

# **ASSOCIATION**

**between the European Economic Community  
and the United Republic of Tanzania,  
the Republic of Uganda and  
the Republic of Kenya**

## **COLLECTED ACTS**

**SECRETARIAT OF THE COUNCIL  
OF THE EUROPEAN COMMUNITIES**



General Secretariat of the Council  
Brussels

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Date of postage  
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M E M O R A N D U M

to the users of the EEC-EASTAF and EEC-AASM  
Collected Acts

Following the conclusion and entry into force on 1 April 1976 of the ACP-EEC Lomé Convention, the ACP-EEC collected Acts are to be published by the General Secretariat of the Council of the European Communities with effect from 1 January 1977.

Consequently, the EEC-EASTAF and EEC-AASM Collected Acts will no longer be appearing. However, the names of recipients of these will automatically be included in the list of subscribers to the ACP-EEC Collected Acts.

Any further information required may be obtained from the Library and Documentation Department, General Secretariat of the Council, 170 rue de la Loi - B 1048 Brussels.

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Directions for Use

1. Acts listed in the Compilation

The Compilation of Acts pertaining to the "Association between the European Economic Community and the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya" contains in addition to the text of the Association Agreement signed at Arusha on 24.9.1969, all the acts adopted pursuant to this Agreement by the various Institutions of the Association between the European Economic Community (EEC) and the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya (EASTAF) as well as the acts adopted by the EEC with regard to the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya.

Certain acts of the Institutions of the Association between the EEC and the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya have not been included because of their nature. This is the case for budgets, acts of a personal nature (for example appointments), etc...

2. General Structure of the Compilation

The acts are classified in 3 basic series with the following abbreviations and titles in order of classification :

GEN - General matters  
INST - Institutional problems  
**TRADE - Trade**

Each series of acts is separated from the others by a guide card with the abbreviated title of the series indicated on the top.

The acts appearing in each series are subdivided into headings which are numbered in Roman numerals listed on the 1st page of each series.

The acts appearing in the Compilation are classified under each heading in chronological order of the dates of adoption of the acts.

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General table of the series and headings in the Compilation  
"Association between the European Economic Community  
and the United Republic of Tanzania, the Republic of  
Uganda and the Republic of Kenya"

Series	Headings
General matters (GEN)	0 - General
Institutional Questions (INST)	0 - General- <del>Blank</del> I - Common Institutional Questions : Association Council and Association Committee
Trade (TRADE)	0 - General- <del>Blank</del> I - Decisions and other acts of the Association Council and Association Committee II - Community Decisions on the Common Customs Tariff- <del>Blank</del> III - Agricultural products

### 3. Pagination

In order that new acts can be added at any time, the Compilation is arranged in loose-leaf form.

Heading each page there is a reference composed of the following elements : an abbreviation indicating the series, a Roman numeral indicating the heading and consecutive Arabic numerals indicating the pages under each heading.

Example : **TRADE II 3**

**TRADE** indicates the 'Trade' series;

II indicates the heading "II Community Decisions on the Common Customs Tariff";

3 indicates page 3.

When it becomes necessary to amend a page after an alteration has been made, a replacement leaf will be supplied. This will be marked at the bottom right-hand corner so that it may be distinguished from the page to be removed which appeared previously in the collection.

Example : if "No 2" and "31.8.1973" are written on the page, this means that the previous leaf has been replaced by a second leaf on 31.8.1973.

References to show that an act is related to another are given in foot-note form.

### 4. Tables

At the beginning of each heading in the Compilation there is a table listing the titles of the acts recorded in it. It will be brought up to date at regular intervals.

In addition to this Compilation, there are also the "European Communities" Collected Acts, the Compilation of Acts of the "Association between the European Economic Community and the African States and Madagascar associated with the Community", the Compilation of Acts of the "Association between the European Economic Community and Turkey", the Compilation of Acts of the "Association between the European Economic Community and Greece", the Compilation of Acts of the "Association between the European Economic Community and the Kingdom of Morocco", the Compilation of Acts of the "Association between the European Economic Community and the Tunisian Republic", and the Compilation of Acts of the "Association between the European Economic Community and Malta".

General matters

Subdivision :

0. General



O. General

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(OJ N° L 282, 28.12.1970)

**COUNCIL DECISION**

**of 29 September 1970**

**on the conclusion of 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**

**(70/545/EEC)**

**THE COUNCIL OF THE EUROPEAN COMMUNITIES,**

Having regard to the Treaty establishing the European Economic Community, and in particular Article 228 thereof;

Having regard to 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, signed at Arusha on 24 September 1969;

Having consulted the European Parliament

**HAS DECIDED AS FOLLOWS:**

*Article 1*

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, the five Protocols attached thereto and the Annexes to the Final Act, signed at Arusha on 24 September 1969, are concluded, approved and confirmed on behalf of the Community.

*Article 2*

The President of the Council shall notify this Decision in accordance with Article 33 of the Agreement.

Done at Brussels, 29 September 1970.

*For the Council*

*The President*

S. von BRAUN

(OJ N° L 282, 28.12.1970)

**Agreement establishing an Association between the European Economic Community and the  
United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya  
(70/546/EEC)**

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**PREAMBLE**

His Majesty the King of the Belgians.  
The President of the Federal Republic of Germany.  
The President of the French Republic.  
The President of the Italian Republic.  
His Royal Highness the Grand Duke of Luxembourg.  
Her Majesty the Queen of the Netherlands.

Contracting Parties to the Treaty establishing the European Economic Community signed at Rome on 25 March 1957, hereinafter referred to as 'the Treaty', whose States are hereinafter referred to as the 'Member States', and

The Council of the European Communities  
on the one hand, and  
The President of the United Republic of Tanzania.  
The President of the Republic of Uganda,  
The President of the Republic of Kenya.

Contracting Parties to the Treaty for East African Cooperation establishing the East African Community, signed at Kampala on 6 June 1967, whose States are hereinafter referred to as the 'Partner States of the East African Community',

on the other hand.

Having regard to the Treaty establishing the European Economic Community;

Taking into consideration the Association Agreement signed at Arusha on 26 July 1968:

Wishing to demonstrate their common desire to maintain and strengthen their friendly relations, observing the principles of the Charter of the United Nations;

Resolved to develop economic relations between the Partner States of the East African Community and the European Economic Community;

Conscious of the importance of the development of cooperation and trade and of intra-African international economic relations;

Taking into consideration the Treaty for East African cooperation, establishing the East African Community;

Have decided to conclude an Agreement establishing an Association between the European Economic Community and the Partner States of the East African Community, in accordance with Article 238 of the Treaty establishing the European Economic Community;

and to this end have designated as Plenipotentiaries:

**HIS MAJESTY THE KING OF THE BELGIANS:**  
Mr Joseph Van der Meulen,  
Ambassador Extraordinary and Plenipotentiary;

**THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY:**  
Mr Gunther Harkort,  
State Secretary at the Ministry of Foreign Affairs:

**THE PRESIDENT OF THE FRENCH REPUBLIC:**  
Mr Yvon Bourges,  
State Secretary at the Ministry of Foreign Affairs;

**THE PRESIDENT OF THE ITALIAN REPUBLIC:**  
Mr Mario Pedini,  
Deputy State Secretary at the Ministry of Foreign Affairs;

**HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBOURG;**  
Mr Georges Dupong,  
Minister of Education, Labour and Social Security;

**HER MAJESTY THE QUEEN OF THE NETHERLANDS:**  
Mr H. J. de Koster,  
State Secretary at the Ministry of Foreign Affairs;

**THE COUNCIL OF THE EUROPEAN COMMUNITIES:**  
Mr H. J. De Koster,  
President in Office of the Council of the European Communities;

Mr Henri Rochereau,  
Minister of the Commission of the European Communities;

**THE PRESIDENT OF THE UNITED REPUBLIC OF TANZANIA:**  
Hon Abdulraman Mohamed Babu,  
Minister for Commerce and Industry;

**THE PRESIDENT OF THE REPUBLIC OF UGANDA:**  
Hon William Wilberforce Kalema,  
Minister for Commerce and Industry;

**THE PRESIDENT OF THE REPUBLIC OF KENYA:**  
Hon Mwai Kibaki,  
Minister for Commerce and Industry;

Who, having exchanged their Full Powers, found in good and due form,

**HAVE AGREED UPON THE FOLLOWING PROVISIONS:**

*Article 1*

1. By this Agreement an Association is established between the European Economic Community and the Partner States of the East African Community.
2. The aim of the Association Agreement is to promote an increase of trade between the European Economic Community and the Partner States of the East African Community and thus contribute to the development of international trade.

**TITLE I**

**TRADE**

*Article 2*

1. Products originating in the Partner States of the East African Community shall on importation into the European Economic Community, be admitted free of customs duties and charges having equivalent effect, but the treatment applied to these products may not be more favourable than that applied by the Member States among themselves.

2. The provisions of paragraph 1 above shall not, however, prejudice the import treatment applied to:

- such products listed in Annex II of the Treaty as come under a common organization of the market within the meaning of Article 40 of the Treaty;
- products subject, on importation into the European Economic Community, to specific rules as a consequence of the implementation of the common agricultural policy.

The provisions of Protocol No 1 to this Agreement stipulate the conditions under which the European Economic Community shall determine the treatment to be applied.

notwithstanding the general treatment in force *vis-à-vis* third countries, to the products referred to above, when such products originate in the Partner States of the East African Community.

With regard to unroasted coffee, cloves (whole fruit, cloves and stems) and tinned pineapple, the special provisions laid down in Protocol No 2 to this Agreement shall apply.

3. At the request of one or more Partner States of the East African Community, there shall be consultations within the Association Council regarding the conditions of application of this Article.

#### Article 3

1. Products originating in Member States shall, when imported into Partner States of the East African Community, benefit, under the terms of Protocol No 3 to this Agreement, from the elimination of any customs duties and charges having equivalent effect which the Partner States of the East African Community apply to imports of these products into their territories.

2. The Partner States of the East African Community may, however, retain or introduce, under the terms of Protocol No 3 to this Agreement, customs duties and charges having equivalent effect which are necessary to meet their development needs or which are intended to contribute to their budgets.

3. The customs duties and charges having equivalent effect levied by the Partner States of the East African Community in accordance with paragraph 2 above may not give rise, *de jure* or *de facto*, to any direct or indirect discrimination between Member States.

4. At the request of the European Economic Community, there shall be consultations within the Association Council regarding the conditions of application of this Article.

#### Article 4

1. In so far as the Partner States of the East African Community levy duties on exports of their products to Member States, these duties may not give rise, *de jure* or *de facto*, to any direct or indirect discrimination between Member States.

2. Without prejudice to the application of Article 14 (2), there shall be consultations within the Association Council if the application of such duties leads to serious disturbances in the conditions of competition.

#### Article 5

1. The European Economic Community shall not apply to imports of products originating in the Partner States of the East African Community any quantitative restrictions or measures having equivalent effect other than those that the Member States apply among themselves.

2. The provisions of paragraph 1 above, however, shall not prejudice the import treatment accorded to the products referred to in Article 2 (2a).

3. At the request of one or more Partner States of the East African Community, there shall be consultations within the Association Council regarding the conditions of application of this Article.

#### Article 6

1. The Partner States of the East African Community shall not apply any quantitative restrictions or measures having equivalent effect to the importation of products originating in Member States.

2. Notwithstanding the provisions of paragraph 1 above, the Partner States of the East African Community may retain or introduce new quantitative restrictions on the importation of products originating in Member States in order to meet their development needs or in the event of difficulties in their balance of payments or, where agricultural products are concerned, in connection with the development of the East African Common Market as provided for in the Treaty for East African Cooperation. Development needs are those listed in Article 2 of Protocol No 3 to this Agreement.

Application of such restrictions may not give rise, *de jure* or *de facto*, to discrimination against Member States *vis-à-vis* third countries.

3. Application of the measures referred to in paragraph 2 above shall be subject to the proviso that the Partner States of the East African Community keep opportunities of importation open, without discrimination, to products originating in the European Economic Community.

Nevertheless, where sales of a specific product meet with difficulties on the domestic market of the Partner States of the East African Community, those States may, notwithstanding the preceding subparagraph and subject to prior consultation within the Association Council, suspend imports of that product for a limited period, to be fixed case by case, on condition that they produce evidence of the existence of such difficulties and provide any explanations necessary for an assessment of the need to prohibit imports.

4. On the coming into force of this Agreement, the Partner States of the East African Community shall submit to the Association Council a list of the products subject to quantitative restrictions on imports applied in accordance with the provisions of paragraph 2 above, and any information they possess that may allow the Member States to know what opportunities there are for importing into the Partner States of the East African Community products subject to quantitative restrictions.

At the request of the European Economic Community, there shall be consultations within the Association

Council regarding the conditions of application of these restrictions.

5. The Partner States of the East African Community shall, upon the introduction of any new quantitative restrictions in accordance with the provisions of paragraph 2 above, immediately notify the Association Council. As soon as the notification has been given, there shall be consultations within the Association Council, at the request of the European Economic Community.

6. On the coming into force of this Agreement, the Partner States of the East African Community shall notify the Association Council of the foreign trade regulations applicable to Member States.

The Association Council shall be notified of any change in these regulations.

#### *Article 7*

The provisions of Articles 5 and 6 shall not prejudice the treatment that any Contracting Party signatory to a world agreement accords to any product under such an agreement.

#### *Article 8*

Without prejudice to special provisions for border trade or to Articles 9 and 10:

- (a) the treatment that the Partner States of the East African Community apply by virtue of this Title to products originating in Member States shall not be less favourable than that applied to products originating in the most favoured third country;
- (b) the treatment that the Partner States of the East African Community apply by virtue of this Title to their products on exportation to the European Economic Community shall not be less favourable than that applied to products exported to the most favoured third country.

#### *Article 9*

The Partner States of the East African Community may maintain or establish among themselves customs unions or free trade areas or conclude among themselves economic cooperation agreements.

The Association Council shall be kept informed by the Partner States of the East African Community.

#### *Article 10*

1. The Partner States of the East African Community may maintain or establish customs unions or free trade areas or conclude economic cooperation agreements with one or more African third countries at a comparable stage of development, provided that this does not lead to any change in the provisions concerning origin for the purpose of implementing this Agreement.

The Association Council shall be kept informed by the Partner States of the East African Community.

2. At the request of the European Economic Community, there shall be consultations within the Association Council.

3. If these consultations reveal any incompatibility between the undertakings given by the Partner States of the East African Community and the principles or provisions of this Agreement, the Association Council shall, in case of need, take any measures necessary for the smooth functioning of the Association. It may also make any recommendations deemed useful.

#### *Article 11*

The Partner States of the East African Community may likewise maintain or establish customs unions or free trade areas or conclude economic cooperation agreements with one or more other third countries, provided that such customs unions, free trade areas or economic cooperation agreements neither are nor prove to be incompatible with the principles or provisions of this Agreement.

The Association Council shall be kept informed by the Partner States of the East African Community.

At the request of the European Economic Community, there shall be consultations within the Association Council.

#### *Article 12*

The provisions of Articles 5 and 6 shall not preclude prohibitions or restrictions on imports, exports or transit justified on grounds of public morality, public policy, public security, the protection of human or animal life or health, or plant preservation, the protection of national treasures possessing artistic, historic or archaeological value, or the protection of industrial or commercial property.

However, such prohibitions or restrictions shall not constitute a means of arbitrary discrimination or a disguised restriction on trade.

#### *Article 13*

1. On matters of trade policy the Contracting Parties shall keep each other informed and, should one of them so request, shall consult within the Association Council for the purpose of the proper implementation of this Agreement.

2. The information given and the consultations held shall bear on measures concerning trade with third countries if these measures are likely to harm the interests of any Contracting Party.

*Article 14*

1. If serious disturbances occur in a sector of the economy of one or more Partner States of the East African Community or jeopardize their external financial stability, or if difficulties arise which result in a deterioration in the economic situation of a region in the East African Community, the Partner State or States concerned may, notwithstanding the provisions of Article 3 and 6, take the necessary protective measures.

These measures and the methods of applying them shall be notified immediately to the Association Council.

2. If serious disturbances occur in a sector of the economy of the European Economic Community or of one or more of its Member States or jeopardize their external financial stability, or if difficulties arise which result in a deterioration in the economic situation of a region in the European Economic Community, that Community may take, or may authorize the Member State or States concerned to take, the necessary protective measures, notwithstanding the provisions of Articles 2 and 5.

These measures and the methods of applying them shall be notified immediately to the Association Council.

3. For the purpose of implementing paragraphs 1 and 2 above, priority shall be given to such measures as would least disturb the functioning of the Association. These measures shall not exceed the limits of what is strictly necessary to remedy the difficulties that have arisen.

4. There shall be consultations within the Association Council regarding measures taken in implementation of paragraphs 1 or 2 above. Such consultations shall be held at the request of the European Economic Community in respect of measures under paragraph 1, and at the request of the Partner States of the East African Community in respect of those under paragraph 2.

*Article 15*

Without prejudice to the special provisions laid down in this Agreement, each Contracting Party shall refrain from any measure or practice of an internal fiscal nature that directly or indirectly leads to discrimination between its own products and like products originating in the territory of the other Contracting Parties.

## TITLE II

## RIGHT OF ESTABLISHMENT AND SERVICES

*Article 16*

The Partner States of the East African Community shall ensure that, in the matter of the right of establishment and the provision of services, there shall be no discriminatory treatment, *de jure or de facto*, between nationals or between companies of Member States.

*Article 17*

Should one or more Partner States of the East African Community grant nationals or companies of a non-Member State more favourable treatment as regards the right of establishment or provision of services, such treatment shall be extended by the Partner State or States concerned to nationals or companies of the Member States, except where it arises out of regional agreements.

Nevertheless, nationals or companies of a Member State may not, for a specific activity, benefit in a Partner State of the East African Community from the provisions of this Article if the Member State to which they belong does not grant the nationals or companies of the Partner State of the East African Community concerned, as regards the right of establishment or provision of services, the same advantages for the activity in question as those obtained by the Partner State of the East African Community through an agreement with a non-Member State referred to in the preceding paragraph.

*Article 18*

Without prejudice to the provisions relating to movements of capital, the right of establishment within the meaning of this Agreement shall include the right to engage in and to exercise self-employed activities: to set up and manage undertakings and, in particular, companies; and to set up agencies, branches or subsidiaries.

*Article 19*

Services within the meaning of this Agreement shall be deemed to be services normally provided against remuneration, provided that they are not governed by the provisions relating to trade, the right of establishment or movements of capital. Services shall include in particular activities of an industrial character, activities of a commercial character, artisan activities and activities of the liberal professions, excluding activities of employed persons.

*Article 20*

1. Companies within the meaning of this Agreement shall be deemed to be companies under civil or commercial law, including cooperative societies and other legal persons under public or private law, but not including non-profit-making bodies.



2. 'Company of a Member State or of a Partner State of the East African Community' shall mean any company constituted in accordance with the law of a Member State or of a Partner State of the East African Community and having its registered office, central administration or main establishment in a Member State or in a

Partner State of the East African Community; nevertheless, should it have only its registered office in a Member State or in a Partner State of the East African Community, its business must have an effective and continuous link with the economy of that Member State or of that Partner State of the East African Community.

### TITLE III

#### PAYMENTS AND CAPITAL

##### *Article 21*

The Member States and the Partner States of the East African Community shall authorize payments relating to trade in goods and in services, and also the transfer of such payments to the Partner State of the East African Community or to the Member State in which the creditor or the beneficiary is resident, in so far as the movement of goods and services has been liberalized in pursuance of this Agreement.

##### *Article 22*

The Partner States of the East African Community shall treat nationals and companies of Member States on an equal footing in respect of investments made by them, of capital movements and of current payments resulting therefrom, and also of transfers connected with such operations.

### TITLE IV

#### INSTITUTIONAL PROVISIONS

##### *Article 23*

1. For the purpose of attaining the aims set out in this Agreement, there shall be established an Association Council. It shall have the power to take decisions in the cases provided for in this Agreement; such decisions shall be binding on the Contracting Parties, who must take such measures as are required to implement these decisions.

The Association Council may examine all matters relating to the implementation of this Agreement; it may formulate appropriate recommendations, and it shall undertake the consultations provided for by this Agreement.

2. The Association Council shall periodically review the results of the Association arrangements, taking into account the objectives of this Association.

3. The Association Council shall lay down its rules of procedure.

##### *Article 24*

1. The Association Council shall be composed, on the one hand, of the members of the Council and of members of the Commission of the European Communities and, on the other hand, of members of the Government of each Partner State of the East African Community and of representatives of the East African Community.

Any member of the Association Council may send a representative in accordance with conditions to be laid

down in its rules of procedure. The Association Council shall meet either at the level of ministers or at the level of their representatives.

2. In the case of meetings at ministerial level, decisions of the Association Council may be validly made only if, for the European Economic Community, a member of the Council and a member of the Commission of the European Communities, and, for the Partner States of the East African Community, a member of the Government of each Partner State of the East African Community, are present.

3. The Association Council shall act by mutual agreement between the European Economic Community on the one hand and the Partner States of the East African Community on the other.

##### *Article 25*

The office of President of the Association Council shall be held alternately by a member of the Council of the European Communities and a member of the Government of a Partner State of the East African Community.

##### *Article 26*

Meetings of the Association Council shall be called once a year by its President.

The Association Council shall, in addition, meet whenever necessary, in accordance with the conditions to be laid down in its rules of procedure.

*Article 27*

The Association Council may decide to set up a committee to assist the Council in the performance of its task and, in particular, to ensure the continuity of cooperation necessary for the smooth functioning of the Association.

In its rules of procedure the Association Council shall determine the composition and duties of the committee and how it shall function.

The Association Council may delegate to the committee the exercise of the powers entrusted to it by this Agreement, under the terms and within the limits laid down by the Association Council.

*Article 28*

1. Any dispute concerning the interpretation or the application of this Agreement which arises between one or more Member States or the European Economic Community on the one hand, and one or more Partner States of the East African Community on the other, may be brought before the Association Council.

2. If the Association Council fails to settle the dispute at its subsequent meeting, either Party may notify the

other of the appointment of an arbitrator; the other Party must then appoint a second arbitrator within two months. For the application of this procedure, the European Economic Community and the Member States shall be deemed to be one Party to the dispute.

The Association Council shall appoint a third arbitrator.

The decisions of the arbitrators shall be taken by majority vote.

3. Each Party to the dispute must take the measures required for the implementation of the arbitrators' decision.

*Article 29*

A Parliamentary Committee of the Association shall meet once a year to discuss matters concerning the Association.

It shall be composed, on a basis of parity, of members of the European Parliament and of members of the Parliaments of the Partner States of the East African Community.

It shall lay down its rules of procedure.

## TITLE V

## GENERAL AND FINAL PROVISIONS

*Article 30*

No Treaty, convention, agreement or arrangement of any kind between one or more Member States and one or more Partner States of the East African Community may impede the implementation of the provisions of this Agreement.

*Article 31*

1. The Association Council shall be informed of any request for membership of or association with the European Economic Community made by any State.

2. Any request for association with the European Economic Community made by a State whose economic structure and production are comparable with those of the Partner States of the East African Community, and which, after examination by the European Economic Community, has been referred by the latter to the Association Council, shall be the subject of consultations within the Association Council.

*Article 32*

This Agreement shall apply to the European territory of the Member States and to the French overseas departments on the one hand, and to the territory of the Partner States of the East African Community on the other.

*Article 33*

1. As regards the European Economic Community, this Agreement shall be validly concluded by a decision of the Council of the European Communities taken in conformity with the provisions of the Treaty and notified to the Parties to this Agreement. It shall be ratified by the Signatory States in conformity with their respective constitutional requirements.

2. The instruments of ratification of the Signatory States and the act of notification of the conclusion of this Agreement by the European Economic Community shall be exchanged in Brussels.

*Article 34*

This Agreement shall come into force on the first day of the month following the date on which the instruments of ratification and the act of notification have been exchanged.

*Article 35*

1. This Agreement shall be concluded for a period of five years from its entry into force and shall expire by 31 January 1975 at the latest.

2. This Agreement may be terminated by the European Economic Community in respect of each Partner State of the East African Community, and by each Partner State of the East African Community in respect of the European Economic Community, upon six months' notice.

*Article 36*

1. Eighteen months before the expiry of this Agreement, the Contracting Parties shall examine the provisions that might be made for a further period.

2. The Association Council shall take any transitional measures required until a new agreement comes into force.

*Article 37*

The Protocols annexed to this Agreement shall form an integral part thereof.

*Article 38*

This Agreement shall be drawn up in two copies, in the German, French, Italian, Dutch and English languages, each of these texts being equally authentic.

Zu Urkund dessen haben die unterzeichneten Bevollmächtigten ihre Unterschriften unter dieses Abkommen gesetzt.

En foi de quoi, les plénipotentiaires soussignés ont apposé leurs signatures au bas du présent Accord.

In fede di che, i plenipotenziari sottoscritti hanno apposto le loro firme in calce al presente Accordo.

Ten blijke waarvan de ondergetekende gevolmachtigden hun handtekening onder deze Overeenkomst hebben gesteld.

In witness whereof, the undersigned Plenipotentiaries have affixed their signatures below this Agreement.

