

Official Journal

of the European Union

L 318

Volume 49

17 November 2006

English edition

Legislation

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1693/2006
of 16 November 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 17 November 2006.

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

Done at Brussels, 16 November 2006.

For the Commission

Jean-Luc 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 16 November 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	63,7
	204	35,7
	999	49,7
0707 00 05	052	132,6
	204	66,2
	628	171,8
	999	123,5
0709 90 70	052	121,7
	204	139,6
	999	130,7
0805 20 10	204	87,5
	999	87,5
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	65,4
	092	17,6
	400	86,5
	528	40,7
	999	52,6
0805 50 10	052	61,0
	388	62,4
	528	38,1
	999	53,8
0806 10 10	052	132,9
	388	229,1
	508	264,3
	999	208,8
0808 10 80	096	29,0
	388	94,1
	400	100,5
	404	100,1
	720	70,3
	800	147,9
	999	90,3
0808 20 50	052	122,5
	720	41,1
	999	81,8

⁽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 1694/2006
of 16 November 2006
fixing the export refunds on milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, and in particular Article 31(3) thereof,

Whereas:

- (1) Article 31(1) of Regulation (EC) No 1255/1999 provides that the difference between prices on the world market for the products listed in Article 1 of that Regulation and prices for those products on the Community market may be covered by an export refund.
- (2) Given the present situation on the market in milk and milk products, export refunds should therefore be fixed in accordance with the rules and certain criteria provided for in Article 31 of Regulation (EC) No 1255/1999.
- (3) The second subparagraph of Article 31(3) of Regulation (EC) No 1255/1999 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) In accordance with the Memorandum of Understanding between the European Community and the Dominican Republic on import protection for milk powder in the Dominican Republic ⁽²⁾ approved by Council Decision 98/486/EC ⁽³⁾, a certain amount of Community milk products exported to the Dominican Republic can benefit from reduced customs duties. For this reason, export refunds granted to products exported under this scheme should be reduced by a certain percentage.
- (5) The Management Committee for Milk and Milk Products has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

Export refunds as provided for in Article 31 of Regulation (EC) No 1255/1999 shall be granted on the products and for the amounts set out in the Annex to this Regulation subject to the conditions provided for in Article 1(4) of Commission Regulation (EC) No 174/1999 ⁽⁴⁾.

Article 2

This Regulation shall enter into force on 17 November 2006.

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

Done at Brussels, 16 November 2006.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2).

⁽²⁾ OJ L 218, 6.8.1998, p. 46.

⁽³⁾ OJ L 218, 6.8.1998, p. 45.

⁽⁴⁾ OJ L 20, 27.1.1999, p. 8.

ANNEX

Export refunds on milk and milk products applicable from 17 November 2006

Product code	Destination	Unit of measurement	Refunds	Product code	Destination	Unit of measurement	Refunds
0401 30 31 9100	L02	EUR/100 kg	12,89	0402 21 99 9400	L02	EUR/100 kg	26,06
	L20	EUR/100 kg	18,42		L20	EUR/100 kg	33,46
0401 30 31 9400	L02	EUR/100 kg	20,13	0402 21 99 9500	L02	EUR/100 kg	26,53
	L20	EUR/100 kg	28,77		L20	EUR/100 kg	34,06
0401 30 31 9700	L02	EUR/100 kg	22,22	0402 21 99 9600	L02	EUR/100 kg	28,42
	L20	EUR/100 kg	31,73		L20	EUR/100 kg	36,47
0401 30 39 9100	L02	EUR/100 kg	12,89	0402 21 99 9700	L02	EUR/100 kg	29,46
	L20	EUR/100 kg	18,42		L20	EUR/100 kg	37,84
0401 30 39 9400	L02	EUR/100 kg	20,13	0402 29 15 9200	L02	EUR/100 kg	—
	L20	EUR/100 kg	28,77		L20	EUR/100 kg	—
0401 30 39 9700	L02	EUR/100 kg	22,22	0402 29 15 9300	L02	EUR/100 kg	21,72
	L20	EUR/100 kg	31,73		L20	EUR/100 kg	27,86
0401 30 91 9100	L02	EUR/100 kg	25,31	0402 29 15 9500	L02	EUR/100 kg	22,66
	L20	EUR/100 kg	36,17		L20	EUR/100 kg	29,09
0401 30 99 9100	L02	EUR/100 kg	25,31	0402 29 19 9300	L02	EUR/100 kg	21,72
	L20	EUR/100 kg	36,17		L20	EUR/100 kg	27,86
0401 30 99 9500	L02	EUR/100 kg	37,21	0402 29 19 9500	L02	EUR/100 kg	22,66
	L20	EUR/100 kg	53,15		L20	EUR/100 kg	29,09
0402 10 11 9000	L02	EUR/100 kg	—	0402 29 19 9900	L02	EUR/100 kg	24,14
	L20 ⁽¹⁾	EUR/100 kg	—		L20	EUR/100 kg	31,00
0402 10 19 9000	L02	EUR/100 kg	—	0402 29 99 9100	L02	EUR/100 kg	24,30
	L20 ⁽¹⁾	EUR/100 kg	—		L20	EUR/100 kg	31,18
0402 10 99 9000	L02	EUR/100 kg	—	0402 29 99 9500	L02	EUR/100 kg	26,06
	L20	EUR/100 kg	—		L20	EUR/100 kg	33,46
0402 21 11 9200	L02	EUR/100 kg	—	0402 91 11 9370	L02	EUR/100 kg	2,46
	L20	EUR/100 kg	—		L20	EUR/100 kg	3,52
0402 21 11 9300	L02	EUR/100 kg	21,72	0402 91 19 9370	L02	EUR/100 kg	2,46
	L20	EUR/100 kg	27,86		L20	EUR/100 kg	3,52
0402 21 11 9500	L02	EUR/100 kg	22,66	0402 91 31 9300	L02	EUR/100 kg	2,91
	L20	EUR/100 kg	29,09		L20	EUR/100 kg	4,16
0402 21 11 9900	L02	EUR/100 kg	24,14	0402 91 39 9300	L02	EUR/100 kg	2,91
	L20 ⁽¹⁾	EUR/100 kg	31,00		L20	EUR/100 kg	4,16
0402 21 17 9000	L02	EUR/100 kg	—	0402 91 99 9000	L02	EUR/100 kg	15,55
	L20	EUR/100 kg	—		L20	EUR/100 kg	22,23
0402 21 19 9300	L02	EUR/100 kg	21,72	0402 99 11 9350	L02	EUR/100 kg	6,29
	L20	EUR/100 kg	27,86		L20	EUR/100 kg	8,99
0402 21 19 9500	L02	EUR/100 kg	22,66	0402 99 19 9350	L02	EUR/100 kg	6,29
	L20	EUR/100 kg	29,09		L20	EUR/100 kg	8,99
0402 21 19 9900	L02	EUR/100 kg	24,14	0402 99 31 9300	L02	EUR/100 kg	9,30
	L20 ⁽¹⁾	EUR/100 kg	31,00		L20	EUR/100 kg	13,30
0402 21 91 9100	L02	EUR/100 kg	24,30	0403 90 11 9000	L02	EUR/100 kg	—
	L20	EUR/100 kg	31,18		L20	EUR/100 kg	—
0402 21 91 9200	L02	EUR/100 kg	24,44	0403 90 13 9200	L02	EUR/100 kg	—
	L20 ⁽¹⁾	EUR/100 kg	31,38		L20	EUR/100 kg	—
0402 21 91 9350	L02	EUR/100 kg	24,70	0403 90 13 9300	L02	EUR/100 kg	21,52
	L20	EUR/100 kg	31,70		L20	EUR/100 kg	27,62
0402 21 99 9100	L02	EUR/100 kg	24,30	0403 90 13 9500	L02	EUR/100 kg	22,46
	L20	EUR/100 kg	31,18		L20	EUR/100 kg	28,83
0402 21 99 9200	L02	EUR/100 kg	24,44	0403 90 13 9900	L02	EUR/100 kg	23,94
	L20 ⁽¹⁾	EUR/100 kg	31,38		L20	EUR/100 kg	30,72
0402 21 99 9300	L02	EUR/100 kg	24,70	0403 90 33 9400	L02	EUR/100 kg	21,52
	L20	EUR/100 kg	31,70		L20	EUR/100 kg	27,62

Product code	Destination	Unit of measurement	Refunds	Product code	Destination	Unit of measurement	Refunds
0403 90 59 9310	L02	EUR/100 kg	12,89	0405 90 90 9000	L02	EUR/100 kg	72,92
	L20	EUR/100 kg	18,42		L20	EUR/100 kg	98,32
0403 90 59 9340	L02	EUR/100 kg	18,87	0406 10 20 9640	L04	EUR/100 kg	22,65
	L20	EUR/100 kg	26,94		L40	EUR/100 kg	28,32
0403 90 59 9370	L02	EUR/100 kg	18,87	0406 10 20 9650	L04	EUR/100 kg	18,89
	L20	EUR/100 kg	26,94		L40	EUR/100 kg	23,60
0404 90 21 9120	L02	EUR/100 kg	—	0406 10 20 9830	L04	EUR/100 kg	7,01
	L20	EUR/100 kg	—		L40	EUR/100 kg	8,75
0404 90 21 9160	L02	EUR/100 kg	—	0406 10 20 9850	L04	EUR/100 kg	8,49
	L20	EUR/100 kg	—		L40	EUR/100 kg	10,61
0404 90 23 9120	L02	EUR/100 kg	—	0406 20 90 9913	L04	EUR/100 kg	16,82
	L20	EUR/100 kg	—		L40	EUR/100 kg	21,01
0404 90 23 9130	L02	EUR/100 kg	21,72	0406 20 90 9915	L04	EUR/100 kg	22,83
	L20	EUR/100 kg	27,86		L40	EUR/100 kg	28,54
0404 90 23 9140	L02	EUR/100 kg	22,66	0406 20 90 9917	L04	EUR/100 kg	24,26
	L20	EUR/100 kg	29,09		L40	EUR/100 kg	30,32
0404 90 23 9150	L02	EUR/100 kg	24,14	0406 20 90 9919	L04	EUR/100 kg	27,10
	L20	EUR/100 kg	31,00		L40	EUR/100 kg	33,89
0404 90 81 9100	L02	EUR/100 kg	—	0406 30 31 9730	L04	EUR/100 kg	3,02
	L20	EUR/100 kg	—		L40	EUR/100 kg	7,09
0404 90 83 9110	L02	EUR/100 kg	—	0406 30 31 9930	L04	EUR/100 kg	3,02
	L20	EUR/100 kg	—		L40	EUR/100 kg	7,09
0404 90 83 9130	L02	EUR/100 kg	21,72	0406 30 31 9950	L04	EUR/100 kg	4,39
	L20	EUR/100 kg	27,86		L40	EUR/100 kg	10,31
0404 90 83 9150	L02	EUR/100 kg	22,66	0406 30 39 9500	L04	EUR/100 kg	3,02
	L20	EUR/100 kg	29,09		L40	EUR/100 kg	7,09
0404 90 83 9170	L02	EUR/100 kg	24,14	0406 30 39 9700	L04	EUR/100 kg	4,39
	L20	EUR/100 kg	31,00		L40	EUR/100 kg	10,31
0405 10 11 9500	L02	EUR/100 kg	71,28	0406 30 39 9930	L04	EUR/100 kg	4,39
	L20	EUR/100 kg	96,10		L40	EUR/100 kg	10,31
0405 10 11 9700	L02	EUR/100 kg	73,05	0406 30 39 9950	L04	EUR/100 kg	4,98
	L20	EUR/100 kg	98,50		L40	EUR/100 kg	11,66
0405 10 19 9500	L02	EUR/100 kg	71,28	0406 40 50 9000	L04	EUR/100 kg	26,64
	L20	EUR/100 kg	96,10		L40	EUR/100 kg	33,29
0405 10 19 9700	L02	EUR/100 kg	73,05	0406 40 90 9000	L04	EUR/100 kg	27,36
	L20	EUR/100 kg	98,50		L40	EUR/100 kg	34,20
0405 10 30 9100	L02	EUR/100 kg	71,28	0406 90 13 9000	L04	EUR/100 kg	30,32
	L20	EUR/100 kg	96,10		L40	EUR/100 kg	43,40
0405 10 30 9300	L02	EUR/100 kg	73,05	0406 90 15 9100	L04	EUR/100 kg	31,35
	L20	EUR/100 kg	98,50		L40	EUR/100 kg	44,86
0405 10 30 9700	L02	EUR/100 kg	73,05	0406 90 17 9100	L04	EUR/100 kg	31,35
	L20	EUR/100 kg	98,50		L40	EUR/100 kg	44,86
0405 10 50 9500	L02	EUR/100 kg	71,28	0406 90 21 9900	L04	EUR/100 kg	30,47
	L20	EUR/100 kg	96,10		L40	EUR/100 kg	43,50
0405 10 50 9700	L02	EUR/100 kg	73,05	0406 90 23 9900	L04	EUR/100 kg	27,31
	L20	EUR/100 kg	98,50		L40	EUR/100 kg	39,27
0405 10 90 9000	L02	EUR/100 kg	75,73	0406 90 25 9900	L04	EUR/100 kg	26,79
	L20	EUR/100 kg	102,11		L40	EUR/100 kg	38,34
0405 20 90 9500	L02	EUR/100 kg	66,83	0406 90 27 9900	L04	EUR/100 kg	24,26
	L20	EUR/100 kg	90,10		L40	EUR/100 kg	34,73
0405 20 90 9700	L02	EUR/100 kg	69,49	0406 90 31 9119	L04	EUR/100 kg	22,43
	L20	EUR/100 kg	93,69		L40	EUR/100 kg	32,15
0405 90 10 9000	L02	EUR/100 kg	91,18	0406 90 33 9119	L04	EUR/100 kg	22,43
	L20	EUR/100 kg	122,93		L40	EUR/100 kg	32,15

