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(Acts whose publication is obligatory)

REGULATION (EEC) No 302/74 OF THE COUNCIL

of 4 February 1974

on the conclusion of an Agreement in the form of an exchange of letters amending Article 5 of Annex 1 to the Agreement establishing an Association between the European Economic Community and the Kingdom of Morocco

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 238 thereof ;

Having regard to the recommendation from the Commission ;

Having regard to the Opinion of the European Parliament ;

Whereas an Agreement in the form of an exchange of letters amending Article 5 of Annex 1 to the Agreement (1) establishing an Association between the European Economic Community and the Kingdom of Morocco was signed at Brussels on 20 July 1973,

HAS ADOPTED THIS REGULATION :

Article 1

On behalf of the Community, the Agreement, constituted by an exchange of letters amending Article 5 of Annex 1 to the Agreement establishing an Association between the European Economic Community and the Kingdom of Morocco is hereby concluded.

The text of the exchange of letters is annexed to this Regulation.

Article 2

As regards the Community, the President of the Council of the European Communities shall, in pursuance of the provisions laid down in the exchange of letters, announce when the procedures necessary for the entry into force of the Agreement have been completed.

Article 3

This Regulation shall enter into force on the third 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 1974.

For the Council

The President

W. SCHEEL

(1) OJ No L 197, 8. 8. 1969, p. 3.

EXCHANGE OF LETTERS

amending Article 5 of Annex 1 to the Agreement establishing an Association between the European Economic Community and the Kingdom of Morocco

Your Excellency,

During the negotiations that took place on 16 January 1973 the Parties to the Agreement establishing an Association between the European Economic Community and the Kingdom of Morocco agreed to replace the provisions of Article 5 of Annex 1 to the said Agreement by the provisions annexed to this letter.

It was agreed that the new provisions of Article 5 of Annex 1 to the Agreement would enter into force on the first day of the month following the date on which the Contracting Parties notified each other that the procedures necessary to this end had been completed.

We should be grateful if you would be good enough to acknowledge this letter and confirm that your Government is in agreement with its contents.

Please accept, Your Excellency, the assurance of our highest consideration.

On behalf of the Council
of the European Communities

ANNEX

New Article 5 of Annex 1 to the Agreement establishing an Association between the European Economic Community and the Kingdom of Morocco

'1. Provided that Morocco applies a special export charge in respect of olive oil other than refined olive oil, falling within subheading No 15.07 A II of the Common Customs Tariff and provided that this special charge is reflected in the import price, the Community shall take the necessary measures to ensure that:

(a) the levy on imports into the Community of the said oil, wholly produced in Morocco and transported direct from that country to the Community, shall be the import levy calculated in accordance with Article 13 of Regulation No 136/66/EEC on the establishment of a common organization of the market in oils and fats, applicable upon importation, less 0·50 unit of account per 100 kg;

(b) the amount of the levy resulting from the calculation mentioned under (a) shall be reduced by an amount equal to that of the special charge of not more than 5 units of account per 100 kg that has been paid.

2. If Morocco does not apply the charge referred to in paragraph 1, the Community shall take the necessary measures to ensure that the levy on imports into the Community of olive oil, other than refined olive oil, falling within subheading No 15.07 A II of the Common Customs Tariff shall be the levy calculated in accordance with Article 13 of Regulation No 136/66/EEC on the establishment of a common organization of the market in oils and fats, applicable upon importation, less 0·50 unit of account per 100 kg.

3. Each Contracting Party shall take the measures necessary to ensure application of paragraph 1 and shall supply, in the event of difficulties, the information necessary to the proper operation of the arrangements at the request of the other Party.

4. Consultations on the operation of the arrangements provided for in this Article may be held within the Association Council.'

Your Excellencies,

You were good enough to make the following communication to me in your letter of today's date :

'During the negotiations that took place on 16 January 1973 the Parties to the Agreement establishing an Association between the European Economic Community and the Kingdom of Morocco agreed to replace the provisions of Article 5 of Annex 1 to the said Agreement by the provisions annexed to this letter.

It was agreed that the new provisions of Article 5 of Annex 1 to the Agreement would enter into force on the first day of the month following the date on which the Contracting Parties notified each other that the procedures necessary to this end had been completed.

We should be grateful if you would be good enough to acknowledge this letter and confirm that your Government is in agreement with its contents.'

I have the honour to acknowledge receipt of your communication and to confirm that my Government is in agreement with its contents.

Please accept, Your Excellencies, the assurance of my highest consideration.

For the Government
of His Majesty the King of Morocco

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