Geschehun zu Arusha am sechsundzwanzigsten Juli neunzehnhundertachtundsechzig

Fait à Arusha, le vingt-six juillet mil neuf cent soixante huit

Fatto a Arusha, il ventisei luglio millenovecentosessantotto

Gedaan te Arusha, de zesentwintigste juli negentienhonderd acht en zestig

Done at Arusha on the twenty-sixth day of July in the year one thousand nine hundred and sixty-eight

Pour Sa Majesté le Roi des Belges,  
Voor Zijne Majesteit de Koning der Belgen,  
Joseph VAN DER MEULEN

Für den Präsidenten der Bundesrepublik Deutschland,  
Hans-Georg SACHS

Pour le Président de la République Française,  
Yvon BOURGES

Per il Presidente della Repubblica Italiana,  
Franco Maria MALFATTI

Pour Son Altesse Royale le Grand-Duc de Luxembourg,  
Albert BORSCHETTE

Voor Hare Majesteit de Koningin der Nederlanden,  
H.J. de KOSTER

Im Namen des Rates der Europäischen Gemeinschaften,

Pour le Conseil des Communautés Européennes,

Per il Consiglio delle Comunità Europee.

Voor de Raad der Europese Gemeenschappen.

Franco Maria MALFATTI

Henri ROCHEREAU

Mit dem Vorbehalt, dass für die Europäische Wirtschaftsgemeinschaft erst dann endgültig eine Verpflichtung besteht, wenn sie den anderen Vertragsparteien Notifiziert hat, dass die durch den Vertrag zur Gründung der Europäischen Wirtschaftsgemeinschaft vorgeschriebenen Verfahren stattgefunden haben.

Sous réserve que la Communauté Economique Européenne ne sera définitivement engagée qu'après notification aux autres Parties contractantes de l'accomplissement des procédures requises par le Traité instituant la Communauté Economique Européenne.

Con riserva che la Comunità Economica Europea sarà definitivamente vincolata soltanto dopo notifica alle altre Parti Contraenti dell'espletamento delle procedure richieste dal Trattato che istituisce la Comunità Economica Europea.

Onder voorbehoud dat de Europese Economische Gemeenschap eerst definitief gebonden zal zijn na kennisgeving aan de andere Overeenkomstluitende Partijen van de vervulling der door het Verdrag tot oprichting van de Europese Economische Gemeenschap vereiste procedures.

Provided that the Community shall be finally bound only after the other Contracting Parties have been notified that the procedures required by the Treaty establishing the European Economic Community have been completed.

For the President of the United Republic of Tanzania,

Aboud Mohamoud MAALIM

For the President of the Republic of Uganda,

William Wilberforce KALEMA

For the President of the Republic of Kenya,

Mwai KIBAKI

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**PROTOCOLS**

**PROTOCOL No 1**

**concerning the implementation of Article 2 (2) of the Association Agreement**

**THE CONTRACTING PARTIES,**

HAVE AGREED upon the following provisions, which are annexed to the Agreement

*Article 1*

1. After consultation within the Association Council, the European Economic Community shall determine, case by case, what treatment is to be accorded to imports of each of the products or groups of products referred to in Article 2 (2) of the Agreement, when such products originate in the Partner States of the East African Community, where these States have an economic interest in exporting the said products.

The treatment which the European Economic Community applies to these products shall be more favourable than the general treatment applied to like products originating in third countries.

2. However, if, in respect of a specific product, the economic situation of the European Economic Community so justifies, the latter may, by way of exception, refrain from according special treatment to imports of that product from the Partner States of the East African Community.

*Article 2*

If the products referred to in Article 2 (2a) of the Agreement are liable to customs duties at the time of importation into the European Economic Community and if no provision concerning trade in those products with third countries is laid down under the common agricultural policy, imports of such products into the European Economic Community shall, notwithstanding the provisions of Article 1 above and provided that these products originate in the Partner States of the East African Community, be governed by the provisions of Article 2 (1) of the Agreement.

*Article 3*

1. The treatment established for the various products on the basis of this Protocol shall be applied until the expiry of the Agreement.

2. However, in the event of a change in the Community organization of markets, the European Economic Community reserves the right, after consultation within the Association Council, to change the treatment established.

In such an event, the European Economic Community undertakes, in the framework of the new treatment, to maintain advantages for the Partner States of the East African Community comparable with those they enjoyed previously

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**PROTOCOL No 2**

**concerning unroasted coffee, cloves and tinned pineapple**

**THE CONTRACTING PARTIES,**

HAVE AGREED upon the following provisions, which are annexed to the Agreement:

Should imports into the European Community of unroasted coffee of heading No 09.01 A I of the Common Customs Tariff of the European Communities, of cloves (whole fruit, cloves and stems) of heading No 09.07 or of tinned pineapple of heading No 20.06 B II, originating in the Partner States of the East African Community, exceed the quantities stipulated below in the course of any given year, the European Economic Community

shall be authorized to take, subject to consultation with the Partner States of the East African Community, the necessary measures to avoid serious disturbances in traditional trade flows.

The annual quantities referred to in the first subparagraph of this Protocol shall be:

(a) Unroasted coffee	56 000 metric tons
(b) Cloves	120 metric tons
(c) Tinned pineapple	860 metric tons.

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## PROTOCOL No 3

## concerning the implementation of Article 3 of the Association Agreement

THE CONTRACTING PARTIES,

HAVE AGREED upon the following provisions, which are annexed to the Agreement:

*Article 1*

For the purpose of implementing the provisions of Article 3 of the Agreement, the Partner States of the East African Community shall, on the date of coming into force of the Agreement, eliminate all customs duties and charges having equivalent effect other than those which are necessary to meet their development needs or which are intended to contribute to their budgets.

*Article 2*

The development needs of the Partner States of the East African Community referred to in Article 1 above are those arising from:

- the implementation of economic development programmes aimed at raising the general standard of living in the country in question;
- the needs of their economic development, in particular where necessary to encourage the setting-up of branches of production for the purpose of raising the country's general standard of living;
- the need to achieve equilibrium in their balance of payments and to alleviate such difficulties as arise in the main from their efforts to expand their domestic markets and from the instability of their terms of trade;
- the necessity to achieve a rapid and sustained growth of their country's receipts from exports.

*Article 3*

The Contracting Parties shall take note of the customs duties to be eliminated in accordance with the provisions of Article 1 above in respect of the products listed in the Schedule annexed to this Protocol.

*Article 4*

On the date of coming into force of the Agreement, the Partner States of the East African Community shall

communicate to the Association Council their customs tariff as it stands after application of the foregoing provisions. At the request of the European Economic Community, there shall be consultations within the Association Council on this tariff.

*Article 5*

The Partner States of the East African Community shall notify the Association Council of any amendment to the tariff so established, in particular of any increase in customs duties or charges having equivalent effect made to meet their development needs or which is intended to contribute to their budgets. At the request of the European Economic Community, there shall be consultations within the Association Council on these amendments.

*Article 6*

1. The advantages accorded to Member States *vis-à-vis* third countries in respect of the products listed in the Schedule annexed to this Protocol shall not be reduced during the life of the Agreement.

2. The Partner States of the East African Community may, however, make any adjustments in the Schedule of products annexed to this Protocol that are necessary to meet their development needs or are intended to contribute to their budgets, subject to prior consultation within the Association Council and provided that the overall volume of concessions and the balance of concessions among the Member States are maintained.

3. The Partner States of the East African Community shall inform the Association Council in due time of any changes which they contemplate making.

This notification shall be accompanied by information of an economic and/or financial nature whereby the necessity to make the contemplated changes in the Schedule can be assessed.

*Article 7*

At the request of the Partner States of the East African Community, there shall be consultations within the Association Council regarding the conditions of application of this Protocol.

ANNEX

Schedule of the products to which Article 3 of Protocol No. 3 to the Agreement applies

East African Tariff No	Description of goods	Charges		
		Fiscal entry	Customs duty	
			Full	EEC
11.07	Malt, roasted or not	22 %	8 %	Free
12.06	Hop cones and lupulin	10 %	5 %	Free
15.07 B	Olive oil	48 %	2 %	Free
16.04	Prepared or preserved fish, including caviar and caviar substitutes	47 ½ %	2 ½ %	Free
17.04	Sugar confectionery, not containing cocoa	47 %	3 %	Free
18.06	Chocolate and other food preparations containing cocoa	42 %	8 %	Free
21.06 A	Bakers' yeast and household yeast	26 %	4 %	Free
22.05	Wine of fresh grapes - grape must with fermentation arrested by the addition of alcohol			
	A. Still wine and grape must:			
	(1) Not in bottle	per gallon Sh 16/- or 66 ⅔ %	Free	Free
	(2) In bottle	per gallon Sh 19/50 or 66 ⅔ %	per gallon Cents 50 (*)	Free
	B. Sparkling wine			
	(1) Champagne	per gallon Sh 31/30 or 66 ⅔ %	per gallon Sh 2/- (*)	Free
	(2) Other	per gallon Sh 21/90 or 66 ⅔ %	per gallon Sh 1/50 (*)	Free
22.06	Vermouths, and other wines of fresh grapes flavoured with aromatic extracts:			
	A. Not in bottle	per gallon Sh 16/- or 66 ⅔ %	Free	Free
	B. In bottle	per gallon Sh 19/- or 66 ⅔ %	per gallon Sh 1/- (*)	Free
22.09	Spirits (other than those of heading No 22.08); liqueurs and other spirituous beverages; compound alcoholic preparations (known as 'concentrated extracts') for the manufacture of beverages:			
	B. Brandy	per proof gallon Sh 195/-	per proof gallon Sh 5/- (*)	Free
30.03	Medicaments (including veterinary medicaments):			
	A. Prepared according to the British Pharmacopoeia, the National Pharmacopoeia of any Member State of the EEC, the British Pharmaceutical Codex, the US National Formula or the British Veterinary Codex, but not including any proprietary drugs or medicinal preparations	Free	Free	Free
32.04	Colouring matter of vegetable origin (including dyewood extract and other vegetable dyeing extracts, but excluding indigo) or of animal origin:			

East African Tariff No	Description of goods	Charges		
		Fiscal entry	Customs duty	
			Full	EEC
	A. For colouring foodstuffs, beverages, cosmetics or toilet preparations	30 ½ %	7 %	Free
32.12	Glaziers' putty; grafting putty; painters' fillings, and stopping, sealing and similar mastics, including resin mastics and cements	21 %	9 %	Free
33.01	Essential oils (terpeneless or not); concretes and absolutes; resinoids:			
	A. For use in the manufacture of perfumery, cosmetics or toilet preparations	68 %	7 %	Free
	B. Other	23 %	7 %	Free
35.03	Gelatin (including gelatin in rectangles, whether or not coloured or surface-worked) and gelatin derivatives; glues derived from bones, hides, nerves, tendons or from similar products, and fish glues; isinglass:			
	A. Gelatin	22 %	8 %	Free
37.02	Film in rolls, sensitized, unexposed, perforated or not	27 %	3 %	Free
37.07	Other cinematograph film, exposed and developed, whether or not incorporating sound track, negative or positive:			
	C. Other:			
	(3) Of a width exceeding 16 mm	per linear foot Cents 23	per linear foot Cents 2 (*)	Free
48.01	Paper and paperboard (including cellulose wadding), machine-made, in rolls or sheets:			
	A. Paper:			
	(1) Cigarette	43 %	2 %	Free
48.10	Cigarette paper, cut to size, whether or not in the form of booklets or tubes	40 %	5 %	Free
58.02	Other carpets, carpeting, rugs, mats and matting, and 'Kelem', 'Schumacks' and 'Karamanie' rugs and the like (made up or not)	25 %	5 %	Free
70.08	Safety glass consisting of toughened or laminated glass, shaped or not	25 %	5 %	Free
70.09	Glass mirrors (including rear-view mirrors), unframed, framed or backed	27 %	3 %	Free
70.13	Glassware (other than articles falling in heading No 70.19) of a kind commonly used for table, kitchen, toilet or office purposes, for indoor decoration, or for similar uses	30 %	3 ⅓ %	Free
73.13	Sheets and plates, of iron or steel, hot-rolled or cold-rolled:			
	C. Flat, uncoated:			
	(1) Of a thickness of 0.014 inches or less	per ft <sup>2</sup> Cents 3 or 12 %	3 %	Free
73.27	Gauze, cloth, grill, netting, fencing, reinforcing fabric and similar materials, of iron or steel wire:			
	A. Wire grill	25 %	5 %	Free



East African Tariff No	Description of goods	Charges		
		Fiscal entry	Customs duty	
			Full	EEC
73.36	Stoves (including stoves with subsidiary boilers for central heating), ranges, cookers, grates, fires and other space heaters, gas rings, plate warmers with burners, wash boilers with grates or other heating elements, and similar equipment, of a kind used for domestic purposes, not electrically operated, and parts thereof, of iron or steel:			
	B. Other	25 %	5 %	Free
74.17	Cooking and heating apparatus of a kind used for domestic purposes, not electrically operated, and parts thereof, of copper:			
	B Other	25 %	5 %	Free
84.17	Machinery, plant and similar laboratory equipment, whether or not electrically heated, for the treatment of materials by a process involving a change of temperature such as heating, cooking, roasting, distilling, rectifying, sterilizing, pasteurizing, steaming, drying, evaporating, vaporizing, condensing or cooling, not being machinery or plant of a kind used for domestic purposes; instantaneous or storage water heaters, non-electrical:			
	A. Instantaneous and storage water heaters	12 %	3 %	Free
84.20	Weighing machinery (excluding balances of a sensitivity of 5 centigrammes or better), including weight-operated counting and checking machines; weighing machine weights of all kinds:			
	A. Weighing machine weights of all kinds	30 %	Free	Free
	B. Other	25 %	5 %	Free
84.51	Typewriters, other than typewriters incorporating calculating mechanisms; cheque-writing machines	26 %	4 %	Free
84.52	Calculating machines; accounting machines, cash registers, postage-franking machines, ticket-issuing machines and similar machines and similar machines incorporating a calculating device	28 %	2 %	Free
84.54	Other office machines (for example, hectograph or stencil duplicating machines, addressing machines, coin-sorting machines, coin-counting and wrapping machines, pencil-sharpening machines, perforating and stapling machines)	23 %	7 %	Free
84.55	Parts and accessories (other than covers, carrying cases and the like) suitable for use solely or principally with machines of a kind falling within heading No 84.51, 84.52, 84.53 or 84.54	21 %	9 %	Free
85.06	Electro-mechanical domestic appliances, with self-contained electric motor:			
	A. Electric fans	25 %	5 %	Free
85.15	Radiotelegraphic and radiotelephonic transmission and reception apparatus; radio-broadcasting and television transmission and reception apparatus (including those incorporating gramophones) and television cameras; radio navigational aid apparatus, radar apparatus and radio remote control apparatus:			
	A. Radio and television receiving sets and radiograms	each Sh 50/- or 47 %	3 %	Free
87.06	Parts and accessories of the motor vehicles falling within heading No 87.01, 87.02, or 87.03:			
	C. Other	28 1/3 %	5 %	Free

East African Tariff No	Description of goods	Charges		
		Fiscal entry	Customs duty	
			Full	EEC
90.01	Lenses, prisms, mirrors and other optical elements, of any material, unmounted, other than such elements of glass not optically worked; sheets or plates, of polarizing material: A. Suitable for use with the articles of subheading No 90.05, 90.07 B or 90.09 B	23 %	7 %	Free
90.02	Lenses, prisms, mirrors and other optical elements, of any material, mounted, being parts of or fittings for instruments or apparatus, other than such elements of glass not optically worked: A. Suitable for use with the articles of subheading No 90.05, 90.07 B or 90.09 B	23 %	7 %	Free
90.05	Refracting telescopes (monocular and binocular), prismatic or not	23 %	7 %	Free
90.07	Photographic cameras; photographic flashlight apparatus: B. Other	25 %	5 %	Free
90.08	Cinematographic cameras, projectors, sound recorders and sound reproducers; any combination of these articles	25 %	5 %	Free
90.09	Image projectors (other than cinematographic projectors); photographic (except cinematographic) enlargers and reducers: B. Other	25 %	5 %	Free
90.16	Drawing, marking-out and mathematical calculating instruments, drafting machines, pantographs, slide-rules, disc calculators and the like; measuring or checking instruments, appliances and machines, not falling within any other heading of this Chapter (for example micrometers, callipers, gauges, measuring rods, balancing machines), profile projectors: A. Measuring rods, tape measures, spring rules and the like	23 %	7 %	Free
91.01	Pocket-watches, wrist-watches and other watches, including stop-watches	27 ½ %	2 ½ %	Free
91.02	Clocks with watch movements (excluding clocks of heading No 91.03)	25 %	5 %	Free
91.04	Other clocks: A. Tower clocks B. Other	Free 25 %	Free 5 %	Free Free
92.01	Pianos (including automatic pianos, whether or not with keyboards); harpsichords and other keyboard stringed instruments; instruments; harps but not including aeolian harps	25 %	5 %	Free
92.02	Other string musical instruments	25 %	5 %	Free
92.03	Pipe and reed organs, including harmoniums and the like	25 %	5 %	Free
92.04	Accordions, concertinas and similar musical instruments; mouth organs	25 %	5 %	Free
92.05	Other wind musical instruments	25 %	5 %	Free
92.06	Percussion musical instruments (for example drums, xylophones, cymbals, castanets)	25 %	5 %	Free
92.07	Electro-magnetic, electrostatic, electronic and similar musical instruments (for example, pianos, organs, accordions)	25 %	5 %	Free

East African Tariff No	Description of goods	Charges		
		Fiscal entry	Customs duty	
			Full	EEC
92.08	Musical instruments not falling within any other heading of this Chapter (for example, fairground organs, mechanical street organs, musical boxes, musical saws); mechanical singing birds; decoy calls and effects of all kinds; mouth-blown sound signalling instruments (for example, whistles and boatswains's pipes)	25 %	5 %	Free
92.09	Musical instrument strings	25 %	5 %	Free
92.10	Parts and accessories of musical instruments (other than strings), including perforated music rolls and mechanisms for musical boxes; metronomes, tuning forks and pitch pipes of all kinds	25 %	5 %	Free
92.11	Gramophones, dictating machines and other sound recorders and reproducers, including record-players and tape decks, with or without sound heads; television image and sound recorders and reproducers, magnetic	30 %	7 ½ %	Free
92.12	Gramophone records and other sound or similar recordings; matrices for the production of records, prepared record blanks, film for mechanical sound recording, prepared tapes, wires, strips and like articles of a kind commonly used for sound or similar recording:			
	C. Gramophone records	each Sh 1/25 or 32 ½ %	5 %	Free
	D. Other	25 %	5 %	Free
92.13	Other parts and accessories of apparatus falling within heading No 92.11	35 %	2 ½ %	Free

(\*) These concessionary rates will be altered to their metric equivalents on 1 January 1970.

**PROTOCOL No 4**

**concerning the concept of 'originating products' for the purpose of implementing the Association Agreement**

THE CONTRACTING PARTIES,

HAVE AGREED upon the following provisions, which are annexed to the Agreement:

*Article 1*

On the basis of a draft prepared by the Commission of the European Communities, the Association Council shall lay down at its first session the definition of the concept of 'originating products' for the purpose of implementing Title I of the Agreement. It shall also determine the methods of administrative cooperation.

*Article 2*

The Member States and the Partner States of the East African Community shall apply their respective regulations until the provisions referred to in Article 1 become operative.

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**PROTOCOL No 5**

**concerning the implementation of the Association Agreement and the establishment of international agreements on the granting of general preferences**

THE CONTRACTING PARTIES,

Desirous of stating clearly their position on the compatibility of the preferences granted to the European Economic Community by the Partner States of the East African Community with the generalized preferences in the framework of the United Nations Conference on Trade and Development,

HAVE AGREED on the following provisions, which shall be annexed to the Agreement:

The provisions of the Agreement, and in particular Article 3 thereof, do not conflict with the establishment of a general system of preferences and do not prevent the Partner States of the East African Community from participating therein.

Zu Urkund dessen haben die Bevollmächtigten der Vertragsparteien die fünf vorstehenden Protokolle unterschrieben.

En foi de quoi, les plénipotentiaires des Parties Contractantes ont signé les cinq Protocoles dont le texte précède.

In fede di che, i plenipotenziari delle Parti Contraenti hanno firmato i cinque Protocolli il cui testo precede.

Ten blijke waarvan de gevolmachtigden van de Overeenkomstsluitende Partijen de vijf bovenstaande Protocollen hebben ondertekend.

In witness whereof, the Plenipotentiaries of the Contracting Parties have signed the five foregoing Protocols.

Geschehen zu Arusha am 24. September neunzehnhundertneunundsechzig.

Fait à Arusha, le 24 Septembre mil neuf cent soixante-neuf.

Fatto a Arusha, il 24 settembre millenovecentosessantanove.

Gedaan te Arusha, 24 September negentienhonderdneuenzestig.

**Done at Arusha on 24 September nineteen hundred and sixty-nine.**

**Pour Sa Majesté le Roi des Belges,  
Voor Zijne Majesteit de Koning der Belgen.**

**Joseph VAN DER MEULEN**

**Für den Präsidenten der Bundesrepublik Deutschland.**

**Gunther HARKORT**

**Pour le Président de la République Française.**

**Yvon BOURGES**

**Per il Presidente della Repubblica Italiana.**

**Mario PEDINI**

**Pour Son Altesse Royale le Grand-Duc de Luxembourg.**

**Georges DUPONG**

**Voor Hare Majesteit de Koningin der Nederlanden.**

**H.J. de KOSTER**

**Im Namen des Rates der Europäischen Gemeinschaften.**

**Pour le Conseil des Communautés Européennes.**

**Per il Consiglio delle Comunità Europee.**

**Voor de Raad der Europese Gemeenschappen.**

**Franco Maria MALFATTI**

**Henri ROCHEREAU**

Mit dem Vorbehalt, dass für die Europäische Wirtschaftsgemeinschaft erst dann endgültig eine Verpflichtung besteht, wenn sie den anderen Vertragsparteien notifiziert hat, dass die durch den Vertrag zur Gründung der Europäischen Wirtschaftsgemeinschaft vorgeschriebenen Verfahren stattgefunden haben.

Sous réserve que la Communauté Economique Européenne ne sera définitivement engagée qu'après notification aux autres Parties contractantes de l'accomplissement des procédures requises par le Traité instituant la Communauté Economique Européenne.

Con riserva che la Comunità Economica Europea sarà definitivamente vincolata soltanto dopo notifica alle altre Parti Contraenti dell'espletamento delle procedure richieste dal Trattato che istituisce la Comunità Economica Europea.

Onder voorbehoud dat de Europese Economische Gemeenschap eerst definitief gebonden zal zijn na kennisgeving aan de andere Overeenkomstluitende Partijen van de vervulling der door het Verdrag tot oprichting van de Europese Economische Gemeenschap vereiste procedures.

Provided that the Community shall be finally bound only after the other Contracting Parties have been notified that the procedures required by the Treaty establishing the European Community have been completed.

For the President of the United Republic of Tanzania,

Aboud Mohamoud MAALIM

For the President of the Republic of Uganda,

William Wilberforce KALEMA

For the President of the Republic of Kenya,

Mwai KIBAKI

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(OJ N° L 282, 28.12.1970)

**FINAL ACT**  
**and Declarations annexed**  
(70/547/EEC)

The Plenipotentiaries of

His Majesty the King of the Belgians.

The President of the Federal Republic of Germany.

The President of the French Republic.

The President of the Italian Republic.

His Royal Highness the Grand Duke of Luxembourg.

Her Majesty the Queen of the Netherlands. and

The Council of the European Communities.

on the one hand, and of

The President of the United Republic of Tanzania.

The President of the Republic of Uganda.

The President of the Republic of Kenya.

on the other hand.

assembled at Arusha on 24 September nineteen hundred sixty nine for the purpose of signing an Agreement establishing an Association between the European Economic Community and the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya, have adopted the following instruments:

- 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.
- The Protocols listed below:
  - Protocol No 1 concerning the implementation of Article 2 (2) of the Association Agreement;
  - Protocol No 2 concerning unroasted coffee, cloves and tinned pineapple;
  - Protocol No 3 concerning the implementation of Article 3 of the Association Agreement;
  - Protocol No 4 concerning the concept of 'originating products' for the purpose of implementing the Association Agreement;
  - Protocol No 5 concerning the implementation of the Association Agreement and the establishment of international agreements on the granting of general preferences.

The Plenipotentiaries have equally adopted the declarations which are enumerated below and annexed to this Final Act:

1. Declaration by the Delegation of the European Economic Community concerning nuclear products (Annex I);

2. Declaration by the Delegation of the European Economic Community and by the Delegation of the Partner States of the East African Community concerning Article 2 of the Association Agreement (Annex II);
3. Declaration by the Delegation of the European Economic Community and by the Delegation of the Partner States of the East African Community concerning petroleum products (Annex III);
4. Declaration by the Delegation of the European Economic Community and by the Delegation of the Partner States of the East African Community concerning a good offices procedure (Annex IV).

The Plenipotentiaries have furthermore taken note of the declarations which are enumerated below and annexed to this Final Act:

1. Declaration by the Delegation of the Partner States of the East African Community concerning the implementation of Article 6 (2) of the Association Agreement (Annex V);
2. Declaration by the Delegation of the Partner States of the East African Community concerning the implementation of Articles 6 and 22 of the Association Agreement (Annex VI);
3. Declaration by the Delegation of the European Economic Community concerning the implementation of Protocol No 4 to the Association Agreement (Annex VII);
4. Declaration by the Representative of the Government of the Federal Republic of Germany concerning the definition of German nationals (Annex VIII);
5. Declaration by the Representative of the Government of the Federal Republic of Germany concerning the application of the Association Agreement to Berlin (Annex IX).

Zu Urkund dessen haben die unterzeichneten Bevollmächtigten ihre Unterschriften unter diese Schlussakte gesetzt.

En foi de quoi, les plénipotentiaires soussignés ont apposé leurs signatures au bas du présent Acte final.

In fede di che, i plenipotenziari sottoscritti hanno apposto le loro firme in calce al presente Atto finale.

Ten blijke waarvan de ondergetekende gevolmachtigden hun handtekening onder deze Slotakte heben gesteld.