Product code	Destination	Unit of measurement	Refunds	Product code	Destination	Unit of measurement	Refunds
0406 90 35 9190	L04	EUR/100 kg	31,94	0406 90 85 9970	L04	EUR/100 kg	28,47
	L40	EUR/100 kg	45,94		L40	EUR/100 kg	40,93
0406 90 35 9990	L04	EUR/100 kg	31,94	0406 90 86 9200	L04	EUR/100 kg	27,52
	L40	EUR/100 kg	45,94		L40	EUR/100 kg	40,79
0406 90 37 9000	L04	EUR/100 kg	30,32	0406 90 86 9400	L04	EUR/100 kg	29,48
	L40	EUR/100 kg	43,40		L40	EUR/100 kg	43,11
0406 90 61 9000	L04	EUR/100 kg	34,52	0406 90 86 9900	L04	EUR/100 kg	31,02
	L40	EUR/100 kg	49,96		L40	EUR/100 kg	44,67
0406 90 63 9100	L04	EUR/100 kg	34,01	0406 90 87 9300	L04	EUR/100 kg	25,62
	L40	EUR/100 kg	49,05		L40	EUR/100 kg	37,86
0406 90 63 9900	L04	EUR/100 kg	32,69	0406 90 87 9400	L04	EUR/100 kg	26,16
	L40	EUR/100 kg	47,37		L40	EUR/100 kg	38,24
0406 90 69 9910	L04	EUR/100 kg	33,17	0406 90 87 9951	L04	EUR/100 kg	27,80
	L40	EUR/100 kg	48,07		L40	EUR/100 kg	39,79
0406 90 73 9900	L04	EUR/100 kg	27,91	0406 90 87 9971	L04	EUR/100 kg	27,80
	L40	EUR/100 kg	39,99		L40	EUR/100 kg	39,79
0406 90 75 9900	L04	EUR/100 kg	28,47	0406 90 87 9973	L04	EUR/100 kg	27,29
	L40	EUR/100 kg	40,93		L40	EUR/100 kg	39,07
0406 90 76 9300	L04	EUR/100 kg	25,27	0406 90 87 9974	L04	EUR/100 kg	29,24
	L40	EUR/100 kg	36,17		L40	EUR/100 kg	41,66
0406 90 76 9400	L04	EUR/100 kg	28,30	0406 90 87 9975	L04	EUR/100 kg	28,99
	L40	EUR/100 kg	40,52		L40	EUR/100 kg	40,97
0406 90 76 9500	L04	EUR/100 kg	26,21	0406 90 87 9979	L04	EUR/100 kg	27,31
	L40	EUR/100 kg	37,20		L40	EUR/100 kg	39,27
0406 90 78 9100	L04	EUR/100 kg	27,72	0406 90 88 9300	L04	EUR/100 kg	22,63
	L40	EUR/100 kg	40,50		L40	EUR/100 kg	33,32
0406 90 78 9300	L04	EUR/100 kg	27,46	0406 90 88 9500	L04	EUR/100 kg	23,33
	L40	EUR/100 kg	39,22		L40	EUR/100 kg	33,34
0406 90 79 9900	L04	EUR/100 kg	22,67				
	L40	EUR/100 kg	32,60				
0406 90 81 9900	L04	EUR/100 kg	28,30				
	L40	EUR/100 kg	40,52				
0406 90 85 9930	L04	EUR/100 kg	31,02				
	L40	EUR/100 kg	44,67				

(¹) As for the relevant products intended for exports to Dominican Republic under the quota 2006/2007 referred to in the Decision 98/486/EC, and complying with the conditions laid down in Article 20a of Regulation (EC) No 174/1999, the following rates should apply:

- (a) products falling within CN codes 0402 10 11 9000 and 0402 10 19 9000 0,00 EUR/100 kg
- (b) products falling within CN codes 0402 21 11 9900, 0402 21 19 9900, 0402 21 91 9200 and 0402 21 99 9200 28,00 EUR/100 kg

The destinations are defined as follows:

L02: Andorra and Gibraltar.

L20: All destinations except L02, Ceuta, Melilla, Holy See (Vatican City State), the United States of America, Bulgaria, Romania and the areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control.

L04: Albania, Bosnia and Herzegovina, Kosovo, Serbia, Montenegro and the former Yugoslav Republic of Macedonia.

L40: All destinations except L02, L04, Ceuta, Melilla, Iceland, Liechtenstein, Norway, Switzerland, Holy See (Vatican City State), the United States of America, Bulgaria, Romania, Croatia, Turkey, Australia, Canada, New Zealand and the areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control.

COMMISSION REGULATION (EC) No 1695/2006**of 16 November 2006****fixing the maximum export refund for butter in the framework of the standing invitation to tender
provided for in Regulation (EC) No 581/2004**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, and in particular the third subparagraph of Article 31(3) thereof,

Whereas:

- (1) Commission Regulation (EC) No 581/2004 of 26 March 2004 opening a standing invitation to tender for export refunds concerning certain types of butter ⁽²⁾ provides for a permanent tender.
- (2) Pursuant to Article 5 of Commission Regulation (EC) No 580/2004 of 26 March 2004 establishing a tender procedure concerning export refunds for certain milk products ⁽³⁾ and following an examination of the

tenders submitted in response to the invitation to tender, it is appropriate to fix a maximum export refund for the tendering period ending on 14 November 2006.

- (3) The Management Committee for Milk and Milk Products has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

For the permanent tender opened by Regulation (EC) No 581/2004, for the tendering period ending on 14 November 2006, the maximum amount of refund for the products referred to in Article 1(1) of that Regulation shall be as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 17 November 2006.

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

Done at Brussels, 16 November 2006.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2).

⁽²⁾ OJ L 90, 27.3.2004, p. 64. Regulation as last amended by Regulation (EC) No 975/2006 (OJ L 176, 30.6.2006, p. 69).

⁽³⁾ OJ L 90, 27.3.2004, p. 58. Regulation as amended by Regulation (EC) No 1814/2005 (OJ L 292, 8.11.2005, p. 3).

ANNEX

(EUR/100 kg)

Product	Export refund Code	Maximum amount of export refund for export to the destinations referred to in the second subparagraph of Article 1(1) of Regulation (EC) No 581/2004
Butter	ex 0405 10 19 9500	—
Butter	ex 0405 10 19 9700	106,00
Butteroil	ex 0405 90 10 9000	129,30

COMMISSION REGULATION (EC) No 1696/2006**of 16 November 2006****establishing a prohibition of fishing for lemon sole and witch in ICES zone IIa (EC water), IV (EC waters) by vessels flying the flag of Germany**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy ⁽¹⁾, and in particular Article 26(4) thereof,

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to common fisheries policy ⁽²⁾, and in particular Article 21(3) thereof,

Whereas:

- (1) Council Regulation (EC) No 51/2006 of 22 December 2005 fixing for 2006 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks applicable in Community waters and for Community vessels, in waters where catch limitations are required ⁽³⁾, lays down quotas for 2006.
- (2) According to the information received by the Commission, catches of the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein have exhausted the quota allocated for 2006.

- (3) It is therefore necessary to prohibit fishing for that stock and its retention on board, transhipment and landing,

HAS ADOPTED THIS REGULATION:

*Article 1***Quota exhaustion**

The fishing quota allocated to the Member State referred to in the Annex to this Regulation for the stock referred to therein for 2006 shall be deemed to be exhausted from the date set out in that Annex.

*Article 2***Prohibitions**

Fishing for the stock referred to in the Annex to this Regulation by vessels flying the flag of or registered in the Member State referred to therein shall be prohibited from the date set out in that Annex. It shall be prohibited to retain on board, tranship or land such stock caught by those vessels after that date.

*Article 3***Entry into force**

This Regulation shall enter into force on the day following that of 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, 16 November 2006.

For the Commission

Jörgen HOLMQUIST

Director-General for Fisheries and Maritime Affairs

⁽¹⁾ OJ L 358, 31.12.2002, p. 59.

⁽²⁾ OJ L 261, 20.10.1993, p. 1. Regulation as last amended by Regulation (EC) No 768/2005 (OJ L 128, 21.5.2005, p. 1).

⁽³⁾ OJ L 16, 20.1.2006, p. 1. Regulation as last amended by Commission Regulation (EC) No 1642/2006 (OJ L 308, 8.11.2006, p. 5).

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No	48
Member State	Germany
Stock	L/W/2AC4-C
Species	Lemon sole and witch (<i>Microstomus kitt</i> and <i>Glyptocephalus cynoglossus</i>)
Zone	Ila (EC waters), IV (EC waters)
Date	14 October 2006

COMMISSION REGULATION (EC) No 1697/2006**of 16 November 2006****amending the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex I to the Treaty**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the markets in the milk and milk products sector ⁽¹⁾, and in particular Article 31(3) thereof,

Whereas:

- (1) The rates of the refunds applicable from 27 October 2006 to the products listed in the Annex, exported in the form of goods not covered by Annex I to the Treaty, were fixed by Commission Regulation (EC) No 1597/2006 ⁽²⁾.

- (2) It follows from applying the rules and criteria contained in Regulation (EC) No 1597/2006 to the information at present available to the Commission that the export refunds at present applicable should be altered as shown in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of refund fixed by Regulation (EC) No 1597/2006 are hereby altered as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 17 November 2006.

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

Done at Brussels, 16 November 2006.

For the Commission

Günter VERHEUGEN

Vice-President

⁽¹⁾ OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2).

⁽²⁾ OJ L 298, 27.10.2006, p. 5.

ANNEX

Rates of the refunds applicable from 17 November 2006 to certain milk products exported in the form of goods not covered by Annex I to the Treaty ⁽¹⁾

(EUR/100 kg)

CN code	Description	Rate of refund	
		In case of advance fixing of refunds	Other
ex 0402 10 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content not exceeding 1,5 % by weight (PG 2):		
	(a) on exportation of goods of CN code 3501	—	—
	(b) on exportation of other goods	0,00	0,00
ex 0402 21 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content of 26 % by weight (PG 3):		
	(a) where goods incorporating, in the form of products assimilated to PG 3, reduced-price butter or cream obtained pursuant to Regulation (EC) No 1898/2005 are exported	25,37	25,37
	(b) on exportation of other goods	31,00	31,00
ex 0405 10	Butter, with a fat content by weight of 82 % (PG 6):		
	(a) where goods containing reduced-price butter or cream which have been manufactured in accordance with the conditions provided for in Regulation (EC) No 1898/2005 are exported	80,00	80,00
	(b) on exportation of goods of CN code 2106 90 98 containing 40 % or more by weight of milk fat	105,75	105,75
	(c) on exportation of other goods	98,50	98,50

⁽¹⁾ The rates set out in this Annex are not applicable to exports to Bulgaria, with effect from 1 October 2004, to Romania with effect from 1 December 2005, and to the goods listed in Tables I and II to Protocol No 2 the Agreement between the European Community and the Swiss Confederation of 22 July 1972 exported to the Swiss Confederation or to the Principality of Liechtenstein with effect from 1 February 2005.

