

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(74) 2149 final

Brussels, 16 December 1974

PROPOSAL FOR A
COUNCIL REGULATION (EEC)

deferring the date of revision of certain safeguard mechanisms
provided for by Regulation (EEC) No 109/70 on the
establishment of common rules for imports from state-trading countries

(submitted to the Council by the Commission)

COM(74) 2149 final

Explanatory Statement

The basic regulations on commercial policy contain a certain number of provisions, the revision of which by the Council is provided for. The date fixed for the revision of certain of these has been deferred, initially to 31.12.1974⁽¹⁾.

It should be noted also that the Council, when the principal basic Regulation, that is the former Regulation (EEC) No. 1025/70, which has now become Regulation (EEC) No. 1439/74⁽²⁾, was being revised, decided to defer its date of revision to 31.12.1974.

During the revision of regulations other than Regulation (EEC) No. 1439/74, the Commission became aware that for certain provisions such as, for example, the technical rules for the administration of Community quantitative quotas⁽³⁾, a revision did not seem to be indicated in the present state of affairs because of the extremely limited experience which the Community had been able to acquire in their application.

Other provisions have never been invoked or have lost their "raison d'être", such as, particularly, national safeguard measures motivated by bilateral agreements concluded between Member States and state trading countries, agreements which will expire on 31.12.1974⁽⁴⁾.

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- (1) Regulation (EEC) No. 2747/72, O.J. No. L 291 of 28.12.1972, page 150.
 - (2) O.J. No. L 159 of 15.6.1974, page 1
 - (3) See Article 14 of Regulation (EEC) NO. 1023/70
 - (4) In conformity with the provisions of the Council decision of 16.12.1969 concerning progressive harmonisation of agreements regarding commercial relations of Member States with third countries and the negotiation of Community agreements - O.J. No. L 326 of 29.12.1969, page 39.

For this reason the Commission considers it to be advisable to concentrate on the most important of the provisions concerned, that is the system of national launching of safeguard measures justified by market disruption provoked by exports from a state trading country⁽¹⁾.

Since the opening of a discussion on the adaptation of this revision seems to be inopportune at the moment, the Commission proposes to defer the date of its revision to 31.12.1975, which will bring it into harmony with the date of revision provided for in the case of the corresponding Regulation (EEC) No. 1439/74.

(1) See Article 9, paragraphs 1 (a) and 2 - 4 of Regulation (EEC) No. 109/70, O.J. L 19 of 26.1.1970, page 1

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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 Article 9, paragraph 6 of Council Regulation (EEC) No. 109/70, of 19 December 1969 on the establishment of common rules for imports from state trading countries⁽¹⁾, provides for the revision of Article 9, paragraphs 1 (a) and 2 - 4 of that regulation;

Whereas the date of revision of that provision was deferred to 31.12.1974 by Council Regulation (EEC) No. 2747/72 of 19 December 1972, deferring the date of revision provided for in the basic regulations concerning commercial policy⁽²⁾;

Whereas in view of the experience which has been gained in the application of the provision, it would be premature at the present time to proceed with its revision and it would therefore seem appropriate to defer the date to 31.12.1975, which is also the expiry date for the revision of Council Regulation (EEC) No. 1439/74 of 4 June 1974 regarding common rules for imports⁽³⁾;

HAS ADOPTED THIS REGULATION :

Article 1

The date of revision of Article 9, paragraphs 1(a) and 2 - 4 of Regulation (EEC) No. 109/1970 provided for in paragraph 6 of the said article is hereby deferred to 31.12.1975.

(1) O.J. No. L 19 of 26.1. 1970, page 1
(2) O.J. No. L 291 of 28.11.1972, page 150
(3) O.J. No. L 159 of 15.6. 1974, page 1

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

For the Council

The President