

ACP-EEC COUNCIL OF MINISTERS
Brussels

COMPILATION OF TEXTS

XIV

THIRD ACP-EEC CONVENTION OF LOMÉ

1 January 1989 — 31 December 1989



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¹ At the time of printing of this compilation of texts, negotiations had still not been concluded.

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I — ACP-EEC Acts

1. Acts of the Council of Ministers

DECISION No 1/89 OF THE ACP-EEC COUNCIL OF MINISTERS

of 30 October 1989

amending Protocol No 1 to the Third ACP-EEC Convention concerning the definition of the concept of 'originating products' and methods of administrative cooperation

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the Third ACP-EEC Convention signed in Lomé on 8 December 1984, and in particular Article 138 thereof,

Having regard to Protocol No 1 to the Convention concerning the definition of the concept of 'originating products' and methods of administrative cooperation, and in particular Article 27 thereof,

Whereas the origin rules contained in Protocol No 1 are based on the use of the Customs Cooperation Council Nomenclature; whereas the Customs Cooperation Council approved the International Convention on the Harmonized Commodity Description and Coding System on 14 June 1983; whereas the said Convention provides that, as from 1 January 1988, the harmonized system will replace the said nomenclature for the purposes of international trade; whereas it is therefore necessary to adapt the rules of origin contained in Protocol No 1;

Whereas, in the light of experience, the presentation of the origin rules could be improved by grouping all the exceptions to the basic change of heading rule into one list and by inserting detailed guidance on how it should be interpreted;

Whereas it is necessary to amend Articles 1, 3 and 4 and the Explanatory Notes in Annex I to Protocol No 1 as a result of the adoption of a single list;

Whereas it is therefore appropriate, for the proper functioning of the Third ACP-EEC Convention, to incorporate in a single text all the provisions in question with a view to facilitating the work of users and customs administrations,

HAS DECIDED AS FOLLOWS:

Article 1

Protocol No 1 is hereby replaced by the text annexed to this Decision.

Article 2

1. Products which were exported before 1 January 1990, accompanied by a movement certificate EUR. 1 or form EUR. 2, shall be considered as originating under the rules in force on 1 January 1990.
2. Movement certificates EUR. 1, forms EUR. 2 or supplier's declarations issued or made out before 1 January 1990 under the rules in force before that date shall be accepted up to and including 31 October 1990 according to the rules in force when they were issued or made out.
3. Articles 7 (2) and 19 of Protocol No 1 shall apply in the cases of goods exported before 1 January 1990 and retrospective or duplicate movement certificates may be issued under the rules in force before that date.

Article 3

This Decision shall be applicable as from 1 January 1990.

Done at Luxembourg, 30 October 1989.

For the ACP-EEC Council of Ministers

R. DUMAS

ANNEX

PROTOCOL 1

concerning the definition of the concept of 'originating products' and methods of administrative cooperation

TITLE I

DEFINITION OF THE CONCEPT OF ORIGINATING PRODUCTS

Article 1

1. For the purpose of implementing the Convention and without prejudice to paragraphs 3 and 4, the following products shall be considered as products originating in an ACP State, provided that they have been transported directly, within the meaning of Article 5:

- (a) products wholly obtained in one or more ACP States;
- (b) products obtained in one or more ACP States in the manufacture of which products other than those referred to in (a) are used, provided that the said products have undergone sufficient working or processing within the meaning of Article 3.

2. For the purpose of implementing paragraph 1, the ACP States shall be considered as being one territory.

3. When products wholly obtained in the Community or in the countries and territories defined in Explanatory Note 5 undergo working or processing in one or more ACP States, they shall be considered as having been wholly produced in that or those ACP States, provided that the products have been transported directly within the meaning of Article 5.

4. Working and processing carried out in the Community or in the countries and territories, shall be considered as having been carried out in one or more ACP States, when the final products undergo working or processing in one or more ACP States, provided that the products have been transported directly within the meaning of Article 5.

5. For the purpose of implementing the previous paragraphs, and provided that all the conditions laid down in those paragraphs are fulfilled, the products obtained in two or more ACP States shall be considered as products originating in the ACP State where the last working or processing took place. For this purpose the working or processing listed in Article 3 (4) (a), (b), (c) and (d) shall not be considered as working or processing, nor shall a combination of such working or of such processing.

6. The products set out in Annex II shall be temporarily excluded from the scope of this Protocol. Nevertheless, the arrangements regarding administrative cooperation shall apply, *mutatis mutandis*, to these products.

Article 2

The following shall be considered as wholly obtained either in one or more ACP States, or in the Community or in the countries and territories within the meaning of Article 1 (1) (a) and (3):

- (a) mineral products extracted from their soil or from their seabed;
- (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) products of sea fishing and other products taken from the sea by their vessels;
- (g) products made aboard their factory ships exclusively from products referred to in subparagraph (f);
- (h) used articles collected there fit only for the recovery of raw materials;
- (i) waste and scrap resulting from manufacturing operations conducted therein;
- (j) goods produced there exclusively from the products specified in subparagraphs (a) to (i).

Article 3

1. For the purposes of Article 1, non-originating materials shall be considered to be sufficiently worked or processed when the product obtained is classified in a heading which is different from those in which all the non-originating materials used in its manufacture are classified, subject to paragraphs 2, 3 and 4 of this Article.

2. For a product mentioned in columns 1 and 2 of the list in Annex III, the conditions set out in column 3 for the product concerned shall apply instead of the rule laid down in paragraph 1.

The expressions 'chapters' and 'headings' used in this Protocol shall mean the chapters and the headings (four digit codes) used in the nomenclature which makes up the 'Harmonized Commodity Description and Coding System' (hereinafter referred to as the harmonized system).

The expression 'classified' shall refer to the classification of a product or material under a particular heading.

3. Notwithstanding the provisions of paragraph 1 and without prejudice to the other provisions of this Title, the incorporation of non-originating materials and parts in a given product obtained shall make such products lose their originating status only if the value of the said materials and parts incorporated exceeds 5 % of the value of the finished product.

4. For the purpose of implementing paragraphs 1 and 2, the following shall always be considered as insufficient working or processing to confer the status of originating products, whether or not there is a change of heading:

- (a) operations to ensure the preservation of merchandise in good condition during transport and storage (ventilation, spreading out, drying, chilling, placing in salt, sulphur dioxide or other aqueous solutions, removal of damaged parts, and like operations);
- (b) 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;
- (c) (i) changes of packaging and breaking up and assembly of consignments;
- (ii) simple placing in bottles, flasks, bags, cases, boxes, fixing on cards or boards etc., and all other simple packaging operations;
- (d) affixing marks, labels and other like distinguishing signs on products or their packaging;
- (e) (i) simple mixing of products of the same kind where one or more components of the mixtures do not meet the conditions laid down in this Protocol to enable them to be considered as originating either in an ACP State, the Community or in the countries and territories;
- (ii) simple mixing of products of different kinds unless one or more components of the mixture meet the conditions laid down in this Protocol to enable them to be considered as originating either in an ACP State, in the Community, or in the countries and territories and provided that such components contribute in determining the essential characteristics of the finished product.

- (f) simple assembly of parts of articles to constitute a complete article;
- (g) a combination of two or more operations specified in subparagraphs (a) to (f);
- (h) slaughter of animals.

Article 4

The term 'value' in the list in Annex III shall mean the customs value at the time of the import of the non-originating materials used or, if this is not known or cannot be ascertained, the first ascertainable price paid for the materials in the territory concerned.

Where the value of the originating materials used needs to be established, the preceding subparagraph shall be applied *mutatis mutandis*.

The term 'ex-works price' in the list in Annex III shall mean the ex-works price of the product obtained minus any internal taxes which are, or may be, repaid when the product obtained is exported.

Article 5

1. For the purpose of implementing Article 1 (1), (3) and (4), products whose transport is effected without entering into territory other than that of the parties concerned shall be considered to have been transported direct from the ACP States to the Community or from the Community or the countries and territories to the ACP States. Goods constituting one single consignment may be transported through territory other than that of the ACP States or the Community or the countries and territories, with, should the occasion arise, transhipment or temporary warehousing in such territory, provided that the crossing of the latter territory is justified for geographical reasons or the needs of transport and that the products have not entered into commerce or been delivered for home use and have not undergone operations other than unloading, reloading or any operation designed to preserve them in good condition.

Interruptions or changes in the method of transport due to *force majeure* or consequent upon conditions at sea shall not affect the application of the preferential treatment laid down in this Protocol, provided that the goods have not, during these interruptions or changes, entered into commerce or been delivered for home use and have not undergone any operations other than those designed to preserve them in good condition.

2. Evidence that the conditions referred to in paragraph 1 have been fulfilled shall be supplied to the responsible customs authorities in the Community by the production of:

- (a) a through bill of lading issued in the exporting beneficiary country covering the passage through the country of transit;
- (b) or a certificate issued by the customs authorities of the country of transit:
 - giving an exact description of the goods,
 - stating the dates of unloading and reloading of the goods or of their embarkation or disembarkation, identifying the ships used,
 - certifying the conditions under which the goods remained in the transit country;
- (c) or failing these, any substantiating documents.

TITLE II

ARRANGEMENTS FOR ADMINISTRATIVE COOPERATION

Article 6

- 1. (a) Evidence of originating status, within the meaning of this Protocol, of products is given by a movement certificate EUR. 1 of which a specimen appears in Annex IV to this Protocol.
- (b) However, the evidence of originating status, within the meaning of this Protocol, of products which form the subject of postal consignments (including parcels), provided that they consist only of originating products and that the value does not exceed ECU 2 590 per consignment, is given by a form EUR. 2, of which a specimen appears in Annex V to this Protocol.
- (c) Up to and including 30 April 1989 the ecu to be used in any given national currency of a Member State of the Community shall be the equivalent in that national currency of the ecu as at 1 October 1986. For each successive period of two years it shall be the equivalent in that national currency of the ecu as at the first working day in October in the year immediately preceding that two-year period.
- (d) Revised amounts replacing the amounts expressed in ecus mentioned above and in Article 16 (2), may be introduced by the Community at the beginning of any successive two-year period if necessary and shall be notified by the Community to the Customs Cooperation Committee not later than one month before they shall come into force. These amounts shall be, in any event, such as to ensure that the value of the limits as expressed in the currency of any Member State shall not decline.

(e) If the goods are invoiced in the currency of another Member State of the Community, the importing State shall recognize the amount notified by the State concerned.

2. Where, at the request of the person declaring the goods at the customs, a dismantled or non-assembled article falling within Chapter 84 or 85 of the harmonized system is imported by instalments on the conditions laid down by the competent authorities, it shall be considered to be a single article and a movement certificate may be submitted for the whole article upon import of the first instalment.

3. Accessories, spare parts and tools dispatched with a piece of equipment, machine, apparatus or vehicle which are part of the normal equipment and included in the price thereof or are not separately invoiced are regarded as one with the piece of equipment, machine, apparatus or vehicle in question.

4. Sets, as defined in General Rule 3 of the harmonized system shall be regarded as originating when all component articles are originating products. Nevertheless, when a set is composed of originating and non-originating articles, the set as a whole shall be regarded as originating provided that the value of the non-originating articles does not exceed 15 % of the total value of the set.

Article 7

1. A movement certificate EUR. 1 shall be issued by the customs authorities of the exporting ACP State when the goods to which it relates are exported. It shall be made available to the exporter as soon as actual export has been effected or ensured.

2. In exceptional circumstances a movement certificate EUR. 1 may also be issued after export of the goods to which it relates if it was not issued at the time of export because of errors or involuntary omissions or special circumstances. In this case, the certificate shall bear a special reference to the conditions in which it was issued.

3. A movement certificate EUR. 1 shall be issued only on application having been made in writing by the exporter. Such application shall be made on a form, of which a specimen appears in Annex IV to this Protocol, which shall be completed in accordance with this Protocol.

4. A movement certificate EUR. 1 may be issued only where it can serve as the documentary evidence required for the purpose of implementing the Convention.

5. Applications for movement certificates EUR. 1 must be preserved for at least three years by the customs authorities of the exporting country.

Article 8

1. The movement certificate EUR. 1 shall be issued by the customs authorities of the exporting ACP State, if the goods can be considered 'originating products' within the meaning of this Protocol.

2. For the purpose of verifying whether the conditions stated in paragraph 1 have 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. It shall be the responsibility of the customs authorities of the exporting State to ensure that the forms referred to in Article 9 are duly completed. In particular, they shall check whether the space reserved for the description of the goods has been completed in such a 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.

4. The date of issue of the movement certificate must be indicated in the part of the certificate reserved for the customs authorities.

Article 9

1. Movement certificates EUR. 1 shall be made out on the form of which a specimen appears in Annex IV to this Protocol. This form shall be printed in one or more of the languages in which the Convention is drawn up. Certificates shall be made out in one of these languages and in accordance with the provisions of the domestic law of the exporting State; if they are handwritten, they shall be completed in ink and in capital letters.

2. Each certificate shall measure 210 × 297 mm, a tolerance of up to plus 8 mm or minus 5 mm in the length may be allowed. The paper used must be white-sized writing paper not containing mechanical pulp and weighing not less than 25 g/m². It shall have a printed green guilloche pattern background making any falsification by mechanical or chemical means apparent to the eye.

3. The exporting States may reserve the right to print the certificates themselves or may have them printed by approved printers. In the latter case, each certificate must include a reference to such approval. Each certificate must bear the name and address of the printer or a mark by which the printer can be identified. It shall also bear a serial number, either printed or not, by which it can be identified.

Article 10

1. Under the responsibility of the exporter, he or his authorized representative shall request the issue of a movement certificate EUR. 1.

2. The exporter or his representative shall submit with his request any appropriate supporting document proving that the goods to be exported are such as to qualify for the issue of a movement certificate EUR. 1.

Article 11

1. A movement certificate EUR. 1 must be submitted, within 10 months of the date of issue by the customs authorities of the exporting State, to the customs authorities of the importing State where the goods are entered.

2. When the products enter a port of an ACP State or country or territory other than the country of origin, a further period of validity of 10 months shall commence on the date on which the customs authorities in the port of transit enter the following in box 7 of the certificate EUR. 1:

- the word 'transit',
- the name of the country of transit,
- a date stamp.

This procedure shall enter into force after a specimen of the date stamp used has been communicated to the Commission.

The Commission shall communicate this information to the customs authorities of the Member States.

3. It shall at any time be possible to replace one or more movement certificates EUR. 1 by one or more other movement certificates EUR. 1 provided that this is done at the customs office where the goods are located.

Article 12

Movement certificates EUR. 1 shall be submitted to customs authorities in the importing State, in accordance with the procedures laid down by that State. The said authorities may require a translation of a 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 Convention.

Article 13

1. A movement certificate EUR. 1 which is submitted to the customs authorities of the importing State after the final date of presentation specified in Article 11 may be accepted for the purpose of applying preferential treatment, where the failure to submit the certificate by the final date set is due to reasons of *force majeure* or exceptional circumstances.

2. In other cases of belated presentation, the customs authorities of the importing State may accept the certificates where the goods have been submitted to them before the said final date.

Article 14

The discovery of slight discrepancies between the statements made in the movement certificate EUR. 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.

Article 15

Form EUR. 2, a specimen of which appears in Annex V, shall be completed by the exporter. It shall be made out in one of the languages in which the Convention is drawn up and in accordance with the provisions of the domestic law of the exporting State. If it is handwritten it must be completed in ink and in capital letters.

Form EUR. 2 shall consist of a single sheet measuring 210 x 148 mm. The paper used shall be white-sized writing paper not containing mechanical pulp and weighing not less than 64 g/m².

The exporting States may reserve the right to print the forms themselves or may have them printed by printers they have approved. In the latter case each form must include a reference to such approval. In addition, each form shall bear the distinctive sign attributed to the approved printer and a serial number, either printed or not, by which it can be identified.

A form EUR. 2 shall be completed for each postal consignment. After completing and signing the form, the exporter shall, in the case of consignments by parcel post, attach the form to the dispatch note. In the case of consignment by letter post, the exporter shall insert the form inside the package.

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

Article 16

1. Goods sent as small packages to private persons or forming part of travellers' personal luggage shall be admitted as originating products without requiring the production of a movement certificate EUR. 1 or the completion of form EUR. 2, provided that 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. Imports which are occasional and consist solely of goods for the personal use of the recipients or travellers or their families shall not be considered as imports by

way of trade if it is 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 ECU 180 in the case of small packages or ECU 515 in the case of the contents of travellers' personal luggage.

Article 17

1. Goods sent from an ACP State for exhibition in a country other than an ACP State, a Member State or a 'country or territory' and sold after the exhibition for importation into the Community shall benefit on importation from the provisions of the Convention on condition that the goods meet the requirements of this Protocol entitling them to be recognized as originating in an ACP State and provided that it is shown to the satisfaction of the customs authorities that:

- (a) an exporter has consigned these goods from an ACP State to the country in which the exhibition is held and has exhibited them there;
- (b) the goods have been sold or otherwise disposed of by that exporter to someone in the Community;
- (c) the goods have been consigned during the exhibition or immediately thereafter to the Community in the State in which they were sent for exhibition;
- (d) the goods have not, since they were consigned for exhibition, been used for any purpose other than demonstration at the exhibition.

2. A movement certificate EUR. 1 must be produced to the customs authorities in the normal manner. The name and address of the exhibition must be indicated thereon. Where necessary, additional documentary evidence of the nature of the goods and the conditions under which they have been exhibited may be required.

3. Paragraph 1 shall apply to any trade, industrial, agricultural or crafts exhibition, fair or similar public show or display which is not organized for private purposes in shops or business premises with a view to the sale of foreign goods, and during which the goods remain under customs control.

Article 18

1. When a certificate is issued within the meaning of Article 7 (2) of this Protocol after the goods to which it relates have actually been exported, the exporter must in the application referred to in Article 7 (3) of this Protocol:

- indicate the place and date of export of the goods to which the certificate relates,

— certify that no movement certificate EUR. 1 was issued at the time of export of the goods in question, and state the reasons.

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

Certificates issued retrospectively must be endorsed with one of the following phrases: 'NACHTRÄGLICH AUSGESTELLT', 'DELIVRE A POSTERIORI', 'RILASCIATO A POSTERIORI', 'AFGEGEVEN A POSTERIORI', 'ISSUED RETROSPECTIVELY', 'UDSTEDT EFTERFØLGENDE', 'ΕΚΔΟΦΕΝ ΕΚ ΤΩΝ ΣΥΣΤΕΩΝ', 'EXPEDIDO A POSTERIORI', 'EMITIDO A POSTERIORI'.

Article 19

In the event of the theft, loss or destruction of a movement certificate EUR. 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 with one of the following words: 'DUPLIKAT', 'DUPLICATA', 'DUPLICATO', 'DUPLICAAT', 'DUPLICATE', 'ΑΝΤΙΓΡΑΦΟ', 'DUPLICADO', 'SEGUNDA VIA'.

Article 20

1. When paragraphs 2, 3 and 4 of Article 1 are applied, for the issue of a movement certificate EUR. 1, the competent customs office in the ACP State requested to issue the certificate for products in the manufacture of which products coming from other ACP States, the Community or 'countries or territories' are used, shall take into consideration the declaration, of which a specimen appears in Annex VI, given by the exporter in the State, country or territory from which it came, either on the commercial invoice applicable to these products, or on a supporting document to that invoice.

2. The submission of the information certificate, issued under the conditions set out in Article 21 and of which a specimen appears in Annex VII, may however be requested of the exporter by the customs office concerned, either for checking the authenticity and accuracy of information given on the declaration provided for in paragraph 1, or for obtaining additional information.

Article 21

The information certificate concerning the products taken into use shall be issued at the request of the exporter of these products, either in the circumstances envisaged in Article 20 (2), or at the initiative of this exporter, by the competent customs office in the State, country or territory from which these goods were exported. It shall be made out in duplicate. One copy shall be given to the exporter who has requested it, who shall send it either to the exporter of the final products

or to the customs office where the issue of the movement certificate EUR. 1 for these products has been requested. The second copy shall be preserved by the office which has issued it for at least three years.

Article 22

The ACP States shall take all necessary steps to ensure that goods traded under cover of a movement certificate EUR. 1, and which in the course of transport use a free zone situated in their territory, are not replaced by other goods and that they do not undergo handling other than normal operations designed to prevent their deterioration.

Article 23

1. The ACP States shall send to the Commission specimens of the stamps used together with the addresses of the customs authorities competent to issue movement certificates EUR. 1 and carry out the subsequent verification of movement certificates EUR. 1 and forms EUR. 2.

The Commission shall send this information to the customs authorities of the Member States.

2. In order to ensure the proper application of this Title, the Member States, the countries and territories and the ACP States shall assist each other, through their respective customs administrations, in checking the authenticity of movement certificates EUR. 1 and the accuracy of the information concerning the actual origin of the products concerned and the declarations by exporters on forms EUR. 2 and the authenticity and accuracy of the information certificates referred to in Article 20.

Article 24

Penalties shall be imposed on any person who, in order to enable goods to be accepted as eligible for preferential treatment, draws up, or causes to be drawn up, either a document which contains incorrect particulars for the purpose of obtaining a movement certificate EUR. 1 or a form EUR. 2 containing incorrect particulars.

Article 25

1. Subsequent verifications of movement certificates EUR. 1 and of forms EUR. 2 shall be carried out at random or whenever the customs authorities of the importing State have reasonable doubts as to the authenticity of the document or the accuracy of the information regarding the true origin of the goods in question.

2. For the purpose of implementing paragraph 1, the customs authorities of the importing State shall return the movement certificate EUR. 1 or form EUR. 2, or a photocopy thereof, to the customs authorities of the exporting State, giving, where appropriate, the reasons of form or substance for an inquiry. The invoice, if it has been submitted, or a copy thereof, shall be attached to

the certificate EUR. 1 or form EUR. 2 and the customs authorities 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 State decide to suspend execution of the provisions of the Convention while awaiting the results of the verification, they shall offer to release the goods to the importer subject to any precautionary measures judged necessary.

3. The customs authorities of the importing State shall be informed of the results of the verification within three months. These results must be such as to make it possible to determine whether the disputed movement certificate EUR. 1 or form EUR. 2 applied to the goods actually exported, and whether these goods can, in fact, qualify for the application of the preferential arrangements.

When such disputes cannot be settled between the customs authorities of the importing State and those of the exporting State, or when they raise a question as to the interpretation of this Protocol, they shall be submitted to the Customs Cooperation Committee provided for in Article 28.

In all cases the settlement of disputes between the importer and the customs authorities of the importing State shall be under the legislation of the said State.

Article 26

The subsequent verification of the information certificate referred to in Article 20 shall be carried out in the circumstances envisaged in Article 25 following a similar procedure to that envisaged in that Article.

Article 27

In accordance with Article 138 of the Convention, the Council of Ministers shall examine annually, or whenever the ACP States or the Community so requests, the application of the provisions of this Protocol and their economic effects with a view to making any necessary amendments or adaptations.

The Council of Ministers shall take into account among other elements the effects on the rules of origin of technological developments.

The decisions taken shall be implemented as soon as possible.

Article 28

1. A Customs Cooperation Committee shall be set up and charged with carrying out administrative cooperation with a view to the correct and uniform application of this Protocol and with carrying out any other task in the customs field which may be entrusted to it.

2. The Committee shall meet regularly, in particular to prepare the decisions of the Council of Ministers pursuant to Article 27.

3. The Committee shall take decisions on derogations from this Protocol, under the conditions laid down in Article 30.

4. The Committee shall be composed on the one hand of experts of Member States and of officials of the Commission who are responsible for customs questions, and on the other hand of experts representing the ACP States and of officials of regional groupings of the ACP States who are responsible for customs questions. The Committee may call upon appropriate expertise where necessary.

Article 29

The Customs Cooperation Committee shall examine regularly the effect on the ACP States and in particular on the least-developed ACP States of the application of the rules of origin and shall recommend to the Council of Ministers appropriate measures.

Article 30

1. Derogations from this Protocol may be adopted by the Committee where the development of existing industries or the creation of new industries justifies them. The ACP State or States concerned shall, either before or when the ACP States submit the matter to the Committee, notify the Community of its request for a derogation together with the reasons for the request in accordance with Explanatory Note 11.

2. The examination of requests shall in particular take into account:

(a) the level of development or the geographical situation of the ACP State or States concerned;

(b) cases where the application of the existing rules of origin would affect significantly the ability of an existing industry in an ACP State to continue its exports to the Community, with particular reference to cases where this could lead to cessation of its activities;

(c) specific cases where it can be clearly demonstrated that significant investment in an industry could be deterred by the rules of origin and where a derogation favouring the realization of the investment programme would enable these rules to be satisfied by stages.

3. In every case an examination shall be made to ascertain whether the rules relating to cumulation of origin do not provide a solution to the problem.

4. In addition when a request for derogation concerns a least-developed ACP State, its examination shall be carried out with a favourable bias having particular regard to:

- (a) the economic and social impact of the decision to be taken especially in respect of employment;
- (b) the need to apply the derogation for a period taking into account the particular situation of the least-developed ACP State concerned and its difficulties.

5. In the examination of requests, special account shall be taken, case by case, of the possibility of conferring originating status on products which include in their composition products originating in neighbouring developing countries, least-developed countries or developing countries with which one or more ACP States have special relations, provided that satisfactory administrative cooperation can be established.

6. Irrespective of paragraphs 1 to 5, the derogation shall be granted where the value added to the non-originating products used in the ACP State or States concerned is at least 60 % of the value of the finished product, provided that the derogation is not such as to cause serious injury to an economic sector of the Community or of one or more Member States.

7. The Committee shall take steps necessary to ensure that a decision is reached as quickly as possible, and in any case not later than three months after referral to the Community. In the event of a decision not being taken by the Committee, the Committee of Ambassadors shall be called upon to decide within one month of the date on which the matter is referred to it.

8. (a) The derogations shall be valid for a period, generally of three years, to be determined by the Committee. This period may be extended to a maximum of five years where the derogation concerns a least-developed ACP State.

(b) The derogation decision may provide for renewals for a maximum period of two years, while not exceeding a total period of five years, without a new decision of the Committee being necessary, provided that the ACP State or States concerned submit, three months before the end of each period, proof that they are still unable to meet the conditions of this Protocol which have been derogated from.

If any objection is made to the extension, the Committee shall examine it as soon as possible and decide whether to prolong the derogation. The Committee shall proceed as provided for in paragraph 7. All necessary measures shall be taken to avoid interruptions in the application of the derogation.

(c) In the periods referred to in subparagraphs (a) and (b), the Committee may review the terms for implementing the derogation should a significant change be found to have taken place in the substantive factors governing the decision to grant the derogation. On conclusion of its review the Committee may decide to amend the terms of its decision as regards the scope of the derogation or any other condition previously laid down.

Article 31

The Contracting Parties undertake to examine in an appropriate institutional framework, from the date of the signature of the Convention, any applications for derogations, from this Protocol, with a view to allowing them to enter into force at the same date as the Convention.

Article 32

The Annexes to this Protocol shall form an integral part thereof.

Article 33

The Community and the ACP States shall each take the steps necessary to implement this Protocol.

Declaration concerning the review of the changes to the origin rules as a result of the introduction of the harmonized system

The ACP-EEC Council of Ministers declares that the new rules introduced by Decision No 1/89 shall not cause any harm to the preferential trade conditions applicable before this Decision.

Where, following the amendments made to the nomenclature, the new rules introduced by Decision No 1/89 alter the substance of any rule existing prior to Decision No 1/89 and it appears that such alteration results in a situation prejudicial to the interest of the sectors concerned, then, if one of the contracting parties so requests in the period up to and including 31 December 1993, an examination shall be made as a matter of urgency by the Customs Cooperation Committee of the way to restore the rule concerned as it was before Decision No 1/89.

In any case, the Committee shall take a decision within a period of three months of the request being made to it.

The parties to the Convention shall provide the legal framework necessary to ensure that any customs duties improperly levied on the products concerned imported after 1 January 1990 are reimbursed.

ANNEX I

EXPLANATORY NOTES

Note 1 — Articles 1 and 2

The terms 'one or more ACP States', 'the Community' and 'countries and territories' shall also cover their territorial waters.

Sea-going vessels, including factory ships, on which the fish caught is worked or processed, shall be considered as part of the territory of the ACP States, the Community or the countries and territories to which they belong, provided that they satisfy the conditions set out in Explanatory Note No 7.

Note 2 — Article 1 (1) (b)

In order to determine whether goods originate in an ACP State, the Community or one of the countries or territories, it shall not be necessary to establish whether the electrical power, fuel, plant and equipment and machines and tools used to obtain such goods or whether any products used in the course of production which do not enter and which were not intended to enter into the final composition of the goods originate in third countries or not.

Note 3 — Article 1

The conditions set out in Article 1 relative to the acquisition of originating status must be fulfilled without interruption in the Community, the ACP States or the countries and territories.

If originating products exported from the Community, the ACP States or the countries and territories to another country are returned, they must be considered as non-originating unless it can be demonstrated to the satisfaction of the customs authorities that:

- the products returned are the same as those exported, and
- they have not undergone any operations beyond that necessary to preserve them in good condition while in that country or being exported.

Note 4 — Article 1

Where a percentage rule is applied in determining originating status of a product obtained in an ACP State, the value added by the working or processing referred to in Article 1 shall correspond to the ex works price of the product obtained less the customs value of third-country materials imported into the Community, the ACP States or the countries and territories.

Note 5 — Article 1 (3)

Within the meaning of this Protocol 'countries and territories' shall mean the countries and territories referred to in Part Four of the Treaty establishing the European Economic Community.

Note 6 — Articles 2 and 3

1. The unit of qualification for the application of the origin rules shall be the particular product which is considered as the basic unit when determining classification using the nomenclature of the harmonized system. In the case of sets of products which are classified by virtue of General Rule 3, the unit of qualification shall be determined in respect of each item in the set; this also applies to the sets of heading Nos 6308, 8206 and 9605.

Accordingly, it follows that:

- when a product composed of a group or assembly of articles is classified under the terms of the harmonized system in a single heading, the whole constitutes the unit of qualification.
 - when a consignment consists of a number of identical products classified under the same heading of the harmonized system, each product must be taken individually when applying the origin rules.
2. Where, under General Rule 5 of the harmonized system, packing is included with the product for classification purposes, it shall be included for purposes of determining origin.

Note 7 — Article 2

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

- which are registered or recorded in a Member State or an ACP State,
- which sail under the flag of a Member State or an ACP State,
- which are owned to an extent of at least 50 % by nationals of States party to the Convention or by a company with its head office in one of these States, of which the manager or managers, chairman of the board of directors or of the supervisory board, and the majority of the members of such board, are nationals of States party to the Convention and of which, in addition in the case of partnerships or limited companies, at least half the capital belongs to States party to the Convention or to public bodies or nationals of such States,
- of which at least 50 % of the crew, master and officers included, are nationals of States party to the Convention.

Note 8 — Article 3 (1)

The Introductory Notes to Annex III shall also apply where appropriate to all products manufactured using non-originating materials even if they are not subject to a specific condition contained in the List in Annex III but are subject instead to the change of heading rule set out in Article 3 (1).

Note 9 — Article 4

'Ex works price' shall mean the price paid to the manufacturer in whose undertaking the last working or processing is carried out, provided the price includes the value of all the products used in manufacture.

'Customs value' shall be understood as meaning the customs value laid down in the Convention concerning the valuation of goods for customs purposes signed in Brussels on 15 December 1950.

Note 10 — Article 23

The authorities consulted shall furnish any information concerning the conditions under which the product has been made, indicating especially the conditions in which the rules of origin have been respected in the various ACP States, Member States or countries and territories concerned.

Note 11 — Article 30 (1)

In order to facilitate the examination by the Customs Cooperation Committee of requests for derogation, the ACP State making the request shall furnish in support of its request the fullest possible information covering in particular the points listed below:

- description of the finished product,
- nature and quantity of products originating in a third country,
- nature and quantity of products originating in ACP States, the Community or the overseas countries and territories or which have been processed there,
- manufacturing process,
- value added,
- number of employees in the enterprise concerned,
- anticipated volume of exports to the Community,
- other possible sources of supply for raw materials,
- reasons for the duration requested in the light of efforts made to find new sources of supply,
- other observations.

The same rules apply to any requests for extension.

The period stipulated in Article 30 (7) shall run from the date of notification to the Community.

ANNEX II

List of products referred to in Article 1 which are temporarily excluded from the scope of this Protocol

HS heading No	Description of product
ex 2707	Oils in which the weight of the aromatic constituents exceeds that of the non-aromatic constituents, being oils similar to mineral oils obtained by distillation of high temperature coal tar, of which more than 65 % by volume distils at a temperature of up to 250° C (including mixtures of petroleum spirit and benzole), for use as power or heating fuels
2709 to 2715	Mineral oils and products of their distillation; bituminous substances; mineral waxes
ex 2901	Acyclic hydrocarbons for use as power or heating fuels
ex 2902	Cyclanes and cyclenes (other than azulenes), benzene, toluene, xylenes, for use as power or heating fuels
ex 3403	Lubricating preparations containing petroleum oils or oils obtained from bituminous minerals, provided they represent less than 70 % by weight
ex 3404	Artificial waxes and prepared waxes with a basis of paraffin, petroleum waxes, waxes obtained from bituminous minerals, slack wax or scale wax
ex 3811	Prepared additives for lubricating oil, containing petroleum oils or oils obtained from bituminous minerals

ANNEX III

List of working or processing required to be carried out on non-originating materials in order that the product manufactured can obtain originating status

INTRODUCTORY NOTES

General

Note 1:

- 1.1. The first two columns in the list describe the product obtained. The first column gives the heading number, or the chapter number, used in the harmonized system and the second column gives the description of goods used in that system for that heading or chapter. For each entry in the first two columns a rule is specified in column 3. Where, in some cases, the entry in the first column is preceded by an 'ex', this signifies that the rule in column 3 applies only to the part of that heading or chapter as described in column 2.
- 1.2. Where several heading numbers are grouped together in column 1 or a chapter number is given and the description of product in column 2 is therefore given in general terms, the adjacent rule in column 3 applies to all products which, under the harmonized system, are classified in headings of the chapter or in any of the headings grouped together in column 1.
- 1.3. Where there are different rules in the list applying to different products within a heading, each indent contains the description of that part of the heading covered by the adjacent rule in column 3.

Note 2:

- 2.1. The term 'manufacture' covers any kind of working or processing including 'assembly' or specific operations. However, see Note 3.5 below.
- 2.2. The term 'material' covers any 'ingredient', 'raw material', 'component' or 'part', etc., used in the manufacture of the product.
- 2.3. The term 'product' refers to the product being manufactured, even if it is intended for later use in another manufacturing operation.

Note 3:

- 3.1. In the case of any heading not in the list or any part of a heading that is not in the list, the 'change of heading' rule set out in Article 3 (1) applies. If a 'change of heading' condition applies to any entry in the list, then it is contained in the rule in column 3.
- 3.2. The working or processing required by a rule in column 3 has to be carried out only in relation to the non-originating materials used. The restrictions contained in a rule in column 3 likewise apply only to the non-originating materials used.
- 3.3. Where a rule states that 'materials of any heading' may be used, materials of the same heading as the product may also be used, subject, however, to any specific limitations which may also be contained in the rule. However, the expression 'manufacture from materials of any heading including other materials of heading No ...' means that only materials classified in the same heading as the product of a different description than that of the product as given in column 2 of the list may be used.
- 3.4. If a product, made from non-originating materials which has acquired originating status during manufacture by virtue of the change of heading rule or its own list rule, is used as a material in the process of manufacture of another product, then the rule applicable to the product in which it is incorporated does not apply to it.

— For example:

An engine of heading No 8407, for which the rule states that the value of the non-originating materials which may be incorporated may not exceed 40 % of the ex works price, is made from 'other alloy steel roughly shaped by forging' of heading No 7224.

If this forging has been forged in the country concerned from a non-originating ingot then the forging has already acquired origin by virtue of the rule for heading No ex 7224 in the list. It can then count as originating in the value calculation for the engine regardless of whether it was produced in the same factory or another. The value of the non-originating ingot is thus not taken into account when adding up the value of the non-originating materials used.

- 3.5. Even if the change of heading rule or the rule contained in the list is satisfied, a product does not have origin if the processing carried out, taken as a whole, is insufficient within the meaning of Article 3 (4).

Note 4:

- 4.1. The rule in the list represents the minimum amount of working or processing required and the carrying out of more working or processing also confers originating status; conversely, the carrying out of less working or processing cannot confer origin. Thus if a rule says that non-originating material at a certain level of manufacture may be used, the use of such material at an earlier stage of manufacture is allowed and the use of such material at a later stage is not.

- 4.2. When a rule in the list specifies that a product may be manufactured from more than one material, this means that any one or more of the materials may be used. It does not require that all be used.

— *For example:*

The rule for fabrics says that natural fibres may be used and that chemical materials, among other materials, may also be used. This does not mean that both have to be used, one can use one or the other or both.

If, however, a restriction applies to one material and other restrictions apply to other materials in the same rule, then the restrictions only apply to the materials actually used.

— *For example:*

The rule for sewing machines specifies that the thread tension mechanism used has to originate and that the zigzag mechanism used also has to originate; these two restrictions only apply if the mechanisms concerned are actually incorporated into the sewing machine.

- 4.3. When a rule in the list specifies that a product must be manufactured from a particular material, the condition obviously does not prevent the use of other materials which, because of their inherent nature, cannot satisfy the rule.

— *For example:*

The rule for heading No 1904 which specifically excludes the use of cereals or their derivatives does not prevent the use of mineral salts, chemicals and other additives which are not produced from cereals.

— *For example:*

In the case of an article made from non-woven materials, if the use of only non-originating yarn is allowed for this class of article, it is not possible to start from non-woven cloth — even if non-wovens cannot normally be made from yarn. In such cases, the starting material would normally be at the stage before yarn — that is the fibre stage.

See also Note 7.3 in relation to textiles.

- 4.4. If in a rule in the list two or more percentages are given for the maximum value of non-originating materials that can be used, then these percentages may not be added together. The maximum value of all the non-originating materials used may never exceed the highest of the percentages given. Furthermore, the individual percentages must not be exceeded in relation to the particular materials they apply to.

Textiles

Note 5:

- 5.1. The term 'natural fibres' is used in the list to refer to fibres other than artificial or synthetic fibres and is restricted to the stages before spinning takes place, including waste and unless otherwise specified, the term 'natural fibres' includes fibres that have been carded, combed or otherwise processed but not spun.

- 5.2. The term 'natural fibres' includes horsehair of heading No 0503, silk of heading Nos 5002 and 5003 as well as the wool fibres, fine or coarse animal hair of heading Nos 5101 to 5105, the cotton fibres of heading Nos 5201 to 5203 and the other vegetable fibres of heading Nos 5301 to 5305.
- 5.3. The terms 'textile pulp', 'chemical materials' and 'paper making materials' are used in the list to describe the materials not classified in chapters 50 to 63, which can be used to manufacture artificial, synthetic or paper fibres or yarns.
- 5.4. The term 'man-made staple fibres' is used in the list to refer to synthetic or artificial filament tow, staple fibres or waste, of heading Nos 5501 to 5507.

Note 6:

- 6.1. In the case of the products classified in those headings in the list to which a reference is made in this Introductory Note, the conditions set out in column 3 of the list shall not be applied to any basic textile materials used in their manufacture which, taken together, represent 10 % or less of the total weight of all the basic textile materials used (but see also Notes 6.3 and 6.4 below).
- 6.2. However, this tolerance may only be applied to mixed products which have been made from two or more basic textile materials, irrespective of their share of the product.

The following are the basic textile materials:

- silk,
- wool,
- coarse animal hair,
- fine animal hair,
- horsehair,
- cotton,
- paper making materials and paper,
- flax,
- true hemp,
- jute and other textile bast fibres,
- sisal and other textile fibres of the genus *Agave*,
- coconut, abaca, ramie and other vegetable textile fibres,
- synthetic man-made filaments,
- artificial man-made filaments,
- synthetic man-made staple fibres,
- artificial man-made staple fibres.

— *For example:*

A yarn of heading No 5205 made from cotton fibres of heading No 5203 and synthetic staple fibres of heading No 5506 is a mixed yarn. Therefore, non-originating synthetic staple fibres that do not satisfy the origin rules (which require the use of non-originating chemical materials) may be used up to a weight of 10 % of the yarn.

— *For example:*

A woollen fabric of heading No 5112 made from woollen yarn of heading No 5107 and synthetic yarn of staple fibres of heading No 5509 is a mixed fabric. Therefore, non-originating synthetic yarn that does not satisfy the origin rules (which require the use of non-originating man-made staple fibres not carded or combed or otherwise prepared for spinning) may be used up to a weight of 10 % of the fabric.

— *For example:*

Tufted textile fabric of heading No 5802 made from cotton yarn of heading No 5205 and cotton fabric of heading No 5210 is only a mixed product if the cotton fabric is itself a mixed fabric being made from yarns classified in two separate headings or if the cotton yarns used are themselves mixtures.

— *For example:*

If the tufted textile fabric concerned had been made from cotton yarn of heading No 5205 and synthetic fabric of heading No 5407, then, obviously, the yarns used are two separate basic textile materials.

— *For example:*

A carpet with tufts made both from artificial yarns and tufts made from cotton yarns and with a jute backing is a mixed product because three basic textile materials are used. Thus, any

non-originating materials that are at a later stage of manufacture than the rule allows may be used, provided their total weight taken together does not exceed 10 % of the weight of the carpet. Thus, the jute backing and/or the artificial yarns and/or cotton yarns could be imported at that stage of manufacture, provided the weight conditions are met.

- 6.3. In the case of fabrics incorporating 'yarn made of polyurethane segmented with flexible segments of polyether whether or not gimped' this tolerance is 20 % in respect of this yarn.
- 6.4. In the case of fabrics incorporating strip consisting of a core of aluminium foil or of a core of plastic film whether or not coated with aluminium powder, of a width not exceeding 5 mm, sandwiched by means of an adhesive between two films of plastic film, this tolerance is 30 % in respect of this strip.

Note 7:

- 7.1. In the case of those textile products, which are marked in the list by a footnote referring to this Introductory Note, textile trimmings and accessories which do not satisfy the rule set out in the list in column 3 for the made up product concerned may be used provided that their weight does not exceed 10 % of the total weight of all the textile materials incorporated.

Textile trimmings and accessories are those classified in Chapters 50 to 63. Linings and interlinings are not to be regarded as trimmings or accessories.

- 7.2. Any non-textile trimmings and accessories or other materials used which contain textiles do not have to satisfy the conditions set out in column 3 even though they fall outside the scope of Note 4.3.
- 7.3. In accordance with Note 4.3, any non-originating non-textile trimmings and accessories or other product, which do not contain any textiles, may, anyway, be used freely where they cannot be made from the materials listed in column 3.

— For example:

If a rule in the list says that for a particular textile item, such as a blouse, yarn must be used this does not prevent the use of metal items, such as buttons, because they cannot be made from textile materials.

- 7.4. Where a percentage rule applies, the value of trimmings and accessories must be taken into account when calculating the value of the non-originating materials incorporated.

