

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(78) 652 final

Brussels, 27 November 1978

Proposal for a

COUNCIL REGULATION (EEC)

fixing for 1979 Community quantitative export quotas for certain types of copper ash and residues and for certain types of copper, aluminium and lead waste and scrap

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(Submitted to the Council by the Commission)

COM(78) 652 final



## EXPLANATORY MEMORANDUM

1. In the interest of a secure supply of copper, lead and aluminium the Community has for several years maintained export quotas for the following categories of products :

- ex 26.03      Ash and residues of copper and copper alloys
- ex 74.01      Waste and scrap of copper and copper alloys
- 76.01 B      Aluminium waste and scrap
- 78.01 B      Lead waste and scrap

2. On the 7 and 8 November 1979, a consultation took place, as established by Council Regulation No. 2603/69<sup>1</sup> establishing a common rule for exports (1) between the Commission's services and the national experts in regard to the export arrangement for 1979. At this meeting, the Member States, in agreement with the Commission, recognised that despite a certain improvement in the supply situation, it was necessary to maintain in force export quotas, in order to forestall any supply difficulties in the Community.

3. All members of the Committee expressed their support for the establishment and the distribution of Community quantitative export quotas for the products concerned. As a result, the Commission proposes to the Council that the draft regulation annexed hereto be adopted. The Commission will then decide on the regulation for the distribution of Community quotas between Member States.

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<sup>1</sup> OJ No. L 324 of 27.12.1969, p. 25

**COUNCIL REGULATION (EEC)**

fixing for 1979 Community quantitative export quotas for certain types of copper ash and residues and for certain types of copper, aluminium and lead waste and scrap

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2603/69 of 20 December 1969 establishing common rules for exports <sup>(1)</sup>, and in particular Article 7 thereof,

Having regard to Council Regulation (EEC) No 1023/70 of 25 May 1970 establishing a common procedure for administering quantitative quotas <sup>(2)</sup>, and in particular Article 2 thereof,

Having regard to Council Regulation (EEC) No 1078/71 of 25 May 1971 establishing common rules for exports and opening a Community quantitative export quota for certain types of ash and waste of non-ferrous metals (copper, lead and aluminium) <sup>(3)</sup>, and in particular Article 4 thereof,

Having regard to the proposal from the Commission,

Whereas, in order to avoid supply difficulties for certain types of copper ash and residues and for certain types of copper, aluminium and lead waste and scrap, Community quantitative export quotas were fixed by Council Regulation (EEC) No 915/78 <sup>(4)</sup>; whereas these quotas are applicable until 31.12.1978;

Whereas, after consultation of the Committee established by Regulation 2603/69, it was considered necessary to maintain in force these quotas for the year 1979;

Whereas the criterion for their allocation should be determined;

Whereas the provisions relating to the control of trade within the Community laid down in Commission

<sup>(1)</sup> OJ No L 324, 27. 12. 1969, p. 25.

<sup>(2)</sup> OJ No L 124, 8. 6. 1970, p. 1.

<sup>(3)</sup> OJ No L 116, 28. 5. 1971, p. 5.

<sup>(4)</sup> OJ No L 119, 3. 5. 1978

Regulation (EEC) No 223/77 of 22 December 1976 on the use of Community transit documents for the purpose of applying certain measures on the exportation of certain goods <sup>(5)</sup> apply only if the measures introducing export restrictions provide for their application,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. Community quantitative export quotas shall be established as follows for 1979:

CCT heading No	Description	Quantity (tonnes)
ex 26.03	Ash and residues of copper and copper alloys	21,000
ex 74.01	Waste and scrap of copper and copper alloys	27,000
76.01 B	Aluminium waste and scrap	5,000
78.01 B	Lead waste and scrap	2,250

*Article 2*

The quotas fixed in Article 1 shall be allocated according to the estimate of requirements.

*Article 3*

Exports outside the Community of products listed in Article 1 obtained under inward processing arrangements within the meaning of Council Directive 69/73/EEC of 4 March 1969 on the harmonization of

<sup>(5)</sup> OJ No L 38, 9. 2. 1977, p. 20.

provisions laid down by law, regulation or administrative action in respect of inward processing.

shall be charged against the quota share of the exporting Member State. However, derogations may be made in specific cases following an opinion from the Quota Administration Committee established by Regulation (EEC) No 1023/70.

Temporary exports for processing, working or repair in a third country of products which are to be re-imported for home use within the customs territory of the Community (outward processing), shall be counted against the quota share of the exporting Member State.

#### Article 4

Regulation (EEC) No 223/77 shall apply to movement within the Community of the products listed in Article 1.

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

Done at Brussels,

For the Council

The President

Article 2

The Council shall decide in good time and in any case by 31 December 1979 on the measures to be taken after expiry of the validity of this Regulation as regards the export of the products listed in Article 1.

Article 6

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

It shall apply until 31 December 1979.

