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⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 1370/96**of 15 July 1996****extending the provisional anti-dumping duty on imports of polyester textured filament yarn originating in Indonesia and Thailand**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 384/96 of 22 December 1995 on protection against dumped imports from countries not members of the European Community⁽¹⁾, and in particular Article 23 thereof,

Having regard to Council Regulation (EEC) No 2423/88 of 11 July 1988 on protection against dumped or subsidized imports from countries not members of the European Economic Community⁽²⁾, and in particular Article 11 thereof,

Having regard to the proposal from the Commission,

Whereas Commission Regulation (EC) No 940/96 of 23 May 1996 imposed a provisional anti-dumping duty on imports of polyester textured filament yarn originating in Indonesia and Thailand⁽³⁾;

Whereas examination of the facts has not yet been completed and the Commission has informed the exporters known to be concerned of its intention to propose an

extension of the validity of the provisional duty for an additional period of two months;

Whereas the exporters have raised no objections,

HAS ADOPTED THIS REGULATION:

Article 1

The validity of the provisional anti-dumping duty on imports of polyester textured filament yarn originating in Indonesia and Thailand, imposed by Regulation (EC) No 940/96, is hereby extended for a period of two months and shall expire on 1 December 1996. The duty shall cease to apply if, before this date, the Council adopts definitive measures or the proceeding is terminated pursuant to Article 9 of Regulation (EEC) No 2423/88.

Article 2

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 Brussels, 15 July 1996.

For the Council

The President

D. SPRING

⁽¹⁾ OJ No L 56, 6. 3. 1996, p. 1.

⁽²⁾ OJ No L 209, 2. 8. 1988, p. 1. Regulation as last amended by Regulation (EC) No 522/94 (OJ No L 66, 10. 3. 1994, p. 10).

⁽³⁾ OJ No L 128, 29. 5. 1996, p. 3.

COMMISSION REGULATION (EC) No 1371/96

of 16 July 1996

on the issuing of import licences for bananas under the tariff quota for the third quarter of 1996 (second period)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 404/93 of 13 February 1993 on the common organization of the market in bananas ⁽¹⁾, as last amended by Regulation (EC) No 3290/94 ⁽²⁾,

Having regard to Commission Regulation (EEC) No 1442/93 of 10 June 1993 laying down detailed rules for the application of the arrangements for importing bananas into the Community ⁽³⁾, as last amended by Regulation (EC) No 875/96 ⁽⁴⁾, and in particular Article 9 (3) thereof,

Having regard to Commission Regulation (EC) No 478/95 of 1 March 1995 on additional rules for the application of Council Regulation (EEC) No 404/93 as regards the tariff quota arrangements for imports of bananas into the Community and amending Regulation (EEC) No 1442/93 ⁽⁵⁾, as amended by Regulation (EC) No 702/95 ⁽⁶⁾, and in particular Article 4 (3) thereof,

Whereas Article 2 of Commission Regulation (EC) No 1111/96 of 20 June 1996 on the issuing of import licences for bananas under the tariff quota for the third quarter of 1996 and on the submission of new applications ⁽⁷⁾, fixes the quantities available for new licence applications under the tariff quota during the third quarter of 1996; whereas Article 4 (3) of Regulation (EC) No 478/95 lays down that the quantities for which licences may be issued for the origin(s) concerned must be determined without delay;

Whereas Article 9 (3) of Regulation (EEC) No 1442/93 lays down that, where, in the case of a given quarter and origin, for a country or group of countries referred to in Annex I to Regulation (EC) No 478/95, the quantities covered by import licence applications from one or more of the categories of operators exceed the quantity available, a reduction percentage is to be applied to application for that origin; whereas, however, that provision does

not apply to category C licence applications nor to category A and B applications relating to a quantity of 150 tonnes or less, provided that the total quantity covered by the category A and B applications does not exceed, for a given origin, 15 % of the total of the quantities applied for;

Whereas the quantities applied for 'Colombia category B and Venezuela' exceed the quantity available and a reduction coefficient should therefore be applied; whereas import licences may be issued for the quantity referred to in all other new applications;

Whereas this Regulation should apply immediately to permit licences to be issued as quickly as possible,

HAS ADOPTED THIS REGULATION:

Article 1

Import licences shall be issued under the tariff quota for the import of bananas during the third quarter of 1996 against new applications as referred to in Article 4 (1) of Regulation (EC) No 478/95:

1. for the quantity indicated in the licence applications:
 - (a) multiplied, in the case of the origin 'Colombia' by the reduction coefficient of 0,6673 for category B licence applications, excluding applications relating to a quantity of 150 tonnes or less;
 - (b) multiplied, in the case of the origin 'Venezuela', by the reduction coefficient of 0,7423 for category A and B licence applications, excluding applications relating to a quantity of 150 tonnes or less;
2. for the quantity indicated in licence application, in the case of an origin other than those referred to in point 1 above;
3. for the quantity indicated in the application, in the case of category C licences.

Article 2

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

⁽¹⁾ OJ No L 47, 25. 2. 1993, p. 1.

⁽²⁾ OJ No L 349, 31. 12. 1994, p. 105.

⁽³⁾ OJ No L 142, 12. 6. 1993, p. 6.

⁽⁴⁾ OJ No L 118, 15. 5. 1996, p. 14.

⁽⁵⁾ OJ No L 49, 4. 3. 1995, p. 13.

⁽⁶⁾ OJ No L 71, 31. 3. 1995, p. 84.

⁽⁷⁾ OJ No L 148, 20. 6. 1996, p. 22.

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

Done at Brussels, 16 July 1996.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 1372/96

of 16 July 1996

fixing the standard fee per farm return for the 1996 accounting year of the farm
accountancy data network

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

Having regard to Council Regulation No 79/65/EEC of 15 June 1965 setting up a network for the collection of accountancy data on the incomes and business operating of agricultural holdings in the European Economic Community⁽¹⁾, as last amended by Regulation (EC) No 2801/95⁽²⁾, and in particular Article 9 (2) thereof,

Whereas Article 5 of Commission Regulation (EEC) No 1915/83 of 13 July 1983 on certain detailed implementation rules concerning the keeping of accounts for the purpose of determining the incomes of agricultural holdings⁽³⁾ provides that a standard fee shall be fixed to be paid by the Commission to the Member States for each farm return completed;

Whereas Commission Regulation (EC) No 3141/94⁽⁴⁾ fixes the standard fee for the 1995 accounting year at ECU 120 per farm return;

Whereas the trend in costs and its effects on the cost of completing the farm return do not justify a revision of the fee;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Community Committee on the Farm Accountancy Data Network,

HAS ADOPTED THIS REGULATION:

Article 1

The standard fee paid by the Commission to Member States for each duly completed farm return is hereby fixed at ECU 120 for the 1996 accounting year.

Article 2

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

It shall apply for the 1996 accounting year.

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

Done at Brussels, 16 July 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No 109, 23. 6. 1965, p. 1859/65.

⁽²⁾ OJ No L 291, 6. 12. 1995, p. 3.

⁽³⁾ OJ No L 190, 14. 7. 1983, p. 25.

⁽⁴⁾ OJ No L 332, 22. 12. 1994, p. 14.

