

COMMISSION OF THE EUROPEAN COMMUNITIES

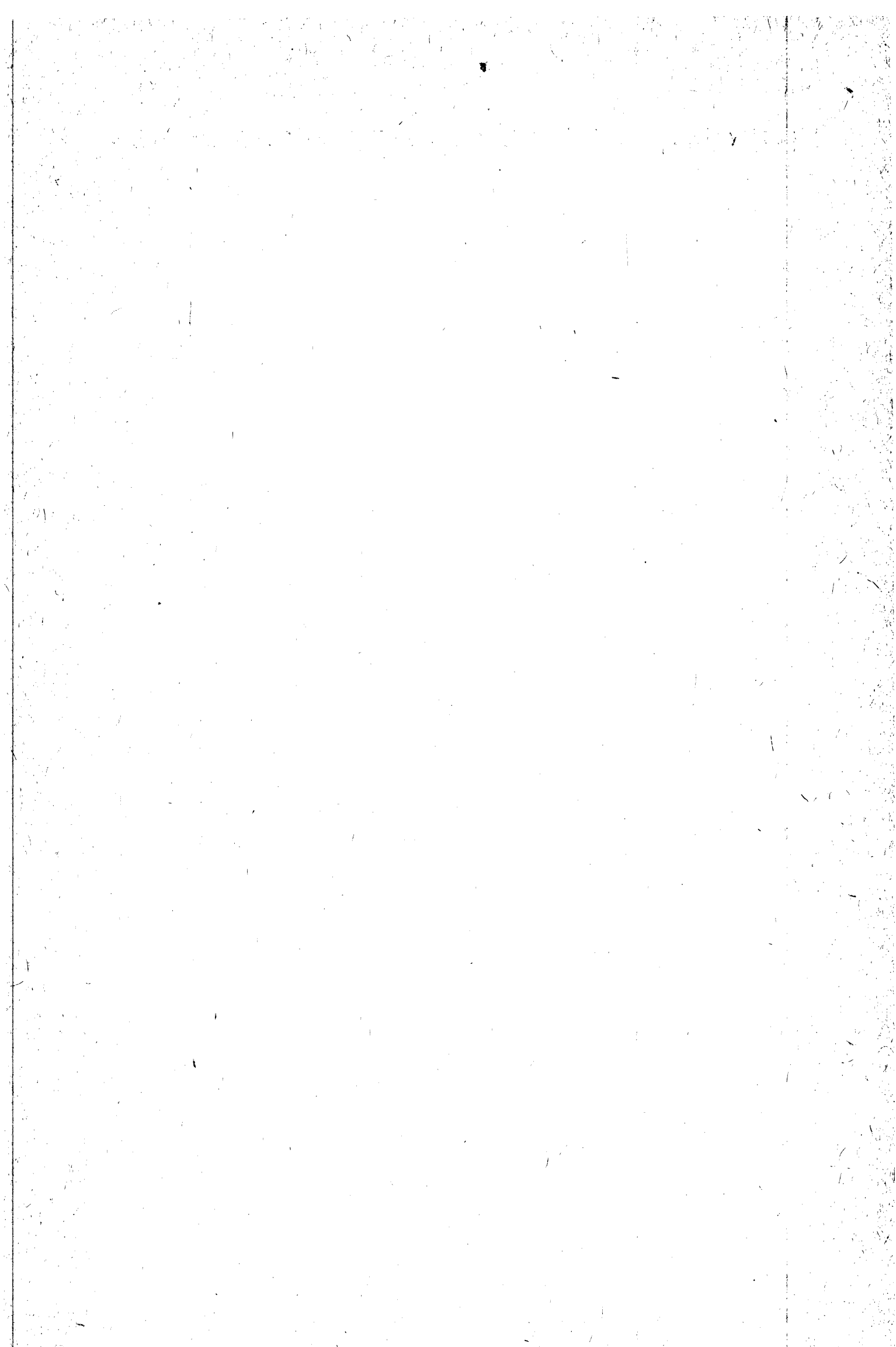
COM(76) 129 final.

Brussels, 5 April 1976

Proposal for a
Council of Association Decision CEE-Malta
derogating from the concept of "originating products"
for reception apparatus in heading No 85.15 of the
Brussels Nomenclature

Proposal for a
Council Regulation (EEC)
concerning the application of Council Association Decision
EEC-Malta derogating from the concept of "originating
products" for reception apparatus in heading No 85.15 of
the Brussels Nomenclature

(submitted to the Council by the Commission)



EXPLANATION

for the proposition of the Council Regulation

Through a declaration annexed to the Protocol laying down certain provisions concerning the Agreement EEC-Malta, signed in Brussels on 4 March 1976 ("Adaptation Protocol"), the Community agreed, for the application of Article 25 of the Origin Protocol, to examine certain derogations to the rules of origin in order to possibly allow these to enter into force on the same date as the above Protocol.

