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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 913/2006**of 19 June 2006****amending the Annex to Regulation (EC) No 2042/2000 imposing a definitive anti-dumping duty on imports of television camera systems originating in Japan**

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⁾, (the basic Regulation),

Having regard to the proposal submitted by the Commission after consulting the Advisory Committee,

Whereas:

A. PREVIOUS PROCEDURES

- (1) The Council, by Regulation (EC) No 1015/94⁽²⁾, imposed a definitive anti-dumping duty on imports of television camera systems (TCS) originating in Japan.
- (2) In September 2000, the Council, by Regulation (EC) No 2042/2000⁽³⁾, confirmed the definitive anti-dumping duties imposed by Regulation (EC) No 1015/94 (as subsequently amended) pursuant to Article 11(2) of the basic Regulation.
- (3) In Article 1(3)(e) of Regulation (EC) No 2042/2000, the Council specifically excluded from the scope of the anti-dumping duty camera systems listed in the Annex to that Regulation (the Annex), representing high-end professional camera systems technically falling within the

product definition under Article 1(2) of that Regulation, but which cannot be regarded as television camera systems.

- (4) The Commission, by notice of 29 September 2005⁽⁴⁾, initiated a review pursuant to Article 11(2) of the basic Regulation concerning the anti-dumping measures in force on imports of TCS originating in Japan.

B. INVESTIGATION CONCERNING NEW MODELS OF PROFESSIONAL CAMERA SYSTEMS**1. PROCEDURE**

- (5) Two Japanese exporting producers, Matsushita and Hitachi Denshi (Europa) GmbH (Hitachi) informed the Commission that they intended to introduce new models of professional camera systems into the Community market and requested the Commission to add these new models of professional camera systems and their accessories to the Annex of Regulation (EC) No 2042/2000 and thus exempt them from the scope of the anti-dumping duties.
- (6) The Commission informed the Community industry accordingly and commenced an investigation limited to the determination of whether the products under consideration fall within the scope of the anti-dumping duties and whether the operative part of Regulation (EC) No 2042/2000 should be amended accordingly.

2. MODELS UNDER INVESTIGATION

- (7) The requests for exemption were received for the following models of camera systems, supplied with the relevant technical information:

Matsushita:

- Camera head AK-HC910L,
- Camera head AK-HC1500G,
- Camera control unit AK-HRP900,
- Camera control unit AK-HRP150.

⁽¹⁾ OJ L 56, 6.3.1996, p. 1. Regulation as last amended by Regulation (EC) No 2117/2005 (OJ L 340, 23.12.2005, p. 17).

⁽²⁾ OJ L 111, 30.4.1994, p. 106. Regulation as last amended by Regulation (EC) No 1754/2004 (OJ L 313, 12.10.2004, p. 1).

⁽³⁾ OJ L 244, 29.9.2000, p. 38. Regulation as last amended by Regulation (EC) No 1454/2005 (OJ L 231, 8.9.2005, p. 1).

⁽⁴⁾ OJ C 239, 29.9.2005, p. 9.

All models were presented as successors of models already excluded from the anti-dumping measures in force.

Hitachi:

- Camera head DK-H31,
- Remote Control Panel RU-3300N.

Both models were presented as models closely resembling models already excluded from the anti-dumping measures in force. They are not offered in combination with a triax system or triax adaptor and they are used for camera surveillance and teleconferencing as well as in laboratories and libraries.

3. FINDINGS

(a) Camera heads AK-HC910L and AK-HC1500G, camera control units AK-HRP900 and AK-HRP150

- (8) The camera heads AK-HC910L and AK-HC1500G and camera control units AK-HRP900 and AK-HRP150 fall within the product description of Article 1(2)(a) of Regulation (EC) No 2042/2000. However, they are mainly used for professional applications and were found to be professional camera systems within the meaning of Article 1(3)(e) of Regulation (EC) No 2042/2000. They should therefore be excluded from the scope of the existing anti-dumping measures and added to the Annex of Regulation (EC) No 2042/2000.
- (9) In accordance with the established Community institutions' practice, these television camera systems should be exempted from the anti-dumping duty from the date of receipt by the Commission services of the relevant request for exemption. Therefore, all imports of the following cameras imported on or after 5 September 2005 should be exempted from the anti-dumping duty from this date:

Matsushita:

- Camera head AK-HC910L,
- Camera head AK-HC1500G,
- Camera control unit AK-HRP900,
- Camera control unit AK-HRP150.

(b) Camera heads DK-H31 and remote control panel RU-3300N

- (10) Camera head DK-H31 and remote control panel RU-3300N fall within the product description of Article

1(2)(a) of Regulation (EC) No 2042/2000. However, they are mainly used for professional applications and are not sold with the corresponding triax system or adaptor on the Community market. Therefore, it was concluded that they should be regarded as professional camera systems within the meaning of Article 1(3)(e) of Regulation (EC) No 2042/2000. As a result, they should be excluded from the scope of the existing anti-dumping measures and added to the Annex of Regulation (EC) No 2042/2000.

- (11) In accordance with the established Community institutions' practice, these television camera systems should be exempted from the anti-dumping duty from the date of receipt by the Commission services of the relevant request for exemption. Therefore, all imports of the following cameras imported on or after 3 November 2005 should be exempted from the anti-dumping duty from this date:

Hitachi:

- Camera head DK-H31,
- Remote control panel RU-3300N.

4. INFORMATION OF THE INTERESTED PARTIES AND CONCLUSIONS

- (12) The Commission informed the Community industry and the exporters of the TCS of its findings and provided them with an opportunity to present their views. None of the parties objected to the Commission's findings.
- (13) On the basis of the above, Regulation (EC) No 2042/2000 should be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex of Regulation (EC) No 2042/2000 shall be replaced by the Annex hereto.

Article 2

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

2. This Regulation shall apply to imports of the following models produced and exported to the Community by the following exporting producers:

- Camera control unit AK-HRP900,
- Camera control unit AK-HRP150.

(a) Matsushita from 5 September 2005:

- Camera head AK-HC910L,
- Camera head AK-HC1500G,

(b) Hitachi from 3 November 2005:

- Camera head DK-H31,
- Remote control panel RU-3300N.

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

Done at Luxembourg, 19 June 2006.

For the Council
The President
J. PRÖLL

ANNEX

List of professional camera systems not qualified as television camera systems (broadcast camera systems), which are exempted from the measures

Company name	Camera heads	Viewfinder	Camera control unit	Operational control unit	Master control unit	Camera adapters
Sony	DXC-M7PK	DXF-3000CE	CCU-M3P	RM-M7G	—	CA-325P
	DXC-M7P	DXF-325CE	CCU-M5P	RM-M7E ⁽¹⁾		CA-325AP
	DXC-M7PH	DXF-501CE	CCU-M7P			CA-325B
	DXC-M7PK/1	DXF-M3CE	CUU-M5AP ⁽¹⁾			CA-327P
	DXC-M7P/1	DXF-M7CE				CA-537P
	DXC-M7PH/1	DXF-40CE				CA-511
	DXC-327PK	DXF-40ACE				CA-512P
	DXC-327PL	DXF-50CE				CA-513
	DXC-327PH	DXF-601CE				VCT-U14 ⁽¹⁾
	DXC-327APK	DXF-40BCE				
	DXC-327APL	DXF-50BCE				
	DXC-327AH	DXF-701CE				
	DXC-537PK	DXF-WSCE ⁽¹⁾				
	DXC-537PL	DXF-801CE ⁽¹⁾				
	DXC-537PH	HDVF-C30W				
	DXC-537APK					
	DXC-537APL					
	DXC-537APH					
	EVW-537PK					
	EVW-327PK					
	DXC-637P					
	DXC-637PK					
	DXC-637PL					
	DXC-637PH					
	PVW-637PK					
	PVW-637PL					
	DXC-D30PF					
	DXC-D30PK					
	DXC-D30PL					
	DXC-D30PH					
	DSR-130PF					
	DSR-130PK					
	DSR-130PL					
	PVW-D30PF					
	PVW-D30PK					
	PVW-D30PL					
	DXC-327BPF					
	DXC-327BPK					
	DXC-327BPL					
	DXC-327BPH					
	DXC-D30WSP ⁽¹⁾					
	DXC-D35PH ⁽¹⁾					
	DXC-D35PL ⁽¹⁾					
	DXC-D35PK ⁽¹⁾					
	DXC-D35WSPL ⁽¹⁾					
	DSR-135PL ⁽¹⁾					

Company name	Camera heads	Viewfinder	Camera control unit	Operational control unit	Master control unit	Camera adapters
Ikegami	HC-340	VF15-21/22	MA-200/230	RCU-240	—	CA-340
	HC-300	VF-4523	MA-200A ⁽¹⁾	RCU-390 ⁽¹⁾		CA-300
	HC-230	VF15-39	MA-400 ⁽¹⁾	RCU-400 ⁽¹⁾		CA-230
	HC-240	VF15-46 ⁽¹⁾	CCU-37	RCU-240A		CA-390
	HC-210	VF5040 ⁽¹⁾	CCU-10			CA-400 ⁽¹⁾
	HC-390	VF5040W ⁽¹⁾				CA-450 ⁽¹⁾
	LK-33					
	HDL-30MA					
	HDL-37					
	HC-400 ⁽¹⁾					
	HC-400W ⁽¹⁾					
	HDL-37E					
	HDL-10					
	HDL-40					
	HC-500 ⁽¹⁾					
	HC-500W ⁽¹⁾					
Hitachi	SK-H5	GM-5 (A)	RU-C1 (B)	—	—	CA-Z1
	SK-H501	GM-5-R2 (A)	RU-C1 (D)			CA-Z2
	DK-7700	GM-5-R2	RU-C1			CA-Z1SJ
	DK-7700SX	GM-50	RU-C1-S5			CA-Z1SP
	HV-C10	GM-8A ⁽¹⁾	RU-C10 (B)			CA-Z1M
	HV-C11	GM-9 ⁽¹⁾	RU-C10 (C)			CA-Z1M2
	HV-C10F	GM-51 ⁽¹⁾	RC-C1			CA-Z1HB
	Z-ONE (L)		RC-C10			CA-C10
	Z-ONE (H)		RU-C10			CA-C10SP
	Z-ONE		RU-Z1 (B)			CA-C10SJA
	Z-ONE A (L)		RU-Z1 (C)			CA-C10M
	Z-ONE A (H)		RU-Z1			CA-C10B
	Z-ONE A (F)		RC-C11			CA-Z1A ⁽¹⁾
	Z-ONE A		RU-Z2			CA-Z31 ⁽¹⁾
	Z-ONE B (L)		RC-Z1			CA-Z32 ⁽¹⁾
	Z-ONE B (H)		RC-Z11			CA-ZD1 ⁽¹⁾
	Z-ONE B (F)		RC-Z2			CA-Z35 ⁽¹⁾
	Z-ONE B		RC-Z21			EA-Z35 ⁽¹⁾
	Z-ONE B (M)		RC-Z2A ⁽¹⁾			
	Z-ONE B (R)		RC-Z21A ⁽¹⁾			
	FP-C10 (B)		RU-Z3 ⁽¹⁾			
	FP-C10 (C)		RC-Z3 ⁽¹⁾			
	FP-C10 (D)		RU-Z35 ⁽¹⁾			
	FP-C10 (G)		RU-3300N ⁽¹⁾			
	FP-C10 (L)					
	FP-C10 (R)					
	FP-C10 (S)					
	FP-C10 (V)					
	FP-C10 (F)					
	FP-C10					
	FP-C10 A					
	FP-C10 A (A)					
	FP-C10 A (B)					
	FP-C10 A (C)					
	FP-C10 A (D)					
	FP-C10 A (F)					
	FP-C10 A (G)					
	FP-C10 A (H)					
	FP-C10 A (L)					

Company name	Camera heads	Viewfinder	Camera control unit	Operational control unit	Master control unit	Camera adapters
	FP-C10 A (R) FP-C10 A (S) FP-C10 A (T) FP-C10 A (V) FP-C10 A (W) Z-ONE C (M) Z-ONE C (R) Z-ONE C (F) Z-ONE C HV-C20 HV-C20M Z-ONE-D Z-ONE-D (A) Z-ONE-D (B) Z-ONE-D (C) Z-ONE.DA ⁽¹⁾ V-21 ⁽¹⁾ V-21W ⁽¹⁾ V-35 ⁽¹⁾ DK-H31 ⁽¹⁾					
Matsushita	WV-F700 WV-F700A WV-F700SHE WV-F700ASHE WV-F700BHE WV-F700ABHE WV-F700MHE WV-F350 WV-F350HE WV-F350E WV-F350AE WV-F350DE WV-F350ADE WV-F500HE (*) WV-F-565HE AW-F575HE AW-E600 AW-E800 AW-E800A AW-E650 AW-E655 AW-E750 AW-E860L AK-HC910L AK-HC1500G	WV-VF65BE WV-VF40E WV-VF39E WV-VF65BE (*) WV-VF40E (*) WV-VF42E WV-VF65B AW-VF80	WV-RC700/B WV-RC700/G WV-RC700A/B WV-RC700A/G WV-RC36/B WV-RC36/G WV-RC37/B WV-RC37/G WV-CB700E WV-CB700AE WV-CB700E (*) WV-CB700AE (*) WV-RC700/B (*) WV-RC700/G (*) WV-RC700A/B (*) WV-RC700A/G (*) WV-RC550/G WV-RC550/B WV-RC700A WV-CB700A WV-RC550 WV-CB550 AW-RP501 AW-RP505 AK-HRP900 AK-HRP150	—	—	WV-AD700SE WV-AD700ASE WV-AD700ME WV-AD250E WV-AD500E (*) AW-AD500AE AW-AD700BSE

Company name	Camera heads	Viewfinder	Camera control unit	Operational control unit	Master control unit	Camera adapters
JVC	KY-35E	VF-P315E	RM-P350EG	—	—	KA-35E
	KY-27ECH	VF-P550E	RM-P200EG			KA-B35U
	KY-19ECH	VF-P10E	RM-P300EG			KA-M35U
	KY-17FITECH	VP-P115E	RM-LP80E			KA-P35U
	KY-17BECH	VF-P400E	RM-LP821E			KA-27E
	KY-F30FITE	VP-P550BE	RM-LP35U			KA-20E
	KY-F30BE	VF-P116E	RM-LP37U			KA-P27U
	KY-F560E	VF-P116WE ⁽¹⁾	RM-P270EG			KA-P20U
	KY-27CECH	VF-P550WE ⁽¹⁾	RM-P210E			KA-B27E
	KH-100U					KA-B20E
	KY-D29ECH					KA-M20E
	KY-D29WECH ⁽¹⁾					KA-M27E
Olympus	MAJ-387N		OTV-SX 2			
	MAJ-387I		OTV-S5			
			OTV-S6			
	Camera OTV-SX					

(*) Also called master set up unit (MSU) or master control panel (MCP).

