

COMMISSION OF THE EUROPEAN COMMUNITIES

COM (89) 558 final

Brussels, 15 November 1989

Proposal for a

COUNCIL REGULATION (EEC)

modifying the amounts expressed

in ecus in Regulation (EEC) No 1135/88 concerning the definition of the concept of 'originating products' and methods of administrative cooperation in trade between the customs territory of the Community, Ceuta, Melilla and the Canary Islands

(presented by the Commission)

EXPLANATORY MEMORANDUM

The preferential tariff treatment accorded to trade between the customs territory of the Community and the Canary Islands, Ceuta and Melilla is subject to the presentation of an EUR.1 movement certificate. However, Articles 6 and 17 of Council Regulation (EEC) No 1135/88(1) provide for a derogation from this principle where a certain limited value expressed in ecus is not exceeded. At present, therefore, an importer's declaration of origin on the invoice is sufficient for goods whose value does not exceed 310 ECU. Lastly, documentary evidence is not required for travellers' personal luggage whose value does not exceed 880 ECU.

Under Article 6 the value applicable to the ecu, based on its value on a specific date, is frozen for two years. This reference date is changed automatically every two years.

In the Member States with the strongest currencies, this automatic change entails a reduction in the national currency equivalent of the limits expressed in ecus.

The amounts expressed in ecus must therefore be increased so as to maintain their real value expressed in the national currency, in order that the benefits of the administrative simplifications linked to these amounts are not diminished.

To take account of the above, the proposed draft Council Regulation would raise the limits from 4400 and 310 ECU to 4800 and 340 ECU respectively.

Draft

Council Regulation (EEC) No /89 modifying the amounts expressed in ecus in Regulation (EEC) No 1135/88 concerning the definition of the concept of 'originating products' and methods of administrative cooperation in trade between the customs territory of the Community, Ceuta, Melilla and the Canary Islands

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 9 of Protocol No 2 thereto,

Having regard to the proposal from the Commission,

Whereas Articles 6 and 17 of Council Regulation (EEC) No 1135/88(1) contain amounts expressed in ecus,

Whereas the amounts equivalent to the ecu in certain national currencies applying on 3 October 1988 were below the corresponding amounts applying on 1 October 1986; whereas, owing to the automatic change in the reference date laid down in Article 6(1) of Regulation (EEC) No 1135/88, conversion into the national currencies under consideration would result in a reduction of the actual limits regarding simplified documentary evidence, referred to in Articles 6 and 17 of the said Regulation; whereas to avoid such an effect, the limits expressed in ecus should be raised,

HAS ADOPTED THIS REGULATION:

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Article 1

Regulation (EEC) No 1135/88 is hereby amended as follows:

- in Article 6(1)(c) the amount "4400 ECU" shall be replaced by "4800 ECU";
- in Article 17(2) the amount "310 ECU" shall be replaced by "ECU 340" and the amount "880 ECU" by "960 ECU".

Article 2

This Regulation shall enter into force on the third day following that of 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

Impact Statement SME

This proposal concerns the biannual revision of value limits expressed in Ecu for documentary evidence of origin required for a preferential tariff treatment.

It is proposed to increase the amounts expressed in Ecu so as to maintain their real value expressed in the national currency, in order that the benefits of the administrative simplification linked to these amounts are not diminished.

Consequently this proposal provides for a minor advantage for SME.

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