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CENTRE DE DOCUMENTATION EUROPÉENNE

EU News: Click & Read

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This monthly newsletter contains a selection of recent official documents from the European Union. It features information of particular interest to Swiss readers and aims to provide universities, cantonal and federal administrations, lawyers, trade and financial businesses with information about the latest legal developments in the European Union.

Highlights of the month:

[Commission Regulation \(EC\) No 1630/2006 of 31 October 2006 amending Regulation \(EC\) No 933/2002 opening and providing for the management of tariff quotas for certain agricultural products originating in Switzerland, and repealing Regulation \(EC\) No 851/95.](#)

[Council Regulation \(EC\) No 1623/2006 of 17 October 2006 repealing Regulation \(EC\) No 7/2005 adopting autonomous and transitional measures to open a Community tariff quota for certain agricultural products originating in Switzerland](#)

[Proposal for a Decision of the European Parliament and of the Council establishing the European Statistical Governance Advisory Board.](#)

[Communication from the Commission to the European Parliament, the European Economic and Social Committee and the Committee of the Regions. Commission Legislative and Work Programme 2007.](#)

We much regret the departure of Ms Emmeline Puthod and would like to thank her for all her efforts. Without her participation, this Newsletter could not have been published every month!

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1. External Relations of the EU

1.1 International Agreements

Agreement between the European Community and the **Republic of Maldives** on **certain aspects of air services**.

EU-Maldives, Text of the agreement, concerns Switzerland as well

[O.J. of the EU, L 286/20, 17.10.2006](#)

Council decision of 17 July 2006 on the signing and provisional application of the Agreement between the European Community and the **Republic of Maldives** on **certain aspects of air services**.

Provisional application, Agreement EU-Republic of Maldives on certain aspects of air services

[O.J. of the EU, L 286/19, 17.10.2006](#)

Multilateral agreement between the European Community and its **Member States**, the Republic of Albania, Bosnia and Herzegovina, the Republic of Bulgaria, the Republic of Croatia, the former Yugoslav Republic of Macedonia, the Republic of Iceland, the Republic of Montenegro, the Kingdom of Norway, Romania, the Republic of Serbia and the United Nations Interim Administration Mission in Kosovo on the establishment of a **European Common Aviation Area**.

EU-Third States Agreement, European Common Aviation Area

[O.J. of the EU, L 285/03, 16.10.2006](#)

Decision of the Council and of the representatives of the Member States of the European Union meeting within Council of 9 June 2006 on the signature and provisional application of the **Multilateral Agreement** between the European Community and its Member States, the Republic of Albania, Bosnia and Herzegovina, the Republic of Bulgaria, the Republic of Croatia, the former Yugoslav Republic of Macedonia, the Republic of Iceland, the Republic of Montenegro, the Kingdom of Norway, Romania, the Republic of Serbia and the United Nations Interim Administration Mission in Kosovo on the Establishment of a **European Common Aviation Area (ECAA)**.

Agreement EU-Member States, European Common Aviation Area

[O.J. of the EU, L 285/01, 16.10.2006](#)

1.2 Acts of Joint Committees

List of **Decisions** of the **European Economic Area Joint Committee**.

European Economic Area, list of decisions, technical regulations, standards, testing

[O.J. of the EU, L 289, 19.10.2006](#)

1.3 Community Legislation

Commission Decision of 25 October 2006 repealing Decision 2004/262/EC on certain protection measures with regard to **registered horses** coming from **South Africa**. (Text with EEA relevance).

Protection measures, organisation of veterinary checks on animals of third countries

[O.J. of the EU, L 296/23, 26.10.2006](#)

Commission Regulation (EC) No 1594/2006 of 25 October 2006 establishing the allocation coefficient to be applied to **applications** for **export licences** for **cheese** to be **exported** to the **United States of America** in 2007 under certain **GATT** quotas.

Applications for export licences for cheese to be exported to the United States, GATT quotas

[O.J. of the EU, L 296/08, 26.10.2006](#)

Commission Decision of 20 October 2006 amending Decision 92/452/EEC as regards certain **embryo collection** and **production teams** in the United States of America. (Text with EEA relevance).

Embryo collection and production teams

[O.J. of the EU, L 291/40, 21.10.2006](#)

Council Directive 2006/79/EC of 5 October 2006 on the **exemption** from **taxes** of **imports** of **small consignments** of **goods** of a **non-commercial character** from **third countries**.

Exemption from taxes of imports of goods of a non-commercial character, third countries

[O.J. of the EU, L 286/15, 17.10.2006](#)

Commission Regulation (EC) No 1486/2006 of 5 October 2006 amending Council Regulation (EC) No 2368/2002 implementing the **Kimberley Process certification scheme** for the **international trade** in **rough diamonds**.

International trade in rough diamonds, Kimberley Process

[O.J. of the EU, L 278/03, 10.10.2006](#)

Commission Regulation (EC) No 1467/2006 of 4 October 2006 amending Annex II to Regulation (EC) No 998/2003 of the European Parliament and of the Council as regards the **list of countries and territories**.
(Text with EEA relevance).

Animal health requirements applicable to the non-commercial movement of pet animals, list of countries and territories

[O.J. of the EU, L 274/03, 05.10.2006](#)

1.4 Preparatory Acts, Reports

Proposal for a Council decision on a **Community Position** concerning the decision by the **WTO General Council** to **apply provisionally the Transparency Mechanism for Regional Trade Agreements**.

Transparency Mechanism for Regional Trade Agreements

[COM\(2006\) 644 final, 31.10.2006](#)

Invitation to submit comments pursuant to Article 1(2) in Part I of Protocol 3 to the Surveillance and Court Agreement on state aid granted by the **Research Council of Norway** in **connection** with the **software programme Turborouter**.