⁽¹⁾ Models exempted under the condition that the corresponding triax system or triax adapter is not sold on the EC market.

COMMISSION REGULATION (EC) No 914/2006**of 21 June 2006****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 22 June 2006.

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

Done at Brussels, 21 June 2006.

For the Commission

J. L. DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 337, 24.12.1994, p. 66. Regulation as last amended by Regulation (EC) No 386/2005 (OJ L 62, 9.3.2005, p. 3).

ANNEX

to Commission Regulation of 21 June 2006 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	70,2
	204	46,5
	999	58,4
0707 00 05	052	122,0
	999	122,0
0709 90 70	052	91,3
	999	91,3
0805 50 10	388	58,3
	528	57,8
	999	58,1
0808 10 80	388	97,1
	400	103,1
	404	101,4
	508	85,9
	512	88,9
	524	55,6
	528	82,1
	720	110,4
	804	102,0
	999	91,8
0809 10 00	052	224,3
	204	61,1
	624	217,3
	999	167,6
0809 20 95	052	319,5
	068	119,6
	999	219,6
0809 40 05	624	194,8
	999	194,8

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 750/2005 (OJ L 126, 19.5.2005, p. 12). Code '999' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 915/2006**of 21 June 2006****amending Regulation (EC) No 2148/96 laying down rules for evaluating and monitoring public intervention stocks of agricultural products**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3492/90 of 27 November 1990 laying down the factors to be taken into consideration in the annual accounts for the financing of intervention measures in the form of public storage by the European Agricultural Guidance and Guarantee Fund, Guarantee Section ⁽¹⁾, and in particular Article 8 thereof,

Whereas:

(1) Annex III to Commission Regulation (EC) No 2148/96 ⁽²⁾ sets out the rules for the physical inspection procedure of agricultural products held in public storage.

(2) Public storage of sugar has commenced in 2005 in accordance with the rules provided for in Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector ⁽³⁾ and Commission Regulation (EC) No 1262/2001 of 27 June 2001 laying down detailed rules for implementing Council Regulation (EC) No 1260/2001 as regards the buying in and sale of sugar by intervention agencies ⁽⁴⁾. New detailed rules should therefore be laid down in Regulation (EC) No 2148/96 as regards the procedure for the physical inspection of the stores as regards sugar.

(3) Regulation (EC) No 2148/96 should therefore be amended accordingly.

(4) Given that intervention in sugar commenced for the 2004/05 marketing year without detailed inventory rules having been laid down, the manner in which certain Member States have organised the storage of sugar stocks makes it excessively difficult to carry out an inventory according to the normal procedures. Transitional rules should therefore be laid down for sugar stocks from the 2004/05 and 2005/06 marketing years.

(5) The measures provided for in this Regulation are in accordance with the opinion of the EAGGF Committee,

HAS ADOPTED THIS REGULATION:

Article 1

Annex III to Regulation (EC) No 2148/96 is amended in accordance with the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 21 June 2006.

For the Commission

Mariann FISCHER BOEL

Member of the Commission

⁽¹⁾ OJ L 337, 4.12.1990, p. 3.

⁽²⁾ OJ L 288, 9.11.1996, p. 6. Regulation as amended by Regulation (EC) No 808/1999 (OJ L 102, 17.4.1999, p. 70).

⁽³⁾ OJ L 178, 30.6.2001, p. 1. Regulation as last amended by Commission Regulation (EC) No 39/2004 (OJ L 6, 10.1.2004, p. 16).

⁽⁴⁾ OJ L 178, 30.6.2001, p. 48. Regulation as last amended by Regulation (EC) No 218/2006 (OJ L 38, 9.2.2006, p. 19).

ANNEX

In Annex III to Regulation (EEC) No 2148/96, the following points are added:

‘VII — BULK SUGAR (*)**A. Physical inspection procedure for public stocks of sugar from the 2006/07 marketing year onwards**

1. Selection of the silos, bins or storerooms to be checked, representing at least 5 % of the total quantity of bulk sugar in public storage.

Selection shall be based on the intervention agency's stock records, but the storekeeper should not be informed in advance.

2. Physical inspection:

- verification of the presence of the bulk sugar in the selected silos, bins or storerooms,
- reconciliation of the storekeepers records with those of the intervention agency,
- identification of the bulk sugar,
- monitoring of storage conditions and comparison of the storage point and of the identity of the bulk sugar with the store's records,
- evaluation of the quantities stored by a method previously approved by the intervention agency, a detailed description of which must be lodged at its head office.

3. A plan of the store and the measurement for each silo or storeroom must be available at each storage point.

The bulk sugar must be stored in such a way that its volume may be verified.

B. Physical inspection procedure for public stocks of sugar from the 2004/05 and 2005/06 marketing years

1. In the event that the inventory procedures described in point A are not possible, the intervention agency shall officially seal all points of access or outlet to the silo/store. The intervention agency shall inspect the integrity of the seals on a monthly basis to ensure that they remain intact. These inspections should be detailed in a report. No access shall be permitted to the stocks without the presence of the intervention agency's inspector.

The Member State shall ensure that the procedure for seals gives good assurance as to the integrity of the intervention products stored.

2. An inspection to verify storage conditions and the good conservation of the product must also be conducted at least once a year.

C. Procedure where discrepancies are found

Some tolerance is permitted when verifying the volume.

Article 6 shall apply where the weight of the products stored as recorded during the physical inspection (volumetric measurement) differs from the book weight by 5 % or more for bulk sugar in the case of storage in silos or on-floor storage.

Where bulk sugar is stored in a silo/warehouse, the quantities weighed on entry into storage may be recorded instead of those resulting from a volume assessment if the latter does not provide a degree of accuracy considered adequate and the difference between the two figures is not excessive.

The intervention agency shall make use of the option provided for in the third paragraph where justified by circumstances, on a case-by-case basis and on its own responsibility. It shall indicate that it has done so in its report.

VIII — PACKED SUGAR (*)**A. Physical inspection procedure for public stocks of sugar from the 2006/07 marketing year onwards**

1. Selection of lots representing at least 5 % of the total quantity in public storage. The lots to be checked shall be selected before visiting the store on the basis of the intervention agency's records, but the storekeeper should not be informed.
2. On-the-spot verification of the presence of the lots selected and of their composition:
 - identification of the control numbers of the lots and bags on the basis of purchase or entry notes,
 - reconciliation of the storekeeper's records with those of the intervention agency,
 - condition of packaging.

With regard to sugar packed in 50 kg bags:

- weighing of the pallets (one in 20) and bags (1 per pallet weighed),
- visual check of the contents of one bag per 10 pallets weighed.

With regard to sugar packed in "big bags":

- weighing of one bag in 20
- visual check of the contents of 1 in 20 of the big bags weighed.

3. Description in the inventory report of the lots inspected physically and of discrepancies/shortcomings noted.

B. Physical inspection procedure for public stocks of sugar from the 2004/05 and 2005/06 marketing years

1. In the event that the inventory procedures described in point A are not possible, the intervention agency shall officially seal all points of access and outlet to the store. The intervention agency shall inspect the integrity of the seals on a monthly basis to ensure that they remain intact. These inspections should be detailed in a report. No access shall be permitted to the stocks without the presence of the intervention agency's inspector.

The Member State shall ensure that the procedure for seals gives good assurance as to the integrity of the intervention products stored.

2. An inspection to verify storage conditions and the good conservation of the product must also be conducted at least once a year.

(*) The inventory shall be carried out on stocks which are subject to a storage contract.'

COMMISSION REGULATION (EC) No 916/2006**of 21 June 2006****determining the extent to which applications for import rights lodged in respect of the quota for frozen meat of bovine animals, provided for in Regulation (EC) No 704/2006, can be accepted**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1254/1999 of 17 May 1999 on the common organisation of the market in beef and veal ⁽¹⁾,

Having regard to Commission Regulation (EC) No 704/2006 of 8 May 2006 opening and providing for the administration of a tariff quota for frozen meat of bovine animals covered by CN code 0202 and products covered by CN code 0206 29 91 (1 July 2006 to 30 June 2007) ⁽²⁾, and in particular Article 5 thereof,

Whereas:

Article 1 of Regulation (EC) No 704/2006 fixes at 53 000 tonnes the quantity of the quota in respect of which

Community importers can lodge an application for import rights based on the quantities of beef falling under CN code 0201, 0202, 0206 10 95 or 0206 29 91 imported by him/her or on his/her account under the relevant customs provisions, between 1 May 2005 and 30 April 2006. As the import rights applied for exceed the available quantity referred to in Article 1, a reduction coefficient should be fixed in accordance with Article 5 of Regulation (EC) No 704/2006,

HAS ADOPTED THIS REGULATION:

Article 1

Each application for import rights lodged in accordance with Article 4(1) of Regulation (EC) No 704/2006 shall be accepted at a rate of 13,474095 % of the import rights applied for.

Article 2

This Regulation shall enter into force on 22 June 2006.

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

Done at Brussels, 21 June 2006.

For the Commission

J. L. DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 160, 26.6.1999, p. 21. Regulation as last amended by Regulation (EC) No 1899/2004 (OJ L 328, 31.10.2004, p. 67).

⁽²⁾ OJ L 122, 9.5.2006, p. 8.

COMMISSION REGULATION (EC) No 917/2006**of 21 June 2006****determining the extent to which applications lodged in June 2006 for import rights in respect of frozen beef intended for processing may be accepted**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1254/1999 of 17 May 1999 on the common organisation of the market in beef and veal ⁽¹⁾,

Having regard to Commission Regulation (EC) No 727/2006 of 12 May 2006 opening and providing for the administration of an import tariff quota for frozen beef intended for processing (1 July 2006 to 30 June 2007) ⁽²⁾, and in particular Article 5(4) thereof,

Whereas:

- (1) Article 3(1) of Regulation (EC) No 727/2006 fixes the quantities of frozen beef intended for processing which may be imported under special terms in the period from 1 July 2006 to 31 December 2006.
- (2) Article 5(4) of Regulation (EC) No 727/2006 lays down that the quantities applied for may be reduced. The appli-

cations lodged relate to total quantities which exceed the quantities available. Under these circumstances and taking care to ensure an equitable distribution of the available quantities, it is appropriate to reduce proportionally the quantities applied for,

HAS ADOPTED THIS REGULATION:

Article 1

Every application for import rights lodged in accordance with Regulation (EC) No 727/2006 for the period 1 July 2006 to 31 December 2006 shall be granted to the following extent, expressed as bone-in beef:

- (a) 4,733354 % of the quantity requested for beef imports intended for the manufacture of 'preserves' as defined by Article 3(1)(a) of Regulation (EC) No 727/2006,
- (b) 32,656312 % of the quantity requested for beef imports intended for the manufacture of products as defined by Article 3(1)(b) of Regulation (EC) No 727/2006.

Article 2

This Regulation shall enter into force on 22 June 2006.

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

Done at Brussels, 21 June 2006.

For the Commission

J. L. DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 160, 26.6.1999, p. 21. Regulation as last amended by Regulation (EC) No 1899/2004 (OJ L 328, 30.10.2004, p. 67).

⁽²⁾ OJ L 126, 13.5.2006, p. 9.

COMMISSION REGULATION (EC) No 918/2006**of 21 June 2006****amending the representative prices and additional duties for the import of certain products in the sugar sector fixed by Regulation (EC) No 1011/2005 for the 2005/2006 marketing year**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector ⁽¹⁾,

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 ⁽²⁾, and in particular the second sentence of the second subparagraph of Article 1(2), and Article 3(1) thereof,

Whereas:

- (1) The representative prices and additional duties applicable to imports of white sugar, raw sugar and certain syrups for the 2005/2006 marketing year are fixed by

Commission Regulation (EC) No 1011/2005 ⁽³⁾. These prices and duties were last amended by Commission Regulation (EC) No 894/2006 ⁽⁴⁾.

- (2) The data currently available to the Commission indicate that the said amounts should be changed in accordance with the rules and procedures laid down in Regulation (EC) No 1423/95,

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, as fixed by Regulation (EC) No 1011/2005 for the 2005/2006 marketing year are hereby amended as set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 22 June 2006.

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

Done at Brussels, 21 June 2006.

For the Commission

J. L. DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 178, 30.6.2001, p. 1. Regulation as last amended by Commission Regulation (EC) No 39/2004 (OJ L 6, 10.1.2004, p. 16).

⁽²⁾ OJ L 141, 24.6.1995, p. 16. Regulation as last amended by Regulation (EC) No 624/98 (OJ L 85, 20.3.1998, p. 5).

⁽³⁾ OJ L 170, 1.7.2005, p. 35.

⁽⁴⁾ OJ L 165, 17.6.2006, p. 15.