In witness whereof, the undersigned Plenipotentiaries have affixed their signatures below this Final Act.

Geschehen zu Arusha am 24. September neunzehnhundertneunundsechzig.

Fait à Arusha, le 24 septembre mil neuf cent soixante neuf.

Fatto a Arusha, il 24 settembre millenovecentosessantanove.

Gedaan te Arusha, 24 september negentienhonderdneuenzestig.

Done at Arusha on 24 September nineteen hundred and sixty-nine.

Pour Sa Majesté le Roi des Belges,  
Voor Zijne Majesteit de Koning der Belgen,

Joseph VAN DER MEULEN

Für den Präsidenten der Bundesrepublik Deutschland,

Günther HARKORT

Pour le Président de la République Française,

Yvon BOURGES



Per il Presidente della Repubblica Italiana,  
Mario PEDINI

Pour Son Altesse Royale le Grand-Duc de Luxembourg,  
Georges DUPONG

Voor Hare Majesteit de Koningin der Nederlanden.  
H.J. de KOSTER

Im Namen des Rates der Europäischen Gemeinschaften,

Pour le Conseil des Communautés Européennes,

Per il Consiglio delle Comunità Europee,

Voor de Raad der Europese Gemeenschappen,

H.J. de KOSTER

Henri ROCHEREAU

Mit dem Vorbehalt, dass für die Europäische Wirtschaftsgemeinschaft erst dann endgültig eine Verpflichtung besteht, wenn sie den anderen Vertragsparteien notifiziert hat, dass die durch den Vertrag zur Gründung der Europäischen Wirtschaftsgemeinschaft vorgeschriebenen Verfahren stattgefunden haben.

Sous réserve que la Communauté Economique Européenne ne sera définitivement engagée qu'après notification aux autres Parties Contractantes de l'accomplissement des procédures requises par le Traité instituant la Communauté Economique Européenne.

Con riserva che la Comunità Economica Europea sarà definitivamente vincolata soltanto dopo notifica alle altre Parti Contraenti dell'espletamento delle procedure richieste dal Trattato che istituisce la Comunità Economica Europea.

Onder voorbehoud dat de Europese Economische Gemeenschap eerst definitief gebonden zal zijn na kennisgeving aan de andere Overeenkomstsluitende Partijen van de vervulling der door het Verdrag tot oprichting van de Europese Economische Gemeenschap vereiste procedures.

Provided that the Community shall be finally bound only after the other Contracting Parties have been notified that the procedures required by the Treaty establishing the European Economic Community have been completed.

For the President of the United Republic of Tanzania,  
Abdulraman Mohamed Babu

For the President of the Republic of Uganda,  
William Wilberforce KALEMA

For the President of the Republic of Kenya,  
Mwai KIBAKI

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#### ANNEX I

##### Declaration by the Delegation of the European Economic Community concerning nuclear products

It follows from the combined provisions of the Treaty establishing the European Atomic Energy Community and the Treaty establishing the European Economic Community that the provisions of Title I of the Agreement shall apply to the goods and products covered by Articles 92 onwards of the Treaty establishing the European Atomic Energy Community.

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*ANNEX II***Declaration by the Delegation of the European Economic Community and by the Delegation of the Partner States of the East African Community concerning Article 2 of the Association Agreement**

The Contracting Parties agree to hold consultations within the Association Council as regards any difficulties which may arise in respect of goods and products exported from the Partner States of the East African Community competing with like products originating in the Associated African and Malagasy States or in other Associated States, Countries or Territories whose economic structure and production are comparable with those of the Associated African and Malagasy States.

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*ANNEX III***Declaration by the Delegation of the European Economic Community and by the Delegation of the Partner States of the East African Community concerning petroleum products**

In respect of petroleum products, the European Economic Community reserves the right to change the arrangements stipulated in Title I of the Agreement when a common policy is established.

In this event, the European Economic Community shall accord imports of such products originating in the Partner States of the East African Community advantages comparable with those stipulated in the Agreement.

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*ANNEX IV***Declaration by the Delegation of the European Economic Community and by the Delegation of the Partner States of the East African Community concerning a good offices procedure**

Any Contracting Parties that are parties to a dispute within the meaning of Article 28 of the Agreement are prepared, if circumstances permit, and subject to the Association Council being informed so that any parties concerned may assert their rights, to have recourse, before bringing the dispute before the Association Council, to a good offices procedure.

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*ANNEX V***Declaration by the Delegation of the Partner States of the East African Community concerning the implementation of Article 6 (2) of the Association Agreement**

The Partner States of the East African Community undertake not to apply any quantitative restrictions in such a way as would diminish the effect of the tariff advantages granted to the European Economic Community and set out in the Schedule annexed to Protocol No 3.

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*ANNEX VI***Declaration by the Delegation of the Partner States of the East African Community concerning the implementation of Articles 6 and 22 of the Association Agreement**

The Partner States of the East African Community have noted the anxieties expressed by the Member States of the European Economic Community as regards the implementation of the provisions of Articles 6 and 22 of the Agreement, and hereby undertake not to treat the said Member States or their nationals or companies less favourable than the most favoured third country.

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*ANNEX VII***Declaration by the Delegation of the European Economic Community concerning the implementation of Protocol No 4 to the Association Agreement**

During the negotiations the Delegation of the European Economic Community informed the Delegation of the Partner States of the East African Community that it is important that the definition of the concept of 'originating products' for the purpose of implementing the Agreement should as far as possible be identical with the definition of the concept of 'originating products' for the purpose of implementing the Association Convention signed at Yaoundé on 29 July 1969.

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*ANNEX VIII***Declaration by the Representative of the Government of the Federal Republic of Germany concerning the definition of German nationals**

All Germans within the meaning of the Basic Law for the Federal Republic of Germany shall be deemed to be nationals of the Federal Republic of Germany.

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*ANNEX IX***Declaration by the Representative of the Government of the Federal Republic of Germany concerning the application of the Association Agreement to Berlin**

The Agreement shall also apply to Land Berlin unless the Government of the Federal Republic of Germany makes a declaration to the contrary to the other Contracting Parties within a period of three months from the coming into force of the Agreement.

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(OJ N° L 282, 28.12.1970)

#### INTERNAL AGREEMENT

on the measures and procedures required for implementation of 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

(70/548/EEC)

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THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES OF THE EUROPEAN ECONOMIC COMMUNITY, MEETING IN THE COUNCIL,

HAVING REGARD to the Treaty establishing the European Economic Community (hereinafter called the "Treaty");

HAVING REGARD to 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 (hereinafter called the "Agreement of Association") signed this day;

CONSIDERING that it is necessary to lay down procedures for determining the common position to be adopted by the representatives of the Community in the Council of Association established by the Agreement of Association, and provisions for the implementation of various Articles of that Agreement which may require action by the Community, joint action by the Member States, or action by a Member State;

CONSIDERING that it is necessary to lay down the rules governing implementation within the Community of the decisions and recommendations of the Council of Association;

CONSIDERING that procedures should also be laid down whereby the Member States may settle disputes which may arise between them with regard to the Agreement of Association;

HAVING CONSULTED the Commission of the European Communities;

HAVE AGREED AS FOLLOWS:

#### Article 1

The common position which the representatives of the Community are to adopt in the Council of Association shall be adopted in accordance with the following procedure:

- (a) when the Council of Association considers questions covered by Title I (Trade) of the Agreement of Association between the Community and the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya, and by Protocols Nos 1, 2 and 3, the common position shall be adopted by the Council, acting in accordance with the provisions of the Treaty by which it determines the commercial policy of the Community towards third countries and the Community position within international organisations;
- (b) in other cases the common position shall be adopted by the Council, acting unanimously after consulting the Commission.

Article 2

1 Decisions and recommendations adopted by the Council of Association on questions covered by Title I (Trade) of the Agreement of Association between the Community and the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya, and by Protocols Nos 1, 2 and 3 shall be implemented by acts adopted by the Council in accordance with the provisions of the Treaty by which it determines the commercial policy of the Community towards third countries and the Community position within international organisations.

Decisions and recommendations adopted by the Council of Association shall in other cases be implemented by acts to be adopted unanimously by the Council after consulting the Commission.

2 Where a decision or recommendation of the Council of Association concerns a matter which, under the terms of the Treaty, is not within the province of the Community, the Member States shall adopt the necessary implementing provisions.

Article 3

Where consultation is requested by the Community in implementation of the provisions of Title I of the Agreement of Association or of Annex II to the Final Act, the following procedure shall apply:

- (a) a request for consultation made by a Member State or by the Commission shall require discussion at a meeting of the Council to determine the common position of the Community;
- (b) the common position of the Community shall be that of the requesting Member State or of the Commission, unless the Council decides otherwise by a qualified majority. In the latter case the Council shall examine whether and under what conditions the Member State concerned may itself, exceptionally, put before the Council of Association the grounds for its request for consultation;
- (c) a request for consultation shall be forwarded to the Council of Association by the President of the Council of the European Communities, acting on behalf of the European Economic Community.

Article 4

Any treaty, convention, agreement or arrangement, or any part of a treaty, convention, agreement or arrangement, of whatever form or nature which has been or will be concluded between one or more Member States and the United Republic of Tanzania, the Republic of Uganda or the Republic of Kenya and which concerns matters dealt with in the Agreement of Association, shall be communicated without delay by the Member State or States concerned to the other Member States and to the Commission.

At the request of a Member State or of the Commission any texts so communicated shall be considered by the Council.

Article 5

1 For the purpose of implementing Article 14(2) of the Agreement of Association and to enable a Member State to meet the difficulties mentioned in that Article, the Commission may authorise that Member State to take the necessary protective measures, including measures to counter deflection of trade.

2 At the request of any Member State concerned, the Council acting by a qualified majority, shall decide whether to uphold, repeal, or amend the Decision of the Commission.

3 In urgent cases the Member State concerned may itself take the necessary protective measures. It shall immediately inform the other Member States and the Commission. The Commission may decide whether such measures shall be amended or repealed. The provisions of paragraph 2 shall then apply.

4 In case of serious balance of payments difficulties the Member State may take the necessary measures in accordance with Articles 108 and 109 of the Treaty.

5 In applying this Article preference shall be given to such measures as will least disturb the functioning of the common market.

6 The notification by the Community to the Council of Association, provided for in the second subparagraph of Article 14(2) of the Agreement of Association, shall be made by the Commission.

#### Article 6

If a Member State considers it necessary to invoke Article 23 of the Agreement of Association on matters not within the province of the Community, it shall first consult the other Member States.

If the Council of Association has to reach a decision on the action by the Member State referred to in the first paragraph, the position to be taken by the Community shall be that of the Member State concerned, unless the Representatives of the Governments of the Member States, meeting within the Council, unanimously decide otherwise.

This Article shall also apply where a Member State considers it necessary to invoke the good offices procedure provided for in Annex IV to the Final Act.

#### Article 7

Disputes arising between Member States, between a Member State and an institution of the Community, or between institutions of the Community concerning the Agreement of Association, the Protocols annexed thereto or this Internal Agreement shall, at the request of the party making the complaint, be submitted to the Court of Justice of the European Communities under the conditions laid down in the Treaty and the Protocol on the Statute of the Court of Justice annexed to the Treaty.

#### Article 8

The Council, acting unanimously after consulting the Commission, may, at any time, amend or supplement the provisions of this Agreement.

#### Article 9

This Agreement shall be approved by each Member State in accordance with its own constitutional requirements. The Government of each Member State shall notify the Secretariat of the Council of the European Communities of the completion of the procedures required for the entry into force of the Agreement.

If the provisions of the above paragraph have been complied with, this Agreement shall enter into force at the same time as the Agreement of Association. It shall remain in force for the duration of that Agreement.

**Article 10**

This Agreement, drawn up in a single original in the Dutch, French, German and Italian languages, all four texts being equally authentic, shall be deposited in the archives of the Secretariat of the Council of the European Communities, which shall transmit a certified copy to each of the signatory Governments.

IN WITNESS WHEREOF, the undersigned Plenipotentiaries have signed this Agreement.

Done at ARUSHA, on 24 September in the year one thousand nine hundred and sixty nine.

Joseph VAN DER MEULEN

Günther HARKORT

Yvon BOURGES

Mario PEDINI

Georges DUPONG

H J de KOSTER

Institutional Questions

Subdivision :

O. General -Blank

I. Common Institutional  
Questions : Association Council and Association Committee



I. Common Institutional Questions;  
Association Council and Association Committee

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RULES OF PROCEDURE  
OF THE ASSOCIATION COUNCIL

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Article I

1. The Association Council shall meet once each year in ordinary session. This meeting shall be held at ministerial level unless otherwise decided by joint agreement between the Partner States of the East African Community on the one hand, and the Community on the other.

In urgent cases, the Association Council shall meet in special session at the request either of the Partner States of the East African Community, or of the Community. Such meeting shall be held at the level of the representatives of the members of the Association Council, unless otherwise decided by joint agreement between the Partner States of the East African Community on the one hand, and the Community on the other.

2. The President of the Association Council shall fix the dates of the Council's meetings after consulting its members.

Article 2

If a member of the Association Council is unable to attend a meeting of the Council at ministerial level, he shall so inform the President in writing and shall indicate the person authorised to represent him.

The representative of a member of the Association Council shall have all the rights of the full member.

Article 3

Meetings at ministerial level of the Association Council shall take place where the meetings of the Council of the European Communities are usually held, or, following a decision to this effect at the previous meeting of the Association Council, in a city of a Partner State of the East African Community.

Unless otherwise decided, meetings of the Association Council at the level of Ministers' representatives shall take place in Brussels.

Article 4

The Office of President of the Association Council shall be exercised in rotation in the following manner :

- (a) from 1st October to 31st March by a representative of the Partner States of the East African Community;

- (b) from 1st April to 30th September by a representative of the State providing the President of the Council of the Communities.

#### Article 5

The members of the Association Council may be accompanied by officials to assist them.

The President shall be informed of the composition of each delegation not less than 24 hours before the beginning of each meeting.

#### Article 6

Unless otherwise decided, the meetings of the Association Council shall not be open to the public. Entry to meetings of the Association Council shall be subject to production of a pass.

Without prejudice to other provisions which may apply, the deliberations of the Association Council shall be covered by the duty of professional secrecy unless the Council decides otherwise.

#### Article 7

The provisional agenda for each meeting shall be drawn up by the President. It shall be sent to the other members of the Association Council not less than 21 days before the beginning of the meeting.

The provisional agenda shall include those items in respect of which a request for their inclusion has reached the President not less than 25 days before the beginning of the meeting.

The only items to appear in the provisional agenda shall be those in respect of which the relevant documentation has been transmitted to the persons and institutions referred to in Article 10, not later than on the date of despatch of the agenda.

The agenda shall be adopted by the Association Council at the beginning of each meeting. In urgent cases, the Association Council may decide, at the request of the Community or of the Partner States of the East African Community, to include in the agenda items in respect of which the time limits laid down above have not been observed.

#### Article 8

In the event of a Party to a dispute within the meaning of Article 28 of the Agreement envisaging recourse to the procedure provided for in that Article, the Party in question shall bring the dispute before the Association Council which shall examine it at its next meeting.

#### Article 9

The Association Council may dispose of any matter which is urgent by means of a vote by correspondence provided, however, that a member of the Association Council may require any matter referred to him by correspondence pursuant to this Article to be considered at a meeting of the Council before a decision is reached.

Article 10

All communications from the President provided for by these Rules of Procedure shall be addressed through the Secretaries of the Association Council to the Permanent Representatives of the Member States, to the representative of the Partner States of the East African Community accredited to the European Economic Community, to the General Secretariat of the Commission and to the General Secretariat of the Council of the European Communities.

Article 11

Minutes shall be kept of each meeting and shall include an account of decisions taken by the Association Council.

After their approval by the Association Council, the minutes shall be signed by the President in office and by the Secretaries of the Association Council and shall be kept in the archives of the Association Council. A copy of the minutes shall be forwarded to the persons and institutions referred to in Article 10.

Article 12

Unless otherwise decided, the Association Council shall deliberate on the basis of documents prepared in Dutch, English, French, German and Italian.

Any member of the Association Council may object to the discussion of a text proposed during a meeting, if such text is not made available in that one of the five languages which he specifies

Article 13

Acts adopted by the Association Council shall be signed by the President and shall be kept in the archives of the Association Council.

A copy of each of these acts, signed by the two Secretaries and bearing at its head the phrase "Certified true copy of the Decision (or Recommendation or Opinion) adopted by the Council on .....", shall be transmitted to the persons and institutions referred to in Article 10.

Article 14

All decisions and recommendations within the meaning of Article 23 of the Agreement shall be divided into articles.

The acts referred to in the preceding paragraph shall be concluded with the words "Done at ... on ... ", the date to be inserted being the date on which they are adopted by the Association Council.

Article 15

Decisions within the meaning of Article 23 of the Agreement shall be entitled "Decision", followed by a serial number and a description of their subject matter.

Decisions shall include a provision laying down the date on which they enter into force. They shall incorporate the following sentence : "The Partner States of the East African Community, the Member States and the Community shall be required, each to the extent to which they are concerned, to take the necessary steps to implement this decision".



Article 16

Recommendations of the Association Council within the meaning of Article 23 of the Agreement shall be entitled "Recommendation" followed by a serial number and a description of their subject-matter.

Article 17

An Association Committee composed of experts delegated by each member of the Association Council shall be set up pursuant to Article 27 of the Agreement.

It shall be the function of this Committee to prepare the work of the Association Council. In addition, and without prejudice to the possibility of other tasks being entrusted to it, it shall exercise the powers conferred upon the latter by Articles 2, 3, 4, 5, 6, 10, 11, 13 and 14 of the Agreement, by Protocols 1, 2, 3 and 4 and by Annexes II and IV, by virtue of their delegation to it by the Association Council. Any item on the Association Committee's agenda may, however, on the adoption of that agenda, also be placed on the Association Council's agenda at the request either of the Community or of the Partner States of the East African Community.

The provisions of these Rules of Procedure shall be applicable, as far as possible, to the Association Committee. The time limits laid down in Article 7 (1) and (2) shall be reduced to eight and ten days respectively.

Article 18

Secretariat services shall be organised jointly by an official of the European Communities and an official nominated by the Partner States of the East African Community.

Article 19

The Member States and the Community on the one hand, and the Partner States of the East African Community on the other, shall be responsible for such expenditure as they may incur by reason of their participation in the meetings of the Association Council and its subsidiary bodies, both with regard to personnel, travelling and subsistence expenses, and to postal and telecommunications expenses.

Expenditure relating to interpretation at meetings, translation and reproduction of documents, and arrangements for meetings (premises, supplies, messengers, etc.) shall be borne by the Community or by the Partner States of the East African Community, according to whether the meetings take place on the territory of a Member State or on that of a Partner State of the East African Community.

Article 20

Correspondence intended for the Association Council shall be addressed to the President of the Association Council and sent to the address of the General Secretariat of the Council of the European Communities.

Done at Brussels, on 13th May 1971

The Chairman of the Association Council

Y. BOURGES

The Secretaries

  
J.N. ONYANGO

  
R. SCHEIBER

RULES OF PROCEDURE  
of the EEC - East Africa  
Customs Co-operation Committee

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Article 1

The Customs Co-operation Committee shall be convened by its Chairman on the proposal of the Association Committee or at the request of either the European Community or the Partner States of the East African Community.

Article 2

1. The Chairman shall draw up the agenda for each meeting; the agenda shall include all matters of which discussion has been requested in writing.
2. The provisional agenda shall be communicated to the Chairman of the Association Committee and to the members of the Customs Co-operation Committee at least 21 days before the date of the meeting.
3. The agenda shall be adopted by the Customs Co-operation Committee at the beginning of each meeting.

Article 3

The agenda and working documents shall be drawn up in the Dutch, English, French, German and Italian languages.

Article 4

Summary minutes of each meeting shall be drawn up. A copy of the minutes shall be communicated to the Chairman of the Association Committee and to the members of the Customs Co-operation Committee.

Article 5

All communications concerning the Customs Co-operation Committee shall be addressed to the Chairman of the Committee, care of the Secretariat of the Committee.

All communications to the members of the Committee shall be addressed, in respect of the European Economic Community, to the Permanent Delegations of the Member States and to the Commission, and in respect of the Partner States of the East African Community, to the Governments of these States, to their Delegation to the European Economic Community and to the Secretary, Common Market and Economic Affairs, East African Community, Arusha.

At the request of a Member State of the European Economic Community or a Partner State of the East African Community, copies of communications shall be sent directly to the customs experts designated for the purpose by such State.

Article 6

The Secretariat of the Customs Co-operation Committee shall be provided in the manner laid down in Article 18 of the Rules of Procedure of the Association Council.

Article 7

The work of the Committee shall be kept confidential.

The Committee shall report regularly on all its work to the Association Committee.

Done at Nairobi on 7 January 1972

The Secretaries

The Chairman of the Association Committee

  
R. SCHEIBER

  
J.N. ONYANGO

N.W. OKULO

Trade

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- III. Agricultural products

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(OJ N° L 141, 27.6.1971)

**REGULATION (EEC) No 1289/71 OF THE COUNCIL**

of 7 June 1971

**on the application of Decision No 1/71 of the Council of Association provided for by 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**

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 an Agreement establishing an Association between the European Economic Community and the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya<sup>1</sup> was signed on 24 September 1969 and entered into force on 1 January 1971;

Whereas by virtue of Protocol No 4 annexed to that Agreement the Council of Association adopted on 13 May 1971 Decision No 1/71 on the definition of the concept of 'originating products' for the purpose of implementing Title I of the Agreement and on the methods of administrative cooperation;

Whereas it is necessary, in accordance with Article 23 of that Agreement, to take the measures required to implement that Decision,

HAS ADOPTED THIS REGULATION:

*Article 1*

The Decision of the Council of Association No 1/71 of 13 May 1971 annexed to this Regulation shall apply as regards the concept of 'originating products' within the meaning of Title I of 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, and as regards methods of administrative cooperation.

*Article 2*

This Regulation shall enter into force on 1 July 1971.

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

Done at Luxembourg, 7 June 1971.

*For the Council*  
*The President*  
M. SCHUMANN

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(1) cf. GEN 0 2

(OJ N° L 141, 27.6.1971)

## DECISION No 1/71

of the Association Council on the definition of the concept of 'originating products' for the purpose of implementing Title I of the Agreement and on the methods of administrative cooperation

## THE ASSOCIATION COUNCIL,

Having regard to 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, signed on 24 September 1969, and in particular Title I of Protocol No 4 annexed to the said Agreement;

Having regard to the draft prepared by the Commission of the European Communities;

Whereas the definition of the concept of 'originating products' is intended to make it possible to distinguish those products which are entitled, on importation into Member States or into Partner States of the East African Community, to the preferential treatment provided for in Title I of the Agreement, from products which are not so entitled;

Whereas products wholly obtained in a Member State or in a Partner State of the East African Community must, in any event, enjoy preferential treatment;

Whereas the same must apply to goods obtained in a Partner State of the East African Community or in a Member State and intended for exportation to a Member State or to a Partner State of the East African Community, where the products which entered into their manufacture have been wholly obtained in the other Partner States of the East African Community or in the Member States, each of the importing Member States granting preferential treatment in respect of the latter products,

Whereas it is desirable, furthermore, to extend the preferential treatment to goods obtained in one of the Contracting Parties and in the manufacture of which products other than those mentioned in the preceding paragraph are used, provided that the latter products have undergone processing or working sufficient to alter their essential nature and to increase their value substantially; and whereas such conditions are the only conditions justifying the granting of preferential treatment to the whole of the goods so obtained, since the effect of the definition of the concept of 'originating products' should not be to deprive customs tariffs and other measures of economic protection of their incidence in relation to countries not party to the Agreement;

Whereas it is necessary to express this principle in simple rules while ensuring uniform application throughout the Association and whereas this can be achieved by

using a criterion based on change of tariff heading, but modified as appropriate;

Whereas the customs authorities of the importing Member State or Partner State of the East African Community must be satisfied that products presented for importation fulfil the conditions laid down in this Decision; whereas such satisfaction presupposes knowledge of the circumstances by reason of which the goods have acquired the status of 'originating products', which circumstances the customs authorities of the exporting Partner State of the East African Community or Member State are best qualified to ascertain;

Whereas it is necessary to set up a committee on administrative cooperation to ensure that the provisions of this Decision are implemented correctly and uniformly,

HAS DECIDED AS FOLLOWS:

## TITLE I

## Definition of the concept of 'originating products'

## Article 1

For the purpose of implementing the provisions of Title I of 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, signed on 24 September 1969, the following products shall be considered as:

1. Products originating in the European Economic Community, provided that they have been transported direct, within the meaning of Article 5, to the importing Partner State of the East African Community:
  - (a) products wholly obtained in the Member States;
  - (b) products obtained in Member States, in the manufacture of which products other than those referred to in subparagraph (a) are used, provided that the said products have undergone sufficient working or processing within the meaning of Article 3. This condition shall not, however, apply to products which, within the meaning of this Decision, originate in the Partner States of the East African Community.
2. Products originating in the Partner States of the East African Community, provided that they have been transported direct, within the meaning of Article 5, to the importing Member State:

- (a) products wholly obtained in a Partner State of the East African Community;
- (b) products obtained in a Partner State of the East African Community, in the manufacture of which products other than those referred to in subparagraph (a) are used, provided that the said products have undergone sufficient working or processing within the meaning of Article 3. This condition shall not, however, apply to products which, within the meaning of this Decision, originate in the Community or in other Partner States of the East African Community.

The products listed in List C shall be temporarily excluded from the scope of this Decision.