HS heading No	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
0201	Meat of bovine animals, fresh or chilled	Manufacture from materials of any heading except meat of bovine animals, frozen of heading No 0202
0202	Meat of bovine animals, frozen	Manufacture from materials of any heading except meat of bovine animals, fresh or chilled of heading No 0201
0206	Edible offal of bovine animals, swine, sheep, goats, horses, asses, mules or hinnies, fresh, chilled or frozen	Manufacture from materials of any heading except carcasses of heading Nos 0201 to 0205
0210	Meat and edible meat offal, salted, in brine, dried or smoked; edible flours and meals of meat or meat offal	Manufacture from materials of any heading except meat and offal of heading Nos 0201 to 0206 and 0208 or poultry liver of heading No 0207
0302 to 0305	Fish, other than live fish	Manufacture in which all the materials of Chapter 3 used must already be originating

(1)	(2)	(3)
0402, 0404 to 0406	Dairy products	Manufacture from materials of any heading except milk or cream of heading No 0401 or 0402
0403	Buttermilk, curdled milk and cream, yogurt, kephir and other fermented or acidified milk and cream, whether or not concentrated or containing added sugar or other sweetening matter or flavoured or containing added fruit or cocoa	<p>Manufacture in which:</p> <ul style="list-style-type: none"> — all the materials of Chapter 4 used must already be originating, — any fruit juice (except those of pineapple, lime or grapefruit) of heading No 2009 used must be originating, and — the value of any materials of Chapter 17 used does not exceed 30 % of the ex-works price of the product
0408	Birds' eggs, not in shell and egg yolks, fresh, dried, cooked, by steaming or by boiling in water, moulded, frozen or otherwise preserved, whether or not containing added sugar or other sweetening matter	Manufacture from materials of any heading except birds' eggs of heading No 0407
ex 0502	Prepared pigs', hogs' or boars' bristles and hair	Cleaning, disinfecting, sorting and straightening of bristles and hair
ex 0506	Bones and horn-cores unworked	Manufacture in which all the materials of Chapter 2 used must already be originating
0710 to 0713	Edible vegetables, frozen or dried, provisionally preserved except for heading Nos ex 0710 and ex 0711	Manufacture in which all the vegetable materials used must already be originating
ex 0710	Sweet corn (uncooked or cooked by steaming or boiling in water), frozen	Manufacture from fresh or chilled sweet corn
ex 0711	Sweet corn, provisionally preserved	Manufacture from fresh or chilled sweet corn
0811	<p>Fruit and nuts, uncooked or cooked by steaming or boiling in water, frozen, whether or not containing added sugar or other sweetening matter:</p> <ul style="list-style-type: none"> — Containing added sugar — Other 	<p>Manufacture in which the value of any materials of Chapter 17 used does not exceed 30 % of the value of the ex-works price of the product</p> <p>Manufacture in which all the fruit or nuts used must already be originating</p>
0812	Fruit and nuts provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption	Manufacture in which all the fruit or nuts used must already be originating
0813	Fruit, dried, other than that of heading Nos 0801 to 0806; mixtures of nuts or dried fruits of this chapter	Manufacture in which all the fruit or nuts used must already be originating
0814	Peel of citrus fruit or melons (including water-melons), fresh, frozen, dried or provisionally preserved in brine, in sulphur water or in other preservative solutions	Manufacture in which all the fruit or nuts used must already be originating

(1)	(2)	(3)
ex Chapter 11	Products of the milling industry; malt, starches; inulin; wheat gluten, except for heading No ex 1106	Manufacture in which all the cereals, edible vegetables, roots and tubers of heading No 0714 or fruit used must already be originating
ex 1106	Flour and meal of the dried, shelled leguminous vegetables of heading No 0713	Drying and milling of leguminous vegetables of heading No 0708
1301	Lac; natural gums, resins, gum-resins and balsams	Manufacture in which the value of any materials of heading No 1301 used may not exceed 50 % of the ex-works price of the product
1501	Lard; other pig fat and poultry fat, rendered, whether or not pressed or solvent-extracted: — Fats from bones or waste — Other	Manufacture from materials of any heading except those of heading Nos 0203, 0206 or 0207 or bones of heading No 0506 Manufacture from meat or edible offal of swine of heading Nos 0203 or 0206 or of meat and edible offal of poultry of heading No 0207
1502	Fats of bovine animals, sheep or goats, raw or rendered, whether or not pressed or solvent-extracted: — Fats from bones or waste — Other	Manufacture from materials of any heading except those of heading Nos 0201, 0202, 0204 or 0206 or bones of heading No 0506 Manufacture in which all the animal materials of Chapter 2 used must already be originating
1504	Fats and oils and their fractions, of fish or marine mammals, whether or not refined, but not chemically modified: — Solid fractions of fish oils and fats and oils of marine mammals — Other	Manufacture from materials of any heading including other materials of heading No 1504 Manufacture in which all the animal materials of Chapters 2 and 3 used must already be originating
ex 1505	Refined lanolin	Manufacture from crude wool grease of heading No 1505
1506	Other animal fats and oils and their fractions, whether or not refined, but not chemically modified: — Solid fractions — Other	Manufacture from materials of any heading including other materials of heading No 1506 Manufacture in which all the animal materials of Chapter 2 used must already be originating
ex 1507 to 1515	Fixed vegetable oils and their fractions, whether or not refined, but not chemically modified: — Solid fractions, except for that of Jojoba oil	Manufacture from other materials of heading Nos 1507 to 1515

(1)	(2)	(3)
ex 1507 to 1515 (cont'd)	— Other, except for: — Tung oil; myrtle wax and Japan wax — Those for technical or industrial uses other than the manufacture of foodstuffs for human consumption	Manufacture in which all the vegetable materials used must already be originating
ex 1516	Animal or vegetable fats and oils and their fractions, re-esterified, whether or not refined but not further prepared	Manufacture in which all the animal and vegetable materials used must already be originating
ex 1517	Edible liquid mixtures of vegetable oils of heading Nos 1507 to 1515	Manufacture in which all the vegetable materials used must already be originating
ex 1519	Industrial fatty alcohols having the character of artificial waxes	Manufacture from materials of any heading including fatty acids of heading No 1519
1601	Sausages and similar products, of meat, meat offal or blood; food preparations based on these products	Manufacture from animals of Chapter 1
1602	Other prepared or preserved meat, meat offal or blood	Manufacture from animals of Chapter 1
1603	Extracts and juices of meat, fish or crustaceans, molluscs or other aquatic invertebrates	Manufacture from animals of Chapter 1. However, all fish, crustaceans, molluscs or other aquatic invertebrates used must already be originating
1604	Prepared or preserved fish; caviar and caviar substitutes prepared from fish eggs	Manufacture in which all the fish or fish eggs used must already be originating
1605	Crustaceans, molluscs and other aquatic invertebrates, prepared or preserved	Manufacture in which all the crustaceans, molluscs or other aquatic invertebrates used must already be originating
ex 1701	Cane or beet sugar and chemically pure sucrose, in solid form, flavoured or coloured	Manufacture in which the value of any materials of Chapter 17 used does not exceed 30 % of the ex works price of the product
1702	Other sugars, including chemically pure lactose, maltose, glucose and fructose, in solid form; sugar syrups not containing added flavouring or colouring matter; artificial honey, whether or not mixed with natural honey; caramel: — Chemically pure maltose and fructose — Other sugars in solid form, flavoured or coloured — Other	Manufacture from materials of any heading including other materials of heading No 1702 Manufacture in which the value of any materials of Chapter 17 used does not exceed 30 % of the ex works price of the product Manufacture in which all the materials used must already be originating
ex 1703	Molasses resulting from the extraction or refining of sugar, flavoured or coloured	Manufacture in which the value of any materials of Chapter 17 used does not exceed 30 % of the ex works price of the product
1704	Sugar confectionery (including white chocolate), not containing cocos	Manufacture in which all the materials used are classified in a heading other than that of the product, provided the value of any other materials of Chapter 17 used does not exceed 30 % of the ex works price of the product

(1)	(2)	(3)
1806	Chocolate and other food preparations containing cocoa	Manufacture in which all the materials used are classified in a heading other than that of the product, provided the value of any materials of Chapter 17 used does not exceed 30 % of the ex works price of the product
1901	<p>Malt extract; food preparations of flour, meal, starch or malt extract, not containing cocoa powder or containing cocoa powder in a proportion by weight of less than 50 %, not elsewhere specified or included; food preparations of goods of heading Nos 0401 to 0404, not containing cocoa powder or containing cocoa powder in a proportion by weight of less than 10 %, not elsewhere specified or included:</p> <ul style="list-style-type: none"> — Malt extract — Other 	<p>Manufacture from cereals of Chapter 10</p> <p>Manufacture in which all the materials used are classified in a heading other than that of the product, provided the value of any materials of Chapter 17 used does not exceed 30 % of the ex works price of the product</p>
1902	Pasta, whether or not cooked or stuffed (with meat or other substances) or otherwise prepared, such as spaghetti, macaroni, noodles, lasagne, gnocchi, ravioli, cannelloni; couscous, whether or not prepared	Manufacture in which all the cereals (except durum wheat), meat, meat offal, fish, crustaceans or molluscs used must already be originating
1903	Tapioca and substitutes therefor prepared from starch, in the form of flakes, grains, pearls, siftings or in similar forms	Manufacture from materials of any heading except potato starch of heading No 1108
1904	<p>Prepared foods obtained by the swelling or roasting of cereals or cereal products (for example, corn flakes); cereals, other than maize (corn), in grain form, pre-cooked or otherwise prepared:</p> <ul style="list-style-type: none"> — Not containing cocoa — Containing cocoa 	<p>Manufacture in which:</p> <ul style="list-style-type: none"> — all the cereals and flour (except maize of the species <i>Zea indurata</i> and durum wheat and their derivatives) used must be wholly obtained, and — the value of any materials of Chapter 17 used does not exceed 30 % of the ex works price of the product <p>Manufacture from materials not classified in heading No 1806, provided the value of any materials of Chapter 17 used does not exceed 30 % of the ex works price of the product</p>
1905	Bread, pastry, cakes, biscuits and other bakers' wares, whether or not containing cocoa; communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products	Manufacture from materials of any heading, except those of Chapter 11
2001	Vegetables, fruit nuts and other edible parts of plants, prepared or preserved by vinegar or acetic acid	Manufacture in which all the fruit, nuts or vegetables used must already be originating
2002	Tomatoes prepared or preserved otherwise than by vinegar or acetic acid	Manufacture in which all the tomatoes used must already be originating
2003	Mushrooms and truffles, prepared or preserved otherwise than by vinegar or acetic acid	Manufacture in which all the mushrooms or truffles used must already be originating

(1)	(2)	(3)
2004 and 2005	Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, frozen or not frozen	Manufacture in which all the vegetables used must already be originating
2006	Fruit, nuts, fruit-peel and other parts of plants, preserved by sugar (drained, glacé or crystallized)	Manufacture in which the value of any materials of Chapter 17 used does not exceed 30 % of the ex works price of the product
2007	Jams, fruit jellies, marmalades, fruit or nut purée and fruit or nut pastes, being cooked preparations, whether or not containing added sugar or other sweetening matter	Manufacture in which the value of any materials of Chapter 17 used must not exceed 30 % of the ex works price of the product
2008	Fruit, nuts and other edible parts of plants otherwise prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit, not elsewhere specified or included: — Fruit and nuts cooked otherwise than by steaming or boiling in water, not containing added sugar, frozen — Nuts, not containing added sugar or spirits — Other	Manufacture in which all the fruit and nuts used must already be originating Manufacture in which the value of the originating nuts and oil seeds of heading Nos 0801, 0802 and 1202 to 1207 used exceeds 60 % of the ex works price of the product Manufacture in which all the materials used are classified in a heading other than that of the product, provided the value of any materials of Chapter 17 used does not exceed 30 % of the ex works price of the product
ex 2009	Fruit juices (including grape must), unfermented and not containing added spirit, whether or not containing added sugar or other sweetening matter	Manufacture in which all the materials used are classified in a heading other than that of the product, provided the value of any materials of Chapter 17 used does not exceed 30 % of the ex works price of the product
ex 2101	Roasted chicory and extracts, essences and concentrates thereof	Manufacture in which all the chicory used must already be originating
ex 2103	— Sauces and preparations therefor; mixed condiments and mixed seasonings — Prepared mustard	Manufacture in which all the materials used are classified in a heading other than that of the product. However, mustard flour or meal or prepared mustard may be used Manufacture from mustard flour or meal
ex 2104	— Soups and broths and preparations therefor — Homogenized composite food preparations	Manufacture from materials of any heading, except prepared or preserved vegetables of heading Nos 2002 to 2005 The rule for the heading in which the product would be classified in bulk shall apply
ex 2106	Sugar syrups, flavoured or coloured	Manufacture in which the value of any materials of Chapter 17 used must not exceed 30 % of the ex works price of the product
2201	Waters, including natural or artificial mineral waters and aerated waters, not containing added sugar or other sweetening matter nor flavoured; ice and snow	Manufacture in which all the water used must already be originating

(1)	(2)	(3)
2202	Waters, including mineral waters and aerated waters, containing added sugar or other sweetening matter or flavoured, and other non-alcoholic beverages, not including fruit or vegetable juices of heading No 2009	Manufacture in which all the materials used are classified in a heading other than that of the product, provided the value of any materials of Chapter 17 used does not exceed 30 % of the ex works price of the product and any fruit juice used (except for pineapple, lime and grapefruit juices) must already be originating
ex 2204	Wine of fresh grapes, including fortified wines, and grape must with the addition of alcohol	Manufacture from other grape must
2205	The following, containing grape materials:	Manufacture from materials of any heading, except grapes or any material derived from grapes
ex 2207, ex 2208 and ex 2209	vermouth and other wine of fresh grapes flavoured with plants or aromatic substances; ethyl alcohol and other spirits, denatured or not; spirits, liqueurs and other spirituous beverages; compound alcoholic preparations of a kind used for the manufacture of beverages; vinegar	
ex 2208	Whiskies of an alcoholic strength by volume of less than 50 % vol.	Manufacture in which the value of any cereal based spirits used does not exceed 15 % of the ex works price of the product
ex 2303	Residues from the manufacture of starch from maize (excluding concentrated steeping liquors), of a protein content, calculated on the dry product, exceeding 40 % by weight	Manufacture in which all the maize used must already be originating
ex 2306	Oil cake and other solid residues resulting from the extraction of olive oil, containing more than 3 % of olive oil	Manufacture in which all the olives used must already be originating
2309	Preparations of a kind used in animal feeding	Manufacture in which all the cereals, sugar or molasses, must or milk used must already be originating
2402	Cigars, cheroots, cigarillos and cigarettes, of tobacco or of tobacco substitutes	Manufacture in which at least 70 % by weight of the unmanufactured tobacco or tobacco refuse of heading No 2401 used must already be originating
ex 2403	Smoking tobacco	Manufacture in which at least 70 % by weight of the unmanufactured tobacco or tobacco refuse of heading No 2401 used must already be originating
ex 2504	Natural crystalline graphite, with enriched carbon content, purified and ground	Enriching of the carbon content, purifying and grinding of crude crystalline graphite
ex 2515	Marble, merely cut by sawing or otherwise into blocks or slabs of a rectangular (including square) shape, of a thickness not exceeding 25 cm	Cutting, by sawing or otherwise, of marble (even if already sawn) of a thickness exceeding 25 cm
ex 2516	Granite porphyry, basalt, sandstone and other monumental and building stones, merely cut by sawing or otherwise, into blocks or slabs of a rectangular (including square) shape, of a thickness not exceeding 25 cm	Cutting, by sawing or otherwise, of stones (even if already sawn) of a thickness exceeding 25 cm
ex 2518	Calcined dolomite	Calcination of dolomite not calcined

(1)	(2)	(3)
ex 2519	Crushed natural magnesium carbonate (magnesite), in hermetically sealed containers, and magnesium oxide, whether or not pure, other than fused magnesia or dead-burned (sintered) magnesia	Manufacture in which all the materials used are classified in a heading other than that of the product. However, natural magnesium carbonate (magnesite) may be used
ex 2520	Plasters specially prepared for dentistry	Manufacture in which the value of all the materials used does not exceed 50 % of the ex works price of the product
ex 2524	Natural asbestos fibres	Manufacture from asbestos concentrate
ex 2525	Mica powder	Grinding of mica or mica waste
ex 2530	Earth colours, calcined or powdered	Calcination or grinding of earth colours
ex 2707	Oils in which the weight of the aromatic constituents exceeds that of the non-aromatic constituents, being oils similar to mineral oils obtained by distillation of high temperature coal tar, of which more than 65 % by volume distils at a temperature of up to 250 °C (including mixtures of petroleum spirit and benzole), for use as power or heating fuels	These are Annex II products
2709 to 2715	Mineral oils and products of their distillation; bituminous substances; mineral waxes	These are Annex II products
ex Chapter 28	Inorganic chemicals; organic or inorganic compounds of precious metals, of rare earth metals, of radioactive elements or of isotopes, except for heading Nos ex 2811 and ex 2833 for which the rules are set out below	Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20 % of the ex works price of the product
ex 2811	Sulphur trioxide	Manufacture from sulphur dioxide
ex 2833	Aluminium sulphate	Manufacture in which the value of all the materials used does not exceed 50 % of the ex works price of the product
ex Chapter 29	Organic chemicals, except for heading Nos ex 2901, ex 2902, ex 2905, 2915, ex 2932, 2933 and 2934, for which the position is set out below	Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20 % of the ex works price of the product
ex 2901	Acyclic hydrocarbons for use as power or heating fuels	These are Annex II products
ex 2902	Cyclanes and cyclenes (other than azulenes), benzene, toluene, xylenes, for use as power or heating fuels	These are Annex II products
ex 2905	Metal alcoholates of alcohols of this heading and of ethanol or glycerol	Manufacture from materials of any heading, including other materials of heading No 2905. However, metal alcoholates of this heading may be used, provided their value does not exceed 20 % of the ex works price of the product
2915	Saturated acyclic monocarboxylic acids and their anhydrides, halides, peroxides and peroxyacids; their halogenated, sulphonated, nitrated or nitrosated derivatives	Manufacture from materials of any heading. However, the value of all the materials of heading Nos 2915 and 2916 used may not exceed 20 % of the ex works price of the product
ex 2932	— Internal ethers and their halogenated, sulphonated, nitrated or nitrosated derivatives	Manufacture from materials of any heading. However, the value of all the materials of heading No 2909 used may not exceed 20 % of the ex works price of the product

(1)	(2)	(3)
ex 2932 (cont'd)	— Cyclic acetals and internal hemiacetals and their halogenated, sulphonated, nitrated or nitrosated derivatives	Manufacture from materials of any heading
2933	Heterocyclic compounds with nitrogen heteroatom(s) only; nucleic acids and their salts:	Manufacture from materials of any heading. However, the value of all the materials of heading Nos 2932 and 2933 used may not exceed 20 % of the ex works price of the product
2934	Other heterocyclic compounds	Manufactured from materials of any heading. However, the value of all the materials of heading Nos 2932, 2933 and 2934 used may not exceed 20 % of the ex works price of the product
ex Chapter 30	Pharmaceutical products, except for heading Nos 3002, 3003 and 3004, for which the rules are set out below	Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20 % of the ex works price of the product
3002	Human blood; animal blood prepared for therapeutic, prophylactic or diagnostic uses; antisera and other blood fractions; vaccines, toxins, cultures of micro-organisms (excluding yeasts) and similar products:	
	— Products consisting of two or more constituents which have been mixed together for therapeutic or prophylactic uses or unmixed products for these uses, put up in measured doses or in forms or packings for retail sale	Manufacture from materials of any heading, including other materials of heading No 3002. The materials of this description may also be used, provided their value does not exceed 20 % of the ex works price of the product
	— Other:	
	— Human blood	Manufacture from materials of any heading, including other materials of heading No 3002. The materials of this description may also be used, provided their value does not exceed 20 % of the ex works price of the product
	— Animal blood prepared for therapeutic or prophylactic uses	Manufacture from materials of any heading, including other materials of heading No 3002. The materials of this description may also be used, provided their value does not exceed 20 % of the ex works price of the product
	— Blood fractions other than antisera, haemoglobin and serum globulin	Manufacture from materials of any heading, including other materials of heading No 3002. The materials of this description may also be used, provided their value does not exceed 20 % of the ex works price of the product
	— Haemoglobin, blood globulin and serum globulin	Manufacture from materials of any heading, including other materials of heading No 3002. The materials of this description may also be used, provided their value does not exceed 20 % of the ex works price of the product
	— Other	Manufacture from materials of any heading, including other materials of heading No 3002. The materials of this description may also be used, provided their value does not exceed 20 % of the ex works price of the product

(1)	(2)	(3)
3003 and 3004	Medicaments (excluding goods of heading Nos 3002, 3005 or 3006)	Manufacture in which: <ul style="list-style-type: none"> — all the materials used are classified within a heading other than that of the product. However, materials of heading No 3003 or 3004 may be used provided their value, taken together, does not exceed 20 % of the ex works price of the product, and — the value of all the materials used does not exceed 50 % of the ex works price of the product
ex Chapter 31	Fertilizers except for heading Nos ex 3103 and ex 3105, for which the rules are set out below	Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20 % of the ex works price of the product
ex 3103	Crushed and powdered calcined natural aluminium calcium phosphates	Crushing and powdering of calcined natural aluminium calcium phosphates
ex 3105	Mineral or chemical fertilizers containing two or three of the fertilizing elements nitrogen, phosphorus and potassium; other fertilizers; goods of this chapter, in tablets or similar forms or in packages of a gross weight not exceeding 10 kg, except for: <ul style="list-style-type: none"> — Sodium nitrate — Calcium cyanamide — Potassium sulphate — Magnesium potassium sulphate 	Manufacture in which: <ul style="list-style-type: none"> — all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20 % of the ex works price of the product, and — the value of all the materials used does not exceed 50 % of the ex works price of the product
ex Chapter 32	Tanning or dyeing extracts; tannins and their derivatives; dyes, pigments and other colouring matter; paints and varnishes; putty and other masucs; inks; except for heading Nos ex 3201 and 3205, for which the rules are set out below	Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20 % of the ex works price of the product
ex 3201	Tannins and their salts, ethers, esters and other derivatives	Manufacture from tanning extracts of vegetable origin
3205	Colour lakes; preparations as specified in note 3 to this chapter based on colour lakes (*)	Manufacture from materials of any heading, except heading Nos 3202 and 3204 provided the value of any materials classified in heading No 3205 does not exceed 20 % of the ex works price of the product
ex Chapter 33	Essential oils and resinoids; perfumery, cosmetic or toilet preparations, except for heading No 3301, for which the rule is set out below	Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20 % of the ex works price of the product
3301	Essential oils (terpeneless or not), including concretes and absolutes; resinoids; concentrates of essential oils in fats, in fixed oils, in waxes or the like, obtained by enfleurage or maceration; terpenic by-products of the distillation of essential oils; aqueous distillates and aqueous solutions of essential oils	Manufacture from materials of any heading, including materials of a different 'group' (*) within this heading. However, materials of the same group may be used, provided their value does not exceed 20 % of the ex works price of the product

(*) Note 3 to Chapter 32 says that these preparations are those of a kind used for colouring any material or used as ingredients in the manufacturing of colouring preparations, provided they are not classified within another heading in Chapter 32

(*) A 'group' is regarded as any part of the heading separated from the rest by a semi-colon

(1)	(2)	(3)
<p>ex Chapter 34</p> <p>ex 3403</p> <p>ex 3404</p>	<p>Soap, organic surface-active agents, washing preparations, lubricating preparations, artificial waxes, prepared waxes, polishing or scouring preparations, candles and similar articles, modelling pastes, 'dental waxes' and dental preparations with a basis of plaster; except for heading Nos ex 3403 and 3404, for which the position is set out below</p> <p>Lubricating preparations containing petroleum oils or oils obtained from bituminous minerals, provided they represent less than 70 % by weight</p> <p>Artificial waxes and prepared waxes:</p> <ul style="list-style-type: none"> — With a basis of paraffin, petroleum waxes, waxes obtained from bituminous minerals, slack wax or scale wax — Other 	<p>Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20 % of the ex works price of the product</p> <p>These are Annex II products</p> <p>These are Annex II products</p> <p>Manufacture from materials of any heading, except:</p> <ul style="list-style-type: none"> — hydrogenated oils having the character of waxes of heading No 1516 — fatty acids not chemically defined or industrial fatty alcohols having the character of waxes of heading No 1519 — materials of heading No 3404. <p>However, these materials may be used provided their value does not exceed 20 % of the ex works price of the product</p>
<p>ex Chapter 35</p> <p>3505</p> <p>ex 3507</p>	<p>Albuminoidal substances; modified starches; glues; enzymes; except for heading Nos 3505 and ex 3507 for which the rules are set out below</p> <p>Dextrins and other modified starches (for example, pregelatinized or esterified starches); glues based on starches, or on dextrins or other modified starches:</p> <ul style="list-style-type: none"> — Starch ethers and esters — Other <p>Prepared enzymes not elsewhere specified or included</p>	<p>Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20 % of the ex works price of the product</p> <p>Manufacture from materials of any heading, including other materials of heading No 3505</p> <p>Manufacture from materials of any heading, except those of heading No 1108</p> <p>Manufacture in which the value of all the materials used does not exceed 50 % of the ex works price of the product</p>
<p>Chapter 36</p>	<p>Explosives; pyrotechnic products; matches; pyrophoric alloys; certain combustible preparations</p>	<p>Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20 % of the ex works price of the product</p>
<p>ex Chapter 37</p>	<p>Photographic or cinematographic goods; except for heading Nos 3701, 3702 and 3704 for which the rules are set out below</p>	<p>Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20 % of the ex works price of the product</p>

(1)	(2)	(3)
3701	Photographic plates and film in the flat, sensiuized, unexposed, of any material other than paper, paperboard or textiles; instant print film in the flat, sensiuized, unexposed, whether or not in packs	Manufacture in which all the materials used are classified in a heading other than heading No 3702
3702	Photographic film in rolls, sensiuized, unexposed, of any material other than paper, paperboard or textiles; instant print film in rolls, sensiuized, unexposed	Manufacture in which all the materials used are classified within a heading other than heading No 3701 or 3702
3704	Photographic plates, film, paper, paperboard and textiles, exposed but not developed	Manufacture in which all the materials used are classified within a heading other than heading Nos 3701 to 3704
ex Chapter 38	Miscellaneous chemical products; except for heading Nos ex 3801, ex 3803, ex 3805, ex 3806, ex 3807, 3808 to 3814, 3818 to 3820, 3822 and 3823 for which the rules are set out below:	Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20 % of the ex works price of the product
ex 3801	<ul style="list-style-type: none"> — Colloidal graphite in suspension in oil and semi-colloidal graphite; carbonaceous pastes for electrodes — Graphite in paste form, being a mixture of more than 30 % by weight of graphite with mineral oils 	<p>Manufacture in which the value of all the materials used does not exceed 50 % of the ex works price of the product</p> <p>Manufacture from materials of any heading. However, the value of the materials of heading No 3403 used must not exceed 20 % of the ex works price of the product</p>
ex 3803	Refined tall oil	Refining of crude tall oil
ex 3805	Spirits of sulphate turpentine, purified	Purification by distillation or refining of raw spirits of sulphate turpentine
ex 3806	Ester gums	Manufacture from resin acids
ex 3807	Wood pitch (wood tar pitch)	Distillation of wood tar
3808 to 3814 3818 to 3820 3822 and 3823	<p>Miscellaneous chemical products:</p> <ul style="list-style-type: none"> — Prepared additives for lubricating oil, containing petroleum oils or oils obtained from bituminous minerals, of heading No 3811 — The following of heading No 3823: <ul style="list-style-type: none"> — Prepared binders for foundry moulds or cores based on natural resinous products — Naphthemic acids, their water insoluble salts and their esters — Sorbitol other than that of heading No 2905 — 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 — Ion exchangers — Getters for vacuum tubes — Alkaline iron oxide for the purification of gas 	<p>These are Annex II products</p> <p>Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20 % of the ex works price of the product</p>

(1)	(2)	(3)
<p>3808 to 3814 3818 to 3820 3822 and 3823 (cont'd)</p>	<p>— Ammoniacal gas liquors and spent oxide produced in coal gas purification</p> <p>— Sulphonaphthenic acids, their water insoluble salts and their esters</p> <p>— Fusel oil and Dippel's oil</p> <p>— Mixtures of salts having different anions</p> <p>— Copying pastes with a basis of gelatin, whether or not on a paper or textile backing</p> <p>— Other</p>	<p>Manufacture in which the value of all the materials used does not exceed 50 % of the ex works price of the product</p>
<p>3901 to 3915</p> <p>3916 to 3921</p> <p>3922 to 3926</p>	<p>Plastics in primary forms, waste, parings and scrap, of plastic:</p> <p>— Addition homopolymerization products</p> <p>— Other</p> <p>Semi-manufactures of plastics:</p> <p>— Flat products, further worked than only surface-worked or cut into forms other than rectangles; other products, further worked than only surface-worked</p> <p>— Other:</p> <p>— Addition homopolymerization products</p> <p>— Other</p> <p>Articles of plastic</p>	<p>Manufacture in which:</p> <p>— the value of all the materials used does not exceed 50 % of the ex works price of the product, and</p> <p>— the value of any materials of Chapter 39 used does not exceed 20 % of the ex works price of the product (*)</p> <p>Manufacturing in which the value of the materials of Chapter 39 used does not exceed 20 % of the ex works price of the product (*)</p> <p>Manufacture in which the value of any materials of Chapter 39 used does not exceed 50 % of the ex works price of the product</p> <p>Manufacture in which:</p> <p>— the value of all the materials used does not exceed 50 % of the ex works price of the product, and</p> <p>— the value of any materials of Chapter 39 used does not exceed 20 % of the ex works price of the product (*)</p> <p>Manufacture in which the value of any materials of Chapter 39 used does not exceed 20 % of the ex works price of the product (*)</p> <p>Manufacture in which the value of all the materials used does not exceed 50 % of the ex works price of the product</p>
<p>ex 4001</p> <p>4005</p> <p>4012</p> <p>ex 4017</p>	<p>Laminated slabs of crepe rubber for shoes</p> <p>Compounded rubber, unvulcanized, in primary forms or in plates, sheets or strip</p> <p>Retreaded or used pneumatic tyres of rubber; solid or cushion tyres, interchangeable tyre treads and tyre flaps of rubber</p> <p>Articles of hard rubber</p>	<p>Lamination of sheets of natural rubber</p> <p>Manufacture in which the value of all the materials used, except natural rubber, does not exceed 50 % of the ex works price of the product</p> <p>Manufacture from materials of any heading, except those of heading Nos 4011 or 4012</p> <p>Manufacture from hard rubber</p>

(*) In the case of products composed of materials classified within both heading Nos 3901 to 3906, on the one hand, and within heading Nos 3907 to 3911, on the other hand, this restriction only applies to that group of materials which predominates by weight in the product.

(1)	(2)	(3)
ex 4102	Raw skins of sheep or lambs, without wool on	Removal of wool from sheep or lamb skins, with wool on
4104 to 4107	Leather, without hair or wool other than leather of heading No 4108 or 4109	Retanning of pre-tanned leather or Manufacture in which all the materials used are classified in a heading other than that of the product
4109	Patent leather and patent laminated leather; metallized leather	Manufacture from leather of heading Nos 4104 to 4107 provided its value does not exceed 50 % of the ex works price of the product
ex 4302	Tanned or dressed furskins, assembled: — Plates, crosses and similar forms — Other	Bleaching or dyeing, in addition to cutting and assembly of non-assembled tanned or dressed furskins Manufacture from non-assembled, tanned or dressed furskins
4303	Articles of apparel, clothing accessories and other articles of furskin	Manufacture from non-assembled, tanned or dressed furskins, of heading No 4302
ex 4403	Wood roughly squared	Manufacture from wood in the rough, whether or not stripped of its bark or merely roughed down
ex 4407	Wood sawn or chipped lengthwise, sliced or peeled, of a thickness exceeding 6 mm, planed, sanded or finger-jointed	Planing, sanding or finger-jointing
ex 4408	Veneer sheets and sheets for plywood, of a thickness not exceeding 6 mm, spliced, and other wood sawn lengthwise, sliced or peeled, of a thickness not exceeding 6 mm, planed, sanded or finger-jointed	Splicing, planing, sanding or finger-jointing
ex 4409	— Wood (including strips and friezes for parquet flooring, not assembled) continuously shaped (tongued, grooved, rebated, chamfered, V-jointed, beaded, moulded, rounded or the like) along any of its edges or faces, sanded or finger-jointed — Beadings and mouldings	Sanding or finger-jointing Beadings or moulding
ex 4410 to ex 4413	Beadings and mouldings, including moulded skirting and other moulded boards	Beadings or moulding
ex 4415	Packing cases, boxes, crates, drums and similar packings, of wood	Manufacture from boards not cut to size
ex 4416	Casks, barrels, vats, tubs and other cooper's products and parts thereof, of wood	Manufacture from riven staves, not further worked than sawn on the two principal surfaces
ex 4418	— Builders' joinery and carpentry of wood — Beadings and mouldings	Manufacture in which all the materials used are classified within a heading other than that of the product. However, cellular wood panels, shingles and shales may be used Beadings or moulding
ex 4421	Match splints; wooden pegs or pins for footwear	Manufacture from wood of any heading except drawn wood of heading No 4409

(1)	(2)	(3)
4503	Articles of natural cork	Manufacture from cork of heading No 4501
ex 4811	Paper and paperboard, ruled, lined or squared only	Manufacture from paper-making materials of Chapter 47
4816	Carbon paper, self-copy paper and other copying or transfer papers (other than those of heading No 4809), duplicator stencils and offset plates, of paper, whether or not put up in boxes	Manufacture from paper-making materials of Chapter 47
4817	Envelopes, letter cards, plain postcards and correspondence cards, of paper or paperboard; boxes, pouches, wallets and writing compendiums, of paper or paperboard, containing an assortment of paper stationery	Manufacture in which: — all the materials used are classified within a heading other than that of the product, and — the value of all the materials used does not exceed 50 % of the ex works price of the product
ex 4818	Toilet paper	Manufacture from paper-making materials of Chapter 47
ex 4819	Cartons, boxes, cases, bags and other packing containers, of paper, paperboard, cellulose wadding or webs of cellulose fibres	Manufacture in which: — all the materials used are classified within a heading other than that of the product, and — the value of all the materials used does not exceed 50 % of the ex works price of the product
ex 4820	Letter pads	Manufacture in which the value of all the materials used does not exceed 50 % of the ex works price of the product
ex 4823	Other paper, paperboard, cellulose wadding and webs of cellulose fibres, cut to size or shape	Manufacture from paper-making materials of Chapter 47
4909	Printed or illustrated postcards; printed cards bearing personal greetings, messages or announcements, whether or not illustrated, with or without envelopes or trimmings	Manufacture from materials not classified within heading No 4909 or 4911
4910	Calendars of any kind, printed, including calendar blocks: — Calendars of the 'perpetual' type or with replaceable blocks mounted on bases other than paper or paperboard — Other	Manufacture in which: — all the materials used are classified within a heading other than that of the product, and — the value of all the materials used does not exceed 50 % of the ex works price of the product Manufacture from materials not classified within heading No 4909 or 4911
ex 5003	Silk waste (including cocoons unsuitable for reeling, yarn waste and garnetted stock), carded or combed	Carding or combing of silk waste
5501 to 5507	Man-made staple fibres	Manufacture from chemical materials or textile pulp
ex Chapter 50 to Chapter 55	Yarn, monofilament and thread	Manufacture from (1): — natural fibres not carded or combed or otherwise processed for spinning, — chemical materials or textile pulp, or — paper-making materials

(1) For special conditions relating to products made of a mixture of textile materials, see Introductory Note 6.

(1)	(2)	(3)
<p>ex Chapter 50 to Chapter 55 (cont'd)</p>	<p>Woven fabrics: — Incorporating rubber thread</p> <p>— Other</p>	<p>Manufacture from single yarn (*)</p> <p>Manufacture from (*):</p> <ul style="list-style-type: none"> — coir yarn, — natural fibres, — man-made staple fibres not carded or combed or otherwise processed for spinning, — chemical materials or textile pulp, or — paper <p>or</p> <p>Printing accompanied by at least two preparatory or finishing operations (such as scouring, bleaching, mercerizing, heat setting, raising, calendaring, shrink resistance processing, permanent finishing, decatizing, impregnating, mending and burling) where the value of the unprinted fabric used does not exceed 47,5 % of the ex works price of the product</p>
<p>ex Chapter 56</p>	<p>Wadding, felt and non-wovens; special yarns, twine cordage, ropes and cables and articles thereof except for heading Nos 5602, 5604, 5605 and 5606, for which the rules are set out below</p>	<p>Manufacture from (*):</p> <ul style="list-style-type: none"> — coir yarn, — natural fibres, — chemical materials or textile pulp, or — paper-making materials
<p>5602</p>	<p>Felt, whether or not impregnated, coated, covered or laminated:</p> <p>— Needleloom felt</p> <p>— Other</p>	<p>Manufacture from (*):</p> <ul style="list-style-type: none"> — natural fibres, — chemical materials or textile pulp <p>However:</p> <ul style="list-style-type: none"> — polypropylene filament of heading No 5402, — polypropylene fibres of heading No 5503 or 5506, or — polypropylene filament tow of heading No 5501, of which the denomination in all cases of a single filament or fibre is less than 9 decitex may be used provided that their value does not exceed 40 % of the ex works price of the product <p>Manufacture from (*):</p> <ul style="list-style-type: none"> — natural fibres, — man-made staple fibres made from casein, or — chemical materials or textile pulp
<p>5604</p>	<p>Rubber thread and cord, textile covered; textile yarn, and strip and the like of heading No 5404 or 5405, impregnated, coated, covered or sheathed with rubber or plastics:</p> <p>— Rubber thread and cord, textile covered</p>	<p>Manufacture from rubber thread or cord, not textile covered</p>

(*) For special conditions relating to products made of a mixture of textile materials, see Introductory Note 6.

(1)	(2)	(3)
5604 (cont'd)	— Other	Manufacture from (1): — natural fibres not carded or combed or otherwise processed for spinning, — chemical materials or textile pulp, or — paper-making materials
5605	Metallized yarn, whether or not gimped, being textile yarn, or strip or the like of heading No 5404 or 5405, combined with metal in the form of thread, strip or powder or covered with metal	Manufacture from (1): — natural fibres, — man-made staple fibres not carded or combed or otherwise processed for spinning, — chemical materials or textile pulp, or — paper-making materials
5606	Gimped yarn, and strip and the like of heading No 5404 or 5405, gimped (other than those of heading No 5605 and gimped horsehair yarn); chenille yarn (including flock chenille yarn); loop wale-yarn	Manufacture from (1): — natural fibres, — man-made staple fibres not carded or combed or otherwise processed for spinning, — chemical materials or textile pulp, or — paper-making materials
Chapter 57	Carpets and other textile floor coverings: — Of needleloom felt — Of other felt — Other	Manufacture from (1): — natural fibres, or — chemical materials or textile pulp. However: — polypropylene filament of heading No 5402, — polypropylene fibres of heading No 5503 or 5506, or — polypropylene filament tow of heading No 5501 of which the denomination in all cases of a single filament or fibre is less than 9 decitex may be used provided that their value does not exceed 40 % of the ex works price of the product Manufacture from (1): — natural fibres not carded or combed or otherwise processed for spinning, or — chemical materials or textile pulp Manufacture from (1): — coir yarn, — synthetic or artificial filament yarn, — natural fibres, or — man-made staple fibres not carded or combed or otherwise processed for spinning

(1) For special conditions relating to products made of a mixture of textile materials, see Introductory Note 6.

(1)	(2)	(3)
ex Chapter 58	<p>Special woven fabrics; tufted textile fabrics; lace, tapestries; trimmings, embroidery, except for heading Nos 5805 and 5810; the rule for heading No 5810 is set out below:</p> <ul style="list-style-type: none"> — Combined with rubber thread — Other 	<p>Manufacture from single yarn (*)</p> <p>Manufacture from (*):</p> <ul style="list-style-type: none"> — natural fibres, — man-made staple fibres not carded or combed or otherwise processed for spinning, or — chemical materials or textile pulp <p>or</p> <p>Printing accompanied by at least a finishing operations (such as scouring, bleaching, mercerizing, heat setting, raising, calendaring, shrink resistance processing, permanent finishing, decatizing, impregnating, mending and burling) where the value of the unprinted fabric used does not exceed 47,5 % of the ex works price of the product</p>
5810	Embroidery in the piece, in strips or in motifs	Manufacture in which the value of all the materials used does not exceed 50 % of the ex works price of the product
5901	Textile fabrics coated with gum or amylaceous substances, of a kind used for the outer covers of books or the like; tracing cloth; prepared painting canvas; buckram and similar stiffened textile fabrics of a kind used for hat foundations	Manufacture from yarn
5902	<p>Tyre cord fabric of high tenacity yarn of nylon or other polyamides, polyesters or viscose rayon:</p> <ul style="list-style-type: none"> — Containing not more than 90 % by weight of textile materials — Other 	<p>Manufacture from yarn</p> <p>Manufacture from chemical materials or textile pulp</p>
5903	Textile fabrics impregnated, coated, covered or laminated with plastics, other than those of heading No 5902	Manufacture from yarn
5904	Linoleum, whether or not cut to shape; floor coverings consisting of a coating or covering applied on a textile backing, whether or not cut to shape	Manufacture from yarn (*)
5905	<p>Textile wall coverings:</p> <ul style="list-style-type: none"> — Impregnated, coated, covered or laminated with rubber, plastics or other materials 	Manufacture from yarn

(*) For special conditions relating to products made of a mixture of textile materials, see Introductory Note 6.

(1)	(2)	(3)
5905 (cont'd)	— Other	Manufacture from (*): — coir yarn, — natural fibres, — man-made staple fibres not carded or combed or otherwise processed for spinning, or — chemical materials or textile pulp or Printing accompanied by at least two preparatory or finishing operations (such as scouring, bleaching, mercerizing, heat setting, raising, calendaring, shrink resistance processing, permanent finishing, decatizing, impregnating, mending and burling) where the value of the unprinted fabric used does not exceed 47,5 % of the ex works price of the product
5906	Rubberized textile fabrics, other than those of heading No 5902: — Knitted or crocheted fabrics — Other fabrics made of synthetic filament yarn, containing more than 90 % by weight of textile materials — Other	Manufacture from (*): — natural fibres, — man-made staple fibres not carded or combed or otherwise processed for spinning, or — chemical materials or textile pulp Manufacture from chemical materials Manufacture from yarn
5907	Textile fabrics otherwise impregnated, coated or covered; painted canvas being theatrical scenery, studio backcloths or the like	Manufacture from yarn
ex 5908	Incandescent gas mantles, impregnated	Manufacture from tubular knitted gas mantle fabric
5909 to 5911	Textile articles of a kind suitable for industrial use: — Polishing discs or rings other than of felt of heading No 5911 — Other	Manufacture from yarn or waste fabrics or rags of heading No 6310 Manufacture from (*): — coir yarn, — natural fibres, — man-made staple fibres not carded or combed or otherwise processed for spinning, or — chemical materials or textile pulp
Chapter 60	Knitted or crocheted fabrics	Manufacture from (*): — natural fibres, — man-made staple fibres not carded or combed or otherwise processed for spinning, or — chemical materials or textile pulp

(*) For special conditions relating to products made of a mixture of textile materials, see Introductory Note 6.

(1)	(2)	(3)
Chapter 61	<p>Articles of apparel and clothing accessories, knitted or crocheted:</p> <ul style="list-style-type: none"> — Obtained by sewing together or otherwise assembling, two or more pieces of knitted or crocheted fabric which have been either cut to form or obtained directly to form — Other 	<p>Manufacture from yarn (*)</p> <p>Manufacture from (*):</p> <ul style="list-style-type: none"> — natural fibres, — man-made staple fibres not carded or combed or otherwise processed for spinning, or — chemical materials or textile pulp
ex Chapter 62	Articles of apparel and clothing accessories, not knitted or crocheted, except for heading Nos ex 6202, ex 6204, ex 6206, ex 6209, ex 6210, 6213, 6214, ex 6216 and ex 6217 for which the rules are set out below:	Manufacture from yarn (*)
ex 6202 ex 6204 ex 6206 ex 6209 and ex 6217	Women's, girls' and babies' clothing and 'other made-up clothing accessories', embroidered	<p>Manufacture from yarn (*)</p> <p>or</p> <p>Manufacture from unembroidered fabric provided the value of the unembroidered fabric used does not exceed 40 % of the ex works price of the product (*)</p>
ex 6210 ex 6216 and ex 6217	Fire-resistant equipment of fabric covered with foil of aluminized polyester	<p>Manufacture from yarn (*)</p> <p>or</p> <p>Manufacture from uncoated fabric provided the value of the uncoated fabric used does not exceed 40 % of the ex works price of the product (*)</p>
6213 and 6214	<p>Handkerchiefs, shawls, scarves, mufflers, mantillas, veils and the like:</p> <ul style="list-style-type: none"> — Embroidered — Other 	<p>Manufacture from unbleached single yarn (*) (*)</p> <p>or</p> <p>Manufacture from unembroidered fabric provided the value of the unembroidered fabric used does not exceed 40 % of the ex works price of the product (*)</p> <p>Manufacture from unbleached single yarn (*) (*)</p>
6301 to 6304	<p>Blankets, travelling rugs, bed linen etc.; curtains, etc.; other furnishing articles:</p> <ul style="list-style-type: none"> — Of felt, of non-wovens — Other: <ul style="list-style-type: none"> — Embroidered — Other 	<p>Manufacture from (*):</p> <ul style="list-style-type: none"> — natural fibres, or — chemical materials or textile pulp <p>Manufacture from unbleached single yarn (*)</p> <p>or</p> <p>Manufacture from unembroidered fabric (other than knitted or crocheted) provided the value of the unembroidered fabric used does not exceed 40 % of the ex works price of the product</p> <p>Manufacture from unbleached single yarn (*)</p>

(*) See Introductory Note 7 for the treatment of textile trimmings and accessories.

(*) For special conditions relating to products made of a mixture of textile materials, see Introductory Note 6.

