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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.

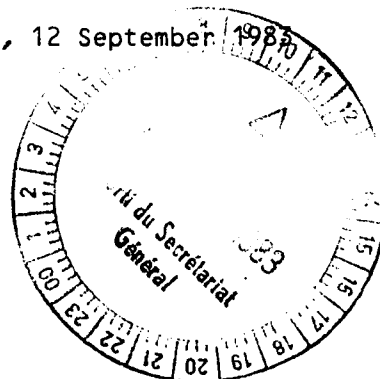
In accordance with Council Regulation (EEC, Euratom) No 354/83 of 1 February 1983 concerning the opening to the public of the historical archives of the European Economic Community and the European Atomic Energy Community (OJ L 43, 15.2.1983, p. 1), as amended by Regulation (EC, Euratom) No 1700/2003 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(83) 494 final

Brussels, 12 September 1983



Proposal for a
COUNCIL REGULATION (EEC)

establishing ceilings and Community surveillance of imports of
certain textile products originating in Cyprus (1983)

(submitted to the Council by the Commission)

COM(83) 494 final

EXPLANATORY MEMORANDUM

1. Article 2 of Annex I to the Agreement establishing an association between the European Economic Community and the Republic of Cyprus, as last amended by Regulation (EEC) No /83 laying down the arrangements applicable to trade with Cyprus, provides the exemption of customs duties for

- man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning falling within heading 56.04 of the Common Customs Tariff, and for

- men's and boys' outer garments falling within heading 61.01 of the Common Customs Tariff,

within the limits of annual ceilings respectively of 100 tonnes and 525 tonnes above which the customs duties applicable to third countries may be reintroduced until the end of the calendar year.

This tariff measure replaces the Community tariff quotas opened for the same products by Council Regulations (EEC) Nos. 3592/82 and 3593/82.

Therefore, the imports by the Member States of the products in question within the framework of the abovementioned tariff quotas must be charged against the ceilings in question.

2. The implementation of the system of ceilings and the option of reintroducing customs duties require the adoption of precise common rules to be applied uniformly by all the Member States. These requirements may be met by setting up a Community system of surveillance of actual imports from Cyprus. To that end the Member States must take appropriate measures to permit the rapid collection of statistical returns for the whole Community.

In the connection imports of the products in question should be recorded only as and when they are entered for free circulation accompanied by a movement certificate conforming to the rules of the Agreement referred to in 1 above.

The returns will be drawn up by each Member State at the end of each month and forwarded before the fifteenth day of the following month to the Commission in order to enable the latter to send to all the Member States a comprehensive product-by-product statement of the imports in question effected during the preceding month.

The surveillance system will require quick action and close cooperation between the relevant departments of the Member States and the Commission. Since the products in question belong to the sensitive products category and duty-free imports in excess of the ceilings may disturb the Community market, it is absolutely essential that all the Member States observe strictly the abovementioned time limit of fifteen days.

The following procedure will be used for setting in train the machinery for reintroducing duties : as soon as one of the comprehensive monthly statements compiled by the Commission shows that 75 % of the ceiling fixed for a given product has been reached, the Commission will inform the Member States and consultations may take place, in particular within the Economic Tariff Problems Group, either at the request of a Member State or on the Commission's own initiative. The purpose of these consultations will be to examine in each individual case whether the customs duties applicable to third countries should be reimposed when the ceiling is actually reached.

Imports of the product in question will continue to be the subject of monthly returns, if the Commission so requests, of a telex message covering each period of ten days. This message must reach the Commission within five days.

The Commission can thus take within the shortest possible time the measures required for the adoption of a regulation reintroducing customs duties in respect of ^{the} partner country until the end of the calendar year. In that event, the customs duties on the product in question would naturally be reimposed within the time limit laid down by the regulation ending exemption from duties.

3. The attached proposal provides for the delegation by the Council to the Commission of the power to apply the rule on ceilings and the reintroduction of duties.

The proposal for a regulation merely outlines how these powers are to be exercised so that the machinery to be used may be adjusted flexibly and rapidly in consultation with the Member States. Again with a view to maximum efficiency and rapidity, the proposal lays down that the Commission will be responsible for reintroducing, in respect of ^{the} partner Country the duties applicable to third countries.

