# DECISION

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

**of 13 December 1976**

**opening tariff preferences for certain steel products originating in developing countries**

(76/909/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 1977, 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 of 27 June 1968 on the common definition of the concept of the origin of goods [1].

3. Subject to Article 2, this suspension shall be granted generally up to the limit of a ceiling equal to the amount obtained, in respect of each category of products, by adding together, in units of account, the value for 1974 of cif 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 cif imports in 1974 from other countries and from the countries and territories already enjoying such arrangements.

For the particular purpose of the abovementioned calculations, the statistics referring to the year 1974, expressed in EUR, are to be considered as being expressed in units of account of the Common Customs Tariff.

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.

*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

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

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 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 cooperation with the Commission, shall take all necessary measures to ensure that the above provisions are applied.

*Article 5*

Member States shall inform the Commission periodically of imports of the products in question 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, 13 December 1976.

*The President*

M. van der STOEL

*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 (1) | Blooms, billets, slabs and sheet bars (including tinplate bars), of iron or steel; pieces roughly shaped by forging, of iron or steel:<br>A. Blooms and billets:<br>I. Rolled<br>B. Slabs and sheet bars (including tinplate bars):<br>I. Rolled |
| 73.09 | Universal plates of iron or steel |
| 73.11 (2) (3) | 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:<br>A. Angles, shapes and sections:<br>I. Not further worked than hot-rolled or extruded<br>IV. Clad or surface-worked (for example, polished, coated):<br>a) Not further worked than clad:<br>1. Hot-rolled or extruded<br>B. Sheet piling |
| 73.12 | Hoop and strip, of iron or steel, hot-rolled or cold-rolled:<br>A. Not further worked than hot-rolled<br>B. Not further worked than cold-rolled:<br>I. In coils for the manufacture of tinplate<br>C. Clad, coated or otherwise surface-treated:<br>III. Tinned:<br>a) Tinplate<br>V. Other (for example, copper-plated, artificially oxidized, lacquered, nickel-plated, varnished, clad, parkerized, printed):<br>a) Not further worked than clad:<br>1. Hot-rolled |

(1) For products covered by heading No 73.07, the ceiling referred to in Article 1 (3) has been lowered to 6 899 000 u.a.

(2) For products covered by heading No 73.11 and with respect to Yugoslavia, the maximum amount referred to in Article 1 (4) has been lowered to 594 150 u.a.

(3) For products covered by heading No 73.11, the ceiling referred to in Article 1 (3) has been lowered to 3 961 000 u.a.

| CCT heading No | Description |
|---|---|
| 73.15 (1) | 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 |
| | 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 |
| | 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) 'Electrical' sheets and plates |

(1) For products covered by heading No 73.15, the ceiling referred to in Article 1 (3) has been lowered to 12 224 000 u.a.

| CCT heading No | Description |
|---|---|
| 73.15 (*) *(cont'd)* | b) Other sheets and plates:<br>1. Not further worked than hot-rolled<br>2. Not further worked than cold-rolled, of a thickness of:<br>bb) Less than 3 mm<br>3. Polished, clad, coated or otherwise surface-treated<br>4. Otherwise shaped or worked:<br>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:<br>A. Rails:<br>II. Other<br>B. Check-rails<br>C. Sleepers<br>D. Fish-plates and sole plates:<br>I. Rolled |

*ANNEX B*

**List of developing countries and territories enjoying generalized tariff preferences**

## I. INDEPENDENT COUNTRIES

Afghanistan
Algeria
Angola
Argentina
Bahamas
Bahrain
Bangladesh
Barbados
Bénin
Bhutan
Bolivia
Botswana
Brazil
Burma
Burundi
Cameroon
Cape Verde Islands
Central African Republic
Chad
Chile
Colombia
Comoros
Congo, People's Republic of
Costa Rica
Cuba
Cyprus
Dominican Republic
Ecuador
Egypt, Arab Republic of
El Salvador
Equatorial Guinea
Ethiopia
Fiji
Gabon
Gambia
Ghana
Grenada
Guatemala
Guinea
Guinea Bissau
Guyana
Haiti
Honduras
India
Indonesia
Iran
Iraq
Ivory Coast
Jamaica
Jordan
Kenya
Khmer Republic
Korea (South)
Kuwait
Laos
Lebanon
Lesotho
Liberia
Libya
Malagasy Republic
Malawi
Malaysia
Maldive Islands
Mali
Mauritania
Mauritius
Mexico
Morocco
Mozambique
Nauru
Nepal
Nicaragua
Niger
Nigeria
Oman
Pakistan
Panama
Papua New Guinea
Paraguay
Peru
Philippines
Qatar
Rwanda
Sao Tome and Principe
Saudi Arabia
Senegal
Seychelles
Sierra Leone
Singapore
Somalia
Sri Lanka
Sudan
Surinam
Swaziland
Syria
Tanzania
Thailand
Togo
Tonga
Trinidad and Tobago
Tunisia
Uganda
United Arab Emirates:
- Abu Dhabi
- Dubai
- Ras al Khaimah
- Fujairah
- Ajman
- Sharjah
- Ummal Qaiwain

Upper Volta
Uruguay
Venezuela
Vietnam
Western Samoa
Yemen, People's Democratic Republic of
Yemen Arab Republic
Yugoslavia
Zaire
Zambia

## 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**

Afars and Issas (Territory of the)
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
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
Mayotte
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)
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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(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.