

Treaty Series No. 41 (1977)

Decisions

of the Representatives of the Governments of the Member States of the European Coal and Steel Community,

meeting in Council, opening, allocating and providing for the administration of Tariff Quotas and opening Tariff Preferences for certain Steel Products originating in Developing Countries

Brussels, 17 November 1975

Presented to Parliament by the Secretary of State for Foreign and Commonwealth Affairs by Command of Her Majesty May 1977

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DECISION(1)

OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES OF THE EUROPEAN COAL AND STEEL COMMUNITY, MEETING IN COUNCIL, OF 17 NOVEMBER 1975, OPENING, ALLOCATING AND PROVIDING FOR THE ADMINISTRATION OF TARIFF QUOTAS FOR CERTAIN STEEL PRODUCTS ORIGINATING IN DEVELOPING COUNTRIES

The Representatives of the Governments of the Member States of the European Coal and Steel Community, meeting in Council, in agreement with the Commission, have decided as follows:

ARTICLE 1

- 1. From 1 January to 31 December 1976 the duties applicable in all customs areas of the Community to the products listed in Annex A shall be completely suspended within the framework of Community tariff ceilings of amounts which shall be expressed in units of account and which shall be indicated against each product in column 3 of that Annex.
- 2. These tariff ceilings shall be enjoyed solely by products originating in the countries and territories listed in Annex B. However, those imports which already enjoy exemption from customs duties under other preferential tariff arrangements granted by the nine Member States of the Community may not be charged against these tariff quotas. For the purposes of the application of this Decision, the concept of originating products shall be determined in accordance with the procedure laid down in Article 14 of Council Regulation (EEC) No. 802/68(2) of 27 June 1968 on the common definition of the concept of the origin of goods.
- 3. The amount to be charged in respect of each country or territory referred to in paragraph 2 against each of the tariff quota amounts indicated in column 5 of Annex A shall be limited to the maximum amount given as a percentage in column 4 of Annex A against each category of products.
- 4. Any amendment to Annex B, in particular by the addition of new countries or territories enjoying tariff preferences, may entail a corresponding adjustment to the maximum amounts expressed as percentages laid down in column 4 of Annex A and to the tariff ceilings and quotas laid down respectively in columns 3 and 5 of Annex A.

ARTICLE 2

- 1. The Member States shall administer their tariff quotas in accordance with their own provisions in this respect;
- 2. The extent to which a Member State has used up its share shall be determined on the basis of imports of the said goods which have been entered

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⁽¹⁾ For texts in Danish, Dutch, French, German and Italian see Official Journal of the European Communities No. L 310 of 29 November 1975, available through Agency Section, Her Majesty's Stationery Office, PO Box 569, London, SEI 9NY. Tel.: 01-928 6977, ext. 410.

⁽²⁾ See Official Journal of the European Communities, No. L 148 of 28 June 1968.

for home use, on the basis of the customs value of the said goods, and which are accompanied by a certificate of origin in accordance with the rules referred to in Article 1 (2).

3. Goods may be imported under the tariff quota only if the certificate of origin mentioned in paragraph 2 is presented before the date on which customs duties are re-introduced.

ARTICLE 3

Each Member State shall re-introduce the levying of duties which have been suspended in respect of a country or territory mentioned in Annex B as soon as it records that the charges against its national quota of the products concerned originating in such country or territory have reached the maximum amount laid down in column 4 of Annex A.

Such re-introduction shall be notified immediately to the Commission, which shall inform the other Member States forthwith. At the request of a Member State or of the Commission, the possible consquences of such a situation (with regard to the aggregate appearing in column 3 of Annex A) shall be jointly examined immediately.

ARTICLE 4

Member States shall inform the Commission at regular intervals of imports of the products in question actually charged against their quotas.

ARTICLE 5

Member States, in close co-operation with the Commission, shall take all necessary measures to ensure that the above provisions are applied.

ARTICLE 6

The Member States shall take all measures necessary for the implementation of this Decision.

Done at Brussels, 17 November 1975.