Invitation to submit comments in connection with the software programme Turborouter

[O.J. of the EU, C 258/42, 26.10.2006](#)

Invitation to submit comments pursuant to Article 1(2) in Part I of Protocol 3 to the Surveillance and Court Agreement on a newly proposed scheme in Norway on the grant of financial support to unpaid labour in research and development activities, the '**Unpaid R&D Labour Scheme**'.

Invitation to submit comments, financial support to unpaid labour in research and development activities

[O.J. of the EU, C 258/28, 26.10.2006](#)

1.6 Case Law

Action brought on 31 July 2006 by the **EFTA Surveillance Authority** against the Kingdom of Norway.

Action against Norway, public undertakings benefit from concessions for an unlimited period but not private undertakings

[O.J. of the EU, C 258/27, 26.10.2006](#)

Case C-4/05, *Güzeli*. Reference for a preliminary ruling – EEC-Turkey Association – **Freedom of movement for workers** – Article 10(1) of Decision No 1/80 of the Association Council – **Refusal to extend a Turkish worker's residence permit.**

Freedom of movement for workers, EEC-Turkey Association

[Curia, Case C-4/05, 26.10.2006](#)

Case T-274/02, *Ritek and Prodisc Technology / Council of the European Union*. **Dumping** – Recordable compact discs originating in Taiwan – Determination of the dumping margin– Choice of the asymmetrical method of calculation – Pattern of export prices which differ according to the purchasers, regions or periods – ‘Zeroing’ technique.

Commercial policy, dumping

[Curia, Cases T-274/02, 24.10.2006](#)

Case T-300/03, *Moser Baer India / Council of the European Union*. Anti-subsidy investigations – **Recordable compact discs originating in India** – Calculation of the amount of the subsidy – Determination of injury – Causal link – Rights of the defence.

Commercial policy, anti-subsidy investigations

[Curia, Case T-300/03, 04.10.2006](#)

2. EU-Swiss Relations

2.2 Acts of Joint Committees

Decision No 2/2006 of the Community/Switzerland Air Transport Committee of 18 October 2006 amending the Annex to the **Agreement** between the **European Community** and the **Swiss Confederation** on **Air Transport**.

EU-CH, Agreement on Air Transport, amendment

[O.J. of the EU, L 298/25, 27.10.2006](#)

Decision No 1/2006 of the Community/Switzerland Air Transport Committee of 18 October 2006 amending the Annex to the **Agreement** between the **European Community** and the **Swiss Confederation** on **Air Transport**.

EU-CH, Agreement on Air Transport, amendment

[O.J. of the EU, L 298/23, 27.10.2006](#)

2.3 Community Legislation

Commission Regulation (EC) No 1630/2006 of 31 October 2006 amending Regulation (EC) No 933/2002 opening and providing for the management of **tariff quotas for certain agricultural products** originating in **Switzerland**, and repealing Regulation (EC) No 851/95.

Community tariff quotas for certain agricultural products from Switzerland

[O.J. of the EU, L 302/43, 01.11.2006](#)

Council Regulation (EC) No 1623/2006 of 17 October 2006 repealing Regulation (EC) No 7/2005 adopting autonomous and transitional measures to open a Community **tariff quota for certain agricultural products** originating in **Switzerland**.

Community tariff quotas for certain agricultural products from Switzerland

[O.J. of the EU, L 302/01, 01.11..2006](#)

2.4 Preparatory Acts, Reports

[News of the month of October from the Integration Office DFA/DEA.](#)

(In French, German and Italian)

EU-CH, news of the month, DFA/DEA

First Commission Head of Delegation (Ambassador) to **Switzerland**.

EU-CH, 1st Commission Head of Delegation to Switzerland

[Press Releases, Rapid](#)

Proposal for a Council Decision on the Community position on Decision No 1/2006 of the Joint Veterinary Committee set up by the Agreement between the European Community and the **Swiss Confederation** on **trade in agricultural products** regarding the amendment of Appendices 1, 2, 3, 4, 5, 6 and 10 to Annex 11 to the Agreement.

EU-CH, trade in agricultural products

[COM\(2006\) 608 final, 19.10.2006](#)

Member States notifications in accordance with Article 5 of Decision 895/2006 (1) of the European Parliament and of the Council of 14 June 2006 introducing a simplified regime for the control of persons at the external borders based on the unilateral recognition by the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia of certain documents as equivalent to their national visas for the purposes of transit through their territories and Article 4 of Decision 896/2006 (2) of the European Parliament and of the Council of 14 June 2006 establishing a simplified regime for the control of persons at the external borders based on the unilateral recognition by the Member States of certain **residence permits** issued by **Switzerland** and **Liechtenstein** for the **purpose** of **transit** through their **territory**.

Notifications, simplified regime for the control of persons at the external borders, unilateral recognition by the new Member States and unilateral recognition of certain residence permits issued by Switzerland and Liechtenstein, transit through their territory

[O.J. of the EU, C 251/20, 17.10.2006](#)

3 External borders, Immigration, Asylum, Security and Defence Policy

3.1 International Agreements

Agreement between the European Union and the United States of America on the **processing** and **transfer** of **passenger name record (PNR) data** by **air carriers** to the **United States Department of Homeland Security**.

EU-USA, text of the agreement, processing and transfer of passengers name record (PNR) data by air carriers to the USA

[O.J. of the EU, L 298/29, 27.10.2006](#)

Council decision 2006/729/CFSP/JHA of 16 October 2006 on the signing, on behalf of the European Union, of an Agreement between the European Union and the United States of America on the **processing** and **transfer** of **passenger name record (PNR) data** by **air carriers** to the **United States Department of Homeland Security**.