COMMISSION REGULATION (EC) No 1698/2006**of 16 November 2006****fixing the export refunds on cereals and on wheat or rye flour, groats and meal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals ⁽¹⁾, and in particular Article 13(3) thereof,

Whereas:

- (1) Article 13 of Regulation (EC) No 1784/2003 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products in the Community may be covered by an export refund.
- (2) The refunds must be fixed taking into account the factors referred to in Article 1 of Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽²⁾.
- (3) As far as wheat and rye flour, groats and meal are concerned, when the refund on these products is being calculated, account must be taken of the quantities of cereals required for their manufacture. These quantities were fixed in Regulation (EC) No 1501/95.

- (4) The world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination.
- (5) The refund must be fixed once a month. It may be altered in the intervening period.
- (6) It follows from applying the detailed rules set out above to the present situation on the market in cereals, and in particular to quotations or prices for these products within the Community and on the world market, that the refunds should be as set out in the Annex hereto.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1(a), (b) and (c) of Regulation (EC) No 1784/2003, excluding malt, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 17 November 2006.

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

Done at Brussels, 16 November 2006.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 270, 21.10.2003, p. 78. Regulation as amended by Commission Regulation (EC) No 1154/2005 (OJ L 187, 19.7.2005, p. 11).

⁽²⁾ OJ L 147, 30.6.1995, p. 7. Regulation as last amended by Regulation (EC) No 777/2004 (OJ L 123, 27.4.2004, p. 50).

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to the Commission Regulation of 16 November 2006 fixing the export refunds on cereals and on wheat or rye flour, groats and meal

Product code	Destination	Unit of measurement	Amount of refunds	Product code	Destination	Unit of measurement	Amount of refunds
1001 10 00 9200	—	EUR/t	—	1101 00 15 9130	C01	EUR/t	0
1001 10 00 9400	A00	EUR/t	0	1101 00 15 9150	C01	EUR/t	0
1001 90 91 9000	—	EUR/t	—	1101 00 15 9170	C01	EUR/t	0
1001 90 99 9000	A00	EUR/t	—	1101 00 15 9180	C01	EUR/t	0
1002 00 00 9000	A00	EUR/t	0	1101 00 15 9190	—	EUR/t	—
1003 00 10 9000	—	EUR/t	—	1101 00 90 9000	—	EUR/t	—
1003 00 90 9000	A00	EUR/t	—	1102 10 00 9500	A00	EUR/t	0
1004 00 00 9200	—	EUR/t	—	1102 10 00 9700	A00	EUR/t	0
1004 00 00 9400	A00	EUR/t	0	1102 10 00 9900	—	EUR/t	—
1005 10 90 9000	—	EUR/t	—	1103 11 10 9200	A00	EUR/t	0
1005 90 00 9000	A00	EUR/t	0	1103 11 10 9400	A00	EUR/t	0
1007 00 90 9000	—	EUR/t	—	1103 11 10 9900	—	EUR/t	—
1008 20 00 9000	—	EUR/t	—	1103 11 90 9200	A00	EUR/t	0
1101 00 11 9000	—	EUR/t	—	1103 11 90 9800	—	EUR/t	—
1101 00 15 9100	C01	EUR/t	0				

NB: 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), as amended.

C01: All third countries with the exception of Albania, Bulgaria, Romania, Croatia, Bosnia and Herzegovina, Montenegro, Serbia, the former Yugoslav Republic of Macedonia, Lichtenstein and Switzerland.

COMMISSION REGULATION (EC) No 1699/2006**of 16 November 2006****concerning tenders notified in response to the invitation to tender for the export of barley issued
in Regulation (EC) No 935/2006**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

the market for cereals ⁽³⁾, and in particular Article 13(3) thereof,

Having regard to the Treaty establishing the European Community,

(3) On the basis of the criteria laid down in Article 1 of Regulation (EC) No 1501/95, a maximum refund should not be fixed.

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals ⁽¹⁾, and in particular Article 13(3) thereof,

(4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

Whereas:

HAS ADOPTED THIS REGULATION:

(1) An invitation to tender for the refund for the export of barley to certain third countries was opened pursuant to Commission Regulation (EC) No 935/2006 ⁽²⁾.

Article 1

No action shall be taken on the tenders notified from 10 to 16 November 2006 in response to the invitation to tender for the refund for the export of barley issued in Regulation (EC) No 935/2006.

(2) Article 7 of Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on

Article 2

This Regulation shall enter into force on 17 November 2006.

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

Done at Brussels, 16 November 2006.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 270, 21.10.2003, p. 78. Regulation as amended by Commission Regulation (EC) No 1154/2005 (OJ L 187, 19.7.2005, p. 11).

⁽²⁾ OJ L 172, 24.6.2006, p. 3.

⁽³⁾ OJ L 147, 30.6.1995, p. 7. Regulation as last modified by Regulation (EC) No 777/2004 (OJ L 123, 27.4.2004, p. 50).

COMMISSION REGULATION (EC) No 1700/2006**of 16 November 2006****concerning tenders notified in response to the invitation to tender for the export of common wheat issued in Regulation (EC) No 936/2006**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals ⁽¹⁾, and in particular Article 13(3) thereof,

Whereas:

- (1) An invitation to tender for the refund for the export of common wheat to certain third countries was opened pursuant to Commission Regulation (EC) No 936/2006 ⁽²⁾.
- (2) Article 7 of Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on

the market for cereals ⁽³⁾, and in particular Article 13(3) thereof,

- (3) On the basis of the criteria laid down in Article 1 of Regulation (EC) No 1501/95, a maximum refund should not be fixed.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

No action shall be taken on the tenders notified from 10 to 16 November 2006 in response to the invitation to tender for the refund for the export of common wheat issued in Regulation (EC) No 936/2006.

Article 2

This Regulation shall enter into force on 17 November 2006.

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

Done at Brussels, 16 November 2006.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 270, 21.10.2003, p. 78. Regulation as amended by Commission Regulation (EC) No 1154/2005 (OJ L 187, 19.7.2005, p. 11).

⁽²⁾ OJ L 172, 24.6.2006, p. 6.

⁽³⁾ OJ L 147, 30.6.1995, p. 7. Regulation as last modified by Regulation (EC) No 777/2004 (OJ L 123, 27.4.2004, p. 50).

COMMISSION DIRECTIVE 2006/111/EC**of 16 November 2006****on the transparency of financial relations between Member States and public undertakings as well as on financial transparency within certain undertakings****(Text with EEA relevance)****(Codified version)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community, and in particular Article 86(3) thereof,

Whereas:

- (1) Commission Directive 80/723/EEC of 25 June 1980 on the transparency of financial relations between Member States and public undertakings as well as on financial transparency within certain undertakings⁽¹⁾ has been substantially amended several times⁽²⁾. In the interests of clarity and rationality the said Directive should be codified.
- (2) Public undertakings play a substantial role in the national economy of the Member States.
- (3) Member States sometimes grant special or exclusive rights to particular undertakings, or make payments or give some other kind of compensation to particular undertakings entrusted with the operation of services of general economic interest. These undertakings are often also in competition with other undertakings.
- (4) Article 295 of the Treaty provides that the Treaty is in no way to prejudice the rules in Member States governing the system of property ownership. There should be no unjustified discrimination between public and private undertakings in the application of the rules on competition. This Directive should apply to both public and private undertakings.
- (5) The Treaty requires the Commission to ensure that Member States do not grant undertakings, public or private, aids incompatible with the common market.
- (6) However, the complexity of the financial relations between national public authorities and public undertakings tends to hinder the performance of this duty.
- (7) A fair and effective application of the aid rules in the Treaty to both public and private undertakings will be possible only if these financial relations are made transparent.
- (8) Such transparency applied to public undertakings should enable a clear distinction to be made between the role of the State as public authority and its role as proprietor.
- (9) Article 86(1) of the Treaty imposes obligations on Member States in the case of public undertakings and undertakings to which Member States grant special or exclusive rights. Article 86(2) of the Treaty applies to undertakings entrusted with the operation of services of general economic interest. Article 86(3) of the Treaty requires the Commission to ensure the application of the provisions of that Article and provides it with the requisite means to this end. In order to ensure the application of the provisions of Article 86 of the Treaty the Commission must have the necessary information. This entails defining the conditions for ensuring such transparency.
- (10) It should be made clear what is to be understood by the terms 'public authorities' and 'public undertakings'.
- (11) The Member States have differing administrative territorial structures. This Directive should cover public authorities at all levels in each Member State.
- (12) Public authorities may exercise a dominant influence on the behaviour of public undertakings not only where they are the proprietor or have a majority participation but also by virtue of powers they hold in management or supervisory bodies as a result either of the rules governing the undertaking or of the manner in which the shareholdings are distributed.
- (13) The provision of public funds to public undertakings may take place either directly or indirectly. Transparency must be achieved irrespective of the manner in which such provision of public funds is made. It may also be necessary to ensure that adequate information is made available as regards the reasons for such provision of public funds and their actual use.

⁽¹⁾ OJ L 195, 29.7.1980, p. 35. Directive as last amended by Directive 2005/81/EC (OJ L 312, 29.11.2005, p. 47).

⁽²⁾ See Annex I, Part A.

- (14) Complex situations linked to the diverse forms of public and private undertakings granted special or exclusive rights or entrusted with the operation of services of general economic interest as well as the range of activities that might be carried on by a single undertaking and the different degrees of market liberalisation in the various Member States could complicate application of the competition rules, and particularly Article 86 of the Treaty. It is therefore necessary for Member States and the Commission to have detailed data about the internal and financial and organisational structure of such undertakings, in particular separate and reliable accounts relating to different activities carried on by the same undertaking.
- (15) The accounts should show the distinction between different activities, the costs and revenues associated with each activity and the methods of cost and revenue assignment and allocation. Such separate accounts should be available in relation to, on the one hand, products and services in respect of which the Member State has granted a special or exclusive right or entrusted the undertaking with the operation of a service of general economic interest, as well as, on the other hand, for each other product or service in respect of which the undertaking is active. The obligation of separation of accounts should not apply to undertakings whose activities are limited to the provision of services of general economic interest and which do not operate activities outside the scope of these services of general economic interest. It does not seem necessary to require separation of accounts within the area of services of general economic interest or within the area of the special or exclusive rights, as far as this is not necessary for the cost and revenue allocation between these services and products and those outside the services of general economic interest or the special or exclusive rights.
- (16) Requiring Member States to ensure that the relevant undertakings maintain such separate accounts is the most efficient means by which fair and effective application of the rules of competition to such undertakings can be assured. In 1996 the Commission adopted a Communication on services of general interest in Europe ⁽¹⁾, which was supplemented by another Communication in 2001 ⁽²⁾, in which it emphasised the importance of such services. It is necessary to take account of the importance of the sectors concerned, which may involve services of general interest, the strong market position that the relevant undertakings may have and the vulnerability of emerging competition in the sectors being liberalised. In accordance with the principle of proportionality it is necessary and appropriate for the achievement of the basic objective of transparency to lay down rules on such separate accounts. This Directive does not go beyond what is necessary in order to achieve the objectives pursued, in accordance with the provisions of the third paragraph of Article 5 of the Treaty.
- (17) In certain sectors provisions adopted by the Community require Member States and certain undertakings to maintain separate accounts. It is necessary to ensure an equal treatment for all economic activities throughout the Community and to extend the requirement to maintain separate accounts to all comparable situations. This Directive should not amend specific rules established for the same purpose in other Community provisions and should not apply to activities of undertakings covered by those provisions.
- (18) Certain undertakings should be excluded from the application of this Directive by virtue of the size of their turnover. This applies to those public undertakings whose business is not conducted on such a scale as to justify the administrative burden of ensuring transparency. In view of the limited potential for an effect on trade between Member States, it is not necessary, at this time, to require separate accounts in relation to the supply of certain categories of services.
- (19) This Directive is without prejudice to other provisions of the Treaty, notably Articles 86(2), 88 and 296, and to any other rules concerning the provision of information by Member States to the Commission.
- (20) In cases where the compensation for the fulfilment of services of general economic interest has been fixed for an appropriate period following an open, transparent and non-discriminatory procedure it does not seem necessary to require such undertakings to maintain separate accounts.
- (21) The undertakings in question being in competition with other undertakings, information acquired should be covered by the obligation of professional secrecy.
- (22) A reporting system based on *ex post facto* checks of the financial flows between public authorities and public undertakings operating in the manufacturing sector will enable the Commission to fulfil its obligations. That system of control must cover specific financial information.
- (23) In order to limit the administrative burden on Member States, the reporting system should make use of both publicly available data and information available to majority shareholders. The presentation of consolidated reports is to be permitted. Incompatible aid to major undertakings operating in the manufacturing sector will have the greatest distortive effect on competition in the common market. Therefore, such a reporting system may at present be limited to undertakings with a yearly turnover of more than EUR 250 million.
- ⁽¹⁾ OJ C 281, 26.9.1996, p. 3.
⁽²⁾ OJ C 17, 19.1.2001, p. 4.