(1)	(2)	(3)
6305	Sacks and bags, of a kind used for the packing of goods	Manufacture from (1): — natural fibres, — man-made staple fibres not carded or combed or otherwise processed for spinning, or — chemical materials or textile pulp
6306	Tarpaulins, sails for boats, sailboards or landcraft, awnings, sunblinds, tents and camping goods: — Of non-wovens — Other	Manufacture from (1): — natural fibres, or — chemical materials or textile pulp Manufacture from unbleached single yarn
ex 6307	Other made-up articles, including dress patterns	Manufacture in which the value of all the materials used does not exceed 40 % of the ex works price of the product (1)
6308	Sets consisting of woven fabric and yarn, whether or not with accessories, for making up into rugs, tapestries, embroidered table cloths or serviettes or similar textile articles, put up in packings for retail sale	Each item in the set must satisfy the rule which would apply to it if it were not included in the set. However, non-originating articles may be incorporated provided their total value does not exceed 15 % of the ex works price of the set
6401 to 6405	Footwear	Manufacture from materials of any heading except for assemblies of uppers affixed to inner soles or to other sole components of heading No 6406
6503	Felt hats and other felt headgear, made from the hat bodies, hoods or plateaux of heading No 6501, whether or not lined or trimmed	Manufacture from yarn or textile fibres (1)
6505	Hats and other headgear, knitted or crocheted, or made up from lace, felt or other textile fabric, in the piece (but not in strips), whether or not lined or trimmed; hair-nets of any material, whether or not lined or trimmed	Manufacture from yarn or textile fibres (1)
6601	Umbrellas and sun umbrellas (including walking-stick umbrellas, garden umbrellas and similar umbrellas)	Manufacture in which the value of all the materials used does not exceed 50 % of the ex works price of the product
ex 6803	Articles of slate or of agglomerated slate	Manufacture from worked slate
ex 6812	Articles of asbestos or of mixtures with a basis of asbestos or with a basis of asbestos and magnesium carbonate	Manufacture from fabricated asbestos fibres or from mixtures with a basis of asbestos or with a basis of asbestos and magnesium carbonate
ex 6814	Articles of mica; including agglomerated or reconstituted mica on a support of paper, paperboard or other materials	Manufacture from worked mica (including agglomerated or reconstituted mica)
7006	Glass of heading No 7003, 7004 or 7005, bent, edge-worked, engraved, drilled, enamelled or otherwise worked, but not framed or fitted with other materials	Manufacture from materials of heading No 7001

(1) For special conditions relating to products made of a mixture of textile materials, see Introductory Note 6

(2) See Introductory Note 7 for the treatment of textile trimmings and accessories

(1)	(2)	(3)
7007	Safety glass, consisting of toughened (tempered) or laminated glass	Manufacture from materials of heading No 7001
7008	Multiple-walled insulating units of glass	Manufacture from materials of heading No 7001
7009	Glass mirrors, whether or not framed, including rear-view mirrors	Manufacture from materials of heading No 7001
7010	Carboys, bottles, flasks, jars, pots, phials, ampoules and other containers, of glass, of a kind used for the conveyance or packing of goods; preserving jars of glass; stoppers, lids and other closures, of glass	Manufacture in which all the materials used are classified within a heading other than that of the product or Cutting of glassware, provided the value of the uncut glassware does not exceed 50 % of the ex works price of the product
7013	Glassware of a kind used for table, kitchen, toilet, office, indoor decoration or similar purposes (other than that of heading No 7010 or 7018)	Manufacture in which all the materials used are classified within a heading other than that of the product and Cutting of glassware, provided the value of the uncut glassware does not exceed 50 % of the ex works price of the product or Hand-decoration (with the exception of silk screen printing) of hand-blown glassware, provided the value of the hand-blown glassware does not exceed 50 % of the ex works price of the product
ex 7019	Articles (other than yarn) of glass fibres	Manufacture from: — uncoloured slivers, rovings, yarn or chopped strands, or — glass wool
ex 7102 ex 7103 and ex 7104	Worked precious or semi-precious stones (natural, synthetic or reconstructed)	Manufacture from unworked precious or semi-precious stones
7106 7108 and 7110	Precious metals: — Unwrought — Semi-manufactured or in powder form (All)	Manufacture from materials not classified in heading No 7106, 7108 or 7110 or Electrolytic, thermal or chemical separation of precious metals of heading No 7106, 7108 or 7110 or Alloying of precious metals of heading No 7106, 7108 or 7110 with each other or with base metals Manufacture from unwrought precious metals
ex 7107 ex 7109 and ex 7111	Metals clad with precious metals, semi-manufactured	Manufacture from metals clad with precious metals, unwrought
7116	Articles of natural or cultured pearls, precious or semi-precious stones (natural, synthetic or reconstructed)	Manufacture in which the value of all the materials used does not exceed 50 % of the ex works price of the product
7117	Imitation jewellery	Manufacture in which all the materials used are classified within a heading other than that of the product or Manufacture from base metal parts, not plated or covered with precious metals, provided the value of all the materials used does not exceed 50 % of the ex works price of the product

(1)	(2)	(3)
7207	Semi-finished products of iron or non-alloy steel	Manufacture from materials of heading No 7201, 7202, 7203, 7204 or 7205
7208 to 7216	Flat-rolled products, bars and rods, angles, shapes and sections of iron or non-alloy steel	Manufacture from ingots or other primary forms of heading No 7206
7217	Wire of iron or non-alloy steel	Manufacture from semi-finished materials of heading No 7207
ex 7218 7219 to 7222	Semi-finished products, flat-rolled products, bars and rods, angles, shapes and sections of stainless steel	Manufacture from ingots or other primary forms of heading No 7218
7223	Wire of stainless steel	Manufacture from semi-finished materials of heading No 7218
ex 7224 7225 to 7227	Semi-finished products, flat-rolled products, bars and rods, in irregularly wound coils, of other alloy steel	Manufacture from ingots or other primary forms of heading No 7224
7228	Other bars and rods of other alloy steel; angles, shapes and sections, of other alloy steel; hollow drill bars and rods, of alloy or non-alloy steel	Manufacture from ingots or other primary forms of heading No 7206, 7218 or 7224
7229	Wire of other alloy steel	Manufacture from semi-finished materials of heading No 7224
ex 7301	Sheet piling	Manufacture from materials of heading No 7206
7302	Railway or tramway track construction material of iron or steel, the following: rails, check-rails and rack rails, switch blades, crossing frogs, point rods and other crossing pieces, sleepers (cross-ties), fish-plates, chairs, chair wedges, sole plates (base plates), rail clips, bedplates, ties and other material specialized for jointing or fixing rails	Manufacture from materials of heading No 7206
7304 7305 and 7306	Tubes, pipes and hollow profiles, of iron (other than cast iron) or steel	Manufacture from materials of heading No 7206, 7207, 7218 or 7224
7308	Structures (excluding prefabricated buildings of heading No 9406) and parts of structures (for example, bridges and bridge-sections, lock-gates, towers, lattice masts, roofs, roofing frameworks, doors and windows and their frames and thresholds for doors, shutters, balustrades, pillars and columns), of iron or steel; plates, rods, angles, shapes, sections, tubes and the like, prepared for use in structures, of iron or steel	Manufacture in which all the materials used are classified within a heading other than that of the product. However, welded angles, shapes and sections of heading No 7301 may not be used
ex 7315	Skid-chains	Manufacture in which the value of all the materials of heading No 7315 used does not exceed 50 % of the ex works price of the product
ex 7322	Radiators for central heating, not electrically heated	Manufacture in which the value of all the materials of heading No 7322 used does not exceed 5 % of the ex works price of the product

(1)	(2)	(3)
ex Chapter 74	Copper and articles thereof, except for heading Nos 7401 to 7405; the rule for heading No ex 7403 is set out below	Manufacture in which: <ul style="list-style-type: none"> — all the materials used are classified within a heading other than that of the product, and — the value of all the materials used does not exceed 50 % of the ex works price of the product
ex 7403	Copper alloys, unwrought	Manufacture from refined copper, unwrought, or waste and scrap
ex Chapter 75	Nickel and articles thereof, except for heading Nos 7501 to 7503;	Manufacture in which: <ul style="list-style-type: none"> — all the materials used are classified within a heading other than that of the product, and — the value of all the materials used does not exceed 50 % of the ex works price of the product
ex Chapter 76	Aluminium and articles thereof, except for heading Nos 7601 and 7602; the rule for heading No ex 7601 is set out below	Manufacture in which <ul style="list-style-type: none"> — all the materials used are classified within a heading other than that of the product, and — the value of all the materials used does not exceed 50 % of the ex works price of the product
ex 7601	<ul style="list-style-type: none"> — Aluminium alloys — 'Super-pure' aluminium (ISO No Al 99.99) 	Manufacture from aluminium, not alloyed, or waste and scrap Manufacture from aluminium, not alloyed (ISO No Al 99.8)
ex Chapter 78	Lead and articles thereof, except for heading Nos 7801 and 7802; the rule for heading No 7801 is set out below	Manufacture in which: <ul style="list-style-type: none"> — all the materials used are classified within a heading other than that of the product, and — the value of all the materials used does not exceed 50 % of the ex works price of the product
7801	Unwrought lead: <ul style="list-style-type: none"> — Refined lead — Other 	Manufacture from 'bullion' or 'work' lead Manufacture in which all the materials used are classified in a heading other than that of the product. However, waste and scrap of heading No 7802 may not be used
ex Chapter 79	Zinc and articles thereof, except for heading Nos 7901 and 7902; the rule for heading No 7901 is set out below	Manufacture in which: <ul style="list-style-type: none"> — all the materials used are classified in a heading other than that of the product, and — the value of all the materials used does not exceed 50 % of the ex works price of the product
7901	Unwrought zinc	Manufacture in which all the materials used are classified in a heading other than that of the product. However, waste and scrap of heading No 7902 may not be used

(1)	(2)	(3)
ex Chapter 80	Tin and articles thereof, except for heading Nos 8001, 8002 and 8007; the rule for heading No 8001 is set out below	<p>Manufacture in which:</p> <ul style="list-style-type: none"> — all the materials used are classified in a heading other than that of the product, and — the value of all the materials used does not exceed 50 % of the ex works price of the product
8001	Unwrought tin	<p>Manufacture in which all the materials used are classified in a heading other than that of the product. However, waste and scrap of heading No 8002 may not be used</p>
ex Chapter 81	Other base metals, wrought; articles thereof	<p>Manufacture in which the value of all the materials classified in the same heading as the products used does not exceed 50 % of the ex works price of the product</p>
8206	Tools of two or more of the heading Nos 8202 to 8205, put up in sets for retail sale	<p>Manufacture in which all the materials used are classified in a heading other than heading Nos 8202 to 8205. However, tools of heading Nos 8202 to 8205 may be incorporated into the set provided their value does not exceed 15 % of the ex works price of the set</p>
8207	Interchangeable tools for hand tools, whether or not power-operated, or for machine-tools (for example, for pressing, stamping, punching, tapping, threading, drilling, boring, broaching, milling, turning or screwdriving), including dies for drawing or extruding metal, and rock-drilling or earth-boring tools	<p>Manufacture in which:</p> <ul style="list-style-type: none"> — all the materials used are classified in a heading other than that of the product, and — the value of all the materials used does not exceed 40 % of the ex works price of the product
8208	Knives and cutting blades, for machines or for mechanical appliances	<p>Manufacture in which:</p> <ul style="list-style-type: none"> — all the materials used are classified in a heading other than that of the product, and — the value of all the materials used does not exceed 40 % of the ex works price of the product
ex 8211	Knives with cutting blades, serrated or not (including pruning knives), other than knives of heading No 8208	<p>Manufacture in which all the materials used are classified in a heading other than that of the product. However, knife blades and handles of base metal may be used</p>
8214	Other articles of cutlery (for example, hair clippers, butcher's or kitchen cleavers, choppers and mincing knives, paper knives); manicure or pedicure sets and instruments (including nail files)	<p>Manufacture in which all the materials used are classified in a heading other than that of the product. However, handles of base metal may be used</p>
8215	Spoons, forks, ladles, skimmers, cake-servers, fish-knives, butter-knives, sugar tongs and similar kitchen or tableware	<p>Manufacture in which all the materials used are classified in a heading other than that of the product. However, handles of base metal may be used</p>

(1)	(2)	(3)
ex 8306	Statuettes and other ornaments, of base metal	Manufacture in which all the materials used are classified in a heading other than that of the product. However, the other materials of heading No 8306 may be used provided their value does not exceed 30 % of the ex works price of the product
ex Chapter 84	<p data-bbox="286 344 631 408">Nuclear reactors, boilers, machinery and mechanical appliances; parts thereof; except for those falling within the following headings or parts of headings for which the rules are set out below:</p> <p data-bbox="286 416 631 504">8402, 8403, ex 8404, 8406 to 8409, 8411, 8412, ex 8413, ex 8414, 8415, 8418, ex 8419, 8420, 8423, 8425 to 8430, ex 8431, 8439, 8441, 8444 to 8447, ex 8448, 8452, 8456 to 8466, 8469 to 8472, 8480, 8482, 8484 and 8485</p>	<p data-bbox="676 344 766 360">Manufacture:</p> <p data-bbox="676 368 1051 424">— in which the value of all the materials used does not exceed 40 % of the ex works price of the product, and</p> <p data-bbox="676 424 1051 488">— where, within the above limit, the materials classified within the same heading as the product are only used up to a value of 10 % of the ex works price of the product</p>
8402	Steam or other vapour generating boilers (other than central heating hot water boilers capable also of producing low pressure steam); super heated water boilers	<p data-bbox="676 520 766 536">Manufacture:</p> <p data-bbox="676 544 1051 600">— in which the value of all the materials used does not exceed 40 % of the ex works price of the product, and</p> <p data-bbox="676 600 1051 671">— where, within the above limit, the materials classified in the same heading as the product are only used up to a value of 10 % of the ex works price of the product</p>
8403 and ex 8404	Central heating boilers, other than those of heading No 8402, and auxiliary plant for central heating boilers	Manufacture in which all the materials used are classified in a heading other than heading No 8403 or 8404. However, materials which are classified in heading No 8403 or 8404 may be used provided their value, taken together, does not exceed 10 % of the ex works price of the product
8406	Steam turbines and other vapour turbines	Manufacture in which the value of all the materials used does not exceed 40 % of the ex works price of the product
8407	Spark-ignition reciprocating or rotary internal combustion piston engines	Manufacture in which the value of all the materials used does not exceed 40 % of the ex works price of the product
8408	Compression-ignition internal combustion piston engines (diesel or semi-diesel engines)	Manufacture in which the value of all the materials used does not exceed 40 % of the ex works price of the product
8409	Parts suitable for use solely or principally with the engines of heading No 8407 or 8408	Manufacture in which the value of all the materials used does not exceed 40 % of the ex works price of the product
8411	Turbo-jets, turbo-propellers and other gas turbines	<p data-bbox="676 1070 766 1086">Manufacture:</p> <p data-bbox="676 1094 1051 1150">— in which the value of all the materials used does not exceed 40 % of the ex works price of the product, and</p> <p data-bbox="676 1150 1051 1222">— where, within the above limit, the materials classified in the same heading as the product are only used up to a value of 10 % of the ex works price of the product</p>
8412	Other engines and motors	Manufacture in which the value of all the materials used does not exceed 40 % of the ex works price of the product
ex 8413	Rotary positive displacement pumps	<p data-bbox="676 1310 766 1326">Manufacture:</p> <p data-bbox="676 1334 1051 1390">— in which the value of all the materials used does not exceed 40 % of the ex works price of the product, and</p> <p data-bbox="676 1390 1051 1461">— where, within the above limit, the materials classified in the same heading as the product are only used up to a value of 10 % of the ex works price of the product</p>

(1)	(2)	(3)
ex 8414	Industrial fans, blowers and the like	<p>Manufacture:</p> <ul style="list-style-type: none"> — in which the value of all the materials used does not exceed 40 % of the ex works price of the product, and — where, within the above limit, the materials classified in the same heading as the product are only used up to a value of 10 % of the ex works price of the product
8415	Air conditioning machines, comprising a motor-driven fan and elements for changing the temperature and humidity, including those machines in which the humidity cannot be separately regulated	<p>Manufacture in which the value of all the materials used does not exceed 40 % of the ex works price of the product</p>
8418	Refrigerators, freezers and other refrigerating or freezing equipment, electric or other heat pumps other than air conditioning machines of heading No 8415	<p>Manufacture:</p> <ul style="list-style-type: none"> — in which the value of all the materials used does not exceed 40 % of the ex works price of the product, and — where, within the above limit, the materials classified within the same heading as the product are only used up to a value of 10 % of the ex works price of the product, and — where the value of all the non-originating materials used does not exceed the value of the originating materials used
ex 8419	Machines for the wood, paper pulp and paper board industries	<p>Manufacture:</p> <ul style="list-style-type: none"> — in which the value of all the materials used does not exceed 40 % of the ex works price of the product, and — where, within the above limit, the materials classified within the same heading as the product are only used up to a value of 25 % of the ex works price of the product
8420	Calendering or other rolling machines, other than for metals or glass, and cylinders therefor	<p>Manufacture:</p> <ul style="list-style-type: none"> — in which the value of all the materials used does not exceed 40 % of the ex works price of the product, and — where, within the above limit, the materials classified within the same heading as the product are only used up to a value of 25 % of the ex works price of the product
8423	Weighing machinery (excluding balances of a sensitivity of 5 cg or better), including weight operated counting or checking machines, weighing machine weights of all kinds	<p>Manufacture:</p> <ul style="list-style-type: none"> — in which the value of all the materials used does not exceed 40 % of the ex works price of the product, and — where, within the above limit, the materials classified in the same heading as the product are only used up to a value of 10 % of the ex works price of the product
8425 to 8428	Lifting, handling, loading or unloading machinery	<p>Manufacture:</p> <ul style="list-style-type: none"> — in which the value of all the materials used does not exceed 40 % of the ex works price of the product, and — where, within the above limit, the materials classified in heading No 8431 are only used up to a value of 10 % of the ex works price of the product

(1)	(2)	(3)
8429	Self-propelled bulldozers, angledozers, graders, levellers, scrapers, mechanical shovels, excavators, shovel loaders, tamping machines and road rollers: — Road rollers — Other	Manufacture in which the value of all the materials used does not exceed 40 % of the ex works price of the product Manufacture: — in which the value of all the materials used does not exceed 40 % of the ex works price of the product, and — where, within the above limit, the value of the materials classified within heading No 8431 are only used up to a value of 10 % of the ex works price of the product
8430	Other moving, grading, levelling, scraping, excavating, tamping, compacting, extracting or boring machinery, for earth, minerals or ores; pile-drivers and pile-extractors; snow-ploughs and snow-blowers	Manufacture: — in which the value of all the materials used does not exceed 40 % of the ex works price of the product, and — where, within the above limit, the value of the materials classified within heading No 8431 are only used up to a value of 10 % of the ex works price of the product
ex 8431	Parts for road rollers	Manufacture in which the value of all the materials used does not exceed 40 % of the ex works price of the product
8439	Machinery for making pulp of fibrous cellulosic material or for making or finishing paper or paperboard	Manufacture: — in which the value of all the materials used does not exceed 40 % of the ex works price of the product, and — where, within the above limit, the materials classified within the same heading as the product are only used up to a value of 25 % of the ex works price of the product
8441	Other machinery for making up paper pulp, paper or paperboard, including cutting machines of all kinds	Manufacture: — in which the value of all the materials used does not exceed 40 % of the ex works price of the product, and — where, within the above limit, the materials classified within the same heading as the product are only used up to a value of 25 % of the ex works price of the product
8444 to 8447	Machines of these headings for use in the textile industry	Manufacture in which the value of all the materials used does not exceed 40 % of the ex works price of the product
ex 8448	Auxiliary machinery for use with machines for heading Nos 8444 and 8445	Manufacture in which the value of all the materials used does not exceed 40 % of the ex works price of the product
8452	Sewing machines, other than book sewing machines of heading No 8440; furniture, bases and covers specially designed for sewing machines; sewing machine needles: — Sewing machines (lock stitch only) with heads of a weight not exceeding 16 kg without motor or 17 kg with motor	Manufacture: — in which the value of all the materials used does not exceed 40 % of the ex works price of the product, — where the value of all of the non-originating materials used in assembling the head (without motor) does not exceed the value of the originating materials used, and — the thread tension, crochet and zigzag mechanisms used are already originating

(1)	(2)	(3)
8452 (cont'd)	— Other	Manufacture in which the value of all the materials used does not exceed 40 % of the ex works price of the product
8456 to 8466	Machine-tools and machines and their parts and accessories of heading Nos 8456 to 8466	Manufacture in which the value of all the materials used does not exceed 40 % of the ex works price of the product
8469 to 8472	Office machines (for example, typewriters, calculating machines, automatic data-processing machines, duplicating machines, stapling machines)	Manufacture in which the value of all the materials used does not exceed 40 % of the ex works price of the product
8480	Moulding boxes for metal foundry; mould bases; moulding patterns; moulds for metal (other than ingot moulds), metal carbides, glass, mineral materials, rubber or plastics	Manufacture in which the value of all the materials used does not exceed 50 % of the ex works price of the product
8482	Ball or roller bearings	<p>Manufacture:</p> <ul style="list-style-type: none"> — in which the value of all the materials used does not exceed 40 % of the ex works price of the product, and — where, within the above limit, the materials classified in the same heading as the product are only used up to a value of 10 % of the ex works price of the product
8484	Gaskets and similar joints of metal sheeting combined with other material or of two or more layers of metal, sets or assortments of gaskets and similar joints, dissimilar in composition, put up in pouches, envelopes or similar packings	Manufacture in which the value of all the materials used does not exceed 40 % of the ex works price of the product
8485	Machinery parts, not containing electrical connectors, insulators, coils, contacts or other electrical features, not specified or included elsewhere in this chapter	Manufacture in which the value of all the materials used does not exceed 40 % of the ex works price of the product
ex Chapter 85	<p>Electrical machinery and equipment and parts thereof; sound recorders and reproducers, television image and sound recorders and reproducers and parts and accessories of such articles; except for those falling within the following headings or parts of headings for which the rules are set out below:</p> <p>8501, 8502, ex 8518, 8519 to 8529, 8535 to 8537, ex 8541, 8542, 8544 to 8548</p>	<p>Manufacture:</p> <ul style="list-style-type: none"> — in which the value of all the materials used does not exceed 40 % of the ex works price of the product, and — where, within the above limit, the materials classified within the same heading as the product are only used up to a value of 10 % of the ex works price of the product
8501	Electric motors and generators (excluding generating sets)	<p>Manufacture:</p> <ul style="list-style-type: none"> — in which the value of all the materials used does not exceed 40 % of the ex works price of the product, and — where, within the above limit, the materials classified within heading No 8503 are only used up to a value of 10 % of the ex works price of the product
8502	Electric generating sets and rotary converters	<p>Manufacture:</p> <ul style="list-style-type: none"> — in which the value of all the materials used does not exceed 40 % of the ex works price of the product, and — where, within the above limit, the materials classified within heading No 8501 or 8503, taken together, are only used up to a value of 5 % of the ex works price of the product

(1)	(2)	(3)
ex 8522	Parts and accessories of cinematographic sound recorders or reproducers for film of 16 mm or more	<p>Manufacture:</p> <ul style="list-style-type: none"> — in which the value of all the materials used does not exceed 40 % of the ex works price of the product, and — where the value of all the non-originating materials used does not exceed the value of the originating materials used
8523	Prepared unrecorded media for sound recording or similar recording of other phenomena, other than products of Chapter 37	Manufacture in which the value of all the materials used does not exceed 40 % of the ex works price of the product
8524	<p>Records, tapes and other recorded media for sound or other similarly recorded phenomena, including matrices and masters for the production of records, but excluding products of Chapter 37:</p> <ul style="list-style-type: none"> — Matrices and masters for the production of records — Other 	<p>Manufacture in which the value of all the materials used does not exceed 40 % of the ex works price of the product</p> <p>Manufacture:</p> <ul style="list-style-type: none"> — in which the value of all the materials used does not exceed 40 % of the ex works price of the product, and — where, within the above limit, the materials classified within heading No 8523 are only used up to a value of 10 % of the ex works price of the product
8525	Transmission apparatus for radio-telephony, radio-telegraphy, radio-broadcasting or television, whether or not incorporating reception apparatus or sound recording or reproducing apparatus; television cameras	<p>Manufacture:</p> <ul style="list-style-type: none"> — in which the value of all the materials used does not exceed 40 % of the ex works price of the product, and — where the value of all the non-originating materials used does not exceed the value of the originating materials used
8526	Radar apparatus, radio navigational aid apparatus and radio remote control apparatus	<p>Manufacture:</p> <ul style="list-style-type: none"> — in which the value of all the materials used does not exceed 40 % of the ex works price of the product, and — where the value of all the non-originating materials used does not exceed the value of the originating materials used, and
8527	Reception apparatus for radio-telephony, radio-telegraphy or radio-broadcasting, whether or not combined, in the same housing, with sound recording or reproducing apparatus or a clock	<p>Manufacture:</p> <ul style="list-style-type: none"> — in which the value of all the materials used does not exceed 40 % of the ex works price of the product, and — where the value of all the non-originating materials used does not exceed the value of the originating materials used
8528	Television receivers (including video monitors and video projectors), whether or not combined, in the same housing, with radio-broadcast receivers or sound or video recording or reproducing apparatus	<p>Manufacture:</p> <ul style="list-style-type: none"> — in which the value of all the materials used does not exceed 40 % of the ex works price of the product, and — where the value of all the non-originating materials used does not exceed the value of the originating materials used
8529	Parts suitable for use solely or principally with the apparatus of heading Nos 8525 to 8528	<p>Manufacture:</p> <ul style="list-style-type: none"> — in which the value of all the materials used does not exceed 40 % of the ex works price of the product, and — where the value of all the non-originating materials used does not exceed the value of the originating materials used

(1)	(2)	(3)
8535 and 8536	Electrical apparatus for switching or protecting electrical circuits, or for making connections to or in electrical circuits	<p>Manufacture:</p> <ul style="list-style-type: none"> — in which the value of all the materials used does not exceed 40 % of the ex works price of the product, and — where, within the above limit, the materials classified within heading No 8538 are only used up to a value of 10 % of the ex works price of the product
8537	Boards, panels (including numerical control panels), consoles, desks, cabinets and other bases, equipped with two or more apparatus of heading No 8535 or 8536, for electric control or the distribution of electricity, including those incorporating instruments or apparatus of Chapter 90, other than switching apparatus of heading No 8517	<p>Manufacture:</p> <ul style="list-style-type: none"> — in which the value of all the materials used does not exceed 40 % of the ex works price of the product, and — where, within the above limit, the materials classified within heading No 8538 are only used up to a value of 10 % of the ex works price of the product
ex 8541	Diodes, transistors and similar semi-conductor devices, except wafers not yet cut into chips	<p>Manufacture:</p> <ul style="list-style-type: none"> — in which the value of all the materials used does not exceed 40 % of the ex works price of the product, and — where, within the above limit, the materials classified within the same heading as the products are only used up to a value of 10 % of the ex works price of the product
8542	Electronic integrated circuits and microassemblies	<p>Manufacture:</p> <ul style="list-style-type: none"> — in which the value of all the materials used does not exceed 40 % of the ex works price of the product, and — where, within the above limit, the materials classified within heading No 8541 or 8542, taken together, are only used up to a value of 10 % of the ex works price of the product
8544	Insulated (including enamelled or anodized) wire, cable (including co-axial cable) and other insulated electric conductors, whether or not fitted with connectors; optical fibre cables, made up of individually sheathed fibres, whether or not assembled with electric conductors or fitted with connectors	Manufacture in which the value of all the materials used does not exceed 40 % of the ex works price of the product
8545	Carbon electrodes, carbon brushes, lamp carbons, battery carbons and other articles of graphite or other carbon, with or without metal, of a kind used for electrical purposes	Manufacture in which the value of all the materials used does not exceed 40 % of the ex works price of the product
8546	Electrical insulators of any material	Manufacture in which the value of all the materials used does not exceed 40 % of the ex works price of the product
8547	Insulating fittings for electrical machines, appliances or equipment, being fittings wholly of insulating material apart from any minor components of metal (for example, threaded sockets) incorporated during moulding solely for purposes of assembly other than insulators of heading No 8546; electrical conduit tubing and joints therefor, of base metal lined with insulating material	Manufacture in which the value of all the materials used does not exceed 40 % of the ex works price of the product
8548	Electrical parts of machinery or apparatus, not specified or included elsewhere in this chapter	Manufacture in which the value of all the materials used does not exceed 40 % of the ex works price of the product

(1)	(2)	(3)
8601 to 8607	Railway or tramway locomotives, rolling-stock and parts thereof	Manufacture in which the value of all the materials used does not exceed 40 % of the ex works price of the product
8608	Railway or tramway track fixtures and fittings; mechanical (including electromechanical) signalling, safety or traffic control equipment for railways, tramways, roads, inland waterways, parking facilities, port installations or airfields; parts of the foregoing	Manufacture: — in which the value of all the materials used does not exceed 40 % of the ex works price of the product, and — where, within the above limit, the materials classified within the same heading as the product are only used up to a value of 10 % of the ex works price of the product
8609	Containers (including containers for the transport of fluids) specially designed and equipped for carriage by one or more modes of transport	Manufacture in which the value of all the materials used does not exceed 40 % of the ex works price of the product
ex Chapter 87	Vehicles other than railway or tramway rolling-stock and parts and accessories thereof; except for those falling within the following headings or parts of headings for which the rules are set out below: 8709 to 8711, ex 8712, 8715 and 8716	Manufacture in which the value of all the materials used does not exceed 40 % of the ex works price of the product
8709	Works trucks, self-propelled, not fitted with lifting or handling equipment, of the type used in factories, warehouses, dock areas or airports for short distance transport of goods; tractors of the type used on railway station platforms; parts of the foregoing vehicles	Manufacture: — in which the value of all the materials used does not exceed 40 % of the ex works price of the product, and — where, within the above limit, the materials classified within the same heading as the product are only used up to a value of 10 % of the ex works price of the product
8710	Tanks and other armoured fighting vehicles, motorized, whether or not fitted with weapons, and parts of such vehicles	Manufacture: — in which the value of all the materials used does not exceed 40 % of the ex works price of the product, and — where, within the above limit, the materials classified within the same heading as the product are only used up to a value of 10 % of the ex works price of the product
8711	Motorcycles (including mopeds) and cycles fitted with an auxiliary motor, with or without side-cars; side-cars	Manufacture: — in which the value of all the materials used does not exceed 40 % of the ex works price of the product, and — where the value of all the non-originating materials used does not exceed the value of the originating materials used
ex 8712	Bicycles without ball bearings	Manufacture from materials not classified within heading No 8714
8715	Baby carriages and parts thereof	Manufacture: — in which the value of all the materials used does not exceed 40 % of the ex works price of the product, and — where, within the above limit, the materials classified within the same heading as the product are only used up to a value of 10 % of the ex works price of the product

(1)	(2)	(3)
8716	Trailers and semi-trailers; other vehicles, not mechanically propelled; parts thereof	<p>Manufacture:</p> <ul style="list-style-type: none"> — in which the value of all the materials used does not exceed 40 % of the ex works price of the product, and — where, within the above limit, the materials classified within the same heading as the product are only used up to a value of 10 % of the ex works price of the product
8803	Parts of goods of heading No 8801 or 8802	Manufacture in which the value of all the materials of heading No 8803 does not exceed 5 % of the ex works price of the product
8804	<p>Parachutes (including dirigible parachutes) and rotochutes; parts thereof and accessories thereto:</p> <ul style="list-style-type: none"> — Rotochutes — Other 	<p>Manufacture from materials of any heading including other materials of heading No 8804</p> <p>Manufacture in which the value of all the materials of heading No 8804 used does not exceed 10 % of the ex works price of the product</p>
8805	Aircraft launching gear; deck-arrestor or similar gear; ground flying trainers; parts of the foregoing articles	Manufacture in which the value of all the materials of heading No 8805 used does not exceed 5 % of the ex works price of the product
Chapter 89	Ships, boats and floating structures	Manufacture in which all the materials used are classified within a heading other than that of the product. However, hulls of heading No 8906 may not be used
ex Chapter 90	<p>Optical, photographic, cinematographic, measuring, checking, precision, medical or surgical instruments and apparatus; parts and accessories thereof, except for those falling within the following headings or parts of headings for which the rules are set out below:</p> <p>9001, 9002, 9004, ex 9014, 9015 to 9020 and 9024 to 9033</p>	<p>Manufacture:</p> <ul style="list-style-type: none"> — in which the value of all the materials used does not exceed 40 % of the ex works price of the product, and — where, within the above limit, the materials classified within the same heading as the product are only used up to a value of 10 % of the ex works price of the product
9001	Optical fibres and optical fibre bundles; optical fibre cables other than those of heading No 8544; sheets and plates of polarizing material; lenses (including contact lenses), prisms, mirrors and other optical elements, of any material, unmounted, other than such elements of glass not optically worked	Manufacture in which the value of all the materials used does not exceed 40 % of the ex works price of the product
9002	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	Manufacture in which the value of all the materials used does not exceed 40 % of the ex works price of the product
9004	Spectacles, goggles and the like, corrective, protective or other	Manufacture in which the value of all the materials used does not exceed 40 % of the ex works price of the product

(1)	(2)	(3)
ex 9014	Other navigational instruments and appliances	Manufacture in which the value of all the materials used does not exceed 40 % of the ex works price of the product
9015	Surveying (including photogrammetrical surveying), hydrographic, oceanographic, hydrological, meteorological or geophysical instruments and appliances, excluding compasses, rangefinders	Manufacture in which the value of all the materials used does not exceed 40 % of the ex works price of the product
9016	Balances of a sensitivity of 5 cg or better, with or without weights	Manufacture in which the value of all the materials used does not exceed 40 % of the ex works price of the product
9017	Drawing, marking-out or mathematical calculating instruments (for example, drafting machines, pantographs, protractors, drawing sets, slide rules, disc calculators); instruments for measuring length, for use in the hand (for example, measuring rods and tapes, micrometers, callipers), not specified or included elsewhere in this chapter	Manufacture in which the value of all the materials used does not exceed 40 % of the ex works price of the product
ex 9018	Dentists' chairs incorporating dental appliances or dentists' spittoons	Manufacture from materials of any heading, including other materials of heading No 9018
9019	Mechano-therapy appliances; massage apparatus; psychological aptitude-testing apparatus; ozone therapy, oxygen therapy, aerosol therapy, artificial respiration or other therapeutic respiration apparatus	<p>Manufacture:</p> <ul style="list-style-type: none"> — in which the value of all the materials used does not exceed 40 % of the ex works price of the product, and — where, within the above limit, the materials classified in the same heading as the product are only used up to a value of 10 % of the ex works price of the product
9020	Other breathing appliances and gas masks, excluding protective masks having neither mechanical parts nor replaceable filters	<p>Manufacture:</p> <ul style="list-style-type: none"> — in which the value of all the materials used does not exceed 40 % of the ex works price of the product, and — where, within the above limit, the materials classified in the same heading as the product are only used up to a value of 10 % of the ex works price of the product
9024	Machines and appliances for testing the hardness, strength, compressibility, elasticity or other mechanical properties of materials (for example, metals, wood, textiles, paper, plastics)	Manufacture in which the value of all the materials used does not exceed 40 % of the ex works price of the product
9025	Hydrometers and similar floating instruments, thermometers, pyrometers, barometers, hygrometers and psychrometers, recording or not, and any combination of these instruments	Manufacture in which the value of all the materials used does not exceed 40 % of the ex works price of the product
9026	Instruments and apparatus for measuring or checking the flow, level, pressure or other variables of liquids or gases (for example, flow meters, level gauges, manometers, heat meters), excluding instruments and apparatus of heading No 9014, 9015, 9028 or 9032	Manufacture in which the value of all the materials used does not exceed 40 % of the ex works price of the product
9027	Instruments and apparatus for physical or chemical analysis (for example, polarimeters, refractometers, spectrometers, gas or smoke analysis apparatus); instruments and apparatus for measuring or checking viscosity, porosity, expansion, surface tension or the like, instruments and apparatus for measuring or checking quantities of heat, sound or light (including exposure meters); microtomes	Manufacture in which the value of all the materials used does not exceed 40 % of the ex works price of the product

(1)	(2)	(3)
9028	Gas, liquid or electricity supply or production meters, including calibrating meters therefor. — Parts and accessories — Other	Manufacture in which the value of all the materials used does not exceed 40 % of the ex works price of the product Manufacture: — in which the value of all the materials used does not exceed 40 % of the ex works price of the product, and — where the value of all the non-originating materials used does not exceed the value of the originating materials used
9029	Revolution counters, production counters, taximeters, mileometers, pedometers and the like; speed indicators and tachometers, other than those of heading No 9014 or 9015; stroboscopes	Manufacture in which the value of all the materials used does not exceed 40 % of the ex works price of the product
9030	Oscilloscopes, spectrum analysers and other instruments and apparatus for measuring or checking electrical quantities, excluding meters of heading No 9028; instruments and apparatus for measuring or detecting alpha, beta, gamma, X-ray, cosmic or other ionizing radiations	Manufacture in which the value of all the materials used does not exceed 40 % of the ex works price of the product
9031	Measuring or checking instruments, appliances and machines, not specified or included elsewhere in this chapter; profile projectors	Manufacture in which the value of all the materials used does not exceed 40 % of the ex works price of the product
9032	Automatic regulating or controlling instruments and apparatus	Manufacture in which the value of all the materials used does not exceed 40 % of the ex works price of the product
9033	Parts and accessories (not specified or included elsewhere in this chapter) for machines, appliances, instruments or apparatus of Chapter 90	Manufacture in which the value of all the materials used does not exceed 40 % of the ex works price of the product
ex Chapter 91	Clocks and watches and parts thereof; except for those falling under the following headings for which the rules are set out below: 9110 to 9113	Manufacture in which the value of all the materials used does not exceed 40 % of the ex works price of the product
9110	Complete watch or clock movements, unassembled or partly assembled (movement sets); incomplete watch or clock movements, assembled; rough watch or clock movements	Manufacture: — in which the value of all the materials used does not exceed 40 % of the ex works price of the product, and — where, within the above limit, the materials classified within heading No 9114 are only used up to a value of 10 % of the ex works price of the product
9111	Watch cases and parts thereof	Manufacture: — in which the value of all the materials used does not exceed 40 % of the ex works price of the product, and — where, within the above limit, the materials classified within the same heading as the product are only used up to a value of 10 % of the ex works price of the product
9112	Clock cases and cases of a similar type for other goods of this chapter, and parts thereof	Manufacture: — in which the value of all the materials used does not exceed 40 % of the ex works price of the product, and — where, within the above limit, the materials classified within the same heading as the product are only used up to a value of 10 % of the ex works price of the product

(1)	(2)	(3)
9113	<p>Watch straps, watch bands and watch bracelets, and parts thereof:</p> <ul style="list-style-type: none"> — Of base metal, whether or not plated, or clad with precious metal — Other 	<p>Manufacture in which the value of all the materials used does not exceed 40 % of the ex works price of the product</p> <p>Manufacture in which the value of all the materials used does not exceed 50 % of the ex works price of the product</p>
Chapter 92	Musical instruments; parts and accessories of such articles	Manufacture in which the value of all the materials used does not exceed 40 % of the ex works price of the product
Chapter 93	Arms and ammunitions; parts and accessories thereof	Manufacture in which the value of all the materials used does not exceed 50 % of the ex works price of the product
ex 9401 and ex 9403	Base metal furniture, incorporating unstuffed cotton cloth of a weight of 300 g/m ² or less	<p>Manufacture in which all the materials used are classified within a heading other than that of the product or</p> <p>Manufacture from cotton cloth already made up in a form ready for use of heading No 9401 or 9403, provided:</p> <ul style="list-style-type: none"> — its value does not exceed 25 % of the ex works price of the product, and — all the other materials used are already originating and are classified within a heading other than heading No 9401 or 9403
9405	Lamps and lighting fittings including searchlights and spotlights and parts thereof, not elsewhere specified or included; illuminated signs, illuminated name-plates and the like, having a permanently fixed light source, and parts thereof not elsewhere specified or included	Manufacture in which the value of all the materials used does not exceed 50 % of the ex works price of the product
9406	Prefabricated buildings	Manufacture in which the value of all the materials used does not exceed 50 % of the ex works price of the product
ex 9502	Dolls, with electric motors	Manufacture in which the electric motor used must be originating and all other materials used must be classified in a heading other than that of the product
9503	Other toys; reduced-size ('scale') models and similar recreational models, working or not; puzzles of all kinds	<p>Manufacture in which:</p> <ul style="list-style-type: none"> — all the materials used are classified within a heading other than that of the product, and — provided the value of all the materials used does not exceed 50 % of the ex works price of the product
ex 9506	Finished golf club heads	Manufacture from roughly shaped blocks

(1)	(2)	(3)
9507	<p>Fishing rods, fish-hooks and other line fishing tackle, fish landing nets, butterfly nets and similar nets; decoy 'birds' (other than those of heading No 9208 or 9705) and similar hunting or shooting requisites:</p> <p>— Mounted fish hooks with artificial bait; mounted fishing lines including casts</p> <p>— Other</p>	<p>Manufacture in which all the materials used are classified in a heading other than that of the product. However, materials classified in the same heading may be used provided their value does not exceed 25 % of the ex works price of the product</p> <p>Manufacture in which all the materials used are classified in a heading other than that of the product. However, materials classified in the same heading may be used provided their value does not exceed 10 % of the ex works price of the product</p>
ex 9601 and ex 9602	Articles of animal, vegetable or mineral carving materials	Manufacture from 'worked' carving materials of the same heading
ex 9603	Brooms and brushes, (except for besoms and the like and brushes made from marten or squirrel hair), hand-operated mechanical floor sweepers, not motorized, paint pads and rollers, squeegees and mops	Manufacture in which the value of all the materials used does not exceed 50 % of the ex works price of the product
9605	Travel sets for personal toilet, sewing or shoe or clothes cleaning	Each item in the set must satisfy the rule which would apply to it if it were not included in the set. However, non-originating articles may be incorporated, provided their total value does not exceed 15 % of the ex works price of the set
9606	Buttons, press-fasteners, snap-fasteners and press-studs; button moulds and other parts of these articles; button blanks	<p>Manufacture in which:</p> <p>— all the materials used are classified within a heading other than that of the product, and</p> <p>— the value of all the materials used does not exceed 50 % of the ex works price of the product</p>
9608	<p>Ball point pens; felt tipped and other porous-tipped pens and markers; fountain pens, stylograph pens and other pens; duplicating stylos; propelling or sliding pencils, pen-holders, pencil-holders and similar holders; parts (including caps and clips) of the foregoing articles, other than those of heading No 9609:</p> <p>— Fountain pens, stylograph pens and other pens with nibs</p> <p>— Other</p>	<p>Manufacture in which all the materials used are classified in a heading other than that of the product. However, nibs or nib points may be used and the other materials classified within the same heading may also be used provided their value does not exceed 10 % of the ex works price of the product</p> <p>Manufacture in which all the materials used are classified in a heading other than that of the product. However, materials classified in the same heading may be used provided their value does not exceed 10 % of the ex works price of the product</p>
9612	Typewriter or similar ribbons, inked or otherwise prepared for giving impressions, whether or not on spools or in cartridges; ink-pads, whether or not inked, with or without boxes	<p>Manufacture in which</p> <p>— all the materials used are classified within a heading other than that of the product, and</p> <p>— the value of all the materials used does not exceed 50 % of the ex works price of the product</p>
ex 9614	Smoking pipes or pipe bowls	Manufacture from roughly shaped blocks

MOVEMENT CERTIFICATE

ANNEX IV

If goods are not packed, indicate number of articles of class 'n' bulk as appropriate.

 Complete only when the regulations of the importing country or territory require.

1. Exporter (Name, full address, country)	EUR. 1 No A 000.000	
See notes overleaf before completing this form		
3. Consignee (Name, full address, country) (Optional)	2. Certificate used in preferential trade between and (Insert appropriate countries, groups of countries or territories)	
4. Country, group of countries or territory in which the products are considered as originating		
5. Country, group of countries or territory of destination		
6. Transport details (Optional)	7. Remarks	
8. Item number; Marks and numbers; Number and kind of packages ('); Description of goods	9. Gross weight (kg) or other measure (litres, m ³ , etc.)	10. Invoices (Optional)
11. CUSTOMS ENDORSEMENT Declaration certified Export document (') Form No Customs office Issuing country or territory Date (Signature)		12. DECLARATION BY THE EXPORTER I, the undersigned, declare that the goods described above meet the conditions required for the issue of this certificate. Place and date (Signature)

Stamp

13. REQUEST FOR VERIFICATION, to:	14. RESULT OF VERIFICATION
Verification of the authenticity and accuracy of this certificate is requested. (Place and date) Stamp (Signature)	Verification carried out shows that this certificate (*) <input type="checkbox"/> was issued by the customs office indicated and that the information contained therein is accurate. <input type="checkbox"/> does not meet the requirements as to authenticity and accuracy (see remarks appended). (Place and date) Stamp (Signature) (*) Insert X in the appropriate box.

NOTES

1. Certificates must not contain erasures or words written over one another. Any alterations must be made by deleting the incorrect particulars and adding any necessary corrections. Any such alteration must be initialed by the person who completed the certificate and endorsed by the customs authorities of the issuing country or territory.
2. No spaces must be left between the items entered on the certificate and each item must be preceded by an item 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 later additions impossible.
3. Goods must be described in accordance with commercial practice and with sufficient detail to enable them to be identified.

APPLICATION FOR A MOVEMENT CERTIFICATE

1. Exporter (Name, full address, country)	EUR. 1 No A 000.000		
	See notes overleaf before completing this form		
3. Consignee (Name, full address, country) (Optional)	2. Application for a certificate to be used in preferential trade between		
 and (Insert appropriate countries, groups of countries or territories)		
6. Transport details (Optional)	4. Country, group of countries or territory in which the products are considered as originating	5. Country, group of countries or territory of destination	
	7. Remarks		
8. Item number; Marks and numbers; Number and kind of packages (''); Description of goods		9. Gross weight (kg) or other measure (litres, m³, etc.)	10. Invoiced (Optional)

(*) If goods are not packed, indicate number of articles or units "in bulk" as appropriate.

DECLARATION BY THE EXPORTER

I, the undersigned, exporter of the goods described overleaf,

DECLARE that the goods meet the conditions required for the issue of the attached certificate;

SPECIFY as follows the circumstances which have enabled these goods to meet the above conditions:

.....
.....
.....
.....

SUBMIT the following supporting documents (1):

.....
.....
.....
.....

UNDERTAKE to submit, at the request of the appropriate authorities, any supporting evidence which these authorities may require for the purpose of issuing the attached certificate, and undertake, if required, to agree to any inspection of my accounts and to any check on the processes of manufacture of the above goods, carried out by the said authorities;

REQUEST the issue of the attached certificate for these goods.

.....
(Place and date)

.....
(Signature)

(1) For example import documents, movement certificates, invoices, manufacturer's declarations, etc., referring to the products used in manufacture or to the goods re-exported in the same state

ANNEX V

(VORDERSEITE)
Before completing this form read carefully the instructions on the other side.

FORM EUR. 2 No		1 Form used in preferential trade between (*) and	
2 Exporter (Name, full address, country)		3 Declaration by exporter I, the undersigned, exporter of the goods described below, declare that the goods comply with the requirements for the completion of this form and that the goods have obtained the status of originating products within the provisions governing preferential trade shown in box 1.	
4 Consignee (Name, full address, country)		5 Place and date	
		6 Signature of exporter	
7 Remarks (*)		8 Country of origin (*)	9 Country of destination (*)
			10 Gross weight (kg)
11 Marks; Numbers of consignment; Description of goods		12 Authority in the exporting country (*) responsible for verification of the declaration by the exporter	

(*) Insert the countries, groups of countries or territories concerned. (†) Refer to any verification already carried out by the appropriate authorities. (‡) The term 'country of origin' means country, group of countries or territory where the goods are considered to be originating. (§) The term 'country' means country, group of countries or territory.

(VERSIO)

<p>13 Request for verification The verification of the declaration by the exporter on the front of this form is requested (*)</p> <p>..... 19..... (Place and date)</p> <p>Stamp</p> <p>..... (Signature)</p>	<p>14 Result of verification Verification carried out shows that (*)</p> <p><input type="checkbox"/> the statements and particulars given in this form are accurate.</p> <p><input type="checkbox"/> this form does not meet the requirements as to accuracy and authenticity (see remarks appended).</p> <p>..... 19..... (Place and date)</p> <p>Stamp</p> <p>..... (Signature)</p> <p>..... (*) Insert X in the appropriate box</p>
--	---

(*) Subsequent verifications of forms EUR 2 shall be carried out at random or whenever the customs authorities of the importing State have reasonable doubt as to the accuracy of the information regarding the authenticity of the forms and the true origin of the goods in question

Instructions for the completion of form EUR 2

1. A form EUR 2 may be made out only for goods which in the exporting country fulfil the conditions specified by the provisions governing the trade referred to in box 1. These provisions must be studied carefully before the form is completed.
2. In the case of a consignment by parcel post the exporter attaches the form to the dispatch note. In the case of a consignment by letter post he encloses the form in a package. The reference 'EUR 2' and the serial number of the form should be stated on the customs green label declaration C1 or on the customs declaration C2/CP3, as appropriate.
3. These instructions do not exempt the exporter from complying with any other formalities required by customs or postal regulations.
4. An exporter who uses this form is obliged to submit to the appropriate authorities any supporting evidence which they may require and to agree to any inspection by them of his accounts and of the processes of manufacture of the goods described in box 11 of this form.

ANNEX VI

SPECIMEN OF DECLARATION

I, the undersigned, declare that the goods listed on this invoice were obtained in

.....
(Indicate the State(s) partner to the Convention in which the products were obtained)

and (as appropriate):

(a) (*) satisfy the rules on the definition of the concept of 'wholly produced products'

or

(b) (*) were produced from the following products:

Description	Country of origin	Value (*)
.....
.....
.....
.....

and have undergone the following processes:

..... (Indicate processes)

in

..... (Indicate the State(s) partner to the Convention in which the products were obtained)

.....
(Place and date) (Signature)

(*) To be completed as necessary.

ANNEX VII

EUROPEAN COMMUNITIES

1. Supplier (*)	INFORMATION CERTIFICATE to facilitate the issue of a MOVEMENT CERTIFICATE for preferential trade between the		
2. Consignee (*)	<div style="border: 1px solid black; padding: 10px; width: fit-content; margin: 0 auto;"> EUROPEAN ECONOMIC COMMUNITY and THE ACP STATES </div>		
3. Processor (*)	4. State in which the working or processing has been carried out		
6. Customs office of importation (*)	5. For official use		
7. Import document (*) Form No Series Date <input style="width: 40px;" type="text"/> <input style="width: 40px;" type="text"/>			
GOODS SENT TO THE MEMBER STATES OF DESTINATION			
8. Marks, numbers, quantity and kind of package	9. Tariff heading number and description of goods	10. Quantity (*)	
		11. Value (*)	
IMPORTED GOODS USED			
12. Tariff heading number and description	13. Country of origin	14. Quantity (*)	15. Value (*) (*)
16. Nature of the working or processing carried out			
17. Remarks			
18. CUSTOMS ENDORSEMENT Declaration certified Document Form No Customs office Date <input style="width: 40px;" type="text"/> <input style="width: 40px;" type="text"/> <div style="border: 1px solid black; width: 80px; height: 60px; margin-left: auto; margin-right: auto; text-align: center; padding: 5px;"> Office stamp </div> (Signature)		19. DECLARATION BY THE SUPPLIER I, the undersigned, declare that the information on this certificate is accurate <input style="width: 40px;" type="text"/> <input style="width: 40px;" type="text"/> (Place) (date) (Signature)	

(*) (*) (*) (*) (*) See footnotes on verso

REQUEST FOR VERIFICATION	RESULT OF VERIFICATION
<p>The undersigned customs official requests verification of the authenticity and accuracy of this information certificate</p>	<p>Verification carried out by the undersigned customs official shows that this information certificate:</p> <p>(a) was issued by the customs office indicated and that the information contained therein is accurate (*)</p> <p>(b) does not meet the requirements as to authenticity and accuracy (see notes appended) (*)</p>
<p>..... (Place and date)</p>	<p>..... (Place and date)</p>
<p>Official stamp</p>	<p>Official stamp</p>
<p>..... (Official's signature)</p>	<p>..... (Official's signature)</p>

(*) Delete where not applicable.