ANNEX

Amended representative prices and additional duties applicable to imports of white sugar, raw sugar and products covered by CN code 1702 90 99 applicable from 22 June 2006

(EUR)

CN code	Representative price per 100 kg of the product concerned	Additional duty per 100 kg of the product concerned
1701 11 10 ⁽¹⁾	30,74	2,06
1701 11 90 ⁽¹⁾	30,74	6,16
1701 12 10 ⁽¹⁾	30,74	1,93
1701 12 90 ⁽¹⁾	30,74	5,73
1701 91 00 ⁽²⁾	38,10	6,18
1701 99 10 ⁽²⁾	38,10	2,91
1701 99 90 ⁽²⁾	38,10	2,91
1702 90 99 ⁽³⁾	0,38	0,29

⁽¹⁾ Fixed for the standard quality defined in Annex I.II to Council Regulation (EC) No 1260/2001 (OJ L 178, 30.6.2001, p. 1).

⁽²⁾ Fixed for the standard quality defined in Annex I.I to Regulation (EC) No 1260/2001.

⁽³⁾ Fixed per 1 % sucrose content.

COMMISSION REGULATION (EC) No 919/2006**of 21 June 2006****fixing representative prices in the poultrymeat and egg sectors and for egg albumin, and amending Regulation (EC) No 1484/95**

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 organisation of the market in eggs ⁽¹⁾, and in particular Article 5(4) thereof,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organisation of the market in poultrymeat ⁽²⁾, and in particular Article 5(4) thereof,

Having regard to Council Regulation (EEC) No 2783/75 of 29 October 1975 on the common system of trade for ovalbumin and lactalbumin ⁽³⁾, and in particular Article 3(4) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1484/95 ⁽⁴⁾, fixes detailed rules for implementing the system of additional import duties and fixes representative prices in the poultrymeat and egg sectors and for egg albumin.

- (2) It results from regular monitoring of the information providing the basis for the verification of the import prices in the poultrymeat and egg sectors and for egg albumin that the representative prices for imports of certain products should be amended taking into account variations of prices according to origin. Therefore, representative prices should be published.

- (3) It is necessary to apply this amendment as soon as possible, given the situation on the market.

- (4) 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

Annex I to Regulation (EC) No 1484/95 is hereby replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on 22 June 2006.

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

Done at Brussels, 21 June 2006.

For the Commission

J. L. DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 282, 1.11.1975, p. 49. Regulation as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

⁽²⁾ OJ L 282, 1.11.1975, p. 77. Regulation as last amended by Regulation (EC) No 806/2003.

⁽³⁾ OJ L 282, 1.11.1975, p. 104. Regulation as last amended by Commission Regulation (EC) No 2916/95 (OJ L 305, 19.12.1995, p. 49).

⁽⁴⁾ OJ L 145, 29.6.1995, p. 47. Regulation as last amended by Regulation (EC) No 743/2006 (OJ L 130, 18.5.2006, p. 17).

ANNEX

to the Commission Regulation of 21 June 2006 fixing representative prices in the poultrymeat and egg sectors and for egg albumin, and amending Regulation (EC) No 1484/95

‘ANNEX I

CN code	Description	Representative price (EUR/100 kg)	Security referred to in Article 3(3) (EUR/100 kg)	Origin ⁽¹⁾
0207 12 90	Chickens, plucked and drawn, without heads and feet and without necks, hearts, livers and gizzards, known as “65 % chickens”, or otherwise presented, frozen	89,5	9	01
		115,5	1	02
0207 14 10	Boneless cuts of fowl of the species <i>Gallus domesticus</i> , frozen	171,3	44	01
		193,4	33	02
		242,6	17	03
0207 25 10	Turkey carcasses, known as 80 % turkeys, frozen	170,0	0	01
0207 27 10	Boneless cuts of turkey, frozen	199,5	29	01
		283,5	4	03
1602 32 11	Preparations of uncooked fowl of the species <i>Gallus domesticus</i>	214,9	22	01

⁽¹⁾ Origin of imports:

01 Brazil

02 Argentina

03 Chile.’

COMMISSION REGULATION (EC) No 920/2006
of 21 June 2006
fixing the export refunds on pigmeat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organisation of the market in pigmeat ⁽¹⁾, and in particular the second paragraph of Article 13(3) thereof,

Whereas:

- (1) Article 13(1) of Regulation (EEC) No 2759/75 provides that the difference between prices on the world market for the products listed in Article 1 of that Regulation and prices for these products within the Community may be covered by an export refund.
- (2) Given the present situation in the market in pigmeat, export refunds should therefore be fixed in accordance with the rules and criteria provided for in Article 13 of Regulation (EEC) No 2759/75.
- (3) Article 13(3) of Regulation (EEC) No 2759/75 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund on the products listed in Article 1 of Regulation (EEC) No 2759/75 according to destination.
- (4) Refunds should be granted only on products that are allowed to move freely in the Community and that bear the health mark as provided for in Article 5(1)(a) of Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin ⁽²⁾.

Those products should also comply with the requirements of Regulation (EC) No 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs ⁽³⁾ and of Regulation (EC) No 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption ⁽⁴⁾.

- (5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Pigmeat,

HAS ADOPTED THIS REGULATION:

Article 1

1. Export refunds as provided for in Article 13 of Regulation (EEC) No 2759/75 shall be granted on the products and for the amounts set out in the Annex to this Regulation subject to the condition provided for in paragraph 2 of this Article.

2. The products eligible for a refund under paragraph 1 must meet the relevant requirements of Regulations (EC) No 852/2004 and (EC) No 853/2004, notably preparation in an approved establishment and compliance with the health marking requirements laid down in Annex I, Section I, Chapter III to Regulation (EC) No 854/2004.

Article 2

This Regulation shall enter into force on 22 June 2006.

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

Done at Brussels, 21 June 2006.

For the Commission

J. L. DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 282, 1.11.1975, p. 1. Regulation as last amended by Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2).

⁽²⁾ OJ L 139, 30.4.2004, p. 55. Corrected version in OJ L 226, 25.6.2004, p. 22.

⁽³⁾ OJ L 139, 30.4.2004, p. 1. Corrected version in OJ L 226, 25.6.2004, p. 3.

⁽⁴⁾ OJ L 139, 30.4.2004, p. 206. Corrected version in OJ L 226, 25.6.2004, p. 83.

ANNEX

Export refunds on pigmeat applicable from 22 June 2006

Product code	Destination	Unit of measurement	Amount of refund
0210 11 31 9110	P08	EUR/100 kg	54,20
0210 11 31 9910	P08	EUR/100 kg	54,20
0210 19 81 9100	P08	EUR/100 kg	54,20
0210 19 81 9300	P08	EUR/100 kg	54,20
1601 00 91 9120	P08	EUR/100 kg	19,50
1601 00 99 9110	P08	EUR/100 kg	15,20
1602 41 10 9110	P08	EUR/100 kg	29,00
1602 41 10 9130	P08	EUR/100 kg	17,10
1602 42 10 9110	P08	EUR/100 kg	22,80
1602 42 10 9130	P08	EUR/100 kg	17,10
1602 49 19 9130	P08	EUR/100 kg	17,10

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 750/2005 (OJ L 126, 19.5.2005, p. 12).

The other destinations are defined as follows:

P08 All destinations except for Bulgaria and Romania.

COMMISSION REGULATION (EC) No 921/2006**of 21 June 2006****fixing the export refunds on beef and veal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1254/1999 of 17 May 1999 on the common organisation of the market in beef and veal ⁽¹⁾, and in particular the third subparagraph of Article 33(3) thereof,

Whereas:

(1) Article 33(1) of Regulation (EC) No 1254/1999 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.

(2) Given the present situation on the market in beef and veal, export refunds should therefore be fixed in accordance with the rules and criteria provided for in Article 33 of Regulation (EC) No 1254/1999.

(3) The second subparagraph of Article 33(3) of Regulation (EC) No 1254/1999 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund according to destination.

(4) Refunds should be granted only on products that are allowed to move freely in the Community and that bear the health mark as provided for in Article 5(1)(a) of Regulation (EC) No 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin ⁽²⁾. Those products should also comply with the requirements of Regulation (EC) No 852/2004 of the

European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs ⁽³⁾, and of Regulation (EC) No 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption ⁽⁴⁾.

(5) Pursuant to the third subparagraph of Article 6(2) of Commission Regulation (EEC) No 1964/82 of 20 July 1982 laying down the conditions for granting special export refunds on certain cuts of boned meat of bovine animals ⁽⁵⁾, the special refund is to be reduced if the quantity of boned meat to be exported amounts to less than 95 %, but not less than 85 %, of the total weight of cuts produced by boning.

(6) Commission Regulation (EC) No 403/2006 ⁽⁶⁾ should therefore be repealed and replaced by a new Regulation.

(7) The Management Committee for Beef and Veal has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

1. Export refunds as provided for in Article 33 of Regulation (EC) No 1254/1999 shall be granted on the products and for the amount set out in the Annex to this Regulation subject to the conditions provided for in paragraph 2 of this Article.

2. The products eligible for a refund under paragraph 1 must meet the relevant requirements of Regulations (EC) No 852/2004 and 853/2004, notably preparation in an approved establishment and compliance with the health marking requirements laid down in Annex I, Section I, Chapter III of Regulation (EC) No 854/2004.

⁽¹⁾ OJ L 160, 26.6.1999, p. 21. Regulation as last amended by Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2).

⁽²⁾ OJ L 139, 30.4.2004, p. 55, as corrected by OJ L 226, 25.6.2004, p. 22. Regulation as last amended by Commission Regulation (EC) No 2076/2005 (OJ L 338, 22.12.2005, p. 83).

⁽³⁾ OJ L 139, 30.4.2004, p. 1, as corrected by OJ L 226, 25.6.2004, p. 3. Regulation as last amended by Regulation (EC) No 2076/2005.

⁽⁴⁾ OJ L 139, 30.4.2004, p. 206, as corrected by OJ L 226, 25.6.2004, p. 83.

⁽⁵⁾ OJ L 212, 21.7.1982, p. 48. Regulation as last amended by Regulation (EC) No 2772/2000 (OJ L 321, 19.12.2000, p. 35).

⁽⁶⁾ OJ L 70, 9.3.2006, p. 40.

Article 2

In the case referred to in the third subparagraph of Article 6(2) of Regulation (EEC) No 1964/82 the rate of the refund on products falling within product code 0201 30 00 9100 shall be reduced by 10 EUR/100 kg.

Article 3

Regulation (EC) No 403/2006 is repealed.

Article 4

This Regulation shall enter into force on 22 June 2006.

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

Done at Brussels, 21 June 2006.

For the Commission

J. L. DEMARTY

*Director-General for Agriculture and
Rural Development*

ANNEX

Export refunds on beef and veal applicable from 22 June 2006

Product code	Destination	Unit of measurement	Refunds (7)
0102 10 10 9140	B00	EUR/100 kg live weight	29,6
0102 10 30 9140	B00	EUR/100 kg live weight	29,6
0201 10 00 9110 ⁽¹⁾	B02	EUR/100 kg net weight	41,9
	B03	EUR/100 kg net weight	24,6
0201 10 00 9130 ⁽¹⁾	B02	EUR/100 kg net weight	55,8
	B03	EUR/100 kg net weight	32,8
0201 20 20 9110 ⁽¹⁾	B02	EUR/100 kg net weight	55,8
	B03	EUR/100 kg net weight	32,8
0201 20 30 9110 ⁽¹⁾	B02	EUR/100 kg net weight	41,9
	B03	EUR/100 kg net weight	24,6
0201 20 50 9110 ⁽¹⁾	B02	EUR/100 kg net weight	69,8
	B03	EUR/100 kg net weight	41,0
0201 20 50 9130 ⁽¹⁾	B02	EUR/100 kg net weight	41,9
	B03	EUR/100 kg net weight	24,6
0201 30 00 9050	US ⁽³⁾	EUR/100 kg net weight	13,5
	CA ⁽⁴⁾	EUR/100 kg net weight	13,5
0201 30 00 9060 ⁽⁶⁾	B02	EUR/100 kg net weight	25,8
	B03	EUR/100 kg net weight	8,6
0201 30 00 9100 ⁽²⁾ ⁽⁶⁾	B04	EUR/100 kg net weight	96,9
	B03	EUR/100 kg net weight	57,0
	EG	EUR/100 kg net weight	118,2
0201 30 00 9120 ⁽²⁾ ⁽⁶⁾	B04	EUR/100 kg net weight	58,1
	B03	EUR/100 kg net weight	34,2
	EG	EUR/100 kg net weight	70,9
0202 10 00 9100	B02	EUR/100 kg net weight	18,6
	B03	EUR/100 kg net weight	6,2
0202 20 30 9000	B02	EUR/100 kg net weight	18,6
	B03	EUR/100 kg net weight	6,2
0202 20 50 9900	B02	EUR/100 kg net weight	18,6
	B03	EUR/100 kg net weight	6,2
0202 20 90 9100	B02	EUR/100 kg net weight	18,6
	B03	EUR/100 kg net weight	6,2
0202 30 90 9100	US ⁽³⁾	EUR/100 kg net weight	13,5
	CA ⁽⁴⁾	EUR/100 kg net weight	13,5

Product code	Destination	Unit of measurement	Refunds ⁽⁷⁾
0202 30 90 9200 ⁽⁶⁾	B02	EUR/100 kg net weight	25,8
	B03	EUR/100 kg net weight	8,6
1602 50 31 9125 ⁽⁵⁾	B00	EUR/100 kg net weight	49,0
1602 50 31 9325 ⁽⁵⁾	B00	EUR/100 kg net weight	43,5
1602 50 39 9125 ⁽⁵⁾	B00	EUR/100 kg net weight	49,0
1602 50 39 9325 ⁽⁵⁾	B00	EUR/100 kg net weight	43,5

⁽¹⁾ Entry under this subheading is subject to the submission of the certificate appearing in the Annex to amended Commission Regulation (EEC) No 32/82 (OJ L 4, 8.1.1982, p. 11).

⁽²⁾ The refund is granted subject to compliance with the conditions laid down in amended Commission Regulation (EEC) No 1964/82 (OJ L 212, 21.7.1982, p. 48).

