

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(77) 165 final

Brussels, 10 May 1977

Proposal for a
COUNCIL REGULATION (EEC)

derogating for 1977 and 1978 from certain provisions concerning the definition of the concept of 'originating products' contained in the Interim Agreement between the European Economic Community and the Kingdom of Morocco and the Agreement on Cooperation between the European Economic Community and the Kingdom of Morocco

(submitted to the Council by the Commission)

COM(77) 165 final

EXPLANATORY NOTE

It was decided in 1976 to grant Morocco a derogation from the rules of origin for certain textile products. It was proposed that the derogation should be for two years. The limited duration of the Interim Agreement did not permit the covering of this entire period and led to a derogation limited to one year, i.e. up to 30 June 1977. This was done by means of a autonomous Council Regulation to be replaced by a Decision of the Joint Committee. For various reasons it has been decided not to go to the Joint Committee but to rely solely on Council Regulation (EEC) No 1604/76 of 29 June 1976 (O.J. L 175) for the period up to 30 June 1977.

As it was understood at the time this Regulation was adopted, the study of this affair has been continued in order to provide for a continuation of the derogation up to 30 June 1978. For reasons of simplicity it is proposed to do this by means of a further autonomous Council Regulation, while waiting for the definitive Agreement to enter into force only after which the Co-operation Council may use its powers. In the time before it can do this, a legal gap may occur.

Consequently the Commission feels that the Council should decide favourably on prolongation and adopt the annexed proposed Regulation. In the draft reference is made in the title, in the preamble and in the first article to both the Interim Agreement and the Co-operation Agreement in order to be sure to cover the necessary period of time.

COUNCIL REGULATION (EEC)

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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 an Agreement on Cooperation and an Interim Agreement⁽¹⁾ between the European Economic Community and the Kingdom of Morocco were signed in Rabat on 27 April 1976;

Whereas in order to take account of Morocco's special situation and to enable the industries concerned to adapt their production to the conditions required by the Protocol on the definition of the concept of 'originating products' annexed to those Agreements, it is necessary to provide for that State a derogation from certain provisions concerning the definition set out in this Protocol,

HAS ADOPTED THIS REGULATION:

Article 1

By way of derogation from the Protocol on the definition of the concept of 'originating products' and on methods of administrative cooperation, annexed to the Interim Agreement between the European Economic Community and the Kingdom of Morocco, and the Agreement on Co-operation between the European Economic Community and the Kingdom of Morocco, and subject to the conditions set out in the following Articles, the provisions of List A annexed to the said Protocols which apply to textile products manufactured in Morocco and falling

within headings Nos 61.01, 61.02, 61.03 and 61.04 of the Common Customs Tariff, shall be supplemented by the provisions in the table annexed hereto.

Article 2

The derogation referred to in Article 1 concerns the following amounts:

- from 1 July to 31 December 1977: 1 250 metric tons in all,
- from 1 January to 30 June 1978: 1 250 metric tons in all.

Article 3

The EUR. 1 movement certificates issued under this Regulation shall be endorsed with one of the following phrases:

- 'TEXTILE DEROGATION',
- 'ABWEICHUNG FÜR TEXTILWAREN',
- 'DÉROGATION TEXTILES',
- 'DEROGA TESSILI',
- 'AFWIJKING VOOR TEXTIELPRODUCTEN',
- 'UNDTAGELSESBESTEMMELSER FOR TEKSTILSTOF'.

The endorsement shall be inserted in Box No 7 'Remarks'.

(1) OJ No L 141, 28.5.1976, S. 93

Article 4

Every three months the customs authorities of the Kingdom of Morocco shall communicate to the Commission the quantities of the products for which the certificates mentioned in Article 3 have been issued. The Commission shall forward this information to the Member States.

Article 5

This Regulation shall enter into force on 1 July 1977.

It shall apply up to and including 30 June 1978.

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

Done at Brussels, 10 May 1977.

For the Council

The President

Roy Jenkins

ANNEX

Products obtained		Working or processing that does not confer the status of 'originating products'	Working or processing that confers the status of 'originating products' when the following conditions are met	
CCT heading No	Description			
61.01	Men's and boys' outer garments		Manufacture from cloth	unbleached
61.02	Women's, girls' and infants' outer garments		Manufacture from cloth	unbleached
61.03	Men's and boys' under garments including collars, shirt fronts and cuffs		Manufacture from cloth	unbleached
61.04	Women's, girls' and infants' under garments		Manufacture from cloth	unbleached