CROSS REFERENCES

- (*) Name of individual or business and full address.
 - (*) Optional information.
 - (*) kg, hl, m³ or other measure.
 - (*) Packaging shall be considered as forming a whole with the goods contained therein. However, this provision shall not apply to packaging which is not of the normal type for the article packed, and which has a lasting utility value of its own, apart from its function as packaging.
 - (*) The value must be indicated in accordance with the provisions on rules of origin.
-

I — ACP-EEC Acts

2. Acts of the Committee of Ambassadors

DECISION No 1 /89
OF THE ACP-EEC COMMITTEE OF AMBASSADORS

of

22. XII. 1989

on the appointment of a member of the Advisory Committee
of the Technical Centre for Agricultural and Rural Co-operation

THE ACP-EEC COMMITTEE OF AMBASSADORS,

Having regard to the third ACP-EEC Convention signed at Lomé on 8 December 1984,
and in particular Article 37(6) thereof,

Having regard to Decision No 2/86 of the ACP-EEC Committee of Ambassadors of
24 March 1986 on the rules of operation of the Technical Centre for Agricultural
and Rural Co-operation, and in particular Article 3(2) thereof,

Having regard to Decision No 5/86 of the ACP-EEC Committee of Ambassadors on
24 March 1986 laying down the statute and operating procedures of the Advisory
Committee of the Technical Centre for Agricultural and Rural Co-operation, and in
particular Article 2 thereof,

Whereas Mr John GOLDSACK, who was appointed member of the Advisory Committee for the duration of the third ACP-EEC Convention has notified the Co-Secretariat that he wishes to be relieved of his duties,

Whereas Mr John PERFECT has been nominated, on a proposal from the Community, to replace Mr John GOLDSACK in the exercise of those duties.

HAS DECIDED AS FOLLOWS:

Article 1

Mr John PERFECT (United Kingdom), nominated on a proposal from the Community, is hereby appointed member of the Advisory Committee of the Technical Centre for Agricultural and Rural Co-operation of the third ACP-EEC Convention to replace Mr John GOLDSACK.

Article 2

The appointment of Mr John PERFECT shall be effective from the date of adoption of this Decision for the duration of the third ACP-EEC Convention.

Udfærdiget i Bruxelles, den
Geschehen zu Brüssel am
'Επιτελεσθη εν Βρυξελλαις, εντε
Done at Brussels,
Fait à Bruxelles, le
Fatto a Bruxelles, addì
Gedaan te Brussel,
Feito em Bruxelas, em

22. XII. 1989

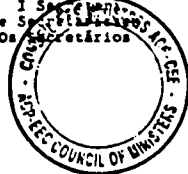
For el Comité de Embajadores
På AVS-EEF Ambassadrådvalgets vegne
Im Namen des AKP-EWG-Botschafterausschusses
Για την Επιτροπή των Πρεσβευτών ΑΚΕ-ΕΚΕ
For the ACP-EEC Committee of Ambassadors
Par le Comité des Ambassadeurs ACP-CEE
Per il Comitato degli Ambasciatori ACP-CEE
Voor de ACS-EEG-Comité van Ambassadeurs
Pelo Comité dos Embaixadores ACP-CEE

El Presidente
Formand
Der Präsident
Ο Πρόεδρος
The President
Le président
Il Presidente
De Voorzitter
O Presidente

J. VIDAL

Copia certificada conforme
Bekræftet kopi
Die Richtigkeit der Abschrift wird beglaubigt
Αποδίδει αυθιγαμο
Certified true copy
Copie certifiée conforme
Copia certificata conforme
Voor eensluidend gewaarmerkt afschrift
Cópia autenticada

Los Secretarios
Sekretærerne
Die Sekretäre
Οι Γραμματείς
The Secretaries
Les Secrétaires
I Sekretarier
De Secretarissen
Os Secretários



Dr GHEBRAY BERHANE

F. BJOERNEKAER

**DECISION NO 2/89
OF THE ACP-EEC COMMITTEE OF AMBASSADORS
of 22 December 1989**

**adopting the budget of the
Technical Centre for Agricultural
and Rural Co-operation (1990)**

THE ACP-EEC COMMITTEE OF AMBASSADORS,

Having regard to the Third ACP-EEC Convention, signed at Lomé on
8 December 1984, and in particular Article 37(4) thereof,

Having regard to Decision No 2/86 of the ACP-EEC Committee of Ambassadors of
24 March 1986 laying down the rules of operation of the Technical Centre for
Agricultural and Rural Co-operation, and in particular Article 6 thereof,

Having regard to Decision No 3/86 of the ACP-EEC Committee of Ambassadors of
24 March 1986 adopting the Financial Regulation of the Technical Centre for
Agricultural and Rural Co-operation, and in particular Articles 5 and 6
thereof,

Whereas, pursuant to Article 5(1) of Decision No 3/86, the Director of the Centre submitted to the ACP-EEC Subcommittee on Co-operation on Agricultural and Rural Development (hereinafter referred to as the "Subcommittee") a preliminary draft annual budget of the Centre (financial year 1990) and the annual work programme of the Centre for 1990;

Whereas, at its meeting on 30 November 1989, the Subcommittee examined this preliminary draft and adopted the draft budget in accordance with Article 6 of Decision No 3/86;

Whereas the draft budget has been forwarded to the Commission which, with regard to the contribution requested from the European Development Fund, has implemented the current Community procedures;

Whereas on 20 December 1989 the competent Community authority adopted the financing decision on the said contribution;

Whereas, this being so, the Committee of Ambassadors is in a position to adopt the budget definitively.

HAS DECIDED AS FOLLOWS:

Sole Article

The budget for the Centre for the financial year 1990 is hereby definitively adopted as it appears in the Annex hereto.

SUMMARY DRAFT BUDGET 1990 (ECU)

TITLE I - STAFF EXPENDITURE

	Budget 1990	Budget 1989
Chapter 11 - Staff		
Article 111 - Salaries and wages (30 staff members)	1,183,000	1,074,000
Article 112 - Provision for adjustments of salaries (in accordance with a decision of the Sub Committee and Article 27 of Decision No. 4/85 of the Committee of Ambassadors of 24 March 1985)	50,000	50,000
Article 113 - Welfare contributions	452,000	400,000
Article 114 - Allowances	210,000	200,000
Article 115 - Training	10,000	-
TOTAL TITLE I	<u>1,905,000</u>	<u>1,724,000</u>

TITLE II - BUILDING, EQUIPMENT AND MISCELLANEOUS OPERATING
EXPENDITURE

Chapter 21 - Rental of buildings and associated costs		
Article 211 - Rent	125,000	119,000
Article 212 - Associated costs	30,000	30,000
Total Chapter 21	<u>155,000</u>	<u>149,000</u>
Chapter 22 - Movable property and associated costs		
Article 221 - Purchase of office machines and movable furniture and equipment	130,000	35,000
Article 222 - Rental of furniture and equipment	6,000	26,000
Article 223 - Maintenance of furniture and equipment	3,000	3,000
Article 224 - Maintenance, repair and use of vehicles	43,000	28,000
Total Chapter 22	<u>182,000</u>	<u>92,000</u>

	Budget 1990	Budget 1989
Chapter 23 - Current administrative expenditure		
Article 231 - Stationery and office supplies	20,000	18,000
Article 232 - Postage and telecommunications	64,000	58,000
Article 234 - Subscriptions to periodicals, etc.	27,000	25,000
Article 235 - Other operating expenditure	121,000	117,000
Total Chapter 23	<u>232,000</u>	<u>218,000</u>
Chapter 24 - Mission expenses, representation and entertainment expenses		
Article 241 - General expenditure on missions	3,000	3,000
Article 242 - General representation and entertainment expenses	14,000	12,000
Total Chapter 24	<u>17,000</u>	<u>15,000</u>
Chapter 25 - Brussels Branch Office (excluding staff expenditure)	36,000	32,000
TOTAL TITLE II	<u>622,000</u>	<u>560,000</u>
TITLE III - ACTIVITIES		
Chapter 31 - Studies, expert reports	650,000	550,000
Chapter 32 - Technical meetings		
Article 321 - Seminars and technical meetings organised by CIA (1984:3;1985:6;1986:6;1987:6;1988:6;1989:6;1990:6)	625,000	600,000
Article 322 - Attendance at seminars and meetings (1989: article 342)	250,000	225,000
Total Chapter 32	<u>875,000</u>	<u>825,000</u>
Chapter 33 - Publications and documents	950,000	900,000
Chapter 34 - Missions		
Article 341 - Programmed missions	210,000	180,000

	Budget 1990	Budget 1989
Chapter 35 - Information and Documentation Centres in ACP states		
Article 351 - Projects to assist and strengthen agricultural information systems in ACP States	600,000	500,000
Article 352 - Regional branch offices in ACP States	200,000	150,000
Total Chapter 35	<u>800,000</u>	<u>650,000</u>
Chapter 36 - Question and Answer Service	225,000	225,000
TOTAL TITLE III	<u>3,710,000</u>	<u>3,330,000</u>
<u>TOTAL EXPENDITURE</u>	<u>6,237,000</u>	<u>5,560,000</u>

	(1990)	(1989)	(1988)	(1987)	(1986)	(1985)	(1984)
Title I = 1,905,000	(30,540)	(31,06)	(32,08)	(29,26)	(308)	(398)	(376)
Title II = 622,000	(9,980)	(9,16)	(9,48)	(10,68)	(134)	(144)	(280)
Title III = 3,710,000	(59,488)	(59,98)	(58,64)	(60,06)	(576)	(478)	(354)
Total	<u>6,237,000</u>	(1000)					

a. Contribution of the European Development Fund	5,957,000	5,260,000
b. Income taxes and other income (1)	280,000	200,000
TOTAL INCOME	<u>6,237,000</u>	<u>5,560,000</u>

(1) Explanatory note

- income taxes = 8t of article 111	= ECU 95,000
- interest rates (AEM Ede) (estimation)	= ECU 185,000
	<u>ECU 280,000</u>

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Gedaan te Brussel,
Feito em Bruxelas, em

22. XII. 1989

Por el Comité de Embajadores
PA AVS-EEF AMBASSADRUVALGETS vegne
Im Namen des ANP-EWG-Botschafterausschusses
Για την Επιτροπή των Πρεσβύτων ΑΝΕ-ΕΟΚ
For the ACP-EEC Committee of Ambassadors
Par le Comité des Ambassadeurs ACP-CEE
Per il Comitato degli Ambasciatori ACP-CEE
Voor de ACS-EEG-Comité van Ambassadeurs
Pelo Comité dos Embaixadores ACP-CEE

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Dr GHEBRAY BERHANE

F. BJOERNEKAER

DECISION No 3/89
OF THE ACP-EEC COMMITTEE OF AMBASSADORS
of 22 December 1989

concerning the adjustment of the remuneration and tax brackets
referred to in Article 3(2) of Decision No 4/86
of the ACP-EEC Committee of Ambassadors
laying down the conditions of employment of the staff of the Technical
Centre for Agricultural and Rural Co-operation

THE ACP-EEC COMMITTEE OF AMBASSADORS,

Having regard to the Third ACP-EEC Convention, signed at Lomé on
8 December 1984, and in particular Article 37 thereof,

Having regard to Decision No 2/86 of the ACP-EEC Committee of Ambassadors of
24 March 1986 laying down the rules of operation of the Technical Centre for
Agricultural and Rural Co-operation, and in particular Article 5 thereof,

Whereas, under the third paragraph of Article 27 of Decision No 4/86 of the ACP-EEC Committee of Ambassadors of 24 March 1986 laying down the arrangements applicable to the staff of the Technical Centre for Agricultural and Rural Co-operation, the ACP-EEC Subcommittee may decide, on a proposal from the Director of the Centre, to adjust the remuneration laid down in Article 3 in order to take account of trends in the cost of living and in purchasing power;

Whereas Decision No 2/87 of the ACP-EEC Committee of Ambassadors of 7 December 1987 supplementing Decision No 4/86 laid down the salary scale and tax brackets of the staff of the Centre and the conditions and procedure for applying the tax for the benefit of the Centre with effect from 1 July 1986;

Whereas Decision No 2/88 of the ACP-EEC Committee of Ambassadors fixed in Netherlands guilders the salary scale and tax brackets of the staff of the Centre;

Whereas the Director of the Centre has made proposals for adjusting remuneration to take account of trends in the cost of living in the Netherlands and in purchasing power in the European Community;

Whereas the figures drawn up by the Statistical Office of the European Communities which are used as a basis for calculating adjustments in the remuneration of officials of the European Communities entail adjustment of the remunerations of the staff of the Centre as laid down in Article 1 of Decision No 2/88,

HAS DECIDED AS FOLLOWS:

Article 1

With effect from 1 July 1986 the remuneration and tax brackets referred to in Article 1 of Decision No 2/88 shall be increased by 0,3%.

Article 2

With effect from 1 July 1987 the remuneration and tax brackets referred to in Article 1 of Decision No 2/88 shall be increased by 1,0%.

Article 3

With effect from 1 July 1988 the remuneration and tax brackets referred to in Article 1 of Decision No 2/88 shall be increased by 3,3%.

Article 4

This Decision shall enter into force on the day on which it is adopted.

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Done at Brussels,
Fait à Bruxelles, le
Fatto a Bruxelles, add
Gedaan te Brussel,
Feito en Bruselas, em

22. XII. 1989

Por el Comité de Embajadores
PA AVS-EOP Ambassadrudvalgeta vegre
Im Namen des AKP-EWG-Botschafterausschusses
Για την Επιτροπή των Πρεσβευτών ΑΚΕ-ΕΟΚ
For the ACP-EEC Committee of Ambassadors
Par le Comité des Ambassadeurs ACP-CEE
Per il Comitato degli Ambasciatori ACP-CEE
Voor de ACS-EEG-Comité van Ambassadeurs
Pelo Comité dos Embaixadores ACP-CEE

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DR GHEBRAY BERHANE

F. BJOERNEKAER

I — ACP-EEC Acts

3. Agreements between the EEC and the ACP States ¹

¹ At the time of printing of the compilation of texts, negotiations had still not been concluded.

I — ACP-EEC Acts

4. Acts of the Committee on Industrial Cooperation

DECISION No 1/89
OF THE ACP-EEC COMMITTEE ON INDUSTRIAL CO-OPERATION
of 19 April 1989

on the appointment of a member
of the Governing Board of the
Centre for the Development of Industry

THE ACP-EEC COMMITTEE ON INDUSTRIAL CO-OPERATION,

Having regard to the Third ACP-EEC Convention, signed at Lomé on
8 December 1984, and in particular Article 70(1)(d) and Article 73(3)
thereof,

Having regard to Decision No 2/86 of the ACP-EEC Council of Ministers of
24 March 1986 laying down the statutes and rules of operation of the Centre
for the Development of Industry, and in particular Article 6 thereof,

Having regard to Decision No 4/87 of the ACP-EEC Committee on Industrial
Co-operation of 22 July 1987 on the appointment of the members of the
Governing Board of the Centre for the Development of Industry,

Whereas it is for the Committee, following the procedures it has laid down,
to appoint the members of the Governing Board;

Whereas Ms Simone MAIRIE, who was appointed member of the Governing Board for the duration of the Third ACP-EEC Convention, has notified the Co-Secretariat that she wishes to be relieved of her duties:

Whereas Ms Isabelle BASSONG has been nominated, on a proposal from the ACP States, to replace Ms Simone MAIRIE in the exercise of those duties,

HAS DECIDED AS FOLLOWS:

Sole Article

Ms Isabelle BASSONG (Cameroon), nominated on a proposal from the ACP States, is hereby appointed member of the Governing Board of the Centre for the Development of Industry of the Third ACP-EEC Convention to replace Ms Simone MAIRIE (Cameroon).

Hecho en Bruselas, el
Udfærdiget i Bruxelles, den
Geschehen zu Brüssel am
Έγγραφο στην Βρυξέλλες, στις
Done at Brussels,
Fait à Bruxelles, le
Fatto a Bruxelles, addì
Gedaan te Brussel,
Feito em Bruxelas, em

19.IV.1989

Por el Comité de cooperación industrial
For Udvalget for industrielt Samarbejde
Im Namen des Ausschusses für industrielle Zusammenarbeit
Για την Επιτροπή Βιομηχανικής Συνεργασίας
For the Committee on Industrial co-operation
Par le Comité de coopération industrielle
Per il Comitato per la cooperazione industriale
Voor het Comité voor industriële samenwerking
Pelo Comité de Cooperação Industrial

E: Presidente
Formand
Der Präsident
Ο Πρόεδρος
The President
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Il Presidente
De Voorzitter
O Presidente

(s.) Ibrahim SYLLA

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Dr GHEBRAY BERHANE

BJOERNEKAER

**DECISION No 2/89/CIC
OF THE ACP-EEC COMMITTEE ON INDUSTRIAL CO-OPERATION
of 16 October 1989**

**on the appointment of a member
of the Governing Board of the
Centre for the Development of Industry**

THE ACP-EEC COMMITTEE ON INDUSTRIAL CO-OPERATION,

Having regard to the Third ACP-EEC Convention, signed at Lomé on 8 December 1984, and in particular Article 70(1)(d) and Article 73(3) thereof,

Having regard to Decision No 2/86 of the ACP-EEC Council of Ministers of 24 March 1986 laying down the statutes and rules of operation of the Centre for the Development of Industry, and in particular Article 6 thereof,

Having regard to Decision No 4/87 of the ACP-EEC Committee on Industrial Co-operation of 22 July 1987 on the appointment of the members of the Governing Board of the Centre for the Development of Industry,

Whereas it is for the Committee, following the procedures it has laid down, to appoint the members of the Governing Board;

Whereas Ms Marina FLENGA, who was appointed member of the Governing Board for the duration of the Third ACP-EEC Convention, has notified the Co-Secretariat that she wishes to be relieved of her duties;

Whereas Mr Georgios XANTHOULIS has been nominated, on a proposal from the Community, to replace Ms Marina FLENGA in the exercise of those duties,

HAS DECIDED AS FOLLOWS:

Sole Article

Mr Georgios XANTHOULIS (Greece), nominated on a proposal from the Community, is hereby appointed member of the Governing Board of the Centre for the Development of Industry of the Third ACP-EEC Convention to replace Ms Marina FLENGA .

Hecho en Bruselas, el
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Geschehen zu Brüssel am
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Done at Brussels,
Fait à Bruxelles, le
Feito a Bruxelles, addi'
Gedaan te Brussel,
Feito em Bruselas, em

16.X.1989

Por el Comité de cooperación industrial
For Udvalget for industrielt Samarbejde
Im Namen des Ausschusses für industrielle Zusammenarbeit
Για την Επιτροπή Βιομηχανικής Ευ συνεργασίας
For the Committee on Industrial co-operation
Par le Comité de coopération industrielle
Per il Comitato per la cooperazione industriale
Voor het Comité voor industriële samenwerking
Pelo Comité de Cooperação Industrial

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(s.) A. PARANT

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Dr GHEBRAY BERHANE

F. BJOERNEKAER

**DECISION No 3/89/CIC
OF THE ACP-EEC COMMITTEE ON INDUSTRIAL CO-OPERATION
of 16 October 1989**

on the adjustment of the remuneration and the tax brackets laid down
respectively in Article 3 of Decision No 4/86
of the ACP-EEC Council of Ministers laying down the conditions
of employment of the staff of the Centre
for the Development of Industry and in the Annex thereto

THE ACP-EEC COMMITTEE ON INDUSTRIAL CO-OPERATION,

Having regard to the Third ACP-EEC Convention, signed at Lomé on
8 December 1984, and in particular Article 73(6) thereof,

Having regard to Decision No 4/86 of the ACP-EEC Council of Ministers of
24 March 1986 laying down the conditions of employment of the staff of the
Centre for the Development of Industry, hereinafter called "the Centre", and
in particular Article 3 thereof and the Annex thereto,

Whereas, under the third subparagraph of Article 27 of Decision No 4/86, the Committee may decide, on the recommendation of the Centre's Governing Board, to adjust the remuneration laid down in Article 3 of the said Decision to take account of trends in the cost of living and in purchasing power;

Whereas the Centre's Governing Board has proposed adjustments to take account of trends in the cost of living in Brussels during the periods from 1 July 1987 to 30 June 1988;

Whereas account should also be taken of trends in purchasing power during these periods;

Whereas the figures drawn up by the Statistical Office of the European Communities, on the basis of which the adjustments applicable to the remuneration of officials of the Communities are calculated, result in an adjustment to the remuneration of the staff of the Centre, as laid down in Article 3 of Decision No 4/86, and to the tax brackets, as laid down in the Annex to that Decision, of 10,56% with effect from 1 January 1988 and 12,56% with effect from 1 July 1988,

HAS DECIDED AS FOLLOWS:

Article 1

With effect from 1 January 1988, the remuneration laid down in Article 3 of Decision No 4/86 and the tax brackets laid down in the Annex thereto shall be increased by 10,56%.

Article 2

With effect from 1 July 1988, the remuneration laid down in Article 3 of Decision No 4/86 and the tax brackets laid down in the Annex thereto shall be increased by 12,56%.

Article 3

This Decision shall enter into force on the date of its adoption.

Hecho en Bruselas, el
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Geschehen zu Brüssel am
Έγινε στις Βρυξέλλες, στις
Done at Brussels,
Fait à Bruxelles, le
Fatto a Bruxelles, addì
Gedaan te Brussel,
Feito em Bruxelas, em

16.X.1989

Por el Comité de cooperación industrial
For Udvalget for industrielt Samarbejde
Im Namen des Ausschusses für industrielle Zusammenarbeit
Για την Ευρωπαϊκή Βιομηχανική Συνεργασία
For the Committee on Industrial co-operation
Par le Comité de coopération industrielle
Per il Comitato per la cooperazione industriale
Voor het Comité voor industriële samenwerking
Pelo Comité de Cooperação Industrial

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Dr GHEBRAY BERHANE

F. BJOERNEKAER

I — ACP-EEC Acts

5. Acts of the ACP-EEC Subcommittee for Cooperation on Agricultural and Rural Development

DECISION No 1/89
OF THE ACP-EEC SUBCOMMITTEE
FOR CO-OPERATION ON AGRICULTURAL AND RURAL DEVELOPMENT
of 30. XI. 1989

giving a discharge to the Director of the
Technical Centre for Agricultural and Rural Co-operation
in respect of the implementation of the Centre's budget
for the financial year 1987

THE ACP-EEC SUBCOMMITTEE FOR CO-OPERATION ON AGRICULTURAL AND RURAL
DEVELOPMENT,

Having regard to the Third ACP-EEC Convention, signed at Lomé on
8 December 1984, and in particular Article 37(4) thereof,

Having regard to Decision No 2/86 of the ACP-EEC Committee of Ambassadors of
24 March 1986 on the rules of operation of the Technical Centre for
Agricultural and Rural Co-operation, hereinafter referred to as the
"Centre", and in particular Article 6 thereof,

Having regard to Decision No 3/86 of the ACP-EEC Committee of Ambassadors of
24 March 1986 adopting the Financial Regulation of the Centre, and in
particular Article 20 thereof,

Having regard to the Centre's balance sheet for the financial year 1987 drawn up on 31 December 1987,

Having regard to the Auditors' Report on the accounts for the financial year 1987,

Having taken cognizance of the replies given by the Director of the Centre to the comments made by the Auditors,

Whereas it is for the ACP-EEC Subcommittee for Co-operation on Agricultural and Rural Development, hereinafter referred to as the "Subcommittee", to give a discharge to the Director of the Centre in respect of the implementation of the Centre's budget;

Whereas revenue for the financial year 1987 consisted principally of a contribution from the European Development Fund amounting to ECU 4 297 000;

Whereas the Director's overall implementation of the Centre's budget during the financial year 1987 was such that he should be given a discharge in respect of the implementation of that budget,

HAS DECIDED AS FOLLOWS:

Article 1

The Subcommittee hereby adopts the balance sheet of the Centre as at 31 December 1987 showing the amount of ECU 1 589 711 for both revenue and expenditure.

Article 2

The Subcommittee hereby gives a discharge to the Director of the Centre in respect of the implementation of the Centre's budget for the financial year 1987.

Hecho en Bruselas, el
Udfærdiget i Bruxelles, den
Geschehen zu Brüssel am
Έγινε στις Βρυξελλες, στις
Done at Brussels,
Fait à Bruxelles, le
Fatto a Bruxelles, addì
Gedaan te Brussel,
Feito em Bruxelas, em

30. XI. 1989

For el Subcomité de Cooperación para el
Desarrollo Agrícola y Rural ACP-CEE
På vegne af
AVS/EØF-Underudvalget for samarbejde om
Landbrugsudvikling og udvikling i
Landdistrikterne
Im Namen des AKP-EWG-Unterausschusses für
Zusammenarbeit in der landwirtschaftlichen und
ländlichen Entwicklung
Για την Υποεπιτροπή Γεωργικής
και Αγροτικής Ευεργεσίας ΑΚΕ-ΕΟΚ
For the ACP-EEC Subcommittee for
Co-operation on Agricultural
and Rural Development
Par le sous-comité ACP-CEE de coopération
agricole et rurale
Per il Sottocomitato di cooperazione
agricola e rurale ACP-CEE
Voor het ACS-EEG-Subcomité voor samenwerking
op het gebied van
landbouw- en plattelandontwikkeling
Pelo Subcomité ACP-CEE de Cooperação
Agrícola e Rural

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Dr. Ghebray Berhane
Secretary



Dr GHEBRAY BERHANE

F. BJOERNEKAER

II — Community Acts relating to the application of the Lomé Convention

Trade

COMMISSION REGULATION (EEC) No 290/89
of 3 February 1989

establishing ceilings and Community surveillance for imports of certain products originating in the African, Caribbean and Pacific States or in the overseas countries and territories (1989)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 486/85 of 26 February 1985 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories (1), as last amended by Regulation (EEC) No 1821/87 (2), and in particular Articles 13a and 22 thereof,

Whereas Article 13a of Regulation (EEC) No 486/85 stipulates that products listed there, originating in the African, Caribbean and Pacific States or in the overseas countries and territories, are subject on importation into the Community to progressively reduced rates of duty; whereas such reduction of duties applies only up to ceilings above which the customs duties actually applied in respect of third countries may be re-established;

Whereas, within the limits of these tariff ceilings, customs duties are reduced progressively by the percentage specified in that Article, during the same period and in accordance with the same timetable as provided for in Articles 75 and 268 of the Act of Accession of the Kingdom of Spain and the Portuguese Republic; whereas for 1989 the preferential duties as to garlic are equal to 63,6 % of the duties applicable and as to iceberg lettuce 60 % of the duties applicable;

Whereas by Commission Regulation (EEC) No 1450/88 of 27 May 1988 concerning duties applicable to imports of iceberg lettuce from Spain and Portugal into the Community as constituted on 31 December 1985 (3), a partial suspension of customs duties to these Member States has been adopted for the period 1 July to 30 September 1989; whereas the same rates of duties should be applied to the imports of these products originating in the African, Caribbean and Pacific States or in the overseas countries and territories;

Whereas, by virtue of Council Regulation (EEC) No 1820/87 of 25 June 1987 concerning the application of Decision No 2/87 of the ACP-EEC Council of Ministers on the advance implementation of the Protocol to the Third ACP-EEC Convention consequent on the Accession of the Kingdom of Spain and the Portuguese

Republic to the European Communities (4), Spain and Portugal are to postpone implementation of the preferential arrangements for fruit and vegetables falling within Regulation (EEC) No 1035/72 (5), as last amended by Council Regulation (EEC) No 2238/88 (6), until 31 December 1989 and 31 December 1990 respectively; whereas consequently, the abovementioned tariff concession does not apply at present in Spain or Portugal;

Whereas the application of ceilings requires the Community to be regularly informed of the trend of imports of the relevant products originating in these countries; whereas imports should, therefore, be made subject to a system of surveillance;

Whereas this objective may be achieved by means of an administrative procedure based on offsetting imports of the products in question against the ceilings at Community level as and when these products are entered with customs authorities for free circulation; whereas this administrative procedure must make provision for the possible re-establishment of tariff duties as soon as the ceilings are reached at Community level;

Whereas this administrative procedure requires close and particularly swift cooperation between the Member States and the Commission; whereas the latter must, in particular, be able to follow the progress of quantities charged against the ceilings and keep the Member States informed; whereas this cooperation has to be particularly close since the Commission must be able to take the appropriate measures to re-establish the customs tariff duties if the ceilings are reached;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

1. Imports of products listed in the Annex originating in the African, Caribbean and Pacific States or in the overseas countries and territories shall, in the Community as constituted at 31 December 1985, be subject to ceilings and to Community surveillance.

(1) OJ No L 61, 1. 3. 1985, p. 4.

(2) OJ No L 172, 30. 6. 1987, p. 102.

(3) OJ No L 132, 28. 5. 1988, p. 25.

(4) OJ No L 172, 30. 6. 1987, p. 1.

(5) OJ No L 118, 20. 5. 1972, p. 1.

(6) OJ No L 198, 26. 7. 1988, p. 1.

The products referred to in the first paragraph, their CN codes, the customs duties applicable, the period of validity, and the levels of the ceilings are set out in the Annex.

2. Quantities shall be charged against the ceiling as and when products are entered with customs authorities for free circulation, accompanied by a movement certificate.

Products may be charged against a ceiling only if the movement certificate is submitted before the date on which the collection of customs duties is re-established.

The extent to which ceilings are used up shall be determined at Community level on the basis of the imports charged against them, in the manner specified in the preceding subparagraphs.

Member States shall inform the Commission, at the intervals and within the time limits specified in paragraph

4, of imports effected in accordance with the above procedures.

3. As soon as the ceilings have been reached, the Commission may adopt a Regulation re-establishing, until the end of its period of validity, the customs duties applicable to third countries.

4. Member States shall send the Commission statements of the quantities charged for the preceding month no later than the 15th day of each month. At the Commission's request, they shall send statements of the quantities charged for periods of 10 days, to be forwarded within five clear days of the end of each 10-day period.

Article 2

This Regulation shall enter into force on 1 March 1989.

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

Done at Brussels, 3 February 1989.

For the Commission
Christiane SCRIVENER
Member of the Commission

ANNEX

Order No	CN code	Description	Customs duty applicable	Level ceiling (tonnes)
12.0040	ex 0703 20 00	Garlic, from 1 March to 31 May 1989	7,6	500
12.0050	ex 0703 11 10	Crisp head cabbage lettuce (<i>Lactuca sativa</i> L. var. <i>capitata</i>) (iceberg) from 1 July to 30 September 1989	8,2 MIN ECU 1,5/100 kg/br	1 000

COUNCIL REGULATION (EEC) No 967/89
of 13 April 1989

amending Regulation (EEC) No 486/85 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 113 thereof,

Having regard to the proposal from the Commission (1),

Having regard to the opinion of the European Parliament,

Whereas Regulation (EEC) No 486/85 (2) as extended by Regulation (EEC) No 1306/87 (3), provides for the total or partial exemption from import duties for agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories; whereas, on account of the importance of yams and similar products intended for human consumption for the economy of those States, countries and territories, such products should be eligible for a total exemption from import duties within the limit of an overall quantity of 10 000 tonnes per year;

Whereas the products in question are subject to Council Regulation (EEC) No 430/87 of 9 February 1987 concerning the import arrangements applicable to products falling within subheading 07.06 A of the Common Customs Tariff and coming from third countries (4), as last amended by Regulation (EEC) No 3837/88 (5); whereas the quantities of products originating in GATT member countries and those originating in GATT non-member countries should be charged against the quotas fixed in Article 1 (2) (b) and (d) respectively of Regulation (EEC) No 430/87, providing that the possible exhaustion of those quotas does not prevent the importation of products originating in ACP countries within the limits of the abovementioned overall quantity of 10 000 tonnes; whereas, furthermore, provision should

be made for laying down detailed rules of application to ensure equality of access to that overall quantity for all the exporting countries concerned,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 486/85 is hereby amended as follows:

1. The heading of Title V (Cereals) shall be replaced by the following: 'Cereals and cereals substitute products'.
2. The following paragraph shall be added to Article 9:

'3. Products falling within CN codes 0714 10 91 and 0714 90 11 shall be exempt from import duties within the limit of an overall quantity of 10 000 tonnes per year. The quantities of products originating in GATT member countries shall be charged against the quota fixed in Article 1 (2) (b) of Regulation (EEC) No 430/87, and the quantities of products originating in GATT non-member countries shall be charged against the quota fixed in Article 1 (2) (d) of that Regulation. The exhaustion of these quotas may not however prevent the release for free circulation of the products in question exempt from import duties within the limit of the abovementioned overall quantity of 10 000 tonnes.'

Article 2

The detailed rules for the application of this Regulation shall be adopted in accordance with the procedure laid down in Article 26 of Regulation (EEC) No 2727/75 (6).

Article 3

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

It shall apply from 1 January 1989.

(1) OJ No C 4, 6. 1. 1989, p. 7.

(2) OJ No L 61, 1. 3. 1985, p. 4.

(3) OJ No L 124, 13. 5. 1987, p. 5.

(4) OJ No L 43, 13. 2. 1987, p. 9.

(5) OJ No L 340, 10. 12. 1988, p. 1.

(6) OJ No L 281, 1. 11. 1975, p. 1.

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

Done at Luxembourg, 13 April 1989.

For the Council
The President
P. SOLBES

COMMISSION REGULATION (EEC) No 1734/89

of 19 June 1989

establishing ceilings and Community surveillance for imports of certain products originating in the African, Caribbean and Pacific States or in the overseas countries and territories (1989/90)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 486/85 of 26 February 1985 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories (1), as last amended by Regulation (EEC) No 967/89 (2), and in particular Articles 13a and 22 thereof,

Whereas Article 13a of Regulation (EEC) No 486/85 stipulates that products listed there, originating in the African, Caribbean and Pacific States or in the overseas countries and territories, are subject on importation into the Community to progressively reduced rates of duty; whereas such reduction of duties applies only up to ceilings above which the customs duties actually applied in respect of third countries may be re-established;

Whereas, within the limits of these tariff ceilings, customs duties are reduced progressively by the percentages specified in that Article, during the same periods and in accordance with the same timetables as provided for in Articles 75 and 268 of the Act of Accession of the Kingdom of Spain and the Portuguese Republic; whereas on this basis the preferential duty rates applicable in 1989 and 1990 must be equal to 60 % and 35 %, respectively, of the basic rates, with the exception of garlies, Chinese cabbages and walnuts, for which the rates must be 63,6 % and 54,5 % respectively of the basic rates; whereas, however, the preferential duty applicable to walnuts is equivalent to a reduction of 40 % on the normal duty rate;

Whereas by virtue of Council Regulation (EEC) No 1820/87 of 25 June 1987 concerning the application of Decision No 2/87 of the ACP-EEC Council of Ministers on the advance implementation of the Protocol to the Third ACP-EEC Convention consequent on the Accession of the Kingdom of Spain and the Portuguese Republic to the European Communities (3), Spain and Portugal are to postpone implementation of the preferential arrangements for fruit and vegetables falling within Regulation (EEC) No 1035/72 of the Council (4), as last amended by Regulation (EEC) No 1119/89 (5), until 31 December 1989 and 31 December 1990 respectively;

whereas, consequently, the abovementioned tariff concession does not apply in Spain or Portugal until 31 December 1989, and starting from 1 January 1990 it will apply in the Community with the exception of Portugal; that in the limit of these tariff ceilings Spain must apply, starting from 1 January 1990, the customs duties calculated according to the Protocol to the abovementioned Third ACP-EEC Convention;

Whereas the application of ceilings requires the Community to be regularly informed of the trend of imports of the relevant products originating in these countries; whereas imports should, therefore, be made subject to a system of surveillance;

Whereas this objective may be achieved by means of an administrative procedure based on offsetting imports of the products in question against the ceilings at Community level as and when these products are entered with customs authorities for free circulation; whereas this administrative procedure must make provision for the possible re-establishment of customs tariff duties as soon as the ceilings are reached at Community level;

Whereas this administrative procedure requires close and particularly swift cooperation between the Member States and the Commission; whereas the latter must, in particular, be able to follow the progress of quantities charged against the ceilings and keep the Member States informed; whereas this cooperation has to be particularly close since the Commission must be able to take the appropriate measures to re-establish customs tariff duties if one of the ceilings is reached;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

1. Imports of products listed in the Annex originating in the African, Caribbean and Pacific States or in the overseas countries and territories shall, in the Community as constituted at 31 December 1985, be subject to ceilings and to Community surveillance.

The products referred to in the first paragraph, their combined nomenclature codes, the customs duties applicable, the periods of validity and the levels of the ceilings are set out in the Annex.

(1) OJ No L 61, 1. 3. 1985, p. 4.

(2) OJ No L 103, 15. 4. 1989, p. 1.

(3) OJ No L 172, 30. 6. 1987, p. 1.

(4) OJ No L 118, 20. 5. 1972, p. 1.

(5) OJ No L 118, 29. 4. 1989, p. 12.

Starting from 1 January 1990 the present Regulation is applicable in the Community with the exclusion of Portugal. From this date and within the limits of those tariff ceilings the Kingdom of Spain shall apply duties calculated in accordance with the relevant provisions of the Protocol to the Third ACP-EEC Convention consequent on the accession of the Kingdom of Spain and the Portuguese Republic to the European Communities.

2. Quantities shall be charged against the ceilings as and when products are entered with customs authorities for free circulation, accompanied by a movement certificate.

Products may be charged against a ceiling only if the movement certificate is submitted before the date on which the collection of customs duties is re-established.

The extent to which a ceiling is used up shall be determined at Community level on the basis of the imports charged against it, in the manner specified in the preceding subparagraphs.

Member States shall inform the Commission, at the intervals and within the time limits specified in paragraph 4, of imports effected in accordance with the above procedures.

3. As soon as a ceiling has been reached, the Commission may adopt a regulation re-establishing, until the end of its period of validity, the customs duties applicable to third countries.

4. Member States shall send the Commission statements of the quantities charged for the preceding month no later than the 15th day of each month. At the Commission's request, they shall send statements of the quantities charged for periods of 10 days, to be forwarded within five clear days of the end of each 10-day period.

Article 2

The Commission shall take all appropriate measures, in close cooperation with the Member States, to ensure the implementation of this Regulation.

Article 3

This Regulation shall enter into force on 1 October 1989.

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

Done at Brussels, 19 June 1989.

For the Commission
Christiane SCRIVENER
Member of the Commission

ANNEX

Order No	CN code	Description	Customs duty applicable (%)	Level of ceiling (tonnes)
12.0040	ex 0703 20 00	Garlics, from 1 March to 31 May 1990	6,6	500
12.0030	ex 0704 90 90	Chinese cabbages, from 1 November to 31 December 1989	9,5	1 000
12.0060	ex 0709 10 00	Artichokes, from 1 October to 30 November 1989	7,8	1 000
12.0070	0802 31 00 0802 32 00	Walnuts, from 1 January to 31 December 1990	4,8	700
12.0080	ex 0809 10 00	Apricots, from 1 October 1989 to 31 January 1990	— from 1 October to 31 December : 15 — from 1 to 31 January : 12,5	2 000
12.0090	ex 0809 20 90	Cherries, from 1 November 1989 to 28 February 1990	— from 1 November to 31 December : 9 — from 1 January to 28 February : 7,5	2 000
12.0100	ex 0809 30 00	Peaches, from 1 December 1989 to 28 February 1990	— from 1 to 31 December : 13,2 — from 1 January to 28 February : 11	2 000
12.0110	ex 0809 40 19	Plums, from 15 December 1989 to 28 February 1990	— from 15 to 31 December : 4,8 — from 1 January to 28 February : 4	2 000

COMMISSION REGULATION (EEC) No 2155/89

of 18 July 1989

and providing for the administration of Community tariff quotas for fresh or chilled tomatoes and strawberries originating in the African, Caribbean and Pacific States or the overseas countries and territories (1989/1990)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 486/85 of 26 February 1985 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or the overseas countries and territories⁽¹⁾, as last amended by Regulation (EEC) No 967/89⁽²⁾, in particular Articles 13 and 22 thereof,

Whereas Article 13 of Regulation (EEC) No 486/85 provides for the opening by the Community of quotas for imports into the Community of the following:

- 2 000 tonnes of fresh or chilled tomatoes falling within CN code ex 0702 00 10, for the period 15 November 1989 to 30 April 1990, and,
- 1 100 tonnes of strawberries falling within CN code ex 0810 10 90, for the period 1 November 1989 to 28 February 1990,

originating in the countries in question;

Whereas the customs duties applicable within the limit of these quotas are set at 4,4 % with a minimum duty of ECU 0,8 per 100 kilograms net weight for tomatoes and at 5,6 % for strawberries; whereas these Community tariff quotas should be opened for the abovementioned periods;

Whereas under Regulation (EEC) No 1820/87 of 25 June 1987 concerning the application of Decision No 2/87 of the ACP-EEC Council of Ministers on the advance implementation of the Protocol to the third ACP-EEC Convention consequent on the Accession of the Kingdom of Spain and the Portuguese Republic to the European Community⁽³⁾, Spain and Portugal may postpone implementation of the preferential arrangements for fruit and vegetables covered by

Regulation (EEC) No 1035/72⁽⁴⁾, as last amended by Regulation (EEC) No 1119/89⁽⁵⁾, until 31 December 1989 and 31 December 1990 respectively; whereas, consequently, the abovementioned tariff concession is not currently applicable in Spain or Portugal, but from 1 January 1990 it will apply throughout the Community except in Portugal; whereas from this date and within the limits of its tariff quotas Spain must apply customs duties calculated in accordance with the abovementioned protocol to the third ACP-EEC Convention;

Whereas it is in particular necessary to ensure that all Community importers enjoy equal and uninterrupted access to the abovementioned quotas and that the rates laid down for those quotas should apply consistently to all imports of the products concerned into all Member States until the quotas have been used up; whereas, in the present case, it would appear advisable not to allocate the quotas among the Member States, without prejudice to the drawing against the quota volumes of such quantities as they may need, under the conditions and according to the procedures specified in Article 3;

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

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

1. The customs duties applicable to imports into the Community as constituted at 31 December 1985 of the following products originating in the African, Caribbean and Pacific States of the overseas countries and territories shall be suspended at the levels indicated and within the limits of the Community tariff quotas as shown below:

(1) OJ No L 61, 1. 3. 1985, p. 4.
(2) OJ No L 103, 15. 4. 1989, p. 1.
(3) OJ No L 172, 30. 6. 1987, p. 1.

(4) OJ No L 118, 20. 5. 1972, p. 1.
(5) OJ No L 118, 29. 4. 1989, p. 12.

Order No	CN code	Description	Amount of quota (in tonnes)	Quota duty (%)
09.1602	ex 0702 00 10	Fresh or chilled tomatoes, from 15 November 1989 to 30 April 1990	2 000	4,4 subject to a minimum of ECU 0,8 per 100 kg net
09.1604	ex 0810 10 90	Strawberries, from 1 November 1989 to 28 February 1990	1 100	5,6

2. The provisions of this Regulation shall apply throughout the Community except for Portugal from 1 January 1990.

3. From that date and within the limits of the tariff quotas Spain shall apply customs duties calculated in accordance with the Protocol to the third ACP-EEC Convention consequent on the Accession of Spain and Portugal to the European Communities.

Article 2

The tariff quotas referred to in Article 1 shall be managed by the Commission, which may take any appropriate administrative measures to ensure that they are managed efficiently.

Article 3

Where an importer preserves an entry for release for free circulation in a Member State in respect of a product covered by this Regulation, applying to take advantage of the preferential arrangements, and the entry is accepted by the customs authorities, the Member State concerned shall, by notifying the Commission, draw an amount corresponding to requirements from the quota.

Requests for drawings, indicating the data on which the entries were accepted, must be sent to the Commission without delay.

Drawings shall be granted by the Commission in chronological order of the dates on which the customs authorities of the Member States concerned accepted the entries for release for free circulation to the extent that the available balance so permits.

If a Member State does not use a drawing in full it shall return any unused portion to the corresponding quota as soon as possible.

If the quantities requested are greater than the available balance of the quota, the balance shall be allocated among applicants *pro rata*. The Commission shall inform the Member States of the drawings made.

Article 4

Each Member State shall ensure that importers of the products concerned have free access to the quotas for such time as the residual balance of the quotas so permits.

Article 5

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

Article 6

This Regulation shall enter into force on 1 November 1989

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

Done at Brussels, 18 July 1989.

For the Commission
 Christiane SCRIVENER
 Member of the Commission

COMMISSION REGULATION (EEC) No 3062/89

of 11 October 1989

establishing ceilings and Community surveillance for imports of carrots and onions originating in the African, Caribbean and Pacific States or in the overseas countries and territories (1990)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 486/85 of 26 February 1985 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories (1), as last amended by Regulation (EEC) No 967/89 (2), and in particular Articles 13 and 22 thereof,

Whereas Article 13 of Regulation (EEC) No 486/85 stipulates that, for the period from 1 January to 31 March, carrots falling within CN code ex 0706 10 00 and, for the period from 15 February to 15 May, onions falling within CN code 0703 10 and originating in the States in question are subject on importation into the Community to the reduced rates of duty of 10.2 % and 4.8 % respectively; whereas such reduction of duties applies only up to ceilings of 800 tonnes for each of these products, above which the customs duties actually applied in respect of third countries are re-established;

Whereas by virtue of Council Regulation (EEC) No 1820/87 of 25 June 1987 concerning the application of Decision No 2/87 of the ACP-EEC Council of Ministers on the advance implementation of the Protocol to the Third ACP-EEC Convention (3) consequent on the Accession of the Kingdom of Spain and the Portuguese Republic to the European Communities, Portugal is to postpone implementation of the preferential arrangements for fruit and vegetables falling within Council Regulation (EEC) No 1035/72 (4), as last amended by Regulation (EEC) No 1119/89 (5), until 31 December 1990 whereas, consequently, the above tariff concession does not apply in Portugal; whereas from 1 January 1990 and within the limits of these tariff ceilings Spain will apply customs duties calculated in accordance with the provisions of the abovementioned Third ACP-EEC Convention;

Whereas the application of ceilings requires the Community to be regularly informed of the trend of

imports of the relevant products originating in these countries; whereas imports should, therefore, be made subject to a system of surveillance;

Whereas this objective may be achieved by means of an administrative procedure based on offsetting imports of the products in question against the ceilings at Community level as and when these products are entered with customs authorities for free circulation; whereas this administrative procedure must make provision for the possible re-establishment of customs tariff duties as soon as the ceilings are reached at Community level;

Whereas this administrative procedure requires close and particularly swift cooperation between the Member States and the Commission; whereas the latter must, in particular, be able to follow the progress of quantities charged against the ceilings and keep the Member States informed; whereas this cooperation has to be particularly close since the Commission must be able to take the appropriate measures to re-establish customs tariff duties if one of the ceilings is reached;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

1. Imports of products listed in the Annex originating in the African, Caribbean and Pacific States or in the overseas countries and territories shall, in the Community with exception of Portugal, be subject to ceilings and to Community surveillance.

The products referred to in the first subparagraph, their CN codes, the customs duties applicable, the periods of validity and the levels of the ceilings are set out in the said Annex.

2. From 1 January 1990 and within the limits of the tariff ceilings the Kingdom of Spain will apply customs duties calculated in accordance with the provisions of the Third ACP-EEC Convention consequent on the Accession of the Kingdom of Spain and the Portuguese Republic to the European Communities.

3. Quantities shall be charged against the ceilings as and when products are entered with customs authorities for free circulation, accompanied by a movement certificate.

(1) OJ No L 61, 1. 3. 1985, p. 4.
(2) OJ No L 103, 15. 4. 1989, p. 1.
(3) OJ No L 172, 30. 6. 1987, p. 1.
(4) OJ No L 118, 20. 5. 1972, p. 1.
(5) OJ No L 118, 29. 4. 1989, p. 12.

Products may be charged against a ceiling only if the movement certificate is submitted before the date on which the collection customs duties is re-established.

The extent to which a ceiling is used up shall be determined at Community level on the basis of the imports charged against it, in the manner specified in the preceding subparagraphs.

Member States shall inform the Commission, at the intervals and within the time limits specified in paragraph 4, of imports effected in accordance with the above procedures.