#### Article 2

Within the meaning of subparagraphs 1 (a) and 2 (a) of Article 1, the following shall be considered as wholly obtained either in the Member States or in the Partner States of the East African Community:

- (a) mineral products extracted from the ground thereof;
- (b) vegetable products harvested therein;
- (c) live animals born and raised therein;
- (d) products from live animals raised therein;
- (e) products from hunting or fishing conducted therein;
- (f) marine products taken from the sea by their vessels;
- (g) scrap and waste resulting from manufacturing operations and used articles, which can no longer be used provided that they have been collected therein and are fit only for the recovery of raw materials;
- (h) goods obtained therein exclusively from animals or products referred to in subparagraphs (a) to (g) or derivatives thereof.

#### Article 3

For the purpose of implementing the provisions of subparagraphs 1 (b) and 2 (b) of Article 1 the following shall be considered as sufficient:

- (a) working or processing as a result of which the goods obtained receive a classification under a tariff heading other than that covering each one of the products worked or processed, except, however, working or processing listed in List A to which the special provisions of that list apply;
- (b) working or processing listed in List B.

'Tariff headings' shall mean the headings in the Brussels Nomenclature for the Classification of Goods in Customs Tariffs.

#### Article 4

Where the Lists A and B referred to in Article 3 provide that goods obtained in a Member State or a Partner State of the East African Community shall only be considered as originating therein if the value of the products worked

or processed does not exceed a given percentage of the value of the goods obtained, the values to be taken into consideration in determining such percentage shall be:

on the one hand;

as regards products whose importation can be proved: their customs value at the time of importation;

as regards products of undetermined origin: the earliest ascertainable price paid for such products in the territory of the State where manufacture takes place;

on the other hand:

the ex-factory price of the goods obtained, less internal taxes refunded or refundable on exportation.

#### Article 5

The following shall be considered as transported direct from the exporting Member State or Partner State of the East African Community to the importing Member State or Partner State of the East African Community:

- (a) goods transported without passing through the territory of a country not party to the Agreement or without being transhipped in such country;
- (b) goods transported through the territory of one or more countries not party to the Agreement, or transhipped in such countries, if the passage through such countries is covered by a single transport document drawn up in a Member State or a Partner State of the East African Community.

### TITLE II

#### Organization of methods of administrative cooperation

#### Article 6

'Originating products' within the meaning of this Decision shall, in the importing Member State or Partner State of the East African Community, benefit from the provisions of Title I of the Agreement upon submission of a movement certificate A.A.1, endorsed by the customs authorities of the exporting Member State or Partner State of the East African Community.

Any such products, however, which form part of postal consignments (including parcels) shall, provided that the consignments contain only 'originating products' and the value does not exceed one thousand units of account<sup>1</sup> per consignment, benefit from the provisions of Title I of the Agreement in the importing Member State or Partner State of the East African Community on the presentation of form A.A.2.

#### Article 7

The movement certificate A.A.1 shall be endorsed only on application being made in writing by the exporter, on the form prescribed for this purpose,

<sup>1</sup> A unit of account (u.a.) is worth 0.88867068 g of fine gold.

*Article 8*

The movement certificate A.A.1 shall be endorsed at the time of exportation of the goods to which it relates by the customs authorities of the exporting Member State or Partner State of the East African Community. It shall be made available to the exporter as soon as actual exportation has been effected or ensured.

In exceptional circumstances, the movement certificate A.A.1 may also be endorsed after exportation of the goods to which it refers, if it was not submitted at the time of such exportation because of errors or involuntary omissions or any other special circumstances. In this case, it shall bear a special reference to the conditions in which it was endorsed.

The movement certificate A.A.1 may be endorsed only where it can serve as documentary evidence for the purpose of implementing the preferential treatment laid down in Title I of the Agreement.

*Article 9*

The movement certificate A.A.1 must be submitted to the customs office of the importing Member State or Partner State of the East African Community at which the goods are presented, within five months from the date of endorsement by the customs authorities of the exporting Member State or Partner State of the East African Community.

*Article 10*

The movement certificate A.A.1 shall be made out on a form a specimen of which is given in Annex V. It shall be drawn up in one of the official languages in which the Agreement is made, and in accordance with the provisions of the domestic law of the exporting Member State or Partner State of the East African Community. It shall be typewritten or handwritten; in the latter case it shall be completed in ink and in block letters.

The dimensions of the certificate shall be 210 × 297 mm. The paper used shall be sized writing paper not containing mechanical pulp and weighing not less than 64 g/m<sup>2</sup> or between 25 and 30 g/m<sup>2</sup> if air-mail paper is used. It shall have a green machine-turned background pattern making any falsification by mechanical or chemical means apparent to the eye.

On the front of each certificate, a diagonal pattern of three blue stripes, each 3 mm wide, shall run from the bottom left-hand corner to the top right-hand corner.

The Member States and the Partner States of the East African Community may reserve the right to print the certificates themselves or may have them printed by approved printers. In the latter case, each certificate shall carry a reference to such approval. Each certificate shall bear the name and address of the approved printer, or a sign by which the latter can be identified. In addition it shall bear a serial number by which it can be identified.

*Article 11*

In the importing Member State or Partner State of the East African Community, the movement certificate A.A.1 shall be submitted to the customs authorities in accordance with the provisions made in the laws and regulations of that State. The said authorities may require a translation of the certificate. They may also require the import declaration to be accompanied by a statement from the importer to the effect that the goods meet the conditions required for the implementation of the provisions of Title I of the Agreement.

*Article 12*

Form A.A.2, a specimen of which is given in Annex VI, shall be completed by the exporter. It shall be drawn up in one of the official languages in which the Agreement is made; and in accordance with the provisions of the domestic law of the exporting Member State or Partner State of the East African Community. It shall be typewritten or handwritten; in the latter case it shall be completed in ink and in block letters.

Form A.A.2 is composed of two parts, each part being 210 × 148 mm. The paper used shall be white sized writing paper not containing mechanical pulp and weighing not less than 64 g/m<sup>2</sup>. On the front of Part 1 and the label of Part 2 a diagonal pattern of three blue stripes, each 3 mm wide, shall run from the bottom left-hand corner to the top right-hand corner.

Form A.A.2 may be perforated mechanically so that the two parts and the label on Part 2 can be detached. The label may be adhesive.

The Member States and the Partner States of the East African Community may reserve the right to print the forms themselves or may have them printed by printers whom they have approved. In the latter case, each form shall carry a reference to such approval. In addition, each form shall bear the name and address of the approved printer, or a sign by which the latter can be identified. In addition, it shall bear a special number by which it can be identified.

*Article 13*

A form A.A.2 shall be completed for each postal consignment. After completing and signing the two parts of the form, the exporter shall insert his declaration (Part 1) in the consignment and stick the label from Part 2 on the outer packing of the consignment.

These provisions do not exempt exporters from complying with any other formalities required by customs or postal regulations.

*Article 14*

Unless they suspect some irregularity, the customs authorities of the importing Member State or Partner State of the East African Community shall admit as benefiting from the provisions of the Agreement any goods contained in a consignment bearing an A.A.2 label.

*Article 15*

1. Member States and Partner States of the East African Community shall admit as 'originating products' benefiting from the provisions of Title I of the Agreement, without requiring the production of a movement certificate A.A.1 or completion of a form A.A.2, goods sent as small packages to private persons or forming part of passengers' personal luggage, in so far as such goods are not imported by way of trade and have been declared as meeting the conditions required for the application of these provisions, and where there is no doubt as to the veracity of such declaration.

2. Importations not by way of trade shall be importations which are occasional and consist solely of goods for the personal use of the addressee or passenger or his family, it being evident from the nature and quantity of the goods that no commercial purpose is in view. Furthermore, the total value of these goods must not exceed 60 units of account in the case of small packages or 200 units of account in the case of the contents of passengers' personal luggage.

*Article 16*

In order to ensure proper application of the provisions of this Title, the Member States and the Partner States of the East African Community shall assist each other, through their respective customs administrations, for the purpose of checking the authenticity and correctness of the movement certificates A.A.1 and exporters' declarations made on forms A.A.2.

## TITLE III

Issue of movement certificates A.A.1 and conditions governing the use of movement certificates A.A.1 and forms A.A.2

*A. Issue of movement certificates A.A.1**Article 17*

1. It shall be for the exporter or his representative authorized to sign the export declaration, under the former's responsibility, to request the endorsement of a movement certificate A.A.1. This request shall be made out on a form A.A.1 which must be completed in accordance with the provisions of Title II of this Decision and with the rules set out on the back of the first sheet of the form.

2. The exporter or his representative shall attach to his request any document proving that the goods to be exported are such as to qualify them for the endorsement of a movement certificate A.A.1.

*Article 18*

1. It shall be the responsibility of the customs authorities of the exporting Member State or Partner State of the East African Community to ensure that the form A.A.1 is duly completed. In particular, they shall check

whether the space reserved for the description of the goods has been completed in such manner as to exclude all possibility of fraudulent additions. To this end the description of the goods must be indicated without leaving any blank lines. Where the space is not completely filled, a horizontal line must be drawn below the last line of the description, the empty space being crossed through.

2. Since the movement certificate A.A.1 constitutes the documentary evidence for the application of the preferential tariff and quota system laid down in the Agreement, it shall be the responsibility of the customs office of the exporting country carefully to verify the origin of the goods and to check the other statements on the certificate.

*Article 19*

1. The movement certificate A.A.1 shall be endorsed by the customs authorities of a Member State of the Community if the goods being exported can be considered products originating in the Community within the meaning of this Decision.

2. For the purpose of verifying whether the condition stated in paragraph 1 has been met, the customs authorities shall have the right to call for any documentary evidence or to carry out any check which they consider appropriate.

3. The customs authorities of the Member State shall refuse to endorse a movement certificate A.A.1 if it appears from the export documents submitted that the goods to which the certificate relates are not consigned to a country which is party to the Agreement.

*Article 20*

1. The movement certificate A.A.1 shall be endorsed by the customs authorities of a Partner State of the East African Community if the goods being exported can be considered products originating in the Partner States of the East African Community within the meaning of this Decision.

2. For the purpose of verifying whether the condition stated in paragraph 1 has been met, the customs authorities shall have the right to call for any documentary evidence or to carry out any check which they consider appropriate.

3. The customs authorities of the Partner State of the East African Community shall refuse to endorse a movement certificate A.A.1 if it appears from the export documents submitted that the goods to which the certificate relates are not consigned to a country which is party to the Agreement.

*Article 21*

In that part of the movement certificate A.A.1 reserved for the customs authorities, a reference must be made to

the date and type or to the serial number of the export document of which the exporter's declaration is a certified true copy.

#### Article 22

Where a movement certificate A.A.1 relates to products which were originally imported from a Member State or from a Partner State of the East African Community, and which are being re-exported in the same state, the new certificates issued in the re-exporting Member State or Partner State of the East African Community must indicate the Member State or Partner State of the East African Community in which the original certificate was issued.

#### Article 23

The customs office stamp used to stamp the certificates shall be of metal, preferably steel. The countries party to the Agreement shall provide each other, through the Association Council, with specimen impressions of the types of stamp used in the customs offices.

#### Article 24

It shall always be possible to replace one or more movement certificates A.A.1 by one or more other movement certificates A.A.1, provided that this is done at the customs office where the goods are held.

#### Article 25

1. Where, as a result of errors, involuntary omissions or any other special circumstances, no request for a movement certificate A.A.1 was made at the time the goods were exported, such a certificate may be issued after the actual exportation of the goods to which it relates.

In this case, the exporter must:

- make a request in writing, giving details of the type, quantity, method of packing and markings of the goods, and also the place and date of despatch;
- certify that no certificate A.A.1 was issued at the time of exportation of the goods in question, and state the reasons therefor;
- enclose a form A.A.1 duly completed and signed.

2. The customs authorities may issue a movement certificate A.A.1 retroactively only after verifying that the information supplied in the exporter's request agrees with that in the corresponding file.

Certificates issued retroactively must be endorsed in red ink with one of the following phrases: 'NACHTRAGLICH AUSGESTELLT' 'DELIVRE A POSTERIORI' 'RILASCIATO A POSTERIORI', 'AFGEGEVEN A POSTERIORI', 'ISSUED RETROACTIVELY'.

#### Article 26

In the event of the theft, loss or destruction of a movement certificate A.A.1, the exporter may apply to the

customs authorities which issued it for a duplicate made out on the basis of the export documents in their possession. The duplicate issued in this way must be endorsed in red ink with one of the following words: 'DUPLICATE', 'DUPLICATO' 'DUPLICAAT', 'DUPLICATE'.

The duplicate shall take effect as from the date on which the original certificate A.A.1 was endorsed.

#### B. Conditions governing the use of the movement certificate A.A.1

#### Article 27

1. Goods transported without passing through the territory of a country not party to the Agreement, or without transshipment in such country, shall be considered as goods transported direct.

However, the following shall not be considered as interrupting direct transport:

- (a) calls at ports situated in the territory of countries not party to the Agreement;
- (b) transshipments in such ports, where these result from *force majeure* or where they are consequent upon conditions at sea;
- (c) passage through the territory of one or more countries not party to the Agreement, or transshipment in such country or countries, where the passage through such country or countries is covered by a single transport document drawn up in a Member State or in a Partner State of the East African Community;

2. When crossing the territory of countries referred to in paragraph 1, the goods must remain under the supervision of the customs authorities of the transit country and must not be put into free circulation. While in the transit country, they must not undergo any handling other than normal operations designed to keep them in good condition.

3. Proof that the conditions set out in paragraph 2 have been complied with shall be furnished by the submission of a certificate issued by the customs authorities of the transit country, containing:

- an accurate description of the goods;
- the date of loading or unloading of the goods, naming the vessels concerned;
- certified proof of the conditions in which the goods have been held.

Where this certificate cannot be produced, the customs authorities shall take into account any documentary evidence submitted to them.

**Article 28**

Movement certificates A.A.1 submitted to the customs authorities of the importing Member State or Partner State of the East African Community after expiry of the time limit for their submission stipulated in Article 9, may be accepted for the purpose of applying the preferential system provided the failure to observe this time limit results from *force majeure* or exceptional circumstances.

In addition to such cases, the customs authorities of the importing Member State or Partner State of the East African Community may accept such certificates provided the goods have been submitted to them before the expiry of the said time limit.

**Article 29**

The discovery of slight discrepancies between the statements made in the movement certificate A.A.1 and those made in the documents submitted to the customs office for the purpose of carrying out the formalities for importing the goods shall not *ipso facto* render the certificate null and void, if it is duly established that the certificate does correspond to the goods submitted.

**C. Use of free zones****Article 30**

The countries party to the Agreement shall take all necessary steps to ensure that goods traded within the Association under the cover of a movement certificate A.A.1 and which in the course of transport use a free zone (including free ports and free entrepôts) situated in their territory are not replaced by other goods and that they do not undergo handling other than normal operations designed to keep them in good condition.

**D. Postal consignments (including parcels)****Article 31**

1. It shall be for the exporter or his representative, on the exporter's responsibility, to complete and sign the two parts of form A.A.2.

If the goods contained in the consignment have already been checked in the exporting Member State or Partner State of the East African Community in the light of the definition given for the concept of 'originating products', the exporter may refer to this check in the space reserved for 'observations' in form A.A.2 (Part 1).

2. On the green label Model C1 or declaration C2 or C2, M, or the customs declaration CP 3 or CP 3 M, the exporter shall enter the form number, 'A.A.2', followed by its serial number. He shall also mark the form number and serial number on the invoice for the goods contained in the consignment.

**E. Small packages and personal luggage****Article 32**

The production of a movement certificate A.A.1 and the completion of a form A.A.2 shall be waived for goods sent as small packages to private persons and forming part of passengers' personal luggage, provided such imports fulfil the conditions laid down in Article 15.

**F. Retroactive checks requested by the customs authorities of the importing country on movement certificates A.A.1 and on forms A.A.2**

**Article 33**

1. Retroactive checks on movement certificates A.A.1 and on forms A.A.2 shall be carried out at random, and also whenever the customs authorities of the importing Member State or Partner State of the East African Community have reasonable doubt as to the authenticity of the document or the accuracy of the information regarding the true origin of the goods in question or of certain parts thereof.

2. For the purpose of implementing the provisions of paragraph 1 above, the customs authorities of the importing country shall return the movement certificate A.A.1 or part 1 of form A.A.2 to the customs authorities of the exporting country, giving the formal or substantive reasons for an inquiry. To part 1 of form A.A.2 they shall attach the invoice, if it has been submitted, or a copy thereof, and they shall forward any information that has been obtained suggesting that the particulars given on the said certificate or the said form are inaccurate.

If the customs authorities of the importing country decide to suspend execution of the provisions of the Agreement while awaiting the results of the check, they shall offer to release the goods to the importer subject to any conservatory measures laid down by the national legislation of that country.

3. The customs authorities of the importing country shall be informed of the results of the check within a period not exceeding three months. These results must be such as to make it possible to determine whether the disputed movement certificate A.A.1 or form A.A.2 applies to the goods actually exported, and whether these goods can, in fact, qualify for the application of the preferential system.

Where such disputes cannot be settled between the customs authorities of the importing country and those of the exporting country or where they raise a question as to the interpretation of this Decision, they shall be submitted to the Customs Cooperation Committee referred to in Article 34.

In any case, the settlement of disputes arising between the importer and the customs authorities of the country of importation shall remain within the competence of the legislation of that country.

For the purpose of the retroactive check on certificates, the customs authorities of the exporting country must keep all export documents, or copies of movement certificates used in place thereof, for not less than two years.

*G. Customs Cooperation Committee*

*Article 34*

There shall be established a Customs Cooperation Committee responsible, under the authority of the Committee referred to in Article 27 of the Agreement, for administrative cooperation to ensure that the provisions of this Decision are implemented correctly and uniformly and for carrying out any other tasks in the customs field that the Association Council may assign to it.

*Article 35*

The Committee shall be composed of customs experts from the Member States and officials of the Commission of the European Communities concerned with customs matters on the one hand and of customs experts representing the Partner States of the East African Community on the other.

The Chairmanship of this Committee shall be exercised in rotation in accordance with the provisions laid down in Article 4 of the Rules of Procedure of the Association Council.

*Article 36*

The Association Council shall enact the Rules of Procedure of the Customs Cooperation Committee.

TITLE IV

Final Provisions

*Article 37*

1. The Association Council shall undertake an annual review of the action taken to implement the provisions of Titles I and II of this Decision and of their economic effects, so that any requisite adjustments can be made.

This review may be carried out at shorter intervals, if the Community or the Partner States of the East African Community so request.

2. The Association Council shall delegate to the Association Committee power to amend the provisions of Title III of this Decision concerning methods and procedures of cooperation in the customs field.

*Article 38*

The Explanatory Notes, Lists A, B and C, specimen movement certificate A.A.1 and specimen form A.A.2 which are annexed to this Decision shall form an integral part thereof.

*Article 39*

Goods which conform to the provisions of Title I and which, on the date of entry into force of this Decision, are being transported, or are held in a Member State or Partner State of the East African Community under temporary warehouse procedure, in bonded warehouses or in free zones (including free ports and free entrepôts), may be allowed to benefit from the provisions of the Agreement, subject to the submission to the customs authorities of the importing country, within four months from the said date, of:

- (a) a certificate A.A.1 issued retroactively by the customs authorities of the exporting country, or
- (b) a certificate of origin issued by the competent authorities of that country, and

in either case, any documents that provide supporting evidence of direct transport.

*Article 40*

The Partner States of the East African Community, the Member States and the Community shall be required, each to the extent to which they are concerned, to take the necessary steps to implement this Decision.

This Decision shall enter into force on 1 July 1971.

Done at Brussels, 13 May 1971.

*The Chairman of the Association Council*  
Y. BOURGES

ANNEX I

EXPLANATORY NOTES

Note 1 - Article 1

The terms 'in the Member States' and 'in a Partner State of the East African Community' shall also cover territorial waters.



Vessels operating on the high seas, including 'factory ships' on which the fish caught is worked or processed, shall be considered as part of the territory of the Member State or of the Partner State of the East African Community to which they belong, provided that they meet the conditions laid down in Explanatory Note 4.

**Note 2 – Article 1**

In order to determine whether a product originates in a Member State or in a Partner State of the East African Community, it shall not be necessary to establish whether or not the power and fuel, plant and equipment, and machines and tools used to obtain such product originate in countries not party to the Agreement.

**Note 3 – Article 1**

Packing shall be considered as forming a whole with the products contained therein. This provision, however, shall not apply to packing which is not of the normal type for the article packed and which has intrinsic value of a durable nature, apart from its function as packing.

**Note 4 – Article 2 (f):**

The term 'their vessels' shall apply only to vessels:

- (a) which are registered in a Member State or in a Partner State of the East African Community;
- (b) which sail under the flag of a Member State or of a Partner State of the East African Community;
- (c) which are owned to an extent of at least 50% by nationals of countries party to the Agreement or by a company or firm with its head office in such countries, of which the manager or managers, the chairman of the board of directors or of the supervisory board, and the majority of the members of such boards, are nationals of countries party to the Agreement and of which, in addition, in the case of partnerships or limited companies, at least half the capital belongs to States party to the Agreement, to public bodies or to nationals of the said States;
- (d) of which the captain and officers are all nationals of countries party to the Agreement, and
- (e) of which at least 75% of the crew are nationals of countries party to the Agreement.

**Note 5 – Article 4:**

'Ex-factory price' shall mean the price paid to the manufacturer in whose undertaking sufficient working or processing is carried out. Where such working or processing is carried out successively in two or more undertakings, the price to be taken into account shall be that paid to the last manufacturer.

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ANNEX II

LIST A

List of working or processing operations which result in a change of tariff heading without conferring the status of 'originating products' on the products undergoing such operations or conferring this status only subject to certain conditions

Products obtained		Working or processing that does not confer the status of 'originating products'	Working or processing that confers the status of 'originating products' when the following conditions are met
CCT heading No	Description		
All heading Nos of the Common Customs Tariff	All products	<ol style="list-style-type: none"> <li>1. Operations intended to ensure the preservation of merchandise in good condition during transport and storage (ventilation, spreading out, drying, chilling, placing in brine, in sulphur water or in other solutions, removal of damaged parts, and like operations)</li> <li>2. Simple operations consisting of removal of dust, sifting or screening, sorting, classifying, matching (including the making up of sets of articles), washing, painting, cutting up</li> <li>3. (a) Changes of packing and breaking up and assembling of consignments</li> <li>3. (b) placing in bottles, flasks, bags, cases, boxes, fixing on cards or boards, etc., and all other simple packing operations</li> <li>4. Affixing on products or packages thereof marks, labels, or other like distinctive signs</li> <li>5. Mixing of products, whether or not of different kinds, where one or more components of the mixture do not meet the conditions laid down by the Association Council to enable them to be considered as originating either in the Member States or the Partner States of the East African Community</li> <li>6. Assembly of parts of articles in order to constitute a complete article.</li> <li>7. A combination of two or more operations referred to in items 1 to 6 above</li> <li>8. Slaughter of animals</li> </ol>	
02.06	Meat and edible meat offals (except poultry liver), salted, in brine, dried or smoked	Salting, placing in brine, drying or smoking of meat and edible meat offals of heading Nos 02.01 and 02.04	
03.02	Fish, salted in brine, dried or smoked	Salting, placing in brine, drying or smoking of fish	
04.02	Milk and cream, preserved, concentrated or sweetened	Preserving, concentrating of milk or cream of heading No 04.01, or addition of sugar to these products	
04.03	Butter	Manufacture from milk or cream	
04.04	Cheese and curd	Manufacture from products of heading No 04.01, 04.02 and 04.03	
07.02	Vegetables (whether or not cooked), preserved by freezing	Freezing of vegetables	

## LIST A (continued)

Products obtained		Working or processing that does not confer the status of 'originating products'	Working or processing that confers the status of 'originating products' when the following conditions are met
CC T heading No	Description		
07.03	Vegetables provisionally preserved in brine, in sulphur water or in other preservative solutions, but not specially prepared for immediate consumption	Placing in brine or in other solutions, of vegetables of heading No 07.01	
07.04	Dried, dehydrated or evaporated vegetables, whole, cut, sliced, broken or in powder, but not further prepared	Drying, dehydration, evaporation, cutting, breaking, powdering of vegetables of heading Nos 07.01 to 07.03 inclusive	
08.10	Fruit (whether or not cooked), preserved by freezing, not containing added sugar	Freezing of fruit	
08.11	Fruit provisionally preserved (for example, by sulphur dioxide gas, in brine, sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption	Placing in brine or in other solutions of fruit of heading Nos 08.01 to 08.05 inclusive.	
08.12	Fruit, dried, other than that falling within heading Nos 08.01, 08.02, 08.03, 08.04 or 08.05	Drying of fruit	
11.01	Cereal flours	Manufacture from cereals	
11.02	Cereal groats and cereal meal; other worked cereal grains (for example, rolled, flaked, polished, pearled or kibbled, but not further prepared), except husked, glazed, polished or broken rice germ of cereals, whole, rolled, flaked or ground	Manufacture from cereals	
11.03	Flours of the leguminous vegetables falling within heading No 07.05	Manufacture from dried leguminous vegetables	
11.04	Flours of the fruits falling within any heading in Chapter 8	Manufacture from fruits of Chapter 8	
11.05	Flour, meal and flakes of potato	Manufacture from potatoes	
11.06	Flour and meal of sago and of manioc, arrowroot, salep and other roots and tubers falling within heading No 07.06	Manufacture from products of heading No 07.06	
11.07	Malt, roasted or not	Manufacture from cereals	
11.08	Starches; inulin	Manufacture from cereals of Chapter 10, from potatoes or other products of Chapter 7.	
11.09	Gluten and gluten flour, roasted or not	Manufacture from cereals or cereal flours	
15.01	Lard and other rendered pig fat; rendered poultry fat	Manufacture from products of heading No 02.05	
15.02	Unrendered fats of bovine cattle, sheep or goats; tallow (including 'premier jus') produced from those fats	Manufacture from products of heading No 02.05	
15.04	Fats and oils, of fish and marine mammals, whether or not refined	Manufacture from fish or marine mammals caught by fishing vessels of countries not party to the Agreement	