⁽³⁾ Carried out in accordance with Commission Regulation (EEC) No 2973/79 (OJ L 336, 29.12.1979, p. 44).

⁽⁴⁾ Carried out in accordance with Commission Regulation (EEC) No 2051/96 (OJ L 274, 26.10.1996, p. 18).

⁽⁵⁾ The refund is granted subject to compliance with the conditions laid down in Commission Regulation (EEC) No 2388/84 (OJ L 221, 18.8.1984, p. 28).

⁽⁶⁾ The lean bovine meat content excluding fat is determined in accordance with the procedure described in the Annex to Commission Regulation (EEC) No 2429/86 (OJ L 210, 1.8.1986, p. 39).

The term 'average content' refers to the sample quantity as defined in Article 2(1) of Commission Regulation (EC) No 765/2002 (OJ L 117, 4.5.2002, p. 6). The sample is to be taken from that part of the consignment presenting the highest risk.

⁽⁷⁾ Article 33(10) of amended Regulation (EC) No 1254/1999 provides that no export refunds shall be granted on products imported from third countries and re-exported to third countries.

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

The alphanumeric destination codes are set out in Commission Regulation (EC) No 750/2005 (OJ L 126, 19.5.2005, p. 12).

The other destinations are defined as follows:

B00: all destinations (third countries, other territories, victualling and destinations treated as exports from the Community) with the exception of Bulgaria and Romania (*).

B02: B04 and destination EG.

B03: Albania, Croatia, Bosnia-Herzegovina, Serbia, Kosovo, Montenegro, former Yugoslav Republic of Macedonia, stores and provisions (destinations referred to in Articles 36 and 45, and if appropriate in Article 44, of Commission Regulation (EC) No 800/1999 (OJ L 102, 17.4.1999, p. 11).

B04: B04: Turkey, Ukraine, Belarus, Moldova, Russia, Georgia, Armenia, Azerbaijan, Kazakhstan, Turkmenistan, Uzbekistan, Tajikistan, Kyrgyzstan, Morocco, Algeria, Tunisia, Libya, Lebanon, Syria, Iraq, Iran, Israel, West Bank/Gaza Strip, Jordan, Saudi Arabia, Kuwait, Bahrain, Qatar, United Arab Emirates, Oman, Yemen, Pakistan, Sri Lanka, Myanmar (Burma), Thailand, Vietnam, Indonesia, Philippines, China, North Korea, Hong Kong, Sudan, Mauritania, Mali, Burkina Faso, Niger, Chad, Cape Verde, Senegal, Gambia, Guinea-Bissau, Guinea, Sierra Leone, Liberia, Côte-d'Ivoire, Ghana, Togo, Benin, Nigeria, Cameroun, Central African Republic, Equatorial Guinea, Sao Tome Principe, Gabon, Congo, Congo (Democratic Republic), Rwanda, Burundi, Saint Helena and dependencies, Angola, Ethiopia, Eritrea, Djibouti, Somalia, Uganda, Tanzania, Seychelles and dependencies, British Indian Ocean Territory, Mozambique, Mauritius, Comoros, Mayotte, Zambia, Malawi, South Africa, Lesotho.

(*) For the purposes of application of Article 33(9) of Regulation (EC) No 1254/1999, the fact that no export refund is set for Bulgaria and Romania shall not be deemed to constitute a differentiation of the refund.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 27 March 2006

on the signing of the Agreement between the European Community and Romania on certain aspects of air services

(2006/424/EC)

THE COUNCIL OF THE EUROPEAN UNION,

HAS DECIDED AS FOLLOWS:

Having regard to the Treaty establishing the European Community, and in particular Article 80(2), in conjunction with Article 300(2), first sentence of the first subparagraph, thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) The Council authorised the Commission on 5 June 2003 to open negotiations with third countries on the replacement of certain provisions in existing bilateral agreements with a Community agreement.
- (2) The Commission has negotiated on behalf of the Community an agreement with Romania on certain aspects of air services, hereinafter referred to as 'the Agreement', in accordance with the mechanisms and directives in the Annex to the Council's decision authorising the Commission to open negotiations with third countries on the replacement of certain provisions in existing bilateral agreements with a Community agreement.
- (3) The Agreement should be signed, subject to its conclusion at a later date,

Article 1

The signing of the Agreement between the European Community and Romania on certain aspects of air services is hereby approved on behalf of the Community, subject to the Council Decision concerning the conclusion of the said Agreement.

The text of the Agreement is attached to this Decision.

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement on behalf of the Community subject to its conclusion.

Done at Brussels, 27 March 2006.

For the Council
The President
H. GORBACH

AGREEMENT**between the European Community and Romania on certain aspects of air services**

THE EUROPEAN COMMUNITY,

of the one part, and

ROMANIA,

of the other part,

hereinafter referred to as 'the Parties',

NOTING that bilateral air service agreements have been concluded between several Member States of the European Community and Romania containing provisions which have been found to be contrary to European Community law,

NOTING that the European Community has exclusive competence under the Treaty establishing the European Community with respect to several aspects that may be included in bilateral air service agreements between Member States of the European Community and third countries,

NOTING that under European Community law Community air carriers established in a Member State have the right to non-discriminatory access to air routes between the Member States of the European Community and third countries,

HAVING REGARD to the agreements between the European Community and certain third countries providing for the possibility for the nationals of such third countries to acquire ownership in air carriers licensed in accordance with European Community law,

RECOGNISING that provisions of the bilateral air service agreements between Member States of the European Community and Romania, which have been found to be contrary to European Community law, must be brought into full conformity with it in order to establish a sound legal basis for air services between the European Community and Romania and to preserve the continuity of such air services,

NOTING that it is not a purpose of the European Community, as part of these negotiations, to increase the total volume of air traffic between the European Community and Romania, to affect the balance between Community air carriers and air carriers of Romania, or to negotiate amendments to the provisions of existing bilateral air service agreements concerning traffic rights,

HAVE AGREED AS FOLLOWS:

*Article 1***General Provisions**

1. For the purposes of this Agreement, 'Member States' shall mean Member States of the European Community.

2. For the purposes of this Agreement, 'national' of a State shall mean any natural or legal person who has the nationality of that State in accordance with the laws of that State.

3. References in each of the Agreements listed in Annex I to nationals of the Member State that is a party to that Agreement

shall be understood as referring to nationals of the Member States of the European Community.

4. References in each of the Agreements listed in Annex I to air carriers or airlines of the Member State that is a party to that Agreement shall be understood as referring to air carriers or airlines designated by that Member State.

5. The granting of traffic rights continues to be carried out through bilateral arrangements and shall not be affected by the provisions of this Agreement.

*Article 2***Designation by a Member State**

1. The provisions in paragraphs 2 and 3 of this Article shall supersede the corresponding provisions in the Articles listed in Annex II(a) and (b) respectively, in relation to the designation of an air carrier by the Member State concerned, its authorisations and permissions granted by Romania, and the refusal, revocation, suspension or limitation of the authorisations or permissions of the air carrier, respectively.

2. On receipt of a designation by a Member State, Romania shall grant the appropriate authorisations and permissions with minimum procedural delay, provided that:

(i) the air carrier is established, under the Treaty establishing the European Community, in the territory of the designating Member State and has a valid Operating Licence in accordance with European Community law;

(ii) effective regulatory control of the air carrier is exercised and maintained by the Member State responsible for issuing its Air Operator's Certificate and the relevant aeronautical authority is clearly identified in the designation; and

(iii) the air carrier is owned and shall continue to be owned directly or through majority ownership by Member States and/or nationals of Member States, and/or by other States listed in Annex III and/or nationals of such other States, and shall at all times be effectively controlled by such States and/or such nationals.

3. Romania may refuse, revoke, suspend or limit the authorisations or permissions of an air carrier designated by a Member State where:

(i) the air carrier is not established, under the Treaty establishing the European Community, in the territory of the designating Member State or does not have a valid Operating Licence in accordance with European Community law;

(ii) effective regulatory control of the air carrier is not exercised or not maintained by the Member State responsible for issuing its Air Operator's Certificate, or the relevant aeronautical authority is not clearly identified in the designation; or

(iii) the air carrier is not owned and effectively controlled directly or through majority ownership by Member States and/or nationals of Member States, and/or by other States listed in Annex III and/or nationals of such other States.

In exercising its right under this paragraph, Romania shall not discriminate between Community air carriers on the grounds of nationality.

*Article 3***Rights with regard to regulatory control**

1. The provisions in paragraph 2 of this Article shall complement the Articles listed in Annex II(c).

2. Where a Member State has designated an air carrier whose regulatory control is exercised and maintained by another Member State, the rights of Romania under the safety provisions of the Agreement between the Member State that has designated the air carrier and Romania shall apply equally in respect of the adoption, exercise or maintenance of safety standards by that other Member State and in respect of the operating authorisation of that air carrier.

*Article 4***Taxation of aviation fuel**

1. The provisions in paragraph 2 of this Article shall complement the corresponding provisions in the Articles listed in Annex II(d).

2. Notwithstanding any other provision to the contrary, nothing in each of the Agreements listed in Annex II(d) shall prevent a Member State from imposing taxes, levies, duties, fees or charges on fuel supplied in its territory for use in an aircraft of a designated air carrier of Romania that operates between a point in the territory of that Member State and another point in the territory of that Member State or in the territory of another Member State.

3. Notwithstanding any other provision to the contrary, nothing in each of the Agreements listed in Annex II(d) shall prevent Romania from imposing taxes, levies, duties, fees or charges, on the basis of reciprocity and without discrimination, on fuel supplied in its territory for use in an aircraft of a designated air carrier of a Member State that operates between points on the territory of Romania.

*Article 5***Tariffs for carriage within the European Community**

1. The provisions in paragraph 2 of this Article shall complement the Articles listed in Annex II(e).

2. The tariffs to be charged by the air carrier(s) designated by Romania under an agreement listed in Annex I containing a provision listed in Annex II(e) for carriage wholly within the European Community shall be subject to European Community law.

*Article 6***Annexes to the Agreement**

The Annexes to this Agreement shall form an integral part thereof.

*Article 7***Revision or amendment**

The Parties may, at any time, revise or amend this Agreement by mutual consent. The amendments shall enter into force in accordance with Article 8.

*Article 8***Entry into force**

1. This Agreement shall enter in force when the Parties have notified each other in writing that their respective internal procedures necessary for its entry into force have been completed.

2. Agreements and other arrangements between Member States and Romania which, at the date of signature of this Agreement, have not yet entered into force and are not being

applied provisionally are listed in Annex I(b). This Agreement shall apply to all such Agreements and arrangements upon their entry into force or provisional application.

*Article 9***Termination**

1. In the event that an Agreement listed in Annex I is terminated, all provisions of this Agreement that relate to the Agreement listed in Annex I concerned shall terminate at the same time.

2. In the event that all Agreements listed in Annex I are terminated, this Agreement shall terminate at the same time.

IN WITNESS WHEREOF the undersigned, being duly authorised, have signed this Agreement.

Done at Salzburg in duplicate, on this fifth day of May in the year two thousand and six, in the Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Slovak, Slovenian, Spanish, Swedish and Romanian languages.

Por la Comunidad Europea
Za Evropské společenství
For Det Europæiske Fællesskab
Für die Europäische Gemeinschaft
Euroopa Ühenduse nimel
Για την Ευρωπαϊκή Κοινότητα
For the European Community
Pour la Communauté européenne
Per la Comunità europea
Eiropas Kopienas vārdā
Europos bendrijos vardu
Az Európai Közösség részéről
Għall-Komunità Ewropea
Voor de Europese Gemeenschap
W imieniu Wspólnoty Europejskiej
Pela Comunidade Europeia
Za Európske spoločenstvo
Za Evropsko skupnost
Euroopan yhteisön puolesta
För Europeiska gemenskapen
Pentru Comunitatea Europeană

Por Rumanía
Za Rumunsko
For Rumænien
Für Rumänien
Rumeenia nimel
Για τη Ρουμανία
For Romania
Pour la Roumanie
Per la Romania
Rumānijas vārdā
Rumunijos vardu
România részéről
Ghar-Rumanija
Voor Roemenië
W imieniu Rumunii
Pela Roménia
Za Rumunsko
Za Romunijo
Romanian puolesta
För Rumänien
Pentru România

ANNEX I

List of Agreements referred to in Article 1 of this Agreement

- (a) Air service Agreements between Romania and Member States of the European Community which, at the date of signature of this Agreement, have been concluded, signed and/or are being applied provisionally

- Air Transport Agreement between the Federal Government of Austria and the Government of the Socialist Republic of Romania, signed at Bucharest on 14 July 1975 (hereinafter referred to as 'Romania–Austria Agreement').

Modified by Exchange of Notes dated 27 June 1985.

Last modified by the Exchange of Notes dated 17 November 1994.

- Agreement between the Kingdom of Belgium and the People's Republic of Romania relating to Air Transport, signed at Bucharest on 4 December 1956 (hereinafter referred to as 'Romania–Belgium Agreement').

Last supplemented by the Exchange of Notes dated 4 December 1956.

- Agreement between the Government of the Republic of Cyprus and the Government of the Socialist Republic of Romania on Air transport, signed at Nicosia on 13 December 1973 (hereinafter referred to as 'Romania–Cyprus Agreement').

- Agreement between the Government of the Czechoslovak Socialist Republic and the Government of the Socialist Republic of Romania on Civil Air Transport, signed at Prague on 13 March 1970, in respect of which the Czech Republic declared that it considers itself to be bound by the provisions thereof (hereinafter referred to as 'Romania–Czech Republic Agreement').

- Air Services Agreement between the Government of the Kingdom of Denmark and the Government of Romania, signed at Oslo on 26 October 1998 (hereinafter referred to as 'Romania–Denmark Agreement').

- Agreement between the Government of the Republic of Finland and the Government of the Socialist Republic of Romania for Air Services between and beyond their respective territories, signed at Helsinki on 30 June 1971 (hereinafter referred to as 'Romania–Finland Agreement').