EU-USA, processing and transfer of passengers name record (PNR) data by air carriers to the USA

[O.J. of the EU, L 298/27, 27.10.2006](#)

Letter to the Council Presidency and the Commission from the Department of Homeland Security (DHS) of the United States of America, concerning the interpretation of certain **provisions of the undertakings** issued by **DHS** on 11 MAY 2004 in connection with the **transfer by air carriers of passenger name record (PNR) data**.

Letter from the Department of Homeland Security (DHS), USA, processing and transfer of passengers name record (PNR) data by air carriers to the USA

[O.J. of the EU, C 259/01, 27.10.2006](#)

Reply by the Council Presidency and the Commission to the letter from the USA's Department of Homeland Security.

Reply by the Council to the USA's DHS, processing and transfer of passengers name record data by air carriers to the USA

[O.J. of the EU, C 259/04, 27.10.2006](#)

3.3 Community Legislation

Council Decision of 5 October 2006 on the **establishment of a mutual information mechanism** concerning **Member States' measures** in the areas of **asylum** and **immigration**.

Establishment of a mutual information mechanism, areas of asylum and immigration

[O.J. of the EU, L 283/40, 14.10.2006](#)

Council Decision of 5 October 2006 amending Annex 2, Schedule A, to the Common Consular Instructions on the **visa requirements for holders of Indonesian diplomatic and service passports**.

Common Consular Instructions, visa requirements for holders of Indonesian diplomatic and service passports

[O.J. of the EU, L 280/29, 12.10.2006](#)

Council Decision 2006/725/CFSP of 17 October 2006 implementing Joint Action 2005/557/CFSP on the **European Union civilian-military supporting action to the African Union mission in the Darfur region of Sudan**.

Joint Action on the European Union civilian military supporting action, Darfur region, Sudan

[O.J. of the EU, L 296/24, 26.10.2006](#)

Council Decision 2006/718/CFSP of 23 October 2006 implementing Common Position 2006/276/CFSP concerning **restrictive measures against certain officials of Belarus**.

Restrictive measures against certain officials of Belarus

[O.J. of the EU, L 294/72, 25.10.2006](#)

Commission Regulation (EC) No 1508/2006 of 11 October 2006 amending for the 71st time Council Regulation (EC) No 881/2002 imposing certain **specific restrictive measures** directed against **certain persons and entities associated with Usama bin Laden, the Al-Qaida network and the Taliban**, and repealing Council Regulation (EC) No 467/2001.

Restrictive measures, persons and entities associated with Usama bin Laden, Al-Qaida network

[O.J. of the EU, L 280/12, 12.10.2006](#)

Council Common Position 2006/671/CFSP of 5 October 2006 extending the validity of Common Position 2004/694/CFSP on **further measures in support of the effective implementation of the mandate of the International Criminal Tribunal for the former Yugoslavia (ICTY)**.

Measures, mandate of the International Criminal Tribunal for the former Yugoslavia (ICTY)

[O.J. of the EU, L 275/66, 06.10.2006](#)

Commission Regulation (EC) No 1461/2006 of 29 September 2006 amending Council Regulation (EC) No 2580/2001 on specific **restrictive measures** directed against **certain persons and entities** with a view to **combating terrorism**.

Restrictive measures against certain persons, combating terrorism

[O.J. of the EU, L 272/11, 03.10.2006](#)

3.4 Preparatory Acts, Reports

Informations on the **rules governing the movement of persons across borders (Schengen Borders Code)**. (List of residence permits, of national services for border-controls, border crossing points...)

Activities on rules governing the movement of persons across borders (Schengen)

[O.J. of the EU, C 247, 13.10.2006](#)

Eighth annual report according to **operative provision 8 of the European Union Code of Conduct on Arms Exports**.

Report, European Union Code of Conduct on Arms Exports

[O.J. of the EU, C 250/01, 16.10.2006](#)

3.6 Case Law

Case C-241/05, Bot. **Convention implementing the Schengen Agreement – Article 20(1) – Conditions of movement of nationals of a third country not subject to a visa requirement** – Maximum stay for a period of three months during the six months following the date of first entry into the Schengen Area – Successive stays – Definition of ‘first entry’.

Justice and Home affairs.
Convention implementing the Schengen Agreement, nationals of a third country not subject to a visa requirement

[Curia, Case C-241/05, 03.10.2006](#)

4. Judicial Cooperation in Civil Matters (Lugano/Brussels Conventions)

4.3 Community Legislation

Council Decision of 5 October 2006 on the accession of the Community to the **Hague Conference on Private International Law**.

Accession of the Community to the Hague Conference on Private International Law

[O.J. of the EU, L 297/01, 26.10.2006](#)

4.4 Preparatory Acts, Reports

Green Paper on improving the efficiency of the enforcement of judgments in the European Union: The **attachment of bank accounts**.

Improving the efficiency of the enforcement of the judgments, attachment of bank accounts

[COM\(2006\) 618 final, 24.10.2006](#)

Opinion of the European Data Protection Supervisor on the Proposal for a Council Regulation on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations.

Cooperation in matters relating to maintenance obligations, recognition and enforcement of decisions, protection of personal data

[O.J. of the EU, C 242/20, 07.10.2006](#)

5. Police and Judicial Cooperation in Criminal Matters

5.6 Case Law

Case T-193/04, Tillack / Commission of the European Communities. **Investigation** by the **European Anti-Fraud Office (OLAF)** into the **publication of confidential information** – Suspicions of bribery and breach of professional secrecy – Communication to national judicial authorities of information relating to situations liable to lead to criminal proceedings – Search of the home and office of a journalist – Action for annulment – Admissibility – Action for damages – Causal link – Sufficiently serious breach.

