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COMMISSION DECISION

of 25 September 1992

establishing the form of cooperation between the Animo host centre and Member States

(92/486/EEC)

(OJ L 291, 7.10.1992, p. 20)

Amended by:

	Official Journal		
	No	page	date
► <u>M1</u> Commission Decision 93/188/EEC of 4 March 1993	L 82	20	3.4.1993
► <u>M2</u> Commission Decision 96/296/EC of 18 April 1996	L 113	25	7.5.1996
► <u>M3</u> Commission Decision 97/395/EC of 10 June 1997	L 164	44	21.6.1997
► <u>M4</u> Commission Decision 98/222/EC of 18 March 1998	L 82	50	19.3.1998

Amended by:

► <u>A1</u> Act of Accession of Austria, Sweden and Finland	C 241	21	29.8.1994
(adapted by Council Decision 95/1/EC, Euratom, ECSC)	L 1	1	1.1.1995

NB: This consolidated version contains references to the European unit of account and/or the ecu, which from 1 January 1999 should be understood as references to the euro — Council Regulation (EEC) No 3308/80 (OJ L 345, 20.12.1980, p. 1) and Council Regulation (EC) No 1103/97 (OJ L 162, 19.6.1997, p. 1).

▼ B**COMMISSION DECISION****of 25 September 1992****establishing the form of cooperation between the Animo host centre and Member States**

(92/486/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning the veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market⁽¹⁾, as last amended by Directive 92/60/EEC⁽²⁾, and in particular Article 20 (3) thereof,

Whereas on 19 July 1991 the Commission adopted Decision 91/398/EEC on a computerized network linking veterinary authorities (Animo)⁽³⁾ and on 2 July 1992 Decision 92/373/EEC designating the host centre Animo⁽⁴⁾;

Whereas, to ensure the functioning of the computerized network Animo, provision should be made for harmonization of the form of cooperation between the Animo host centre and Member States;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

Each Member State shall, in accordance with its national rules, designate an authority to be responsible for coordination between the authorities within each Member State.

The coordination authority shall negotiate a contract with Eurokom for the use of the common host centre. The contract shall be signed in accordance with national rules.

Article 2

The competent authorities of the Member States shall ensure that the contracts referred to in Article 1:

▼ M1

- enter into force for three years beginning on 1 April 1993,
 - ▶ A1 except for Sweden, where the date of entry into force is that of the date of entry into force of the Accession Treaty and the date on which the contract comes to an end is that of 1 April 1996, and for Austria and Finland, where the date of entry into force falls one year after that of the entry into force of the Accession Treaty and the date on which the contract comes to an end is that of 1 April 1996, ◀

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- include an annual review clause,
- include a termination clause, subject to six months' notice,
- include an undertaking by Eurokom to put into operation all the technical requirements laid down in the Annex to Commission Decision 91/638/EEC⁽⁵⁾, based on the technical approach proposed by Eurokom in their offer. Possible related work by Eurokom,

⁽¹⁾ OJ No L 224, 18. 8. 1990, p. 29.

⁽²⁾ OJ No L 268, 14. 9. 1992, p. 75.

⁽³⁾ OJ No L 221, 9. 8. 1991, p. 30.

⁽⁴⁾ OJ No L 195, 14. 7. 1992, p. 31.

⁽⁵⁾ OJ No L 343, 13. 12. 1991, p. 48.

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including for each Member State work related to implementation of the system in each Member State and work on project management, shall be the subject of separate undertakings,

— take account of the following financial aspects:

- (a) ECU 300 per year per local unit as listed in Commission Decision 92/175/EEC ⁽¹⁾;
- (b) communication costs, differentiated according to the presence or absence of a national host centre and representing the best price obtained by Eurokom from the provider of communications,

▼M1

— include a clause covering updating, protection and availability of data, responsibilities, and the payment schedule.

▼M2*Article 2a*

1. The coordination authorities provided for in Article 1 shall ensure that the contracts referred to in that Article:

▼M3

— are extended for two years;

▼M2

— allow for the possibility of a further extension of one year.

2. In respect of paragraph 1, the follow charges shall apply:

ECU 386 per unit (central unit, local unit, frontier inspection post) listed in Decision 96/295/EC ⁽²⁾.

▼M4

3. For the period 1 April 1998 to 31 March 1999, the coordination authorities provided for in Article 1 shall ensure that the contracts referred to in that Article are extended for one year.

The following charges shall apply in respect of this paragraph:

ECU 386 per unit (central unit, local unit, border inspection post) for all the ANIMO units listed in Decision 96/295/EC, as last amended by Decision 98/167/EC ⁽³⁾.

▼B*Article 3*

Member States shall undertake to invoke the termination clause referred to in the third indent of Article 2 only to be set in accordance with the procedure of Article 20 (3) of Directive 90/425/EEC.

Article 4

The total annual charge resulting from the cost of participating in the network, referred to in point (a) of the fifth indent of Article 2, which shall not exceed the amount provided for in the first year, and its division between Member States, shall be reexamined before ►**M1** 1 April 1994 ◀. However, the maximum price for each Member State for each of years two and three of the contract shall not deviate upwards by more than 10 % of the price for the first year.

⁽¹⁾ OJ No L 80, 25. 3. 1992, p. 1.

⁽²⁾ OJ No L 113, 7. 5. 1996, p. 1.

⁽³⁾ OJ L 62 of 3. 3. 1998, p. 33.

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Article 5

Should it be ascertained during the implementation of the system that a situation arises, in particular concerning the financial provisions, which is inconsistent with the objectives of this Decision, the Commission shall take the necessary measures in accordance with the procedure of Article 42 of Council Decision 90/424/EEC ⁽¹⁾.

▼ M4

Article 5a

This Decision will be reviewed before:

- 1 October 1998 to consider the issue of direct connections between national servers,
- 31 January 1999 to consider how the structure of the ANIMO network has developed.

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Article 6

This Decision is addressed to the Member States.

⁽¹⁾ OJ No L 224, 18. 8. 1990, p. 19.