

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(77) 528 final

Brussels, 25 October 1977

Proposal for a
COUNCIL REGULATION (EEC)

amending Council Regulations (EEC) Nos 3050/76 and 3051/76 opening, allocating and providing for the administration of Community tariff quotas for certain textile fibres and for men's and boys' outer garments falling within headings Nos 56.04 and 61.01 of the Common Customs Tariff, originating in Cyprus (1977)

(submitted to the Council by the Commission)

COM(77) 528 final

EXPLANATORY MEMORANDUM

1. Under Article 2 of Annex I to the Agreement establishing an association between the EEC and the Republic of Cyprus, and the related arrangements provided for in the Protocol laying down certain provisions concerning that Agreement as a result of the accession of new Member States to the European Economic Community, the Community opened, pursuant to Regulations (EEC) Nos 3050/76 and 3051/76, two Community tariff quotas for 1977, namely :

- (i) a quota of 100 tonnes carrying duties of 2.5% and 3% in respect of certain textile fibres falling within Tariff heading No 56.04;
- (ii) a quota of 500 tonnes carrying a duty of 5.1% for certain garments falling within Tariff heading No 61.01.

Each quota is split into two instalments, one allocated to the original Member States and the other to the new Member States.

2. The Additional Protocol to the above Agreement, which was signed on 15 September 1977, provides for the same tariff quotas to be opened upon its entry into force (probably 1 December 1977), albeit with the following differences :

- (i) imports of these products will be exempt from customs duties, and
- (ii) there will no longer be separate instalments for the original and the new Member States.

In addition, these quotas are to be opened prorata temporis.

3. The Community should, therefore, cancel the quotas mentioned in 1. above and open two new quotas valid for the month of December 1977. However, in view of the very short period of validity of these quotas and particularly since the volume of imports of the products in question originating in Cyprus is traditionally negligible,

it would appear that such an arrangement would be neither beneficial nor prejudicial to the Community or Cyprus.

Accordingly, the Community would seem justified in maintaining in force Regulations (EEC) Nos 3050/76 and 3051/76 mentioned above provided it totally suspends, by way of regulation, the duties applicable as of 1 December 1977 in respect of these two tariff quotas.

This is the purpose of the proposal annexed hereto.

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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, under the Agreement establishing an association between the European Economic Community and the Republic of Cyprus (1), and the Protocol laying down certain provisions concerning that Agreement as a result of the accession of new Member States to the European Economic Community (2), the Commission opened, for 1977, pursuant to Regulations (EEC) Nos 3050/76 (3) and 3051/76 (4):

- a Community tariff quota of 100 tonnes carrying duties of 2.5% and 3% in respect of man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning, falling within heading No 56.04 of the Common Customs Tariff, originating in Cyprus, and
- a Community tariff quota of 500 tonnes carrying a duty of 5.1% in respect of men's and boys' outer garments falling within heading No 61.01 of the Common Customs Tariff, originating in Cyprus;

(1) OJ No L 133, 21.5.1973, p. 2.

(2) OJ No L 133, 21.5.1973, p. 88.

(3) OJ No L 350, 20.12.1976, p. 92.

(4) OJ No L 350, 20.12.1976, p. 96.

Whereas the Additional Protocol to the Agreement establishing an association between the European Economic Community and the Republic of Cyprus (1) provided that, as of its entry into force, these tariff quotas shall be exempt from customs duties and hence shall not carry the duties specified above; whereas this provision is actually/^{only} applicable prorata temporis, that is for a twelfth of the annual volumes; whereas it seems certain, however, that the imports of these goods will not exceed such a fraction of these volumes in December; whereas it is necessary, therefore, to amend Regulations (EEC) Nos 3050/76 and 3051/76 accordingly,

HAS ADOPTED THIS REGULATION :

Article 1

With effect from 1 December 1977, goods imported under the Community tariff quotas opened by Regulations (EEC) Nos 3050/76 and 3051/76 shall, by way of derogation from Article 2(1) and (2) thereof, be exempt from customs duties.

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 Brussels,

For the Council

The President

(1) OJ No L,