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Conformément au règlement (CEE, Euratom) n° 354/83 du Conseil du 1er février 1983 concernant l'ouverture au public des archives historiques de la Communauté économique européenne et de la Communauté européenne de l'énergie atomique (JO L 43 du 15.2.1983, p. 1), tel que modifié par le règlement (CE, Euratom) n° 1700/2003 du 22 septembre 2003 (JO L 243 du 27.9.2003, p. 1), ce dossier est ouvert au public. Le cas échéant, les documents classifiés présents dans ce dossier ont été déclassifiés conformément à l'article 5 dudit règlement.

In accordance with Council Regulation (EEC, Euratom) No 354/83 of 1 February 1983 concerning the opening to the public of the historical archives of the European Economic Community and the European Atomic Energy Community (OJ L 43, 15.2.1983, p. 1), as amended by Regulation (EC, Euratom) No 1700/2003 of 22 September 2003 (OJ L 243, 27.9.2003, p. 1), this file is open to the public. Where necessary, classified documents in this file have been declassified in conformity with Article 5 of the aforementioned regulation.

In Übereinstimmung mit der Verordnung (EWG, Euratom) Nr. 354/83 des Rates vom 1. Februar 1983 über die Freigabe der historischen Archive der Europäischen Wirtschaftsgemeinschaft und der Europäischen Atomgemeinschaft (ABl. L 43 vom 15.2.1983, S. 1), geändert durch die Verordnung (EG, Euratom) Nr. 1700/2003 vom 22. September 2003 (ABl. L 243 vom 27.9.2003, S. 1), ist diese Datei der Öffentlichkeit zugänglich. Soweit erforderlich, wurden die Verschlusssachen in dieser Datei in Übereinstimmung mit Artikel 5 der genannten Verordnung freigegeben.

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(74) 2238 final

Brussels, 18 December 1974

RECOMMENDATION FOR A

COUNCIL DECISION

CONCERNING THE COMMUNITY'S POSITION WITHIN THE ORGANISATION FOR ECONOMIC COOPERATION AND DEVELOPMENT IN THE MATTER OF A LOCAL COSTS STANDARD

(presented by the Commission to the Council)

EXPLANATORY MEMORANDUM

The aim of this Recommendation is to secure the adoption by the Council of a number of directives concerning the position the Community should adopt within OECD with regard to the framing of an agreement for a Local Cost standard.

The recommendation follows the same lines as those presented by the Commission to the Council relating to the sector agreements still under discussion within OECD concerning export credits for nuclear power stations and aeroplanes, and the [illegible] agreement already concluded within OECD concerning credit terms for ground satellite communications stations, for which the Commission has submitted a proposal for a Council Decision bringing the matter to a conclusion.

In this sphere, too, it appears necessary to avoid distorsion of competition and deterioration of credit terms. Thus the Commission considers that the Community should define the principles of its commercial policy on this subject and participate in the framing of the agreement within OECD.

For this purpose the representatives of the Member States and the Commission have repeatedly conferred within the Policy Coordination Group on Credit Insurance, Guarantees and Financial Credits and have arrived at a joint approach. The Commission therefore considers it appropriate for the Council to lay down certain guidelines for the Community's position on the basis of the conclusions reached in those consultations, and recommends that it should adopt for this purpose the Decision the draft of which is annexed hereto.

RECOMMENDATION FOR A COUNCIL DECISION
CONCERNING THE COMMUNITY'S POSITION WITHIN
THE ORGANISATION FOR ECONOMIC COOPERATION AND DEVELOPMENT
IN THE MATTER OF A LOCAL COST STANDARD

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof;

Having regard to the Recommendation for the Commission;

Whereas it is desirable to issue certain directives on the position to be adopted by the Community within the Organisation for Economic Cooperation and Development with regard to the framing of an agreement covering a Local Costs standard;

HAS DECIDED AS FOLLOWS:

Sole Article

In the course of arriving at an agreement within the Organisation for Economic Cooperation and Development for a Local Costs standard, the Commission shall express the Community's position in accordance with the directives annexed.

It shall act in consultation with the Special Committee referred to in Article 113 of the Treaty which shall assist it in its task.

Done at Brussels . . . . . .
For the Council
The President

The Commission shall endeavour to achieve, within the Organisation for Economic Cooperation and Development, an agreement based on the following principles:

I. SCOPE

All officially supported contracts related to exports on supplier or buyer credit terms shall, save as hereinafter provided, be subject in respect of local costs, to the following Standard.

II. THE STANDARD

1 Not to finance or cover credit for more than 100 per cent of the value of the goods and services exported (exported "goods and services" including goods and services supplied by third countries). This means that the amount of local costs supported on credit terms must not exceed the payments to be received for the goods and services exported by the completion of the exporter's contractual obligations (the date of completion being determined according to the accepted standards of the Berne Union for the determination of starting points for credits).

Not to grant support under clause 1 above for credits or credit guarantees for local costs carrying interest rates or maturity terms more favourable than those supported for the exports of goods and services to which such local costs are related.

"Local costs" mean expenditure for the supply of goods and services from the buyer's country. These goods and services must be necessary either for performing the exporter's contract or for completing the project of which the exporter's contract forms part.

III. EXCLUSION OF CERTAIN TRANSACTIONS

The Local Costs Standard shall not apply to:

(a) transactions that are for purely military purposes under contracts negotiated or in course of negotiation between the defence authorities of a participating Government and any other Government;

(b) transactions with developing countries which are eligible for consideration as Official Development Assistance (ODA) by the Development Assistance Committee or which, although financed wholly or in part from other funds than ODA come under a participating country's aid scheme.

IV. DEROGATIONS FROM THE STANDARD

1. Any derogation from the Local Costs Standard shall take place only in exceptional cases.

2. Any such derogation shall be notified in accordance with the appropriate procedures.

3. Each notification shall specify:

(a) the total amount of local costs;

(b) the amount of the payments to be received by the date of completion of the exporter's contractual obligations;

(c) the value of goods and services exported;

each of these particulars being expressed as a percentage of the total value of the officially supported contract.