The President E. COLOMBO

ANNEX A

List of products subject to zero-duty tariff ceilings under the generalized tariff preferences granted to developing countries and territories

		_ : :		.*.
CCT heading No.	Description	Aggregate of column 5 in u.a.	Maximum amount per country and territory	Volume of shares allocated to Member States in u.a.
(1)	(2)	(3)	(%) (4)	(5)
73.08	Iron or steel coils for re-rolling	12,091,800	40	Germany 3,325,245 Benelux 1.269,640 France 2,297,440 Italy 1,813,770 Denmark 604,590 Ireland 120,920 United Kingdom 2,660,195
73.10	Bars and rods (including wire rod), of iron or steel, hot-rolled, forged, extruded, cold-formed or cold-finished (including precision-made); hollow mining drill steel: A. Not further worked than hot-rolled or extruded D. Clad or surface-worked (for example, polished, coated): I. Not further worked than clad:	7,493,900	50	Germany 2,060,810 Benelux 786,860 France 1,423,840 Italy 1,124,090 Denmark 374,700 Ireland 74,940 United Kingdom 1,648,660
73.13	(a) Hot-rolled or extruded Sheets and plates, of iron or steel, hot-rolled or cold-rolled: A. 'Electrical' sheets and plates	23,440,200	30	Germany 6,446,055 Benelux 2,461,220 France 4,453,640
st. st	B. Other sheets and plates: I. Not further worked than hot-rolled II. Not further worked than cold-rolled, of a thickness of:			Italy 3,516,030 Denmark 1,172,010 Ireland 234,400 United 5,156,845
	(b) More than 1 mm. but less than 3 mm. (c) 1 mm. or less III. Not further worked than burnished, polished or glazed IV. Clad, coated or otherwise surface-treated: (b) Tinned (c) Zinc-coated or lead-coated (d) Other (for example, copper-plated artificially oxidized, lacquered, nickel-plated,			-
-	varnished, clad, parkerized, printed) V. Otherwise shaped or worked: (a) Cut into shapes other than rectangular shapes, but not further worked: 2. Other			

ANNEX B

List of developing countries and territories enjoying generalized tariff preferences

INDEPENDENT COUNTRIES

Afghanistan Haiti Oatar Algeria Honduras Rwanda Argentina India Saudi Arabia Senegal Bahamas Indonesia Bahrain Iran Sierra Leone Bangladesh Iraq Singapore Barbados Ivory Coast Somalia Bhutan Jamaica Sri Lanka Bolivia Jordan Surinam Botswana Sudan Kenva Brazil Khmer Republic Swaziland Burma Korea (South) Svria Burundi Kuwait Tanzania Cameroon Thailand Laos Cape Verde Islands Lebanon Togo Central African Republic Lesotho Tonga

Chad Liberia Trinidad and Tobago

Chile Libya Tunisia
Colombia Malagasy Republic Uganda

Congo, People's Republic of Malawi United Arab Emirates:

Costa Rica Malaysia Abu Dhabi Cuba Maldive Islands Dubai

Cyprus Mali Ras al Khaimah Dahomey Mauritania Fujairah

Dominican Republic Mauritius Ajman
Ecuador Mexico Sharjah

Egypt, Arab Republic of Morocco Ummal Qaiwain
El Salvador Nauru Upper Volta
Fountarial Guinea Napal Uruguay

Equatorial Guinea Nepal Uruguay
Ethiopia Nicaragua Venezuela

Fiji Niger Vietnam, Republic of Gabon Nigeria Western Samoa Gambia Oman Yemen, People's

Ghana Pakistan Democratic Republic of Grenada Panama Yemen Arab Republic Guatemala Papua New Guinea Yugoslavia

Guatemala Papua New Guinea Yugoslavi
Guinea Paraguay Zaïre
Guinea Bissau Peru Zambia

Guyana Philippines

COUNTRIES AND TERRITORIES

dependent or administered, or for whose external relations Member States of the Community or third countries are wholly or partly responsible

Afars and Issas (Territory of the) Angola (including Cabinda) Australian Antarctic Territory **Belize**

Bermuda

British Antarctic Territory

British Indian Ocean Territory (Aldabra, Farquhar, Chagos Archipelago, Desroches)

British Pacific Ocean(1)

Brunei

Cayman Islands and Dependencies

Christmas Island

Cocos (Keeling) Islands

Comoro Archipelago

Corn Islands and Swan Islands

Falkland Islands and Dependencies

French Polynesia

French Southern and Antarctic Territories

Gibraltar

Heard Island and McDonald Islands

Hong Kong

Leeward Islands(2)

Macao

Mozambique

Netherlands Antilles

New Caledonia and Dependencies

Norfolk Island

Pacific Islands administered by the United States of America or under United States trusteeship(3)

Portuguese Timor

St. Helena (including Ascension, Gough Island, and Tristan da Cunha)

Saint Pierre and Miquelon

São Tomé and Príncipe

Seychelles (including Amirantes)

Sikkim

Spanish territories in Africa

Territories for which New Zealand is responsible (Cook Islands, Niue Island, Tokelau Islands and Ross Dependency)

Turks and Caicos Islands

Virgin Islands of the United States (St. Croix, St. Thomas, St. John, etc.)

