

Official Journal

of the European Union

L 293

Volume 47

16 September 2004

English edition

Legislation

Contents

I Acts whose publication is obligatory

Commission Regulation (EC) No 1607/2004 of 15 September 2004 establishing the standard import values for determining the entry price of certain fruit and vegetables 1

★ **Commission Regulation (EC) No 1608/2004 of 13 September 2004 prohibiting fishing for anglerfish by vessels flying the flag of Belgium** 3

★ **Commission Regulation (EC) No 1609/2004 of 13 September 2004 prohibiting fishing for common sole by vessels flying the flag of Belgium** 4

Commission Regulation (EC) No 1610/2004 of 15 September 2004 laying down the reduction coefficient to be applied under the tariff quota for corn opened by Regulation (EC) No 573/2003 5

Commission Regulation (EC) No 1611/2004 of 15 September 2004 laying down the reduction coefficient to be applied under the tariff quota for corn opened by Regulation (EC) No 958/2003 6

Commission Regulation (EC) No 1612/2004 of 15 September 2004 fixing the import duties in the cereals sector applicable from 16 September 2004 7

Commission Regulation (EC) No 1613/2004 of 15 September 2004 fixing the export refunds on olive oil 10

Commission Regulation (EC) No 1614/2004 of 15 September 2004 on the issuing of system A3 export licences in the fruit and vegetables sector (oranges and apples) 12

★ **Commission Directive 2004/89/EC of 13 September 2004 adapting for the fifth time to technical progress Council Directive 96/49/EC on the approximation of the laws of the Member States with regard to the transport of dangerous goods by rail ⁽¹⁾** 14

⁽¹⁾ Text with EEA relevance

(Continued overleaf)

Council

2004/640/EC:

- ★ **Decision No 3/2004 the EC-Mexico Joint Council of 29 July 2004 amending Joint Council Decision No 2/2000 of 23 March 2000** 15

Commission

2004/641/EC:

- ★ **Commission Decision of 14 September 2004 amending Decision 2002/627/EC establishing the European Regulators Group for Electronic Communications Networks and Services ⁽¹⁾** 30



⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1607/2004
of 15 September 2004
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⁾, and in particular Article 4(1) thereof,

Whereas:

- (1) Regulation (EC) No 3223/94 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in the Annex thereto.

- (2) 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 16 September 2004.

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

Done at Brussels, 15 September 2004.

For the Commission

J. M. SILVA RODRÍGUEZ
Agriculture Director-General

⁽¹⁾ OJ L 337, 24.12.1994, p. 66. Regulation as last amended by Regulation (EC) No 1947/2002 (OJ L 299, 1.11.2002, p. 17).

ANNEX

to Commission Regulation of 15 September 2004 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)		
CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	052	71,6
	999	71,6
0707 00 05	052	106,2
	999	106,2
0709 90 70	052	85,7
	999	85,7
0805 50 10	382	67,7
	388	48,1
	524	63,6
	528	46,6
	999	56,5
0806 10 10	052	72,8
	220	130,6
	400	169,8
	624	144,8
	999	129,5
0808 10 20, 0808 10 50, 0808 10 90	388	61,0
	400	106,6
	508	69,4
	512	102,6
	528	86,4
	800	177,0
	804	89,6
	999	98,9
0808 20 50	052	99,4
	388	79,8
	999	89,6
0809 30 10, 0809 30 90	052	115,9
	999	115,9
0809 40 05	066	59,0
	094	31,2
	400	106,6
	624	131,6
	999	82,1

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 2081/2003 (OJ L 313, 28.11.2003, p. 11). Code '999' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 1608/2004
of 13 September 2004
prohibiting fishing for anglerfish by vessels flying the flag of Belgium

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy⁽¹⁾, and in particular Article 21(3) thereof,

Whereas:

- (1) Council Regulation (EC) No 2287/2003 of 19 December 2003 fixing for 2004 the fishing opportunities and associated fishing conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where limitations in catch are required, lays down anglerfish quotas for 2004⁽²⁾.
- (2) In order to ensure compliance with the provisions relating to the quantity limits on catches of stocks subject to quotas, the Commission must fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated.

- (3) According to the information received by the Commission, catches of anglerfish in the waters of ICES divisions VIIIA, b, d and e by vessels flying the flag of Belgium or registered in Belgium have exhausted the quota for 2004. Belgium has prohibited fishing for this stock from 6 August 2004. This date should be adopted in this Regulation also,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of anglerfish in the waters of ICES divisions VIIIA, b, d and e by vessels flying the flag of Belgium or registered in Belgium are hereby deemed to have exhausted the quota allocated to Belgium for 2004.

Fishing for anglerfish in the waters of ICES divisions VIIIA, b, d and e by vessels flying the flag of Belgium or registered in Belgium is hereby prohibited, as are the retention on board, transshipment and landing of this stock caught by the above vessels after the date of application of this Regulation.

Article 2

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

It shall apply from 6 August 2004.

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

Done at Brussels, 13 September 2004.

For the Commission
Jörgen HOLMQUIST
Director-General for Fisheries

⁽¹⁾ OJ L 261, 20.10.1993, p. 1. Regulation as last amended by Regulation (EC) No 1954/2003 (OJ L 289, 7.11.2003, p. 1).

⁽²⁾ OJ L 344, 31.12.2003, p. 1. Regulation as last amended by Regulation (EC) No 867/2004 (OJ L 161, 30.4.2004, p. 144).

COMMISSION REGULATION (EC) No 1609/2004**of 13 September 2004****prohibiting fishing for common sole by vessels flying the flag of Belgium**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy⁽¹⁾, and in particular Article 21(3) thereof,

Whereas:

- (1) Council Regulation (EC) No 2287/2003 of 19 December 2003 fixing for 2004 the fishing opportunities and associated fishing conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where limitations in catch are required, lays down quotas for common sole for 2004⁽²⁾.
- (2) In order to ensure compliance with the provisions relating to the quantity limits on catches of stocks subject to quotas, the Commission must fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated.
- (3) According to the information received by the Commission, catches of common sole in the waters of

ICES divisions VIIa and VIIb by vessels flying the flag of Belgium or registered in Belgium have exhausted the quota for 2004. Belgium has prohibited fishing for this stock from 6 August 2004. This date should be adopted in this Regulation also,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of common sole in the waters of ICES divisions VIIa and VIIb by vessels flying the flag of Belgium or registered in Belgium are hereby deemed to have exhausted the quota allocated to Belgium for 2004.

Fishing for common sole in the waters of ICES divisions VIIa and VIIb by vessels flying the flag of Belgium or registered in Belgium is hereby prohibited, as are the retention on board, transshipment and landing of this stock caught by the above vessels after the date of application of this Regulation.

Article 2

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

It shall apply from 6 August 2004.

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

Done at Brussels, 13 September 2004.

For the Commission

Jörgen HOLMQUIST

Director-General for Fisheries

⁽¹⁾ OJ L 261, 20.10.1993, p. 1. Regulation as last amended by Regulation (EC) No 1954/2003 (OJ L 289, 7.11.2003, p. 1).

⁽²⁾ OJ L 344, 31.12.2003, p. 1. Regulation as last amended by Regulation (EC) No 867/2004 (OJ L 161, 30.4.2004, p. 144).

COMMISSION REGULATION (EC) No 1610/2004**of 15 September 2004****laying down the reduction coefficient to be applied under the tariff quota for corn opened by
Regulation (EC) No 573/2003**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals⁽¹⁾,

Having regard to Commission Regulation (EC) No 573/2003 of 28 March 2003, laying down detailed rules for the application of Council Decision 2003/18/EC as regards the concessions in the form of Community tariff quotas on certain cereal products originating in Romania and amending Regulation (EC) No 2809/2000⁽²⁾, and in particular Article 2(3),

Whereas:

- (1) Regulation (EC) No 573/2003 opens an annual tariff quota of 149 000 t of corn for the 2004/2005 marketing year.

- (2) The quantities applied for on 13 September 2004, in accordance with Article 2(1) of Regulation (EC) No 573/2003, exceed the quantities available. The extent to which licences may be issued should therefore be determined and a reduction coefficient laid down to be applied to the quantities applied for,

HAS ADOPTED THIS REGULATION:

Article 1

Each application for an import licence for quota 'Romania' for corn lodged and forwarded to the Commission on 13 September 2004 in accordance with Article 2(1) and (2) of Regulation (EC) No 573/2003 shall be accepted at a rate of 0,0525388 of the quantity applied for.

