COMMISSION DECISION

of 5 May 1976

authorizing the Italian Republic to take certain protective measures under Article 108 (3) of the Treaty

(Only the Italian text is authentic)

(76/446/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 108 (3) thereof,

Having regard to the Commission Decision of 8 May 1974, and in particular Article 7 (2) thereof,

Whereas the balance of payments situation of the Italian Republic, which had led to the adoption, under Article 108 (3), of the Decision cited above, is now — after a relative improvement which had enabled the protective measures to be confined to investments made abroad — suddenly deteriorating once again, the present movement being severely aggravated by speculation ;

Whereas this new deterioration is entailing a rapid and excessive depreciation of the lira which represents a serious threat to the working of the common market and which therefore calls for emergency action ;

Whereas under a Council Directive of 17 December 1974, medium-term financial assistance was granted under Article 108 (2) ; and whereas this form of mutual assistance is still in force ;

Whereas, by Council Decision 76/322/EEC of 15 March 1976, additional financial aid has also been granted to the Italian Republic in the form of Community loans ;

Whereas such financial aid has not sufficed by itself to stem the depreciation of the lira ; whereas, accordingly, effective — though temporary — measures must be adopted with the essential aim of achieving the reabsorption on a large scale of monetary liquidity ;

Whereas the Italian Republic should therefore be authorized to reintroduce machinery for non-interest-bearing cash deposits, this machinery to cover all transactions involving the purchase of foreign exchange,

HAS ADOPTED THIS DECISION :

Article 1

The Italian Republic is authorized to require the lodging for a period of three months of a non-interest-bearing cash deposit with the Bank of Italy whenever foreign exchange is purchased and whenever lira are deposited on foreign accounts ; the deposit shall not exceed 50 % of the amount involved in the transaction.

Article 2

The Italian Republic shall ensure that the Bank of Italy releases the deposit, without delay or formality, three months from the date of its lodging.

Article 3

Should any difficulties arise in implementing the measures hereby authorized, the Italian Republic and the Commission shall examine them together.

Article 4

The Commission shall verify that the provisions of this Decision are observed.

Article 5

The Commission shall reserve the right to amend or repeal this Decision before the date fixed in Article 6 if it finds that the circumstances motivating its adoption have changed or that its effects are more restrictive than is required for the attainment of its purpose or are having particularly serious consequences for trade, particularly in agricultural products coming under a common organization of the market.

Article 6

The authorization accorded by this Decision to require deposits shall expire on 5 August 1976.

Article 7

This Decision is addressed to the Italian Republic.

Done at Brussels, 5 May 1976.

For the Commission

The President

François-Xavier ORTOLI