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 16 December 1986

applying for 1987 the generalized tariff preferences for certain steel products originating in developing countries

(86/638/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 1987, the customs duties applicable to the products listed in Annexes I and II shall be totally suspended within the framework of tariff quotas and ceilings.

Spain and Portugal shall apply on the imports of products referred to above the customs duties established in accordance with Articles 178 and 365 of the 1985 Act of Accession.

2. The arrangements provided for in paragraph 1 shall apply solely:

— in all customs areas of the Community, to each of the countries or territories listed in column 4 of Annex I against each category of products listed in columns 2 and 3,

— in the Community, to each of the other countries or territories listed in Annex III, with the exception of Yugoslavia, for the same categories of products,

— in the Community, to each of the countries or territories listed in Annex III for the other categories of products in Annex II,

subject to observance of the concept of originating products.

3. Preferential entry as provided for in this Decision shall be subject to conformity with the definition of the origin of products adopted in accordance with the procedure laid down in Article 14 of Regulation (EEC) No 802/68 [1].

However, the Community preference arrangements applicable to Yugoslavia shall result exclusively from the provisions contained in the Agreement with that country concerning ECSC products [2]; consequently, for products submitted under the said Agreement to Community tariff ceilings or listed in Annex I to this Decision, the movement certificate EUR 1 shall be deemed the only documentary evidence for the granting of tariff preferences.

4. The Community tariff quotas and ceilings shall be administered in accordance with the provisions set out below.

SECTION I

Provisions concerning the administration of the Community tariff quotas relating to products listed in Annex I

Article 2

The total suspension of customs duties within the limits of the Community tariff quotas referred to in Article 1 (1) shall be accorded to each country or territory listed in column 4 of Annex I in respect of the products indicated against its name in columns 2 and 3 together with details in column 5 of the amount of the individual quotas.

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[1] OJ No L 148, 28. 6. 1968, p. 1.
[2] OJ No L 41, 14. 2. 1983, p. 113; OJ No L 237, 27. 8. 1983, p. 1.

Article 3

1. The Member States shall administer their tariff quotas in accordance with their own provisions.

2. The extent to which a Member State has used up its share shall be determined on the basis of imports of the goods in question which have been entered for free circulation, 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).

Article 4

Each Member State shall reintroduce the levying of duties which have been suspended in respect of a country or territory listed in column 4 of Annex I as soon as it finds that the charges against its national quota of the products concerned originating in that country or territory have reached the amount laid down in column 6 of Annex I.

SECTION II

Provisions concerning the administration of the Community tariff ceilings relating to the products listed in Annexes I and II

Article 5

Subject to Articles 6 and 7, the preferential tariff ceiling arrangements shall be accorded:

— for products in Annex I, to each of the countries or territories listed in Annex III, other than those which may be listed in column 4 of Annex I, within the limits of the amounts specified in column 7 of Annex I, against each category of products,

— for products in Annex II, to the countries or territories listed in Annex III, considered individually, within the limits of a Community ceiling corresponding to 102 % of the highest maximum amount valid for 1980 under each of the preferential ceilings opened for that year.

Article 6

1. As soon as the individual ceilings fixed or calculated in accordance with the provisions of Article 5, which are laid down for imports into the Community, under the conditions which it shall determine, of products originating in any of the countries or 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, reintroduce the levying of the corresponding duties on imports of the products in question from each of the countries or territories concerned until the end of the period referred to in Article 1 (1).

2. Within the framework of the foregoing provisions, the Commission shall coordinate the procedures for reintroducing normal customs duties, in particular by notifying the date common to the whole of the Community and directly applicable in each Member State. This notification shall be published in the *Official Journal of the European Communities.*

3. However, paragraphs 1 and 2 shall not apply to the countries listed in Annex IV.

Article 7

The extent to which ceilings have been used up shall be determined at Communitiy level on the basis of imports charged in the manner laid down in Article 8 (1) and (2).

SECTION III

General provisions

Article 8

1. Imports of the products in question shall be charged against the quota shares and Community ceilings as and when the products are entered for free circulation, on the basis of the customs value of the said products, and are accompanied by a certificate of origin in accordance with the rules laid down in Article 1 (2).

