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Conformément au règlement (CEE, Euratom) n° 354/83 du Conseil du 1er février 1983 concernant l'ouverture au public des archives historiques de la Communauté économique européenne et de la Communauté européenne de l'énergie atomique (JO L 43 du 15.2.1983, p. 1), tel que modifié par le règlement (CE, Euratom) n° 1700/2003 du 22 septembre 2003 (JO L 243 du 27.9.2003, p. 1), ce dossier est ouvert au public. Le cas échéant, les documents classifiés présents dans ce dossier ont été déclassifiés conformément à l'article 5 dudit règlement.

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 (ABl. L 43 vom 15.2.1983, S. 1), geändert durch die Verordnung (EG, Euratom) Nr. 1700/2003 vom 22. September 2003 (ABl. L 243 vom 27.9.2003, S. 1), ist diese Datei der Öffentlichkeit zugänglich. Soweit erforderlich, wurden die Verschlussachen in dieser Datei in Übereinstimmung mit Artikel 5 der genannten Verordnung freigegeben.

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(77) 695 final

Brussels, 15 December 1977

Proposal for a
COUNCIL REGULATION (EEC)

on the application of Decision 11/77 of the ACP-EEC
Council of Ministers derogating from the concept of
"originating products" to take account of the special
situation of Mauritius with regard to certain products
of the textile industry

(submitted to the Council by the Commission)

COM(77) 695 final

EXPLANATORY NOTE

On 23 November 1977 the Council of Ministers ACP-EEC approved the text of Decision No 11/77 derogating from the definition of the concept of "originating products" to take account of the particular situation of Mauritius for certain products of the textile industry.

This text has to be applied in the Community.

In addition, as the date of application of Decision No 11/77 has been fixed on 25 November 1977, it is necessary to use this date for the application of this Regulation.

This is the subject of the annexed draft.

Council Regulation (EEC) on the application of Decision 11/77 of the ACP-EEC Council of Ministers derogating from the concept of "originating products" to take account of the special situation of Mauritius with regard to certain products of the textile industry

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the proposal from the Commission,

Whereas the ACP-EEC Council of Ministers set up under the ACP-EEC Convention of Lomé (1) signed on 28 February 1975, hereinafter called "the Convention", adopted, pursuant to Article 75 of the Convention, Decision 11/76 of 15 July 1976 delegating its competence to the ACP-EEC Committee of Ambassadors,

Whereas the ACP-EEC Committee of Ambassadors has adopted, in application of the powers delegated to it by the above Decision, Decision No 11/77 of the ACP-EEC Council of Ministers of 23 November 1977 derogating from the concept of "originating products" to take account of the special situation of Mauritius with regard to certain products of the textile industry,

Whereas it is necessary, in accordance with Article 74(3) of the Convention, to take the measures required to implement that Decision,

HAS ADOPTED THIS REGULATION :

Article 1

Decision 11/77 of the ACP-EEC Council of Ministers annexed to this Regulation shall apply in the Community.

../.

(1) OJ No L. 25, 30.1.1976, p. 2

Article 2

Member States shall manage their shares in the quota in accordance with their own relevant provisions.

Member States shall ensure that importers of the product in question established in their territory have free access to the shares allocated to them.

The extent to which each Member State has used up its share shall be determined on the basis of the imports of the products in question entered with the customs authorities for home use.

Member States shall forward to the Commission, not later than the fifteenth day of each month, a statement of all imports of the products in question effected during the previous month.

Article 3

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

It shall apply from 25 November 1977 until 31 July 1978.

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

Done at Brussels,

For the Council

The President

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DECISION No 11/77 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 23 NOVEMBER 1977

derogating from the concept of "originating products"
to take account of the special situation of Mauritius
with regard to certain products
of the textile industry

THE ACP-EEC COMMITTEE OF AMBASSADORS,

Having regard to the ACP-EEC Convention of Lomé signed on
28 February 1975 hereinafter called "the Convention", and in
particular Article 9(2) thereof,

Having regard to Decision No 11/76 of the ACP-EEC Council of
Ministers of 15 July 1976 on the delegation of certain powers
to the ACP-EEC Committee of Ambassadors, and in particular
Article 1(1) thereof,

.../...

