

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(89) 504 final

Brussels, 17 October 1989

Proposal for a

## COUNCIL REGULATION (EEC)

liberalizing the specific quantitative restrictions with regard to Poland  
and Hungary and amending Regulations (EEC) Nos 288/82 and 3420/83  
accordingly

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(presented by the Commission)

Proposal for a  
COUNCIL REGULATION (EEC)

liberalizing the specific quantitative restrictions with regard to Poland and Hungary and amending Regulations (EEC) Nos 288/82 and 3420/83 accordingly

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 Council Regulation (EEC) No 288/82 on common rules for imports,<sup>1</sup> as last amended by Council Regulation (EEC) No 1243/86,<sup>2</sup> applies to imports of products originating in non-Community countries with the exception, among others, of products originating in state-trading countries; whereas Council Regulation (EEC) No 3420/83 on import arrangements for products originating in state-trading countries, not liberalized at Community level,<sup>3</sup> as last amended by Regulation (EEC) No 2773/87,<sup>4</sup> applies to imports of products originating from, among other countries, Poland and Hungary; whereas it is laid down in Council Regulation (EEC) No 1765/82<sup>5</sup> on common rules for imports from state-trading countries that imports of the products covered by the Annex to that Regulation are not subject to any quantitative restriction,

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1 OJ No L 35, 9.2.1982, p. 1.

2 OJ No L 113, 30.4.1986, p. 1.

3 OJ No L 346, 8.12.1983, p. 6.

4 OJ No L 217, 6.8.1987, p. 1.

5 OJ No L 195, 5.7.1982, p. 1.

Whereas the economic situation in Poland and Hungary has deteriorated with increasing rapidity over the last few years with the result that undertakings in those countries have become markedly less competitive, and whereas, in response to this situation and the challenge it presents, the Council adopted an action plan proposed by the Commission for coordinating aid from the Western countries to these two countries, one component of this plan being intended to provide help in modernizing economic structures, notably by increasing exports;

Whereas, in order to attain this objective, it is essential to remove as quickly as possible the quantitative restrictions which are referred to in Articles 3(a) and 4(a) respectively of the accession protocols of Poland and Hungary to GATT and which affect the placing in free circulation within the Community of certain products originating in the countries concerned; whereas the restrictions should be removed from 1 January 1990;

Whereas, with the exception of products covered by Regulation (EEC) No 1765/82, the placing in free circulation within the Community of products originating in Poland and Hungary has hitherto come within the scope of the above-mentioned Regulation (EEC) No 3420/83; whereas from 1 January 1990, by the removal of the quantitative restrictions referred to above, the position of these two countries, as regards the existence of restrictions, will be aligned on that of the other contracting parties to the General Agreement on Tariffs and Trade which are not state-trading countries, for which the placing of products in free circulation within the Community comes within the scope of Regulation (EEC) No 288/82; with regard, however, to the adoption of safeguard measures, it is necessary, in accordance with Article 1(2) of Regulation (EEC) No 3420/83, to observe the relevant provisions of the trade and cooperation agreements signed between the Community and Hungary on 21 November 1988<sup>6</sup> and between the Community and Poland on 19 September 1989<sup>7</sup>; whereas, therefore, in these circumstances,

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<sup>6</sup> OJ No L 327, 30.11.1988, p. 2.

<sup>7</sup> Not yet published.

from 1 January 1990, without prejudice to Regulation (EEC) No 1765/82, the placing in free circulation within the Community of products originating in the two countries concerned will be subject to the provisions of Regulation (EEC) No 288/82,

HAS ADOPTED THIS REGULATION:

Article 1

The following paragraph shall be added to Article 1 of Regulation (EEC) No 288/82 as follows:

"3. Notwithstanding paragraphs 1 and 2, the only quantitative restrictions which the Member States may maintain with regard to Hungary and Poland are the restrictions on the products listed in Annex I to this Regulation."

Article 2

The words "other than Hungary and Poland" shall be inserted after the words "state-trading countries" in Article 2(1) of Regulation (EEC) No 3420/83.

Article 3

This Regulation shall enter into force on the third day following that of its publication in the Official Journal of the European Communities. It shall apply from 1 January 1990.

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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# DOCUMENTS

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