

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(81) 645 final

Brussels, 6 November 1981

Proposal for a
COUNCIL REGULATION (EEC)

on export arrangements for certain types of non-ferrous
metal waste and scrap

(submitted to the Council by the Commission)

COM(81) 645 final

EXPLANATORY MEMORANDUM

1. Under Council Regulation (EEC) No 3438/80 of 18 December 1980 (1), exports of certain types of aluminium waste and scrap (CCT 76.01 B) were made subject for the duration of 1981 to a system of surveillance involving the issue of prior licences in accordance with certain procedures.

Exports of certain types of lead waste and scrap (CCT 78.01) were made subject to quota for the first half of 1981 only, pending the outcome of the current examination of the situation on the market in this product. At the end of this period, i.e. for the second half of 1981, such exports were made subject to the same system of surveillance as that applicable to aluminium products under Regulation (EEC) No 1792/81 of 30 June 1981 (2).

Exports of copper ash and residues and copper waste and scrap (CCT ex 26.03, 74.01 D) were made subject to quota for 1981.

2. The Commission considers, in the light of the provisions of Regulation No 2603/69 establishing common rules for exports (3) and the examination of the Community market in the products in question, that the arrangements in force for 1981, namely surveillance of exports of aluminium and lead products and quotas for copper products (with a slight increase in the quota for waste should be renewed for 1982.

The Consultative Committee set up under Regulation 2603/69 was consulted; all the Member States present (two were not represented) stated their agreement with this orientation.

It is accordingly proposed that the Council adopt the attached proposal for a Regulation.

¹ OJ No L 358, 31.12.1980, p. 89

² OJ No L 179, 1.7.1981, p.2

³ OJ No L 324, 27.12.1969, p.25

**Proposal for a
COUNCIL REGULATION (EEC)**

on export arrangements for certain types of non-ferrous metal waste and scrap

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2603/69 of 20 December 1969 establishing common
rules for exports⁽¹⁾, and in particular Article 7 thereof,

Having regard to Council Regulation (EEC) No
1023/70 of 25 May 1970 establishing a common pro-
cedure for administering quantitative quotas⁽²⁾, and in
particular Article 2 thereof,

Having regard to the proposal from the Commission,
Whereas, under Council regulations
(EEC) Nos 3438/80⁽³⁾ and
1792/81⁽⁴⁾, exports of aluminium and lead waste and scrap were made subject, for
the duration of 1981 in the case of
aluminium and for the second half of
1981 in the case of lead, to production
of a prior export licence to be issued
by the relevant authorities of the
Member States according to procedures to
be laid down; whereas this arrangement
expires on 31 December 1981;

Whereas, in order to avoid supply difficulties for
copper ash and residues and
copper waste scrap, Community
quantitative export quotas were fixed in Regulation
(EEC) No 3438/80; whereas these quotas remain in
force until 31 December 1981;

Whereas it is necessary to maintain in
force for 1982 the system of export
licences for aluminium and lead products
and the quotas for copper products;

Whereas the Committee set up by Regulation (EEC)
No 2603/69 has been consulted;

Whereas the criterion for the allocation of the said
quotas should be determined;

Whereas the provisions relating to the monitoring of
intra-Community trade laid down in Commission
Regulation (EEC) 223/77 of 22 December 1976 on
provisions for the implementation of the Community
transit procedure and for certain simplifications of
that procedure⁽⁵⁾ apply only if the measures intro-
ducing export restrictions provide for their applica-
tion,

HAS ADOPTED THIS REGULATION:

Article 1

1. Community exports between 1 January and 31
December 1982 of aluminium waste and scrap falling
within subheading 76.01 B of the Common Customs

Tariff and lead waste and scrap
falling within subheading 78.01 B
licence to be issued by the relevant authorities of the
Member States. The licence shall be issued free of
charge, for such quantities as are requested subject to
the provisions set out below.

2. The export licence shall be issued within not
more than 15 working days from the date of the
request on presentation by the applicant of a sale
contract for the entire quantity requested.

The licence shall be valid for two months,

3. Each Member State shall inform the Commis-
sion of the following within the first 15 days of each
month:

- (a) the quantities in tonnes and the prices of the
products for which export licences have been
issued during the previous month;
- (b) the quantities in tonnes of products which have
been exported during the month preceding that
referred to under point (a);
- (c) the quantities in tonnes authorized for export or
exported as part of inward or outward processing
arrangements;
- (d) the third country of destination.

The Commission shall pass this information to the
Member States.

⁽⁵⁾ OJ No L 38, 9. 2. 1977, p. 20.

⁽¹⁾ OJ No L 324, 27. 12. 1969, p. 25.

⁽²⁾ OJ No L 124, 8. 6. 1970, p. 1.

⁽³⁾ OJ No L 358, 31. 12. 1980, p. 89

⁽⁴⁾ OJ No L 179, 1. 7. 1981, p. 2

Article 2

1. Community quantitative export quotas shall be established as follows for 1982:

CCT heading No	Description	Quantity
ex 26.03	Ash and residues of copper and copper alloys	22 300
74.01 D	Waste and scrap of copper and copper alloys	32 700

the exporting Member State. However derogations may be made in specific cases following an opinion from the Quota Administration Committee set up under Regulation (EEC) No 1023/70.

Temporary exports for working, processing or repair in a non-member country, within the meaning of Council Directive 76/119/EEC of 18 December 1975 on the harmonization of provisions laid down by law, regulation or administrative action in respect of outward processing⁽¹⁾, of products which are to be re-imported for home use within the customs territory of the Community, shall be charged against the quota of the exporting Member State. However derogations may be made in specific cases following an opinion from the Quota Administration Committee set up under Regulation (EEC) No 1023/70.

Article 3

The quotas fixed in Article 2 shall be allocated according to the estimate of requirements.

Article 4

Exports outside the Community of products listed in Article 2 and obtained under inward processing arrangements within the meaning of Council Directive 69/73/EEC of 4 March 1969 on the harmonization of provisions laid down by law, regulation or administrative action in respect of inward processing⁽¹⁾, shall be charged against the quota of

Article 5

Regulation (EEC) No 223/77 shall apply to the movement within the Community of the products listed in Article 2.

Article 6

The Council shall decide in due time and in any case before 31 December 1982 on the measures to be taken regarding the export of the products listed in Articles 1 and 2 after the validity of this Regulation has expired.

Article 7

This Regulation shall enter into force on 1 January 1982.

It shall apply until 31 December 1982.

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

Done at Brussels, 1

For the Council

The President

(1) OJ No L 58, 8. 3. 1969, p. 1.

(2) OJ No L 24, 30. 1. 1976, p. 58.