

**REPUBLIKA HRVATSKA
DRŽAVNI HIDROMETEOROLOŠKI ZAVOD**

**PRIJEDLOG ZAKONA O POTVRĐIVANJU SPORAZUMA IZMEĐU VLADE
REPUBLIKE HRVATSKE I EUROPSKOG CENTRA ZA SREDNJOROČNE
PROGNOZE VREMENA (ECMWF) O PRISTUPANJU REPUBLIKE HRVATSKE
KONVENCIJI ECMWF-a O OSNIVANJU EUROPSKOG CENTRA ZA
SREDNJOROČNE PROGNOZE VREMENA I NJOME POVEZANIM UVJETIMA,
KONVENCIJE O OSNIVANJU EUROPSKOG CENTRA ZA SREDNJOROČNE
PROGNOZE VREMENA S PROTOKOLOM O POVLASTICAMA I IMUNITETIMA
EUROPSKOG CENTRA ZA SREDNJOROČNE PROGNOZE VREMENA I
PROTOKOLA O IZMJENAMA I DOPUNAMA KONVENCIJE O OSNIVANJU
EUROPSKOG CENTRA ZA SREDNJOROČNE PROGNOZE VREMENA, S
KONAČNIM PRIJEDLOGOM ZAKONA**

Zagreb, srpanj 2015.

**PRIJEDLOG ZAKONA O POTVRĐIVANJU SPORAZUMA IZMEĐU VLADE
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I. USTAVNA OSNOVA ZA DONOŠENJE ZAKONA

Ustavna osnova za donošenje Zakona o potvrđivanju Sporazuma između Vlade Republike Hrvatske i Europskog centra za srednjoročne prognoze vremena (ECMWF) o pristupanju Republike Hrvatske Konvenciji ECMWF-a o osnivanju Europskog centra za srednjoročne prognoze vremena i njome povezanim uvjetima, Konvencije o osnivanju Europskog centra za srednjoročne prognoze vremena s Protokolom o povlasticama i imunitetima Europskog centra za srednjoročne prognoze vremena i Protokola o izmjenama i dopunama Konvencije o osnivanju Europskog centra za srednjoročne prognoze vremena, sadržana je u odredbi članka 140. stavku 1. Ustava Republike Hrvatske (Narodne novine, br. 85/2010 – pročišćeni tekst i 5/2014 – Odluka Ustavnog suda Republike Hrvatske).

II. OCJENA STANJA I CILJ KOJI SE ZAKONOM ŽELI POSTIĆI

1. Ocjena stanja

Europski centar za srednjoročne prognoze vremena (u daljnjem tekstu „ECMWF”) osnovan je 1975. godine stupanjem na snagu Konvencije o osnivanju Europskog centra za srednjoročne prognoze vremena s Protokolom o povlasticama i imunitetima Europskog centra za srednjoročne prognoze vremena (u daljnjem tekstu „Konvencija”). Cilj ECMWF-a je ispunjenje potrebe za pouzdanim srednjoročnim vremenskim prognozama u svrhu učinkovitog planiranja ljudskih djelatnosti i sprječavanja ili smanjenja štetnih učinaka prirodnih katastrofa.

Socijalistička Federativna Republika Jugoslavija bila je potpisnica Konvencije te sukladno tome, punopravna članica ECMWF-a od njegove uspostave. Međutim, raspadom Socijalističke Federativne Republike Jugoslavije, države sljednice nisu mogle nastaviti biti punopravne članice u ECMWF-u.

Republika Hrvatska, kao samostalna država, postaje pridružena članica ECMWF-a 1995. godine. Suradnja se provodi posredstvom opunomoćene stručne institucije – Državnog hidrometeorološkog zavoda (DHMZ) i trajne je naravi te se ubraja u stručne djelatnosti od osobitog državnog interesa, jer rezultati takve suradnje znatno i trajno pridonose društvenom i gospodarskom razvitku Republike Hrvatske. Kao pridružena članica ECMWF-a, Republika Hrvatska godišnje plaća polovicu iznosa doprinosa koji bi plaćala kao punopravna članica te dodatno plaća troškove prijenosa podataka koji iznose gotovo polovicu godišnjeg doprinosa za punopravno članstvo.

Danom 6. lipnja 2010. godine stupio je na snagu Protokol o izmjenama i dopunama Konvencije koji uređuje pristupanje novih država u punopravno članstvo ECMWF-a.

Potpisivanjem Sporazuma između Vlade Republike Hrvatske i Europskog centra za srednjoročne prognoze vremena (ECMWF) o pristupanju Republike Hrvatske Konvenciji ECMWF-a o osnivanju Europskog centra za srednjoročne prognoze vremena i njome povezanim uvjetima (u daljnjem tekstu „Sporazum”), dana 8. studenoga 2011. godine, pokrenut je postupak pristupanja Republike Hrvatske u punopravno članstvo ECMWF-a. S tim u vezi te sukladno članku 1. Sporazuma, potrebno je da Republika Hrvatska pristupi Konvenciji i Protokolu o izmjenama i dopunama Konvencije o osnivanju Europskog centra za srednjoročne prognoze vremena (u daljnjem tekstu „Protokol o izmjenama i dopunama Konvencije”) u skladu s odredbama članaka 23. i 24. Konvencije.

2. Cilj koji se zakonom želi postići

Zakonom se potvrđuju Sporazum, Konvencija i Protokol o izmjenama i dopunama Konvencije.

Republika Hrvatska će, kao punopravna članica ECMWF-a, steći pravo izravnog sudjelovanja na najvišoj razini u donošenju strateških odluka ECMWF-a, a time i pravo delegiranja svojih predstavnika u savjetodavna povjerenstva, kao što su to primjerice tehničko, financijsko kao i povjerenstvo za smjernice što predstavlja snažne mehanizme za ostvarivanje vlastitih interesa i ciljeva.

Republika Hrvatska će, kao punopravna članica ECMWF-a, sukladno svojem doprinosu kroz članarinu, imati pristup računalnom sustavu ECMWF-a koji je najsnažniji računalni sustav od svih meteoroloških institucija u svijetu.

Punopravnim članstvom Republike Hrvatske u ECMWF-u završit će integracija Republike Hrvatske u sve relevantne europske meteorološke organizacije, a time u cijelosti ostvariti svoju poziciju u integraciji u sustav Europske meteorološke infrastrukture (EMI).

III. OSNOVNA PITANJA KOJA SE PREDLAŽU UREDITI ZAKONOM

Ovim Zakonom potvrđuju se Sporazum, Konvencija i Protokol o izmjenama i dopunama Konvencije, kako bi njihove odredbe u skladu s člankom 141. Ustava Republike Hrvatske (Narodne novine, br. 85/2010 – pročišćeni tekst i 5/2014 – Odluka Ustavnog suda Republike Hrvatske) postale dio unutarnjeg pravnog poretka Republike Hrvatske.

Sporazumom je utvrđeno da Republika Hrvatska pristupa Konvenciji čiji je sastavni dio Protokol o povlasticama i imunitetima te Protokolu o izmjenama i dopunama Konvencije. Nadalje, Sporazum određuje da Republika Hrvatska preuzima sve odluke i programe koje su nadležna tijela ECMWF-a prihvatila ranije i time dobiva jednaka prava i obveze uporabe i razmjene podataka, proizvoda i usluga ECMWF-a, te propisuje način podmirivanja financijskih obveza Republike Hrvatske prema ECMWF-u.

Konvencijom se propisuju ciljevi i svrha ECMWF-a kao i suradnja s drugim organizacijama. Nadalje, uređuje se rad tijela ECMWF-a, prava i obveze država članica kao i odnos prema državama koje nisu članice te s vladinim i nevladinim međunarodnim znanstvenim i tehničkim organizacijama čije su aktivnosti povezane s njegovim ciljevima. Također, propisuje način podmirivanja financijskih obveza. U skladu s člankom 16. Konvencije, njezin sastavni dio čini Protokol o povlasticama i imunitetima kojim se uređuju povlastice i imuniteti koje na državnom području država članica uživaju ECMWF, predstavnici država članica te osoblje i stručnjaci ECMWF-a.

Temeljem Protokola o izmjenama i dopunama Konvencije usvojene su izmjene i dopune Konvencije na temelju čega je izrađen pročišćeni tekst Konvencije koji se objavljuje u članku 3. Zakona. Protokolom o izmjenama i dopunama Konvencije usvajaju se nova terminološka rješenja u različitim jezičnim inačicama Konvencije, redefinira upotreba službenog i radnog jezika, primarna uloga ECMWF-a, njegova dugoročna strategija itd.

IV. OCJENA POTREBNIH SREDSTAVA ZA PROVOĐENJE ZAKONA

Republika Hrvatska, u skladu s člankom 13. (3) Konvencije, koji određuje godišnju članarinu država članica ECMWF-a na osnovi bruto domaćeg proizvoda (BDP), platit će jednokratni dodatni doprinos ECMWF-u kao doprinos za prethodna ulaganja u ECMWF-u. To će se plaćanje izvršiti u pet obroka podijeljenih u pet uzastopnih financijskih godina, a svaki obrok treba biti plaćen prije kraja financijske godine u kojoj on dospijeva, počevši s godinom u kojoj je Konvencija stupila na snagu za Republiku Hrvatsku.

Potrebna financijska sredstva su osigurana u Državnom proračunu Republike Hrvatske.

V. RAZLOZI ZA DONOŠENJE ZAKONA PO HITNOM POSTUPKU

Temelj za donošenje ovoga Zakona po hitnom postupku nalazi se u članku 204. Poslovnika Hrvatskog sabora (Narodne novine, broj 81/2013), i to u drugim osobito opravdanim državnim razlozima.

S obzirom na prirodu postupka potvrđivanja međunarodnih ugovora, kojim država i formalno izražava spremnost da bude vezana već potpisanim međunarodnim ugovorima, kao i na činjenicu da se u ovoj fazi postupka ne mogu vršiti izmjene ili dopune teksta međunarodnog ugovora, predlaže se ovaj Prijedlog Zakon raspraviti i prihvatiti po hitnom postupku, objedinjavajući prvo i drugo čitanje.

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Članak 1.

Potvrđuju se Sporazum između Vlade Republike Hrvatske i Europskog centra za srednjoročne prognoze vremena (ECMWF) o pristupanju Republike Hrvatske Konvenciji ECMWF-a o osnivanju Europskog centra za srednjoročne prognoze vremena i njome povezanim uvjetima, sastavljen u Zagrebu 8. studenoga 2011. godine, u izvorniku na hrvatskom i engleskom jeziku, Konvencija o osnivanju Europskog centra za srednjoročne prognoze vremena čiji je sastavni dio Protokol o povlasticama i imunitetima Europskog centra za srednjoročne prognoze vremena, sastavljena u Bruxellesu 11. listopada 1973. godine, u izvorniku na nizozemskom, engleskom, francuskom, njemačkom i talijanskom jeziku, i Protokol o izmjenama i dopunama Konvencije o osnivanju Europskog centra za srednjoročne prognoze vremena, usvojen u Londonu 22. travnja 2005. godine, u izvorniku na danskom, engleskom, finskom, francuskom, grčkom, irskom, nizozemskom, norveškom, njemačkom, portugalskom, španjolskom, švedskom, talijanskom i turskom jeziku.

Članak 2.

Tekst Sporazuma iz članka 1. ovoga Zakona u izvorniku na hrvatskom jeziku i tekstovi Konvencije i Protokola iz članka 1. ovoga Zakona u izvorniku na engleskom jeziku i u prijevodu na hrvatski jezik, glase:

Sporazum

između

Vlade Republike Hrvatske

i

Europskog centra za srednjoročne prognoze vremena (ECMWF)

o pristupanju Republike Hrvatske Konvenciji ECMWF-a o osnivanju Europskog centra za srednjoročne prognoze vremena i njome povezanim uvjetima

Preambula

Vlada Republike Hrvatske i Europski centar za srednjoročne prognoze vremena (u daljnjem tekstu „ECMWF“),

SPORAZUMJELI su se kako slijedi:

Članak 1.

Republika Hrvatska pristupa Konvenciji o osnivanju Europskog centra za srednjoročne prognoze vremena (u daljnjem tekstu „Konvencija ECMWF-a“), sastavljenoj u Bruxellesu, 11. listopada 1973., uključujući i Protokol o povlasticama i imunitetima Europskog centra za srednjoročne prognoze vremena (u daljnjem tekstu „Protokol o povlasticama i imunitetima“), u skladu s člancima 23. i 24. Konvencije ECMWF-a.

Članak 2.

1. Od datuma stupanja na snagu Konvencije ECMWF-a za Republiku Hrvatsku, odredbe Konvencije ECMWF-a i sva pravila ECMWF-a, zajedno sa svim odlukama koje je donijelo Vijeće od stupanja na snagu Konvencije ECMWF-a 1. studenoga 1975. obvezujuće su za Republiku Hrvatsku.
2. Od datuma stupanja na snagu Konvencije ECMWF-a za Republiku Hrvatsku, Republika Hrvatska stavlja se u jednak položaj kao i druge države članice s obzirom na odluke, rješenja, rezolucije ili bilo koje akte koje je donijelo Vijeće ili bilo koje pomoćno tijelo i u svezi s bilo kojim ugovorom koji je sklopio ECMWF. Iz tog razloga, Republika Hrvatska pridržavat će se načela i politike koje proizlaze iz toga te će poduzimati odgovarajuće mjere kadgod bude potrebno kako bi se osigurala njihova potpuna provedba.

3. Republika Hrvatska istodobno s pristupanjem Konvenciji ECMWF-a također pristupa Protokolu o izmjenama i dopunama Konvencije ECMWF-a, kako je jednoglasno usvojen od strane Vijeća na njegovom 62. zasjedanju 22. travnja 2005. i koji je stupio na snagu 6. lipnja 2010.

Članak 3.

1. U skladu s člankom 13.(3) Konvencije ECMWF-a, Republika Hrvatska platit će jednokratni dodatni doprinos ECMWF-u kao doprinos za prethodna ulaganja u ECMWF-u. To će se plaćanje izvršiti u pet obroka podijeljenih u pet uzastopnih financijskih godina, a svaki obrok treba biti plaćen prije kraja financijske godine u kojoj on dospijeva, počevši s godinom u kojoj je Konvencija stupila na snagu za Republiku Hrvatsku.
2. Republika Hrvatska počinje plaćati doprinos u godišnji proračun ECMWF-a kao država članica od datuma stupanja na snagu Konvencije ECMWF-a za Republiku Hrvatsku. Stopa doprinosa Republike Hrvatske u proračun ECMWF-a obračunat će se u skladu s člankom 13. Konvencije ECMWF-a.

Članak 4.

Republika Hrvatska stječe puno pravo glasovanja u Vijeću ECMWF-a od datuma stupanja na snagu Konvencije ECMWF-a za Republiku Hrvatsku.

Članak 5.

1. Hrvatski, službeni jezik Republike Hrvatske, postaje službeni jezik ECMWF-a od datuma stupanja na snagu Konvencije ECMWF-a za Republiku Hrvatsku.
2. Prije stupanja na snagu Konvencije ECMWF-a za Republiku Hrvatsku, Republika Hrvatska će ECMWF-u dostaviti ovjerene primjerke prijevoda na hrvatski jezik Konvencije ECMWF-a, uključujući njezin Protokol o povlasticama i imunitetima, Protokol o izmjenama i dopunama Konvencije ECMWF-a te izmijenjenu i dopunjenu Konvenciju.

Članak 6.

1. Ovaj Sporazum stupa na snagu datumom stupanja na snagu Konvencije ECMWF-a za Republiku Hrvatsku i zamjenjuje Ugovor o suradnji potpisan 12. srpnja 1995. i 7. kolovoza 1995. Dospjela plaćanja jednokratnog dodatnog doprinosa ECMWF-u nastavljaju se isplaćivati.
2. U skladu s člankom 23.(2) Konvencije ECMWF-a, Konvencija ECMWF-a stupa na snagu za Republiku Hrvatsku prvog dana drugog mjeseca nakon polaganja njezine isprave o pristupu.

U potvrdu toga, niže potpisani, propisno ovlašteni, potpisali su ovaj Sporazum.

Sastavljeno u Zagrebu, dana 8. studenoga 2011., u dva izvornika, na hrvatskom i engleskom jeziku, pri čemu su oba teksta jednako vjerodostojna. U slučaju bilo kakve razlike u tumačenju, mjerodavan je engleski tekst.

**ZA VLADU
REPUBLIKE HRVATSKE**

dr. sc. Radovan Fuchs, v.r.
ministar znanosti, obrazovanja i športa

**ZA EUROPSKI CENTAR ZA
SREDNJOROČNE PROGNOZE
VREMENA**

Alan Thorpe, v.r.
glavni direktor Europskog centra za
srednjoročne prognoze vremena

**KONVENCIJA O
OSNIVANJU EUROPSKOG CENTRA ZA
SREDNJOROČNE PROGNOZE VREMENA**

UZIMAJUĆI U OBZIR važnost koje za europsko gospodarstvo ima znatno poboljšanje srednjoročnih prognoza vremena;

UZIMAJUĆI U OBZIR da znanstvena i tehnička istraživanja koja će se u tu svrhu provoditi daju vrijedan poticaj razvoju meteorologije u Europi;

UZIMAJUĆI U OBZIR da će poboljšanje srednjoročnih prognoza vremena doprinijeti zaštiti i sigurnosti stanovništva;

UZIMAJUĆI U OBZIR da su, za postizanje tih ciljeva, potrebna sredstva koja premašuju ona uobičajena na nacionalnoj razini;

UZIMAJUĆI U OBZIR da iz izvješća kojeg je podnijela Radna skupina odgovorna za pripremu projekta o ovom predmetu, proizlazi da je osnivanje samostalnog europskog centra s međunarodnim statusom odgovarajući način za postizanje tih ciljeva;

UZIMAJUĆI U OBZIR da bi takav centar također mogao pomoći u poslije studijskom usavršavanju znanstvenika;

UZIMAJUĆI U OBZIR da će aktivnosti takvog centra, osim toga, dati nužan doprinos određenim programima Svjetske meteorološke organizacije (WMO), posebice svjetskom sustavu Svjetskog promatranja vremena (WWW) i Globalnom programu za istraživanje atmosfere (GARP), kojeg provodi Svjetska meteorološka organizacija zajedno s Međunarodnim vijećem znanstvenih udruženja (ICSU);

UZIMAJUĆI U OBZIR važnost koju osnivanje toga centra može imati za razvoj europske industrije na području obrade podataka;

ODLUČILI SU osnovati Europski centar za srednjoročne prognoze vremena i odrediti uvjete pod kojima treba djelovati i u tu su svrhu odredili kao svoje opunomoćenike:

NJEGOVO VELIČANSTVO KRALJ BELGIJANACA

g. Josepha van der MEULENA,
izvanrednoga i opunomoćenog veleposlanika,
stalnog predstavnika Belgije pri Europskim zajednicama;

NJEZINO VELIČANSTVO KRALJICA DANSKE

g. Nielsa ERSBØLLA,
izvanrednoga i opunomoćenog veleposlanika,
stalnog predstavnika Danske pri Europskim zajednicama;

PREDSJEDNIK SAVEZNE REPUBLIKE NJEMAČKE

g. Ulricha LEBSANFTA,
izvanrednoga i opunomoćenog veleposlanika,
stalnog predstavnika Savezne Republike Njemačke pri Europskim zajednicama;

PREDSJEDNIK DRŽAVE ŠPANJOLSKE

g. Alberta ULLASTRESA CALVA,
izvanrednoga i opunomoćenog veleposlanika;
šefa Misije Španjolske pri Europskim zajednicama;

PREDSJEDNIK FRANCUSKE REPUBLIKE

g. Emila CAZIMAJOUA,
zamjenika stalnog predstavnika Francuske pri Europskim zajednicama;

PREDSJEDNIK REPUBLIKE GRČKE

g. Byrona THEODOROPOULOSA,
izvanrednoga i opunomoćena veleposlanika,
stalnog izaslanika Grčke pri Europskoj ekonomskoj zajednici,

PREDSJEDNIK IRSKE

g. Brendana DILLONA,
izvanrednoga i opunomoćenog veleposlanika,
stalnog predstavnika Irske pri Europskim zajednicama;

PREDSJEDNIK TALIJANSKE REPUBLIKE

g. Giorgia BOMBASSEI FRASCANI de VETTORA,
veleposlanika Italije,
stalnog predstavnika Italije pri Europskim zajednicama;

PREDSJEDNIK SOCIJALISTIČKE FEDERATIVNE REPUBLIKE JUGOSLAVIJE

g. Petra MILJEVICA,
izvanrednoga i opunomoćenog veleposlanika,
šefa Misije Jugoslavije pri Europskim zajednicama;

NJEZINO VELIČANSTVO KRALJICA NIZOZEMSKE

g. E. M. J. A. SASSENA,
izvanrednoga i opunomoćenog veleposlanika,
stalnog predstavnika Nizozemske pri Europskim zajednicama;

PREDSJEDNIK PORTUGALSKE REPUBLIKE

g. Fernanda de MAGALHAES CRUZA,
izvanrednoga i opunomoćenog veleposlanika,
šefa Misije Portugala pri Europskim zajednicama;

PREDSJEDNIK ŠVICARSKE KONFEDERACIJE

g. Paula Henrija WURTHA,
izvanrednoga i opunomoćenog veleposlanika,
šefa Švicarske misije pri Europskim zajednicama;

PREDSJEDNIK REPUBLIKE FINSKE

g. Penttija TALVITIEA,
izvanrednoga i opunomoćenog veleposlanika,
šefa Misije Finske pri Europskim zajednicama;

NJEGOVO VELIČANSTVO KRALJ ŠVEDSKE

g. Erika von SYDOWA,
izvanrednoga i opunomoćenog veleposlanika,
šefa Misije Švedske pri Europskim zajednicama;

NJEZINO VELIČANSTVO KRALJICA UJEDINJENE KRALJEVINE VELIKE
BRITANIJE I SJEVERNE IRSKE

Sir Michaela PALLISERA,
izvanrednoga i opunomoćenog veleposlanika,
stalnog predstavnika Ujedinjene Kraljevine pri Europskim zajednicama;

KOJI su se, razmijenivši svoje punomoći, za koje je utvrđeno da su u dobrom i valjanom obliku,

SPORAZUMJELI KAKO SLIJEDI:

ČLANAK 1.

1. Ovime se osniva Europski centar za srednjoročne prognoze vremena, u daljnjem tekstu: „Centar”.
2. Tijela Centra su Vijeće i direktor. Vijeću pomažu Znanstveni savjetodavni odbor i Financijski odbor. Svako tijelo i svaki odbor obavlja svoje funkcije u granicama i pod uvjetima utvrđenim u ovoj Konvenciji.
3. Članice Centra, u daljnjem tekstu: „države članice”, su države stranke ove Konvencije.
4. Centar ima pravnu osobnost na državnom području svake države članice. Posebice ima sposobnost sklapanja ugovora, stjecanja i raspolaganja pokretnom i nepokretnom imovinom i biti strankom u pravnim postupcima.
5. Sjedište Centra je u Shinfield Parku kraj Readinga (Berkshire), na državnom području Ujedinjene Kraljevine Velike Britanije i Sjeverne Irske.
6. Službeni jezici Centra su nizozemski, engleski, francuski, njemački i talijanski.

Njegovi radni jezici su engleski, francuski i njemački.

Vijeće određuje kada će se rabiti službeni, a kada radni jezici.

ČLANAK 2.

1. Ciljevi Centra su:
 - a) razviti dinamične atmosferske modele radi pripreme srednjoročnih prognoza vremena numeričkim metodama;
 - b) pripremiti, na redovitoj osnovi, podatke potrebne za pripremu srednjoročnih prognoza vremena;
 - c) obavljati znanstvena i tehnička istraživanja usmjerena na poboljšanje kakvoće tih prognoza;
 - d) prikupljati i pohranjivati odgovarajuće meteorološke podatke;
 - e) stavljati na raspolaganje meteorološkim uredima država članica, u najprikladnijem obliku, rezultate ispitivanja i istraživanja predviđenih u (a) i (c) te podatke navedene u (b) i (d);
 - f) stavljati na raspolaganje meteorološkim uredima država članica za njihova istraživanja, pri čemu se daje prednost području numeričkog prognoziranja vremena, dostatan udio svojih računalnih kapaciteta, a taj razmjer utvrđuje Vijeće;

- g) pružiti pomoć u provedbi programa Svjetske meteorološke organizacije;
 - h) pružiti pomoć u naprednom usavršavanju znanstvenog osoblja meteoroloških ureda država članica na području numeričkog prognoziranja vremena.
2. Centar postavlja i upravlja uređajima potrebnima za postizanje ciljeva određenih u stavku 1.
 3. Kao opće pravilo, Centar objavljuje ili na drugi način stavlja na raspolaganje, prema uvjetima koje utvrdi Vijeće, znanstvene i tehničke rezultate svojih aktivnosti, ukoliko ti rezultati nisu pokriveni člankom 15.

ČLANAK 3.

1. Radi ostvarivanja svojih ciljeva, Centar surađuje u najvećoj mogućoj mjeri, u skladu s međunarodnom meteorološkom tradicijom, s vladama i nacionalnim ustanovama država članica, s državama koje nisu članice Centra i s vladinim ili nevladinim međunarodnim znanstvenim i tehničkim organizacijama čije su aktivnosti povezane s njegovim ciljevima.
2. Osim toga, Centar može sklapati sporazume o suradnji:
 - a) s državama, uz uvjete utvrđene u članku 6. (1)(e).
 - b) s nacionalnim znanstvenim i tehničkim ustanovama država članica i s međunarodnim organizacijama navedenima u stavku 1., uz uvjete utvrđene u članku 6. (3)(k).
3. Sporazumima o suradnji navedenima u stavku 2. može se staviti na raspolaganje dio računalnog kapaciteta Centra koji je dostupan samo javnim ustanovama država članica.

ČLANAK 4.

1. Vijeće ima ovlasti i usvaja mjere potrebne za provedbu ove Konvencije.
2. Vijeće se sastoji od najviše dvaju predstavnika iz svake države članice, od kojih jedan treba biti predstavnik njegove nacionalne meteorološke službe. Savjetnici mogu pomagati tim predstavnicima na sastancima Vijeća.

Predstavnik Svjetske meteorološke organizacije pozvan je sudjelovati u radu Vijeća kao promatrač.

3. Vijeće bira iz redova svojih članova predsjednika i potpredsjednika koji su imenovani na jednu godinu i koji ne mogu biti birani više od dva puta uzastopno.
4. Vijeće se sastaje najmanje jednom godišnje. Ono se saziva na zahtjev predsjednika ili na zahtjev najmanje jedne trećine država članica. Sastanci Vijeća održavaju se u sjedištu Centra, osim ako Vijeće u iznimnim slučajevima ne odluči drukčije.

5. Predsjednik i potpredsjednik mogu zatražiti pomoć direktora u izvršavanju njihovih zadaća.
6. Vijeće može osnovati savjetodavne odbore i odrediti njihov sastav i zadaće.

ČLANAK 5.

1. Nazočnost predstavnika većine država članica koje imaju pravo glasa nužna je za postizanje kvoruma na sastancima Vijeća.
2. Svaka država članica ima jedan glas u Vijeću. Država članica gubi svoje pravo glasa u Vijeću ako iznos njezinih neplaćenih doprinosa premašuje iznos doprinosa koje je dužna platiti prema članku 13. za tekuću financijsku godinu i za prethodnu financijsku godinu. Vijeće, djelujući u skladu s člankom 6. (3)(m), može ipak odobriti državi članici da glasuje.
3. Između sastanaka Vijeća, Vijeće može odlučivati o bilo kojim pitanjima koja su žurna dopisnim glasovanjem. U takvim slučajevima, većina država članica koje imaju pravo glasa čini kvorum.
4. Za utvrđivanje jednoglasnosti i raznih većina predviđenih ovom Konvencijom, u obzir se uzimaju samo glasovi za ili protiv odluke, a u slučajevima kada Vijeće djeluje u skladu s postupkom utvrđenim u članku 6. (2), u obzir se uzimaju financijski doprinosi država članica koje sudjeluju u glasovanju.

ČLANAK 6.

1. Vijeće, djelujući jednoglasno:
 - a) utvrđuje maksimalni iznos izdataka za provedbu programa aktivnosti Centra za pet godina nakon stupanja na snagu ove Konvencije;
 - b) odlučuje o primanju novih članica, u skladu s člankom 23., i utvrđuje uvjete za takva primanja u skladu s člankom 13. (3);
 - c) odlučuje, u skladu s člankom 20., o povlačenju iz članstva neke države, pri čemu ta država ne sudjeluje u glasovanju o tom pitanju;
 - d) odlučuje o raspuštanju Centra, u skladu s člankom 21. (1) i (2);
 - e) ovlašćuje direktora za pregovore o sporazumima o suradnji s državama; ono ga može ovlastiti da sklopi takve sporazume;
 - f) sklapa, s jednom ili više država članica, u skladu s člankom 22. Protokola o povlasticama i imunitetima, predviđenim u članku 16., sve dodatne sporazume u svrhu provedbe toga Protokola.
2. Vijeće, djelujući dvotrećinskom većinom država članica, i pod uvjetom da zbroj doprinosa tih država predstavlja najmanje dvije trećine ukupnih doprinosa proračunu Centra:

- a) usvaja Financijski pravilnik Centra;
- b) usvaja, u skladu s člankom 12. (3), godišnji proračun i uz njega priloženu tablicu zahtjeva za osobljem Centra i, ukoliko je potrebno, dopunske ili ispravljene proračune, te odobrava sveukupnu procjenu rashoda i prihoda za naredne tri financijske godine; ako Vijeće još nije donijelo proračun, ono ovlašćuje direktora da snosi izdatke i izvrši plaćanja, unutar određenog mjeseca, koja premašuju ograničenje predviđeno u prvom stavku članka 12. (5);
- c) djelujući na prijedlog direktora, donosi odluke koje se odnose na bilo koju nepokretnu imovinu i opremu čija nabava ili zakup od strane Centra uključuje znatne izdatke;
- d) odlučuje o mjerama koje se trebaju poduzeti u slučaju otkaza ove Konvencije u smislu članka 19.;
- e) odlučuje da se Centar ne raspušta u slučaju otkaza ove Konvencije u smislu članka 21. (1), države članice koje otkazuju ne sudjeluju u glasovanju po tom pitanju;
- f) određuje, u skladu s člankom 21. (3), uvjete za zatvaranje Centra u slučaju njegovog raspuštanja.

3. Vijeće, djelujući dvotrećinskom većinom:

- a) usvaja svoj Poslovnik;
- b) usvaja Pravilnik o osoblju i ljestvicu plaća osoblja Centra te određuje narav dodatnih povlastica koje će osoblje uživati i pravila za njihovu dodjelu; ono također određuje prava službenika u pogledu prava industrijskog vlasništva i autorskog prava koja se odnose na njihov rad tijekom obavljanja njihovih zadaća;
- c) odobrava sporazum koji će biti sklopljen, u skladu s člankom 16., između Centra i države na čijem se državnom području nalazi sjedište Centra;
- d) imenuje direktora Centra i njegovog zamjenika na razdoblje od najviše pet godine, pri čemu se njihovo imenovanje može obnoviti jednom ili više puta, svaki put na razdoblje od najviše pet godina;
- e) određuje broj revizora, trajanje njihovog imenovanja, iznos njihove naknade i imenuje ih u skladu s člankom 14. (2);
- f) može okončati ili suspendirati imenovanje direktora ili njegovog zamjenika, uzimajući u obzir odredbe Pravilnika o osoblju koje se odnose na njih;
- g) odobrava Poslovnik Znanstvenog savjetodavnog odbora u skladu s člankom 7. (4);
- h) usvaja omjer financijskih doprinosa država članica u skladu s člankom 13. (1) i (3) i odlučuje o privremenom smanjenju doprinosa države članice zbog posebnih prilika u toj državi, u skladu s člankom 13. (2);

- i) usvaja, prema stavku 1. (a), program aktivnosti Centra, u skladu s člankom 11.;
 - j) razmatra godišnje račune prethodne financijske godine, zajedno sa završnim računom aktive i pasive Centra, nakon primanja na znanje revizijskog izvješća, i daje razrješnicu direktoru u pogledu provedbe proračuna;
 - k) ovlašćuje direktora da pregovora o sporazumima o suradnji s nacionalnim znanstvenim i tehničkim ustanovama država članica i s vladinim ili nevladinim znanstvenim i tehničkim organizacijama čije su aktivnosti povezane s ciljevima Centra; ono ga može ovlastiti za sklapanje takvih sporazuma;
 - l) određuje uvjete prema kojima se licencije dane državama članicama prema članku 15. (1) i (2) mogu proširiti na druge primjene osim prognoze vremena;
 - m) odlučuje, u slučaju predviđenom u članku 5. (2). da država članica može zadržati pravo glasa, pri čemu dotična država članica ne sudjeluje u glasovanju o tom pitanju;
 - n) preporučuje državama članicama, u skladu s člankom 18., izmjene i dopune ove Konvencije;
 - o) određuje, u skladu s člankom 17. Protokola o povlasticama i imunitetima predviđenim člankom 16., kategorije članova osoblja na koje se primjenjuju članci 13. i 15. tog Protokola, u cijelosti ili djelomično, i kategorije stručnjaka na koje se primjenjuje članak 14. tog Protokola.
4. Kada nije predviđena posebna većina, Vijeće djeluje običnom većinom.

ČLANAK 7.

1. Znanstveni savjetodavni odbor sastoji se od dvanaest članova koje Vijeće imenuje u njihovom osobnom svojstvu za razdoblje od četiri godine. Odbor se obnavlja svake godine za jednu četvrtinu. Svaki član može biti imenovan samo na dva uzastopna mandata.

Predstavnik Svjetske meteorološke organizacije pozvan je sudjelovati u radu Odbora.

Članovi odbora biraju se iz redova znanstvenika država članica i predstavljaju što je moguće širi raspon disciplina povezanih s aktivnostima Centra. Direktor podnosi Vijeću popis kandidata.

2. Odbor, radi podnošenja Vijeću, izrađuje mišljenja i preporuke na nacrt programa aktivnosti Centra kojeg izrađuje direktor i o bilo kojem pitanju koje mu podnese Vijeće. Direktor obavještava Odbor o provedbi programa. Odbor daje mišljenje o postignutim rezultatima.
3. Odbor može pozvati stručnjake, posebice osobe koje pripadaju službama koje rabe Centar, da sudjeluju u njegovom radu kada je potrebno riješiti određene probleme.

4. Odbor sastavlja svoj Poslovnik. Taj Poslovnik stupa na snagu nakon odobrenja Vijeća, koje djeluje u skladu s člankom 6. (3)(g).

ČLANAK 8.

1. Financijski odbor sastoji se:
 - a) od jednog predstavnika svake od četiriju država članica koje plaćaju najviši doprinos;
 - b) od tri predstavnika ostalih država članica, koje su ih imenovale za razdoblje od godinu dana; svaka od tih država ne može biti zastupana u Odboru više od dva puta uzastopno.
2. Prema uvjetima utvrđenim u Financijskom pravilniku, Odbor izrađuje, radi podnošenja Vijeću, mišljenja i preporuke o svim financijskim pitanjima podnesenim Vijeću i izvršava financijske ovlasti koje mu je Vijeće povjerilo.

ČLANAK 9.

1. Direktor je glavni izvršni službenik Centra. On zastupa Centar u poslovima s trećim stranama. Odgovoran je Vijeću za izvršavanje zadataka dodijeljenih Centru. Sudjeluje na svim sastancima Vijeća, bez prava glasa.

Vijeće imenuje osobu koja će obavljati poslove kao privremeni direktor.

2. Direktor:
 - a) poduzima sve potrebne mjere za ispravan rad Centra;
 - b) izvršava dodijeljene mu ovlasti prema Pravilniku o osoblju, prema članku 10. (4);
 - c) podnosi Vijeću prijedlog programa aktivnosti Centra, zajedno s mišljenjima i preporukama Znanstvenog savjetodavnog odbora;
 - d) priprema i provodi proračun Centra u skladu s Financijskim pravilnikom;
 - e) vodi preciznu evidenciju prihoda i rashoda Centra u skladu s Financijskim pravilnikom;
 - f) podnosi godišnje Vijeću na odobrenje račune koji se odnosi na provedbu proračuna i završni račun aktive i pasive, koji su u svim slučajevima sastavljeni u skladu s Financijskim pravilnikom, te izvješće o aktivnostima Centra;
 - g) sklapa, u skladu s člankom 6. (1)(e) i člankom 6. (3)(k), sporazume o suradnji koji su potrebni za postizanje ciljeva Centra.
3. U obavljanju njegovih zadataka, direktoru pomaže ostalo osoblje Centra.

ČLANAK 10.

1. Podložno drugom podstavku, na osoblje Centra primjenjuje se Pravilnik o osoblju kojeg je Vijeće usvojilo u skladu s člankom 6. (3)(b);

Ako uvjeti zapošljavanja člana osoblja Centra ne podliježu tom Pravilniku o osoblju, podložni su pravu primjenjivom u državi u kojoj dotična osoba obavlja svoje zadaće.

2. Zapošljavanje osoblja temelji se na osobnim kvalifikacijama, pri čemu se vodi računa o međunarodnom karakteru Centra. Nijedno mjesto ne može biti rezervirano za državljane određene države članice.
3. Centar može također zapošljivati osoblje iz nacionalnih ustanova država članica koje su upućene na rad u Centar na određeno vrijeme.
4. Vijeće odobrava imenovanje i otpuštanje viših službenika određenih u Pravilniku o osoblju, i financijskog kontrolora i njegovog zamjenika.
5. Sporovi koji proizlaze iz provedbe Pravilnika o osoblju ili iz izvršenja ugovora o radu osoblja rješavaju se u skladu s Pravilnikom o osoblju.
6. Svaka osoba koja radi u Centru podliježe ovlastima direktora i pridržava se svih općih pravila koje odobrava Vijeće.
7. Od svake države članice zahtjeva se da poštuje međunarodni karakter odgovornosti direktora i drugih službenika Centra. U obavljanju svojih zadaća direktor i drugi službenici neće tražiti niti prihvatiti upute bilo koje vlade ili tijela izvan Centra.

ČLANAK 11.

Vijeće prihvća program aktivnosti Centra djelujući na prijedlog direktora u skladu s člankom 6. (3)(i).

Program pokriva, u načelu, razdoblje od četiri godine te se prilagođava i nadopunjuje svake godine za dodatno razdoblje od jedne godine. Određuje maksimalan iznos izdataka tijekom trajanja programa i sadrži, dodatno, procjenu izdataka koji proizlaze iz njegove provedbe u odnosu na svaku godinu i svaku glavnu kategoriju.

Maksimalan iznos izdataka može se izmijeniti i dopuniti samo u skladu s postupkom utvrđenim u članku 6. (3)(i).

ČLANAK 12.

1. Proračun Centra sastavlja se za svaku financijsku godinu prije početka te godine, pod uvjetima utvrđenim u Financijskom pravilniku.

Izdaci Centra podmiruju se iz financijskih doprinosa država članica i bilo kojih drugih prihoda Centra.

Prihodi i rashodi iskazani u proračunu moraju biti uravnoteženi. Proračun se sastavlja u valuti države u kojoj se nalazi sjedište Centra.

2. Svi rashodi i prihodi Centra podliježu detaljnim procjenama koje se sastavljaju za svaku financijsku godinu i iskazuju se u proračunu.

Raspodjela obveze koja se odnosi na razdoblje izvan financijske godine može se odobriti pod uvjetima utvrđenim u Financijskom pravilniku.

Dodatno, sastavlja se sveukupna procjena rashoda i prihoda za svaku glavnu kategoriju za naredne tri financijske godine.

3. Vijeće, djelujući u skladu s člankom 6. (2)(b), usvaja proračun za svaku financijsku godinu i uz njega priloženu tablicu radnih mjesta Centra te bilo koje dopunske ili ispravljene proračune te odobrava sveukupnu procjenu rashoda i prihoda za naredne tri financijske godine.

4. Usvajanje proračuna od strane Vijeća:

- a) obvezuje svaku državu članicu da Centru stavi na raspolaganje financijske doprinose određene u proračunu;

- b) ovlašćuje direktora da preuzme obveze i izvrši plaćanja u okviru proračunskih ograničenja odobrenih u tu svrhu.

5. Ako Vijeće nije usvojilo proračun početkom financijske godine, direktor može, svaki mjesec, preuzimati obveze i izvršiti plaćanja za svako poglavlje do jedne dvanaestine proračunskih sredstava iz prethodne financijske godine, pod uvjetom da ne raspolaže proračunskim sredstvima koja premašuju više od jedne dvanaestine predviđene prijedlogom proračuna.

Države članice plaćaju svaki mjesec, na privremenoj osnovi i u skladu s omjerom predviđenim u članku 13., iznose koji su potrebni za primjenu prvog podstavka.

6. Proračun se provodi prema uvjetima utvrđenim u Financijskom pravilniku.

ČLANAK 13.