Article 2

This Regulation shall enter into force on 16 September 2004.

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

Done at Brussels, 15 September 2004.

For the Commission

J. M. SILVA RODRÍGUEZ

Agriculture Director-General

⁽¹⁾ OJ L 270, 21.10.2003, p. 78.

⁽²⁾ OJ L 82, 29.3.2003, p. 25.

COMMISSION REGULATION (EC) No 1611/2004**of 15 September 2004****laying down the reduction coefficient to be applied under the tariff quota for corn opened by
Regulation (EC) No 958/2003**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals⁽¹⁾,

Having regard to Commission Regulation (EC) No 958/2003 of 3 June 2003, laying down detailed rules for the application of Council Decision 2003/286/EC as regards the concessions in the form of Community tariff quotas on certain cereal products originating in the Republic of Bulgaria and amending Regulation (EC) No 2809/2000⁽²⁾, and in particular Article 2(3),

Whereas:

- (1) Regulation (EC) No 958/2003 opens an annual tariff quota of 88 000 t of corn for the 2004/2005 marketing year.

- (2) The quantities applied for on 13 September 2004, in accordance with Article 2(1) of Regulation (EC) No 958/2003, exceed the quantities available. The extent to which licences may be issued should therefore be determined and a reduction coefficient laid down to be applied to the quantities applied for,

HAS ADOPTED THIS REGULATION:

Article 1

Each application for an import licence for quota 'Bulgaria' for corn lodged and forwarded to the Commission on 13 September 2004 in accordance with Article 2(1) and (2) of Regulation (EC) No 958/2003 shall be accepted at a rate of 0,0518166 of the quantity applied for.

Article 2

This Regulation shall enter into force on 16 September 2004.

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

Done at Brussels, 15 September 2004.

For the Commission

J. M. SILVA RODRÍGUEZ

Agriculture Director-General

⁽¹⁾ OJ L 270, 21.10.2003, p. 78.

⁽²⁾ OJ L 136, 4.6.2003, p. 3.

COMMISSION REGULATION (EC) No 1612/2004**of 15 September 2004****fixing the import duties in the cereals sector applicable from 16 September 2004**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals ⁽¹⁾,

Having regard to Commission Regulation (EC) No 1249/96 of 28 June 1996 laying down detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards import duties in the cereals sector ⁽²⁾, and in particular Article 2(1) thereof,

Whereas:

- (1) Article 10 of Regulation (EC) No 1784/2003 provides that the rates of duty in the Common Customs Tariff are to be charged on import of the products referred to in Article 1 of that Regulation. However, in the case of the products referred to in paragraph 2 of that Article, the import duty is to be equal to the intervention price valid for such products on importation and increased by 55 %, minus the cif import price applicable to the consignment in question. However, that duty may not exceed the rate of duty in the Common Customs Tariff.
- (2) Pursuant to Article 10(3) of Regulation (EC) No 1784/2003, the cif import prices are calculated on the basis of the representative prices for the product in question on the world market.

- (3) Regulation (EC) No 1249/96 lays down detailed rules for the application of Regulation (EC) No 1784/2003 as regards import duties in the cereals sector.
- (4) The import duties are applicable until new duties are fixed and enter into force.
- (5) In order to allow the import duty system to function normally, the representative market rates recorded during a reference period should be used for calculating the duties.
- (6) Application of Regulation (EC) No 1249/96 results in import duties being fixed as set out in Annex I to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import duties in the cereals sector referred to in Article 10(2) of Regulation (EC) No 1784/2003 shall be those fixed in Annex I to this Regulation on the basis of the information given in Annex II.

Article 2

This Regulation shall enter into force on 16 September 2004.

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

Done at Brussels, 15 September 2004.

For the Commission

J. M. SILVA RODRÍGUEZ

Agriculture Director-General

⁽¹⁾ OJ L 270, 21.10.2003, p. 78.

⁽²⁾ OJ L 161, 29.6.1996, p. 125. Regulation as last amended by Regulation (EC) No 1110/2003 (OJ L 158, 27.6.2003, p. 12).

ANNEX I

Import duties for the products covered by Article 10(2) of Regulation (EC) No 1784/2003 applicable from 16 September 2004

CN code	Description	Import duty ⁽¹⁾ (EUR/tonne)
1001 10 00	Durum wheat high quality	0,00
	medium quality	0,00
	low quality	3,70
1001 90 91	Common wheat seed	0,00
ex 1001 90 99	Common high quality wheat other than for sowing	0,00
1002 00 00	Rye	43,08
1005 10 90	Maize seed other than hybrid	55,86
1005 90 00	Maize other than seed ⁽²⁾	55,86
1007 00 90	Grain sorghum other than hybrids for sowing	53,17

⁽¹⁾ For goods arriving in the Community via the Atlantic Ocean or via the Suez Canal (Article 2(4) of Regulation (EC) No 1249/96), the importer may benefit from a reduction in the duty of:

- EUR 3/t, where the port of unloading is on the Mediterranean Sea, or
- EUR 2/t, where the port of unloading is in Ireland, the United Kingdom, Denmark, Estonia, Latvia, Lithuania, Poland, Finland, Sweden or the Atlantic coasts of the Iberian peninsula.

⁽²⁾ The importer may benefit from a flat-rate reduction of EUR 24/t, where the conditions laid down in Article 2(5) of Regulation (EC) No 1249/96 are met.

ANNEX II

Factors for calculating duties

period from 31.8.-14.9.2004

1. Averages over the reference period referred to in Article 2(2) of Regulation (EC) No 1249/96:

Exchange quotations	Minneapolis	Chicago	Minneapolis	Minneapolis	Minneapolis	Minneapolis
Product (% proteins at 12 % humidity)	HRS2 (14 %)	YC3	HAD2	Medium quality (*)	Low quality (**)	US barley 2
Quotation (EUR/t)	124,11 (***)	72,93	151,76 (****)	141,76 (****)	121,76 (****)	82,38 (****)
Gulf premium (EUR/t)	—	11,62	—			—
Great Lakes premium (EUR/t)	13,74	—	—			—

(*) A discount of 10 EUR/t (Article 4(3) of Regulation (EC) No 1249/96).

(**) A discount of 30 EUR/t (Article 4(3) of Regulation (EC) No 1249/96).

(***) Premium of 14 EUR/t incorporated (Article 4(3) of Regulation (EC) No 1249/96).

(****) Fob Duluth.

2. Averages over the reference period referred to in Article 2(2) of Regulation (EC) No 1249/96:

Freight/cost: Gulf of Mexico–Rotterdam: 26,70 EUR/t; Great Lakes–Rotterdam: 31,57 EUR/t.

3. Subsidy within the meaning of the third paragraph of Article 4(2) of Regulation (EC) No 1249/96: 0,00 EUR/t (HRW2)
0,00 EUR/t (SRW2).

COMMISSION REGULATION (EC) No 1613/2004
of 15 September 2004
fixing the export refunds on olive oil

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 organisation of the market in oils and fats⁽¹⁾, and in particular Article 3(3) thereof,

Whereas:

- (1) Article 3 of Regulation No 136/66/EEC provides that, where prices within the Community are higher than world market prices, the difference between these prices may be covered by a refund when olive oil is exported to third countries.
- (2) The detailed rules for fixing and granting export refunds on olive oil are contained in Commission Regulation (EEC) No 616/72⁽²⁾.
- (3) Article 3(3) of Regulation No 136/66/EEC provides that the refund must be the same for the whole Community.
- (4) In accordance with Article 3(4) of Regulation No 136/66/EEC, the refund for olive oil must be fixed in the light of the existing situation and outlook in relation to olive oil prices and availability on the Community market and olive oil prices on the world market. However, where the world market situation is such that the most favourable olive oil prices cannot be determined, account may be taken of the price of the main competing vegetable oils on the world market and the difference recorded between that price and the price of olive oil during a representative period. The amount of the refund may not exceed the difference between the price of olive oil in the Community and that on the world market, adjusted, where appropriate,

to take account of export costs for the products on the world market.