Supplemented by the Memorandum of Understanding done at Helsinki on 7 July 1993.

Modified by the Exchange of Notes dated 30 January and 7 June 1996.

- Air Transport Agreement between the Government of the French Republic and the Government of the People's Republic of Romania, signed at Bucharest on 18 May 1962, supplemented by the Protocol done at Paris on 23 February 1962 (hereinafter referred to as 'Romania–France Agreement').

Last modified by the Agreed Minutes done at Bucharest on 27 October 1999.

- Agreement between the Government of the Kingdom of Greece and the Government of the People's Republic of Romania relating to Commercial Scheduled Air Transport, signed at Athens on 2 May 1960 (hereinafter referred to as 'Romania–Greece Agreement').

Last modified by the Exchange of Notes signed at Athens on 2 September 1966.

- Air Services Agreement between the Government of the Republic of Hungary and the Government of Romania, signed at Bucharest on 12 September 1995 (hereinafter referred to as 'Romania–Hungary Agreement').

- Agreement between the Government of the Italian Republic and the Government of the Socialist Republic of Romania relating to Civil Air Transport, signed at Rome on 19 December 1975 (hereinafter referred to as 'Romania–Italy Agreement').

Last modified by the Exchange of Notes dated 9 July 1996 and 28 August 1996.

- Agreement between the Government of the Grand-Duchy of Luxembourg and the Government of the Socialist Republic of Romania relating to Civil Air Transport, signed at Luxembourg on 27 October 1972 (hereinafter referred to as 'Romania-Luxembourg Agreement').
- Agreement between the Government of Malta and the Government of Romania for Civil Air Services, signed at Valletta on 22 November 1990 (hereinafter referred to as 'Romania-Malta Agreement').
- Agreement between the Government of the Kingdom of the Netherlands and the Government of the People's Republic of Romania relating to Civil Air Transport, signed at The Hague on 27 August 1957 (hereinafter referred to as 'Romania-Netherlands Agreement').

Last supplemented by the Protocol done at The Hague on 8 June 1982.

- Agreement between the Government of the Republic of Poland and the Government of Romania concerning Civil Air Transport, signed at Warsaw on 19 May 1999 (hereinafter referred to as 'Romania-Poland Agreement').
- Agreement between the Government of Portugal and the Government of the Socialist Republic of Romania relating to Civil Air Transport, signed at Lisbon on 8 February 1975 (hereinafter referred to as 'Romania-Portugal Agreement').
- Agreement between the Government of the Slovak Republic and the Government of Romania relating to Air Services, signed at Bratislava on 6 June 2000 (hereinafter referred to as 'Romania-Slovakia Agreement').
- Air Transport Agreement between the Government of Spain and the Government of the Socialist Republic of Romania, signed at Madrid on 10 January 1980 (hereinafter referred to as 'Romania-Spain Agreement').

Modified by the Memorandum of Understanding done at Madrid on 8 March 1995.

Last modified by the Agreed Minutes done in Bucharest on 4 October 1995.

- Air Services Agreement between the Government of the Kingdom of Sweden and Romania, signed at Oslo on 26 October 1998 (hereinafter referred to as 'Romania-Sweden Agreement').
 - Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Romania concerning Air Services, signed at London on 28 March 1995 (hereinafter referred to as 'Romania-UK Agreement').
- (b) Air service agreements and other arrangements initialled or signed between Romania and Member States of the European Community which, at the date of signature of this Agreement, have not yet entered into force and are not being applied provisionally

- Agreement between the Government of the Federal Republic of Germany and the Government of Romania relating to Air Transport, initialled at Bucharest on 16 December 1994 (hereinafter referred to as 'Romania-Germany Agreement').

Amended by the Memorandum of Understanding done at Bucharest on 8 February 1996.

Supplemented by the Memorandum of Understanding done at Bucharest on 2 December 1997.

Supplemented by Notes dated 5 May 1998 and 24 August 1998.

Last modified by Notes dated 28 May 2001 and 15 October 2001.

- Agreement between the Government of Ireland and the Government of Romania concerning Air Services, initialled at Dublin on 1 November 1995 (hereinafter referred to as 'Romania-Ireland Agreement').

ANNEX II

List of Articles in the Agreements listed in Annex I and referred to in Articles 2 to 5 of this Agreement

(a) Designation by a Member State:

- Article 3 of the Romania–Austria Agreement,
- Article 2 of the Romania–Belgium Agreement,
- Article 3 of the Romania–Cyprus Agreement,
- Article 3 of the Romania–Czech Republic Agreement,
- Article 3 of the Romania–Denmark Agreement,
- Article 3 of the Romania–Finland Agreement,
- Article 3 of the Romania–France Agreement,
- Article 3 of the Romania–Germany Agreement,
- Article 3 of the Romania–Greece Agreement,
- Article 3 of the Romania–Hungary Agreement,
- Article 3 of the Romania–Ireland Agreement,
- Article 3 of the Romania–Italy Agreement,
- Article 3 of the Romania–Luxembourg Agreement,
- Article 3 of the Romania–Malta Agreement,
- Article 2 of the Romania–Netherlands Agreement,
- Article 3 of the Romania–Poland Agreement,
- Article 3 of the Romania–Portugal Agreement,
- Article 3 of the Romania–Slovakia Agreement,
- Article 3 of the Romania–Spain Agreement,
- Article 3 of the Romania–Sweden Agreement,
- Article 4 of the Romania–UK Agreement.

(b) Refusal, Revocation, Suspension or Limitation of Authorisations or Permissions:

- Article 4 of the Romania–Austria Agreement,
- Article 2 of the Romania–Belgium Agreement,
- Article 6 of the Romania–Cyprus Agreement,
- Article 4 of the Romania–Czech Republic Agreement,
- Article 4 of the Romania–Denmark Agreement,
- Articles 3 and 4 of the Romania–Finland Agreement,
- Article 3 of the Romania–France Agreement,
- Article 4 of the Romania–Germany Agreement,
- Article 4 of the Romania–Greece Agreement,
- Article 4 of the Romania–Hungary Agreement,
- Article 4 of the Romania–Ireland Agreement,
- Article 4 of the Romania–Italy Agreement,
- Article 4 of the Romania–Luxembourg Agreement,
- Article 4 of the Romania–Malta Agreement,

- Article 3 of the Romania–Netherlands Agreement,
 - Article 4 of the Romania–Poland Agreement,
 - Articles 3 and 4 of the Romania–Portugal Agreement,
 - Article 4 of the Romania–Slovakia Agreement,
 - Article 4 of the Romania–Spain Agreement,
 - Article 4 of the Romania–Sweden Agreement,
 - Article 5 of the Romania–UK Agreement.
- (c) Regulatory control:
- Article 12 of the Romania–Germany Agreement,
 - Article 16 of the Romania–Poland Agreement,
 - Article 19 of the Romania–Slovakia Agreement.
- (d) Taxation of Aviation Fuel:
- Article 8 of the Romania–Austria Agreement,
 - Article 5 of the Romania–Belgium Agreement,
 - Article 7 of the Romania–Cyprus Agreement,
 - Article 6 of the Romania–Czech Republic Agreement,
 - Article 6 of the Romania–Denmark Agreement,
 - Article 5 of the Romania–Finland Agreement,
 - Article 9 of the Romania–France Agreement,
 - Article 6 of the Romania–Germany Agreement,
 - Article 8 of the Romania–Greece Agreement,
 - Article 9 of the Romania–Hungary Agreement,
 - Article 14 of the Romania–Ireland Agreement,
 - Article 8 of the Romania–Italy Agreement,
 - Article 8 of the Romania–Luxembourg Agreement,
 - Article 10 of the Romania–Malta Agreement,
 - Article 6 of the Romania–Netherlands Agreement,
 - Article 10 of the Romania–Poland Agreement,
 - Article 8 of the Romania–Portugal Agreement,
 - Article 9 of the Romania–Slovakia Agreement,
 - Article 5 of the Romania–Spain Agreement,
 - Article 6 of the Romania–Sweden Agreement,
 - Article 8 of the Romania–UK Agreement.
- (e) Tariffs for Carriage within the European Community:
- Article 7 of the Romania–Austria Agreement,
 - Article 6 of the Romania–Belgium Agreement,
 - Article 12 of the Romania–Cyprus Agreement,
 - Article 10 of the Romania–Czech Republic Agreement,
 - Article 11 of the Romania–Denmark Agreement,
 - Article 8 of the Romania–Finland Agreement,
 - Article 12 of the Romania–France Agreement,
 - Article 10 of the Romania–Germany Agreement,
 - Article 6 of the Romania–Greece Agreement,

- Article 8 of the Romania–Hungary Agreement,
 - Article 8 of the Romania–Ireland Agreement,
 - Article 7 of the Romania–Italy Agreement,
 - Article 7 of the Romania–Luxembourg Agreement,
 - Article 15 of the Romania–Malta Agreement,
 - Article 10 of the Romania–Netherlands Agreement,
 - Article 5 of the Romania–Poland Agreement,
 - Article 7 of the Romania–Portugal Agreement,
 - Article 8 of the Romania–Slovakia Agreement,
 - Article 14 of the Romania–Spain Agreement,
 - Article 11 of the Romania–Sweden Agreement,
 - Article 7 of the Romania–UK Agreement.
-

*ANNEX III***List of other States referred to in Article 2 of this Agreement**

- (a) The Republic of Iceland (under the Agreement on the European Economic Area);
 - (b) The Principality of Liechtenstein (under the Agreement on the European Economic Area);
 - (c) The Kingdom of Norway (under the Agreement on the European Economic Area);
 - (d) The Swiss Confederation (under the Agreement between the European Community and the Swiss Confederation on Air Transport).
-

COUNCIL DECISION**of 27 March 2006****on the signing and provisional application of the Agreement between the European Community and Serbia and Montenegro on certain aspects of air services**

(2006/425/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 80(2), in conjunction with Article 300(2), first sentence of the first subparagraph thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) The Council has authorised the Commission on 5 June 2003 to open negotiations with third countries on the replacement of certain provisions in existing bilateral agreements with a Community agreement.
- (2) The Commission has negotiated on behalf of the Community an agreement with Serbia and Montenegro on certain aspects of air services, hereinafter referred to as 'the Agreement' in accordance with the mechanisms and directives in the Annex to the Council's decision authorising the Commission to open negotiations with third countries on the replacement of certain provisions in existing bilateral agreements with a Community agreement.
- (3) The Agreement should be signed and provisionally applied, subject to its conclusion at a later date,

HAS DECIDED AS FOLLOWS:

Article 1

The signing of the Agreement between the European Community and Serbia and Montenegro on certain aspects of

air services is hereby approved on behalf of the Community, subject to the Council Decision concerning the conclusion of the said Agreement.

The text of the Agreement is attached to this Decision.

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement on behalf of the Community subject to its conclusion.

Article 3

Pending its entry into force, the Agreement shall be applied provisionally from the first day of the first month following the date on which the Parties have notified each other of the completion of the necessary procedures for this purpose.

Article 4

The President of the Council is hereby authorised to make the notification provided in Article 8(2) of the Agreement.

Done at Brussels, 27 March 2006.

For the Council

The President

H. GORBACH

AGREEMENT**between the European Community and Serbia and Montenegro on certain aspects of air services**

THE EUROPEAN COMMUNITY,

of the one part, and

SERBIA AND MONTENEGRO,

of the other part,

hereinafter referred to as 'the Parties',

NOTING that bilateral air service agreements have been concluded between several Member States of the European Community and Serbia and Montenegro containing provisions contrary to European Community law,

NOTING that the European Community has exclusive competence with respect to several aspects that may be included in bilateral air service agreements between Member States of the European Community and third countries,

NOTING that under European Community law Community air carriers established in a Member State have the right to non-discriminatory access to air routes between the Member States of the European Community and third countries,

HAVING REGARD to the agreements between the European Community and certain third countries providing for the possibility for the nationals of such third countries to acquire ownership in air carriers licensed in accordance with European Community law,

RECOGNISING that provisions of the bilateral air service agreements between Member States of the European Community and Serbia and Montenegro, which are contrary to European Community law, must be brought into conformity with it in order to establish a sound legal basis for air services between the European Community and Serbia and Montenegro and to preserve the continuity of such air services,

NOTING that it is not a purpose of the European Community, as part of these negotiations, to increase the total volume of air traffic between the European Community and Serbia and Montenegro, to affect the balance between Community air carriers and air carriers of Serbia and Montenegro, or to negotiate amendments to the provisions of existing bilateral air service agreements concerning traffic rights,

HAVE AGREED AS FOLLOWS:

*Article 1***General provisions**

1. For the purposes of this Agreement, 'Member States' shall mean Member States of the European Community.
2. References in each of the Agreements listed in Annex I to nationals of the Member State that is a party to that Agreement shall be understood as referring to nationals of the Member States of the European Community.
3. References in each of the Agreements listed in Annex I to air carriers or airlines of the Member State that is a party to that Agreement shall be understood as referring to air carriers or airlines designated by that Member State.

*Article 2***Designation by a Member State**

1. The provisions in paragraphs 2 and 3 of this Article shall supersede the corresponding provisions in the Articles listed in Annex II(a) and (b) respectively, in relation to the designation of an air carrier by the Member State concerned, its authorisations and permissions granted by Serbia and Montenegro, and the refusal, revocation, suspension or limitation of the authorisations or permissions of the air carrier, respectively.
2. On receipt of a designation by a Member State, Serbia and Montenegro shall grant the appropriate authorisations and permissions with minimum procedural delay provided that:

- (i) the air carrier is established, under the Treaty establishing the European Community, in the territory of the designating Member State and has a valid Operating Licence in accordance with European Community law;
 - (ii) effective regulatory control of the air carrier is exercised and maintained by the Member State responsible for issuing its Air Operator's Certificate and the relevant aeronautical authority is clearly identified in the designation; and
 - (iii) the air carrier is owned, directly or through majority ownership, and it is effectively controlled by Member States and/or nationals of Member States, and/or by other States listed in Annex III and/or nationals of such other States.
3. Serbia and Montenegro may refuse, revoke, suspend or limit the authorisations or permissions of an air carrier designated by a Member State where:
- (i) the air carrier is not established, under the Treaty establishing the European Community, in the territory of the designating Member State or does not have a valid Operating Licence in accordance with European Community law;
 - (ii) effective regulatory control of the air carrier is not exercised or not maintained by the Member State responsible for issuing its Air Operator's Certificate, or the relevant aeronautical authority is not clearly identified in the designation; or
 - (iii) the air carrier is not owned, directly or through majority ownership, or it is not effectively controlled by Member States and/or nationals of Member States, and/or by other States listed in Annex III and/or nationals of such other States.

