Protocol 6

concerning annual Spanish tariff quotas on the import of motor vehicles falling within subheading 87.02 A I b) of the Common Customs Tariff referred to in Article 34 of the Act of Accession

1. The Kingdom of Spain shall, from 1 January 1986, open annual tariff quotas for the import of motor vehicles for the transport of persons, with either a spark ignition or a compression ignition engine, other than motor coaches and buses, falling within subheading 87.02 A I b) of the Common Customs Tariff, originating in the Community as at present constituted. The customs duty applicable within the limits of this tariff quota shall be fixed at 17,4 %. The quota shall be abolished on 31 December 1988.

The basic volume of the tariff quota shall be fixed at 32 000 motor vehicles. It shall be increased to 36 000 units on 1 January 1987 and 40 000 units on 1 January 1988.

2. The annual volumes shall be divided into two instalments.

The first instalments shall be subdivided into four categories of cylinder capacity:

— less than 1 275 cc,

— from 1 275 up to and including 1 990 cc,

— more than 1 990 up to and including 2 600 cc,

— more than 2 600 cc.

The second instalments shall make up the reserve.

The distribution of the first instalments shall be fixed as follows:

(a) for 1986: 28 000 units, of which:

— 3 000 units for the category of less than 1 275 cc,

— 13 000 units for the category from 1 275 up to and including 1 990 cc,

— 11 000 units for the category of more than 1 990 up to and including 2 600 cc,

— 1 000 units for the category of more than 2 600 cc;

(b) for 1987: 32 000 units, of which:

— 3 400 units for the category of less than 1 275 cc,

— 14 850 units for the category from 1 275 up to and including 1 990 cc,

— 12 600 units for the category of more than 1 990 up to and including 2 600 cc,

— 1 150 units for the category of more than 2 600 cc;

(c) for 1988: 36 000 units, of which:

— 3 850 units for the category of less than 1 275 cc,

— 16 700 units for the category from 1 275 up to and including 1 990 cc,

— 14 150 units for the category of more than 1 990 up to and including 2 600 cc,

— 1 300 units for the category of more than 2 600.

The annual reserve of 4 000 vehicles for each of the years 1986, 1987 and 1988 shall cover imports of vehicles of all cylinder capacities. However, use of this reserve shall be limited to motor vehicles originating in Italy and the United Kingdom, 2 000 vehicles being allocated to each of these Member States.

3. The provisions relating to the administration and application of the annual tariff quota shall, in particular, guarantee equal and continued access of all motor vehicles constructed in the Community as at present constituted and the uninterrupted application of the customs duty laid down for the said quota to all producers from the Community as at present constituted until the quota is exhausted. The provisions shall ensure that the quota volume is entirely used up at the end of each year.

The position with regard to the use of the annual tariff quota shall be reviewed jointly by the Kingdom of Spain and the Commission on 1 October of each year.

4. The Kingdom of Spain shall forward to the Commission on 15 March, 15 May, 15 July, 15 September, 15 November and 15 January of each year the following information:

— the extent to which each part of the quota is used up,

— any growth in volume of the parts, following withdrawals from the reserve,

— returns to the reserve,

— the state of the reserve,

— any other information the Commission deems necessary.

5. Before any act implementing this Protocol, in whatever form including decree, directive or administrative instruction, is brought into force by the Kingdom of Spain, such act must first be submitted to the Commission so that it may be examined for its compatibility with the Treaty, the Act of Accession and, in particular, this Protocol. The Kingdom of Spain shall notify the Commission of any amendment to the text of such an act.