Law governing the institutions, investigation by the European Anti-Fraud Office (OLAF) into the publication of confidential information

[Curia, Case T-193/04, 04.10.2006](#)

6. Internal Market (Free Movement of Goods/Customs Union/Persons/Services/Capital)

6.3 Community Legislation

Commission Regulation (CE) No 1549/2006 of 17 October 2006 amending Annex I to Council Regulation (EEC) No 2658/87 on the **tariff and statistical nomenclature** and on the **Common Customs Tariff**.

Tariff and statistical nomenclature, Common Customs Tariff

[O.J. of the EU, L 301/01, 31.10.2006](#)

Commission Regulation (EC) No 1506/2006 of 11 October 2006 amending Council Regulation (EC) No 32/2000 to take account of amendments to Council Regulation (EEC) No 2658/87 on the **tariff and statistical nomenclature** and on the **Common Customs Tariff**.

Tariff and statistical nomenclature, Common Customs Tariff

[O.J. of the EU, L 280/07, 12.10.2006](#)

6.4 Preparatory Acts, Reports

Uniform application of the **combined nomenclature (CN)**.

Tariff and statistical nomenclature, Common Customs Tariff, explanatory notes

[O.J. of the EU, C 242/08, 07.10.2006](#)

6.6 Case Law

Case C-65/05, Commission of the European Communities / Greece. Failure of a Member State to fulfil obligations – Articles 28 EC and 30 EC – **Free movement of goods** – Article 43 EC – Freedom of establishment – Article 49 EC – Freedom to provide services – **Prohibition** on the **installation and operation of electrical, electromechanical and electronic games** subject to **criminal or administrative sanctions...**

[Curia, Case C-65/05, 26.10.2006](#)

Case C-250/05, Turbon International. Common Customs Tariff – Tariff headings – **Classification** in the **Combined Nomenclature of ink cartridges** compatible with **Epson Stylus Color printers** – Inks (heading 3215) – Parts and accessories of machines of heading 8471 (heading 8473).

[Curia, Case C-250/05, 26.10.2006](#)

Case C-68/05 P, Koninklijke Coöperatie Cosun / Commission of the European Communities. **Appeal – Agriculture** – Common organisation of the markets – Sugar – Charge owing for C Sugar disposed of on the internal market – Application for remission – Equity clause laid down in Article 13 of Regulation (EEC) No 1430/79 – ‘Import or export duties’ – **Principles of equality and legal certainty** – Equity.

[Curia, Case C-68/05 P, 26.10.2006](#)

Case C-100/05, ASM Lithography. **Customs Code** – **Determination of the customs debt** – **Import duties on compensating products** determined by the person concerned and confirmed by the **customs authorities** under Article 121 of the **Customs Code** – Duties which can be calculated in accordance with Article 122(c) of the Customs Code – Repayment of the amount levied in excess on the basis of Article 236 of the Customs Code.

[Curia, Case C-100/05, 05.10.2006](#)

Free movement of goods

Common Customs Tariff

Customs Union

Customs union

Case C-192/05, Tas-Hagen and Tas. **Benefit awarded to civilian war victims** by a **Member State** – Condition of residence in the territory of that State at the time when the application for the benefit is submitted.

European citizenship

[Curia, Case C-192/05, 26.10.2006](#)

Case C-371/04, Commission of the European Communities / Italy. Failure of a Member State to fulfil obligations – **Freedom of movement for workers** – Post in the civil service– Failure to take account of professional experience and seniority gained in other Member States – Articles 10 EC and 39 EC.

Freedom of movement for workers

[Curia, Case C-371/04, 26.10.2006](#)

Case C-452/04, Fidium Finanz. **Freedom to provide services** – **Free movement of capital** – **Companies established in non-member countries** – Activity entirely or principally directed towards the territory of a Member State – Grant of credit on a commercial basis – Requirement of prior authorisation in the Member State in which the service is provided.

Freedom to provide services

[Curia, Case C-452/04, 03.10.2006](#)

Case C-290/04, FKP Scorpio Konzertproduktionen. Article 59 of the EEC Treaty (later Article 59 of the EC Treaty, now, after amendment, Article 49 EC) and Article 60 of the EEC Treaty (later Article 60 of the EC Treaty, now Article 50 EC) – **Tax legislation** – **Income tax** – **Provision of services** by a **non-resident** in the **context of artistic performances** – Principle of retention of tax at source – Provider of services not possessing the nationality of a Member State.

Freedom to provide services

[Curia, Case C-290/04, 03.10.2006](#)

7. Competition, Commerce, Commercial Enterprises, Banks

7.4 Preparatory Acts, Reports

Recommendation of the European Central Bank of 6 October 2006 on the adoption of certain measures to **protect euro banknotes more effectively against counterfeiting**.

Adoption of certain measures to protect euro banknotes against counterfeiting

[O.J. of the EU, C 257/16, 25.10.2006](#)

Communication pursuant to Article 3(2) of Commission Regulation (EC) No 802/2004 (1) **implementing** Council Regulation (EC) No 139/2004 (2) on the **control of concentrations** between **undertakings**.
(Text with EEA relevance).

Control of concentrations between undertakings

[O.J. of the EU, C 251/02, 17.10.2006](#)

7.6 Case Law

Case C-302/05, Commission of the European Communities / Italy. **Failure of a Member State to fulfil obligations** – Directive 2000/35/EC – Article 4(1) – Retention of title – Enforceability.

Law relating to undertakings

[Curia, Case C-302/05, 26.10.2006](#)

7.7 Competition Proceedings (only under chapter 7)

Non-opposition to a notified concentration, (Case COMP/M.4362 – Voestalpine/K+N/Euroshipping)

Nagel International AG («K + N», Switzerland)

[O.J. of the EU, C 267/06, 01.11.2006](#)

Prior notification of a concentration, (Case COMP/M.4455 – Schmolz + Bickenbach/Swiss Steel).
Candidate case for simplified procedure.
(Text with EEA relevance).