2. Goods may be charged against a ceiling or admitted under a tariff quota only if the certificate of origin referred to in paragraph 1 is presented before the date on which the levying of duties is reintroduced.

3. For the purposes of the application of this Decision, the value of the ECU, in which the preferential amounts are expressed, and the rate of conversion into national currencies shall be that provided for in the Common Customs Tariff.

4. An amendment to the list of beneficiaries, in particular by the addition of new countries or territories, may entail a corresponding adjustment to Community tariff quotas or ceilings.

Article 9

1. The Member States shall, within six weeks of the end of each quarter at the latest, forward to the Statisti-

cal Office of the European Communities the relevant statistical data for the products entered for free circulation in the quarter concerned under generalized preferential treatment in accordance with the provisions of the present Decision. This data, transmitted according to the headings of the nomenclature of goods for external trade statistics of the Community and statistics of trade between Member States (NIMEXE), shall show the country of origin, value, quantity and any supplementary units as defined by Council Regulation (EEC) No 1736/75 (1).

2. However, in the case of products in Annex I subject to quotas, the Member States shall, by the 11th day of each month at the latest, forward the list of charges effected during the previous month. In the case of products of Annex I subject to ceilings, the Member States shall forward to the Commission, at its request and under the same conditions, the list of charges effected during the previous month.

At the Commission's request, when the level of 75 % of the ceiling is reached, the Member States shall forward the lists of charges to the Commission every 10 days; these lists shall be forwarded within five days of the end of each 10-day period.

Article 10

The Member States shall, in close cooperation with the Commission, take all necessary measures to ensure that this Decision is applied.

Article 11

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

Article 12

This Decision shall enter into force on 1 January 1987.

Done at Brussels, 16 December 1986.

The President
G. HOWE

(1) OJ No L 183, 14. 7. 1975, p. 3.

ANNEX I

List of products subject to zero duty Community preferential tariff quotas and ceilings (a)

Order No	CCT heading No (NIMEXE code)	Description	Community tariff quotas			Ceilings
			Beneficiary countries or territories	Individual quota amount (ECU)	Amount of shares allocated to Member States (ECU)	Individual ceiling for countries or territories other than those under column 4 (ECU)
(1)	(2)	(3)	(4)	(5)	(6)	(7)
60.0010	73.07 (73.07-12, 21, 24)	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				3 324 600
60.0020	73.08 (*) (73.08-01, 03, 05, 07, 21, 25, 29, 41, 45, 49)	Iron or steel coils for re-rolling	Brazil South Korea Venezuela	3 237 451	BNL 310 795 DK 148 923 D 809 363 E 236 334 GR 58 274 F 563 316 IRL 16 187 I 427 344 P 45 324 UK 621 591	3 237 451
60.0030	73.10 (*) (73.10-11, 12, 14, 15, 17, 18, 42)	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	Argentina Brazil Venezuela	2 006 493	BNL 192 623 DK 92 299 D 501 623 E 146 474 GR 36 117 F 349 130 IRL 10 032 I 264 857 P 28 091 UK 385 247	2 006 493
60.0040	73.11 (73.11-11, 12, 14, 16, 19, 41, 50)	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: I. Hot rolled or extruded B. Sheet piling				1 908 900

(a) Preferences are not granted in respect of the products, marked with an asterisk, originating in China.

(1)	(2)	(3)	(4)	(5)	(6)	(7)
60.0050	73.13 (*) (73.13-11, 16, 17, 19, 21, 23, 26, 32, 34, 36, 43, 45, 47, 49, 50, 64, 65, 67, 68, 72, 74, 76, 78, 79, 82, 84, 86, 87, 88, 89, 92)	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, 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	Argentina Brazil South Korea	5 500 000	BNL 528 000 DK 253 000 D 1 375 000 E 401 500 GR 99 000 F 957 000 IRL 27 500 I 726 000 P 77 000 UK 1 056 000	6 276 000
60.0060	73.15 (73.61-50) (73.62-10, 30) (73.63-21, 29, 72) (73.64-20, 72)	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): I. 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: I. Not further worked than clad: aa) Hot-rolled	Brazil South Korea	5 564 100	BNL 534 154 DK 255 949 D 1 391 025 E 406 179 GR 100 154 F 968 153 IRL 27 821 I 734 461 P 77 897 UK 1 068 307	5 891 400