Wallis and Futuna Islands

Windward Islands(4)

Note: The above lists may be amended subsequently to take account of changes in the international status of countries or territories.

⁽¹⁾ Gilbert Islands, Tuvalu, British Solomon Islands, New Hebrides Condominium and Pitcairn Islands.

⁽²⁾ Antigua, Montserrat, St. Kitts-Nevis-Anguilla, British Virgin Islands.

⁽³⁾ The Pacific Islands administered by the United States of America include: Guam, American Samoa (including Swain's Island), Midway Islands, Johnston and Sand Islands, Wake Island and the Trust Territory of the Pacific Islands (the Caroline, Marianas and Marshall Islands).

⁽⁴⁾ Dominica, St. Lucia, St. Vincent.

DECISION(1)

OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES OF THE EUROPEAN COAL AND STEEL COMMUNITY, MEETING IN COUNCIL, OF 17 NOVEMBER 1975, OPENING TARIFF PREFERENCES FOR CERTAIN STEEL PRODUCTS ORIGINATING IN DEVELOPING COUNTRIES

The Representatives of the Governments of the Member States of the European Coal and Steel Community, Meeting in Council, in agreement with the Commission, have decided as follows:

ARTICLE 1

- 1. From 1 January to 31 December 1976 the duties applicable in the Community to the imports of the products listed in Annex A shall be completely suspended, subject to the provisions of Article 2.
- 2. This suspension shall be enjoyed solely by products originating in the countries and territories listed in Annex B. For the purposes of the application of this Decision the concept of originating products shall be determined in accordance with the procedure laid down in Article 14 of Council Regulation (EEC) No. 802/68(2) of 27 June 1968 on the common definition of the concept of the origin of goods.
- 3. Subject to Article 2, this suspension shall be granted within 105% of a ceiling which shall be equal to the amount obtained, in respect of each category of products, by adding together, in units of account, the value for 1971 of c.i.f. imports of the products concerned to the Community from the countries and territories enjoying these arrangements, excluding those already enjoying various preferential tariff arrangements granted by the nine Member States of the Community, and 5% of the value of c.i.f. imports in 1972 from other countries and from the countries and territories already enjoying such arrangements. Imports already enjoying exemption from customs duties under such arrangements shall not be charged against the aforementioned ceiling.
- 4. Subject to Article 2, within each ceiling thus calculated, charges of products originating in any one of the countries or territories listed in Annex B should not exceed a maximum amount equivalent to 50% of this ceiling, except for the specific cases indicated in Annex A.
- 5. Any amendment to Annex B, in particular by the addition of new countries or territories enjoying tariff preferences, may entail a corresponding adjustment to the ceilings and maximum amounts referred to in paragraphs 3 and 4.

⁽¹) For texts in Danish, Dutch, French, German and Italian see Official Journal of the European Communities No. L 310 of 29 November 1975, available through Agency Section, Her Majesty's Stationery Office, PO Box 569, London, SE1 9NY. Tel.: 01-928 6977, ext. 410.

⁽²⁾ See Official Journal of the European Communities, No. L 148 of 28 June 1968.

ARTICLE 2

- 1. As soon as the ceilings calculated in accordance with the provisions of Article 1 (3) which are laid down for Community imports of products originating in all of the countries and territories referred to in Article 1 (2) are reached at Community level, the Member States may at any time, at the request of any one of them or of the Commission and in respect of the whole of the Community, re-introduce the levying of the corresponding duties on imports of the products in question from all the countries and territories concerned until the end of the period referred to in Article 1 (1).
- 2. As soon as the maximum amounts calculated in accordance with the provisions of Article 1 (4) which are laid down for the Community imports of products originating in each of the countries and territories referred to in Article 1 (2) and (3) are reached for any one of these countries or territories at Community level, the Member States may at any time, at the request of any of them and in respect of the whole of the Community, re-introduce the levying of the corresponding duties on imports of the products in question from the country or territory concerned until the end of the period referred to in Article 1 (1).