1. Svaka država članica plaća Centru godišnji doprinos, u konvertibilnoj valuti, na temelju omjera koje Vijeće usvaja svake tri godine djelujući u skladu s člankom 6. (3)(h). Taj se omjer temelji na prosječnom bruto društvenom proizvodu svake države članice za posljednje tri kalendarske godine za koje postoje statistički podaci.
2. Vijeće, djelujući u skladu s člankom 6. (3)(h), može odlučiti o privremenom smanjenju doprinosa države članice zbog posebnih prilika u toj državi. Postojanje posebnih prilika smatra se posebice kada država članica ima bruto društveni proizvod po glavi stanovnika

manji od iznosa kojeg odredi Vijeće djelujući u skladu s postupkom utvrđenim u članku 6. (3).

3. Ako, nakon stupanja na snagu ove Konvencije, država postane strankom ove Konvencije, Vijeće mijenja omjer doprinosa prema osnovici za računanje utvrđenoj u stavku 1. Novi omjer proizvodi učinak kada dotična država postane strankom ove Konvencije.

Država koja postane strankom ove Konvencije nakon 31. prosinca u godini u kojoj stupa na snagu, dužna je platiti, uz doprinos utvrđen u stavku 1., jedinstveni dodatni doprinos za izdatke koje je prethodno imao Centar. Iznos tog dodatnog doprinosa određuje Vijeće, djelujući u skladu s postupkom utvrđenim u članku 6. (1).

Osim ako Vijeće ne odluči drukčije, djelujući u skladu s postupkom utvrđenim u članku 6. (1), bilo koji dodatni doprinos plaćen prema drugom podstavku odbija se od doprinosa drugih država članica. To se smanjenje obračunava na razmjernoj osnovi prema doprinosima koje je svaka država članica stvarno uplatila prije tekuće financijske godine.

4. Ako, nakon stupanja na snagu ove Konvencije, država prestane biti strankom ove Konvencije, Vijeće mijenja omjer doprinosa prema osnovici za računanje utvrđenoj u stavku 1. Novi omjer proizvodi učinak kada dotična država prestane biti strankom ove Konvencije.
5. Način plaćanja doprinosa utvrđuje se Financijskim pravilnikom.

ČLANAK 14.

1. Računi svih prihoda i rashoda iskazani u proračunu i završnom računu aktive i pasive Centra, pod uvjetima utvrđenim u Financijskom pravilniku, podnose se na reviziju revizorima čija je neovisnost izvan svake sumnje. Svrha revizije, koja se temelji na evidenciji i koja se prema potrebi može obaviti na licu mjesta, je ustanoviti da su svi primljeni prihodi i nastali rashodi zakoniti i redovni i da je financijsko upravljanje Centrom ispravno. Revizori podnose Vijeću izvješće o godišnjim računima.
2. Vijeće, djelujući na prijedlog Financijskog odbora, u skladu s člankom 6. (3)(e), određuje broj revizora, trajanje njihovog imenovanja, iznos njihove naknade, te ih imenuje.
3. Direktor daje revizorima bilo koju informaciju i pomoć potrebnu za reviziju navedenu u stavku 1.

ČLANAK 15.

1. Svaka država članica dobiva besplatno, za svoje vlastite potrebe na području prognoze vremena, neisključivu licenciju i druga neisključiva prava uporabe u pogledu prava industrijskog vlasništva, računalnih programa i tehničkih informacija koji proizlaze iz radova obavljenih prema ovoj Konvenciji i koji pripadaju Centru.
2. Kada Centar nije u posjedu prava navedenih u stavku 1., nastojat će steći potrebna prava prema uvjetima koje utvrđuje Vijeće.

3. Uvjeti prema kojima se licencije navedene u stavku 1. mogu proširiti na ostale primjene, osim prognoze vremena, utvrđuju se prema odluci Vijeća koje djeluje u skladu s člankom 6. (3)(l).

ČLANAK 16.

Povlastice i imuniteti koje Centar, predstavnici država članica, osoblje i stručnjaci Centra uživaju na državnom području država članica određuju se u Protokolu koji je dodan ovoj Konvenciji i čini njezin sastavni dio, i u sporazumu koji se sklapa između Centra i države na čijem se državnom području nalazi sjedište Centra. Vijeće odobrava taj sporazum djelujući u skladu s člankom 6. (3)(c).

ČLANAK 17.

1. Bilo koji spor između država članica ili između jedne ili više država članica i Centra u svezi tumačenja primjene ove Konvencije, uključujući Protokol o povlasticama i imunitetima predviđen u članku 16. ili vezano uz jedan od slučajeva predviđenih u članku 24. tog Protokola, koji se ne može riješiti dobrim uslugama Vijeća, na zahtjev jedne od stranaka u sporu drugoj, iznijet će se arbitražnom sudu, osnovanom u skladu s prvim podstavkom stavka 2., osim ako se stranke u sporu u roku od tri mjeseca ne suglase o drukčijem načinu rješavanja.
2. Svaka stranka u sporu, bez obzira jesu li to jedna ili više država članica, imenuje jednog člana arbitražnog suda u roku od dva mjeseca od datuma na koji je primljen zahtjev naveden u stavku 1. Ti članovi, u roku od dva mjeseca od imenovanja drugog člana, imenuju trećeg člana za predsjedavajućeg suda, a koji nije državljanin države koja je stranka u sporu. Ako se imenovanje bilo kojeg od tri člana suda ne izvrši unutar propisanog roka, izvršava ga predsjednik Međunarodnog suda na zahtjev jedne od stranaka.

Arbitražni sud donosi odluke većinom glasova. Njegove odluke obvezuju stranke u sporu. Svaka stranka snosi troškove člana suda kojeg je imenovala kao i one koji se odnose na njezino zastupanje u postupcima pred sudom. Svaka stranka u sporu snosi jednak udio u troškovima koji se odnose na predsjedavajućeg suda i bilo koje druge troškove, osim ako sud ne odluči drukčije. Sud utvrđuje ostala svoja pravila postupka.

ČLANAK 18.

1. Svaka država članica može direktoru podnijeti prijedloge za izmjenu i dopunu ove Konvencije. Direktor prosljeđuje takve prijedloge drugim državama članicama najmanje tri mjeseca prije nego ih razmotri Vijeće. Vijeće razmatra prijedloge i može, djelujući u skladu s člankom 6. (3)(n), preporučiti državama članicama prihvaćanje predloženih izmjena i dopuna.
2. Države članice mogu prihvatiti izmjene i dopune preporučene od strane Vijeća samo u pisanom obliku. One stupaju na snagu trideset dana nakon što glavni tajnik Vijeća Europskih zajednica primi zadnju pisanu obavijest o prihvatu.

ČLANAK 19.

1. Bilo koja država članica može otkazati ovu Konvenciju nakon što je ona bila na snazi pet godina, davanjem obavijesti glavnom tajniku Vijeća Europskih zajednica. Otkaz proizvodi učinak na kraju druge financijske godine koja slijedi godinu u kojoj je dana obavijest o otkazu.
2. Država članica koja je otkazala ovu Konvenciju ostaje u obvezi doprinositi financiranju svih obveza koje je Centar preuzeo prije takvog otkaza te poštivati obveze koje je sama kao država članica ugovorila prema Centru prije otkaza.
3. Država članica koja je otkazala ovu Konvenciju gubi svoja prava na imovinu Centra i mora Centru nadoknaditi štetu, pod uvjetima koje Vijeće utvrdi djelujući u skladu s člankom 6. (2)(d), za bilo koji gubitak imovine Centra na državnom području takve države, osim ako se ne sklopi poseban sporazum koji Centru jamči uporabu takve imovine.

ČLANAK 20.

Svaka država članica koja ne ispunjava svoje obveze prema ovoj Konvenciji, može biti isključena iz svojeg članstva odlukom Vijeća koje djeluje u skladu s člankom 6. (1)(c). U takvom slučaju članak 19. (2) i (3) primjenjuje se *mutatis mutandis*.

ČLANAK 21.

1. Osim ako Vijeće djelujući u skladu s člankom 6. (2)(e) ne odluči drukčije, Centar se raspušta ako otkaz ove Konvencije od strane jedne ili više država članica dovede do toga da razina doprinosa drugih država članica poraste za jednu petinu iznad njihovih početnih razina.
2. Pored slučaja navedenog u stavku 1., Vijeće može raspustiti Centar u svako doba djelujući u skladu s člankom 6. (1)(d).
3. U slučaju raspuštanja Centra, Vijeće imenuje likvidatora.

Osim ako Vijeće djelujući u skladu s člankom 6. (2)(e) ne odluči drukčije, bilo koji viškovi se u trenutku raspuštanja raspodjeljuju između država članica razmjerno doprinosima koji su stvarno uplatile tijekom razdoblja u kojem su one bile stranke Konvencije.

Države članice će pokriti bilo koji manjak razmjerno njihovim doprinosima utvrđenim za tekuću financijsku godinu.

ČLANAK 22.

1. Ova Konvencija otvorena je za potpisivanje od strane europskih država spomenutih u Dodatku do 11. travnja 1974. godine u Glavnom tajništvu Vijeća Europskih zajednica.

Podložna je ratifikaciji, prihvatu ili odobrenju. Isprave o ratifikaciji, prihvatu ili odobrenju polažu se u arhivu Glavnog tajništva Vijeća Europskih zajednica.

2. Ova Konvencija stupa na snagu prvog dana drugog mjeseca koji slijedi nakon datuma njezine ratifikacije, prihvata ili odobrenja od najmanje dvije trećine država potpisnica, uključujući državu na čijem se državnom području nalazi sjedište Centra, pod uvjetom da ukupni doprinosi tih država čine najmanje 80% ukupnih doprinosa u skladu s omjerima sadržanima u Dodatku.

Za bilo koju drugu državu potpisnicu, ova Konvencija stupa na snagu prvog dana drugog mjeseca koji slijedi nakon datuma polaganja njezine isprave o ratifikaciji, prihvatu ili odobrenju.

ČLANAK 23.

Nakon stupanja na snagu ove Konvencije, bilo koja država koja nije potpisnica, a navedena je u Dodatku, može pristupiti ovoj Konvenciji, uz pristanak Vijeća djelujući u skladu s člankom 6. (1)(b). Isprave o pristupu polažu se u arhivu Glavnog tajništva Vijeća Europskih zajednica.

Za svaku državu pristupnicu, ova Konvencija stupa na snagu prvog dana drugog mjeseca koji slijedi nakon polaganja njezine isprave o pristupu.

ČLANAK 24.

Glavni tajnik Vijeća Europskih zajednica obavještava države potpisnice i države pristupnice o:

- a) bilo kojem potpisu ove Konvencije;
- b) polaganju svih isprava o ratifikaciji, prihvatu, odobrenju ili pristupu;
- c) stupanju na snagu ove Konvencije;
- d) bilo kojoj pisanoj obavijesti o prihvatu izmjene i dopune ove Konvencije;
- e) stupanju na snagu bilo koje izmjene i dopune;
- f) bilo kojem otkazu ove Konvencije ili o gubitku članstva u Centru.

Čim ova Konvencija stupi na snagu, glavni tajnik Vijeća Europskih zajednica registrirat će ju u Glavnom tajništvu Ujedinjenih naroda, u skladu s člankom 102. Povelje Ujedinjenih naroda.

ČLANAK 25.

1. Prva financijska godina započinje od stupanja na snagu ove Konvencije do 31. prosinca koji slijedi. U slučaju da ovo razdoblje počinje tijekom druge polovice kalendarske godine, tada ona završava 31. prosinca sljedeće godine.

2. Države koje su potpisale ovu Konvenciju, ali je nisu ratificirale, prihvatile ili odobrile, mogu biti zastupljene na sastancima Vijeća i sudjelovati u njegovom radu bez prava glasa za razdoblje od dvanaest mjeseci nakon stupanja na snagu ove Konvencije. Vijeće može to razdoblje produžiti za narednih šest mjeseci, djelujući u skladu s postupkom utvrđenim u članku 6. (3).
3. Na svojem prvom sastanku Znanstveni savjetodavni odbor će odrediti, izvlačenjem, devet članova Odbora čiji mandat istječe, u skladu s prvim podstavkom članka 7. (1), na kraju prve, druge i treće godine rada Odbora.

ČLANAK 26.

Ova Konvencija, sastavljena u jednom izvorniku na nizozemskom, engleskom, francuskom, njemačkom i talijanskom jeziku, pri čemu su svih pet tekstova jednako vjerodostojni, pohranjuje se u arhivu Glavnog tajništva Vijeća Europskih zajednica, koje dostavlja ovjerenu presliku vladi svake države potpisnice ili pristupnice.

U POTVRDU TOGA niže potpisani opunomoćenici potpisali su ovu Konvenciju.

Sastavljeno u Bruxellesu, jedanaestoga dana listopada godine tisuću devetsto sedamdeset i treće.

Za Vladu Kraljevine Belgije

Joseph van der Meulen, v. r.

Za Vladu Danske

Niels Ersbøll, v. r.

Za Vladu Savezne Republike Njemačke

Ulrich Lebsanft, v. r.

Za Vladu Španjolske

Alberto Ullastres Calvo, v. r.

Za Vladu Republike Francuske

Emile Cazimajou, v. r.

Za Vladu Republike Grčke

Byron Theodoropoulos, v. r.

Za Vladu Irske

Brendan Dillon, v. r.

Za Vladu Republike Italije

Giorgio Bombassei Frascani de Vettor, v. r.

Za Savezno izvršno vijeće Socialističke Federativne Republike Jugoslavije

Petar Miljević, v. r.

Za Vladu Kraljevine Nizozemske

E. M. J. A. Sassen, v. r.

Za Vladu Republike Portugala

Fernando de Magalhaes Cruz, v. r.

Za Savezno vijeće Švicarske

Paul Henri Wurth, v. r.

Za Vladu Republike Finske

Pentti Talvitie, v. r.

Za Vladu Švedske

Erik von Sydow, v. r.

Za Vladu Ujedinjene Kraljevine Velike Britanije i Sjeverne Irske

Michael Palliser, v. r.

Dodatak

PRIVREMENI OMJERI DOPRINOSA

Niže navedeni omjeri dani su isključivo za svrhu provedbe članka 22. (2) Konvencije. Oni ni na koji način ne utječu na bilo koje odluke koje treba poduzeti Vijeće prema članku 13. (1) Konvencije koje se odnose na buduće omjere doprinosa.

Zemlje koje su sudjelovale u izradi nacрта Konvencije	%
Belgija	3,25
Danska	1,98
Savezna Republika Njemačka	21,12
Španjolska	4,16
Francuska	19,75
Grčka	1,18
Irska	0,50
Italija	11,75
Jugoslavija	1,65
Luksemburg	0,12
Nizozemska	3,92
Norveška	1,40
Austrija	1,81
Portugal	0,79
Švicarska	2,63
Finska	1,33
Švedska	4,19
Turska	1,81
Ujedinjena Kraljevina	16,66

PROTOKOL O POVLASTICAMA I IMUNITETIMA EUROPSKOG CENTRA ZA SREDNJOROČNE PROGNOZE VREMENA

Države stranke Konvencije o osnivanju Europskog centra za srednjoročne prognoze vremena, potpisane u Bruxellesu 11. listopada 1973.,

U ŽELJI da utvrde povlastice i imunitete potrebne za ispravno funkcioniranje ovog Centra,

SPORAZUMJELE SU SE KAKO SLIJEDI:

ČLANAK 1.

1. Podložno odredbama ovog Protokola, prostorije Centra su nepovredive.

2. Tijela države u kojoj se nalazi sjedište Centra ne smiju ući u prostorije Centra osim uz pristanak direktora ili osobe koju on odredi. U slučaju požara ili drugih nesreća koje zahtijevaju preventivno djelovanje bez odlaganja, pristanak direktora može se podrazumijevati.
3. Centar će spriječiti da se njegove prostorije rabe kao utočište osobama koje žele izbjeći uhićenje ili dostavu pravnih dokumenata.

ČLANAK 2.

Arhiv Centra je nepovrediv.

ČLANAK 3.

1. U okviru svojih službenih aktivnosti Centar ima imunitet od sudbenosti i ovrhe osim:
 - a) ako ga se odlukom Vijeća Centar odrekne u konkretnom slučaju. Međutim, smatrat se da se Centar odrekao tog imuniteta ako, po primitku zahtjeva za odricanjem od imuniteta poslanog od strane nacionalnog tijela pred kojim se slučaj razmatra ili od protivne stranke, nije dana obavijest u roku od 15 dana od primitka zahtjeva da se ne odriče takvog imuniteta;
 - b) u pogledu građanskih tužbi treće strane za štetu koja proizlazi iz nesreće koju je uzrokovalo vozilo koje pripada Centru ili koje je djelovalo za potrebe Centra ili u pogledu prometnog prekršaja;
 - c) u pogledu izvršenja arbitražnog pravorijeka donesenog bilo prema članku 23. ovog Protokola ili članka 17. Konvencije o osnivanju Centra, u daljnjem tekstu „Konvencija“;
 - d) u slučaju obustave, prema odluci upravnih ili sudskih tijela, na plaće, nadnice te druga primanja koje je Centar dužan članu svojeg osoblja.
2. U bilo kojem sporu koji uključuje člana osoblja ili stručnjaka Centra za kojeg se poziva na imunitet od sudbenosti prema članku 13. ili članku 14., odgovornost snosi Centar za toga člana osoblja ili stručnjaka.
3. Podložno stavku 1., imovina i sredstva Centra, bez obzira gdje se nalazili, uživaju imunitet od bilo kojeg oblika upravne ili privremene sudske zabrane kao što su rekvizicija, konfiskacija, izvlaštenje ili pljenidba, osim u opsegu u kojem je to privremeno potrebno u svezi sa sprječavanjem i istraživanjem nesreća u koje su umiješana vozila koja pripadaju Centru ili koja su djelovala za potrebe Centra.

ČLANAK 4.

1. U okviru svojih službenih aktivnosti Centar i njegova imovina i prihodi oslobođeni su od plaćanja svih izravnih poreza.

2. Kada Centar obavlja kupnju u znatnoj vrijednosti ili koristi usluge znatne vrijednosti koje su prijeko potrebne za izvršavanje njegovih službenih aktivnosti i kada cijena takvih kupnji ili usluga uključuje pristojbe ili poreze, država članica koja je uvela pristojbe i poreze poduzima odgovarajuće mjere za oslobađanje od plaćanja ili za povrat iznosa pristojbi i poreza koji se može utvrditi.
3. Ne odobrava se oslobođenje u pogledu pristojbi i poreza koje nisu ništa drugo nego plaćanja javnih komunalnih usluga.

ČLANAK 5.

Roba koju Centar uvozi ili izvozi i koja je prijeko potrebna za izvršavanje njegovih službenih aktivnosti oslobođena je od plaćanja svih carina, poreza i carinskih davanja osim onih davanja koja nisu ništa drugo nego plaćanja za usluge. Takva je roba također oslobođena od svih zabrana i ograničenja na uvoz i izvoz. Države članice poduzimaju sve potrebne mjere koje su u njihovoj moći da se takva roba ocarini što je prije moguće.

ČLANAK 6.

Ne odobrava se oslobođenje prema članku 4. ili članku 5. u pogledu robe koja je kupljena i uvezena za osobne potrebe članova osoblja Centra ili stručnjaka u smislu članka 14.

ČLANAK 7.

Roba koja je nabavljena prema članku 4. ili uvezena prema članku 5. ne može biti prodana, otuđena ili iznajmljena osim u skladu s uvjetima utvrđenim propisima države koja je odobrila oslobođenje.

ČLANAK 8.

1. Centar može primati i imati bilo koju vrstu sredstava ili valute. Može slobodno njima raspolagati u svrhu izvršavanja svojih službenih aktivnosti i može imati račune u bilo kojoj valuti u mjeri potrebnoj za ispunjavanje svojih obveza.
2. U okviru svojih službenih aktivnosti i ne dirajući u stavak 1., Centar može također primati, posjedovati i raspolagati vrijednosnim papirima, podliježući bilo kojim odredbama deviznih propisa koji su primjenjivi na druge međuvladine organizacije u toj državi članici.

ČLANAK 9.

Opticaj publikacija i drugih informacijskih materijala koje šalje Centar ili ih prima u okviru svojih službenih aktivnosti ne smije se ograničiti ni na koji način.

ČLANAK 10.

1. U pogledu prijenosa podataka u okviru svojih službenih aktivnosti, Centar uživa, na državnom području svake države članice, postupanje koje je jednako povoljno onome koje ta država pruža svojoj nacionalnoj meteorološkoj službi, uzimajući u obzir međunarodne obveze te države u pogledu telekomunikacija.
2. U pogledu svojih službenih komunikacija i prijenosa svih svojih dokumenata, Centar uživa postupanje koje je jednako povoljno onome koje svaka država članica pruža drugim međunarodnim organizacijama, uzimajući u obzir međunarodne obveze te države u pogledu telekomunikacija.
3. Službene komunikacije Centra, bez obzira na vrstu komunikacije, ne smiju biti podvrgnute cenzuri.

ČLANAK 11.

Države članice poduzimaju sve prikladne mjere za olakšavanje ulaska, boravka i odlaska predstavnika država članica, članova osoblja Centra i stručnjaka u smislu članka 14.

ČLANAK 12.

Predstavnici država članica koji sudjeluju u radu tijela i odbora Centra uživaju prilikom obavljanja svojih zadaća i tijekom putovanja na i s mjesta sastanka, sljedeće povlastice, imunitete i olakšice:

- a) imunitet od uhićenja i pritvaranja te zapljene osobne prtljage, osim kada se utvrdi da čine kazneno djelo, da su ga pokušali počiniti ili da su ga upravo počinili;
- b) imunitet od sudbenosti, čak i nakon prestanka njihove misije, u pogledu djela, uključujući izgovorene ili pisane riječi, koja su počinili u službenom svojstvu i u granicama njihovih ovlaštenja; taj imunitet se ne primjenjuje u slučaju počinjenja prometnog prekršaja od strane predstavnika države članice, niti u slučaju štete prouzročene vozilom koje pripada takvoj osoba ili je ona njime upravljala.
- c) nepovredivost svih njihovih službenih spisa i dokumenata;
- d) oslobođenje od svih mjera ograničavanja ulaska stranaca i formalnosti prijave stranaca;
- e) iste carinske olakšice u pogledu njihove osobne prtljage i iste povlastice u pogledu valutnih i deviznih propisa koje su dane predstavnicima stranih vlada na privremenim službenim misijama.

ČLANAK 13.

Članovi osoblja Centra uživaju, u granicama predviđenim ovim Protokolom, sljedeće povlastice, imunitete i olakšice:

- a) imunitet od sudbenosti, čak i nakon što su napustili službu u Centru, u pogledu djela, uključujući izgovorenih ili pisanih riječi, koja su počinili u službenom svojstvu i u granicama njihovih ovlaštenja; taj imunitet ne se primjenjuje u slučaju počinjenja prometnog prekršaja od strane člana osoblja, niti u slučaju štete prouzročene vozilom koje pripada takvoj osobi ili je ona njime upravljala.
- b) oslobođenje od svih obveza u pogledu vojne službe;
- c) nepovredivost svih njihovih službenih spisa i dokumenata;
- d) zajedno s članovima njihovih obitelji koji čine dio njihovog kućanstva, ista oslobođenja u pogledu mjera koje ograničavaju useljavanje i uređuju prijavu stranaca koje se obično daju članovima osoblja međunarodnih organizacija;
- e) iste povlastice u pogledu novčanih i deviznih propisa koje se obično daju članovima osoblja međunarodnih organizacija;
- f) zajedno s članovima svoje obitelji koji čine dio njihovog kućanstva, iste olakšice u pogledu povratka u domovinu u vrijeme međunarodne krize koje se obično daju članovima osoblja međunarodnih organizacija;
- g) pravo uvesti bez carine namještaj i osobne predmete u vrijeme preuzimanja dužnosti u toj državi u razdoblju od najmanje godinu dana i pravo pri prestanku njihovih funkcija u rečenoj državi izvesti bez carine namještaj i osobne predmete, u oba slučaja podložno uvjetima koje vlada države na čijem se državnom području ostvaruje pravo smatra potrebnim i uz iznimku imovine koja je stečena u toj državi i koja podliježe zabrani izvoza.

ČLANAK 14.

Stručnjaci koji nisu članovi osoblja i koji obavljaju zadaće u Centru ili koji obavljaju misije u njegovo ime, uživaju tijekom obavljanja njihovih zadaća ili dok su na misiji i tijekom putovanja u okviru takvih zadaća i misija sljedeće povlastice, imunitete i olakšice u mjeri koja je potrebna za izvršavanje njihovih zadaća ili za obavljanje njihovih misija:

- a) imunitet od sudbenosti, čak i nakon što su napustili službu u Centru, u pogledu djela, uključujući izgovorenih ili pisanih riječi, koja su učinili u njihovom svojstvu kao stručnjaci i u granicama svojih ovlaštenja; taj imunitet se ne primjenjuje u slučaju počinjenja prometnog prekršaja od strane stručnjaka, niti u slučaju štete prouzročene vozilom koje pripada takvoj osobi ili je ona njime upravljala.
- b) nepovredivost svih njihovih službenih spisa i dokumenata;

- c) iste carinske olakšice u pogledu njihove osobne prtljage i iste povlastice u pogledu valutnih i deviznih propisa koje su dane osobama upućenima od stranih vlada na privremene službene misije.

ČLANAK 15.

1. Podložno uvjetima i prema postupku koje je utvrdilo Vijeće u skladu s postupkom utvrđenim člankom 6. (2) Konvencije, u roku od godinu dana nakon stupanja na snagu Konvencije, članovi osoblja Centra bit će, u granicama predviđenim ovim Protokolom, oporezivani u korist Centra na plaće, naknade te druge prihode koje im Centar isplaćuje. Od datuma na koji se taj porez primjenjuje, takve plaće, naknade te drugi prihodi oslobođeni su nacionalnog sustava poreza na dohodak, a države članice zadržavaju pravo da takve plaće, naknade te druge prihode uzimaju u obzir prilikom određivanja poreza na dohodak iz drugih izvora.
2. Stavak 1. ne primjenjuje se na mirovine i slična plaćanja koje isplaćuje Centar.

ČLANAK 16.

Nijedna država članica nije dužna pružati povlastice, imunitete i olakšice navedene u članku 12., članku 13. (b), (e), (f), (g) i članku 14. (c) svojim predstavnicima, svojim državljanima ili osobama koje u vrijeme stupanja na svoju dužnost u Centru imaju stalni boravak u toj državi.

ČLANAK 17.

Vijeće, djelujući u skladu s postupkom utvrđenim u članku 6. (3) (o) Konvencije, određuje kategorije članova osoblja na koje se primjenjuju članci 13. i 15 u cijelosti ili djelomično i kategorije stručnjaka na koje se primjenjuje članak 14. Imena, titule i adrese osoba uključenih u takve kategorije periodično se dostavljaju državama članicama.

ČLANAK 18.

Ako Centar osnuje svoj vlastiti sustav socijalnog osiguranja ili se pridruži nekom druge međunarodne organizacije pod uvjetima utvrđenima u Pravilniku o osoblju, Centar i njegovi članovi osoblja oslobođeni su od svih obvezatnih doprinosa u nacionalne sustave socijalnog osiguranja, podliježući sporazumima koji će se s tim ciljem sklopiti s dotičnim državama članicama pod uvjetima utvrđenima u članku 22.

ČLANAK 19.

1. Povlastice, imuniteti i olakšice predviđeni ovim Protokolom dodjeljuju se isključivo u interesu Centra i država članica, a ne u svrhe osobne koristi onih koji ih uživaju.
2. Nadležna tijela nemaju samo pravo, već i obvezu odreći se imuniteta tamo gdje takav imunitet ometa pravni postupak i kada ga se može odreći bez ugrožavanja svrhe za koju je dan.
3. Nadležna tijela navedena u stavku 2. su:

- države članice, u slučaju svojih predstavnika,
- Vijeće, u slučaju direktora,
- direktor, u slučaju drugih članova osoblja i stručnjaka u smislu članka 14.

ČLANAK 20.

1. Centar u svako doba surađuje s nadležnim tijelima države članice radi omogućavanja pružanja pomoći pravosuđu, osiguranja poštivanja policijskih propisa i propisa koji se odnose na javno zdravstvo i inspekciju rada te sličnog zakonodavstva, i radi sprječavanja zlouporabe povlastica, imuniteta i olakšica predviđenih ovim Protokolom.
2. Postupci suradnje mogu se utvrditi dopunskim sporazumima predviđenim u članku 22.

ČLANAK 21.

Odredbe ovog Protokola ne utječu na pravo svake države članice da poduzme sve mjere predostrožnosti nužne u interesu njezine sigurnosti.

ČLANAK 22.

Centar može, prema jednoglasnoj odluci Vijeća, sklopiti dopunske sporazume s bilo kojom državom članicom radi provedbe ovog Protokola i može sklopiti bilo koje druge dogovore kako bi osigurao nesmetan rad Centra i zaštitu njegovih interesa.

ČLANAK 23.

1. Centar je dužan u sve pisane ugovore - osim onih koji su sklopljeni u skladu s Pravilnikom o osoblju – koje sklapa i koji se odnose na pitanja u kojima uživa imunitet od sudske nadležnosti, uključiti arbitražnu klauzulu prema kojoj se svi sporovi koji proizlaze iz tumačenja ili izvršenja ugovora, na zahtjev bilo koje stranke, iznose pred arbitražni sud.
2. Centar je dužan iznijeti pred arbitražu, na zahtjev oštećene stranke, na temelju arbitražnog sporazuma sve druge sporove koji proizlaze iz gubitka ili štete koju je Centar uzrokovao osobama ili imovini.
3. U arbitražnoj klauzuli ili arbitražnom sporazumu navest će se način imenovanja arbitara i trećeg arbitra, pravo koje će se primijeniti i zemlja u kojoj će zasjedati arbitri. Primjenjivat će se arbitražni postupak te zemlje.
4. Izvršenje arbitražnog pravorijeka provodi se prema pravilima koja su na snazi u državi u kojoj će se pravorijek izvršiti.

ČLANAK 24.

1. Bilo koja država članica može arbitražnom sudu predviđenome u članku 17. Konvencije podnijeti bilo koji spor:
 - koji proizlazi iz štete koju je uzrokovao Centar;
 - koji uključuje bilo koju izvanugovornu odgovornost Centra; ili

- koji uključuje člana osoblja ili stručnjaka Centra i u kojem dotična osoba može tražiti imunitet od sudske nadležnosti prema članku 13. ili članku 14., ukoliko taj imunitet nije ukinut u skladu s člankom 19.
- 2. Ako država članica namjerava iznijeti spor pred arbitražu, obavijestit će direktora koji će o takvoj obavijesti odmah obavijestiti svaku državu članicu.
- 3. Postupak utvrđen u stavku 1. ne primjenjuje se na sporove između Centra i članova osoblja u pogledu njihovih uvjeta službe.
- 4. Žalba se ne može uložiti protiv pravorijeka arbitražnog suda, koji je konačan; on je obvezatan za sve stranke. U slučaju spora koji se odnosi na smisao ili doseg pravorijeka, arbitražni sud daje tumačenje na zahtjev bilo koje stranke.

ČLANAK 25.

U svrhu ovog Protokola:

- a) „službene aktivnosti Centra” uključuju njegovo upravljanje i njegove aktivnosti koje provodi u skladu s njegovim ciljevima kako su utvrđeni člankom 2. Konvencije;
- b) „članovi osoblja” uključuju direktora Centra.

ČLANAK 26.

Ovaj se Protokol tumači u svjetlu njegove prvotne namjene omogućavanja Centru da u potpunosti i učinkovito ispunjava svoje ciljeve i obavlja funkcije koje su mu dodijeljene Konvencijom.

CONVENTION ESTABLISHING THE EUROPEAN CENTRE FOR MEDIUM-RANGE WEATHER FORECASTS

CONSIDERING the importance for the European economy of a considerable improvement in medium-range weather forecasts;

CONSIDERING that the scientific and technical research carried out for this purpose will provide a valuable stimulus to the development of meteorology in Europe;

CONSIDERING that the improvement of medium-range weather forecasts will contribute to the protection and safety of the population;

CONSIDERING that, to achieve these objectives, resources on a scale exceeding those normally practicable at national level are needed;

CONSIDERING that it appears from the report submitted by the Working Party responsible for preparing a project on the subject that the establishment of an autonomous European centre with international status is the appropriate means to attain these objectives;

CONSIDERING that such a centre could also assist in the post-university training of scientists;

CONSIDERING that the activities of such a centre will, moreover, make a necessary contribution to certain programmes of the World Meteorological Organisation (WMO), in particular the world system of the World Weather Watch (WWW) and the Global Atmospheric Research Programme (GARP), undertaken by the World Meteorological Organisation in conjunction with the International Council of Scientific Unions (ICSU);

CONSIDERING the importance that the establishment of such a centre can have for the development of European industry in the field of data processing,

HAVE DECIDED to establish a European Centre for Medium-Range Weather Forecasts and to define the conditions under which it should operate and to this end have designated as their Plenipotentiaries

HIS MAJESTY THE KING OF THE BELGIANS

Mr. Joseph VAN DER MEULEN,
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative of Belgium to the European Communities;

HER MAJESTY THE QUEEN OF DENMARK

Mr. Niels ERSBØLL,
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative of Denmark to the European Communities;

THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY

Mr. Ulrich LEBSANFT,
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative of the Federal Republic of Germany to the European Communities;

THE HEAD OF STATE OF SPAIN

Mr. Alberto ULLASTRES CALVO,
Ambassador Extraordinary and Plenipotentiary,
Head of the Mission of Spain to the European Communities;

THE PRESIDENT OF THE FRENCH REPUBLIC

Mr. Emile CAZIMAJOU,
Deputy Permanent Representative of France to the European Communities;

THE PRESIDENT OF THE REPUBLIC OF GREECE

Mr. Byron THEODOROPOULOS,
Ambassador Extraordinary and Plenipotentiary,
Permanent Delegate of Greece to the European Economic Community;

THE PRESIDENT OF IRELAND

Mr. Brendan DILLON,
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative of Ireland to the European Communities;

THE PRESIDENT OF THE ITALIAN REPUBLIC

Mr. Giorgio BOMBASSEI FRASCANI de VETTOR,
Ambassador of Italy,
Permanent Representative of Italy to the European Communities;

THE HEAD OF THE SOCIALIST FEDERAL REPUBLIC OF YUGOSLAVIA

Mr. Petar MILJEVIC,
Ambassador Extraordinary and Plenipotentiary,
Head of the Mission of Yugoslavia to the European Communities;

HER MAJESTY THE QUEEN OF THE NETHERLANDS

Mr. E. M. J. A. SASSEN,
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative of the Netherlands to the European Communities;

THE PRESIDENT OF THE PORTUGUESE REPUBLIC

Mr. Fernando de MAGALHAES CRUZ,
Ambassador Extraordinary and Plenipotentiary,
Head of the Mission of Portugal to the European Communities;

THE PRESIDENT OF THE SWISS CONFEDERATION

Mr. Paul Henri WURTH,
Ambassador Extraordinary and Plenipotentiary,
Head of the Swiss Mission to the European Communities;

THE PRESIDENT OF THE REPUBLIC OF FINLAND

Mr. Pentti TALVITIE,
Ambassador Extraordinary and Plenipotentiary,
Head of the Mission of Finland to the European Communities;

HIS MAJESTY THE KING OF SWEDEN

Mr. Erik von SYDOW,
Ambassador Extraordinary and Plenipotentiary,
Head of the Mission of Sweden to the European Communities;

HER MAJESTY THE QUEEN OF THE UNITED KINGDOM OF GREAT BRITAIN AND
NORTHERN IRELAND

Sir Michael PALLISER,
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative of the United Kingdom to the European Communities;

WHO, having exchanged their Full Powers, found in good and due form,

HAVE AGREED AS FOLLOWS:

ARTICLE 1

1. A European Centre for Medium-range Weather Forecasts, hereinafter referred to as “the Centre”, is hereby established.
2. The organs of the Centre shall be the Council and the Director. The Council shall be assisted by a Scientific Advisory Committee and a Finance Committee. Each organ and committee shall carry out its functions within the limits and conditions laid down in this Convention.
3. The members of the Centre, hereinafter referred to as “Member States”, shall be the States parties to this Convention.
4. The Centre shall have legal personality in the territory of each Member State. It shall in particular have the capacity to contract, to acquire and dispose of movable and immovable property and to be party to legal proceedings.
5. The headquarters of the Centre shall be at Shinfield Park near Reading (Berkshire), in the territory of the United Kingdom of Great Britain and Northern Ireland.
6. The official languages of the Centre shall be Dutch, English, French, German and Italian.

Its working languages shall be English, French and German.

The Council shall determine the extent to which the official and working languages shall respectively be used.

ARTICLE 2

1. The objectives of the Centre shall be:

- a) to develop dynamic models of the atmosphere with a view to preparing medium-range weather forecasts by means of numerical methods;
 - b) to prepare, on a regular basis, the data necessary for the preparation of medium-range weather forecasts;
 - c) to carry out scientific and technical research directed towards improving the quality of these forecasts;
 - d) to collect and store appropriate meteorological data;
 - e) to make available to the meteorological offices of the Member States, in the most appropriate form, the results of the studies and research provided for in (a) and (c) and the data referred to in (b) and (d);
 - f) to make available to the meteorological offices of the Member States for their research, priority being given to the field of numerical weather forecasting, a sufficient proportion of its computing capacity, such proportion being determined by the Council;
 - g) to assist in implementing programmes of the World Meteorological Organisation;
 - h) to assist in advanced training for the scientific staff of the meteorological offices of the Member States in the field of numerical weather forecasting.
2. The Centre shall establish and operate the installations necessary for the achievement of the objectives defined in paragraph 1.
 3. As a general rule, the Centre shall publish or otherwise make available under the conditions laid down by the Council, the scientific and technical results of its activities, inasmuch as these results are not covered by Article 15.

ARTICLE 3

1. In order to obtain its objectives, the Centre shall co-operate to the largest extent possible, in accordance with international meteorological traditions, with the Governments and national agencies of the Member States, with States which are not members of the Centre and with governmental or non-governmental international scientific and technical organisations whose activities are related to its objectives.
2. Moreover, the Centre may conclude co-operation agreements:
 - a) with States, under the conditions laid down in Article 6(1)(e).
 - b) with the national scientific and technical agencies of the Member States and with the international organisations referred to in paragraph 1, under the conditions laid down in Article 6(3)(k).

3. The co-operation agreements referred to in paragraph 2 may make part of the Centre's computing capacity available only to public agencies of the Member States.

ARTICLE 4

1. The Council shall have the powers and shall adopt the measures necessary to implement this Convention.
2. The Council shall be composed of not more than two representatives from each Member State, one of whom should be a representative of his national meteorological service. These representatives may be assisted at Council meetings by advisers.

A representative of the World Meteorological Organisation shall be invited to take part in the work of the Council as an observer.

3. The Council shall elect from among its members a President and a Vice-President who shall be appointed for one year and who may not be re-elected more than twice in succession.
4. The Council shall meet at least once a year. It shall be convened at the request of the President or at the request of at least one third of the Member States. Meetings of the Council shall be held at the headquarters of the Centre unless the Council decides otherwise in exceptional cases.
5. The President and Vice-President may call on the assistance of the Director in the performance of their duties.
6. The Council may set up advisory committees and shall determine the composition and duties thereof.

ARTICLE 5

1. The presence of the representatives of the majority of Member States entitled to vote shall be necessary to constitute a quorum at meetings of the Council.
2. Each Member State shall have one vote in the Council. A Member State shall lose its right to vote in the Council if the amount of its unpaid contributions exceeds the amount of the contributions due from it, under Article 13, for the current financial year and for the preceding financial year. The Council, acting in accordance with Article 6(3)(m), may nevertheless authorise the Member State to vote.
3. Between meetings of the Council, the Council may dispose of any matter which is urgent by means of a postal vote. In such cases, the majority of the Member States entitled to vote shall constitute the quorum.
4. In determining unanimity and the various majorities provided for in this Convention, only votes cast for or against a decision and, in cases where the Council acts in accordance with the procedure laid down in Article 6(2), the financial contributions of the Member States taking part in the vote, shall be taken into account.

ARTICLE 6

1. The Council, acting unanimously, shall:
 - a) fix the ceiling of expenditure for implementing the programme of the activities of the Centre over the five years following the entry into force of this Convention;
 - b) decide on the admission of new members, in accordance with Article 23, and lay down the conditions for such admissions in accordance with Article 13(3);
 - c) decide, in accordance with Article 20, on the withdrawal of membership from a State, that State not participating in the vote on this matter;
 - d) decide on the dissolution of the Centre, in accordance with Article 21(1) and (2);
 - e) authorise the Director to negotiate co-operation agreements with States; it may authorise him to conclude such agreements;
 - f) conclude, with one or more of the Member States, in accordance with Article 22 of the Protocol on Privileges and Immunities provided for in Article 16, any additional agreements for the purpose of implementing that Protocol.
2. The Council, acting by a majority of two-thirds of the Member States, and provided that the sum of the contributions from these States represents at least two-thirds of the total contributions to the budget of the Centre, shall:
 - a) adopt the Financial Regulations of the Centre;
 - b) adopt, in accordance with Article 12(3), the annual budget and the table of the staff requirements of the Centre annexed thereto and, if necessary, supplementary or rectifying budgets, and approve the overall estimates of expenditure and revenue for the next three financial years; if the Council has not yet adopted the budget, it shall authorise the Director to incur expenditure and make payments, within a given month, exceeding the limit provided for in the first subparagraph of Article 12(5);
 - c) acting on a proposal from the Director, take decisions concerning any immovable property and equipment whose acquisition or renting by the Centre involves considerable expenditure;
 - d) decide on the measures to be taken in the event of denunciation of this Convention within the meaning of Article 19;
 - e) decide that the Centre shall not be dissolved in the event of denunciation of this Convention within the meaning of Article 21(1), the denouncing Member States not taking part in the vote on this matter;
 - f) determine, in accordance with Article 21(3), the conditions for winding up the Centre in the event of its dissolution.

