II

(Acts whose publication is not obligatory)

COUNCIL

DECISION

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

of 29 December 1978

opening, allocating and providing for the administration of tariff quotas for certain steel products originating in developing countries

(78/1037/ECSC)

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

In agreement with the Commission,

HAVE DECIDED AS FOLLOWS:

Article 1

1. From 1 January to 31 December 1979, 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 quotas of amounts which shall be expressed in European units of account and which shall be indicated against each product in column 3 of that Annex.

2. These tariff quotas 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 of 27 June 1968 on the common definition of the concept of the origin of goods [1].

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

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[1] OJ No L 148, 28. 6. 1968, p. 1.

said goods which have been entered 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 consequences of such a situation (with regard to the aggregate appearing in column 3 of Annex A) shall be jointly examined immediately.

After the quotas opened under this Decision have been used up, Common Customs Tariff duties on imports of the products in question originating in the countries listed in Annex C shall continue to be totally suspended.

Article 4

Member States shall inform the Commission at least monthly of imports of the products in question charged against their quotas.

Article 5

Member States, in close cooperation 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.

Article 7

For the purposes of applying this Decision, the preferential amounts expressed in European units of account (EUA) shall be converted into national currencies at the following rates:

1 EUA = 3·6043955 DM
= 49·508625 Bfrs/Lfrs
= 5·5616255 FF
= 3·5770435 Fl
= 647·971 Lit
= 7·4775175 Dkr
= 0·42930445 I £
= 0·4293044 £

The application of these rates may not result, in terms of national currency, in charges against each of the quotas concerned being lower than those resulting from the corresponding minimum obligations laid down for 1978.

Done at Brussels, 29 December 1978.

The President

H.-D. GENSCHER

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 EUA)	Maximum amount per country and territory (%)	Volume of shares allocated to Member States (in EUA)
(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: a) Hot-rolled or extruded	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	Sheets and plates of iron or steel, hot-rolled or cold-rolled: A. 'Electrical' sheets and plates B. Other sheets and plates: I. Not further worked than hot-rolled II. Not further worked than cold-rolled, of a thickness of: 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 artifically 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	23 440 200	30	Germany 6 446 055 Benelux 2 461 220 France 4 453 640 Italy 3 516 030 Denmark 1 172 010 Ireland 234 400 United Kingdom 5 156 845

ANNEX B

List of developing countries and territories enjoying generalized tariff preferences (1)

I. INDEPENDENT COUNTRIES

660 Afghanistan (2)
208 Algeria
330 Angola
528 Argentina
453 Bahamas
640 Bahrain
666 Bangladesh (2)
469 Barbados
284 Benin (2)
675 Bhutan (2)
516 Bolivia
391 Botswana (2)
508 Brazil
676 Burma
328 Burundi (2)
302 Cameroon
306 Central African Empire (2)
244 Chad (2)
512 Chile
480 Colombia
375 Comoros
318 Congo
436 Costa Rica
448 Cuba
600 Cyprus
456 Dominican Republic
500 Ecuador
220 Egypt
428 El Salvador
310 Equatorial Guinea
334 Ethiopia (2)
815 Fiji
314 Gabon
252 Gambia (2)
276 Ghana
473 Grenada
416 Guatemala
260 Guinea (2)
257 Guinea Bissau
488 Guyana
452 Haiti (2)
424 Honduras
664 India
700 Indonesia
616 Iran
612 Iraq
272 Ivory Coast
464 Jamaica
338 Jibuti
628 Jordan
696 Kampuchea (Cambodia)
346 Kenya
636 Kuwait
684 Laos (2)
604 Lebanon
395 Lesotho (2)
268 Liberia
216 Libya
370 Madagascar
386 Malawi (2)
701 Malaysia
667 Maldives (2)
232 Mali (2)
228 Mauritania
373 Mauritius
412 Mexico
204 Morocco
366 Mozambique
803 Nauru
672 Nepal (2)
432 Nicaragua
240 Niger (2)
288 Nigeria
652 North Yemen (2)
649 Oman
662 Pakistan
440 Panama
801 Papua New Guinea
520 Paraguay
504 Peru
708 Philippines
644 Qatar
247 Republic of Cape Verde
324 Rwanda (2)
819 Samoa (2)
311 Sao Tome and Principe
632 Saudi Arabia
248 Senegal
355 Seychelles and dependencies
264 Sierra Leone
706 Singapore
812 Solomon Islands
342 Somalia (2)
728 South Korea
656 South Yemen (2)
669 Sri Lanka
224 Sudan (2)
492 Surinam
393 Swaziland
608 Syria
352 Tanzania (2)
680 Thailand
280 Togo
817 Tonga
472 Trinidad and Tobago
212 Tunisia
812 Tuvalu
350 Uganda (2)
647 United Arab Emirates
236 Upper Volta (2)
524 Uruguay
484 Venezuela
690 Vietnam
048 Yugoslavia
322 Zaire
378 Zambia

(1) The code number preceding the name of each beneficiary country or territory is that given in 'Geonomenclature 1979' (Regulation (EEC) No 2843/78 — OJ No L 339, 5. 12. 1978, p. 5).
(2) This country is also included in Annex C.

II. COUNTRIES AND TERRITORIES

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

808 American Oceania (1)

802 Australian Oceania (Christmas Island, Cocos (Keeling) Islands, Heard Island and McDonald Islands, Norfolk Island)

421 Belize

413 Bermuda

357 British Indian Ocean Territory

812 British Oceania

703 Brunei

463 Cayman Islands

529 Falkland Islands and dependencies

822 French Polynesia

044 Gibraltar

740 Hong Kong

743 Macao

377 Mayotte

476 Netherlands Antilles

809 New Caledonia and dependencies

814 New Zealand Oceania (Tokelau and Niue Islands; Cook Islands)

890 Polar regions (French Southern and Antarctic Territories, Australian Antarctic Territories, British Antarctic Territories)

329 St Helena and dependencies

454 Turks and Caicos Islands

457 Virgin Islands of the United States

811 Wallis and Futuna Islands

471 West Indies

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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(1) American Oceania includes: 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).

ANNEX C

List of least developed developing countries

660 Afghanistan
666 Bangladesh
284 Benin
675 Bhutan
391 Botswana
328 Burundi
306 Central African Empire
244 Chad
334 Ethiopia
252 Gambia
260 Guinea
452 Haiti
684 Laos
395 Lesotho
386 Malawi
667 Maldives
232 Mali
672 Nepal
240 Niger
652 North Yemen
324 Rwanda
819 Samoa
342 Somalia
656 South Yemen
224 Sudan
352 Tanzania
350 Uganda
236 Upper Volta