



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 5.12.2001
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2001/0283 (ACC)

Proposal for a

COUNCIL REGULATION

concerning the export of certain ECSC and EC steel products from the Former Yugoslav Republic of Macedonia to the European Community (double-checking system) and repealing Regulation (EC) No 190/98

(presented by the Commission)

EXPLANATORY MEMORANDUM

The Interim Agreement on trade on trade and trade-related matters between the European Community and the Former Yugoslav Republic of Macedonia, which entered into force on 1 June 2001, includes a Protocol 2 on steel products.

This Protocol introduces a double-checking system, without quantitative limits, which replaces the similar system initially created by the previous cooperation agreement between the Community and the Former Yugoslav Republic of Macedonia. The aim of the system is to increase transparency and avoid possible deflections of trade.

The Commission requests the Council to adopt the attached draft Council regulation which authorises the Community to implement the double-checking system for certain steel products.

Proposal for a

COUNCIL REGULATION

concerning the export of certain ECSC and EC steel products from the Former Yugoslav Republic of Macedonia to the European Community (double-checking system) and repealing Regulation (EC) No 190/98

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133 thereof,

Having regard to the proposal from the Commission,¹

Whereas:

- (1) An Interim Agreement on trade and trade-related matters between the European Community and the Former Yugoslav Republic of Macedonia² (hereinafter referred to as the “Interim Agreement”) entered into force on 1 June 2001.
- (2) The Parties agreed in Protocol 2 to the Interim Agreement, on steel products, to establish, immediately upon the entry into force of the said Agreement, a double-checking system, without quantitative limits, for the import into the Community of steel products originating in the Former Yugoslav Republic of Macedonia.
- (3) Council Regulation (EC) No 190/98 of 19 January 1998 concerning the export of certain ECSC and EC steel products from the Former Yugoslav Republic of Macedonia to the Community (double-checking system)³ should be repealed and replaced by a new regulation,

HAS ADOPTED THIS REGULATION:

Article 1

1. From the date of entry into force of the Interim Agreement and until further notice, in accordance with Protocol 2 to the Interim Agreement on steel products, imports into the Community of certain iron and steel products covered by the ECSC and EC Treaties originating in the Former Yugoslav Republic of Macedonia, as listed in Annex I, shall be subject to the presentation of a surveillance document issued by the authorities in the Community.

¹ OJ C [...], [...], p. [...].

² OJ L 124, 4.5.2001, p. 2.

³ OJ L 20, 27.1.1998, p. 1.

2. The classification of the products covered by this Regulation is based on the tariff and statistical nomenclature of the Community (hereinafter called the “Combined Nomenclature”, or in abbreviated form “CN”). The origin of the products covered by this Regulation shall be determined in accordance with the rules in force in the Community.

3. From the date of entry into force of the Interim Agreement and until further notice, imports into the Community of steel products originating in the Former Yugoslav Republic of Macedonia as listed in Annex I are also subject to the issue of an export document by the competent authorities of the exporting country. The importer shall present the original of the export document not later than 31 March of the year following that in which the goods covered by the document were shipped.

4. Shipment shall be considered to have taken place on the date of loading on to the exporting means of transport.

5. The export document shall conform to the model shown in Annex II. It shall be valid for exports throughout the customs territory of the Community.

Article 2

1. The surveillance document referred to in Article 1(1) shall be issued automatically by the competent authority in the Member States, without charge, for any quantities requested, within five working days of presentation of an application by any Community importer, wherever established in the Community. This application shall be deemed to have been received by the competent national authority no later than three working days after submission, unless it is proven otherwise.

2. A surveillance document issued by one of the competent national authorities listed in Annex III shall be valid throughout the Community.

3. The surveillance document shall be made out on a form corresponding to the model set out in Annex IV. The importer's application shall include the following:

(a) the name and full address of the applicant (including telephone and telefax numbers, and possible identification number used by the competent national authorities) and VAT registration number, if subject to VAT;

(b) if applicable, the name and full address of the declarant or representative of the applicant (including telephone and telefax numbers);

(c) the full name and address of the exporter;

(d) the exact description of the goods, including

- their trade name,

- the CN code,

- the country of origin,

- the country of consignment;

- (e) the net weight expressed in kg, or a quantity expressed in another unit of measure, as required, for each Combined Nomenclature heading;
- (f) the cif value of the goods in euro at the Community frontier by Combined Nomenclature heading;
- (g) whether the products concerned are seconds or of substandard quality ;
- (h) the proposed period and place of customs clearance;
- (i) whether the application is a repeat of a previous application concerning the same contract;
- (j) the following declaration, dated and signed by the applicant and bearing his name in capital letters:

“I, the undersigned, certify that the information provided in this application is accurate and given in good faith, and that I am established in the Community.”

The importer shall also submit a copy of the contract of sale or purchase, the pro forma invoice and/or, in cases where the goods are not directly purchased in the country of production, a certificate of production issued by the producing steel mill.

