

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(82) 759 final

Brussels, 17 November 1982

Proposal for a

COUNCIL REGULATION (EEC)

on the import system applicable at the beginning of 1983 to products falling within subheading 07.06 A of the Common Customs Tariff and amending Regulation (EEC) No 950/68 on the Common Customs Tariff

(submitted to the Council by the Commission)

COM(82) 759 final

EXPLANATORY MEMORANDUM

The Commission will shortly be presenting to the Council a proposal for a Regulation on the import arrangements for products falling within subheading 07.06 A in 1983.

Given that the said proposal may not be adopted by the Council in time and in order to prevent any delay from jeopardizing the application of the agreements concluded with the third countries concerned, the Commission considers it essential that the Council adopt, as soon as possible, a transitional system on the basis of which the Commission will in due course adopt the detailed rules of application regarding imports of manioc at the beginning of 1983.

Under the arrangements proposed only 30 % of the quantities fixed in 1982 and 50 % for countries other than Thailand and the other GATT member countries (China) may qualify for the levy limited to 6 % ad valorem. Consequently, these arrangements in no way prejudice the quantities which will eventually be fixed for each quota for 1983.

The transitional arrangements envisaged will apply only until the adoption of the definitive arrangements provided for by the other Commission proposal.

In order to enable operators to import products falling within subheading 07.06 A of the Common Customs Tariff at the beginning of 1983, it is also proposed that import licences may be issued before 1 January 1983 but that their period of validity should not commence until 1 January 1983.

Lastly, it is proposed that the Common Customs Tariff be amended in line with the proposed arrangements.

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No 950/68 on the Common Customs Tariff

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, by its Decision 82/495/EEC (1), the Council approved a Cooperation Agreement between the European Economic Community and the Kingdom of Thailand on manioc production, marketing and trade; whereas the Agreement involves Thailand in an undertaking to limit its exports of manioc to the Community;

Whereas the Council has adopted Decision 82/496/EEC (2) concerning the conclusion of an Agreement in the form of an exchange of letters between the European Economic Community and Indonesia in its capacity as principal GATT supplier;

Whereas the Council has adopted Decision 82/497/EEC (3) concerning the conclusion of an Agreement in the form of an exchange of letters between the European Economic Community and Brazil in its capacity as initial GATT negotiator;

Whereas the Agreements with Indonesia and Brazil are the result of negotiations conducted in accordance with Article XXVIII of GATT with a view to temporarily suspending the tariff concession made by the Commission in respect of the import of products falling within subheading 07.06 A of the Common Customs Tariff;

Whereas the said Agreements allow the Community to suspend the concession in question;

Whereas the Community has undertaken to allow certain quantities of the products concerned to be imported under the levy which is fixed at a maximum of 6 % ad valorem vis-à-vis GATT Contracting Parties; whereas, under the most-favoured nation clause, the Community must accord equal treatment to all third countries which are not members of GATT and which benefit from that clause;

Whereas, with effect from 1 January 1983, the products falling within subheading 07.06 A of the Common Customs Tariff are no longer covered by the arrangements provided for in the Agreements for trade with the Community; whereas transitional measures should therefore be adopted to avoid disturbance of trade in the products in question pending the entry into force of the definitive arrangements for 1983,

(1) OJ N° L 219, 28.7.1982, p. 52

(2) OJ N° L 219, 28.7.1982, p. 56

(3) OJ N° L 219, 28.7.1982, p. 58

whereas to enable supplies of the products in question to be obtained in the Community from 1 January 1983, and in particular to take account of the time required for transport, it is essential that the Commission be able to issue import licences to importers valid from 1 January 1983 so as to permit observance of the import arrangements arising from the Agreements,

HAS ADOPTED THIS REGULATION:

Article 1

With effect from 1 January 1983 the **import levy** in the Community on products falling within subheading 07.06 A of the Common Customs Tariff originating in Thailand, Indonesia, the other GATT member countries and third countries other than those referred to above shall be 6 % ad valorem, subject to the following quantitative limits:

- Thailand: quantities flowing from the Cooperation Agreement between the European Economic Community and Thailand;
- Indonesia: 150.000 tonnes,
- other GATT member countries: 30.000 tonnes,
- third countries other than those referred to above: **185,000 tonnes.**

Article 2

For products originating in the third countries referred to in the second, third and fourth indents of Article 1 the Commission may issue import licences before 1 January 1983 provided that their period of validity does not commence until 1 January 1983.

Article 3

Detailed rules for the application of this Regulation shall be adopted in accordance with the procedure laid down in Article 26 of Regulation (EEC) n° 2727/75.

Article 4

The Common Customs Tariff annexed to Regulation (EEC) N° 950/68 is hereby amended as follows:

1. The figure 6 in column 4 against subheadings 07.06 A I and II is replaced by the letter (c);
2. the following foodnote (c) is added:

"(c) Duty rate limited to 6 % subject to certain conditions."

Article 5

This Regulation shall enter into force on the 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