COMMISSION REGULATION (EC) No 1373/96

of 16 July 1996

temporarily adapting the special arrangements for imports of rice laid down in Regulations (EEC) No 2942/73, (EEC) No 999/90 and (EEC) No 862/91 for the purpose of implementing the Agreement on Agriculture concluded during the Uruguay Round of multilateral trade negotiations

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3290/94 of 22 December 1994 on the adjustments and transitional arrangements required in the agriculture sector in order to implement the agreements concluded during the Uruguay Round of multilateral trade negotiations⁽¹⁾, as amended by Regulation (EC) No 1193/96⁽²⁾, and in particular Article 3 (1) thereof,

Whereas Council Regulations (EEC) No 1250/77 of 17 May 1977 concerning imports of rice from the Arab Republic of Egypt⁽³⁾, (EEC) No 715/90 of 5 March 1990 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the ACP States or in the overseas countries and territories (OCT)⁽⁴⁾, as last amended by Commission Regulation (EC) No 619/96⁽⁵⁾, and (EEC) No 3491/90 of 26 November 1990 on imports of rice originating in Bangladesh⁽⁶⁾ provide for the reduction of the levy applicable to imports into the Community of rice from certain countries up to certain maximum quantities provided that the countries concerned levy an export charge;

Whereas Commission Regulations (EEC) No 2942/73⁽⁷⁾, (EEC) No 999/90⁽⁸⁾, as last amended by Regulation (EC) No 2123/95⁽⁹⁾, and (EEC) No 862/91⁽¹⁰⁾, as amended by Regulation (EC) No 2123/95, lay down detailed rules for the application of the said special arrangements;

Whereas pursuant to the Agreement on Agriculture concluded during the Uruguay Round of multilateral trade negotiations, the Community is to replace variable levies by fixed customs duties from 1 July 1995; whereas

this could prevent application of the special arrangements; whereas it is therefore necessary, pending the conclusion of new agreements with the countries in question, to make transitional adjustments to the abovementioned Commission Regulations while maintaining the essential parts of the arrangements concerned;

Whereas levies are now replaced by customs duties and the reductions granted to third countries must be applied to the customs duties applicable from 1 July; whereas, in order not to prejudice the interests of the exporter countries, it is also necessary to replace the reduction of the component designed to protect the Community industry by a fixed reduction of the import duty;

Whereas the rates of duty set out in the common customs tariff for imports of husked rice falling within CN code 1006 20 and milled rice falling within CN code 1006 30 are those applicable on the date referred to in Article 67 of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code⁽¹¹⁾;

Whereas, to ensure the correct application of the arrangements involving the collecting of an export charge, the import duty must be fixed in advance; whereas, therefore, the possibility of fixing the applicable duty on the date of submission of the import licence application should be maintained;

Whereas the security provided for in Article 10 of Commission Regulation (EC) No 1162/95⁽¹²⁾, as last amended by Regulation (EC) No 1029/96⁽¹³⁾, to cover imports carried out with advance fixing should be increased;

Whereas Regulation (EC) No 2123/95 lays down temporary measures until 30 June 1996 to facilitate the transition from the abovementioned special import arrangements;

Whereas Regulation (EC) No 1193/96 extends the period for transitional measures until 30 June 1997; whereas the measures provided for in Regulation (EC) No 2123/95 should be extended until 30 June 1997;

⁽¹⁾ OJ No L 349, 31. 12. 1994, p. 105.

⁽²⁾ OJ No L 161, 26. 6. 1996, p. 1.

⁽³⁾ OJ No L 146, 14. 6. 1977, p. 9.

⁽⁴⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽⁵⁾ OJ No L 89, 10. 4. 1996, p. 1.

⁽⁶⁾ OJ No L 337, 4. 12. 1990, p. 1.

⁽⁷⁾ OJ No L 302, 31. 10. 1973, p. 1.

⁽⁸⁾ OJ No L 101, 21. 4. 1990, p. 20.

⁽⁹⁾ OJ No L 212, 7. 9. 1995, p. 8.

⁽¹⁰⁾ OJ No L 88, 9. 4. 1991, p. 7.

⁽¹¹⁾ OJ No L 302, 19. 10. 1992, p. 16.

⁽¹²⁾ OJ No L 117, 24. 5. 1995, p. 2.

⁽¹³⁾ OJ No L 137, 8. 6. 1996, p. 1.

Whereas, however, Council Regulation (EEC) No 3877/86⁽¹⁾, as amended by Regulation (EEC) No 3130/91⁽²⁾, on imports of rice of the long-grain aromatic Basmati variety applies until 30 June 1996; whereas it is therefore no longer necessary to provide for transitional measures for these arrangements;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Rice,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2942/73 is hereby amended as follows:

1. Article 1 is replaced by the following:

Article 1

The amount by which the customs duties fixed pursuant to Article 12 (2) of Council Regulation (EEC) No 1418/76^(*) are to be reduced pursuant to Article 1 of Council Regulation (EEC) No 1250/77^(*) shall be fixed at the latest on the 10th day of the month preceding the quarter in which it is to apply.

The reference period referred to in the said Article 1 shall be the quarter preceding the month in which the amount is fixed.

^(*) OJ No L 166, 25. 6. 1976, p. 1.

^(**) OJ No L 146, 14. 6. 1977, p. 9.;

2. in Article 3 (2), 'levy' is replaced by 'customs duty applicable'.

Article 2

Regulation (EEC) No 999/90 is hereby amended as follows:

1. Article 1 is replaced by the following:

Article 1

The customs duties referred to in Article 12 (1) of Regulation (EEC) No 715/90 shall be calculated every two weeks by the Commission as follows:

- the duty applicable to imports of paddy rice falling within CN codes 1006 10 21 to 1006 10 98 shall be equal to the customs duties set out in the Common Customs Tariff less 50 %, less ECU 4,34,

⁽¹⁾ OJ No L 361, 20. 12. 1986, p. 1.

⁽²⁾ OJ No L 297, 29. 10. 1991, p. 1.

- the duty applicable to imports of husked rice falling within CN code 1006 20 shall be equal to the duty fixed pursuant to Article 12 (2) of Regulation (EEC) No 1418/76 less 50 %, less ECU 4,34,
- the duty applicable to imports of milled rice falling within CN code 1006 30 shall be equal to the duty fixed pursuant to Article 12 (2) of Regulation (EEC) No 1418/76 less ECU 16,78, less 50 %, less ECU 6,52,
- the duty applicable to imports of broken rice falling within CN code 1006 40 00 shall be equal to the duty set out in the Common Customs Tariff less 50 %, less ECU 3,62.;

2. Article 3 (2) is replaced by the following:

'2. The licence shall carry an obligation to import from the country of origin indicated. The import duty shall be that applicable on the date of submission of the licence application. The amount shall be adjusted on the basis of the difference between the intervention price applicable during the month of the licence application and that applicable on the date of release into free circulation, the difference being increased by:

- 80 % in the case of husked Indica rice,
- 163 % in the case of milled Indica rice,
- 88 % in the case of husked Japonica rice,
- 167 % in the case of milled Japonica rice.

The rice referred to in Article 3 of Commission Regulation (EC) No 1573/95^(*) shall be considered to be Indica and Japonica rice.

^(*) OJ No L 150, 1. 7. 1995, p. 53.;

3. in Articles 2 (1), (2) and (3) and 3 (1), (3) and (4), 'levy' is replaced by 'customs duties'.

Article 3

Regulation (EEC) No 862/91 is hereby amended as follows:

1. Article 1 is replaced by the following:

Article 1

The customs duties referred to in Article 1 (1) of Regulation (EEC) No 3491/90 shall be calculated each week by the Commission as follows:

- the duty applicable to imports of paddy rice falling within CN code 1006 10, with the exception of that falling within CN code 1006 10 10, shall be equal to the customs duties set out in the Common Customs Tariff less 50 %, less ECU 4,34,
- the duty applicable to imports of husked rice falling within CN code 1006 20 shall be equal to the duty fixed pursuant to Article 12 (2) of Regulation (EEC) No 1418/76 less 50 %, less ECU 4,34,

- the duty applicable to imports of milled rice falling within CN code 1006 30 shall be equal to the duty fixed pursuant to Article 12 (2) of Regulation (EEC) No 1418/76 less ECU 16,78, less 50 %, less ECU 6,52²;

2. Article 4 (2) is replaced by the following:

'2. The import licence, issued for a quantity not exceeding that entered on the certificate of origin referred to in Article 2, shall carry an obligation to import from Bangladesh. The import duty shall be that applicable on the date of submission of the licence application. The amount shall be adjusted on the basis of the difference between the intervention price applicable during the month of the licence application and that applicable on the date of release into free circulation, the difference being increased by:

- 80 % in the case of husked Indica rice,
- 163 % in the case of milled Indica rice,
- 88 % in the case of husked Japonica rice,
- 167 % in the case of milled Japonica rice.