- (5) In accordance with Article 3(3) third indent, point (b) of Regulation No 136/66/EEC, it may be decided that the refund shall be fixed by tender. The tendering procedure should cover the amount of the refund and may be limited to certain countries of destination, quantities, qualities and presentations.
- (6) The second indent of Article 3(3) of Regulation No 136/66/EEC provides that the refund on olive oil may be varied according to destination where the world market situation or the specific requirements of certain markets make this necessary.
- (7) The refund must be fixed at least once every month. It may, if necessary, be altered in the intervening period.
- (8) It follows from applying these detailed rules to the present situation on the market in olive oil and in particular to olive oil prices within the Community and on the markets of third countries that the refund should be as set out in the Annex hereto.
- (9) 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 export refunds on the products listed in Article 1(2)(c) of Regulation No 136/66/EEC shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 16 September 2004.

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

Done at Brussels, 15 September 2004.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 72, 30.9.1966, p. 3025/66. Regulation as last amended by Regulation (EC) No 1513/2001 (OJ L 201, 26.7.2001, p. 4).

⁽²⁾ OJ L 78, 31.3.1972, p. 1. Regulation as last amended by Regulation (EEC) No 2962/77 (OJ L 348, 30.12.1977, p. 53).

ANNEX

to the Commission Regulation of 15 September 2004 fixing the export refunds on olive oil

Product code	Destination	Unit of measurement	Amount of refund
1509 10 90 9100	A00	EUR/100 kg	0,00
1509 10 90 9900	A00	EUR/100 kg	0,00
1509 90 00 9100	A00	EUR/100 kg	0,00
1509 90 00 9900	A00	EUR/100 kg	0,00
1510 00 90 9100	A00	EUR/100 kg	0,00
1510 00 90 9900	A00	EUR/100 kg	0,00

NB: The product codes and the 'A' series destination codes are set out in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1) as amended.

The numeric destination codes are set out in Commission Regulation (EC) No 2081/2003 (OJ L 313, 28.11.2003, p. 11).

COMMISSION REGULATION (EC) No 1614/2004**of 15 September 2004****on the issuing of system A3 export licences in the fruit and vegetables sector (oranges and apples)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organisation of the market in fruit and vegetables ⁽¹⁾, and in particular the third subparagraph of Article 35(3) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1431/2004 ⁽²⁾ opens an invitation to tender setting the indicative refund rates and indicative quantities for system A3 export licences, which may be issued, other than those tendered for as part of food aid.
- (2) In the light of the tenders submitted, the maximum refund rates and the percentages of quantities to be awarded for tenders quoting those maximum rates should be set.

- (3) In the case of oranges and apples, the maximum rate necessary to award licences for the indicative quantity up to the quantities tendered for is not more than one-and-a-half times the indicative refund rate,

HAS ADOPTED THIS REGULATION:

Article 1

In the case of oranges and apples, the maximum refund rates and the percentages for reducing the quantities awarded under the invitation to tender opened by Regulation (EC) No 1431/2004 shall be fixed in the Annex.

Article 2

This Regulation shall enter into force on 16 September 2004.

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

Done at Brussels, 15 September 2004.

For the Commission

J. M. SILVA RODRÍGUEZ

Agriculture Director-General

⁽¹⁾ OJ L 297, 21.11.1996, p. 1. Regulation as last amended by Commission Regulation (EC) No 47/2003 (OJ L 7, 11.1.2003, p. 64).

⁽²⁾ OJ L 264, 11.8.2004, p. 3.

ANNEX

Issuing of system A3 export licences in the fruit and vegetable sector (oranges and apples)

Product	Maximum refund rate (EUR/t net)	Percentage awarded of quantities tendered for quoting the maximum refund rate
Oranges	30	100 %
Apples	29	29 %

COMMISSION DIRECTIVE 2004/89/EC**of 13 September 2004****adapting for the fifth time to technical progress Council Directive 96/49/EC on the approximation of the laws of the Member States with regard to the transport of dangerous goods by rail****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 96/49/EC of 23 July 1996 on the approximation of the laws of the Member States with regard to the transport of dangerous goods by rail⁽¹⁾, and in particular Article 8 thereof,

Whereas:

- (1) The Annex to Directive 96/49/EC refers to the Regulation concerning the International Carriage of Dangerous Goods by Rail (RID), as applicable with effect from 1 July 2003.
- (2) The RID is normally updated every two years, the latest update being in force from 1 January 2003, with a transitional period up to 30 June 2003.
- (3) Exceptionally the RID was updated again after one year so that the amended version entered into force on 1 January 2004.
- (4) It is therefore necessary to amend the Annex to Directive 96/49/EC.
- (5) The measures provided for in this Directive are in accordance with the opinion of the Committee on the transport of dangerous goods referred to in Article 9 of Directive 96/49/EC,

HAS ADOPTED THIS DIRECTIVE:

Article 1

The Annex to Directive 96/49/EC is replaced by the following:

‘Regulation concerning the International Carriage of Dangerous Goods by Rail (RID) appearing in Annex I to Appendix B to the Convention concerning International Carriage by Rail (COTIF), as applicable with effect from 1 January 2004, it being understood that the terms

“contracting party” and “the States or the railways” will be replaced by the term “Member State”.

The text of the amendments of the 2004 version of the RID will be published as soon as it is available in all official languages of the Community.’

Article 2

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 1 October 2004 at the latest. They shall forthwith communicate to the Commission the text of those provisions and a correlation table between those provisions and this Directive.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

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

Article 3

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

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 13 September 2004.

For the Commission

Loyola DE PALACIO

Member of the Commission

⁽¹⁾ OJ L 235, 17.9.1996, p. 25. Directive as last amended by Commission Directive 2003/29/EC (OJ L 90, 8.4.2003, p. 47).

II

(Acts whose publication is not obligatory)

COUNCIL

DECISION No 3/2004 THE EC-MEXICO JOINT COUNCIL

of 29 July 2004

amending Joint Council Decision No 2/2000 of 23 March 2000

(2004/640/EC)

THE JOINT COUNCIL,

Having regard to the Economic Partnership, Political Coordination and Cooperation Agreement between the European Community and its Member States, of the one part, and the United Mexican States, of the other part⁽¹⁾, (hereinafter the Agreement) signed in Brussels on 8 December 1997, and in particular Articles 5 and 10 in conjunction with Article 47 thereof,

Whereas:

- (1) Following the accession to the European Union of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic (hereinafter the new Member States) as of 1 May 2004 it is necessary to adapt, with effect from the same date, certain provisions of Joint Council Decision No 2/2000 of 23 March 2000⁽²⁾ concerning trade in goods, certification of origin and government procurement.
- (2) It is necessary to adopt transitional provisions with respect to the trade in transit or en route between Mexico and the new Member States or in temporary storage as of the date of the accession,

HAS DECIDED AS FOLLOWS:

Article 1

1. Annex I to Joint Council Decision No 2/2000 is hereby amended in accordance with the provisions contained in Annex I to this Decision.
2. The tariff quota for products falling within CN code 0803 00 19 bananas, listed in Annex II to this Decision, will cease to apply when the current WTO quotas are replaced by a tariff-only regime.
3. Parties agree to meet, at the request of any Party, to discuss the situation of bilateral trade in bananas when the

current Community import regime is replaced by a tariff-only regime.

4. This Article does not affect the content of the review clause set out in Article 10 of Joint Council Decision No 2/2000.

Article 2

1. The provisions of the Agreement shall be applied to goods exported from either Mexico to one of the new Member States or from one of the new Member States to Mexico, which comply with the provisions of Annex III to Joint Council Decision No 2/2000 and which on the date of the accession of the new Member States to the European Union were either in transit or en route or were in Mexico or in a new Member State in temporary storage, in a customs warehouse or in a free zone.
2. Preferential treatment shall be granted in such cases, subject to the submission to the customs authorities of the importing country, within four months of the date of accession, of a movement certificate EUR. 1 issued retrospectively by the customs authorities or the competent governmental authorities of the exporting country together with the documents showing that the goods have been transported directly.

Article 3

Articles 17(4) and 18(2) and Appendix IV to Annex III to Joint Council Decision No 2/2000 are hereby amended in accordance with the provisions of Annex III to this Decision.

Article 4

1. The entities of the new Member States listed in Annex IV to this Decision are hereby added to the relevant sections of Annex VI, Part B of Joint Council Decision No 2/2000.
2. The publications of the new Member States listed in Annex V to this Decision are hereby added to Part B of Annex XIII to Joint Council Decision No 2/2000.

⁽¹⁾ OJ L 276, 28.10.2000, p. 45.

⁽²⁾ OJ L 157, 30.6.2000, p. 10.

Article 5

1. This Decision shall enter into force on the date of its adoption; Article 1(1) and (2) will take effect on 1 May 2004.