3. The Council, acting by a majority of two-thirds:

- a) shall adopt its Rules of Procedure;
- b) shall adopt the Staff Regulations and the scale of the staff salaries of the Centre and shall determine the nature of the additional benefits the staff shall enjoy and the rules for granting them; it shall also determine the rights of officials regarding industrial property rights and copyright relating to work done by them in the course of their duties;
- c) shall approve the agreement to be concluded, in accordance with Article 16, between the Centre and the State in whose territory the headquarters of the Centre are located;
- d) shall appoint the Director of the Centre and his deputy for a period not exceeding five years, their appointments being renewable one or more times, for a period not exceeding five years each time;
- e) shall determine the number of auditors, the length of their appointment, the amount of their remuneration, and shall appoint them in accordance with Article 14(2);
- f) may terminate or suspend the appointment of the Director or his deputy, account being taken of the provisions of the Staff Regulations which are applicable to them;
- g) shall approve the Rules of Procedure of the Scientific Advisory Committee in accordance with Article 7(4);
- h) shall adopt the scale of financial contributions of the Member States in accordance with Article 13(1) and (3) and shall decide to reduce temporarily the contribution of a Member State because of special circumstances in that State, in accordance with Article 13(2);
- i) shall adopt, subject to paragraph 1(a), the programme of the activities of the Centre, in accordance with Article 11;
- j) shall consider annually the accounts of the previous financial year, together with the balance sheet of the assets and liabilities of the Centre, after taking note of the auditors' report, and shall give a discharge to the Director in respect of the implementation of the budget;
- k) shall authorise the Director to negotiate co-operation agreements with the national scientific and technical agencies of the Member States and with governmental or non-governmental international scientific and technical organisations whose activities are related to the objectives of the Centre; it may authorise him to conclude such agreements;
- l) shall determine the conditions under which licences granted to the Member States pursuant to Article 15(1) and (2) may be extended to applications other than weather forecasting;

- m) shall decide, in the case provided for in Article 5(2), that a Member State may retain the right to vote, the Member State in question not taking part in the vote on this matter;
 - n) shall recommend to Member States, in accordance with Article 18, amendments to this Convention;
 - o) shall determine, in accordance with Article 17 of the Protocol on Privileges and Immunities provided for in Article 16, the categories of staff members to which Articles 13 and 15 of that Protocol shall apply, in whole or in part, and the categories of experts to which Article 14 of that Protocol shall apply.
4. When a special majority is not specified, the Council shall act by a simple majority.

ARTICLE 7

1. The Scientific Advisory Committee shall be composed of twelve members appointed in their personal capacity by the Council for a period of four years. The Committee shall be renewed by one quarter every year. Each member may be appointed for only two terms of office in succession.

A representative of the World Meteorological Organisation shall be invited to take part in the work of the Committee.

The members of the Committee shall be selected from among the scientists of the Member States and shall represent as broad a range as possible of the disciplines relating to the activities of the Centre. The Director shall submit a list of candidates to the Council.

2. The Committee shall draw up, for submission to the Council, opinions and recommendations on draft programme of the activities of the Centre drawn up by the Director and on any matter submitted to it by the Council. The Director shall keep the Committee informed concerning the implementation of the programme. The Committee shall give opinions on the results obtained.
3. The Committee may invite experts, in particular persons belonging to services using the Centre, to take part in its work when there are specific problems to be solved.
4. The Committee shall draw up its Rules of Procedure. These Rules of Procedure shall enter into force after approval by the Council acting in accordance with Article 6 (3)(g).

ARTICLE 8

1. The Finance Committee shall be composed of
- a) one representative of each of the four Member States paying the highest contributions;

- b) three representatives of the other Member States, appointed by them for a period of one year; each of these States may not be represented on the Committee more than twice in succession.
2. Under the conditions laid down in the Financial Regulations, the Committee shall draw up, for submission to the Council, opinions and recommendations on all financial matters submitted to the Council and shall exercise the financial powers delegated to it by the Council.

ARTICLE 9

1. The Director shall be the chief executive officer of the Centre. He shall represent the Centre in dealings with third parties. He shall be responsible to the Council for the execution of the tasks assigned to the Centre. He shall take part, without the right to vote, in all meetings of the Council.

The Council shall appoint the person who is to act as Director ad interim.

2. The Director shall:
- a) take all measures necessary for the proper functioning of the Centre;
 - b) exercise the powers accorded to him under the Staff Regulations, subject to Article 10(4);
 - c) submit to the Council the draft programme of the activities of the Centre, together with the opinions and recommendations of the Scientific Advisory Committee;
 - d) prepare and implement the budget of the Centre in accordance with the Financial Regulations;
 - e) keep a precise record of all the revenue and expenditure of the Centre in accordance with the Financial Regulations;
 - f) submit annually for the approval of the Council, the accounts relating to the implementation of the budget and the balance sheet of assets and liabilities, drawn up in each case in accordance with the Financial Regulations, and the report on the activities of the Centre;
 - g) conclude, in accordance with Article 6(1)(e) and Article 6(3)(k), the co-operation agreements necessary for attaining the objectives of the Centre.
3. In carrying out his tasks, the Director shall be assisted by the other staff of the Centre.

ARTICLE 10

1. Subject to the second subparagraph, the staff of the Centre shall be subject to the Staff Regulations adopted by the Council acting in accordance with Article 6 (3)(b).

If the terms of employment of a staff member of the Centre do not fall under these Staff Regulations, they shall be subject to the law applicable in the State in which the person concerned carries out his duties.

2. The recruitment of staff shall be based on personal qualifications, account being taken of the international character of the Centre. No post may be reserved for nationals of a particular Member State.
3. The Centre may employ staff from national agencies of the Member States seconded to the Centre for a specified period.
4. The Council shall approve the appointment and dismissal of officials in the upper grades defined in the Staff Regulations, and of the Financial Comptroller and his deputy.
5. Disputes arising out of the implementation of the Staff Regulations or the execution of the contracts of employment of the staff shall be settled in accordance with the Staff Regulations.
6. Every person who works at the Centre shall be subject to the authority of the Director and shall conform with all the general rules approved by the Council.
7. Each Member State shall be required to respect the international character of the responsibilities of the Director and the other officials of the Centre. In the performance of their duties, the Director and the other officials shall neither seek nor accept instructions from any Government or authority outside the Centre.

ARTICLE 11

The programme of activities of the Centre shall be adopted by the Council acting on a proposal from the Director in accordance with Article 6(3)(i).

The programme shall cover, in principle, a four-year period and shall be adapted and supplemented each year for an additional period of one year. It shall fix the ceiling of expenditure for the duration of the programme and shall contain, in addition, an estimate of the expenditure arising out of its implementation in respect of each year and each major category.

The ceiling of expenditure may only be amended in accordance with the procedure laid down in Article 6(3)(i).

ARTICLE 12

1. The budget of the Centre shall be drawn up for each financial year before the beginning of that year, under the conditions laid down in the Financial Regulations.

The expenditure of the Centre shall be met from the financial contributions of the Member States and any other revenue of the Centre.

The revenue and expenditure shown in the budget shall be in balance. The budget shall be drawn up for each financial year and shall be shown in the budget.

2. All expenditure and revenue of the Centre shall be the subject of detailed estimates to be drawn up for each financial year and shall be shown in the budget.

Commitment appropriations relating to a period extending beyond the financial year may be authorised under the conditions laid down in the Financial Regulations.

In addition, an overall estimate of expenditure and revenue in each major category for the next three financial years shall be drawn up.

3. The Council, acting in accordance with Article 6(2)(b), shall adopt the budget for each financial year and the table of the posts of the Centre annexed thereto and any supplementary or rectifying budgets and approve the overall estimate of expenditure and revenue for the next three financial years.

4. The adoption of the budget by the Council shall:

- a) oblige each Member State to make available to the Centre the financial contributions determined in the budget;
- b) authorise the Director to enter into commitments and make payments within the limits of the appropriations authorised for these purposes.

5. If the budget has not been adopted by the Council by the beginning of a financial year, the Director may, each month, enter into commitments and make payments in each chapter up to one twelfth of the appropriations in the budget of the preceding financial year, provided that he shall not have at his disposal appropriations in excess of one-twelfth of those provided for in the draft budget.

Member States shall pay each month, on a provisional basis and in accordance with the scale provided for in Article 13, the amounts necessary for the application of the first subparagraph.

6. The budget shall be implemented under the conditions laid down in the Financial Regulations.

ARTICLE 13

1. Each Member State shall pay an annual contribution to the Centre, in convertible currency, based on the scale which shall be adopted every three years by the Council acting in accordance with Article 6(3)(h). This scale shall be based on the average gross national product of each Member State over the last three calendar years for which there are statistics.
2. The Council, acting in accordance with Article 6(3)(h), may decide to reduce temporarily the contribution of a Member State because of special circumstances in that State. Special circumstances shall in particular be considered to exist where a Member State has a per

capita gross national product lower than an amount which shall be determined by the Council acting in accordance with the procedure laid down in Article 6(3).

3. If, after the entry into force of this Convention, a State becomes a party to this Convention, the scale of contributions shall be modified by the Council according to the basis for calculation laid down in paragraph 1. The new scale shall take effect when the State concerned becomes a party to this Convention.

A State which becomes a party to this Convention after 31 December of the year during which it enters into force shall be required to pay, in addition to the contribution laid down in paragraph 1, a single additional contribution to the expenditure previously incurred by the Centre. The amount of this additional contribution shall be determined by the Council, acting in accordance with the procedure laid down in Article 6(1).

Unless the Council decides otherwise, acting in accordance with the procedure laid down in Article 6(1), any additional contribution paid pursuant to the second subparagraph shall be deducted from the contributions of the other Member States. This reduction shall be calculated on a pro rata basis according to the contributions actually paid by each Member State prior to the current financial year.

4. If, after the entry into force of this Convention, a State ceases to be a party to this Convention, the scale of contributions shall be modified by the Council according to the basis for calculation laid down in paragraph 1. The new scale shall take effect when the State concerned ceases to be a party to this Convention.
5. The methods of payment of the contributions shall be determined in the Financial Regulations.

ARTICLE 14

1. The accounts of all revenue and expenditure shown in the budget and the balance sheet of the assets and liabilities of the Centre shall, under the conditions laid down in the Financial Regulations, be submitted for audit to auditors whose independence is beyond doubt. The purpose of the audit, which shall be based on records and if necessary performed on the spot, shall be to establish that all revenue has been received and all expenditure incurred in a lawful and regular manner and that the financial management of the Centre has been sound. The auditors shall submit a report on the annual accounts to the Council.
2. The Council, acting on a proposal from the Finance Committee in accordance with Article 6(3)(e), shall determine the number of auditors, the length of their appointment, the amount of their remuneration, and shall appoint them.
3. The Director shall give the auditors any information and assistance needed for the audit referred to in paragraph 1.

ARTICLE 15

1. Each Member State shall be granted, free of charge, for its own requirements in the field of weather forecasting, a non-exclusive licence and any other non-exclusive right of use, in respect of industrial property rights, computer programs and technological information which result from work carried out pursuant to this Convention and which belong to the Centre.
2. Where the Centre does not possess the rights referred to in paragraph 1, it shall attempt to obtain the necessary rights, under the conditions determined by the Council.
3. The conditions under which the licences referred to in paragraph 1 may be extended to applications other than weather forecasting shall be the subject of a decision of the Council acting in accordance with Articles 6(3)(l).

ARTICLE 16

The privileges and immunities which the Centre, the representatives of the Member States, the staff and the experts of the Centre enjoy in the territories of the Member States shall be determined in a protocol which shall be annexed to this Convention and which shall form an integral part thereof, and in an agreement to be concluded between the Centre and the State in whose territory the headquarters of the Centre are located. This agreement shall be approved by the Council acting in accordance with Article 6(3)(c).

ARTICLE 17

1. Any dispute between Member States or between one or more Member States and the Centre concerning the interpretation of application of this Convention, including the Protocol on the Privileges and Immunities provided for in Article 16 or relating to one of the cases provided for in Article 24 of that Protocol, which can not be settled by the good offices of the Council shall, on a request made by one party to the dispute to the other, be referred to an arbitration tribunal, set up in accordance with the first subparagraph of paragraph 2, unless the parties to the dispute agree within three months on another form of settlement.
2. Each party to the dispute, whether constituted by one or more Member States, shall appoint one member of the arbitration tribunal within two months from the date on which the request referred to in paragraph 1 is received. These members shall, within two months of the appointment of the second member, appoint a third member who shall be the chairman of the tribunal, and who shall not be a national of a State which is a party to the dispute. If the appointment of any of the three members of the tribunal has not been made within the prescribed period, it shall be made by the President of the International Court of Justice at the request of one of the parties.

The arbitration tribunal shall take decisions by a majority. Its decisions shall bind the parties to the dispute. Each party shall bear the costs of the member of the tribunal appointed by it and those relating to its representation at proceedings before the tribunal. Each party to the dispute shall bear an equal share of the costs relating to the chairman of

the tribunal and any other expenses, unless the tribunal decides otherwise. The tribunal shall determine its other rules of procedure.

ARTICLE 18

1. Each Member State may transmit proposals for amending this Convention to the Director. The Director shall submit such proposals to the other Member States at least three months before they are to be examined by the Council. The Council shall examine the proposals and may, acting in accordance with Article 6(3)(n), recommend the Member States to accept the proposed amendments.
2. Amendments recommended by the Council may only be accepted by the Member States in writing. They shall enter into force thirty days after receipt by the Secretary-General of the Council of the European Communities of the last written notification of acceptance.

ARTICLE 19

1. Any Member State may denounce this Convention after it has been in force for five years by giving notice to the Secretary-General of the Council of the European Communities. Denunciation shall take effect at the end of the second financial year following the year during which notice is given.
2. A Member State which has denounced this Convention shall remain bound to contribute towards financing all commitments entered into by the Centre before such denunciation and to respect the obligations which it contracted itself as a Member State vis-à-vis the Centre before the denunciation.
3. A Member State which has denounced this Convention shall lose its rights to the assets of the Centre and must indemnify the Centre, under the conditions laid down by the Council acting in accordance with Article 6(2)(d), for any loss for the Centre of property in the territory of such a State, unless a special agreement is concluded guaranteeing the Centre the use of such property.

ARTICLE 20

Any Member State which does not fulfil its obligations under this Convention may be deprived of its membership by a decision of the Council acting in accordance with Article 6(1)(c). In such an event Article 19(2) and (3) shall be applicable *mutatis mutandis*.

ARTICLE 21

1. Unless the Council acting in accordance with Article 6(2)(e) decides otherwise, the Centre shall be dissolved if denunciation of this Convention by one or more Member State results in the levels of contributions of the other Member States being increased by one-fifth over their initial levels.

2. In addition to the case referred to in paragraph 1, the Centre may be dissolved at any time by the Council acting in accordance with Article 6(1)(d).
3. In the event of dissolution of the Centre, the Council shall appoint a liquidator.

Unless the Council acting in accordance with Article 6(2)(e) decides otherwise, any surplus shall be distributed among the Member States at the time of dissolution on a pro rata basis according to the contributions actually paid by them during the time in which they have been parties to this Convention.

Any deficit shall be met by the Member States on a pro rata basis according to their contributions fixed for the current financial year.

ARTICLE 22

1. This Convention shall be open for signature by the European States mentioned in the Annex until 11 April 1974 at the General Secretariat of the Council of the European Communities.

It shall be subject to ratification, acceptance or approval. The instruments of ratification, acceptance or approval shall be deposited in the archives of the General Secretariat of the Council of the European Communities.

2. This Convention shall enter into force on the first day of the second month following the date of its ratification, acceptance or approval by no less than two-thirds of the signatory States, including the State in whose territory the headquarters of the Centre are located, provided that the total contributions by these States amounts to a least 80 per cent of the total contributions in accordance with the scale contained in the Annex.

For any other signatory State, this Convention shall enter into force on the first day of the second month following the date of the deposit of its instrument of ratification, acceptance or approval.

ARTICLE 23

After the entry into force of this Convention, any State which is not a Signatory and is mentioned in the Annex may accede to this Convention, subject to the consent of the Council acting in accordance with Article 6(1)(b). Instruments of accession shall be deposited in the archives of the General Secretariat of the Council of the European Communities.

For each acceding State, this Convention shall enter into force on the first day of the second month following the deposit of its instrument of accession.

ARTICLE 24

The Secretary-General of the Council of the European Communities shall notify the signatory and acceding States of

- a) any signature to this Convention;
- b) the deposit of all instruments of ratification, acceptance, approval or accession;
- c) the entry into force of this Convention;
- d) any written notification of acceptance of an amendment to this Convention;
- e) the entry into force of any amendment;
- f) any denunciation of this Convention or loss of membership of the Centre.

As soon as this Convention enters into force, the Secretary-General of the Council of the European Communities shall register it with the General Secretariat of the United Nations, in accordance with Article 102 of the Charter of the United Nations.

ARTICLE 25

1. The first financial year shall run from the entry into force of this Convention until 31 December following. In the event of this period beginning during the second half of a calendar year, it shall run until 31 December of the following year.
2. States which have signed this Convention but have not ratified, accepted or approved it may be represented at meetings of the Council and take part in its work without the right to vote for a period of twelve months after the entry into force of this Convention. This period may be extended for a further period of six months by the Council, acting in accordance with the procedure laid down in Article 6(3).
3. At its first meeting the Scientific Advisory Committee shall determine, by drawing lots, the nine members of the Committee whose terms of office shall expire, in accordance with the first subparagraph of Article 7(1), at the end of the first, second and third years of operation of the Committee.

ARTICLE 26

This Convention, drawn up in a single original in the Dutch, English, French, German and Italian languages, all five texts being equally authentic, shall be deposited in the archives of the General Secretariat of the Council of the European Communities, which shall transmit a certified copy to the Government of each signatory or acceding State.

IN WITNESS WHEREOF the undersigned Plenipotentiaries have signed this Convention.

Done at Brussels on this eleventh day of October in the year one thousand nine hundred and seventy-three.

Pour le Gouvernement du Royaume de Belgique

Vour de Regering van het Koninkrijk België

Joseph van der Meulen, m.p.

For the Government of Denmark

Niels Ersbøll, m.p.

Für die Regierung der Bundesrepublik Deutschland

Ulrich Lebsanft, m.p.

Pour le Gouvernement de la l'Espagne

Alberto Ullastres Calvo, m.p.

Pour le Gouvernement de la la République française

Emile Cazimajou, m.p.

Pour le Gouvernement de la la République de Grèce

Byron Theodoropoulos, m.p.

For the Government of Ireland

Brendan Dillon, m.p.

Per il Governo della Repubblica italiana

Giorgio Bombassei Frascani de Vettor, m.p.

For the Federal Executive Council of the Socialist Federal
Republic of Yugoslavia

Petar Miljević, m.p.

Vour de Regering van het Koninkrijk der Nederlanden

E. M. J. A. Sassen, m.p.

Pour le Gouvernement de la République du Portugal

Fernando de Magalhaes Cruz, m.p.

Für den Schweizerischen Bundesrat Deutschland

Pour le Conseil Fédéral Suisse

Per il Consiglio Federale Svizzero

Paul Henri Wurth, m.p.

For the Government of the Republic of Finland

Pentti Talvitie, m.p.

For the Government of Sweden

Erik von Sydow, m.p.

For the Government of the United Kingdom of Great Britain and Northern Ireland

Michael Palliser, m.p.

Annex

PROVISIONAL SCALE OF CONTRIBUTIONS

The scale given below is intended exclusively for the purposes of implementing Article 22(2) of the Convention. It in no way prejudices any decisions to be taken by the Council pursuant to Article 13(1) of the Convention, concerning future scales of contributions.

Countries which took part in the drafting of the Convention	%
Belgium	3.25
Denmark	1.98
Federal Republic of Germany	21.12
Spain	4.16
France	19.75
Greece	1.18
Ireland	0.50
Italy	11.75
Yugoslavia	1.65
Luxemburg	0.12
Netherlands	3.92
Norway	1.40
Austria	1.81
Portugal	0.79
Switzerland	2.63
Finland	1.33
Sweden	4.19
Turkey	1.81
United Kingdom	16.66

PROTOCOL ON THE PRIVILEGES AND IMMUNITIES OF THE EUROPEAN CENTRE FOR MEDIUM-RANGE WEATHER FORECASTS

The States parties to the Convention establishing the European Centre for Medium-range Weather Forecasts, signed at Brussels on 11 October 1973,

WISHING to define the privileges and immunities necessary for the proper functioning of this Centre,

HAVE AGREED AS FOLLOWS:

ARTICLE 1

1. Subject to the provisions of this Protocol, the premises of the Centre shall be inviolable.
2. The authorities of the State in which the headquarters of the Centre are located may not enter the premises of the Centre except with the consent of the Director or person nominated by him. In case of fire or other disaster requiring prompt preventive action, the consent of the Director may be assumed.
3. The Centre shall prevent its premises from becoming a refuge for persons seeking to avoid arrest or service of legal papers.

ARTICLE 2

The archives of the Centre shall be inviolable.

ARTICLE 3

1. Within the scope of its official activities, the Centre shall have immunity from jurisdiction and execution except:
 - a) to the extent that, by decision of the Council, the Centre waives it in a particular case. However, the Centre shall be deemed to have waived this immunity if, upon receiving a request to waive immunity submitted by the national authority before which the case is brought or by the opposing party, it has not given notice, within fifteen days after receipt of the request, that it does not waive such immunity;
 - b) in respect of a civil action by a third party for damage arising from an accident caused by a vehicle belonging to or operated on behalf of the Centre or in respect of a traffic offence;
 - c) in respect of an enforcement of an arbitration award made either under Article 23 of this Protocol or Article 17 of the Convention establishing the Centre, hereinafter referred to as "the Convention";
 - d) in the event of the attachment, pursuant to a decision by the administrative or judicial authorities, of the salaries, wages and emoluments owed by the Centre to a member of its staff.
2. In any dispute involving a staff member or an expert of the Centre for whom immunity from jurisdiction is claimed under Article 13 or Article 14, the responsibility of the Centre shall be substituted for that of the staff member or expert concerned.
3. Subject to paragraph 1, the Centre's property and assets wherever situated shall be immune from any form of administrative or provisional judicial constraint such as requisition, confiscation, expropriation or attachment, except in so far as may be temporarily necessary in connection with the prevention of and investigation into accidents involving vehicles belonging to or operated on behalf of the Centre.

ARTICLE 4

1. Within the scope of its official activities, the Centre and its property and income shall be exempt from all direct taxes.
2. When the Centre makes purchases of substantial value or uses services of substantial value which are strictly necessary for the exercise of its official activities and when the price of such purchases or services includes duties or taxes, the Member State which has levied the duties and taxes shall take appropriate measures to remit or reimburse the amount of the identifiable duties and taxes.
3. No exemption shall be accorded in respect of duties and taxes which are no more than payments for public utility services.

ARTICLE 5

Goods imported or exported by the Centre and strictly necessary for the exercise of its official activities shall be exempt from all customs duties, taxes and all customs charges except those charges which are no more than payments for services. Such goods shall also be exempt from all prohibitions and restrictions on import and export. The Member States shall take all appropriate steps within their respective powers to effect customs clearance with the minimum of delay for such goods.

ARTICLE 6

No exemption shall be accorded under Article 4 or Article 5 in respect of goods purchased and imported for the personal needs of the staff members of the Centre or of experts within the meaning of Article 14.

ARTICLE 7

Goods acquired under Article 4 or imported under Article 5 may not be sold, given away or hired out except in accordance with the conditions laid down by the regulations of the State which has granted the exemptions.

ARTICLE 8

1. The Centre may receive and hold any kind of funds or currency. It may dispose of them freely for the exercise of its official activities and may hold accounts in any currency to the extent required to meet its obligations.
2. Within the scope of its official activities and without prejudice to paragraph 1, the Centre may also receive, hold and dispose of securities, subject to any provisions concerning exchange regulations which are applicable to other inter-governmental organisations in the Member State concerned.

ARTICLE 9

The circulation of publications and other information material sent by or to the Centre within the scope of its official activities shall not be restricted in any way.

ARTICLE 10

1. With regard to the transmission of data within the scope of its official activities, the Centre shall enjoy in the territory of each Member State, treatment as favourable as that accorded by that State to its national meteorological service, taking into account the international obligations of that State in respect of telecommunications.
2. With regard to its official communications and the transfer of all its documents, the Centre shall enjoy treatment as favourable as that accorded by each Member State to other international organisations, taking into account the international obligations of that State in respect of telecommunications.
3. No censorship shall be applied to official communications of the Centre by whatever means of communication.

ARTICLE 11

Member States shall take all appropriate measures to facilitate the entry, stay and departure of representatives of Member States, staff members of the Centre and experts within the meaning of Article 14.

ARTICLE 12

Representatives of Member States taking part in the work of the organs and committees of the Centre shall enjoy, while performing their duties and in the course of their journeys to and from the place of meeting, the following privileges, immunities and facilities:

- a) immunity from arrest and detention and from seizure of their personal luggage, except when found committing, attempting to commit, or just having committed an offence;
- b) immunity from jurisdiction, even after the termination of their mission, in respect of acts, including words spoken or written, performed by them in their official capacity and within the limits of their authority; this immunity shall not apply in the case of a traffic offence committed by a representative of a Member State nor in the case of damage caused by a vehicle belonging to or driven by such a person;
- c) inviolability for all their official papers and documents;
- d) exemption from all measures restricting aliens' entry and from aliens' registration formalities;
- e) the same customs facilities as regards their personal luggage and the same privileges in respect of currency and exchange regulations as are accorded to the representatives of foreign Governments on temporary official missions.

ARTICLE 13

The staff members of the Centre shall enjoy, within the limits provided for in this Protocol, the following privileges, immunities and facilities

- a) immunity from jurisdiction, even after they have left the service of the Centre, in respect of acts, including words spoken or written, performed by them in their official capacity and within the limits of their authority; this immunity shall not apply in the case of a traffic offence committed by a staff member, nor in the case of damage caused by a vehicle belonging to or driven by such a person;
- b) exemption from all obligations in respect of military service;
- c) inviolability for all their official papers and documents;
- d) together with members of their families forming part of their households, the same exceptions regarding measures restricting immigration and governing aliens' registration as are normally accorded to staff members of international organisations;
- e) the same privileges in respect of monetary and exchange regulations as are normally accorded to staff members of international organisations;
- f) together with members of their families forming part of their households, the same facilities as regards repatriation in time of international crisis as are normally accorded to staff members of international organisations;
- g) the right to import free of duty furniture and personal effects at the time of taking up a post for a period of at least one year in the State concerned and the right on the termination of their functions in the said State to export free of duty furniture and personal effects, subject in both cases to the conditions considered necessary by the Government of the State in whose territory the right is exercised and with the exception of property acquired in that State and subject to an export prohibition therein.

ARTICLE 14

Experts who are not staff members and who perform duties at the Centre or who carry out missions on its behalf, shall enjoy, while performing their duties or while on missions and during journeys made in the course of such duties or missions, the following privileges, immunities and facilities to the extent that they are necessary for the performance of their duties or for the accomplishment of their missions

- a) immunity from jurisdiction, even after they have left the service of the Centre, in respect of acts, including words spoken and written, performed by them in their capacity as experts and within the limits of their authority; this immunity shall not apply in the case of a traffic offence committed by an expert nor in the case of damage caused by a vehicle belonging to or driven by such a person;

- b) inviolability for all their official papers and documents;
- c) the same customs facilities as regards their personal luggage and the same privileges in respect of currency and exchange regulations as are accorded to persons sent by foreign Governments on temporary official missions.

ARTICLE 15

1. Subject to the conditions and following the procedure laid down by the Council acting in accordance with the procedure laid down in Article 6(2) of the Convention within a period of one year after the Convention's entry into force, the staff members of the Centre shall, within the limits provided for in this Protocol, be subject to a tax for the benefit of the Centre on salaries, wages and emoluments paid by the Centre. From the date on which this tax is applied such salaries, wages and emoluments shall be exempt from national income tax, the Member States retaining the right to take such salaries, wages and emoluments into account when assessing the amount of taxation to be applied to income from other sources.
2. Paragraph 1 shall not apply to pensions and similar payments paid by the Centre.

ARTICLE 16

No Member State shall be obliged to accord the privileges, immunities and facilities referred to in Article 12, Article 13(b), (e), (f), and (g) and Article 14(c) to its representatives, its nationals or persons who, at the time of taking up their duties at the Centre, are permanent residents of that State.

ARTICLE 17

The Council, acting in accordance with the procedure laid down in Article 6(3)(o) of the Convention, shall determine the categories of staff members to which Articles 13 and 15 shall apply in whole or in part and the categories of experts to which Article 14 shall apply. The names, titles and addresses of persons included in such categories shall be communicated periodically to the Member States.

ARTICLE 18

If the Centre establishes its own social security scheme or joins that of another international organisation under the conditions laid down in the Staff Regulations, the Centre and its staff members shall be exempt from all compulsory contributions to national social security schemes, subject to agreements to be concluded to that end with the Member States concerned under the conditions laid down in Article 22.

ARTICLE 19

1. The privileges, immunities and facilities provided for in this Protocol are granted solely in the interests of the Centre and of the Member States, and not for the personal advantage of those enjoying them.
2. The competent authorities have not only the right but also the duty to waive an immunity where such immunity is impeding the course of justice and where it can be waived without prejudicing the purposes for which it was accorded.
3. The competent authorities referred to in paragraph 2 are
 - the Member States, in the case of their representatives,
 - the Council, in case of the Director,
 - the Director, in the case of the other staff members and experts within the meaning of Article 14.

ARTICLE 20

1. The Centre shall co-operate at all times with the competent authorities of the Member States in order to facilitate the proper administration of justice, to ensure the observance of police regulations and regulations concerning public health and labour inspection and similar legislation, and to prevent any abuse of the privileges, immunities and facilities provided for in this Protocol.
2. The co-operation procedures may be defined in the supplementary agreements provided for in Article 22.

ARTICLE 21

The provisions of this Protocol shall not prejudice the right of each Member State to take all precautionary measures necessary in the interests of its security.

ARTICLE 22

The Centre may, on decision by the Council acting unanimously, conclude supplementary agreements with any Member State to implement this Protocol and may make any other arrangements to ensure the smooth running of the Centre and the safeguarding of its interests.

ARTICLE 23

1. The Centre shall be obliged in all written contracts-other than those concluded in accordance with the Staff Regulations into which it enters and relating to matters in which it enjoys immunity from jurisdiction, to include an arbitration clause whereby any dispute arising out of the interpretation or execution of the contract shall, at the request of either party, be submitted to arbitration.

2. The Centre shall be obliged to submit to arbitration, at the request of the injured party, by means of a compromise any other dispute arising out of loss or damage caused by the Centre to persons or property.
3. The arbitration clause or the compromise shall specify the method of appointing the arbitrators and the third arbitrator, the law applicable and the country where the arbitrators shall sit. The procedure of the arbitration shall be that of that country.
4. The enforcement of the arbitration award shall be governed by the rules in force in the State in which the award is to be enforced.

ARTICLE 24

1. Any Member State may submit to the arbitration tribunal provided for in Article 17 of the Convention any dispute:
 - arising out of damage caused by the Centre;
 - involving any other non-contractual liability of the Centre; or
 - involving a staff member or an expert of the Centre and in which the person concerned can claim immunity from jurisdiction under Article 13 or Article 14, if this immunity is not waived in accordance with Article 19.
2. If a Member State intends to submit a dispute to arbitration it shall notify the Director who shall forthwith inform each Member State of such notification.
3. The procedure laid down in paragraph 1 shall not apply to disputes between the Centre and staff members in respect of their conditions of service.
4. No appeal shall lie against the award of the arbitration tribunal, which shall be final; it shall be binding on the parties. In case of dispute concerning the import or scope of the award, it shall be incumbent upon the arbitration tribunal to interpret it at the request of either party.

ARTICLE 25

For the purposes of this Protocol

- a) “official activities of the Centre” shall include its administration and its activities carried out in pursuance of its objectives as defined in Article 2 of the Convention;
- b) “staff members” shall include the Director of the Centre.

ARTICLE 26

This Protocol shall be interpreted in the light of its primary objective of enabling the Centre fully and efficiently to fulfil its objectives and carry out the functions assigned to it by the Convention.

**PROTOKOL O IZMJENAMA I DOPUNAMA
KONVENCIJE
O OSNIVANJU EUROPSKOG CENTRA ZA
SREDNJOROČNE PROGNOZE VREMENA**

Vijeće Europskog centra za srednjoročne prognoze vremena (ECMWF, Centar) u skladu s člankom 18. (1) Konvencije ECMWF preporuča državama članicama prihvatiti sljedeće izmjene i dopune Konvencije o osnivanju Europskog centra za srednjoročne prognoze vremena:

U nizozemskoj, francuskoj, njemačkoj i talijanskoj inačici spominjanje stavaka/podstavaka zamjenjuje se u cijeloj Konvenciji navođenjem odgovarajućih brojeva/slova samo u zagradama.

U nizozemskoj inačici, riječ 'Overeenkomst' zamjenjuje se s 'Conventie' kroz cijeli dokument.

U nizozemskoj inačici, riječi 'Lid-Staat' i 'Lid-Staten' zamjenjuju se s 'Lidstaat' i 'Lidstaten' kroz cijeli dokument.

U nizozemskoj inačici, riječ 'artikel' zamjenjuje se s 'Artikel' kroz cijeli dokument.

U nizozemskoj inačici, riječi 'paragraaf' i 'alinea' zamjenjuju se s 'lid' kroz cijeli dokument te riječi 'paragrafen' i 'alinea's' s 'leden'.

U nizozemskoj inačici, riječ 'begrotingsjaar' zamjenjuje se s 'boekjaar' kroz cijeli dokument.

Izraz „Države stranke Konvencije” dodaje se ispred uvodnih razmatranja.

Uvodna razmatranja zamjenjuju se sljedećim:

„PRIZNAJUĆI da su prijetnje povezane s vremenom za život i zdravlje, i za gospodarstvo i imovinu, sve važnije;

UVJERENE da poboljšanje srednjoročnih prognoza vremena doprinosi zaštiti i sigurnosti stanovništva;

UVJERENE TAKOĐER da znanstvena i tehnička istraživanja koja se u tu svrhu provode daju vrijedan poticaj razvoju meteorologije u Europi;

UZIMAJUĆI U OBZIR da su, za postizanje te svrhe i tih ciljeva, potrebna sredstva koja premašuju ona uobičajena na nacionalnoj razini;

PREPOZNAVŠI važnost koje za europsko gospodarstvo ima značajno poboljšanje srednjoročnih prognoza vremena;

POTVRĐUJUĆI da je osnivanje samostalnog europskog centra s međunarodnim statusom odgovarajući način za ostvarivanje te svrhe i tih ciljeva;

UVJERENE da Centar može znatno doprinijeti razvoju baze znanstvenika za praćenje stanja okoliša;

PREPOZNAVŠI da takav centar može također pomoći u poslije studijskom usavršavanju znanstvenika;

JAMČEĆI da će aktivnosti takvog centra, osim toga, dati nužan doprinos određenim programima Svjetske meteorološke organizacije (WMO) i drugim odgovarajućim ustanovama;

UZIMAJUĆI U OBZIR da osnivanje takvog centra može imati važnost za razvoj europske industrije na području obrade podataka;

OSTVARUJUĆI volju za proširenjem članstva u Centru na više država; ”.

Stavak: „ODLUČILE SU osnovati... [zajedno s popisom opunomoćenika]...za koje je utvrđeno da su u dobrom i valjanom obliku” se uklanja.

U nizozemskoj inačici, rečenica 'Overeenkomst hebben Bereikt Omtrent de Volgende Bepalingen:' zamjenjuje se s 'komen het volgende overeen:'

Članak 1.

Članku 1. daje se naziv: „Osnivanje, Vijeće, države članice, sjedište, jezici”.

Članak 1. (2): Riječ „direktor” zamjenjuje se s „glavni direktor”. U talijanskoj inačici, izraz „Comitato consultivo scientifico” zamjenjuje se s „Comitato Scientifico Consultivo” te izraz „Comitato finanziario” s „Comitato Finanze”. U nizozemskoj inačici, izraz 'een Wetenschappelijk Raadgevend Comité' zamjenjuje se s 'een Wetenschappelijke Adviescommissie' te izraz 'Financieel Comité' s 'Financiële Commissie'.

Članku 1. (5) dodaje se dio rečenice „...osim ako Vijeće ne odluči drukčije u skladu s člankom 6. (1)(g). ”

Članak 1. (6) mijenja se i dopunjuje tako da glasi:

„ 6. Službeni jezici Centra su službeni jezici država članica.

Njegovi radni jezici su engleski, francuski i njemački.

Vijeće određuje kada će se rabiti službeni, a kada radni jezici u skladu s člankom 6. (2)(l). ”

Članak 2.

Članku 2. daje se naziv „Svrhe, ciljevi i aktivnosti”.

Novi članak 2. (1) se umeće:

„1. Primarne svrhe Centra su razvoj sposobnosti za srednjoročna prognožiranja vremena te snabdijevanje država članica srednjoročnim vremenskim prognozama. ”

Renumerirani članak 2. (2) započinje rečenicom: „Ciljevi Centra su”.

Članak 2. (1)(a) zamjenjuje se s 2. (2)(a).

„a) razviti i rabiti na redovnoj osnovi globalne modele i sustave asimilacije podataka vezanih uz dinamiku, termodinamiku i sastav fluida Zemljina plašta te međusobno djelujućih elemenata Zemljina sustava radi:

- i. izrade prognoza numeričkom metodom;
- ii. stvaranje prvotnih uvjeta za pripremu prognoza; i
- iii. doprinošenja praćenju relevantnih dijelova Zemljina sustava; ”

Članak 2. (1)(b) se briše.

Članak 2. (1)(c) se renumerira 2. (2)(b).

Članak 2. (1)(d) zamjenjuje se s 2. (2)(c):

„c) prikupljati i pohranjivati odgovarajuće podatke; ”.

Članak 2. (1)(e) zamjenjuje se s 2. (2)(d):

„d) stavljati na raspolaganje državama članicama u najprikladnijem obliku rezultate predviđene u (a) i (b) te podatke u (c); ”.

Članak 2. (1)(f) zamjenjuje se s 2. (2)(e):

„e) stavljati na raspolaganje državama članicama za njihova istraživanja, pri čemu se daje prednost području numeričkog prognožiranja vremena, dostatan udio svojih računalnih kapaciteta, a taj razmjer utvrđuje Vijeće; ”.

Članak 2. (1)(g) se renumerira 2. (2)(f). U engleskoj inačici, riječ „Organisation” zamjenjuje se s „Organization”. U nizozemskoj inačici, izraz 'Meteorologische Wereldorganisatie' zamjenjuje se s 'Wereld Meteorologische Organisatie'.

Članak 2. (1)(h) zamjenjuje se s 2. (2)(g):

„g) pružiti pomoć u naprednom usavršavanju znanstvenog osoblja država članica na području numeričkog prognoziranja vremena. ”

Članak 2. (2) zamjenjuje se s 2. (3):

„3. Centar postavlja i upravlja uređajima potrebnima za postizanje svrha određenih u stavku 1. i ciljeva određenih u stavku 2. ”

Članak 2. (3) se renumerira 2. (4).

Novi članak 2. (5) se umeće:

„5. Centar može obavljati aktivnosti koje zatraže treće strane, a koje su u skladu sa svrhama i ciljevima Centra i odobrene od strane Vijeća u skladu s člankom 6. (2)(g). Troškove takvih aktivnosti snosi dotična treća strana. ”

Novi članak 2. (6) se umeće:

„6. Centar može provoditi fakultativne programe u skladu s člankom 11. (3). ”

Članak 3.

Članku 3. daje se naziv „Suradnja s drugim tijelima”.

Članak 3. (1): U nizozemskoj inačici, riječ 'doeleinden' zamjenjuje se s 'doelstellingen'.

Članak 3. (2): Uvodni dio rečenice mijenja se i dopunjen tako da glasi: „Centar može sklapati sporazume o suradnji, u tu svrhu”.

Članak 3. (2)(a): Upućivanje na članak 6. (1)(e) mijenja se i dopunjuje s „ Članak 6. (1)(e) ili 6. (3)(j) ”.