The rice referred to in Article 3 of Commission Regulation (EC) No 1573/95^(*) shall be considered to be Indica and Japonica rice.

^(*) OJ No L 150, 1. 7. 1995, p. 3²;

3. In Article 4 (1), (3) and (4), 'levy' is replaced by 'customs duties'.

Article 4

Notwithstanding Article 10 of Regulation (EC) No 1162/95, the security for licences issued pursuant to Regulations (EEC) No 2942/73, (EC) No 999/90 and (EEC) No 862/91 shall be ECU 28 per tonne.

Article 5

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 July 1996 to 30 June 1997.

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

Done at Brussels, 16 July 1996.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 1374/96

of 16 July 1996

laying down to what extent applications for issue of export licences submitted during July 1996 for beef and veal products which may benefit from special import treatment in a third country may be accepted

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1445/95 of 26 June 1995 on rules of application for import and export licences in the beef and veal sector and repealing Regulation (EEC) No 2377/80⁽¹⁾, as last amended by Regulation (EC) No 2856/95⁽²⁾, and in particular Article 12 (8) thereof,

Whereas Regulation (EC) No 1445/95 lays down, in Article 12, detailed rules for export licence applications for the products referred to in Article 1 of Commission Regulation (EEC) No 2973/79⁽³⁾, as last amended by Regulation (EEC) No 3434/87⁽⁴⁾;

Whereas Commission Regulation (EEC) No 2973/79 fixed the quantities of meat which might be exported on special terms for the third quarter of 1996;

Whereas the quantities for which licence applications have been lodged for the third quarter of 1996 are lower than those available; whereas these applications can, therefore, be met in full,

Article 1

The applications for export licences lodged for the beef and veal referred to in Regulation (EEC) No 2973/79 for the third quarter of 1996 shall be met in full.

Article 2

Applications for licences in respect of the meat referred to in Article 1 may be entered in accordance with Article 12 of Regulation (EC) No 1445/95 during the first 10 days of the fourth quarter of 1996 the total quantity available being 4 939 tonnes.

Article 3

This Regulation shall enter into force on 21 July 1996.

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

Done at Brussels, 16 July 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 143, 27. 6. 1995, p. 35.

⁽²⁾ OJ No L 299, 12. 12. 1995, p. 10.

⁽³⁾ OJ No L 336, 29. 12. 1979, p. 44.

⁽⁴⁾ OJ No L 327, 18. 11. 1987, p. 7.

COMMISSION REGULATION (EC) No 1375/96**of 16 July 1996****fixing the export refunds on eggs**

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

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organization of the market in eggs ⁽¹⁾, as last amended by Commission Regulation (EC) No 2916/95 ⁽²⁾, and in particular Article 8 (3) thereof,

Whereas Article 8 of Regulation (EEC) No 2771/75 provides that the difference between prices on the world market for the products listed in Article 1 (1) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas the present market situation in certain third countries and that regarding competition on particular third country markets make it necessary to fix a refund differentiated by destination for certain products in the egg sector;

Whereas Council Regulation (EEC) No 990/93 ⁽³⁾, as amended by Regulation (EC) No 1380/95 ⁽⁴⁾, 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

and in Council Regulation (EC) No 462/96 ⁽⁵⁾; whereas account should be taken of this fact when fixing the refunds;

Whereas it follows from applying these rules and criteria to the present situation on the market in eggs that the refund should be fixed at an amount which would permit Community participation in world trade and would also take account of the nature of these exports and their importance at the present time;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Poultrymeat and Eggs,

HAS ADOPTED THIS REGULATION:

Article 1

The list of codes of products for which, when they are exported, the export refund referred to in Article 8 of Regulation (EEC) No 2771/75 is granted, and the amount of that refund shall be as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 17 July 1996.

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

Done at Brussels, 16 July 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 49.

⁽²⁾ OJ No L 305, 19. 12. 1995, p. 49.

⁽³⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽⁴⁾ OJ No L 138, 21. 6. 1995, p. 1.

⁽⁵⁾ OJ No L 65, 15. 3. 1996, p. 1.

ANNEX

to the Commission Regulation of 16 July 1996 fixing the export refunds on eggs

Product code	Destination ⁽¹⁾	Amount of refund ⁽²⁾
		ECU/100 units
0407 00 11 000	02	3,50
0407 00 19 000	02	1,60
		ECU/100 kg
0407 00 30 000	03	8,00
	04	6,00
	05	15,00
0408 11 80 100	01	45,00
0408 19 81 100	01	20,00
0408 19 89 100	01	20,00
0408 91 80 100	01	35,00
0408 99 80 100	01	9,00

⁽¹⁾ The destinations are as follows:

- 01 All destinations except Switzerland,
- 02 All destinations except the United States of America,
- 03 Kuwait, Bahrain, Oman, Qatar, the United Arab Emirates, Yemen, Hong Kong and Russia,
- 04 All destinations except Switzerland and those of 03 and 06,
- 05 South Korea, Japan, Malaysia, Thailand and Taiwan,

⁽²⁾ Refunds on exports to the Federal Republic of Yugoslavia (Serbia and Montenegro) may be granted only where the conditions laid down in amended Regulation (EEC) No 990/93 and Regulation (EC) No 462/96 are observed.

NB: The product codes and the footnotes are defined in amended Commission Regulation (EEC) No 3846/87.

COMMISSION REGULATION (EC) No 1376/96
of 16 July 1996

**amending representative prices and additional duties for the import of certain
products in the sugar sector**

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Commission Regulation (EC) No 1126/96⁽²⁾,

Having regard to Commission Regulation (EC) No 1423/95 of 23 June 1995 laying down detailed implementing rules for the import of products in the sugar sector other than molasses⁽³⁾, as last amended by Regulation (EC) No 1127/96⁽⁴⁾, and in particular the second subparagraph of Article 1 (2), and Article 3 (1) thereof,

Whereas the amounts of the representative prices and additional duties applicable to the import of white sugar, raw sugar and certain syrups are fixed by Commission Regulation (EC) No 1195/96⁽⁵⁾, as last amended by Regulation (EC) No 1369/96⁽⁶⁾;

Whereas it follows from applying the general and detailed fixing rules contained in Regulation (EC) No 1423/95 to the information known to the Commission that the representative prices and additional duties at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and additional duties on imports of the products referred to in Article 1 of Regulation (EC) No 1423/95 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 17 July 1996.

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

Done at Brussels, 16 July 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 150, 25. 6. 1996, p. 3.

⁽³⁾ OJ No L 141, 24. 6. 1995, p. 16.

⁽⁴⁾ OJ No L 150, 25. 6. 1996, p. 12.

⁽⁵⁾ OJ No L 161, 29. 6. 1996, p. 3.

⁽⁶⁾ OJ No L 177, 16. 7. 1996, p. 22.

ANNEX

to the Commission Regulation of 16 July 1996 amending representative prices and the amounts of additional duties applicable to imports of white sugar, raw sugar and products covered by CN code 1702 90 99

(ECU)

CN code	Amount of representative prices per 100 kg net of product concerned	Amount of additional duty per 100 kg net of product concerned
1701 11 10 ⁽¹⁾	25,35	3,68
1701 11 90 ⁽¹⁾	25,35	8,86
1701 12 10 ⁽¹⁾	25,35	3,55
1701 12 90 ⁽¹⁾	25,35	8,43
1701 91 00 ⁽²⁾	28,34	11,06
1701 99 10 ⁽²⁾	28,34	6,54
1701 99 90 ⁽²⁾	28,34	6,54
1702 90 99 ⁽³⁾	0,28	0,37

⁽¹⁾ For the standard quality as defined in Article 1 of amended Council Regulation (EEC) No 431/68 (OJ No L 89, 10. 4. 1968, p. 3).