Notification of a concentration (Swiss Steel)

[O.J. of the EU, C 262/02, 31.10.2006](#)

Non-opposition to a notified concentration, (Case COMP/M.4405 – **Walter Frey Holding/Mitsubishi Motors Europe**).
(Text with EEA relevance).

Non-opposition to a notified concentration, **Walter Frey Holding (WFH, Switzerland)**

[O.J. of the EU, C 258/26, 26.10.2006](#)

Prior notification of a concentration, (Case COMP/M.4432 – **Oerlikon/Saurer**).
(Text with EEA relevance).

Prior notification of a concentration (Oerlikon, Switzerland and Saurer, Switzerland)

[O.J. of the EU, C 256/13, 24.10.2006](#)

Prior notification of a concentration, (Case COMP/M.4393 – **Istithmar/Mubadala/DAE/SR Technics**). Candidate case for simplified procedure.
(Text with EEA relevance).

Prior notification of a concentration (Technics, Switzerland)

[O.J. of the EU, C 256/12, 24.10.2006](#)

Non-opposition to a notified concentration, (Case COMP/M.4266 – **Xstrata/Falconbridge**).
(Text with EEA relevance).

Non-opposition to a notified concentration (Xstrata, Switzerland)

[O.J. of the EU, C 253/06, 19.10.2006](#)

Non-opposition to a notified concentration, (Case COMP/M.4266 – **Atel Energia/Azienda Energetica – Etschwerke/ENERG.IT**).
(Text with EEA relevance).

Non-opposition to a notified concentration (“Atel” Switzerland)

[O.J. of the EU, C 243/05, 10.10.2006](#)

Non-opposition to a notified concentration, (Case COMP/M.4285 – **ALS/GNT**).
(Text with EEA relevance).

Non-opposition to a notified concentration (“ALSO” Switzerland)

[O.J. of the EU, C 241/10, 06.10.2006](#)

Non-opposition to a notified concentration, (Case COMP/M.4284 – **AXA/Winterthur**).
(Text with EEA relevance).

Non-opposition to a notified concentration (Winterthur, Switzerland)

[O.J. of the EU, C 239/19, 04.10.2006](#)

8. Public Procurement

9. Economic and Financial Affairs, Taxation

9.3 Community Legislation

Council Decision of 25 September 2006 authorising the United Kingdom to introduce a **special measure** derogating from Articles 5(6) and 11(A)(1)(b) of Directive 77/388/EEC on the **harmonisation** of the **laws** of the **Member States** relating to **turnover taxes**.

Turnover taxes, harmonisation of the laws of the Member States

[O.J. of the EU, L 272/14, 03.10.2006](#)

9.4 Preparatory Acts, Reports

Final annual accounts of the European Communities., Financial year 2005 Vol. 1. **Consolidated financial statements** and **consolidated reports on implementation** of the **budget**.

Final annual accounts, consolidated financial statements, implementation of the budget

[O.J. of the EU, C 264/01, 31.10.2006](#)

Court of Auditors — Annual reports concerning the **financial year 2005**.

Annual report, Court of Auditors

[O.J. of the EU, C 263/01, 31.10.2006](#)

Proposal for a Council Directive on mutual assistance for the **recovery** of **claims** relating to certain **levies, duties, taxes** and other **measures**.

Recovery of claims, duties and taxes

[COM\(2006\) 605 final, 19.10.2006](#)

Report from the Commission to the Council and the European Parliament on the **borrowing** and **lending activities** of the **European Communities** in 2005.

Borrowing and lending activities of the European Communities

[COM\(2006\) 597 final, 17.10.2006](#)

Actions programme for the **promotion** of **research** and **analysis** of **issues** related to the **European Economic and Monetary Union**.

Research and analysis related to the European Economic and Monetary Union

[O.J. of the EU, C 246/11, 13.10.2006](#)

Communication from the Commission to the Council and the European Parliament. The **long-term sustainability of public finances** in the EU.

Public finances in the EU

[COM\(2006\) 574 final, 12.10.2006](#)

Joint Harmonised EU Programme of Business and Consumer Surveys.

Joint Programme of Business and Consumer Surveys

[O.J. of the EU, C 245/05, 12.10.2006](#)

Proposal for a Regulation of the European Parliament and of the Council amending Council Regulation (EC) No 577/98 on the organisation of a **labour force sample survey** in the Community.

Labour force sample survey

[COM\(2006\) 565 final, 02.10.2006](#)

9.6 Case Law

Case C-345/05, Commission of the European Communities / Portugal. Failure of a Member State to fulfil obligations – **Tax legislation – Conditions for exemption of capital gains** arising on the **transfer for valuable consideration of real property** – Articles 18 EC, 39 EC and 43 EC – Articles 28 and 31 of the Agreement establishing the European Economic Area – Cohesion of the tax system – Housing policy.

Taxation

[Curia, Case C-345/05, 26.10.2006](#)

Joined Cases C-290/05 and C-333/05, Nádasi. **Internal taxation** – Registration duty on motor vehicles – Used motor vehicles – Importation.

Taxation

[Curia, Cases C-290/05 and C-333/05, 05.10.2006](#)

Case C-290/04, FKP Scorpio Konzertproduktionen. Article 59 of the EEC Treaty (later Article 59 of the EC Treaty, now, after amendment, Article 49 EC) and Article 60 of the EEC Treaty (later Article 60 of the EC Treaty, now Article 50 EC) – **Tax legislation – Income tax** – Provision of services by a non-resident in the context of artistic performances – Principle of retention of tax at source – Provider of services not possessing the nationality of a Member State.