4. Surveillance documents may be used only for such time as arrangements for liberalisation of imports remain in force in respect of the transactions concerned. Without prejudice to possible changes in the import regulations in force or decisions taken in the framework of an agreement or the management of a quota:

- the period of validity of the surveillance document is hereby fixed at four months,
- unused or partly used surveillance documents may be renewed for an equal period.

Article 3

1. If the unit price at which the transaction is effected exceeds that indicated in the surveillance document by less than 5% or if the total value or quantity of the products presented for import exceeds the value or quantity given in the import document by less than 5%, this shall not preclude the release for free circulation of the products in question.

2. Applications for surveillance documents and the documents themselves shall be confidential. They shall be restricted to the competent authorities and the applicant.

Article 4

1. Within the first ten days of each month, the Member States shall communicate to the Commission:

- (a) details of the quantities and values (calculated in euro) for which surveillance documents were issued during the preceding month;

(b) details of imports during the month preceding the month referred to in subparagraph (a).

The information provided by Member States shall be broken down by product, CN code and country. It shall be communicated electronically in the form agreed for this purpose.

2. The Member States shall notify any anomalies or cases of fraud which they discover and, where relevant, the basis on which they have refused to grant a surveillance document.

Article 5

The notification provided for in this Regulation shall be given to the Commission of the European Communities (DG Trade E/2 and DG Enterprise E/2).

Article 6

Regulation (EC) No 190/98 is repealed.

Article 7

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

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, [...]

For the Council
The President
[...]

Annex I

**Former Yugoslav Republic of Macedonia
List of products subject to double-checking**

Complete CN heading 7208

Complete CN heading 7209

Complete CN heading 7210

Complete CN heading 7211

Complete CN heading 7212

Annex II

1 Exporter (name, full address, country)	ORIGINAL		2	No
	3 Year	4 Product group		
5 Consignee (name, full address, country)	EXPORT DOCUMENT (ECSC and EC steel products)			
	6 Country of origin	7 Country of destination		
8 Place and date of shipment – means of transport	9 Supplementary details			
10 Description of goods – manufacturer	11 CN code	12 Quantity ⁽¹⁾	13 Fob value ⁽²⁾	
14 CERTIFICATION BY THE COMPETENT AUTHORITY				
15 Competent authority (name, full address, country)	At On			
	(Signature)	(Stamp)		

(1) Show net weight (kg) and also quantity in the unit prescribed where other than net weight.
(2) In the currency of the sale contract.

(1) Show net weight (kg) and also quantity in the unit prescribed where other than net weight.
 (2) In the currency of the sale contract.

1 Exporter (name, full address, country)	COPY		2 No	
	3 Year		4 Product group	
5 Consignee (name, full address, country)	EXPORT DOCUMENT (ECSC and EC steel products)			
	6 Country of origin		7 Country of destination	
8 Place and date of shipment – means of transport	9 Supplementary details			
10 Description of goods – manufacturer	11 CN code	12 Quantity ⁽¹⁾	13 Fob value ⁽²⁾	
14 CERTIFICATION BY THE COMPETENT AUTHORITY				
15 Competent authority (name, full address, country)	At On			
	(Signature)		(Stamp)	

EXPORT DOCUMENT (Steel products)

1. Exporter (name, full address, country)
2. No
3. Year
4. Product group
5. Consignee (name, full address, country)
6. Country of origin
7. Country of destination
8. Place and date of shipment – Means of transport
9. Supplementary details
10. Description of goods - Manufacturer
11. CN code
12. Quantity (1)
13. FOB value (2)
14. CERTIFICATION BY THE COMPETENT AUTHORITY
15. Competent authority (name, full address, country)

At, on

(Signature) (Stamp)

- (1) Show net weight (kg) and also quantity in the unit laid down where other than net weight.
- (2) In the currency of the sale contract.

Annex III

LISTE OVER KOMPETENTE NATIONALE MYNDIGHEDER
LISTE DER ZUSTÄNDIGEN BEHÖRDEN DER MITGLIEDSTAATEN
ΛΙΣΤΗ ΑΥΤΟΡΙΤΗΤΩΝ ΤΩΝ ΑΡΧΩΝ ΕΚΔΟΣΗΣ ΑΔΕΙΩΝ ΤΩΝ ΚΡΑΤΩΝ ΜΕΛΩΝ
LISTA DE LAS AUTORIDADES NACIONALES COMPETENTES
LISTE DES AUTORITES NATIONALES COMPETENTES
ELENCO DELLE COMPETENTI AUTORITA NAZIONALI
LIJST VAN BEVOEGDE NATIONALE INSTANTIES
LISTA DAS AUTORIDADES NACIONAIS COMPETENTES
LUETTELO TOIMIVALTAISISTA KANSALLISISTA VIRANOMAISISTA
LISTA ÖVER KOMPETENTA NATIONELLA MYNDIGHETER
LIST OF THE COMPETENT NATIONAL AUTHORITIES

BELGIQUE/BELGIË

Ministère des Affaires Economiques
Administration des Relations Economiques
Services Licences
Rue Général Leman 60
B-1040 Bruxelles
Fax: +32-2-230 83 22