⁽²⁾ For the standard quality as defined in Article 1 of Council Regulation (EEC) No 793/72 (OJ No L 94, 21. 4. 1972, p. 1).

⁽³⁾ By 1 % sucrose content.

COMMISSION REGULATION (EC) No 1377/96
of 16 July 1996

**establishing the standard import values for determining the entry price of
certain fruit and vegetables**

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

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables⁽¹⁾, as last amended by Regulation (EC) No 2933/95⁽²⁾, and in particular Article 4 (1) 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 last amended by Regulation (EC) No 150/95⁽⁴⁾, and in particular Article 3 (3) thereof,

Whereas Regulation (EC) No 3223/94 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commis-

sion fixes the standard values for imports from third countries, in respect of the products and periods stipulated in the Annex thereto;

Whereas, in compliance with the above criteria, the standard import values must be fixed at the levels set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 4 of Regulation (EC) No 3223/94 shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 17 July 1996.

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

Done at Brussels, 16 July 1996.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ No L 337, 24. 12. 1994, p. 66.

⁽²⁾ OJ No L 307, 20. 12. 1995, p. 21.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 22, 31. 1. 1995, p. 1.

ANNEX

to the Commission Regulation of 16 July 1996 establishing the standard import values for determining the entry price of certain fruit and vegetables

(ECU/100 kg)			(ECU/100 kg)		
CN code	Third country code (*)	Standard import value	CN code	Third country code (*)	Standard import value
0702 00 35	052	73,4		508	116,4
	060	80,2		512	76,6
	064	70,8		524	86,8
	066	40,4		528	84,3
	068	62,3		624	86,5
	204	86,8		728	107,3
	208	44,0		800	78,0
	212	97,5		804	104,8
	624	95,8		999	86,8
	999	72,4		039	104,1
ex 0707 00 25	052	75,7	0808 20 51	052	138,2
	053	156,2		064	72,5
	060	61,0		388	96,7
	066	53,8		400	70,4
	068	69,1		512	80,5
	204	144,3		528	96,4
	624	87,1		624	79,0
	999	92,5		728	115,4
	052	65,9		800	95,1
	204	77,5		804	73,0
0709 90 77	412	54,2	0809 10 40	999	92,8
	624	151,9		052	144,4
	999	87,4		061	51,3
	052	130,3		064	92,9
	204	88,8		400	338,0
0805 30 30	220	74,0	0809 20 59	999	156,6
	388	79,2		052	192,6
	400	68,2		061	182,0
	512	54,8		064	137,1
	520	66,5		066	73,7
	524	54,0		068	91,0
	528	61,9		400	205,1
	600	96,5		600	94,9
	624	48,9		616	85,2
	999	74,8		624	63,7
0808 10 71, 0808 10 73, 0808 10 79	039	120,2	0809 30 31, 0809 30 39	676	166,2
	052	64,0		999	129,2
	064	78,6		052	63,1
	284	72,1		220	121,8
	388	99,5		624	106,8
	400	78,0		999	97,2
	404	63,6		052	73,2
	416	72,7		064	80,4
				066	84,9
				068	61,2
			0809 40 30	400	143,5
				624	182,3
				676	68,6
				999	99,2

(*) Country nomenclature as fixed by Commission Regulation (EC) No 68/96 (OJ No L 14, 19. 1. 1996, p. 16). Code '999' stands for 'of other origin'.

COMMISSION DIRECTIVE 96/36/EC

of 17 June 1996

adapting to technical progress Council Directive 77/541/EEC relating to safety belts and restraint systems of motor vehicles

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 70/156/EEC of 6 February 1970 relating to the type-approval of motor vehicles and their trailers ⁽¹⁾, as last amended by Commission Directive 95/54/EC ⁽²⁾, and in particular Article 13 (2) thereof,

Having regard to Council Directive 77/541/EEC of 28 June 1977 on the approximation of the laws of the Member States relating to safety belts and restraint systems of motor vehicles ⁽³⁾, as last amended by Commission Directive 90/628/EEC ⁽⁴⁾, and in particular Article 10 thereof,

Whereas Directive 77/541/EEC is one of the separate Directives of the EEC type-approval procedure which has been established by Directive 70/156/EEC; whereas, consequently, the provisions laid down in Directive 70/156/EEC relating to vehicle systems, components and separate technical units apply to this Directive;

Whereas, in particular, Articles 3 (4) and 4 (3) of Directive 70/156/EEC necessitate that each separate Directive has attached to it an information document incorporating the relevant items of Annex I to that Directive and also a type-approval certificate based on Annex VI thereto in order that type-approval may be computerized;

Whereas in the light of technical progress it is possible to improve the protection provided for passengers by requiring the installation of three-point belts with retractors for the rear outboard seats of motor vehicles of category M₁;

Whereas a warning should be fitted to all passenger seating positions where an airbag is installed, to inform the users of the vehicle that an airbag is present and consequently no rearward-facing child restraint should be fitted in that seat; whereas this Directive should be further amended when an optimum design of pictogram has been internationally accepted;

Whereas it is possible to improve the protection provided for passengers against ejection in case of an accident by

requiring a minimum of lap belts with retractors for all forward and rear-facing seating positions in motor vehicle of categories M₂ and M₃, and in the case of certain M₂ vehicles lap and diagonal belts, as foreseen in Directive 90/628/EEC (except those vehicles which are designed for both urban use and standing passengers);

Whereas the entry force of an amendment to this Directive to require such seat belts in M₂ and M₃ vehicles is conditional upon the adaptation to technical progress of Council Directive 76/115/EEC ⁽⁵⁾, as last amended by Commission Directive 90/629/EEC ⁽⁶⁾, on seat belt anchorages, and Council Directive 74/408/EEC ⁽⁷⁾ on the strength of seats;

Whereas the protection of passengers, especially in the centre rear seating position of cars, against both projection and ejection in the case of an accident must be improved and further modifications to the Directive should be introduced for this purpose;

Whereas the effectiveness of the measures set out in this Directive for enhancing the protection of passengers in coaches and buses are dependant on the wearing of the seat belts prescribed; whereas this Directive needs to be complemented by an amendment to Council Directive 91/671/EEC ⁽⁸⁾ on the wearing of seat belts;

Whereas reference is made to Council Directive 74/60/EEC ⁽⁹⁾, as last amended by Directive 78/632/EEC ⁽¹⁰⁾, relating to the interior fittings of motor vehicles;

Whereas the provisions of this Directive are in accordance with the opinion of the Committee for Adaptation to Technical Progress established by Directive 70/156/EEC,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 77/541/EEC shall be amended as follows:

⁽¹⁾ OJ No L 42, 23. 2. 1970, p. 1.

⁽²⁾ OJ No L 266, 8. 11. 1995, p. 1.

⁽³⁾ OJ No L 220, 29. 8. 1977, p. 95.

⁽⁴⁾ OJ No L 341, 6. 12. 1990, p. 1.

⁽⁵⁾ OJ No L 24, 30. 1. 1976, p. 6.

⁽⁶⁾ OJ No L 341, 6. 12. 1990, p. 14.

⁽⁷⁾ OJ No L 221, 12. 8. 1974, p. 1.

⁽⁸⁾ OJ No L 373, 31. 12. 1991, p. 26.

⁽⁹⁾ OJ No L 38, 11. 2. 1974, p. 2.

