DECISION OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES, MEETING WITHIN THE COUNCIL

of 3 March 1986

establishing arrangements for trade between Spain and Portugal on the one hand and the overseas countries and territories (OCT) on the other in products falling within the ECSC Treaty

(86/50/ECSC)

THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES OF THE EUROPEAN COAL AND STEEL COMMUNITY, MEETING WITHIN THE COUNCIL,

Whereas the Member States have concluded the Treaty establishing the European Coal and Steel Community;

Whereas the Act of Accession of Spain and Portugal provides for adjustments and transitional measures to apply to trade between the said Member States on the one hand and certain third countries on the other;

Whereas, as far as the overseas countries and territories (OCT) are concerned, for the time being such measures should be applicable only until 31 December 1986, taking account of the arrangements in force for the ACP States;

Whereas the Canary Islands, Ceuta and Melilla are not part of the customs territory of the Community and, in principle, unilateral or contractual acts of Community institutions concerning the common commercial policy and relating directly to the import or export of goods do not apply to those territories;

Whereas Article 7 of Protocol No 2 to the Act of Accession concerning the Canary Islands, Ceuta and Melilla provides, however, that customs duties, charges having equivalent effect and trade arrangements applying to imports into the Canary Islands, Ceuta and Melilla of goods coming from a third country may not be less favourable than those applied by the Community in accordance with its international commitments or preferential arrangements *vis-à-vis* such country, provided the country in question accords imports from the Canary Islands, Ceuta and Melilla the same treatment as it accords those from the Community;

Whereas provisions should therefore be adopted for implementation of the trade arrangements applicable to imports into the Canary Islands, Ceuta and Melilla of products originating in the OCT,

In agreement with the Commission,

HAVE DECIDED AS FOLLOWS:

Article 1

From 1 March 1986 to 31 December 1986 the arrangements applicable to trade between Spain and Portugal on the one hand and the OCT on the other shall be those established by Decision 80/1187/ECSC of the Representatives of the Governments of the Member States, meeting within the Council, of 16 December 1980, on the opening of tariff preferences for products falling within the ECSC Treaty and originating in the overseas countries and territories associated with the Community [1], as last extended by Decision 86/48/ECSC [2], and within the Annex to this Decision.

Article 2

Member States shall take the measures necessary to implement this Decision.

Article 3

This Decision shall be published in the *Official Journal of the European Communities*.

It shall take effect on the day of its publication and apply as from 1 March 1986.

Done at Brussels, 3 March 1986.

For the Council

The President

W. F. van EEKELEN

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[1] OJ No L 361, 31. 12. 1980, p. 111.

[2] See page 184 of this Official Journal.

ANNEX

Special provisions for implementation of Decision 80/1187/ECSC to take account of the accession of Spain and Portugal

CHAPTER I

SPECIAL PROVISIONS APPLICABLE TO THE KINGDOM OF SPAIN

Article 1

1. From 1 March 1986 the Kingdom of Spain shall apply to imports originating in the overseas countries and territories (OCT) of products covered by Decision 80/1187/ECSC the same customs duties on imports as it applies to like products from the Community as constituted on 31 December 1985.

2. The Kingdom of Spain shall dismantle customs duties on imports of the products referred to in paragraph 1 in accordance with the following timetable:

— on 1 March 1986 each duty shall be reduced to 90 % of the basic duty,

— on 1 January 1987 each duty shall be reduced to 77,5 % of the basic duty,

— on 1 January 1988 each duty shall be reduced to 62,5 % of the basic duty,

— on 1 January 1989 each duty shall be reduced to 47,5 % of the basic duty,

— on 1 January 1990 each duty shall be reduced to 35 % of the basic duty,

— on 1 January 1991 each duty shall be reduced to 22,5 % of the basic duty,

— on 1 January 1992 each duty shall be reduced to 10 % of the basic duty.

The final 10 % reduction shall be made on 1 January 1993.

3. For the purposes of applying the duties calculated in accordance with paragraph 2 they shall be rounded down to one decimal place.

