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COM (83) 366 **COLLECTION RELIEE DES**

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In accordance with Council Regulation (EEC, Euratom) No 354/83 of 1 February 1983 concerning the opening to the public of the historical archives of the European Economic Community and the European Atomic Energy Community (OJ L 43, 15.2.1983, p. 1), as amended by Regulation (EC, Euratom) No 1700/2003 of 22 September 2003 (OJ L 243, 27.9.2003, p. 1), this file is open to the public. Where necessary, classified documents in this file have been declassified in conformity with Article 5 of the aforementioned regulation.

In Übereinstimmung mit der Verordnung (EWG, Euratom) Nr. 354/83 des Rates vom 1. Februar 1983 über die Freigabe der historischen Archive der Europäischen Wirtschaftsgemeinschaft und der Europäischen Atomgemeinschaft (ABI. L 43 vom 15.2.1983, S. 1), geändert durch die Verordnung (EG, Euratom) Nr. 1700/2003 vom 22. September 2003 (ABI. L 243 vom 27.9.2003, S. 1), ist diese Datei der Öffentlichkeit zugänglich. Soweit erforderlich, wurden die Verschlusssachen in dieser Datei in Übereinstimmung mit Artikel 5 der genannten Verordnung freigegeben.

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(83) 366 final

Brussels, 21 June 1983

Proposal for a COUNCIL REGULATION (EEC)

opening, allocating and providing for the administration of a Community tariff quota for certain hand-made products (1984)

(submitted to the Council by the Commission)

EXPLANATORY MEMORANDUM

1. The Community announced in the course of multilateral negotiations conducted under GATT that it was willing, subject to certain conditions, one of which would be the production of a certificate of manufacture recognized by the competent authorities, to open an annual Community tariff quota for certain articles made by hand (handicrafts), free of customs duty and to a value of 5 000 000 UA, with a limit of 500 000 UA for each of the tariff headings or subheading in question.

In pursuance of the Declaration of Intent concerning trade relations with certain Asian countries and to reflect the participation of new Member States in the use of this quota, the value of the quota was raised to 10 000 000 UA (with a limit of 1 000 000 UA for each tariff heading or subheading) from 1 January 1974.

- In the same context and following a request from the United Kingdom (1), the Commission was called upon to examine the commercial problems arising in trade relations between that Member State and Commonwealth Asian countries from the progressive phasing-out, with effect from 1 January 1974, of the preference these countries enjoyed on the United Kingdom market for a considerable range of products, notably some kinds of clothing and finished articles made from hand-woven fabrics. This question has been discussed several times with government experts and it was decided by common consent to re-examine the problem when the economic situation of the Community had improved.
- 3. The proposed Regulation annexed hereto thus provides for the opening of the quota on 1 January 1984 for the same products as for 1983 and up to the above-mentioned amount of 10,000,000 ECU, increased by 2 % to take account of the accession of Greece.

⁽¹⁾ This request was endorsed by the Indian and Pakistan authorities.

- 4. Due to the lack of detailed statistical data on the articles concerned the allocation, as in preceding years, could only be carried out by dividing the tariff quota volume into nine parts and assigning one such part to each of the eight territories making up the Community, the last part being held in reserve to cover any additional requirements. In fact the proposed quota-shares and Community reserve are those approved by the Council for 1983.
- 5. Another problem results from the fixing of a Community maximum amount, the value of which for each heading or subheading affected by the quota may not now exceed the level of ' 200 000 ECU. This problems was first referred to at the consultation meetings held on 9 and 15 April 1970 and there was evidence that if the ceiling were exceeded, this could, in certain circumstance cause difficulty in the Member States' own markets.

It was decided, however, that initially:

- (a) there would be no special provisions embodied in the Regulation itself to prevent this ceiling from being exceede in any way;
- (b) the competent authorities of all Member States would cooperate closely with the Commission departments, so that appropriate action could be taken if there were signs of a real risk of the ceiling in question being exceeded.

This is the basis on which unanimous agreement was reached on the provisional application of a monitoring system under which, in general, the national ceiling was fixed theoretically for each tariff heading at a level equivalent to 10% of the initial share of each Member State, and under which the Commission was notified of the state of utilisation of Member States' shares for each of the tariff headings over specified periods. A Community balance

sheet, produced by the Commission Services was to be circulated without to all Member States.

