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REGULATION (EEC) No 258/71 OF THE COMMISSION

of 4 February 1971

on a standing invitation to tender to determine the export refund on raw beet sugar

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 is advisable, in view of sugar surpluses in the Community and potential outlets on the international sugar market, to issue an invitation to tender to determine the export refund on raw beet sugar;

Whereas general and detailed rules concerning the tendering procedure to determine export refunds on sugar are contained in Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar,[3] 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;

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, there should be special rules on 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 export refund on raw beet sugar. 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 to tender shall be organised in accordance with the provisions of Article 4 of Regulation (EEC) No 766/68, the provisions of Regulation (EEC) No 394/70 and the following provisions.

Article 3

Without prejudice to the provisions of Article 7, 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 to tender:

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

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

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[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.

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 am on the Wednesday of the following week.

3. However, by way of derogation from paragraph (2) (b), the period for submitting tenders shall not end on Wednesday 2 June 1971 but on Tuesday 1 June 1971 at 10.00 am.

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

1. A tender shall be valid only if:

(a) it relates to a quantity of not less than 500 metric tons; and

(b) the amount of the refund proposed is quoted per 100 kilogrammes of standard quality beet sugar.

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

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.

However, the period of validity of export licences issued in connection with partial invitations to tender in response to which tenders may be submitted after 7 April 1971 shall be limited to 30 September 1971.

Article 8

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.

Done at Brussels, 4 February 1971.

For the Commission

The President

Franco M. MALFATTI