2. Notwithstanding paragraph 1, the Parties agree that, pending the completion of the internal procedures of the European Community with a view to the adoption of this Decision, the United Mexican States shall provisionally apply

the provisions of this Decision as of 1 May 2004 and until the Joint Council adopts this Decision.

Done at Brussels, 29 July 2004.

For the Joint Council

L. E. DERBEZ

*ANNEX I***Tariff elimination schedule of the Community**

CN code	Description	Quantity	Duty rate
1302 20 10	Dry pectic substances, pectinates and pectate in powder form	250 tonnes	2 %

*ANNEX II***Transitorial quota**

CN code	Description	Quantity	Duty rate
0803 00 19	Bananas, fresh (excluding plantains)	2 000 tonnes	75 EUR/tonne

ANNEX III

New language versions of administrative remarks and 'invoice declaration' contained in Annex III to Decision No 2/2000

1. Article 17(4) of Annex III to Decision No 2/2000 is hereby amended as follows:

'4. Movement certificates EUR. 1 issued retrospectively must be endorsed with one of the following phrases:

ES "EXPEDIDO A POSTERIORI"
CS "VYSTAVENO DODATEČNĚ"
DA "UDSTEDT EFTERFØLGENDE"
DE "NACHTRÄGLICH AUSGESTELLT"
ET "VÄLJA ANTUD TAGASIULATUVALT"
EL "ΕΚΔΟΘΕΝ ΕΚ ΤΩΝ ΥΣΤΕΡΩΝ"
EN "ISSUED RETROSPECTIVELY"
FR "DÉLIVRÉ A POSTERIORI"
IT "RILASCIATO A POSTERIORI"
LV "IZSNIEGTS RETROSPEKTĪVI"
LT "RETROSPEKTYVUSIS IŠDAVIMAS"
HU "KIADVA VISSZAMENŐLEGES HATÁLLYAL"
MT "MAHRUĠ RETROSPETTIVAMENT"
NL "AFGEGEVEN A POSTERIORI"
PL "WYSTAWIONE RETROSPEKTYWNE"
PT "EMITIDO A POSTERIORI"
SK "VYDANÉ DODATOČNE"
SL "IZDANO NAKNADNO"
FI "ANNETTU JÄLKIKÄTEEN"
SV "UTFÄRDAT I EFTERHAND".

2. Article 18(2) of Annex III to Decision No 2/2000 is hereby amended as follows:

'2. The duplicate issued in this procedure must be endorsed with one of the following words:

ES "DUPLICADO"
CS "DUPLIKÁT"
DA "DUPLIKAT"
DE "DUPLIKAT"
ET "DUPLIKAAT"
EL "ΑΝΤΙΓΡΑΦΟ"
EN "DUPLICATE"
FR "DUPLICATA"
IT "DUPLICATO"
LV "DUBLIKĀTS"
LT "DUBLIKATAS"
HU "MÁSODLAT"
MT "DUPLIKAT"
NL "DUPLICAAT"

PL "DUPLIKAT"
PT "SEGUNDA VIA"
SK "DUPLIKÁT"
SL "DVOJNIK"
FI "KAKSOISKAPPALE"
SV "DUPLIKAT".

3. The following is hereby added to Appendix IV of Annex III to Decision No 2/2000:

Czech version

Vývozce výrobků uvedených v tomto dokumentu (číslo povolení celního orgánu příslušného státního orgánu ...⁽¹⁾) prohlašuje, že kromě zřetelně označených, mají tyto výrobky preferenční původ v ...⁽²⁾.

Estonian version

Käesoleva dokumendiga hõlmatud toodete eksportija (tolliameti või pädeva valitsusasutuse luba nr ...⁽¹⁾) deklareerib, et need tooted on ...⁽²⁾ sooduspäritoluga, välja arvatud juhul kui on selgelt näidatud teisiti.

Hungarian version

A jelen okmányban szereplő áruk exportőre (vámfelhatalmazási szám: ...⁽¹⁾) vagy az illetékes kormányzati szerv által kiadott engedély száma: ...) kijelentem, hogy eltérő jelzés hiányában az áruk kedvezményes ... származásúak⁽²⁾.

Latvian version

Eksportētājs produktiem, kuri ietverti šajā dokumentā (muitas vai kompetentu valsts iestāžu pilnvara Nr. ...⁽¹⁾), deklarē, ka, izņemot tur, kur ir citādi skaidri noteikts, šiem produktiem ir priekšrocību izcelsme no ...⁽²⁾.

Lithuanian version

Šiame dokumente išvardintų prekių eksportuotojas (muitinės arba kompetentingos vyriausybės institucijos liudijimo Nr. ...⁽¹⁾) deklaruoja, kad, jeigu kitaip nenurodyta, tai yra ...⁽²⁾ preferencinės kilmės prekės.

Maltese version

L-esportatur tal-prodotti koperti b'dan id-dokument (awtorizzazzjoni kompetenti tal-gvern jew tad-dwana nru. ...⁽¹⁾) jiddikjara li, hliet fejn indikat b'mod ċar li mhux hekk, dawn il-prodotti huma ta' oriġini preferenzjali ...⁽²⁾.

Polish version

Eksporter produktów objętych tym dokumentem (upoważnienie władz celnych lub upoważnienie właściwych władz nr ...⁽¹⁾) deklaruje, że z wyjątkiem gdzie jest to wyraźnie określone, produkty te mają ...⁽²⁾ preferencyjne pochodzenie.

Slovak version

Vývozca výrobkov uvedených v tomto dokumente (číslo povolenia colnej správy alebo príslušného vládneho povolenia ...⁽¹⁾) vyhlasuje, že okrem zreteľne označených, majú tieto výrobky preferenčný pôvod v ...⁽²⁾.

Slovenian version

Izvoznik proizvodov, zajetih s tem dokumentom, (pooblastilo carinskih ali pristojnih državnih organov št. ...⁽¹⁾) izjavlja, da razen če ni drugače jasno navedeno, imajo ti proizvodi ... preferencialno poreklo⁽²⁾.

ANNEX IV

CENTRAL GOVERNMENTAL ENTITIES

1. The following central governmental entities are hereby added to Annex VI, Part B, Section 1 of Decision No 2/2000:

Q — Czech Republic

1. Ministerstvo dopravy (Ministry of Transport)
2. Ministerstvo informatiky (Ministry of Informatics)
3. Ministerstvo financí (Ministry of Finance)
4. Ministerstvo kultury (Ministry of Culture)
5. Ministerstvo obrany (Ministry of Defence)
6. Ministerstvo pro místní rozvoj (Ministry for Regional Development)
7. Ministerstvo práce a sociálních věcí (Ministry of Labour and Social Affairs)
8. Ministerstvo průmyslu a obchodu (Ministry of Industry and Trade)
9. Ministerstvo spravedlnosti (Ministry of Justice)
10. Ministerstvo školství, mládeže a tělovýchovy (Ministry of Education, Youth and Sports)
11. Ministerstvo vnitra (Ministry of the Interior)
12. Ministerstvo zahraničních věcí (Ministry of Foreign Affairs)
13. Ministerstvo zdravotnictví (Ministry of Health)
14. Ministerstvo zemědělství (Ministry of Agriculture)
15. Ministerstvo životního prostředí (Ministry of the Environment)

R — Estonia

1. Haridus- ja Teadusministeerium (Ministry of Education and Research)
2. Justiitsministeerium (Ministry of Justice)
3. Kaitseministeerium (Ministry of Defence)
4. Keskkonnaministeerium (Ministry of Environment)
5. Kultuuriministeerium (Ministry of Culture)
6. Majandus- ja Kommunikatsiooniministeerium (Ministry for Economy and Communication)
7. Põllumajandusministeerium (Ministry of Agriculture)
8. Rahandusministeerium (Ministry of Finance)
9. Siseministeerium (Ministry of Internal Affairs)
10. Sotsiaalministeerium (Ministry of Social Affairs)
11. Välisministeerium (Ministry of Foreign Affairs)

S — Cyprus

1. Υπουργείο Άμυνας (Ministry of Defence)
2. Υπουργείο Γεωργίας, Φυσικών Πόρων και Περιβάλλοντος (Ministry of Agriculture, Natural Resources and Environment)
3. Υπουργείο Δικαιοσύνης και Δημοσίας Τάξεως (Ministry of Justice and Public Order)
4. Υπουργείο Εμπορίου, Βιομηχανίας και Τουρισμού (Ministry of Commerce, Industry and Tourism)
5. Υπουργείο Εργασίας και Κοινωνικών Ασφαλίσεων (Ministry of Labour and Social Insurance)