ANNEX : 1 Proposal for a Council Regulation

Proposal for a
COUNCIL REGULATION (EEC)

establishing ceilings and Community surveillance of certain
textile products originating in Cyprus (1983)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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 Article 2 of Annex I to the Agreement establishing an association between the European Economic Community and the Republic of Cyprus (1), as last amended by Regulation (EEC) No /83 laying down the arrangements applicable to trade with Cyprus (2), provides the exemption of customs duties for

- man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning falling within heading 56.04 of the Common Customs tariff, and for

- men's and boys' outer garments falling within heading 61.01 of the common customs tariff,

within the limits of annual ceilings respectively of 100 tonnes and 525 tonnes above which the customs duties applicable to third countries may be reintroduced until the end of the calendar year;

whereas the application of ceilings requires that the Community be regularly informed on imports of the products in question originating in Cyprus; whereas it is therefore desirable that imports of these products be subjected to a system of surveillance

Whereas this objective may be achieved by means of an administrative procedure based on charging imports of the products in question against the ceilings at Community level as and when the products are entered with customs authorities for home use; whereas this administrative procedure must make provision for the possibility of customs tariff duties being reintroduced as soon as the ceilings are reached at Community level;

Whereas this administrative procedure requires close and particularly rapid cooperation between the Member

(1) OJ No L 133, 21.5.1973, p. 2.

(2) OJ No L

States and the Commission and the latter must in particular be able to follow the progress of quantities charged against the ceilings and keep the Member States informed; whereas this cooperation has to be particularly close since the Commission must be able to take the appropriate measures to reintroduce customs tariff duties if one of the ceilings is reached,

whereas this tariff measure replaces the Community tariff quotas opened for the same products by Council Regulations (EEC) Nos 3592/82 and 3593/82 (1);

whereas therefore, the imports by the Member States of the products in question within the framework of the abovementioned tariff quotas must be charged against the ceilings in question,

HAS ADOPTED THIS REGULATION:

Article 1

1. Until 31 December 1983, imports into the Community of the products listed in the Annex originating in Cyprus shall be subject to annual ceilings and Community surveillance.

The description of the products referred to in the first subparagraph, their tariff headings and statistical numbers and the ceilings shall be as set out in the Annex.

2. Quantities shall be charged against the ceilings as and when products are entered with customs authorities for free circulation and accompanied by a movement certificate in accordance with the rules contained in the Protocol concerning the definition of the concept of 'originating products' and methods of administrative cooperation annexed to the Additional Protocol relating to the Agreement establishing an association between the European Economic Community and Cyprus (2).

Goods may be charged against the ceiling only if the movement certificate is submitted before the date on which customs duties are reimposed.

The extent to which a ceiling is used up shall be determined at Community level on the basis of the imports charged against it in the manner defined in the preceding subparagraphs.

Member States shall inform the Commission at the intervals and within the time limits specified in paragraph 4 of imports effected in accordance with the above procedures.

(1) OJ n0 L 375, 31.12.1982, p. 27 and 30.

(2) OJ No L 339, 28.12.1977, p. 19.

3. As soon as the ceilings have been reached, the Commission may adopt a Regulation reimposing until the end of the calendar year the customs duties applicable to third countries.

In the case of such a reimposition Greece shall reintroduce the levying of the customs duties which it applies to third countries as the date in question.

4. Member States shall forward to the Commission not later than the 15th day of each month statements of the quantities charged during the preceding month. If the Commission so requests, they shall provide such statements for periods of 10 days and forward them within five clear days of the end of each 10-day period.

Article 2

This Regulation shall replace Regulations (EEC) Nos 3592/82 and 3593/82. These Regulations are ^{abrogated} on the day of entering into force of this Regulation. The imports of the products in question in the framework of the abovementioned Regulation are to be charged against the ceilings indicated in the annex of this Regulation.

Therefore, the Member States shall communicate with their first monthly statement in cumulative form to the Commission the imports effected from 1 January 1983 within the framework of regulations (EEC) Nos. 3592/82 and 3593/82.

Article 3

The Commission shall take all appropriate measures, in close cooperation with the Member States, for the purposes of applying this Regulation.

Article 4

This Regulation shall enter into force on the third day following 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

List of products subject to import ceilings in 1983

Serial No	CCT heading No	Description	NIMEXE code	Level of ceiling (tonnes)
1	2	3	4	5
1	56.04	Man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning	56.04-all Nos	100
2	61.01	Men's and boys' outer garments	61.01-all Nos	525