Taxation, income tax

[Curia, Case C-290/04, 03.10.2006](#)

Case C-475/03, Banca popolare di Cremona. **Sixth VAT Directive** – Article 33(1) – Prohibition on the levying of other domestic taxes which can be characterised as turnover taxes – **Definition** of ‘turnover taxes’ – Italian regional tax on productive activities.

Taxation, VAT

[Curia, Case C-475/03, 03.10.2006](#)

10. Industrial and Intellectual Property

10.6 Case Law

Case C-36/05, Commission of the European Communities / Spain. Failure of a Member State to fulfil obligations – Directive 92/100/EEC – **Copyright** – Rental and lending right – Failure to transpose within the prescribed period.

Copyright, intellectual property

[Curia, Cases C-36/05, 26.10.2006](#)

Joined cases T-350/04 to T-352/04, Bitburger Brauerei / Office for Harmonisation in the Internal Market (OHIM) - Anheuser-Busch (BUD). **Community trade mark** – Opposition proceedings – **Application** for registration of the **Community word mark BUD** – Applications for registration of the Community figurative marks American Bud and Anheuser Busch Bud – Earlier national word and figurative marks including the term ‘bit’ ...

Intellectual property, Community trade mark

[Curia, Cases T-350/04 to T-352/04, 19.10.2006](#)

Case T-499/04, Hammarplast / Office for Harmonisation in the Internal Market (OHIM) - Steninge Slott (STENINGE SLOTT). **Community trade mark** – Opposition proceedings – Application for Community word mark STENINGE SLOTT – Earlier word mark STENINGE KERAMIK – Likelihood of confusion.

Intellectual property, Community trade mark

[Curia, Case T-499/04, 17.10.2006](#)

Case T-483/04, Armour Pharmaceutical / Office for Harmonisation in the Internal Market (OHIM) - Teva Pharmaceutical Industries (GALZIN). **Community trade mark** – Opposition proceedings – Application for Community word mark GALZIN – Earlier national word mark CALSYN – Relative ground for refusal – Likelihood of confusion – Similarity of goods and signs – Article 8(1)(b) of Regulation (EC) No 40/94 – Article 43(2) and (3) of Regulation No 40/94 – Findings of OHIM – Admissibility.

**Intellectual property,
Community trade mark**

[Curia, Case T-483/04, 17.10.2006](#)

Case C-172/05, Armacell / Office for Harmonisation in the Internal Market (OHIM) - nmc (ARMAFOAM). **Community trade mark** – Opposition proceedings – Application to register Community word mark ARMAFOAM – Earlier Community word mark NOMAFOAM – Relative ground for refusal– Likelihood of confusion – Similarity of products and signs – Argument concerning the similarity of goods raised for the first time before the Court of First Instance.

**Intellectual property,
Community trade mark**

[Curia, Case T-172/05, 10.10.2006](#)

11. Human rights, Data Protection, Consumer Affairs

11.3 Community Legislation

Commission decision of 17 October 2006 amending Decision 2004/452/EC laying down a list of bodies whose **researchers** may **access confidential data for scientific purposes**.
(Text with EEA relevance).

**Access to confidential
data for scientific
purposes**

[O.J. of the EU, L 287/36, 18.10.2006](#)

11.4 Preparatory Acts, Reports

Communication from the Commission to the Council and the European Parliament. The application of Directive 2000/43/EC of 29 June 2000 implementing the **principle of equal treatment between persons irrespective of racial or ethnic origin**.

**Principle of equal
treatment between
persons irrespective of
racial or ethnic origin.**

[COM\(2006\) 643 final, 30.10.2006](#)

11.5 Calls

Media 2007 – Development, distribution and promotion
Implementation of a programme to **encourage the development, distribution and promotion of European audiovisual works**. Measures to support promotion and market access: **Audiovisual festivals**. Conditional call for proposals – EACEA No 05/06

Call for proposals, Media 2007, promotion of European audiovisual works

[O.J. of the EU, C 267/08, 01.11.2006](#)

Consumer policy.

Call, applications for financial support to European consumer organisations

[O.J. of the EU, C 241/14, 06.10.2006](#)

11.6 Case Law

Case C-17/05, Cadman. **Social policy** – Article 141 EC – **Principle of equal pay for men and women** – Length of service as a determinant of pay – Objective justification – Burden of proof.

Social policy, principle of equal pay for men and women

[Curia, Case C-17/05, 03.10.2006](#)

Case C-168/05, Mostaza Claro. Directive 93/13/EEC – **Unfair terms in consumer contracts** – Failure to raise the unfair nature of a term during arbitration proceedings – Possibility of raising that objection in the context of an action brought against the arbitration award.

Consumer, unfair terms in consumer contracts

[Curia, Case C-168/05, 26.10.2006](#)

12. Telecommunications, Education, Research and Technology

12.4 Preparatory Acts, Reports

Communication from the Commission to the European Parliament and the Council - Evaluation of the **implementation of the IDABC programme**.

Five year programme, pan-European e-Government services to public administrations, businesses and citizens (IDABC)

[COM\(2006\) 611 final, 24.10.2006](#)

Common position No 13/2006 adopted by the Council on 24 July 2006 with a view to adopting a Decision No .../2006/EC of the European Parliament and the Council of ... concerning the implementation of a programme of **support for the European audiovisual sector**. (MEDIA 2007).

Support for the European audiovisual sector

[O.J. of the EU, C 251 E/01, 17.10.2006](#)

Communication from the Commission. **Adult learning**: It is never too late to learn.