6. Υπουργείο Εσωτερικών (Ministry of the Interior)
7. Υπουργείο Εξωτερικών (Ministry of Foreign Affairs)
8. Υπουργείο Οικονομικών (Ministry of Finance)
9. Υπουργείο Παιδείας και Πολιτισμού (Ministry of Education and Culture)
10. Υπουργείο Συγκοινωνιών και Έργων (Ministry of Communications and Works)
11. Υπουργείο Υγείας (Ministry of Health)

T — Latvia

1. Aizsardzības ministrija un tās pakļautībā un pārraudzībā esošās iestādes (Ministry of Defence and institutions subordinate to it and under its supervision)
2. Ārlietu ministrija un tās pakļautībā un pārraudzībā esošās iestādes (Ministry of Foreign Affairs and institutions subordinate to it and under its supervision)
3. Ekonomikas ministrija un tās pakļautībā un pārraudzībā esošās iestādes (Ministry of Economics and institutions subordinate to it and under its supervision)
4. Finanšu ministrija un tās pakļautībā un pārraudzībā esošās iestādes (Ministry of Finance and institutions subordinate to it and under its supervision)
5. Iekšlietu ministrija un tās pakļautībā un pārraudzībā esošās iestādes (Ministry of the Interior and institutions subordinate to it and under its supervision)
6. Izglītības un zinātnes ministrija un tās pakļautībā un pārraudzībā esošās iestādes (Ministry of Education and Science and institutions subordinate to it and under its supervision)
7. Kultūras ministrija un tās pakļautībā un pārraudzībā esošās iestādes (Ministry of Culture and institutions subordinate to it and under its supervision)
8. Labklājības ministrija un tās pakļautībā un pārraudzībā esošās iestādes (Ministry of Welfare and institutions subordinate to it and under its supervision)
9. Satiksmes ministrija un tās pakļautībā un pārraudzībā esošās iestādes (Ministry of Transport and institutions subordinate to it and under its supervision)
10. Tieslietu ministrija un tās pakļautībā un pārraudzībā esošās iestādes (Ministry of Justice and institutions subordinate to it and under its supervision)
11. Veselības ministrija un tās pakļautībā un pārraudzībā esošās iestādes (Ministry of Health and institutions subordinate to it and under its supervision)
12. Vides ministrija un tās pakļautībā un pārraudzībā esošās iestādes (Ministry of Environment and institutions subordinate to it and under its supervision)
13. Zemkopības ministrija un tās pārraudzībā esošās iestādes (Ministry of Agriculture and institutions under its supervision)
14. Īpašu uzdevumu ministrs bērnu un ģimenes lietās un tā pakļautībā un pārraudzībā esošās iestādes (Minister for Special Assignments for Children and Family Affairs and institutions subordinate to it and under its supervision)
15. Īpašu uzdevumu ministrs sabiedrības integrācijas lietās un tā pakļautībā un pārraudzībā esošās iestādes (Minister for Special Assignments for Integration Affairs and institutions subordinate to it and under its supervision)

U — Lithuania

1. Aplinkos ministerija ir įstaigos prie ministerijos (Ministry of Environment and institutions under the Ministry)
2. Finansų ministerija ir įstaigos prie ministerijos (Ministry of Finance and institutions under the Ministry)
3. Krašto apsaugos ministerija ir įstaigos prie ministerijos (Ministry of National Defence and institutions under the Ministry)
4. Kultūros ministerija ir įstaigos prie ministerijos (Ministry of Culture and institutions under the Ministry)
5. Socialinės apsaugos ir darbo ministerija ir įstaigos prie ministerijos (Ministry of Social Security and Labour and institutions under the Ministry)
6. Susisiekimo ministerija ir įstaigos prie ministerijos (Ministry of Transport and Communications and institutions under the Ministry)

7. Sveikatos apsaugos ministerija ir įstaigos prie ministerijos (Ministry of Health and institutions under the Ministry)
8. Švietimo ir mokslo ministerija ir įstaigos prie ministerijos (Ministry of Education and Science and institutions under the Ministry)
9. Teisingumo ministerija ir įstaigos prie ministerijos (Ministry of Justice and institutions under the Ministry)
10. Ūkio ministerija ir įstaigos prie ministerijos (Ministry of Economy and institutions under the Ministry)
11. Užsienio reikalų ministerija ir įstaigos prie ministerijos (Ministry of Foreign Affairs and institutions under the Ministry)
12. Vidaus reikalų ministerija ir įstaigos prie ministerijos (Ministry of Internal Affairs and institutions under the Ministry)
13. Žemės ūkio ministerija ir įstaigos prie ministerijos (Ministry of Agriculture and institutions under the Ministry)

V — Hungary

1. Belügyminisztérium (Ministry of the Interior)
2. Egészségügyi, Szociális és Családügyi Minisztérium (Ministry of Health, Social and Family Affairs)
3. Foglalkoztatáspolitikai és Munkaügyi Minisztérium (Ministry of Employment Policy and Labour Affairs)
4. Földművelésügyi és Vidékfejlesztési Minisztérium (Ministry of Agriculture and Rural Development)
5. Gazdasági és Közlekedési Minisztérium (Ministry of Economy and Transport)
6. Gyermek-, Ifjúsági és Sportminisztérium (Ministry of Children, Youth and Sports)
7. Honvédelmi Minisztérium (Ministry of Defence)
8. Igazságügyi Minisztérium (Ministry of Justice)
9. Informatikai és Hírközlési Minisztérium (Ministry of Informatics and Communications)
10. Környezetvédelmi és Vízügyi Minisztérium (Ministry of Environment and Water Management)
11. Külügyminisztérium (Ministry of Foreign Affairs)
12. Miniszterelnöki Hivatal (Prime Minister's Office)
13. Nemzeti Kulturális Örökség Minisztériuma (Ministry of Cultural Heritage)
14. Oktatási Minisztérium (Ministry of Education)
15. Pénzügyminisztérium (Ministry of Finance)

W — Malta

1. Ministeru għall-Politika Soċjali (Ministry for Social Policy)
2. Ministeru ta' l-Edukazzjoni (Ministry for Education)
3. Ministeru tal-Finanzi (Ministry of Finance)
4. Ministeru għar-Riżorsi u Infrastruttura (Ministry for Resources and Infrastructure)
5. Ministeru għat-Turiżmu (Ministry for Tourism)
6. Ministeru għat-Trasport u Komunikazzjoni (Ministry for Transport and Communications)
7. Ministeru għas-Servizzi Ekonomiċi (Ministry for Economic Services)
8. Ministeru għall-Intern u l-Ambjent (Ministry for Home Affairs and the Environment)
9. Ministeru għall-Agrikoltura u Sajd (Ministry for Agriculture and Fisheries)
10. Ministeru għal Għawdex (Ministry for Gozo)
11. Ministeru għas-Saħħa (Ministry of Health)
12. Ministeru ta' l-Affarijiet Barranin (Ministry of Foreign Affairs)
13. Ministeru għall-Ġustizzja u Gvern Lokali (Ministry for Justice and Government)
14. The Armed Forces of Malta (AFM)

X — Poland

1. Ministerstwo Finansów (Ministry of Finance)
2. Ministerstwo Gospodarki Pracy i Polityki Społecznej (Ministry of Economy, Labour and Social Policy)
3. Ministerstwo Kultury (Ministry of Culture)
4. Ministerstwo Obrony Narodowej (Ministry of National Defence)
5. Ministerstwo Rolnictwa i Rozwoju Wsi (Ministry of Agriculture and Rural Development)
6. Ministerstwo Skarbu Państwa (Ministry of the State Treasury)
7. Ministerstwo Sprawiedliwości (Ministry of Justice)
8. Ministerstwo Infrastruktury (Ministry of Infrastructure)
9. Ministerstwo Środowiska (Ministry of Environment)
10. Ministerstwo Spraw Wewnętrznych i Administracji (Ministry of Internal Affairs and Public Administration)
11. Ministerstwo Spraw Zagranicznych (Ministry of Foreign Affairs)
12. Ministerstwo Zdrowia (Ministry of Health)
13. Ministerstwo Edukacji Narodowej i Sportu (Ministry of National Education and Sport)