- (24) This Directive should be without prejudice to the obligations of the Member States relating to the time-limits for transposition into national law of the Directives set out in Annex I, Part B,

HAS ADOPTED THIS DIRECTIVE:

Article 1

1. The Member States shall ensure that financial relations between public authorities and public undertakings are transparent as provided in this Directive, so that the following emerge clearly:

- (a) public funds made available directly by public authorities to the public undertakings concerned;
- (b) public funds made available by public authorities through the intermediary of public undertakings or financial institutions;
- (c) the use to which these public funds are actually put.

2. Without prejudice to specific provisions laid down by the Community the Member States shall ensure that the financial and organisational structure of any undertaking required to maintain separate accounts is correctly reflected in the separate accounts, so that the following emerge clearly:

- (a) the costs and revenues associated with different activities;
- (b) full details of the methods by which costs and revenues are assigned or allocated to different activities.

Article 2

For the purpose of this Directive:

- (a) 'public authorities' means all public authorities, including the State and regional, local and all other territorial authorities;
- (b) 'public undertakings' means any undertaking over which the public authorities may exercise directly or indirectly a dominant influence by virtue of their ownership of it, their financial participation therein, or the rules which govern it.

A dominant influence on the part of the public authorities shall be presumed when these authorities, directly or indirectly in relation to an undertaking:

- (i) hold the major part of the undertaking's subscribed capital; or

- (ii) control the majority of the votes attaching to shares issued by the undertakings; or

- (iii) can appoint more than half of the members of the undertaking's administrative, managerial or supervisory body;

- (c) 'public undertakings operating in the manufacturing sector' means all undertakings whose principal area of activity, defined as being at least 50 % of total annual turnover, is in manufacturing. These undertakings are those whose operations fall under Section D — Manufacturing being subsection DA up to and including subsection DN of the NACE (Rev.1) classification ⁽¹⁾;

- (d) 'undertaking required to maintain separate accounts' means any undertaking that enjoys a special or exclusive right granted by a Member State pursuant to Article 86(1) of the Treaty or is entrusted with the operation of a service of general economic interest pursuant to Article 86(2) of the Treaty, that receives public service compensation in any form whatsoever in relation to such service and that carries on other activities;

- (e) 'different activities' means, on the one hand, all products or services in respect of which a special or exclusive right is granted to an undertaking or all services of general economic interest with which an undertaking is entrusted and, on the other hand, each other separate product or service in respect of which the undertaking is active;

- (f) 'exclusive rights' means rights that are granted by a Member State to one undertaking through any legislative, regulatory or administrative instrument, reserving it the right to provide a service or undertake an activity within a given geographical area;

- (g) 'special rights' means rights that are granted by a Member State to a limited number of undertakings, through any legislative, regulatory or administrative instrument, which, within a given geographical area:

- (i) limits to two or more the number of such undertakings, authorised to provide a service or undertake an activity, otherwise than according to objective, proportional and non-discriminatory criteria; or

- (ii) designates, otherwise than according to such criteria, several competing undertakings, as being authorised to provide a service or undertake an activity; or

⁽¹⁾ OJ L 83, 3.4.1993, p. 1.

- (iii) confers on any undertaking or undertakings, otherwise than according to such criteria, any legal or regulatory advantages which substantially affect the ability of any other undertaking to provide the same service or to operate the same activity in the same geographical area under substantially equivalent conditions.

Article 3

The transparency referred to in Article 1(1) shall apply in particular to the following aspects of financial relations between public authorities and public undertakings:

- (a) the setting-off of operating losses;
- (b) the provision of capital;
- (c) non-refundable grants, or loans on privileged terms;
- (d) the granting of financial advantages by forgoing profits or the recovery of sums due;
- (e) the forgoing of a normal return on public funds used;
- (f) compensation for financial burdens imposed by the public authorities.

Article 4

1. To ensure the transparency referred to in Article 1(2), the Member States shall take the measures necessary to ensure that for any undertaking required to maintain separate accounts:

- (a) the internal accounts corresponding to different activities are separate;
- (b) all costs and revenues are correctly assigned or allocated on the basis of consistently applied and objectively justifiable cost accounting principles;
- (c) the cost accounting principles according to which separate accounts are maintained are clearly established.

2. Paragraph 1 shall only apply to activities which are not covered by specific provisions laid down by the Community and shall not affect any obligations of Member States or undertakings arising from the Treaty or from such specific provisions.

Article 5

1. As far as the transparency referred to in Article 1(1) is concerned, this Directive shall not apply to financial relations between the public authorities and:

- (a) public undertakings, as regards services the supply of which is not liable to affect trade between Member States to an appreciable extent;

- (b) central banks;

- (c) public credit institutions, as regards deposits of public funds placed with them by public authorities on normal commercial terms;

- (d) public undertakings whose total annual net turnover over the period of the two financial years preceding that in which the funds referred to in Article 1(1) are made available or used has been less than EUR 40 million. However, for public credit institutions the corresponding threshold shall be a balance sheet total of EUR 800 million.

2. As far as the transparency referred to in Article 1(2) is concerned, this Directive shall not apply:

- (a) to undertakings, as regards services the supply of which is not liable to affect trade between Member States to an appreciable extent;

- (b) to undertakings whose total annual net turnover over the period of the two financial years preceding any given year in which it enjoys a special or exclusive right granted by a Member State pursuant to Article 86(1) of the Treaty, or in which it is entrusted with the operation of a service of general economic interest pursuant to Article 86(2) of the Treaty is less than EUR 40 million; however, for public credit institutions the corresponding threshold shall be a balance sheet total of EUR 800 million;

- (c) to undertakings which have been entrusted with the operation of services of general economic interest pursuant to Article 86(2) of the Treaty if the compensation they receive, in any form whatsoever, was fixed for an appropriate period following an open, transparent and non-discriminating procedure.

Article 6

1. Member States shall ensure that information concerning the financial relations referred to in Article 1(1) be kept at the disposal of the Commission for five years from the end of the financial year in which the public funds were made available to the public undertakings concerned. However, where the same funds are used during a later financial year, the five-year time limit shall run from the end of that financial year.

2. Member States shall ensure that information concerning the financial and organisational structure of undertakings referred to in Article 1(2) be kept at the disposal of the Commission for five years from the end of the financial year to which the information refers.

3. Member States shall, where the Commission considers it necessary so to request, supply to it the information referred to in paragraphs 1 and 2, together with any necessary background information, notably the objectives pursued.

Article 7

The Commission shall not disclose such information supplied to it pursuant to Article 6(3) as is of a kind covered by the obligation of professional secrecy.

The first paragraph shall not prevent publication of general information or surveys which do not contain information relating to particular public undertakings to which this Directive applies.

Article 8

1. Member States whose public undertakings operate in the manufacturing sector shall supply the financial information as set out in paragraphs 2 and 3 to the Commission on an annual basis within the timetable contained in paragraph 5.

2. The financial information required for each public undertaking operating in the manufacturing sector and in accordance with paragraph 4 shall be the annual report and annual accounts, in accordance with the definition of Council Directive 78/660/EEC⁽¹⁾. The annual accounts and annual report include the balance sheet and profit/loss account, explanatory notes, together with accounting policies, statements by directors, segmental and activity reports. Moreover, notices of shareholders' meetings and any other pertinent information shall be provided.

The reports required shall be provided for each individual public undertaking separately, as well as for the holding or subholding company which consolidates several public undertakings in so far as the consolidated sales of the holding or subholding company lead to its being classified as 'manufacturing'.

3. The following details, in so far as not disclosed in the annual report and annual accounts of each public undertaking, shall be provided in addition to the information referred to in paragraph 2:

- (a) the provision of any share capital or quasi-capital funds similar in nature to equity, specifying the terms of its or their provision (whether ordinary, preference, deferred or convertible shares and interest rates; the dividend or conversion rights attaching thereto);
- (b) non-refundable grants, or grants which are only refundable in certain circumstances;
- (c) the award to the enterprise of any loans, including overdrafts and advances on capital injections, with a specification of interest rates and the terms of the loan and its security, if any, given to the lender by the enterprise receiving the loan;
- (d) guarantees given to the enterprise by public authorities in respect of loan finance (specifying terms and any charges paid by enterprises for these guarantees);
- (e) dividends paid out and profits retained;
- (f) any other forms of State intervention, in particular, the forgoing of sums due to the State by a public undertaking, including *inter alia* the repayment of loans, grants, payment of corporate or social taxes or any similar charges.

The share capital referred to in (a) shall include share capital contributed by the State directly and any share capital received contributed by a public holding company or other public undertaking, including financial institutions, whether inside or outside the same group, to a given public undertaking. The relationship between the provider of the finance and the recipient shall always be specified.

4. The information required by paragraphs 2 and 3 shall be provided for all public undertakings whose turnover for the most recent financial year was more than EUR 250 million.

The information required above shall be supplied separately for each public undertaking including those located in other Member States, and shall include, where appropriate, details of all intra- and inter-group transactions between different public undertakings, as well as transactions conducted directly between public undertakings and the State.

Certain public enterprises split their activities into several legally distinct undertakings. For such enterprises the Commission is willing to accept one consolidated report. The consolidation should reflect the economic reality of a group of enterprises operating in the same or closely related sectors. Consolidated reports from diverse, and purely financial, holdings shall not be sufficient.

⁽¹⁾ OJ L 222, 14.8.1978, p. 11.

5. The information required under paragraphs 2 and 3 shall be supplied to the Commission on an annual basis.

The information shall be provided within 15 working days of the date of publication of the annual report of the public undertaking concerned. In any case, and specifically for undertakings which do not publish an annual report, the required information shall be submitted not later than nine months following the end of the undertaking's financial year.

6. In order to assess the number of companies covered by this reporting system, Member States shall supply to the Commission a list of the companies covered by this Article and their turnover. The list is to be updated by 31 March of each year.

7. Member States will furnish the Commission with any additional information that it deems necessary in order to complete a thorough appraisal of the data submitted.

Article 9

The Commission shall regularly inform the Member States of the results of the operation of this Directive.

Article 10

Directive 80/723/EEC, as amended by the Directives listed in Annex I, Part A, is repealed, without prejudice to the obligations of the Member States relating to the time-limits for transposition into national law of the Directives set out in Annex I, Part B.

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

Article 11

This Directive shall enter into force on 20 December 2006.

Article 12

This Directive is addressed to the Member States.

Done at Brussels, 16 November 2006.

