

COMMISSION OF THE EUROPEAN COMMUNITIES

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Proposal for a Regulation (EEC) of the Council

on the implementation of Decision No 47/74 of
the EEC-AAMS Association Council derogating until the entry into force
of the Agreement replacing the Yaoundé Convention and at the latest until
31.12.1975 from the definition of the concept of originating products
in order to take account of the special situation of Mauritius with
regard to certain textile products

(submitted to the Council by the Commission)

EXPLANATORY NOTE

On 27 December 1974, the Council of Association set up by the Yaundé Convention approved by the written procedure the text of Decision No 47/74 introducing a derogation to the definition of the concept of "originating products" in order to take account of the particular situation of Mauritius and concerning some products of the textile industry.

This text has to be put into application in the Community.

Additionally, as the date of the application of Decision No 47/74 was fixed for 1 January 1975, it is necessary to include this date for the coming into force of this Regulation.

This is the reason for the attached draft.

Proposal for a
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31.12.1975 from the definition of the concept of originating products
in order to take account of the special situation of Mauritius with
regard to certain textile products

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 the Association Council set up under the Convention of Association
between the European Economic Community and the African and Malagasy States
associated with that Community has adopted Decision No 47/74 derogating
until the entry into force of the Agreement replacing the Yaoundé Conven-
tion and at the latest until 31 December 1975 from the definition of the
concept of originating products in order to take account of of the special
situation of Mauritius with regard to certain textile products;

Whereas it is necessary in accordance with Article 46 of the said Convention
to implement this Decision,

HAS ADOPTED THIS REGULATION:

Article 1

For the purpose of implementing the Convention of Association between
the European Economic Community and the African and Malagasy States asso-
ciated with that Community, Decision No 47/74 of the Association Council as
annexed to this Regulation shall apply in the Community.

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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 apply with effect from 1 January 1975.

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

Done at Brussels,
For the Council
The President

DECISION No 47/74
OF THE EEC-AASM ASSOCIATION COUNCIL
OF 27 DECEMBER 1974

derogating from the definition of the concept
of "originating products" in order to take account
of the special situation of Mauritius
with regard to certain textile products

THE ASSOCIATION COUNCIL,

Having regard to the Convention of Association between the
European Economic Community and the African and Malagasy
States associated with the Community, signed on 29 July 1969,
and in particular Article 10(2) and Article 62(2) thereof;

Whereas an Association Agreement concerning the accession of Mauritius to the Convention of Association was signed at Port Louis on 12 May 1972; whereas that Agreement contains the application to Mauritius of Decisions of the Association Council on the definition of the concept of "originating products", and in particular of Decision No 36/71;

Whereas, however, in order to take into account the special situation of Mauritius, and in order to enable the industries concerned to adapt their production to conditions which comply with the definition of the concept of "originating products", Decision No 46/73 of the Association Council stipulates that until 31 December 1974 textile products manufactured in Mauritius and falling within Tariff headings Nos 60-01, 60-02, 60-04, 60-05, 61-01, 61-02, 61-03, 61-04, 61-07, 61-09, and 61-10 shall be considered as "originating products", within the limit of certain amounts;

Whereas the Government of Mauritius has presented a request that from 1 January 1975 the definition in Decision No 36/71 in respect of certain textile products manufactured in that Associated State shall be suspended for a maximum period of one year;

Whereas the setting up of spinning-mills in Mauritius has been delayed for reasons connected with the supply of spinning materials, and whereas therefore, certain of that Associated State's textile products do not yet meet the criteria laid down by the definition of the concept of "originating products" in the relations between the EEC and the

Whereas consequently, the derogation under Decision No 46/73 should be prolonged for a limited period;

.../...

HAS DECIDED AS FOLLOWS:

Article 1

In derogation from the special provisions in List A annexed to Decision No 36/71 on the definition of the concept of "originating products" and on the methods of administrative co-operation, textile products manufactured in Mauritius and falling within the Tariff heading Nos 60.02, 60.06, 60.06, 61.01, 61.02, 61.03, 61.04, 61.07, 61.09 and 61.10 shall be considered as products originating in Mauritius under the conditions set out hereinafter.

Article 2

The derogation shall, for the year 1975, be limited to the amounts specified below in respect of the products concerned:

		Total
60.01	Knitted or crocheted fabric, not elastic nor rubberized	260)
60.02	Gloves, mittens and mitts, knitted or crocheted, not elastic nor rubberized) 510) 50) metric tons
60.04	Under garments, knitted or crocheted, not elastic nor rubberized) 200)
60.05	Outer garments, clothing accessories, and other articles, knitted or crocheted, not elastic nor rubberized) 200) 200) metric tons

		Total
61.01	Men's and boys' outer garments	120)
61.02	Women's, girls' and infants' outer garments	120)
61.03	Men's and boys' under garments, including collars, shirt-fronts and cuffs	120)
61.04	Women's, girls' and infants' under garments	120)
) 480 metric tons
61.07	Ties, bow ties and cravats	25)
61.09	Corsets, corset-belts, suspender-belts, brassières, braces, suspenders, garters and the like (including such articles of knitted or crocheted fabric), whether or not elastic	20)
61.10	Gloves, mittens, mitts, stockings, socks and sockettes, not being knitted or crocheted goods	15)
) 60 metric tons
) 1250 metric tons

In addition, if, for one of the tariff headings mentioned in the table in Article 2 of Decision No 46/73, the quantity fixed has not been reached during 1974 the quantities not used up during that year may be used in 1975 to the extent of 20% of the quantity fixed for the same tariff heading.

Article 3

The necessary measures shall be taken by the Mauritian authorities in order to verify the quality and quantity of exports of the products referred to in Article 2.

Article 4

Movement certificates AY 1 issued pursuant to this Decision shall bear one of the following entries:

"originating products by virtue of Association Council Decision No 47/74".

"marchandises réputées originaires en vertu de la décision n° 47/74 du conseil d'Association".

"Ursprungserzeugnisse im Sinne des Beschlusses Nr 47/74 des Assoziationsrats".

"merci originarie in vertu della decisione n. 47/74 del Consiglio di associazione".

"goederen van oorsprong uit hoofde van besluit nr. 47/74 van de Associatieraad".

"varer med oprindelsestatus i henhold til Associeringeradets afgørelse nr. 47/74".

This entry shall be in red ink under the heading "Observations".

Article 5

Should imports under this derogation give rise, or threaten to give rise, to difficulties leading to a change in an economic situation in a region of the Community, the latter may, pursuant to Article 16 (2) of the Convention of Association, take or authorize the Member State concerned to take the necessary protective measures.

Article 6

The associated States, the Member States and the Community shall be required, each to the extent to which they are concerned, to take the necessary steps to implement this Decision.

Article 7

This Decision shall enter into force on 1 January 1975.

It shall apply prorata temporis, as far as the quantities are concerned, until the trade provisions of the convention which is to succeed the Convention of 29 July 1969 are applied, and until 31 December 1975 at the latest.

Done at Brussels, 27 December 1974

The President of the Association Council

Doralta DJIRAI BAYE