Članak 3. (2)(b): Upućivanje na članak 6. (3)(k) mijenja se upućivanjem na članak 6. (3)(j). U nizozemskoj inačici riječ „organisaties” zamjenjuje se s „instanties”

Dodaje se novi članak 3. (2)(c):

„c) s nacionalnim znanstvenim i tehničkim ustanovama država koje nisu članice, uz uvjete utvrđene u članku 6. (1)(e). ”

Članak 4.

Članku 4. daje se naziv: „Vijeće”.

Članak 4. (2): U engleskoj inačici, riječ „Organisation” zamjenjuje se s „Organization”. U

nizozemskoj inačici, izraz 'nationale weerkundige dienst' zamjenjuje se s 'nationale meteorologische dienst' te izraz 'Meteorologische Wereldorganisatie' s 'Wereld Meteorologische Organisatie'.

Članak 4. (5): Riječ „direktor” zamjenjuje se s „glavni direktor”.

Članak 4. (6): U nizozemskoj inačici, izraz 'comités van raadgevende aard' zamjenjuje se s 'adviescommissies'.

Članak 5.

Članku 5. daje se naziv „Glasovanje u Vijeću”.

Članak 5. (2): Upućivanje na članak 6. (3)(m) zamjenjuje se upućivanjem na članak 6. (3)(l).

Članak 6.

Članku 6. daje se naziv „Većinsko glasovanje”.

Članak 6. (1)(b): Dio rečenice „primanju novih članica” zamjenjuje se s „pristupu novih članica”, te se riječ „primanja” zamjenjuje riječju „pristupa”.

Članak 6. (1)(e) mijenja se i dopunjen kako slijedi:

„e) ovlašćuje glavnog glavnog direktora za pregovore o sporazumima o suradnji s državama koje nisu članice i njihovim nacionalnim znanstvenim i tehničkim ustanovama; ono ga može ovlastiti da sklopi takve sporazume”.

Novi članak 6. (1)(g) se umćet:

„g) odlučuje o eventualnom premještanju sjedišta Centra, u skladu s člankom 1. (5). ”

Članak 6. (2)(b): Riječ „odobrava” se zamjenjuje s „potvrđuje”. Riječ „direktor” zamjenjuje se s „glavni direktor”.

Novi članak 6. (2)(c) se umeće:

„c) usvaja, uz uvjete iz stavka (1)(a), program aktivnosti Centra, u skladu s člankom 11. (1) ”.

Preostali stavci članka se renumeriraju.

Renumerirani članak 6. (2)(d): Riječ „direktor” zamjenjuje se s „glavni direktor”.

Novi članci 6. (2)(e), (f), (g) i (h) se umetnuću:

„e) usvaja Postupak za fakultativne programe u skladu s člankom 11. (3);

- f) usvaja pojedinačne fakultativne programe u skladu s člankom 11. (3);
- g) odobrava aktivnosti koje zatraže treće stranke u skladu s člankom 2. (5);
- h) odlučuje o raspodijeli politike za proizvode Centra i drugih rezultata njegovog rada”;
- te se preostali stavci članka renumeriraju.

Novi članak 6. (2)(l) se umeće:

„l) određuje, u skladu s člankom 1. (6), kada će se rabiti službeni, a kada radni jezici. ”;

Članak (6). (3)(d): Riječ „direktor” zamjenjuje se s „glavni direktor”.

Članak (6). (3)(e): U nizozemskoj inačici, izraz 'financiële commissarisen' zamjenjuje se s 'accountants'.

Članak (6). (3)(f): Riječ „direktor” zamjenjuje se s „glavni direktor”.

Članak (6). (3)(g): U talijanskoj inačici, izraz „Comitato consultivo scientifico” zamjenjuje se s „Comitato Scientifico Consultivo”. U nizozemskoj inačici, izraz 'het Wetenschappelijk Raadgevend Comité' zamjenjuje se s 'de Wetenschappelijke Adviescommissie'.

Izvorni članak 6. (3)(i) se briše te se preostali stavci članka renumeriraju.

Renumerirani članak 6. (3)(i): Riječ „direktor” zamjenjuje se s „glavni direktor”. U nizozemskoj inačici, izraz „verslag van de financiële commissarissen” zamjenjuje se s „accountantsrapport”.

Renumerirani članak 6. (3)(j) glasi:

„j) ovlašćuje glavnog direktora da pregovara o sporazumima o suradnji s državama članicama, njihovim nacionalnim znanstvenim i tehničkim ustanovama, te s vladinim ili nevladinim međunarodnim znanstvenim i tehničkim organizacijama čije su aktivnosti povezane s ciljevima Centra; može ga ovlastiti za sklapanje takvih sporazuma; ”.

Renumerirani članak 6. (3)(k): 15. (1) i 15. (2) mijenjaju se i dopunjuju tako da glase 15. (2) i (3).

Novi članak 6. (3)(o) se umeće:

„o) usvaja dugoročnu strategiju Centra u skladu s člankom 11. (2). ”

Članak 7.

Članku 7. daje se naziv: „Znanstveni savjetodavni odbor”.

Članak 7. (1): Riječ „direktor” se zamjenjuje s „glavni direktor”. U engleskoj inačici, riječ „Organisation” zamjenjuje se s „Organization”. U talijanskoj inačici, izraz „Comitato consultivo scientifico” zamjenjuje se s „Comitato Scientifico Consultivo”. U nizozemskoj inačici, izraz 'een Wetenschappelijk Raadgevend Comité' zamjenjuje se s 'de Wetenschappelijke Adviescommissie' i izraz 'het Comité' s 'de Commissie' te izraz 'Meteorologische Wereldorganisatie' s 'Wereld Meteorologische Organisatie'.

Članak 7. (2): Riječ „direktor” zamjenjuje se s „glavni direktor” na dva mjesta.

Članak 8 .

Članku 8. daje se naziv „Financijski odbor”.

Članak 8. (1): U talijanskoj inačici, izraz „Comitato finanziario” zamjenjuje se s „Comitato Finanze”. U nizozemskoj inačici, izraz 'het Financiële Comité' zamjenjuje se s 'de Financiële Commissie' te izraz 'het Comité' s 'de Commissie'.

Članak 8. (1)(b) mijenja se i dopunjuje tako da glasi:

„b) od predstavnika ostalih država članica, koje su ih imenovale na razdoblje od godinu dana; svaka od tih država ne može biti zastupana u Odboru više od dvaput uzastopno. Broj takvih zastupnika sačinjava jednu petinu broja ostalih država članica. ”

Članak 9.

Članku 9. daje se naziv „Glavni direktor”.

Članak 9. (1): Riječ „direktor” zamjenjuje se s „glavni direktor” na dva mjesta.

Članak 9. (2): Riječ „direktor” zamjenjuje se s „glavni direktor”.

Članku 9. (2)(c) dodaje se izraz „...i dugoročnu strategiju”. U talijanskoj inačici, izraz „Comitato consultivo scientifico” zamjenjuje se s „Comitato Scientifico Consultivo”. U nizozemskoj inačici, izraz 'het Wetenschappelijk Raadgevend Comité' zamjenjuje se s 'de Wetenschappelijke Adviescommissie'.

Članak 9. (2)(g): Upućivanje na članak 6. (3)(k) mijenja se upućivanjem na članak 6. (3)(j). U nizozemskoj inačici, riječ „doeleinden” zamjenjuje se s „doelstellingen”.

Članak 9. (3): Riječ „direktor” zamjenjuje se s „glavni direktor”.

Članak 10.

Članku 10. daje se naziv „Osoblje”.

Članak 10. (3): U nizozemskoj inačici, riječ „organisaties” zamjenjuje se s „instanties”.

Članak 10. (4): U engleskoj inačici, riječ „Comptroller” zamjenjuje se s „Controller”. U nizozemskoj inačici, riječ 'financiële controleur' zamjenjuje se s 'Controller'.

Članak 10. (6): Riječ „direktor” zamjenjuje se s „glavni direktor”.

Članak 10. (7): Riječ „direktor” zamjenjuje se s „glavni direktor” na dva mjesta.

Članak 11.

Članku 11. daje se naziv „Program aktivnosti, dugoročna strategija i fakultativni programi”

Postojeći stavci zajedno se grupiraju kao članak 11. (1).

Članak 11. (1): Riječ „direktor” zamjenjuje se s „glavni direktor”. Upućivanje na članak 6. (3)(i) mijenja se upućivanjem na članak 6. (2)(c) na dva mjesta.

Novi članci 11. (2) i (3) se umeću:

„2. Dugoročna strategija Centra se priprema na vrijeme i za razdoblje kako odluči Vijeće. Njezinu pripremu Vijeće razmatra najmanje svakih pet godina. Dugoročna strategija sadrži pregled strateških ciljeva Centra i naznačuje smjer predviđen za razvoj rada Centra za trajanja strategije. Strategiju usvaja Vijeće na prijedlog glavnog direktora u skladu s člankom 6. (3)(o).

3. Fakultativni program je program kojeg predlaže država članica ili skupina država članica u kojem sudjeluju sve države članice, osim onih koje su se unaprijed formalno izjasnile državama koje ne sudjeluju i koje doprinose svrhama i ciljevima Centra u skladu s člancima 2. (1) i 2. (2).

a) Postupak za fakultativne programe usvaja Vijeće u skladu s člankom 6. (2)(e).

b) Pojedinačne fakultativne programe usvaja Vijeće u skladu s člankom 6. (2)(f). ”

Članak 12.

Članku 12. daje se naziv „Proračun”.

Članak 12. (3): Riječ „odobrava” se mijenja tako da glasi „potvrđuje”.

Članak 12. (4)(b): „direktor” se zamjenjuje s „glavni direktor”.

Članak 12. (5): „direktor” se zamjenjuje s „glavni direktor”.

Članak 13.

Članku 13. daje se naziv: „Doprinosi država članica”.

Članak 13. (1): Izraz „bruto društveni proizvod” zamjenjuje se s „bruto nacionalni dohodak”.

Članak 13. (2): Izraz „bruto društveni proizvod” zamjenjuje se s „bruto nacionalni dohodak”

Članak 14.

Članku 14. daje se naziv „Revizija”.

U nizozemskoj inačici, izraz 'financiële commissarissen' zamjenjuje se s 'accountants' na četiri mjesta.

Članak 14. (2): U talijanskoj inačici, izraz „Comitato finanziario” zamjenjuje se s „Comitato Finanze”. U nizozemskoj inačici, izraz „het Financieel Comité” zamjenjuje se s „de Financiële Commissie”.

Članak 14. (3): „direktor” se zamjenjuje s „glavni direktor”.

Članak 15.

Članku 15. daje se naziv: „Vlasnička prava i licencije”.

Novi članak 15. (1) se umeće:

„1. Centar ima isključivo pravo vlasništva u cijelom svijetu nad svim svojim proizvodima i drugim rezultatima svojih aktivnosti. ”,

te se preostala tri članka renumeriraju.

Renumerirani članak 15. (3): Upućivanje na stavak 1. mijenja se upućivanjem na stavak 2.

Renumerirani članak 15. (4): Upućivanje na stavak 1. mijenja se upućivanjem na stavak 2. a upućivanje na članak 6. (3)(l) upućivanjem na članak 6. (3)(k).

Članak 16.

Članku 16. daje se naziv: „Povlastice i imuniteti, te odgovornosti ”.

Članak 17.

Članku 17. daje se naziv: „Sporovi”.

Članak 18.

Članku 18. daje se naziv: „Izmjene i dopune Konvencije”.

Članak 18. (1): „direktor” se zamjenjuje s „glavni direktor” na dva mjesta, te se upućivanje na članak 6. (3)(n) mijenja upućivanjem na članak 6. (3)(m).

Članak 18. (2): Izraz „Europskih zajednica” mijenja se s „Europske unije”.

Članak 19.

Članku 19. daje se naziv: „Otkaz Konvencije”.

Članak 19. (1): Izraz „Europskih zajednica” mijenja se s „Europske unije”.

Članak 19. (2): Izraz „stupi na snagu” umeće se na dva mjesta iza riječi „otkaz”.

Članak 19. (3): Upućivanje na članak 6. (2)(d) mijenja se upućivanjem na članak 6. (2)(i).

Članak 20.

Članku 20. daje se naziv: „Neispunjavanje obveza”.

Članak 21.

Članku 21. daje se naziv: „Raspuštanje Centra”.

Članak 21. (1): Upućivanje na članak 6. (2)(e) mijenja se upućivanjem na članak 6. (2)(j).

Članak 21. (3): Upućivanje na članak 6. (2)(e) mijenja se upućivanjem na članak 6. (2)(j).

Članak 22.

Članku 22. daje se naziv: „Stupanje na snagu”.

Članak 23.

Članku 23. daje se naziv: „Pristup država”.

Stavci su numerirani.

Članci 23. (1) i (2) mijenjaju se i dopunjuju tako da glase:

„1. Nakon stupanja na snagu ove Konvencije, bilo koja država koja nije potpisnica, može pristupiti ovoj Konvenciji, uz pristanak Vijeća djelujući u skladu s člankom 6. (1)(b). Država

koja želi pristupiti ovoj Konvenciji obavještava glavnog direktora koji prema tome izvještava države članice o zahtjevu najmanje tri mjeseca prije što je podnesen Vijeću na odlučivanje. Vijeće utvrđuje rokove i uvjete za pristupanje države koja je predmet razmatranja u skladu s člankom 6(1)(b).

2. Isprave o pristupu polažu se u arhivu glavnog tajništva Vijeća Europske unije. Za svaku državu pristupnicu, ova Konvencija stupa na snagu prvog dana drugog mjeseca koji slijedi nakon polaganja njezine isprave o pristupu. "

Članak 24.

Članku 24. daje se naziv: „Obavijesti o potpisivanjima i povezana pitanja”.

Upućivanje na „Europskih zajednica” zamjenjuje se s „Europske unije”.

Članak 24. (e) mijenja se i dopunjuje tako da glasi:

„e) usvajanju i stupanju na snagu bilo koje izmjene i dopune; ”.

Zadnji stavak članka 24. mijenja se i dopunjuje tako da glasi:

„Čim ova Konvencija stupi na snagu i bilo koje izmjene i dopune stupe na snagu, glavni tajnik Vijeća Europske unije registrirat će ih u Glavnom tajništvu Ujedinjenih naroda, u skladu s člankom 102. Povelje Ujedinjenih naroda. ”

Članak 25.

Članku 25. daje se naziv: „Prva financijska godina”.

Članak 25. (3): U talijanskoj inačici, izraz „Comitato consultivo scientifico” zamjenjuje se „Comitato Scientifico Consultivo”. U nizozemskoj inačici, izraz 'Wetenschappelijke Raadgevend Comité' zamjenjuje se s 'Wetenschappelijke Adviescommissie'.

Članak 26.

Članku 26. daje se naziv: „Pohrana Konvencije”.

Članak 26. se mijenja i dopunjuje tako da glasi:

„Ova Konvencija, i sve njene izmjene i dopune, sastavljene u jednom izvorniku na nizozemskom, engleskom, francuskom, njemačkom, talijanskom, danskom, finskom, grčkom, irskom, norveškom, portugalskom, španjolskom, švedskom i turskom jeziku, pri čemu su svi tekstovi jednako vjerodostojni, pohranjuju se u arhivu Glavnog tajništva Vijeća Europske unije, koje dostavlja ovjerenu presliku vladi svake potpisnice ili države pristupnice. ”

**PROTOKOL
O POVLASTICAMA I IMUNITETIMA EUROPSKOG
CENTRA ZA SREDNJOROČNE PROGNOZE VREMENA**

Protokol se mijenja i dopunjuje zamjenom riječi „direktor” s „glavni direktor” kroz cijeli Protokol.

**AMENDING PROTOCOL
AMENDMENTS TO THE CONVENTION
ESTABLISHING THE EUROPEAN CENTRE FOR
MEDIUM-RANGE WEATHER FORECASTS**

The Council of the European Centre for Medium-Range Weather Forecasts (ECMWF, the Centre) in accordance with Article 18(1) of the ECMWF Convention recommends the Member States to accept the following amendments to the Convention establishing the European Centre for Medium-Range Weather Forecasts:

In the Dutch, French, German, and Italian versions the mention of paragraphs/sub-paragraphs has been replaced in the entire Convention by citing the respective numbers/letters in brackets only.

In the Dutch version, the word ‘Overeenkomst’ has been replaced by ‘Conventie’ throughout the document.

In the Dutch version, the words ‘Lid-Staat’ and ‘Lid-Staten’ have been replaced by ‘Lidstaat’ and ‘Lidstaten’ throughout the document.

In the Dutch version, the word ‘artikel’ has been replaced by ‘Artikel’ throughout the document.

In the Dutch version, the words ‘paragraaf’ and ‘alinea’ have been replaced by ‘lid’ throughout the document and the words ‘paragrafen’ and ‘alinea’s’ by ‘leden’.

In the Dutch version, the word ‘begrotingsjaar’ has been replaced by ‘boekjaar’ throughout the document.

The phrase “The States Parties to this Convention” is added before the Considerata.

The Considerata are replaced by the following:

“ACKNOWLEDGING that weather-related threats to life and health, and to economy and property, are increasingly important;

CONVINCED that the improvement of medium-range weather forecasts contributes to the protection and safety of the population;

CONVINCED FURTHER that the scientific and technical research carried out for this purpose provides a valuable stimulus to the development of meteorology in Europe;

CONSIDERING that, to achieve this purpose and these objectives, resources on a scale exceeding those normally practicable at national level are needed;

NOTING the importance for the European economy of a considerable improvement in medium- range weather forecasts;

REAFFIRMING that the establishment of an autonomous European centre with international status is the appropriate means to attain this purpose and these objectives;

CONVINCED that the Centre can make valuable contributions to developing the scientific basis for environmental monitoring;

NOTING that such a centre can also assist in the post-university training of scientists;

ASSURING that the activities of such a centre will, moreover, make a necessary contribution to certain programmes of the World Meteorological Organization (WMO) and to other relevant agencies;

CONSIDERING the importance that the establishment of such a centre can have for the development of European industry in the field of data processing;

REALIZING the will to widen the membership of the Centre to more States;”.

The paragraph: “HAVE DECIDED to establish . . . [together with the list of plenipotentiaries] . . . found in good and true form” is removed.

In the Dutch version, the sentence “Overeenkomst hebben Bereikt Omtrent de Volgende Bepalingen:’ has been replaced by ‘komen het volgende overeen:’

Article 1

Article 1 is given a title: “Establishment, Council, Member States, Headquarters, Languages”.

Article 1(2): The word “Director” is replaced by “Director-General”. In the Italian version, the expression “Comitato consultivo scientifico” is replaced by “Comitato Scientifico Consultivo” and the expression “Comitato finanziario” by “Comitato Finanze”. In the Dutch version, the expression ‘een Wetenschappelijk Raadgevend Comité’ has been replaced by ‘een Wetenschappelijke Adviescommissie’ and the expression ‘Financieel Comité’ by ‘Financiële Commissie’.

Article 1(5) is given an additional phrase "... unless otherwise decided by the Council in accordance with Article 6(1)(g)."

Article 1(6) is amended to read:

"6. The official languages of the Centre shall be the official languages of the Member States.

Its working languages shall be English, French and German.

The Council shall determine the extent to which the official and working languages shall respectively be used in accordance with Article 6(2)(1)."

Article 2

Article 2 is given a title: "The purposes, objectives and activities".

A new Article 2(1) is inserted:

„1. The primary purposes of the Centre are the development of a capability for medium-range weather forecasting and the provision of medium-range weather forecasts to the Member States”.

The re-numbered Article 2(2) is introduced by the sentence "The objectives of the Centre shall be”.

Article 2(1)(a) is replaced by 2(2)(a):

“a) to develop, and operate on a regular basis, global models and data-assimilation systems for the dynamics, thermodynamics and composition of the Earth's fluid envelope and interacting parts of the Earth-system, with a view to:

- i. preparing forecasts by means of numerical methods;
- ii. providing initial conditions for the forecasts; and
- iii. contributing to monitoring the relevant parts of the Earth-system;”

Article 2(1)(b) is deleted.

Article 2(1)(c) is re-numbered 2(2)(b).

Article 2(1)(d) is replaced by 2(2)(c):

“c) to collect and store appropriate data;”.

Article 2(1)(e) is replaced by 2(2)(d):

“d) to make available to the Member States, in the most appropriate form, the results provided for in (a) and (b) and the data referred to in (c);”.

Article 2(1)(f) is replaced by 2(2)(e):

“e) to make available to the Member States for their research, priority being given to the field of numerical weather forecasting, a sufficient proportion of its computing capacity, such proportion being determined by the Council;”.

Article 2(1)(g) is re-numbered 2(2)(f). In the English version, the word “Organisation” is replaced by the word “Organization”. In the Dutch version, the expression ‘Meteorologische Wereldorganisatie’ is replaced by ‘Wereld Meteorologische Organisatie’.

Article 2(1)(h) is replaced by Article 2(2)(g):

“g) to assist in advanced training for the scientific staff of the Member States in the field of numerical weather forecasting.”

Article 2(2) is replaced by Article 2(3):

“3. The Centre shall establish and operate the installations necessary for the achievement of the purposes defined in paragraph 1 and the objectives defined in paragraph 2.”

Article 2(3) is re-numbered 2(4).

A new Article 2(5) is inserted:

“5. The Centre may carry out activities requested by third parties that are in line with the purposes and objectives of the Centre and that are approved by the Council in accordance with Article 6(2)(g). The cost of such activities shall be borne by the third party concerned.”

A new Article 2(6) is inserted:

“6. The Centre may carry out Optional Programmes in accordance with Article 11(3).”

Article 3

Article 3 is given a title: “Co-operation with other entities”.

Article 3(1): In the Dutch version, the word ‘doeleinden’ is replaced by ‘doelstellingen’.

Article 3(2): The introductory phrase is amended to read “The Centre may conclude co-operation agreements to that end”.

Article 3(2)(a): The reference to Article 6(1)(e) is amended to “Article 6(1)(e) or 6(3)(j)”.

Article 3(2)(b): The reference to Article 6(3)(k) is amended to Article 6(3)(j). In the Dutch version, the word ‘organisaties’ is replaced by ‘instanties’

A new Article 3(2)(c) is added:

“c) with national scientific and technical agencies of non-Member States under the conditions laid down in Article 6(1)(e).”

Article 4

Article 4 is given a title: “The Council”.

Article 4(2): In the English version, the word “Organisation” is replaced by the word “Organization”. In the Dutch version, the expression ‘nationale weerkundige dienst’ is replaced by ‘nationale meteorologische dienst’ and the expression ‘Meteorologische Wereldorganisatie’ by ‘Wereld Meteorologische Organisatie’.

Article 4(5): The word “Director” is replaced by “Director-General”.

Article 4(6): In the Dutch version, the expression ‘comités van raadgevende aard’ is replaced by ‘adviescommissies’.

Article 5

Article 5 is given a title: “Voting at Council”.

Article 5(2): The reference to Article 6(3)(m) is replaced by Article 6(3)(l).

Article 6

Article 6 is given a title “Voting majorities”.

Article 6(1)(b): The phrase “admission of new Members” is replaced by “accession of States”, and the word “admissions” is replaced by the word “accessions”.

Article 6(1)(e) is amended to read:

“e) authorise the Director-General to negotiate co-operation agreements with non-Member States and with their national scientific and technical agencies; it may authorise the Director-General to conclude such agreements;”.

A new Article 6(1)(g) is inserted:

“g) decide on any transfer of the ECMWF headquarters, in accordance with Article 1(5).”

Article 6(2)(b): The word “approve” is replaced by “endorse”. The word “Director” is replaced by “Director-General”.

A new Article 6(2)(c) is inserted:

“c) adopt, subject to paragraph 1(a), the programme of the activities of the Centre, in accordance with Article 11(1)”.

Remaining sub-articles are re-numbered.

Re-numbered Article 6(2)(d): The word “Director” is replaced by “Director-General”.

New Articles 6(2)(e), (f), (g) and (h) are inserted:

„e) adopt the Procedure for Optional Programmes in accordance with Article 11(3);

f) adopt individual Optional Programmes in accordance with Article 11(3);

g) approve activities requested by third parties in accordance with Article 2(5);

h) decide on the distribution policy for the Centre’s products and other results of its work.”,

and remaining sub-articles are re-numbered.

New Article 6(2)(l) is inserted:

“l) determine, in accordance with Article 1(6), the extent to which the official and working languages shall respectively be used.”;

Article 6(3)(d): The word “Director” is replaced by “Director-General”.

Article 6(3)(e): In the Dutch version, the expression ‘financiële commissarissen’ is replaced by ‘accountants’.

Article 6(3)(f): The word “Director” is replaced by “Director-General”.

Article 6(3)(g): In the Italian version, the expression “Comitato consultivo scientifico” is replaced by “Comitato Scientifico Consultivo”. In the Dutch version, the expression ‘het Wetenschappelijk Raadgevend Comité’ is replaced by ‘de Wetenschappelijke Adviescommissie’.

Original Article 6(3)(i) is deleted and remaining sub-articles re-numbered.

Re-numbered Article 6(3)(i): The word “Director” is replaced by “Director-General”. In the Dutch version, the expression “verslag van de financiële commissarissen” is replaced by “accountantsrapport”.

Re-numbered Article 6(3)(j) to read:

“j) shall authorise the Director-General to negotiate co-operation agreements with Member States, with their national scientific and technical agencies, and with governmental or non-governmental international scientific and technical organisations whose activities are related to the objectives of the Centre; it may authorise the Director-General to conclude such agreements;”.

Re-numbered Article 6(3)(k): 15(1) and (2) are amended to read 15(2) and (3).

A new Article 6(3)(o) is inserted:

“o) shall adopt the Long-term Strategy of the Centre in accordance with Article 11(2).”

Article 7

Article 7 is given a title: “The Scientific Advisory Committee”.

Article 7(1): The word “Director” is replaced by “Director-General”. In the English version, the word “Organisation” is replaced by “Organization”. In the Italian version, the expression „Comitato consultivo scientifico” is replaced by “Comitato Scientifico Consultivo”. In the Dutch version, the expression ‘het Wetenschappelijk Raadgevend Comité’ is replaced by ‘de Wetenschappelijke Adviescommissie’ and ‘het Comité’ by ‘de Commissie’ and the expression ‘Meteorologische Wereldorganisatie’ by ‘Wereld Meteorologische Organisatie’.

Article 7(2): The word “Director” is replaced by “Director-General” in two places.

Article 8

Article 8 is given a title: “The Finance Committee”.

Article 8(1): In the Italian version, the expression “Comitato finanziario” is replaced by “Comitato Finanze”. In the Dutch version, the expression ‘het Financiële Comité’ is replaced by ‘de Financiële Commissie’ and ‘het Comité’ by ‘de Commissie’.

Article 8(1)(b) is amended to read:

“b) representatives of the other Member States, appointed by them for a period of one year; each of these States may not be represented on the Committee more than twice in succession. The number of these representatives shall be one-fifth of the number of the other Member States.”

Article 9

Article 9 is given a title: “The Director-General”.

Article 9(1): The word “Director” is replaced by “Director-General” in two places.

Article 9(2): The word “Director” is replaced by “Director-General”.

Article 9(2)(c) is given the additional phrase “... and a Long-term Strategy ...”. In the Italian version, the expression “Comitato consultivo scientifico” is replaced by “Comitato Scientifico Consultivo”. In the Dutch version, the expression ‘het Wetenschappelijk Raadgevend Comité’ is replaced by ‘de Wetenschappelijke Adviescommissie’.

Article 9(2)(g): The reference to Article 6(3)(k) is amended to Article 6(3)(j). In the Dutch version, the word ‘doeleinden’ is replaced by ‘doelstellingen’.

Article 9(3): The word “Director” is replaced by “Director-General”.

Article 10

Article 10 is given a title: “The Staff”.

Article 10(3): In the Dutch version, the word ‘organisaties’ is replaced by ‘instanties’.

Article 10(4): In the English version, the word “Comptroller” is replaced by “Controller”. In the Dutch version, the word “financiële controleur” is replaced by “Controller”.

Article 10(6): “Director” is replaced by “Director-General”.

Article 10(7): “Director” is replaced by “Director-General” in two places.

Article 11

Article 11 is given a title: “The Programme of Activities, the Long-term Strategy and Optional Programmes”.

Existing paragraphs are grouped together as Article 11(1).

Article 11(1): “Director” is replaced by “Director-General”. The reference to Article 6(3)(i) is amended to Article 6(2)(c) in two places.

New Articles 11(2) and (3) are inserted:

“2. A Long-term Strategy of the Centre shall be prepared at times and for periods as decided by the Council. Its preparation shall be considered by Council at least every five years. The Long-term Strategy shall contain a view of the Centre’s strategic goals and indicate the direction foreseen for the development of the Centre’s work for the duration of the Strategy. The Strategy shall be adopted by the Council acting on a proposal from the Director-General in accordance with Article 6(3)(o).

3. An Optional Programme is a Programme proposed by a Member State or group of Member States in which all Member States participate apart from those that formally declare themselves to be non-participating States and which contributes to the purposes and objectives of the Centre in accordance with Articles 2(1) and 2(2).

a) The procedure for Optional Programmes shall be adopted by the Council in accordance with Article 6(2)e.

b) Individual Optional Programmes shall be adopted by the Council in accordance with Article 6(2)(f).”

Article 12

Article 12 is given a title: “The Budget”.

Article 12(3): The word “approve” is amended to read “endorse”.

Article 12(4)(b): “Director” is replaced by “Director-General”.

Article 12(5): “Director” is replaced by “Director-General”.

Article 13

Article 13 is given a title: “The Contributions of Member States”.

Article 13(1): The phrase “gross national product” is replaced by “gross national income”.

Article 13(2): The phrase “gross national product” is replaced by “gross national income”

Article 14

Article 14 is given a title: “The Audit”.

In the Dutch version, the expression ‘financiële commissarissen’ is replaced by ‘accountants’ in four places.

Article 14(2): In the Italian version, the expression “Comitato finanziario” is replaced by “Comitato Finanze”. In the Dutch version, the expression ‘het Financieel Comité’ is replaced by ‘de Financiële Commissie’.

Article 14(3): “Director” is replaced by “Director-General”.

Article 15

Article 15 is given a title: “Property rights and licences”.

A new Article 15(1) is inserted:

“1. ECMWF shall have world-wide exclusive ownership of all its products and other results of its activities.”,

and the remaining three articles are re-numbered.

Re-numbered Article 15(3): The reference to paragraph 1 is amended to paragraph 2.

Re-numbered Article 15(4): The reference to paragraph 1 is amended to paragraph 2 and the reference to Article 6(3)(l) to Article 6(3)(k).

Article 16

Article 16 is given a title: “Privileges and immunities, and liabilities”.

Article 17

Article 17 is given a title: “Disputes”.

Article 18

Article 18 is given a title: “Amendments to the Convention”.

Article 18(1): “Director” is replaced by “Director-General” in two places, and the reference to Article 6(3)(n) is amended to Article 6(3)(m).

Article 18(2): The phrase “European Communities” is amended to “European Union”.

Article 19

Article 19 is given a title: “Denunciation of the Convention”.

Article 19(1): The phrase “European Communities” is amended to “European Union”.

Article 19(2): The phrase “takes effect” is inserted in two places after the word “denunciation”.

Article 19(3): The reference to Article 6(2)(d) is amended to Article 6(2)(i).

Article 20

Article 20 is given a title: “Non-fulfilment of obligations”.

Article 21

Article 21 is given a title: “Dissolution of the Centre”.

Article 21(1): The reference to Article 6(2)(e) is amended to Article 6(2)(j).

Article 21(3): The reference to Article 6(2)(e) is amended to Article 6(2)(j).

Article 22

Article 22 is given a title: “Entry into force”.

Article 23

Article 23 is given a title: “Accession of States”.

Paragraphs are numbered.

Articles 23(1) and (2) are amended to read:

“1. After the entry into force of this Convention, any State which is not a Signatory may accede to this Convention, subject to the consent of the Council acting in accordance with Article 6(1)(b). A State that wishes to accede to this Convention shall notify the Director-General accordingly and the latter shall inform the Member States of the request at least three months before it is submitted to the Council for decision. The Council shall determine the terms and conditions for the accession of the State in question, in conformity with Article 6(1)(b).

2. Instruments of accession shall be deposited in the archives of the General Secretariat of the Council of the European Union. For each acceding State, this Convention shall enter into

force on the first day of the second month following the deposit of its instrument of accession.”

Article 24

Article 24 is given a title: “Notification of signatures and related matters”.

The reference to “European Communities” is amended to “European Union”.

Article 24(e) is amended to read:

“e) the adoption and entry into force of any amendment;”.

The last paragraph of Article 24 is amended to read:

“As soon as this Convention enters into force and any amendments to it enter into force, the Secretary-General of the Council of the European Union shall register them with the General Secretariat of the United Nations, in accordance with Article 102 of the Charter of the United Nations.”

Article 25

Article 25 is given a title: “The first Financial Year”.

Article 25(3): In the Italian version, the expression “Comitato consultivo scientifico” is replaced by “Comitato Scientifico Consultivo”. In the Dutch version, the expression ‘Wetenschappelijke Raadgevend Comité’ is replaced by ‘Wetenschappelijke Adviescommissie’.

Article 26

Article 26 is given a title: “Deposit of Convention”.

Article 26 is amended to read:

“This Convention, and all amendments to it, drawn up in a single original in Dutch, English, French, German, Italian, Danish, Finnish, Irish, Greek, Norwegian, Portuguese, Spanish, Swedish and Turkish, all texts being equally authentic, shall be deposited in the archives of the General Secretariat of the Council of the European Union, which shall transmit a certified copy to the Government of each signatory or acceding State”.

**PROTOCOL
ON THE PRIVILEGES AND IMMUNITIES OF THE EUROPEAN
CENTRE FOR MEDIUM-RANGE WEATHER FORECASTS**

The Protocol is amended by replacing the word „Director“ by „Director-General“ throughout the Protocol.

Članak 3.

Tekst Konvencije iz članka 1. ovoga Zakona kako je izmijenjena i dopunjena Protokolom iz članka 1. ovoga Zakona, u izvorniku na engleskom i u prijevodu na hrvatski jezik, glasi:

KONVENCIJA O OSNIVANJU EUROPSKOG CENTRA ZA SREDNJOROČNE PROGNOZE VREMENA

Države stranke ove Konvencije,

PRIZNAJUĆI da su prijetnje povezane s vremenom za život i zdravlje, i za gospodarstvo i imovinu, sve važnije;

UVJERENE da poboljšanje srednjoročnih prognoza vremena doprinosi zaštiti i sigurnosti stanovništva;

UVJERENE TAKOĐER da znanstvena i tehnička istraživanja koja se u tu svrhu provode daju vrijedan poticaj razvoju meteorologije u Europi;

UZIMAJUĆI U OBZIR da su za postizanje te svrhe i tih ciljeva, potrebna sredstva koja premašuju ona uobičajena na nacionalnoj razini;

PREPOZNAVŠI važnost koje za europsko gospodarstvo ima značajno poboljšanje srednjoročnih prognoza vremena;

POTVRĐUJUĆI da je osnivanje samostalnog europskog centra s međunarodnim statusom odgovarajući način za ostvarivanje te svrhe i tih ciljeva;

UVJERENE da Centar može znatno doprinijeti razvoju baze znanstvenika za praćenje stanja okoliša;

PREPOZNAVŠI da takav centar može također pomoći u poslije studijskom usavršavanju znanstvenika;

JAMČEĆI da će aktivnosti takvog centra, osim toga, dati nužan doprinos određenim programima Svjetske meteorološke organizacije (WMO) i drugim odgovarajućim ustanovama;

UZIMAJUĆI U OBZIR da osnivanje takvog centra može imati važnost za razvoj europske industrije na području obrade podataka;

OSTVARUJUĆI volju za proširenjem članstva u Centru na više država;

sporazumjele su se kako slijedi:

Osnivanje, Vijeće, države članice, sjedište i jezici

Članak 1.

1. Ovime se osniva Europski centar za srednjoročne prognoze vremena, u daljnjem tekstu: „Centar”
2. Tijela Centra su Vijeće i glavni direktor. Vijeću pomažu Znanstveni savjetodavni odbor i Financijski odbor. Svako tijelo i svaki odbor obavlja svoje funkcije u granicama i pod uvjetima utvrđenim u ovoj Konvenciji.
3. Članice Centra, u daljnjem tekstu: „države članice”, su države članke ove Konvencije.
4. Centar ima pravnu osobnost na državnom području svake države članice. Posebice ima sposobnost sklapanja ugovora, stjecanja i raspolaganja pokretnom i nepokretnom imovinom i biti strankom u pravnim postupcima.
5. Sjedište Centra je u Shinfield Parku kraj Readinga (Berkshire) na državnom području Ujedinjene Kraljevine Velike Britanije i Sjeverne Irske, osim ako Vijeće ne odluči drukčije u skladu s člankom 6. (1) (g).
6. Službeni jezici Centra su službeni jezici država članica.

Njegovi radni jezici su engleski, francuski i njemački.

Vijeće određuje kada će se rabiti službeni, a kada radni jezici u skladu s člankom 6. (2) (l).

Svrhe, ciljevi i aktivnosti

Članak 2.

1. Primarne svrhe Centra su razvoj sposobnosti za srednjoročna prognoziranja vremena te snabdijevanje država članica srednjoročnim vremenskim prognozama.
2. Ciljevi Centra su:
 - a) razviti i rabiti na redovitoj osnovi globalne modele i sustave asimilacije podataka vezanih uz dinamiku, termodinamiku i sastav fluida Zemljina plašta te međusobno djelujućih elemenata Zemljina sustava radi:
 - i. izrade prognoza numeričkom metodom;
 - ii. stvaranje prvotnih uvjeta za pripremu prognoza; i
 - iii. doprinošenja praćenju relevantnih dijelova Zemljina sustava;
 - b) obavljati znanstvena i tehnička istraživanja usmjerena na poboljšanje kakvoće tih prognoza;
 - c) prikupljati i pohranjivati odgovarajuće podatke;

- d) stavljati na raspolaganje državama članicama u najprikladnijem obliku rezultate predviđene u (a) i (b) te podatke navedene u (c);
 - e) stavljati na raspolaganje državama članicama za njihova istraživanja, pri čemu se daje prednost području numeričkog prognoziranja vremena, dostatan udio svojih računalnih kapaciteta, a taj razmjer utvrđuje Vijeće;
 - f) pružiti pomoć u provedbi programa Svjetske meteorološke organizacije;
 - g) pružiti pomoć u naprednom usavršavanju znanstvenog osoblja država članica na području numeričkog prognoziranja vremena.
3. Centar postavlja i upravlja uređajima potrebnima za postizanje svrha određenih u stavku 1. i ciljeva određenih u stavku 2.
 4. Kao opće pravilo, Centar objavljuje ili na drugi način stavlja na raspolaganje, prema uvjetima koje utvrdi Vijeće, znanstvene i tehničke rezultate svojih aktivnosti, ukoliko ti rezultati nisu pokriveni člankom 15.
 5. Centar može obavljati aktivnosti koje zatraže treće strane, a koje su u skladu sa svrhama i ciljevima Centra i odobrene od strane Vijeća u skladu s člankom 6. (2) (g). Troškove takvih aktivnosti snosi dotična treća strana.
 6. Centar može provoditi fakultativne programe u skladu s člankom 11. (3).

Suradnja s drugim tijelima

Članak 3.

1. Radi ostvarivanja svojih ciljeva, Centar surađuje u najvećoj mogućoj mjeri, u skladu s međunarodnom meteorološkom tradicijom, s vladama ili nacionalnim ustanovama država članica, s državama koje nisu članice Centra i s vladinim i nevladinim međunarodnim znanstvenim i tehničkim organizacijama čije su aktivnosti povezane s njegovim ciljevima.
2. Centar može sklapati sporazume o suradnji, u tu svrhu:
 - a) s državama, uz uvjete utvrđene u članku 6. (1)(e) ili 6. (3)(j),
 - b) s nacionalnim znanstvenim i tehničkim ustanovama država članica i međunarodnim organizacijama navedenima u stavku 1., uz uvjete utvrđene u članku 6. (3)(j),
 - c) s nacionalnim znanstvenim i tehničkim ustanovama država koje nisu države članice, uz uvjete utvrđene u članku 6. (1)(e).
3. Sporazumima o suradnji navedenima u stavku 2. može se staviti na raspolaganje dio računalnog kapaciteta Centra koji je dostupan samo javnim ustanovama država članica.

Vijeće

Članak 4.

1. Vijeće ima ovlasti i usvaja mjere potrebne za provedbu ove Konvencije.
2. Vijeće se sastoji od najviše dvaju predstavnika iz svake države članice, od kojih jedan treba biti predstavnik njegove nacionalne meteorološke službe. Savjetnici mogu pomagati tim predstavnicima na sastancima Vijeća.

Predstavnik Svjetske meteorološke organizacije pozvan je sudjelovati u radu Vijeća kao promatrač.