Y — Slovenia

1. Ministrstvo za finance (Ministry of Finance)
2. Ministrstvo za notranje zadeve (Ministry of Internal Affairs)
3. Ministrstvo za zunanje zadeve (Ministry of Foreign Affairs)
4. Ministrstvo za obrambo (Ministry of Defence)
5. Ministrstvo za pravosodje (Ministry of Justice)
6. Ministrstvo za gospodarstvo (Ministry of the Economy)
7. Ministrstvo za kmetijstvo, gozdarstvo in prehrano (Ministry of Agriculture, Forestry and Food)
8. Ministrstvo za promet (Ministry of Transport)
9. Ministrstvo za okolje, prostor in energijo (Ministry of Environment, Spatial Planning and Energy)
10. Ministrstvo za delo, družino in socialne zadeve (Ministry of Labour, Family and Social Affairs)
11. Ministrstvo za zdravje (Ministry of Health)
12. Ministrstvo za informacijsko družbo (Ministry of Information Society)
13. Ministrstvo za šolstvo, znanost in šport (Ministry of Education, Science and Sport)
14. Ministrstvo za kulturo (Ministry of Culture)

Z — Slovakia

1. Ministerstvo zahraničných vecí (Ministry of Foreign Affairs)
2. Ministerstvo hospodárstva (Ministry of Economy)
3. Ministerstvo obrany (Ministry of Defence)
4. Ministerstvo vnútra (Ministry of the Interior)
5. Ministerstvo financií (Ministry of Finance)
6. Ministerstvo kultúry (Ministry of Culture)
7. Ministerstvo pre správu a privatizáciu národného majetku (Ministry for Administration and Privatisation of National Property)
8. Ministerstvo zdravotníctva (Ministry of Health)

9. Ministerstvo práce, sociálních věcí a rodiny (Ministry of Labour, Social Affairs and Family)
 10. Ministerstvo školstva (Ministry of Education)
 11. Ministerstvo spravodlivosti (Ministry of Justice)
 12. Ministerstvo životného prostredia (Ministry of Environment)
 13. Ministerstvo pôdohospodárstva (Ministry of Agriculture)
 14. Ministerstvo dopravy, pôšt a telekomunikácií (Ministry of Transport, Posts and Telecommunication)
 15. Ministerstvo výstavby a regionálneho rozvoja (Ministry of Construction and Regional Development)
2. The following bodies and categories of bodies referred to in Annexes I, II, VII, VIII and IX to Directive 93/38/EEC are hereby added to the Attachment to Annex VI, Part B, Section 2, to Decision No 2/2000:
- (a) Annex I

‘PRODUCTION, TRANSPORT OR DISTRIBUTION OF DRINKING WATER’:

‘CZECH REPUBLIC

All producers, shippers or distributors of drinking water that provide their services to the public (section 2 b) of Act No 199/1994 Sb. on Public Procurement).

ESTONIA

Entities operating pursuant to Article 5 of the Public Procurement Act (RT I 2001, 40, 224) and Article 14 of the Competition Act (RT I 2001, 56 332).

CYPRUS

The Water Boards, distributing water in municipal and other areas pursuant to the Water Supply (Municipal and Other Areas) Law, Cap. 350. (Τα Συμβούλια Υδατοπρομήθειας που διανέμουν νερό σε δημοτικές και άλλες περιοχές, δυνάμει του περί Υδατοπρομήθειας Δημοτικών και Άλλων Περιοχών Νόμου, Κεφ. 350).

LATVIA

Public entities of local governments producing and distributing drinking water to the fixed networks intended to provide a service to the public.

LITHUANIA

Entities producing, transporting and distributing drinking water pursuant to the Lietuvos Respublikos geriamojo vandens įstatymas (Žin., 2001, Nr. 64-2327) and Lietuvos Respublikos vandens įstatymas (Žin., 1997, Nr. 104-2615) and being in compliance with the provisions of Lietuvos Respublikos viešųjų pirkimų įstatymas (Žin., 2002, Nr. 118-5296).

HUNGARY

Entities producing, transporting or distributing water pursuant to Act LVII of 1995 on water management (1995. évi LVII. törvény a vízgazdálkodásról).

MALTA

Korporazzjoni għas-Servizzi ta' l-Ilma (Water Services Corporation).

POLAND

Przedsiębiorstwa wodociągowo-kanalizacyjne w rozumieniu ustawy z dnia 7 czerwca 2001 r. o zbiorowym zaopatrzeniu w wodę i zbiorowym odprowadzaniu ścieków prowadzące działalność gospodarczą w zakresie zbiorowego zaopatrzenia w wodę lub zbiorowego odprowadzania ścieków. (Water-supply and sewage enterprises within the meaning of the Act of 7 June 2001 on the collective water supply and discharge of wastewater).

SLOVENIA

Podjetja, ki črpajo, izvajajo prenos ali dobavo pitne vode, skladno s koncesijskim aktom, izdanim na podlagi Zakona o varstvu okolja (Uradni list RS, 32/93, 1/96) in odloki občin. (Entities producing, transporting or distributing drinking water, in accordance with the concession act granted pursuant to the Environment Protection Act (Official Journal of the Republic of Slovenia, 32/93, 1/96) and the decisions issued by the municipalities).

SLOVAKIA

The procuring entity is defined in Article 3 §2 and §3 of Act No 263/1999 Z. z. on Public Procurement, as amended, as a legal entity which deals in water management by producing and operating the public distribution of drinking water, operates public sewerage or sewage works (e.g. Západoslovenské vodárne a kanalizácie, Stredoslovenské vodárne a kanalizácie, Východoslovenské vodárne a kanalizácie).'

(b) Annex II

'PRODUCTION, TRANSPORT OR DISTRIBUTION OF ELECTRICITY':**'CZECH REPUBLIC**

The contracting authority is defined in section 2 b) of Act. No 199/1994 Sb. on Public Procurement as České energetické závody, a.s. (Czech Power Works, producer) and 8 regional distribution companies: Středočeská energetická a.s. (Central-Bohemian Power Company), Východočeská energetická, a.s. (East-Bohemian Power Company), Severočeská energetická a.s. (North-Bohemian Power Company), Západočeská energetická, a.s. (West-Bohemian Power Company), Jihočeská a.s. (South-Bohemian Power Company), Pražské energetické závody, a.s. (Prague's Power Works), Jihomoravská energetická, a.s. (South-Moravian Company), Severomoravská energetická, a.s. (North Moravian Power Company); these entities produce or transport electricity on the basis of the Energy Act No 458/2000 Sb.

ESTONIA

Entities operating pursuant to Article 5 of the Public Procurement Act (RT I 2001, 40, 224) and Article 14 of the Competition Act (RT I 2001, 56 332).

CYPRUS

The Electricity Authority of Cyprus established by the Electricity Development Law, Cap. 171. (Η Αρχή Ηλεκτρισμού Κύπρου που εγκαθιδρύθηκε από τον περί Αναπτύξεως Ηλεκτρισμού Νόμο, Κεφ. 171).

LATVIA

Valsts akciju sabiedrība "Latvenergo" (State public limited liability company "Latvenergo").

LITHUANIA

Entities producing, transporting or distributing electricity pursuant to the Lietuvos Respublikos elektros energetikos įstatymas (Žin., 2000, Nr. 66-1984) and being in compliance with the provisions of Lietuvos Respublikos viešųjų pirkimų įstatymas (Žin., 2002, Nr. 118-5296).

Valstybės įmonė Ignalinos atominė elektrinė (State Enterprise Ignalina Nuclear Power Plant) set up pursuant to the Lietuvos Respublikos branduolinės energijos įstatymas (Žin., 1996, Nr. 119-2771).

HUNGARY

Entities producing, transporting or distributing electricity on the basis of an authorisation pursuant to Act CX of 2001 on electricity (2001. évi CX. törvény a villamos energiáról).

MALTA

Korporazzjoni Enemalta (Enemalta Corporation).

POLAND

Przedsiębiorstwa energetyczne w rozumieniu ustawy z dnia 10 kwietnia 1997 r. Prawo energetyczne (Energy enterprises within the meaning of the Act of 10 April 1997 "Energy Law").

SLOVENIA

ELES-Elektro Slovenija, podjetja, ki proizvajajo električno energijo, skladno z Energetskim zakonom (Uradni list RS, 79/99), podjetja, ki izvajajo transport električne energije, skladno z Energetskim zakonom (Uradni list RS, 79/99), podjetja, ki dobavljajo električno energijo, skladno z Energetskim zakonom (Uradni list RS, 79/99) (ELES-Elektro Slovenija; entities producing, transporting or distributing electricity pursuant to the Energy Act (Official Journal of the Republic of Slovenia, 79/99)).