ARTICLE 3

- 1. Imports of the said goods shall be actually charged against the ceilings and maximum amounts as and when they are entered for home use, on the basis of the customs value of the said goods, and are accompanied by a certificate of origin in accordance with the rules referred to in Article 1 (2).
- 2. Goods may be charged against a ceiling or maximum amount only if the certificate of origin mentioned in paragraph 1 is presented before the date on which the levying of duties is re-introduced.
- 3. The extent to which ceilings and maximum amounts have been used up shall be recorded at Community level on the basis of imports charged in the manner laid down in paragraphs 1 and 2.

ARTICLE 4

Member States, in close co-operation with the Commission, shall take all necessary measures to ensure that the above provisions are applied.

ARTICLE 5

Member States shall inform the Commission at regular intervals of imports of the products in question actually charged against the ceilings and maximum amounts laid down in Article 1 (3) and (4).

ARTICLE 6

The Member States shall take all measures necessary for the implementation of this Decision.

Done at Brussels, 17 November 1975.

The President

E. COLOMBO

ANNEX A

List of products in respect of which the Common Customs Tariff duties are completely suspended under the generalized tariff preferences granted to developing countries and territories

CCT heading No.	Description		
73.07	Blooms, billets, slabs and sheet bars (including tinplate bars), of iron or steel pieces roughly shaped by forging, of iron or steel: A. Blooms and billets: I. Rolled		
;	B. Slabs and sheet bars (including tinplate bars): I. Rolled		
73.09	Universal plates of iron or steel		
73.11*	Angles, shapes and sections, of iron or steel, hot-rolled, forged, extruded, cold-formed or cold-finished; sheet piling of iron or steel, whether or not drilled, punched or made from assembled elements: A. Angles, shapes and sections: I. Not further worked than hot-rolled or extruded IV. Clad or surface-worked (for example, polished, coated): (a) Not further worked than clad: 1. Hot-rolled or extruded B. Sheet piling		
73.12 :	Hoop and strip, of iron or steel, hot-rolled or cold-rolled: A. Not further worked than hot-rolled B. Not further worked than cold-rolled:		
	I. In coils for the manufacture of tinplate C. Clad, coated or otherwise surface-treated: III. Tinned: (a) Tinplate		
:	 V. Other (for example, copper-plated, artificially oxidized, lacquered, nickel-plated, varnished, clad, parkerized, printed): (a) Not further worked than clad: 1. Hot-rolled 		
73.15	Alloy steel and high carbon steel in the forms mentioned in heading Nos. 73.06 to 73.14: A. High carbon steel: I. Ingots, blooms, billets, slabs and sheet bars:		
	(b) Other: 2. Blooms, billets, slabs and sheet bars III. Coils for re-rolling		
•	 IV. Universal plates V. Bars and rods (including wire rod) and hollow mining drill steel; angles, shapes and sections: (b) Not further worked than hot-rolled or extruded (d) Clad or surface-worked (for example, polished, coated): 1. Not further worked than clad: (aa) Hot-rolled or extruded 		
	VI. Hoop and strip: (a) Not further worked than hot-rolled (c) Clad, coated or otherwise surface-treated: 1. Not further worked than clad:		
	(aa) Hot-rolled VII. Sheets and plates: (a) Not further worked than hot-rolled (b) Not further worked than cold-rolled, of a thickness of: 2. Less than 3 mm.		

^{*} For the products covered by heading No. 73.11 and with respect to Yugoslavia, the maximum amount referred to Article 1 (4) has been lowered to 529,800 u.a.

