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REGULATION (EEC) No 2556/70 OF THE COUNCIL

of 15 December 1970

amending Regulation No 142/67/EEC as regards the advance fixing of refunds on oil seeds

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation No 136/66/EEC[1] of 22 September 1966 on the establishment of a common organisation of the market in oils and fats, as last amended by Regulation (EEC) No 2554/70,[2] and in particular Article 28 (2) thereof;

Having regard to Council Regulation No 162/66/EEC[3] of 27 October 1966 on trade in oils and fats between the Community and Greece, and in particular Article 8 thereof;

Having regard to the proposal from the Commission;

Whereas Article 4 of Council Regulation No 142/67/EEC[4] of 21 June 1967 on export refunds on colza, rape and sunflower seeds, as last amended by Regulation (EEC) No 845/68,[5] provides for the possibility of the export refund on seeds being fixed in advance; whereas, in the interests of sound administration, advance fixing certificates should be introduced, coupled with the lodging of a deposit guaranteeing that exportation will be effected during the period of validity of the certificate; whereas, for the same reason, exports benefiting from the advance fixing arrangements must be effected during the period of validity of the certificate;

HAS ADOPTED THIS REGULATION:

Article 1

The following shall be substituted for Article 4 (2) and (3) of Regulation No 142/67/EEC:

'2. However, if the party concerned so requests when applying for the certificate, the refund applicable on the day on which the application for the advance fixing certificate referred to in Article 4a is lodged, adjusted on the basis of the target price valid on the day of exportation, shall be applied to exports effected during the period of validity of the certificate.'

Article 2

The following Article 4a shall be added to Regulation No 142/67/EEC:

'*Article 4a*

1. Exports from the Community of products benefiting from the advance fixing arrangements provided for in Article 4 (2) of this Regulation shall be conditional on the submission of an advance fixing certificate issued by Member States to any applicant irrespective of the place of his establishment in the Community.

The certificates shall be valid throughout the Community.

2. The issue of an advance fixing certificate shall be conditional on the lodging of a deposit guaranteeing that exportation will be effected

[1] OJ No 172, 30.9.1966, p. 3025/66.
[2] OJ No L 275, 19.12.1970, p. 5.
[3] OJ No 197, 29.10.1966, p. 3393/66.
[4] OJ No 125, 26.6.1967, p. 2461/67.
[5] OJ No L 152, 1.7.1968, p. 6.

during the period of validity of the certificate; this deposit shall be forfeited in whole or in part if the transaction is not effected, or is only partially effected, within that period.'

Article 3

This Regulation shall enter into force on 1 January 1971.

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

Done at Brussels, 15 December 1970.

For the Council

The President

J. ERTL