For the Commission

Neelie KROES

Member of the Commission

ANNEX I

PART A

REPEALED DIRECTIVE WITH ITS SUCCESSIVE AMENDMENTS

(referred to in Article 10)

Commission Directive 80/723/EEC	(OJ L 195, 29.7.1980, p. 35)
Commission Directive 85/413/EEC	(OJ L 229, 28.8.1985, p. 20)
Commission Directive 93/84/EEC	(OJ L 254, 12.10.1993, p. 16)
Commission Directive 2000/52/EC	(OJ L 193, 29.7.2000, p. 75)
Commission Directive 2005/81/EC	(OJ L 312, 29.11.2005, p. 47)

PART B

LIST OF TIME LIMITS FOR TRANSPOSITION INTO NATIONAL LAW

(referred to in Article 10)

Directive	Time limit for transposition
80/723/EEC	31 December 1981
85/413/EEC	1 January 1986
93/84/EEC	1 November 1993
2000/52/EC	31 July 2001
2005/81/EC	19 December 2006

ANNEX II

CORRELATION TABLE

Directive 80/723/EEC	This Directive
Article 1	Article 1
Article 2(1), introductory sentence	Article 2, introductory sentence
Article 2(1), point (a)	Article 2, point (a)
Article 2(1), point (b)	Article 2, point (b), first subparagraph
Article 2(1), points (c) to (f)	Article 2, points (c) to (f)
Article 2(1), point (g), introductory words	Article 2, point (g), introductory words
Article 2(1), point (g), first indent	Article 2, point (g)(i)
Article 2(1), point (g), second indent	Article 2, point (g)(ii)
Article 2(1), point (g), third indent	Article 2, point (g)(iii)
Article 2(2), introductory sentence	Article 2, point (b), second subparagraph, introductory sentence
Article 2(2), point (a)	Article 2, point (b), second subparagraph, point (i)
Article 2(2), point (b)	Article 2, point (b), second subparagraph, point (ii)
Article 2(2), point (c)	Article 2, point (b), second subparagraph, point (iii)
Article 3	Article 3
Article 3a	Article 4
Article 4	Article 5
Article 5	Article 6
Article 5a(1)	Article 8(1)
Article 5a(2), first subparagraph, introductory sentence	Article 8(2), first subparagraph
Article 5a(2), first subparagraph, point (i)	Article 8(2), first subparagraph
Article 5a(2), second subparagraph, introductory sentence	Article 8(3), first subparagraph, introductory sentence
Article 5a(2), second subparagraph, point (ii)	Article 8(3), first subparagraph, point (a)
Article 5a(2), second subparagraph, point (iii)	Article 8(3), first subparagraph, point (b)
Article 5a(2), second subparagraph, point (iv)	Article 8(3), first subparagraph, point (c)
Article 5a(2), second subparagraph, point (v)	Article 8(3), first subparagraph, point (d)
Article 5a(2), second subparagraph, point (vi)	Article 8(3), first subparagraph, point (e)
Article 5a(2), second subparagraph, point (vii)	Article 8(3), first subparagraph, point (f)
Article 5a(3), first subparagraph	Article 8(4), first subparagraph
Article 5a(3), second subparagraph, first sentence	Article 8(4), second subparagraph
Article 5a(3), second subparagraph, second sentence	Article 8(3), second subparagraph, first sentence
Article 5a(3), second subparagraph, third sentence	Article 8(3), second subparagraph, second sentence
Article 5a(3), second subparagraph, last sentence	Article 8(2), second subparagraph
Article 5a(3), third subparagraph	Article 8(4), third subparagraph

Directive 80/723/EEC	This Directive
Article 5a(4), first subparagraph	Article 8(5), first subparagraph
Article 5a(4), second subparagraph	Article 8(5), second subparagraph
Article 5a(4), third subparagraph	Article 8(6)
Article 5a(5)	—
Article 5a(6)	Article 8(7)
Article 6(1)	Article 7, first paragraph
Article 6(2)	Article 7, second paragraph
Article 7	Article 9
Article 8	—
—	Article 10
—	Article 11
Article 9	Article 12
—	Annex I
—	Annex II

II

(Acts whose publication is not obligatory)

COUNCIL

Information concerning the date of entry into force of the Interim Agreement on Trade and trade-related matters between the European Community, of the one part, and the Republic of Albania, of the other part

The Interim Agreement on Trade and trade-related matters between the European Community, of the one part, and the Republic of Albania, of the other part ⁽¹⁾, signed in Brussels on 12 June 2006, enters into force on 1 December 2006, in accordance with Article 56 of the Agreement.

⁽¹⁾ OJ L 239, 1.9.2006, p. 2.

COMMISSION

COMMISSION DECISION

of 14 November 2006

authorising methods for grading pig carcasses in France

(notified under document number C(2006) 5400)

(Only the French text is authentic)

(Text with EEA relevance)

(2006/784/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3220/84 of 13 November 1984 determining the Community scale for grading pig carcasses ⁽¹⁾, and in particular Article 5(2) thereof,

Whereas:

- (1) Under Article 2(3) of Regulation (EEC) No 3220/84, the grading of pig carcasses is to be determined by estimating the lean-meat content by means of statistically proven assessment methods based on the physical measurement of one or more anatomical parts of the pig carcass. The authorisation of grading methods is subject to compliance with a maximum tolerance for statistical error in assessment. This tolerance is defined in Article 3(2) of Commission Regulation (EEC) No 2967/85 of 24 October 1985 laying down detailed rules for the application of the Community scale for grading pig carcasses ⁽²⁾.
- (2) Commission Decision 97/28/EC ⁽³⁾ authorises a main method for grading pig carcasses in France. Two other methods may also be used subject to the equivalence of results.
- (3) In view of technical developments in the herd, the French Government has asked the Commission to authorise the use of new formulae for the methods used under Decision 97/28/EC and has presented the elements required under Article 3 of Regulation (EEC) No 2967/85 to this end.
- (4) Examination of this request has revealed that the conditions for authorising these grading methods are fulfilled.
- (5) No modification of the apparatus or grading methods may be authorised except by means of a new Commission

Decision adopted in the light of experience gained. For this reason, the present authorisation may be revoked.

- (6) For the sake of clarity Decision 97/28/EC should be repealed and replaced by this Decision.
- (7) The measures provided for in this Decision are in accordance with the opinion of the Management Committee for Pigmeat,

HAS ADOPTED THIS DECISION:

Article 1

The use of the following methods is hereby authorised for grading pig carcasses pursuant to Regulation (EEC) No 3220/84 in France:

- (a) the *Capteur Gras/Maigre — Sydel* (CGM) apparatus and the assessment methods related thereto, details of which are given in Part 1 of the Annex;
- (b) the *CSB Ultra-Meater* apparatus and the assessment methods related thereto, details of which are given in Part 2 of the Annex;
- (c) the *manual method* (ZP) and the assessment methods related thereto, details of which are given in Part 3 of the Annex.

The manual method (ZP) may be applied only in slaughterhouses which do not exceed a weekly slaughtering of 200 pigs.

Article 2

Notwithstanding the standard presentation referred to in Article 2 of Regulation (EEC) No 3220/84, pig carcasses may be presented with the tongue attached during weighing and grading. In this case, in order to establish quotations for pig carcasses on a comparable basis, the recorded hot weight shall be reduced by 0,5 %.

⁽¹⁾ OJ L 301, 20.11.1984, p. 1. Regulation last amended by Regulation (EC) No 3513/93 (OJ L 320, 22.12.1993, p. 5).

⁽²⁾ OJ L 285, 25.10.1985, p. 39. Regulation last amended by Regulation (EC) No 1197/2006 (OJ L 217, 8.8.2006, p. 6).

⁽³⁾ OJ L 12, 15.1.1997, p. 30. Decision amended by Decision 97/473/EC (OJ L 200, 29.7.1997, p. 64).

Article 3

Modifications of the apparatus or the assessment methods shall not be authorised.

Article 4

Decision 97/28/EC is hereby repealed.

However, up to 17 December 2006, France may continue to apply the methods for grading pig carcasses authorised under Decision 97/28/EC in place of the methods laid down by this Decision.

Article 5

This Decision is addressed to the French Republic.

Done at Brussels, 14 November 2006.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

ANNEX

METHODS FOR GRADING PIG CARCASSES IN FRANCE

PART 1

Capteur Gras/Maigre — Sydel (CGM)

1. Grading of pig carcasses is carried out by means of the apparatus known as 'Capteur Gras/Maigre — Sydel (CGM version 01-A)'.
2. The apparatus shall be equipped with a high-definition Sydel probe 8 mm in diameter, a light-emitting infra-red diode (Honeywell) and two light sensors (Honeywell). The operating distance shall be between 0 and 95 mm.

The results of the measurements shall be converted into estimated lean meat content by the CGM itself.

3. The lean meat content of carcasses shall be calculated using the following formula:

$$\hat{Y} = 63,20 - 0,334 G1 - 0,427 G2 + 0,144 M2$$

where:

$\hat{Y}$ = the estimated percentage of lean meat in the carcass,

G1 = the thickness of the fat (including rind), between the third and fourth last lumbar vertebrae, at 8 cm off the dorsal midline, at a trajectory perpendicular to the rind (in millimetres),

G2 = the thickness of the fat (including rind), between the third and fourth last ribs, at 6 cm off the dorsal midline, at a trajectory perpendicular to this line (in millimetres),

M2 = the thickness of the muscle, between the third and fourth last ribs, at 6 cm off the dorsal midline, at a trajectory perpendicular to this line (in millimetres).

This formula shall be valid for carcasses weighing between 45 and 125 kg.

PART 2

CSB Ultra-Meater

1. Grading of pig carcasses shall be carried out by means of the apparatus termed 'CSB Ultra-Meater version 3.0'.
2. The apparatus shall be equipped with a 3,5 MHz probe (Pie Medical). The operating distance shall be between 0 and 200 mm.

The results of the measurements shall be converted into estimated lean meat content using a computer.

3. The lean meat content of carcasses shall be calculated using the following formula:

$$\hat{Y} = 62,68 - 0,921 G + 0,204 M$$

where:

$\hat{Y}$ = the estimated percentage of lean meat in the carcass,

G = the thickness of the fat (including rind), between the second and third last lumbar ribs, at 6 cm off the dorsal midline, at a trajectory perpendicular to the rind (in millimetres),

M = the thickness of the muscle, between the second and third last lumbar ribs, at 6 cm off the dorsal midline, at a trajectory perpendicular to the rind (in millimetres).

This formula shall be valid for carcasses weighing between 45 and 125 kg.

PART 3

Manual method (ZP)

1. Grading of pig carcasses shall be carried out by use of the manual method (ZP).
2. This method may be implemented using a ruler, with the gradings determined on the basis of the prediction equation. It is based on the manual measurement on the midline of the split carcass of the thickness of the fat and of the thickness of the muscle.
3. The lean meat content of carcasses shall be calculated according to the following formula:

$$\hat{Y} = 55,99 - 0,514 \text{ Gf} + 0,157 \text{ Mf}$$

where:

$\hat{Y}$ = the estimated percentage of lean meat in the carcass,

Gf = the thickness of visible fat on the midline of the split carcass in millimetres, covering the *glutaeus medius* muscle (in millimetres),

Mf = the visible thickness of the lumbar muscle on the midline of the split carcass, measured as the shortest connection between the front (cranial) end of the *glutaeus medius* muscle and the upper (dorsal) edge of the vertebral canal (in millimetres).

This formula shall be valid for carcasses weighing between 45 and 125 kg.

DECISION No 3/2006 OF THE COMMUNITY/SWITZERLAND AIR TRANSPORT COMMITTEE
of 27 October 2006
amending the Annex to the Agreement between the European Community and the Swiss
Confederation on Air Transport
(2006/785/EC)

THE COMMUNITY/SWITZERLAND AIR TRANSPORT COMMITTEE,

Having regard to the Agreement between the European Community and the Swiss Confederation on Air Transport ⁽¹⁾ (hereinafter referred to as 'the Agreement'), and in particular Article 23(4) thereof,

HAS DECIDED AS FOLLOWS:

Article 1

The Annex to the Agreement shall be amended as specified in the Annex to this Decision.

Article 2

This Decision, together with its Annex, shall be published in the *Official Journal of the European Union*, and the *Official Compendium of Swiss Federal Law*.

It shall enter into force on the first day of the second month following its adoption.

Done at Brussels, 27 October 2006.

For the Joint Committee

The Head of the Community Delegation
Daniel CALLEJA CRESPO

The Head of the Swiss Delegation
Raymond CRON

⁽¹⁾ OJ L 114, 30.4.2002, p. 73.

ANNEX

The following shall be added to point 4 (Air Safety) of the Annex to the Agreement:

'No 1592/2002

Regulation (EC) No 1592/2002 of the European Parliament and of the Council of 15 July 2002 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency ⁽¹⁾ (hereinafter referred to as "the Regulation").

