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COM (77)696

Vol. 1977/0220

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Conformément au règlement (CEE, Euratom) n° 354/83 du Conseil du 1er février 1983 concernant l'ouverture au public des archives historiques de la Communauté économique européenne et de la Communauté européenne de l'énergie atomique (JO L 43 du 15.2.1983, p. 1), tel que modifié par le règlement (CE, Euratom) n° 1700/2003 du 22 septembre 2003 (JO L 243 du 27.9.2003, p. 1), ce dossier est ouvert au public. Le cas échéant, les documents classifiés présents dans ce dossier ont été déclassifiés conformément à l'article 5 dudit règlement.

In accordance with Council Regulation (EEC, Euratom) No 354/83 of 1 February 1983 concerning the opening to the public of the historical archives of the European Economic Community and the European Atomic Energy Community (OJ L 43, 15.2.1983, p. 1), as amended by Regulation (EC, Euratom) No 1700/2003 of 22 September 2003 (OJ L 243, 27.9.2003, p. 1), this file is open to the public. Where necessary, classified documents in this file have been declassified in conformity with Article 5 of the aforementioned regulation.

In Übereinstimmung mit der Verordnung (EWG, Euratom) Nr. 354/83 des Rates vom 1. Februar 1983 über die Freigabe der historischen Archive der Europäischen Wirtschaftsgemeinschaft und der Europäischen Atomgemeinschaft (ABl. L 43 vom 15.2.1983, S. 1), geändert durch die Verordnung (EG, Euratom) Nr. 1700/2003 vom 22. September 2003 (ABl. L 243 vom 27.9.2003, S. 1), ist diese Datei der Öffentlichkeit zugänglich. Soweit erforderlich, wurden die Verschlussachen in dieser Datei in Übereinstimmung mit Artikel 5 der genannten Verordnung freigegeben.

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(77) 696 final.

Brussels, 14 December 1977.

Proposal for a COUNCIL REGULATION (EEC)

on the application of Decision No 12/77 of the ACP-EEC Council
of Ministers derogating from the concept of "originating pro-
ducts" to take account of the special situation of Mauritius
with regard to its production of canned tuna

(submitted to the Council by the Commission)

COM(77) 696 final.

EXPLANATORY NOTE

On 23 November 1977 the ACP-CEE Council of Ministers approved the text of Decision No 12/77, derogating from the concept of "originating products" to take account of the particular situation of Mauritius in regard to its production of canned tuna.

It is necessary to apply this text in the Community.

In addition, as the date of the application of Decision No 12/77 was fixed for 25 November 1977, it has been necessary to this date for the date of entry into force of this Regulation,

This is the object of the attached draft.

Proposal for a

COUNCIL REGULATION (EEC) No 177

of

on the application of Decision No 12/77 of the ACP-EEC Council of Ministers derogating from the concept of "originating products" to take account of the special situation of Mauritius with regard to its production of canned tuna.

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas the ACP-EEC Council of Ministers set up under the ACP-EEC Convention of Lomé (1) signed on 28 February 1975, hereinafter called "the Convention", adopted, pursuant to Article 75 of the Convention, Decision No 11/76 of 15 July 1976 delegating its competence to the ACP-EEC Committee of Ambassadors,

Whereas the ACP-EEC Committee of Ambassadors has adopted, in application of the powers delegated to it by the above Decision, Decision No 12/77 of the ACP-EEC Council of Ministers of 23 November 1977 derogating from the concept of "originating products" to take account of the special situation of Mauritius with regard to its production of canned tuna,

Whereas it is necessary, in accordance with Article 74 of the Convention, to take the measures required to implement that Decision,

HAS ADOPTED THIS REGULATION :

../.

(1) OJ No L 25, 30.1.1976, p. 2

Article 1

Decision No 12/77 of the ACP-EEC Council of Ministers annexed to this Regulation shall apply in the Community.

