

COMMISSION OF THE EUROPEAN COMMUNITIES

COM (76) 24 final

Brussels, 24 January 1976

Draft

Decision of the representatives of the governments of the member states of the European Coal and Steel Community at their Council meeting extending their decision of 24 June 1975, concerning the opening of tariff preferences for the products within the province of that Community originating in the African, Caribbean and Pacific States and the Overseas Countries and Territories associated with the Community

PROPOSAL FOR A COUNCIL REGULATION

extending certain interim provisions concerning trade with the African, Caribbean and Pacific Countries and the "overseas countries and territories" associated with the European Economic Community.

(Submitted by the Commission to the Council)

Explanatory Memorandum

The Commission considers that, at the date of this communication, it is certain that all the necessary instruments will not have been ratified by the member states before 1 February 1976 and that, as a result, the Lomé Convention will not be able to come into force on 1 March 1976.

The legislation which has been enacted on the community side, in order that the commercial provisions of the Lomé Convention and the Agreement within the province of the European Coal and Steel Community should enter into force in the way anticipated in the exchange of letters EEC/ACP of 28 February 1975 and that which has been enacted in a similar fashion in order to establish the commercial provisions for the Overseas Countries and Territories, is only valid up till 29 February 1976.

The Commission :

- recommends to the governments of the member states of the European Coal and Steel Community, that the decision dated 24 June 1975 should be extended to 31 July 1976 ;
- proposes that the Council should pass a regulation which extends the period of validity of the commercial provisions concerned until 31 July 1976.

Draft

Decision of the representatives of the governments of the member states of the European Coal and Steel Community at their Council meeting extending their decision of 24 June 1975, concerning the opening of tariff preferences for the products within the province of that Community originating in the African, Caribbean and Pacific States and the Overseas Countries and Territories associated with the Community

The representatives of the governments of the member states of the European Coal and Steel Community meeting in Council,

Whereas the member states have concluded with each other the Treaty establishing the European Coal and Steel Community ;

Whereas the Agreement on products within the province of the European Coal and Steel Community, here in after called the "Agreement", between the Member States of that Community and the African, Caribbean and Pacific States, was signed on 28 February 1975 at the same time as the ACP/EEC Lomé Convention and whereas that Agreement is being submitted for ratification ;

Whereas when the Agreement was signed, the European Economic Community and the ACP States agreed in an exchange of letters to apply autonomously, from 1 July and up to the entry into force of the Convention, and at the latest by 29 February 1976, certain provisions of the Convention relating to trade in goods ;

Whereas by virtue of a decision of the representatives of the governments of the member states of the European Coal and Steel Community meeting in Council of 24 June 1975, opening tariff preferences for products within the province of that Community originating in the African, Caribbean and Pacific States and the Overseas Countries and Territories associated with the Community (1), the tariff suspensions contained in the Agreement have been applied autonomously ;

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(1) Official Journal n° L 166 of 28 June 1975, page 83.

Whereas this Decision applied equally to the Overseas countries and Territories ;

Whereas the Agreement will not enter into force on 1 March 1976, the Community and the African, Caribbean and Pacific States have decided to continue to apply autonomously certain provisions of it beyond 29 February 1976 ;

Whereas it was also agreed to continue to apply autonomously the tariff suspensions in favour of the Overseas Countries and Territories ;
in agreement with the Commission ;

HAVE DECIDED AS FOLLOWS

Sole Article

In the first paragraph of Article 4 of the Decision of the representatives of the governments of the European Coal and Steel Community meeting in Council on 24 June 1975, concerning the opening of tariff preferences for products within the province of that Community originating in the African, Caribbean and Pacific States and the Overseas Countries and Territories of the Community, the date "29 February 1976" is replaced by the date "31 July 1976".

Done at.....,.....

PROPOSAL FOR
COUNCIL REGULATION (E.E.C.) n° /76
of

extending certain interim provisions concerning trade with the African, Caribbean and Pacific Countries and the "overseas countries and territories" associated with
the European Economic Community

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43, 113 and 136 thereof,

Having regard to the proposal from the Commission,

Having regard to the Opinion of the European Parliament,

Whereas the A.C.P.-E.E.C. Convention of Lomé, herein after called the "Convention", between the African, Caribbean and Pacific States, herein after called the "A.C.P. States", and the Community, was signed on 28 February 1975 ;

Whereas when the Convention was signed the Community and the A.C.P. States agreed in an exchange of letters to implement autonomously certain provisions of the Convention from 1 July 1975, pending the entry into force of the Convention, until not later than 29 February 1976 ;

Whereas in order to give effect to the exchange of letters referred to above the Council adopted, inter alia, Regulation (E.E.C.) n° 1598/75 on the advance implementation of certain provisions of the A.C.P.-E.E.C. Lomé Convention relating to trade in goods (1) and Regulation (E.E.C.) n° 1599/75 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the "overseas countries and territories" (2) ;

Whereas the Community and the A.C.P. States have decided to extend the application of the exchange of letters referred to above beyond 29 February 1976 ;

Whereas by Council Regulation (E.E.C.) n° 1957/75 of 30 July 1975 on the interim trade arrangements with the "overseas countries and territories" associated with the European Economic Community (3) and Regulation (E.E.C.) n° 1599/75 (4), the Council established arrangements for the overseas countries and territories similar to those laid down for the A.C.P. States ;

Whereas Regulations (E.E.C.) n° 1957/75, 1598/75 and 1599/75 should therefore be maintained in force beyond 29 February 1976,

HAS ADOPTED THIS REGULATION :

ARTICLE 1

In the second paragraph of Article 9 of Regulation (E.E.C.) n° 1598/75, the second paragraph of Article 24 of Regulation (E.E.C.) n° 1599/75 and the first paragraph of Article 9 of Regulation (E.E.C.) n° 1957/75, the date "29 February 1976" shall be replaced by the date "31 July 1976".

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- (1) O.J. n° L 166, 28-6-1975, p. 1
 - (2) O.J. n° L 166, 28-6-1975, p. 67
 - (3) O.J. n° L 201, 31-7-1975, p. 5
 - (4) O.J. n° L 166, 28-6-1975, p. 67.

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 is binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Council,

The President.

FINANCIAL STATEMENT

- 1) Date : 15 January 1976.
- 2) Relevant section of budget : Chapter 10 (customs duties and levies)
- 3) Legal basis : Article 43, 113 and 136 of the Treaty.
- 4) Objectives : to extend until 31 July 1976 the procedures regarding the bringing into effect of the commercial provisions of the Lomé Convention and the interim arrangements for transactions with the Overseas Countries and Territories.

Regulations 1598/75, 1599/75, 1957/75 and the decision of the government representatives about CECA products will only have effect up to 29 February 1976 and the date of the entry into force of definitive measures cannot be foreseen with certainty.
- 5) - 1) Costs : -Non collection of customs duties and levies on the products which are subject to the Common Agricultural Policy : 19-23 million u/a.

-Non collection of customs duties on CECA products (nil-no imports).

-Non collection of customs duties on other products : 30-35 million u/a.
Total 49-58 million u/a.
- 5) - 2) Method of calculation : On the basis of figures worked out for 1971/72 and on the basis of the application of the customs tariff (for five months).