

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(89) 296 final

Brussels, 19 June 1989

Proposal for a

COUNCIL REGULATION (EEC)

on the application of Decision No /89 of the EEC- (A) Joint Committee
altering the limits expressed in ECU in Article 8 of Protocol 3 concerning the
definition of the concept of originating products and methods of administrative
cooperation

(presented by the Commission)

EXPLANATORY MEMORANDUM

Preferential tariff treatment of trade between the Community and EFTA countries is subject to the presentation of a movement certificate EUR.1. However, in Article 8 of Protocol No. 3 of the EEC-EFTA Agreements a derogation from this principle is allowed provided that certain value limits expressed in ecu are not exceeded. Thus, at present, for shipments with a value of up to 4,400 ecu, a declaration of origin by the exporter, on the invoice, can be used. Furthermore, no documentation is required for small parcels sent by post with a value, at present, of up to 310 ecu. Lastly, no documentation is required for travellers' luggage with a value, at present, not exceeding 880 ecu.

The same Article 8 provides for the applicable value of the ecu to be frozen for two years at a time, based on its value at a fixed date. Every two years the base date for this value is automatically changed.

This automatic change of base date has the result that the currency equivalents to the limits expressed in ecu are reduced in those Member States or EFTA countries with stronger currencies.

It is therefore necessary to increase the amounts expressed in ecu to maintain their value in real terms as expressed in national currencies so as to ensure that the administrative simplifications tied to these amounts are not eroded.

The proposed draft Joint Committee Decision is intended to raise the limits of 4,400 ecu, 880 ecu and 310 ecu to 4,800 ecu, 960 ecu and 340 ecu respectively to take account of these factors.

PROPOSAL FOR A

COUNCIL REGULATION (EEC) No 189

of

on the application of Decision No 189 of the EEC- (A) Joint Committee altering the limits expressed in ECU in Article 8 of Protocol 3 concerning the definition of the concept of originating products and methods of administrative cooperation

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

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), signed on (C), entered into force on (D);

Whereas by virtue of Article 28 of Protocol 3 concerning the definition of the concept of originating products and methods of administrative cooperation, which forms an integral part of the said Agreement, the Joint Committee adopted Decision No 189 further amending Article 8 of that Protocol;

Whereas it is necessary to apply that Decision in the Community,

Article 1

Decision No 189 of the EEC- (A) 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 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

(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 : OJ No L 300, 31.12.1972, p. 2
Finland : OJ No L 328, 28.11.1973, p. 2
Iceland : OJ No L 301, 31.12.1972, p. 2
Norway : OJ No L 171, 27.06.1973, p. 2
Sweden : OJ No L 300, 31.12.1972, p. 97
Switzerland : OJ No L 300, 31.12.1972, p. 189

PROPOSAL FOR A

DECISION No 789 OF THE EEC-(A)

JOINT COMMITTEE

of

altering the limits expressed in ECU in Article 8 of Protocol 3 concerning the definition of the concept of originating products and methods of administrative cooperation

THE JOINT COMMITTEE,

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

Having regard to Protocol 3 concerning the definition of the concept of originating products and methods of administrative cooperation, and in particular Article 28 thereof,

Whereas the equivalents of the European units of account in some national currencies on 3 October 1988 were lower than their equivalents on 1 October 1985 whereas, this fact, as a result of the automatic change of base date provided for in Article 8 (4) of Protocol 3 would lead, on the conversion into the national currencies concerned, to a lowering of the effective limits for simplified documentary requirements; whereas, in order to avoid this, the limits expressed in ECU should be raised,

HAS DECIDED AS FOLLOWS:

Article 1

Article 8 of Protocol 3, as last amended, is hereby amended as follows:

- in paragraph 1 (C), '4.400 ECU' is replaced by '4.800 ECU',
- in paragraph 2, '310 ECU' is replaced by '340 ECU' and '880 ECU' by '960 ECU'.

Article 2

This Decision shall enter into force on 1 May 1989.

Done at Brussels,

For the Joint Committee

The Chairman

(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
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14 May 1973
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(submitted to the Council by the Commission)

19.6.1989

Office for Official Publications of the European Communities
L - 2985 Luxembourg

Series: DOCUMENTS

1989 — 4 pp. — Format: 21.0 × 29.7 cm

EN

ISSN 0254-1475

ISBN 92-77-51153-2

Catalogue number: CB-CO-89-260-EN-C

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