In practice, the scheme works as follows:

whenever the charges in a Member State against a particular tariff heading reach 10% of its initial share, that Member States, without interrupting its charging, notifies the Commission. The Commission passes on this information to the other Member States and they in turn advise the Commission as soon as possible of the state of their charges against the particular tariff heading. If, on the basis of the balance sheet compiled by the Commission for the heading, the ceiling is reached, charges against that particular tariff heading are stopped in all Member States; if its is not yet reached but likely to be so in a short while, Member States notify the Commission by telex, once a week or after each substantial charge, of the total charges made during the past week or since the previous notification.

COUNCIL REGULATION (EEC)

opening, allocating and providing for the administration of a Community tariff quota for certain hand-made products (1984)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Regulation (EEC) No 3308/80 of 16 December 1980 on the replacement of the European unit of account by the ECU in Community legal instruments (1);

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas, as regards certain hand-made products, the European Economic Community has declared its readiness to open an annual duty-free Community tariff quota of an overall amount of 5 000 000 units of account with a limit of 500 000 units of account for each tariff heading or subheading in question; whereas, in pursuance of the Declaration of Intent concerning trade relations with certain Asian countries, the total amount of the quota and the maximum for each tariff heading or subheading were raised to 10 000 000 and 1 200 000 units of account respectively; whereas

the amount of 10 000 000 units of account has been increased by 2% with effect from 1 January 1983, to take account of the accession of the Hellenic Republic; whereas products may, however, be admitted under the Community tariff quota only on the submission to the Community's customs authorities of a document issued by the recognized authorities of the country of manufacture certifying that the goods concerned are hand-made; whereas the specimen certificate of manufacture has been adapted to make it conform with the layout key recommended by the Economic Commission for Europe in Geneva for documents used

in external trade; whereas it is accordingly appropriate to open the tariff quota in question with effect from 1 January 1984 up to the abovementioned amount,

and in accordance with Council

Whereas equal and continuous access to the quota should be ensured for all Community importers and the rate laid down for the tariff quota should be applied consistently to all imports until the quota is used up; whereas a system of utilization of the Community tariff quota based on an allocation between the Member States concerned would, in the light of the principles outlined above, appear consistent with the Community nature of the quota; whereas, to represent as closely as possible the actual development of the market in the said goods, the allocation should follow proportionately the requirements of the Member States calculated both from statistics of imports from third countries during a representative reference period and according to the economic outlook for the tariff year in question;

Whereas, however, there is no specific classification of the said goods in the statistical nomenclatures; whereas it has thus been impossible to collect sufficiently precise and representative statistics; whereas the extent to which the current Community tariff quota has been used is not such that the real requirements of each of the Member States can be firmly ascertained; whereas the only possibility is, therefore, to divide the tariff quota volume into nine parts, of which one each would be allocated to the Benelux countries, Denmark,

⁽¹⁾ OJ No L 345, 20. 12. 1980, p. 1.

the Federal Republic of Germany, Greece, France, Ireland, Italy and the United Kingdom, the last part being held in reserve to cover the later requirements of Member States which use up their initial shares;

Whereas the initial shares may be used up at different rates; whereas, therefore, to avoid disruption of supplies, any Member State which has almost used up its initial share should draw a supplementary share from the Community reserve; whereas this must be done by each Member State as each one of its supplementary shares is almost used up, and as many times as the reserve allows; whereas the initial and supplementary shares must be valid until the end of the quota period; whereas this form of administration requires close collaboration between the Member States and the Commission, and the Commission must be in a position to follow the extent to which the tariff quota has been used up and inform the Member States accordingly; whereas this collaboration must be all the closer since it does not seem necessary, at present, to provide for special measures in this Regulation to avoid exceeding the maximum allocation of 1 200 000 ECU per tariff heading or subheading;

Whereas if, at a given date in the quota period, a Member State has a considerable quantity left over, it is

essential that it should return a significant percentage thereof to the reserve so as to avoid a part of the Community tariff quota remaining unused in one Member State when it could be used in others:

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any operation concerning the administration of the shares allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1984, a Community tariff quota of a volume corresponding to a value of 10 200 000 ECU shall be opened for the products listed below, subject to a maximum of 1 200 000 ECU for each tariff heading or subheading in the list:

