REGULATION (EEC) No 468/73 OF THE COMMISSION

of 31 January 1973

validating advance fixing certificates for levies, refunds and Community aid issued in the new Member States before 1 February 1973

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to the Treaty [1] concerning the Accession of new Member States to the European Economic Community and the European Atomic Energy Community, signed at Brussels on 22 January 1972, and in particular Article 63 (1) of the Act [2] annexed thereto;

Whereas the system of import and export licences, advance fixing certificates and Community aid certificates will be applicable by importers and exporters in the new Member States from 1 February 1973;

Whereas importers and exporters in the Community as originally constituted will on that date be able to use licences or certificates bearing an advance fixing date prior to 1 February 1973; whereas importers and exporters in the new Member States cannot do this, whereas the necessary measures should be taken to ensure that the changeover from the old to the new system takes place as smoothly as possible;

Whereas if a new Member State has issued advance fixing certificates for levies, refunds and Community aid before 1 February 1973 under a national system meeting the same requirements as those which apply in the Community, the use of these licences and certificates after 1 February 1973 in the issuing Member State should be allowed;

Whereas this arrangement cannot be extended to licences or certificates issued in accordance with particular procedure;

Whereas the measures provided for in this Regulation are in accordance with the Opinion of the Management Committees for Cereals, for Poultrymeat and Eggs, for Oils and Fats, for Sugar, for Milk and Milk Products, for Beef and Veal, and for Products processed from Fruit and Vegetables;

HAS ADOPTED THIS REGULATION:

Article 1

1. If a new Member State issues advance fixing certificates for levies, refunds and Community aid for oilseeds before 1 February 1973 based on a system consisting entirely of the relevant Community rules, these certificates may be used in the issuing Member State from 1 February 1973 for that part of the period of validity of the certificates still to run on this date.

The preceding subparagraph shall apply even if the new Member State provisionally issues a document which is not in accordance with Community specifications, provided that such national document is exchanged for a certificate drawn up on the Community model. In this event the new certificate shall bear the same date of issue as that stated on the original document.

2. Section 20 of the advance fixing certificate for levies, section 18 of the advance fixing certificate for refunds and section 12 of the advance fixing certificates for 'Community Aid' referred to in paragraph 1 shall contain one of the following endorsements:

'Document valid only in (issuing Member State)'

'Dokument der kun er gyldigt i (den udstedende medlemsstat)'

3. Paragraph 1 shall not apply to certificates issued:

— in connection with an invitation to tender in an importing third country or by armed forces stationed on the territory of a Member State but not coming under its flag, provided that the period of validity of the licences and certificates exceeds the normal period;

— subsequent to an invitation to tender for the exportation of sugar;

— in accordance with the procedures laid down in Article 24, the second subparagraph of Article 35 (2), and Article 55a of Regulation (EEC) No 2637/70.

[1] OJ No L 73, 27. 3. 1972, p. 5.
[2] OJ No L 73, 27. 3. 1972, p. 14.

Article 2

The application of Article 1 shall be subject to:

— notification by the new Member States to the Commission of the date from which they intend to implement the arrangements laid down by Article 1;

— establishment by the Commission, in accordance with the procedure laid down in Article 26 of Regulation No 120/67/EEC or, as the case may be, in the corresponding Articles of the other Regulations on the common organization of agricultural markets, of the fact that this notification and the conditions laid down in Article 1 are observed.

Article 3

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

It shall be applicable from 1 February 1973.

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

Done at Brussels, 31 January 1973.

For the Commission

The President

François-Xavier ORTOLI