4. As soon as a ceiling has been reached, the Commission shall adopt a regulation re-establishing, until

the end of its period of validity, the customs duties applicable in respect of third countries.

5. Member States shall send the Commission statements of the quantities charged for periods of 10 days, to be forwarded within five clear days of the end of each 10-day period.

Article 2

The Commission shall take all appropriate measures, in close cooperation with the Member States, to ensure the implementation of this Regulation.

Article 3

This Regulation shall enter into force on 1 January 1990.

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

Done at Brussels, 11 October 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

Order No	CN code ⁽¹⁾	Description	Customs duty applicable	Level of ceiling (tonnes)
12.0010	ex 0706 10 00	Carrots, from 1 January to 31 March 1990	10,2	800
12.0020	ex 0703 10	Onions, from 1 February to 15 May 1990	4,8	800

⁽¹⁾ Tarec codes: 0706 10 00 '11, 0703 10 11 '20, 0703 10 11 '30, 0703 10 19 '92, 0703 10 19 '93.

COUNCIL REGULATION (EEC) No 3530/89
of 23 November 1989

amending Regulation (EEC) No 486/85 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific (ACP) States or in the overseas countries and territories

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 Council Regulation (EEC) No 486/85 of 26 February 1985 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories ⁽¹⁾, as last amended by Regulation (EEC) No 967/89 ⁽²⁾, provides for the total or partial exemption from import duties for the products in question;

Whereas molasses account for a significant proportion of exports from the ACP States; whereas Article 130 of the Third ACP-EEC Convention provides for more favourable treatment for products originating in the ACP States than that granted to third countries benefiting from the most-favoured-nation clause; whereas such treatment should be extended to molasses; whereas provision should accordingly be made, within the limit of the

annual quantity corresponding to current actual exports to the Community, for either a reduction in, or total exemption from, the levy on the product in question,

HAS ADOPTED THIS REGULATION:

Article 1

The following Article is hereby added to Title XIII of Regulation (EEC) No 486/85:

Article 19a

The levy applicable to imports of molasses falling within CN code 1703 shall be reduced by ECU 0,5 per 100 kilograms. The levy shall not be collected where it is less than, or equal to, ECU 0,5 per 100 kilograms. These provisions shall apply within the framework of an overall limit of 600 000 tonnes per marketing year.

Article 2

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

It shall apply from 2 June 1989.

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

Done at Brussels, 23 November 1989.

For the Council

The President

E. CRESSON

⁽¹⁾ OJ No L 61, 1. 3. 1985, p. 4.

⁽²⁾ OJ No L 103, 13. 4. 1989, p. 1.

COUNCIL REGULATION (EEC) No 1968/89

of 30 June 1989

opening, allocating and providing for the administration of a Community tariff quota for rum, arrack and tafia originating in the African, Caribbean and Pacific (ACP) States (1989/90)

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 Protocol 5 annexed to the Third ACP-EEC Convention⁽¹⁾, signed at Lomé on 8 December 1984, provides that products originating in the African, Caribbean and Pacific (ACP) States which fall within CN codes 2208 40 10, 2208 40 90, 2208 90 11 and 2208 90 19 shall, until the entry into force of a common organization of the market in spirits, be allowed into the Community free of customs duties under conditions such as to permit the development of traditional trade flows between the ACP States and the Community and between the Member States; whereas the Community shall fix each year the quantities which may be imported free of customs duties on the basis of the largest quantities imported annually from the ACP States into the Community in the past three years for which statistics are available, increased by an annual growth rate of 37 % on the market of the United Kingdom and 27 % on the other markets of the Community; whereas in accordance with Article 3 (1) of the Protocol to the third ACP-EEC Convention consequent on the Accession of the Kingdom of Spain and the Portuguese Republic to the European Communities⁽²⁾, implemented in advance by Regulation (EEC) No 1820/87⁽³⁾, the minimum quantity set out in Article 2 (a), second subparagraph, of Protocol 5 on rum has been increased to 172 000 hectolitres;

Whereas, pursuant to the said Protocol, the Kingdom of Spain and the Portuguese Republic shall become contracting parties to the said ACP-EEC Convention; whereas Regulation (EEC) No 1820/87 provides for special arrangements for the quota duties to be applied by those two Member States; whereas by reason of the particularities peculiar to the market in rum the quota period ranges from 1 July to 30 June;

Whereas, having regard to the levels reached by imports of the products concerned into the Community during the past three years for which statistics are available, the annual quota volume amount to 1 575 94 hectolitres of pure alcohol; whereas this volume being less than the threshold established by the abovementioned Protocol, the quota volume for the period from 1 July 1989 to 30

June 1990 must be fixed at 172 000 hectolitres of pure alcohol;

Whereas it is in particular necessary to ensure to all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rate laid down for that quota to all imports of the products concerned into all Member States until the quota has been used up;

Whereas, following the case law of the Court of Justice, it is unlawful to allocate the Community quotas between the Member States, unless overriding circumstances of an administrative, technical or economic nature, prevent acting otherwise; whereas, in addition, in cases where it is decided to allocate quotas, a mechanism should be set up whereby the integrity of the Common Customs Tariff may be protected;

Whereas the economic difficulties which could result for the French Overseas Departments (FOD) from the sudden change in the arrangements for importing rum from the African, Caribbean and Pacific (ACP) States constitute circumstances having a binding effect which justify the temporary and partial maintenance of these arrangements; whereas, however, the arrangements for allocation of the quota into national shares should be phased out and can only be justified on a transitional basis; whereas the arrangements should in any event definitively disappear with the prospect of the establishment of the internal market;

Whereas, in these circumstances, a Community reserve of 20 % should be set up, with a system for the automatic transfer of Member State share to the reserve as soon as 80 % of the latter has been used up;

Whereas, during the past three years for which statistical data are available, imports from Member States have been as follows:

(in hectolitres of pure alcohol)

Member State	1986	1987	1988
Benelux	6 407	6 264	7 389
Denmark	2 020	1 884	2 038
Germany	36 183	33 570	42 523
Greece	50	50	—
Spain	90	244	—
France	1 637	1 929	1 216
Ireland	2 151	2 060	2 189
Italy	437	800	806
Portugal	—	7	—
United Kingdom	69 757	72 040	63 525
Total	118 732	118 848	119 088

(1) OJ No L 86, 31. 3. 1986, p. 3.

(2) OJ No L 172, 30. 6. 1987, p. 3.

(3) OJ No L 172, 30. 6. 1987, p. 1.

Whereas, in view of these factors, of market forecasts for the products in question and of the estimates submitted by certain Member States, quota shares may be fixed approximately at the following percentages:

Benelux	5,62,
Denmark	1,66,
Germany	31,43,
Greece	0,03,
Spain	0,09,
France	1,34,
Ireland	1,79,
Italy	0,57,
Portugal	0,00,
United Kingdom	57,47;

Whereas provision should be made for a mechanism to prevent, when the Community quota is not exhausted, goods from being imported into a Member State which has exhausted its share only after the full application of customs duties, or after having been diverted to another Member State which has not yet exhausted its share; whereas, in these circumstances, if, during the quota period, the Community reserve were to be almost entirely used up, Member States should return to the said reserve all of the unused portion of their initial shares so as to avoid part of the Community tariff quota from remaining unused in one Member State, when it could be used in others;

Whereas measures should be laid down to ensure that Protocol 5 is implemented under conditions such as to

permit the development of traditional trade flows between the ACP States and the Community, on the one hand, and between the Member States on the other;

Whereas this form of administration requires close collaboration between the Member States and the Commission, and the Commission must be able to keep account of quota utilization rates and inform the Member States accordingly;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any operation concerning the administration of the quota shares levied by that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 July 1989 to 30 June 1990, the following products originating in the ACP States shall be imported duty free into the Community within the limits of the relevant Community tariff quota mentioned:

Order No	CN code	Description	Quota Volume (in hl of pure alcohol)	Quota duty
09.1605	2208 40 10 2208 40 90 2208 90 11 2208 90 19	Rum, arrack and tafia	172 000	Free

2. Within the limit of this quota, the Kingdom of Spain and the Portuguese Republic shall apply customs duties calculated in accordance with the 1985 Act of Accession and Regulation (EEC) No 1820/87.

Germany	43 250,
Greece	40,
Spain	120,
France	1 845,
Ireland	2 460,
Italy	785,
Portugal	15,
United Kingdom	79 075.

Article 2

1. The tariff quota referred to in Article 1 shall be divided into two instalments.

2. A first instalment of 137 600 hectolitres of pure alcohol shall be allocated amongst the Member States; the shares which, subject to Article 3, shall apply until 30 June 1990, amount to the following quantities:

	<i>(hectolitres of pure alcohol)</i>
Benelux	7 730,
Denmark	2 280,

3. A second instalment of 34 400 hectolitres of pure alcohol shall constitute the Community reserve.

4. If an importer indicates that he is about to import any of the products in question into a Member State which has exhausted its initial quota and applies to use the corresponding quota, the Member State concerned shall inform the Commission and draw an amount corresponding to its requirements to the extent that the available balance of the quota so permits.

5. Without prejudice to Article 3, the drawings made pursuant to paragraph 4 shall be valid until the end of the quota period.

Article 3

1. Once at least 80 % of the reserve of one of the tariff quotas, as defined in Article 2 (3), has been used up, the Commission shall inform the Member States thereof.
2. It shall also notify Member States in this case of the date from which drawings on the Community reserve must be made according to the following provisions:

If an importer presents in a Member State a declaration of entry into free circulation including a request for preferential benefit for the product covered by this Regulation, and if this declaration is accepted by the customs authorities, the Member State concerned shall draw, from the reserve referred to in Article 2 (3) by means of notification to the Commission, a quantity corresponding to these needs.

The requests for drawing, with the indication of the date of acceptance of the said declaration, must be communicated to the Commission without delay.

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

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

If the quantities requested are greater than the available balance of the reserve, allocation shall be made on a *pro rata* basis with respect to the requests.

Member States shall be informed by the Commission of the drawings made.

3. Within a time limit fixed by the Commission as from the date referred to in the first subparagraph of

paragraph 2, Member States shall be required to return to the reserve all that part of their initial share and any drawings which have not been used on that date, within the meaning of Article 4.

Article 4

1. Member States shall take all appropriate measures to ensure that their drawings pursuant to Article 2 (4) and (5) and Article 3 enable imports to be charged without interruption against the Community quota.
2. Each Member State shall ensure that importers of the products concerned have free access to the quota for such time as the residual balance of the quota volumes so permits.
3. Member States shall charge imports of the said products against their drawings as and when the products are entered with the customs authorities for free circulation.
4. The extent to which the quota has been used up shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 5

The Member States and the Commission shall cooperate closely to ensure that this Regulation is complied with.

Article 6

Council Regulation (EEC) No 1316/87 of 11 May 1987 on the safeguard measures provided for in the Third ACP-EEC Convention⁽¹⁾ shall apply to the product referred to in this Regulation.

Article 7

This Regulation shall enter into force on 1 July 1989.

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

Done at Brussels, 30 June 1989.

For the Council

The President

F. FERNANDEZ ORDOÑEZ

⁽¹⁾ OJ No L 125, 14. 5. 1987, p. 1.

COMMISSION DECISION

of 14 December 1988

amending Decision 79/542/EEC as regards imports of fresh meat of wild cloven-hoofed animals from Botswana, South Africa/Namibia and Swaziland

(89/8/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat from third countries⁽¹⁾, as amended by Directive 88/289/EEC⁽²⁾, and in particular Articles 1 (1) and 3 thereof,

Whereas Council Decision 79/542/EEC⁽³⁾, as last amended by Commission Decision 86/425/EEC⁽⁴⁾, lists the third countries from which Member States authorize imports of bovine animals, swine and fresh meat;

Whereas the present list should be amended by the Commission in the light of the situation obtaining with regard to animal health in the various countries or parts thereof and in particular in the light of the criteria set out in Article 3 (2) of Directive 72/462/EEC;

Whereas Member States are authorized to import fresh meat of wild cloven-hoofed animals from, *inter alia*, certain African countries;

Whereas, however, the presence of exotic foot-and-mouth disease or the practice of vaccination against that disease in those countries may constitute a danger to Community livestock;

Whereas, the animal health requirements of Member States pursuant to Article 16 of Directive 72/462/EEC relating to imports of fresh meat of wild cloven-hoofed animals from Botswana, South-Africa/Namibia and Swaziland have not yet been laid down at Community level; whereas, pending the entry into force of such requirements, Member States may continue to apply their national animal health rules to such imports;

Whereas, in order to avoid that danger while respecting the traditional pattern of trade between the Community

and those countries, imports of fresh bone-in meat and offal of wild cloven-hoofed animals from those countries should be prohibited;

Whereas, so as not to prejudice the contracts relating to this hunting season it is preferable to defer the application of this Decision until 1 January 1989;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Decision 79/542/EEC is hereby replaced by the Annex to this Decision.

Article 2

This Decision shall apply from 1 January 1989.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 14 December 1988.

For the Commission
Frans ANDRIESEN
Vice-President

(1) OJ No L 302, 31. 12. 1972, p. 28.

(2) OJ No L 124, 18. 5. 1988, p. 31.

(3) OJ No L 146, 14. 6. 1975, p. 15.

(4) OJ No L 243, 28. 8. 1986, p. 34.

ANNEX

ANNEX

Country	Fresh meat					Live animals
	Domestic bovine animals (including buffalo)	Domestic swine	Domestic sheep and goats	Domestic solipeds	Wild cloven-hoofed animals	
Albania		x	x	x		
Argentina	x		x	x		x
Australia	x	x	x	x	x	x
Austria	x	x	x	x	x	x
Belize	x			x		
Botswana	x		x	x	x (1) (2)	
Brazil	x		x	x		
Bulgaria	x	x	x	x	x	x
Canada	x	x	x	x	x	x
Chile	x		x	x	x (1)	
People's Republic of China		x		x	x (1)	
Colombia	x			x		
Costa Rica	x			x		
Cuba	x			x		
Cyprus	x	x	x	x	x	x (2)
Czechoslovakia	x	x	x	x	x	x
El Salvador	x		x	x		
Finland	x	x	x	x	x	x
German Democratic Republic	x	x	x	x	x	x
Greenland	x		x	x	x (1)	
Guatemala	x			x		
Honduras	x			x		
Hungary	x	x	x	x	x	x
Iceland	x	x	x	x	x	x
Israel				x		
Madagascar	x		x	x		
Malta	x	x		x		x
Mexico	x			x		
Morocco				x		
New Zealand	x	x	x	x	x	x
Norway	x	x	x	x	x	x
Nicaragua	x			x		
Panama	x			x		
Paraguay	x		x	x		
Poland	x	x	x	x	x	x
Rumania	x	x	x	x	x	x
South Africa/Namibia	x	x	x	x	x (1) (2)	
Swaziland	x			x	x (1) (2)	
Sweden	x	x	x	x		x
Switzerland	x	x	x	x	x	x
Turkey				x		
United States of America	x	x	x	x	x	x
Uruguay	x		x	x		
Union of Soviet Socialist Republics	x	x	x	x	x (1)	x
Yugoslavia	x	x	x	x	x	x
Zimbabwe	x					

(1) Excluding meat of wild swine

(2) Excluding domestic bovine animals

(3) Excluding bone-in meat and offal

COMMISSION DECISION

of 20 December 1988

on import licences in respect of beef and veal products originating in Botswana, Kenya, Madagascar, Swaziland and Zimbabwe

(89/16/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 486/85 of 26 February 1985 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories⁽¹⁾, as last amended by Regulation (EEC) No 1821/87⁽²⁾, and in particular Article 22 thereof,

Having regard to Commission Regulation (EEC) No 2377/80 of 4 September 1980 on special detailed rules for the application of the system of import and export licences in the beef and veal sector⁽³⁾, as last amended by Regulation (EEC) No 3182/88⁽⁴⁾, and in particular Article 15 (6) (b) (i) thereof,

Whereas Regulation (EEC) No 486/85 provides for the possibility of issuing import licences for beef and veal products; whereas, however, imports must take place within the limits of the quantities specified for each of these exporting non-member countries;

Whereas the applications for import licences submitted between 1 and 10 November 1988, expressed in terms of boned meat, in accordance with Article 15 (1) (b) of Regulation (EEC) No 2377/80, do not exceed, in respect of products originating in Botswana, Kenya, Madagascar, Swaziland and Zimbabwe, the quantities available from these States; whereas it is therefore possible to issue import licences in respect of the quantities requested;

Whereas the remaining quantities, in respect of which licences may be applied for from 1 January 1989, should

be fixed within the scope of the total quantity of 30 000 tonnes, to which should be added, where appropriate, automatically the additional quantity of 8 100 tonnes referred to in Article 5 (2) and (3) of Regulation (EEC) No 486/85;

Whereas it seems expedient to recall that this Decision is without prejudice to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat from third countries⁽⁵⁾, as last amended by Directive 88/289/EEC⁽⁶⁾,

HAS ADOPTED THIS DECISION:

Article 1

The following Member States shall issue on 21 December 1988 import licences concerning beef and veal products, expressed in terms of boned meat, originating in certain African, Caribbean and Pacific States, in respect of the quantities and the countries of origin stated:

United Kingdom:

- 280,0 tonnes originating in Botswana,
- 425,0 tonnes originating in Zimbabwe;

Germany:

- 130,0 tonnes originating in Botswana,
- 95,0 tonnes originating in Zimbabwe,

The Netherlands:

- 57,0 tonnes originating in Zimbabwe.

(1) OJ No L 61, 1. 3. 1985, p. 4.

(2) OJ No L 172, 30. 6. 1987, p. 102.

(3) OJ No L 241, 13. 9. 1980, p. 5.

(4) OJ No L 283, 18. 10. 1988, p. 13.

(5) OJ No L 302, 31. 12. 1972, p. 28.

(6) OJ No L 124, 18. 5. 1988, p. 31.

Article 2

Applications for licences may be submitted, in accordance with Article 15 (6) (b) (ii) of Regulation (EEC) No 2377/80 during the first 10 days of January 1989 in respect of the following quantities of boned beef and veal:

— Botswana :	18 916,0 tonnes,
— Kenya :	142,0 tonnes,
— Madagascar :	7 579,0 tonnes,
— Swaziland :	3 363,0 tonnes,
— Zimbabwe :	8 100,0 tonnes.

Article 3

This Decision is addressed to the Member States, with the exception of Portugal.

Done at Brussels, 20 December 1988.

For the Commission

FRANS ANDRIESEN

Vice-President

COMMISSION DECISION

of 18 January 1989

on import licences in respect of beef and veal products originating in Botswana, Kenya, Madagascar, Swaziland and Zimbabwe

(89/99/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 486/85 of 26 February 1985 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories⁽¹⁾, as last amended by Regulation (EEC) No 1821/87⁽²⁾, and in particular Article 22 thereof,

Having regard to Commission Regulation (EEC) No 2377/80 of 4 September 1980 on special detailed rules for the application of the system of import and export licences in the beef and veal sector⁽³⁾, as last amended by Regulation (EEC) No 3182/88⁽⁴⁾, and in particular Article 15 (6) (b) (i) thereof,

Whereas Regulation (EEC) No 486/85 provides for the possibility of issuing import licences for beef and veal products; whereas, however, imports must take place within the limits of the quantities specified for each of these exporting non-member countries;

Whereas the applications for import licences submitted between 1 and 10 January 1989, expressed in terms of boned meat, in accordance with Article 15 (1) (b) of Regulation (EEC) No 2377/80, do not exceed, in respect of products originating in Botswana, Kenya, Madagascar, Swaziland and Zimbabwe, the quantities available from these States; whereas it is therefore possible to issue import licences in respect of the quantities requested;

Whereas the remaining quantities, in respect of which licences may be applied for from 1 February 1989, should be fixed within the scope of the total quantity of 30 000 tonnes to which should be added, where appropriate, automatically the additional quantity of 8 100 tonnes referred to in Article 5 (2) and (3) of Regulation (EEC) No 486/85;

Whereas it seems expedient to recall that this Decision is without prejudice to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection

problems upon importation of bovine animals and swine and fresh meat from third countries⁽⁵⁾, as last amended by Directive 88/289/EEC⁽⁶⁾,

HAS ADOPTED THIS DECISION:

Article 1

The following Member States shall issue on 21 January 1989 import licences concerning beef and veal products, expressed in terms of boned meat, originating from certain African, Caribbean and Pacific States, in respect of the quantities and the countries of origin stated:

United Kingdom:

- 215 tonnes originating in Botswana,
- 140 tonnes originating in Zimbabwe;

Germany:

- 190 tonnes originating in Botswana,
- 140 tonnes originating in Zimbabwe;

the Netherlands:

- 150 tonnes originating in Botswana,
- 210 tonnes originating in Zimbabwe.

Article 2

Applications for licences may be submitted, in accordance with Article 15 (6) (b) (ii) of Regulation (EEC) No 2377/80 during the first 10 days of February 1989 in respect of the following quantities of boned beef and veal:

Botswana:	18 361 tonnes
Kenya:	142 tonnes
Madagascar:	7 579 tonnes
Swaziland:	3 363 tonnes
Zimbabwe:	7 610 tonnes.

Article 3

This Decision is addressed to the Member States, with the exception of Portugal.

Done at Brussels, 18 January 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 61, 1. 3. 1985, p. 4.

⁽²⁾ OJ No L 172, 30. 6. 1987, p. 102.

⁽³⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁴⁾ OJ No L 283, 18. 10. 1988, p. 13.

⁽⁵⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽⁶⁾ OJ No L 124, 18. 5. 1988, p. 31.

List of establishments in Swaziland approved for the purpose of importing fresh meat into the Community

(89/C 81/04)

Commission Decision C(89) 523 of 17 March 1989

(Council Directive 72/462/EEC, Article 4 (1))

Approval No	Establishment/Address	Category (*)								
		SL	CP	CS	B	S/G	P	SP	SR	
SG 1	The Swaziland Meat Corporation Ltd, Manzini	x	x		x					(1) (1)

(*) SL: Slaughterhouse
 CP: Cutting premises
 CS: Cold store

B: Bovine meat
 S/G: Sheepmeat/Goatmeat
 P: Pigmeat
 SP: Meat from solipeds

SR: special remarks

(1) Offal excluded.

(1) Fresh meat may be introduced into the territory of the Community only until 31 March 1989.

COMMISSION DECISION

of 20 February 1989

on import licences in respect of beef and veal products originating in Botswana, Kenya, Madagascar, Swaziland and Zimbabwe

(89/158/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 486/85 of 26 February 1985 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories (1), as last amended by Regulation (EEC) No 1821/87 (2), and in particular Article 2 thereof,

Having regard to Commission Regulation (EEC) No 2377/80 of 4 September 1980 on special detailed rules for the application of the system of import and export licences in the beef and veal sector (3), as last amended by Regulation (EEC) No 3182/88 (4), and in particular Article 15 (6) (b) (i) thereof,

Whereas Regulation (EEC) No 486/85 provides for the possibility of issuing import licences for beef and veal products; whereas, however, imports must take place within the limits of the quantities specified for each of these exporting non-member countries;

Whereas the applications for import licences submitted between 1 and 10 February 1989, expressed in terms of boned meat, in accordance with Article 15 (1) (b) of Regulation (EEC) No 2377/80, do not exceed, in respect of products originating in Botswana, Kenya, Madagascar, Swaziland and Zimbabwe, the quantities available from these States; whereas it is therefore possible to issue import licences in respect of the quantities requested;

Whereas the remaining quantities, in respect of which licences may be applied for from 1 March 1989, should be fixed within the scope of the total quantity of 30 000 tonnes to which should be added, where appropriate, automatically the additional quantity of 8 100 tonnes referred to in Article 5 (2) and (3) of Regulation (EEC) No 486/85;

Whereas it seems expedient to recall that this Decision is without prejudice to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection

problems upon importation of bovine animals and swine and fresh meat from third countries (5), as last amended by Directive 88/657/EEC (6),

HAS ADOPTED THIS DECISION:

Article 1

The following Member States shall issue on 21 February 1989 import licences concerning beef and veal products, expressed in terms of boned meat, originating from certain African, Caribbean and Pacific States, in respect of the quantities and the countries of origin stated:

United Kingdom:

- 650,0 tonnes originating in Botswana,
- 550,0 tonnes originating in Zimbabwe;

Germany:

- 100,0 tonnes originating in Botswana;

the Netherlands:

- 50,0 tonnes originating in Botswana,
- 7,830 tonnes originating in Zimbabwe.

Article 2

Applications for licences may be submitted, in accordance with Article 15 (6) (b) (ii) of Regulation (EEC) No 2377/80 during the first 10 days of March 1989 in respect of the following quantities of boned beef and veal:

Botswana:	17 561,0 tonnes
Kenya:	142,0 tonnes
Madagascar:	7 579,0 tonnes
Swaziland:	3 363,0 tonnes
Zimbabwe:	7 052,17 tonnes.

Article 3

This Decision is addressed to the Member States, with the exception of Portugal.

Done at Brussels, 20 February 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

(1) OJ No L 61, 1. 3. 1985, p. 4.
 (2) OJ No L 172, 30. 6. 1987, p. 102.
 (3) OJ No L 241, 13. 9. 1980, p. 5.
 (4) OJ No L 283, 18. 10. 1988, p. 13.

(5) OJ No L 302, 31. 12. 1972, p. 28.
 (6) OJ No L 382, 31. 12. 1988, p. 3.

COMMISSION DECISION

of 17 March 1989

on import licences in respect of beef and veal products originating in Botswana, Kenya, Madagascar, Swaziland and Zimbabwe

(89/230/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 486/85 of 26 February 1985 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories (¹), as last amended by Regulation (EEC) No 1821/87 (²), and in particular Article 22 thereof,

Having regard to Commission Regulation (EEC) No 2377/80 of 4 September 1980 on special detailed rules for the application of the system of import and export licences in the beef and veal sector (³), as last amended by Regulation (EEC) No 3182/88 (⁴), and in particular Article 15 (6) (b) (i) thereof,

Whereas Regulation (EEC) No 486/85 provides for the possibility of issuing import licences for beef and veal products; whereas, however, imports must take place within the limits of the quantities specified for each of these exporting non-member countries;

Whereas the applications for import licences submitted between 1 and 10 March 1989, expressed in terms of boned meat, in accordance with Article 15 (1) (b) of Regulation (EEC) No 2377/80, do not exceed, in respect of products originating from Botswana, Kenya, Madagascar, Swaziland and Zimbabwe the quantities available from these States; whereas it is therefore possible to issue import licences in respect of the quantities requested;

Whereas the remaining quantities, in respect of which licences may be applied for from 1 April 1989, should be fixed within the scope of the total quantity of 30 000 tonnes to which should be added, where appropriate, automatically, the additional quantity of 8 100 tonnes referred to in Article 5 (2) and (3) of Regulation (EEC) No 486/85;

Whereas it seems expedient to recall that this Decision is without prejudice to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection

problems upon importation of bovine animals and swine and fresh meat from third countries (⁵), as last amended by Directive 88/289/EEC (⁶),

HAS ADOPTED THIS DECISION:

Article 1

The following Member States shall issue on 21 March 1989 import licences concerning beef and veal products, expressed in terms of boned meat, originating from certain African, Caribbean and Pacific States, in respect of the quantities and the countries of origin stated:

United Kingdom:

70,0 tonnes originating in Botswana,
450,0 tonnes originating in Zimbabwe;

Germany:

230,0 tonnes originating in Botswana,
50,0 tonnes originating in Zimbabwe.

Article 2

Applications for licences may be submitted, in accordance with Article 15 (6) (b) (ii) of Regulation (EEC) No 2377/80 during the first 10 days of April 1989 in respect of the following quantities of boned beef and veal:

Botswana:	17 261,0 tonnes,
Kenya:	142,0 tonnes,
Madagascar:	7 579,0 tonnes,
Swaziland:	3 363,0 tonnes,
Zimbabwe:	6 552,17 tonnes.

Article 3

This Decision is addressed to the Member States, with the exception of Portugal.

Done at Brussels, 17 March 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

(¹) OJ No L 61, 1. 3. 1985, p. 4.

(²) OJ No L 172, 30. 6. 1987, p. 102.

(³) OJ No L 241, 13. 9. 1980, p. 5.

(⁴) OJ No L 283, 18. 10. 1988, p. 13.

(⁵) OJ No L 302, 31. 12. 1972, p. 28.

(⁶) OJ No L 382, 31. 12. 1988, p. 3.

COMMISSION REGULATION (EEC) No 773/89

of 28 March 1989

fixing the amounts by which import duties on beef and veal originating in the African, Caribbean and Pacific States are to be reduced

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 486/85 of 26 February 1985 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories⁽¹⁾, as last amended by Regulation (EEC) No 1821/87⁽²⁾, and in particular Article 4 thereof,

Whereas Article 4 (1) of Regulation (EEC) No 486/85 provides for a 90 % reduction in the import duties on beef and veal; whereas the amount of this reduction must

be calculated in conformity with Article 3 of Commission Regulation (EEC) No 552/85⁽³⁾, as amended by Regulation (EEC) No 3815/85⁽⁴⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The amounts by which import duties on beef and veal are to be reduced pursuant to Article 4 (1) of Regulation (EEC) No 486/85 shall, in respect of importations during the second quarter of 1989, be as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 April 1989.

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

Done at Brussels, 28 March 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

(1) OJ No L 61, 1. 3. 1985, p. 4
(2) OJ No L 172, 30. 6. 1987, p. 102

(3) OJ No L 63, 2. 3. 1985, p. 13.
(4) OJ No L 368, 31. 12. 1985, p. 11.

ANEXO — BILAG — ANHANG — ΠΑΡΑΡΤΗΜΑ — ANNEX — ANNEXE — ALLEGATO — BIJLAGE — ANEXO

Código NC KN code KN Code Κωδικός ΝΣ CN code Code NC Codice NC GN-code Código NC	Belgique Luxembourg FB/Flux/100 kg	Danmark dk/100 kg	Deutschland DM/100 kg	Ελλάδα Δρζ/100 χρτ	España Pta/100 kg	France FF/100 kg	Ireland £ Irl/100 kg	Italia Lit/100 kg	Nederland Fl/100 kg	United Kingdom £/100 kg
0102 90 10	5 257,9	962,76	257,09	14 772,87	17 150,71	850,46	93,292	179 424	288,23	77,218
0102 90 31	5 257,9	962,76	257,09	14 772,87	17 150,71	850,46	93,292	179 424	288,23	77,218
0102 90 33	5 257,9	962,76	257,09	14 772,87	17 150,71	850,46	93,292	179 424	288,23	77,218
0102 90 35	5 257,9	962,76	257,09	14 772,87	17 150,71	850,46	93,292	179 424	288,23	77,218
0102 90 37	5 257,9	962,76	257,09	14 772,87	17 150,71	850,46	93,292	179 424	288,23	77,218
0201 10 10	9 990,1	1 829,25	488,48	28 068,54	32 586,44	1 615,89	177,256	340 907	547,65	146,715
0201 10 90	9 990,1	1 829,25	488,48	28 068,54	32 586,44	1 615,89	177,256	340 907	547,65	146,715
0201 20 21	9 990,1	1 829,25	488,48	28 068,54	32 586,44	1 615,89	177,256	340 907	547,65	146,715
0201 20 29	9 990,1	1 829,25	488,48	28 068,54	30 425,68	1 615,89	177,256	340 907	547,65	146,715
0201 20 31	7 992,1	1 463,41	390,79	22 454,90	26 069,24	1 292,72	141,806	272 726	438,12	117,373
0201 20 39	7 992,1	1 463,41	390,79	22 454,90	26 069,24	1 292,72	141,806	272 726	438,12	117,373
0201 20 51	11 988,1	2 195,10	586,19	33 682,09	39 103,66	1 939,06	212,707	409 087	657,17	176,057
0201 20 59	11 988,1	2 195,10	586,19	33 682,09	39 103,66	1 939,06	212,707	409 087	657,17	176,057
0201 20 90	14 985,1	2 743,88	732,74	50 324,40	47 367,14	2 423,83	265,884	515 084	821,47	221,305
0201 30 00	17 140,9	3 138,61	838,14	52 239,54	55 160,87	2 772,52	304,134	586 771	939,65	252,344
0202 10 00	9 702,1	1 776,52	474,41	28 218,93	31 470,50	1 569,30	172,147	331 513	531,86	142,629
0202 20 10	9 702,1	1 776,52	474,41	28 218,93	31 470,50	1 569,30	172,147	331 513	531,86	142,629
0202 20 20	7 761,6	1 421,21	379,52	22 574,96	25 176,29	1 255,44	137,716	265 209	425,48	114,104
0202 20 50	12 127,6	2 220,65	593,01	35 273,67	39 338,16	1 961,63	215,183	414 392	664,82	178,287
0202 20 90	14 553,1	2 664,77	711,61	49 641,17	45 860,33	2 353,95	258,219	500 581	797,79	215,040
0202 30 10	12 127,6	2 220,65	593,01	35 273,67	39 338,16	1 961,63	215,183	414 392	664,82	178,287
0202 30 50	12 127,6 (*)	2 220,65 (*)	593,01 (*)	35 273,67 (*)	39 338,16 (*)	1 961,63 (*)	215,183 (*)	414 392 (*)	664,82 (*)	178,287 (*)
0202 30 90	16 687,5	3 055,60	815,98	53 446,50	53 225,86	2 699,20	296,091	572 426	914,80	246,058
0206 10 95	17 140,9	3 138,61	838,14	52 239,54	55 160,87	2 772,52	304,134	586 771	939,65	252,344
0206 29 91	16 687,5	3 055,60	815,98	53 446,50	53 225,86	2 699,20	296,091	572 426	914,80	246,058
0210 20 10	14 985,1	2 743,88	732,74	50 324,40	47 367,14	2 423,83	265,884	515 084	821,47	221,305
0210 20 90	17 140,9	3 138,61	838,14	54 897,69	54 671,85	2 772,52	304,134	587 975	939,65	252,743
0210 90 41	17 140,9	3 138,61	838,14	54 897,69	54 671,85	2 772,52	304,134	587 975	939,65	252,743
0210 90 90	17 140,9	3 138,61	838,14	54 897,69	54 671,85	2 772,52	304,134	587 975	939,65	252,743
1602 50 10	17 140,9	3 138,61	838,14	54 897,69	54 671,85	2 772,52	304,134	587 975	939,65	252,743
1602 90 61	17 140,9	3 138,61	838,14	62 933,88	53 193,43	2 772,52	304,134	591 615	939,65	253,947

NB: Los códigos NC, incluidas las notas a pie de página, se definen en el Reglamento (CEE) n° 2658/87 modificado.

NB: KN-koderne, herunder henvisninger til fodnoter, er fastsat i den ændrede forordning (EØF) nr. 2658/87.

NB: Die KN-Code sowie die Verweisungen und Fußnoten sind durch die geänderte Verordnung (EWG) Nr. 2658/87 bestimmt.

NB: Οι κωδικοί της συντομομένης ονοματεπικύρωσης συμπεριλαμβανομένων των υποσημειώσεων, καθορίζονται στον τροποποιημένο κανονισμό (ΕΟΚ) αριθ 2658/87

NB: The CN codes and the footnotes are defined in amended Regulation (EEC) No 2658/87.

NB: Les codes NC ainsi que les renvois en bas de page sont définis au règlement (CEE) n° 2658/87 modifié.

NB: I codici NC e i relativi richiami in calce sono definiti dal regolamento (CEE) n° 2658/87 modificato.

NB: GN-codes en voetnoten: zie de gewijzigde Verordening (EEG) nr 2658/87.

NB: Os códigos NC, incluindo as remissões em pé-de-página são definidos no Regulamento (CEE) n° 2658/87 alterado.

COMMISSION DECISION

of 18 April 1989

on import licences in respect of beef and veal products originating in Botswana, Kenya, Madagascar, Swaziland and Zimbabwe

(89/294/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

referred to in Article 5 (2) and (3) of Regulation (EEC) No 486/85;

Having regard to the Treaty establishing the European Economic Community,

Whereas it seems expedient to recall that this Decision is without prejudice to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat from third countries⁽¹⁾, as last amended by Directive 88/657/EEC⁽²⁾,

Having regard to the Act of Accession of Spain and Portugal,

HAS ADOPTED THIS DECISION :

Having regard to Council Regulation (EEC) No 486/85 of 26 February 1985 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories⁽³⁾, as last amended by Regulation (EEC) No 967/89⁽⁴⁾, and in particular Article 22 thereof,

Article 1

The following Member States shall issue on 21 April 1989 import licences concerning beef and veal products, expressed in terms of boned meat, originating from certain African, Caribbean and Pacific States, in respect of the quantities and the countries of origin stated :

Having regard to Commission Regulation (EEC) No 2377/80 of 4 September 1980 on special detailed rules for the application of the system of import and export licences in the beef and veal sector⁽⁵⁾, as last amended by Regulation (EEC) No 3182/88⁽⁶⁾, and in particular Article 15 (6) (b) (i) thereof,

United Kingdom :

- 620,0 tonnes originating in Botswana,
- 150,0 tonnes originating in Zimbabwe ;

Whereas Regulation (EEC) No 486/85 provides for the possibility of issuing import licences for beef and veal products ; whereas, however, imports must take place within the limits of the quantities specified for each of these exporting non-member countries ;

Germany :

- 270,0 tonnes originating in Botswana,
- 125,0 tonnes originating in Zimbabwe ;

Whereas the applications for import licences submitted between 1 and 10 April 1989, expressed in terms of boned meat, in accordance with Article 15 (1) (b) of Regulation (EEC) No 2377/80, do not exceed, in respect of products originating in Botswana, Kenya, Madagascar, Swaziland and Zimbabwe the quantities available from these States ; whereas it is therefore possible to issue import licences in respect of the quantities requested ;

the Netherlands :

- 35,0 tonnes originating in Botswana.

Article 2

Applications for licences may be submitted, in accordance with Article 15 (6) (b) (ii) of Regulation (EEC) No 2377/80 during the first 10 days of May 1989 in respect of the following quantities of boned beef and veal :

Whereas the remaining quantities, in respect of which licences may be applied for from 1 May 1989, should be fixed within the scope of the total quantity of 30 000 tonnes to which should be added, where appropriate automatically the additional quantity of 8 100 tonnes

Botswana :	16 336,0 tonnes
Kenya :	142,0 tonnes
Madagascar :	7 579,0 tonnes

(¹) OJ No L 61, 1. 3. 1985, p. 4.
 (²) OJ No L 103, 15. 4. 1989, p. 1.
 (³) OJ No L 241, 13. 9. 1980, p. 5.
 (⁴) OJ No L 283, 18. 10. 1988, p. 13.

(⁵) OJ No L 302, 31. 12. 1972, p. 28.
 (⁶) OJ No L 382, 31. 12. 1988, p. 3.

Swaziland : 3 363,0 tonnes
Zimbabwe : 6 277,17 tonnes.

Done at Brussels, 18 April 1989.

Article 3

This Decision is addressed to the Member States, with the exception of Portugal.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION DECISION

of 18 May 1989

on import licences in respect of beef and veal products originating in Botswana, Kenya, Madagascar, Swaziland and Zimbabwe

(89/351/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 486/85 of 26 February 1985 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories⁽¹⁾, as last amended by Regulation (EEC) No 967/89⁽²⁾, and in particular Article 22 thereof,

Having regard to Commission Regulation (EEC) No 2377/80 of 4 September 1980 on special detailed rules for the application of the system of import and export licences in the beef and veal sector⁽³⁾, as last amended by Regulation (EEC) No 3182/88⁽⁴⁾, and in particular Article 15 (6) (b) (i) thereof,

Whereas Regulation (EEC) No 486/85 provides for the possibility of issuing import licences for beef and veal products; whereas, however, imports must take place within the limits of the quantities specified for each of these exporting non-member countries;

Whereas the applications for import licences submitted between 1 and 10 May 1989, expressed in terms of boned meat, in accordance with Article 15 (1) (b) of Regulation (EEC) No 2377/80, do not exceed, in respect of products originating in Botswana, Kenya, Madagascar, Swaziland and Zimbabwe the quantities available from these States; whereas it is therefore possible to issue import licences in respect of the quantities requested;

Whereas the remaining quantities, in respect of which licences may be applied for from 1 June 1989, should be fixed within the scope of the total quantity of 30 000 tonnes to which should be added, where appropriate automatically the additional quantity of 8 100 tonnes

referred to in Article 5 (2) and (3) of Regulation (EEC) No 486/85;

Whereas it seems expedient to recall that this Decision is without prejudice to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat from third countries⁽⁵⁾, as last amended by Directive 89/227/EEC⁽⁶⁾,

HAS ADOPTED THIS DECISION:

Article 1

The following Member States shall issue on 21 May 1989 import licences concerning beef and veal products, expressed in terms of boned meat, originating from certain African, Caribbean and Pacific States, in respect of the quantities and the countries of origin stated:

United Kingdom:

— 643,0 tonnes originating in Botswana;

Germany:

— 320,0 tonnes originating in Botswana,

— 25,0 tonnes originating in Zimbabwe;

The Netherlands:

— 16,638 tonnes originating in Botswana.

Article 2

Applications for licences may be submitted, in accordance with Article 15 (6) (b) (ii) of Regulation (EEC) No 2377/80, during the first 10 days of June 1989 in respect of the following quantities of boned beef and veal:

Botswana:	15 356,362 tonnes
Kenya:	142,0 tonnes
Madagascar:	7 579,0 tonnes

⁽¹⁾ OJ No L 61, 1. 3. 1985, p. 4.

⁽²⁾ OJ No L 103, 15. 4. 1989, p. 1.

⁽³⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁴⁾ OJ No L 283, 18. 10. 1988, p. 13.

⁽⁵⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽⁶⁾ OJ No L 93, 6. 4. 1989, p. 25.

Swaziland : 3 363,0 tonnes
Zimbabwe : 6 252,17 tonnes.

Done at Brussels, 18 May 1989.

Article 3

This Decision is addressed to the Member States, with the exception of Portugal.

For the Commission
Ray MAC SHARRY
Member of the Commission

COMMISSION

COMMISSION DECISION

of 14 June 1989

concerning the importation by Member States of fresh meat from Zimbabwe

(89/405/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat from third countries⁽¹⁾, as last amended by Directive 89/227/EEC⁽²⁾, and in particular Articles 14 and 15 thereof,

Whereas Zimbabwe appears on the list of third countries from which the Member States authorize the importation of bovine animals, swine and fresh meat laid down by Council Decision 79/542/EEC⁽³⁾, as last amended by Decision 89/8/EEC⁽⁴⁾;

Whereas Commission Decision 85/472/EEC⁽⁵⁾, as last amended by Decision 88/559/EEC⁽⁶⁾, lays down health protection measures in respect of Zimbabwe; whereas this Decision provides that the prohibition in Article 14 (2) of Directive 72/462/EEC shall not apply in respect of boned carcass meat of bovine animals to certain areas of Zimbabwe including Mashonaland;

Whereas outbreaks of foot-and-mouth disease have been reported in Zimbabwe which has been free for some time;

Whereas the Zimbabwean authorities are taking certain veterinary control measures including vaccination of

bovine animals in a part of Mashonaland and the suspension of exportation of fresh meat to the Community from the hitherto free area of the territory;

Whereas until the situation has been clarified and further regionalization is possible it is advisable to temporarily suspend the importation of meat from Zimbabwe;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

Member States may not authorize the importation of fresh meat from Zimbabwe.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 14 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

(¹) OJ No L 302, 31. 12. 1972, p. 28.

(²) OJ No L 93, 6. 4. 1989, p. 25.

(³) OJ No L 146, 14. 6. 1979, p. 15.

(⁴) OJ No L 7, 10. 1. 1989, p. 27.

(⁵) OJ No L 278, 18. 10. 1985, p. 31.

(⁶) OJ No L 307, 12. 11. 1988, p. 50.

COMMISSION DECISION

of 16 June 1989

on import licences in respect of beef and veal products originating in Botswana, Kenya, Madagascar, Swaziland and Zimbabwe

(89/388/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 486/85 of 26 February 1985 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories (¹), as last amended by Regulation (EEC) No 967/89 (²), and in particular Article 22 thereof,

Having regard to Commission Regulation (EEC) No 2377/80 of 4 September 1980 on special detailed rules for the application of the system of import and export licences in the beef and veal sector (³), as last amended by Regulation (EEC) No 3182/88 (⁴), and in particular Article 15 (6) (b) (i) thereof,

Whereas Regulation (EEC) No 486/85 provides for the possibility of issuing import licences for beef and veal products; whereas, however, imports must take place within the limits of the quantities specified for each of these exporting non-member countries;

Whereas the applications for import licences submitted between 1 and 10 June 1989, expressed in terms of boned meat, in accordance with Article 15 (1) (b) of Regulation (EEC) No 2377/80, do not exceed, in respect of products originating in Botswana, Kenya, Madagascar, Swaziland and Zimbabwe the quantities available from these States; whereas it is therefore possible to issue import licences in respect of the quantities requested;

Whereas the remaining quantities, in respect of which licences may be applied for from 1 July 1989, should be fixed within the scope of the total quantity of 30 000 tonnes to which should be added, where appropriate

automatically the additional quantity of 8 100 tonnes referred to in Article 5 (2) and (3) of Regulation (EEC) No 486/85;

Whereas it seems expedient to recall that this Decision is without prejudice to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat from third countries (⁵), as last amended by Directive 89/227/EEC (⁶),

HAS ADOPTED THIS DECISION:

Article 1

The following Member States shall issue on 21 June 1989 import licences concerning beef and veal products, expressed in terms of boned meat, originating in certain African, Caribbean and Pacific States, in respect of the quantities and the countries of origin stated:

United Kingdom:

— 380,0 tonnes originating in Botswana;

Germany:

— 460,0 tonnes originating in Botswana;

The Netherlands:

— 330,0 tonnes originating in Botswana.

Article 2

Applications for licences may be submitted, in accordance with Article 15 (6) (b) (ii) of Regulation (EEC) No 2377/80, during the first 10 days of July 1989 in respect of the following quantities of boned beef and veal:

Botswana:	14 186,362 tonnes
Kenya:	142,0 tonnes
Madagascar:	7 579,0 tonnes

(¹) OJ No L 61, 1. 3. 1985, p. 4.

(²) OJ No L 103, 15. 4. 1989, p. 1.

(³) OJ No L 241, 13. 9. 1980, p. 5.

(⁴) OJ No L 283, 18. 10. 1988, p. 13.

(⁵) OJ No L 302, 31. 12. 1972, p. 28.

(⁶) OJ No L 93, 6. 4. 1989, p. 25.

Swaziland : 3 363,0 tonnes
Zimbabwe : 6 252,17 tonnes.

Done at Brussels, 16 June 1989.

Article 3

This Decision is addressed to the Member States, with the exception of Portugal.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 1816/89
of 23 June 1989

fixing the amounts by which import duties on beef and veal originating in the
African, Caribbean and Pacific States are to be reduced

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 486/85 of
26 February 1985 on the arrangements applicable to agri-
cultural products and certain goods resulting from the
processing of agricultural products originating in the
African, Caribbean and Pacific States or in the overseas
countries and territories ⁽¹⁾, as last amended by Regulation
(EEC) No 967/89 ⁽²⁾, and in particular Article 4 thereof,

Whereas Article 4 (1) of Regulation (EEC) No 486/85
provides for a 90 % reduction in the import duties on
beef and veal; whereas the amount of this reduction must

be calculated in conformity with Article 3 of Commission
Regulation (EEC) No 552/85 ⁽³⁾, as amended by Regula-
tion (EEC) No 3815/85 ⁽⁴⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The amounts by which import duties on beef and veal are
to be reduced pursuant to Article 4 (1) of Regulation
(EEC) No 486/85 shall, in respect of importations during
the third quarter of 1989, be as shown in the Annex
hereto.

