

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(90) 518 final

Brussels, 12 December 1990

Proposal for a

COUNCIL REGULATION (EEC)

amending Regulation (EEC) No 802/68

on the common definition of the concept of the origin of goods

(presented by the Commission)

SUMMARY

This proposal for a Council Regulation is intended to include petroleum products under normal Community non-preferential origin rules.

Explanatory Memorandum

1. Community non-preferential origin rules are set down in Council Regulation (EEC) No. 802/68 on the common definition of the origin of goods, as amended⁽¹⁾. At the time of drafting the 1968 Regulation, petroleum products were specifically excluded from the scope of its application. Member States, therefore, have continued to apply their own national origin provisions to petroleum products.
2. In the approach to the completion of the single market in 1992, harmonization of origin rules for petroleum products is a necessity. Following analysis of existing national origin rules in this area and detailed discussion in the Origin Committee, it appears appropriate to include petroleum products under the scope of the Community non-preferential origin rules, established by Regulation (EEC) No. 802/68, referred to above.
3. The attached proposal for a Council Regulation is intended therefore to remove the present exclusion of petroleum products in Regulation (EEC) No. 802/68.

(1) OJ No. L 148 of 28.6.1968, p. 1.

Proposal for
Council Regulation (EEC) No
of
amending Regulation (EEC) No 802/68
on the common definition of the concept of the origin of goods

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 Regulation (EEC) No 802/68,¹ as last amended by Council Regulation (EEC) No 1769/89² provides that the said Regulation shall not apply to the petroleum products listed in Annex I;

Whereas in the absence of a common definition of the origin of petroleum products, Member States apply the provisions of their national law; whereas those national provisions differ from one another and may give rise to differing results with regard to the application of customs duties or measures and instruments of commercial policy;

Whereas with a view to the completion of the internal market on 31 December 1992, it would appear essential that those provisions be harmonized;

Whereas the most appropriate way to harmonize the said provisions is to make Regulation No 802/68 applicable to the petroleum products in question,

1 OJ No L 148, 28.6.1968, p.1.

2 OJ No L 174, 22.6.1989, p.11.

HAS ADOPTED THIS REGULATION:

Article 1

Article 3 of Regulation No 802/68 and Annex I thereto are hereby deleted.

Article 2

This Regulation shall enter into force on the third day following that of 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

For the Council

The President

Competitiveness and employment impact statement

I. What is the main reason for introducing the measure?

This measure is intended to include petroleum products in the general framework of non-preferential origin rules established under Council Regulation (EEC) No. 802/68. It is intended to ensure harmonized treatment of such products within the customs union.

II. Implications for SME

It is not anticipated that this proposed Regulation will introduce a significant departure from present practice. For this reason, its impact on SME will be negligible.

III. What obligations are imposed directly on businesses?

None.

IV. What indirect obligations are national, regional or local authorities likely to impose on businesses?

None additional to present requirements.

V. Are there any special provisions in respect of SME?

None.

VI. What is the likely effect on:

a) competitiveness of business?

No change from present position.

b) on employment?

No change from present position.

VII. Have relevant representative associations been consulted?

As this a routine harmonization exercise with no foreseeable negative consequences, no consultation is considered appropriate.

ISSN 0254-1475

COM(90) 518 final

DOCUMENTS

EN

02

Catalogue number : CB-CO-90-630-EN-C
ISBN 92-77-67012-6

PRICE

1 - 30 pages: 3.50 ECU

per additional 10 pages: 1.25 ECU

Office for Official Publications of the European Communities
L-2985 Luxembourg