(1)	(2)	(3)	(4)	(5)	(6)	(7)
60.0060 *(cont'd)*	73.15 *(cont'd)* (73.65-21, 23, 25, 55, 70, 81) (73.71-51, 52, 54, 55, 56, 59) (73.72-11, 13, 19, 33, 39) (73.73-23, 24, 25, 26, 29, 33, 34, 35, 36, 39, 72)	A. 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 b) Other sheets and plates: 1. Not further worked than hot-rolled 2. Not further worked than cold-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				
	(73.74-21, 23, 29, 72) (73.75-11, 19, 23, 24, 29, 33, 34, 39, 43, 44, 49, 63, 64, 69, 73, 79, 83, 84, 89)					

ANNEX II

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

Order No	CCT heading No (NIMEXE code)	Description
62.0010	73.09 (73.09-00)	Universal plates of iron or steel
62.0020	73.12 (73.12-11, 19, 21, 51, 71)	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
62.0030	73.13 (73.13-41) (a)	Sheets and plates, of iron or steel, hot-rolled or cold-rolled: B. Other sheets and plates: II. Not further worked than cold-rolled, of a thickness of: a) 3 mm or more
62.0040	73.15 (73.65-53) (a) (73.75-53, 54, 59) (a)	Alloy steel and high carbon steel in the forms mentioned in heading Nos 73.06 to 73.14: A. High carbon steel: VII. Sheets and plates: b) Not further worked than cold-rolled, of a thickness of: 1. 3 mm or more B. Alloy steel: VII. Sheets and plates: b) Other sheets and plates: 2. Not further worked than cold-rolled, of a thickness of: aa) 3 mm or more
62.0050	73.16 (73.16-14, 16, 17, 20, 40, 51)	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

(a) Preferences are also granted in respect of products falling within this subheading, originating in Romania.

ANNEX III

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

A. INDEPENDENT COUNTRIES

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

(1) The code number preceding the name of each beneficiary country or territory is that given in 'Geonomenclature' (Regulation (EEC) No 3639/86 (OJ No L 336, 29. 11. 1986, p. 46)).
(2) This country is also included in Annex IV.

B. COUNTRIES AND TERRITORIES

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

044 Gibraltar
329 St Helena and St Helena dependencies
357 British Indian Ocean Territory
377 Mayotte
406 Greenland (1)
413 Bermuda
446 Anguilla
454 Turks and Caicos Islands
457 Virgin Islands of the United States
461 British Virgin Islands and Montserrat
463 Cayman Islands
474 Aruba
478 Netherlands Antilles
529 Falkland Islands and Falkland dependencies
740 Hong Kong
743 Macao
802 Australian Oceania (Christmas Island, Cocos (Keeling) Islands, Heard Island and McDonald Islands, Norfolk Island)
808 American Oceania (2)
809 New Caledonia and dependencies
811 Wallis and Futuna Islands
813 Pitcairn
814 New Zealand Oceania (Tokelau and Niue Islands; Cook Islands)
822 French Polynesia
890 Polar regions (French Southern and Antarctic Territories, Australian Antarctic Territories, British Antarctic Territories)

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

(1) As from the entry into force of the Treaty, signed in Brussels on 13 March 1984, amending the treaties establishing the European Communities with regard to Greenland or of interim measures agreed in the Council.
(2) 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 IV

List of least-developed developing countries

224 Sudan
232 Mali
236 Burkina Faso
240 Niger
244 Chad
247 Republic of Cape Verde
252 Gambia
257 Guinea Bissau
260 Guinea
264 Sierra Leone
280 Togo
284 Benin
306 Central African Republic
310 Equatorial Guinea
311 São Tomé and Principe
324 Rwanda
328 Burundi
334 Ethiopia
338 Djibouti
342 Somalia
350 Uganda
352 Tanzania
355 Seychelles and dependencies
375 Comoros
386 Malawi
391 Botswana
395 Lesotho
452 Haiti
652 North Yemen
656 South Yemen
660 Afghanistan
666 Bangladesh
667 Maldives
672 Nepal
675 Bhutan
684 Laos
817 Tonga
819 Western Samoa