The Agency shall enjoy also in Switzerland the powers granted to it under the provisions of the Regulation.

The Commission shall enjoy also in Switzerland the powers granted to it for decisions pursuant to Articles 10(2), 10(4), 10(6), 16(4), 29(3)(i), 31(3), 32(5) and 53(4) of the Regulation.

Notwithstanding the horizontal adaptation provided for in the first indent of the Annex to the Agreement between the European Community and the Swiss Confederation on Air transport, the references to the "Member States" made in Article 54 of the Regulation or in the provisions of Decision 1999/468/EC mentioned in that provision shall not be understood to apply to Switzerland.

Nothing in the Regulation shall be construed so as to transfer to EASA authority to act on behalf of Switzerland under international agreements for purposes other than to assist in the performance of its obligations pursuant to such agreements.

The text of the Regulation shall, for the purposes of the Agreement, be read with the following adaptations:

(a) Article 9 shall be amended as follows:

(i) In paragraph 1, the words "or Switzerland" shall be inserted after the words "the Community".

(ii) In paragraph 2(a), the words "or Switzerland" shall be inserted after the words "the Community".

(iii) Paragraphs 2(b) and (c) shall be deleted.

(iv) The following paragraph shall be added:

"3. Whenever the Community negotiates with a third country in order to conclude an agreement providing that a Member State or the Agency may issue certificates on the basis of certificates issued by the aeronautical authorities of that third country, it shall endeavour to obtain for Switzerland an offer of a similar agreement with the third country in question.

Switzerland shall, in turn, endeavour to conclude with third countries agreements corresponding to those of the Community.";

(b) The following paragraph shall be added to Article 20:

"4. By way of derogation from Article 12(2)(a) of the Conditions of employment of other servants of the European Communities, nationals of Switzerland enjoying their full rights as citizens may be engaged under contract by the Executive Director of the Agency.";

(c) The following subparagraph shall be added to Article 21:

"Switzerland shall apply to the Agency the Protocol on the Privileges and Immunities of the European Communities, which is set out in Annex A to this Annex, in accordance with the Appendix to Annex A."

(d) The following subparagraph shall be added at the end of Article 28(2):

"Switzerland shall participate fully in the Management Board and shall within it have the same rights and obligations as EU Member States, except for the right to vote.";

(e) The following paragraph shall be added to Article 48:

“8. Switzerland shall participate in the financial contribution referred to in paragraph 1(a), according to the following formula:

$$S (0.2/100) + S [1 - (a+b) 0.2/100] c/C$$

Whereby

S = the part of the budget of the Agency not covered by the fees and charges mentioned in paragraph 1(b) and (c),

a = the number of associated States,

b = the number of EU Member States,

c = the contribution of Switzerland to the ICAO budget,

C = the total contribution of the EU Member States and of the Associated States to the ICAO budget.”;

(f) The following subparagraph shall be added to Article 50:

“The provisions relating to financial control by the Community in Switzerland concerning the participants in the activities of the Agency are set out in Annex B to this Annex.”;

(g) Annex II to the Regulation is extended to include the following aircraft as products falling under Article 2 paragraph 3(a)iii) of Commission Regulation (EC) No 1702/2003 of 24 September 2003 laying down implementing rules for the airworthiness and environmental certification of aircraft and related products, parts and appliances, as well as for the certification of design and production organisations ⁽²⁾:

— A/c - [HB IDJ] – type CL600-2B19

— A/c - [HB-IGM] – type Gulfstream G-V-SP

— A/c - [HB-IIS, HB-IYY, HB-IMJ, HB-IVL, HB-IVZ, HB-JES] – type Gulfstream G-V

— A/c - [HB-IBX, HB-IKR, HB-IMY, HB-ITF, HB-IWY] – type Gulfstream G-IV

— A/c - [HB-XJF, HB-ZCW, HB-ZDF, HB-ZDO] – type MD 900

No 1643/2003

Regulation (EC) No 1643/2003 of the European Parliament and of the Council of 22 July 2003 amending Regulation (EC) No 1592/2002 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency ⁽³⁾;

No 1701/2003

Commission Regulation (EC) No 1701/2003 of 24 September 2003 adapting Article 6 of Regulation (EC) No 1592/2002 of the European Parliament and of the Council on common rules in the field of civil aviation and establishing a European Aviation Safety Agency ⁽⁴⁾;

No 104/2004

Commission Regulation (EC) No 104/2004 of 22 January 2004 laying down rules on the organisation and composition of the Board of Appeal of the European Aviation Safety Agency ⁽⁵⁾.

⁽¹⁾ OJ L 240, 7.9.2002, p. 1.

⁽²⁾ OJ L 243, 27.9.2003, p. 6.

⁽³⁾ OJ L 245, 29.9.2003, p. 7.

⁽⁴⁾ OJ L 243, 27.9.2003, p. 5.

⁽⁵⁾ OJ L 16, 23.1.2004, p. 20.

ANNEX A

PROTOCOL ON THE PRIVILEGES AND IMMUNITIES OF THE EUROPEAN COMMUNITIES

THE HIGH CONTRACTING PARTIES,

CONSIDERING that, in accordance with Article 28 of the Treaty establishing a Single Council and a Single Commission of the European Communities, these Communities and the European Investment Bank shall enjoy in the territories of the Member States such privileges and immunities as are necessary for the performance of their tasks,

HAVE AGREED upon the following provisions, which shall be annexed to this Treaty.

CHAPTER I

PROPERTY, FUNDS, ASSETS AND OPERATIONS OF THE EUROPEAN COMMUNITIES*Article 1*

The premises and buildings of the Communities shall be inviolable. They shall be exempt from search, requisition, confiscation or expropriation.

The property and assets of the Communities shall not be the subject of any administrative or legal measure of constraint without the authorisation of the Court of Justice.

Article 2

The archives of the Communities shall be inviolable.

Article 3

The Communities, their assets, revenues and other property shall be exempt from all direct taxes.

The governments of the Member States shall, wherever possible, take the appropriate measures to remit or refund the amount of indirect taxes or sales taxes included in the price of movable or immovable property, where the Communities make, for their official use, substantial purchases the price of which includes taxes of this kind. These provisions shall not be applied, however, so as to have the effect of distorting competition within the Communities.

No exemption shall be granted in respect of taxes and dues which amount merely to charges for public utility services.

Article 4

The Communities shall be exempt from all customs duties, prohibitions and restrictions on imports and exports in respect of articles intended for their official use: articles so imported shall not be disposed of, whether or not in return for payment, in the territory of the country into which they have been imported, except under conditions approved by the government of that country.

The Communities shall also be exempt from any customs duties and any prohibitions and restrictions on import and exports in respect of their publications.

Article 5

The European Coal and Steel Community may hold currency of any kind and operate accounts in any currency.

CHAPTER II

COMMUNICATIONS AND LAISSEZ PASSER*Article 6*

For their official communications and the transmission of all their documents, the institutions of the Communities shall enjoy in the territory of each Member State the treatment accorded by that State to diplomatic missions.

Official correspondence and other official communications of the institutions of the Communities shall not be subject to censorship.

Article 7

1. Laissez passer in a form to be prescribed by the Council, which shall be recognised as valid travel documents by the authorities of the Member States, may be issued to members and servants of the institutions of the Communities by the Presidents of these institutions. These laissez passer shall be issued to officials and other servants under conditions laid down in the Staff Regulations of officials and the Conditions of Employment of other servants of the Communities.

The Commission may conclude agreements for these laissez passer to be recognised as valid travel documents within the territory of third countries.

2. The provisions of Article 6 of the Protocol on the privileges and immunities of the European Coal and Steel Community shall, however, remain applicable to members and servants of the institutions who are at the date of entry into force of this Treaty in possession of the laissez passer provided for in that Article, until the provisions of paragraph 1 of this Article are applied.

CHAPTER III

MEMBERS OF THE EUROPEAN PARLIAMENT*Article 8*

No administrative or other restriction shall be imposed on the free movement of Members of the European Parliament travelling to or from the place of meeting of the European Parliament.

Members of the European Parliament shall, in respect of customs and exchange control, be accorded:

- (a) by their own government, the same facilities as those accorded to senior officials travelling abroad on temporary official missions;
- (b) by the government of other Member States, the same facilities as those accorded to representatives of foreign governments on temporary official missions.

Article 9

Members of the European Parliament shall not be subject to any form of inquiry, detention or legal proceedings in respect of opinions expressed or votes cast by them in the performance of their duties.

Article 10

During the sessions of the European Parliament, its Members shall enjoy:

- (a) in the territory of their own State, the immunities accorded to members of their parliament;
- (b) in the territory of any other Member State, immunity from any measure of detention and from legal proceedings.

Immunity shall likewise apply to Members while they are travelling to and from the place of meeting of the European Parliament.

Immunity cannot be claimed when a Member is found in the act of committing an offence and shall not prevent the European Parliament from exercising its right to waive the immunity of one of its Members.

CHAPTER IV

REPRESENTATIVES OF MEMBER STATES TAKING PART IN THE WORK OF THE INSTITUTIONS OF THE EUROPEAN COMMUNITIES*Article 11*

Representatives of Member States taking part in the work of the institutions of the Communities, their advisers and technical experts shall, in the performance of their duties and during their travel to and from the place of meeting, enjoy the customary privileges, immunities and facilities.

This Article shall also apply to members of the advisory bodies of the Communities.

CHAPTER V

OFFICIALS AND OTHER SERVANTS OF THE EUROPEAN COMMUNITIES*Article 12*

In the territory of each Member State and whatever their nationality, officials and other servants of the Communities shall:

- (a) subject to the provisions of the Treaties relating, on the one hand, to the rules on the liability of officials and other servants towards the Communities and, on the other hand, to the jurisdiction of the Court in disputes between the Communities and their officials and other servants, be immune from legal proceedings in respect of acts performed by them in their official capacity, including their words spoken or written. They shall continue to enjoy this immunity after they have ceased to hold office;
- (b) together with their spouses and dependent members of their families, not be subject to immigration restrictions or to formalities for the registration of aliens;
- (c) in respect of currency or exchange regulations, be accorded the same facilities as are customarily accorded to officials of international organisations;
- (d) enjoy the right to import free of duty their furniture and effects at the time of first taking up their post in the country concerned, and the right to re-export free of duty their furniture and effects, on termination of their duties in that country, subject in either case to the conditions considered to be necessary by the government of the country in which this right is exercised;
- (e) have the right to import free of duty a motor car for their personal use, acquired either in the country of their last residence or in the country of which they are nationals on the terms ruling in the home market in that country, and to re-export it free of duty, subject in either case to the conditions considered to be necessary by the government of the country concerned.

Article 13

Officials and other servants of the Communities shall be liable to a tax for the benefit of the Communities on salaries, wages and emoluments paid to them by the Communities, in accordance with the conditions and procedure laid down by the Council, acting on a proposal from the Commission.

They shall be exempt from national taxes on salaries, wages and emoluments paid by the Communities.

Article 14

In the application of income tax, wealth tax and death duties and in the application of conventions on the avoidance of double taxation concluded between Member States of the Communities, officials and other servants of the Communities who, solely by reason of the performance of their duties in the service of the Communities, establish their residence in the territory of a Member State other than their country of domicile for tax purposes at the time of entering the service of the Communities, shall be considered, both in the country of their actual residence and in the country of domicile for tax purposes, as having maintained their domicile in the latter country provided that it is a member of the Communities. This provision shall also apply to a spouse, to the extent that the latter is not separately engaged in a gainful occupation, and to children dependent on and in the care of the persons referred to in this Article.

Movable property belonging to persons referred to in the preceding paragraph and situated in the territory of the country where they are staying shall be exempt from death duties in that country; such property shall, for the assessment of such duty, be considered as being in the country of domicile for tax purposes, subject to the rights of third countries and to the possible application of provisions of international conventions on double taxation.

Any domicile acquired solely by reason of the performance of duties in the service of other international organisations shall not be taken into consideration in applying the provisions of this Article.

Article 15

The Council shall, acting unanimously on a proposal from the Commission, lay down the scheme of social security benefits for officials and other servants of the Communities.