The Council of Association will not have the power to adopt any derogations until the date of the entry into force of the "Adaptation Protocol", given that the powers of the Council of Association in this field are granted in the Origin Protocol annexed to the "Adaptation Protocol". Consequently it is necessary to provide for the entry into force of the Council of Association Decision derogating from the origin rules at that date and to send to the Council now a proposed Regulation to put the Decision into application in the Community, so as to be able to do this with the minimum of delay.

This is the subject of this draft Council of Association EEC-Malta Decision and the proposed Council Regulation.

The draft foresees a derogation for reception apparatus of heading 85.15. No derogation has appeared necessary for the other products mentioned in the declaration, given that an enquiry carried out by the Commission has established that the other products originate under the rules in force.

Council of Association Decision derogating from the concept of "originating products" for reception apparatus in heading No 85.15 of the Brussels Nomenclature

THE COUNCIL OF ASSOCIATION,

Having regard to the Agreement creating an association between the European Economic Community and the Republic of Malta, signed in Valetta on 5 December 1970,

Having regard to the Protocol laying down certain provisions concerning the Agreement creating an Association between the European Economic Community and the Republic of Malta, signed in Brussels on 4 March 1976, and in particular Article 25 of the Protocol concerning the definition of the concept of "originating products" and methods of administrative co-operation (afterwards called "origin Protocol") annexed to the above Protocol and forming an integral part of the Agreement,

Whereas by the declaration annexed to the Protocol laying down certain provisions relating to the Agreement EEC-Malta, signed at Brussels on 4 March 1976, the European Economic Community declared that, for the application of Article 25 of the origin Protocol, it was ready to examine the Maltese requests for derogations to the origin Protocol for biscuits of heading 19.08, embroidery of heading 58.10 and radios of heading 85.15 which are already being exported from Malta to the Community ; whereas this examination has been carried out with a view to allowing the derogations to enter into force on the same date as the Protocol laying down certain provisions relating to the Agreement ; whereas this examination has revealed that for the biscuits of heading 19.08 and the embroidery of heading 58.10 no derogation is necessary at present because the products made in Malta satisfy the definition of the concept of "originating products" laid down in the origin Protocol ; whereas on the other hand for the radio apparatus of heading 85.15 it is necessary to provide for a derogation from that definition,

HAS DECIDED :

Article 1

By way of derogation from the particular provisions concerning the percentage of 3 % of the value for non-originating transistors laid down for heading 85.15 of the Brussels Nomenclature in List A annexed to the origin Protocol, reception apparatus in this heading made in Malta shall be considered as products originating in Malta, provided that the other conditions relating to this heading are satisfied.

Article 2

This Decision shall enter into force on 1 June 1976.

It shall remain in force until 30 June 1977.

Done at Brussels,

For the Association Council
The President

Proposal for a Council Regulation (EEC) No /76 of
concerning the application of Council Association EEC-Malta Decision
No /76 derogating from the concept of "originating products" for
reception apparatus in heading No 85.15 of the Brussels Nomenclature

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 an Agreement between the European Economic Community and
the Republic of Malta (1) was signed on 5 December 1970 and entered
into force on 1 April 1971,

Whereas a Protocol laying down certain provisions concerning the
Agreement creating an Association between the European Economic
Community and the Republic of Malta was signed in Brussels on 4 March
1976 and entered into force on 1 June 1976 (2) ;

Whereas under Article 25 of the Protocol concerning the definition
of the concept of "originating products" and methods of administrative
co-operation, annexed to the above Protocol and which forms an integral
part of the Agreement, the Council of Association has adopted Decision
No /76 derogating from the concept of "originating products" for
reception apparatus of heading 85.15 of the Brussels Nomenclature;

Whereas it is necessary to apply this Decision in the Community,

.../...

(1) OJ No L 61 of 14.3.1971, p. 1

(2) OJ No .

HAS ADOPTED THIS REGULATION :

Article 1

For the purpose of implementing the Agreement between the European Economic Community and the Republic of Malta, Council of Association Decision No /76, of which the text is annexed, shall apply in the Community.

Article 2

This Regulation shall enter into force on

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

Done at Brussels

For the Council

The President