REGULATION (EEC) No 1331/75 OF THE COMMISSION

of 26 May 1975

amending Regulations (EEC) No 2637/70, (EEC) No 586/75, (EEC) No 783/75 and (EEC) No 784/75 laying down detailed rules for the application of the system of export licences in the field of tenders for the levy and/or the refund on exports of rice to third countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation No 359/67/EEC (1) of 25 July 1967 on the common organization of the market in rice, as last amended by Regulation (EEC) No 668/75 (2), and in particular Article 10 (2);

Having regard to Council Regulation (EEC) No 2737/73 (3) of 8 October 1973 laying down general rules to be applied in the event of the rice market being disturbed, as last amended by Regulation (EEC) No 477/75 (4), and in particular Article 4 (2) thereof;

Having regard to Council Regulation No 366/67/EEC (5) of 25 July 1967 laying down general rules for granting export refunds on rice and criteria for fixing the amount of such refunds, as last amended by Regulation (EEC) No 478/75 (6), and in particular Article 3a thereof;

Whereas Commission Regulations (EEC) No 586/75 (7) of 6 March 1975, (EEC) No 783/75 (8) and (EEC) No 784/75 (9) of 26 March 1975 opened invitations to tender for the levy and/or the refund for the export of rice to third countries; whereas Article 16a (1) and (2) of Commission Regulation (EEC) No 2637/70 (10) of 23 December 1970 on special detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products, as last amended by Regulation (EEC) No 972/75 (11), states that the amount of refund or export levy appearing in the statement of award of contract in section 18 of the licence to be issued under this award in the currency of the Member State issuing the licence; whereas customs formalities on export may nevertheless take place in a Member State other than that issuing the licence;

Whereas in this case conversion into the currency of this Member State must be based on the rates used in the tendering procedure; whereas these rates may fluctuate between the award and the completion of customs formalities; whereas it is therefore desirable to make provision for stating on the licence the rates to be used for this conversion;

Whereas the financial Committee will be consulted;

Whereas the measures provided for in this Regulation are in accordance with the Opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The text of Article 5 of Regulation (EEC) No 586/75 shall be replaced by the following:

'1. By way of derogation from the provisions of Article 9 (1) of Regulation (EEC) No 193/75, export licences issued under Article 8 (1) of Regulations (EEC) No 3197/73 and (EEC) No 584/75 shall for the purpose of determining their period of validity be deemed to have been issued on the day on which the tender was submitted.

2. In cases where the customs formalities at the time of export are carried out in a Member State other than that in which the licence was issued, the conversion, of the amount entered in section 18 of the licence into the currency of that Member State, shall be made by using the rates resulting from the application of the provisions of Article 9a and published in the Annex to the decision regarding the tender fixing the maximum export refund or minimum export levy.'

(1) OJ No 174, 31. 7. 1967, p. 1.
(2) OJ No L 72, 20. 3. 1975, p. 18.
(3) OJ No L 282, 9. 10. 1973, p. 13.
(4) OJ No L 52, 28. 2. 1975, p. 33.
(5) OJ No 174, 31. 7. 1967, p. 34.
(6) OJ No L 52, 28. 2. 1975, p. 34.
(7) OJ No L 61, 7. 3. 1975, p. 61.
(8) OJ No L 78, 27. 3. 1975, p. 3.
(9) OJ No L 78, 27. 3. 1975, p. 7.
(10) OJ No L 283, 29. 12. 1970, p. 15.
(11) OJ No L 94, 16. 4. 1975, p. 13.

Article 2

The text of Article 5 of Regulations (EEC) No 783/75 and (EEC) No 784/75 shall be replaced by the following :

'1. By way of derogation from the provisions of Article 9 (1) of Regulation (EEC) No 193/75, export licences issued under Article 8 (1) of Regulations (EEC) No 3197/73 and (EEC) No 584/75 shall for the purpose of determining their period of validity be deemed to have been issued on the day on which the tender was submitted.

2. In cases where the customs formalities at the time of export are carried out in a Member State other than that in which the licence was issued, the conversion, of the amount entered in section 18 of the licence, into the currency of that Member State, shall be made by using the rates resulting from the application of the provisions of Article 10 and published in the Annex to the decision regarding the tender fixing the maximum export refund or minimum export levy.'

Article 3

Article 16a of Regulation (EEC) No 2637/70 shall be completed by the addition of the following paragraph :

'3. When the licence referred to in paragraphs 1 and 2 concerns products in the rice sector, the rates to be used for the conversion of the amount of the refund or of the levy into the currency of the Member State where the customs formalities are carried out shall be shown in section 18 of the licence to six significant figures.

Article 4

Significant figures in Article 3 of this Regulation means :

— when the value of the conversion rate calculated is higher than one, all digits
— when the value of the conversion rate calculated is lower than one, all digits after the initial zero or zeros following the decimal point.

Article 5

Article 3 of this Regulation shall not apply to licences issued as a result of applications made before its entry into force.

Article 6

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, 26 May 1975.

For the Commission

P. J. LARDINOIS

Member of the Commission