⁽¹⁰⁾ OJ No L 206, 29. 7. 1978, p. 26.

1. — In Article 2, first paragraph, the words '... or to his authorized representative, ...' shall be deleted,

— Article 4 shall be replaced by the following:

'Article 4

The competent authorities of the Member States shall inform each other, by means of the procedure specified in Article 4 (6) of Directive 70/156/EEC, of each type of safety belt and restraint systems for which an approval has been granted, refused or withdrawn.'

— In Article 9, 'Annex I' shall be replaced by 'Annex II A'.

2. A list of Annexes shall be included and the Annexes to Directive 77/541/EEC shall be amended in accordance with the Annex to this Directive.

3. In other languages the former term used for 'type-approval' is replaced by a new term.

Article 2

1. With effect from 1 January 1997, no Member State may, on grounds relating to safety belts and restraint systems:

- refuse, in respect of a type of motor vehicle, safety belt or restraint system, to grant EC type-approval, or national type-approval, or
- prohibit the registration, sale or entry into service of vehicles, or the sale or entry into service of safety belts or restraint systems,

if the safety belts and restraint systems comply with the requirements of Directive 77/541/EEC as amended by this Directive.

2. Subject to the provisions of paragraph 5, with effect from 1 October 1999 for M₂ vehicles of 3,5 tonnes or less and all other vehicles from 1 October 1997, Member States:

- shall no longer grant EC type-approval, and
- may refuse to grant national type-approval,

for a type of vehicle on grounds relating to safety belts and restraint systems, and for a type of safety belt or restraint system, if the requirements of Directive 77/541/EEC, as amended by this Directive, are not fulfilled.

- 3.1. Subject to the provisions of paragraph 5, in the case of vehicles in category M₂ with a maximum mass not exceeding 3 500 kg with effect from 1 October 2001 and for and all other vehicles in category M from 1 October 1999, Member States:

- shall consider certificates of conformity which accompany new vehicles in accordance with the provisions of Directive 70/156/EEC to be no

longer valid for the purposes of Article 7 (1) of that Directive, and

- may refuse the registration, sale or entry into service of new vehicles which are not accompanied by a certificate of conformity in accordance with Directive 70/156/EEC, and
- may refuse the sale and entry into service of new safety belts and restraint systems,

on grounds relating to safety and restraint systems if the requirements of Directive 77/541/EEC, as amended by this Directive, are not fulfilled.

- 3.2. With effect from 1 October 1999 the requirements of Directive 77/541/EEC as amended by this Directive, relating to safety belts and restraint systems as components, are applicable for the purposes of Article 7 (2) of Directive 70/156/EEC.

4. Notwithstanding paragraphs 2 and 3.2 above, for the purposes of replacement parts, Member States shall continue to grant EC type-approval, and to permit the sale and entry into service, of safety belts and restraint systems in accordance with previous versions of Directive 77/541/EEC provided that such safety belts or restraint systems:

- are intended to be fitted to vehicles already in use, and
- comply with the requirements of that Directive which were applicable when the vehicles were first registered.

5. Notwithstanding paragraphs 2 and 3.1 above, in relation to the provision of an airbag warning label in accordance with item 3.1.11 of Annex I, the provisions of these paragraphs shall apply from 1 January 1997.

Article 3

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 31 December 1996 and shall forthwith inform the Commission thereof.

When the Member States adopt these provisions, they shall contain a reference to this Directive or be accompanied by such reference on the occasion of their official publication. The methods of making such a reference shall be laid down by the Member States.

2. Member States shall communicate to the Commission the texts of the main provisions of national law which they adopt in the field governed by this Directive.

Article 4

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

Article 5

This Directive is addressed to the Member States.

Done at Brussels, 17 June 1996.

For the Commission

Martin BANGEMANN

Member of the Commission

ANNEX

A list of Annexes is added as follows:

LIST OF ANNEXES

ANNEX I:	Scope, definitions, EEC component type-approval, installation requirements
ANNEX II:	Type-approval documentation <i>Appendix 1.</i> Information document (component) <i>Appendix 2.</i> Information document (vehicle) <i>Appendix 3.</i> Type-approval certificate (component) <i>Appendix 4.</i> Type-approval certificate (vehicle)
ANNEX III:	EEC component type-approval marks
ANNEX IV:	Example of an apparatus to test durability of retractor mechanism
ANNEX V:	Example of an apparatus to test locking of emergency locking retractors
ANNEX VI:	Example of apparatus to test the dust resistance of retractors
ANNEX VII:	Description of trolley, seat, anchorages and stopping device
ANNEX VIII:	Description of manikin
ANNEX IX:	Curve of trolley deceleration
ANNEX X:	Instructions for use
ANNEX XI:	Dual buckle test
ANNEX XII:	Abrasion and microslip test
ANNEX XIII:	Corrosion test
ANNEX XIV:	Chronological order of tests
ANNEX XV:	Safety belt installation showing the belt types and retractor types
ANNEX XVI:	Conformity of production

Annex I is amended as follows:

— item 0 is amended to read as follows:

‘0. Scope

This Directive applies to safety belts and restraint systems which are designed for installation in vehicles conforming to the definition given in Article 9 and are intended for separate use, i.e. as individual fittings, by persons of adult build occupying forward or rearward-facing seats.’

— five new items are added after item 1.22 to read:

- ‘1.23. “Reference zone” means the space between two vertical longitudinal planes, 400 mm apart and symmetrical with respect to the H-point, and defined by rotation of the apparatus, described in Annex II of Directive 74/60/EEC, from vertical to horizontal. The apparatus shall be positioned as described in that Annex and set to the maximum length of 840 mm.
- 1.24. “Airbag assembly” means a device installed to supplement safety belts and restraint systems in power-driven vehicles, i.e. systems which, in the event of a severe impact affecting the vehicle automatically deploy a flexible structure intended to limit, by compression of the gas contained within it, the gravity of the contracts of one or more parts of the body of an occupant of the vehicle with the interior of the passenger compartment.
- 1.25. “Passenger airbag” means an airbag assembly intended to protect occupant(s) in seats other than the driver’s in the event of a frontal collision.
- 1.26. “Child restraint” means an arrangement of components which may comprise a combination of straps or flexible components with a securing buckle, adjusting devices, attachments, and in some cases a supplementary chair and/or an impact shield, capable of being anchored to a power-driven vehicle. It is also so designed as to diminish the risk of injury to the wearer, in the event of a collision or of abrupt deceleration of the vehicle, by limiting the mobility of the wearer’s body.
- 1.27. “Rearward-facing” means facing in the direction opposite to the normal direction of travel of the vehicle.’

— items 1.8.4.1 and 1.8.4.2 are amended to read:

- ‘1.8.4.1. Deceleration of the vehicle (single sensitivity).
- 1.8.4.2. A combination of the deceleration of the vehicle, movement of the webbing or any other automatic means (multiple sensitivity).’

— item 2.1.1 is amended to read:

- ‘2.1.1. The application for EEC component type-approval pursuant to Article 3 (4) of Directive 70/156/EEC of a type of safety belt shall be submitted by the manufacturer.
- The application for EEC component type-approval pursuant to Article 3 (4) of Directive 70/156/EEC of a type of restraint system shall be submitted by the manufacturer or by the manufacturer of the vehicle in which it is to be installed.’

— item 2.1.2 is amended to read:

- ‘2.1.2. A model for the information document is given in Appendix 1 of Annex II. The following samples must be submitted to the technical service conducting the type-approval tests’.

— item 2.1.2.1 is deleted,

— items ‘2.1.2.2, 2.1.2.3, and 2.1.2.4’ are renumbered ‘2.1.2.1, 2.1.2.2 and 2.1.2.3’ respectively,

— item 2.1.3 is amended to read:

- ‘2.1.3. In the case of restraint systems, two samples shall be submitted by the applicant to the technical service conducting approval tests for the restraint system. These may include two of the samples of belts mentioned in 2.1.2.1 and, at the manufacturer’s choice, either a vehicle representative of the vehicle type to be approved, or the part or parts of the vehicle considered essential by the service.’