Article 2

The basic duty for each product, at which the successive reductions provided for in Article 1 (2) shall be applied, will be the duty actually applied by the Kingdom of Spain *vis-à-vis* the Community on 1 January 1985.

Article 3

Should the Kingdom of Spain suspend or reduce customs duties on imports from the Community as constituted on 31 December 1985 more rapidly than envisaged under the timetable laid down, it shall also suspend or reduce by the same percentage the customs duties applying to like products originating in the OCT.

Article 4

Provided the OCT accord imports coming from the Canary Islands, Ceuta and Melilla the same treatment as they accord imports from the Community:

— customs duties existing in those territories and the charge known as the 'arbitrio insular — tarifa general' existing in the Canary Islands shall be dismantled in respect of products originating in the OCT in accordance with the timetable and arrangements laid down in Articles 1, 2 and 3,

— the charge known as the 'arbitrio insular — tarifa especial' existing in the Canary Islands shall be abolished on 1 March 1986 in respect of products originating in the OCT.

CHAPTER II

SPECIAL PROVISIONS APPLICABLE TO PORTUGAL

Article 5

1. The Portugese Republic shall abolish customs duties on imports of products covered by Decision 80/1187/ECSC and originating in the OCT as from 1 March 1986.

2. By way of derogation from paragraph 1 the Portuguese Republic shall dismantle customs duties on imports of the following products in accordance with the timetable set out below:

CCT heading No	Description
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: I. Wire rod *(ECSC)*
73.11	Angles, shapes and sections, of iron or steel, hot-rolled, forged, 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 *(ECSC)*
73.13	Sheets and plates, of iron or steel, hot-rolled or cold-rolled: B. Other sheets and plates: IV. Clad, coated or otherwise surface-treated: ex d) Other (for example, copper-plated, artificially oxidized, lacquered, nickel-plated, varnished, clad, parkerised, printed) *(ECSC)*: — coated with polyvinyl chloride

— on 1 March 1986 each duty shall be reduced to 90 % of the basic duty,

— on 1 January 1987 each duty shall be reduced to 80 % of the basic duty,

— on 1 January 1988 each duty shall be reduced to 65 % of the basic duty,

— on 1 January 1989 each duty shall be reduced to 50 % of the basic duty,

— on 1 January 1990 each duty shall be reduced to 40 % of the basic duty,

— on 1 January 1991 each duty shall be reduced to 30 % of the basic duty,

— the final two 15 % reductions shall be made on 1 January 1992 and 1 January 1993.

3. For the purpose of applying the duties calculated in accordance with paragraph 2 they shall be rounded down to one decimal place.

Article 6

1. The basic duty for each product, to which the successive reductions provided for in Article 5 (2) shall be applied, will be the duty actually applied by the Portuguese Republic *vis-à-vis* the OCT on 1 January 1985.

2. By way of derogation from paragraph 1, the Portuguese Republic shall dismantle customs duties on products falling within subheading ex 73.13 B IV d) of the Common Customs Tariff starting from a basic duty of 20 %, provided the said duties are higher than the duties referred to in paragraph 1.

Article 7

Should the Portuguese Republic suspend or reduce customs duties on imports from the Community as constituted on 31 December 1985 more rapidly than envisaged in the timetable laid down in Article 5 (2), it shall also suspend or reduce by the same percentage the customs duties applying to like products originating in the OCT.

Article 8

1. The following charges applied by the Portuguese Republic to trade with the OCT shall be dismantled in accordance with the timetable indicated:

(a) The 0,4 % *ad valroem* charge applied:

— to goods imported temporarily,

— to reimported goods (other than containers),

— to goods imported under inward processing arrangements allowing drawback of duties paid on the import goods following export of the products obtained,

shall be:

— reduced to 0,2 % on 1 January 1987, and

— abolished on 1 January 1988.

(b) The 0,9 % *ad valorem* charge applied to goods imported for home use shall be:

— reduced to 0,6 % on 1 January 1989,

— reduced to 0,3 % on 1 Janaury 1990, and

— abolished on 1 January 1991.