CCT heading No	Description
42.02	Travel goods (for example trunks, suit-cases, hat-boxes, travelling-bags, rucksacks), shopping-bags, handbags, satchels, brief-cases, wallets, purses, toilet-cases, tool-cases, tobacco-pouches, sheaths, cases, boxes (for example for arms, musical instruments, binoculars, jewellery, bottles, collars, footwear brushes) and similar containers, of leather or composition leather, of vulcanized tibre, of artificial plastic sheeting, of paperboard or of textile fabric:
	B. Of materials other than artificial plastic sheeting
42.03	Articles of apparel and clothing accessories, of leather or of composition leather:
	C. Other clothing accessories
44.24	Household utensils of wood
44.27	Standard lamps, table lamps and other lighting fittings, of wood; articles of furniture, of wood, not falling within Chapter 94; caskets, cigarette boxes, trays, fruit bowls, ornaments and other fancy articles, of wood; cases for cuttery, for drawing instruments or for violins, and similar receptacles, of wood; articles of wood for personal use or adornment of a kind normally carried in the pocket, in the handbag or on the person; parts of the foregoing articles, of wood

CCT heading No	Description
48.21	Other articles of paper pulp, paper, paperboard or cellulose wadding:
,	D. Bed linen, table linen, toilet linen (including handkerchiefs and cleansing tissues) and kitchen linen; garments
	F. Other:
.	 Articles of a kind used for surgical, medical or hygienic purposes, not put up for retail sale
	11. Other
· ex 55.09	Other woven fabrics of cotton
•	Fabrics, hand-dyed or hand-printed by the 'batik' method
58.01	Carpets, carpeting and rugs, knotted (made up or not):
	A. Of wool or of fine animal hair:
,	I. Containing a total of more than 10 % by weight of silk or of waste silk other than noil
	B. Of silk, of waste silk other than noil, of synthetic textile fibres, of yarn falling within heading No 52.01 or of metal threads
	C. Of other textile materials
58.10	Embroidery, in the piece, in strips or in motifs
59.02	Felt and articles of felt, whether or not impregnated or coated:
	ex B. Other:
	Carpets, mats
60.05	Outer garments and other articles, knitted or crocheted, not elastic no rubberized:
	A. Outer garments and clothing accessories:
	II. Other:
	b) Other:
	4. Other outer garments:
	bb) Jerseys, pullovers, slip-overs, waistcoats, twinsets, cardigan bed jackets and jumpers:
	11. Men's and boys':
V	ex bbb) Of fine animal hair:
	- Jerseys, pullovers, slip-overs
	22. Women's, girls' and infants':
	ex ccc). Of fine animal hair:
	Jerseys, pullovers, slip-overs ll) Other outer garments:
	ex 11. Of wool or of fine animal hair
	— Ponchos in fine animal hair
ex 61.01 ·	Men's and boys' outer garments:
	B. Other:
4	V. Other:
,	b) Overcoats, raincoats and other coats, doaks and capes:
	ex 1. Of wool or of fine animal hair:
•	- Ponchos
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CCT heading No	Description
ex 61.02	Women's, girls' and infants' outer garments:
	- Garments, hand-dyed or hand-printed by the 'batik' method
61.02	Women's, girls' and infants' outer garments:
	B. Other:
	II. Other:
	e) Other:
	2. Coats and raincoats; cloaks and capes:
	ex aa) Of wool or of fine animal hair:
	Ponchos and capes in wool Ponchos in fine animal hair
	5. Skirts, including divided skirts:
	ex aa) Of wool or of fine animal hair:
	- Skirts, skirtlengths, in wool
61.05	Handkerchiefs:
01.03	
	A. Of cotton fabric, of a value of more than 15 ECU per kg net weight
61.06	Shawls, scarves, mufflers, mantillas, veils and the like
61.07	Ties, bow ties and cravats
61.11	Made up accessories for articles of apparel (for example, dress shields, shoulder and other pads, belts, muffs, sleeve protectors, pockets), etc.
62.01	Travelling rugs and blankets
62.02	Bed linen, table linen, toilet linen and kitchen linen; curtains and other furnishing articles:
	ex B. Other:
	Cotton fabric articles, hand-dyed or hand-printed by the 'batik' method
62.02	Bed linen, table linen, toilet linen and kitchen linen; curtains and other furnishing articles:
	B. Other:
	IV. Curtains and other furnishing articles:
	ex c) Of other textile materials:
	- Double curtains in wool
62.05	Other made-up textile articles (including dress patterns)
64.05	Parts of footwear (including uppers, in-soles and screw-on heels) of any material except metal
ex 65.05	Hats and other headgear (including hairness) knitted or crocheted, or made up from lace, felt or other textile fabric in the piece (but not from strips), whether or not lined or trimmed:
V .,	— Berets, in wool
66.02	Walking-sticks (including climbing-sticks and seat-sticks), canes, whips, riding-
	crops and the like