## List A (continued)

Products obtained		Working or processing that does not confer the status of 'originating products'	Working or processing that confers the status of 'originating products' when the following conditions are met	
CCT heading No	Description			
20.02	Vegetables prepared or preserved otherwise than by vinegar or acetic acid	Preserving of vegetables, fresh or frozen	Manufacture from 'originating fruit' of Chapter 8 and 'originating products' of Chapter 17	
20.03	Fruit preserved by freezing, containing added sugar			
20.04	Fruit, fruit peel and parts of plants, preserved by sugar (drained, glacé or crystallized)			
ex 20.05	Jams, fruit jellies, marmalades, fruit purée and fruit pastes, being cooked preparations, containing added sugar			
20.06	Fruit otherwise prepared or preserved, whether or not containing added sugar or spirit: A. Nuts, including groundnuts, roasted  B. Other			Manufacture, without the addition of sugar or spirit, in which the value of the 'originating products' of heading Nos 08.01, 08.05 and 12.01 used represents at least 60 % of the value of the finished product
ex 20.07	Fruit juices, whether or not containing added sugar, but unfermented and not containing spirit			Manufacture from 'originating products' of Chapters 8, 17 and 22
ex 21.01	Roasted chicory and extracts, essences and concentrates thereof	Manufacture from fresh or dried chicory roots	Manufacture from 'originating products' of Chapters 8 and 17	
ex 22.09	Spirits (other than those of heading No 22.08)	Addition of water to ethyl alcohol or neutral spirits of heading No 22.08 or mixtures of spirits of heading No 22.08 and 22.09		
22.10	Vinegar and substitutes for vinegar	Manufacture from spirit or wine		
23.04	Oil-cake and other residues (except dregs) resulting from the extraction of vegetable oils	Manufacture from various products		
23.07	Sweetened forage; other preparations of a kind used in animal feeding	Manufacture from cereals and derived products, meat, milk, sugars and molasses		
ex 24.02	Cigarettes, cigars and cigarillos, tobacco for smoking			Manufacture in which at least 70 % by quantity of the materials of heading No 24.01 used are 'originating products'
ex 28.13	Hydrobromic acid	Any manufacture from products of heading No 28.01		
ex 28.19	Zinc oxide	Any manufacture from products of heading No 79.01		
28.27	Lead oxides; red lead and orange lead	Any manufacture from products of heading No 78.01		
ex 28.28	Lithium hydroxide	Any manufacture from products of heading No 28.42		
ex 28.29	Lithium fluoride	Any manufacture from products of heading Nos 28.28 and 28.42		

## List A (continued)

Products obtained		Working or processing that does not confer the status of 'originating products'	Working or processing that confers the status of 'originating products' when the following conditions are met
CCT heading No	Description		
20.02	Vegetables prepared or preserved otherwise than by vinegar or acetic acid	Preserving of vegetables, fresh or frozen	
20.03	Fruit preserved by freezing, containing added sugar		Manufacture from 'originating fruit' of Chapter 8 and 'originating products' of Chapter 17
20.04	Fruit, fruit peel and parts of plants, preserved by sugar (drained, glacé or crystallized)		Manufacture from 'originating fruit' and products' of Chapter 17
ex 20.05	Jams, fruit jellies, marmalades, fruit purée and fruit pastes, being cooked preparations, containing added sugar		Manufacture from 'originating fruit and products' of Chapter 17
20.06	Fruit otherwise prepared or preserved, whether or not containing added sugar or spirit: A. Nuts, including groundnuts, roasted  B. Other		Manufacture, without the addition of sugar or spirit, in which the value of the 'originating products' of heading Nos 08.01, 08.05 and 12.01 used represents at least 60 % of the value of the finished product  Manufacture from 'originating products of Chapters 8, 17 and 22
ex 20.07	Fruit juices, whether or not containing added sugar, but unfermented and not containing spirit		Manufacture from 'originating products' of Chapters 8 and 17
ex 21.01	Roasted chicory and extracts, essences and concentrates thereof	Manufacture from fresh or dried chicory roots	
ex 22.09	Spirits (other than those of heading No 22.08)	Addition of water to ethyl alcohol or neutral spirits of heading No 22.08 or mixtures of spirits of heading No 22.08 and 22.09	
22.10	Vinegar and substitutes for vinegar	Manufacture from spirit or wine	
23.04	Oil-oake and other residues (except dregs) resulting from the extraction of vegetable oils	Manufacture from various products	
23.07	Sweetened forage; other preparations of a kind used in animal feeding	Manufacture from cereals and derived products, meat, milk, sugars and molasses	
ex 24.02	Cigarettes, cigars and cigarillos, tobacco for smoking		Manufacture in which at least 70 % by quantity of the materials of heading No 24.01 used are 'originating products'
ex 28.13	Hydrobromic acid	Any manufacture from products of heading No 28.01	
ex 28.19	Zinc oxide	Any manufacture from products of heading No 28.01	
28.27	Lead oxides; red lead and orange lead	Any manufacture from products of heading No 28.01	
ex 28.28	Lithium hydroxide	Any manufacture from products of heading No 28.42	
ex 28.29	Lithium fluoride	Any manufacture from products of heading Nos 28.28 and 28.42	

List A (continued)

Products obtained		Working or processing that does not confer the status of 'originating products'	Working or processing that confers the status of 'originating products' when the following conditions are met
CCT heading No	Description		
ex 28.30	Lithium chloride	Any manufacture from products of heading Nos 28.28 and 28.42	
ex 28.33	Bromides	Any manufacture from products of heading Nos 28.01 and 28.13	
ex 28.38	Aluminium sulphate	Any manufacture from products of heading No 28.20	
ex 28.42	Lithium carbonate	Any manufacture from products of heading No 28.28	
ex 29.02	Organic bromides	Any manufacture from products of heading Nos 28.01 and 28.13	
ex 29.02	Trichlorodi (chlorophenyl) ethane		Transformation of ethanol into chloral and condensation of chloral with monochlorobenzene
ex 29.35	Pyridine; alphapicoline; betapicoline; gammapicoline		Transformation of acetylene into acetaldehyde and transformation of acetaldehyde into pyridine or picoline
ex 29.35	Vinylpyridine		Transformation of acetaldehyde into picolines and transformation of picolines into vinylpyridine
ex 29.38	Nicotinic acid (Vitamin PP)		Transformation of acetaldehyde into beta-picoline and transformation of beta-picoline into nicotinic acid
ex 30.03	medicaments (including veterinary medicaments) containing antibiotics	Any manufacture from antibiotics of heading No 29.44	
31.05	Other fertilizers; goods of the present chapter in tablets, lozenges and similar prepared forms or in packings of a gross weight not exceeding 10 kg		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished products
32.06	Colour lakes	Any manufacture from materials of heading Nos 32.04 and 32.05	
32.07	Other colouring matter; inorganic products of a kind used as lumino-phores	Mixing of oxides or salts of Chapter 28 with extenders such as barium sulphate, chalk, barium carbonate and satin white	
35.05	Dextrins and dextrin glues; soluble or roasted starches; starch glues	Any manufacture from various products	
38.11	Disinfectants, insecticides, fungicides, weed-killers, anti-sprouting products, rat poisons and similar products, put up in forms or packings for sale by retail or as preparations or as articles (for example, sulphurtreated bands, wicks and candles, flypapers)		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product
38.12	Prepared glazings, prepared dressings and prepared mordants, of a kind used in the textile, paper, leather or like industries		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product

## List A (continued)

Products obtained		Working or processing that does not confer the status of 'originating products'	Working or processing that confers the status of 'originating products' when the following conditions are met
CCT heading No	Description		
38.13	Pickling preparations for metal surfaces; fluxes and other auxiliary preparations for soldering, brazing or welding; soldering, brazing or welding powders and pastes consisting of metal and other materials; preparations of a kind used as cores or coatings for welding rods and electrodes		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product
ex 38.14	Anti-knock preparations, oxidation inhibitors, gum inhibitors, viscosity improvers, anti-corrosive preparations and similar prepared additives for mineral oils, excluding prepared additives for lubricants		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product
38.15	Prepared rubber accelerators		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product
38.17	Preparations and charges for fire-extinguishers; charged fire-extinguishing grenades		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
38.18	Composite solvents and thinners for varnishes and similar products		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
ex 38.19	Chemical products and preparations of the chemical or allied industries (including those consisting of mixtures of natural products), not elsewhere specified or included residual products of the chemical or allied industries, not elsewhere specified or included, excluding: <ul style="list-style-type: none"> <li>— Fusel oil and Dippel's oil;</li> <li>— Naphthenic acids and their non-water-soluble salts, esters of naphthenic acids;</li> <li>— Sulphonaphthenic acids and their non-water-soluble salts, esters of sulphonaphthenic acids;</li> <li>— Petroleum sulphonates, excluding petroleum sulphonates of alkali metals, of ammonium or of ethanolamines, thiophenated sulphonic acids of oils obtained from bituminous minerals, and their salts;</li> <li>— Mixed alkylenes;</li> <li>— Mixed alkylbenzenes and mixed alkylnaphthalenes;</li> <li>— Ion exchangers;</li> <li>— Catalysts;</li> <li>— Getters for vacuum tubes;</li> <li>— Refractory cements or mortars and similar preparations;</li> <li>— Alkaline iron oxide for the purification of gas;</li> </ul>		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

List A (continued)

Products obtained		Working or processing that confers the status of 'originating products'	Working or processing that confers the status of 'originating products' when the following conditions are met
CCT heading No	Description		
	— Carbon (excluding that in artificial graphite of heading No ex 38.01) in metallo-graphite or other compounds, in the form of small plates, bars or other semi-manufactures		
39.07	Articles of materials of the kinds described in heading No 39.01 to 39.06	Working of artificial plastic materials, cellulose ethers and esters, and artificial resins	
40.05	Plates, sheet and strip, of unvulcanized natural or synthetic rubber, other than smoked sheets and crepe sheets of heading No 40.01 or 40.02, granules of unvulcanized natural or synthetic rubber compounded ready for vulcanization; unvulcanized natural or synthetic rubber, compounded before or after coagulation either with carbon black (with or without the addition of mineral oil) or with silica (with or without the addition of mineral oil, in any form, of a kind known as masterbatch		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
41.02	Bovine cattle leather (including buffalo leather) and equine leather, except leather falling within heading No 41.06, 41.07 or 41.08	Tanning of raw hides and skins of heading No 41.01	
41.03	Sheep and lamb-skin leather except leather falling within heading No 41.06, 41.07 or 41.08	Tanning of raw hides and skins of heading No 41.01	
41.04	Goat and kid-skin leather, except leather falling within heading No 41.06, 41.07 or 41.08	Tanning of raw hides and skins of heading No 41.01	
41.05	Other kinds of leather, except leather falling within heading No 41.06, 41.07 or 41.08	Tanning of raw hides and skins of heading No 41.01	
41.08	Patent leather and imitation patent leather; metallized leather		Varnishing or metallizing of leather of No 41.02 to 41.07 inclusive (other than skin leather of crossed Indian sheep and of Indian goat or kid, not further prepared than vegetable tanned, or if otherwise prepared, obviously unsuitable for immediate use in the manufacture of leather articles), in which the value of the skin leather used does not exceed 50% of the value of the finished product
43.03	Articles of furskins	Making up from furskins in plates, crosses and similar forms (ex 43.02)	
44.21	Complete wooden packing cases, boxes, crates, drums and similar packings imported assembled, unassembled, or partly assembled		Manufacture from boards not out to size
45.03	Articles of natural cork		Manufacture from products of heading No 45.01
48.06	Paper and paperboard, ruled, lined or squared, but not otherwise printed, in rolls or sheets		Manufacture from paper pulp



## List A (continued)

Products obtained		Working or processing that confers the status of 'originating products'	Working or processing that confers the status of 'originating products' when the following conditions are met
CCT heading No	Description		
48.14	Writing blocks, envelopes, lettercards, plain post cards, correspondence cards; boxes, pouches wallets and writing compendiums, of paper or paperboard, containing only an assortment of paper stationery		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
48.15	Other paper and paperboard, cut to size or shape		Manufacture from paper pulp
48.16	Boxes, bags and other packing containers, of paper or paperboard		Manufacture in which the value of the products used do not exceed 50% of the value of the finished product
50.04	Silk yarn, other than yarn of noil or other waste silk, not put up for retail sale		Manufacture from products of heading No 50.01
51.03	Yarn of man-made fibres (continuous), put up for retail sale		Manufacture from chemical products or textile pulp
51.04	Woven fabrics of man-made fibres (continuous), including woven fabrics of monofil, or strip of heading No 51.01 or 51.02		Manufacture from chemical products or textile pulp
53.06	Yarn of carded sheep's or lambs' wool (woollen yarn), not put up for retail sale		Manufacture from sheep's or lambs' wool, not carded or combed
53.07	Yarn of combed sheep's or lambs' wool (worsted yarn), not put up for retail sale		Manufacture from sheep's or lambs' wool, not carded or combed
53.08	Yarn of fine animal hair (carded or combed), not put up for retail sale		Manufacture from unprepared fine animal hair of heading No 53.02
53.09	Yarn of horsehair or of other coarse animal hair, not put up for retail sale		Manufacture from unprepared coarse animal hair of heading No 53.02 or from unprepared horsehair of heading No 05.03
53.10	Yarn of sheep's or lambs' wool, of horsehair or of other animal hair (fine or coarse), put up for retail sale		Manufacture from materials of heading No 05.03 or 53.01 to 53.04 inclusive
53.11	Woven fabrics of sheep's or lambs' wool or of fine animal hair		Manufacture from materials of heading No 53.01 to 53.05 inclusive
54.04	Flax or ramie yarn, put up for retail sale		Manufacture from materials of heading No 54.01 or 54.02
54.05	Woven fabrics of flax or of ramie		Manufacture from materials of heading No 54.01 or 54.02
55.05	Cotton yarns, not put up for retail sale		Manufacture from materials of heading No 55.01 or 55.03 Manufacture from materials of heading No 55.01 or 55.03
55.07	Cotton gauze		Manufacture from materials of heading No 55.01, 55.03 or 55.04
55.08	Terry towelling and similar terry fabrics of cotton		Manufacture from materials of heading No 55.01, 55.03 or 55.04
55.09	Other woven fabrics of cotton		Manufacture from materials of heading No 55.01, 55.03 and 55.04

List A (continued)

Products obtained		Working or processing that does not confer the status of 'originating products'	Working or processing that confers the status of 'originating products' when the following conditions are met
CCT heading No	Description		
56.01	Man-made fibres (discontinuous), not carded, combed or otherwise prepared for spinning		Manufacture from chemical products or textile pulp
56.02	Continuous filament tow for the manufacture of man-made fibres (discontinuous)		Manufacture from chemical products or textile pulp
56.04	Man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning		Manufacture from chemical products or textile pulp
56.05	Yarn of man-made fibres (discontinuous or waste), not put up for retail sale		Manufacture from chemical products or textile pulp
56.06	Yarn of man-made fibres (discontinuous or waste), put up for retail sale		Manufacture from chemical products or textile pulp
56.07	Woven fabrics of man-made fibres (discontinuous or waste)		Manufacture from materials of heading No 56.01 to 56.03 inclusive
57.09	Woven fabrics of true hemp		Manufacture from materials of heading No 57.01
57.10	Woven fabrics of jute		Manufacture from raw jute
57.11	Woven fabrics of other vegetable textile fibres		Manufacture from materials of heading No 57.02 or 57.04
58.01	Carpets, carpeting and rugs, knotted (made up or not)		Manufacture from materials of heading Nos 50.01 to 50.03 inclusive, 51.01, 53.01 to 53.05 inclusive, 54.01, 55.01 to 55.04 inclusive, 56.01 to 56.03 inclusive or 57.01 to 57.04 inclusive
58.02	Other carpets, carpeting, rugs, mats and matting, and 'Kelem', 'Schumacks' and 'Karamanie' rugs and the like (made up or not)		Manufacture from materials of heading Nos 50.01 to 50.03 inclusive, 51.01, 53.01 to 53.05 inclusive, 54.01, 55.01 to 55.04 inclusive, 56.01 to 56.03 inclusive or 57.01 to 57.04 inclusive
58.04	Woven pile fabrics and chenille fabrics (other than terry towelling or similar terry fabrics of cotton falling within heading No 55.08 and fabrics falling within heading No 58.05)		Manufacture from materials of heading Nos 50.01 to 50.03 inclusive, 51.01, 53.01 to 53.05 inclusive, 54.01, 55.01 to 55.04 inclusive or 56.01 to 56.03 inclusive
58.05	Narrow woven fabrics and narrow fabrics (bolduc) consisting of warp without weft assembled by means of an adhesive, other than goods falling within heading No 58.06		Manufacture from materials of heading Nos 50.01 to 50.03 inclusive, 51.01, 53.01 to 53.05 inclusive, 54.01, 55.01 to 55.04 inclusive, 56.01 to 56.03 inclusive or 57.01 to 57.04 inclusive
58.06	Woven labels, badges and the like, not embroidered, in the piece, in strips or out to shape or size		Manufacture from materials of heading Nos 50.01 to 50.03 inclusive, 51.01, 53.01 to 53.05 inclusive, 54.01, 55.01 to 55.04 inclusive or 56.01 to 56.03 inclusive
58.08	Tulle and other net fabrics (but not including woven, knitted or crocheted fabrics), plain		Manufacture from materials of heading Nos 50.01 to 50.03 inclusive, 51.01, 53.01 to 53.05 inclusive, 54.01, 55.01 to 55.04 inclusive or 56.01 to 56.03 inclusive

## List A (continued)

Products obtained		Working or processing that does not confer the status of 'originating products'	Working or processing that confers the status of 'originating products' when the following conditions are met
CCT heading No	Description		
58.09	Tulle and other net fabrics (but not including woven, knitted or crocheted fabrics) figured; hand or mechanically made lace, in the piece, in strips or in motifs		Manufacture from materials of heading Nos 50.01 to 50.03 inclusive, 51.01, 53.01 to 53.05 inclusive, 54.01, 55.01 to 55.04 inclusive or 56.01 to 56.03 inclusive
59.04	Twine, cordage, ropes and cables, plaited or not		Manufacture either from natural fibres or from chemical products or textile pulp
59.05	Nets and netting made of twine, cordage or rope, and made up fishing nets of yarn, twine, cordage or rope		Manufacture either from natural fibres or from chemical products or textile pulp
59.06	Other articles made from yarn, twine, cordage, rope or cables, other than textile fabrics and articles made from such fabrics		Manufacture either from natural fibres or from chemical products or textile pulp
59.07	Textile fabrics coated with gum or amylaceous substances of a kind used for the outer covers of books and the like; tracing cloth; prepared painting canvas; buckram and similar fabrics for hat foundations and similar uses		Manufacture from yarn
59.08	Textile fabrics impregnated or coated with preparations of cellulose derivatives or of other artificial plastic materials		Manufacture from yarn
59.09	Textile fabrics coated or impregnated with oil or preparations with a basis of drying oil		Manufacture from yarn
59.10	Linoleum and materials prepared on a textile base in a similar manner to linoleum, whether or not cut to shape or of a kind used as floor coverings; floor coverings consisting of a coating applied on a textile base, cut to shape or not		Manufacture from yarn
59.11	Rubberized textile fabrics, other than rubberized knitted or crocheted goods		Manufacture from yarn
59.12	Textile fabrics otherwise impregnated or coated; painted canvas being theatrical scenery, studio backcloths or the like		Manufacture from yarn
59.13	Elastic fabrics and trimmings (other than knitted or crocheted goods) consisting of textile materials combined with rubber threads		Manufacture from single yarn
59.15	Textile hosepiping and similar tubing, with or without lining, armour or accessories of other materials		Manufacture from single yarn
59.16	Transmission, conveyor or elevator belts or belting, of textile material, whether or not strengthened with metal or other materials		Manufacture from single yarn

List A (continued)

Products obtained		Working or processing that confers the status of 'originating products'	Working or processing that confers the status of 'originating products' when the following conditions are met
CCT heading No	Description		
59.17	Textile fabrics and textile articles, of a kind commonly used in machinery or plant		Manufacture from materials of heading Nos 50.01 to 50.03 inclusive, 51.01, 53.01 to 53.05 inclusive, 54.01, 55.01 to 55.04 inclusive, 56.01 to 56.03 inclusive, or 57.01 to 57.04 inclusive
Chapter 60	Knitted and crocheted goods:		Manufacture from materials of heading Nos 56.01 to 56.03 inclusive, from textile pulp, or from chemical products
	Of man-made textile fibres, continuous or discontinuous		
	Other		Manufacture from natural fibres, carded or combed
61.01	Men's and boys' outer garments		Manufacture from yarn or from unbleached fabric
61.02	Women's, girls' and infants' outer garments		Manufacture from yarn or from unbleached fabric
61.03	Men's and boys' undergarments, including collars, shirt fronts and cuffs		Manufacture from yarn or from unbleached fabric
61.04	Women's, girls' and infants' undergarments		Manufacture from yarn or from unbleached fabric
61.05	Handkerchiefs		Manufacture from yarn
61.06	Shawls, scarves, mufflers, mantillas, veils and the like		Manufacture from yarn
61.07	Ties, bow ties and cravats		Manufacture from yarn
61.08	Collars, tuckers, fallals, bodice-fronts, jabots, cuffs, flouncings, yokes and similar accessories and trimmings for women's and girls' garments		Manufacture from yarn
61.09	Corsets, corset-belts, suspender-belts, brassieres, braces, suspenders, garters and the like (including such articles of knitted or crocheted fabric), whether or not elastic		Manufacture from yarn
61.10	Gloves, mittens, mitts, stockings, socks and sockettes, not being knitted or crocheted goods		Manufacture from yarn
61.11	Accessories for articles of apparel (for example, dress shields; shoulder and other pads, belts, muffs, sleeve protectors, pockets)		Manufacture from yarn
ex 62.01	Travelling rugs and blankets other than electrically heated		Manufacture from unbleached yarn of Chapters 50 to 56 inclusive
62.02	Bed linen, table linen, toilet linen and kitchen linen; curtains and other furnishing articles		Manufacture from single unbleached yarn
62.03	Sacks and bags, of a kind used for the packing of goods		Manufacture from yarn
62.04	Tarpaulin, sails, awnings, sunblinds, tents and camping goods		Manufacture from single unbleached yarn

## List A (continued)

Products obtained		Working or processing that does not confer the status of 'originating products'	Working or processing that confers the status of 'originating products' when the following conditions are met	
CCT heading No	Description			
62.05	Other made up textile articles (including dress patterns)		Manufacture in which the value of the products used does not exceed 40% of the value of the finished product	
64.01	Footwear with outer soles and uppers of rubber or artificial plastic material	Manufacture from assemblies consisting of shoe uppers fixed to inner soles or to other lower parts, without outer soles, in any material except metal		
ex 64.02	Footwear with uppers of natural leather	Manufacture from assemblies consisting of shoe uppers fixed to inner soles or to other lower parts, without outer soles, in any material except metal		
ex. 64.02	Footwear other than with uppers of natural leather	Manufacture from assemblies consisting of shoe uppers fixed to inner soles or to other lower parts, without outer soles, in any material except metal		
64.03	Footwear with outer soles of wood or cork	Manufacture from assemblies consisting of shoe uppers fixed to inner soles or to other lower parts, without outer soles, in any material except metal		
64.04	Footwear with outer soles of other materials	Manufacture from assemblies consisting of shoe uppers fixed to inner soles or to other lower parts, without outer soles, in any material, except metal		
65.03	Felt hats and other felt headgear, being headgear made from the felt hoods and plateaux falling within heading No 65.01, whether or not lined or trimmed			Manufacture from fibre
65.05	Hats and other headgear (including hairnets), knitted or crocheted, or made up from lace, felt or other textile fabric in the piece (but not from strips), whether or not trimmed or not lined or trimmed			Manufacture from yarn
66.01	Umbrellas and sunshades (including walking-stick umbrellas, umbrella tents, and garden and similar umbrellas)			Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
ex 70.70	Cast or rolled glass (including flashed or wired glass) cut to shape other than rectangular shape, or bent or otherwise worked (for example, edge worked or engraved), whether or not surface ground or polished; multiple-walled insulating glass	Manufacture from drawn, cast or rolled glass of heading No 70.04 to 70.06 inclusive		
70.08	Safety glass consisting of toughened or laminated glass, shaped or not	Manufacture from drawn, cast or rolled glass of heading No 70.04 to 70.06 inclusive		
70.09	Glass mirrors (including rear-view-mirrors), unframed, framed or backed	Manufacture from drawn, cast or rolled glass of heading No 70.04 to 70.06 inclusive		

List A (continued)

