COMMISSION DECISION No 2244/94/ECSC

of 15 September 1994

derogating from and amending Decision No 1970/93/ECSC opening and providing for the administration of tariff quotas in respect of certain ECSC steel products originating in the Czech Republic and the Slovak Republic imported into the Community (1 June 1993 to 31 December 1995)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular the first paragraph of Article 95 thereof,

Whereas a tariff quota system was established by Decision No 1/93 [1] and Decision No 1/93 [2] adopted by the EC-Czech Republic and Slovak Republic Joint Committee;

Whereas arrangements for the application of that tariff quota system were laid down by Commission Decision No 1970/93/ECSC [3];

Whereas the operation of the said system has undergone thorough examination by the Parties, with the result that certain amendments were made by Decision No 1/94 [4] and Decision No 1/94 [5] of the Joint Committees between the EC and the Czech Republic and the Slovak Republic;

Whereas it is necessary to derogate from and amend Decision No 1970/93/ECSC to take account of the results of that examination;

Whereas, following the exclusion of measures under the common commercial policy from the transitional arrangements in favour of the new *Bundesländer* by Commission Decision No 1478/94/ECSC [6], it is appropriate to make specific provision for the suspension of tariffs applying to certain products covered by the aforesaid Decisions No 1/93 and No 1/93 in respect of imports into the territory of the new German *Bundesländer* for the year 1994;

After consultation with the Consultative Committee and with the unanimous assent of the Council,

HAS ADOPTED THIS DECISION:

Article 1

By way of derogation from Article 1 of Decision No 1970/93/ECSC, imports into the Community effected between 1 June and 31 December 1993 from the Czech Republic of the products set out in the table in Article 1 of that Decision shall not be subject to the additional rate of duty set out in the said table, provided that the goods were accompanied by a movement certificate EUR 1 and a licence issued by the Czech authorities in the form set out in Annex I to that Decision.

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[1] OJ No L 157, 29. 6. 1993, p. 67.
[2] OJ No L 157, 29. 6. 1993, p. 59.
[3] OJ No L 180, 23. 7. 1993, p. 10.
[4] See page 21 of this Official Journal.
[5] See page 20 of this Official Journal.
[6] OJ No L 159, 28. 6. 1994, p. 37.

Article 2

1. Until 31 December 1995 imports into the Community of products originating in the Czech Republic shall be subject to the duties applicable under the Interim Agreement and, in addition, to the further rates of duty in percentage of their customs value, as set out in the following table.

CN code	Description	Rate of additional duty
7208 32 10 7208 33 10 7208 34 10 7208 34 90 7208 42 10 7208 43 10 7208 44 10 7208 44 90 7208 35 10 7208 35 90 7208 45 90	Cut lengths	25 %
7208 11 00 7208 12 10 7208 12 91 7208 12 95 7208 12 98 7208 13 10 7208 13 91 7208 13 95 7208 13 98 7208 14 10 7208 14 91 7208 14 99 7208 21 10 7208 21 90 7208 22 10 7208 22 91 7208 22 95 7208 22 98 7208 23 10 7208 23 91 7208 23 95 7208 23 98 7208 24 10 7208 24 91 7208 24 99 7219 11 10 7219 11 90 7219 12 10 7219 12 90 7219 13 10 7219 13 90 7219 14 10 7219 14 90 7255 10 10 7255 20 20 7255 30 00	Hot-rolled coils	25 %

2. Until 31 December 1994 imports into the Community of quarto plates produced by a reversible rolling mill process falling within the CN codes set out in the following table shall be subject to the duties applicable under the Interim Agreement and, in addition, to the further rates of duty, in percentage of their customs value, as set out in that table.

The duties applicable to imports of quarto plates produced by reversible rolling mill process which are :

— within the limits of the quotas set out in the table, and

— accompanied by both a movement certificate EUR 1 and a licence issued by the Czech authorities set out in the form set out in Annex I to Decision No 1970/93/ECSC,

shall be those of the Interim Agreement without the additional rates of duty set out in the following table :

Order No	CN code	Description	Volume of quota (tonnes)	Rate of additional duty
09 5065	7208 33 99 7208 43 99 7208 45 10	Quarto plates produced by a reversible rolling mill process	7 000	25 %

Article 3

By way of derogation from Article 2 of Decision No 1970/93/ECSC, imports into the Community effected between 1 June and 31 December 1993 from the Slovak Republic of the products set out in the table in Article 2 of that Decision shall not be subject to the additional rate of duty set out in the said table, provided that the goods were accompanied by a movement certificate EUR 1 and a licence issued by the Slovak authorities in the form set out in Annex II to that Decision.