In exercising its right under this paragraph, Serbia and Montenegro shall not discriminate between Community air carriers on the grounds of nationality.

Article 3

Rights with regard to regulatory control

1. The provisions in paragraph 2 of this Article shall complement the corresponding provisions in the Articles listed in Annex II(c).

2. Where a Member State has designated an air carrier whose regulatory control is exercised and maintained by another Member State, the rights of Serbia and Montenegro under the safety provisions of the Agreement between the Member State that has designated the air carrier and Serbia and Montenegro shall apply equally in respect of the adoption, exercise or maintenance of safety standards by that other Member State and in respect of the operating authorisation of that air carrier.

Article 4

Taxation of aviation fuel

1. The provisions in paragraph 2 of this Article shall complement the corresponding provisions in the Articles listed in Annex II(d).

2. Notwithstanding any other provision to the contrary, nothing in each of the Agreements listed in Annex II(d) shall prevent a Member State or Serbia and Montenegro from imposing, on a non-discriminatory basis, taxes, levies, duties, fees or charges on fuel supplied in its territory for use in an aircraft of a designated air carrier of a Member State or of Serbia and Montenegro that operates between two points within the respective territories of the Contracting Parties.

Article 5

Tariffs for carriage within the European Community

1. The provisions in paragraph 2 of this Article shall complement the corresponding provisions in the articles listed in Annex II(e).

2. The tariffs to be charged by the air carrier(s) designated by Serbia and Montenegro under an agreement listed in Annex I containing a provision listed in Annex II(e) for carriage wholly within the European Community shall be subject to European Community law.

Article 6

Annexes to the Agreement

The Annexes to this Agreement shall form an integral part thereof.

Article 7

Revision or amendment

The Parties may, at any time, revise or amend this Agreement by mutual consent.

*Article 8***Entry into force and provisional application**

1. This Agreement shall enter in force when the Parties have notified each other in writing that their respective internal procedures necessary for its entry into force have been completed.

2. Notwithstanding paragraph 1, the Parties agree to provisionally apply this Agreement from the first day of the month following the date on which the Parties have notified each other of the completion of the procedures necessary for this purpose.

3. Agreements and other arrangements between Member States and Serbia and Montenegro which, at the date of signature of this Agreement, have not yet entered into force and are not being applied provisionally are listed in Annex I(b). This Agreement shall apply to all such Agreements and arrangements upon their entry into force or provisional application.

*Article 9***Termination**

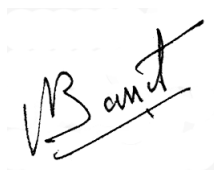
1. In the event that an Agreement listed in Annex I is terminated, all provisions of this Agreement that relate to the Agreement listed in Annex I concerned shall terminate at the same time.

2. In the event that all Agreements listed in Annex I are terminated, this Agreement shall terminate at the same time.

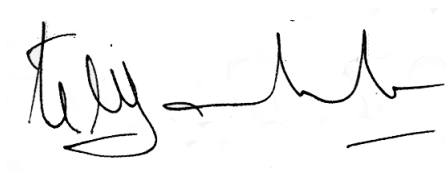
IN WITNESS WHEREOF, the undersigned, being duly authorised, have signed this Agreement.

Done at Salzburg in duplicate, on this fifth day of May in the year two thousand and six, in the Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Slovak, Slovenian, Spanish, Swedish and Serbian languages.

Por la Comunidad Europea
Za Evropské společenství
For Det Europæiske Fællesskab
Für die Europäische Gemeinschaft
Euroopa Ühenduse nimel
Για την Ευρωπαϊκή Κοινότητα
For the European Community
Pour la Communauté européenne
Per la Comunità europea
Eiropas Kopienas vārdā
Europos bendrijos vardu
Az Európai Közösség részéről
Għall-Komunità Ewropea
Voor de Europese Gemeenschap
W imieniu Wspólnoty Europejskiej
Pela Comunidade Europeia
Za Európske spoločenstvo
Za Evropsko skupnost
Euroopan yhteisön puolesta
För Europeiska gemenskapen
За Европску Заједницу



Por Serbia y Montenegro
Za Srbsko a Černou Horu
For Serbien og Montenegro
Für Serbien und Montenegro
Serbia ja Montenegro nimel
Για τη Σερβία και Μαυροβούνιο
For Serbia and Montenegro
Pour la Serbie-Monténégro
Per Serbia e Montenegro
Serbijas un Melnkalnes vārdā
Serbijos ir Juodkalnijos vardu
Szerbia és Montenegró részéről
Għas-Serbja u Montenegro
Voor Servië en Montenegro
W imieniu Serbii i Czarnogóry
Pela Sérvia e Montenegro
Za Srbsko a Čiernu Horu
Za Srbijo in Črno goro
Serbia ja Montenegron puolesta
För Serbien och Montenegro
За Србију и Црну Гору



ANNEX I

List of Agreements referred to in Article 1 of this Agreement

- (a) Air service agreements between Serbia and Montenegro and Member States of the European Community which, at the date of signature of this Agreement, have been concluded, signed and/or are being applied provisionally

— Agreement relating to Air Services between the Republic of Austria and the Federative People's Republic of Yugoslavia, signed at Vienna on 11 November 1953 (hereinafter referred to as Serbia and Montenegro–Austria 1953 Agreement);

To be read together with the Memorandum of Understanding done in Vienna on 12 October 1994;

— Agreement between the Kingdom of Belgium and the Federative People's Republic of Yugoslavia relating to air services, signed at Belgrade on 24 September 1957 (hereinafter referred to as Serbia and Montenegro–Belgium Agreement);

— Air Transport Agreement between the Government of the Republic of Cyprus and the Government of the Socialist Federal Republic of Yugoslavia, signed at Nicosia on 27 February 1976 (hereinafter referred to as Serbia and Montenegro–Cyprus 1976 Agreement);

— Air Transport Agreement between the Czechoslovak Republic and the Federative People's Republic of Yugoslavia, signed at Belgrade on 28 February 1956 (hereinafter referred to as Serbia and Montenegro–Czech Republic Agreement);

— Agreement relating to air services between the French Republic and the Socialist Federal Republic of Yugoslavia, signed at Belgrade on 23 March 1967 (hereinafter referred to as Serbia and Montenegro–France Agreement);

— Air Services Agreement between the Federal Republic of Germany and the Federative People's Republic of Yugoslavia, signed at Bonn on 10 April 1957 (hereinafter referred to as Serbia and Montenegro–Germany 1957 Agreement);

— Air Services Agreement between the Government of the Federal Republic of Germany and the Federal Government of the Federal Republic of Yugoslavia, initialled and provisionally applied by the Protocol of 31 May 2001 (hereinafter referred to as Serbia and Montenegro–Germany 2001 Agreement);

— Air Services Agreement between the Government of the Hellenic Republic and the Federal Government of the Federal Republic of Yugoslavia, signed at Belgrade on 9 May 2002 (hereinafter referred to as Serbia and Montenegro–Greece Agreement);

— Air Transport Agreement between the People's Republic of Hungary and the Federative People's Republic of Yugoslavia, signed at Belgrade on 21 July 1956 (hereinafter referred to as Serbia and Montenegro–Hungary Agreement);

Amended by a note done at Budapest on 30 May 1964.

Last amended by a Memorandum of Understanding signed at Belgrade on 9 February 1995;

— Agreement between the Grand Duchy of Luxembourg and the Federative People's Republic of Yugoslavia relating to Air Transport, signed at Belgrade on 9 April 1960 (hereinafter referred to as Serbia and Montenegro–Luxembourg Agreement);

— Air Transport Agreement between the Government of Malta and the Government of the Socialist Federal Republic of Yugoslavia, signed at Rome on 5 February 1975 (hereinafter referred to as Serbia and Montenegro–Malta Agreement);

— Agreement between the Kingdom of the Netherlands and the Federative People's Republic of Yugoslavia relating to scheduled air services, signed at Belgrade on 13 March 1957 (hereinafter referred to as Serbia and Montenegro–Netherlands Agreement);

- Air Services Agreement between the People's Republic of Poland and the Federative People's Republic of Yugoslavia, signed at Warsaw on 14 November 1955 (hereinafter referred to as Serbia and Montenegro–Poland 1955 Agreement);
 - Air Transport Agreement between the Government of Portugal and the Government of the Socialist Federal Republic of Yugoslavia, signed at Belgrade on 3 June 1976 (hereinafter referred to as Serbia and Montenegro–Portugal Agreement);
 - Air Services Agreement between the Government of the Republic of Slovakia and the Federal Government of the Federal Republic of Yugoslavia, signed at Bratislava on 3 October 1996 (hereinafter referred to as Serbia and Montenegro–Slovakia Agreement);
 - Agreement between the Kingdom of Sweden and the Federative People's Republic of Yugoslavia, signed at Belgrade on 18 April 1958 (hereinafter referred to as Serbia and Montenegro–Sweden Agreement);
 - Air Services Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Federal Government of the Federal Republic of Yugoslavia, initialled at London on 17 December 2002 hereinafter (referred to as Serbia and Montenegro–United Kingdom Agreement);
- (b) Air service agreements and other arrangements initialled or signed between Serbia and Montenegro and Member States of the European Community which, at the date of signature of this Agreement, have not yet entered into force and are not being applied provisionally
- Air Services Agreement between the Austrian Government and the Federal Government of the Federal Republic of Yugoslavia, initialled at Vienna on 14 November 2001 (hereinafter referred to as Serbia and Montenegro–Austria 2001 Agreement);
 - Air Services Agreement between the Government of the Republic of Cyprus and the Federal Government of the Federal Republic of Yugoslavia, initialled at Nicosia on 18 June 2002 (hereinafter referred to as Serbia and Montenegro–Cyprus 2002 Agreement);
 - Agreement between the Government of the Republic of Poland and the Federal Government of the Federal Republic of Yugoslavia on air transport, initialled at Warsaw on 17 May 2002 (hereinafter referred to as Serbia and Montenegro–Poland 2002 Agreement);
 - Air Services Agreement between the Government of the Republic of Slovenia and the Federal Government of the Federal Republic of Yugoslavia, initialled at Belgrade on 12 October 2001 (hereinafter referred to as Serbia and Montenegro–Slovenia Agreement).
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ANNEX II

List of Articles in the Agreements listed in Annex I and referred to in Articles 2 to 5 of this Agreement

(a) Designation by a Member State:

- Article 2 of the Serbia and Montenegro–Austria 1953 Agreement,
- Article 3 of the Serbia and Montenegro–Austria 2001 Agreement,
- Article 2 of the Serbia and Montenegro–Czech Republic Agreement,
- Article 3(1) of the Serbia and Montenegro–France Agreement,
- Article 4 of the Serbia and Montenegro–Germany 1957 Agreement,
- Article 3 of the Serbia and Montenegro–Germany 2001 Agreement,
- Article 3 of the Serbia and Montenegro–Greece Agreement,
- Article 1 of the Appendix to the Serbia and Montenegro–Hungary Agreement,
- Article 2 of the Serbia and Montenegro–Luxembourg Agreement,
- Article 3 of the Serbia and Montenegro–Malta Agreement,
- Article 2 of the Serbia and Montenegro–Poland 1955 Agreement,
- Article 3 of the Serbia and Montenegro–Poland 2002 Agreement,
- Article 3 of the Serbia and Montenegro–Slovak Republic Agreement,
- Article 3 of the Serbia and Montenegro–Slovenia Agreement,
- Article 4 of the Serbia and Montenegro–United Kingdom Agreement.

(b) Refusal, revocation, suspension or limitation of authorisations or permissions:

- Article 8 of the Serbia and Montenegro–Austria 1953 Agreement,
- Article 4 of the Serbia and Montenegro–Austria 2001 Agreement,
- Article 3 of the Serbia and Montenegro–Belgium Agreement,
- Article 6 of the Serbia and Montenegro–Cyprus 1976 Agreement,
- Article 5 of the Serbia and Montenegro–Cyprus 2002 Agreement,
- Article 3(3) of the Serbia and Montenegro–France Agreement,
- Article 5 of the Serbia and Montenegro–Germany 1957 Agreement,
- Article 4 of the Serbia and Montenegro–Germany 2001 Agreement,
- Article 4(2) of the Serbia and Montenegro–Greece Agreement,
- Article 3 of the Serbia and Montenegro–Luxembourg Agreement,
- Article 4 of the Serbia and Montenegro–Malta Agreement,
- Article 3(1) of the Serbia and Montenegro–Netherlands Agreement,
- Article 4 of the Serbia and Montenegro–Poland 2002 Agreement,
- Article 5 of the Serbia and Montenegro–Portugal Agreement,
- Article 4 of the Serbia and Montenegro–Slovak Republic Agreement,
- Article 4 of the Serbia and Montenegro–Slovenia Agreement,
- Article 3 of the Serbia and Montenegro–Sweden Agreement,
- Article 5 of the Serbia and Montenegro–United Kingdom Agreement.