3. Vijeće bira iz redova svojih članova predsjednika i potpredsjednika koji su imenovani na jednu godinu i koji ne mogu biti birani više od dva puta uzastopno.
4. Vijeće se sastaje najmanje jednom godišnje. Ono se saziva na zahtjev predsjednika ili na zahtjev najmanje jedne trećine država članica. Sastanci Vijeća održavaju se u sjedištu Centra, osim ako Vijeće u iznimnim slučajevima ne odluči drukčije.
5. Predsjednik i potpredsjednik mogu zatražiti pomoć glavnog direktora u izvršavanju njihovih zadaća.
6. Vijeće može osnovati savjetodavne odbore i odrediti njihov sastav i zadaće.

Glasovanje u Vijeću

Članak 5.

1. Nazočnost predstavnika većine država članica koje imaju pravo glasa nužna je za postizanje kvoruma na sastancima Vijeća.
2. Svaka država članica ima jedan glas u Vijeću. Država članica gubi svoje pravo glasa u Vijeću ako iznos njezinih neplaćenih doprinosa premašuje iznos doprinosa koje je dužna platiti prema članku 13. za tekuću financijsku godinu i za prethodnu financijsku godinu. Vijeće, djelujući u skladu s člankom 6. (3)(1) može ipak odobriti državi članici da glasuje.
3. Između sastanaka Vijeća, Vijeće može odlučivati o bilo kojim pitanjima koja su žurna dopisnim glasovanjem. U takvim slučajevima, većina država članica koje imaju pravo glasa čine kvorum.
4. Za utvrđivanje jednoglasnosti i raznih većina predviđenih ovom Konvencijom, u obzir se uzimaju samo glasovi za ili protiv odluke, a u slučajevima kad Vijeće djeluje u skladu s postupkom utvrđenim u članku 6. (2), u obzir se uzimaju financijski doprinosi država članica koje sudjeluju u glasovanju.

Većinsko glasovanje

Članak 6.

1. Vijeće, djelujući jednoglasno:

- a) utvrđuje maksimalni iznos izdataka za provedbu programa aktivnosti Centra za pet godina nakon stupanja na snagu ove Konvencije;
 - b) odlučuje, o pristupu novih članica, u skladu s člankom 23., i utvrđuje uvjete za takva pristupanja u skladu s člankom 13. (3);
 - c) odlučuje, u skladu s člankom 20., o povlačenju iz članstva neke države, pri čemu ta država ne sudjeluje u glasovanju o tom pitanju;
 - d) odlučuje o raspuštanju Centra, u skladu s člankom 21. (1) i (2);
 - e) ovlašćuje glavnog direktora za pregovore o sporazumima o suradnji s državama koje nisu članice i njihovim nacionalnim znanstvenim i tehničkim ustanovama; ono ga može ovlastiti da sklopi takve sporazume;
 - f) sklapa, s jednom ili više država članica, u skladu s člankom 22. Protokola o povlasticama i imunitetima, predviđenim u članku 16., sve dodatne sporazume u svrhu provedbe tog Protokola;
 - g) odlučuje o eventualnom premještanju sjedišta Centra, u skladu s člankom 1. (5).
2. Vijeće, djelujući dvotrećinskom većinom država članica, i pod uvjetom da zbroj doprinosa tih država predstavlja najmanje dvije trećine ukupnih doprinosa proračunu Centra:
- a) usvaja Financijski pravilnik Centra;
 - b) usvaja, u skladu s člankom 12. (3), godišnji proračun i uz njega priloženu tablicu zahtjeva za osobljem Centra i ukoliko je potrebno, dopunske ili ispravljene proračune te potvrđuje sveukupnu procjenu rashoda i prihoda za naredne tri financijske godine; ako Vijeće još nije donijelo proračun, ono ovlašćuje glavnog direktora da snosi izdatke i izvrši plaćanja, unutar određenog mjeseca, koja premašuju ograničenje predviđeno u prvom stavku članka 12. (5).
 - c) usvaja, uz uvjete iz stavka (1) (a), program aktivnosti Centra, u skladu s člankom 11. (1);
 - d) djelujući na prijedlog glavnog direktora, donosi odluke koje se odnose na bilo koju nepokretnu imovinu i opremu čija nabava ili zakup od strane Centra uključuje znatne izdatke;
 - e) usvaja postupak za fakultativne programe u skladu s člankom 11. (3);
 - f) usvaja pojedinačne fakultativne programe u skladu s člankom 11. (3);
 - g) odobrava aktivnosti koje zatraže treće strane u skladu s člankom 2. (5);
 - h) odlučuje o raspodjeli politike za proizvode Centra i drugih rezultata njegovog rada;

- i) odlučuje o mjerama koje se trebaju poduzeti u slučaju otkaza ove Konvencije u smislu članka 19.;
 - j) odlučuje da se Centar ne raspušta u slučaju otkaza ove Konvencije u smislu članka 21. (1), države članice koje otkazuju ne sudjeluju u glasovanju po tom pitanju;
 - k) određuje, u skladu s člankom 21. (3), uvjete za zatvaranje Centra u slučaju njegovog raspuštanja;
 - l) određuje, u skladu s člankom 1. (6), kada će se rabiti službeni, a kada radni jezici.
3. Vijeće, djelujući dvotrećinskom većinom:
- a) usvaja svoj Poslovnik;
 - b) usvaja Pravilnik o osoblju i ljestvicu plaća osoblja Centra te određuje narav dodatnih povlastica koje će osoblje uživati i pravila za njihovu dodjelu; ono također određuje prava službenika u pogledu prava industrijskog vlasništva i autorskih prava koja se odnose na njihov rad tijekom obavljanja njihovih zadaća;
 - c) odobrava sporazum koji će biti sklopljen, u skladu s člankom 16., između Centra i države na čijem se državnom području nalazi sjedište Centra;
 - d) imenuje glavnog direktora Centra i njegovog zamjenika na razdoblje od najviše pet godina, pri čemu se njihovo imenovanje može obnoviti jednom ili više puta, svaki put na razdoblje od najviše pet godina;
 - e) određuje broj revizora, trajanje njihovog imenovanja, iznos njihove naknade i imenuje ih u skladu s člankom 14. (2);
 - f) može okončati ili suspendirati imenovanje glavnog direktora ili njegovog zamjenika, uzimajući u obzir odredbe Pravilnika o osoblju koje se odnose na njih;
 - g) odobrava Poslovnik Znanstvenog savjetodavnog odbora u skladu s člankom 7. (4);
 - h) usvaja omjer financijskih doprinosa država članica u skladu s člankom 13. (1) i (3) i odlučuje o privremenom smanjenju doprinosa države članice zbog posebnih prilika u toj državi, u skladu s člankom 13. (2);
 - i) razmatra godišnje račune prethodne financijske godine, zajedno sa završnim računom aktive i pasive Centra, nakon primanja na znanje revizijskog izvješća, i daje razrješnicu glavnom direktoru u pogledu provedbe proračuna;
 - j) ovlašćuje glavnog direktora da pregovara o sporazumima o suradnji s državama članicama, njihovim nacionalnim znanstvenim i tehničkim ustanovama, te s vladinim ili nevladinim međunarodnim znanstvenim i tehničkim organizacijama čije su aktivnosti povezane s ciljevima Centra; može ga ovlastiti za sklapanje takvih sporazuma;

- k) određuje uvjete prema kojima se licencije dane državama članicama prema članku 15. (2) i (3) mogu proširiti na druge primjene osim prognoze vremena;
 - l) odlučuje, u slučaju predviđenom u članku 5. (2), da država članica može zadržati pravo glasa, pri čemu dotična država članica ne sudjeluje u glasovanju o tom pitanju;
 - m) preporučuje državama članicama, u skladu s člankom 18., izmjene i dopune ove Konvencije;
 - n) određuje, u skladu s člankom 17. Protokola o povlasticama i imunitetima, predviđenim člankom 16., kategorije članova osoblja na koje se primjenjuju članci 13. i 15. tog Protokola, u cijelosti ili djelomično, i kategorije stručnjaka na koje se primjenjuje članak 14. tog Protokola;
 - o) usvaja dugoročnu strategiju Centra u skladu s člankom 11. (2).
4. Kada nije predviđena posebna većina, Vijeće djeluje običnom većinom.

Znanstveni savjetodavni odbor **Članak 7.**

1. Znanstveni savjetodavni odbor sastoji se od dvanaest članova koje Vijeće imenuje u njihovom osobnom svojstvu za razdoblje od četiri godine. Odbor se obnavlja svake godine za jednu četvrtinu. Svaki član može biti imenovan samo na dva uzastopna mandata.

Predstavnik Svjetske meteorološke organizacije pozvan je sudjelovati u radu Odbora.

Članovi odbora biraju se iz redova znanstvenika država članica i predstavljaju što je moguće širi raspon disciplina povezanih s aktivnostima Centra. Glavni direktor podnosi Vijeću popis kandidata.

2. Odbor, radi podnošenja Vijeću, izrađuje mišljenja i preporuke na nacrt programa aktivnosti Centra kojeg izrađuje glavni direktor i o bilo kojem pitanju koje mu podnese Vijeće. Glavni direktor obavještava Odbor o provedbi programa. Odbor daje mišljenje o postignutim rezultatima.
3. Odbor može pozvati stručnjake, posebice osobe koje pripadaju službama koje rabe Centar, da sudjeluju u njegovom radu kada je potrebno riješiti određene probleme.
4. Odbor sastavlja svoj Poslovnik. Taj Poslovnik stupa na snagu odobrenja Vijeća, koje djeluje u skladu s člankom 6. (3) (g).

Financijski odbor **Članak 8.**

1. Financijski odbor sastoji se:

- a) od jednog predstavnika svake od četiriju država članica koje plaćaju najviši doprinos;

- b) od predstavnika ostalih država članica, koje su ih imenovale za razdoblje od godinu dana; svaka od tih država ne može biti zastupana u Odboru više od dva puta uzastopno. Broj takvih zastupnika sačinjava jednu petinu broja ostalih država članica.
- 2. Prema uvjetima utvrđenim u Financijskom pravilniku, Odbor izrađuje, radi podnošenja Vijeću, mišljenja i preporuke o svim financijskim pitanjima podnesenim Vijeću i izvršava financijske ovlasti koje mu je Vijeće povjerilo.

Glavni direktor **Članak 9.**

- 1. Glavni direktor je glavni izvršni službenik Centra. On zastupa Centar u poslovima s trećim stranama. Odgovoran je Vijeću za izvršavanje zadataka dodijeljenih Centru. Sudjeluje na svim sastancima Vijeća, bez prava glasa.

Vijeće imenuje osobu koja će obavljati poslove kao privremeni glavni direktor.

- 2. Glavni direktor:
 - a) poduzima sve potrebne mjere za ispravan rad Centra;
 - b) izvršava dodijeljene mu ovlasti prema Pravilniku o osoblju, podložno članku 10. (4);
 - c) podnosi Vijeću prijedlog programa aktivnosti i dugoročnu strategiju Centra, zajedno s mišljenjima i preporukama Znanstvenog savjetodavnog odbora;
 - d) priprema i provodi proračun Centra u skladu s Financijskim pravilnikom;
 - e) vodi preciznu evidenciju prihoda i rashoda Centra u skladu s Financijskim pravilnikom;
 - f) podnosi godišnje Vijeću na odobrenje račun koji se odnosi na provedbu proračuna i bilancu aktive i pasive, koji su u svim slučajevima sastavljeni u skladu s Financijskim pravilnikom, te izvješće o aktivnostima Centra;
 - g) sklapa, u skladu s člankom 6. (1) (e) i člankom 6. (3) (j), sporazume o suradnji koji su potrebni za postizanje ciljeva Centra.
- 3. U obavljanju njegovih zadataka, glavnom direktoru pomaže ostalo osoblje Centra.

Osoblje **Članak 10.**

- 1. Podložno drugom podstavku, na osoblje Centra primjenjuje se Pravilnik o osoblju, kojeg je Vijeće usvojilo u skladu s člankom 6. (3) (b).

Ako uvjeti zapošljavanja člana osoblja Centra ne podliježu tom Pravilniku o osoblju, podložni su pravu primjenjivom u državi u kojoj dotična osoba obavlja svoje zadaće.

2. Zapošljavanje osoblja temelji se na osobnim kvalifikacijama, pri čemu se vodi računa o međunarodnom karakteru Centra. Nijedno mjesto ne može biti rezervirano za državljane određene države članice.
3. Centar može također zapošljavati osoblje iz nacionalnih ustanova država članica koje su upućene na rad u Centar na određeno vrijeme.
4. Vijeće odobrava imenovanje i otpuštanje viših službenika određenih u Pravilniku o osoblju, i financijskog kontrolora i njegovog zamjenika.
5. Sporovi koji proizlaze iz provedbe Pravilnika o osoblju ili izvršenja ugovora o radu osoblja, rješavaju se u skladu s Pravilnikom o osoblju.
6. Svaka osoba koja radi u Centru podliježe ovlastima glavnog direktora i pridržava se svih općih pravila koje odobrava Vijeće.
7. Od svake države članice zahtijeva se da poštuje međunarodni karakter odgovornosti glavnog direktora i drugih službenika Centra. U obavljanju svojih zadaća glavni direktor i drugi službenici neće tražiti niti prihvatiti upute bilo koje vlade ili tijela izvan Centra.

Program aktivnosti, dugoročna strategija i fakultativni programi

Članak 11.

1. Vijeće prihvaća program aktivnosti Centra djelujući na prijedlog glavnog direktora u skladu s člankom 6. (2) (c).

Program pokriva, u načelu, razdoblje od četiri godine te se prilagođava i nadopunjuje svake godine za dodatno razdoblje od jedne godine. Određuje maksimalan iznos izdataka tijekom trajanja programa i sadrži, dodatno, procjenu izdatka koji proizlaze iz njegove provedbe u odnosu na svaku godinu i svaku glavnu kategoriju.

Maksimalan iznos izdataka može se izmijeniti i dopuniti samo u skladu s postupkom utvrđenim u članku 6. (2) (c).

2. Dugoročna strategija Centra se priprema na vrijeme i za razdoblje kako odluči Vijeće. Njezinu pripremu Vijeće razmatra najmanje svakih pet godina. Dugoročna strategija sadrži pregled strateških ciljeva Centra i naznačuje smjer predviđen za razvoj rada Centra za trajanja strategije.

Strategiju usvaja Vijeće na prijedlog glavnog direktora u skladu s člankom 6. (3)(o).

3. Fakultativni program je program kojeg predlaže država članica ili skupina država članica u kojem sudjeluju sve države članice, osim onih koje su se unaprijed formalno izjasnile državama koje ne sudjeluju i koje doprinose svrhama i ciljevima Centra u skladu s člancima 2. (1) i (2).

a) Postupak za fakultativne programe usvaja Vijeće u skladu s člankom 6. (2)(e).

b) Pojedinačne fakultativne programe usvaja Vijeće u skladu s člankom 6. (2)(f).

Proračun

Članak 12.

1. Proračun Centra sastavlja se za svaku financijsku godinu prije početka te godine, pod uvjetima utvrđenim u Financijskom pravilniku.

Izdaci Centra podmiruju se iz financijskih doprinosa država članica i bilo kojih drugih prihoda Centra.

Prihodi i rashodi iskazani u proračunu moraju biti uravnoteženi. Proračun se sastavlja u valuti države u kojoj se nalazi sjedište Centra.

2. Svi rashodi i prihodi Centra podliježu detaljnim procjenama koje se sastavljaju za svaku financijsku godinu i iskazuju se u proračunu.

Raspodjela obveze koja se odnosi na razdoblje izvan financijske godine može se odobriti pod uvjetima utvrđenim u Financijskom pravilniku.

Dodatno, sastavlja se sveukupna procjena rashoda i prihoda za svaku glavnu kategoriju za naredne tri financijske godine.

3. Vijeće, djelujući u skladu s člankom 6. (2)(b), usvaja proračun za svaku financijsku godinu i uz njega priloženu tablicu radnih mjesta Centra te bilo koje dopunske ili ispravljene proračune te potvrđuje sveukupnu procjenu rashoda i prihoda za naredne tri financijske godine.

4. Usvajanje proračuna od strane Vijeća:

- a) obvezuje svaku državu članicu da Centru stavi na raspolaganje financijske doprinose određene u proračunu,
- b) ovlašćuje glavnog direktora da preuzme obveze i izvrši plaćanja u okviru proračunskih ograničenja odobrenih u tu svrhu.

5. Ako Vijeće nije usvojilo proračun početkom financijske godine, glavni direktor može, svaki mjesec preuzimati obveze i izvršiti plaćanja za svako poglavlje do jedne dvanaestine proračunskih sredstava iz prethodne financijske godine, pod uvjetom da ne raspolaze proračunskim sredstvima koja premašuju više od jedne dvanaestine predviđene prijedlogom proračuna.

Države članice plaćaju svaki mjesec, na privremenoj osnovi i u skladu s omjerom predviđenim u članku 13., iznose koji su potrebni za primjenu prvog podstavka.

6. Proračun se provodi prema uvjetima utvrđenim u Financijskom pravilniku.

Doprinosi država članica

Članak 13.

1. Svaka država članica plaća Centru godišnji doprinos, u konvertibilnoj valuti, na temelju omjera koje Vijeće usvaja svake tri godine djelujući u skladu s člankom 6. (3)(h). Taj se omjer temelji na prosječnom bruto nacionalnom dohotku svake države članice za posljednje tri kalendarske godine za koje postoje statistički podaci.
2. Vijeće, djelujući u skladu s člankom 6. (3)(h), može odlučiti o privremenom smanjenju doprinosa države članice zbog posebnih prilika u toj državi. Postojanje posebnih prilika smatra se posebice kada država članica ima bruto nacionalni dohodak po glavi stanovnika manji od iznosa kojeg odredi Vijeće djelujući u skladu s postupkom utvrđenim u članku 6. (3).
3. Ako, nakon stupanja na snagu ove Konvencije, država postane strankom ove Konvencije, Vijeće mijenja omjer doprinosa prema osnovici za računanje utvrđenoj u stavku 1. Novi omjer proizvodi učinak kada dotična država postane strankom ove Konvencije.

Država koja postane strankom ove Konvencije nakon 31. prosinca u godini u kojoj stupa na snagu, dužna je platiti, uz doprinos utvrđen u stavku 1., jedinstveni dodatni doprinos za izdatke koje je prethodno imao Centar. Iznos tog dodatnog doprinosa određuje Vijeće, djelujući u skladu s postupkom utvrđenim u članku 6. (1).

Osim ako Vijeće ne odluči drukčije, djelujući u skladu s postupkom utvrđenim u članku 6. (1), bilo koji dodatni doprinos plaćen prema drugom podstavku odbija se od doprinosa drugih država članica. To se smanjenje obračunava na razmjernoj osnovi prema doprinosima koje je svaka država članica stvarno uplatila prije tekuće financijske godine.

4. Ako, nakon stupanja na snagu ove Konvencije, država prestane biti strankom ove Konvencije, Vijeće mijenja omjer doprinosa prema osnovici za računanje utvrđenoj u stavku 1. Novi omjer proizvodi učinak kada dotična država prestane biti strankom ove Konvencije.
5. Način plaćanja doprinosa utvrđuje se Financijskim pravilnikom.

Revizija

Članak 14.

1. Računi svih prihoda i rashoda iskazanih u proračunu i u bilanci aktive i pasive Centra, pod uvjetima utvrđenim u Financijskom pravilniku, podnose se na reviziju revizorima čija je neovisnost izvan svake sumnje. Svrha revizije, koja se temelji na evidenciji i koja se prema potrebi može obaviti na licu mjesta, je ustanoviti da su svi primljeni prihodi i nastali rashodi zakoniti i redovni i da je financijsko upravljanje Centrom ispravno. Revizori podnose Vijeću izvješće o godišnjim računima.
2. Vijeće, djelujući na prijedlog Financijskog odbora, u skladu s člankom 6. (3)(e), određuje broj revizora, trajanje njihovog imenovanja, iznos njihove naknade te ih imenuje.

3. Glavni direktor daje revizorima bilo koju informaciju i pomoć potrebnu za reviziju navedenu u stavku 1.

Vlasnička prava i licencije

Članak 15.

1. Centar ima isključivo pravo vlasništva u cijelom svijetu nad svim svojim proizvodima i drugim rezultatima svojih aktivnosti.
2. Svaka država članica dobiva besplatno, za svoje vlastite potrebe na području prognoze vremena, neisključivu licenciju i druga neisključiva prava uporabe u pogledu prava industrijskog vlasništva, računalnih programa i tehničkih informacija koji proizlaze iz radova obavljenih prema ovoj Konvenciji i koji pripadaju Centru.
3. Kada Centar nije u posjedu prava navedenih u stavku 2., nastojat će steći potrebna prava prema uvjetima koje utvrđuje Vijeće.
4. Uvjeti prema kojima se licencije navedene u stavku 2. mogu proširiti na ostale primjene, osim prognoze vremena, utvrđuju se prema odluci Vijeća koje djeluju u skladu s člankom 6. (3)(k).

Povlastice, imuniteti i odgovornosti

Članak 16.

Povlastice i imuniteti koje Centar, predstavnici država članica, osoblje i stručnjaci Centra uživaju na državnom području država članica određuju se u Protokolu koji je dodan ovoj Konvenciji i čini njezin sastavni dio, i u sporazumu koji se sklapa između Centra i države na čijem se državnom području nalazi sjedište Centra. Vijeće odobrava taj sporazum djelujući u skladu s člankom 6. (3)(c).

Sporovi

Članak 17.

1. Bilo koji spor između država članica ili između jedne ili više država članica i Centra u svezi tumačenja primjene ove Konvencije, uključujući Protokol o povlasticama i imunitetima predviđen u članku 16. ili vezano uz jedan od slučajeva predviđenih u članku 24. tog Protokola, koji se ne može riješiti dobrim uslugama Vijeća, na zahtjev jedne od stranaka u sporu drugoj, iznijet će se arbitražnom sudu, osnovanom u skladu s prvim podstavkom stavka 2., osim ako se stranke u sporu u roku od tri mjeseca suglase o drukčijem načinu rješavanja.
2. Svaka stranka u sporu, bez obzira jesu li to jedna ili više država članica, imenuje jednog člana arbitražnog suda u roku od dva mjeseca od datuma na koji je primljen zahtjev naveden u stavku 1. Ti članovi, u roku od dva mjeseca od imenovanja drugog člana, imenuju trećeg člana za predsjedavajućeg suda, a koji nije državljanin države koja je stranka u sporu. Ako se imenovanje bilo kojeg od tri člana suda ne izvrši unutar propisanog roka, izvršava ga predsjednik Međunarodnog suda na zahtjev jedne od stranaka.

Arbitražni sud donosi odluke većinom glasova. Njegove odluke obvezuju stranke u sporu. Svaka stranka snosi troškove člana suda kojeg je imenovala kao i one koji se odnose na njezino zastupanje u postupcima pred sudom. Svaka stranka u sporu snosi jednak udio u troškovima koji se odnose na predsjedavajućeg suda i bilo koje druge troškove, osim ako sud odluči drukčije. Sud utvrđuje ostala svoja pravila postupka.

Izmjene i dopune Konvencije **Članak 18.**

1. Svaka država članica može glavnom direktoru podnijeti prijedlog za izmjenu i dopunu ove Konvencije. Glavni direktor prosljeđuje takve prijedloge drugim državama članicama najmanje tri mjeseca prije nego ih razmotri Vijeće. Vijeće razmatra prijedloge i može, djelujući u skladu s člankom 6. (3)(m), preporučiti državama članicama prihvatanje predloženih izmjena i dopuna.
2. Države članice mogu prihvatiti izmjene i dopune preporučene od strane Vijeća samo u pisanom obliku. One stupaju na snagu trideset dana nakon što glavni tajnik Vijeća Europske unije primi zadnju pisanu obavijest o prihvatu.

Otkaz Konvencije **Članak 19.**

1. Bilo koja država članica može otkazati ovu Konvenciju nakon što je ona bila na snazi pet godina, davanjem obavijesti glavnom tajniku Vijeća Europske unije. Otkaz proizvodi učinak na kraju druge financijske godine koja slijedi godinu u kojoj je dana obavijest o otkazu.
2. Država članica koja je otkazala ovu Konvenciju ostaje u obvezi doprinositi financiranju svih obveza koje je Centar preuzeo prije takvog otkaza te poštivati obveze koje je sama kao država članica ugovorila prema Centru prije otkaza.
3. Država članica koja je otkazala ovu Konvenciju gubi svoja prava na imovinu Centra i mora Centru nadoknaditi štetu, pod uvjetima koje Vijeće utvrdi djelujući u skladu s člankom 6. (2)(i), za bilo koji gubitak imovine Centra na državnom području takve države, osim ako se ne sklopi poseban sporazum koji Centru jamči uporabu takve imovine.

Neispunjavanje obveza **Članak 20.**

Svaka država članica koja ne ispunjava svoje obveze prema ovoj Konvenciji, može biti isključena iz svojeg članstva odlukom Vijeća koje djeluje u skladu s člankom 6. (1)(c). U takvom slučaju članak 19. (2) i (3) primjenjuje se mutatis mutandis.

Raspuštanje Centra

Članak 21.

1. Osim ako Vijeće djelujući u skladu s člankom 6. (2)(j) ne odluči drukčije, Centar se raspušta ako otkaz ove Konvencije od strane jedne ili više država članica dovede do toga da razina doprinosa drugih država članica poraste za jednu petinu iznad njihovih početnih razina.
2. Pored slučaja navedenog u stavku 1., Vijeće može raspustiti Centar u svako doba djelujući u skladu s člankom 6. (1)(d).
3. U slučaju raspuštanja Centra, Vijeće imenuje likvidatora.

Osim ako Vijeće djelujući u skladu s člankom 6. (2)(j) ne odluči drukčije, djelujući u skladu s člankom 6. (2)(j), bilo koji viškovi se u trenutku raspuštanja raspodjeljuju između država članica razmjerno doprinosima koje su stvarno uplatile tijekom razdoblja u kojem su one bile stranke Konvencije.

Države članice će pokriti bilo koji manjak razmjerno njihovim doprinosima utvrđenim za tekuću financijsku godinu.

Stupanje na snagu

Članak 22.

1. Ova Konvencija otvorena je za potpisivanje od strane europskih država spomenutih u Dodatku do 11. travnja 1974. godine u Glavnom tajništvu Vijeća Europskih zajednica.

Podložna je ratifikaciji, prihvatu ili odobrenju. Isprave o ratifikaciji, prihvatu ili odobrenju polažu se u arhivu Glavnog tajništva Vijeća Europskih zajednica.

2. Ova Konvencija stupa na snagu prvog dana drugog mjeseca koji slijedi nakon datuma njezine ratifikacije, prihvata ili odobrenja od najmanje dvije trećine država potpisnica, uključujući državu na čijem se državnom području nalazi sjedište Centra, pod uvjetom da ukupni doprinosi tih država čine najmanje 80% ukupnih doprinosa u skladu s omjerima sadržanima u Dodatku.

Za bilo koju drugu državu potpisnicu, ova Konvencija stupa na snagu prvog dana drugog mjeseca koji slijedi nakon datuma polaganja njezine isprave o ratifikaciji, prihvatu ili odobrenju.

Pristup država

Članak 23.

1. Nakon stupanja na snagu ove Konvencije, bilo koja država koja nije potpisnica, može pristupiti ovoj Konvenciji, uz pristanak Vijeća djelujući u skladu s člankom 6. (1)(b). Država koja želi pristupiti ovoj Konvenciji obavještava glavnog direktora koji prema tome izvještava države članice o zahtjevu najmanje tri mjeseca prije što je podnesen Vijeću na odlučivanje. Vijeće utvrđuje rokove i uvjete za pristupanje države koja je predmet razmatranja u skladu s člankom 6 (1)(b).

2. Isprave o pristupu polažu se u arhivu Glavnog tajništva Vijeća Europske unije. Za svaku državu pristupnicu, ova Konvencija stupa na snagu prvog dana drugog mjeseca koji slijedi nakon polaganja njezine isprave o pristupu.

Obavijesti o potpisivanjima i povezana pitanja

Članak 24.

Glavni tajnik Vijeća Europske unije obavještava države potpisnice i države pristupnice o:

- a) bilo kojem potpisu ove Konvencije;
- b) polaganju svih isprava o ratifikaciji, prihvatu, odobrenju ili pristupu;
- c) stupanju na snagu ove Konvencije;
- d) bilo kojoj pisanoj obavijesti o prihvatu izmjene i dopune ove Konvencije;
- e) usvajanju i stupanju na snagu bilo koje izmjene i dopune;
- f) bilo kojem otkazu ove Konvencije ili gubitku članstva u Centru.

Čim ova Konvencija stupi na snagu i bilo koje izmjene i dopune stupe na snagu, glavni tajnik Vijeća Europske unije registrirat će ih u Glavnom tajništvu Ujedinjenih naroda, u skladu s člankom 102. Povelje Ujedinjenih naroda.

Prva financijska godina

Članak 25.

1. Prva financijska godina započinje od stupanja na snagu ove Konvencije do 31. prosinca koji slijedi. U slučaju da ovo razdoblje počinje tijekom druge polovice kalendarske godine, tada ona završava 31. prosinca sljedeće godine.
2. Države koje su potpisale ovu Konvenciju, ali je nisu ratificirale, prihvatile ili odobrile, mogu biti zastupljene na sastancima Vijeća i sudjelovati u njegovom radu bez prava glasa za razdoblje od dvanaest mjeseci nakon stupanja na snagu ove Konvencije. Vijeće može to razdoblje produljiti za narednih šest mjeseci, djelujući u skladu s postupkom utvrđenim u članku 6. (3).
3. Na svojem prvom sastanku Znanstveni savjetodavni odbor će odrediti, izvlačenjem, devet članova Odbora čiji mandat istječe, u skladu s prvim podstavkom članka 7.(1), na kraju prve, druge i treće godine rada Odbora.

Pohrana Konvencije

Člana 26.

Ova Konvencija i sve njene izmjene i dopune, sastavljene u jednom izvorniku na nizozemskom, engleskom, francuskom, njemačkom, talijanskom, danskom, finskom, grčkom, irskom, norveškom, portugalskom, španjolskom, švedskom i turskom jeziku, pri čemu su svi

tekstovi jednako vjerodostojni, pohranjuju se u arhivu Glavnog tajništva Vijeća Europske unije, koje dostavlja ovjerenu presliku vladi svake potpisnice ili države pristupnice.

DODATAK

PRIVREMENI OMJERI DOPRINOSA

Niže navedeni omjeri dani su isključivo za potrebe provedbe članka 22. (2). Konvencije. Oni ni na koji način ne utječu na bilo koje odluke koje treba poduzeti Vijeće temeljem članka 13. (1). Konvencije koje se odnose na buduće omjere doprinosa.

Države koje su sudjelovale u izradi Konvencije	%
Belgija	3,25
Danska	1,98
Savezna Republika Njemačka	21,12
Španjolska	4,16
Francuska	19,75
Grčka	1,18
Irska	0,50
Italija	11,75
Jugoslavija	1,65
Luksemburg	0,12
Nizozemska	3,92
Norveška	1,40
Austrija	1,81
Portugal	0,79
Švicarska	2,63
Finska	1,33
Švedska	4,19
Turska	1,81
Ujedinjena Kraljevina	16,66

PROTOKOL

O POVLASTICAMA I IMUNITETIMA EUROPSKOG CENTRA ZA SREDNJOROČNE PROGNOZE VREMENA

Države stranke Konvencije o osnivanju Europskog centra za srednjoročne prognoze vremena, potpisane u Bruxellesu 11. listopada 1973.,

U ŽELJI da utvrde povlastice i imunitete potrebne za ispravno funkcioniranje ovog Centra,

SPORAZUMJELE SU SE KAKO SLIJEDI:

Članak 1.

1. Podložno odredbama ovog Protokola, prostorije Centra su nepovredive.
2. Tijela države u kojoj se nalazi sjedište Centra ne smiju ući u prostorije Centra osim uz pristanak glavnog direktora ili osobe koju on odredi. U slučaju požara ili drugih nesreća koje zahtijevaju preventivno djelovanje bez odlaganja, pristanak glavnog direktora može se podrazumijevati.
3. Centar će spriječiti da se njegove prostorije rabe kao utočište osobama koje žele izbjeći uhićenje ili dostavu pravnih dokumenata.

Članak 2.

Arhiv Centra je nepovrediv.

Članak 3.

1. U okviru svojih službenih aktivnosti Centar ima imunitet od sudbenosti i ovrhe osim:
 - a) ako ga se odlukom Vijeća Centar odrekne u konkretnom slučaju. Međutim, smatrat se da se Centar odrekao tog imuniteta ako, po primitku zahtjeva za odricanjem od imuniteta poslanog od strane nacionalnog tijela pred kojim se slučaj razmatra ili od protivne stranke, nije dana obavijest u roku od 15 dana od primitka zahtjeva da se ne odriče takvog imuniteta;
 - b) u pogledu građanskih tužbi treće strane za štetu koja proizlazi iz nesreće koju je uzrokovalo vozilo koje pripada Centru ili koje je djelovalo za potrebe Centra ili u pogledu prometnog prekršaja;
 - c) u pogledu izvršenja arbitražnog pravorijeka donesenog bilo prema članku 23. ovog Protokola ili članka 17. Konvencije o osnivanju Centra, u daljnjem tekstu „Konvencija“;
 - d) u slučaju obustave, prema odluci upravnih ili sudskih tijela, na plaće, nadnice te druga primanja koje je Centar dužan članu svojeg osoblja.
2. U bilo kojem sporu koji uključuje člana osoblja ili stručnjaka Centra za kojeg se poziva na imunitet od sudbenosti prema članku 13. ili članku 14., odgovornost snosi Centar za toga člana osoblja ili stručnjaka.
3. Podložno stavku 1., imovina i sredstva Centra, bez obzira gdje se nalazili, uživaju imunitet od bilo kojeg oblika upravne ili privremene sudske zabrane kao što su rekvizicija, konfiskacija, izvlaštenje ili pljenidba, osim u opsegu u kojem je to privremeno potrebno u svezi sa sprječavanjem i istraživanjem nesreća u koje su umiješana vozila koja pripadaju Centru ili koja su djelovala za potrebe Centra.

Članak 4.

1. U okviru svojih službenih aktivnosti Centar i njegova imovina i prihodi oslobođeni su od plaćanja svih izravnih poreza.
2. Kada Centar obavlja kupnju u znatnoj vrijednosti ili koristi usluge znatne vrijednosti koje su prijeko potrebne za izvršavanje njegovih službenih aktivnosti i kada cijena takvih kupnji ili usluga uključuje pristojbe ili poreze, država članica koja je uvela pristojbe i poreze poduzima odgovarajuće mjere za oslobađanje od plaćanja ili za povrat iznosa pristojbi i poreza koji se može utvrditi.
3. Ne odobrava se oslobođenje u pogledu pristojbi i poreza koje nisu ništa drugo nego plaćanja javnih komunalnih usluga.

Članak 5.

Roba koju Centar uvozi ili izvozi i koja je prijeko potrebna za izvršavanje njegovih službenih aktivnosti oslobođena je od plaćanja svih carina, poreza i carinskih davanja osim onih davanja koja nisu ništa drugo nego plaćanja za usluge. Takva je roba također oslobođena od svih zabrana i ograničenja na uvoz i izvoz. Države članice poduzimaju sve potrebne mjere koje su u njihovoj moći da se takva roba ocarini što je prije moguće.

Članak 6.

Ne odobrava se oslobođenje prema članku 4. ili članku 5. u pogledu robe koja je kupljena i uvezena za osobne potrebe članova osoblja Centra ili stručnjaka u smislu članka 14.

Članak 7.

Roba koja je nabavljena prema članku 4. ili uvezena prema članku 5. ne može biti prodana, otuđena ili iznajmljena osim u skladu s uvjetima utvrđenim propisima države koja je odobrila oslobođenje.

Članak 8.

1. Centar može primati i imati bilo koju vrstu sredstava ili valute. Može slobodno njima raspolagati u svrhu izvršavanja svojih službenih aktivnosti i može imati račune u bilo kojoj valuti u mjeri potrebnj za ispunjavanje svojih obveza.
2. U okviru svojih službenih aktivnosti i ne dirajući u stavak 1., Centar može također primati, posjedovati i raspolagati vrijednosnim papirima, podliježući bilo kojim odredbama deviznih propisa koji su primjenjivi na druge međuvladine organizacije u toj državi članici.

Članak 9.

Opticaj publikacija i drugih informacijskih materijala koje šalje Centar ili ih prima u okviru svojih službenih aktivnosti ne smije se ograničiti ni na koji način.

Članak 10.

1. U pogledu prijenosa podataka u okviru svojih službenih aktivnosti, Centar uživa, na državnom području svake države članice, postupanje koje je jednako povoljno onome koje ta država pruža svojoj nacionalnoj meteorološkoj službi, uzimajući u obzir međunarodne obveze te države u pogledu telekomunikacija.
2. U pogledu svojih službenih komunikacija i prijenosa svih svojih dokumenata, Centar uživa postupanje koje je jednako povoljno onome koje svaka država članica pruža drugim međunarodnim organizacijama, uzimajući u obzir međunarodne obveze te države u pogledu telekomunikacija.
3. Službene komunikacije Centra, bez obzira na vrstu komunikacije, ne smiju biti podvrgnute cenzuri.

Članak 11.

Države članice poduzimaju sve prikladne mjere za olakšavanje ulaska, boravka i odlaska predstavnika država članica, članova osoblja Centra i stručnjaka u smislu članka 14.

Članak 12.

Predstavnici država članica koji sudjeluju u radu tijela i odbora Centra uživaju prilikom obavljanja svojih zadaća i tijekom putovanja na i sa mjesta sastanka, sljedeće povlastice, imunitete i olakšice:

- a) imunitet od uhićenja i pritvaranja te zapljene osobne prtljage, osim kada se utvrdi da čine kazneno djelo, da su ga pokušali počinili ili da su ga upravo počinili;
- b) imunitet od sudbenosti, čak i nakon prestanka njihove misije, u pogledu djela, uključujući izgovorene ili pisane riječi, koja su počinili u službenom svojstvu i u granicama njihovih ovlaštenja; taj imunitet se ne primjenjuje u slučaju počinjenja prometnog prekršaja od strane predstavnika države članice, niti u slučaju štete prouzročene vozilom koje pripada takvoj osoba ili je ona njime upravljala.
- c) nepovredivost svih njihovih službenih spisa i dokumenata;
- d) oslobođenje od svih mjera ograničavanja ulaska stranaca i formalnosti prijave stranaca;
- e) iste carinske olakšice u pogledu njihove osobne prtljage i iste povlastice u pogledu valutnih i deviznih propisa koje su dane predstavnicima stranih vlada na privremenim službenim misijama.

Članak 13.

Članovi osoblja Centra uživaju, u granicama predviđenim ovim Protokolom, sljedeće povlastice, imunitete i olakšice:

- a) imunitet od sudbenosti, čak i nakon što su napustili službu u Centru, u pogledu djela, uključujući izgovorenih ili pisanih riječi, koja su počinili u službenom svojstvu i u granicama njihovih ovlaštenja; taj imunitet ne se primjenjuje u slučaju počinjenja prometnog prekršaja od strane člana osoblja, niti u slučaju štete prouzročene vozilom koje pripada takvoj osobi ili je ona njime upravljala.
- b) oslobođenje od svih obveza u pogledu vojne službe;
- c) nepovredivost svih njihovih službenih spisa i dokumenata;
- d) zajedno s članovima njihovih obitelji koji čine dio njihovog kućanstva, ista oslobođenja u pogledu mjera koje ograničavaju useljavanje i uređuju prijavu stranaca koje se obično daju članovima osoblja međunarodnih organizacija;
- e) iste povlastice u pogledu novčanih i deviznih propisa koje se obično daju članovima osoblja međunarodnih organizacija;
- f) zajedno s članovima svoje obitelji koji čine dio njihovog kućanstva, iste olakšice u pogledu povratka u domovinu u vrijeme međunarodne krize koje se obično daju članovima osoblja međunarodnih organizacija;
- g) pravo uvesti bez carine namještaj i osobne predmete u vrijeme preuzimanja dužnosti u toj državi u razdoblju od najmanje godinu dana i pravo pri prestanku njihovih funkcija u rečenoj državi izvesti bez carine namještaj i osobne predmete, u oba slučaja podložno uvjetima koje vlada države na čijem se državnom području ostvaruje pravo smatra potrebnim i uz iznimku imovine koja je stečena u toj državi i koja podliježe zabrani izvoza.

Članak 14.

Stručnjaci koji nisu članovi osoblja i koji obavljaju zadaće u Centru ili koji obavljaju misije u njegovo ime, uživaju tijekom obavljanja njihovih zadaća ili dok su na misiji i tijekom putovanja u okviru takvih zadaća i misija sljedeće povlastice, imunitete i olakšice u mjeri koja je potrebna za izvršavanje njihovih zadaća ili za obavljanja njihovih misija:

- a) imunitet od sudbenosti, čak i nakon što su napustili službu u Centru, u pogledu djela, uključujući izgovorenih ili pisanih riječi, koja su učinili u njihovom svojstvu kao stručnjaci i u granicama svojih ovlaštenja; taj imunitet se ne primjenjuje u slučaju počinjenja prometnog prekršaja od strane stručnjaka, niti u slučaju štete prouzročene vozilom koje pripada takvoj osobi ili je ona njime upravljala.
- b) nepovredivost svih njihovih službenih spisa i dokumenata;
- c) iste carinske olakšice u pogledu njihove osobne prtljage i iste povlastice u pogledu valutnih i deviznih propisa koje su dane osobama upućenima od stranih vlada na privremene službene misije.