— a new item is added after item 2.4.1.4 to read:

'2.4.1.5. The use of materials with properties of polyamide 6 as regards water retention is prohibited in all mechanical parts for which such a phenomenon is likely to have an adverse effect on their operation.'

— item 2.4.5.2.1 is amended by adding at the end:

'In the case of a single sensitivity, according to item 1.8.4.1, only the specifications regarding deceleration of the vehicle are valid.'

— item 2.4.5.2.1.5 is amended by adding at the end:

'However, this requirement need not be met in the case of a retractor with multiple sensitivities provided that only one sensitivity is dependent on an external signal or power source and the failure of the signal or power source is indicated to the driver by optical and/or acoustical means.'

— item 2.4.5.2.2 is amended to read:

'2.4.5.2.2. when tested in accordance with 2.7.7.2, an emergency locking retractor with multiple sensitivity, including strap sensitivity, shall comply with the specified requirements and also lock up when strap acceleration measured in the direction of unreeling is not less than 2,0 G.'

— a new item is added after 2.6.1.4.2 to read:

'2.6.1.5. By way of derogation, in the case of a restraint system, the displacements may be greater than those specified in paragraph 2.6.1.3.2 in the case where the upper anchorage fitted to the seat profits by the derogation provided in paragraph 5.5.4 of Annex I to Directive 76/115/EEC. Details of the restraint system concerned shall be included in the addendum to the type-approval certificate referred to in Appendices 3 and 4 of Annex II.'

— item 2.7.3: replace '2.1.2.4' by '2.1.2.2',

— renumber item '2.7.10' (test report), which was not renumbered by Directive 90/628/EEC, by '2.7.11',

— the last sentence of item 2.7.11 is amended to read:

'If the forward displacement of the manikin has exceeded the values prescribed in 2.6.1.3.2, the report shall state whether the requirements of 2.6.1.4.1 have been met',

— item 2.8.3 is amended to read:

'2.8.3. As a general rule, measures to ensure the conformity of production shall be taken in accordance with the provisions laid down in Article 10 of Directive 70/156/EEC.'

— item 2.8.3.1 is amended to read:

'2.8.3.1. Special provisions detailing the tests to be carried out and the test frequency are laid down in Annex XVI to this Directive.'

— items 2.8.3.2 to 2.8.4.5 are deleted,

— item 3.1.1 is amended to read:

'3.1.1. With the exception of folding seats (as defined in Directive 76/115/EEC) and seating intended solely for use when the vehicle is stationary, the seats of vehicles covered by Article 9 in categories M and N (except those vehicles in categories M₂ and M₃ which are designed for both urban use and standing passengers) must be equipped with safety belts or restraint systems which satisfy the requirements of this Directive.'

— item 3.1.3 is amended to read:

'3.1.3. ... the installation of a lap belt of type Br4m is allowed ...' ('B, Br3 or' is deleted),

— four new items are added after item 3.1.9 to read:

- ‘3.1.10. Every seating position in Annex XV marked with the symbol $\mathbb{H}$, three-point belts of a type specified in Annex XV shall be provided unless one of the following conditions is fulfilled:
- there is a seat or other vehicle parts conforming to paragraph 3.5 of Appendix 1 of Annex III of Directive 74/408/EEC directly in front, or
 - no part of the vehicle is in or, when the vehicle is in motion, capable of being in the reference zone, or
 - parts of the vehicle within the said reference zone comply with the energy absorbing requirements set out in Appendix 6 of Annex III of Directive 74/408/EEC
- in which case two-point belts of a type specified in Annex XV may be provided.
- 3.1.11. Save as provided by item 3.1.12, every seating position which is fitted with an airbag shall be provided with a warning against the use of a rearward-facing child restraint on the seat. The warning label, in the form of a pictogram which may include explanatory text, shall be durably affixed and located such that it is easily visible in front of a person about to install a rearward-facing child restraint on the seat in question. An example of a possible design of pictogram is shown in figure 1. A permanent reference should be visible at all times, in case the warning is not visible when the door is closed.

Figure 1

Pictogram



- 3.1.12. The requirements of item 3.1.11 shall not apply if the vehicle is fitted with a mechanism which senses automatically the presence of a rearward-facing child restraint, and ensures that the airbag will not be deployed when such a child restraint system is fitted.
- 3.1.13. In the case of seats capable of being turned to or placed in other orientations, for use when the vehicle is stationary, the requirements of item 3.1.1 shall only apply to those orientations designated for normal use when the vehicle is travelling on a road, in accordance with this Directive. A note to this effect shall be included in the information document.’

— a new item is added after item 3.2.2.4 to read:

- ‘3.2.2.5. The technical service shall verify that, with the buckle tongue engaged in the buckle and no occupant in the seat
- the possible slack in the belt does not prevent the correct installation of child restraint systems recommended by the manufacturer, and
 - in the case of three-point belts, a tension of at least 50 N can be established in the lap section of the belt by external application of tension in the diagonal section of the belt.’

— three new items are added to read:

- 4. Application for EEC type-approval for a vehicle type in respect of the installation of its safety belts and restraint systems**
- 4.1. The application for approval pursuant to Article 3 (4) of Directive 70/156/EEC of a vehicle type with regard to the installation of its safety belts and restraint systems shall be submitted by the vehicle manufacturer.
- 4.2. A model for the information document is given in Annex II, Appendix 2.
- 4.3. A representative vehicle of the type to be approved shall be submitted to the technical service conducting the type-approval tests.
- 5. Granting of EEC type-approval**
- 5.1. If the relevant requirements are satisfied, EEC type-approval pursuant to Article 4 (3) and, if applicable, 4 (4) of Directive 70/156/EEC shall be granted.
- 5.2. A model for the EEC type-approval certificate is given in:
- 5.2.1. Annex II, Appendix 3 for applications referred to in 2.1;
- 5.2.2. Annex II, Appendix 4 for application referred to in 4.
- 5.3. An approval number in accordance with Annex VII to Directive 70/156/EEC shall be assigned to each type of safety belt or restraint system and to each type of vehicle approved. The same Member State shall not assign the same number to another type of safety belt or restraint system or to another type of vehicle.
- 6. Modification of the type and amendments to approvals**
- 6.1. In the case of modifications to either the type of vehicle or of the safety belt or restraint system approved pursuant to this Directive, the provisions of Article 5 of Directive 70/156/EEC shall apply.

Annex II is replaced by the following Annex II:

ANNEX II

TYPE-APPROVAL DOCUMENTATION

Appendix 1

Information document No ...
relating to EEC component type-approval of
safety belts and restraint systems (77/541/EEC)
as last amended by Directive 96/36/EC

The following information, if applicable, must be supplied in triplicate and include a list of contents. Any drawings must be supplied in appropriate scale and in sufficient detail on size A4 or on a folder of A4 format. Photographs, if any, must show sufficient detail.

If the systems, components, or separate technical units have electronic controls, information concerning their performance must be supplied.

