

COMMISSION OF THE EUROPEAN COMMUNITIES

COM (89) 556 final

Brussels, 14 November 1989

Draft

DECISION OF THE EEC-(A) JOINT COMMITTEE
amending Protocol n° 3 concerning
the definition of the concept of
"originating products"
and methods of administrative cooperation
following the suspension of customs duties applicable by the Community of Ten
and (A) to imports from Spain

Proposal for a
COUNCIL REGULATION (EEC)
on the application of Decision N° /89 of the EEC- (A) Joint Committee
amending Protocol N° 3 concerning the definition of the concept of
"originating products"
and methods of administrative cooperation

(presented by the Commission)

(A) Austria/Finland/Iceland/Norway/Sweden/Switzerland

EXPLANATORY MEMORANDUM

By virtue of Council Regulation (EEC) No. 1673/89 of 12 June 1989 (1) and of Council Decision 89/372/ECSC of the same date (2), the collection of certain customs duties applicable in the Community of Ten to imports from Spain and Portugal is totally suspended from 1 July 1989.

At the same time, a third Additional Protocol has been signed between the Community and the EFTA countries (3). By this Protocol, the EFTA-countries undertake to suspend also from their side the customs duties applicable to Spain for products covered by the FTAs in so far as these Agreements provide for a total elimination of customs duties. The EFTA countries have informed the Commission that they will already apply this measure in an autonomous manner as from 1 July 1989 pending the ratification of the Additional Protocol.

In the framework of the said Agreements, this situation results in granting to Spanish products a preferential treatment identical to the one applied to products originating in the rest of the Community. Therefore, the need for identifying products originating in Spain has become superfluous.

The proposed draft Joint Committee Decision takes into account this new situation from an administrative viewpoint and provides for the deletion of the provisions concerning the concept of 'products originating in Spain' in Protocol No. 3 (4) to each of those Agreements.

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- (1) OJ n° L 164, 15.06.89, p. 1
(2) OJ n° L 164, 15.06.89, p. 46
(3) OJ n° L 206, 18.07.89
(4) OJ n° L 149, 15.06.88 (Austria, Finland)
L 180, 09.07.88 (Iceland, Norway)
L 216, 08.08.88 (Sweden, Switzerland)

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Decision No. /89
of the EEC-(A) Joint Committee
of

amending Protocol No. 3 concerning
the definition of the concept of 'originating products'
and methods of administrative cooperation

following the suspension of customs duties applicable by the Community of Ten
and (A) to imports from Spain

THE JOINT COMMITTEE,

Having regard to the Agreement between the European Economic Community and (B),
signed in Brussels on (C),

Having regard to Protocol No. 3 concerning the definition of the concept of
'originating products' and methods of administrative cooperation, hereinafter
referred to as 'Protocol No. 3', and in particular Article 28 thereof,

Whereas, by virtue of Council Regulation (EEC) No.1673/89 of 12 June 1989 and
of Council Decision 89/372/ECSC of the same date, the collection of certain
customs duties applicable in the Community of Ten to imports from Spain is
totally suspended from 1 July 1989;

Whereas a third Additional Protocol to the Agreement between the European
Economic Community and (B) consequent on the accession of the Kingdom of Spain
and the Portuguese Republic to the Community has been concluded providing also
for the suspension of customs duties on products covered by the Agreement
imported into (A) from Spain; whereas (A) has already been applying
autonomously, as from 1 July 1989, the provisions of this third Additional
Protocol pending its ratification;

(A) Austria/Finland/Iceland/Norway/Sweden/Switzerland.

(B) the Republic of Austria	22 July 1972
the Republic of Finland	5 October 1973
the Republic of Iceland	22 July 1972
the Kingdom of Norway	14 May 1973
the Kingdom of Sweden	22 July 1972
the Swiss Confederation	22 July 1972

Whereas in the framework of the said Agreement, this situation results in granting to Spanish products a preferential treatment identical to the one applied to products originating in the rest of the Community; whereas therefore, the need for identifying products originating in Spain has become superfluous;

HAS DECIDED AS FOLLOWS:

Article 1

Protocol No. 3 is hereby amended as follows:

- 1) Article 24 and paragraph 2 of Article 25 shall be deleted;
- 2) In Annex V, the last sentence of footnote No. 1 shall be replaced by the following text:

"When an invoice also includes products having the status of products originating in the Canary Islands, Ceuta and Melilla within the meaning of Article 19 of the Protocol, the exporter must clearly indicate them by means of the symbol 'CCM'."

Article 2

This Decision shall enter into force on 1 July 1989.

Done at Brussels,

For the Joint Committee

The President

COUNCIL REGULATION (EEC) No /89

of

on the application of Decision No /89 of the EEC- (A) Joint Committee amending Protocol No 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation

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 the Agreement between the European Economic Community and (B) (1) was signed on (C) and entered into force on (D) ;

Whereas, by virtue of Article 28 of Protocol No 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation, which forms an integral part of the above Agreement, the Joint Committee has adopted Decision No /89 amending Protocol No 3;

Whereas it is necessary to apply this Decision in the Community.

HAS ADOPTED THIS REGULATION:

Article 1

Decision No , 89 of the EEC- (A) Joint Committee shall apply in the Community.

The text of the Decision is attached to this Regulation.

Article 2

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

It shall apply from 1 July 1989.

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

Done at Brussels,

For the Council

The President

(A) Austria/Finland/Iceland/Norway/Sweden/Switzerland

(B) the Republic of Austria
the Republic of Finland
the Republic of Iceland
the Kingdom of Norway
the Kingdom of Sweden
the Swiss Confederation

(C) 22 July 1972
5 October 1973
22 July 1972
14 May 1973
22 July 1972
22 July 1972

(D) 1 January 1973
1 January 1974
1 April 1973
1 July 1973
1 January 1973
1 January 1973

(1) Austria : CJ No L 300, 31.12.1972, p. 2
Finland : CJ No L 328, 29.11.1973, p. 2
Iceland : CJ No L 301, 31.12.1972, p. 2
Norway : CJ No L 171, 27.06.1973, p. 2
Sweden : CJ No L 300, 31.12.1972, p. 97
Switzerland : CJ No L 300, 31.12.1972, p. 129

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SME Impact Statement

The present proposal concerns an adaptation of the rules of origin in Protocol No. 3 to the Free Trade Agreements between the EEC and each of the EFTA countries. It takes into account the administrative consequences of the EFTA and Community decisions to suspend the collection of certain customs duties applicable to imports from Spain.

This proposal will not have any noticeable effect on employment and competition in the Community.

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DOCUMENTS

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