SLOVAKIA

The procuring entity is defined in Article 3 §2 and §3 of Act No 263/1999 Z. z. on Public Procurement, as amended, as a legal entity which deals in energy sectors by generating, purchasing and distributing electricity and by transmitting electricity (Act No 70/1998 Z. z. as amended – e.g. Slovenské elektrárne a.s., Regionálne rozvodné závody).

(c) Annex VII

‘CONTRACTING ENTITIES IN THE FIELD OF URBAN RAILWAY, TRAMWAY, TROLLEYBUS OR BUS SERVICES’:**‘CZECH REPUBLIC**

Any operator of public transport systems and providers of services to the public in rail, tramway, trolleybus or bus transport (section 2 b) of Act No 199/1994 Sb. on Public Procurement).

ESTONIA

Entities operating pursuant to Article 5 of the Public Procurement Act (RT I 2001, 40, 224) and Article 14 of the Competition Act (RT I 2001, 56, 332).

LATVIA

Public entities which provide passenger transportation services in the following cities by bus, trolleybus, tram: Rīga, Jūrmala, Liepāja, Daugavpils, Jelgava, Rēzekne, Ventspils.

LITHUANIA

Entities providing urban trolleybus, bus or cable services to the public in accordance with the Lietuvos Respublikos kelių transporto kodeksas (Žin., 1996, Nr. 119-2772) and being in compliance with the provisions of Lietuvos Respublikos viešųjų pirkimų įstatymas (Žin., 2002, Nr. 118-5296).

HUNGARY

Entities providing road transport services to the public on the basis of Act I of 1988 on road transport (1988. évi I. törvény a közúti közlekedésről) and on the basis of an authorisation pursuant to Decree No 89/1988. (XII. 20.) MT of the Council of Ministers on road transport services and on operation of road vehicles (89/1988. (XII. 20.) MT rendelet a közúti közlekedési szolgáltatásokról és a közúti járművek üzemen tartásáról).

Entities providing railway transport services to the public on the basis of Act XCV of 1993 on railways (1993. évi XCV. törvény a vasútról) and on the basis of an authorisation pursuant to Decree No 15/2002. (II. 27.) KöViM of the Minister of Transport and Water Management on licensing of railway undertakings (15/2002. (II. 27.) KöViM rendelet a vasútállatok működésének engedélyezéséről).

MALTA

L-Awtorita` dwar it-Trasport ta' Malta (Malta Transport Authority).

POLAND

Podmioty świadczące usługi w zakresie miejskiego transportu kolejowego, działające na podstawie koncesji wydanej zgodnie z ustawą z dnia 27 czerwca 1997 r. o transporcie kolejowym (Dz.U. Nr 96, poz. 591 ze zm.). (Entities providing services in the field of urban railway transport, acting on the basis of the Act of 27 June 1997 on railway transport (Dz.U. Nr 96, poz. 591 as amended)).

Podmioty świadczące usługi dla ludności w zakresie miejskiego transportu autobusowego działające na podstawie zezwolenia zgodnie z ustawą z dnia 6 września 2001 r. o transporcie drogowym (Dz.U. Nr 125, poz. 1371 ze zm.) oraz podmioty świadczące usługi dla ludności w zakresie miejskiego transportu (Entities providing services for the public in the field of urban bus transport, acting on the basis of the licence issued under the Act of 6 September 2001 on road transport (Dz.U. Nr 125, poz. 1371 as amended) and entities providing service for the public in the field of urban transport).

SLOVENIA

Podjetja, ki opravljajo javni mestni avtobusni prevoz, skladno z Zakonom o prevozih v cestnem prometu (Uradni list RS, 72/94, 54/96, 48/98 in 65/99). Companies that provide urban transport in accordance with Road Transport Traffic Act (Official Gazette of the Republic of Slovenia, nos. 72/94, 54/96, 46/98 and 65/99).

SLOVAKIA

The procuring entity is defined in Article 3 §2 and §3 of Act No 263/1999 Z. z. on Public Procurement, as amended, as a legal entity which deals in road transport, by operating scheduled public bus transport, and transport on the railways (Act No 164/1996 Z. z. as amended, Act No 168/1996 Z. z. as amended – e.g.

Železnice Slovenskej republiky/ŽSR/

Železničná spoločnosť a.s.

Dopravný podnik Bratislava, a.s.

Dopravný podnik mesta Žiliny, a.s.

Dopravný podnik mesta Prešov, a.s.

Dopravný podnik mesta Košíc, a.s.

Banskobystrická dopravná spoločnosť, a.s.).'

(d) Annex VIII

'CONTRACTING ENTITIES IN THE FIELD OF AIRPORT FACILITIES':**'CZECH REPUBLIC**

Operators of airports (section 2 b) of Act No 199/1994 Sb. on Public Procurement).

ESTONIA

Entities operating pursuant to Article 5 of the Public Procurement Act (RT I 2001, 40, 224) and Article 14 of the Competition Act (RT I 2001, 56, 332).

LATVIA

Valsts akciju sabiedrība "Latvijas gaisa satiksme" (State public limited liability company "Latvijas gaisa satiksme").

Valsts akciju sabiedrība "Starptautiskā lidosta 'Rīga'" (State public limited liability company "International airport 'Rīga'").

LITHUANIA

Airports operating pursuant to the Lietuvos Respublikos aviacijos įstatymas (Žin., 2000, Nr. 94-2918) and Lietuvos Respublikos civilinės aviacijos įstatymas (Žin., 2000, Nr. 66-1983).

Valstybės įmonė "Oro navigacija" (state enterprise "Oro navigacija") operating pursuant to the Lietuvos Respublikos aviacijos įstatymas (Žin., 2000, Nr. 94-2918) and Lietuvos Respublikos civilinės aviacijos įstatymas (Žin., 2000, Nr. 66-1983).

Other entities operating in the field of airport facilities and being in compliance with the provisions of Lietuvos Respublikos viešųjų pirkimų įstatymas (Žin., 2002, Nr. 118-5296).

HUNGARY

Airports operating on the basis of an authorisation pursuant to Act XCIV of 1995 on air traffic (1995. évi XCIV. törvény a légitörvényről).

Budapest Ferihegy International Airport managed by the Budapest Ferihegy International Airport Operator Plc. (Budapest Ferihegy Nemzetközi Repülőtér managed by Budapest Ferihegy Nemzetközi Repülőtér Üzemeltetési Rt.) on the basis of Act XVI of 1991 on concessions (1991. évi XVI. törvény a koncesszióról), Act XCIV of 1995 on air traffic (1995. évi XCIV. törvény a légitörvényről), Decree No 45/2001. (XII. 20.) KöViM of the Minister of Transport and Water Management on winding-up the Air Traffic and Airport Administration and establishing HungaroControl Hungarian Air Navigation Services (45/2001. (XII. 20.) KöViM rendelet a Légiforgalmi és Repülőtéri Igazgatóság megszüntetéséről és a HungaroControl Magyar Légiforgalmi Szolgálat létrehozásáról).

MALTA

L-Ajruport Internazzjonali ta' Malta (Malta International Airport).

POLAND

Przedsiębiorstwo Państwowe "Porty Lotnicze" (the state enterprise "Polish Airports").

SLOVENIA

Javna civilna letališča, skladno z Zakonom o letalstvu (Uradni list RS, 18/01). Public civil airports, in accordance with the Civil Aviation Act (Official Gazette of the Republic of Slovenia, No 18/01)

SLOVAKIA

The procuring entity is defined in Article 3 §2 and §3 of Act No. 263/1999 Z. z. on Public Procurement, as amended, as a legal entity which deals in civil aviation by establishing and operating public airports and ground aviation facilities (Act No 143/1998 Z.z. as amended – e.g. Airports – Letisko M.R. Štefánika, Letisko Košice – Barca, Letisko Poprad – Tatry, Letisko Sliač, Letisko Piešťany – managed by Slovenská správa letísk/Slovak Airports Administration/and operating on the basis of a licence issued by Ministry of Transport, Posts and Telecommunications of the Slovak Republic pursuant to § 32 Act No 143/1998 Z. z. on Civil Aviation).'

(e) Annex IX

'CONTRACTING ENTITIES IN THE FIELD OF MARITIME OR INLAND PORT OR OTHER TERMINAL FACILITIES':

'CZECH REPUBLIC

Operators of harbours (section 2 b) of Act No 199/1994 (Sb. on Public Procurement).