Article 2

This Regulation shall enter into force on 1 July 1989.

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

Done at Brussels, 23 June 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 61, 1. 3. 1985, p. 4.
⁽²⁾ OJ No L 103, 15. 4. 1989, p. 1.

⁽³⁾ OJ No L 63, 2. 3. 1985, p. 13.
⁽⁴⁾ OJ No L 368, 31. 12. 1985, p. 11.

ANEXO — ΒΙΛΑΓ — ΑΝΗΛΑΓ — ΠΑΡΑΡΤΗΜΑ — ANNEX — ANNEXE — ALLEGATO — BIJLAGE — ANEXO

Código NC KN-code KN Code Καθίστης ΕΙΟ CN code Code NC Code NC GN-code Código NC	Belgique Luxembourg FB/Flux/100 kg	Denmark dkr/100 kg	Deutschland DM/100 kg	Ελλάδα Δρχ/100 χΥD	España Pta/100 kg	France FF/100 kg	Ireland £ Ir/100 kg	Italia Lit/100 kg	Nederland Fl/100 kg	United Kingdom £/100 kg
0102 90 10	5 358,5	990,99	260,85	17 714,95	17 354,30	871,34	96,979	186 655	292,73	80,835
0102 90 31	5 358,5	990,99	260,85	17 714,95	17 354,30	871,34	96,979	186 655	292,73	80,835
0102 90 33	5 358,5	990,99	260,85	17 714,95	17 354,30	871,34	96,979	186 655	292,73	80,835
0102 90 35	5 358,5	990,99	260,85	17 714,95	17 354,30	871,34	96,979	186 655	292,73	80,835
0102 90 37	5 358,5	990,99	260,85	17 714,95	17 354,30	871,34	96,979	186 655	292,73	80,835
0201 10 10	10 181,2	1 882,88	495,60	33 658,61	32 973,33	1 655,54	184,260	354 646	556,18	153,588
0201 10 90	10 181,2	1 882,88	495,60	33 658,61	32 973,33	1 655,54	184,260	354 646	556,18	153,588
0201 20 21	10 181,2	1 882,88	495,60	33 658,61	32 973,33	1 655,54	184,260	354 646	556,18	153,588
0201 20 29	10 181,2	1 882,88	495,60	33 658,61	32 973,33	1 655,54	184,260	354 646	556,18	153,588
0201 20 31	8 144,9	1 506,29	396,48	26 926,77	26 378,52	1 324,42	147,407	283 715	444,94	122,870
0201 20 39	8 144,9	1 506,29	396,48	26 926,77	26 378,52	1 324,42	147,407	283 715	444,94	122,870
0201 20 51	12 217,4	2 259,46	594,72	40 390,38	39 567,99	1 986,64	221,112	425 575	667,42	184,305
0201 20 59	12 217,4	2 259,46	594,72	40 390,38	39 567,99	1 986,64	221,112	425 575	667,42	184,305
0201 20 90	15 271,7	2 824,32	743,40	55 808,69	48 865,71	2 483,31	276,389	531 968	834,27	231,773
0201 30 00	17 468,7	3 230,62	850,35	60 391,37	56 280,33	2 840,55	316,150	608 496	954,30	264,214
0202 10 00	7 770,0	1 436,96	378,23	24 727,10	25 271,38	1 263,46	140,621	270 653	424,46	116,962
0202 20 10	7 770,0	1 436,96	378,23	24 727,10	25 271,38	1 263,46	140,621	270 653	424,46	116,962
0202 20 30	6 215,9	1 149,56	302,58	19 781,51	20 216,99	1 010,75	112,496	216 522	339,57	93,569
0202 20 50	9 712,4	1 796,19	472,79	30 908,88	31 589,26	1 579,32	175,776	338 317	530,58	146,202
0202 20 90	11 654,9	2 155,43	567,34	41 823,23	37 378,46	1 895,18	210,931	405 980	636,69	176,680
0202 30 10	9 712,4	1 796,19	472,79	30 908,88	31 589,26	1 579,32	175,776	338 317	530,58	146,202
0202 30 50	9 712,4	1 796,19	472,79	30 908,88	31 589,26	1 579,32	175,776	338 317	530,58	146,202
0202 30 90	13 364,3	2 471,56	650,55	45 708,15	43 111,83	2 173,13	241,868	465 524	730,07	202,005
0206 10 95	17 468,7	3 230,62	850,35	60 391,37	56 280,33	2 840,55	316,150	608 496	954,30	264,214
0206 29 91	13 364,3	2 471,56	650,55	45 708,15	43 111,83	2 173,13	241,868	465 524	730,07	202,005
0210 20 10	15 271,7	2 824,32	743,40	55 808,69	48 865,71	2 483,31	276,389	531 968	834,27	231,773
0210 20 90	17 468,7	3 230,62	850,35	62 111,63	56 088,22	2 840,55	316,150	608 496	954,30	264,664
0210 90 41	17 468,7	3 230,62	850,35	62 111,63	56 088,22	2 840,55	316,150	608 496	954,30	264,664
0210 90 90	17 468,7	3 230,62	850,35	62 111,63	56 088,22	2 840,55	316,150	608 496	954,30	264,664
1602 50 10	17 468,7	3 230,62	850,35	62 111,63	56 088,22	2 840,55	316,150	608 496	954,30	264,664
1602 90 61	17 468,7	3 230,62	850,35	67 312,46	55 507,41	2 840,55	316,150	608 496	954,30	266,024

NB Los códigos NC, incluidas las notas a pie de página, se definen en el Reglamento (CEE) n.º 2658/87 modificado.

NB KN-koderner, herunder henvisninger til koderner, er fastsat i den ændrede forordning (EØF) nr. 2658/87.

NB Die KN-Code sowie die Verweisungen und Fußnoten sind durch die geänderte Verordnung (EWG) Nr. 2658/87 bestimmt.

NB Οι κωδικοί της ονομαστικής ενότητας, συμπεριλαμβανομένων των υποσημασιών, καθορίζονται στην τροποποιημένο κανονισμό (ΕΟΚ) αριθ. 2658/87.

NB The CN codes and the footnotes are defined in amended Regulation (EEC) No 2658/87.

NB Les codes NC ainsi que les renvois en bas de page sont définis au règlement (CEE) n.º 2658/87 modifié.

NB I codici NC e i relativi richiami in calce sono definiti dal regolamento (CEE) n. 2658/87 modificato.

NB GN codes en voetnoten zie de gewijzigde Verordening (EEG) nr. 2658/87

NB Os códigos NC, incluindo as remissões em pé-de-página são definidos no Regulamento (CEE) n.º 2658/87 alterado.

COMMISSION DECISION

of 19 July 1989

on import licences in respect of beef and veal products originating in Botswana, Kenya, Madagascar, Swaziland and Zimbabwe

(89/474/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 486/85 of 26 February 1985 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories⁽¹⁾, as last amended by Regulation (EEC) No 1821/87⁽²⁾, and in particular Article 22 thereof,

Having regard to Commission Regulation (EEC) No 2377/80 of 4 September 1980 on special detailed rules for the application of the system of import and export licences in the beef and veal sector⁽³⁾, as last amended by Regulation (EEC) No 3182/88⁽⁴⁾, and in particular Article 15 (6) (b) (i) thereof,

Whereas Regulation (EEC) No 486/85 provides for the possibility of issuing import licences for beef and veal products; whereas, however, imports must take place within the limits of the quantities specified for each of these exporting non-member countries;

Whereas the applications for import licences submitted between 1 and 10 July 1989, expressed in terms of boned meat, in accordance with Article 15 (1) (b) of Regulation (EEC) No 2377/80, do not exceed, in respect of products originating from Botswana, Kenya, Madagascar, Swaziland and Zimbabwe the quantities available from these States; whereas it is therefore possible to issue import licences in respect of the quantities requested;

Whereas the remaining quantities, in respect of which licences may be applied for from 1 August 1989, should be fixed within the scope of the total quantity of 30 000 tonnes to which should be added, where appropriate, automatically, the additional quantity of 8 100 tonnes referred to in Article 5 (2) and (3) of Regulation (EEC) No 486/85;

Whereas it seems expedient to recall that this Decision is without prejudice to Council Directive 72/462/EEC of 12

December 1972 on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat from third countries⁽⁵⁾, as last amended by Directive 89/227/EEC⁽⁶⁾,

HAS ADOPTED THIS DECISION:

Article 1

The following Member States shall issue on 21 July 1989 import licences concerning beef and veal products, expressed in terms of boned meat, originating from certain African, Caribbean and Pacific States, in respect of the quantities and the countries of origin stated:

United Kingdom:

260,00 tonnes originating in Botswana,

Germany

100,00 tonnes originating in Botswana.

Article 2

Applications for licences may be submitted, in accordance with Article 15 (6) (b) (ii) of Regulation (EEC) No 2377/80 during the first 10 days of August 1989 in respect of the following quantities of boned beef and veal:

Botswana	13 826,362 tonnes
Kenya	142,00 tonnes
Madagascar	7 579,00 tonnes
Swaziland	3 363,00 tonnes
Zimbabwe	6 252,17 tonnes.

Article 3

This Decision is addressed to the Member States, with the exception of Portugal.

Done at Brussels, 19 July 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 61, 1. 3. 1985, p. 4.

⁽²⁾ OJ No L 103, 15. 4. 1989, p. 1.

⁽³⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁴⁾ OJ No L 283, 18. 10. 1988, p. 13.

⁽⁵⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽⁶⁾ OJ No L 93, 6. 4. 1989, p. 25.

COMMISSION DECISION

of 17 August 1989

on import licences in respect of beef and veal products originating in Botswana, Kenya, Madagascar, Swaziland and Zimbabwe

(89/510/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 486/85 of 26 February 1985 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories (*), as last amended by Regulation (EEC) No 967/89 (**), and in particular Article 22 thereof,

Having regard to Commission Regulation (EEC) No 2377/80 of 4 September 1980 on special detailed rules for the application of the system of import and export licences in the beef and veal sector (*), as last amended by Regulation (EEC) No 3182/88 (**), and in particular Article 15 (6) (b) (i) thereof,

Whereas Regulation (EEC) No 486/85 provides for the possibility of issuing import licences for beef and veal products; whereas, however, imports must take place within the limits of the quantities specified for each of these exporting non-member countries;

Whereas the applications for import licences submitted between 1 and 10 August 1989, expressed in terms of boned meat, in accordance with Article 15 (1) (b) of Regulation (EEC) No 2377/80, do not exceed, in respect of products originating from Botswana, Kenya, Madagascar, Swaziland and Zimbabwe the quantities available from these States; whereas it is therefore possible to issue import licences in respect of the quantities requested;

Whereas the remaining quantities, in respect of which licences may be applied for from 1 September 1989, should be fixed within the scope of the total quantity of 30 000 tonnes to which should be added, where appropriate, automatically, the additional quantity of 8 100 tonnes referred to in Article 5 (2) and (3) of Regulation (EEC) No 486/85;

Whereas it seems expedient to recall that this Decision is without prejudice to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat from third countries (*), as last amended by Directive 89/227/EEC (**),

HAS ADOPTED THIS DECISION:

Article 1

The following Member States shall issue on 21 August 1989 import licences concerning beef and veal products, expressed in terms of boned meat, originating from certain African, Caribbean and Pacific States, in respect of the quantities and the countries of origin stated:

United Kingdom:

1 020,00 tonnes originating in Botswana,

Germany:

650,00 tonnes originating in Botswana.

Article 2

Applications for licences may be submitted, in accordance with Article 15 (6) (b) (ii) of Regulation (EEC) No 2377/80 during the first 10 days of September 1989 in respect of the following quantities of boned beef and veal:

Botswana	12 156,362 tonnes
Kenya	142,00 tonnes
Madagascar	7 579,00 tonnes
Swaziland	3 363,00 tonnes
Zimbabwe	6 252,17 tonnes.

Article 3

This Decision is addressed to the Member States, with the exception of Portugal.

Done at Brussels, 17 August 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

(*) OJ No L 61, 1. 3. 1985, p. 4.
(**) OJ No L 103, 15. 4. 1989, p. 1.
(*) OJ No L 241, 13. 9. 1980, p. 5.
(**) OJ No L 283, 18. 10. 1988, p. 13.

(*) OJ No L 302, 31. 12. 1972, p. 28.
(**) OJ No L 93, 6. 4. 1989, p. 25.

COMMISSION

COMMISSION DECISION

of 19 September 1989

on import licences in respect of beef and veal products originating in Botswana, Kenya, Madagascar, Swaziland and Zimbabwe

(89/528/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 486/85 of 26 February 1985 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories⁽¹⁾, as last amended by Regulation (EEC) No 967/89⁽²⁾, and in particular Article 22 thereof,

Having regard to Commission Regulation (EEC) No 2377/80 of 4 September 1980 on special detailed rules for the application of the system of import and export licences in the beef and veal sector⁽³⁾, as last amended by Regulation (EEC) No 3182/88⁽⁴⁾, and in particular Article 15 (6) (b) (i) thereof,

Whereas Regulation (EEC) No 486/85 provides for the possibility of issuing import licences for beef and veal products; whereas, however, imports must take place within the limits of the quantities specified for each of these exporting non-member countries;

Whereas the applications for import licences submitted between 1 and 10 September 1989, expressed in terms of boned meat, in accordance with Article 15 (1) (b) of

Regulation (EEC) No 2377/80, do not exceed, in respect of products originating from Botswana, Kenya, Madagascar, Swaziland and Zimbabwe the quantities available from these States; whereas it is therefore possible to issue import licences in respect of the quantities requested;

Whereas the remaining quantities, in respect of which licences may be applied for from 1 October 1989, should be fixed within the scope of the total quantity of 30 000 tonnes to which should be added, where appropriate, automatically, the additional quantity of 8 100 tonnes referred to in Article 5 (2) and (3) of Regulation (EEC) No 486/85;

Whereas it seems expedient to recall that this Decision is without prejudice to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat from third countries⁽⁵⁾, as last amended by Directive 89/227/EEC⁽⁶⁾,

HAS ADOPTED THIS DECISION:

Article 1

The following Member States shall issue on 21 September 1989 import licences concerning beef and veal products, expressed in terms of boned meat, originating from certain African, Caribbean and Pacific States, in respect of the quantities and the countries of origin stated:

⁽¹⁾ OJ No L 61, 1. 3. 1985, p. 4.

⁽²⁾ OJ No L 103, 15. 4. 1989, p. 1.

⁽³⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁴⁾ OJ No L 283, 18. 10. 1988, p. 13.

⁽⁵⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽⁶⁾ OJ No L 93, 6. 4. 1989, p. 25.

United Kingdom

320,0 tonnes originating in Botswana,

Germany

342,6 tonnes originating in Botswana,

Netherlands

120,0 tonnes originating in Botswana.

Botswana	11 373,762 tonnes
Kenya	142,00 tonnes
Madagascar	7 579,00 tonnes
Swaziland	3 363,00 tonnes
Zimbabwe	6 252,17 tonnes

Article 3

This Decision is addressed to the Member States, with the exception of Portugal.

Done at Brussels, 19 September 1989.

Article 2

Applications for licences may be submitted, in accordance with Article 15 (6) (b) (ii) of Regulation (EEC) No 2377/80 during the first 10 days of October 1989 in respect of the following quantities of boned beef and veal :

For the Commission

Ray MAC SHARRY

Member of the Commission



COMMISSION REGULATION (EEC) No 2820/89

of 20 September 1989

fixing the amounts by which import duties on beef and veal originating in the African, Caribbean and Pacific States are to be reduced

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 486/85 of 26 February 1985 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories⁽¹⁾, as last amended by Regulation (EEC) No 967/89⁽²⁾, and in particular Article 4 thereof,

Whereas Article 4 (1) of Regulation (EEC) No 486/85 provides for a 90 % reduction in the import duties on beef and veal ; whereas the amount of this reduction must

be calculated in conformity with Article 3 of Commission Regulation (EEC) No 552/85⁽³⁾, as amended by Regulation (EEC) No 3815/85⁽⁴⁾,

HAS ADOPTED THIS REGULATION :

Article 1

The amounts by which import duties on beef and veal are to be reduced pursuant to Article 4 (1) of Regulation (EEC) No 486/85 shall, in respect of importations during the fourth quarter of 1989, be as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 October 1989.

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

Done at Brussels, 20 September 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 61, 1. 3. 1985, p. 4.
⁽²⁾ OJ No L 103, 15. 4. 1989, p. 1.

⁽³⁾ OJ No L 63, 2. 3. 1985, p. 13.
⁽⁴⁾ OJ No L 368, 31. 12. 1985, p. 11.

ANEXO — BILAG — ANHANG — ΠΑΡΑΡΤΗΜΑ — ANNEX — ANNEXE — ALLEGATO — BIJLAGE — ANEXO

Código NC KN-kode KN-Code Κωδικός ΙΟ CN code Code NC Codice NC GN-code Código NC	Belgique Luxembourg FB/Plus/100 kg	Denmark dkr/100 kg	Deutschland DM/100 kg	Ελλάδα Δραχ/100 ΣΥΡ	España Pta/100 kg	France FF/100 kg	Irland £ H/100 kg	Italia Lit/100 kg	Nederland Fl/100 kg	United Kingdom £/100 kg
0102 90 10	5 358,5	990,99	260,85	17 676,56	17 441,87	871,34	96,979	186 655	292,73	80,679
0102 90 31	5 358,5	990,99	260,85	17 676,56	17 441,87	871,34	96,979	186 655	292,73	80,879
0102 90 33	5 358,5	990,99	260,85	17 676,56	17 441,87	871,34	96,979	186 655	292,73	80,679
0102 90 35	5 358,5	990,99	260,85	17 676,56	17 441,87	871,34	96,979	186 655	292,73	80,676
0102 90 37	5 358,5	990,99	260,85	17 676,56	17 441,87	871,34	96,979	186 655	292,73	80,676
0201 10 10	10 181,2	1 882,88	495,60	33 585,68	33 139,73	1 655,54	184,260	354 646	556,18	153,292
0201 10 90	10 181,2	1 882,88	495,60	33 585,68	33 139,73	1 655,54	184,260	354 646	556,18	153,292
0201 20 21	10 181,2	1 882,88	495,60	33 585,68	33 139,73	1 655,54	184,260	354 646	556,18	153,292
0201 20 29	10 181,2	1 882,88	495,60	33 585,68	33 139,73	1 655,54	184,260	354 646	556,18	153,292
0201 20 31	8 144,9	1 506,29	396,48	26 868,35	26 511,65	1 324,42	147,407	283 715	444,94	122,632
0201 20 39	8 144,9	1 506,29	396,48	26 868,35	26 511,65	1 324,42	147,407	283 715	444,94	122,632
0201 20 51	12 217,4	2 259,46	594,72	40 302,83	39 767,68	1 986,64	221,112	425 575	667,42	183,950
0201 20 59	12 217,4	2 259,46	594,72	40 302,83	39 767,68	1 986,64	221,112	425 575	667,42	183,950
0201 20 90	15 271,7	2 824,32	743,40	56 042,49	48 332,03	2 483,31	276,389	531 968	834,27	232,721
0201 30 00	17 468,7	3 230,62	850,35	60 436,61	56 177,15	2 840,55	316,150	608 496	954,30	264,397
0202 10 00	8 394,2	1 552,40	408,62	27 164,81	27 450,93	1 364,96	151,918	292 398	458,56	126,128
0202 10 10	8 394,2	1 552,40	408,62	27 164,81	27 450,93	1 364,96	151,918	292 398	458,56	126,128
0202 20 30	6 715,4	1 241,92	326,89	21 731,87	21 960,75	1 091,97	121,535	233 918	366,85	100,902
0202 20 50	10 492,7	1 940,50	510,77	33 956,08	34 313,70	1 706,20	189,898	365 498	573,20	157,659
0202 20 90	12 591,3	2 328,60	612,92	45 785,20	39 951,09	2 047,44	227,877	438 596	687,84	191,667
0202 30 10	10 492,7	1 940,50	510,77	33 956,08	34 313,70	1 706,20	189,898	365 498	573,20	157,659
0202 30 50	10 492,7	1 940,50	510,77	33 956,08	34 313,70	1 706,20	189,898	365 498	573,20	157,659
0202 30 90	14 438,0	2 670,12	702,82	50 106,08	46 392,87	2 347,72	261,299	502 924	788,72	218,601
0206 10 95	17 468,7	3 230,62	850,35	60 436,61	56 177,15	2 840,55	316,150	608 496	954,30	264,397
0206 29 91	14 438,0	2 670,12	702,82	50 106,08	46 392,87	2 347,72	261,299	502 924	788,72	218,601
0210 20 10	15 271,7	2 824,32	743,40	56 042,49	48 332,03	2 483,31	276,389	531 968	834,27	232,721
0210 20 90	17 468,7	3 230,62	850,35	62 267,84	55 731,80	2 840,55	316,150	608 496	954,30	265,297
0210 90 41	17 468,7	3 230,62	850,35	62 267,84	55 731,80	2 840,55	316,150	608 496	954,30	265,297
0210 90 10	17 468,7	3 230,62	850,35	62 267,84	55 731,80	2 840,55	316,150	608 496	954,30	265,297
1602 50 10	17 468,7	3 230,62	850,35	62 267,84	55 731,80	2 840,55	316,150	608 496	954,30	265,297
1602 90 61	17 468,7	3 230,62	850,35	67 804,19	54 385,38	2 840,55	316,150	608 496	954,30	268,018

NB: Los códigos NC, incluidas las notas a pie de página, se definen en el Reglamento (CEE) nº 2658/87 modificado.

NB: KN-koderne, herunder henvisninger til fodnoter, er fastsat i den ændrede forordning (EØF) nr. 2658/87.

NB: Die KN-Code sowie die Verweisungen und Fußnoten sind durch die geänderte Verordnung (EWG) Nr. 2658/87 bestimmt.

NB: Οι κωδικοί της συνδυασμένης ονοματολογίας, συμπεριλαμβανομένων των υποσημειώσεων, καθορίζονται στον τροποποιημένο κανονισμό (ΕΟΚ) αριθ. 2658/87.

NB: The CN codes and the footnotes are defined in amended Regulation (EEC) No 2658/87.

NB: Les codes NC ainsi que les renvois en bas de page sont définis au règlement (CEE) nº 2658/87 modifié.

NB: I codici NC e i relativi richiami in calce sono definiti dal regolamento (CEE) n. 2658/87 modificato.

NB: GN-codes en voetnoten: zie de gewijzigde Verordening (EEG) nr. 2658/87.

NB: Os códigos NC, incluindo as referências em pé-de-página são definidos no Regulamento (CEE) nº 2658/87 alterado.

COMMISSION DECISION

of 20 October 1989

on import licences in respect of beef and veal products originating in Botswana, Kenya, Madagascar, Swaziland and Zimbabwe

(89/571/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 486/85 of 26 February 1985 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories⁽¹⁾, as last amended by Regulation (EEC) No 967/89⁽²⁾, and in particular Article 22 thereof,

Having regard to Commission Regulation (EEC) No 2377/80 of 4 September 1980 on special detailed rules for the application of the system of import and export licences in the beef and veal sector⁽³⁾, as last amended by Regulation (EEC) No 3182/88⁽⁴⁾, and in particular Article 15 (6) (b) (i) thereof,

Whereas Regulation (EEC) No 486/85 provides for the possibility of issuing import licences for beef and veal products; whereas, however, imports must take place within the limits of the quantities specified for each of these exporting non-member countries;

Whereas the applications for import licences submitted between 1 and 10 October 1989, expressed in terms of boned meat, in accordance with Article 15 (1) (b) of Regulation (EEC) No 2377/80, do not exceed, in respect of products originating from Botswana, Kenya, Madagascar, Swaziland and Zimbabwe the quantities available from these States; whereas it is therefore possible to issue import licences in respect of the quantities requested;

Whereas the remaining quantities, in respect of which licences may be applied for from 1 November 1989, should be fixed within the scope of the total quantity of 30 000 tonnes to which should be added, where appropriate, automatically, the additional quantity of 8 100 tonnes referred to in Article 5 (2) and (3) of Regulation (EEC) No 486/85;

Whereas it seems expedient to recall that this Decision is without prejudice to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection

problems upon importation of bovine animals and swine and fresh meat from third countries⁽⁵⁾, as last amended by Directive 89/227/EEC⁽⁶⁾,

HAS ADOPTED THIS DECISION:

Article 1

The following Member States shall issue on 21 October 1989 import licences concerning beef and veal products, expressed in terms of boned meat, originating from certain African, Caribbean and Pacific States, in respect of the quantities and the countries of origin stated:

United Kingdom

297,0 tonnes originating in Botswana,

Germany

101,5 tonnes originating in Botswana,

Netherlands

336,0 tonnes originating in Botswana.

Article 2

Applications for licences may be submitted, in accordance with Article 15 (6) (b) (ii) of Regulation (EEC) No 2377/80 during the first 10 days of November 1989 in respect of the following quantities of boned beef and veal:

Botswana	10 639,262 tonnes,
Kenya	142,00 tonnes,
Madagascar	7 579,00 tonnes,
Swaziland	3 363,00 tonnes,
Zimbabwe	6 252,17 tonnes.

Article 3

This Decision is addressed to the Member States, with the exception of Portugal.

Done at Brussels, 20 October 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

(1) OJ No L 61, 1. 3. 1985, p. 4.
 (2) OJ No L 103, 15. 4. 1989, p. 1.
 (3) OJ No L 241, 13. 9. 1980, p. 5.
 (4) OJ No L 283, 18. 10. 1988, p. 13.

(5) OJ No L 302, 31. 12. 1972, p. 28.
 (6) OJ No L 93, 6. 4. 1989, p. 25.

COMMISSION DECISION

of 20 November 1989

on import licences in respect of beef and veal products originating in Botswana, Kenya, Madagascar, Swaziland and Zimbabwe

(89/603/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 486/85 of 26 February 1985 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories (*), as last amended by Regulation (EEC) No 967/89 (**), and in particular Article 22 thereof,

Having regard to Commission Regulation (EEC) No 2377/80 of 4 September 1980 on special detailed rules for the application of the system of import and export licences in the beef and veal sector (*), as last amended by Regulation (EEC) No 3182/88 (**), and in particular Article 15 (6) (b) (i) thereof,

Whereas Regulation (EEC) No 486/85 provides for the possibility of issuing import licences for beef and veal products: whereas, however, imports must take place within the limits of the quantities specified for each of these exporting non-member countries;

Whereas the applications for import licences submitted between 1 and 10 November 1989, expressed in terms of boned meat, in accordance with Article 15 (1) (b) of Regulation (EEC) No 2377/80, do not exceed, in respect of products originating from Botswana, Kenya, Madagascar, Swaziland and Zimbabwe, the quantities available from these States; whereas it is therefore possible to issue import licences in respect of the quantities requested;

Whereas the remaining quantities, in respect of which licences may be applied for from 1 December 1989, should be fixed within the scope of the total quantity of 30 000 tonnes to which should be added, where appropriate, automatically, the additional quantity of 8 100 tonnes referred to in Article 5 (2) and (3) of Regulation (EEC) No 486/85;

Whereas it seems expedient to recall that this Decision is without prejudice to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection

problems upon importation of bovine animals and swine and fresh meat from third countries (*), as last amended by Directive 89/227/EEC (**).

HAS ADOPTED THIS DECISION:

Article 1

The following Member States shall issue on 21 November 1989 import licences concerning beef and veal products, expressed in terms of boned meat, originating from certain African, Caribbean and Pacific States, in respect of the quantities and the countries of origin stated:

United Kingdom

205,0 tonnes originating in Botswana,

Germany

75,0 tonnes originating in Botswana,

Netherlands

225,0 tonnes originating in Botswana.

Article 2

Applications for licences may be submitted, in accordance with Article 15 (6) (b) (ii) of Regulation (EEC) No 2377/80 during the first 10 days of December 1989 in respect of the following quantities of boned beef and veal:

Botswana	10 134,262 tonnes,
Kenya	142,00 tonnes,
Madagascar	7 579,00 tonnes,
Swaziland	3 363,00 tonnes,
Zimbabwe	6 252,17 tonnes.

Article 3

This Decision is addressed to the Member States, with the exception of Portugal.

Done at Brussels, 20 November 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

(*) OJ No L 61, 1. 3. 1985, p. 4.
(**) OJ No L 103, 15. 4. 1989, p. 1.
(*) OJ No L 241, 13. 9. 1980, p. 5.
(*) OJ No L 283, 18. 10. 1988, p. 13

(*) OJ No L 302, 31. 12. 1972, p. 28.
(*) OJ No L 93, 6. 4. 1989, p. 25.

COMMISSION DECISION

of 19 December 1989

on import licences in respect of beef and veal products originating in Botswana, Kenya, Madagascar, Swaziland and Zimbabwe

(90/10/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 486/85 of 26 February 1985 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories (1), as last amended by Regulation (EEC) No 967/89 (2), and in particular Article 22 thereof,

Having regard to Commission Regulation (EEC) No 2377/80 of 4 September 1980 on special detailed rules for the application of the system of import and export licences in the beef and veal sector (3), as last amended by Regulation (EEC) No 3182/88 (4), and in particular Article 15 (6) (b) (i) thereof,

Whereas Regulation (EEC) No 486/85 provides for the possibility of issuing import licences for beef and veal products, whereas, however, imports must take place within the limits of the quantities specified for each of these exporting non-member countries;

Whereas the applications for import licences submitted between 1 and 10 December 1989, expressed in terms of boned meat, in accordance with Article 15 (1) (b) of Regulation (EEC) No 2377/80, do not exceed, in respect of products originating from Botswana, Kenya, Madagascar, Swaziland and Zimbabwe, the quantities available from these States; whereas it is therefore possible to issue import licences in respect of the quantities requested;

Whereas the remaining quantities, in respect of which licences may be applied for from 1 January 1990, should be fixed within the scope of the total quantity of 30 000 tonnes to which should be added, where appropriate, automatically, the additional quantity of 8 100 tonnes referred to in Article 5 (2) and (3) of Regulation (EEC) No 486/85;

Whereas it seems expedient to recall that this Decision is without prejudice to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection

problems upon importation of bovine animals and swine and fresh meat from third countries (5), as last amended by Directive 89/227/EEC (6),

HAS ADOPTED THIS DECISION:

Article 1

The following Member States shall issue on 21 December 1989 import licences concerning beef and veal products, expressed in terms of boned meat, originating from certain African, Caribbean and Pacific States, in respect of the quantities and the countries of origin stated:

United Kingdom

430,0 tonnes originating in Botswana,

Germany

150,0 tonnes originating in Swaziland,

Netherlands

16,520 tonnes originating in Botswana.

Article 2

Applications for licences may be submitted, in accordance with Article 15 (6) (b) (ii) of Regulation (EEC) No 2377/80 during the first 10 days of January 1990 in respect of the following quantities of boned beef and veal:

Botswana	18 916,0 tonnes,
Kenya	142,0 tonnes,
Madagascar	7 579,0 tonnes,
Swaziland	3 363,0 tonnes,
Zimbabwe	8 100,0 tonnes.

Article 3

This Decision is addressed to the Member States, with the exception of Portugal.

Done at Brussels, 19 December 1989.

For the Commission

Ray MAC SHARRY

Member of the Commission

(1) OJ No L 61, 1. 3. 1985, p. 4.
 (2) OJ No L 103, 15. 4. 1989, p. 1.
 (3) OJ No L 241, 13. 9. 1980, p. 5.
 (4) OJ No L 263, 18. 10. 1988, p. 13.

(5) OJ No L 302, 31. 12. 1972, p. 28.
 (6) OJ No L 93, 6. 4. 1989, p. 25.

COMMISSION

COMMISSION DECISION

of 9 February 1989

terminating the review of anti-dumping measures concerning imports of low carbon ferro-chromium originating in South Africa, Turkey and Zimbabwe and confirming the expiry of those measures

(89/110/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2423/88 of 11 July 1988 on protection against dumped or subsidized imports from countries not members of the European Economic Community⁽¹⁾, and in particular Articles 9 and 15 thereof,

After consultations within the Advisory Committee as provided for under the above Regulation,

Whereas :

(1) Previous procedure

In June 1983 the Commission accepted⁽²⁾ undertakings given in connection with the anti-dumping proceeding concerning imports of low carbon ferro-chromium originating in South Africa, Sweden, Turkey and Zimbabwe. In 1986 the Commission was informed that the Swedish exporter concerned in the proceeding was no longer involved in production of this material. In January 1988 the Commission gave notice⁽³⁾ of the impending expiry of these undertakings pursuant to Article 15 of Council Regulation (EEC) No

2176/84⁽⁴⁾, which has subsequently been replaced by Regulation (EEC) No 2423/88.

The undertaking given by the Swedish exporter duly expired on 22 June 1988⁽⁵⁾.

(2) Review requests and initiation

The Commission received in July 1987 a request for review lodged by the Comité de Liaison des Industries de Ferro-Alliages de la CEE, which represents the whole of Community output of the product concerned.

The request alleged significant dumping and price undercutting by certain exporters, so that the existing undertakings were proving increasingly inadequate.

Subsequent to the publication by the Commission in January 1988 of the notice of impending expiry of the measures at present in force, the Commission received a further request for review from the abovementioned complainant.

This request alleged that there had been further gains of EC market share by exporters, obtained by substantial price undercutting, and that the ending of anti-dumping measures would lead to increased injury. The evidence presented of dumping and injury was considered sufficient to justify the initiation of a review, announced by a notice published in the *Official Journal of the European Communities*⁽⁶⁾, and the Commission commenced an investigation, obtaining from the parties involved all information necessary for the

⁽¹⁾ OJ No L 209, 2. 8. 1988, p. 1.

⁽²⁾ OJ No L 161, 21. 6. 1983, p. 15.

⁽³⁾ OJ No C 1, 5. 1. 1988, p. 5.

⁽⁴⁾ OJ No L 201, 30. 7. 1984, p. 1.

⁽⁵⁾ OJ No C 307, 2. 12. 1988, p. 2.

⁽⁶⁾ OJ No C 57, 1. 3. 1988, p. 3.

assessment of dumping and injury. Pursuant to Article 15 of the above Regulation, the undertakings given by the South African, Turkish and Zimbabwean exporters remained in force pending the outcome of this investigation.

(3)

Product

The product concerned is low carbon ferro-chromium with a maximum carbon content of 0,5 % and a maximum silicon content of 1,5 %. It falls within CN codes 7202 49 10 and 7202 49 50.

(4)

Results of the dumping investigation

The investigation carried out by the Commission's services showed that no dumping on the part of exporters could be established for the reference period, which covered the calendar year 1987.

(5)

Withdrawal of review requests

The complainant advised the Commission by letter dated 29 September 1988 that it was withdrawing the requests for review mentioned under 2.

(6)

Termination

In these circumstances the Commission considers that this review proceeding should be terminated and that the undertakings remaining in force

pending the outcome of the review should lapse forthwith.

HAS DECIDED AS FOLLOWS:

Article 1

The review of anti-dumping measures concerning imports of low carbon ferro-chromium originating in South Africa, Turkey and Zimbabwe is hereby terminated.

Article 2

The undertakings given by the South African, Turkish and Zimbabwean exporters, which remained in force pending the outcome of the review, shall lapse with effect from the day following the publication of this Decision in the *Official Journal of the European Communities*.

Done at Brussels, 9 February 1989.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 1664/89
of 13 June 1989

laying down detailed rules for the application of the import arrangements applicable to products falling within CN codes 0714 10 91 and 0714 90 11 and originating in the African, Caribbean and Pacific States or in the overseas countries and territories

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 486/85 of 26 February 1985 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories (¹), as last amended by Regulation (EEC) No 967/89 (²), and in particular Article 2 thereof,

Having regard to Council Regulation (EEC) No 430/87 of 9 February 1987 concerning the import arrangements applicable to products covered by CN codes 0714 10 10, 0714 10 90 and 0714 90 10 and originating in certain third countries (³), as last amended by Regulation (EEC) No 3837/88 (⁴), and in particular Article 2 thereof,

Whereas Article 9 (3) of Regulation (EEC) No 486/85 provides that yams and similar products originating in the African, Caribbean and Pacific States (ACP States) and in the overseas countries and territories (OCTs) are to be completely exempt from duties on import to the Community within the limit of an overall quantity of 10 000 tonnes per year; whereas it also provides that the quantities originating in the abovementioned countries and territories are to be set against the quotas opened for imports of manioc and similar products originating in countries which are members or non-members of GATT, as the case may be, and that if these quotas are used up this must not prevent the import of 10 000 tonnes of products from the ACP countries and the overseas countries and territories;

Whereas the detailed rules for the application of such arrangements must relate essentially to the lodging of applications for import licences and their issue, and guarantee both the actual origin of the products and observance of the maximum quantity set by the Council; whereas these detailed rules either supplement or derogate from, as the case may be, Commission Regulation (EEC) No 3719/88 of 16 November 1988 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products (⁵) or Commission Regulation (EEC) No 891/89 of 5 April 1989

on special detailed rules for the application of the system of import and export licences for cereals and rice (⁶), as amended by Regulation (EEC) No 990/89 (⁷);

Whereas, so that the actual use of licences can be monitored better, the provision of Regulation (EEC) No 3719/88 on early submission of proof of release for free circulation should be made to apply;

Whereas it should be specified that reimbursement of the import duties collected on the basis of licences issued from 1 January 1989 onwards will be made in accordance with Council Regulation (EEC) No 1430/79 of 2 July 1979 on the repayment or remission of import or export duties (⁸); as last amended by Regulation (EEC) No 3799/86 (⁹);

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

For the purposes of Article 9 (3) of Council Regulation (EEC) No 486/85, import licences for products falling within CN codes 0714 10 91 and 0714 90 11 originating in the African, Caribbean and Pacific States (ACP States) or in the overseas countries and territories shall be issued in accordance with this Regulation.

Article 2

1. A licence application may not relate to a quantity of more than 150 tonnes per individual applicant acting on his own behalf.
2. The licence application and the import licence shall contain in box 8 the name of the third country in which the product originates. The licence shall make it compulsory to import from that country.
3. The licence shall contain one of the following entries in box 20:

(¹) OJ No L 61, 1. 3. 1985, p. 4.
(²) OJ No L 103, 15. 4. 1989, p. 1.
(³) OJ No L 43, 13. 2. 1987, p. 9.
(⁴) OJ No L 340, 10. 12. 1988, p. 1.
(⁵) OJ No L 331, 2. 12. 1988, p. 1.

(⁶) OJ No L 94, 7. 4. 1989, p. 13.
(⁷) OJ No L 106, 18. 4. 1989, p. 26.
(⁸) OJ No L 175, 12. 7. 1979, p. 1.
(⁹) OJ No L 352, 13. 12. 1986, p. 19.

- Producto ACP/PTU :
 - no hay lugar a exacción reguladora
 - apartado 3 del artículo 9 y apartado 2 del artículo 1 del Reglamento (CEE) n° 486/85
 - debe presentarse EUR 1
- AVS/OLT-produkt :
 - friagelse for afgift
 - forordning (EØF) nr. 486/85: artikel 1, stk. 2, og artikel 9, stk. 3
 - EUR 1 skal forelægges
- Erzeugnis AKP/ULG :
 - Freistellung von der Abschöpfung
 - Verordnung (EWG) Nr. 486/85: Artikel 1 Absatz 2 und Artikel 9 Absatz 3
 - EUR 1 vorzulegen
- Προϊόν ΑΚΕ/ΥΧΕ :
 - εξαίρεση της εισφοράς
 - κανονισμός (ΕΟΚ) αριθ 486/85: άρθρο 1 παράγραφος 2 και άρθρο 9 παράγραφος 3
 - να προσκομισθεί το EUR 1
- ACP/OCT's product :
 - exemption from the levy
 - Regulation (EEC) No 486/85, Article 1 (2) and Article 9 (2)
 - EUR 1 to be presented
- produit ACP/PTOM :
 - exemption du prélevement
 - règlement (CEE) n° 486/85: article 1^{er} paragraphe 2 et article 9 paragraphe 3
 - EUR 1 à présenter
- prodotto ACP/PTOM :
 - esenzione dal prelievo
 - regolamento (CEE) n. 486/85: articolo 1, paragrafo 2 e articolo 9, paragrafo 3
 - EUR 1 deve essere presentato
- Produkt ACS/LGO :
 - vrijstelling van heffing
 - Verordening (EEG) nr. 486/85: artikel 1, lid 2, en artikel 9, lid 3
 - EUR 1 over te leggen
- produto ACP/PTOM :
 - isenção do direito nivelador
 - Regulamento (CEE) n° 486/85: n° 2 do artigo 1° e n° 3 do artigo 9°
 - EUR 1 a apresentar

Article 3

1. Licence applications shall be lodged with the competent authorities of the Member States every Monday up to 1 p.m. and, if that day is not a working day, on the first working day following.
2. Member States shall notify the Commission by telex not later than 1 p.m. on the day following the day on

which the application is lodged of the quantity to which the application relates, the origin of the product and the name of the applicant.

3. Not later than the second working day following the day on which the applications are lodged the Commission shall determine and inform the Member States by telex to what extent the licence applications are accepted.

4. Licences shall be issued subject to paragraph 3 on the third working day following the day on which the applications are lodged, in the case of applications notified in accordance with paragraph 2.

5. The licences issued shall be valid throughout the Community from the day of effective issue until the end of the second month following that date. However, they shall not be valid beyond 31 December of the year in which they are issued.

Article 4

1. Notwithstanding Article 12 of Regulation (EEC) No 891/89, the amount of the security in respect of the import licence shall be ECU 0,5 per tonne.

2. In cases where, as a result of the application of Article 3 (3), the quantity for which the licence is issued is less than that for which it was applied for the amount of the security corresponding to the difference shall be released.

3. The fourth indent of Article 5 (1) of Regulation (EEC) No 3719/88 shall not apply.

Article 5

Norwithstanding Article 8 (4) of Regulation (EEC) No 3719/88, the quantity released for free circulation may not be greater than that entered in boxes 17 and 18 of the import licence; the figure 0 shall be entered for this purpose in box 19 of the licence.

Article 6

Article 33 (5) of Regulation (EEC) No 3719/88 shall apply.

Article 7

In respect of products as referred to in Article 1, originating in ACP countries/OCT's which are members of GATT, imported on the basis of licences issued from 1 January 1989 until the date of entry into force of this Regulation, the importer concerned shall obtain reimbursement of the import duties collected in accordance with Regulation (EEC) No 1430/79.

Member States shall notify the Commission before 30 September 1989 of quantities in respect of which duties have been reimbursed.

Article 8

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

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

Done at Brussels, 13 June 1989.

For the Commission
Ray MAC SHARRY
Member of the Commission

COUNCIL REGULATION (EEC) No 4040/89

of 4 December 1989

on the application of Decision No 1/89 of the ACP-EEC Council of Ministers amending Protocol No 1 to the Third ACP-EEC Convention concerning the definition of the concept of 'originating products' and methods of administrative cooperation

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

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 the Third ACP-EEC Convention (1) was signed on 8 December 1984 and entered into force on 1 May 1986;

Whereas, by virtue of Article 138 (2) of the Convention, the ACP-EEC Council of Ministers adopted Decision No 1/89 amending Protocol No 1 to the Convention;

Whereas it is necessary to apply that Decision in the Community,

Article 1

Decision No 1/89 of the ACP-EEC Council of Ministers amending Protocol No 1 to the ACP-EEC Convention concerning the definition of the concept of 'originating products' and methods of administrative cooperation shall apply in the Community.

The text of the Decision is attached to this Regulation.

Article 2

This Regulation shall enter into force on 1 January 1990.

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

Done at Brussels, 4 December 1989.

For the Council

The President

M. DELEBARRE

(1) OJ No L 86, 31. 3. 1986, p. 1.

III — Community Acts relating to bilateral relations between the Community and certain ACP States

Fisheries

Information on the date of entry into force of the Agreement between the European Economic Community and the Government of the People's Republic of Angola on fishing off Angola (1)

The Agreement between the European Economic Community and the Government of the People's Republic of Angola on fishing off Angola was signed in Luanda on 1 February 1989.

The Agreement accordingly entered into force on 1 February 1989 pursuant to Article 15 thereof.

(1) OJ No L 341, 3. 12. 1987, p. 1.

COUNCIL DECISION

of 28 July 1989

on the conclusion of the Agreement in the form of an Exchange of Letters on the provisional application of the Protocol defining, for the period 3 May 1989 to 2 May 1990, the fishing opportunities and financial compensation provided for in the Agreement between the European Economic Community and the Government of the People's Republic of Angola on fishing off Angola

(89/486/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Agreement between the European Economic Community and the Government of the People's Republic of Angola on fishing off Angola ⁽¹⁾, signed in Luanda on 1 February 1989,

Having regard to the proposal from the Commission,

Whereas the Community and the People's Republic of Angola held negotiations to determine the amendments or additions to be made to the Agreement on fishing off Angola on the expiry of the application period of the first Protocol;

Whereas, as a result of those negotiations, a new Protocol was initialled on 10 May 1989;

Whereas that Protocol provides Community fishermen with fishing opportunities in waters over which the People's Republic of Angola has sovereignty or jurisdiction from 3 May 1989 to 2 May 1990;

Whereas, in order to avoid a prolonged interruption in the fishing activities of Community vessels, the Protocol in question should be approved as soon as possible; whereas, for this reason, the two parties have initialled an Agreement in the form of an Exchange of Letters providing for the provisional application of the initialled Protocol from the day following that on which the Protocol currently in force

expires; whereas the Agreement in the form of an Exchange of Letters should be concluded, pending a final decision to be taken on the basis of Article 43 of the Treaty,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement in the form of an Exchange of Letters on the provisional application of the Protocol defining, for the period 3 May 1989 to 2 May 1990, the fishing opportunities and financial compensation provided for in the Agreement between the European Economic Community and the Government of the People's Republic of Angola on fishing off Angola is hereby approved on behalf of the Community.

The texts of the Agreement in the form of an Exchange of Letters and of the Protocol are attached to this Decision.

Article 2

The President of the Council is hereby authorized to designate the persons empowered to sign the Agreement in the form of an Exchange of Letters in order to bind the Community.

Done at Brussels, 28 July 1989.

For the Council
The President
M. CHARASSE

⁽¹⁾ OJ No L 341, 3. 12. 1987, p. 2.

AGREEMENT

in the form of an Exchange of Letters on the provisional application of the Protocol defining, for the period 3 May 1989 to 2 May 1990, the fishing opportunities and financial compensation provided for in the Agreement between the European Economic Community and the People's Republic of Angola on fishing off Angola

A. Letter from the Government of Angola

Sir,

With reference to the Protocol initialled on 10 May 1989 defining, for the period 3 May 1989 to 2 May 1990, the fishing opportunities and financial compensation, I have the honour to inform you that the Government of Angola is prepared to apply the Protocol on a provisional basis with effect from 3 May 1989 pending its entry into force in accordance with Article 7 thereof, provided that the European Economic Community is disposed to do the same.

This is on the understanding that the financial compensation fixed in Article 2 of the Protocol must be paid before 30 September 1989.

I should be obliged if you would confirm the European Economic Community's agreement to such provisional application of the Protocol.

Please accept, Sir, the assurance of my highest consideration.

