

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(94) 546 final

Brussels, 09.12.1994

Proposal for a

COUNCIL DECISION

establishing transitional measures for trade
between the Republic of Austria,
the Republic of Finland and the Kingdom of Sweden, on the one hand
and the overseas countries and territories on the other

(presented by the Commission)

EXPLANATORY MEMORANDUM

Article 2 of the Act of Accession of Austria, Finland and Sweden to the European Union provides that the provisions of the original Treaties and the acts adopted by the institutions before accession shall be binding on the new Member States and applicable in them.

Furthermore, Article 72 of the Act of Accession allows Austria, until 1 January 1996, to maintain, in respect of the other Member States, the customs duties and licensing arrangements applied on the date of its accession to certain spirituous beverages. In consequence, and by virtue of the principle that the OCT may not enjoy more favourable treatment than Member States, transitional measures are needed to ensure equal treatment in trade relations between the OCT and Austria.

PROPOSAL FOR A COUNCIL DECISION
establishing transitional measures for trade
between the Republic of Austria,
the Republic of Finland and the Kingdom of Sweden, on the one hand
and the overseas countries and territories on the other

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the proposal by the Commission,

Whereas Article 2 of the Act of Accession provides that, from the date of accession, the provisions of the original Treaties and the acts adopted by the institutions before accession shall be binding on the new Member States and shall apply in those States under the conditions laid down in those Treaties and in the Act of Accession;

Whereas Council Decision of 25 July 1991¹ lays down the modalities on the association of the overseas countries and territories with the European Economic Community;

Whereas the Act of Accession allows Austria to maintain, until 1 January 1996, the customs duties and licensing arrangements it applies on the date of its accession to certain spirituous beverages and undenatured ethyl alcohol;

HAS DECIDED AS FOLLOWS:

Article 1

Until 1 January 1996, the Republic of Austria may maintain the customs duties and licensing arrangements which it applied on the date of its accession to spirituous beverages and undenatured ethyl alcohol of an alcoholic strength by volume of less than 80% vol. falling within heading 22.08 of the HS and originating in the overseas countries and territories. Any such licensing arrangements must be applied in a non-discriminatory manner.

¹ O.J. No. L 263, 19.9.1991, p. 1

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Article 2

This Decision shall take effect on the day of its publication in the Official Journal of the European Communities.

It shall apply from 1 January 1995.

Done at Brussels,

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DOCUMENTS

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