May 1994.

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

Done at Brussels, 17 May 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 196, 5. 8. 1993, p. 22.

⁽³⁾ OJ No L 108, 29. 4. 1994, p. 45.

⁽⁴⁾ OJ No L 112, 3. 5. 1994, p. 43.

⁽⁵⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁶⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁷⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁸⁾ OJ No L 69, 12. 3. 1994, p. 1.

ANNEX

to the Commission Regulation of 17 May 1994 altering the export refunds on cereals and on wheat or rye flour, groats and meal

(ECU / tonne)			(ECU / tonne)		
Product code	Destination (1)	Amount of refund (2)	Product code	Destination (1)	Amount of refund (2)
0709 90 60 000	—	—	1007 00 90 000	—	—
0712 90 19 000	—	—	1008 20 00 000	—	—
1001 10 00 200	—	—	1101 00 00 100	01	45,00
1001 10 00 400	01	0	1101 00 00 130	01	42,00
1001 90 91 000	—	—	1101 00 00 150	01	37,00
1001 90 99 000	03	57,00	1101 00 00 170	01	33,00
	02	15,00	1101 00 00 180	01	29,00
1002 00 00 000	03	25,00	1101 00 00 190	—	—
	02	15,00	1101 00 00 900	—	—
1003 00 10 000	—	—	1102 10 00 500	01	71,00
1003 00 90 000	03	64,00	1102 10 00 700	—	—
	05	20,00	1102 10 00 900	—	—
	02	15,00	1103 11 10 200	01	0 (3)
1004 00 00 200	—	—	1103 11 10 400	01	0 (3)
1004 00 00 400	—	—	1103 11 10 900	—	—
1005 10 90 000	—	—	1103 11 90 200	01	0 (3)
1005 90 00 000	03	45,00	1103 11 90 800	—	—
	04	15,00			
	02	0			

(1) The destinations are identified as follows :

- 01 All third countries,
- 02 Other third countries,
- 03 Switzerland, Austria, Liechtenstein, Ceuta and Melilla,
- 04 Zones I, II a), b) and c), III a) and b), V, VI and VIII and Cuba,
- 05 Saudi Arabia.

(2) Refunds on exports to the Federal Republic of Yugoslavia (Serbia and Montenegro) may be granted only where the conditions laid down in Regulation (EEC) No 990/93 are observed.

(3) No refund is granted when this product contains compressed meal.

NB: The zones are those defined in Commission Regulation (EEC) No 2145/92 (OJ No L 214, 30. 7. 1992, p. 20).

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 16 May 1994

concerning the conclusion of the Protocol maintaining in force the
Arrangement regarding international trade in textiles (MFA)

(94/288/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 113 thereof, in conjunction with Article 228 (2),

Having regard to the proposal from the Commission,

Whereas the Commission took part, on behalf of the Community, in the negotiations on the maintenance in force of the Arrangement regarding international trade in textiles (MFA) ⁽¹⁾;

Whereas these negotiations led to the establishment of a Protocol maintaining in force the MFA for a further period of 12 months until 31 December 1994;

Whereas the Protocol should be approved on behalf of the Community,

by the Textiles Committee on 9 December 1993, is hereby approved on behalf of the Community.

The text of the Protocol is attached to this Decision.

Article 2

The President of the Council is hereby authorized to designate the person empowered to notify acceptance of the Protocol, in accordance with paragraphs 2 and 3 thereof, in order to bind the Community.

Done at Brussels, 16 May 1994.

HAS DECIDED AS FOLLOWS:

Article 1

The protocol maintaining in force the arrangement regarding international trade in textiles, which was adopted

For the Council

The President

Th. PANGALOS

⁽¹⁾ OJ No L 341, 4. 12. 1986, p. 34.

PROTOCOL

maintaining in force the arrangement regarding international trade in textiles

THE PARTIES to the Arrangement Regarding International Trade in textiles (hereinafter referred to as 'The Arrangement' or 'MFA'),

ACTING pursuant to Article 10 (5) of the Arrangement,

REAFFIRMING that the terms of the Arrangement regarding the competence of the Textiles Committee and the Textiles Surveillance Body are maintained, and

FOLLOWING the Decision of the Textiles Committee adopted on 9 December 1993,

HEREBY AGREE AS FOLLOWS:

1. The Arrangement, including the Conclusions of the Textiles Committee, adopted on 31 July 1986, as amended by the 1989 Protocol Amending the 1986 Protocol Extending the Arrangement Regarding International Trade in Textiles, shall be maintained in force for a further period of 12 months until 31 December 1994.
2. This Protocol shall be deposited with the Director-General to the Contracting Parties to the General Agreement on tariffs and Trade. It shall be open for acceptance, by signature or otherwise, by the Parties to the Agreement, by other governments accepting or acceding to the Arrangement pursuant to the provisions of Article 13 thereof and by the European Community.
3. This Protocol shall enter into force on 1 January 1994 for the parties which have accepted it by that date and it shall enter into force for a party which accepts it on a later date as of the date of such acceptance. It shall be applied provisionally, taking into account their constitutional and/or legislative procedures for ratification, as from 1 January 1994, by parties which have signed it subject to completion of constitutional procedures, or notified the depositary of their intention to apply it provisionally, by that date, and by other parties from the date of their signature or notification of provisional application.

Done at Geneva this ninth day of December one thousand nine hundred and ninety-three in a single copy, in the English, French and Spanish languages, each text being authentic.

COUNCIL DECISION

of 16 May 1994

on the conclusion of an Agreement in the form of an exchange of letters on the provisional application of the Protocol defining, for the period 1 December 1993 to 30 November 1996, the fishing opportunities and the financial contribution provided for by the Agreement between the European Community and the Government of Mauritius on fishing in the waters of Mauritius

(94/289/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to the Agreement between the European Economic Community and the Government of Mauritius on fishing in Mauritian waters⁽¹⁾,

Having regard to the proposal from the Commission,

Whereas the Community and Mauritius held negotiations to determine the amendments or additions to be made to the Agreement on fishing off Mauritius at the end of the period of application of Protocol 1 ;

Whereas, as a result of these negotiations a new Protocol was initialled on 26 November 1993 ;

Whereas, under this Protocol, Community fishermen enjoy fishing opportunities in the waters falling within the sovereignty or jurisdiction of Mauritius for the period 1 December 1993 to 30 November 1996 ;

Whereas, in order to avoid interruption of fishing activities by Community vessels, it is essential that the Protocol in question be approved as quickly as possible ; whereas both parties have therefore initialled an Agreement in the form of an exchange of letters providing for the provisional application of the initialled Protocol from the day following the date of expiry of the Protocols previously in force ; whereas the Agreement in the form of an exchange

of letters should be concluded, subject to a definitive decision under Article 43 of the Treaty,

HAS DECIDED AS FOLLOWS :

Article 1

The Agreement in the form of an exchange of letters on the provisional application of the Protocol defining, for the period 1 December 1993 to 30 November 1996, the fishing opportunities and the financial contribution provided for by the Agreement between the European Community and the Government of Mauritius on fishing in the waters of Mauritius is hereby approved on behalf of the Community.

The text of the Agreement in the form of an exchange of letters is attached to this Decision.

Article 2

The President of the Council is hereby authorized to designate the persons empowered to sign the Agreement in the form of an exchange of letters in order to bind the Community.

Done at Brussels, 16 May 1994.

*For the Council**The President*

Th. PANGALOS

(¹) OJ No L 159, 10. 6. 1989, p. 1.

AGREEMENT

in the form of an exchange of letters on the provisional application of the Protocol defining, for the period 1 December 1993 to 30 November 1996, the fishing opportunities and the financial contribution provided for by the Agreement between the European Community and the Government of Mauritius on fishing in the waters of Mauritius

A. Letter from the Government of Mauritius

Sir,

With reference to the Protocol, initialled on 26 November 1993, defining the fishing opportunities and the financial contribution for the period 1 December 1993 to 30 November 1996, I have the honour to inform you that the Government of Mauritius is willing to apply the Protocol provisionally from 1 December 1993 pending its entry into force in accordance with Article 6 thereof, provided that the European Community is prepared to do likewise.

This is on the understanding that the first instalment, equal to one third of the financial compensation laid down by Article 2 of the Protocol, must be paid before 31 May 1994.

I should be grateful if you would confirm the agreement of the European Community to such a provisional application.

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

*For the Government
of Mauritius*

B. Letter from the Community

Sir,

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

'With reference to the Protocol, initialled on 26 November 1993, defining the fishing opportunities and the financial contribution for the period 1 December 1993 to 30 November 1996, I have the honour to inform you that the Government of Mauritius is willing to apply the Protocol provisionally from 1 December 1993 pending its entry into force in accordance with Article 6 thereof, provided that the European Community is prepared to do likewise.

This is on the understanding that the first instalment, equal to one third of the financial compensation laid down by Article 2 of the Protocol, must be paid before 31 May 1994.

I should be grateful if you would confirm the agreement of the European Community to such a provisional application.'

I am pleased to confirm the agreement of the European Community to a provisional application.

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

*For the Council
of the European Union*