CCT heading No.	Description
73.15 (cont'd.)	 (c) Polished, clad, coated or otherwise surface-treated (d) Otherwise shaped or worked: 1. Cut into shapes other than rectangular shapes, but not further worked
	B. Alloy steel: I. Ingots, blooms, billets, slabs and sheet bars: (b) Other: 2. Blooms, billets, slabs and sheet bars III. Coils for re-rolling VI. Universal plates V. Bars and rods (including wire rod) and hollow mining drill steel; angles, shapes and sections: (b) Not further worked than hot-rolled or extruded (d) Clad or surface-worked (for example, polished, coated): 1. Not further worked than clad: (aa) Hot-rolled or extruded VI. Hoop and strip: (a) Not further worked than hot-rolled (c) Clad, coated or otherwise surface-treated: 1. Not further worked than clad: (aa) Hot-rolled VII. Sheets and plates: (a) 'Electrical' sheets and plates (b) Other sheets and plates: 1. Not further worked than hot-rolled 2. Not further worked than hot-rolled, of a thickness of: (bb) Less than 3 mm. 3. Polished, clad, coated or otherwise surface-treated 4. Otherwise shaped or worked: (aa) Cut into shapes other than rectangular shapes, but not further worked
73.16	Railway and tramway track construction material of iron or steel, the following: rails, check-rails, switch blades, crossings (or frogs), crossing pieces. point rods, rack rails, sleepers, fish-plates, chairs, chair-wedges, sole plates (base plates), rail clips, bedplates, ties, and other material specialized for joining or fixing rails: A. Rails: II. Other B. Check-rails C. Sleepers D. Fish-plates and sole plates: I. Rolled

ANNEX B

List of developing countries and territories enjoying generalized tariff preferences

INDEPENDENT COUNTRIES

Oatar

Haiti

Rwanda Algeria Honduras Argentina India Saudi Arabia Bahamas Indonesia Senegal Bahrain Sierra Leone Tran Singapore Bangladesh Iraq Barbados Ivory Coast Somalia Sri Lanka Bhutan Jamaica Bolivia Jordan Sudan Surinam Botswana Kenva **Brazil** Khmer Republic Swaziland Burma Korea (South) · Syria Burundi Kuwait Tanzania Thailand . Cameroon Laos Cape Verde Islands Lebanon Togo Central African Republic Tonga Lesotho Trinidad and Tobago Chad Liberia Chile Tunisia Libva Colombia Malagasy Republic Uganda Congo, People's Republic of Malawi United Arab Emirates: Costa Rica Malaysia Abu Dhabi Cuba Maldive Islands Dubai Mali Ras al Khaimah Cyprus Dahomey Mauritania **Fujairah** Dominican Republic Aiman Mauritius Ecuador Mexico Sharjah Egypt, Arab Republic of Morocco Ummal Qaiwain El Salvador Nauru Upper Volta Equatorial Guinea Uruguay Nepal Venezuela

El Salvador Nauru
Equatorial Guinea Nepal
Ethiopia Nicaragua
Fiji Niger
Gabon Nigeria
Gambia Oman
Ghana Pakistan

Afghanistan

Grenada Panama
Guatemala Papua New Guinea
Guinea Paraguay

Guinea Bissau Peru
Guyana Philippines

Western Samoa Yemen, People's Democratic Republic of Yemen Arab Republic

Vietnam, Republic of

Yugoslavia Zaïre Zambia

COUNTRIES AND TERRITORIES

dependent or administered, or for whose external relations Member States of the Community or third countries are wholly or partly responsible

Afars and Issas (Territory of the) Angola (including Cabinda) Australian Antarctic Territory Belize Bermuda

British Antarctic Territory

British Indian Ocean Territory (Aldabra, Farquhar, Chagos Archipelago, Desroches)

British Pacific Ocean(1)

Brunei

Cayman Islands and Dependencies

Christmas Island

Cocos (Keeling) Islands

Comoro Archipelago -

Corn Islands and Swan Islands

Falkland Islands and Dependencies

French Polynesia

French Southern and Antarctic Territories

Gibraltar

Heard Island and McDonald Islands

Hong Kong

Leeward Islands(2)

Macao

Mozambique

Netherlands Antilles

New Caledonia and Dependencies

Norfolk Island

Pacific Islands administered by the United States of America or under United States trusteeship(3).

Portuguese Timor

St. Helena (including Ascension, Gough Island, and Tristan da Cunha)

Saint Pierre and Miquelon

São Tomé and Príncipe

Seychelles (including Amirantes)

Sikkim ::

Spanish territories in Africa

Territories for which New Zealand is responsible (Cook Islands, Niue Island, Tokelau Islands and Ross Dependency)

Turks and Caicos Islands

Virgin Islands of the United States (St. Croix, St. Thomas, St. John, etc.)

Wallis and Futuna Islands

Windward Islands(4)

Note: The above lists may be amended subsequently to take account of changes in the international status of countries or territories.

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⁽⁴⁾ Dominica, St. Lucia, St. Vincent.