Products obtained		Working or processing that does not confer the status of 'originating products'	Working or processing that confers the status of 'originating products' when the following conditions are met
CCT heading No	Description		
71.15	Articles consisting of, or incorporating pearls, precious or semi-precious stones (natural, synthetic or reconstructed)		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
73.12	Hoop and strip, of iron or steel, hot-rolled or cold-rolled	Cutting without rolling of coils of heading No 73.08	
73.13	Sheets and plates, of iron or steel, hot-rolled or cold-rolled	Cutting without rolling of coils of heading No 73.08	
74.03	Wrought bars, rods, angles, shapes and sections, of copper; copper wire		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
74.04	Wrought plates, sheets and strip, of copper		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
74.05	Copper foil (whether or not embossed, cut to shape, perforated, coated, printed, or backed with paper or other reinforcing material), of a thickness (excluding any backing) not exceeding 0.15 mm		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
74.06	Copper powder and flakes		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
74.07	Tubes and pipes and blanks therefor, of copper; hollow bars of copper		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
74.10	Stranded wire, cables, cordage, ropes, plaited bands and the like, of copper wire, but excluding insulated electric wires and cables		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
75.02	Wrought bars, rods, angles, shapes and sections, of nickel; nickel wire		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
75.03	Wrought plates, sheets and strip, of nickel; nickel foil; nickel powders and flakes		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
75.04	Tubes and pipes and blanks therefor, of nickel; hollow bars, and tube and pipe fittings (for example, joints, elbows, sockets and flanges), of nickel		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
75.05	Electro-plating anodes, of nickel, wrought or unwrought, including those produced by electrolysis		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.02	Wrought bars, rods, angles, shapes and sections, of aluminium; aluminium wire		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.03	Wrought plates, sheets and strip, of aluminium		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

List A (continued)

Products obtained		Working or processing that does not confer the status of 'originating products'	Working or processing that confers the status of 'originating products' when the following conditions are met
CC head... No	Description		
76.04	Aluminium foil (whether or not embossed, cut to shape perforated, coated, printed, or backed with paper or other reinforcing material, of a thickness (excluding any backing) not exceeding 0.20 mm)		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.05	Aluminium powders or flakes		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.06	Tubes and pipes and blanks therefor, of aluminium; hollow bars of aluminium		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.08	Structures, complete or incomplete, whether or not assembled, and parts of structures, (for example, hangars and other buildings, bridges and bridgesections, towers lattice masts, roofs, roofing frameworks, door and window frames, balustrades, pillars and columns), of aluminium; plates, rods, angles, shapes, sections, tubes and the like, prepared for use in structures, of aluminium		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.12	Stranded wire, cables, cordage, ropes, plaited bands and the like, of aluminium wire, but excluding insulated electric wires and cables		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
76.13	Gauze, cloth, grill, netting, reinforcing fabric and similar materials, of aluminium wire		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product.
78.02	Wrought bars, rods, angles, shapes and sections, of lead; lead wire		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
78.03	Wrought plates, sheets and strip, of lead		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
78.04	Lead foil (whether or not embossed, cut to shape, perforated, coated, printed, or backed with paper or other reinforcing material), of a weight (excluding any backing) not exceeding 1 700 g/m <sup>2</sup> ; lead powders and flakes		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
78.05	Tubes and pipes and blanks therefor, of lead; hollow bars and tube and pipe fittings (for example, joints, elbows, sockets, flanges and S-bends)		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
78.06	Other articles of lead		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
79.02	Wrought bars, rods, angles, shapes and sections, of zinc; zinc wire		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
78.06	Other articles of lead		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product

List A (continued)

Products obtained		Working or processing that does not confer the status of 'originating products'	Working or processing that confers the status of 'originating products' when the following conditions are met
CCT heading No	Description		
79.02	Wrought bars, rods, angles, shapes and sections, of zinc; zinc wire		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
79.03	Wrought plates, sheets and strip, of zinc; zinc foil; zinc powders and flakes		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
79.04	Tubes and pipes and blanks therefor, of zinc; hollow bars, and tube and pipe fittings (for example, joints, elbows, sockets and flanges), of zinc		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
79.05	Gutters, roof capping, skylight frames, and other fabricated building components, of zinc		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
79.06	Other articles of zinc		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
80.02	Wrought bars, rods, angles, shapes and sections, of tin; tin wire		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
80.03	Wrought plates, sheets and strip, of tin		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
80.04	Tin foil (whether or not embossed, cut to shape, perforated, coated, printed, or backed with paper or other reinforcing material), of a weight (excluding any backing) not exceeding 1 kg/m <sup>2</sup> ; tin powders and flakes		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
80.05	Tubes and pipes and blanks therefor, of tin; hollow bars, and tube and pipe fittings (for example, joints, elbows, sockets and flanges), of tin		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
82.05	Interchangeable tools for hand tools, for machine tools or for power-operated hand tools (for example, for pressing, stamping, drilling, tapping, threading, boring, broaching, milling, cutting, turning, dressing, morticing or screwdriving), including dies for wire drawing, extrusion dies for metal, and rock drilling bits		Assembly in which the value of the parts used does not exceed 40% of the value of the finished product
82.06	Knives and cutting blades, for machines or for mechanical appliances		Assembly in which the value of the parts used does not exceed 40% of the value of the finished product
ex 84 Chapter	Boilers, machinery and mechanical appliances and parts thereof, excluding products of heading No. 84.05 and sewing machines (ex No 84.41)		Assembly in which the value of the parts used does not exceed 40% of the value of the finished product



## List A (continued)

Products obtained		Working or processing that does not confer the status of 'originating products'	Working or processing that confers the status of 'originating products' when the following conditions are met
CCT heading No	Description		
84.15	Refrigerators and refrigerating equipment (electrical and other)		Assembly in which the value of the 'non-originating' parts used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the parts <sup>(1)</sup> used are 'originating products'
ex 84.41	Sewing machines		Assembly in which the value of the 'non-originating parts' used does not exceed 40% of the value of the finished product, and provided that: (a) at least 50% in value of the parts <sup>(1)</sup> used for the assembly of the head (motor excluded) are 'originating products', and (b) the thread tension, crochet and zigzag mechanisms are 'originating products'
ex Chapter 85	Electrical machinery and equipment and parts thereof, excluding products of heading Nos 85.14 and 85.15		Assembly in which the value of the parts used does not exceed 40% of the value of the finished product
85.14	Microphones and stands therefor; loudspeakers; audiofrequency electric amplifiers		Assembly in which the value of the 'non-originating parts' used does not exceed 40% of the value of the finished product, and provided that: (a) at least 50% in value of the parts <sup>(1)</sup> used are 'originating products', and (b) all the transistors are 'originating products'
85.15	Radiotelegraphic and radiotelephonic transmission and reception apparatus; radiobroadcasting and television transmission and reception apparatus (including those incorporating gramophones) and television cameras; radio navigational aid apparatus, radar apparatus and radio remote control apparatus		Assembly in which the value of the 'non-originating parts' used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the parts used are 'originating products'
Chapter 86	Railway and tramway locomotives, rolling-stock and parts thereof; railway and tramway track fixtures and fittings; traffic signalling equipment of all kinds (not electrically powered)		Assembly in which the value of the parts used does not exceed 40% of the value of the finished product
ex Chapter 87	Vehicles, other than railway or tramway rolling-stock, and parts thereof, excluding products of heading No 87.09		Assembly in which the value of the parts used does not exceed 40% of the value of the finished product

<sup>(1)</sup> In determining the value of parts, the following must be taken into account:

- (a) in respect of 'originating parts', the first verifiable price paid, or the price which would be paid in case of sale, for the said products on the territory of the State where assembly is carried out;
- (b) in respect of other parts, the provisions of Article 4 of the Decision determining:
  - (i) the value of imported products,
  - (ii) the value of products of undetermined origin.

List A (continued)

Products obtained		Working or processing that does not confer the status of 'originating products'	Working or processing that confers the status of 'originating products' when the following conditions are met
CCT heading No	Description		
87.09	Motor-cycles, autocycles and cycles fitted with an auxiliary motor, with or without side-cars; side-cars of all kinds		Assembly in which the value of the 'non-originating' parts used does not exceed 40% of the finished product, and provided that at least 50% in value of the parts used are 'originating products'
ex Chapter 90	Optical, photographic, cinematographic, measuring, checking, precision, medical and surgical instruments and apparatus and parts thereof, excluding products of heading No 90.05, 90.07, 90.08, 90.12 and 90.26		Assembly in which the value of the parts used does not exceed 50% of the value of the finished product
90.05	Refracting telescope (monocular and binocular), prismatic or not		Assembly in which the value of the 'non-originating parts' used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the parts (1) used are 'originating products'
90.07	Photographic cameras; photographic flashlight apparatus		Assembly in which the value of the 'non-originating parts' used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the parts (1) used are 'originating products'
90.08	Cinematographic cameras, projectors, sound recorders and sound reproducers; any combination of these articles		Assembly in which the value of the 'non-originating parts' used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the parts (1) used are 'originating products'
90.12	Compound optical microscopes, whether or not provided with means for photographing or projecting the image		Assembly in which the value of the 'non-originating parts' used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the parts (1) used are 'originating products'
90.26	Gas, liquid and electricity supply or production meters; calibrating meters therefor		Assembly in which the value of the 'non-originating parts' used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the parts (1) used are 'originating products'
ex Chapter 91	Clocks and watches and parts thereof, excluding products of heading No 91.04 and 91.08		Assembly in which the value of the parts used does not exceed 40% of the value of the finished product
91.04	Other clocks		Assembly in which the value of the 'non-originating parts' used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the parts (1) used are 'originating products'

(1) In determining the value of parts, the following must be taken into account:

(a) in respect of 'originating parts', the first verifiable price paid, or the price which would be paid in case of sale, for the said products on the territory of the State where assembly is carried out;

(b) in respect of other parts, the provisions of Article 4 of the Decision determining:

- (i) the value of imported products,
- (ii) the value of products of undetermined origin.

List A (continued)

Products obtained		Working or processing that does not confer the status of 'originating products'	Working or processing that confers the status of 'originating products' when the following conditions are met
CCT heading No	Description		
91.08	Clock movements, assembled		Assembly in which the value of the 'non-originating parts' used does not exceed 40% of the value of the finished product, and provided that at least 50% in value of the parts <sup>(1)</sup> used are 'originating products'
ex Chapter 92	Musical instruments; sound recorders and reproducers; television image and sound recorders and reproducers, magnetic; parts and accessories of such articles, excluding products of heading No 92.11		Assembly in which the value of the parts used does not exceed 40% of the value of the finished product
92.11	Gramophones, dictating machines and other sound recorders and reproducers, including recordplayers and tape decks, with or without soundheads; television image and sound recorders and reproducers, magnetic		Assembly in which the value of the 'non-originating parts' used does not exceed 40% of the value of the finished product, and provided that: (a) at least 50% in value of the parts <sup>(1)</sup> used are 'originating products', and (b) all the transistors are 'originating products'
ex 93.07	Lead shot		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
96.02	Other brooms and brushes (including brushes of a kind used as parts of machines); paint rollers; squeegees (other than roller squeegees) and mops		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
97.03	Other toys; working models of a kind used for recreational purposes		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
98.01	Buttons and button moulds, studs, cufflinks, and press-fasteners, including snap fasteners and press-studs; blanks and parts of such articles		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
98.08	Typewriter and similar ribbons, whether or not on spools; ink-pads, with or without boxes		Manufacture in which the value of the products used does not exceed 50% of the value of the finished product
ex 98.15	Vacuum flasks and other vacuum vessels complete with cases		Manufacture from products of heading No 70.12

(<sup>1</sup>) In determining the value of parts, the following must be taken into account:

(a) in respect of 'originating parts', the first verifiable price paid, or the price which would be paid in case of sale, for the said products on the territory of the State where assembly is carried out;

(b) in respect of other parts, the provisions of Article 4 of the Decision determining:

- (i) the value of imported products,
- (ii) the value of products of undetermined origin.

ANNEX III

LIST B

List of working or processing operations which do not result in a change of tariff heading, but which do confer the status of 'originating products' on the products undergoing such operations

Finished products		Working or processing that confers the status of 'originating products'
CCT heading No	Description	
		Incorporation of 'non-originating parts' in machinery or mechanical appliances of Chapters 84 to 92 does not make such products lose their status of 'originating products', provided that the value of the 'non-originating' parts used does not exceed 5 % of the value of the finished product
ex 15.10	Fatty alcohols	Manufacture from fatty acids
ex 21.03	Prepared mustard	Manufacture from mustard flour
ex 22.09	Whisky of an alcoholic strength less than 50°	Manufacture from alcohol obtained exclusively by distilling cereals and in which the value of the 'non-originating products' used does not exceed 15 % of the value of the finished product
ex 25.09	Earth colours, calcined or powdered	Crushing and calcination or powdering of earth colours
ex 25.15	Marble squared by sawing, of a thickness of 25 cm or less	Sawing into slabs or sections, polishing, grinding and cleaning of marble, including marble not further worked than roughly split, roughly squared or squared by sawing, more than 25 cm in thickness
ex 25.16	Granite, porphyry, basalt, sandstone and other monumental and building stone, including such stone not further worked than roughly split, roughly squared or squared by sawing, of a thickness of 25 cm or less	Sawing of granite, porphyry, basalt, sandstone and other building stone, including such stone not further worked than roughly split, roughly squared or squared by sawing, more than 25 cm in thickness
ex 25.18	Calcined dolomite; agglomerated dolomite (including tarred dolomite)	Calcination of unworked dolomite
ex 33.01	Essential oils, other than of citrus fruit, terpeneless	Deterpenation of essential oils, other than of citrus fruit
ex 38.05	Refined tall oil	Refining of crude tall oil
ex 38.07	Sulphate turpentine, purified	Purification, comprising distillation and refining of crude sulphate turpentine
ex 40.01	Slabs of crepe rubber for soles	Lamination of crepe sheets of natural rubber
ex 40.07	Rubber thread and cord, textile-covered	Manufacture from rubber thread or cord
ex 41.01	Sheep and lamb skins without the wool	Removing wool from sheep and lamb skins in the wool
ex 41.03	Retanned skin leather of crossed Indian sheep	Retanning of crossed Indian sheep skin leather not further prepared than tanned
ex 41.04	Retanned Indian goat or kid skin leather	Retanning of Indian goat or kid skin leather not further prepared than tanned
ex 50.09 ex 50.10 ex 51.04 ex 53.11 ex 53.12 ex 53.13 ex 54.05 ex 55.07 ex 55.08 ex 55.09 ex 56.07	Printed fabrics	Printing accompanied by finishing operations (bleaching, dressing, drying, steaming, burling, mending, impregnating, sanforizing, mercerizing) of fabrics the value of which does not exceed 47.5 % of the value of the finished product

## List B (continued)

Finished products		Working or processing that confers the status of 'originating products'
CCT heading No	Description	
ex 68.03	Articles of slate, including articles of agglomerated slate	Manufacture of articles of slats
ex 68.13	Articles of asbestos; articles of mixtures with a basis of asbestos or of mixtures with a basis of asbestos and magnesium carbonate	Manufacture of articles of asbestos or of mixtures with a basis of asbestos, or of mixtures with a basis of asbestos and magnesium carbonate
ex 68.15	Articles of mica, including bonded mica splittings on a support of paper or fabric	Manufacture of articles of mica
ex 70.10	Cut-glass bottles	Cutting of bottles the value of which does not exceed 50 % of the value of the finished product
ex 70.13	Cut glassware (other than articles falling in heading No 70.19) of a kind commonly used for table, kitchen, toilet or office purposes, for indoor decoration, or for similar uses	Cutting of glassware the value of which does not exceed 50 % of the value of the finished product
ex 70.20	Articles made from glass fibre	Manufacture from unworked glass fibre
ex 71.02	Precious and semi-precious stones, cut or otherwise worked, but not mounted, set or strung (except ungraded stones temporarily strung for convenience of transport)	Manufacture from unworked precious and semi-precious stones
ex 71.03	Synthetic or reconstructed precious or semi-precious stones, cut or otherwise worked, but not mounted, set or strung (except ungraded stones temporarily strung for convenience of transport)	Manufacture from unworked synthetic or reconstructed precious or semi-precious stones
ex 71.05	Silver and silver alloys, semi-manufactured	Rolling, drawing, beating or grinding of unwrought silver and silver alloys
ex 71.06	Rolled silver, semi-manufactured	Rolling, drawing, beating or grinding of unworked rolled silver
ex 71.07	Gold, including platinum-plated gold, semi-manufactured	Rolling, drawing, beating or grinding of unwrought gold, including platinum-plated gold
ex 71.08	Rolled gold on base metal or silver, semi-manufactured	Rolling, drawing, beating or grinding of unworked rolled gold on base metal or silver
ex 71.09	Platinum and other metals of the platinum group, semi-manufactured	Rolling, drawing, beating or grinding of unwrought platinum and other metals of the platinum group
ex 71.10	Rolled platinum or other platinum group metals, on base metal or precious metal, semi-manufactured	Rolling, drawing, beating or grinding of unworked rolled platinum or other platinum group metals on base metal or precious metal
73.15	Alloy steel and high carbon steel in the forms mentioned in heading Nos 73.06 to 73.14	Processing of alloy steel and high carbon steels in the forms mentioned in heading Nos 73.06 to 73.14 involving transfer from one category below to another: <ol style="list-style-type: none"> <li>1. Ingots, blooms, billets, slabs, sheet-bars (including triplate bars);</li> <li>2. Pieces roughly shaped by forging;</li> <li>3. Coils for re-rolling; universal plates;</li> <li>4. Bars and rods (including wire rod and hollow mining drill steel) and angles, shapes and sections;</li> <li>5. Hoop and strip;</li> <li>6. Sheets and plates;</li> <li>7. Wire, whether or not coated, but not insulated.</li> </ol>
ex 74.01	Unrefined copper (blister copper and other)	Smelting of copper matte

List B (continued)

Finished products		Working or processing that confers the status of 'originating products'
CCT heading No	Description	
ex 74.01	Refined copper	Fire-refining or electrolytic refining of unrefined copper (blister copper and other), copper waste or scrap
ex 74.01	Copper alloy	Fusion and thermal treatment of refined copper, copper waste or scrap
ex 75.01	Unwrought nickel (excluding electro-plating anodes)	Refining by electrolysis, by fusion or chemically, of nickel mattes, nickel speiss and other intermediate products of nickel metallurgy
ex 77.04	Beryllium, wrought	Rolling, drawing or grinding of unwrought beryllium
ex 81.01	Tungsten, wrought	Manufacture from unwrought tungsten
ex 81.02	Molybdenum, wrought	Manufacture from unwrought molybdenum
ex 81.03	Tantalum, wrought	Manufacture from unwrought tantalum
ex 81.04	Other base metals, wrought	Manufacture from other base metals, unwrought
84.06	Internal combustion piston engines	Assembly in which the value of the parts used does not exceed 40 % of the value of the finished product
ex 84.08	Engines and motors, excluding reaction engines and gas turbines	Assembly in which the value of the 'non-originating parts' used does not exceed 40 % of the value of the finished product, and provided that at least 50 % in value of the parts (1) used are 'originating products'
ex 84.41	Sewing machines	<p>Assembly in which the value of the 'non-originating parts' used does not exceed 40 % of the value of the finished product, and provided that:</p> <p>(a) at least 50 % in value of the parts(1) used for assembly of the head (motor excluded) are 'originating products', and</p> <p>(b) the thread tension, crochet and zigzag mechanisms are 'originating products'</p>
ex 95.01	Articles of tortoise-shell	Manufacture from worked tortoise-shell
ex 95.02	Articles of mother-of-pearl	Manufacture from worked mother-of-pearl
ex 95.03	Articles of ivory	Manufacture from worked ivory
ex 95.04	Articles of bone (excluding whalebone)	Manufacture from worked bone (excluding whalebone)
ex 95.05	Articles of horn, coral (natural or agglomerated) or of other animal carving material	Manufacture from worked horn, coral (natural or agglomerated) or other animal carving material
ex 95.06	Articles of vegetable carving material (for example, corozo)	Manufacture from worked vegetable carving material (for example, corozo)
ex 95.07	Articles of jet (and mineral substitutes for jet), amber, meerschaum, agglomerated amber and agglomerated meerschaum	Manufacture from worked jet (and mineral substitutes for jet), amber, meerschaum, agglomerated amber and agglomerated meerschaum
ex 98.11	Smoking pipes; pipe bowls	Manufacture from roughly shaped blocks of wood or root

(1) In determining the value of parts, the following must be taken into account:

(a) in respect of 'originating parts', the first verifiable price paid, or the price which would be paid in case of sale, for the said products on the territory of the State where assembly is carried out;

(b) in respect of other parts, the provisions of Article 4 of the Decision determining:

- (i) the value of imported products,
- (ii) the value of products of undetermined origin.

## ANNEX IV

## LIST C

## List of products temporarily excluded from the scope of this Decision

CCT heading No	Description
ex 27.07	Assimilated aromatic oils as defined in Note 2 to Chapter 27, of which more than 65% by volume distils at a temperature of up to 250° C (including mixtures of petroleum spirit and benzol), intended for use as power or heating fuels
27.09 to 27.16	Mineral oils and products of their distillation; bituminous substances; mineral waxes
ex 29.01	Hydrocarbons: — Acyclic — Cyclanes and cyclenes, excluding azulenes — Benzene, toluenes, xylenes intended for use as power or heating fuels
ex 34.03	Lubricating preparations containing petroleum oils or oils obtained from bituminous minerals, but not including preparations containing 70% or more by weight of petroleum oils or of oils obtained from bituminous minerals
ex 34.04	Waxes with a basis of paraffin wax, of petroleum waxes, of waxes obtained from bituminous minerals, of slack wax or of scale wax
ex 38.14	Prepared additives for lubricants
ex 38.19	Mixed alkylenes

ANNEX V

# ARUSHA ASSOCIATION AGREEMENT

# A. A. 1

## Movement Certificate

Certificat de Circulation des Marchandises

Certificato per la Circolazione delle Merci

Warenverkehrsbescheinigung

Certi caat inzake Goederenverkeer

**A** 000000

### DECLARATION BY THE EXPORTER

The undersigned

(Surname and forename or business name and full address of the exporter)

being the exporter of the goods described below:

Serial Number	PACKAGES (1)		DESCRIPTION OF GOODS	Gross weight (kg) or other measure (hl, m <sup>3</sup> , etc.)
	Marks and numbers	Number and kind		
1	2	3	4	5

Total number of packages (col 3)

and total quantities (col 5)

(in words)

Observations:

declare that these goods are

and meet the conditions required for the issue of this certificate(2):

Member country of destination:

Place and date of signature

(Exporter's signature)

(Optional entry)

Consignment of

No

### CUSTOMS ENDORSEMENT

Declaration certified as being in accordance with the supporting documents submitted, and with the result of the checks carried out.

Export document:

Form: No

Dated

Customs office

Official Stamp

Place and date of signature

(Official's signature)

(2) For goods in bulk indicate as appropriate the name of the vessel or the number of the railway truck or the registration number of the road goods vehicle. See also on the back of this sheet.



**REQUEST FOR CHECK**

The undersigned Customs official requests a check on the authenticity and correctness of this certificate

Place and date of signature

Official stamp

(Official's signature)

**RESULT OF CHECK**

A check carried out by the undersigned Customs official shows that this movement certificate

1. was issued by the Customs office indicated, and that the information contained therein is accurate<sup>(1)</sup>;
2. does not meet the requirements as to authenticity and correctness (see notes appended) <sup>(1)</sup>.

Place and date of signature

Official stamp

(Official's signature)

(1) Delete where not applicable.

**I. GOODS IN RESPECT OF WHICH A MOVEMENT CERTIFICATE A.A.1 MAY BE ENDORSED**

A movement certificate A.A.1 may be endorsed only in respect of those goods which, in the exporting member country<sup>(\*)</sup>, fall within one of the following categories:

**Category 1**

Goods wholly obtained in the exporting member country. The following shall be considered as wholly obtained in the exporting member country:

- (a) mineral products extracted from the ground thereof;
- (b) vegetable products harvested therein;
- (c) live animals born and raised therein;
- (d) products from live animals raised therein;
- (e) products obtained by hunting or fishing conducted therein;
- (f) marine products taken from the sea by its vessels;
- (g) scrap and waste resulting from manufacturing operations and used articles, provided that they have been collected therein and are fit only for the recovery of raw materials;
- (h) goods obtained therein exclusively from animals or products referred to in sub-paragraphs (a) to (g) or derivatives thereof.

**Category 2**

Goods obtained in the exporting member country, in the manufacture of which are used only products originally imported from another member country and which, on their exportation from such country met the conditions required for obtaining a movement certificate A.A.1, and also, where appropriate, products falling under category 1.

**Category 3**

Goods obtained in the exporting member country, in the manufacture of which products other than those falling under categories 1 or 2 are used, provided that the said products (hereinafter referred to as 'other products') have undergone working or processing operations

(a) which result in the goods being classified under a tariff heading (\*\*\*) other than the tariff heading covering each of the 'other products' used, unless the operations carried out appear in list A annexed to the provisions governing the definition of the concept of 'originating products' and the methods of administrative cooperation;

(a) which result in the goods being classified under a tariff heading(\*\*) other than the tariff heading covering each of the 'other products' used, unless the operations carried out appear in list A annexed to the provisions governing the definition of the concept of 'originating products' and the methods of administrative cooperation;

(b) or which, although appearing in list A referred to in sub-paragraph (a), meet the special conditions laid down in respect of them in the said list A;

(c) or which do not result in the goods obtained being classified under a tariff heading other than the tariff heading covering each of the 'other products' used, but appear in list B annexed to the provisions governing the definition of the concept of 'originating products' and the methods of administrative cooperation.

**Category 4**

Goods originally imported from a member country which, on their exportation from such country, fell under category 1, 2 or 3, and which are re-exported in the same state to another member country.

Note: For the purpose of this rule, the member country of origin which should appear on the movement certificate is the member country from which the goods in question were originally imported.

**II. SCOPE OF MOVEMENT CERTIFICATE A.A.1**

The movement certificate A.A.1 may be used only if the goods to which it relates are transported directly from the exporting member country to the importing member country.

The following shall be considered as transported directly from the exporting member country to the importing member country:

- (a) goods transported without passing through the territory of a country not party to the Agreement or without being transhipped in such country;
- (b) goods transported through the territory of one or more countries not party to the Agreement, or transhipped in such countries, if the passage through such countries is covered by a single transport document drawn up in a member country.

