

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 20 November 1978

on the provisional application to Dominica after its independence of the arrangements provided for in Decision 76/568/EEC on the association of the overseas countries and territories with the European Economic Community

(78/976/EEC)

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Decision 76/568/EEC of 29
June 1976 on the association of the overseas countries
and territories with the European Economic Commu-
nity ⁽¹⁾, as last amended by Decision 78/465/EEC ⁽²⁾,
and in particular the second subparagraph of Article
55 (2) thereof,

Whereas, pursuant to the second subparagraph of
Article 55 (2) of Decision 76/568/EEC, the arrange-
ments provided for therein may continue to apply
provisionally, under conditions laid down by the
Council, to countries and territories which achieve
independence ;

Whereas Dominica, which appears in Annex I
relating to the list of countries and territories referred
to by that Decision, achieved independence on 3
November 1978 ;

Whereas it should be decided to continue to apply
provisionally the arrangements provided for in the
abovementioned Decision to that State and to lay
down the conditions for such application, without pre-
judice to subsequent recourse to the first subparagraph
of Article 55 (2) and to Article 56 thereof ;

Whereas the ACP-EEC Convention of Lomé is open,
in accordance with the procedure laid down in Article
89 thereof, to the accession of a country or territory to
which part four of the Treaty applies and which has
become independent ; whereas such accession can
take place only following a request by the State
concerned and with the approval of the ACP-EEC
Council of Ministers ;

Whereas Dominica has submitted a request for acces-
sion to the ACP-EEC Convention of Lomé ;

Whereas the period of provisional application of Deci-
sion 76/568/EEC to that State should be limited ;

Whereas, in order to avoid any break in continuity in
the financing of decisions in favour of Dominica
between its accession to the ACP-EEC Convention of
Lomé and the entry into force of the decision
adjusting the amounts made available to the European
Development Fund which the Council is to take
pursuant to Article 1 (4) of the Internal Agreement on
the financing and administration of Community aid
signed on 11 July 1975, Dominica should be
permitted to continue to benefit until the date of the
entry into force of that Decision from the provisions
of Decision 76/568/EEC relating to financial and tech-
nical cooperation,

⁽¹⁾ OJ No L 176, 1. 7. 1976, p. 8.

⁽²⁾ OJ No L 147, 3. 6. 1978, p. 39.

HAS DECIDED AS FOLLOWS:

Article 1

The arrangements laid down by Decision 76/568/EEC shall remain provisionally applicable to Dominica until the latter accedes to the ACP-EEC Convention of Lomé but until 2 November 1979 at the latest.

Dominica shall, moreover, continue to benefit from the provisions of the said Decision relating to financial and technical cooperation until the date of entry into force of the decision adjusting the amounts made available to the European Development Fund which the Council is to take pursuant to Article 1 (4) of the Internal Agreement on the financing and administration of Community aid signed on 11 July 1975.

Article 2

Questions relating to the application of Decision 76/568/EEC to Dominica after it has achieved in-

dependence shall be dealt with as necessary by direct contact between the competent authorities of that State and of the Community.

Article 3

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

It shall apply from 3 November 1978.

Done at Brussels, 20 November 1978.

For the Council

The President

K. von DOHNANYI