Article 2

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

It shall apply from 25 November 1977 until 24 November 1978

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

Done at Brussels,

For the Council

The President

DECISION No 12/77 OF THE ACP-EEC COUNCIL OF MINISTERS
OF 23 NOVEMBER 1977

derogating from the concept of "originating products"
to take account of the special situation of Mauritius
with regard to its production
of canned tuna

THE ACP-EEC COMMITTEE OF AMBASSADORS,

Having regard to the ACP-EEC Convention of Lomé signed on
28 February 1975 hereinafter called "the Convention", and
in particular Article 9(2) thereof,

Having regard to Decision No 12/76 of the ACP-EEC Council of
Ministers of 15 July 1976 on the delegation of certain powers
to the ACP-EEC Committee of Ambassadors, and in particular
Article 1(1) thereof,

.../.

Whereas Article 27 of Protocol No 1 to the Convention, concerning the definition of the concept of "originating products" and methods of administrative co-operation, states that derogations from the rules of origin may be made, in particular to facilitate the development of existing industries or the creation of new industries;

Whereas the ACP States have submitted a request from the Government of Mauritius for a derogation from the definition set out in the said Protocol for canned tuna produced by that State; whereas a one-year derogation should be sufficient to satisfy that request;

Whereas, in accordance with Article 27 of Protocol No 1, the Customs Co-operation Committee has adopted a report on the said request;

Whereas, in order not to hinder the future development of an existing industry, the very existence of which is at present threatened as a result of unforeseen circumstances, a temporary derogation should be granted from the definition in the said Protocol,

HAS DECIDED AS FOLLOWS:

Article 1

- By way of derogation from the special provisions of List A in Annex II to Protocol No 1, canned tuna manufactured in Mauritius and falling within tariff heading No ex 16.04 shall be considered as originating in Mauritius subject to the following conditions.

Article 2

This derogation shall relate to 1,600 tonnes of canned tuna falling within tariff heading No ex 16.04 imported into the Community between 25 November 1977 and 24 November 1978.

Article 3

Movement certificates EUR 1 issued pursuant to this Decision shall bear one of the following entries:

- "marchandises originaires en vertu de la decision n° 12/77 du Conseil des Ministres ACP-CEE",
- "Ursprungen gemäss Beschluss Nr. 12/77 des AKP-EWG-Ministerrates",
- "merci originarie in vertu della decisione n. 12/77 del Consiglio dei ministri ACP-EEC",
- "goederen van oorsprong uit hoofde van Besluit nr. 12/77 van de ACS-EEG-Raad van Ministers",
- "originating products by virtue of Decision No 12/77 of the ACP-EEC Council of Ministers",
- "varer med oprindelsesstatus i henhold til AVS-EØF-ministerrådets afgørelse nr. 12/77",

This entry shall be made under the heading "Remarks".

Article 4

The competent authorities of Mauritius shall take the necessary steps to carry out quantitative checks on exports of the products referred to in Article 2 and shall forward to the Commission every three months a statement of the quantities in respect of which movement certificates EUR 1 have been issued pursuant to this Decision.

Article 5

The ACP States, the Member States and the Community shall be required, each for its own part, to take the necessary steps to implement this Decision.

Article 6

This Decision shall enter into force on 25 November 1977.

It shall apply until 24 November 1978.

Udfærdiget i Bruxelles, den
Geschehen zu Brüssel am
Done at Brussels,
Fait à Bruxelles, le
Fatto a Bruxelles, addì
Gedaan te Brussel,

23. XI. 1977

På AVS/EØF-Ambassadørudvalgets vegne
Im Namen des AKP-EWG-Botschafterausschusses
For the ACP-EEC Committee of Ambassadors
Par le Comité des Ambassadeurs ACP/CEE
Per il Comitato degli Ambasciatori ACP/CEE
Voor het ACS-EEG-Comité van Ambassadeurs

Formand
Der Präsident
The President
Le président
Il Presidente
De Voorzitter

T. van der Meulen

Sekretarerne
Die Sekretäre
The Secretaries
Les Secrétaires
I Segretari
De Secretarissen

[Signature] *[Signature]*