(c) Safety:

- Article 8 of the Serbia and Montenegro–Austria 2001 Agreement,
- Article 15 of the Serbia and Montenegro–Cyprus 2002 Agreement,
- Article 13 of the Serbia and Montenegro–Germany 2001 Agreement,
- Article 7 of the Serbia and Montenegro–Greece Agreement,
- Article 15 of the Serbia and Montenegro–Poland 2002 Agreement,
- Article 9 of the Serbia and Montenegro–Slovenia Agreement,
- Article 9 of the Serbia and Montenegro–United Kingdom Agreement.

(d) Taxation on aviation fuel:

- Article 5 of the Serbia and Montenegro–Austria 1953 Agreement,
- Article 8 of the Serbia and Montenegro–Austria 2001 Agreement,
- Article 8 of the Serbia and Montenegro–Belgium Agreement,
- Article 7 of the Serbia and Montenegro–Cyprus 1976 Agreement,
- Article 7 of the Serbia and Montenegro–Cyprus 2002 Agreement,
- Article 6 of the Serbia and Montenegro–Czech Republic Agreement,
- Article 11 of the Serbia and Montenegro–France Agreement,
- Article 13 of the Serbia and Montenegro–Germany 1957 Agreement,
- Article 6 of the Serbia and Montenegro–Germany 2001 Agreement,
- Article 10 of the Serbia and Montenegro–Greece Agreement,
- Article 6 of the Serbia and Montenegro–Hungary Agreement,
- Article 8 of the Serbia and Montenegro–Luxembourg Agreement,
- Article 5 of the Serbia and Montenegro–Malta Agreement,
- Article 9 of the Serbia and Montenegro–Netherlands Agreement,
- Article 6 of the Serbia and Montenegro–Poland 1955 Agreement,
- Article 7 of the Serbia and Montenegro–Poland 2002 Agreement,
- Article 6 of the Serbia and Montenegro–Portugal Agreement,
- Article 8 of the Serbia and Montenegro–Slovak Republic Agreement,
- Article 6 of the Serbia and Montenegro–Slovenia Agreement,
- Article 8 of the Serbia and Montenegro–Sweden Agreement,
- Article 11 of the Serbia and Montenegro–United Kingdom Agreement.

(e) Tariffs for carriage within the European Community:

- Article 4 of the Serbia and Montenegro–Austria 1953 Agreement,
- Article 4 of the Serbia and Montenegro–Austria 2001 Agreement,
- Article 7 of the Serbia and Montenegro–Belgium Agreement,
- Article 10 of the Serbia and Montenegro–Cyprus 1976 Agreement,
- Article 17 of the Serbia and Montenegro–Cyprus 2002 Agreement,
- Article 7 of the Serbia and Montenegro–Czech Republic Agreement,
- Article 9 of the Serbia and Montenegro–France Agreement,
- Article 14 of the Serbia and Montenegro–Germany 1957 Agreement,
- Article 10 of the Serbia and Montenegro–Germany 2001 Agreement,
- Article 13 of the Serbia and Montenegro–Greece Agreement,
- Article 7 of the Serbia and Montenegro–Luxembourg Agreement,
- Article 9 of the Serbia and Montenegro–Malta Agreement,

- Article 7(2) of the Serbia and Montenegro–Netherlands Agreement,
 - Article 7 of the Serbia and Montenegro–Poland 1955 Agreement,
 - Article 10 of the Serbia and Montenegro–Poland 2002 Agreement,
 - Article 9 of the Serbia and Montenegro–Portugal Agreement,
 - Article 12 of the Serbia and Montenegro–Slovak Republic Agreement,
 - Article 13 of the Serbia and Montenegro–Slovenia Agreement,
 - Article 7 of the Serbia and Montenegro–Sweden Agreement,
 - Article 14 of the Serbia and Montenegro–United Kingdom Agreement.
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*ANNEX III***List of other States referred to in Article 2 of this Agreement**

- (a) The Republic of Iceland (under the Agreement on the European Economic Area);
 - (b) The Principality of Liechtenstein (under the Agreement on the European Economic Area);
 - (c) The Kingdom of Norway (under the Agreement on the European Economic Area);
 - (d) The Swiss Confederation (under the Agreement between the European Community and the Swiss Confederation on Air Transport).
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COUNCIL DECISION

of 27 April 2006

on the signing and provisional application of the Agreement between the European Community and Bosnia and Herzegovina on certain aspects of air services

(2006/426/EC)

THE COUNCIL OF THE EUROPEAN UNION,

HAS DECIDED AS FOLLOWS:

Article 1

Having regard to the Treaty establishing the European Community, and in particular Article 80(2), in conjunction with the first sentence of the first subparagraph of Article 300(2) thereof,

The signing of the Agreement between the European Community and Bosnia and Herzegovina on certain aspects of air services is hereby approved on behalf of the Community, subject to the conclusion of the said Agreement.

The text of the Agreement is attached to this Decision.

Article 2

Having regard to the proposal from the Commission,

Whereas:

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement on behalf of the Community subject to its conclusion.

Article 3

(1) On 5 June 2003, the Council authorised the Commission to open negotiations with third countries on the replacement of certain provisions in existing bilateral agreements by a Community agreement.

Pending its entry into force, the Agreement shall be applied provisionally from the first day of the first month following the date on which the Parties have notified each other of the completion of the necessary procedures for this purpose.

Article 4

(2) The Commission has negotiated on behalf of the Community an agreement with Bosnia and Herzegovina on certain aspects of air services, hereinafter referred to as 'the Agreement', in accordance with the mechanisms and directives in the Annex to the Council's decision authorising the Commission to open negotiations with third countries on the replacement of certain provisions in existing bilateral agreements by a Community agreement.

The President of the Council is hereby authorised to make the notification provided in Article 8(1) of the Agreement.

Done at Brussels, 27 April 2006.

(3) The Agreement should be signed and provisionally applied, subject to its conclusion at a later date,

For the Council

The President

L. PROKOP

AGREEMENT**between the European Community and Bosnia and Herzegovina on certain aspects of air services**

THE EUROPEAN COMMUNITY,

of the one part, and

BOSNIA AND HERZEGOVINA,

of the other part,

hereinafter referred to as 'the Parties',

NOTING that bilateral air service agreements have been concluded between several Member States of the European Community and Bosnia and Herzegovina containing provisions contrary to European Community law,

NOTING that the European Community has exclusive competence with respect to several aspects that may be included in bilateral air service agreements between Member States of the European Community and third countries,

NOTING that under European Community law Community air carriers established in a Member State have the right to non-discriminatory access to air routes between the Member States of the European Community and third countries,

HAVING REGARD to the agreements between the European Community and certain third countries providing for the possibility for the nationals of such third countries to acquire ownership in air carriers licensed in accordance with European Community law,

RECOGNISING that provisions of the bilateral air service agreements between Member States of the European Community and Bosnia and Herzegovina, which are contrary to European Community law, must be brought into conformity with it in order to establish a sound legal basis for air services between the European Community and Bosnia and Herzegovina and to preserve the continuity of such air services,

NOTING that it is not a purpose of the European Community, as part of these negotiations, to increase the total volume of air traffic between the European Community and Bosnia and Herzegovina, to affect the balance between Community air carriers and air carriers of Bosnia and Herzegovina, or to negotiate amendments to the provisions of existing bilateral air service agreements concerning traffic rights,

HAVE AGREED AS FOLLOWS:

*Article 1***General provisions**

1. For the purposes of this Agreement, 'Member States' shall mean Member States of the European Community.
2. References in each of the Agreements listed in Annex I to nationals of the Member State that is a party to that Agreement shall be understood as referring to nationals of the Member States of the European Community.
3. References in each of the Agreements listed in Annex I to air carriers or airlines of the Member State that is a party to that Agreement shall be understood as referring to air carriers or airlines designated by that Member State.

*Article 2***Designation by a Member State**

1. The provisions in paragraphs 2 and 3 of this Article shall supersede the corresponding provisions in the Articles listed in Annex II(a) and (b) respectively, in relation to the designation of an air carrier by the Member State concerned, its authorisations and permissions granted by Bosnia and Herzegovina, and the refusal, revocation, suspension or limitation of the authorisations or permissions of the air carrier, respectively.
2. On receipt of a designation by a Member State, Bosnia and Herzegovina shall grant the appropriate authorisations and permissions with minimum procedural delay, provided that:
 - (i) the air carrier is established, under the Treaty establishing the European Community, in the territory of the designating Member State and has a valid Operating Licence in accordance with European Community law;

(ii) effective regulatory control of the air carrier is exercised and maintained by the Member State responsible for issuing its Air Operator's Certificate and the relevant aeronautical authority is clearly identified in the designation; and

(iii) the air carrier is owned and shall continue to be owned directly or through majority ownership by Member States and/or nationals of Member States, and/or by other States listed in Annex III and/or nationals of such other States, and shall at all times be effectively controlled by such States and/or such nationals.

3. Bosnia and Herzegovina may refuse, revoke, suspend or limit the authorisations or permissions of an air carrier designated by a Member State where:

(i) the air carrier is not established, under the Treaty establishing the European Community, in the territory of the designating Member State or does not have a valid Operating Licence in accordance with European Community law;

(ii) effective regulatory control of the air carrier is not exercised or not maintained by the Member State responsible for issuing its Air Operator's Certificate, or the relevant aeronautical authority is not clearly identified in the designation; or

(iii) the air carrier is not owned, directly or through majority ownership, or is not effectively controlled, by Member States and/or nationals of Member States, and/or by other States listed in Annex III and/or nationals of such other states.

In exercising its right under this paragraph, Bosnia and Herzegovina shall not discriminate between Community air carriers on the grounds of nationality.

Article 3

Rights with regard to regulatory control

1. The provisions in paragraph 2 of this Article shall complement the Articles listed in Annex II(c).

2. Where a Member State has designated an air carrier whose regulatory control is exercised and maintained by another Member State, the rights of Bosnia and Herzegovina under the safety provisions of the Agreement between the Member State that has designated the air carrier and Bosnia and Herzegovina shall apply equally in respect of the adoption, exercise or maintenance of safety standards by that other Member State and in respect of the operating authorisation of that air carrier.

Article 4

Taxation of aviation fuel

1. The provisions in paragraph 2 of this Article shall complement the corresponding provisions in the Articles listed in Annex II(d).

2. Notwithstanding any other provision to the contrary, nothing in each of the Agreements listed in Annex II(d) shall prevent a Member State from imposing taxes, levies, duties, fees or charges on fuel supplied in its territory for use in an aircraft of a designated air carrier of Bosnia and Herzegovina that operates between a point in the territory of that Member State and another point in the territory of that Member State or in the territory of another Member State.

Article 5

Tariffs for carriage within the European Community

1. The provisions in paragraph 2 of this Article shall complement the Articles listed in Annex II(e).

2. The tariffs to be charged by the air carrier(s) designated by Bosnia and Herzegovina under an agreement listed in Annex I containing a provision listed in Annex II(e) for carriage wholly within the European Community shall be subject to European Community law.

Article 6

Annexes to the Agreement

The Annexes to this Agreement shall form an integral part thereof.

Article 7

Revision or amendment

The Parties may, at any time, revise or amend this Agreement by mutual consent.

Article 8

Entry into force and provisional application

1. This Agreement shall enter in force when the Parties have notified each other in writing that their respective internal procedures necessary for its entry into force have been completed.

2. Notwithstanding paragraph 1, the Parties agree to apply this Agreement provisionally from the first day of the month following the date on which the Parties have notified each other of the completion of the procedures necessary for this purpose.

3. Agreements and other arrangements between Member States and Bosnia and Herzegovina which, at the date of signature of this Agreement, have not yet entered into force and are not being applied provisionally are listed in Annex I(b). This Agreement shall apply to all such Agreements and arrangements upon their entry into force or provisional application.

Article 9

Termination

1. Should an Agreement listed in Annex I be terminated, all provisions of this Agreement that relate to the Agreement listed in Annex I concerned shall terminate at the same time.

2. Should all Agreements listed in Annex I be terminated, this Agreement shall terminate at the same time.

IN WITNESS WHEREOF, the undersigned, being duly authorised, have signed this Agreement.

Done at Salzburg in duplicate, on this fifth day of May in the year two thousand and six, in the Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Slovak, Slovenian, Spanish, Swedish and Bosnian languages.

Por la Comunidad Europea
Za Evropské společenství
For Det Europæiske Fællesskab
Für die Europäische Gemeinschaft
Euroopa Ühenduse nimel
Για την Ευρωπαϊκή Κοινότητα
For the European Community
Pour la Communauté européenne
Per la Comunità europea
Eiropas Kopienas vārdā
Europos bendrijos vardu
Az Európai Közösség részéről
Għall-Komunità Ewropea
Voor de Europese Gemeenschap
W imieniu Wspólnoty Europejskiej
Pela Comunidade Europeia
Za Európske spoločenstvo
Za Evropsko skupnost
Euroopan yhteisön puolesta
För Europeiska gemenskapen
Za Evropsku zajednicu
За Европску заједницу
Za Europsku zajednicu



Por Bosnia y Herzegovina
Za Bosnu a Hercegovinu
For Bosnien-Herzegovina
Für Bosnien-Herzegowina
Bosnia ja Hertsegoviina nimel
Για τη Βοσνία-Ερζεγοβίνη
For Bosnia and Herzegovina
Pour la Bosnie-Herzégovine
Per la Bosnia-Erzegovina
Bosnijas un Hercegovinas vārdā
Bosnijos ir Hercegovinos vardu
Bosznia és Hercegovina részéről
Għall-Bosnia u Herzegovina
Voor Bosnië-Herzegovina
W imieniu Bośni i Hercegowiny
Pela Bósnia e Herzegovina
Za Bosnu a Hercegovinu
Za Bosno in Hercegovino
Bosnia ja Hertsegovinan puolesta
För Bosnien och Hercegovina
Za Bosnu i Hercegovinu
За Босну и Херцеговину
Za Bosnu i Hercegovinu



ANNEX I

List of agreements referred to in Article 1 of this Agreement

- (a) Air service agreements between Bosnia and Herzegovina and Member States of the European Community which, at the date of signature of this Agreement, have been concluded, signed and/or are being applied provisionally

— Air Transport Agreement between the Austrian Federal Government and the Government of Bosnia and Herzegovina signed at Sarajevo on 21 August 1998 (hereinafter referred to as Bosnia and Herzegovina–Austria Agreement).