ESTONIA

Entities operating pursuant to Article 5 of the Public Procurement Act (RT I 2001, 40, 224) and Article 14 of the Competition Act (RT I 2001, 56, 332).

CYPRUS

The Cyprus Ports Authority established by the Cyprus Ports Authority Law of 1973 (Η Αρχή Λιμένων Κύπρου, που εγκαθιδρύθηκε από τον περί Αρχής Λιμένων Κύπρου Νόμο του 1973).

LATVIA

Authorities, which govern ports in accordance with the law "Likums par ostām":

Rīgas brīvostas pārvalde (Rīga free port authority)

Ventspils brīvostas pārvalde (Ventspils free port authority)

Liepājas ostas pārvalde (Liepāja port authority)

Salacgrīvas ostas pārvalde (Salacgrīva port authority)

Skultes ostas pārvalde (Skulte port authority)

Lielupes ostas pārvalde (Lielupe port authority)

Engures ostas pārvalde (Engure port authority)

Mērsraga ostas pārvalde (Mērsrags port authority)

Pāvilostas pārvalde (Pāvilosta port authority)

Rojas ostas pārvalde (Roja port authority).

LITHUANIA

Valstybės įmonė “Klaipėdos valstybinio jūrų uosto direkcija” (state enterprise “Klaipėda State Seaport Authority”) operating pursuant to the Lietuvos Respublikos Klaipėdos valstybinio jūrų uosto įstatymas (Žin., 1996, Nr. 53-1245).

Valstybės įmonė “Vidaus vandens kelių direkcija” (state enterprise “Inland Waterways Administration”) operating pursuant to the Lietuvos Respublikos vidaus vandenų transporto kodeksas (Žin., 1996, Nr. 105-2393).

Other entities operating in the field of maritime or inland port or other terminal facilities and being in compliance with the provisions of Lietuvos Respublikos viešųjų pirkimų įstatymas (Žin., 2002, Nr. 118-5296).

HUNGARY

Public ports operated fully or partially by the State pursuant to Act XLII of 2000 on water transport (2000. évi XLII. törvény a vízi közlekedésről).

MALTA

L-Awtorita' Marittima ta' Malta (Malta Maritime Authority).

POLAND

Podmioty zajmujące się zarządzaniem portami morskimi lub śródlądowymi i udostępnianiem ich przewoźnikom morskim i śródlądowym. (Entities operating in the field of management of sea ports or inland harbours and letting them for use to sea and inland carriers.).

SLOVENIA

Morska pristanišča v državni ali delni lasti države, ko opravljajo gospodarsko javno službo, skladno s Pomorskim zakonikom (Uradni list RS, 26/01). Sea ports, fully or partially state owned, when performing economic public service in accordance with the Maritime Code (Official Gazette of the Republic of Slovenia, No 18/01).

SLOVAKIA

The procuring entity is defined in Article 3 §2 and §3 of Act No 263/1999 Z. z. on Public Procurement, as amended, as a legal entity which deals in inland navigation by maintaining the waterways and by establishing and maintaining public ports and waterway facilities (Act No 338/2000 Z. z. – e.g. Prístav Bratislava, Prístav Komárno, Prístav Štúrovo).'

ANNEX V

PUBLICATIONS

Czech Republic

Centrální adresa (Central Address)

Estonia

State Public Procurement Register

Cyprus

Official Gazette of the Republic

Latvia

Official Gazette of the Republic of Latvia

Lithuania

Official Gazette of the Republic of Lithuania

Hungary

Közbeszerzési Értesítő (Public Procurement Bulletin)

Malta

Official Gazette of the Republic

Poland

Biuletyn Zamówień Publicznych (Public Procurement Bulletin)

Slovenia

Official Journal of the Republic of Slovenia

Slovakia

Vestník verejného obstarávania (Public procurement journal)

COMMISSION

COMMISSION DECISION

of 14 September 2004

amending Decision 2002/627/EC establishing the European Regulators Group for Electronic Communications Networks and Services

(Text with EEA relevance)

(2004/641/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

2. in Article 3 the following paragraph is added:

Having regard to the Treaty establishing the European Community,

'The Group shall advise and assist the Commission on any matter related to electronic communications networks and services within its competence, either at its own initiative or at the Commission's request.';

Whereas:

3. Article 4 is replaced by the following:

(1) Commission Decision 2002/627/EC⁽¹⁾ established the European Regulators Group for Electronic Communications Networks and Services.

'Article 4

Membership

(2) Operational experience with this group has highlighted the need to clarify issues concerning the membership of the Group and to focus the work of the Group on the tasks linked to day-to-day supervision of implementation of the new regulatory framework for electronic communications networks and services.

1. The Group shall be composed of the heads of the independent national regulatory authority established in each Member State with primary responsibility for overseeing the day-to-day operation of the market for electronic communications networks and services, or their representatives.

(3) All Member States have established regulatory authorities with responsibilities for day to day oversight of the market for electronic communications,

There shall be one member per Member State. The Commission shall be represented at an appropriate level and shall provide the secretariat to the Group.

HAS DECIDED AS FOLLOWS:

2. The relevant national authorities referred to in paragraph 1 are listed in the Annex. The Commission shall keep this list under review in the light of any changes introduced by Member States to the names or responsibilities of these authorities.'.

Article 1

Decision 2002/627/EC is amended as follows:

4. Article 5 is amended as follows:

1. Article 2 is deleted;

(a) the first paragraph is deleted;

⁽¹⁾ OJ L 200, 30.7.2002, p. 38.

- (b) in the last paragraph, the first sentence is replaced by the following:

‘Experts from EEA States that are not members of the European Union and those States that are candidates for accession to the European Union may participate as observers in the Group.’

Article 2

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

Done at Brussels, 14 September 2004.

For the Commission

Olli REHN

Member of the Commission

5. The text in the Annex to this Decision is added as an Annex.
-

ANEXO — PŘÍLOHA — BILAG — ANHANG — ANNEKS — ΠΑΡΑΡΤΗΜΑ — ANNEX — ANNEXE — ALLEGATO — PIELIKUMS — PRIEDAS — MELLÉKLET — ANNESS — BIJLAGE — ZAŁĄCZNIK — ANEXO — PRÍLOHA — PRILOGA — LIITE — BILAGA

List of Members of the ERG

Country	National Regulatory Authority
Belgique/België	Institut belge des services postaux et des télécommunications (IBPT) Belgisch Instituut voor postdiensten en telecommunicatie (BIPT)
Česká republika	Český telekomunikační úřad (ČTÚ)
Danmark	IT- og Telestyrelsen — National IT and Telecom Agency (NITA)
Deutschland	Regulierungsbehörde für Telekommunikation und Post (Reg TP)
Eesti	Sideamet (SIDEAMET)
Ελλάδα	Εθνική Επιτροπή Τηλεπικοινωνιών και Ταχυδρομείων
Elláda	National Telecommunications and Post Commission (EETT)
España	Comisión del Mercado de las Telecomunicaciones (CMT)
France	Autorité de Régulation des Télécommunications (ART)
Ireland	Commission for Communications Regulation (ComReg)
Italia	Autorità per le garanzie nelle comunicazioni (AGCOM)
Kypros	Office of the Commissioner of Telecommunications and Postal Regulation (OCTPR)
Latvija	Sabiedrisko pakalpojumu regulēšanas komisija (SPRK)
Lietuva	Ryšių reguliavimo tarnyba (RRT)
Luxembourg	Institut Luxembourgeois de Régulation (ILR)
Magyarország	Nemzeti Hírközlési Hatóság (NHH)
Malta	Malta Communications Authority (MCA)
Nederland	Onafhankelijke Post en Telecommunicatie Autoriteit (OPTA)
Österreich	Rundfunk und Telekom Regulierungs-GmbH (RTR)
Polska	Urząd Regulacji Telekomunikacji i Poczty (URTIP)
Portugal	ICP — Autoridade Nacional de Comunicações (ICP-ANACOM)
Slovenija	Agencija za telekomunikacije, radiodifuzijo in pošto Republike Slovenije (ATRP)
Slovensko	Telekomunikačný úrad Slovenskej republiky (TU SR)
Suomi Finland	Viestintävirasto Kommunikationsverket (FICORA)
Sverige	Post- och telestyrelsen (PTS)
United Kingdom	Office of Communications (Ofcom)