Article 16

The Council shall, acting on a proposal from the Commission and after consulting the other institutions concerned, determine the categories of officials and other servants of the Communities to whom the provisions of Article 12, the second paragraph of Article 13, and Article 14 shall apply, in whole or in part.

The names, grades and addresses of officials and other servants included in such categories shall be communicated periodically to the governments of the Member States.

CHAPTER VI

PRIVILEGES AND IMMUNITIES OF MISSIONS OF THIRD COUNTRIES ACCREDITED TO THE EUROPEAN COMMUNITIES

Article 17

The Member State in whose territory the Communities have their seat shall accord the customary diplomatic immunities and privileges to missions of third countries accredited to the Communities.

CHAPTER VII

GENERAL PROVISIONS

Article 18

Privileges, immunities and facilities shall be accorded to officials and other servants of the Communities solely in the interests of the Communities.

Each institution of the Communities shall be required to waive the immunity accorded to an official or other servant wherever that institution considers that the waiver of such immunity is not contrary to the interests of the Communities.

Article 19

The institutions of the Communities shall, for the purpose of applying this Protocol, cooperate with the responsible authorities of the Member States concerned.

Article 20

Articles 12 to 15 and Article 18 shall apply to Members of the Commission.

Article 21

Articles 12 to 15 and Article 18 shall apply to the Judges, the Advocates General, the Registrar and the Assistant Rapporteurs of the Court of Justice, without prejudice to the provisions of Article 3 of the Protocols on the Statute of the Court of Justice concerning immunity from legal proceedings of Judges and Advocates General.

Article 22

This Protocol shall also apply to the European Investment Bank, to the members of its organs, to its staff and to the representatives of the Member States taking part in its activities, without prejudice to the provisions of the Protocol on the Statute of the Bank.

The European Investment Bank shall in addition be exempt from any form of taxation or imposition of a like nature on the occasion of any increase in its capital and from the various formalities which may be connected therewith in the State where the Bank has its seat. Similarly, its dissolution or liquidation shall not give rise to any imposition. Finally, the activities of the Bank and of its organs carried on in accordance with its Statute shall not be subject to any turnover tax.

Article 23

This Protocol shall also apply to the European Central Bank, to the members of its organs and to its staff, without prejudice to the provisions of the Protocol on the Statute of the European System of Central Banks and the European Central Bank.

The European Central Bank shall, in addition, be exempt from any form of taxation or imposition of a like nature on the occasion of any increase in its capital and from the various formalities which may be connected therewith in the State where the Bank has its seat. The activities of the Bank and of its organs carried on in accordance with the Statute of the European System of Central Banks and of the European Central Bank shall not be subject to any turnover tax.

The above provisions shall also apply to the European Monetary Institute. Its dissolution or liquidation shall not give rise to any imposition.

IN WITNESS WHEREOF, the undersigned Plenipotentiaries have signed this Protocol.

Done at Brussels this eighth day of April in the year one thousand nine hundred and sixty five.

*Appendix to Annex A***Procedure for the application in Switzerland of the Protocol on Privileges and Immunities of the European Communities****1. Extension of application to Switzerland**

Wherever the Protocol on the privileges and immunities of the European Communities (hereinafter called 'the Protocol') contains references to Member States, the references shall be understood to apply equally to Switzerland, unless the following provisions determine otherwise.

2. Exemption of the Agency from indirect taxation (including VAT)

Goods and services exported from Switzerland shall not be subject to Swiss value added tax (VAT). In the case of goods and services provided to the Agency in Switzerland for its official use, in accordance with the second paragraph of Article 3 of the Protocol, exemption from VAT shall be granted by way of refund. Exemption from VAT shall be granted if the actual purchase price of the goods and services mentioned in the invoice or equivalent document totals at least 100 Swiss francs (inclusive of tax).

The VAT refund shall be granted on presentation to the Federal Tax Administration's VAT Main Division of the Swiss forms provided for the purpose. As a rule, refund applications shall be processed within the three months following the date on which they were lodged together with the necessary supporting documents.

3. Procedure for the application of the rules relating to the Agency's staff

As regards the second paragraph of Article 13 of the Protocol, Switzerland shall exempt, according to the principles of its national law, officials and other servants of the Agency within the meaning of Article 2 of Council Regulation (Euratom, ECSC, EEC) No 549/69 ⁽¹⁾ from federal, cantonal and communal taxes on salaries, wages and emoluments paid to them by the Community and subject to an internal tax for its own benefit.

Switzerland shall not be considered as a Member State within the meaning of point 1 of this Appendix for the application of Article 14 of the Protocol.

Officials and other servants of the Agency and members of their families who are members of the social insurance system applicable to officials and other servants of the Community shall not be obliged to be members of the Swiss social security system.

The Court of Justice of the European Communities shall have exclusive jurisdiction in any matters concerning relations between the Agency or the Commission and its staff with regard to the application of Council Regulation (EEC, Euratom, ECSC) No 259/68 ⁽²⁾ and the other provisions of Community law laying down working conditions.

⁽¹⁾ Regulation (Euratom, ECSC, EEC) No 549/69 of the Council of 25 March 1969 determining the categories of officials and other servants of the European Communities to whom the provisions of Article 12, the second paragraph of Article 13 and Article 14 of the Protocol on the Privileges and Immunities of the Communities apply (OJ L 74, 27.3.1969, p. 1). Regulation as last amended by Regulation No 1749/2002 (OJ L 264, 2.10.2002, p. 13).

⁽²⁾ Regulation No 259/68 of the Council of 29 February 1968 laying down the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Communities and instituting special measures temporarily applicable to officials of the Commission (OJ L 56, 4.3.1968, p. 1). Regulation as last amended by Regulation (EC, Euratom) No 2104/2005 (OJ L 337, 22.12.2005, p. 7).

ANNEX B

FINANCIAL CONTROL AS REGARDS SWISS PARTICIPANTS IN ACTIVITIES OF THE EUROPEAN AVIATION SAFETY AGENCY*Article 1***Direct communication**

The Agency and the Commission shall communicate directly with all persons or entities established in Switzerland and participating in activities of the Agency, as contractors, participants in Agency programmes, recipients of payments from the Agency or the Community budget, or subcontractors. Such persons may send directly to the Commission and to the Agency all relevant information and documentation which they are required to submit on the basis of the instruments referred to in this Decision and of contracts or agreements concluded and any decisions taken pursuant to them.

*Article 2***Audits**

1. In accordance with Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities ⁽¹⁾ and the financial regulations adopted by the Management Board of the Agency, with Commission Regulation (EC, Euratom) No 2343/2002 of 23 December 2002 on the framework Financial Regulation for the bodies referred to in Article 185 of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities ⁽²⁾ and with the other instruments referred to in this Decision, contracts or agreements concluded and decisions taken with beneficiaries established in Switzerland may provide for scientific, financial, technological or other audits to be conducted at any time on the premises of the beneficiaries and of their subcontractors by Agency and Commission officials or by other persons mandated by the Agency and the Commission.

2. Agency and Commission officials and other persons mandated by the Agency and the Commission shall have appropriate access to sites, works and documents and to all the information required in order to carry out such audits, including in electronic form. This right of access shall be stated explicitly in the contracts or agreements concluded to implement the instruments referred to in this Decision.

3. The Court of Auditors of the European Communities is to have the same rights as the Commission.

4. The audits may take place until five years after the expiry of this Decision or under the terms of the contracts or agreements concluded and the decisions taken.

5. The Swiss Federal Audit Office shall be informed in advance of audits conducted on Swiss territory. This information shall not be a legal condition for carrying out such audits.

*Article 3***On-the-spot checks**

1. Under this Decision, the Commission (OLAF) shall be authorised to carry out on-the-spot checks and inspections on Swiss territory, under the terms and conditions set out in Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 in order to protect the European Communities' financial interests against fraud and other irregularities ⁽³⁾.

2. On-the-spot checks and inspections shall be prepared and conducted by the Commission in close cooperation with the Swiss Federal Audit Office or with other competent Swiss authorities appointed by the Swiss Federal Audit Office, which shall be notified in good time of the object, purpose and legal basis of the checks and inspections, so that they can provide all the requisite help. To that end, the officials of the competent Swiss authorities may participate in the on-the-spot checks and inspections.

⁽¹⁾ OJ L 248, 16.9.2002, p. 1.

⁽²⁾ OJ L 357, 31.12.2002, p. 72.

⁽³⁾ OJ L 292, 15.11.1996, p. 2.

3. If the Swiss authorities concerned so wish, the on-the-spot checks and inspections may be carried out jointly by the Commission and by them.

4. Where the participants in the programme resist an on-the-spot check or inspection, the Swiss authorities, acting in accordance with national rules, shall give the Commission inspectors such assistance as they need to allow them to discharge their duty in carrying out an on-the-spot check or inspection.

5. The Commission shall report as soon as possible to the Swiss Federal Audit Office any fact or suspicion relating to an irregularity which has come to its notice in the course of the on-the-spot check or inspection. In any event the Commission is required to inform the aforementioned authority of the result of such checks and inspections.

Article 4

Information and consultation

1. For the purposes of proper implementation of this Annex, the competent Swiss and Community authorities shall exchange information regularly and, at the request of one of the Parties, shall conduct consultations.

2. The competent Swiss authorities shall inform the Agency and the Commission without delay of any fact or suspicion which has come to their notice relating to an irregularity in connection with the conclusion and implementation of the contracts or agreements concluded in application of the instruments referred to in this Decision.

Article 5

Confidentiality

Information communicated or acquired in any form whatever pursuant to this Annex shall be covered by professional secrecy and protected in the same way as similar information is protected by Swiss law and by the corresponding provisions applicable to the Community institutions. Such information shall not be communicated to persons other than those within the Community institutions, in the Member States, or in Switzerland whose functions require them to know it, nor may it be used for purposes other than to ensure effective protection of the financial interests of the Contracting Parties.

Article 6

Administrative measures and penalties

Without prejudice to application of Swiss criminal law, administrative measures and penalties may be imposed by the Agency or the Commission in accordance with Regulation (EC, Euratom) No 1605/2002 and Regulation (EC, Euratom) No 2342/2002 and with Council Regulation (EC, Euratom) No 2988/95 of 18 December 1995 on the protection of the European Communities' financial interests ⁽¹⁾.

Article 7

Recovery and enforcement

Decisions taken by the Agency or the Commission within the scope of this Decision which impose a pecuniary obligation on persons other than States shall be enforceable in Switzerland.

The enforcement order shall be issued, without any further control than verification of the authenticity of the act, by the authority designated by the Swiss government, which shall inform the Agency or the Commission thereof. Enforcement shall take place in accordance with the Swiss rules of procedure. The legality of the enforcement decision shall be subject to control by the Court of Justice of the European Communities.

Judgments given by the Court of Justice of the European Communities pursuant to an arbitration clause shall be enforceable on the same terms.

⁽¹⁾ OJ L 312, 23.12.1995, p. 1.

DECISION No 4/2006 OF THE COMMUNITY/SWITZERLAND AIR TRANSPORT COMMITTEE
of 27 October 2006

amending the Annex to the Agreement between the European Community and the Swiss Confederation on Air Transport

(2006/786/EC)

THE COMMUNITY/SWITZERLAND AIR TRANSPORT COMMITTEE,

Having regard to the Agreement between the European Community and the Swiss Confederation on Air Transport ⁽¹⁾, hereinafter referred to as 'the Agreement', and in particular Article 23(4) thereof,

HAS DECIDED AS FOLLOWS:

Article 1

1. The following shall be added to point 4 (Air Safety) of the Annex to the Agreement, after the reference to Commission Regulation (EC) No 1701/2003:

'No 1702/2003

Commission Regulation (EC) No 1702/2003 of 24 September 2003 laying down implementing rules for the airworthiness and environmental certification of aircraft and related products, parts and appliances, as well as for the certification of design and production organisations.'

The text of the Regulation shall, for the purposes of the Agreement, be read with the following adaptation.

Article 2 shall be amended as follows:

In paragraphs 3, 4, 6, 8, 10, 11, 13 and 14 the date '28 September 2003' shall be replaced by the wording 'the date of entry into force of the Decision of the Community/Switzerland Air Transport Committee which incorporates Regulation (EC) No 1592/2002 into the Annex to the Agreement'.