However, the following shall not be considered as interrupting direct transport:

- calls at ports situated in the territory of countries not party to the Agreement;
- transhipments in such ports, where these result from *force majeure* or where they are consequent upon conditions at sea.

When crossing the territory of countries referred to above, the special conditions laid down for the stay in and the transport through such countries must be fulfilled.

**III. RULES FOR MAKING OUT MOVEMENT CERTIFICATE A.A.1**

1. The movement certificate A.A.1 must be made out in one of the languages in which the Agreement is drawn up, and in conformity with the provisions of the national law of the exporting member country.

2. Entries on the movement certificate A.A.1 shall be typed or handwritten; in the latter case it shall be completed in ink and in capital letters. It must contain neither erasures nor words written over one another. Any alterations must be made by deleting the incorrect particulars and by adding whatever corrections may be needed. Any such alteration must be approved by the person who has completed the certificate and must be endorsed by the customs authorities.

3. Each item listed on the movement certificate A.A.1 must be preceded by a serial number. A horizontal line must be drawn immediately below the last item. Any unused space must be struck through in such a manner as to make any addition impossible.

4. Goods must be described in accordance with commercial practice and with sufficient detail to enable them to be identified.

5. The exporter or carrier may include a reference to the transport document in the part of the certificate reserved for the 'declaration by the exporter'. The exporter or the carrier is also advised to enter the serial number of the movement certificate A.A.1 on the transport document under which the goods are consigned.

**IV. EFFECT OF MOVEMENT CERTIFICATE A.A.1**

When correctly used the movement certificate A.A.1 enables the goods described therein to benefit in the importing member country from the provisions of the Agreement.

The customs authorities of the importing member country may, if they consider it to be necessary, require submission of any other supporting documentary evidence, in particular the transport documents under which the goods are consigned.

**V. TIME-LIMIT FOR SUBMISSION OF MOVEMENT CERTIFICATE A.A.1**

The movement certificate A.A.1 must be submitted to the office of the importing member country where the goods are presented, within five months of the date of its endorsement by the customs authorities of the exporting member country.

(\*) The member countries are:

(a) The Member States of the EEC: the Kingdom of Belgium, the Federal Republic of Germany, the French Republic, the Italian Republic, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands in Europe;

(b) The Partner States of the East African Community: the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya.

(\*\*) Tariff headings shall mean the tariff headings in the Brussels Nomenclature.

**ARUSHA ASSOCIATION AGREEMENT**

**Movement Certificate**

**A. A. 1**

**Certificat de Circulation des Marchandises    Certificato per la Circolazione delle Merci**  
**Warenverkehrsbescheinigung                  Certificaad inzake Goederenverkeer**

**A 000000**

**DECLARATION BY THE EXPORTER**

The undersigned ..

(Name and first name, or business name, and full address of the exporter)

being the exporter of the goods described below:

Serial number	PACKAGES		DESCRIPTION OF GOODS	Gross weight (kg) or other measure (hl, m <sup>3</sup> , etc)
	Marks and numbers	Number and kind		
1	2	3	4	5

Total number of packages (column 3)  
 and total quantities (column 5)

} (in words)

Observations:

(Declaration by the exporter continues overleaf)

(Declaration by the exporter continued)

DECLARES that these goods were obtained in ..... and fall under category ..... (1)  
 listed in Note 1 on the back of the movement certificate A.A.1

SPECIFIES as follows the circumstances which have conferred the status of 'originating products' on the goods(2):

SUBMITS the following supporting documents(3):

UNDERTAKES to submit, at the request of the appropriate authorities, any additional supporting evidence which these authorities may require for the purpose of issuing this certificate, and undertakes, if required, to agree to any inspection of his accounts and any check on the processes of manufacture of the above goods, carried out by the said authorities.

REQUESTS the issue of a movement certificate A.A.1 for these goods.

.....  
 (Place and date of signature)

.....  
 (Exporter's signature)

(1) State the category number and indicate the corresponding sub-paragraph where appropriate.

(2) To be completed if products imported from another member country, from a third country, or products of undetermined origin have been used in the manufacture of the goods in question.

Indicate the products used, their tariff heading, their origin and, where appropriate, the manufacturing processes qualifying the goods as originating in the member country of manufacture (application of List B or of the special conditions laid down in List A), the goods obtained and their tariff heading.

If, as a condition for conferring the status of 'originating product' on the goods obtained, the value of the products used may not exceed a certain percentage of the value of these goods, indicate:

(a) for the products used:

— the value for customs purposes, where these products originate in third countries;

— the earliest verifiable price paid for the said products in the territory of the member country in which manufacture takes place, where the products in question are of undetermined origin;

(b) for the goods obtained: the ex-works price, i.e. the price paid to the manufacturer in whose undertaking the working or processing has been carried out. Where such working or processing has been carried out in two or more undertakings, the price to be taken into account is that paid to the last manufacturer.

(3) For example, movement certificates A.A.1, import documents, invoices, etc. relating to the products used and, where appropriate, to goods imported from another member country and intended for re-export in the same state.

TO BE INSERTED IN THE PARCEL

ARUSHA ASSOCIATION AGREEMENT	LABEL A.A.2 <b>A</b> 000000
<b>Declaration by the exporter</b>	<b>Description of goods</b>
<p>The undersigned, exporter of the goods described here and contained in this postal consignment:</p> <p>— declares that they are in ..... (Exporting member country) and meet the requirements set out on the back of part 2 of this declaration,</p> <p>— undertakes to submit, at the request of the appropriate authorities, any supporting evidence which these authorities may require and to agree to apply inspection of his accounts and any check on the processes of manufacture of the goods described here, by these authorities.</p> <p>Member country of destination: .....</p> <p>Place and date of signature .....</p> <p>..... (Exporter's signature)</p> <p>Exporter ..... (Name and first name, or business name, and full address of the exporter)</p>	<p>..... ..... ..... .....</p> <p>Observations<sup>(1)</sup>: .....</p> <p>..... .....</p> <p>Authorities in the exporting member country responsible for checks on declarations by exporters<sup>(2)</sup>: ..... ..... .....</p>
<p><sup>(1)</sup> State the references of any check already carried out by the appropriate authorities. <sup>(2)</sup> State the appropriate authorities laid down by national provisions.</p>	

REQUEST FOR CHECK	RESULT OF CHECK
<p>The undersigned Customs official requests a check on the exporter's declaration appearing on the front of this form(*).</p> <p>Place and date of signature .....</p> <p>Official Stamp</p> <p>..... (Official's signature)</p>	<p>A check carried out by the undersigned Customs official shows that:</p> <p>(1) the details given on this form are accurate<sup>(1)</sup>;</p> <p>(2) this form does not meet the requirements as to correctness (see notes appended) <sup>(1)</sup>.</p> <p>Place and date of signature .....</p> <p>Official Stamp</p> <p>..... (Official's signature)</p> <p>..... <sup>(1)</sup> Delete where not applicable.</p>

(\* ) Checks on forms A.A.2 are to be carried out at random and also whenever the Customs authorities of the importing member country have reasonable doubt as to the true origin of the goods in question or of certain parts thereof.  
 The Customs authorities of the importing member country are to return to the authorities responsible for checking in the exporting member country the form A.A.2 contained in the consignment, giving the formal or substantive reasons for an inquiry. Wherever possible they attach to this form the invoice which has been presented to them, or a copy thereof, and forward any information which it has been possible to obtain and which suggests that the particulars given on the form A.A.2 are inaccurate.  
 If the Customs authorities of the importing member country decide to suspend execution of the provisions of the Agreement while awaiting the results of the check, they must offer to release the goods to the importer subject to any conservatory measures laid down by the national legislation of such country.

(PANEL 2)

**NOTE**

- This label (to the right) is to be detached and stuck to the outer packing of the postal packet or parcel.
- The exporter must sign the label. He may also stamp it.

LABEL A.A.2	<b>A</b>	000000
Description of goods		
<p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>		
(Signature of exporter)		

**GOODS IN RESPECT OF WHICH A MOVEMENT CERTIFICATE A.A.1  
MAY BE ENDORSED OR A FORM A.A.2 MAY BE MADE OUT**

A movement certificate A.A.1 may be endorsed or a form A.A.2 may be made out only in respect of those goods which in the exporting member country fall within one of the following categories: (X)

**Category 1**

Goods wholly obtained in the exporting member country.

The following shall be considered as wholly obtained in the exporting member country:

- (a) mineral products extracted from the ground thereof;
- (b) vegetable products harvested therein;
- (c) live animals born and raised therein;
- (d) products from live animals raised therein;
- (e) products obtained by hunting or fishing conducted therein;
- (f) marine products taken from the sea by its vessels;
- (g) scrap and waste resulting from manufacturing operations and used articles, provided that they have been collected therein and are fit only for the recovery of raw materials;
- (h) goods obtained therein exclusively from animals or products referred to in sub-paragraphs (a) to (g) or derivatives thereof.

**Category 2**

Goods obtained in the exporting member country, in the manufacture of which are used only products originally imported from another member country and which, on their exportation from such country, met the conditions required for obtaining a movement certificate A.A.1, and also, where appropriate products falling under category 1.

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(\*) The member countries are:

- (a) The Member States of the EEC: the Kingdom of Belgium, the Federal Republic of Germany, the French Republic, the Italian Republic, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands in Europe;
- (b) The Partner States of the East African Community: the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya.

**Category 3**

Goods obtained in the exporting member country, in the manufacture of which products other than those falling under categories 1 or 2 are used provided that the said products (hereinafter referred to as 'other products') have undergone working or processing operations:

- (a) which result in the goods being classified under a tariff heading(\*\*), other than the tariff heading covering each of the 'other products' used, unless the operations carried out appear in list A, annexed to the provisions governing the definition of the concept of 'originating products' and the methods of administrative cooperation;
- (b) or which although appearing in list A referred to in sub-paragraph (a) meet the special conditions laid down in respect of them in the said list A;
- (c) or which do not result in the goods obtained being classified under a tariff heading other than the tariff heading covering each of the 'other products' used, but appear in list B annexed to the provisions governing the definition of the concept of 'originating products' and the methods of administrative cooperation.

**Category 4**

Goods originally imported from a member country which, on their exportation from such country, fell under category 1, 2 or 3, and which are re-exported in the same state to another member country.

Note: For the purpose of this rule, the member country of origin which should appear on the movement certificate is the member country from which the goods in question were originally imported.

(\*\*) Tariff headings shall mean the tariff headings in the Brussels Nomenclature.

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(OJ N° L 82, 6.4.1972)

**REGULATION (EEC) No 686/72 OF THE COUNCIL**

**of 5 April 1972**

**on the application of Decision No 2/72 of the Council of Association provided for by 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.**

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 an Agreement<sup>1</sup> establishing an Association between the European Economic Community and the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya was signed on 24 September 1969, entering into force on 1 January 1971;

Whereas Council Regulation (EEC) No 1289/71 of 7 June 1971 made applicable Decision No 1/71 of the Council of Association provided for by that Agreement on the definition of the concept of 'originating products' for the purpose of implementing Title I of the Agreement and on the methods of administrative cooperation;

Whereas the Council of Association has adopted Decision No 2/72 amending its Decision No 1/71;

Whereas it is necessary, in accordance with Article 23 of that Agreement, to take the measures required to implement that Decision,

HAS ADOPTED THIS REGULATION:

*Article 1*

Decision No 1/71 of the Council of Association annexed to Regulation (EEC) No 1289/71 is hereby amended in accordance with the Decision of the Council of Association No 2/72 annexed to this Regulation.

*Article 2*

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

It shall apply from 1 April 1972.

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

Done at Brussels, 5 April 1972.

*For the Council*

*The President*

G. THORN

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(1) cf. GEN 0 2

(OJ N° L 82, 6.4.1972)

## DECISION No 2/72

of the Council of Association amending Decision No 1/71 of the Council of Association on the definition of the concept of 'originating products' for the purpose of implementing Title I of the Agreement and on the methods of administrative cooperation

## THE COUNCIL OF ASSOCIATION,

Having regard to 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, signed on 24 September 1969, and in particular Title I thereof and Protocol No 4 annexed to the said Agreement;

Having regard to the draft prepared by the Commission of the European Communities;

Whereas by its Decision No 1/71 the Council of the Association defined the concept of 'originating products' for the purpose of implementing Title I of the Agreement and the methods of administrative cooperation;

Whereas in order to take account of the recommendation of the Customs Cooperation Council of 9 June 1970 for amendment of the Brussels Nomenclature for the Classification of Goods in Customs Tariffs it is desirable to alter Lists A and C annexed to that Decision;

Whereas in order to ensure concordance of the versions in the different languages of that Decision certain amendments must be made to the German, Italian and Dutch versions of List A,

HAS DECIDED AS FOLLOWS:

*Article 1*

Lists A and C annexed to Decision No 1/71 shall be amended as indicated in the Annex to this Decision.

*Article 2*

In the German version of List A referred to in Article 1, the following descriptions shall be substituted for the descriptions given in heading Nos 11.02 and 62.05 of the Common Customs Tariff:

11.02	Grobgriess und Feingriess; Getreidekörner, geschält, perlformig, geschliffen, geschrotet oder geguetscht (einschliesslich Flocken), ausgenommen geschälter, geschliffener oder glasierter Reis und Bruchreis; Getreidekeime, auch gemahlen
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62.05	Andere konfektionierte Waren aus Geweben, einschliesslich Schnittmuster zum Herstellen von Bekleidung
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*Article 3*

In the Italian version of List A referred to in Article 1, the following descriptions shall be substituted for the descriptions given in heading Nos 59.10 and 59.12 of the Common Customs Tariff:

59.10	Linoleum per qualsiasi uso, anche tagliati; copripavimenti costituiti da una spalmatura applicata su supporto di materie tessili, anche tagliati
59.12	Altri tessuti impregnati o spalmati; tele dipinte per scenari di teatri, per sfondi di studi o per usi simili

*Article 4*

In the Dutch version of List A referred to in Article 1, the following description shall be substituted for the description given in heading No 11.02 of the Common Customs Tariff:

11.02	Gries en griesmeel; grutten; gort en parelgort en andere gepelde, geparelde, gebroken of geplette granen (vlokken daaronder begrepen), met uitzondering van gepelde, geglansde, gepolijste of bij het pellen gebroken rijst; graankiemen, ook indien gemalen
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*Article 5*

The Partner States of the East African Community, the Member States and the Community shall, each respectively for its part, take all necessary measures in implementation of this Decision.

This Decision shall enter into force on 1 April 1972.

Done at Nairobi, 21 February 1972.

*The President*  
of the Council of Association  
J. C. OSOGO

## ANNEX

## List A

1. The following descriptions and rules shall be substituted for the descriptions of the products obtained falling within heading Nos 03.02, 11.09, 15.01, 15.02, 19.02, ex 38.19, 44.21, 57.10, 59.08, 76.08 and 85.15 of the Common Customs Tariff, and the rules relating to heading Nos 03.02, 11.09 and 57.10 (column 3 or 4):

CC1 heading No	Products obtained Description	Working or processing that does not confer the status of 'originating products'	Working or processing that confers the status of 'originating products' when the following conditions are met
03.02	Fish, dried, salted or in brine; smoked fish, whether or not cooked before or during the smoking process	Drying, salting, placing in brine of fish; smoking of fish whether or not cooked	
11.09	Wheat gluten, whether or not dried	Manufacture from wheat or wheat flours	
15.01	Lard, other pig fat and poultry fat, rendered or solvent-extracted	Obtained from products of heading No 02.05	
15.02	Fats of bovine cattle, sheep or goats, unrendered; rendered or solvent-extracted fats (including 'premier jus') obtained from those unrendered fats	Obtained from products of heading No 02.05	
19.02	Preparations of flour, meal, starch or malt extract, of a kind used as infant food or for dietetic or culinary purposes, containing less than 50 % by weight of cocoa	Manufacture from cereals and derived products, meat, milk and sugar	
ex 38.19	<p>Chemical products and preparations of the chemical or allied industries (including those consisting of mixtures of natural products), not elsewhere specified or included; residual products of the chemical or allied industries, not elsewhere specified or included, excluding:</p> <ul style="list-style-type: none"> <li>— Fusel oil and dippel's oil</li> <li>— Naphthenic acids and their non-water soluble salts; esters of naphthenic acids</li> <li>— Sulphonaphthenic acids and their non-water soluble salts; esters of sulphonaphthenic acids</li> <li>— Petroleum sulphonates, excluding petroleum sulphonates of alkali metals, of ammonium or of ethanolamines; thiophenated sulphonic acids of oils obtained from bituminous minerals, and their salts</li> <li>— Mixed alkylbenzenes or mixed alkyl-naphthalenes</li> <li>— Ion exchangers</li> <li>— Catalysts</li> </ul>		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product

## List A (continued)

Products obtained		Working or processing that does not confer the status of 'originating products'	Working or processing that confers the status of 'originating products' when the following conditions are met
CCT heading No	Description		
	<ul style="list-style-type: none"> <li>— Getters for vacuum tubes</li> <li>— Refractory cements, mortars and similar compositions</li> <li>— Alkaline iron oxide for the purification of gas</li> <li>— Carbon (excluding artificial graphite of heading No 38.01) in metallo-graphite or other compounds, in the form of small plates, bars or other semi-manufactures</li> </ul>		
44.21	Complete wooden packing cases, boxes, crates, drums and similar packings		Manufactured from boards not cut to size
57.10	Woven fabrics of jute or of other textile bast fibres of heading No 57.03		Obtained from raw jute or of other textile bast fibres of heading No 57.03
59.08	Textile fabrics impregnated, coated, covered or laminated with preparations of cellulose derivatives or of other artificial plastic materials		Obtained from yarn
76.08	Structures and parts of structures (for example hangars, bridges and bridge-sections, towers, lattice masts, roofs, roofing frameworks, door and window frames, balustrades, pillars and columns), of aluminium; plates, rods, angles, shapes, sections, tubes and like, prepared for use in structures, of aluminium		Manufacture in which the value of the products used does not exceed 50 % of the value of the finished product
85.15	Radiotelegraphic and radiotelephonic transmission and reception apparatus; radio-broadcasting and television transmission and reception apparatus, including receivers incorporating sound recorders or reproducers and television cameras; radio navigational aid apparatus, radar apparatus and radio remote control apparatus		Assembly in which the value of the 'non-originating materials and parts' used does not exceed 40 % of the value of the finished product, and provided that at least 50 % in value of the materials and parts used are 'originating products'

2. The following headings together with the rules pertaining thereto shall be inserted:

## List A (continued)

Products obtained		Working or processing that does not confer the status of 'originating products'	Working or processing that confers the status of 'originating products' when the following conditions are met
CCT heading No	Description		
ex 23.03	Residues from the manufacture of starch from maize (excluding concentrated maize steeping liquors), of a protein content, calculated on the dry product, exceeding 40 % by weight	Manufacture from maize or maize flour	
ex Chapter 39	Textile fabrics not included in heading No 59.08 in implementation of Note 2 (A) of Chapter 59		Obtained from yarn

## List C

1. The following description shall be submitted for the description of the products obtained falling within heading No ex 27.07 of the Common Customs Tariff:

CCT heading No	Description
ex 27.07	Aromatic oils within the meaning of Note 2 of Chapter 27, of which more than 65 % by volume distils at a temperature of up to 250°C (including mixtures of petroleum spirit and benzol), intended for use as power or heating fuels

2. Heading No ex 38.19 of the Common Customs Tariff is hereby deleted.

## III. Agricultural products

Table

I

Subject	Pages in the Collected Acts
Regulation (EEC) N° 652/71 of the Council of 30 March 1971 on the treatment to be accorded to beef and veal originating in the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya	1
Regulation (EEC) N° 653/71 of the Council of 30 March 1971 on the treatment to be accorded to products processed from cereals and rice originating in the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya	2
Regulation (EEC) N° 654/71 of the Council of 30 March 1971 on the treatment to be accorded to products processed from fruit and vegetables originating in the United Republic of Tanzania, the Republic of Uganda or the Republic of Kenya	3 - 4
Regulation (EEC) N° 655/71 of the Council of 30 March 1971 on the treatment to be accorded to raw tobacco originating in the United Republic of Tanzania, the Republic of Uganda or the Republic of Kenya	5
Regulation (EEC) N° 656/71 of the Council of 30 March 1971 on the treatment to be accorded to maize originating in the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya	6
Regulation (EEC) N° 860/72 of the Council of 25 April 1972 on the treatment to be accorded to certain fruit and vegetables originating in the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya	7

## Table

## II

Subject	Pages in the Collected Acts
Council Regulation (EEC) N° 1036/72 of 18 May 1972 amending, as regards the tariff nomenclature, Regulations (EEC) N°s 522/70 and 653/71 on the treatment applicable to cereal and rice-based processed products originating in the Associated African and Malagasy States or the Overseas Countries and Territories and originating in the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya	8
Regulation (EEC) N° 1943/73 of the Commission of 12 July 1973 altering the import levies on products processed from cereals and rice	19 - 20
Regulation (EEC) N° 2076/73 of the Commission of 31 July 1973 fixing the levies on cereals and on wheat or rye flour, groats and meal	21 - 22
Regulation (EEC) N° 2739/73 of the Council of 8 October 1973 amending Regulation (EEC) N° 860/72 on the treatment to be accorded to certain fruit and vegetables originating in the United Republic of Tanzania, the Republic of Uganda or the Republic of Kenya	23

Table  
III

Subject	Pages in the Collected Acts
Regulation (EEC) N° 760/74 of the Commission of 1 April 1974 altering the import levies on products processed from cereals and rice	24 - 25



(OJ N° L 76, 31.3.1971)

REGULATION (EEC) No 652/71 OF THE COUNCIL

of 30 March 1971

on the treatment to be accorded to beef and veal originating in the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAVING REGARD to the Treaty establishing the European Economic Community, and in particular Article 43 thereof;

HAVING REGARD to the proposal from the Commission;

HAVING REGARD to the Opinion of the European Parliament ;

WHEREAS the Agreement <sup>(1)</sup> establishing an Association between the European Economic Community and the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya provides that, for those agricultural products covered by a common organisation of the market which these States have an economic interest in exporting, the Community shall determine the treatment to be accorded to imports of products originating in these States, this treatment to be more favourable than the general treatment applied to like products originating in third countries;

WHEREAS Council Regulation (EEC) No 805/68 <sup>(2)</sup> of 27 June 1968 on the common organisation of the market in beef and veal, as last amended by Regulation (EEC) No 1253/70 <sup>(3)</sup>, introduced a system of trade with third countries which involves the charging of customs duties and levies on imports;

WHEREAS the Community's obligation towards the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya may be fulfilled by exempting those products originating in these States from customs duties;

WHEREAS the Partner States of the East African Community, by letter dated 17 March 1971 from the Mission of the East African States, renounced the right to be consulted prior to the entry into force of this Regulation;

HAS ADOPTED THIS REGULATION:

Article 1

Products listed in Article 1 of Regulation (EEC) No 805/68 which originate in the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya shall be exempt from customs duties on importation into the Community.

Article 2

This Regulation shall enter into force on 1 April 1971.

It shall apply until 31 January 1975.

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

Done at Brussels, 30 March 1971.

For the Council

The President

M SCHUMANN

- 
- (1) cf. GEN O 2  
(2) cf. AGRI/EEC XVIII 659  
(3) cf. AGRI/EEC X 10995

(OJ N° L 76, 31.3.1971)

REGULATION (EEC) No 653/71 OF THE COUNCIL

of 30 March 1971

on the treatment to be accorded to products processed from cereals and rice originating in the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya

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THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAVING REGARD to the Treaty establishing the European Economic Community, and in particular Article 43 thereof;

HAVING REGARD to the proposal from the Commission;

HAVING REGARD to the Opinion of the European Parliament,

WHEREAS the Agreement (1) establishing an Association between the European Economic Community and the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya provides that, for those agricultural products covered by a common organisation of the market which these States have an economic interest in exporting, the Community shall determine the treatment to be accorded to imports of products originating in these States, this treatment to be more favourable than the general treatment applied to like products originating in third countries;

WHEREAS Council Regulation No 120/67/EEC (2) of 13 June 1967 on the common organisation of the market in cereals, as last amended by Regulation (EEC) No 2434/70 (3), and Council Regulation No 359/67/EEC (4) of 25 July 1967 on the common organisation of the market in rice, as last amended by Regulation (EEC) No 2434/70, introduced a system of levies on imports into the Community;

WHEREAS the Community's obligation towards the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya may be fulfilled by reducing the import levy on products covered by the Regulations referred to above originating in these States by an amount equal to the protection granted to the Community processing industry, and by reducing the import levy on manioc roots and products manufactured therefrom by an additional amount;

WHEREAS the Partner States of the East African Community, by letter dated 17 March 1971 from the Mission of the East African States, renounced the right to be consulted prior to the entry into force of this Regulation;

HAS ADOPTED THIS REGULATION:

- 
- (1) cf. GEN 0 2  
(2) cf. AGRI/EEC X 1370  
(3) cf. AGRI/EEC X 11865  
(4) cf. AGRI/EEC XIX 311

Article 1

1 The levy applicable to imports of products listed in Annex A to Regulation No 120/67/EEC and of products listed in Article 1(1)(c) of Regulation No 359/67/EEC which originate in the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya shall be reduced by the fixed component prescribed for each of these products.

2 In addition the variable component of the levy shall be reduced:

- (a) by 0.12 units of account per 100 kilogrammes for products falling within subheading No 07.06 B of the Common Customs Tariff;
- (b) by 0.18 units of account per 100 kilogrammes for products falling within heading No 11.06 of the Common Customs Tariff;
- (c) by 50% for products falling within subheading No 11.08 A V of the Common Customs Tariff. This percentage may be revised every twelve months by the Council acting in accordance with the voting procedure laid down in Article 43(2) of the Treaty on a proposal from the Commission.

