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

of 22 December 1986

establishing the arrangements to be applied to imports into Spain and Portugal of products covered by the ECSC Treaty originating in Austria, Finland, Norway, Sweden or Switzerland and covered by Agreements between the Community and those countries

(96/660/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 on 1 January 1986 the Kingdom of Spain and the Portuguese Republic acceded to that Community;

Whereas the Additional Protocols to the Agreements concluded between the Member States of the European Coal and Steel Community and that Community, on the one hand, and the Republic of Austria, the Republic of Finland, the Kingdom of Norway and the Kingdom of Sweden, on the other, and also the Additional Protocols to the Agreements concluded between the Member States of the said Community, on the one hand, and the Swiss Confederation and the Republic of Iceland, on the other, must be approved by each Contracting Party in accordance with its own procedures;

Whereas the procedures for ratifying the Additional Protocols have not yet been completed and it is necessary concomitantly and on a unilateral basis to implement the obligations resulting for 1987 from those Protocols, as regards customs duties on imports; whereas, however, such obligations do not exist as far as Iceland is concerned;

In agreement with the Commission,

HAVE DECIDED AS FOLLOWS:

Article 1

1. For the products covered by the ECSC Treaty originating in Austria, Finland, Norway, Sweden and Switzerland (hereinafter referred to as the EFTA countries) customs duties on imports into Spain, including the Canary Islands, Ceuta and Melilla shall be reduced from 1 January 1987 to 77,5 % of the basic duties, and customs duties on imports into Portugal shall be reduced from 1 January 1987 to 80 % of the basic duties.

2. The basic duties shall be the duties actually applied on 1 January 1985, except for imports into Portugal of sheets, clad, coated or otherwise surface-treated, falling within subheading ex 73.13 B IV of the Common Customs Tariff, for which the basic duty shall be 20 %.

3. However, if after 1 January 1985 and before 1 January 1986 a tariff reduction was applied, such reduced duty shall be considered as a basic duty.

4. If, during 1987, the Kingdom of Spain or the Portuguese Republic suspends in whole or in part the customs duties applicable to products imported from the Community as constituted on 31 December 1985, it shall also suspend or reduce, by the same percentage, the duties applicable to products originating in the EFTA countries.

Article 2

1. If the Kingdom of Spain opens to third countries tariff quotas actually applied on 1 January 1985, products originating in the EFTA countries shall be subject to the same treatment as products imported from the Community as constituted on 31 December 1985, whilst such quotas remain open.

2. If the Kingdom of Spain does not open the quotas referred to in paragraph 1, Spain shall apply to products imported from and originating in the EFTA countries the duties applied in the event of such quotas being opened. The quantities or value subject to these duties shall be limited to the amounts actually imported from these countries under the same quotas opened on 1 January 1985.

Article 3

The *ad valorem* charge of 0,4 % applied by the Portuguese Republic to goods imported temporarily, reimported goods (excluding containers) and goods imported under the inward processing arrangements, characterized by the rebate of duties levied on the import of goods used after export of the products obtained ('drawback') shall be reduced to 0,2 % on 1 January 1987.

Article 4

Any amendments to the origin rules made necessary by the accession of the Kingdom of Spain and the Portuguese Republic and adopted by the Joint Committees provided for

in the Agreements between the Community and the EFTA countries shall apply to the products referred to in this Decision.

Article 5

This Decision shall apply until the entry into force of the Additional Protocols to the Agreements between the Member States of the European Coal and Steel Community and that Community, on the one hand, and the EFTA countries, on the other, and at the latest until 31 December 1987, whichever is the earlier.

Article 6

The Member States shall take the measures necessary to implement this Desision.

Done at Brussels, 22 December 1986.

The President

G. SHAW