Adult learning

[COM\(2006\) 614 final, 23.10.2006](#)

Common position No 15/2006 adopted by the Council on 24 July 2006 with a view to adopting a Decision No .../2006/EC of the European Parliament and of the Council of ... establishing an **action programme** in the field of **lifelong learning**.

Action programme in the field of lifelong learning

[O.J. of the EU, C 251 E/37, 17.10.2006](#)

Common position No 14/2006 adopted by the Council on 24 July 2006 with a view to adopting a Decision No .../2006/EC of the European Parliament and of the Council of ... establishing the '**Youth in Action**' programme for the period 2007-2013.

Action in the field of education, vocational training and youth

[O.J. of the EU, C 251 E/20, 17.10.2006](#)

Information procedure — Technical rules.
(Text with EEA relevance).

Technical rules, information procedure

[O.J. of the EU, C 257/02, 25.10.2006](#)

Information procedure — Technical rules.
(Text with EEA relevance).

Technical rules, information procedure

[O.J. of the EU, C 252/03, 18.10.2006](#)

Information procedure — Technical rules.
(Text with EEA relevance).

Technical rules, information procedure

[O.J. of the EU, C 239/20, 04.10.2006](#)

12.5 Calls

Media Plus – Development, distribution and promotion (2001-2006). Call for proposals — EACEA 08/06. Support for the **networking of cinemas screening European films**.

Call for proposals, **support for the networking of cinemas screening European films**.

[O.J. of the EU, C 239/26, 04.10.2006](#)

Youth in Action. Call for proposals n° 1/2007. Call for proposals regarding **support for bodies active at European level in the field of youth**.

Call for proposals, **support for bodies active in the field of youth, (concerns Switzerland as well)**

[O.J. of the EU, C 262/32, 31.10.2006](#)

Culture (2007-2013) — Conditional call for proposals — EACEA No 06/ 2006. '**Support for bodies active at European level in the field of culture**'.

Call for proposals, **culture 2007-2013**

[O.J. of the EU, C 257/20, 25.10.2006](#)

13. Transport, Environment, Energy and Health

13.3 Community Legislation

Commission Regulation (EC) No 1546/2006 of 4 October 2006 amending Regulation (EC) No 622/2003 laying down measures for the **implementation of the common basic standards on aviation security**.
(Text with EEA relevance).

Implementation of the common basic standards on aviation security

[O.J. of the EU, L 286/06, 17.10.2006](#)

Commission Decision of 28 March 2006 concerning the **technical specification for interoperability** relating to the **control-command and signalling subsystem of the trans-European conventional rail system**.
(Text with EEA relevance).

Technical specification for interoperability relating to the control-command and signalling subsystem, trans-European rail system

[O.J. of the EU, L 284/01, 16.10.2006](#)

Commission Regulation (EC) No 1543/2006 of 12 October 2006 amending Regulation (EC) No 474/2006 establishing the **Community list of air carriers** which are subject to an **operating ban** within the **Community** referred to in Chapter II of Regulation (EC) No 2111/2005 of the European Parliament and of the Council and as amended by Regulation (EC) No 910/2006.
(Text with EEA relevance).

List of air carriers, operating ban within the Community

[O.J. of the EU, L 283/27, 14.10.2006](#)

Council Decision of 25 September 2006 on the conclusion, on behalf of the European Community, of the Rotterdam Convention on the **Prior Informed Consent Procedure** for certain **hazardous chemicals** and **pesticides** in **international trade**.

Prior Informed Consent Procedure, hazardous chemicals and pesticides in international trade

[O.J. of the EU, L 299/23, 28.10.2006](#)

Commission Directive 2006/86/EC of 24 October 2006 implementing Directive 2004/23/EC of the European Parliament and of the Council as regards traceability requirements, notification of serious adverse reactions and events and **certain technical requirements** for the **coding, processing, preservation, storage** and **distribution** of **human tissues and cells**.
(Text with EEA relevance).

Coding, processing, preservation, storage, distribution of human tissues and cells, certain technical requirements

[O.J. of the EU, L 294/32, 25.10.2006](#)

Commission Directive 2006/85/EC of 23 October 2006 amending Council Directive 91/414/EEC to include **fenamiphos** and **ethephon** as active substances.
(Text with EEA relevance).

Placing of plant protection products on the market

[O.J. of the EU, L 293/03, 24.10.2006](#)

Commission Decision of 20 October 2006 approving the plan for preventive vaccination against **avian influenza** of **subtype H5** in certain holdings in North Rhine-Westphalia submitted by Germany under Council Directive 2005/94/EC.

Preventive vaccination against avian influenza, North Rhine-Westphalia

[O.J. of the EU, L 291/38, 21.10.2006](#)

Commission Decision of 3 October 2006 amending Decision 2005/710/EC concerning certain **protection measures** in relation to **highly pathogenic avian influenza** in Romania.
(Text with EEA relevance).

Protection measures, avian influenza, Romania

[O.J. of the EU, L 283/44, 14.10.2006](#)

Commission Decision of 29 September 2006 setting out the guidelines laying down criteria for the conduct of audits under Regulation (EC) No 882/2004 of the European Parliament and of the Council on **official controls to verify compliance with feed and food law, animal health and animal welfare rules**.
(Text with EEA relevance).

Compliance with feed and food law, animal health and animal welfare rules.

[O.J. of the EU, L 278/15, 10.10.2006](#)

Commission Decision of 29 September 2006 as regards a Community financial contribution for the year 2006, to **new Community reference laboratories in the food and feed control area**.

Laboratories, food and feed control area

[O.J. of the EU, L 272/18, 03.10.2006](#)

13.4 Preparatory Acts, Reports

Proposal for a Regulation of the European Parliament and of the Council amending Council Regulation (EEC) No 3922/91 on the **harmonisation of technical requirements and administrative procedures** in the field of **civil aviation**.