Whereas Article 27 of Protocol No 1 to the Convention, concerning the definition of the concept of "originating products" and methods of administrative co-operation, states that derogations from the rules of origin may be made, in particular to facilitate the development of existing industries or the creation of new industries;

Whereas the ACP States have submitted a request from the Government of Mauritius for a one-year derogation from the definition set out in the said Protocol for textile products manufactured in that State;

Whereas, in accordance with Article 27 of Protocol No 1, the Customs Co-operation Committee has adopted a report on the said request;

Whereas in order to take account of the special situation of Mauritius and to enable the industrial sectors concerned to set up new industries which necessitate derogations from the said Protocol for a period of one year, provision should be made for a derogation from the definition set out in the said Protocol;

Whereas an assurance has been given that the products subject to this request for a derogation will meet the relevant criteria laid down in Protocol No 1, at the latest by the end of the period of the said derogation;

Whereas the quantity covered by the derogation should be broken down among the Member States of destination,

HAS DECIDED AS FOLLOWS:

.../...

Article 1

By way of derogation from the special provisions of List A in Annex II to Protocol No 1, unbleached cotton fabrics falling within tariff heading No ex 55.09 manufactured in Mauritius from non-originating yarn, shall be considered as originating in Mauritius subject to the following conditions.

Article 2

This derogation shall relate to 400 tonnes of unbleached cotton fabrics falling within tariff heading No ex 55.09 imported into the Community between 25 November 1977 and 31 July 1978, this quantity being broken down as follows:

	<u>in tonnes</u>
Federal Republic of Germany	108
Benelux	40
France	76
Italy	56
Denmark	28
Ireland	4
United Kingdom	88

Article 3

Movement certificates EUR 1 issued pursuant to this Decision shall bear one of the following entries:

- "marchandises originaires en vertu de la décision n° 11/77 du Conseil des Ministres ACP-CEE",

.../...

- "Ursprungen gemäss Beschluss Nr. 11/77 des AKP-EWG-Ministerrates",
- "merci originarie in virtú della decisione n. 11/77 del Consiglio dei ministri ACP-EEC",
- "goederen van oorsprong uit hoofde van Besluit nr. 11/77 van de ACS-EEG-Raad van Ministers",
- "originating products by virtue of Decision No 11/77 of the ACP-EEC Council of Ministers",
- "varer med oprindelsesstatus i henhold til AVS-EØF-ministerradets afgørelse nr. 11/77".

This entry shall be made under the heading "Remarks".

Article 4

The competent authorities of Mauritius shall ensure that exports to each of the Member States do not exceed the quantities stipulated in Article 2 and shall forward to the Commission every three months a statement of the quantities in respect of which movement certificates EUR 1 have been issued pursuant to this Decision, indicating the Member States of destination.

Article 5

The ACP States, the Member States and the Community shall be required, each for its own part, to take the necessary steps to implement this decision.

Article 6

This Decision shall enter into force on 25 November 1977.

It shall apply until 31 July 1978.

Udfærdiget i Bruxelles, den
Geschehen zu Brüssel am
Done at Brussels,
Fait à Bruxelles, le
Fatto a Bruxelles, addì
Gedaan te Brussel,

23. XI. 1977

På AVS/EØF-Ambassadørudvalgets vegne
Im Namen des AKP-EWG-Botschafterausschusses
For the ACP-EEC Committee of Ambassadors
Par le Comité des Ambassadeurs ACP/CEE
Per il Comitato degli Ambasciatori ACP/CEE
Voor het ACS-EEG-Comité van Ambassadeurs

Formand
Der Präsident
The President
Le président
Il Presidente
De Voorzitter

J. Buis de Meulen

Sekretarerne
Die Sekretäre
The Secretaries
Les Secrétaires
I Segretari
De Secretarissen

[Handwritten signatures]