

COMMISSION OF THE EUROPEAN COMMUNITIES

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Draft

DECISION OF THE ACP-EEC CUSTOMS COOPERATION COMMITTEE

extending ACP-EEC Customs Cooperation Committee Decisions Nos 1/85, 2/85
and 3/85, derogating from the definition of the concept of
"originating products" for certain products manufactured
in Jamaica, Malawi, Kenya and Mauritius

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EXPLANATORY NOTE

The ACP-EEC Customs Cooperation Committee adopted three decisions (No 1, 2, 3/85), derogating from the definition of "originating products" set out in Protocol No 1 of the second Lomé Convention, in favour of certain products manufactured in Malawi, Kenya, Mauritius and Jamaica.

The derogations were always intended to apply until 2 October 1986 (decision No 1/85 for tufted carpets manufactured in Jamaica), 29 February 1988 (decision No 3/85 for tuna canned in Mauritius) and until the entry into force of the Lomé III Convention (whose Protocol No 1 introduces a permanent new rule - decision No 2/85 for fishery items from Malawi, Kenya and Mauritius).

However, as they were based on ACP-EEC Council of Ministers Decision No 2/85 which was scheduled to expire at latest on 28 February 1986, should the Lomé III Convention have not come into force by then, the three Customs Cooperation Council Decisions could not apply after this date.

Now, as the ACP-EEC Council of Ministers Decision has been prorogated by an ACP-EEC Committee of Ambassadors Decision (No), the expiry date of the derogations can be modified accordingly.

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THE ACP-EEC CUSTOMS COOPERATION COMMITTEE :

Having regard to the second ACP-EEC Convention, signed at Lomé on 31 October 1979,

Whereas Decision No /86 of the ACP-EEC Committee of Ambassadors, of
/1986¹, has extended the Decision No 2/85 of the ACP-EEC Council of
Ministers² beyond 28 February 1986,

Whereas ACP-EEC Customs Cooperation Committee Decisions No 1/85, No 2/85 and
No 3/85³ are applicable until 28 February 1986, in conformity with ACP-EEC Council
of Ministers Decision No 2/85, when this Decision was scheduled to cease to apply
if the third ACP-EEC Convention signed at Lomé on 8 December 1984 had not entered
into force at that date,

¹OJ No L , 1986, p.

²OJ No L 61, 1.3.1985, p. 2.

³OJ No L 244, 12.9.1985, p. 15.

Whereas the derogation covered by Customs Cooperation Committee Decision No 1/85 was intended to apply until 2 October 1986, that covered by Decision No 2/85 until the entry into force of the third ACP-EEC Convention, and that covered by Decision No 3/85 until 29 February 1988; whereas it is necessary to provide for these Decisions to be extended,

HAS DECIDED AS FOLLOWS :

Article 1

1. The expiry date "28 February 1986" in Article 5 of Decision No 1/85, Article 4 of Decision No 2/85 and Article 5 of Decision No 3/85 of the ACP-EEC Customs Cooperation Committee, is hereby replaced by the date "30 June 1986".
2. Without prejudice to the dates mentioned in Article 2 of Decision No 1/85 and in Article 2 of Decision No 3/85 of the ACP-EEC Customs Cooperation Committee, if Decision No 2/85 of the ACP-EEC Council of Ministers is extended beyond 30 June 1986, then the expiry date mentioned in paragraph 1 shall be replaced by the date of expiry of the prolongation provisions, without the need to adopt a new Decision.

Article 2

This Decision shall enter into force on the day of its adoption.
It shall apply with effect from 1 March 1986.

Done at Brussels,

For the ACP-EEC
Customs Cooperation Committee
The Chairman