Harmonisation of technical requirements and administrative procedures, civil aviation

[COM\(2006\) 645 final, 24.10.2006](#)

Commission working document on the control of recognised organisations by the Commission and on the **impact of the civil liability regime** in accordance with Directive 94/57/EC.

Civil liability regime, maritime transport

[COM\(2006\) 588 final, 11.10.2006](#)

Commission communication in the framework of the implementation of Council Directive 96/48/EC of 23 July 1996 on the **interoperability** of the **trans-European high-speed rail system**.

(Text with EEA relevance).

[O.J. of the EU, C 244/07, 11.10.2006](#)

Commission communication in the framework of the implementation of the Directive 2001/16/EC of the European Parliament and of the Council of 19 March 2001 on the **interoperability** of the **trans-European conventional rail system**.

(Text with EEA relevance).

[O.J. of the EU, C 243/02, 10.10.2006](#)

Communication from the Commission to the European Council. External **energy** relations – from **principles to action**.

[COM\(2006\) 590 final, 12.10.2006](#)

Report from the Commission progress towards achieving the **Kyoto objectives** (required under Decision 280/2004/EC of the European Parliament and of the Council concerning a mechanism for monitoring **Community greenhouse gas emissions** and for implementing the **Kyoto Protocol**).

[COM\(2006\) 658 final, 27.10.2006](#)

Report from the Commission. Relationship between the **SEA directive** and **Community Funds**.

[COM\(2006\) 639 final, 27.10.2006](#)

Proposal for a Regulation of the European Parliament and the Council on the **banning** of **exports** and the **safe storage** of **metallic mercury**.

[COM\(2006\) 636 final, 26.10.2006](#)

Interoperability of the trans-European high-speed rail system

Interoperability of the trans-European conventional rail system

Energy, from principles to action

Monitoring greenhouse gas emissions (Kyoto Protocol)

Relationship between "Strategic Environmental Assessment (SEA)" and Community Fund

Metallic mercury, banning of exports and the safe storage

Proposal for a Council Decision establishing the position to be adopted on behalf of the European Community with regard to a proposal for amendment of the **Kyoto Protocol** to the **United Nations Framework Convention** on **Climate Change**.

**Kyoto Protocol,
Framework Convention
on Climate Change**

[COM\(2006\) 602 final, 17.10.2006](#)

Common position (EC) No 10/2006 adopted by the Council on 27 June 2006 with a view to adopting Regulation (EC) No .../2006 of the European Parliament and of the Council of ... concerning the **Financial Instrument** for the **Environment (LIFE+)**.

**Financial Instrument for
the Environment (LIFE+)**

[O.J. of the EU, C 238 E/01, 03.10.2006](#)

Summary of Community decisions on marketing authorizations in respect of **medicinal products** from 1 September 2006 to 30 September 2006.

**Decisions, marketing of
medicinal products**

[O.J. of the EU, C 259/06, 27.10.2006](#)

Commission communication in the framework of the implementation of the Council Directive 88/378/EEC of 3 May 1988 on the approximation of the laws of the Member States concerning the **safety of toys**.
(Text with EEA relevance).

**Approximation of laws
concerning the safety of
toys**

[O.J. of the EU, C 258/23, 26.10.2006](#)

Report from the Commission to the Council and the European Parliament on the implementation of Regulation (EC) No 1829/2003 of the European Parliament and of the Council on **genetically modified food and feed**.

**Genetically modified
food and feed**

[COM\(2006\) 626 final, 25.10.2006](#)

Communication from the Commission to the Council, the European Economic and Social Committee and the Committee of the Regions. An EU strategy to support Member States in **reducing alcohol related harm**.

**Reducing alcohol related
harm**

[COM\(2006\) 625 final, 24.10.2006](#)

Proposal for a Regulation from the European Parliament and of the Council amending Regulation xxx/2006 on **medicinal products for paediatric use** and amending Regulation (EEC) No 1768/92, Directive 2001/20/EC, Directive 2001/83/EC and Regulation (EC) No 726/2004.

Medicinal products for paediatric

[COM\(2006\) 640 final, 24.10.2006](#)

List of approved firms. Article 92(6) of Commission Regulation (EC) No 1623/2000 (**sale of wine alcohol for use as bioethanol in the fuel sector** within the European Community).

Sale of wine alcohol for use as bioethanol in the fuel sector

[O.J. of the EU, C 256/09, 24.10.2006](#)

Report from the Commission to the Council and the European Parliament on the promotion by Member States of **voluntary unpaid donation of tissues and cells**.

Voluntary unpaid donation of tissues and cells

[COM\(2006\) 593 final, 16.10.2006](#)

Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No .../... on **nutrition and health claims made on foods**.

Nutrition and health claims made on food

[COM\(2006\) 607 final, 13.10.2006](#)

Proposal for a Regulation of the European Parliament and of the Council amending Regulation EC No.../...on the **addition of vitamins and minerals** and of certain **other substances to foods**.

Addition of vitamins and minerals to foods

[COM\(2006\) 606 final, 13.10.2006](#)

13.6 Case Law

Case C-239/04, Commission of the European Communities / Portugal. Failure of a Member State to fulfil obligations – Directive 92/43/EEC – **Conservation of natural habitats** and of **wild fauna and flora** – Article 6(4) – Castro Verde special protection area – Lack of alternative solutions.

Environment

[Curia, Case C-239/04, 26.10.2006](#)

Case C-317/05, G. Pohl-Boskamp. Directive 89/105/EEC – Article 6(1) and (2) – Positive list – **Obligation to state reasons** and **provide information** concerning **remedies**.

Approximation of laws, obligation to state reasons and provide information concerning remedies.

[Curia, Case C-317/05, 26.10.2006](#)