Članak 15.

1. Podložno uvjetima i prema postupku koje je utvrdilo Vijeće u skladu s postupkom utvrđenim člankom 6. (2) Konvencije, u roku od godinu dana nakon stupanja na snagu Konvencije, članovi osoblja Centra bit će, u granicama predviđenim ovim Protokolom, oporezivani u korist Centra na plaće, naknade te druge prihode koje im Centar isplaćuje. Od datuma na koji se taj porez primjenjuje, takve plaće, naknade te drugi prihodi oslobođeni su nacionalnog sustava poreza na dohodak, a države članice zadržavaju pravo da takve plaće, naknade te druge prihode uzimaju u obzir prilikom određivanja poreza na dohodak iz drugih izvora.
2. Stavak 1. ne primjenjuje se na mirovine i slična plaćanja koje isplaćuje Centar.

Članak 16.

Nijedna država članica nije dužna pružati povlastice, imunitete i olakšice navedene u članku 12., članku 13. (b), (e), (f), (g) i članku 14. (c) svojim predstavnicima, svojim državljanima ili osobama koje u vrijeme stupanja na svoju dužnost u Centru imaju stalni boravak u toj državi.

Članak 17.

Vijeće, djelujući u skladu s postupkom utvrđenim u članku 6. (3) (o) Konvencije, određuje kategorije članova osoblja na koje se primjenjuju članci 13. i 15 u cijelosti ili djelomično i kategorije stručnjaka na koje se primjenjuje članak 14. Imena, titule i adrese osoba uključenih u takve kategorije periodično se dostavljaju državama članicama.

Članak 18.

Ako Centar osnuje svoj vlastiti sustav socijalnog osiguranja ili se pridruži nekom druge međunarodne organizacije pod uvjetima utvrđenima u Pravilniku o osoblju, Centar i njegovi članovi osoblja oslobođeni su od svih obvezatnih doprinosa u nacionalne sustave socijalnog osiguranja, podliježući sporazumima koji će se s tim ciljem sklopiti s dotičnim državama članicama pod uvjetima utvrđenima u članku 22.

Članak 19.

1. Povlastice, imuniteti i olakšice predviđeni ovim Protokolom dodjeljuju se isključivo u interesu Centra i država članica, a ne u svrhe osobne koristi onih koji ih uživaju.
2. Nadležna tijela nemaju samo pravo, već i obvezu odreći se imuniteta tamo gdje takav imunitet ometa pravni postupak i kada ga se može odreći bez ugrožavanja svrhe za koju je dan.
3. Nadležna tijela navedena u stavku 2. su:
 - države članice, u slučaju svojih predstavnika,
 - Vijeće, u slučaju glavnog direktora,
 - glavni direktor, u slučaju drugih članova osoblja i stručnjaka u smislu članka 14.

Članak 20.

1. Centar u svako doba surađuje s nadležnim tijelima države članice radi omogućavanja pružanja pomoći pravosuđu, osiguranja poštivanja policijskih propisa i propisa koji se odnose na javno zdravstvo i inspekciju rada te sličnog zakonodavstva, i radi sprječavanja zlouporabe povlastica, imuniteta i olakšica predviđenih ovim Protokolom.
2. Postupci suradnje mogu se utvrditi dopunskim sporazumima predviđenim u članku 22.

Članak 21.

Odredbe ovog Protokola ne utječu na pravo svake države članice da poduzme sve mjere predostrožnosti nužne u interesu njezine sigurnosti.

Članak 22.

Centar može, prema jednoglasnoj odluci Vijeća, sklopiti dopunske sporazume s bilo kojom državom članicom radi provedbe ovog Protokola i može sklopiti bilo koje druge dogovore kako bi osigurao nesmetan rad Centra i zaštitu njegovih interesa.

Članak 23.

1. Centar je dužan u sve pisane ugovore - osim onih koji su sklopljeni u skladu s Pravilnikom o osoblju – koje sklapa i koji se odnose na pitanja u kojima uživa imunitet od sudske nadležnosti, uključiti arbitražnu klauzulu prema kojoj se svi sporovi koji proizlaze iz tumačenja ili izvršenja ugovora, na zahtjev bilo koje stranke, iznose pred arbitražni sud.
2. Centar je dužan iznijeti pred arbitražu, na zahtjev oštećene stranke, na temelju arbitražnog sporazuma sve druge sporove koji proizlaze iz gubitka ili štete koju je Centar uzrokovao osobama ili imovini.
3. U arbitražnoj klauzuli ili arbitražnom sporazumu navest će se način imenovanja arbitara i trećeg arbitra, pravo koje će se primijeniti i zemlja u kojoj će zasjedati arbitri. Primjenjivat će se arbitražni postupak te zemlje.
4. Izvršenje arbitražnog pravorijeka provodi se prema pravilima koja su na snazi u državi u kojoj će se pravorijek izvršiti.

Članak 24.

1. Bilo koja država članica može arbitražnom sudu predviđenome u članku 17. Konvencije podnijeti bilo koji spor:
 - koji proizlazi iz štete koju je uzrokovao Centar;
 - koji uključuje bilo koju izvanugovornu odgovornost Centra; ili
 - koji uključuje člana osoblja ili stručnjaka Centra i u kojem dotična osoba može tražiti imunitet od sudske nadležnosti prema članku 13. ili članku 14., ukoliko taj imunitet nije ukinut u skladu s člankom 19.

2. Ako država članica namjerava iznijeti spor pred arbitražu, obavijestit će glavnog direktora koji će o takvoj obavijesti odmah obavijestiti svaku državu članicu.
3. Postupak utvrđen u stavku 1. ne primjenjuje se na sporove između Centra i članova osoblja u pogledu njihovih uvjeta službe.
4. Žalba se ne može uložiti protiv pravorijeka arbitražnog suda, koji je konačan; on je obvezatan za sve stranke. U slučaju spora koji se odnosi na smisao ili doseg pravorijeka, arbitražni sud daje tumačenje na zahtjev bilo koje stranke.

Članak 25.

U svrhu ovog Protokola:

- a) „službene aktivnosti Centra” uključuju njegovo upravljanje i njegove aktivnosti koje provodi u skladu s njegovim ciljevima kako su utvrđeni člankom 2. Konvencije;
- b) „članovi osoblja” uključuju glavnog direktora Centra.

Članak 26.

Ovaj se Protokol tumači u svjetlu njegove prvotne namjene omogućavanja Centru da u potpunosti i učinkovito ispunjava svoje ciljeve i obavlja funkcije koje su mu dodijeljene Konvencijom.

CONVENTION ESTABLISHING THE EUROPEAN CENTRE FOR MEDIUM-RANGE WEATHER FORECASTS

The States Parties to this Convention:

ACKNOWLEDGING that weather-related threats to life and health, and to economy and property, are increasingly important;

CONVINCED that the improvement of medium-range weather forecasts contributes to the protection and safety of the population;

CONVINCED FURTHER that the scientific and technical research carried out for this purpose provides a valuable stimulus to the development of meteorology in Europe;

CONSIDERING that, to achieve this purpose and these objectives, resources on a scale exceeding those normally practicable at national level are needed;

NOTING the importance for the European economy of a considerable improvement in medium- range weather forecasts;

REAFFIRMING that the establishment of an autonomous European centre with international status is the appropriate means to attain this purpose and these objectives;

CONVINCED that such a centre can make valuable contributions to developing the scientific basis for environmental monitoring;

NOTING that such a centre can also assist in the post-university training of scientists;

ASSURING that the activities of such a centre will, moreover, make a necessary contribution to certain programmes of the World Meteorological Organization (WMO) and to other relevant agencies;

CONSIDERING the importance that the establishment of such a centre can have for the development of European industry in the field of data processing;

REALIZING the will to widen the membership of such a centre to more States;

have agreed as follows:

Establishment, Council, Member States, Headquarters, Languages
Article 1

1. A European Centre for Medium-Range Weather Forecasts, hereinafter referred to as “the Centre”, is hereby established.
2. The organs of the Centre shall be the Council and the Director-General. The Council shall be assisted by a Scientific Advisory Committee and a Finance Committee. Each organ and committee shall carry out its functions within the limits and conditions laid down in this Convention.
3. The members of the Centre, hereinafter referred to as “Member States”, shall be the States parties to this Convention.
4. The Centre shall have legal personality in the territory of each Member State. It shall in particular have the capacity to contract, to acquire and dispose of movable and immovable property and to be party to legal proceedings.
5. The Headquarters of the Centre shall be at Shinfield Park near Reading (Berkshire), in the territory of the United Kingdom of Great Britain and Northern Ireland, unless otherwise decided by the Council in accordance with Article 6(1)(g).
6. The official languages of the Centre shall be the official languages of the Member States.

Its working languages shall be English, French and German.

The Council shall determine the extent to which the official and working languages shall respectively be used in accordance with Article 6(2)(l).

The purposes, objectives and activities
Article 2

1. The primary purposes of the Centre are the development of a capability for medium-range weather forecasting and the provision of medium-range weather forecasts to the Member States.
2. The objectives of the Centre shall be:
 - a) to develop, and operate on a regular basis, global models and data-assimilation systems for the dynamics, thermodynamics and composition of the Earth's fluid envelope and interacting parts of the Earth-system, with a view to:
 - i. preparing forecasts by means of numerical methods;
 - ii. providing initial conditions for the forecasts; and
 - iii. contributing to monitoring the relevant parts of the Earth-system;
 - b) to carry out scientific and technical research directed towards improving the quality of these forecasts;
 - c) to collect and store appropriate data;
 - d) to make available to the Member States, in the most appropriate form, the results provided for in (a) and (b) and the data referred to in (c);
 - e) to make available to the Member States for their research, priority being given to the field of numerical weather forecasting, a sufficient proportion of its computing capacity, such proportion being determined by the Council;
 - f) to assist in implementing programmes of the World Meteorological Organization;
 - g) to assist in advanced training for the scientific staff of the Member States in the field of numerical weather forecasting.
3. The Centre shall establish and operate the installations necessary for the achievement of the purposes defined in paragraph 1 and the objectives defined in paragraph 2.
4. As a general rule, the Centre shall publish or otherwise make available under the conditions laid down by the Council, the scientific and technical results of its activities, inasmuch as these results are not covered by Article 15.
5. The Centre may carry out activities requested by third parties that are in line with the purposes and objectives of the Centre and that are approved by the Council in accordance with Article 6(2)(g). The cost of such activities shall be borne by the third party concerned.

6. The Centre may carry out Optional Programmes in accordance with Article 11(3).

Co-operation with other entities

Article 3

1. In order to obtain its objectives, the Centre shall co-operate to the largest extent possible, in accordance with international meteorological traditions, with the Governments and national agencies of the Member States, with States which are not members of the Centre and with governmental or non-governmental international scientific and technical organisations whose activities are related to its objectives.
2. The Centre may conclude co-operation agreements to that end:
 - a) with States under the conditions laid down in Article 6(1)(e) or 6(3)(j),
 - b) with the national scientific and technical agencies of the Member States and with the international organisations referred to in paragraph 1, under the conditions laid down in Article 6(3)(j),
 - c) with national scientific and technical agencies of non-Member States under the conditions laid down in Article 6(1)(e).
3. The co-operation agreements referred to in paragraph 2 may make part of the Centre's computing capacity available only to public agencies of the Member States.

The Council

Article 4

1. The Council shall have the powers and shall adopt the measures necessary to implement this Convention.
2. The Council shall be composed of not more than two representatives from each Member State, one of whom should be a representative of his national meteorological service. These representatives may be assisted at Council meetings by advisers.

A representative of the World Meteorological Organization shall be invited to take part in the work of the Council as an observer.

3. The Council shall elect from among its members a President and a Vice-President who shall be appointed for one year and who may not be re-elected more than twice in succession.
4. The Council shall meet at least once a year. It shall be convened at the request of the President or at the request of at least one third of the Member States. Meetings of the Council shall be held at the Headquarters of the Centre unless the Council decides otherwise in exceptional cases.
5. The President and Vice-President may call on the assistance of the Director-General in the performance of their duties.

6. The Council may set up advisory committees and shall determine the composition and duties thereof.

Voting at Council Article 5

1. The presence of the representatives of the majority of Member States entitled to vote shall be necessary to constitute a quorum at meetings of the Council.
2. Each Member State shall have one vote in the Council. A Member State shall lose its right to vote in the Council if the amount of its unpaid contributions exceeds the amount of the contributions due from it, under Article 13, for the current financial year and for the preceding financial year. The Council, acting in accordance with Article 6(3)(l), may nevertheless authorise the Member State to vote.
3. Between meetings of the Council, the Council may dispose of any matter which is urgent by means of a postal vote. In such cases, the majority of the Member States entitled to vote shall constitute the quorum.
4. In determining unanimity and the various majorities provided for in this Convention, only votes cast for or against a decision and, in cases where the Council acts in accordance with the procedure laid down in Article 6(2), the financial contributions of the Member States taking part in the vote, shall be taken into account.

Voting majorities Article 6

1. The Council, acting unanimously, shall:
 - a) fix the ceiling of expenditure for implementing the programme of the activities of the Centre over the five years following the entry into force of this Convention;
 - b) decide on the accession of States, in accordance with Article 23, and lay down the conditions for such accessions in accordance with Article 13(3);
 - c) decide, in accordance with Article 20, on the withdrawal of membership from a State, that State not participating in the vote on this matter;
 - d) decide on the dissolution of the Centre, in accordance with Article 21(1) and (2);
 - e) authorise the Director-General to negotiate co-operation agreements with non-Member States and with their national scientific and technical agencies; it may authorise the Director- General to conclude such agreements;
 - f) conclude, with one or more of the Member States, in accordance with Article 22 of the Protocol on Privileges and Immunities provided for in Article 16, any additional agreements for the purpose of implementing that Protocol;
 - g) decide on any transfer of the ECMWF Headquarters, in accordance with Article 1(5).

2. The Council, acting by a majority of two-thirds of the Member States, and provided that the sum of the contributions from these States represents at least two-thirds of the total contributions to the budget of the Centre, shall:
 - a) adopt the Financial Regulations of the Centre;
 - b) adopt, in accordance with Article 12(3), the annual budget and the table of the staff requirements of the Centre annexed thereto and, if necessary, supplementary or rectifying budgets, and endorse the overall estimates of expenditure and revenue for the next three financial years; if the Council has not yet adopted the budget, it shall authorise the Director-General to incur expenditure and make payments, within a given month, exceeding the limit provided for in the first subparagraph of Article 12(5);
 - c) adopt, subject to paragraph 1(a), the programme of the activities of the Centre, in accordance with Article 11(1);
 - d) acting on a proposal from the Director-General, take decisions concerning any immovable property and equipment whose acquisition or renting by the Centre involves considerable expenditure;
 - e) adopt the Procedure for Optional Programmes in accordance with Article 11(3);
 - f) adopt individual Optional Programmes in accordance with Article 11(3);
 - g) approve activities requested by third parties in accordance with Article 2(5);
 - h) decide on the distribution policy for the Centre's products and other results of its work
 - i) decide on the measures to be taken in the event of denunciation of this Convention within the meaning of Article 19;
 - j) decide that the Centre shall not be dissolved in the event of denunciation of this Convention within the meaning of Article 21(1), the denouncing Member States not taking part in the vote of this matter;
 - k) determine, in accordance with Article 21(3), the conditions for winding up the Centre in the event of its dissolution;
 - l) determine, in accordance with Article 1(6), the extent to which the official and working languages shall respectively be used.
3. The Council, acting by a majority of two-thirds:
 - a) shall adopt its Rules of Procedure;
 - b) shall adopt the Staff Regulations and the scale of the staff salaries of the Centre and shall determine the nature of the additional benefits the staff shall enjoy and the rules for granting them; it shall also determine the rights of officials regarding industrial

property rights and copyright relating to work done by them in the course of their duties;

- c) shall approve the agreement to be concluded, in accordance with Article 16, between the Centre and the State in whose territory the Headquarters of the Centre are located;
- d) shall appoint the Director-General of the Centre and his deputy for a period not exceeding five years, their appointments being renewable one or more times, for a period not exceeding five years each time;
- e) shall determine the number of auditors, the length of their appointment, the amount of their remuneration, and shall appoint them in accordance with Article 14(2);
- f) may terminate or suspend the appointment of the Director-General or his deputy, account being taken of the provisions of the Staff Regulations which are applicable to them;
- g) shall approve the Rules of Procedure of the Scientific Advisory Committee in accordance with Article 7(4);
- h) shall adopt the scale of financial contributions of the Member States in accordance with Article 13(1) and (3) and shall decide to reduce temporarily the contribution of a Member State because of special circumstances in that State, in accordance with Article 13(2);
- i) shall consider annually the accounts of the previous financial year, together with the balance sheet of the assets and liabilities of the Centre, after taking note of the auditors' report, and shall give a discharge to the Director-General in respect of the implementation of the budget;
- j) shall authorise the Director-General to negotiate co-operation agreements with Member States, with their national scientific and technical agencies, and with governmental or non-governmental international scientific and technical organisations whose activities are related to the objectives of the Centre; it may authorise the Director-General to conclude such agreements;
- k) shall determine the conditions under which licences granted to the Member States pursuant to Article 15(2) and (3) may be extended to applications other than weather forecasting;
- l) shall decide, in the case provided for in Article 5(2), that a Member State may retain the right to vote, the Member State in question not taking part in the vote on this matter;
- m) shall recommend to Member States, in accordance with Article 18, amendments to this Convention;
- n) shall determine, in accordance with Article 17 of the Protocol on Privileges and Immunities provided for in Article 16, the categories of staff members to which

Articles 13 and 15 of that Protocol shall apply, in whole or in part, and the categories of experts to which Article 14 of that Protocol shall apply;

- o) shall adopt the Long-term Strategy of the Centre in accordance with Article 11(2).
- 4. When a special majority is not specified, the Council shall act by a simple majority.

The Scientific Advisory Committee

Article 7

1. The Scientific Advisory Committee shall be composed of twelve members appointed in their personal capacity by the Council for a period of four years. The Committee shall be renewed by one quarter every year. Each member may be appointed for only two terms of office in succession.

A representative of the World Meteorological Organization shall be invited to take part in the work of the Committee.

The members of the Committee shall be selected from among the scientists of the Member States and shall represent as broad a range as possible of the disciplines relating to the activities of the Centre. The Director-General shall submit a list of candidates to the Council.

2. The Committee shall draw up, for submission to the Council, opinions and recommendations on draft programme of the activities of the Centre drawn up by the Director-General and on any matter submitted to it by the Council. The Director-General shall keep the Committee informed concerning the implementation of the programme. The Committee shall give opinions on the results obtained.
3. The Committee may invite experts, in particular persons belonging to services using the Centre, to take part in its work when there are specific problems to be solved.
4. The Committee shall draw up its Rules of Procedure. These Rules of Procedure shall enter into force after approval by the Council acting in accordance with Article 6 (3)(g).

The Finance Committee

Article 8

1. The Finance Committee shall be composed of
 - a) one representative of each of the four Member States paying the highest contributions;
 - b) representatives of the other Member States, appointed by them for a period of one year; each of these States may not be represented on the Committee more than twice in succession. The number of these representatives shall be one-fifth of the number of the other Member States.

2. Under the conditions laid down in the Financial Regulations, the Committee shall draw up, for submission to the Council, opinions and recommendations on all financial matters submitted to the Council and shall exercise the financial powers delegated to it by the Council.

The Director-General **Article 9**

1. The Director-General shall be the chief executive officer of the Centre. He shall represent the Centre in dealings with third parties. He shall be responsible to the Council for the execution of the tasks assigned to the Centre. He shall take part, without the right to vote, in all meetings of the Council.

The Council shall appoint the person who is to act as Director-General ad interim.

2. The Director-General shall:
 - a) take all measures necessary for the proper functioning of the Centre;
 - b) exercise the powers accorded to him under the Staff Regulations, subject to Article 10(4);
 - c) submit to the Council the draft programme of the activities and a Long-term Strategy of the Centre, together with the opinions and recommendations of the Scientific Advisory Committee;
 - d) prepare and implement the budget of the Centre in accordance with the Financial Regulations;
 - e) keep a precise record of all the revenue and expenditure of the Centre in accordance with the Financial Regulations;
 - f) submit annually for the approval of the Council, the accounts relating to the implementation of the budget and the balance sheet of assets and liabilities, drawn up in each case in accordance with the Financial Regulations, and the report on the activities of the Centre;
 - g) conclude, in accordance with Article 6(1)(e) and Article 6(3)(j), the co-operation agreements necessary for attaining the objectives of the Centre.
3. In carrying out his tasks, the Director-General shall be assisted by the other staff of the Centre.

The Staff **Article 10**

1. Subject to the second subparagraph, the staff of the Centre shall be subject to the Staff Regulations adopted by the Council acting in accordance with Article 6 (3)(b).

If the terms of employment of a staff member of the Centre do not fall under these Staff Regulations, they shall be subject to the law applicable in the State in which the person concerned carries out his duties.

2. The recruitment of staff shall be based on personal qualifications, account being taken of the international character of the Centre. No post may be reserved for nationals of a particular Member State.
3. The Centre may employ staff from national agencies of the Member States seconded to the Centre for a specified period.
4. The Council shall approve the appointment and dismissal of officials in the upper grades defined in the Staff Regulations, and of the Financial Controller and his deputy.
5. Disputes arising out of the implementation of the Staff Regulations or the execution of the contracts of employment of the staff shall be settled in accordance with the Staff Regulations.
6. Every person who works at the Centre shall be subject to the authority of the Director-General and shall conform with all the general rules approved by the Council.
7. Each Member State shall be required to respect the international character of the responsibilities of the Director-General and the other officials of the Centre. In the performance of their duties, the Director-General and the other officials shall neither seek nor accept instructions from any Government or authority outside the Centre.

The Programme of Activities, the Long-term Strategy and Optional Programmes

Article 11

1. The programme of activities of the Centre shall be adopted by the Council acting on a proposal from the Director-General in accordance with Article 6(2)(c).

The programme shall cover, in principle, a four-year period and shall be adapted and supplemented each year for an additional period of one year. It shall fix the ceiling of expenditure for the duration of the programme and shall contain, in addition, an estimate of the expenditure arising out of its implementation in respect of each year and each major category.

The ceiling of expenditure may only be amended in accordance with the procedure laid down in Article 6(2)(c).

2. A Long-term Strategy of the Centre shall be prepared at times and for periods as decided by the Council. Its preparation shall be considered by Council at least every five years. The Long-term Strategy shall contain a view of the Centre's strategic goals and indicate the direction foreseen for the development of the Centre's work for the duration of the Strategy.

The Strategy shall be adopted by the Council acting on a proposal from the Director-General in accordance with Article 6(3)(o).

3. An Optional Programme is a Programme proposed by a Member State or group of Member States in which all Member States participate apart from those that formally declare themselves to be non-participating States and which contributes to the purposes and objectives of the Centre in accordance with Articles 2(1) and 2(2).
 - a) The procedure for Optional Programmes shall be adopted by the Council in accordance with Article 6(2)(e).
 - b) Individual Optional Programmes shall be adopted by the Council in accordance with Article 6(2)(f).

The Budget **Article 12**

1. The budget of the Centre shall be drawn up for each financial year before the beginning of that year, under the conditions laid down in the Financial Regulations.

The expenditure of the Centre shall be met from the financial contributions of the Member States and any other revenue of the Centre.

The revenue and expenditure shown in the budget shall be in balance. The budget shall be drawn up in the currency of the State in which the Headquarters of the Centre are located.

2. All expenditure and revenue of the Centre shall be the subject of detailed estimates to be drawn up for each financial year and shall be shown in the budget.

Commitment appropriations relating to a period extending beyond the financial year may be authorised under the conditions laid down in the Financial Regulations.

In addition, an overall estimate of expenditure and revenue in each major category for the next three financial years shall be drawn up.

3. The Council, acting in accordance with Article 6(2)(b), shall adopt the budget for each financial year and the table of the posts of the Centre annexed thereto and any supplementary or rectifying budgets and endorse the overall estimate of expenditure and revenue for the next three financial years.
4. The adoption of the budget by the Council shall:
 - a) oblige each Member State to make available to the Centre the financial contributions determined in the budget;
 - b) authorise the Director-General to enter into commitments and make payments within the limits of the appropriations authorised for these purposes.
5. If the budget has not been adopted by the Council by the beginning of a financial year, the Director-General may, each month, enter into commitments and make payments in each chapter up to one twelfth of the appropriations in the budget of the preceding financial year, provided that he shall not have at his disposal appropriations in excess of one-twelfth of those provided for in the draft budget.

Member States shall pay each month, on a provisional basis and in accordance with the scale provided for in Article 13, the amounts necessary for the application of the first subparagraph.

6. The budget shall be implemented under the conditions laid down in the Financial Regulations.

The Contributions of Member States **Article 13**

1. Each Member State shall pay an annual contribution to the Centre, in convertible currency, based on the scale which shall be adopted every three years by the Council acting in accordance with Article 6(3)(h). This scale shall be based on the average gross national income of each Member State over the last three calendar years for which there are statistics.
2. The Council, acting in accordance with Article 6(3)(h), may decide to reduce temporarily the contribution of a Member State because of special circumstances in that State. Special circumstances shall in particular be considered to exist where a Member State has a per capita gross national income lower than an amount which shall be determined by the Council acting in accordance with the procedure laid down in Article 6(3).
3. If, after the entry into force of this Convention, a State becomes a party to this Convention, the scale of contributions shall be modified by the Council according to the basis for calculation laid down in paragraph 1. The new scale shall take effect when the State concerned becomes a party to this Convention.

A State which becomes a party to this Convention after 31 December of the year during which it enters into force shall be required to pay, in addition to the contribution laid down in paragraph 1, a single additional contribution to the expenditure previously incurred by the Centre. The amount of this additional contribution shall be determined by the Council, acting in accordance with the procedure laid down in Article 6(1).

Unless the Council decides otherwise, acting in accordance with the procedure laid down in Article 6(1), any additional contribution paid pursuant to the second subparagraph shall be deducted from the contributions of the other Member States. This reduction shall be calculated on a pro rata basis according to the contributions actually paid by each Member State prior to the current financial year.

4. If, after the entry into force of this Convention, a State ceases to be a party to this Convention, the scale of contributions shall be modified by the Council according to the basis for calculation laid down in paragraph 1. The new scale shall take effect when the State concerned ceases to be a party to this Convention.
5. The methods of payment of the contributions shall be determined in the Financial Regulations.

The Audit

Article 14

1. The accounts of all revenue and expenditure shown in the budget and the balance sheet of the assets and liabilities of the Centre shall, under the conditions laid down in the Financial Regulations, be submitted for audit to auditors whose independence is beyond doubt. The purpose of the audit, which shall be based on records and if necessary performed on the spot, shall be to establish that all revenue has been received and all expenditure incurred in a lawful and regular manner and that the financial management of the Centre has been sound. The auditors shall submit a report on the annual accounts to the Council.
2. The Council, acting on a proposal from the Finance Committee in accordance with Article 6(3)(e), shall determine the number of auditors, the length of their appointment, the amount of their remuneration, and shall appoint them.
3. The Director-General shall give the auditors any information and assistance needed for the audit referred to in paragraph 1.

Property rights and licences

Article 15

1. ECMWF shall have world-wide exclusive ownership of all its products and other results of its activities.
2. Each Member State shall be granted, free of charge, for its own requirements in the field of weather forecasting, a non-exclusive licence and any other non-exclusive right of use, in respect of industrial property rights, computer programs and technological information which result from work carried out pursuant to this Convention and which belong to the Centre.
3. Where the Centre does not possess the rights referred to in paragraph 2, it shall attempt to obtain the necessary rights, under the conditions determined by the Council.
4. The conditions under which the licences referred to in paragraph 2 may be extended to applications other than weather forecasting shall be the subject of a decision of the Council acting in accordance with Article 6(3)(k).

Privileges and immunities, and liabilities

Article 16

1. The privileges and immunities which the Centre, the representatives of the Member States, the staff and the experts of the Centre enjoy in the territories of the Member States shall be determined in a protocol which shall be annexed to this Convention and which shall form an integral part thereof, and in an agreement to be concluded between the Centre and the State in whose territory the Headquarters of the Centre are located. This agreement shall be approved by the Council acting in accordance with Article 6(3)(c).

Disputes

Article 17

1. Any dispute between Member States or between one or more Member States and the Centre concerning the interpretation or application of this Convention, including the Protocol on the Privileges and Immunities provided for in Article 16 or relating to one of the cases provided for in Article 24 of that Protocol, which can not be settled by the good offices of the Council shall, on a request made by one party to the dispute to the other, be referred to an arbitration tribunal, set up in accordance with the first subparagraph of paragraph 2, unless the parties to the dispute agree within three months on another form of settlement.
2. Each party to the dispute, whether constituted by one or more Member States, shall appoint one member of the arbitration tribunal within two months from the date on which the request referred to in paragraph 1 is received. These members shall, within two months of the appointment of the second member, appoint a third member who shall be the chairman of the tribunal, and who shall not be a national of a State which is a party to the dispute. If the appointment of any of the three members of the tribunal has not been made within the prescribed period, it shall be made by the President of the International Court of Justice at the request of one of the parties.

The arbitration tribunal shall take decisions by a majority. Its decisions shall bind the parties to the dispute. Each party shall bear the costs of the member of the tribunal appointed by it and those relating to its representation at proceedings before the tribunal. Each party to the dispute shall bear an equal share of the costs relating to the chairman of the tribunal and any other expenses, unless the tribunal decides otherwise. The tribunal shall determine its other rules of procedure.

Amendments to the Convention

Article 18

1. Each Member State may transmit proposals for amending this Convention to the Director-General. The Director-General shall submit such proposals to the other Member States at least three months before they are to be examined by the Council. The Council shall examine the proposals and may, acting in accordance with Article 6(3)(m), recommend the Member States to accept the proposed amendments.
2. Amendments recommended by the Council may only be accepted by the Member States in writing. They shall enter into force thirty days after receipt by the Secretary-General of the Council of the European Union of the last written notification of acceptance.

Denunciation of the Convention

Article 19

1. Any Member State may denounce this Convention after it has been in force for five years by giving notice to the Secretary-General of the Council of the European Union. Denunciation shall take effect at the end of the second financial year following the year during which notice is given.

2. A Member State which has denounced this Convention shall remain bound to contribute towards financing all commitments entered into by the Centre before such denunciation takes effect and to respect the obligations which it contracted itself as a Member State vis-à-vis the Centre before the denunciation takes effect.
3. A Member State which has denounced this Convention shall lose its rights to the assets of the Centre and must indemnify the Centre, under the conditions laid down by the Council acting in accordance with Article 6(2)(i), for any loss for the Centre of property in the territory of such a State, unless a special agreement is concluded guaranteeing the Centre the use of such property.

Non-fulfilment of obligations **Article 20**

Any Member State which does not fulfil its obligations under this Convention may be deprived of its membership by a decision of the Council acting in accordance with Article 6(1)(c). In such an event Article 19(2) and (3) shall be applicable mutatis mutandis.

Dissolution of the Centre **Article 21**

1. Unless the Council acting in accordance with Article 6(2)(j) decides otherwise, the Centre shall be dissolved if denunciation of this Convention by one or more Member State results in the levels of contributions of the other Member States being increased by one-fifth over their initial levels.
2. In addition to the case referred to in paragraph 1, the Centre may be dissolved at any time by the Council acting in accordance with Article 6(1)(d).
3. In the event of dissolution of the Centre, the Council shall appoint a liquidator.

Unless the Council acting in accordance with Article 6(2)(j) decides otherwise, any surplus shall be distributed among the Member States at the time of dissolution on a pro rata basis according to the contributions actually paid by them during the time in which they have been parties to this Convention.

Any deficit shall be met by the Member States on a pro rata basis according to their contributions fixed for the current financial year.

Entry into force **Article 22**

1. This Convention shall be open for signature by the European States mentioned in the Annex until 11 April 1974 at the General Secretariat of the Council of the European Communities.

It shall be subject to ratification, acceptance or approval. The instruments of ratification, acceptance or approval shall be deposited in the archives of the General Secretariat of the Council of the European Communities.

2. This Convention shall enter into force on the first day of the second month following the date of its ratification, acceptance or approval by no less than two-thirds of the signatory States, including the State in whose territory the Headquarters of the Centre are located, provided that the total contributions by these States amounts to a least 80 per cent of the total contributions in accordance with the scale contained in the Annex.

For any other signatory State, this Convention shall enter into force on the first day of the second month following the date of the deposit of its instrument of ratification, acceptance or approval.

Accession of States Article 23

1. After the entry into force of this Convention, any State which is not a Signatory may accede to this Convention, subject to the consent of the Council acting in accordance with Article 6(1)(b). A State that wishes to accede to this Convention shall notify the Director-General accordingly and the latter shall inform the Member States of the request at least three months before it is submitted to the Council for decision. The Council shall determine the terms and conditions for the accession of the State in question, in conformity with Article 6(1)(b).
2. Instruments of accession shall be deposited in the archives of the General Secretariat of the Council of the European Union. For each acceding State, this Convention shall enter into force on the first day of the second month following the deposit of its instrument of accession.

Notification of signatures and related matters Article 24

The Secretary-General of the Council of the European Union shall notify the signatory and acceding States of:

- a) any signature to this Convention;
- b) the deposit of all instruments of ratification, acceptance, approval or accession;
- c) the entry into force of this Convention;
- d) any written notification of acceptance of an amendment to this Convention;
- e) the adoption and entry into force of any amendment;
- f) any denunciation of this Convention or loss of membership of the Centre.

As soon as this Convention enters into force and any amendments to it enter into force, the Secretary-General of the Council of the European Union shall register them with the General Secretariat of the United Nations, in accordance with Article 102 of the Charter of the United Nations.

The first Financial Year
Article 25.

1. The first financial year shall run from the entry into force of this Convention until 31 December following. In the event of this period beginning during the second half of a calendar year, it shall run until 31 December of the following year.
2. States which have signed this Convention but have not ratified, accepted or approved it may be represented at meetings of the Council and take part in its work without the right to vote for a period of twelve months after the entry into force of this Convention. This period may be extended for a further period of six months by the Council, acting in accordance with the procedure laid down in Article 6(3).
3. At its first meeting the Scientific Advisory Committee shall determine, by drawing lots, the nine members of the Committee whose terms of office shall expire, in accordance with the first subparagraph of Article 7(1), at the end of the first, second and third years of operation of the Committee.

Deposit of Convention
Article 26.

This Convention, and all amendments to it, drawn up in a single original in the Dutch, English, French, German, Italian, Danish, Finnish, Greek, Irish, Norwegian, Portuguese, Spanish, Swedish and Turkish languages, all texts being equally authentic, shall be deposited in the archives of the General Secretariat of the Council of the European Union, which shall transmit a certified copy to the Government of each signatory or acceding State.

ANNEX

PROVISIONAL SCALE OF CONTRIBUTIONS

The scale given below is intended exclusively for the purposes of implementing Article 22(2) of the Convention. It in no way prejudices any decisions to be taken by the Council pursuant to Article 13(1) of the Convention, concerning future scales of contributions.

Countries which took part in the drafting of the Convention	%
Belgium	3.25
Denmark	1.98
Federal Republic of Germany	21.12
Spain	4.16
France	19.75
Greece	1.18
Ireland	0.50
Italy	11.75
Yugoslavia	1.65
Luxemburg	0.12
Netherlands	3.92
Norway	1.40
Austria	1.81
Portugal	0.79
Switzerland	2.63
Finland	1.33
Sweden	4.19
Turkey	1.81
United Kingdom	16.66

PROTOCOL ON THE PRIVILEGES AND IMMUNITIES OF THE EUROPEAN CENTRE FOR MEDIUM-RANGE WEATHER FORECASTS

The States parties to the Convention establishing the European Centre for Medium-Range Weather Forecasts,

WISHING to define the privileges and immunities necessary for the proper functioning of this Centre,

HAVE AGREED AS FOLLOWS

Article 1

1. Subject to the provisions of this Protocol, the premises of the Centre shall be inviolable.
2. The authorities of the State in which the Headquarters of the Centre are located may not enter the premises of the Centre except with the consent of the Director-General or person nominated by him. In case of fire or other disaster requiring prompt preventive action, the consent of the Director-General may be assumed.
3. The Centre shall prevent its premises from becoming a refuge for persons seeking to avoid arrest or service of legal papers.

Article 2

The archives of the Centre shall be inviolable.

Article 3

1. Within the scope of its official activities, the Centre shall have immunity from jurisdiction and execution except:
 - a) to the extent that, by decision of the Council, the Centre waives it in a particular case. However, the Centre shall be deemed to have waived this immunity if, upon receiving a request to waive immunity submitted by the national authority before which the case is brought or by the opposing party, it has not given notice, within fifteen days after receipt of the request, that it does not waive such immunity;
 - b) in respect of a civil action by a third party for damage arising from an accident caused by a vehicle belonging to or operated on behalf of the Centre or in respect of a traffic offence;
 - c) in respect of an enforcement of an arbitration award made either under Article 23 of this Protocol or Article 17 of the Convention establishing the Centre, hereinafter referred to as "the Convention";
 - d) in the event of the attachment, pursuant to a decision by the administrative or judicial authorities, of the salaries, wages and emoluments owed by the Centre to a member of its staff.
2. In any dispute involving a staff member or an expert of the Centre for whom immunity from jurisdiction is claimed under Article 13 or Article 14, the responsibility of the Centre shall be substituted for that of the staff member or expert concerned.
3. Subject to paragraph 1, the Centre's property and assets wherever situated shall be immune from any form of administrative or provisional judicial constraint such as requisition, confiscation, expropriation or attachment, except in so far as may be temporarily necessary in connection with the prevention of and investigation into accidents involving vehicles belonging to or operated on behalf of the Centre.

Article 4

1. Within the scope of its official activities, the Centre and its property and income shall be exempt from all direct taxes.
2. When the Centre makes purchases of substantial value or uses services of substantial value which are strictly necessary for the exercise of its official activities and when the price of such purchases or services includes duties or taxes, the Member State which has levied the duties and taxes shall take appropriate measures to remit or reimburse the amount of the identifiable duties and taxes.
3. No exemption shall be accorded in respect of duties and taxes which are no more than payments for public utility services.

Article 5

Goods imported or exported by the Centre and strictly necessary for the exercise of its official activities shall be exempt from all customs duties, taxes and all customs charges except those charges which are no more than payments for services. Such goods shall also be exempt from all prohibitions and restrictions on import and export. The Member States shall take all appropriate steps within their respective powers to effect customs clearance with the minimum of delay for such goods.

Article 6

No exemption shall be accorded under Article 4 or Article 5 in respect of goods purchased and imported for the personal needs of the staff members of the Centre or of experts within the meaning of Article 14.

Article 7

Goods acquired under Article 4 or imported under Article 5 may not be sold, given away or hired out except in accordance with the conditions laid down by the regulations of the State which has granted the exemptions.

Article 8

1. The Centre may receive and hold any kind of funds or currency. It may dispose of them freely for the exercise of its official activities and may hold accounts in any currency to the extent required to meet its obligations.
2. Within the scope of its official activities and without prejudice to paragraph 1, the Centre may also receive, hold and dispose of securities, subject to any provisions concerning exchange regulations which are applicable to other inter-governmental organisations in the Member State concerned.

Article 9

The circulation of publications and other information material sent by or to the Centre within the scope of its official activities shall not be restricted in any way.

Article 10

1. With regard to the transmission of data within the scope of its official activities, the Centre shall enjoy in the territory of each Member State, treatment as favourable as that accorded by that State to its national meteorological service, taking into account the international obligations of that State in respect of telecommunications.
2. With regard to its official communications and the transfer of all its documents, the Centre shall enjoy treatment as favourable as that accorded by each Member State to other international organisations, taking into account the international obligations of that State in respect of telecommunications.
3. No censorship shall be applied to official communications of the Centre by whatever means of communication.

Article 11

Member States shall take all appropriate measures to facilitate the entry, stay and departure of representatives of Member States, staff members of the Centre and experts within the meaning of Article 14.

Article 12

Representatives of Member States taking part in the work of the organs and committees of the Centre shall enjoy, while performing their duties and in the course of their journeys to and from the place of meeting, the following privileges, immunities and facilities:

- a) immunity from arrest and detention and from seizure of their personal luggage, except when found committing, attempting to commit, or just having committed an offence;
- b) immunity from jurisdiction, even after the termination of their mission, in respect of acts, including words spoken or written, performed by them in their official capacity and within the limits of their authority; this immunity shall not apply in the case of a traffic offence committed by a representative of a Member State nor in the case of damage caused by a vehicle belonging to or driven by such a person;
- c) inviolability for all their official papers and documents;
- d) exemption from all measures restricting aliens' entry and from aliens' registration formalities;

- e) the same customs facilities as regards their personal luggage and the same privileges in respect of currency and exchange regulations as are accorded to the representatives of foreign Governments on temporary official missions.

