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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(73) 2095 final

Brussels, 12 December 1973

PROPOSAL FOR A REGULATION (EEC) OF THE COUNCIL

concerning the definition of the concept of originating products
for the implementation by the Member States of
Articles 109 (2) and 119 (2) of the Act concerning the
Conditions of Accession and the Adjustments of the Treaties

(submitted to the Council by the Commission)

EXPLANATORY NOTE

According to provisions of Articles 109 (2) and 119 (2) of the Act concerning the Conditions of Accession and the Adjustments to the Treaties, goods originating in the African and Malagasy States, in the partner States of the Community in East Africa and in the Overseas Countries and Territories, are subject on importation into the new Member States to the same treatment as applied to them before accession, except in the case where progress to the Common Customs Tariff leads to a reduction in customs duty in a new Member State.

If that progress leads to an increase in duty, the treatment applied to the States, countries and territories in question constitutes a preferential treatment in derogation from the most-favoured nation clause.

Thus, it is necessary to specify the rules of origin applicable to the goods covered by this treatment

This is the purpose of this regulation.

Proposal for a
Regulation (EEC) of the Council

concerning the definition of the concept of originating products
for the implementation by the Member States
of Articles 109 (2) and 119 (2) of the
Act concerning the Conditions of Accession and the
Adjustments of the Treaties

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,
in particular Article 115 thereof,

Having regard to the proposal from the Commission

Whereas according to Articles 109 (2) and 119 (2) of the Act concerning
the Conditions of Accession and the Adjustments of the Treaties, goods
originating in the associated States mentioned in Article 109 (2) and
goods originating in the overseas countries and territories referred to
in Article 119 (1) are subject on importation in the new Member States,
to the same treatment as applied to them before accession; if progress
to the Common Customs Tariff leads to reduction in customs duty in a new
Member State, the new reduced customs duty applies to the said importa-
tions; it is expedient to lay down precise rules for the determination
of the origin of goods benefitting from the said treatment; for this
purpose and in order to simplify the customs formalities to be imple-
mented by the States, countries and territories in question, it is
equally necessary to apply the provisions of Regulation (EEC) No. 1251/71
of the Council of 7 June 1971 ⁽¹⁾ on the implementation of Decision
No. 36/71 of the Association Council set up under the Convention of
Association between the EEC and the African and Malagasy States associated
with this Community, Regulation (EEC) No. 1289/71 of the Council of

7 June 1971 ⁽²⁾ on the implementation of Decision No. 1/71 by the Association Council under the Agreement setting up an association between the EEC and the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya, and of the Decision of the Council of 7 June 1971 ⁽³⁾ on the definition of the concept of originating products and methods of administrative cooperation for the purpose of implementing the Decision of 29 September 1970 concerning the association of overseas countries and territories with the European Economic Community,

HAS ADOPTED THIS REGULATION :

Article 1

1. The provisions of Regulation (EEC) No. 1251/71 of the Council of 7 June 1971 on the implementation of Decision No. 36/71 of the Association Council set up under the Convention of Association between the European Economic Community and the African and Malagasy States associated with this Community shall, for the purpose of Article 109 (2) of the Act concerning the Conditions of Accession and Adjustments to the Treaties, apply to the definition of originating products in respect of products of these States.
2. The provisions of Regulation (EEC) No. 1289/71 of the Council of 7 June 1971 on the implementation of Decision No. 1/71 of the Association Council set up under the Agreement establishing an Association between the European Economic Community and the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya, shall for the purpose of Article 109 (2) of the Act concerning the Conditions of Accession and the Adjustments to the Treaties, apply to the definition of originating products in respect of products of these States.

(1) O.J. No. L 135 of 21.6.71, p. 1

(2) O.J. No. L 141 of 27.6.71, p. 1

(3) O.J. No. L 141 of 27.6.71, p. 47

3. The provisions of the Decision of the Council of 7 June 1971 concerning the definition of the concept of originating products and the methods of administrative cooperation for the purpose of the application of the Decision of 29 September 1970 relating to the association of overseas countries and territories with the European Economic Community shall, for the purposes of Article 102 (2) of the Act concerning the Conditions of Accession and the Adjustments to the Treaties, apply to the definition of originating products in respect of products of these States.

Article 2

This regulation shall enter into force on 1 January 1974.

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

Done at Brussels,

For the Council,

The President