Last modified by the Memorandum of Understanding done at Vienna on 23 January 1996.

— Air Transport Agreement between the Czechoslovak Republic and the Federative People's Republic of Yugoslavia, signed at Belgrade on 28 February 1956 (hereinafter referred to as Bosnia and Herzegovina–Czech Republic Agreement).

— Air Transport Agreement between the Government of the Federal Republic of Germany and the Government of the Republic of Bosnia and Herzegovina signed at Bonn on 10 May 1995 (hereinafter referred to as Bosnia and Herzegovina–Germany Agreement).

— Air Transport Agreement between the Government of the Hellenic Republic and the Council of Ministers of Bosnia and Herzegovina signed at Athens on 2 December 2004 (hereinafter referred to as Bosnia and Herzegovina–Greece Agreement).

— Air Services Agreement between the Government of the Republic of Hungary and the Council of Ministers of Bosnia and Herzegovina signed at Budapest on 27 April 2004 (hereinafter referred to as Bosnia and Herzegovina–Hungary Agreement).

— Air Transport Agreement between the Government of Malta and the Government of the Socialist Federal Republic of Yugoslavia signed at Rome on 5 February 1975 (hereinafter referred to as Bosnia and Herzegovina–Malta Agreement).

— Agreement between the Kingdom of the Netherlands and the Federative People's Republic of Yugoslavia on regular air services, signed at Belgrade on 13 March 1957 (hereinafter referred to as Bosnia and Herzegovina–Netherlands Agreement).

— Air Services Agreement between the Polish People's Republic and the Federative People's Republic of Yugoslavia signed at Warsaw on 14 November 1955 (hereinafter referred to as Bosnia and Herzegovina–Poland Agreement).

— Agreement between the Republic of Slovenia and the Republic of Bosnia and Herzegovina relating to Scheduled Air Services signed at Sarajevo on 19 January 1996 (hereinafter referred to as Bosnia and Herzegovina–Slovenia Agreement).

- (b) Air service agreements and other arrangements initialled or signed between the Government of Bosnia and Herzegovina and Member States of the European Community which, at the date of signature of this Agreement, have not yet entered into force and are not being applied provisionally

— Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Council of Ministers of Bosnia and Herzegovina concerning Air Services initialled at London on 14 March 2003 (hereinafter referred to as Bosnia and Herzegovina–UK Agreement).

To be read together with the Memorandum of Understanding done at London on 14 March 2003 and at Sarajevo on 21 March 2003.

ANNEX II

List of Articles in the Agreements listed in Annex I and referred to in Articles 2 to 5 of this Agreement

- (a) Designation by a Member State:
- Article 3(5) of the Bosnia and Herzegovina–Austria Agreement,
 - Article 2 of the Bosnia and Herzegovina–Czech Republic Agreement,
 - Article 3(4) of the Bosnia and Herzegovina–Germany Agreement,
 - Article 3(2) of the Bosnia and Herzegovina–Greece Agreement,
 - Article 4(4)(a) of the Bosnia and Herzegovina–Hungary Agreement,
 - Article 3 of the Bosnia and Herzegovina–Malta Agreement,
 - Article 2 of the Bosnia and Herzegovina–Poland Agreement,
 - Article 3(4) of the Bosnia and Herzegovina–Slovenia Agreement,
 - Article 4 of the Bosnia and Herzegovina–UK Agreement.
- (b) Refusal, revocation, suspension or limitation of authorisations or permissions:
- Article 4(1)(a) of the Bosnia and Herzegovina–Austria Agreement,
 - Article 4 of the Bosnia and Herzegovina–Germany Agreement,
 - Article 4(1)(a) of the Bosnia and Herzegovina–Greece Agreement,
 - Article 5(1)(a)(i) of the Bosnia and Herzegovina–Hungary Agreement,
 - Article 4 of the Bosnia and Herzegovina–Malta Agreement,
 - Article 3(1) of the Bosnia and Herzegovina–Netherlands Agreement,
 - Article 4(1)(a) of the Bosnia and Herzegovina–Slovenia Agreement,
 - Article 5 of the Bosnia and Herzegovina–UK Agreement.
- (c) Regulatory control:
- Article 7 of the Bosnia and Herzegovina–Greece Agreement,
 - Article 16 of the Bosnia and Herzegovina–Hungary Agreement,
 - Article 14 of the Bosnia and Herzegovina–UK Agreement.
- (d) Taxation of aviation fuel:
- Article 7 of the Bosnia and Herzegovina–Austria Agreement,
 - Article 6 of the Bosnia and Herzegovina–Czech Republic Agreement,
 - Article 6 of the Bosnia and Herzegovina–Germany Agreement,
 - Article 10 of the Bosnia and Herzegovina–Greece Agreement,
 - Article 8 of the Bosnia and Herzegovina–Hungary Agreement,
 - Article 5 of the Bosnia and Herzegovina–Malta Agreement,
 - Article 9 of the Bosnia and Herzegovina–Netherlands Agreement,
 - Article 6 of the Bosnia and Herzegovina–Poland Agreement,
 - Article 6 of the Bosnia and Herzegovina–Slovenia Agreement,
 - Article 8 of the Bosnia and Herzegovina–UK Agreement.

(e) Tariffs for carriage within the European Community:

- Article 11 of the Bosnia and Herzegovina–Austria Agreement,
 - Article 7 of the Bosnia and Herzegovina–Czech Republic Agreement,
 - Article 10 of the Bosnia and Herzegovina–Germany Agreement,
 - Article 13 of the Bosnia and Herzegovina–Greece Agreement,
 - Article 11 of the Bosnia and Herzegovina–Hungary Agreement,
 - Article 9 of the Bosnia and Herzegovina–Malta Agreement,
 - Article 7 of the Bosnia and Herzegovina–Netherlands Agreement,
 - Article 7 of the Bosnia and Herzegovina–Poland Agreement,
 - Article 13 of the Bosnia and Herzegovina–Slovenia Agreement,
 - Article 7 of the Bosnia and Herzegovina–UK Agreement.
-

*ANNEX III***List of other States referred to in Article 2 of this Agreement**

- (a) The Republic of Iceland (under the Agreement on the European Economic Area);
 - (b) The Principality of Liechtenstein (under the Agreement on the European Economic Area);
 - (c) The Kingdom of Norway (under the Agreement on the European Economic Area);
 - (d) The Swiss Confederation (under the Agreement between the European Community and the Swiss Confederation on Air Transport).
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COMMISSION

COMMISSION DECISION

of 20 June 2006

laying down performance monitoring methods and methods for assessing cattle's genetic value for pure-bred breeding animals of the bovine species

(notified under document number C(2006) 2376)

(Text with EEA relevance)

(2006/427/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 77/504/EEC of 25 July 1977 on pure-bred breeding animals of the bovine species ⁽¹⁾, and in particular the first indent of Article 6(1) thereof,

Whereas:

- (1) Commission Decision 86/130/EEC of 11 March 1986 laying down performance monitoring methods and methods for assessing cattle's genetic value for pure-bred breeding animals of the bovine species ⁽²⁾ has been substantially amended ⁽³⁾. In the interests of clarity and rationality the said Decision should be codified.
- (2) The Commission is to determine the methods for performance recording and genetic evaluation of bovine animals.
- (3) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Zootechnics,

Article 1

The performance monitoring methods and methods for assessing cattle's genetic value for pure-bred breeding animals of the bovine species shall be those laid down in Annex I.

Article 2

Decision 86/130/EEC is repealed.

References to the repealed Decision shall be construed as references to this Decision and shall be read in accordance with the correlation table in Annex III.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 20 June 2006.

For the Commission
Markos KYPRIANOU
Member of the Commission

⁽¹⁾ OJ L 206, 12.8.1977, p. 8. Directive as last amended by Regulation (EC) No 807/2003 (OJ L 122, 16.5.2003, p. 36).

⁽²⁾ OJ L 101, 17.4.1986, p. 37. Decision as amended by Decision 94/515/EC (OJ L 207, 10.8.1994, p. 30).

⁽³⁾ See Annex II.

ANNEX I

- I. The competent authorities of the Member States are to approve the bodies responsible for setting the rules for performance recording and assessing the genetic value and for publication of the evaluation results of pure-bred breeding animals of the bovine species. The names of the approved bodies must be notified to the Commission and the other Member States.

In particular, those bodies shall give an account of the recording methods, the model of performance description, the statistical method of analysis and the genetic parameters used for each evaluated trait.

II. Performance recording

All data must be recorded under the responsibility of the approved body.

1. Beef production traits**(a) Individual performance and/or progeny testing at a station**

(i) The test method and the number of animals tested are to be indicated.

(ii) The following are to be indicated in the test protocol:

- conditions for acceptance into the station,
- if applicable, the on-farm performance of the test animals prior to entry into the station,
- identity of the owner of the test animals for individual performance testing,
- maximum age for the test animals entering the station and the age range of contemporary animals on the station,
- length of adaptation and test periods at the station,
- type of diet and system of feeding.

(iii) Traits recorded: the minimum traits to be recorded include live weight gain and muscular development (beef conformation) and, if available, other traits such as feed conversion and carcass trait.

Specialised units may operate as stations under the responsibility of the approved body.

(b) Testing in the field (on-farm)

The test method and the method to validate test results must be provided by the approved body. The minimum traits to be recorded include live weight and age and, if available, other traits such as beef conformation.

(c) Testing through survey data from farms and points of sale and slaughter

If available and appropriate the live and slaughter weights, sales prices, carcass grade according to the Community carcass classification scheme, meat quality and other beef traits must be recorded.

2. Milk recording

Recording milk production data must comply with the principles agreed by competent international bodies (for example, the International Committee for Animal Recording (ICAR)).

3. Reproduction (secondary traits)

When fertility, calving aptitude and longevity are being evaluated, they must be assessed on the basis of data on fertilisation (for example, non-return rate), calving score and on functional age (for example, stayability, culling age, length of productive life), respectively.

4. Morphological (type) assessment

When morphological rating is carried out, it must be done using an approved recording system.

III. Genetic evaluation

1. Principles

The genetic evaluation of breeding animals must be carried out under the responsibility of the approved body and must include the following performance traits according to the selection objectives:

- milk production traits for animals of dairy breeds,
- beef production traits for animals of beef breeds,
- milk and beef production traits for dual-purpose breeds.

Furthermore, it is recommended that the genetic evaluation also include the traits of reproductive performance and of morphology for breeds in which recording of these traits is being practised.

The breeding value of an animal is calculated on the basis of the results of the performance of the individual and/or of its relatives.

The statistical methods applied in genetic evaluation must comply with the principles agreed by competent international bodies (for example, the ICAR) and guarantee a genetic evaluation unbiased from the influences of the main environmental factors and data structure.

The reliability of the genetic evaluation must be measured as the coefficient of determination in accordance with principles agreed by competent international bodies (for example, the ICAR). When publishing the evaluation results, the reliability as well as the date of evaluation must be given.

Genetic peculiarities and genetic defects of an animal defined by the bodies officially appointed for the determination of these characters, in agreement with the breeders organisations or associations, recognised in conformity with Commission Decision 84/247/EEC ⁽¹⁾, must be published.

2. Genetic evaluation of bulls for artificial insemination

The bulls must be subjected to a genetic evaluation on compulsory traits and breeding values on them must be published. Other available breeding values also must be published.

These provisions do not apply to breeds threatened with extinction.

(a) Genetic evaluation of artificial insemination bulls for milk production traits

In the genetic evaluation of dairy traits, the milk yield and content (butterfat and protein percentage) as well as other available and relevant data for the genetic aptitude for dairy traits must be included.

The minimum reliability of the genetic evaluation of AI bulls of the dairy breeds must be at least 0,5 for the main production traits according to ICAR principles taking into account all information from relatives.

(b) Genetic evaluation of artificial insemination bulls for beef production traits

The genetic evaluation of these bulls is carried out on the basis of one of the following performance testing methods:

- (i) individual performance testing on station;
- (ii) progeny and/or sib test on station or in specialised units;
- (iii) progeny and/or sib test on farm; in such a way that the offspring are distributed among the recorded herds to allow a valid comparison of bulls to be made;
- (iv) progeny and/or sib test by means of collecting data on farms, in auction sales or in slaughter houses in such a way that a valid comparison of bulls can be made.

If carcass weight and, where appropriate, traits of meat quality, growth performance and calving aptitude are being recorded, those traits as well as any other relevant trait must be included in the genetic evaluation of the bull.

⁽¹⁾ OJ L 125, 12.5.1984, p. 58.

*ANNEX II***Repealed Decision with its amendment**

Commission Decision 86/130/EEC

(OJ L 101, 17.4.1986, p. 37)

Commission Decision 94/515/EC

(OJ L 207, 10.8.1994, p. 30)

*ANNEX III***Correlation table**

Decision 86/130/EEC	This Decision
Article 1	Article 1
—	Article 2
Article 2	Article 3
Annex	Annex I
—	Annexes II and III

CORRIGENDA**Corrigendum to Council Joint Action 2005/355/CFSP of 2 May 2005 on the European Union mission to provide advice and assistance for security sector reform in the Democratic Republic of the Congo (DRC)**

(Official Journal of the European Union L 112 of 3 May 2005)

On page 21, in Article 1(1):

for: '... called EUSEC DR Congo ...',

read: '... called EUSEC RD Congo ...'.

On page 22, in Article 10, the Title:

for: 'Community action',

read: 'Coordination and liaison';

and in paragraph 2 the second sentence reading as follows shall be deleted:

'The Head of Mission shall cooperate with the other international players present, in particular MONUC and the third States involved in the DRC.';

and in Article 11, the Title:

for: 'Release of classified information';

read: 'Community action'.