Ministerie van Economische Zaken
Bestuur van de Economische Betrekkingen
Dienst Vergunningen
Generaal Lemanstraat 60
B-1040 Brussel
Fax: +32-2-230 83 22

DANMARK

Erhvervsfremme Styrelsen
Søndergade 25
DK-8600 Silkeborg
Fax : +45-35 46 64 01

FRANCE

Service des Industries Manufacturières
DIGITIP
12, rue Villiot – Bâtiment LE BERVIL
F-75572 Paris cedex 12
Fax: +33-1-53 44 91 93

IRELAND

Licensing Unit
Department of Enterprise, Trade and Employment
Kildare Street
IRL-Dublin 2
Fax : +353-1-631 28 26

ITALIA

Ministero del Commercio con l'Estero
Direzione gnerale per la politica commerciale e per
la gestione del regime degli scambi
Viale America 341
I-00144 Roma
Fax : +39-6-59 93 22 35 / 59 93 26 36

DEUTSCHLAND

Bundesamt für Wirtschaft und Ausfuhrkontrolle,
Frankfurter Strasse, 29-35

D-65760 Eschborn 1

Fax : +49-61 96 90 88 00

ΕΛΛΑΣ

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Γενική Γραμματεία Δ.Ο.Σ

Διεύθυνση Διαδικασιών Εξωτερικού

Εμπορίου

Κορυφαίου 1

GR-105 63 Αθήνα

Fax : +301-3286094

ESPAÑA

Ministerio de Economía y Hacienda

Dirección General de Comercio Exterior

Paseo de la Castellana 162

E-28046 Madrid

Fax : +34-1-563 18 23/349 38 31

PORTUGAL

Ministério da Economia

Direcção-Geral das Relações Económicas
Internacionais

Av. da República, 79

P-1000 Lisboa

Fax : 351-1-793 22 10

SUOMI

Tullihallitus

PL 512

FIN-00101 Helsinki

Telekopio: + 358 9 614 28 52

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Office des licences

BP 113

L-2011 Luxembourg

Téléfax : +352-46 61 38

NEDERLAND

Centrale Dienst voor In- en Uitvoer

Postbus 30003, Engelse Kamp 2

NL-9700 RD Groningen

Fax : 31-50 526 06 98

ÖSTERREICH

Bundesministerium für wirtschaftliche
Angelegenheiten

Aussenwirtschaftsadministration

Landstrasser Hauptstrasse 55-57

A-1030 Wien

Fax: 43-1-715 83 47

SVERIGE

Kommerskollegium

Box 6803

S-11386 Stockholm

Fax: 46-8-30 67 59

UNITED KINGDOM

Department of Trade and Industry

Import Licensing Branch

Queensway House - West Precinct

Billingham, Cleveland

UK-TS23 2NF

Fax : 44-1642-533 557

15. ATTRIBUTIONS Indicate the quantity available in part 1 of column 17 and the quantity attributed in part 2 thereof			
16. Net quantity (net mass or other unit of measure stating the unit)		19. Customs document (form and number) or extract No and date of attribution	20. Name, Member State, stamp and signature of the attributing authority
17. In figures	18. In words for the quantity attributed		
1.			
2.			
1.			
2.			
1.			
2.			
1.			
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2.			

Extension pages to be attached hereto

EUROPEAN COMMUNITY

SURVEILLANCE DOCUMENT

Copy for the issuing authority	2	1. Consignee (name, full address, country, VAT number)	2. Issue number
			3. Proposed place and date of import
			4. Authority responsible for issue (name, address and telephone No)
		5. Declarant/representative as applicable (name and full address)	6. Country of origin (and geonomenclature code)
			7. Country of consignment (and geonomenclature code)
2			8. Last day of validity
		9. Description of goods	10. CN code and category
			11. Quantity in kilograms (net mass) or in additional units
			12. Value in euros, cif at Community frontier
13. Additional remarks			
14. Competent authority's endorsement			
Date :			
Signature:		Stamp:	

15. ATTRIBUTIONS

Indicate the quantity available in part 1 of column 17 and the quantity attributed in part 2 thereof

16. Net quantity (net mass or other unit of measure stating the unit)		19. Customs document (form and number) or extract No and date of attribution	20. Name, Member State, stamp and signature of the attributing authority
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Extension pages to be attached hereto

EUROPEAN COMMUNITY/SURVEILLANCE DOCUMENT

1 Holder's copy

2 Copy for the issuing authority

1. Consignee (name, full address, country, VAT number)
2. Issue number
3. Proposed place and date of import
4. Authority responsible for issue (name, address and telephone)
5. Declarant/representative as applicable (name and full address)
6. Country of origin (and geonomenclature code)
7. Country of consignment (and geonomenclature code)
8. Last day of validity
9. Description of goods
10. CN code and category
11. Quantity in kg (net mass) or in additional units
12. Value in euro, cif at Community frontier
13. Additional remarks
14. Competent authority's endorsement

Date:

Signature:

Stamp:

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