*For the Government of
the People's Republic of Angola*

B. Letter from the Community

Sir,

I am in receipt of your letter of today's date, which reads as follows:

'With reference to the Protocol initialled on 10 May 1989 defining, for the period 3 May 1989 to 2 May 1990, the fishing opportunities and financial compensation, I have the honour to inform you that the Government of Angola is prepared to apply the Protocol on a provisional basis with effect from 3 May 1989 pending its entry into force in accordance with Article 7 thereof, provided that the European Economic Community is disposed to do the same.

This is on the understanding that the financial compensation fixed in Article 2 of the Protocol must be paid before 30 September 1989.

I should be obliged if you would confirm the European Economic Community's agreement to such provisional application of the Protocol.'

I have the honour to confirm the European Economic Community's agreement to such provisional application of the protocol.

Please accept, Sir, the assurance of my highest consideration.

*For the Council of
the European Communities*

PROTOCOL

defining, for the period 3 May 1989 to 2 May 1990, the fishing opportunities and financial compensation provided for in the Agreement between the European Economic Community and the Government of the People's Republic of Angola on fishing off Angola

THE PARTIES TO THIS PROTOCOL

Having regard to the Agreement between the European Economic Community and the Government of the People's Republic of Angola on fishing off Angola, signed on 1 February 1989,

HAVE AGREED AS FOLLOWS:

Article 1

From 3 May 1989, for a period of one year, the limits referred to in Article 2 of the Agreement shall be as follows:

1. Shrimp vessels:
 - during May 1989: 39 vessels (approximately 12 000 grt);
 - from 1 June to 31 December 1989: 29 vessels (approximately 8 950 grt);
 - from 1 January to 2 May 1990: 22 vessels (approximately 6 800 grt).

However, the quantities to be fished by Community vessels may not exceed 5 000 tonnes of shrimps and prawns per year, of which 30 % shall be prawns and 70 % shrimps;

2. Ocean-going tuna freezer boats: 28 vessels;
3. On an experimental basis:
 - (a) demersal trawlers: 1 200 grt a month, not exceeding three vessels;
 - (b) surface longliners: two vessels with a maximum of 400 grt a month.

Article 2

1. The financial compensation provided for in Article 7 of the Agreement for the period referred to in Article 1 of this Protocol is hereby fixed at ECU 7 925 000.
2. The use to which this compensation is put shall be the responsibility solely of Angola.
3. Compensation of ECU 6 945 000 shall be paid into an account opened at a financial institution or any other body designated by Angola. The remaining ECU 980 000 shall be paid into the account of the Ministry of Fisheries.

Article 3

During the period referred to in Article 1, the Community shall also contribute ECU 400 000 towards the financing of

Angolan scientific and technical programmes (equipment, infrastructure, seminars, studies, etc.). This amount shall be made available to the Research Centre of the Ministry of Fisheries no later than 30 September 1989.

Article 4

1. During the period referred to in Article 1, the Community shall contribute up to ECU 270 000 for staff training in Angola. This amount is intended to pay the salaries of foreign teachers working at the Helder Neto naval school in the province of Namibe.
2. A further ECU 390 000 shall be used by the Community to provide Angola with study or practical training awards in scientific, technical and economic subjects connected with fisheries in institutions of the Member States of the Community or of the ACP countries; at the request of the Angolan authorities, 15 % of this amount may be used to cover the fees for attending international meetings or training periods connected with fisheries. These funds shall be disbursed as and when they are used.
3. Within three months of the date on which this Protocol is signed, the Community shall send Angola a list of fisheries-related secondary and higher training institutions in its Member States, together with their entry requirements.

Article 5

Should the Community fail to make the payments provided for in Articles 2 and 3 within the time limits laid down, application of the Agreement may be suspended.

Article 6

The Annex to the Agreement between the European Economic Community and the Government of the People's Republic of Angola on fishing off Angola is hereby repealed and replaced by the Annex to this Protocol.

Article 7

This Protocol shall enter into force on the date of its signature.

It shall apply from 3 May 1989.

ANNEX

CONDITIONS GOVERNING FISHING ACTIVITIES IN ANGOLAN WATERS BY COMMUNITY VESSELS

A. Licence application and issuing formalities

The procedure for application for, and issue of, licences enabling Community vessels to fish in Angolan waters shall be as follows:

- (a) The Commission of the European Communities shall present to Angola's fishing authority, via the representative of the Commission of the European Communities in Angola, an application made by the shipowner for each vessel wishing to fish under the Agreement, at least 15 days before the date of commencement of the period of validity requested. Applications shall be made on forms provided for that purpose by Angola, specimens of which are contained in Appendix 1 and Appendix 2. Each licence application shall be accompanied by documentary proof of payment.
- (b) Each licence shall be issued to the shipowner for one designated vessel. At the request of the Commission of the European Communities the licence for a vessel shall, in case of proven *force majeure*, be replaced by a licence for another Community vessel.
- (c) Licences shall be issued by the authorities of Angola to the captain of the vessel in the port of Luanda after inspection of the vessel by the competent authority. However, in the case of tuna vessels and longliners, licences shall be issued to the shipowners or their representatives or agents.
- (d) The representative of the Commission of the European Communities in Angola shall be notified of the licences issued by Angola's fishing authority.
- (e) The licence document must be held on board at all times.
- (f) Licences shall be valid for periods of one year, with the exception of the seven licences for shrimp vessels, which shall be valid for eight months.
- (g) Each vessel shall be represented by an agent approved by the Ministry of Fisheries.
- (h) The Angolan authorities shall communicate, before the date of entry into force of the Agreement, the arrangements for payment of licence fees, including particulars of the bank accounts and currencies to be used.

B. Licence fees

I. Provisions applicable to shrimp vessels

The fees for monthly licences shall be ECU 24 per gross registered tonne.

II. Provisions applicable to tuna vessels and surface longliners

The fees shall be ECU 20 per tonne caught within Angola's fishing zone.

Licences shall be issued following advance payment to Angola at a flat rate of ECU 4 000 a year for each ocean-going tuna freezer vessel, equivalent to the fees for 200 tonnes of tuna caught within Angolan waters per year, and at a flat rate of ECU 2 000 a year for each surface longliner, equivalent to the fees for 100 tonnes of swordfish caught within Angolan waters per year.

A provisional statement of the fees due for the fishing year shall be drawn up by the Commission of the European Communities at the end of each calendar year on the basis of catch statements made by the shipowners and forwarded simultaneously to the Angolan authorities and the Commission of the European Communities. The corresponding amount shall be paid by the shipowners to Angola no later than 31 March of the following year.

The final statement of the fees due shall be drawn up by the Commission following verification of the volume of each catch by a specialized scientific body in the region. The final statement shall be communicated to the Angolan authorities and notified to the shipowners, who shall have 30 days to meet their financial obligations.

However, if the amount of the final statement is lower than the advance referred to above, the balance shall not be reimbursable.

III. Provisions applicable to demersal trawlers

The fees for annual licences shall be ECU 165 per gross registered tonne.

C. By-catches

The ownership of the by-catches of shrimp vessels has been transferred from the Angolan authorities to the shipowners in return for an increase in the financial compensation.

Shrimp vessels shall be authorized to catch up to 500 tonnes of crab.

Longliners shall be prohibited from throwing catches back into the sea; captains of vessels shall take care to enter all by-catches in the statement of catch.

D. Transhipments

All transhipments shall be notified to the relevant Angolan fishing authorities eight days in advance in order to enable those authorities to monitor the operations.

Transhipments shall take place in one of the bays of Luanda or Lobito in the presence of the Angolan tax authorities.

A copy of the documentation relating to transhipments shall be forwarded to the Inspection and Monitoring Department of the Ministry of Fisheries 15 days before the end of each month for the preceding month.

E. Statement of catches

1. *Shrimp vessels and demersal trawlers*

- (a) At the end of each fishing year these vessels must forward to the Inspection and Monitoring Department of the Ministry of Fisheries, via the delegation of the European Communities in Luanda, a daily catch report drawn up by the captain in accordance with the specimen contained in Appendix 3.

Furthermore, each vessel shall present a monthly report to the Ministry of Fisheries listing the quantities caught during the month and the quantities on board on the last day of the month. This report shall be presented no later than the 45th day following the end of the month concerned. Should this provision not be adhered to, Angola reserves the right to apply the penalties provided for in Article 12 of Decree No 12-A/80 of 6 February 1980.

- (b) These vessels must inform the radio station of the Department of Inspection and Monitoring of the Ministry of Fisheries or, if this is not possible, Luanda radio, on a daily basis of their geographical position and the previous day's catches.

Shipowners shall be notified of the call sign when the fishing licence is issued.

Before leaving Angola's fishing zone, these vessels must obtain authorization from the Department of Inspection and Monitoring of the Ministry of Fisheries and have the catches on board checked.

2. *Tuna vessels and surface longliners*

Every three days during the fishing period in Angola's fishing zone, vessels shall inform the radio station of the Department of Inspection and Monitoring of the Ministry of Fisheries or, if this is not possible, Luanda radio, of their position and their catch. On entering and leaving Angola's fishing zone, tuna vessels shall inform the radio station of the Department of Inspection and Monitoring or, if this is not possible, Luanda radio, of their position and the volume of the catches on board.

In addition, the captain shall complete a fishing log-book, in accordance with Appendix 4, for each fishing period spent in Angola's fishing zone.

This form must be completed legibly and be signed by the captain of the vessel and sent to the Department of Inspection and Monitoring of the Ministry of Fisheries via the Delegation of the European Communities in Luanda within 45 days of the end of the fishing period spent in Angola's fishing zone. Should this provision not be adhered to, Angola reserves the right to apply the penalties provided for in Article 12 of Decree No 12-A/80 of 6 February 1980.

F. Fishing zones

- (a) The fishing zones accessible to shrimp vessels shall comprise all waters under the sovereignty or the jurisdiction of the People's Republic of Angola north of 12°20' and beyond the first 12 nautical miles measured from the base lines.
- (b) The fishing zones accessible to tuna vessels and demersal trawlers shall comprise all waters under the sovereignty or the jurisdiction of the People's Republic of Angola beyond the first 12 nautical miles measured from the base lines.
- (c) The fishing zones accessible to surface longliners shall comprise all waters under the sovereignty or the jurisdiction of the People's Republic of Angola beyond the first 50 nautical miles measured from the base lines.

G. Signing of crews

Owners of all vessels, except ocean-going tuna freezer vessels, to whom fishing licences have been issued under this Agreement shall contribute to the on-the-job vocational training of two Angolan seamen on board each vessel.

The seamen's wages, set in accordance with Angolan scales, and other forms of remuneration shall be borne by the shipowners and shall be paid into an account opened with a financial institution designated by the Ministry of Fisheries.

Should shipowners wish to take on further Angolan crew members, they can do so by applying to the Ministry of Fisheries.

H. Scientific observers

Any vessel may be asked to take on board a scientist designated and employed by the Ministry of Fisheries.

The scientific observer shall receive the same treatment as the ship's officers; this applies also, as far as possible, to his quarters. The observer shall be given all facilities necessary for him to carry out his duties. The observer's presence and work shall neither interrupt nor hinder the fishing activities.

An amount of ECU 4 per gross registered tonne a year is included in the fee paid by shipowners for each vessel fishing in Angolan waters to cover the cost to Angola of placing observers on vessels.

I. Inspection and monitoring

At the request of the Angolan authorities, Community fishing vessels operating under the Agreement shall allow on board any Angolan officials responsible for the inspection and monitoring of fishing activities and facilitate the accomplishment of their duties.

These officials shall remain on board no longer than is necessary for the accomplishment of their duties.

J. Fuel supplies, repairs and other services

All vessels, except tuna vessels, operating in Angola's fishing zone under the Agreement must obtain their fuel and water supplies and have shipyard repairs and maintenance carried out in Angola wherever possible, provided that Angola has the capacity to offer these services.

Subject to these same conditions, the transport of crews shall be undertaken by the Angolan national airline.

Fuel shall not be taken on board outside the roads of Luanda or Lobito without authorization from the Department of Inspection and Monitoring of the Ministry of Fisheries.

K. Mesh size

The minimum size of the mesh used shall be:

- (a) 40 mm for shrimp fishing; and
- (b) 60 mm for demersal fishing.

The introduction of new mesh sizes shall apply to Community vessels from the sixth month following notification of the Commission of the European Communities.

L. Boarding procedure

The delegation of the Commission in Luanda shall be informed within 48 hours of the boarding of any fishing vessel flying the flag of a Member State of the Community within Angola's exclusive economic zone, and shall at the same time receive a concise report of the circumstances and reasons for the boarding of the vessel.

Appendix 1

APPLICATION FOR A LICENCE TO FISH FOR SHRIMP AND DEMERSAL SPECIES IN THE WATERS OF ANGOLA

PART A

1. Name of owner:
2. Nationality of owner:
3. Business address of owner:
.....
.....
4. Chemical additives which may be used (brand name and composition):

PART B

To be completed for each vessel

1. Period of validity:
2. Name of vessel:
3. Year of construction:
4. Original flag country:
5. Currently flying the flag of:
6. Date of acquisition of current flag:
7. Year of acquisition:
8. Port and registration number:
9. Fishing method:
10. Gross registered tonnage:
11. Radio call sign:
12. Overall length (m):
13. Bow (m):
14. Depth (m):
15. Construction material of the hull:
16. Engine power (bhp):
17. Speed (knots):
18. Capacity of refrigeration chamber:
19. Capacity of fuel tanks (m³):
20. Capacity of fish holds (m³):
21. Colour of the hull:
22. Colour of the superstructure:

23. Communication equipment on board:

Type	Brand	Power (Watt)	Year of construction	Frequencies	
				Reception	Transmission

24. Navigation and detection equipment installed

Type	Brand	Model	Range

25. Name of captain:

26. Nationality of captain:

To be annexed:

- three colour photographs of the vessel (side view),
- diagram and detailed description of fishing gear used,
- document giving proof of authority for the owner's representative to sign this application.

.....
(Date of application)

.....
(Signature of owner's representative)

Appendix 2

APPLICATION FOR A LICENCE TO FISH FOR TUNA AND SWORDFISH IN THE WATERS OF ANGOLA

PART A

1. Name of owner:
2. Nationality of owner:
3. Business address of owner:
-
-

PART B

To be completed for each vessel

1. Period of validity:
2. Name of vessel:
3. Year of construction:
4. Original flag country:
5. Currently flying the flag of:
6. Date of acquisition of current flag:
7. Year of acquisition:
8. Port and registration number:
9. Fishing method:
10. Gross registered tonnage:
11. Radio call sign:
12. Overall length (m):
13. Bow (m):
14. Depth (m):
15. Construction material of the hull:
16. Engine power (bhp):
17. Speed (knots):
18. Cabin capacity:
19. Capacity of fuel tanks (m³):
20. Capacity of fish holds (m³):
21. Freezing capacity (tonnes/24 hours) and freezing system used:
-
22. Colour of the hull:
23. Colour of the superstructure:

24. Communication equipment on board:

Type	Brand	Model	Power (Watt)	Year of construction	Frequencies	
					Reception	Transmission

25. Navigation and detection equipment installed

Type	Brand	Model

26. Auxiliary vessels used (for each vessel):

26.1. Gross registered tonnage:

26.2. Overall length (m):

26.3. Bow (m):

26.4. Depth (m):

26.5. Construction material of the hull:

26.6. Engine power (bhp):

26.7. Speed (knots):

27. Auxiliary aerial fish detection equipment (even if not based on board):

28. Home port:

29. Name of captain:

30. Nationality of captain:

To be annexed:

- three colour photographs of the vessel (side view) and of auxiliary fishing vessels and of auxiliary aerial equipment for fish detection,
- diagram and detailed description of fishing gear used,
- document giving proof of authority for the owner's representative to sign this application.

.....
(Date of application)

.....
(Signature of owner's representative)



Appendix 3

MINISTRY FOR FISHERIES

STATISTICS ON CATCH AND ACTIVITY

Month :

Year :

Name of vessel :	
Nationality (flag) :	

Engine rating :	
Gross registered tonnage :	

Fishing method :	
Port of landing :	

Date	Fishing zone		Number of hauls	Number of fishing hours	Species (kg)					
	Longitude	Latitude			Shrimp and Crab		Total	Fish	Total	
					Shrimp	Crab				
1/										
2/										
3/										
4/										
5/										
6/										
7/										
8/										
9/										
10/										
11/										
12/										
13/										
14/										
15/										
16/										
17/										
18/										
19/										
20/										
21/										
22/										
23/										
24/										
25/										
26/										
27/										
28/										
29/										
30/										
31/										
TOTAL :										

IP
MINISTÉRIO DAS PESCAS

Appendix 4

DIÁRIO DE PESCA PARA ATUNEIRO
 (TUNA BOATS FISHING LOG BOOK)

MODALIDADE DE PESCA
 (FISHING METHOD)

PALANGRE (LOPHURE)
 ISCO VIVO (BATHOAT)
 REDE DE CERCO (PURSE SEINE)
 COPIAÇO (TROLL) (TROLLING)
 OUTROS (OTHERS)

NOME DO NAVIO (VESSEL NAME) NACIONALIDADE (FLAG COUNTRY) Nº DE REGISTO (REGISTRATION Nº) ARMADOR ou AFREITADOR (OWNER or CHARTER) E NOME DO MADRE (SI)	TONELAGEM APOQUEAÇÃO BRUTA (GROSS TONS) CAPACIDADE (TM) (CAPACITY - TUN) CAPITÃO ou MESTRE (CAPTAIN) Nº DE EMPREGADOS (Nº of CREW) DATA DE COMBURAÇÃO (REPORTING DATE) COMUNICADO POR (REPORTED BY)	SAÍDA (BOAT LEFT) CHEGADA (BOAT RETURNED)	MES (MONTH)	DIA (DAY)	ANO (YEAR)	PORTO (PORT)
	Nº DE DIAS NO MAR (Nº of DAYS AT SEA)	Nº DE DIAS DE PESCA (Nº of fishing days) Nº DE LANÇOS EFECTUADOS (Nº of sets made)	Nº DE VIAGEM (TRIP NUMBER)			

DATAS (DATES)	AREA	LATITUDE (LATITUDE)	LONGITUDE (LONGITUDE)	ESFORÇO DE PESCA (EFFORT)	CAPTURAS (CATCHES)														ISCO USADO NA PESCA (BAIT USED)								
					ATUM (ALBACORE) (BLUEFIN TUNA)		ALBACORRA (YELLOWFIN TUNA)		PATILHA (BIGEYE TUNA)		VELAZEM (AUSCALOPH)		ESPAZALHE (SMALLFINISH)		ESPAZALHE (WHITE MAJALIN)		ESPAZALHE (BLACK MAJALIN)		VELAZEM (SAIL FISH)		GALINER (SARGUJER)		LIVRESOS (Miscellaneous Fishes)		TOTAL DIÁRIO (DAILY TOTAL) APENAS EM KG		
					Nº	KG	Nº	KG	Nº	KG	Nº	KG	Nº	KG	Nº	KG	Nº	KG	Nº	KG	Nº	KG	Nº	KG	Nº	KG	Nº
QUANTIDADES DESCARREGADAS (EM KGS) (LOADING WEIGHT (IN KG))																											

1 - No fim de cada viagem enviar uma cópia de Diário de Pesca ao Ministério das Pescas
 At the end of each trip forward a copy of the log to the Ministry of Fisheries

2 - A "ÁREA" significa a posição de operação com arredondamento das minutos e registada grau de latitude e longitude
 Fishing area refers to the position of the set fished off minutes and record degrees of latitude and longitude

3 - A última linha «Quantidades descarregadas» deve ser preenchida só no fim de viagem. Deve ser registada a peso real no altura de descarregar.
 (The bottom line «loading weight» should be completed only at the end of the trip. Actual weight at the time of unloading should be recorded)

4 - Toda a informação aqui registada será mantida estritamente confidencial

(All information reported herein will be kept strictly confidential)

COUNCIL REGULATION (EEC) No 3466/89

of 30 October 1989

relating to the conclusion of the Protocol defining, for the period 3 May 1989 to 2 May 1990, the fishing opportunities and financial compensation provided for in the Agreement between the European Economic Community and the Government of the People's Republic of Angola on fishing off Angola

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

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 ⁽¹⁾,

Whereas the two Parties have held negotiations pursuant to the Agreement between the European Economic Community and the Government of the People's Republic of Angola on fishing off Angola ⁽²⁾, signed in Luanda on 1 February 1989, to determine the amendments or additions to be made to the Agreement on the expiry of the application period of the first Protocol;

Whereas, as a result of those negotiations, a new Protocol defining the fishing opportunities and financial compensation provided for in the said Agreement for the period 3 May 1989 to 2 May 1990 was initialled on 10 May 1989;

Whereas it is in the Community's interest to approve the Protocol,

Article 1

The Protocol defining, for the period 3 May 1989 to 2 May 1990, the fishing opportunities and financial compensation provided for in the Agreement between the European Economic Community and the Government of the People's Republic of Angola on fishing off Angola is hereby approved on behalf of the Community.

The text of the Protocol is attached to this Regulation.

Article 2

The President of the Council is hereby authorized to designate the persons empowered to sign the Protocol in order to bind the Community.

Article 3

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

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

Done at Brussels, 30 October 1989.

For the Council
The President
J.-P. SOISSON

⁽¹⁾ OJ No C 291, 20. 11. 1989.

⁽²⁾ OJ No L 341, 3. 12. 1987, p. 2.

COUNCIL

COUNCIL DECISION

of 18 December 1989

on the conclusion of the Agreement in the form of an exchange of letters concerning the provisional application of the Protocol establishing for the period 16 June 1989 to 15 June 1991 the fishing rights and financial compensation provided for in the Agreement between the European Economic Community and the Government of the Republic of Guinea-Bissau on fishing off the coast of Guinea-Bissau

(89/675/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 155 (2) (b) thereof,

Having regard to the Agreement between the European Economic Community and the Government of the Republic of Guinea-Bissau on fishing off the coast of Guinea-Bissau signed in Bissau on 27 February 1980 ⁽¹⁾, as last amended by the Agreement signed in Brussels on 29 June 1987 ⁽²⁾,

Having regard to the proposal from the Commission,

Whereas the Community and the Republic of Guinea-Bissau conducted negotiations to determine the amendments or additions to be made to the Agreement on fishing off the coast of Guinea-Bissau at the end of the period of application of the Protocol referred to in Article 9 of the Agreement;

Whereas, as a result of these negotiations, a new Protocol was initiated on 9 June 1989;

Whereas, under that Protocol, Community fishermen have fishing rights in the waters under the sovereignty or jurisdiction of Guinea-Bissau for the period 16 June 1989 to 15 June 1991;

Whereas, under Article 155 (2) (b) of the Act of Accession, it is for the Council to determine the procedures appropriate to take into consideration all or part of the interests of the Canary Islands when it adopts decisions, case by case, particularly with a view to the conclusion of fisheries agreements with third countries; whereas the case in point calls for the said procedures to be determined;

Whereas, in order to avoid any interruption in the fishing activities of Community vessels, it is essential that the Protocol in question be approved as soon as possible; whereas, for this reason, the two Parties initialled an Agreement in the form of an exchange of letters providing for the provisional application of the initialled Protocol from the day following the date of expiry of the Protocol in force; whereas this Agreement should be approved pending a final decision taken on the basis of Article 43 of the Treaty,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement in the form of an exchange of letters concerning the provisional application of the Protocol establishing for the period 16 June 1989 to 15 June 1991 the fishing rights and financial compensation provided for in the Agreement between the European Economic Community and the Republic of Guinea-Bissau is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Decision.

⁽¹⁾ OJ No L 226, 29. 8. 1980, p. 33.

⁽²⁾ OJ No L 113, 30. 4. 1987, p. 1.

Article 2

With a view to taking into consideration the interests of the Canary Islands, the Agreement referred to in Article 1 and, in so far as is necessary for its application, the provisions of the common fisheries policy relating to the conservation and management of fishery resources shall also apply to vessels which sail under the flag of Spain, which are recorded on a permanent basis in the registers of the relevant authorities at local level ('registros de base') in the Canary Islands, under the conditions specified in Note 6 to Annex I to Council Regulation (EEC) No 1135/88 of 7 March 1988 concerning the definition of the concept of 'originating products' and methods of administrative cooperation in trade between the customs territory of the Community, Ceuta and Melilla and the Canary Islands ⁽¹⁾.

Article 3

The President of the Council is hereby authorized to designate the persons empowered to sign the Agreement in the form of an exchange of letters in order to bind the Community.

Done at Brussels, 18 December 1989.

For the Council
The President
J. MELLICK

⁽¹⁾ OJ No L 114, 2. 5. 1988, p. 1.

AGREEMENT

in the form of an exchange of letters concerning the provisional application of the Protocol establishing for the period 16 June 1989 to 15 June 1991 the fishing rights and financial compensation provided for in the Agreement between the European Economic Community and the Government of the Republic of Guinea-Bissau on fishing off the coast of Guinea-Bissau

A. *Letter from the Government of Guinea-Bissau*

Sir,

With reference to the Protocol initialled on 9 June 1989 establishing fishing rights and financial compensation for the period 16 June 1989 to 15 June 1991, I have the honour to inform you that the Government of Guinea-Bissau is ready to apply this Protocol on a provisional basis, with effect from 16 June 1989, pending its entry into force in accordance with Article 8 of the said Protocol, provided that the European Economic Community is disposed to do the same. The period of validity of licences valid at 15 June 1989 is extended to 1 August 1989.

This is on the understanding that a first instalment equal to half of the financial compensation specified in Article 2 of the Protocol is paid by 30 October 1989.

I should be obliged if you would confirm the European Economic Community's agreement to such provisional application.

Please accept, Sir, the assurance of my highest consideration.

*For the
Government of the Republic of Guinea-Bissau*

B. *Letter from the Community*

Sir,

I have the honour to acknowledge receipt of your letter of today's date, which reads as follows:

'With reference to the Protocol initialled on 9 June 1989 establishing fishing rights and financial compensation for the period 16 June 1989 to 15 June 1991, I have the honour to inform you that the Government of Guinea-Bissau is ready to apply this Protocol on a provisional basis, with effect from 16 June 1989, pending its entry into force in accordance with Article 8 of the said Protocol, provided that the European Economic Community is disposed to do the same. The period of validity of licences valid at 15 June 1989 is extended to 1 August 1989.

This is on the understanding that a first instalment equal to half of the financial compensation specified in Article 2 of the Protocol is paid by 30 October 1989.

I should be obliged if you would confirm the European Economic Community's agreement to such provisional application.'

I have the honour to confirm the European Economic Community's agreement to this provisional application of the Protocol.

Please accept, Sir, the assurance of my highest consideration.

*On behalf of
the Council of the European Communities*

PROTOCOL

establishing for the period 16 June 1989 to 15 June 1991 the fishing rights and financial compensation provided for in the Agreement between the European Economic Community and the Government of the Republic of Guinea-Bissau on fishing off the coast of Guinea-Bissau

THE PARTIES TO THIS PROTOCOL.

Article 4

Having regard to the Agreement between the European Economic Community and the Government of the Republic of Guinea-Bissau on fishing off the coast of Guinea-Bissau signed in Bissau on 27 February 1980, as last amended by the Agreement signed in Brussels on 29 June 1987,

The Community shall also contribute during the period referred to in Article 1 the sum of ECU 550 000 towards the financing of a Guinea-Bissau scientific or technical programme to improve information on the fishery resources within the exclusive economic zone of Guinea-Bissau and the functioning of the marine biology laboratory.

HAS AGREED AS FOLLOWS:

This sum shall be made available to the Government of the Republic of Guinea-Bissau and paid into the account indicated by the Guinea-Bissau authorities.

Article 1

For a period of two years from 16 June 1989, the fishing rights granted under Article 4 of the Agreement shall be as follows:

Article 5

1. (a) freezer shrimp trawlers: 10 000 GRT a month, annual average;
(b) freezer fin fish and cephalopod trawlers: 5 000 GRT a month, annual average;
2. freezer tuna seiners: 45 vessels;
3. pole-and-line tuna vessels: 15 vessels;
4. surface longliners: 35 vessels.

The two Parties agree that improving the skills of those involved in sea fishing is a vital element in the success of their cooperation. To that end, the Community shall make it easier for nationals of Guinea-Bissau to find places in establishments in its Member States and shall provide for that purpose, during the period referred to in Article 1, awards for study and practical training in the various scientific, technical and economic disciplines relating to fisheries. The awards may also be used in any country linked with the Community by a cooperation agreement. The total cost of the awards may not exceed ECU 550 000. At the request of the Guinea-Bissau authorities, part of this sum may be used to cover the costs of participation in international meetings or training courses concerning fisheries or the organization of seminars on fishing in Guinea-Bissau, or to strengthen the administrative infrastructure of the Office of the Secretary of State for Fisheries. The sum shall be payable as and when it is used.

Article 2

1. The financial compensation referred to in Article 9 of the Agreement shall be, for the period referred to in Article 1, ECU 10 830 000, payable in two equal annual instalments.
2. The use to which this compensation is put shall be the sole responsibility of the Government of the Republic of Guinea-Bissau.
3. The compensation shall be paid into an account opened with a financial institution or any other body designated by Guinea-Bissau.

Article 6

Should the Community fail to make the payments provided for in Articles 2 and 4, the application of this Protocol may be suspended.

Article 3

At the request of the Community, the fishing rights referred to in Article 1 (1) (a) and (b) may be increased by successive instalments of 1 000 GRT a month, calculated on an annual average basis. In this case, the financial compensation referred to in Article 2 shall be increased proportionately.

Article 7

The Annex to the Agreement between the European Economic Community and the Government of the Republic

of Guinea-Bissau on fishing off the coast of Guinea-Bissau is hereby repealed and replaced by the Annex to this Protocol.

It shall be applicable from 16 June 1989.

Article 8

This Protocol shall enter into force on the first day of the month following that on which it is signed.

Article 9

This Protocol shall be drawn up in duplicate in the Danish, Dutch, English, French, German, Greek, Italian, Portuguese and Spanish languages, each text being equally authentic.

ANNEX

CONDITIONS FOR THE EXERCISE OF FISHING ACTIVITIES BY COMMUNITY VESSELS IN GUINEA-BISSAU'S FISHING ZONE

A. Licence application and issuing formalities

The procedure for applications for, and issue of, the licences enabling Community vessels to fish in Guinea-Bissau's fishing zone shall be as follows:

The relevant Community authorities shall present to the Office of the Secretary of State for Fisheries of the Republic of Guinea-Bissau, via the Commission Delegation in Guinea-Bissau, an application for each vessel that is to be used for fishing under the Agreement, at least 30 days before the date of commencement of the period of validity requested.

The applications shall be made on the forms provided for that purpose by the Government of the Republic of Guinea-Bissau, specimens of which are attached hereto (Annex 1).

Each licence application shall be accompanied by proof of payment of the fee for the period of the licence's validity. Payment shall be made into the account referred to in Article 2 of the Protocol.

Licences for tuna seiners, pole-and-line tuna vessels and surface longliners shall be issued by the Guinea-Bissau authorities within the 30-day time limit laid down above to the shipowners or their representatives via the Delegation of the Commission of the European Communities in Guinea-Bissau.

Freezer trawlers must be present in the port of Bissau when the licence is handed over. The Delegation of the Commission of the European Communities shall be notified of each licence issued.

Licences shall be issued for a specific vessel and shall not be transferable. However, at the request of the European Economic Community, and where *force majeure* is proven, a vessel's licence shall be replaced by a new licence for another vessel whose features are similar to those of the first vessel. The owner of the first vessel shall return the cancelled licence to the Office of the Secretary of State for Fisheries of the Republic of Guinea-Bissau via the authorities of the Commission of the European Communities.

By way of derogation from Article 4 (3) of the Agreement, licences shall be valid for quarterly, half-yearly or annual periods.

The licence must be held on board at all times.

1. Provisions applicable to trawlers

(a) For the duration of this Protocol the fees for annual licences shall be as follows:

- ECU 100 per GRT per year for fin fish trawlers;
- ECU 116 per GRT per year for cephalopod trawlers;
- ECU 160 per GRT per year for shrimp trawlers.

(b) For the duration of this Protocol the fees for half-yearly licences shall be as follows:

- ECU 57,5 per GRT per half-year for fin fish trawlers;
- ECU 66,5 per GRT per half-year for cephalopod trawlers;
- ECU 92 per GRT per half-year for shrimp trawlers.

(c) The fees for quarterly licences shall be as follows:

- ECU 30 per GRT per quarter for fin fish trawlers;
- ECU 35 per GRT per quarter for cephalopod trawlers;
- ECU 48 per GRT per quarter for shrimp trawlers.

However, vessels which land only 25 kg of fish per GRT per quarter, in accordance with the provisions of Part C of this Annex, shall be obliged to pay an additional fee of ECU 6 per GRT per quarter.

2. Provisions applicable to tuna vessels and surface longliners

(a) The fees shall be ECU 20 per tonne caught within Guinea-Bissau's fishing zone.

- (b) Licences shall be issued following payment to the Office of the Secretary of State for Fisheries of a lump sum of ECU 1 500 a year for each tuna seiner and ECU 300 a year for each pole-and-line tuna vessel and surface longliner, equivalent to the fees for:

- 75 tonnes of tuna caught per year in the case of seiners,
- 15 tonnes caught per year in the case of pole-and-line tuna vessels and surface longliners.

The final statement of the fees due for the fishing period shall be drawn up by the Commission of the European Communities at the end of each calendar year on the basis of the catch statements made by each shipowner and confirmed by the scientific institutes responsible for verifying catch data (Orstom and IEO — Spanish Institute of Oceanography). The statement shall be forwarded simultaneously to the Office of the Secretary of State for Fisheries and to the shipowners. Any additional payment due shall be made by the shipowners to the Office of the Secretary of State for Fisheries of Guinea-Bissau by 31 May of the following year at the latest, in accordance with the procedure for payment set out in Article 2 of the Protocol.

However, if the amount of the final statement is lower than the abovementioned amount, the resulting balance shall not be reimbursable.

B. Statement of catch

For all Community vessels authorized to fish in Guinea-Bissau's waters under the Agreement a statement of their catch must be provided to the Office of the Secretary of State for Fisheries, with a copy to the Commission Delegation in Guinea-Bissau, in accordance with the procedures set out below:

- for trawlers a statement of catch shall be made out according to the specimen annexed hereto (Annex 2). The statements of catch shall be drawn up each month and presented at least once each quarter,
- for tuna seiners, pole-and-line tuna vessels and surface longliners a fishing log shall be kept, in accordance with Annex 3, for each fishing period spent in Guinea-Bissau's fishing zone. The form must be sent, within 45 days of the end of the fishing voyage spent in the Guinea-Bissau fishing zone, to the Office of the Secretary of State for Fisheries via the Delegation of the Commission of the European Communities in Guinea-Bissau,
- forms must be completed legibly and be signed by the master of the vessel.

Should this provision not be adhered to, the Government of Guinea-Bissau reserves the right to suspend the licence of the offending vessel until the formality has been complied with.

C. Landing of catch

Trawlers authorized to fish in the Guinea-Bissau fishing zone shall, in order to make a contribution towards supplying the local population with fish caught in the Guinea-Bissau fishing zone, be obliged to land the following quantities free of charge, on the basis of the list set out in the Appendix to Annex 1: 50 kg of fish per GRT per quarter, of which 25 kg per GRT per quarter is optional.

Landings may be made individually or collectively, mention being made of the vessels concerned. Any failure to comply with the obligation to land catches shall render the offender liable to the following penalties applied by the Guinea-Bissau authorities:

- fine of ECU 1 500 per tonne not landed, and
- withdrawal and non-renewal of the licence of the vessel concerned or another vessel fitted out by the same shipowner.

D. By-catches

1. Fin fish trawlers may not hold on board crustaceans representing more than 10 % of their total catch in the Guinea-Bissau fishing zone.

Cephalopod trawlers may not hold on board crustaceans representing more than 5 % or fish representing more than 10 % of their total catch in the Guinea-Bissau fishing zone.

2. Pole-and-line tuna vessels shall, moreover, be authorized to fish for live bait in order to carry out their fishing activities in the Guinea-Bissau fishing zone.

E. Signing-on of seamen

Owners who have been issued fishing licences under the Agreement shall contribute to the on-the-job vocational training of Guinea-Bissau nationals, subject to the conditions and limits set out below:

1. each trawler owner shall undertake to employ:
 - two seamen/fishermen on vessels of up to 300 GRT,
 - three seamen/fishermen on vessels of between 300 GRT and 400 GRT,
 - four seamen/fishermen on vessels of more than 400 GRT.
2. Owners of tuna vessels and surface longliners shall undertake to employ Guinea-Bissau nationals, subject to the conditions and limits set out below:
 - for the fleet of tuna seiners, eight Guinea-Bissau seamen shall be signed on permanently in the Guinea-Bissau fishing zone,
 - for the fleet of pole-and-line tuna vessels, eight Guinea-Bissau seamen shall be signed on for the tuna fishing season in the Guinea-Bissau fishing zone, all of them to be assigned to different vessels,
 - for the fleet of surface longliners, eight Guinea-Bissau seamen shall be signed on for the fishing season in the Guinea-Bissau fishing zone, all of them to be assigned to different vessels.
3. The wages of these seamen/fishermen shall be fixed, before licences are issued, by mutual agreement between the shipowners or their representatives and the Office of the Secretary of State for Fisheries; the wages shall be borne by the shipowners and must include the social contributions to which the seaman is subject (including life assurance and accident and sickness insurance).

Should the seamen not be signed on, owners of tuna seiners, pole-and-line tuna vessels and surface longliners shall be obliged to pay a lump sum equivalent to the wages of seamen not signed on.

This sum will be used for the training of seamen/fishermen in Guinea-Bissau and is to be paid into an account specified by the Guinea-Bissau authorities.

F. Taking on board of observers

1. The observer's task shall be to check on fishing activities in the Guinea-Bissau fishing zone. He shall be offered every facility needed to carry out his duties, including access to premises and documents. He must not remain on board any longer than is necessary for the accomplishment of his duties. The master of the vessel shall facilitate the work of the observer, who shall be accorded the conditions enjoyed by officers of the vessel. The salary and the social contributions of the observer shall be borne by the Government of Guinea-Bissau.

Should the observer be taken on board in a foreign port, his travelling costs shall be borne by the shipowner. Should a vessel with an observer on board leave the Guinea-Bissau fishing zone, all measures must be taken to ensure the observer's return to Guinea-Bissau as soon as possible at the expense of the shipowner.

2. Each trawler shall take on board an observer designated by the Office of the Secretary of State for Fisheries.
3. Tuna vessels and surface longliners shall take an observer on board at the request of the Office of the Secretary of State for Fisheries.

In that case, the port of embarkation shall be determined by mutual agreement between the Office of the Secretary of State for Fisheries and the shipowners or their representatives at a meeting to be arranged between the two parties.

G. Inspection and monitoring

Any Community vessel fishing in Guinea-Bissau's fishing zone shall allow on board any official of Guinea-Bissau responsible for inspection and monitoring and shall assist him in the accomplishment of his duties. The official must not remain on board any longer than is necessary for the verification of catches by random checks and for any other inspection relating to fishing activities.

H. Fishing zones

The freezer trawlers referred to in Article 1 of the Protocol shall be authorized to fish in waters beyond 12 nautical miles from the base lines.

I. Mesbes authorized

The minimum mesh size authorized for the trawl body (mesh fully extended) shall be:

- (a) 60 mm for fin fish vessels;
- (b) 40 mm for cephalopod vessels;
- (c) 40 mm for shrimp vessels (this mesh shall be applicable from 1 August 1989);
- (d) 16 mm for fishing for live bait.

Outrigger fishing shall be authorized.

J. Entering and leaving the zone

All Community vessels fishing under the Agreement in the Guinea-Bissau zone shall communicate to the radio station of the Office of the Secretary of State for Fisheries the date and time and their position when entering and leaving the Guinea-Bissau fishing zone.

The call sign, frequency and working hours of the station shall be communicated to the shipowners by the Office of the Secretary of State for Fisheries at the time the licence is issued.

In cases where this radio communication cannot be used, vessels may use alternative means, such as telex (No 266 SEP BI) or telegram.

K. Procedure in case of boarding

The authorities of the Commission of the European Communities in Guinea-Bissau shall be notified within 48 hours of any boarding within the Guinea-Bissau fishing zone of a fishing vessel flying the flag of a Member State of the Community and shall at the same time receive a brief report of the circumstances and reasons leading to the boarding.

Should the case be brought before a competent judicial body, the Guinea-Bissau authorities may fix a bank security at the request of the Community or the shipowner.

In that case, the Guinea-Bissau authorities shall undertake to release the vessel within 24 hours following the lodging of the bank security.

The bank security shall be released by the competent authority once the master of the vessel concerned has been acquitted by the judicial decision.

Should one of the parties consider it necessary, it may request urgent consultations under Article 10 of the Agreement.

Annex 1

APPLICATION FORM
FOR A
FISHING LICENCE

For official use only	Remarks
Nationality:
Licence No:
Date of signing:
Date of issue:

APPLICANT

Name of firm:

Trade register No:

First name and surname of applicant:

Date and place of birth:

Occupation:

Address:

No of employees:

Name and address of co-signatory:

VESSEL

Type of vessel: Registration No:

New name: Former name:

Date and place of construction:

Original nationality:

Length: Beam: Hold:

Gross tonnage: Net tonnage:

Type of building materials:

Make of main engine: Type: Rating:

Propeller: Fixed Variable Ducted

Transit speed:

Call sign: Call frequency:

List of sounding, navigating and transmission instruments:

Radar Sonar Netsonde
VHF SSB Netsonde satellite navigations Other

No of seamen:

CONSERVATION

Packed in ice Ice + refrigeration
Freezing in brine Dry Refrigerated sea water

Total refrigerating power:

Freezing capacity in tonnes/24 hours:

Hold capacity:

TYPE OF FISHING

A. Demersal

Inshore demersal Deep-sea demersal

Type of trawl:
Cephalopods Shrimps Fish

Length of trawl: Headline:

Mesh size in the body:

Mesh size in the wings:

Speed of trawling:

B. Deep-sea pelagic (tuna)

Pole and line No of poles and lines

Seine Length of net: Depth of net:

No of tanks: Capacity in tonnes:

C. Longlines and pots

Surface Bottom

Length of lines: No of hooks:

No of lines:

No of pots:

SHORE INSTALLATIONS

Address and permit No:

Name of firm:

Activities:

Domestic wholesale fish trade

Export

Type and No of wholesale trader's card:

Description of processing and conservation plant:

.....
.....
.....
.....
.....

No of employees:

NB: Indicate affirmative answers by a tick in the appropriate box.

Technical remarks

Authorization of the Office of the Secretary of State

Appendix to Annex 1



REPÚBLICA DA GUINÉ-BISSAU

SECRETARIA DE ESTADO DAS PASCAS

BISSAU

VISTO

.....
(Director da Pesca Industrial)

DECLARAÇÃO

..... Armador/Representante do N/M
(Nome e nº de Registo)
com autorização de Pesca nº válida de a
..... compromete-se a descarregar no porto de Bissau a favor do

Ministério das Pescas toneladas de peixe diverso, de preferência, das seguintes espécies:
(garoupas (*Epinephelus* spp.; *Serranus* spp.) sinapas (*Sparus* spp.), bicas (*Pagellus bellottii*, *Lethrinus atlanticus*,
Lutjanus spp.), bicuda (*Sphyræna* spp.), barbo (*Galeoides decadactylus*), barbinho (*Pentanemus quinquequarum*),
corvinas (*Pseudolithus* spp.; *Argyrosomus* spp.), cor-cor (*Pomadourus* spp.), sareia (*Caranx* spp., *Chloroscom-
brus* sp., *Decapterus* spp.), bagres (*Arius* spp.)) como complemento da licença de pesca que foi concedida ao navio
acima referenciado.

Mais se declara que nos 15 dias antes de expirada a licença notificará o Ministério das Pescas, através da Direcção
da Pesca Industrial, a data do desembarque do pescado.

Bissau, de de 19

O ARMADOR / REPRESENTANTE

.....
(Assinatura e carimbo)

Annex 2

OFFICE OF THE SECRETARY OF STATE FOR FISHERIES

STATISTICS ON CATCH AND ACTIVITY

Month:

Year:

Name of vessel:	
Nationality (flag):	

Engine rating:	
Gross registered tonnage:	

Fishing method:	
Port of landing:	

Date	Fishing zone		Number of fishing operations	Number of fishing hours	Species of fish							Totals	
	Longitude	Latitude											
1/													
2/													
3/													
4/													
5/													
6/													
7/													
8/													
9/													
10/													
11/													
12/													
13/													
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27/													
28/													
29/													
30/													
31/													

COUNCIL DECISION

of 29 September 1989

on the conclusion of an Agreement in the form of an Exchange of Letters concerning the provisional application of the Protocol establishing, for the period from 27 June 1989 to 26 June 1992, the fishing rights and financial compensation provided for in the Agreement between the European Economic Community and the Government of the Republic of Equatorial Guinea on fishing off the coast of Equatorial Guinea

(89/551/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 155 (2) (b) thereof,

Having regard to the Agreement between the European Economic Community and the Government of the Republic of Equatorial Guinea on fishing off the coast of Equatorial Guinea ⁽¹⁾, signed at Malabo on 15 June 1984 and amended by the Agreement signed in Brussels on 4 November 1987 ⁽²⁾,

Having regard to the proposal from the Commission,

Whereas the Community and the Republic of Equatorial Guinea conducted negotiations to determine the amendments or additions to be made to the said Agreement at the end of the period of application of the Protocol;

Whereas, as a result of these negotiations, a new Protocol was initialled on 2 June 1989;

Whereas, under that Protocol, Community fishermen have fishing rights in the waters under the sovereignty or jurisdiction of the Republic of Equatorial Guinea for the period from 27 June 1989 to 26 June 1992;

Whereas, under Article 155 (2) (b) of the Act of Accession, it is for the Council to determine the procedures appropriate to take into consideration all or part of the interests of the Canary Islands when it adopts decisions, case by case, particularly with a view to the conclusion of fisheries agreements with third countries; whereas the case in point calls for the said procedures to be determined;

Whereas, in order to avoid any interruption in the fishing activities of Community vessels, it is essential that the Protocol in question be approved as soon as possible; whereas, for this reason, the two Parties initialled an Agreement in the form of an Exchange of Letters providing for the provisional application of the initialled Protocol from the day following the date of expiry of the Protocol in force; whereas the Agreement in the form of an Exchange of Letters should be approved pending a final decision taken on the basis of Article 43 of the Treaty,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement in the form of an Exchange of Letters concerning the provisional application of the Protocol establishing, for the period from 27 June 1989 to 26 June 1992, the fishing rights and financial compensation provided for in the Agreement between the European Economic Community and the Government of the Republic of Equatorial Guinea on fishing off the coast of Equatorial Guinea is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Decision.

Article 2

With a view to taking into consideration the interests of the Canary Islands, the Agreement referred to in Article 1 and, insofar as is necessary for its application, the provisions of the common fisheries policy relating to the conservation and management of fishery resources shall also apply to vessels sailing under the flag of Spain, which are recorded on a permanent basis in the registers of the relevant authorities at local level ('registros de base') in the Canary Islands, under the conditions specified in Note 6 to Annex I to Council Regulation (EEC) No 570/86 of 24 February 1986 concerning the definition of the concept of 'originating products' and methods of administrative cooperation in

⁽¹⁾ OJ No L 188, 16. 7. 1984, p. 1.

⁽²⁾ OJ No L 29, 30. 1. 1987, p. 1.

trade between the customs territory of the Community, Ceuta and Melilla and the Canary Islands ⁽¹⁾.

the form of an Exchange of Letters in order to bind the Community.

Done at Brussels, 29 September 1989.