Article 13

The staff members of the Centre shall enjoy, within the limits provided for in this Protocol, the following privileges, immunities and facilities:

- a) immunity from jurisdiction, even after they have left the service of the Centre, in respect of acts, including words spoken or written, performed by them in their official capacity and within the limits of their authority; this immunity shall not apply in the case of a traffic offence committed by a staff member, nor in the case of damage caused by a vehicle belonging to or driven by such a person;
- b) exemption from all obligations in respect of military service;
- c) inviolability for all their official papers and documents;
- d) together with members of their families forming part of their households, the same exceptions regarding measures restricting immigration and governing aliens' registration as are normally accorded to staff members of international organisations;
- e) the same privileges in respect of monetary and exchange regulations as are normally accorded to staff members of international organisations;
- f) together with members of their families forming part of their households, the same facilities as regards repatriation in time of international crisis as are normally accorded to staff members of international organisations;
- g) the right to import free of duty furniture and personal effects at the time of taking up a post for a period of at least one year in the State concerned and the right on the termination of their functions in the said State to export free of duty furniture and personal effects, subject in both cases to the conditions considered necessary by the Government of the State in whose territory the right is exercised and with the exception of property acquired in that State and subject to an export prohibition therein.

Article 14

Experts who are not staff members and who perform duties at the Centre or who carry out missions on its behalf, shall enjoy, while performing their duties or while on missions and during journeys made in the course of such duties or missions, the following privileges, immunities and facilities to the extent that they are necessary for the performance of their duties or for the accomplishment of their missions

- a) immunity from jurisdiction, even after they have left the service of the Centre, in respect of acts, including words spoken and written, performed by them in their capacity as experts and within the limits of their authority; this immunity shall not

apply in the case of a traffic offence committed by an expert nor in the case of damage caused by a vehicle belonging to or driven by such a person;

- b) inviolability for all their official papers and documents;
- c) the same customs facilities as regards their personal luggage and the same privileges in respect of currency and exchange regulations as are accorded to persons sent by foreign Governments on temporary official missions.

Article 15

1. Subject to the conditions and following the procedure laid down by the Council acting in accordance with the procedure laid down in Article 6(2) of the Convention within a period of one year after the Convention's entry into force, the staff members of the Centre shall, within the limits provided for in this Protocol, be subject to a tax for the benefit of the Centre on salaries, wages and emoluments paid by the Centre. From the date on which this tax is applied such salaries, wages and emoluments shall be exempt from national income tax, the Member States retaining the right to take such salaries, wages and emoluments into account when assessing the amount of taxation to be applied to income from other sources.
2. Paragraph 1 shall not apply to pensions and similar payments paid by the Centre.

Article 16

No Member State shall be obliged to accord the privileges, immunities and facilities referred to in Article 12, Article 13(b), (e), (f), and (g) and Article 14(c) to its representatives, its nationals or persons who, at the time of taking up their duties at the Centre, are permanent residents of that State.

Article 17

The Council, acting in accordance with the procedure laid down in Article 6(3)(o) of the Convention, shall determine the categories of staff members to which Articles 13 and 15 shall apply in whole or in part and the categories of experts to which Article 14 shall apply. The names, titles and addresses of persons included in such categories shall be communicated periodically to the Member States.

Article 18

If the Centre establishes its own social security scheme or joins that of another international organisation under the conditions laid down in the Staff Regulations, the Centre and its staff members shall be exempt from all compulsory contributions to national social security schemes, subject to agreements to be concluded to that end with the Member States concerned under the conditions laid down in Article 22.

Article 19

1. The privileges, immunities and facilities provided for in this Protocol are granted solely in the interests of the Centre and of the Member States, and not for the personal advantage of those enjoying them.
2. The competent authorities have not only the right but also the duty to waive an immunity where such immunity is impeding the course of justice and where it can be waived without prejudicing the purposes for which it was accorded.
3. The competent authorities referred to in paragraph 2 are
 - the Member States, in the case of their representatives,
 - the Council, in case of the Director-General,
 - the Director-General, in the case of the other staff members and experts within the meaning of Article 14.

Article 20

1. The Centre shall co-operate at all times with the competent authorities of the Member States in order to facilitate the proper administration of justice, to ensure the observance of police regulations and regulations concerning public health and labour inspection and similar legislation, and to prevent any abuse of the privileges, immunities and facilities provided for in this Protocol.
2. The co-operation procedures may be defined in the supplementary agreements provided for in Article 22.

Article 21

The provisions of this Protocol shall not prejudice the right of each Member State to take all precautionary measures necessary in the interests of its security.

Article 22

The Centre may, on decision by the Council acting unanimously, conclude supplementary agreements with any Member State to implement this Protocol and may make any other arrangements to ensure the smooth running of the Centre and the safeguarding of its interests.

Article 23

1. The Centre shall be obliged in all written contracts, other than those concluded in accordance with the Staff Regulations into which it enters and relating to matters in which it enjoys immunity from jurisdiction, to include an arbitration clause whereby any dispute arising out of the interpretation or execution of the contract shall, at the request of either party, be submitted to arbitration.

2. The Centre shall be obliged to submit to arbitration, at the request of the injured party, by means of a compromise any other dispute arising out of loss or damage caused by the Centre to persons or property.
3. The arbitration clause or the compromise shall specify the method of appointing the arbitrators and the third arbitrator, the law applicable and the country where the arbitrators shall sit. The procedure of the arbitration shall be that of that country.

The enforcement of the arbitration award shall be governed by the rules in force in the State in which the award is to be enforced.

Article 24

1. Any Member State may submit to the arbitration tribunal provided for in Article 17 of the Convention any dispute
 - arising out of damage caused by the Centre;
 - involving any other non-contractual liability of the Centre; or
 - involving a staff member or an expert of the Centre and in which the person concerned can claim immunity from jurisdiction under Article 13 or Article 14, if this immunity is not waived in accordance with Article 19.
2. If a Member State intends to submit a dispute to arbitration it shall notify the Director-General who shall forthwith inform each Member State of such notification.
3. The procedure laid down in paragraph 1 shall not apply to disputes between the Centre and staff members in respect of their conditions of service.
4. No appeal shall lie against the award of the arbitration tribunal, which shall be final; it shall be binding on the parties. In case of dispute concerning the import or scope of the award, it shall be incumbent upon the arbitration tribunal to interpret it at the request of either party.

Article 25

For the purposes of this Protocol

- a) “official activities of the Centre” shall include its administration and its activities carried out in pursuance of its objectives as defined in Article 2 of the Convention;
- b) “staff members” shall include the Director-General of the Centre.

Article 26

This Protocol shall be interpreted in the light of its primary objective of enabling the Centre fully and efficiently to fulfil its objectives and carry out the functions assigned to it by the Convention.

Članak 4.

Financijske obveze koje će nastati za Republiku Hrvatsku kao punopravnu članicu Europskog centra za srednjoročne prognoze vremena temeljem ovog Zakona podmirivat će se u skladu s odredbama propisa Državnog proračuna Republike Hrvatske u sustavu Državne riznice.

Članak 5.

Provedba ovoga Zakona u djelokrugu je središnjih tijela državne uprave nadležnih za poslove zaštite okoliša i hidrometeorološke poslove.

Članak 6.

Na dan stupanja na snagu ovoga Zakona Sporazum, Konvencija i Protokol iz članka 1. ovoga Zakona nisu na snazi u odnosu na Republiku Hrvatsku te će se podaci o njihovom stupanju na snagu objaviti naknadno, sukladno odredbi članka 30. stavka 3. Zakona o sklapanju i izvršavanju međunarodnih ugovora.

Članak 7.

Ovaj Zakon stupa na snagu osmoga dana od dana objave u Narodnim novinama.

O B R A Z L O Ž E N J E

Člankom 1. ovog Zakona utvrđuje se da Hrvatski sabor potvrđuje Sporazum između Vlade Republike Hrvatske i Europskog centra za srednjoročne prognoze vremena (ECMWF) o pristupanju Republike Hrvatske Konvenciji ECMWF-a o osnivanju Europskog centra za srednjoročne prognoze vremena i njome povezanim uvjetima, Konvenciju o osnivanju Europskog centra za srednjoročne prognoze vremena čiji je sastavni dio Protokol o povlasticama i imunitetima Europskog centra za srednjoročne prognoze vremena te Protokol o izmjenama i dopunama Konvencije o osnivanju Europskog centra za srednjoročne prognoze vremena, sukladno odredbi članka 140. stavka 1. Ustava Republike Hrvatske (Narodne novine, br. 85/2010 - pročišćeni tekst i 5/2014 - Odluka Ustavnog suda Republike Hrvatske) i članka 18. Zakona o sklapanju i izvršavanju međunarodnih ugovora (Narodne novine, broj 28/96), čime se iskazuje formalni pristanak Republike Hrvatske da bude vezana njihovim odredbama, a na temelju čega će taj pristanak biti izražen i na međunarodnoj razini.

Članak 2. sadrži tekstove Sporazuma između Vlade Republike Hrvatske i Europskog centra za srednjoročne prognoze vremena (ECMWF) o pristupanju Republike Hrvatske Konvenciji ECMWF-a o osnivanju Europskog centra za srednjoročne prognoze vremena i njome povezanim uvjetima, u izvorniku na hrvatskom jeziku, Konvencije o osnivanju Europskog centra za srednjoročne prognoze vremena i Protokola o izmjenama i dopunama Konvencije o osnivanju Europskog centra za srednjoročne prognoze, u izvorniku na engleskom jeziku i u prijevodu na hrvatski jezik.

Članak 3. sadrži pročišćeni tekst Konvencije o osnivanju Europskog centra za srednjoročne prognoze vremena.

Člankom 4. uređeno je da se financijske obveze koje će nastati za Republiku Hrvatsku kao punopravnu članicu Europskog centra za srednjoročne prognoze vremena temeljem ovoga Zakona podmiruju u skladu s odredbama propisa Državnog proračuna Republike Hrvatske u sustavu Državne riznice.

Člankom 5. utvrđeno je da je provedba Zakona u djelokrugu središnjih tijela državne uprave nadležnih za poslove zaštite okoliša i hidrometeorološke poslove.

Člankom 6. utvrđuje se da na dan stupanja Zakona na snagu, Sporazum između Vlade Republike Hrvatske i Europskog centra za srednjoročne prognoze vremena (ECMWF) o pristupanju Republike Hrvatske Konvenciji ECMWF-a o osnivanju Europskog centra za srednjoročne prognoze vremena i njome povezanim uvjetima, Konvencija o osnivanju Europskog centra za srednjoročne prognoze vremena čiji je sastavni dio je Protokol o

povlasticama i imunitetima Europskog centra za srednjoročne prognoze vremena te Protokol o izmjenama i dopunama Konvencije o osnivanju Europskog centra za srednjoročne prognoze vremena, nisu na snazi u odnosu na Republiku Hrvatsku, te da će se podaci o njihovom stupanju na snagu objaviti sukladno odredbi članka 30. stavka 3. Zakona o sklapanju i izvršavanju međunarodnih ugovora.

Člankom 7. uređuje se stupanje na snagu Zakona.

Sporazum
između
Vlade Republike Hrvatske
i
Europskog centra za srednjoročne prognoze vremena (ECMWF)
o pristupanju Republike Hrvatske Konvenciji ECMWF-a o osnivanju Europskog
centra za srednjoročne prognoze vremena i njome povezanim uvjetima

Preambula

Vlada Republike Hrvatske i Europski centar za srednjoročne prognoze vremena (u daljnjem tekstu „ECMWF“),

SPORAZUMJELI su se kako slijedi:

Članak 1.

Republika Hrvatska pristupa Konvenciji o osnivanju Europskog centra za srednjoročne prognoze vremena (u daljnjem tekstu „Konvencija ECMWF-a“), sastavljenoj u Bruxellesu, 11. listopada 1973., uključujući i Protokol o povlasticama i imunitetima Europskog centra za srednjoročne prognoze vremena (u daljnjem tekstu „Protokol o povlasticama i imunitetima“), u skladu s člancima 23. i 24. Konvencije ECMWF-a.

Članak 2.

1. Od datuma stupanja na snagu Konvencije ECMWF-a za Republiku Hrvatsku, odredbe Konvencije ECMWF-a i sva pravila ECMWF-a, zajedno sa svim odlukama koje je donijelo Vijeće od stupanja na snagu Konvencije ECMWF-a 1. studenoga 1975. obvezujuće su za Republiku Hrvatsku.
2. Od datuma stupanja na snagu Konvencije ECMWF-a za Republiku Hrvatsku, Republika Hrvatska stavlja se u jednak položaj kao i druge države članice s obzirom na odluke, rješenja, rezolucije ili bilo koje akte koje je donijelo Vijeće ili bilo koje pomoćno tijelo i u svezi s bilo kojim ugovorom koji je sklopio ECMWF. Iz tog razloga, Republika Hrvatska pridržavat će se načela i politike koje proizlaze iz toga te će poduzimati odgovarajuće mjere kadgod bude potrebno kako bi se osigurala njihova potpuna provedba
3. Republika Hrvatska istodobno s pristupanjem Konvenciji ECMWF-a također pristupa Protokolu o izmjenama i dopunama Konvencije ECMWF-a, kako je jednoglasno usvojen od strane Vijeća na njegovom 62. zasjedanju 22. travnja 2005. i koji je stupio na snagu 6. lipnja 2010.

Članak 3.

1. U skladu s člankom 13.(3) Konvencije ECMWF-a, Republika Hrvatska platit će jednokratni dodatni doprinos ECMWF-u kao doprinos za prethodna ulaganja u ECMWF-u. To će se plaćanje izvršiti u pet obroka podijeljenih u pet uzastopnih financijskih godina, a svaki obrok treba biti plaćen prije kraja financijske godine u kojoj on dospijeva, počevši s godinom u kojoj je Konvencija stupila na snagu za Republiku Hrvatsku.

2. Republika Hrvatska počinje placati doprinos u godišnji proračun ECMWF-a kao država članica od datuma stupanja na snagu Konvencije ECMWF-a za Republiku Hrvatsku. Stopa doprinosa Republike Hrvatske u proračun ECMWF-a obračunat će se u skladu s člankom 13. Konvencije ECMWF-a.

Članak 4.

Republika Hrvatska stječe puno pravo glasovanja u Vijeću ECMWF-a od datuma stupanja na snagu Konvencije ECMWF-a za Republiku Hrvatsku.

Članak 5.

1. Hrvatski, službeni jezik Republike Hrvatske, postaje službeni jezik ECMWF-a od datuma stupanja na snagu Konvencije ECMWF-a za Republiku Hrvatsku.
2. Prije stupanja na snagu Konvencije ECMWF-a za Republiku Hrvatsku, Republika Hrvatska će ECMWF-u dostaviti ovjerene primjerke prijevoda na hrvatski jezik Konvencije ECMWF-a, uključujući njezin Protokol o povlasticama i imunitetima, Protokol o izmjenama i dopunama Konvencije ECMWF-a te izmijenjenu i dopunjenu Konvenciju.

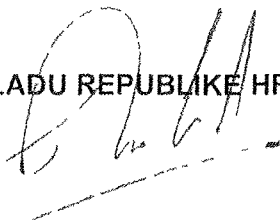
Članak 6.

1. Ovaj Sporazum stupa na snagu datumom stupanja na snagu Konvencije ECMWF-a za Republiku Hrvatsku i zamjenjuje Ugovor o suradnji potpisan 12. srpnja 1995. i 7. kolovoza 1995. Dospjela plaćanja jednokratnog dodatnog doprinosa ECMWF-u nastavljaju se isplaćivati.
2. U skladu s člankom 23.(2) Konvencije ECMWF-a, Konvencija ECMWF-a stupa na snagu za Republiku Hrvatsku prvog dana drugog mjeseca nakon polaganja njezine isprave o pristupu.

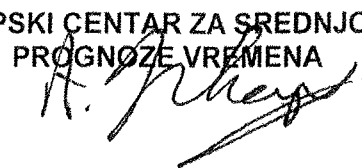
U potvrdu toga, niže potpisani, propisno ovlašteni, potpisali su ovaj Sporazum.

Sastavljeno u ZAGREBU, dana 8. STUDENI 2011, u dva izvornika, na hrvatskom i engleskom jeziku, pri čemu su oba teksta jednako vjerodostojna. U slučaju bilo kakve razlike u tumačenju, mjerodavan je engleski tekst.

ZA VLADU REPUBLIKE HRVATSKE



ZA EUROPSKI CENTAR ZA SREDNJOROČNE
PROGNOZE VREMENA



Agreement
between
the Government of the Republic of Croatia
and
the European Centre for Medium-Range Weather Forecasts (ECMWF)
on the accession of the Republic of Croatia to the ECMWF Convention Establishing the
European Centre for Medium-Range Weather Forecasts and related terms and conditions

Preamble

The Government of the Republic of Croatia and the European Centre for Medium-Range Weather Forecasts (hereinafter referred to as "ECMWF"),

HAVE agreed as follows:

Article 1

The Republic of Croatia accedes to the Convention Establishing the European Centre for Medium-Range Weather Forecasts (hereinafter referred to as "ECMWF Convention"), done at Brussels on 11 October 1973, including the Protocol on the Privileges and Immunities of the European Centre for Medium-Range Weather Forecasts (hereinafter referred to as "Protocol on Privileges and Immunities"), in accordance with Articles 23 and 24 of the ECMWF Convention.

Article 2

1. As from the date of entry into force of the ECMWF Convention for the Republic of Croatia, the provisions of the ECMWF Convention and all ECMWF rules, together with all decisions taken by the Council since the entry into force of the ECMWF Convention on 1 November 1975, shall be binding for the Republic of Croatia.
2. As from the date of entry into force of the ECMWF Convention for the Republic of Croatia, the Republic of Croatia shall be placed in the same situation as the other Member States with regard to decisions, rulings, resolutions or any other acts made by the Council or by any subordinate body and with regard to any agreement concluded by ECMWF. Therefore, the Republic of Croatia shall abide by the principles and policies stemming therefrom, and shall whenever necessary take appropriate measures to ensure their full implementation.
3. The Republic of Croatia shall at the same time as acceding to the ECMWF Convention also accede to the Amending Protocol to the ECMWF Convention as unanimously adopted by the Council at its 62nd session on 22 April 2005, and which became effective on 6 June 2010.

Article 3

1. In accordance with Article 13(3) of the ECMWF Convention, the Republic of Croatia shall make a single additional contribution to ECMWF as a contribution to past investments made at ECMWF. This payment shall be made in five instalments spread over five consecutive financial years, with each instalment to be paid before the end of the financial year in which it becomes due, starting with the year when the Convention entered into force for the Republic of Croatia.

- 2 The Republic of Croatia shall start to contribute to the ECMWF annual budget as Member State from the date of entry into force of the ECMWF Convention for the Republic of Croatia. The rate of contribution by the Republic of Croatia to the ECMWF budget shall be calculated in accordance with Article 13 of the ECMWF Convention

Article 4

The Republic of Croatia shall acquire full voting rights at the ECMWF Council from the date of entry into force of the ECMWF Convention for the Republic of Croatia.

Article 5

1. Croatian, the official language of the Republic of Croatia, will become an official language of ECMWF from the date of entry into force of the ECMWF Convention for the Republic of Croatia.
2. Before the entry into force of the ECMWF Convention for the Republic of Croatia, the Republic of Croatia will provide ECMWF with certified copies of translations into Croatian of the ECMWF Convention, including its Protocol on Privileges and Immunities, the Amending Protocol to the ECMWF Convention, and the amended Convention.

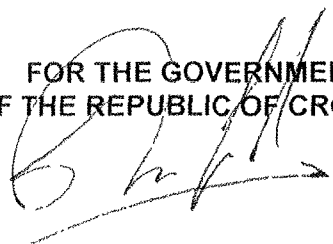
Article 6

1. The present Agreement shall enter into force on the date of entry into force of the ECMWF Convention for the Republic of Croatia and shall supersede the Co-operation Agreement signed on 12 July 1995 and 7 August 1995. Outstanding payments of the single additional contribution to ECMWF shall continue to be honoured.
2. In accordance with Article 23(2) of the ECMWF Convention, the ECMWF Convention shall enter into force for the Republic of Croatia on the first day of the second month following the deposit of its instrument of accession.

In witness whereof, the undersigned being duly authorised, have signed this Agreement.

Done at ZAGREB, on NOVEMBER 8, 2011, in two originals, in the Croatian and English languages, both texts being equally authentic. In case of any divergence in interpretation, the English text shall prevail.

FOR THE GOVERNMENT
OF THE REPUBLIC OF CROATIA



FOR THE EUROPEAN CENTRE FOR
MEDIUM-RANGE WEATHER FORECASTS



CONVENTION
ESTABLISHING THE EUROPEAN CENTRE FOR
MEDIUM-RANGE WEATHER FORECASTS

C/e 1

CONSIDERING the importance for the European economy of a considerable improvement in medium-range weather forecasts;

CONSIDERING that the scientific and technical research carried out for this purpose will provide a valuable stimulus to the development of meteorology in Europe;

CONSIDERING that the improvement of medium-range weather forecasts will contribute to the protection and safety of the population;

CONSIDERING that, to achieve these objectives, resources on a scale exceeding those normally practicable at national level are needed;

CONSIDERING that it appears from the report submitted by the Working Party responsible for preparing a project on the subject that the establishment of an autonomous European centre with international status is the appropriate means to attain these objectives;

CONSIDERING that such a centre could also assist in the post-university training of scientists;

CONSIDERING that the activities of such a centre will, moreover, make a necessary contribution to certain programmes of the World Meteorological Organisation (WMO), in particular the world system of the World Weather Watch (WWW) and the Global Atmospheric Research Programme (GARP), undertaken by the World Meteorological Organisation in conjunction with the International Council of Scientific Unions (ICSU);

CONSIDERING the importance that the establishment of such a centre can have for the development of European industry in the field of data-processing,

HAVE DECIDED to establish a European Centre for Medium-Range Weather forecasts and to define the conditions under which it should operate and to this end have designated as their Plenipotentiaries:

HIS MAJESTY THE KING OF THE BELGIANS

Mr Joseph VAN DER MEULEN,
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative of Belgium to the European Communities;

HER MAJESTY THE QUEEN OF DENMARK

Mr Niels ERSBØLL,
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative of Denmark to the European Communities;

THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY

Mr Ulrich LEBSANFT,
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative of the Federal Republic of Germany
to the European Communities;

THE HEAD OF STATE OF SPAIN

Mr Alberto ULLASTRES CALVO,
Ambassador Extraordinary and Plenipotentiary,
Head of the Mission of Spain to the European Communities;

THE PRESIDENT OF THE FRENCH REPUBLIC

Mr Emile CAZIMAJOU,
Deputy Permanent Representative of France to the European Communities:

THE PRESIDENT OF THE REPUBLIC OF GREECE

Mr Byron THEODOROPOULOS,
Ambassador Extraordinary and Plenipotentiary,
Permanent Delegate of Greece to the European Economic Community;

THE PRESIDENT OF IRELAND

Mr Brendan DILLON,
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative of Ireland to the European Communities

THE PRESIDENT OF THE ITALIAN REPUBLIC

Mr Giorgio BOMBASSEI PRASCANI de VETTOR,
Ambassador of Italy,
Permanent Representative of Italy to the European Communities;

THE HEAD OF THE SOCIALIST FEDERAL REPUBLIC OF YUGOSLAVIA

Mr Petar MILJEVIC,
Ambassador Extraordinary and Plenipotentiary,
Head of the Mission of Yugoslavia to the European Communities;

HER MAJESTY THE QUEEN OF THE NETHERLANDS

Mr E.M.J.A. SASSEN,
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative of the Netherlands to the European Communities;

THE PRESIDENT OF THE PORTUGUESE REPUBLIC

Mr Fernando de MAGALHAES CRUZ,
Ambassador Extraordinary and Plenipotentiary,
Head of the Mission of Portugal to the European Communities;

THE PRESIDENT OF THE SWISS CONFEDERATION

Mr Paul Henri WURTH,
Ambassador Extraordinary and Plenipotentiary,
Head of the Swiss Mission to the European Communities;

THE PRESIDENT OF THE REPUBLIC OF FINLAND

Mr Pentti TALVITIE,
Ambassador Extraordinary and Plenipotentiary,
Head of the Mission of Finland to the European Communities;

HIS MAJESTY THE KING OF SWEDEN

Mr Erik von SYDOW,
Ambassador Extraordinary and Plenipotentiary,
Head of the Mission of Sweden to the European Communities;

HER MAJESTY THE QUEEN OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

Sir Michael PALLISER,
Ambassador Extraordinary and Plenipotentiary,
Permanent Representative of the United Kingdom to the European Communities;

WHO, having exchanged their Full Powers, found in good and due form,

HAVE AGREED AS FOLLOWS:

ARTICLE 1

1. A European Centre for Medium-Range Weather Forecasts, hereinafter referred to as "the Centre", is hereby established.
2. The organs of the Centre shall be the Council and the Director. The Council shall be assisted by a Scientific Advisory Committee and a Finance Committee. Each organ and committee shall carry out its functions within the limits and conditions laid down in this Convention.
3. The members of the Centre, hereinafter referred to as "Member States", shall be the States parties to this Convention.
4. The Centre shall have legal personality in the territory of each Member State. It shall in particular have the capacity to contract, to acquire and dispose of movable and immovable property and to be party to legal proceedings.
5. The headquarters of the Centre shall be at Shinfield Park near Reading (Berkshire), in the territory of the United Kingdom of Great Britain and Northern Ireland.
6. The official languages of the Centre shall be Dutch, English, French, German and Italian.

Its working languages shall be English, French and German.

The Council shall determine the extent to which the official and working languages shall respectively be used.

ARTICLE 2

1. The objectives of the Centre shall be:

- (a) to develop dynamic models of the atmosphere with a view to preparing medium-range weather forecasts by means of numerical methods;
- (b) to prepare, on a regular basis, the data necessary for the preparation of medium-range weather forecasts;
- (c) to carry out scientific and technical research directed towards improving the quality of these forecasts;
- (d) to collect and store appropriate meteorological data;
- (e) to make available to the meteorological offices of the Member States, in the most appropriate form, the results of the studies and research provided for in (a) and (c) and the data referred to in (b) and (d);
- (f) to make available to the meteorological offices of the Member States for their research, priority being given to the field of numerical weather forecasting, a sufficient proportion of its computing capacity, such proportion being determined by the Council;
- (g) to assist in implementing programmes of the World Meteorological Organisation;
- (h) to assist in advanced training for the scientific staff of the meteorological offices of the Member States in the field of numerical weather forecasting.

2. The Centre shall establish and operate the installations necessary for the achievement of the objectives defined in paragraph 1.
3. As a general rule, the Centre shall publish or otherwise make available, under the conditions laid down by the Council, the scientific and technical results of its activities, inasmuch as these results are not covered by Article 15.

ARTICLE 3

1. In order to attain its objectives, the Centre shall co-operate to the largest extent possible, in accordance with international meteorological traditions, with the Governments and national agencies of the Member States, with States which are not members of the Centre and with governmental or non-governmental international scientific and technical organisations whose activities are related to its objectives.
2. Moreover, the Centre may conclude co-operation agreements:
 - (a) with States, under the conditions laid down in Article 6 (1)(e),
 - (b) with the national scientific and technical agencies of the Member States and with the international organisations referred to in paragraph 1, under the conditions laid down in Article 6 (3)(k).
3. The co-operation agreements referred to in paragraph 2 may make part of the Centre's computing capacity available only to public agencies of the Member States.

ARTICLE 4

1. The Council shall have the powers and shall adopt the measures necessary to implement this Convention.
2. The Council shall be composed of not more than two representatives from each Member State, one of whom should be a representative of his national meteorological service. These representatives may be assisted at Council meetings by advisers.

A representative of the World Meteorological Organisation shall be invited to take part in the work of the Council as an observer.
3. The Council shall elect from among its members a President and a Vice-President who shall be appointed for one year and who may not be re-elected more than twice in succession.
4. The Council shall meet at least once a year. It shall be convened at the request of the President or at the request of at least one third of the Member States. Meetings of the Council shall be held at the headquarters of the Centre unless the Council decides otherwise in exceptional cases.
5. The President and Vice-President may call on the assistance of the Director in the performance of their duties.
6. The Council may set up advisory committees and shall determine the composition and duties thereof.

ARTICLE 5

1. The presence of the representatives of the majority of Member States entitled to vote shall be necessary to constitute a quorum at meetings of the Council.
2. Each Member State shall have one vote in the Council. A Member State shall lose its right to vote in the Council if the amount of its unpaid contributions exceeds the amount of the contributions due from it, under Article 13, for the current financial year and for the preceding financial year. The Council, acting in accordance with Article 6 (3)(m), may nevertheless authorise the Member State to vote.
3. Between meetings of the Council, the Council may dispose of any matter which is urgent by means of a postal vote. In such cases, the majority of the Member States entitled to vote shall constitute the quorum.
4. In determining unanimity and the various majorities provided for in this Convention, only votes cast for or against a decision and, in cases where the Council acts in accordance with the procedure laid down in Article 6 (2), the financial contributions of the Member States taking part in the vote, shall be taken into account.

ARTICLE 6

1. The Council, acting unanimously, shall:
 - (a) fix the ceiling of expenditure for implementing the programme of the activities of the Centre over the five years following the entry into force of this Convention;
 - (b) decide on the admission of new members, in accordance with Article 23, and lay down the conditions for such admissions in accordance with Article 13 (3);
 - (c) decide, in accordance with Article 20, on the withdrawal of membership from a State, that State not participating in the vote on this matter;
 - (d) decide on the dissolution of the Centre, in accordance with Article 21 (1) and (2);
 - (e) authorise the Director to negotiate co-operation agreements with States; it may authorise him to conclude such agreements;
 - (f) conclude, with one or more of the Member States, in accordance with Article 22 of the Protocol on Privileges and Immunities provided for in Article 16, any additional agreements for the purpose of implementing that Protocol.
2. The Council, acting by a majority of two-thirds of the Member States, and provided that the sum of the contributions from these States represents at least two-thirds of the total contributions to the budget of the Centre, shall:

- (a) adopt the Financial Regulations of the Centre;
 - (b) adopt, in accordance with Article 12 (3), the annual budget and the table of the staff requirements of the Centre annexed thereto and, if necessary, supplementary or rectifying budgets, and approve the overall estimate of expenditure and revenue for the next three financial years; if the Council has not yet adopted the budget, it shall authorise the Director to incur expenditure and make payments, within a given month, exceeding the limit provided for in the first subparagraph of Article 12 (5);
 - (c) acting on a proposal from the Director, take decisions concerning any immovable property and equipment whose acquisition or renting by the Centre involves considerable expenditure;
 - (d) decide on the measures to be taken in the event of denunciation of this Convention within the meaning of Article 19;
 - (e) decide that the Centre shall not be dissolved in the event of denunciation of this Convention within the meaning of Article 21 (1), the denouncing Member States not taking part in the vote on this matter;
 - (f) determine, in accordance with Article 21 (3), the conditions for winding up the Centre in the event of its dissolution.
3. The Council, acting by a majority of two-thirds:
- (a) shall adopt its Rules of Procedure;

- (b) shall adopt the Staff Regulations and the scale of the staff salaries of the Centre and shall determine the nature of the additional benefits the staff shall enjoy and the rules for granting them; it shall also determine the rights of officials regarding industrial property rights and copyright relating to work done by them in the course of their duties;
- (c) shall approve the agreement to be concluded, in accordance with Article 16, between the Centre and the State in whose territory the headquarters of the Centre are located;
- (d) shall appoint the Director of the Centre and his deputy for a period not exceeding five years, their appointments being renewable one or more times, for a period not exceeding five years each time;
- (e) shall determine the number of auditors, the length of their appointment, the amount of their remuneration, and shall appoint them in accordance with Article 14 (2);
- (f) may terminate or suspend the appointment of the Director or his deputy, account being taken of the provisions of the Staff Regulations which are applicable to them;
- (g) shall approve the Rules of Procedure of the Scientific Advisory Committee in accordance with Article 7 (4);
- (h) shall adopt the scale of financial contributions of the Member States in accordance with Article 13 (1) and (3) and shall decide to reduce temporarily the contribution of a Member State because of special circumstances in that State, in accordance with Article 13 (2);

- (i) shall adopt, subject to paragraph (1)(a), the programme of the activities of the Centre, in accordance with Article 11;
- (j) shall consider annually the accounts of the previous financial year, together with the balance sheet of the assets and liabilities of the Centre, after taking note of the auditors' report, and shall give a discharge to the Director in respect of the implementation of the budget;
- (k) shall authorise the Director to negotiate co-operation agreements with the national scientific and technical agencies of the Member States and with governmental or non-governmental international scientific and technical organisations whose activities are related to the objectives of the Centre; it may authorise him to conclude such agreements;
- (l) shall determine the conditions under which licences granted to the Member States pursuant to Article 15 (1) and (2) may be extended to applications other than weather forecasting;
- (m) shall decide, in the case provided for in Article 5 (2), that a Member State may retain the right to vote, the Member State in question not taking part in the vote on this matter;
- (n) shall recommend to Member States, in accordance with Article 18, amendments to this Convention;

(o) shall determine, in accordance with Article 17 of the Protocol on Privileges and Immunities provided for in Article 16, the categories of staff members to which Articles 13 and 15 of that Protocol shall apply, in whole or in part, and the categories of experts to which Article 14 of that Protocol shall apply.

4. When a special majority is not specified, the Council shall act by a simple majority,

ARTICLE 7

1. The Scientific Advisory Committee shall be composed of twelve members appointed in their personal capacity by the Council for a period of four years. The Committee shall be renewed by one quarter every year. Each member may be appointed for only two terms of office in succession.

A representative of the World Meteorological Organisation shall be invited to take part in the work of the Committee.

The members of the Committee shall be selected from among the scientists of the Member States and shall represent as broad a range as possible of the disciplines relating to the activities of the Centre. The Director shall submit a list of candidates to the Council.

2. The Committee shall draw up, for submission to the Council, opinions and recommendations on draft programme of the activities of the Centre drawn up by the Director and on any matter submitted to it by the Council. The Director shall keep the Committee informed concerning the implementation of the programme. The Committee shall give opinions on the results obtained.

3. The Committee may invite experts, in particular persons belonging to services using the Centre, to take part in its work when there are specific problems to be solved.

4. The Committee shall draw up its Rules of Procedure. These Rules of Procedure shall enter into force after approval by the Council acting in accordance with Article 6 (3)(g).

ARTICLE 8

1. The Finance Committee shall be composed of:

- (a) one representative of each of the four Member States paying the highest contributions;
- (b) three representatives of the other Member States, appointed by them for a period of one year; each of these States may not be represented on the Committee more than twice in succession.

2. Under the conditions laid down in the Financial Regulations, the Committee shall draw up, for submission to the Council, opinions and recommendations on all financial matters submitted to the Council and shall exercise the financial powers delegated to it by the Council.

ARTICLE 9

1. The Director shall be the chief executive officer of the Centre. He shall represent the Centre in dealings with third parties. He shall be responsible to the Council for the execution of the tasks assigned to the Centre. He shall take part, without the right to vote, in all meetings of the Council.

The Council shall appoint the person who is to act as Director ad interim.

2. The Director shall:

- (a) take all measures necessary for the proper functioning of the Centre;
- (b) exercise the powers accorded to him under the Staff Regulations, subject to Article 10 (4);
- (c) submit to the Council the draft programme of the activities of the Centre, together with the opinions and recommendations of the Scientific Advisory Committee;
- (d) prepare and implement the budget of the Centre in accordance with the Financial Regulations;
- (e) keep a precise record of all the revenue and expenditure of the Centre in accordance with the Financial Regulations;
- (f) submit annually for the approval of the Council, the accounts relating to the implementation of the budget and the balance sheet of assets and liabilities, drawn up in each case in accordance with the Financial Regulations, and the report on the activities of the Centre;
- (g) conclude, in accordance with Article 6 (1)(e) and Article 6 (3)(k), the co-operation agreements necessary for attaining the objectives of the Centre.

3. In carrying out his tasks, the Director shall be assisted by the other staff of the Centre.

ARTICLE 10

1. Subject to the second subparagraph, the staff of the Centre shall be subject to the Staff Regulations adopted by the Council acting in accordance with Article 6 (3)(b).

If the terms of employment of a staff member of the Centre do not fall under these Staff Regulations, they shall be subject to the law applicable in the State in which the person concerned carries out his duties.

2. The recruitment of staff shall be based on personal qualifications, account being taken of the international character of the Centre. No post may be reserved for nationals of a particular Member State.
3. The Centre may employ staff from national agencies of the Member States seconded to the Centre for a specified period.
4. The Council shall approve the appointment and dismissal of officials in the upper grades defined in the Staff Regulations, and of the Financial Comptroller and his deputy.
5. Disputes arising out of the implementation of the Staff Regulations or the execution of the contracts of employment of the staff shall be settled in accordance with the Staff Regulations.
6. Every person who works at the Centre shall be subject to the authority of the Director and shall conform with all the general rules approved by the Council.

7. Each Member State shall be required to respect the international character of the responsibilities of the Director and the other officials of the Centre. In the performance of their duties, the Director and the other officials shall neither seek nor accept instructions from any Government or authority outside the Centre.

ARTICLE 11

The programme of activities of the Centre shall be adopted by the Council acting on a proposal from the Director in accordance with Article 6 (3)(i).

The programme shall cover, in principle, a four-year period and shall be adapted and supplemented each year for an additional period of one year. It shall fix the ceiling of expenditure for the duration of the programme and shall contain, in addition, an estimate of the expenditure arising out of its implementation in respect of each year and each major category.

The ceiling of expenditure may only be amended in accordance with the procedure laid down in Article 6 (3)(i).

ARTICLE 12

1. The budget of the Centre shall be drawn up for each financial year before the beginning of that year, under the conditions laid down in the Financial Regulations.

The expenditure of the Centre shall be met from the financial contributions of the Member States and any other revenue of the Centre.

The revenue and expenditure shown in the budget shall be in balance. The budget shall be drawn up in the currency of the State in which the headquarters of the Centre are located.

2. All expenditure and revenue of the Centre shall be the subject of detailed estimates to be drawn up for each financial year and shall be shown in the budget.

Commitment appropriations relating to a period extending beyond the financial year may be authorised under the conditions laid down in the Financial Regulations.

In addition, an overall estimate of expenditure and revenue in each major category for the next three financial years shall be drawn up.

3. The Council, acting in accordance with Article 6 (2) (b), shall adopt the budget for each financial year and the table of the posts of the Centre annexed thereto and any supplementary or rectifying budgets and approve the overall estimate of expenditure and revenue for the next three financial years.

4. The adoption of the budget by the Council shall:

- (a) oblige each Member State to make available to the Centre the financial contributions determined in the budget;
- (b) authorise the Director to enter into commitments and make payments within the limits of the appropriations authorised for these purposes.

5. If the budget has not been adopted by the Council by the beginning of a financial year, the Director may, each month, enter into commitments and make payments in each chapter up to one twelfth of the appropriations in the budget of the preceding financial year, provided that he shall not have at his disposal appropriations in excess of one-twelfth of those provided for in the draft budget.

Member States shall pay each month, on a provisional basis and in accordance with the scale provided for in Article 13, the amounts necessary for the application of the first subparagraph.

6. The budget shall be implemented under the conditions laid down in the Financial Regulations.

ARTICLE 13

1. Each Member State shall pay an annual contribution to the Centre, in convertible currency, based on the scale which shall be adopted every three years by the Council acting in accordance with Article 6 (3)(h). This scale shall be based on the average gross national product of each Member State over the last three calendar years for which there are statistics.
2. The Council, acting in accordance with Article 6 (3) (h), may decide to reduce temporarily the contribution of a Member State because of special circumstances in that State. Special circumstances shall in particular be considered to exist where a Member State has a per capita gross national product lower than an amount which shall be determined by the Council acting in accordance with the procedure laid down in Article 6 (3).

3. If, after the entry into force of this Convention, a State becomes a party to this Convention, the scale of contributions shall be modified by the Council according to the basis for calculation laid down in paragraph 1. the new scale shall take effect when the State concerned becomes a party to this Convention.

A State which becomes a party to this Convention after 31 December of the year during which it enters into force shall be required to pay, in addition to the contribution laid down in paragraph 1, a single additional contribution to the expenditure previously incurred by the Centre. The amount of this additional contribution shall be determined by the Council, acting in accordance with the procedure laid down in Article 6 (1).

Unless the Council decides otherwise, acting in accordance with the procedure laid down in Article 6 (1), any additional contribution paid pursuant to the second subparagraph shall be deducted from the contributions of the other Member States. This reduction shall be calculated on a pro rata basis according to the contributions actually paid by each Member State prior to the current financial year.

4. If, after the entry into force of this Convention, a State ceases to be a party to this Convention, the scale of contributions shall be modified by the Council according to the basis for calculation laid down in paragraph 1. The new scale shall take effect when the State concerned ceases to be a party to this Convention.
5. The methods of payment of the contributions shall be determined in the Financial Regulations.