2. The following shall be added to point 4 (Air Safety) of the Annex to the Agreement, after the inclusion referred to in Article 1(1) of the present Decision:

'No 2042/2003

Commission Regulation (EC) No 2042/2003 of 20 November 2003 on the continuing airworthiness of aircraft

and aeronautical products, parts and appliances, and on the approval of organisations and personnel involved in these tasks.'

3. The following shall be added to point 4 (Air Safety) of the Annex to the Agreement, after the inclusion referred to in Article 1(2) of the present Decision:

'No 381/2005

Commission Regulation (EC) No 381/2005 of 7 March 2005 amending Regulation (EC) No 1702/2003 laying down implementing rules for the airworthiness and environmental certification of aircraft and related products, parts and appliances, as well as for the certification of design and production organisations.'

4. The following shall be added to point 4 (Air Safety) of the Annex to the Agreement, after the inclusion referred to in Article 1(3) of the present Decision:

'No 488/2005

Commission Regulation (EC) No 488/2005 of 21 March 2005 on the fees and charges levied by the European Aviation Safety Agency.'

Article 2

This Decision shall be published in the *Official Journal of the European Union*, and the *Official Compendium of Swiss Federal Law*. It shall enter into force on the first day of the second month following its adoption.

Done at Brussels, 27 October 2006.

For the Joint Committee

*The Head of the Community
Delegation*
Daniel CALLEJA CRESPO

*The Head of the Swiss
Delegation*
Raymond CRON

⁽¹⁾ OJ L 114, 30.4.2002, p. 73.

(Acts adopted under Title V of the Treaty on European Union)

COUNCIL COMMON POSITION 2006/787/CFSP
of 13 November 2006
renewing certain restrictive measures against Uzbekistan

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS COMMON POSITION:

Having regard to the Treaty on European Union, and in particular Article 15 thereof,

Whereas:

- (1) On 14 November 2005, the Council adopted Common Position 2005/792/CFSP concerning restrictive measures against Uzbekistan⁽¹⁾. These measures expire on 14 November 2006.
- (2) In the light of an evaluation of the situation in Uzbekistan, the Council has decided to renew the restrictive measures related to arms for a period of 12 months and the restrictions on admission for six months.
- (3) However, the Council decided that the meetings referred to in Article 4 of Common Position 2005/792/CFSP should be reinstated, with the aim of bringing about, through dialogue, compliance by Uzbekistan with the principles of respect for human rights, rule of law and fundamental freedoms.
- (4) During this period, the Council will review the measures in the light of any significant changes to the current situation, in particular with regard to the elements described in recital 7 of Common Position 2005/792/CFSP.
- (5) Action by the Community is needed in order to implement certain measures,

Article 1

The measures set out in Articles 1 and 2 of Common Position 2005/792/CFSP are hereby extended for a period of 12 months and the measures set out in Article 3 for six months.

Article 2

This Common Position shall be kept under constant review. It shall be renewed, or amended as appropriate, if the Council deems that its objectives have not been met.

Article 3

This Common Position shall take effect on the date of its adoption.

Article 4

This Common Position shall be published in the *Official Journal of the European Union*.

Done at Brussels, 13 November 2006.

For the Council
The President
E. TUOMIOJA

⁽¹⁾ OJ L 299, 16.11.2005, p. 72.

CORRIGENDA

Corrigendum to Council Regulation (EC) No 51/2006 of 22 December 2005 fixing for 2006 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where catch limitations are required

(Official Journal of the European Union L 16 of 20 January 2006)

On page 6, in Article 7(5):

for: '... as listed in Annex I and in point 15 of Annex III to Regulation (EC) No 2347/2002.',

read: '... as listed in Annexes I and II to Regulation (EC) No 2347/2002.'

On page 36, in Annex I A, Species: Anglerfish (*Lophiidae*) in zone IV (Norwegian waters):

for: 'Article 3 of Regulation (EC) No 847/96 applies.

Article 4 of Regulation (EC) No 847/96 applies.

Article 5(2) of Regulation (EC) No 847/96 applies.',

read: 'Article 3 of Regulation (EC) No 847/96 does not apply.

Article 4 of Regulation (EC) No 847/96 does not apply.

Article 5(2) of Regulation (EC) No 847/96 applies.'

On page 37, in Annex I A, Species: Anglerfish (*Lophiidae*). Description of Zone:

for: 'Vb (EC waters), VI, XII, XIV

NF/561214',

read: 'Vb (EC waters), VI, XII, XIV

ANF/561214'.

On page 38, in Annex I A, Species: Anglerfish (*Lophiidae*) in zone VIIIc, IX, X, CECAF 34.1.1 (EC waters):

for: 'Article 3 of Regulation (EC) No 847/96 does not applies.

Article 4 of Regulation (EC) No 847/96 does not applies.

Article 5(2) of Regulation (EC) No 847/96 applies.',

read: 'Article 3 of Regulation (EC) No 847/96 applies.

Article 4 of Regulation (EC) No 847/96 applies.

Article 5(2) of Regulation (EC) No 847/96 applies.'

On page 38, in Annex I A, Species: Haddock (*Melanogrammus aeglefinus*) in zone IIIa, IIIb, c, d (EC waters):

for: 'Article 3 of Regulation (EC) No 847/96 apply.

Article 4 of Regulation (EC) No 847/96 apply.

Article 5(2) of Regulation (EC) No 847/96 applies.',

read: 'Article 3 of Regulation (EC) No 847/96 does not apply.

Article 4 of Regulation (EC) No 847/96 does not apply.

Article 5(2) of Regulation (EC) No 847/96 applies.'

On page 47, in Annex I A, Species: Blue whiting (*Micromesistius poutassou*) in zone IV (Norwegian waters):

for: 'Article 3 of Regulation (EC) No 847/96 applies.

Article 4 of Regulation (EC) No 847/96 applies.

Article 5(2) of Regulation (EC) No 847/96 applies.'

read: 'Article 3 of Regulation (EC) No 847/96 does not apply.

Article 4 of Regulation (EC) No 847/96 does not apply.

Article 5(2) of Regulation (EC) No 847/96 applies.'

On page 57, in Annex I A, Species: Plaice (*Pleuronectes platessa*) in Zone IIa (EC waters), IV:

for: 'Article 3 of Regulation (EC) No 847/96 applies.

Article 4 of Regulation (EC) No 847/96 applies.

Article 5(2) of Regulation (EC) No 847/96 applies.'

read: 'Article 3 of Regulation (EC) No 847/96 does not apply.

Article 4 of Regulation (EC) No 847/96 does not apply.

Article 5(2) of Regulation (EC) No 847/96 applies.'

On page 65, in Annex I A, Species: Mackerel (*Scomber scombrus*). Description of Zone:

for: 'IIa (non-EC waters), Vb (EC waters), VI, VII, VIIIa,b,d,e, XII, XIV

MAC/2CX14-'

read: 'IIa (non-EC waters), Vb (EC waters and international waters), VI, VII, VIIIa, b, d, e, XII, XIV

MAC/2CX14'.

On page 68, in Annex I A, Species: Common sole (*Solea solea*) in Zone VIId:

for: 'Precautionary TAC',

read: 'Analytical TAC'.

On page 72, in Annex I A, Species: Horse mackerel (*Trachurus spp.*). Description of Zone:

for: 'Vb (EC waters), VI, VII...',

read: 'Vb (EC waters and international waters), VI, VII...'.

On page 107, in the last sentence of Annex II A, point 12.2:

for: '... that vessel shall with immediate effect no longer be entitled to the allocation of days submitted special conditions.'

read: '... that vessel shall with immediate effect no longer be entitled to the additional days.'

On page 110, in Annex II A, in point 4.d of Table 1:

for:

'4.d	8.1(g)	Trammel nets with mesh size < 110 mm. The vessel shall be absent from port no more than 24 h	140	140	205	140	140'
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read:

'4.d	8.1(g)	Trammel nets with mesh size ≤ 110 mm. The vessel shall be absent from port no more than 24 h	140	140	205	140	140'
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On page 112, at the end of the last sentence of Annex II A, point 17.4:

for: '... two groupings of fishing gears.'

read: '... more than one grouping of fishing gears.'

On page 114, in Annex II A, Table III, for item (7) Special conditions applying, in the column 'Definition and comments':

for: 'Indication of which, if any, of the special conditions a-g referred to in point 8.1 apply',

read: 'Indication of which, if any, of the special conditions a-k referred to in point 8.1 apply'.

On page 115, in the first sentence of point 2 of Appendix 1 to Annex II A:

for: '... as specified in point 4 of this annex.'

read: '... as specified in point 3 of this appendix.'

On page 115, in the second sentence of point 3.1 of Appendix 1 to Annex II A:

for: 'The window shall be inserted into the top panel and shall cover half the top panel.'

read: 'The window shall be inserted into the top panel.'

On page 116, in the first sentence of point 2 of Appendix 2 to Annex II A:

for: '... to separate Norway lobster to round fish as specified in point 4 of this annex...'

read: '... to separate Norway lobster from round fish as specified in point 3 of this appendix...'

On page 117, in the first sentence of point 2 of Appendix 3 to Annex II A:

for: '... as specified in point 4 of this Annex.'

read: '... as specified in point 3 of this appendix.'

On page 121, in point 12.4 of Annex IIB:

for: '... referred to in point 3 is permitted.'

read: '... referred to in point 7.1 is permitted.'

On page 125, in Annex II C, point 5.1, first paragraph:

for: '... in the years 2002, 2003, 2004 in that area...'

read: '... in the years 2002, 2003, 2004 or 2005 in that area ...'.

On page 125, in Annex II C, point 5.2 (end of paragraph):

for: '... according to point 12 of this Annex.'

read: '... according to point 13 of this Annex.'

On page 127, in Annex II C, point 10.1, first sentence:

for: '... carrying on board any of the gears referred to in point 4...'

read: '... carrying on board any of the gears referred to in point 3 ...'.

On page 127, in Annex II C, point 10.3:

for: '... may amend the number of days defined in point 8.2 ...'

read: '... may amend the number of days defined in point 7 ...'.

On page 127, in Annex II C, Table 1:

The third row in the table, i.e.

'3b	7.1	Static nets with mesh size $\geq$ 120 mm. Less than 300 kg of sole per year	Unlimited'
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is deleted.

On page 129, in Annex II C, point 22, last sentence:

for: 'Where event that no conversion factors ...'

read: 'Where no conversion factors ...'.

On page 130, in Annex II C, point 28:

for: '... the Commission a spreadsheet ...'

read: '... the Commission a spreadsheet ...'.

On page 148, in Appendix 3 to Annex III, title of the Appendix:

for: 'Conditions for fisheries (...) in ICES subareas (...) and ICES divisions VIII, a, b, c, e',

read: 'Conditions for fisheries (...) in ICES subareas (...) and ICES divisions VIII a, b, d, e'.

On page 153, in Annex IV, Part II, in the column headed 'Maximum number of vessels present at any time', in the entries for Guyana, Trinidad and Tobago and Korea the footnote following the 'pm' should be '(7)'.

On pages 153 and 154, in Annex IV, Part II, Table, in the column headed 'Fishery':

- in the footnotes for entries concerning Guyana, Surinam and Trinidad and Tobago fishing for *Pneaeus* shrimps in French Guyana waters:

for: '(5)',

read: '(2)';

- in the footnote for the entry concerning Korea fishing for tuna in French Guyana waters:

for: '(10)',

read: '(9)';

- in the footnote for entries concerning Venezuela fishing for snappers and sharks in French Guyana waters:

for: '(5)',

read: '(4)'.

On page 162, in Annex VI, point 4, under the headings 'Name of radio station' and 'Call sign of radio station':

- delete entries:

'Gryt GRYT RADIO

Göteborg SOG';

- and insert entry (after 'Svalbard'):

'Stockholm Radio STOCKHOLM RADIO'.

Corrigendum to Council Regulation (EC) No 52/2006 of 22 December 2005 fixing the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks applicable in the Baltic Sea for 2006

(Official Journal of the European Union L 16 of 20 January 2006)

On page 197, in the second column in the table in point 3.1. of Annex III:

for: 'Subdivisions 25 to 26, 28 south of 58°50'N',

read: 'Subdivisions 25 to 26, 28 south of 56°50'N'.
