

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(77) 672 final.

Brussels, 12 December 1977

Proposal for a
COUNCIL REGULATION (EEC)
fixing for the first four months of 1978 Community quantitative
export quotas for certain types of copper ash and residues
and for certain types of copper, aluminium and
lead waste and scrap

(submitted to the Council by the Commission)

COM(77) 672 final.

EXPLANATORY MEMORANDUM

1. In order to ensure a stable supply of copper, lead and aluminium in the Community, quantitative export quotas have been maintained for several years 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
 - resulting from the breaking-up of ships registered in third countries or of ammunition sold by the armed forces of third countries
 - other

76.01 B Aluminium waste and scrap

78.01 B Lead waste and scrap

The Regulation fixing the said quantitative export quotas for 1977 expires on 31 December.

2. On 3 November consultations took place with the Member States in the Committee established by Council Regulation No. 2603/69 for the purpose of determining the export arrangements to be adopted for 1978 in respect of the products in question.

During these consultations it transpired that the examination that was being made of the arrangements should continue so as to cover every aspect of the problem involved in their application.

At the same time it was felt that in view of the expiry of 31 December of the quantitative export quotas currently in force, the present arrangements should be maintained unchanged for a short period pending the conclusion of the examination in progress.

./..

Accordingly it was unanimously agreed to establish for the first four months of 1978 transitional arrangements involving the fixing of quotas equivalent on a pro rata basis to those in force for 1977. (that is, equal to one third thereof).

It is understood that this transitional solution is without prejudice to the definitive arrangements to be put into effect once the examination of the substance of the problem has been concluded.

3. The Commission therefore proposes that the Council adopt the draft regulation annexed hereto as rapidly as possible in view of the date of entry into force (1 January 1978).

* * *

Proposal for COUNCIL REGULATION (EEC)

fixing for the first four months of 1978 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⁽¹⁾, 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⁽²⁾, and in particular Article 2 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 3165/76 of 21 December 1976⁽³⁾; whereas these quotas are in force until 31 December 1977;

Whereas the export arrangements to be established for 1978 for the products in question are still being examined; whereas, pending the outcome of that examination, the above mentioned quantitative export quotas should be maintained in force for a short period; whereas Community quantitative export quotas for the said products should be fixed for the period in question and criteria laid down for their allocation;

1 OJ No L 324, 27.12.1969, p. 25.

2 OJ No L 124, 8. 6.1970, p. 1.

3 OJ No L 357, 29.12.1976, p. 11;

Whereas the provisions relating to the control of intra-Community trade laid down in Commission Regulation (EEC) No 1279/71 of 17 June 1971 on the use of Community transit documents for the purpose of applying certain measures on the exportation of certain goods¹, apply only if the measures introducing export restrictions provide for their application,

HAS ADOPTED THIS REGULATION :

Article 1

Community quantitative export quotas shall be established as follows for the period 1 January to 30 April 1978 :

CCT heading No	Description of goods	Quantity (tons)
ex 26.93	Ash and residues of copper and copper alloys	5 501
ex 74.01	Waste and scrap of copper and copper alloys	
	- resulting from the breaking-up of ships registered in third countries or of ammunition sold by the armed forces of third countries	3 741
	- other	6 036
76.01 B	Aluminium waste and scrap	1 164
78.01 B	Lead waste and scrap	494

./..

¹ OJ No L 133, 19.6.1971, p. 32

Article 2

The quotas fixed in Article 1 shall be allocated according to estimated needs.

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 provisions laid down by law, regulation or administrative action in respect of inward processing¹ and temporary exports for processing, working or repair in a third country of products which are to be reimported 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

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

Article 5

The Council shall decide in good time and in any case before 30 April 1978 on the measures to be taken after expiry of this Regulation as regards the exportation of the products listed in Article 1.

Article 6

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

It shall apply until 30 April 1978.

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

Done at Brussels,

For the Council
The President

¹OJ No L 58, 8.3.1969, p. 1

