No L 191/32 Official Journal of the European Communities 27.8.70

REGULATION (EEC) No 1735/70 OF THE COMMISSION

of 26 August 1970

on a standing invitation to tender to determine the export refund on raw cane sugar produced during the 1969/70 marketing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation No 1009/67/EEC[1] of 18 December 1967 on the common organisation of the market in sugar, as last amended by Regulation (EEC) No 1253/70,[2] and in particular Articles 11 (2), 17 (4) and 38 thereof;

Whereas it would seem appropriate, in view of Community sugar surpluses and potential outlets on certain international sugar markets, to issue an invitation to tender to determine the refunds on exports to certain destinations of raw cane sugar produced during the 1969/70 marketing year;

Whereas general and detailed rules concerning the tendering procedure to determine the export refund on sugar are contained in Council Regulation (EEC) No 766/68[3] of 18 June 1968 laying down general rules for granting export refunds on sugar, as last amended by Regulation (EEC) No 2488/69,[4] and in Commission Regulation (EEC) No 394/70[5] of 2 March 1970 on detailed rules for granting export refunds on sugar;

Whereas, to make it possible for export contracts to be concluded on a continuous basis, a standing invitation to tender should be issued, valid until a date to be determined at a later stage and providing for the issue of partial invitations to tender each week which would not necessitate the adoption of specific Community provisions;

Whereas, to simplify administrative arrangements, provision should be made for a minimum quantity per tender;

Whereas, in view of the situation on the sugar market, special rules should be laid down for the period of validity of export licences;

Whereas the measures provided for in this Regulation are in accordance with the Opinion of the Management Committee for Sugar;

HAS ADOPTED THIS REGULATION:

Article 1

Member States shall issue a standing invitation to tender to determine the refund on exports to countries in Europe, Africa and Asia of raw cane sugar produced during the 1969/70 marketing year. During the period of validity of that standing invitation, they shall issue partial invitations to tender.

Article 2

The standing invitation to tender and the partial invitations shall be organised in accordance with Article 4 of Regulation (EEC) No 766/68, the provisions of Regulation (EEC) No 394/70 and the following provisions.

Article 3

The standing invitation to tender shall remain valid until a date to be determined at a later stage.

Article 4

1. The period during which tenders may be submitted in response to the first partial invitation:

[1] OJ No 308, 18.12.1967, p. 1.
[2] OJ No L 143, 1.7.1970, p. 1.
[3] OJ No L 143, 25.6.1968, p. 6.
[4] OJ No L 314, 15.12.1969, p. 12.
[5] OJ No L 50, 4.3.1970, p. 1.

(a) shall begin on the day on which the notice of the standing invitation to tender is published in the *Official Journal of the European Communities* and

(b) shall end at 10.00 a.m. on the first Wednesday following the tenth day after such publication.

2. The period during which tenders may be submitted in response to the second and subsequent partial invitations to tender:

(a) shall begin on the first working day following the end of the preceding period and

(b) shall end at 10.00 a.m. on the Wedensday of the following week.

3. However, by way of derogation from paragraph 2 (b), the period for submitting tenders shall not end on Wednesday 4, 11 and 18 November 1970 but on the Tuesday preceding these dates at 10.00 a.m.

4. During the period in which Summer Time is in force in Italy, the periods laid down in the preceding paragraphs shall be understood to be extended by one hour in that Member State.

Article 5

A tender shall be valid only if:

(a) it relates to an amount of not less than 500 metric tons, and

(b) the amount of the proposed refund is shown per 100 kilogrammes of standard quality raw cane sugar.

Article 6

Member States shall immediately notify the Commission of tenders submitted in response to a partial invitation to tender.

Article 7

Export licences issued in connection with a partial invitation to tender shall be valid from the date of issue until the end of the fifth month following the month of issue.

Article 8

By way of derogation from Article 3 (2) (c) of Regulation (EEC) No 394/70 the weight of the quantity to be exported as indicated in the tender shall be expressed *tel quel*.

Article 9

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

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

For the Commission

The President

Franco M. MALFATTI