CCT heading No	Description
68.02	Worked monumental or building stone, and articles thereof (including mosaic cubes), other than goods falling within heading No 68.01 or within Chapter 69:
	A. Worked monumental or building stone: IV. Carved
74.18	Other articles of a kind commonly used for domestic purposes, sanitary ware for indoor use and parts of such articles and ware, of copper
74.19	Other articles of copper
83.06	Statuettes and other ornaments of a kind used indoors, of base metal; photography, picture and similar frames, of base metal; mirrors of base metal:
	A. Statuettes and other ornaments of a kind used indoors
83.07	Lamps and lighting fittings, of base metal, and parts thereof, of base metal:
	B. Other
ex 83.09	Clasps, frames with clasps for handbags and the like, buckles, buckle-clasps, hooks, eyes, eyelets, and the like, of base metal, of a kind commonly used for clothing, travel goods, handbags or other textile or leather goods; tubular rivets and bifurcated rivets, of base metal; beads and spangles, of base metal:
	— Beads and spangles, of base meal
83.11	Bells and gongs, non-electric, of base metal, and parts thereof of base metal
94.03	Other furniture and parts thereof
95.05	Worked tortoise-shell, mother of pearl, ivory, bone, horn, coral (natural or agglomerated) and other animal carving material, and articles of those materials:
	B. Other:
	II. Other
95.08	Worked vegetable or mineral carving material and articles of those materials; moulded or carved articles of wax, of stearin, of natural gums or natural resins (for example, copal or rosin) or of modelling pastes, and other moulded or carved articles not elsewhere specified or included; worked, unhardened gelatin (except gelatin falling within heading No 35.03) and articles of unhardened gelatin:
	B. Other
97.02	Dolls:
•	ex A. Dolls (dressed or undressed):
	Dolls dressed in a folk costume representative of the country of origin
97.03	Other toys: working models of a kind used for recreational purposes:
	A. Of wood

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2. Admission under this quota shall, however, be granted only for products accompanied by a certificate recognized by the competent authorities of the Community and conforming to one of the examples in Annex I, issued by one of the recognized authorities of the country of manufacture appearing in Annex II and certifying that the goods in question are hand-made.

The goods must in addition be accepted as hand-made by the competent authorities of the Community.

3. Within this Community tariff quota the Common Customs Tariff duties shall be totally suspended.

Within the limits of this tariff quota, Greece shall apply duties calculated in accordance with the relevant provisions of the 1979 Act of Accession.

Article 2

1. A first instalment of 6 580 000 ECU shall be allocated among the Member States; the respective shares of the Member States, which subject to Article 5 shall be valid from 1 January to 31 December 1984, shall correspond to the following values:

	(ECU)
Benelux	1 275 000
Denmark	278 540
Germany	1 513 720
Greece	16 320
France	1 250 000
Ireland	167 080
Italy	772 140
United Kingdom	1 307 200

- 2. The second instalment of 3 620 000 ECU shall constitute the Community reserve.
- 3. The provisions of Regulation (EEC) No 3308/80, and in particular Article 2 thereof, shall apply for the purposes of determining the equivalent value in national currencies of amounts expressed in ECU.

Article 3

1. If 90 % or more of a Member State's initial share as specified in Article 2 (1), or of that share minus the portion returned to the reserve where Article 5 is applied, has been used up, that Member State shall

forthwith, by notifying the Commission, draw a second share equal to 15 % of its initial share, rounded up where necessary to the next whole number, to the extent permitted by the amount of the reserve.

- 2. If, after its initial share has been used up, 90 % or more of the second share drawn by a Member State has been used up, that Member State shall, in accordance with the conditions set out in paragraph 1, draw a third share equal to 7.5 % of its initial share, rounded up where necessary to the next whole number.
- 3. If, after its second share has been used up, 90 % or more of the third share drawn by a Member State has been used up, that Member State shall, in accordance with the same conditions, draw a fourth share equal to the third.

This process shall continue to apply until the reserve is used up.

4. By way of derogation from paragraphs 1, 2 and 3, a Member State may draw lower shares than those specified therein if there are grounds for believing that those specified may not be used up. It shall inform the Commission of its reasons for applying this paragraph.

Article 4

Supplementary shares drawn pursuant to Article 3 shall be valid until 31 December 1984.

Article 5

Member States shall return to the reserve, not later than 1 October 1984, the unused portion of their initial share which, on 15 September 1984, is in excess of 50% of the initial amount. They may return a larger quantity if there are grounds for believing that such quantity might not be used.

Member States shall notify the Commission, not later than 1 October 1984 of the total quantities of the said goods imported up to and including 15 September 1984 and charged against the Community tariff quota and of any portion of their initial share returned to the reserve.