Article 4

Until 31 December 1995 imports into the Community of the products originating in the Slovak Republic shall be subject to the duties applicable under the Interim Agreement and, in addition, to the further rates of duty in percentage of their customs value, as set out in the following table :

CN code	Description	Rate of additional duty
7213 10 00 7213 20 00 7213 31 00 7213 39 00 7213 41 00 7213 49 00 7213 50 10 7213 50 90 7221 00 10 7221 00 90 7227 10 00 7227 20 00 7227 90 10 7227 90 30 7227 90 50 7227 90 70	Wire rod	30 %

Article 5

1. From 1 January to 31 December 1994 the customs duties applied to the products set out in the following table originating in the Czech Republic shall be suspended up to the maximum volumes set out therein :

CN code	Description	Volume (tonnes)
7213 10 00 7213 20 00 7213 31 00 7213 39 00 7213 41 00 7213 49 00 7213 50 10 7213 50 90 7221 00 10 7221 00 90 7227 10 00 7227 20 00 7227 90 10 7227 90 30 7227 90 50 7227 90 70	Wire rod	40 000
7209 11 00 7209 12 90 7209 13 90 7209 14 90 7209 21 00 7209 22 90 7209 23 90 7209 24 91 7209 24 99 7209 31 00 7209 32 90 7209 33 90 7209 34 90 7209 41 00 7209 42 90 7209 43 90 7209 44 90 7211 30 10 7211 41 10 7211 41 91 7211 49 10	Cold-rolled sheet	10 000

2. Paragraph 1 shall be applicable only if :

— the goods in question are released for free circulation on the territory of the former German Democratic Republic and are consumed there or undergo processing conferring Community origin there ; and
— a licence issued by the relevant German authorities stating that the goods in question fall within the scope of paragraph 1 is submitted in support of the declaration for release for free circulation.

3. The Commission and the competent German authorities shall stake whatever measures are needed to ensure that the final consumption of the products in question, or the processing by which they acquire Community origin, takes place or the territory of the former German Democratic Republic.

Article 6

1. From 1 January to 31 December 1994 the customs duties applied to the products set out in the following table originating in the Slovak Republic shall be suspended up to the maximum volumes set out therein :

CN-code	Description	Volumes (tonnes)
7208 11 00 7208 12 10 7208 12 91 7208 12 95 7208 12 98 7208 13 10 7208 13 91 7208 13 95 7208 13 98 7208 14 10 7208 14 91 7208 14 99 7208 21 10 7208 21 90 7208 22 10 7208 22 91 7208 22 95 7208 22 98 7208 23 10 7208 23 91 7208 23 95 7208 23 98 7208 24 10 7208 24 91 7208 24 99 7219 11 10 7219 11 90 7219 12 10 7219 12 90 7219 13 10 7219 14 10 7219 14 90 7255 10 10 7255 20 20 7255 30 00	Hot-rolled coils	20 000
7209 11 00 7209 12 90 7209 13 90 7209 14 90 7209 21 00 7209 22 90 7209 23 90 7209 24 91 7209 24 99 7209 31 00 7209 32 90 7209 33 90 7209 34 90 7209 41 00 7209 42 90 7209 43 90 7209 44 90 7211 30 10 7211 41 10 7211 41 91 7211 49 10	Cold-rolled sheet	10 000
7211 12 10 7211 12 90 7211 19 10 7211 19 91 7211 19 99 7211 22 10 7211 22 90 7211 29 10 7211 29 91 7211 29 99 7211 60 91 7220 11 00 7220 12 00 7220 90 31 7226 10 10 7226 20 20 7226 91 10 7226 91 90 7226 99 20	Hot-rolled strip and hoop	100 000

2. Paragraph 1 shall be applicable only if:

— the goods in question are released for free circulation on the territory of the former German Democratic Republic and are consumed there or undergo processing conferring Community origin there, and

— a licence issued by the relevant German authorities stating that the goods in question fall within the scope of the provisions contained in paragraph 1 is submitted in support of the declaration for release for free circulation.

3. The Commission and the competent German authorities shall take whatever measures are needed to ensure that the final consumption of the products in question, or the processing by wich they acquire Community origin, takes place on the territory of the former German Democratic Republic.

Article 7

The amounts set out in Articles 5 and 6 shall, for the purposes of calculating the overall amounts available under the transitional provisions in favour of the new *Bundesländer,* be taken into account in, and shall not be additional to, the global amount for the import of ECSC products from the Czech Republic and the Slovak Republic of 246 000 tonnes as specified in Communication 91/C 151/01 [1].

Article 8

This Decision shall enter into force on the third day following its publication in the *Official Journal of the European Communities.*

This Decision shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 15 September 1994.

For the Commission

Leon BRITTAN

Member of the Commission

[1] OJ No C 151, 10. 6. 1991, p. 1.