Article 3

The President of the Council is hereby authorized to designate the persons empowered to sign the Agreement in

For the Council
The President
E. EVIN

⁽¹⁾ OJ No L 56, 1. 3. 1986, p. 1.

AGREEMENT

in the form of an Exchange of Letters concerning the provisional application of the Protocol establishing, for the period from 27 June 1989 to 26 June 1992, the fishing rights and financial compensation provided for in the Agreement between the European Economic Community and the Government of the Republic of Equatorial Guinea on fishing off the coast of Equatorial Guinea

A. Letter from the Government of Equatorial Guinea

Sir,

With reference to the Protocol initialled on 2 June 1989 establishing fishing rights and financial compensation for the period from 27 June 1989 to 26 June 1992, I have the honour to inform you that the Government of Equatorial Guinea is ready to apply this Protocol on a provisional basis, with effect from 27 June 1989, pending its entry into force in accordance with Article 8 of the said Protocol, provided that the European Economic Community is disposed to do the same.

This is on the understanding that a first instalment equal to one third of the financial compensation specified in Article 2 of the Protocol is paid by 30 September 1989.

I should be obliged if you would confirm the European Economic Community's agreement to such provisional application.

Please accept, Sir, the assurance of my highest consideration.

*For the Government of
the Republic of Equatorial Guinea*

B. Letter from the Community

Sir,

I have the honour to acknowledge receipt of your letter of today's date, which reads as follows:

'With reference to the Protocol initialled on 2 June 1989 establishing fishing rights and financial compensation for the period from 27 June 1989 to 26 June 1992, I have the honour to inform you that the Government of Equatorial Guinea is ready to apply this Protocol on a provisional basis, with effect from 27 June 1989, pending its entry into force in accordance with Article 8 of the said Protocol, provided that the European Economic Community is disposed to do the same.

This is on the understanding that a first instalment equal to one third of the financial compensation specified in Article 2 of the Protocol is paid by 30 September 1989.

I should be obliged if you would confirm the European Economic Community's agreement to such provisional application.'

I have the honour to confirm the European Economic Community's agreement to this provisional application of the Protocol.

Please accept, Sir, the assurance of my highest consideration.

*On behalf of the Council
of the European Communities*

PROTOCOL

establishing, for the period from 27 June 1989 to 26 June 1992, the fishing rights and financial compensation provided for in the Agreement between the European Economic Community and the Government of the Republic of Equatorial Guinea on fishing off the coast of Equatorial Guinea

THE PARTIES TO THIS PROTOCOL,

Having regard to the Agreement between the European Economic Community and the Government of the Republic of Equatorial Guinea on fishing off the coast of Equatorial Guinea, signed at Malabo on 15 June 1984 and amended by the Agreement signed in Brussels on 4 November 1987,

of 1 000 grt a month, calculated on an annual average basis. In this case, the financial compensation referred to in Article 2 shall be increased proportionately.

HAVE AGREED AS FOLLOWS:

Article 1

For a period of three years from 27 June 1989, the fishing rights granted under Article 2 of the Agreement shall be as follows:

1. Freezer trawlers: 9 000 grt a month, annual average.
2. Tuna seiners: 40 vessels.
3. Surface longliners: 30 vessels.
At the Community's request, up to 10 licences may be granted for pole-and-line tuna vessels.

Article 2

1. The financial compensation referred to in Article 6 of the Agreement shall be, for the period referred to in Article 1, ECU 6 million, payable in three equal annual instalments as follows: the first instalment before 30 September 1989, the second before 30 June 1990 and the third before 30 June 1991.

2. The use to which this compensation is put shall be the sole responsibility of the Government of the Republic of Equatorial Guinea.

3. The compensation shall be paid into account No 4160 of the Treasury of Equatorial Guinea, opened at the 'Banque des Etats d'Afrique Central' (BEAC) in Malabo. Any changes shall be notified to the Commission of the European Communities.

Article 3

At the request of the Community, the fishing rights referred to in Article 1 (1) may be increased by successive instalments

Article 4

The Community shall also contribute, during the period referred to in Article 1, the sum of ECU 500 000 towards the financing of an Equatorial Guinea scientific or technical programme to improve information on the fishery resources within the exclusive economic zone of Equatorial Guinea.

This sum shall be made available to the Government of the Republic of Equatorial Guinea and paid into the account indicated by the Equatorial Guinea authorities.

Article 5

The two Parties agree that improving the skills of those involved in sea fishing is a vital element in the success of their cooperation. To that end, the Community shall make it easier for nationals of Equatorial Guinea to find places in establishments in its Member States and shall provide for that purpose, during the period referred to in Article 1, awards for study and practical training in the various scientific, technical and economic disciplines relating to fisheries. The awards may also be used in any State linked with the Community by a cooperation agreement. The total cost of the awards may not exceed ECU 665 000. At the request of the Equatorial Guinea authorities, part of this sum may be used to cover the costs of participation in international meetings or training courses concerning fisheries.

The sum shall be payable as and when it is used.

Article 6

Should the Community fail to make the payments provided for in Articles 2 and 4, the application of this Protocol may be suspended.

Article 7

The Annex to the Agreement between the European Economic Community and the Government of the Republic of Equatorial Guinea on fishing off the coast of Equatorial Guinea is hereby repealed and replaced by the Annex to this Protocol.

Article 8

This Protocol shall enter into force on that date on which it is signed.

It shall apply with effect from 27 June 1989.

ANNEX

CONDITIONS FOR THE EXERCISE OF FISHING ACTIVITIES BY COMMUNITY VESSELS IN EQUATORIAL GUINEA'S FISHING ZONE

A. Licence application and issuing formalities

The procedure for applications for, and issue of, the licences enabling vessels flying the flags of the Member States of the Community to fish in Equatorial Guinea's fishing zone shall be as follows:

The relevant Community authorities shall present to the Ministry of Water, Forestry and Reafforestation of the Republic of Equatorial Guinea, via the authorities of the Commission of the European Communities in Equatorial Guinea, an application for each vessel that is to be used for fishing under the Agreement, at least 30 days before the date of commencement of the period of validity requested.

The applications shall be made on the forms provided for that purpose by the competent authorities of the Republic of Equatorial Guinea, a specimen of which is attached hereto (Annex 1).

Each licence application shall be accompanied by proof of payment of the fee for the period of the licence's validity. Payment shall be made into the account referred to in Article 2 of the Protocol.

Fees shall include all national and local charges except those for the performance of services. Once signed, the licences shall be issued by the Equatorial Guinea authorities to the shipowners or their representatives via the authorities of the Commission of the European Communities in Equatorial Guinea within 15 working days of the date on which the proof of payment is received.

Licences shall be issued for a specific vessel and shall not be transferable. However, at the request of the European Economic Community, and where force majeure is proven, a vessel's licence shall be replaced by a new licence for another vessel whose features are similar to those of the first vessel. The owner of the first vessel shall return the cancelled licence to the Ministry of Water, Forestry and Reafforestation of the Republic of Equatorial Guinea via the authorities of the Commission of the European Communities.

The new licence shall indicate:

- the date of issue,
- the fact that the licence cancels and replaces that granted to the previous vessel.

The licence must be held on board at all times.

1. Provisions applicable to trawlers

- (a) The licences for trawlers shall be issued for a year, six months or three months. They shall be renewable.
- (b) The fees for annual licences shall be as follows:
ECU 90 per grt per year for fin fish trawlers,
ECU 100 per grt per year for shrimp trawlers.
- (c) The fees for half-year licences shall be as follows:
ECU 55 per grt per half-yearly period for fin fish trawlers,
ECU 60 per grt per half-yearly period for shrimp trawlers.
- (d) The fees for quarterly licences shall be set as follows:
ECU 30 per grt per quarterly period for fin fish trawlers,
ECU 35 per grt per quarterly period for shrimp trawlers.

2. Provisions applicable to tuna vessels and surface longliners

- (a) The fees shall be ECU 20 per tonne caught within Equatorial Guinea's fishing zone.
- (b) Licences for tuna vessels shall be issued following payment to the Ministry of Water, Forestry and Reafforestation of a lump sum of ECU 1 000 a year for each tuna seiner and ECU 200 a year for each pole-and-line tuna vessel and surface longliner, equivalent to the fees for:

- 50 tonnes of tuna caught per year in the case of seiners,
- 10 tonnes caught per year in the case of pole-and-line tuna vessels and surface longliners.

The final statement of the fees due for the fishing period shall be drawn up by the Commission of the European Communities at the end of each calendar year on the basis of the catch statements made by each shipowner and confirmed by the scientific institutes responsible for verifying catch data (Orstom and IEO — Spanish Institute of Oceanography). The statement shall be forwarded simultaneously to the Equatorial Guinea authorities and to the shipowners. Any additional payment due shall be made by the shipowners to the Ministry of Water, Forestry and Reafforestation of Equatorial Guinea by 30 May of the following year at the latest, in accordance with the procedure for payment set out in Article 2 of the Protocol.

However, if the amount of the final statement is lower than the abovementioned amount, the resulting balance shall not be reimbursable.

B. Statement of catch

For all vessels authorized to fish in Equatorial Guinea's waters under the Agreement, a statement of their catch must be provided to the Ministry of Water, Forestry and Reafforestation, with a copy to the Commission authorities in Equatorial Guinea, in accordance with the procedures set out below:

- for trawlers a statement shall be made out according to the specimen annexed hereto (Annex 2). The statements shall be communicated after each tide,
- for tuna seiners, pole-and-line tuna vessels and surface longliners a fishing log shall be kept, in accordance with Annex 3 (in English), for each fishing period spent in Equatorial Guinea's fishing zone. The form must be completed legibly and be signed by the master of the vessel and sent, within 45 days of the end of the fishing voyage spent in the Equatorial Guinea fishing zone, to the Ministry of Water, Forestry and Reafforestation via the authorities of the Commission of the European Communities in Equatorial Guinea.

Should this provision not be adhered to, the Government of Equatorial Guinea reserves the right to suspend the licence of the offending vessel until the formality has been complied with and to apply the penalties laid down under fisheries law No 2/1987 of 16 February 1987.

C. Landing of catch

Trawlers authorized to fish in the Equatorial Guinea zone shall, after each tide, make a contribution to fish supplies for the local population by landing, on an annual basis:

- fin fish trawlers: 7 000 kg of fish per vessel,
- shrimp trawlers: 5 000 kg of fish per vessel,

at a price set by the Ministry of Water, Forestry and Reafforestation by mutual agreement with the shipowner on the basis of local market prices.

Landings may be made individually or collectively at the ports of Malabo, Bata or Luba.

Any failure to comply with the obligation to land catches shall render the offender liable to the following sanctions applied by the Equatorial Guinea authorities:

- fine of ECU 1 000 per tonne not landed, and
- withdrawal and non-renewal of the licence of the vessel concerned or another vessel belonging to the same shipowner.

D. Signing on of seamen

1. Trawler owners who have been issued fishing licences under the Agreement shall contribute to the on-the-job vocational training of Equatorial Guinea nationals, subject to the conditions and limits set out below:

- two seamen/fishermen on vessels of up to 300 grt,
- three seamen/fishermen on vessels of more than 300 grt.

2. The wages of these fishermen, to be borne by the shipowners, shall be fixed by mutual agreement between the shipowners and the Equatorial Guinea authorities. Should the fishermen not be signed on, the shipowners shall be obliged to pay a lump sum equivalent to 30 % of the seamen's wages. This sum will be used for the training of fishermen in Equatorial Guinea and is to be paid into an account specified by the Equatorial Guinea authorities.

E. Taking on board of observers

Each trawler may be obliged to take on board an observer designated by the Ministry of Water, Forestry and Reafforestation. In that case, the observer shall be included in the number of fishermen to be signed on established in point D.

The observer shall be offered every facility needed to carry out his duties. The presence and work of this observer must not interrupt or prejudice fishing operations. The salary and the social contributions of the observer shall be borne by the Government of Equatorial Guinea.

F. Inspection and monitoring

Any Community vessel fishing in Equatorial Guinea's fishing zone shall allow on board any official of Equatorial Guinea responsible for inspection and monitoring and shall assist him in the accomplishment of his duties. The official must not remain on board any longer than is necessary for the verification of catches by random checks and for any other inspection relating to fishing activities.

G. Fishing zones

The vessels referred to in Article 1 of the Protocol shall be authorized to fish in waters beyond four nautical miles from the base lines.

H. Meshes authorized

The minimum mesh size authorized for the trawl body (mesh fully extended) shall be:

- (a) 60 mm for fin fish vessels catching less than 30 % shrimps;
- (b) 25 mm for shrimp vessels catching more than 30 % shrimps.

Outrigger fishing shall be authorized.

I. Entering and leaving the zone

All Community vessels fishing under the Agreement in the Equatorial Guinea zone shall communicate to the radio station indicated on the licence the date and time and their position when entering and leaving the Equatorial Guinea fishing zone.

J. Procedure in case of boarding

1. The authorities of the Commission of the European Communities in Equatorial Guinea shall be notified within two working days of any boarding within the Equatorial Guinea exclusive economic zone of a fishing vessel flying the flag of a Member State of the Community and holding a valid licence granted under the Agreement. The authorities shall at the same time receive a brief report of the circumstances and reasons leading to the boarding.
2. Before any measures regarding the master or the crew of the vessel or any action regarding the cargo and equipment of the vessel are considered, other than those to safeguard evidence relating to the presumed infringement, a consultation meeting shall be held, within one working day from the receipt of the abovementioned information, between the authorities of the Commission of the European Communities in Equatorial Guinea, the Fisheries Department and the inspection authorities, possibly attended by a representative of the Member State concerned. At the meeting, the parties shall exchange any relevant documentation or information helping to clarify the circumstances of the established facts. The shipowner or his representative shall be informed of the outcome of the meeting and of any measures resulting from the boarding.
3. Before any judicial procedure, an attempt shall be made to resolve the presumed infringement through a compromise procedure. This procedure shall end no later than three working days after the boarding.
4. Should the case not be settled by means of compromise, and therefore be brought before a competent Equatorial Guinea judicial body, a reasonable bank security shall be fixed by the competent authority within two working days, following the conclusion of the compromise procedure, pending the judicial decision. The bank security shall be released by the competent authority once the master of the vessel concerned has been acquitted by the judicial decision.

5. The vessel and its crew shall be released either:
 - at the end of the consultation meeting, if the established facts permit,
or
 - on receipt of payment of a fine (compromise procedure),
or
 - once a bank security is deposited (judicial procedure).

 6. Should one of the parties consider that there is a problem in the application of the abovementioned procedure, it may request urgent consultations under Article 8 of the Agreement.
-

Annex I

REPUBLIC OF EQUATORIAL GUINEA

APPLICATION FOR A FISHING LICENCE

1. Valid from: to
2. Name of vessel:
3. Name of shipowner:
4. Port and registration number:
5. Type of fishing:
6. Authorized mesh size:
7. Length of vessel:
8. Width of vessel:
9. Gross registered tonnage:
10. Hold capacity:
11. Engine rating:
12. Type of construction:
13. Usual number of seamen aboard:
14. Radio/electrical equipment:
15. Master's name:

The above information is the sole responsibility of the shipowner or his representative.

Date of application:

Annex 2

Annex 1 to the Fisheries Law

INFORMATION ON CATCHES RESULTING FROM INDUSTRIAL FISHING

(Article 42 of the Fisheries Law)

- 1. Name and registration number of vessel:
- 2. Nationality:
- 3. Type of vessel:
(i. e. for fresh fish, tuna, etc.)
- 4. Master's name:
- 5. Fishing licence issued by:
valid for the period:
- 6. Type of fishing:
- 7. Date of leaving port:
Date of entering port:
- 8. Catches:

Date	Fishing zone	Species caught (*)	Tonnage	Port of landing

(*) For each species give the scientific and the commercial name and the method of conservation (chilled, refrigerated, frozen) or, if the product is processed, the form of commercial presentation.

I, the undersigned, Master of the vessel cited above, or his representative, hereby declare that the information given above is correct, as witnessed by the observer of the Government.

Witnessed by
The Observer of the Government

Signed
The Master



COUNCIL

COUNCIL DECISION

of 28 July 1989

on the conclusion of the Agreement in the form of an exchange of letters concerning the provisional application of the Protocol defining, for the period 21 May 1989 to 20 May 1992, the fishing opportunities and the financial contribution provided for by the Agreement between the European Economic Community and the Government of the Democratic Republic of Madagascar on fishing off Madagascar

(89/485/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Agreement between the European Economic Community and the Government of the Democratic Republic of Madagascar on fishing off Madagascar ⁽¹⁾ signed in Antananarivo on 28 January 1986 and amended by the Agreement signed in Brussels on 12 November 1987 ⁽²⁾,

Having regard to the proposal from the Commission,

Whereas the Community and the Democratic Republic of Madagascar held negotiations to determine the amendments or additions to be made to the Agreement on fishing off Madagascar at the end of the period of application of the first Protocols;

Whereas, as a result of these negotiations, a new Protocol was initialled on 28 April 1989;

Whereas, under this Protocol, Community fishermen enjoy fishing opportunities in the waters falling within the sovereignty or jurisdiction of the Democratic Republic of Madagascar for the period 21 May 1989 to 20 May 1992;

Whereas, in order to avoid interruption of fishing activities by Community vessels, it is essential that the Protocol in question be approved as quickly as possible; whereas both parties have therefore initialled an Agreement in the form of an Exchange of Letters providing for the provisional application of the initialled Protocol from the day following the date of expiry of the Protocols previously in force;

whereas the Agreement in the form of an Exchange of Letters should be concluded, subject to a definitive decision under Article 43 of the Treaty,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement in the form of an Exchange of Letters concerning the provisional application of the Protocol defining for the period 21 May 1989 to 20 May 1992 the fishing opportunities and the financial contribution provided for by the Agreement between the European Economic Community and the Government of the Democratic Republic of Madagascar on fishing off Madagascar is hereby approved on behalf of the Community.

The texts of the Agreement in the form of an Exchange of Letters and of the Protocol are attached to this Decision.

Article 2

The President of the Council is hereby authorized to designate the persons empowered to sign the Agreement in the form of an Exchange of Letters in order to bind the Community.

Done at Brussels, 28 July 1989.

For the Council
The President
M. CHARASSE

⁽¹⁾ OJ No L 73, 18. 3. 1986, p. 26.

⁽²⁾ OJ No L 98, 10. 4. 1987, p. 9.

AGREEMENT

in the form of an Exchange of Letters concerning the provisional application of the Protocol defining, for the period 21 May 1989 to 20 May 1992, the fishing opportunities and the financial contribution provided for by the Agreement between the European Economic Community and the Government of the Democratic Republic of Madagascar on fishing off Madagascar

A. Letter from the Government of Madagascar

Sir,

With reference to the Protocol initialled on 28 April 1989 defining the fishing opportunities and the financial contribution for the period 21 May 1989 to 20 May 1992, I have the honour to inform you that the Government of Madagascar is prepared to apply the Protocol provisionally from 21 May 1989 pending its entry into force in accordance with Article 7, provided that the European Economic Community is prepared to do the same.

It is understood that in this case a first instalment equal to one-third of the financial compensation stipulated in Article 2 of the Protocol must be paid before 30 September 1989.

I should be obliged if you would confirm that the European Economic Community is in agreement with such provisional application.

Please accept, Sir, the assurance of my highest consideration.

*On behalf of the Government of
the Democratic Republic of Madagascar*

B. Letter from the Community

Sir,

I have the honour to acknowledge receipt of your letter of today's date which reads as follows:

'With reference to the Protocol initialled on 28 April 1989 defining the fishing opportunities and the financial contribution for the period 21 May 1989 to 20 May 1992, I have the honour to inform you that the Government of Madagascar is prepared to apply the Protocol provisionally from 21 May 1989 pending its entry into force in accordance with Article 7, provided that the European Economic Community is prepared to do the same.

It is understood that in this case a first instalment equal to one-third of the financial compensation stipulated in Article 2 of the Protocol must be paid before 30 September 1989.

I should be obliged if you would confirm that the European Economic Community is in agreement with such provisional application.'

I have the honour to confirm the agreement of the European Economic Community to this provisional application.

Please accept, Sir, the assurance of my highest consideration.

*On behalf
of the Council of the European Communities*

PROTOCOL

defining, for the period 21 May 1989 to 20 May 1992, the fishing opportunities and the financial contribution provided for by the Agreement between the European Economic Community and the Government of the Democratic Republic of Madagascar on fishing off Madagascar

THE PARTIES TO THIS PROTOCOL,

Having regard to the Agreement between the European Economic Community and the Government of the Democratic Republic of Madagascar on fishing off Madagascar, signed on 28 January 1986 and amended by the Agreement signed on 12 November 1987,

HAVE AGREED AS FOLLOWS:

Article 1

Pursuant to Article 2 of the Agreement, licences authorizing simultaneous fishing in Madagascar's fishing zone shall be granted to 45 ocean-going freezer tuna vessels for a period of three years beginning on 21 May 1989.

Article 2

The amount of the contribution referred to in Article 7 of the Agreement shall be fixed at a flat rate of a least ECU 1 800 000 for the duration of the Protocol, payable in three equal annual instalments. This amount is to cover the fishing activities referred to in Article 1 up to a total annual catch of 12 000 tonnes of tuna in Madagascar's fishing zone; if the tuna caught by Community vessels in Madagascar's fishing zone exceeds this weight, the amount referred to above shall be proportionately increased; however, irrespective of the amount actually caught, financial compensation shall not exceed ECU 1 million per year.

Article 3

Each year for three successive years, a reconnaissance campaign to find crustaceans in water deeper than 50 metres shall be carried out jointly by Community shipowners to be chosen by the Malagasy authorities, research institutes in Madagascar and the Member States of the Community, and the Malagasy Ministry with responsibility for fisheries.

The Community shall also contribute up to ECU 900 000 over the duration of the Protocol to finance the campaigns.

This contribution may be used to cover shipowners' economic losses and the emoluments of Malagasy and Community scientists. Catches by the vessel concerned shall be the property of the shipowner.

The results of each campaign must be sent to the Malagasy Ministry with responsibility for Fisheries and the Commission Delegation to Madagascar before the beginning of the following campaign. In the light of these results, starting from the second reconnaissance campaign, licences may be granted to Community vessels to fish in Madagascar's deep-water zones under conditions to be defined at a meeting of the Joint Committee referred to in Article 9 of the Agreement.

The terms of reference for these reconnaissance campaigns shall be agreed between the two parties before 31 July 1989.

Article 4

The Community shall also, during the period referred to in Article 1, contribute ECU 600 000 to finance a Malagasy scientific programme to improve knowledge of the highly migratory species existing in the Indian Ocean around Madagascar.

At the request of the Government of Madagascar, this contribution may take the form of assistance with the costs of international meetings to improve knowledge of these species and the management of fishery resources.

Article 5

The contracting parties hereby agree that increasing the skills and knowledge of those concerned with sea fishing is essential to the success of their cooperation. The Community shall therefore facilitate the entry of Malagasy nationals to educational establishments in its Member States, and for this purpose shall make available to them study or practical training awards lasting a maximum of five years in the various scientific, technical and economic fields linked to fishing. The total cost of these grants may not exceed ECU 500 000, equivalent to approximately 500 grant/months.

The grants may also be used in any country linked to the Community by a Cooperation Agreement.

Madagascar are hereby repealed and replaced by this Protocol and the Annex thereto.

Article 6

Protocols 1 and 2 and the Annex to the Agreement between the European Economic Community and the Government of the Democratic Republic of Madagascar on fishing off

Article 7

This Protocol shall enter into force on the date of its signature.

It shall be applicable from 21 May 1989.

ANNEX

CONDITIONS GOVERNING FISHING ACTIVITIES BY COMMUNITY VESSELS IN MADAGASCAR'S FISHING ZONE

1. Formalities concerning application for, and issue, of licences

After payment of the fees by shipowners, the competent Community authorities shall present to the competent Malagasy authorities an application in respect of each vessel wishing to fish under the Agreement. The application must be made on the form provided by Madagascar for this purpose, according to the attached model.

The Malagasy authorities shall then send the licence provided for in Article 4 of the Agreement to the Delegation of the Commission of the European Communities in Antananarivo within 15 working days.

Owners of tuna vessels shall be obliged to be represented by an agent in Madagascar.

2. Validity of licences

The licences shall be valid for one year. They shall be renewable.

Each licence shall be issued for a specific vessel, and shall not be transferable. However, in the event of *force majeure*, a licence for one vessel may be replaced by a licence for another vessel of similar characteristics should the European Economic Community so request. The owner of the vessel being replaced shall return the cancelled licence to the Malagasy Ministry with responsibility for Fisheries via the Delegation of the Commission of the European Communities.

The new licence shall indicate:

- the date of issue,
- the fact that it cancels and replaces the licence of the previous vessel.

3. Payment for licences

(a) *Freezer tuna vessels*

For ocean-going freezer tuna vessels, the fee provided for by Article 5 of the Agreement shall be set at ECU 20 per tonne of tuna caught in Madagascar's fishing zone.

Licences shall be issued on advance payment to the Malagasy Treasury of a fixed annual sum of ECU 1 000 per freezer tuna vessel.

(b) *Other Vessels*

The licence fee for vessels other than tuna vessels shall be set according to gross registered tonnage.

4. Declaration of catches

After the end of each calendar year, the Commission of the European Communities shall inform the Malagasy authorities no later than 31 March each year of the provisional catch figures for the preceding calendar year, on the basis of the fishing forms drawn up by the shipowners and referred to in paragraph 6.

5. Breakdown of fees due

A breakdown of the fees due in respect of a fishing year shall be drawn up by the Commission of the European Communities and the Malagasy authorities, taking account of available scientific opinion and any statistical information gathered in the Indian Ocean by an international fisheries organization.

Shipowners shall be notified by the Commission of the European Communities of this breakdown by the end of April and shall have 30 days in which to meet their financial obligations. The shipowner cannot recover the balance in cases where the amount payable in respect of actual fishing operations is less than the advance payment.

6. Radio communications and fishing forms

The captain shall notify either by radio the coastal radio station at Antsiranana or by telex at least 24 hours in advance of his intention of bringing his vessel into Madagascar's fishing zone.

Vessels shall indicate their position and catches every three days, and at the end of each period spent fishing in Madagascar's fishing zone, either by radio to the coastal radio station at Antsiranana or by telex. This information must also be indicated on entering or leaving Madagascar's fishing zone, either by radio to the Antsiranana station or by telex.

The radio frequency to be used and the telex number will be indicated on the licence.

The captain must also fill in a fishing form corresponding to the attached model for each period spent fishing in Madagascar's fishing zone.

The sheet, which must be legible and signed by the captain of the ship, must reach the Malagasy Ministry with responsibility for Fisheries via the shipowner's agent as soon as possible and preferably within 30 days of the period spent fishing in Madagascar's fishing zone. A copy must also be sent to the Delegation of the Commission of the European Communities.

In the event of failure to comply with these provisions, the Malagasy authorities reserve the right to suspend the licence of the offending vessel until the formalities have been completed.

7. Observers

At the request of the Malagasy authorities, tuna vessels shall take an observer on board. The time spent by the observer on board shall be fixed by the Malagasy authorities, but, as a general rule, an observer must not be present for longer than the time required to carry out his duties.

The shipowner shall, via his agent, make a payment of ECU 10 to the Malagasy Government for each day spent by an observer aboard a tuna boat.

Should a tuna boat with a Malagasy observer on board leave Madagascar's fishing zone, every step shall be taken to ensure that the observer returns to Madagascar as soon as possible, at the shipowner's expense.

8. Employment of seamen

For the ocean-going tuna fleet, two Malagasy seamen shall be signed on permanently for the duration of the fishing season.

Should Madagascar not put forward any candidates, this commitment shall be replaced by a flat-rate sum equivalent to 50% of the seamen's wages, in proportion to the duration of the season; this sum will be used for the training of Malagasy fishermen.

9. Fishing zones

Community vessels shall have access to all waters under Madagascar's jurisdiction outside the two-mile zone.

Should the Malagasy authorities decide to install experimental fish concentration devices (FCDs), they shall inform the Commission of the European Communities and the agents of the shipowners concerned, indicating the geographical position of the devices.

From the 30th day after such notification, it shall be forbidden to approach within 1,5 nautical miles of the devices. The dismantling of any device must be immediately notified to the same parties.

10. Use of port facilities

The authorities of Madagascar and the beneficiaries of the Agreement shall lay down the conditions for using port facilities.

11. Inspection and monitoring of fishing activities

Vessels holding a licence shall permit and assist any Malagasy official responsible for the inspection and monitoring of fishing activities to board the ship and carry out his duties.

12. Trans-shipment

When fish are transhipped, ocean-going freezer tuna vessels shall hand over the fish which they do not intend to keep to a company or organization nominated by the Malagasy authorities in charge of fisheries.

APPLICATION FORM FOR A FISHING LICENCE

1. Period of validity: from to
2. Name and flag of vessel:
3. Name of shipowner:
4. Port of registration and registration number:
5. Type of fishing:
6. Authorized mesh size:
7. Length of vessel:
8. Breadth of vessel:
9. Gross registered tonnage:
10. Hold capacity:
11. Power of engine:
12. Type of construction:
13. Number of crew normally carried:
14. Radio equipment:
15. Radio call sign:
16. Name of captain:

The shipowner, or his representative, is entirely responsible for the accuracy of this information.

ICCAT LOGBOOK for TUNA FISHERY

- Longline
- Boatboard
- Purse seine
- Trolling
- Others _____

Vessel name	Gross ton				
Flag country	Capacity (GRT)				
Registration No.	Captain				
Company or Owner	No. of crew	Boat (LFT)	month	day	year
Address	Reporting date	Boat (RETURNED)			1 9 7
		Number of days at sea	days	Number of fishing days or number of sets made	Trip number
					1 9 7 -

Month	Day	Area		Depth (m)	Fleet number	Bluefin tuna		Yellowfin tuna		Bigeye tuna		Albacore		Swordfish		Striped marlin		Black marlin		Sailfin		Shark		Miscellaneous		Only total (in weight Kg only)	Boat used		
		Latitude	Longitude			Thunnus thynnus	Thunnus albacares	Thunnus obesus	Thunnus albacoro	Xiphoia gladius	Tetrapturus albidus or albidus	Makaira indica	Istiophorus platypterus	Kohlensteinia palauensis	Sp	Kg	Boat	Owner											
		No.	Kg			No.	Kg	No.	Kg	No.	Kg	No.	Kg	No.	Kg	No.	Kg	No.	Kg	No.	Kg								
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Landing weight (in Kg)																													

Remarks:

- Use one sheet per month, and one line per day
- At the end of each trip forward a copy of the log to your correspondent or to ICCAT, Casco de Maiz 17, Madrid 1, Spain
- "Day" refers to the day you set the line

- Fishing time refers to the main position of the boat. Round off minutes, and record degrees of latitude and longitude. Be sure to record N/E/S and E/W.
- The bottom line ("landing weight") should be completed only at the end of the trip. Actual weight at the time of unloading should be recorded.
- All information reported herein will be kept strictly confidential.

COUNCIL REGULATION (EEC) No 3465/89

of 30 October 1989

relating to the conclusion of the Protocol defining, for the period 21 May 1989 to 20 May 1992, the fishing opportunities and the financial contribution provided for by the Agreement between the European Economic Community and the Government of the Democratic Republic of Madagascar on fishing off Madagascar

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 ⁽¹⁾,

Whereas, in accordance with the Agreement between the European Economic Community and the Government of the Democratic Republic of Madagascar on fishing off Madagascar ⁽²⁾, signed in Antananarivo on 28 January 1986 and as amended by the Agreement signed in Brussels on 12 November 1987 ⁽³⁾, the Contracting Parties held negotiations with a view to determining amendments or additions to be made to the Agreement at the end of the period of application of the first Protocols;

Whereas, as a result of these negotiations, a new Protocol defining, for the period 21 May 1989 to 20 May 1992, the fishing opportunities and the financial contribution provided for by the said Agreement was initialled on 28 April 1989;

Whereas it is in the Community's interest to approve this Protocol,

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

Done at Brussels, 30 October 1989.

HAS ADOPTED THIS REGULATION:

Article 1

The Protocol defining, for the period 21 May 1989 to 20 May 1992, the fishing opportunities and the financial contribution provided for by the Agreement between the European Economic Community and the Government of the Democratic Republic of Madagascar on fishing off Madagascar is hereby approved on behalf of the Community.

The text of the Protocol is attached to this Regulation.

Article 2

The President of the Council is hereby authorized to designate the persons empowered to sign the Protocol in order to bind the Community .

Article 3

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

For the Council
The President
J.-P. SOISSON

⁽¹⁾ OJ No C 291, 20. 11. 1989.

⁽²⁾ OJ No L 73, 18. 3. 1986, p. 26.

⁽³⁾ OJ No L 98, 10. 4. 1987, p. 9.

COUNCIL REGULATION (EEC) No 1616/89

of 5 June 1989

on the conclusion of an Agreement between the European Economic Community and the Government of Mauritius on fishing in Mauritian waters

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION :

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

Having regard to the proposal from the Commission (1),

Having regard to the opinion of the European Parliament *

Whereas the Community and Mauritius have negotiated and initialled an Agreement on fishing which provides fishing opportunities for Community fishermen in waters over which Mauritius has sovereignty or jurisdiction ;

Whereas it is in the Community's interest to approve this Agreement,

Article 1

The Agreement between the European Economic Community and the Government of Mauritius on fishing in Mauritian waters is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Regulation.

Article 2

The President of the Council is hereby authorized to designate the persons empowered to sign the Agreement in order to bind the Community.

Article 3

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

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

Done at Luxembourg, 5 June 1989.

For the Council

The President

J. BARRIONUEVO PEÑA

(1) OJ No C 86, 7. 4. 1989, p. 4.

AGREEMENT

between the European Economic Community and the Government of Mauritius on fishing in Mauritian waters

THE EUROPEAN ECONOMIC COMMUNITY, hereinafter referred to as the 'Community', and

THE GOVERNMENT OF MAURITIUS, hereinafter referred to as Mauritius,

CONSIDERING the spirit of cooperation resulting from the ACP-EEC Convention and the good cooperation relations which exist between the Community and Mauritius;

CONSIDERING the wish of Mauritius to promote the rational exploitation of the fishery resources by means of intensified cooperation;

RECALLING that the Community and Mauritius are signatories to the United Nations Convention on the Law of the Sea and that, in accordance with that Convention, Mauritius has established an exclusive economic zone extending 200 nautical miles from its shores within which it exercises its sovereign rights for the purpose of exploring, exploiting, conserving and managing the resources of the said zone, in accordance with the principles of international law;

DETERMINED to conduct their relations in a spirit of mutual trust and respect for each other's interest in the sphere of sea fishing;

DESIROUS of establishing the terms and conditions governing activities of common interest to both parties,

HAVE AGREED AS FOLLOWS:

Article 1

The purpose of this Agreement is to establish the principles and rules which will in future govern, in all respects, the fishing activities of vessels flying the flag of a Member State of the Community, hereinafter referred to as 'Community vessels', in the waters over which Mauritius has sovereignty or jurisdiction in respect of fisheries, hereinafter referred to as the 'waters of Mauritius', in accordance with the provisions of the United Nations Convention on the Law of the Sea and other rules of international law.

Article 2

Mauritius shall permit fishing by Community vessels in the waters of Mauritius in accordance with this Agreement.

Article 3

1. The Community undertakes to take all necessary steps to ensure that Community vessels observe the provisions of this Agreement and the laws relating to fishing in the waters of Mauritius consistent with the provisions of the United Nations Convention on the Law of the Sea and other rules of international law.

2. The authorities of Mauritius shall notify the Commission of the European Communities of any proposed change to the said laws.

Article 4

1. Fishing activities by Community vessels in the waters of Mauritius under the present Agreement shall be subject to possession of a fishing licence issued at the Community's request by the authorities of Mauritius.
2. The issue of a licence shall be subject to payment of the licence fees by the shipowners concerned.
3. The formalities for making applications for licences, the amount of the fee and the methods of payment shall be as specified in the Annex.

Article 5

The Parties undertake to coordinate action, either directly or within international organizations, to ensure the management and conservation of the living resources in the Indian Ocean, especially highly migratory species, and to facilitate the relevant scientific research.

Article 6

In return for the fishing opportunities accorded under Article 2 the Community shall pay a financial contribution to Mauritius in accordance with the provisions of the Protocols without prejudice to the financing for which Mauritius is eligible under the ACP-EEC Convention.

Article 7

1. Should the authorities of Mauritius decide, as a result of developments in the state of stocks, to take conservation measures which affect the activities of Community vessels, consultations shall be held between the Parties in order to adapt the Annex and Protocols attached to this Agreement.
2. Such consultations will be based on the principle that any substantial reduction of the fishing rights provided for in the Protocols shall lead to an equivalent reduction of the financial contribution to be paid by the Community.
3. Any conservation measures taken by the authorities of Mauritius shall apply equally to Community and other third country vessels without prejudice to special arrangements between developing states within the same geographical area, including reciprocal fishing arrangements.

Article 8

1. The Parties agree to consult on questions relating to the implementation and proper functioning of this Agreement. To this effect a Joint Committee is hereby established. The Committee shall meet at the request of either Party.
2. In the event of a dispute concerning the interpretation or application of the Agreement, such dispute shall be the subject of consultation between the Parties.

Article 9

Nothing in this Agreement shall affect or prejudice any manner the view of either Party with respect to any matter relating to the Law of the Sea.

Article 10

This Agreement shall apply, on the one hand, to the territories in which the Treaty establishing the European

Economic Community is applied and under the conditions laid down in that Treaty and, on the other hand, to the territory of Mauritius.

Article 11

The Annex and the Protocols to this Agreement form an integral part thereof and, unless otherwise specified, a reference to the Agreement shall constitute a reference to them.

Article 12

1. The Agreement shall be concluded for an initial period of three years from the date of its entry into force. Unless one of the Parties terminates it by giving notice to that effect at least six months before the date of expiry of the three year period it shall remain in force for further periods of three years unless denounced by notice given at least three months before the date of expiry of each such three year period.
2. In the event of a Contracting Party giving notice denouncing the Agreement, the Contracting Parties may enter into negotiations.
3. Before the end of the period of validity of the Protocol, the Contracting Parties shall enter into negotiations to determine by common agreement the terms of the Protocol for the following period and, where appropriate, any necessary amendments or additions to the Annex.

Article 13

This Agreement, drawn up in duplicate in the Danish, Dutch, English, French, German, Greek, Italian, Portuguese and Spanish languages, each of these texts being equally authentic, shall enter into force on the first day of the month following signature.

ANNEX

CONDITIONS FOR THE PURSUIT OF FISHING ACTIVITIES BY COMMUNITY VESSELS IN THE WATERS OF MAURITIUS

1. Licence application and issuing formalities

The application procedure for, and issue of, the licences enabling Community vessels to fish in the waters of Mauritius shall be as follows :

- (a) The Commission of the European Communities shall present to the authorities of Mauritius via the representative of the Commission of the European Communities in Mauritius an application, made by the shipowner, for each vessel that wishes to fish under this Agreement, at least 20 days before the date of commencement of the period of validity requested. The application shall be made on the forms provided for that purpose by Mauritius, a specimen of which is annexed hereto
- (b) Every licence shall be issued to the shipowner for one designated vessel. At the request of the Commission of the European Communities the licence for a vessel may and, in cases of *force majeure*, shall be replaced by a licence for another Community vessel.
- (c) The licences shall be delivered by the authorities of Mauritius to the representative of the Commission of the European Communities in Mauritius.
- (d) The licence document must be held on board at all times.
- (e) The authorities of Mauritius shall communicate before the date of entry into force of the agreement the arrangements for payment of the licence fees, and in particular the details of the bank account and the currency to be used.

2. Validity of licences and payment provisions for tuna vessels

- (a) Licences shall be valid for a period of one year. They are renewable.
- (b) The fees shall be set at ECU 20 per tonne caught within the waters of Mauritius. Applications for licences for tuna vessels shall be issued following advance payment to Mauritius of a lump sum of ECU 1 000 a year for each tuna seiner, equivalent to the fees for 50 tonnes of tuna caught within the waters of Mauritius per year. A provisional statement of the fees due for the fishing year shall be drawn up by the Commission of the European Communities at the end of each calendar year on the basis of the catch statements made by the shipowners and forwarded simultaneously to the authorities of Mauritius and the Commission of the European Communities. The corresponding amount shall be paid by the shipowners to the Treasury of Mauritius no later than 31 March of the following year. The final statement of the fees due in respect of a fishing year shall be drawn up by the Commission of the European Communities, taking into account available scientific opinion and any statistical data which can be gathered by ORSTOM, the Spanish Oceanographic Institute and any international fishing organizations in the Indian Ocean. The shipowners shall be notified by the Commission of the European Communities of the statement and shall have 30 days in which to meet their financial obligations. If the amount of the sum due for actual fishing operations is less than the advance payment, the corresponding outstanding sum shall not be recoverable by the shipowner.

3. Validity of licences and payment provisions for other vessels

- (a) For vessels fishing by line (except longliners), licences shall be valid for three, six or twelve months. The annual fees shall be fixed in relation to the GRT as follows : ECU 60 per GRT *pro rata temporis*.
- (b) For vessels carrying out experimental fishing for crustacea under the provisions of Protocol 2, the fees shall be fixed at ECU 25 per GRT per annum.

4. Observers

All vessels above 50 GRT shall, at the request of the authorities of Mauritius, take on board an observer designated by these authorities in order to check catches made in the waters of Mauritius. Observers shall have all facilities necessary for the performance of this duty including access to places and documents. An observer must not be present for longer than the time required to fulfil his duties. They shall be provided with suitable food and accommodation while on board. Should a vessel with a Mauritian observer on board leave the waters of Mauritius, every step will be taken to ensure that the observer returns to Mauritius as soon as possible, at the shipowner's expense.

5. Radio communication and reporting

Vessels above 50 GRT shall communicate to a radio station (the name, call sign and frequency of which shall be specified in the licence) the volume of catches on board when entering and leaving Mauritian waters.

The captains of all vessels including vessels fishing by line shall complete a fishing report form which will indicate the date, the vessel's position, and the quantity and species of fish caught. Tuna vessels shall also provide the number of sets and the quantity of tuna caught per species. These forms shall be forwarded to the Authorities of Mauritius not later than three weeks after the vessel's return to port. However, in the case of vessels fishing by line these reports shall be sent not later than one month after the end of each quarter.

6. Fishing zones

Community vessels may fish in the waters of Mauritius except within a distance of 12 nautical miles measured from the baseline. Vessels fishing by line are only authorized to fish in their traditional grounds, namely Soudan Bank, East Soudan Bank, St Brandon and Nazareth Bank.

However, for a period of 12 months from the date of entry into force of this Agreement, tuna vessels shall be permitted to fish up to five miles from the baseline around the Agalega Islands. This derogation will be reviewed at the first meeting of the Joint Committee.

7. Landing possibilities

Community tuna vessels using the facilities of Port Louis shall endeavour to sell part of their catch to the Mauritian tuna canning industry at a price to be fixed in common agreement between Community shipowners and the owners of the Mauritian tuna canning industry.

APPLICATION FOR A FOREIGN FISHING VESSEL LICENCE

Name of applicant :

Address of applicant :

Name and address of charterers of vessel if different from above :

Name and address of agent in Mauritius (if any) :

Name of vessel :

Type of vessel :

Country of registry :

Port and registration number :

Fishing vessel external identification :

Radio call sign and frequency :

Length of vessel :

Width of vessel :

Engine type and power :

Gross registered tonnage of vessel :

Net registered tonnage of vessel :

Minimum crew complement :

Type of fishing practised :

Proposed species of fish :

.....

.....

.....

.....

Period of validity requested :

I certify that the above particulars are correct.

Date Signature

PROTOCOL No 1
on the fishing opportunities accorded by Mauritius and the financial contribution
accorded by the Community

Article 1

1. Pursuant to Article 2 of the Agreement, and for a period of three years from the date of its entry into force, the following fishing possibilities shall be accorded:
 - for ocean-going tuna seiners: licences for 40 vessels;
 - for vessels fishing by line (except longliners): licences for 100 GRT/month on an annual average.
2. These fishing possibilities may, at the Community's request, be increased by the Joint Committee referred to in Article 8 of the Agreement.

Article 2

1. The financial compensation referred to in the Agreement for the abovementioned period is fixed at ECU 1 200 000, payable in three annual instalments.
2. In the case of tuna fishing, this compensation shall cover a catch weight in waters of Mauritius of 7 500 tonnes of tuna fished per year. If the annual amount of tuna caught by Community vessels in the waters of Mauritius exceeds this quantity, the abovementioned compensation shall be increased by ECU 50 for each additional tonne caught.
3. The use to which this compensation is put shall be the sole competence of Mauritius.
4. The financial compensation shall be paid into an account opened at a financial institution or other body designated by Mauritius.

Article 3

1. The Community shall also pay a contribution of ECU 480 000 towards the financing of a scientific and technical programmes (including equipment, infrastructure, etc.) in order to improve knowledge of fish stocks and fisheries in general.
2. The competent authorities of Mauritius shall send to the Commission a brief report on the utilization of the funds.
3. The Community's contribution to the scientific and technical programmes shall be paid on each occasion into an account specified by the authorities of Mauritius.

Article 4

The two Parties hereby agree that an essential condition for the success of their co-operation is that the skills and know-how of persons engaged in sea fishing be improved. To this end, the Community will assist Mauritian nationals in finding places in establishments in its Member States or States with which it has concluded cooperation agreements and will make available an amount of ECU 120 000 for study or practical training awards with a maximum duration of five years in the various scientific, technical and economic subjects relating to fisheries. Of this amount, up to ECU 40 000 may be used, at the request of the Mauritian authorities, to cover the cost of attending international meetings relating to fisheries.

Article 5

Should the Community fail to make the above payments, the Agreement on fishing may be suspended.

PROTOCOL No 2
on experimental fishing for crustacea

Article 1

Pursuant to Article 2 of the Agreement, and for a period of 18 months from the date of its entry into force, authorizations to fish in the waters of Mauritius for crustacea shall be granted, in the context of reconnaissance campaigns, for up to 1 200 gross registered tonnes per month on an annual average.

Article 2

Without prejudice to Protocol 1, the financial contribution referred to in Article 7 of the Agreement shall be fixed at a flat rate of ECU 150 000 for the duration of the reconnaissance campaigns.

Article 3

Before expiry of the period referred to in Article 1 the Parties will consult each other within the Joint Committee referred to in Article 8 of the Agreement in order to determine, in the light of the results of the reconnaissance campaigns which will be communicated to the authorities of Mauritius, fishing opportunities for crustacea for the remaining 18 months of the first period of application provided for in Article 12 of the Agreement and the corresponding Community compensation.

COUNCIL

Information on the date of entry into force of the Protocol setting out the fishing rights and financial compensation provided for in the Agreement between the Government of the Republic of Senegal and the European Economic Community on fishing off the coast of Senegal for the period from 29 February 1988 to 28 February 1990 ⁽¹⁾

The Protocol setting out the fishing rights and financial compensation provided for in the Agreement between the Government of the Republic of Senegal and the European Economic Community on fishing off the coast of Senegal for the period from 29 February 1988 to 28 February 1990 was signed in Brussels on 17 March 1989.

The Protocol, which applied with effect from 29 February 1988, accordingly entered into force on 17 March 1989, in accordance with Article 7 thereof.

⁽¹⁾ OJ No L 127, 20. 5. 1988, p. 18.

European Communities — Council

**Third ACP-EEC Convention of Lomé
Compilation of texts XIV**

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