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 tariff preferences for certain steel products originating in developing countries

(78/1038/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 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 European units of account, the value for 1971 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, all statistical data are to be considered as being expressed in European 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 listed in Annex B 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 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 and Community level, the Member States may at any time, at the request of any 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 the country or territory listed in Annex B until the end of the period referred to in Article 1 (1).

3. Within the framework of the foregoing provisions, the Commission shall coordinate the procedures for re-introducing normal customs duties, in particular, by notifying the date common to the whole of the

(1) OJ No L 148, 28. 6. 1968, p. 1.

Community and directly applicable in each Member State. This notification shall be published in the *Official Journal of the European Communities.*

4. However, paragraphs 1, 2 and 3 shall not apply to the imports in question originating in the countries listed in Annex C.

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, 29 December 1978.

The President

H.-D. GENSCHER

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: A. Blooms and billets: I. Rolled B. Slabs and sheet bars (including tinplate bars): 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: 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: 1. Hot-rolled or extruded B. Sheet piling
73.12	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

(1) For products covered by heading No 73.07, the ceiling referred to in Article 1 (3) has been lowered to 6 899 000 EUA.
(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 EUA.
(3) For products covered by heading No 73.11, the ceiling referred to in Article 1 (3) has been lowered to 3 961 000 EUA.

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 EUA.

CCT heading No	Description
73.15 *(cont'd)*	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
73.16	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: A. Rails: II. Other B. Check-rails C. Sleepers D. Fish-plates and sole plates: I. Rolled

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