Article 6

The Commission shall keep an account of the shares opened by the Member States pursuant to Articles 2

and 3 and shall, as soon as it has been notified, inform each State of the extent to which the reserve has been used up.

It shall inform the Member States, not later than 5 October 1984, of the amount still in reserve after amounts have been returned thereto pursuant to Article 5.

It shall ensure that the drawing which exhausts the reserve is limited to the balance available and to this end shall specify the amount thereof to the Member State making the last drawing.

Article 7

- 1. Member States shall take all appropriate measures to ensure that supplementary shares drawn pursuant to Article 3 are opened in such a way that imports may be charged without interruption against their accumulated shares in the Community tariff quota.
- 2. Member States shall ensure that importers of the said goods ... have free access to the shares allocated to them.

- 3. Member States shall charge imports of the said goods against their shares as and when such goods are entered with the customs authorities for free circulation.
- 4. The extent to which a Member State has used up its share shall be determined on the basis of imports charged in accordance with paragraph 3.

Article 8

At the Commission's request, Member States shall inform it of imports of the products concerned actually charged against their shares.

Article 9

Member States and the Commission shall cooperate closely to ensure that this Regulation is complied with.

Article 10

This Regulation shall enter into force on 1 January 198 $_{4}$

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

Done at Brussels,

For the Council
The President

MODELLER TIL FREMSTILLINGSCERTIFIKAT

MUSTER DER HERSTELLUNGSBESCHEINIGUNG

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MODÈLES DE CERTIFICAT DE FABRICATION

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Country of manufacture	Competent authority	
Pays de fabrication	Autorité compétente	
Paese di fabbricazione	Autorità competente	*
Land van vervaardiging	Bevoegde autoriteit	
Indien		
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Indonésie	Ministère du commerce et des coopératives	
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Fremstillingsland
Herstellungsland
Χώρα κατασκευῆς
Country of manufacture
Pays de fabrication
Paese di fabbricazione
Land van vervaardiging

Kompetent myndighed Zuständige Behörde 'Αρμόδια 'Υπηρεσία Competent authority Autoritè competente Autorità competente Bevoegde autoriteit

Uruguay Uruguay Οὐρουγουάη Uruguay Uruguay Uruguay Uruguay Uruguay

Dirección general de comercio exterior

Bangladesh Bangladesch Μπαγκλαντές Bangladesh Bangladesh Bangladesh Bangladesh

Export Promotion Bureau

Laos Laos Λάος Laos Laos Laos Laos

Service national de l'artisanat et de l'industrie

Ecuador Ecuador 'Ισημερινός Ecuador Équateur Ecuador Ecuador

Ministerio de Industria, Comercio e Integración

Paraguay
Paraguay
Παραγουάη
Paraguay
Paraguay
Paraguay
Paraguay
Paraguay

Ministerio de Industria y Comercio

Panama Panama Παναμάς Panama Panama Panama Panama

Cámara de comercio e industrias de Panamá — Dirección de comercio interior y exterior

El Salvador El Salvador Έλ Σαλβαδόρ El Salvador El Salvador El Salvador

El Salvador

Dirección de comercio internacional

Fremstillingsland Kompetent myndighed Herstellungsland Zuständige Behörde Χώρα κατασκευής 'Αρμόδια 'Υπηρεσία Country of manufacture Competent authority Pays de fabrication Autorité compétente Paese di fabbricazione Autorità competente Land van vervaardiging Bevoegde autoriteit Malaysia Malaysia Μαλαισία Malaysian Handicraft Development Corporation Malaysia Malaysia Malaisia Maleisië Bolivia Bolivien Βολιβία Ministerio de Industria, Comercio y Turismo — Instituto boliviano de Bolivia pequeña industria y artesania Bolivie Bolivia Bolivië Honduras Honduras 'Ονδούρα Honduras Dirección general de comercio exterior Honduras Honduras Honduras Peru Peru Περού Ministerio de Industria y Turismo Peru Pérou Perù Peru Chile Chile Χιλή Chile Servicio de cooperación técnica (SERCOTEC) Chili Cile Chili Guatemala Guatemala Γουατεμάλα Guatemala Dirección de comercio interior y exterior Guatemala Guatemala Guatemala Argentina Argentinien 'Αργεντινή Secretaria de Estado y comercio y negociaciones económicas inter-Argentina nacionales Argentine Argentina Argentinië Mexico Mexiko

Secretario de Comercio

Μεξικό

Mexico Mexique Messico Mexico