Article 2

This Regulation shall enter into force on 1 April 1971.

It shall apply until 31 January 1975.

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

Done at Brussels, 30 March 1971.

For the Council

The President

M SCHUMANN

(OJ N° L 76, 31.3.1971)

REGULATION (EEC) No 654/71 OF THE COUNCIL

of 30 March 1971

on the treatment to be accorded to products processed from fruit and vegetables originating in the United Republic of Tanzania, the Republic of Uganda or the Republic of Kenya

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HAVING REGARD to the Treaty establishing the European Economic Community, and in particular Article 43 thereof;

HAVING REGARD to the proposal from the Commission;

HAVING REGARD to the Opinion of the European Parliament ;

WHEREAS the Agreement<sup>(1)</sup> establishing an Association between the European Economic Community and the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya provides that, for those agricultural products covered by a common organisation of the market which these States have an economic interest in exporting, the Community shall determine the treatment to be accorded to imports of products originating in these States, this treatment to be more favourable than the general treatment applied to like products originating in third countries;

WHEREAS Council Regulation (EEC) No 865/68<sup>(2)</sup> of 28 June 1968 on the common organisation of the market in products processed, from fruit and vegetables, as last amended by Regulation (EEC) No 2275/70<sup>(3)</sup>, introduced a trade system for these products which involves the charging of customs duties on the one hand and an import levy on the various added sugars on the other;

WHEREAS the Community's obligation towards the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya may be fulfilled by exempting those products originating in these States from customs duties;

WHEREAS preserved pineapple, pineapple juice, mixtures of pineapple, papaw and granadilla, and mixtures of pineapple, papaw and granadilla juice should also be exempt from levies on the various added sugars;

WHEREAS the Partner States of the East African Community, by letter dated 17 March 1971 from the Mission of the East African States, renounced the right to be consulted prior to the entry into force of this Regulation;

HAS ADOPTED THIS REGULATION:

- 
- (1) cf. GEN O 2  
(2) cf. AGRI/EEC XI 1024  
(3) cf. AGRI/EEC XXI 2551

Article 1

Products listed in Article 1 of Regulation (EEC) No 865/68 which originate in the United Republic of Tanzania, the Republic of Uganda or the Republic of Kenya shall be exempt from customs duties on importation into the Community.

Article 2

1 The levy on the various added sugars shall not apply to imports of the following products originating in the United Republic of Tanzania, the Republic of Uganda or the Republic of Kenya:

- preserved pineapple falling within subheading No 20.06 B II(a) 5(aa) and (b) 5(aa) of the Common Customs Tariff;
- pineapple juice falling within subheading No 20.07 B II(b) 5(aa) of the Common Customs Tariff;
- preserved pineapple, papaw and granadilla mixtures falling within subheading No ex 20.06 B II(a) 8 and (b) 8 of the Common Customs Tariff;
- mixtures of pineapple, papaw and granadilla juices falling within subheading No ex 20.07 B II(b) 8(bb) 11 of the Common Customs Tariff.

2 With regard to preserved pineapple falling within subheading No 20.06 B II of the Common Customs Tariff, the provisions of paragraph 1 shall apply without prejudice to the possible application of the provisions of Protocol No 2 annexed to the Agreement of Association.

Article 3

This Regulation shall enter into force on 1 April 1971.

It shall apply until 31 January 1975.

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

Done at Brussels, 30 March 1971.

For the Council

The President

M SCHUMANN

(OJ N° L 76, 31.3.1971)

REGULATION (EEC) No 655/71 OF THE COUNCIL

of 30 March 1971

on the treatment to be accorded to raw tobacco originating in the United Republic of Tanzania, the Republic of Uganda or the Republic of Kenya

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THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAVING REGARD to the Treaty establishing the European Economic Community, and in particular Article 43 thereof;

HAVING REGARD to the proposal from the Commission;

HAVING REGARD to the Opinion of the European Parliament;

WHEREAS the Agreement (1) establishing an Association between the European Economic Community and the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya provides that, for those agricultural products covered by a common organisation of the market which these States have an economic interest in exporting, the Community shall determine the treatment to be accorded to imports of products originating in these States, this treatment to be more favourable than the general treatment applied to like products originating in third countries;

WHEREAS imports of raw or unmanufactured tobacco and tobacco refuse into the Community are subject to the duties in the Common Customs Tariff and whereas Council Regulation (EEC) No 727/70 (2) of 21 April 1970 on the establishment of a common organisation of the market in raw tobacco lays down provisions concerning trade with third countries;

WHEREAS the Partner States of the East African Community, by letter dated 17 March 1971 from the Mission of the East African States, renounced the right to be consulted prior to the entry into force of this Regulation;

HAS ADOPTED THIS REGULATION:

Article 1

The products referred to in Article 1 of Regulation (EEC) No 727/70 originating in the United Republic of Tanzania, the Republic of Uganda or the Republic of Kenya shall be exempt from customs duties on importation into the Community.

Article 2

Any decisions taken pursuant to Article 10(2) and (3) of Regulation (EEC) No 727/70 shall be communicated to those States.

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(1) cf. GEN O 2

(2) cf. AGRI/EEC XXIII 3

Moreover, if serious disturbances occur because of a large increase in imports of wrapper leaf tobacco originating in the United Republic of Tanzania, the Republic of Uganda **or the Republic of Kenya, or if these** imports give rise to difficulties which result in a deterioration in the economic situation of a region of the Community, the Commission may take, or may authorise the Member State or States concerned to take, the necessary protective measures, including measures to deal with deflections of trade, pursuant to Article 14(2) of 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.

Article 3

This Regulation shall enter into force on 1 April 1971.

It shall apply until 31 January 1975.

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

Done at Brussels, 30 March 1971.

For the Council

The President

M. SCHUMANN

(OJ N° L 76, 31.3.1971)

## REGULATION (EEC) No 656/71 OF THE COUNCIL

of 30 March 1971

on the treatment to be accorded to maize originating in the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya.

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAVING REGARD to the Treaty establishing the European Economic Community, and in particular Article 43 thereof;

HAVING REGARD to the proposal from the Commission;

HAVING REGARD to the Opinion of the European Parliament,

WHEREAS the Agreement (1) establishing an Association between the European Economic Community and the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya provides that, for those agricultural products covered by a common organisation of the market which those States have an economic interest in exporting, the Community shall determine the treatment to be accorded to imports of products originating in these States, this treatment to be more favourable than the general treatment applied to like products originating in third countries;

WHEREAS Council Regulation (EEC) No 120/67/EEC (2) of 13 June 1967 on the common organisation of the market in cereals, as last amended by Regulation (EEC) No 2434/70 (3), introduced a system of levies on imports into the Community;

WHEREAS the Community's obligation towards the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya may be fulfilled by reducing the import levy on maize originating in these States;

WHEREAS the Partner States of the East African Community, by letter dated 17 March 1971 from the Mission of the East African States, renounced the right to be consulted prior to the entry into force of this Regulation;

HAS ADOPTED THIS REGULATION:

Article 1

The levy on imports of maize falling within heading No 10.05 of the Common Customs Tariff, originating in the United Republic of Tanzania, the Republic of Uganda or the Republic of Kenya, shall be the levy fixed pursuant to Article 3 of Regulation No 120/67/EEC, less 0.75 units of account per metric ton.

Article 2

This Regulation shall enter into force on 1 April 1971.

It shall apply until 31 January 1975.

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

Done at Brussels, 30 March 1971.

For the Council

The President

M SCHUMANN

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- (1) cf. GEN O 2  
 (2) cf. AGRI/EEC X 1370  
 (3) cf. AGRI/EEC X 11865



(OJ N° L 101, 28.4.1972)

REGULATION (EEC) No 860/72 OF THE COUNCIL  
of 25 April 1972

on the treatment to be accorded to certain fruit and vegetables originating in the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya

THE COUNCIL OF THE EUROPEAN COMMUNITIES.

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament;

Whereas the Agreement<sup>1</sup> establishing an Association between the European Economic Community and the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya provides that, for those agricultural products covered by a common organization of the market which those States have an economic interest in exporting, the Community shall determine the treatment to be accorded to imports of products originating in these states, this treatment to be more favourable than the general treatment applied to like products originating in third countries;

Whereas imports of fruit and vegetables into the Community are subject to the duties in the Common Customs Tariff and whereas provisions in respect of trade with third countries are laid down within the framework of the common organization of the market in Fruit and Vegetables;

Whereas the Community's obligations towards the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya may be fulfilled by exempting the relevant products originating in these States from customs duties on importation into the Community, for part or all of the year as appropriate;

Whereas these States have been consulted,

HAS ADOPTED THIS REGULATION:

*Article 1*

The products listed below, originating in the United Republic of Tanzania, the Republic of Uganda or the

Republic of Kenya, shall be exempt from customs duties on importation into the Community:

07.01 Vegetables, fresh or chilled:

F. Leguminous vegetables, shelled or unshelled:

ex I. Peas:

from 1 August to 29 February

ex II. Beans III. Other (of the species phaseolus):

from 1 December to 30 April

III Other

S. Sweet peppers:

from 1 December to 30 April

T. Other:

- Aubergines:

from 1 November to 29 February

- Marrows, pumpkins:

from 1 October to 31 March

- Celery:

from 1 May to 31 October

- Unspecified

08.08 Berries, fresh:

E. Papaws

F. Other:

- Passion fruit

08.09 Other fruit, fresh:

- Melons and similar fruit:

from 1 September to 31 March

- Unspecified

*Article 2*

This Regulation shall enter into force on 1 May 1972.

It shall apply until 31 January 1975.

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

Done at Luxembourg, 25 April 1972.

*For the Council*

*The President*

G. THORN

(CJ N° L 118, 20.5.1972)

COUNCIL REGULATION (EEC) N° 1036/72

of 18 May 1972

amending, as regards the tariff nomenclature, Regulations (EEC) N°s 522/70 and 653/71 on the treatment applicable to cereal and rice-based processed products originating in the Associated African and Malagasy States or the Overseas Countries and Territories and originating in the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAVING REGARD to the Treaty establishing the European Economic Community and in particular to Article 43 thereof,

HAVING REGARD to the proposal of the Commission,

HAVING REGARD to the Opinion of the European Parliament,

WHEREAS, following the recommendation by the Customs Co-operation Council on 9 June 1970, partially accepted by the Council Decision of 21 June 1971, establishing a common organization of the market in cereals (1) has been amended as regards the tariff nomenclature by Regulation (EEC) N° 2727/71 (2) ; whereas Council Regulation (EEC) N° 522/70 of 17 March 1970, on the treatment applicable to cereal and rice-based processed products originating in the Associated African and Malagasy States or the Overseas Countries and Territories (3) and Council Regulation (EEC) N° 653/71 of 30 March 1971, on the treatment applicable to cereal and rice-based processed products originating in the United Republic of Tanzania, the Republic of Uganda and the Republic of Kenya should now be adapted to the new Common Customs Tariff Nomenclature resulting from this amendment,

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(1) cf. AGRI/EEC X 1370  
(2) cf. AGRI/EEC XI 1867  
(3) cf. AGRI/EEC VI 806

HAS ADOPTED THE FOLLOWING REGULATION :

Article 1

In Article 1 (2)(a) of Regulations (EEC) N° 522/70 and 653/71, the words "falling under Common Customs Tariff heading N° 07.06 B" shall be replaced by the words "falling under Common Customs Tariff heading N° 07.06 A".

Article 2

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

It shall be applicable until 1 January 1972.

This Regulation shall be binding in its entirety and directly applicable in every Member State.

Done at Brussels, 18 May 1972.

By the Council

The president

M. MART

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(OJ N° L 199, 19.7.1973)

## REGULATION (EEC) No 1943/73 OF THE COMMISSION

of 18 July 1973

altering the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

Having regard to Council Regulation No 120/67/EEC<sup>(1)</sup> of 13 June 1967 on the common organization of the market in cereals, as last amended by the Act annexed to the Treaty on the Accession of new Member States to the European Economic Community and the European Atomic Energy Community, signed at Brussels on 22 January 1972, and in particular Article 14 (4) thereof ;

Having regard to Council Regulation No 359/67/EEC<sup>(2)</sup> of 25 July 1967 on the common organization of the market in rice, as last amended by the Act annexed to the Treaty on the Accession of new Member States to the European Economic Community and the European Atomic Energy Community, signed at Brussels on 22 January 1972, and in particular Article 12 (4) thereof ;

Having regard to the Opinion of the Monetary Committee ;

Whereas the import levies on products processed from cereals and rice were fixed by Regulation (EEC) No 1734/73<sup>(3)</sup>, as last amended by Regulation (EEC) No 1888/73<sup>(4)</sup> ;

Whereas, if the levy system is to operate normally, levies should be calculated on the following basis :

— in the case of currencies which are maintained in relation to each other, at any given moment,

within a band of 2.25 %, a rate of exchange based on their effective parity ;

— for other currencies an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period, in relation to the Community currencies referred to in the previous subparagraph ;

Whereas the levy on the basic product as last fixed differs from the average levy by more than 0.25 unit of account per 100 kilogrammes of basic product ; whereas, pursuant to Article 1 of Regulation (EEC) No 1080/68<sup>(5)</sup>, as last amended by Regulation (EEC) No 1047/73<sup>(6)</sup>, the levies at present in force must therefore be altered as shown in the Table annexed to this Regulation ;

HAS ADOPTED THIS REGULATION :

*Article 1*

The import levies to be charged on products processed from cereals and rice covered by Regulation (EEC) No 1052/68<sup>(7)</sup>, as last amended by Regulation (EEC) No 881/73<sup>(8)</sup>, as fixed in the Annex to amended Regulation (EEC) No 1734/73, are hereby altered as shown in the Table annexed to this Regulation.

*Article 2*

This Regulation shall enter into force on 19 July 1973.

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

Done at Brussels, 18 July 1973.

*For the Commission*

P. J. LARDINOIS

*Member of the Commission*

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- (1) cf. AGRI/EEC X 1370  
 (2) cf. AGRI/EEC XIX 311  
 (3) cf. AGRI/EEC X 6060  
 (4) cf. AGRI/EEC X 5977

## ANNEX

to the Commission Regulation 18 July 1973 altering the import levies on products processed from cereals and rice

CCT heading No	Levies in u.a./100 kg	
	Third countries (other than AASM and OCT, Tanzania, Uganda and Kenya)	AASM, OCT, Tanzania, Uganda and Kenya
11.01 H <sup>(1)</sup>	2-734	2-484
11.02 A VIII <sup>(1)</sup>	2-734	2-484
11.02 B I a) 4. <sup>(1)</sup>	4-146	3-896
11.02 B I b) 4 <sup>(1)</sup>	4-146	3-896
11.02 C VII <sup>(1)</sup>	4-146	3-896
11.02 D VII <sup>(1)</sup>	2-734	2-484
11.02 E I a) 4 <sup>(1)</sup>	2-734	2-484
11.02 E I b) 4 <sup>(1)</sup>	4-883	4-383
11.02 F VIII <sup>(1)</sup>	2-734	2-484

<sup>(1)</sup> Pursuant to Regulation No 189/66/EEC the product falling within subheading No 17.02 B I is subject to the same levy as products falling within subheading No 17.02 B II.

(OJ N° L 212, 1.8.1973)

## REGULATION (EEC) No 2076/73 OF THE COMMISSION (\*)

of 31 July 1973

fixing the levies on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community ;

Having regard to Council Regulation No 120/67/EEC (1) of 13 June 1967 on the common organization of the market in cereals, as last amended by Regulation (EEC) No 1346/73, and in particular Article 13 (5) thereof ;

Having regard to the Opinion of the Monetary Committee ;

Whereas the first subparagraph of Article 13 (1) of Regulation No 120/67/EEC stipulates that a levy must be charged on imports of the products listed in Article 1 (a), (b) and (c) of that Regulation ; whereas the levy is equal for each product to the threshold price less the cif price ;

Whereas the threshold prices for cereals and for wheat and rye flour, and wheat groats and meal, were fixed for the 1973/74 marketing year by Regulations (EEC) No 1397/69 (2), (EEC) No 1964/73, (EEC) No 1966/73 and (EEC) No 2006/73 ;

Whereas for the purpose of calculating the cif prices used to determine the levies, the Commission must take into account the factors indicated in Regulation 156/67/EEC (3), as amended by Regulation (EEC) No 1607/71 (4), and in particular the most favourable purchasing opportunities on the world market among those which are most representative of the real trend of the market, account being taken in particular of the need to prevent sudden variations likely to cause abnormal disturbances on the Com-

munity market ; whereas the quality of the goods offered must also be taken into account, whether this quality corresponds to the standard quality fixed in Regulations (EEC) No 768/69 (5) and (EEC) No 1397/69, or whether adjustments need to be made by applying the coefficients of equivalence provided for in Regulation No 158/67/EEC (6), as last amended by Regulation (EEC) No 1637/71 (7), and in Regulation No 159/67/EEC (8) ;

Whereas the cif price is calculated for Rotterdam on the basis of the abovementioned elements, offers for other ports being adjusted, account being taken of the corrections necessitated by the differences in transport charges in relation to Rotterdam ;

Whereas, in accordance with Article 18 (1) of Regulation No 120/67/EEC, the nomenclature provided for in this Regulation is incorporated in the Common Customs Tariff ;

Whereas, if the levy system is to operate normally, levies should be calculated on the following basis :

- in the case of currencies which are maintained in relation to each other, at any given moment, within a band of 2.25 %, a rate of exchange based on their effective parity ;
- for other currencies an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period, in relation to the Community currencies referred to in the previous subparagraph ;

Whereas, it follows from applying all the provisions of the abovementioned Regulations that the levies should be fixed as shown in the Annex to this Regulation ; whereas these levies should be altered only where variations in the components used to calculate them would have the effect of increasing or reducing them by 0.60 unit of account or more ;

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- (1) cf. AGRI/EEC X 1370
  - (2) cf. AGRI/EEC X 8832
  - (3) cf. AGRI/EEC X 1491
  - (4) cf. AGRI/EEC X 13232
  - (5) cf. AGRI/EEC X 8302
  - (6) cf. AGRI/EEC X 1499
  - (7) cf. AGRI/EEC X 13249
  - (8) cf. AGRI/EEC X 1515

(\*) A similar text containing other statistics appears several times a month in the Official Journal. It is suggested that the latest Official Journal be consulted.

HAS ADOPTED THIS REGULATION :

120/67/EEC are hereby fixed as shown in the Table annexed to this Regulation.

*Article 1*

The import levies to be charged on the products listed in Article 1 (a), (b) and (c) of Regulation No

*Article 2*

This Regulation shall enter into force on 1 August 1973.

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

Done at Brussels, 31 July 1973.

*For the Commission*

P. J. LARDINOIS

*Member of the Commission*

ANNEX

to the Commission Regulation of 31 July 1973 fixing the levies on cereals and on wheat or rye flour, groats and meal

CCT heading No	Description of goods	u.a./ton
10.01 A	Common wheat, and meslin	12.48
10.01 B	Durum wheat	0 <sup>(1)</sup> (4)
10.02	Rye	34.99 <sup>(5)</sup>
10.03	Barley	0.79
10.04	Oats	12.30
10.05 B	Maize other than hybrid maize for sowing	5.05 <sup>(2)</sup> (6)
10.07 A	Buckwheat	0
10.07 B	Millet	15.51
10.07 C	Grain sorghum	11.62
10.07 D	Canary seed; other cereals	0 <sup>(4)</sup>
11.01 A	Wheat or meslin flour	36.22
11.01 B	Rye flour	67.74
11.02 A 1 a	Durum wheat groats and meal	0
11.02 A 1 b	Common wheat groats and meal	39.12

<sup>(1)</sup> Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by 0.50 u.a./metric ton.

<sup>(2)</sup> Where maize originating in the AASM and OCT is imported into the French Overseas Departments, the levy is reduced by 6 u.a./metric ton.

<sup>(3)</sup> Where maize originating in Tanzania, Uganda and Kenya is imported into the Community, the levy is reduced by 1 u.a./metric ton.

<sup>(4)</sup> Where wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by 0.50 u.a./metric ton.

<sup>(5)</sup> The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1234/71 and Commission Regulation (EEC) No 2622/71.

(OJ N° L 282, 9.10.1973)

## REGULATION (EEC) No 2739/73 OF THE COUNCIL

of 8 October 1973

amending Regulation (EEC) No 860/72 on the treatment to be accorded to certain fruit and vegetables originating in the United Republic of Tanzania, the Republic of Uganda or the Republic of Kenya

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof ;

Having regard to the proposal from the Commission ;

Having regard to the Opinion of the European Parliament ;

Whereas Council Regulation (EEC) No 860/72 of 25 April 1972 on the treatment to be accorded to certain fruit and vegetables originating in the United Republic of Tanzania, the Republic of Uganda or the Republic of Kenya provides for exemption from customs duties for the whole or part of the year, as appropriate ; whereas, in view of the importance of those products in the trade of those States, the special arrangements now obtaining should be improved ;

Whereas those States have been consulted,

HAS ADOPTED THIS REGULATION :

*Article 1*

The text of Article 1 of Regulation (EEC) No 860/72 is replaced by the following :

'The products listed below which originate in the United Republic of Tanzania, the Republic of Uganda or the Republic of Kenya shall be exempt from customs duties on importation into the Community :

07.01 Vegetables, fresh or chilled :

F. Leguminous vegetables, shelled or unshelled :

ex I. Peas :

From 1 August to 30 April

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

Done at Brussels, 8 October 1973.

ex II. Beans :

From 1 October to 31 May

III. Other

G. Carrots, turnips, salad beetroot, salsify, celeriac, and similar edible roots :

ex IV. Other :

— moolis (*Raphanus satibus*)

S. Sweet peppers :

From 1 December to 31 May

T. Other :

— Aubergines :

From 1 November to 15 May

— Marrows (including courgettes), squash and pumpkins :

From 1 October to 15 May

— Celery :

From 1 May to 31 October

— Other

08.08 Berries, fresh :

E. Papaws

F. Other :

— Passion fruit

08.09 Other fruit, fresh :

— Melons and the like :

From 1 September to 31 May

— Other.'

*Article 2*

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

It shall apply from 1 October 1973.

*For the Council*

*The President*

I. NØRGAARD



(OJ N° L 91, 2.4.1974)

## REGULATION (EEC) No 760/74 OF THE COMMISSION (\*)

of 1 April 1974

altering the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN  
COMMUNITIES,

Having regard to the Treaty establishing the European  
Economic Community

Having regard to Council Regulation No 120/  
67/EEC (1) of 13 June 1967 on the common organiza-  
tion of the market in cereals as last amended by Regu-  
lation (EEC) No 1346/73, and in particular Article  
14 (4) thereof,

Having regard to Council Regulation No 359/  
67/EEC (2) of 25 July 1967 on the common organiza-  
tion of the market in rice as last amended by the  
Act (3) annexed to the Treaty on the Accession of  
new Member States to the European Economic  
Community and the European Atomic Energy  
Community, signed at Brussels on 22 January 1972,  
and in particular Article 12 (4) thereof;

Whereas the import levies on products processed  
from cereals and rice were fixed by Regulation (EEC)  
No 704/74;

Whereas the levy on the basic product as last fixed  
differs from the average levy by more than 0.25 unit

of account per 100 kilogrammes of basic product;  
whereas, pursuant to Article 1 of Regulation (EEC) No  
1080/68 (4), as last amended by Regulation (EEC) No  
1047/73, the levies at present in force must there-  
fore be altered as shown in the Table annexed to this  
Regulation,

HAS ADOPTED THIS REGULATION:

*Article 1*

The import levies to be charged on products  
processed from cereals and rice covered by Regulation  
(EEC) No 1052/68 (4), as last amended by Regulation  
(EEC) No 881/73, as fixed in the Annex to the  
Regulation (EEC) No 704/74 are hereby altered as  
shown in the Table annexed to this Regulation.

*Article 2*

This Regulation shall enter into force on 2 April  
1974.

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

Done at Brussels, 1 April 1974.

*For the Commission*

P. J. LARDINOIS

*Member of the Commission*

(\*) A similar text containing other statistics appears regularly  
in the Official Journal. It is suggested that the latest Official  
Journal be consulted.

- (1) cf. AGRI/EEC X 1370
- (2) cf. AGRI/EEC X 311
- (3) cf. AGRI/EEC X 6060
- (4) cf. AGRI/EEC X 5977

## ANNEX

to the Commission Regulation of 1 April 1974 altering the import levies on products processed from cereals and rice

CCT heading No	Levies in u.a./100 kg	
	Third countries (other than AASM and OCT, Tanzania, Uganda and Kenya)	AASM, OCT, Tanzania, Uganda and Kenya
11.02 A II <sup>(1)</sup>	1-850	1-350
11.02 B II b) <sup>(1)</sup>	1-248	0-998
11.02 C II <sup>(1)</sup>	1-450	1-200
11.02 D II <sup>(1)</sup>	1-015	0-765
11.02 E II b) <sup>(1)</sup>	1-850	1-350
11.02 F II <sup>(1)</sup>	1-850	1-350

<sup>(1)</sup> For the purpose of distinguishing between products falling within heading Nos 11.01 and 11.02 and those falling within subheading 23.02 A, products falling within heading Nos 11.01 and 11.02 shall be those meeting the following specifications:

- a starch content (determined by the modified Ewers polarimetric method), referred to dry matter, exceeding 45 % by weight
- an ash content, by weight, referred to dry matter (after deduction of any added minerals), not exceeding 1.6 % for rice, 2.5 % for wheat, 3 % for barley, 4 % for buckwheat, 5 % for oats and 2 % for other cereals.

Germ of cereals, whole, rolled, flaked or ground, falls in all cases within heading No 11.02.

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