0. **General**

0.1. Make (trade name of manufacturer):

0.2. Type and general commercial description(s):

0.5. Name and address of manufacturer:

0.7. In the case of components and separate technical units, location and method of affixing of the EEC approval mark:

0.8. Address(es) of assembly plant(s):

1. **List of vehicle(s) to which the device is intended to be fitted [if applicable]**

2. **Description of the device**

2.1. Safety belt

2.1.1. Configuration of safety belt (two-point belt, three-point belt, static, automatic):

2.1.2. Details of webbing (material, weave, dimensions and colour):

2.1.3. Type of retractor (designation of retractor as per item 1.1.3.2.2 of Annex III to Directive 77/541/EEC):

2.1.3.1. Information on additional functions, if applicable:

2.1.4. Drawings of the rigid parts (as per item 1.2.1 of Annex I to Directive 77/541/EEC):

2.1.5. Diagram of the seat belt assembly enabling identification and location of the rigid parts:

2.1.6. Mounting instructions showing, *inter alia*, the installation of the retractor and its sensing device:

2.1.7. If a device for adjusting the belt height is present, state whether it is considered to be part of the belt:

2.1.8. In the case of a pre-loading device or system, a full technical description of the construction and function including any sensing device, describing the method of activation and any necessary method to avoid inadvertent activation:

2.2. Restraint system

In addition to the information required in 2.1 above:

2.2.1. Drawings of the relevant parts of the vehicle structure and any seat anchorage reinforcements:

2.2.2. Drawings of the seat, showing its structure, adjustment system and fixing the fixing components, with an indication of the materials used:

2.2.3. Drawing or photograph of the restraint system as installed:

Date, file

Appendix 2

Information document No ...
pursuant to Annex I of Council Directive 70/156/EEC (*)
relating to EEC type-approval of a vehicle with respect to the
safety belts and restraint systems (77/541/EEC),
as last amended by Directive .../.../EC

The following information, if applicable, must be supplied in triplicate and include a list of contents. Any drawings must be supplied in appropriate scale and in sufficient detail on size A4 or on a folder of A4 format. Photographs, if any, must show sufficient detail.

If the systems, components or separate technical units have electronic controls, information concerning their performance must be supplied.

0. **GENERAL**

0.1. Make (trade name of manufacturer):

0.2. Type and general commercial description(s):

0.3. Means of identification of type, if marked on the vehicle ^(b):

0.3.1. Location of that marking:

0.4. Category of vehicle ^(c):

0.5. Name and address of manufacturer:

0.8. Address(es) of assembly plant(s):

1. **General construction characteristics of the vehicle**

1.1. Photographs and/or drawings of a representative vehicle:

9. **Bodywork**

9.10.3. Seats

9.10.3.1. Number:

9.10.3.2. Position and arrangement:

9.10.3.2.1. Seating position(s) designated for use only when the vehicle is stationary:

9.10.3.4. Characteristics: description and drawings of ⁽¹⁾

9.10.3.4.1. the seats and their anchorages:

9.10.3.4.2. the adjustment system:

9.10.3.4.3. the displacement and locking systems:

9.10.3.4.4. the seat belt anchorages if incorporated in the seat structure:

9.12. Safety belts and/or other restraint systems

9.12.1 Number and position of safety belts and restraint systems and seats on which they can be used:

(*) The item numbers and footnotes used in this information document correspond to those set out in Annex I to Directive 70/156/EEC.

Items not relevant for the purpose of this Directive are omitted.

⁽¹⁾ The information given under 9.10.3.4 may be replaced by the type-approval number, if available. If the type-approval number is not available, attach the relevant test report as specified by Directive 74/408/EEC.

		Complete EEC type-approval mark	Variant (if applicable)	Belt adjustment device for height (indicate yes/no/optional)
First row of seats	R			
	C			
	L			
Second row of seats ⁽²⁾	R			
	C			
	L			

(R = right-hand seat, C = centre seat, L = left-hand seat)

9.12.2. Nature and position of supplementary restraint systems (indicate yes/no/optional):

		Front airbag	Side airbag	Belt preloading device
First row of seats	R			
	C			
	L			
Second row of seats ⁽²⁾	R			
	C			
	L			

(R = right-hand seat, C = centre seat, L = left-hand seat)

9.12.3. Number and position of safety-belt anchorages and proof of compliance with Directive 76/115/EEC (i.e. EEC type-approval number or test report):

Date, file

⁽²⁾ The table may be extended for vehicles with more than two rows of seats or if there are more than three seats across the width of the vehicle.

Appendix 3

MODEL

(maximum format: A4 (210 × 297 mm))

EEC TYPE-APPROVAL CERTIFICATE

Stamp of
administration

Communication concerning the

- type-approval ⁽¹⁾,
- extension of type-approval ⁽¹⁾,
- refusal of type-approval ⁽¹⁾,
- withdrawal of type-approval ⁽¹⁾,

of a type of vehicle/component/separate technical unit ⁽¹⁾ with regard to Directive .../.../EEC, as last amended by Directive .../.../EC.

Type-approval number:

Reason for extension:

SECTION I

- 0.1. Make (trade name of manufacturer):
- 0.2. Type and general commercial description(s):
- 0.3. Means of identification of type, if marked on the vehicle/component/separate technical unit: ⁽¹⁾ ⁽²⁾
.....
- 0.3.1. Location of that marking:
- 0.4. Category of vehicle: ⁽¹⁾ ⁽³⁾
- 0.5. Name and address of manufacturer:
- 0.7. In the case of components and separate technical units, location and method of affixing of the EEC type-approval mark:
- 0.8. Address(es) of assembly plant(s):

SECTION II

1. Additional information (where applicable): (see addendum)
2. Technical service responsible for carrying out the tests:
3. Date of test report:
4. Number of test report:
5. Remarks (if any): (see addendum)
6. Place:
7. Date:
8. Signature:
9. The index to the information package lodged with the approval authority, which may be obtained on request, is attached.

⁽¹⁾ Delete where not applicable.

⁽²⁾ If the means of identification of type contains characters not relevant to a description of the vehicle, component or separate technical unit types covered by this type-approval certificate, such characters shall be represented in the documentation by the symbol "?" (e.g. ABC??123??).

⁽³⁾ As defined in part A of Annex II to Directive 70/156/EEC.

Addendum to EEC type-approval certificate No ...

concerning the component type-approval of safety belts and restraint systems with regard to Directive 77/541/EEC, as last amended by Directive .../.../EC

1. Additional Information
- 1.1. Configuration:
(use symbols and marks prescribed in items 1.3 and 1.4 of Annex III; if applicable, indicate additional features, such as device for height adjustment, preloading device, etc.)
- 1.2. Vehicles for which the device is designed:
- 1.3. Position on vehicles where the device is to be mounted:
5. Remarks:

Appendix 4

MODEL

(maximum format: A4 (210 × 297 mm))

EEC TYPE-APPROVAL CERTIFICATE

Stamp of
administration

Communication concerning the

- type-approval ⁽¹⁾,
- extension of type-approval ⁽¹⁾,
- refusal of type-approval ⁽¹⁾,
- withdrawal of type-approval ⁽¹⁾,

of a type of vehicle/component/separate technical unit ⁽¹⁾ with regard to Directive .../.../EEC, as last amended by Directive .../.../EC.

Type-approval number:

Reason for extension:

SECTION I

- 0.1. Make (trade name of manufacturer):
- 0.2. Type and general commercial description(s):
- 0.3. Means of identification of type, if marked on the vehicle/component/separate technical unit: ⁽¹⁾ ⁽²⁾
.....
- 0.3.1. Location of that marking:
- 0.4. Category of vehicle: ⁽¹⁾ ⁽³⁾
- 0.5. Name and address of manufacturer:
- 0.7. In the case of components and separate technical units, location and method of affixing of the EEC type-approval mark:
- 0.8. Address(es) of assembly plant(s):

SECTION II

1. Additional information (where applicable): (see addendum)
2. Technical service responsible for carrying out the tests:
3. Date of test report:
4. Number of test report:
5. Remarks (if any): (see addendum)
6. Place:
7. Date:
8. Signature:
9. The index to the information package lodged with the approval authority, which may be obtained on request, is attached.

⁽¹⁾ Delete where not applicable.

⁽²⁾ If the means of identification of type contains characters not relevant to a description of the vehicle, component or separate technical unit types covered by this type-approval certificate, such characters shall be represented in the documentation by the symbol "?" (e.g. ABC??123??).