ARTICLE 14

1. The accounts of all revenue and expenditure shown in the budget and the balance sheet of the assets and liabilities of the Centre shall, under the conditions laid down in the Financial Regulations, be submitted for audit to auditors whose independence is beyond doubt. The purpose of the audit, which shall be based on records and if necessary performed on the spot, shall be to establish that all revenue has been received and all expenditure incurred in a lawful and regular manner and that the financial management of the Centre has been sound. The auditors shall submit a report on the annual accounts to the Council.
2. The Council, acting on a proposal from the Finance Committee in accordance with Article 6 (3)(e), shall determine the number of auditors, the length of their appointment, the amount of their remuneration, and shall appoint them.
3. The Director shall give the auditors any information and assistance needed for the audit referred to in paragraph 1.

ARTICLE 15

1. Each Member State shall be granted, free of charge, for its own requirements in the field of weather forecasting, a non-exclusive licence and any other non-exclusive right of use, in respect of industrial property rights, computer programs and technological information which result from work carried out pursuant to this Convention and which belong to the Centre.

2. Where the Centre does not possess the rights referred to in paragraph 1, it shall attempt to obtain the necessary rights, under the conditions determined by the Council.
3. The conditions under which the licences referred to in paragraph 1 may be extended to applications other than weather forecasting shall be the subject of a decision of the Council acting in accordance with Article 6 (3)(1).

ARTICLE 16

The privileges and immunities which the Centre, the representatives of the Member States, the staff and the experts of the Centre enjoy in the territories of the Member States shall be determined in a protocol which shall be annexed to this Convention and which shall form an integral part thereof, and in an agreement to be concluded between the Centre and the State in whose territory the headquarters of the Centre are located. This agreement shall be approved by the Council acting in accordance with Article 6 (3)(c).

ARTICLE 17

1. Any dispute between Member States or between one or more Member States and the Centre concerning the interpretation of application of this Convention, including the Protocol on the Privileges and Immunities provided for in Article 16 or relating to one of the cases provided for in Article 24 of that Protocol, which can not be settled by the good offices of the Council shall, on a request made by one party to the dispute to the other, be referred to an arbitration tribunal, set up in accordance with the first subparagraph of paragraph 2, unless the parties to the dispute agree within three months on another form of settlement.

2. Each party to the dispute, whether constituted by one or more Member States, shall appoint one member of the arbitration tribunal within two months from the date on which the request referred to in paragraph 1 is received. These members shall, within two months of the appointment of the second member, appoint a third member who shall be the chairman of the tribunal, and who shall not be a national of a State which is a party to the dispute. If the appointment of any of the three members of the tribunal has not been made within the prescribed period, it shall be made by the President of the International Court of Justice at the request of one of the parties.

The arbitration tribunal shall take decisions by a majority. Its decisions shall bind the parties to the dispute. Each party shall bear the costs of the member of the tribunal appointed by it and those relating to its representation at proceedings before the tribunal. Each party to the dispute shall bear an equal share of the costs relating to the chairman of the tribunal and any other expenses, unless the tribunal decides otherwise. The tribunal shall determine its other rules of procedure.

ARTICLE 18

1. Each Member State may transmit proposals for amending this Convention to the Director. The Director shall submit such proposals to the other Member States at least three months before they are to be examined by the Council. The Council shall examine the proposals and may, acting in accordance with Article 6 (3)(n), recommend the Member States to accept the proposed amendments.

2. Amendments recommended by the Council may only be accepted by the Member States in writing. They shall enter into force thirty days after receipt by the Secretary-General of the Council of the European Communities of the last written notification of acceptance.

ARTICLE 19

1. Any Member State may denounce this Convention after it has been in force for five years by giving notice to the Secretary-General of the Council of the European Communities. Denunciation shall take effect at the end of the second financial year following the year during which notice is given.
2. A Member State which has denounced this Convention shall remain bound to contribute towards financing all commitments entered into by the Centre before such denunciation and to respect the obligations which it contracted itself as a Member State vis-à-vis the Centre before the denunciation.
3. A Member State which has denounced this Convention shall lose its rights to the assets of the Centre and must indemnify the Centre, under the conditions laid down by the Council acting in accordance with Article 6 (2)(d), for any loss for the Centre of property in the territory of such a State, unless a special agreement is concluded guaranteeing the Centre the use of such property.

ARTICLE 20

Any Member State which does not fulfil its obligations under this Convention may be deprived of its membership by a decision of the Council acting in accordance with Article 6 (1)(c). In such an event Article 19 (2) and (3) shall be applicable mutatis mutandis.

ARTICLE 21

1. Unless the Council acting in accordance with Article 6 (2)(e) decides otherwise, the Centre shall be dissolved if denunciation of this Convention by one or more Member State results in the levels of contributions of the other Member States being increased by one-fifth over their initial levels.
2. In addition to the case referred to in paragraph 1, the Centre may be dissolved at any time by the Council acting in accordance with Article 6 (1)(d).
3. In the event of dissolution of the Centre, the Council shall appoint a liquidator.

Unless the Council acting in accordance with Article 6 (2)(e) decides otherwise, any surplus shall be distributed among the Member States at the time of dissolution on a pro rata basis according to the contributions actually paid by them during the time in which they have been parties to this Convention.

Any deficit shall be met by the Member States on a pro rata basis according to their contributions fixed for the current financial year.

ARTICLE 22

1. This Convention shall be open for signature by the European States mentioned in the Annex until 11 April 1974 at the General Secretariat of the Council of the European Communities.

It shall be subject to ratification, acceptance or approval. The instruments of ratification, acceptance or approval shall be deposited in the archives of the General Secretariat of the Council of the European Communities.

2. This Convention shall enter into force on the first day of the second month following the date of its ratification, acceptance or approval by no less than two-thirds of the signatory States, including the State in whose territory the headquarters of the Centre are located, provided that the total contributions by these States amounts to at least 80% of the total contributions in accordance with the scale contained in the Annex.

For any other signatory State, this Convention shall enter into force on the first day of the second month following the date of the deposit of its instrument of ratification, acceptance or approval.

ARTICLE 23

After the entry into force of this Convention, any State which is not a Signatory and is mentioned in the Annex may accede to this Convention, subject to the consent of the Council acting in accordance with Article 6 (1)(b). Instruments of accession shall be deposited in the archives of the General Secretariat of the Council of the European Communities.

For each acceding State, this Convention shall enter into force on the first day of the second month following the deposit of its instrument of accession.

ARTICLE 24

The Secretary-General of the Council of the European Communities shall notify the signatory and acceding States of:

- (a) any signature to this Convention;
- (b) the deposit of all instruments of ratification, acceptance, approval or accession;
- (c) the entry into force of this Convention;
- (d) any written notification of acceptance of an amendment to this Convention;
- (e) the entry into force of any amendment;
- (f) any denunciation of this Convention or loss of membership of the Centre.

As soon as this Convention enters into force, the Secretary-General of the Council of the European Communities shall register it with the General Secretariat of the United Nations, in accordance with Article 102 of the Charter of the United Nations.

ARTICLE 25

1. The first financial year shall run from the entry into force of this Convention until 31 December following. In the event of this period beginning during the second half of a calendar year, it shall run until 31 December of the following year.
2. States which have signed this Convention but have not ratified, accepted or approved it may be represented at meetings of the Council and take part in its work without the right to vote for a period of twelve months after the entry into force of this Convention. This period may be extended for a further period of six months by the Council, acting in accordance with the procedure laid down in Article 6 (3).
3. At its first meeting the Scientific Advisory Committee shall determine, by drawing lots, the nine members of the Committee whose terms of office shall expire, in accordance with the first subparagraph of Article 7 (1), at the end of the first, second and third years of operation of the Committee

ARTICLE 26

This Convention, drawn up in a single original in the Dutch, English, French, German and Italian languages, all five texts being equally authentic, shall be deposited in the archives of the General Secretariat of the Council of the European Communities, which shall transmit a certified copy to the Government of each signatory or acceding State.

Annex

PROVISIONAL SCALE OF CONTRIBUTIONS

The scale given below is intended exclusively for the purposes of implementing Article 22 (2) of the Convention. It in no way prejudices any decisions to be taken by the Council pursuant to Article 13 (1) of the Convention, concerning future scales of contributions.

<u>Countries which took part in the</u> <u>drafting of the Convention</u>	<u>%</u>
Belgium	3.25
Denmark	1.98
Federal Republic of Germany	21.12
Spain	4.16
France	19.75
Greece	1.18
Ireland	0.50
Italy	11.75
Yugoslavia	1.65
Luxembourg	0.12
Netherlands	3.92
Norway	1.40
Austria	1.81
Portugal	0.79
Switzerland	2.63
Finland	1.33
Sweden	4.19
Turkey	1.81
United Kingdom	16.66

ZU URKUND DESSEN haben die unterzeichneten Bevollmächtigten ihre Unterschriften unter dieses Uebereinkommen gesetzt.

IN WITNESS WHEREOF the undersigned Plenipotentiaries have signed this Convention.

EN FOI DE QUOI, les plénipotentiaires soussignés ont apposé leurs signatures au bas de la présente convention.

IN FEDE DI CHE, i plenipotenziari sottoscritti hanno apposto la loro firma in calce alla presente Convenzione.

TEN BLIJKE WAARVAN de ondergetekende gevolmachtigden hun handtekening onder deze Overeenkomst hebben gesteld.

Geschehen zu Brüssel am elften Oktober neunzehnhundertdreiund-siebzig.

Done at Brussels on this eleventh day of October in the year one thousand nine hundred and seventy-three.

Fait à Bruxelles, le onze octobre mil neuf cent soixante-treize.

Fatto a Bruxelles, addi' undici ottobre millenovecento-settantatré.

Gedaan te Brussel, elf oktober negentienhonderd drieënzeventig.

Pour le Gouvernement du Royaume de Belgique
Voor de Regering van het Koninkrijk België

J. van der Mennen

For the Government of Denmark

Henning

Für die Regierung der Bundesrepublik Deutschland

W. K. K. K.

Pour le Gouvernement de l'Espagne

Allatut

Pour le Gouvernement de la République française

[Signature]

Pour le Gouvernement de la République de Grèce

Byron Tzouanopoulos

For the Government of Ireland

Brendan Dillon

Per il Governo della Repubblica italiana

Amintore Vetto

For the Federal Executive Council of the Socialist Federal
Republic of Yugoslavia

Stancic

Voor de Regering van het Koninkrijk der Nederlanden

Stassen

Pour le Gouvernement de la République du Portugal

F. de C. Cruz

Für den Schweizerischen Bundesrat
Pour le Conseil Fédéral Suisse
Per il Consiglio Federale Svizzero

Paul Wüthrich

For the Government of the Republic of Finland

*17
Jukka Pahti*

For the Government of Sweden

H. Åberg

For the Government of the United Kingdom of Great Britain and
Northern Ireland

Richard Smith

PROTOCOL
ON THE PRIVILEGES AND IMMUNITIES
OF THE EUROPEAN CENTRE FOR
MEDIUM-RANGE WEATHER FORECASTS

The States parties to the Convention establishing the
European Centre for Medium-Range Weather Forecasts, signed at
Brussels on 11 October 1973,

WISHING to define the privileges and immunities necessary for
the proper functioning of this Centre,

HAVE AGREED AS FOLLOWS:

ARTICLE 1

1. Subject to the provisions of this Protocol, the premises of the Centre shall be inviolable.
2. The authorities of the State in which the headquarters of the Centre are located may not enter the premises of the Centre except with the consent of the Director or person nominated by him. In case of fire or other disaster requiring prompt preventive action, the consent of the Director may be assumed.
3. The Centre shall prevent its premises from becoming a refuge for persons seeking to avoid arrest or service of legal papers.

ARTICLE 2

The archives of the Centre shall be inviolable.

ARTICLE 3

1. Within the scope of its official activities, the Centre shall have immunity from jurisdiction and execution except:
 - (a) to the extent that, by decision of the Council, the Centre waives it in a particular case. However, the Centre shall be deemed to have waived this immunity if, upon receiving a request to waive immunity submitted by the national authority before which the case is brought or by the opposing party, it has not given notice, within fifteen days after receipt of the request, that it does not waive such immunity;

- (b) in respect of a civil action by a third party for damage arising from an accident caused by a vehicle belonging to or operated on behalf of the Centre or in respect of a traffic offence;
 - (c) in respect of an enforcement of an arbitration award made either under Article 23 of this Protocol or Article 17 of the Convention establishing the Centre, hereinafter referred to as "the Convention";
 - (d) in the event of the attachment, pursuant to a decision by the administrative or judicial authorities, of the salaries, wages and emoluments owed by the Centre to a member of its staff.
2. In any dispute involving a staff member or an expert of the Centre for whom immunity from jurisdiction is claimed under Article 13 or Article 14, the responsibility of the Centre shall be substituted for that of the staff member or expert concerned.
3. Subject to paragraph 1, the Centre's property and assets wherever situated shall be immune from any form of administrative or provisional judicial constraint such as requisition, confiscation, expropriation or attachment, except in so far as may be temporarily necessary in connection with the prevention of and investigation into accidents involving vehicles belonging to or operated on behalf of the Centre.

ARTICLE 4

1. Within the scope of its official activities, the Centre and its property and income shall be exempt from all direct taxes.
2. When the Centre makes purchases of substantial value or uses services of substantial value which are strictly necessary for the exercise of its official activities and when the price of such purchases or services includes duties or taxes, the Member State which has levied the duties and taxes shall take appropriate measures to remit or reimburse the amount of the identifiable duties and taxes.
3. No exemption shall be accorded in respect of duties and taxes which are no more than payments for public utility services.

ARTICLE 5

Goods imported or exported by the Centre and strictly necessary for the exercise of its official activities shall be exempt from all customs duties, taxes and all customs charges except those charges which are no more than payments for services. Such goods shall also be exempt from all prohibitions and restrictions on import and export. The Member States shall take all appropriate steps within their respective powers to effect customs clearance with the minimum of delay for such goods.

ARTICLE 6

No exemption shall be accorded under Article 4 or Article 5 in respect of goods purchased and imported for the personal needs of the staff members of the Centre or of experts within the meaning of Article 14.

ARTICLE 7

Goods acquired under Article 4 or imported under Article 5 may not be sold, given away or hired out except in accordance with the conditions laid down by the regulations of the State which has granted the exemptions.

ARTICLE 8

1. The Centre may receive and hold any kind of funds or currency. It may dispose of them freely for the exercise of its official activities and may hold accounts in any currency to the extent required to meet its obligations.
2. Within the scope of its official activities and without prejudice to paragraph 1, the Centre may also receive, hold and dispose of securities, subject to any provisions concerning exchange regulations which are applicable to other inter-governmental organisations in the Member State concerned.

ARTICLE 9

The circulation of publications and other information material sent by or to the Centre within the scope of its official activities shall not be restricted in any way.

ARTICLE 10

1. With regard to the transmission of data within the scope of its official activities, the Centre shall enjoy, in the territory of each Member State, treatment as favourable as that accorded by that State to its national meteorological service, taking into account the international obligations of that State in respect of telecommunications.
2. With regard to its official communications and the transfer of all its documents, the Centre shall enjoy treatment as favourable as that accorded by each Member State to other international organisations, taking into account the international obligations of that State in respect of telecommunications.
3. No censorship shall be applied to official communications of the Centre by whatever means of communication.

ARTICLE 11

Member States shall take all appropriate measures to facilitate the entry, stay and departure of representatives of Member States, staff members of the Centre and experts within the meaning of Article 14.

ARTICLE 12

Representatives of Member States taking part in the work of the organs and committees of the Centre shall enjoy, while performing their duties and in the course of their journeys to and from the place of meeting, the following privileges, immunities and facilities:

- (a) immunity from arrest and detention and from seizure of their personal luggage, except when found committing, attempting to commit, or just having committed an offence;
- (b) immunity from jurisdiction, even after the termination of their mission, in respect of acts, including words spoken or written, performed by them in their official capacity and within the limits of their authority; this immunity shall not apply in the case of a traffic offence committed by a representative of a Member State nor in the case of damage caused by a vehicle belonging to or driven by such a person;
- (c) inviolability for all their official papers and documents;
- (d) exemption from all measures restricting aliens' entry and from aliens' registration formalities;
- (e) the same customs facilities as regards their personal luggage and the same privileges in respect of currency and exchange regulations as are accorded to the representatives of foreign Governments on temporary official missions.

ARTICLE 13

The staff members of the Centre shall enjoy, within the limits provided for in this Protocol, the following privileges, immunities and facilities:

- (a) immunity from jurisdiction, even after they have left the service of the Centre, in respect of acts, including words spoken or written, performed by them in their official capacity and within the limits of their authority; this immunity shall not apply in the case of a traffic offence committed by a staff member, nor in the case of damage caused by a vehicle belonging to or driven by such a person;
- (b) exemption from all obligations in respect of military service;
- (c) inviolability for all their official papers and documents;
- (d) together with members of their families forming part of their households, the same exceptions regarding measures restricting immigration and governing aliens' registration as are normally accorded to staff members of international organisations;
- (e) the same privileges in respect of monetary and exchange regulations as are normally accorded to staff members of international organisations;
- (f) together with members of their families forming part of their households, the same facilities as regards repatriation in time of international crisis as are normally accorded to staff members of international organisations;

- (g) the right to import free of duty furniture and personal effects at the time of taking up a post for a period of at least one year in the State concerned and the right on the termination of their functions in the said State to export free of duty furniture and personal effects, subject in both cases to the conditions considered necessary by the Government of the State in whose territory the right is exercised and with the exception of property acquired in that State and subject to an export prohibition therein.

ARTICLE 14

Experts who are not staff members and who perform duties at the Centre or who carry out missions on its behalf, shall enjoy, while performing their duties or while on missions and during journeys made in the course of such duties or missions, the following privileges, immunities and facilities to the extent that they are necessary for the performance of their duties or for the accomplishment of their missions.

- (a) immunity from jurisdiction, even after they have left the service of the Centre, in respect of acts, including words spoken and written, performed by them in their capacity as experts and within the limits of their authority; this immunity shall not apply in the case of a traffic offence committed by an expert nor in the case of damage caused by a vehicle belonging to or driven by such a person;
- (b) inviolability for all their official papers and documents;

- (c) the same customs facilities as regards their personal luggage and the same privileges in respect of currency and exchange regulations as are accorded to persons sent by foreign Governments on temporary official missions.

ARTICLE 15

1. Subject to the conditions and following the procedure laid down by the Council acting in accordance with the procedure laid down in Article 6 (2) of the Convention within a period of one year after the Convention's entry into force, the staff members of the Centre shall, within the limits provided for in this Protocol, be subject to a tax for the benefit of the Centre on salaries, wages and emoluments paid by the Centre. From the date on which this tax is applied such salaries, wages and emoluments shall be exempt from national income tax, the Member States retaining the right to take such salaries, wages and emoluments into account when assessing the amount of taxation to be applied to income from other sources.
2. Paragraph 1 shall not apply to pensions and similar payments paid by the Centre.

ARTICLE 16

No Member State shall be obliged to accord the privileges, immunities and facilities referred to in Article 12, Article 13 (b), (e), (f), and (g) and Article 14 (c) to its representatives, its nationals or persons who, at the time of taking up their duties at the Centre, are permanent residents of that State.

ARTICLE 17

The Council, acting in accordance with the procedure laid down in Article 6 (3) (o) of the Convention, shall determine the categories of staff members to which Articles 13 and 15 shall apply in whole or in part and the categories of experts to which Article 14 shall apply. The names, titles and addresses of persons included in such categories shall be communicated periodically to the Member States.

ARTICLE 18

If the Centre establishes its own social security scheme or joins that of another international organisation under the conditions laid down in the Staff Regulations, the Centre and its staff members shall be exempt from all compulsory contributions to national social security schemes, subject to agreements to be concluded to that end with the Member States concerned under the conditions laid down in Article 22.

ARTICLE 19

1. The privileges, immunities and facilities provided for in this Protocol are granted solely in the interests of the Centre and of the Member States, and not for the personal advantage of those enjoying them.
2. The competent authorities have not only the right but also the duty to waive an immunity where such immunity is impeding the course of justice and where it can be waived without prejudicing the purposes for which it was accorded.

3. The competent authorities referred to in paragraph 2 are:

- the Member States, in the case of their representatives,
- the Council, in case of the Director,
- the Director, in the case of the other staff members and experts within the meaning of Article 14.

ARTICLE 20

1. The Centre shall co-operate at all times with the competent authorities of the Member States in order to facilitate the proper administration of justice, to ensure the observance of police regulations and regulations concerning public health and labour inspection and similar legislation, and to prevent any abuse of the privileges, immunities and facilities provided for in this Protocol.

2. The co-operation procedures may be defined in the supplementary agreements provided for in Article 22.

ARTICLE 21

The provisions of this Protocol shall not prejudice the right of each Member State to take all precautionary measures necessary in the interests of its security.

ARTICLE 22

The Centre may, on decision by the Council acting unanimously, conclude supplementary agreements with any Member State to implement this Protocol and may make any other arrangements to ensure the smooth running of the Centre and the safeguarding of its interests.

ARTICLE 23

1. The Centre shall be obliged in all written contracts - other than those concluded in accordance with the Staff Regulations - into which it enters and relating to matters in which it enjoys immunity from jurisdiction, to include an arbitration clause whereby any dispute arising out of the interpretation or execution of the contract shall, at the request of either party, be submitted to arbitration.
2. The Centre shall be obliged to submit to arbitration, at the request of the injured party, by means of a compromis any other dispute arising out of loss or damage caused by the Centre to persons or property.
3. The arbitration clause or the compromis shall specify the method of appointing the arbitrators and the third arbitrator, the law applicable and the country where the arbitrators shall sit. The procedure of the arbitration shall be that of that country.
4. The enforcement of the arbitration award shall be governed by the rules in force in the State in which the award is to be enforced.

ARTICLE 24

1. Any Member State may submit to the arbitration tribunal provided for in Article 17 of the Convention any dispute:
 - arising out of damage caused by the Centre;
 - involving any other non-contractual liability of the Centre; or
 - involving a staff member or an expert of the Centre and in which the person concerned can claim immunity from jurisdiction under Article 13 or Article 14, if this immunity is not waived in accordance with Article 19.
2. If a Member State intends to submit a dispute to arbitration it shall notify the Director who shall forthwith inform each Member State of such notification.
3. The procedure laid down in paragraph 1 shall not apply to disputes between the Centre and staff members in respect of their conditions of service.
4. No appeal shall lie against the award of the arbitration tribunal, which shall be final; it shall be binding on the parties. In case of dispute concerning the import or scope of the award, it shall be incumbent upon the arbitration tribunal to interpret it at the request of either party.

ARTICLE 25

For the purposes of this Protocol:

- (a) "official activities of the Centre" shall include its administration and its activities carried out in pursuance of its objectives as defined in Article 2 of the Convention;

(b) "staff members" shall include the Director of the Centre.

ARTICLE 26

This Protocol shall be interpreted in the light of its primary objective of enabling the Centre fully and efficiently to fulfil its objectives and carry out the functions assigned to it by the Convention.

AMENDING PROTOCOL

AMENDMENTS TO THE

CONVENTION

ESTABLISHING THE EUROPEAN CENTRE FOR

MEDIUM-RANGE WEATHER FORECASTS

Amending Protocol (August 2005)

The Council of the European Centre for Medium-Range Weather Forecasts (ECMWF, the Centre) in accordance with Article 18(1) of the ECMWF Convention recommends the Member States to accept the following amendments to the Convention establishing the European Centre for Medium-Range Weather Forecasts:

In the Dutch, French, German, and Italian versions the mention of paragraphs/sub-paragraphs has been replaced in the entire Convention by citing the respective numbers/letters in brackets only.

In the Dutch version, the word 'Overeenkomst' has been replaced by 'Conventie' throughout the document.

In the Dutch version, the words 'Lid-Staat' and 'Lid-Staten' have been replaced by 'Lidstaat' and 'Lidstaten' throughout the document.

In the Dutch version, the word 'artikel' has been replaced by 'Artikel' throughout the document.

In the Dutch version, the words 'paragraaf' and 'alinea' have been replaced by 'lid' throughout the document and the words 'paragrafen' and 'alinea's' by 'leden'.

In the Dutch version, the word 'begrotingsjaar' has been replaced by 'boekjaar' throughout the document.

The phrase "The States Parties to this Convention" is added before the Considerata.

The Considerata are replaced by the following:

"ACKNOWLEDGING that weather-related threats to life and health, and to economy and property, are increasingly important;

CONVINCED that the improvement of medium-range weather forecasts contributes to the protection and safety of the population;

CONVINCED FURTHER that the scientific and technical research carried out for this purpose provides a valuable stimulus to the development of meteorology in Europe;

CONSIDERING that, to achieve this purpose and these objectives, resources on a scale exceeding those normally practicable at national level are needed;

NOTING the importance for the European economy of a considerable improvement in medium-range weather forecasts;

REAFFIRMING that the establishment of an autonomous European centre with international status is the appropriate means to attain this purpose and these objectives;

CONVINCED that the Centre can make valuable contributions to developing the scientific basis for environmental monitoring;

NOTING that such a centre can also assist in the post-university training of scientists;

ASSURING that the activities of such a centre will, moreover, make a necessary contribution to certain programmes of the World Meteorological Organization (WMO) and to other relevant agencies;

CONSIDERING the importance that the establishment of such a centre can have for the development of European industry in the field of data processing;

REALIZING the will to widen the membership of the Centre to more States;"

The paragraph: "HAVE DECIDED to establish . . . [together with the list of plenipotentiaries] . . . found in good and true form" is removed.

In the Dutch version, the sentence "Overeenkomst hebben Bereikt Omtrent de Volgende Bepalingen:" has been replaced by 'komen het volgende overeen:'

Article 1

Article 1 is given a title: "Establishment, Council, Member States, Headquarters, Languages".

Article 1(2): The word "Director" is replaced by "Director-General". In the Italian version, the expression "Comitato consultivo scientifico" is replaced by "Comitato Scientifico Consultivo" and the expression "Comitato finanziario" by "Comitato Finanze". In the Dutch version, the expression 'een Wetenschappelijk Raadgevend Comité' has been replaced by 'een Wetenschappelijke Adviescommissie' and the expression 'Financieel Comité' by 'Financiële Commissie'.

Article 1(5) is given an additional phrase "... unless otherwise decided by the Council in accordance with Article 6(1)(g)."

Article 1(6) is amended to read:

"6. The official languages of the Centre shall be the official languages of the Member States.

Its working languages shall be English, French and German.

The Council shall determine the extent to which the official and working languages shall respectively be used in accordance with Article 6(2)(l)."

Article 2

Article 2 is given a title: "The purposes, objectives and activities".

A new Article 2(1) is inserted:

"1. The primary purposes of the Centre are the development of a capability for medium-range weather forecasting and the provision of medium-range weather forecasts to the Member States".

The re-numbered Article 2(2) is introduced by the sentence "The objectives of the Centre shall be"

Article 2(1)(a) is replaced by 2(2)(a):

"a) to develop, and operate on a regular basis, global models and data-assimilation systems for the dynamics, thermodynamics and composition of the Earth's fluid envelope and interacting parts of the Earth-system, with a view to:

- i) preparing forecasts by means of numerical methods;
- ii) providing initial conditions for the forecasts; and
- iii) contributing to monitoring the relevant parts of the Earth-system;"

Article 2(1)(b) is deleted.

Article 2(1)(c) is re-numbered 2(2)(b).

Article 2(1)(d) is replaced by 2(2)(c):

"c) to collect and store appropriate data;"

Article 2(1)(e) is replaced by 2(2)(d):

- “d) to make available to the Member States, in the most appropriate form, the results provided for in (a) and (b) and the data referred to in (c);”.

Article 2(1)(f) is replaced by 2(2)(e):

- “e) to make available to the Member States for their research, priority being given to the field of numerical weather forecasting, a sufficient proportion of its computing capacity, such proportion being determined by the Council;”.

Article 2(1)(g) is re-numbered 2(2)(f). In the English version, the word “Organisation” is replaced by the word “Organization”. In the Dutch version, the expression ‘Meteorologische Wereldorganisatie’ is replaced by ‘Wereld Meteorologische Organisatie’.

Article 2(1)(h) is replaced by Article 2(2)(g):

- “g) to assist in advanced training for the scientific staff of the Member States in the field of numerical weather forecasting.”

Article 2(2) is replaced by Article 2(3):

- “3. The Centre shall establish and operate the installations necessary for the achievement of the purposes defined in paragraph 1 and the objectives defined in paragraph 2.”

Article 2(3) is re-numbered 2(4).

A new Article 2(5) is inserted:

- “5. The Centre may carry out activities requested by third parties that are in line with the purposes and objectives of the Centre and that are approved by the Council in accordance with Article 6(2)(g). The cost of such activities shall be borne by the third party concerned.”

A new Article 2(6) is inserted:

- “6. The Centre may carry out Optional Programmes in accordance with Article 11(3).”

Article 3

Article 3 is given a title: “Co-operation with other entities”.

Article 3(1): In the Dutch version, the word ‘doeleinden’ is replaced by ‘doelstellingen’.

Article 3(2): The introductory phrase is amended to read “The Centre may conclude co-operation agreements to that end”.

Article 3(2)(a): The reference to Article 6(1)(e) is amended to “Article 6(1)(e) or 6(3)(j)”.

Article 3(2)(b): The reference to Article 6(3)(k) is amended to Article 6(3)(j). In the Dutch version, the word ‘organisaties’ is replaced by ‘instanties’

A new Article 3(2)(c) is added:

- “c) with national scientific and technical agencies of non-Member States under the conditions laid down in Article 6(1)(e).”

Article 4

Article 4 is given a title: "The Council".

Article 4(2): In the English version, the word "Organisation" is replaced by the word "Organization". In the Dutch version, the expression 'nationale weerkundige dienst' is replaced by 'nationale meteorologische dienst' and the expression 'Meteorologische Wereldorganisatie' by 'Wereld Meteorologische Organisatie'.

Article 4(5): The word "Director" is replaced by "Director-General".

Article 4(6): In the Dutch version, the expression 'comités van raadgevende aard' is replaced by 'adviescommissies'.

Article 5

Article 5 is given a title: "Voting at Council".

Article 5(2): The reference to Article 6(3)(m) is replaced by Article 6(3)(l).

Article 6

Article 6 is given a title "Voting majorities".

Article 6(1)(b): The phrase "admission of new Members" is replaced by "accession of States", and the word "admissions" is replaced by the word "accessions".

Article 6(1)(e) is amended to read:

"e) authorise the Director-General to negotiate co-operation agreements with non-Member States and with their national scientific and technical agencies; it may authorise the Director-General to conclude such agreements;"

A new Article 6(1)(g) is inserted:

"g) decide on any transfer of the ECMWF headquarters, in accordance with Article 1(5)."

Article 6(2)(b): The word "approve" is replaced by "endorse". The word "Director" is replaced by "Director-General".

A new Article 6(2)(c) is inserted:

"c) adopt, subject to paragraph 1(a), the programme of the activities of the Centre, in accordance with Article 11(1)".

Remaining sub-articles are re-numbered.

Re-numbered Article 6(2)(d): The word "Director" is replaced by "Director-General"

New Articles 6(2)(e), (f), (g) and (h) are inserted:

- “e) adopt the Procedure for Optional Programmes in accordance with Article 11(3);
- f) adopt individual Optional Programmes in accordance with Article 11(3);
- g) approve activities requested by third parties in accordance with Article 2(5);
- h) decide on the distribution policy for the Centre’s products and other results of its work.”,

and remaining sub-articles are re-numbered.

New Article 6(2)(l) is inserted:

- “l) determine, in accordance with Article 1(6), the extent to which the official and working languages shall respectively be used.”;

Article 6(3)(d): The word “Director” is replaced by “Director-General”.

Article 6(3)(e): In the Dutch version, the expression ‘financiële commissarissen’ is replaced by ‘accountants’.

Article 6(3)(f): The word “Director” is replaced by “Director-General”.

Article 6(3)(g): In the Italian version, the expression “Comitato consultivo scientifico” is replaced by “Comitato Scientifico Consultivo”. In the Dutch version, the expression ‘het Wetenschappelijk Raadgevend Comité’ is replaced by ‘de Wetenschappelijke Adviescommissie’.

Original Article 6(3)(i) is deleted and remaining sub-articles re-numbered.

Re-numbered Article 6(3)(i): The word “Director” is replaced by “Director-General”. In the Dutch version, the expression “verslag van de financiële commissarissen” is replaced by “accountantsrapport”.

Re-numbered Article 6(3)(j) to read:

- “j) shall authorise the Director-General to negotiate co-operation agreements with Member States, with their national scientific and technical agencies, and with governmental or non-governmental international scientific and technical organisations whose activities are related to the objectives of the Centre; it may authorise the Director-General to conclude such agreements;”.

Re-numbered Article 6(3)(k): 15(1) and (2) are amended to read 15(2) and (3).

A new Article 6(3)(o) is inserted:

- “o) shall adopt the Long-term Strategy of the Centre in accordance with Article 11(2).”

Article 7

Article 7 is given a title: “The Scientific Advisory Committee”.

Article 7(1): The word “Director” is replaced by “Director-General”. In the English version, the word “Organisation” is replaced by “Organization”. In the Italian version, the expression “Comitato consultivo scientifico” is replaced by “Comitato Scientifico Consultivo”. In the Dutch version, the expression ‘het Wetenschappelijk Raadgevend Comité’ is replaced by ‘de Wetenschappelijke Adviescommissie’ and ‘het Comité’ by ‘de Commissie’ and the expression ‘Meteorologische Wereldorganisatie’ by ‘Wereld Meteorologische Organisatie’.

Article 7(2): The word “Director” is replaced by “Director-General” in two places.

Article 8

Article 8 is given a title: “The Finance Committee”.

Article 8(1): In the Italian version, the expression “Comitato finanziario” is replaced by “Comitato Finanze”. In the Dutch version, the expression ‘het Financiële Comité’ is replaced by ‘de Financiële Commissie’ and ‘het Comité’ by ‘de Commissie’.

Article 8(1)(b) is amended to read:

“b) representatives of the other Member States, appointed by them for a period of one year; each of these States may not be represented on the Committee more than twice in succession. The number of these representatives shall be one-fifth of the number of the other Member States.”

Article 9

Article 9 is given a title: “The Director-General”.

Article 9(1): The word “Director” is replaced by “Director-General” in two places.

Article 9(2): The word “Director” is replaced by “Director-General”.

Article 9(2)(c) is given the additional phrase “... and a Long-term Strategy ...”. In the Italian version, the expression “Comitato consultivo scientifico” is replaced by “Comitato Scientifico Consultivo”. In the Dutch version, the expression ‘het Wetenschappelijk Raadgevend Comité’ is replaced by ‘de Wetenschappelijke Adviescommissie’.

Article 9(2)(g): The reference to Article 6(3)(k) is amended to Article 6(3)(j). In the Dutch version, the word ‘doeleinden’ is replaced by ‘doelstellingen’.

Article 9(3): The word “Director” is replaced by “Director-General”.

Article 10

Article 10 is given a title: “The Staff”.

Article 10(3): In the Dutch version, the word ‘organisaties’ is replaced by ‘instanties’.

Article 10(4): In the English version, the word “Comptroller” is replaced by “Controller”. In the Dutch version, the word “financiële controleur” is replaced by “Controller”.

Article 10(6): “Director” is replaced by “Director-General”.

Article 10(7): “Director” is replaced by “Director-General” in two places.

Article 11

Article 11 is given a title: “The Programme of Activities, the Long-term Strategy and Optional Programmes”.

Existing paragraphs are grouped together as Article 11(1).

Article 11(1): “Director” is replaced by “Director-General”. The reference to Article 6(3)(i) is amended to Article 6(2)(c) in two places.

New Articles 11(2) and (3) are inserted:

- “2. A Long-term Strategy of the Centre shall be prepared at times and for periods as decided by the Council. Its preparation shall be considered by Council at least every five years. The Long-term Strategy shall contain a view of the Centre’s strategic goals and indicate the direction foreseen for the development of the Centre’s work for the duration of the Strategy.

The Strategy shall be adopted by the Council acting on a proposal from the Director-General in accordance with Article 6(3)(o).

3. An Optional Programme is a Programme proposed by a Member State or group of Member States in which all Member States participate apart from those that formally declare themselves to be non-participating States and which contributes to the purposes and objectives of the Centre in accordance with Articles 2(1) and 2(2).
- a) The procedure for Optional Programmes shall be adopted by the Council in accordance with Article 6(2)(e).
- b) Individual Optional Programmes shall be adopted by the Council in accordance with Article 6(2)(f).”

Article 12

Article 12 is given a title: “The Budget”.

Article 12(3): The word “approve” is amended to read “endorse”.

Article 12(4)(b): “Director” is replaced by “Director-General”.

Article 12(5): “Director” is replaced by “Director-General”.

Article 13:

Article 13 is given a title: “The Contributions of Member States”.

Article 13(1): The phrase “gross national product” is replaced by “gross national income”.

Article 13(2): The phrase “gross national product” is replaced by “gross national income”

Article 14

Article 14 is given a title: “The Audit”.

In the Dutch version, the expression ‘financiële commissarissen’ is replaced by ‘accountants’ in four places.

Article 14(2): In the Italian version, the expression “Comitato finanziario” is replaced by “Comitato Finanze”. In the Dutch version, the expression ‘het Financieel Comité’ is replaced by ‘de Financiële Commissie’.

Article 14(3): “Director” is replaced by “Director-General”.

Article 15

Article 15 is given a title: “Property rights and licences”.

A new Article 15(1) is inserted:

“1. ECMWF shall have world-wide exclusive ownership of all its products and other results of its activities.”,

and the remaining three articles are re-numbered.

Re-numbered Article 15(3): The reference to paragraph 1 is amended to paragraph 2.

Re-numbered Article 15(4): The reference to paragraph 1 is amended to paragraph 2 and the reference to Article 6(3)(l) to Article 6(3)(k).

Article 16

Article 16 is given a title: “Privileges and immunities, and liabilities”.

Article 17

Article 17 is given a title: “Disputes”.

Article 18

Article 18 is given a title: “Amendments to the Convention”.

Article 18(1): “Director” is replaced by “Director-General” in two places, and the reference to Article 6(3)(n) is amended to Article 6(3)(m).

Article 18(2): The phrase “European Communities” is amended to “European Union”.

Article 19

Article 19 is given a title: “Denunciation of the Convention”.

Article 19(1): The phrase “European Communities” is amended to “European Union”.

Article 19(2): The phrase “takes effect” is inserted in two places after the word “denunciation”.

Article 19(3): The reference to Article 6(2)(d) is amended to Article 6(2)(i).

Article 20

Article 20 is given a title: “Non-fulfilment of obligations”.

Article 21

Article 21 is given a title: “Dissolution of the Centre”.

Article 21(1): The reference to Article 6(2)(e) is amended to Article 6(2)(j).

Article 21(3): The reference to Article 6(2)(e) is amended to Article 6(2)(j).

Article 22

Article 22 is given a title: “Entry into force”.

Article 23

Article 23 is given a title: "Accession of States"

Paragraphs are numbered.

Articles 23(1) and (2) are amended to read:

- "1. After the entry into force of this Convention, any State which is not a Signatory may accede to this Convention, subject to the consent of the Council acting in accordance with Article 6(1)(b). A State that wishes to accede to this Convention shall notify the Director-General accordingly and the latter shall inform the Member States of the request at least three months before it is submitted to the Council for decision. The Council shall determine the terms and conditions for the accession of the State in question, in conformity with Article 6(1)(b).
2. Instruments of accession shall be deposited in the archives of the General Secretariat of the Council of the European Union. For each acceding State, this Convention shall enter into force on the first day of the second month following the deposit of its instrument of accession."

Article 24

Article 24 is given a title: "Notification of signatures and related matters".

The reference to "European Communities" is amended to "European Union".

Article 24(e) is amended to read:

"e) the adoption and entry into force of any amendment;"

The last paragraph of Article 24 is amended to read:

"As soon as this Convention enters into force and any amendments to it enter into force, the Secretary-General of the Council of the European Union shall register them with the General Secretariat of the United Nations, in accordance with Article 102 of the Charter of the United Nations."

Article 25

Article 25 is given a title: "The first Financial Year".

Article 25(3): In the Italian version, the expression "Comitato consultivo scientifico" is replaced by "Comitato Scientifico Consultivo". In the Dutch version, the expression 'Wetenschappelijke Raadgevend Comité' is replaced by 'Wetenschappelijke Adviescommissie'.

Article 26

Article 26 is given a title: "Deposit of Convention".

Article 26 is amended to read:

"This Convention, and all amendments to it, drawn up in a single original in Dutch, English, French, German, Italian, Danish, Finnish, Irish, Greek, Norwegian, Portuguese, Spanish, Swedish and Turkish, all texts being equally authentic, shall be deposited in the archives of the General Secretariat of the Council of the European Union, which shall transmit a certified copy to the Government of each signatory or acceding State".

**PROTOCOL
ON THE PRIVILEGES AND IMMUNITIES OF THE EUROPEAN
CENTRE FOR MEDIUM-RANGE WEATHER FORECASTS**

The Protocol is amended by replacing the word “Director” by “Director-General” throughout the Protocol.



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