

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(89) 368 final

Brussels, 17 July 1989

Proposal for a
COUNCIL REGULATION (EEC)

opening and providing for the administration of a autonomous Community
tariff quota for aniline

(presented by the Commission)

EXPLANATORY MEMORANDUM

1. As a result of a request made by the authorities of Belgium, the Services of the Commission have examined with government experts the opportunity of opening a duty-free tariff quota for aniline, in order to meet a temporary shortfall in Community production during the second semester of 1989.

2. Following this examination it appears that a solution which envisages the opening of a duty-free tariff quota for this product, limited to 5 000 tonnes for a period lasting until 31 December 1989 could be agreed un-animously by the Member States, without disturbing the Community market for the product in question.

It is understood that during this period, the beneficiary user industries must strive for better utilization of Community production capacity, which should significantly increase.

This is the purpose of the proposal.

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of

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THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community, and in particular Article 28
thereof,

Having regard to the proposal from the Commission,

Whereas Community supplies of

aniline currently depend on imports
from third countries; whereas it is in the Community's
interest to suspend partially or totally the customs duties
for the product in question, within Community tariff
quota of an appropriate volume; whereas in order not to
jeopardize the development prospects in respect of
these products in the Community and to ensure an
adequate supply to satisfy user industries, it is advisable to
open this duty-free quota for the period until

31 December 1989, with a volume of 5 000 tonnes;

Whereas equal and continuous access to the quota should
be ensured for all Community importers and the rate of
levy for the tariff quota should be applied consistently to
all imports until the quota is used up; whereas, it
is appropriate to take the necessary measures
to ensure efficient Community administration
of this tariff quota while offering the
Member States the opportunity to draw from
the quota volume the necessary quantities
corresponding to actual imports; whereas
this method of administration requires
close cooperation between the Member States
and the Commission;

Whereas, since the Kingdom of Belgium, the
Kingdom of the Netherlands and the Grand
Duchy of Luxembourg are united within and
jointly represented by the Benelux Economic
Union, all transactions concerning the
administration of this quota may be carried
out by any one of its members,

HAS ADOPTED THIS REGULATION:

Artikel 1

1. from the date of entry into force of this regulation until 31 December 1989, the customs duty applicable to the import of the product listed below shall be suspended at the level and within the limits of the Community tariff quota indicated:

Order No	CN code	Description	Amount of tariff quota (tonnes)	Rate of duty (%)
09.2796	ex2927 41 00	Aniline	5 000	0

2. Within the limits of this tariff quota, the Kingdom of Spain and the Portuguese Republic shall apply customs duties calculated in accordance with the relevant provisions in the Act of Accession.

Article 2

The tariff quota referred to in Article 1 shall be managed by the Commission, which may take all appropriate administrative measures in order to ensure effective administration thereof.

Article 3

If an importer presents in a Member State a declaration of entry into free circulation, including a request for preferential benefit for a product covered by this Regulation and if this declaration is accepted by the customs authorities, the Member State concerned shall inform the Commission and draw an amount corresponding to its requirements from the quota amount.

The drawing requests, with indication of the date of acceptance of the said declarations, must be transmitted to the Commission without delay.

The drawings are granted by the Commission by reference to the date of acceptance of the declarations of entry into free circulation by the customs authorities of the Member State concerned to the extent that the available balance so permits.

If a Member State does not use the quantities drawn, it shall return them as soon as possible to the quota amount.

If the quantities requested are greater than the available balance of the quota amount, allocation shall be made on a *pro rata* basis with respect to the requests. Member States shall be informed thereof by the Commission.

Article 4

1. Each Member State shall ensure that importers of the product concerned have equal and continuous access to the quota for such time as the residual balance of the quota volume so permits.
2. The extent to which the quota has been used up shall be determined on the basis of the imports of goods entered with the customs authorities for free circulation.

Article 5

Member States and the Commission shall collaborate closely in order to ensure that this Regulation is complied with.

Article 6

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

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

Done at Brussels,

For the Council
The President

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FICHE FINANCIERE

1. Ligne budgétaire concernée : Chap. 12 art.120
2. Base juridique : art. 28 du traité
3. Intitulé de la mesure tarifaire : Proposition de règlement du Conseil portant ouverture et mode de gestion d'un contingent tarifaire communautaire pour l'aniline.
4. Objectif : Assurer l'approvisionnement, à des conditions favorables, des industries communautaires.
5. Pertes de recettes:

Produit	Quantités en tonnes	Prix en ECU/tonne	Droit normal (en %)	Droit contin- gentaire (en %)	Perte de recettes (en ECUS)
Aniline	5 000	867	12	0	520 200

Nouvelle mesure tarifaire décidée à partir du 1er janvier 1989.

Total des pertes pour l'année 1989 :
442 170 écus (1er semestre) + 520 200 écus = 962 370 écus.

FICHE D'IMPACT SUR LA COMPETITIVITE ET L'EMPLOI

La présente proposition vise l'ouverture d'un contingent tarifaire communautaire autonome destiné à couvrir, à des conditions favorables, les besoins des industries utilisatrices. Elle aura pour effet de permettre à ces industries de concurrencer celles des pays tiers sur les marchés de la Communauté et des pays tiers et de maintenir ou même d'améliorer l'emploi dans la Communauté.

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