⁽³⁾ As defined in part A of Annex II to Directive 70/156/EEC.

Addendum to EEC type-approval certificate No ...

concerning the type-approval of a vehicle with regard to Directive 77/541/EEC, as last amended by Directive .../.../EC

1. Additional information
 - 1.1. Designation of the safety belts or restraint systems which can be fitted to the vehicle
 - 1.1.1. Make:.....
 - 1.1.2. Component type-approval mark:
 - 1.1.3. Position on vehicle:
 - 1.2. Safety belt anchorages
 - 1.2.1. Type-approval number:
 - 1.3. Seats
 - 1.3.1. Type-approval number, if available:
5. Remarks:

Annex III is amended as follows:

— item 1.1.2 is amended to read:

‘1.1.2. in the vicinity of the rectangle the “base approval number” contained in section 4 of the type-approval number referred to in Annex VII of Directive 70/156/EEC preceded by the two figures indicating the sequence number assigned to the latest major technical amendment to Directive 77/541/EEC on the date EEC component type-approval was granted. In this Directive the sequence number is 04.’

— item 2: in the four diagrams, ‘2439’ is replaced by ‘04 2439’,

— in items 2.1, 2.2, 2.3 and 2.4, the term ‘under the number 2439’ is replaced by ‘according to this Directive (04) under the base approval number 2439’,

— the note at the end of Annex III is amended to read as follows:

the base approval number and symbol(s) shall be placed close to the rectangle.

Annex XV (see Directive 90/628/EEC) shall be amended as follows:

The table, together with explanatory notes, shall be amended to read:

ANNEX XV

Table showing minimum requirements for safety belts and retractors

Vehicle category	Forward facing seating positions					Rear facing seating positions
	Outboard seating positions		Centre seating positions			
	Front	Other than front	Front	Other than front	Other than front	
M ₁	Ar4m	Ar4m, Br4m ☒	B, Br3, Br4m or A, Ar4m*	B, Br3, Br4m	B, Br3, Br4m	
		§ 3.1.3 Lap belt permitted if seat is inboard of a passageway.	§ 3.1.7 Lap belt permitted if the windscreen is not in zone.			
M ₂ ≤ 3,5 t	Ar4m, Ar4Nm	Ar4m, Ar4Nm	Ar4m, Ar4Nm	Ar4m, Ar4Nm	Br3, Br4m, Br4Nm	
M ₂ > 3,5 t	Br3, Br4m, Br4Nm or Ar4m, Ar4Nm ☒	Br3, Br4m, Br4Nm or Ar4m, Ar4Nm ☒	Br3, Br4m, Br4Nm or Ar4m, Ar4Nm ☒	Br3, Br4m, Br4Nm or Ar4m, Ar4Nm ☒	Br3, Br4m, Br4Nm	
M ₃	See § 3.1.10 for conditions when a lap belt is permitted.	See § 3.1.10 for conditions when a lap belt is permitted.	See § 3.1.10 for conditions when a lap belt is permitted.	See § 3.1.10 for conditions when a lap belt is permitted.		
N ₁	Ar4m, Ar4Nm	B, Br3, Br4m, Br4Nm or none #	B, Br3, Br4m, Br4Nm or A, Ar4m, Ar4Nm*	B, Br3, Br4m, Br4Nm or none #	None	
N ₂		§ 3.1.8 & 9 Lap belt required in exposed seating positions.	§ 3.1.7 Lap belt permitted if the windscreen is not in zone.	§ 3.1.8 & 9 Lap belt required in exposed seating positions.		
	B, Br3, Br4m, Br4Nm or A, Ar4m, Ar4Nm*	B, Br3, Br4m, Br4Nm or none #	B, Br3, Br4m, Br4Nm or A, Ar4m, Ar4Nm*	B, Br3, Br4m, Br4Nm or none #	None	
N ₃	§ 3.1.7 Lap belt permitted if the windscreen is outside reference zone and for driver's seat.	§ 3.1.8 & 9 Lap belt required in exposed seating positions.	§ 3.1.7 Lap belt permitted if the windscreen is not in zone.	§ 3.1.8 & 9 Lap belt required in exposed seating positions.		

A: three-point (lap and diagonal) belt

B: two-point (lap) belt

r: retractor

m: emergency locking retractor with multiple sensitivity

3: automatically locking retractor

4: emergency locking retractor

N: higher-response threshold (see Annex 1, § 1.8.3 - 1.8.5)

Note: In all cases S-type belts may be fitted in place of an A or B-type belt, provided anchorages complying with Directive 76/115/EEC are used.

II

(Acts whose publication is not obligatory)

CONFERENCE OF THE REPRESENTATIVES OF THE
GOVERNMENTS OF THE MEMBER STATES

DECISION
OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER
STATES

of 8 July 1996

appointing a judge to the Court of Justice of the European Communities

(96/429/Euratom, ECSC, EC)

THE REPRESENTATIVES OF THE GOVERNMENTS OF
THE MEMBER STATES OF THE EUROPEAN COMMUNI-
TIES,

Having regard to the Treaty establishing the European
Community, and in particular Article 167 thereof,

Having regard to the Treaty establishing the European
Coal and Steel Community, and in particular Article 32b
thereof,

Having regard to the Treaty establishing the European
Atomic Energy Community, and in particular Article 139
thereof,

Whereas pursuant to Article 7 of the Protocol on the
Statute of the Court of Justice of the European Commu-
nity and to the corresponding provisions of the Protocols
on the Statutes of the Court of Justice of the European
Coal and Steel Community and of the European Atomic
Energy Community and as a consequences of the decease
of Mr Fernand Schockweiler, a judge should be appointed
for the remaining period of Mr Fernand Schockweiler's
term of office,

HAVE DECIDED AS FOLLOWS:

Article 1

Mr Romain Schintgen is hereby appointed judge to the
Court of Justice of the European Communities from 11
July 1996 up to and including 6 October 1997.

Article 2

This Decision shall be published in the *Official Journal
of the European Communities*.

Done at Brussels, 8 July 1996.

The President

R. QUINN

**DECISION
OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER
STATES**

of 8 July 1996

**appointing a member of the Court of First Instance of the European Com-
munities**

(96/430/Euratom, ECSC, EC)

THE REPRESENTATIVES OF THE GOVERNMENTS OF
THE MEMBER STATES OF THE EUROPEAN COMMUNI-
TIES,

Having regard to the Treaty establishing the European
Community, and in particular Article 168a thereof,

Having regard to the Treaty establishing the European
Coal and Steel Community, and in particular Article 32d
thereof,

Having regard to the Treaty establishing the European
Atomic Energy Community, and in particular Article
140a thereof,

Having regard to Council Decision 88/591/ECSC, EEC,
Euratom of 24 October 1988 establishing a Court of First
Instance of the European Communities,

Whereas Mr Romain Schintgen, member of the Court of
First Instance of the European Communities, has been
appointed, by a Decision of today's date, judge to the
Court of Justice of the European Communities;

Whereas, pursuant to Articles 7 and 44 of the Protocol on
the Statute of the Court of Justice of the European
Community and to the corresponding provisions of the
Protocols on the Statutes of the Court of Justice of the

European Coal and Steel Community and of the Euro-
pean Atomic Energy Community, a member of the Court
of First Instance should be appointed for the remainder of
Mr Romain Schintgen's term of office up to and in-
cluding 31 August 1998,

HAVE DECIDED AS FOLLOWS:

Article 1

The following is hereby appointed a member of the Court
of First Instance for the period up to and including 31
August 1998: Mr Marc Jaeger.

Article 2

This Decision shall be published in the *Official Journal
of the European Communities*.

Done at Brussels, 8 July 1996.

The President

R. QUINN
