

# COMMISSION OF THE EUROPEAN COMMUNITIES

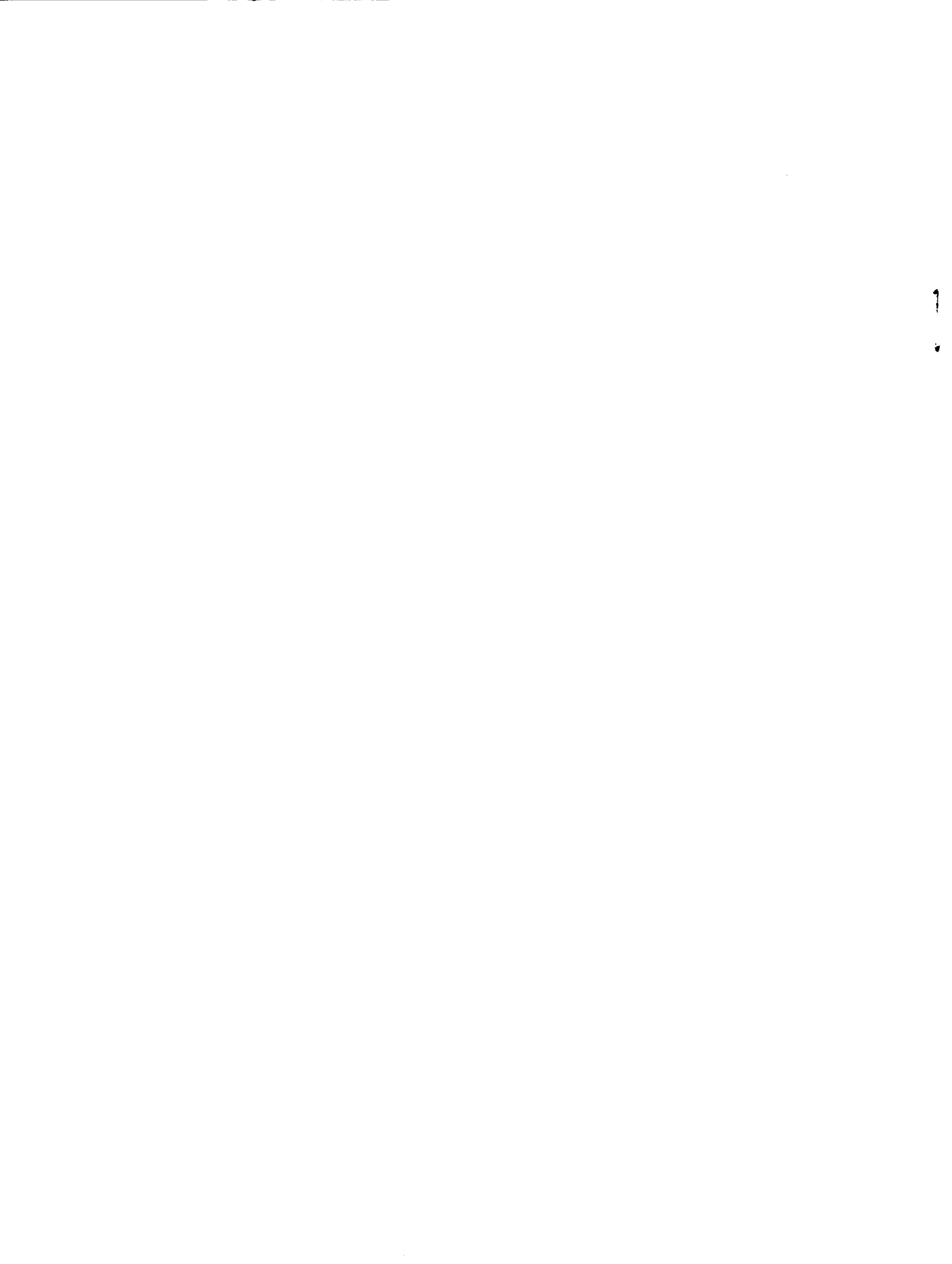
SEC(93) 826 final

Brussels, 28 May 1993

## COMMUNICATION FROM THE COMMISSION

Request for Council assent and consultation of the ECSC Committee,  
pursuant to Article 95 of the ECSC Treaty,  
concerning a draft Commission Decision

Opening and providing for the administration of  
tariff quotas in respect of certain  
ECSC steel products  
originating in the Czech Republic and Slovak Republic  
imported into the Community (1.6.1993 to 31.12.1995)



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Draft

COMMISSION DECISION No .... ECSC

Opening and providing for the administration of  
tariff quotas in respect of certain  
ECSC steel products  
originating in the Czech Republic and Slovak Republic  
imported into the Community (1.6.1993 to 31.12.1995)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Article 95, first subparagraph thereof,

Whereas an interim agreement on trade related matters between the European Economic Community and the European Coal and Steel Community of the one part and the Czech and Slovak Federal Republic of the other part ('the Interim Agreement') was signed in Brussels on 16 December 1991;

Whereas certain steel products covered by the Interim Agreement were the subject of safeguard measures in the Community in 1992 pursuant to Commission Recommendation 92/434 ECSC of 14.8.1992<sup>(1)</sup> and Commission Decision 92/4333 EEC of 14.8.1992<sup>(2)</sup>;

Whereas upon the dissolution of the Czech and Slovak Federal Republic on 31 December 1992 the Czech Republic and by the Slovak Republic submitted declarations informing the Community that both the Czech Republic and the Slovak Republic continue to assume all the obligations deriving from the Interim Agreement;

Whereas the situation relating to imports of certain steel products from the Czech and Slovak Republics into the Community has been the subject of thorough examination and on the basis of relevant information supplied to them the parties agreed that an acceptable solution which least disturbs the functioning of the Interim Agreement is a tariff quota system for the imports of certain steel products into the Community;

Whereas equal and continuous access to the said quotas should be ensured for all Community importers and the rates laid down for the quotas should be applied consistently to all imports of the products in question into all Member States until the quotas are exhausted;

Whereas the decision for the opening, in the execution of its international obligations, of all tariff quotas should be taken by the Community; whereas, to ensure the efficiency of a common administration of these quotas, there is no obstacle to authorizing the Member States to draw from the quota-volumes the necessary quantities corresponding to actual imports; whereas, however, this method of administration requires close cooperation between the Member States and the Commission and the latter must, in particular, be able to monitor the rate at which the quotas are used up and inform the Member States accordingly;

(1) OJ No L 238, 21.8.1992, p. 26.

(2) OJ No L 238, 21.8.1992, p. 24.

Whereas such a tariff quota system was established by Decisions N° 1/ 93(C) and N° 1/ 93(S) of the Joint Committee acting in accordance with the Interim Agreement for the period 1.6.1993 to 31.12.1995;

Whereas it is necessary to lay down the modalities for the implementation of this tariff quota system during this period;

Whereas such modalities have been laid down for those EEC products, the subject of the decisions by the Joint Committee, by Council Decision N°....(3);

After consultation with the consultative committee and with the unanimous assent of the Council;

HAS ADOPTED THIS DECISION :

Article 1

1. For the period 1 June 1993 to 31 December 1995 imports into the Community of the products set out in the following table originating in the Czech Republic shall be subject to the duties applicable under the Interim Agreement between the EC and the Czech and Slovak Federal Republic and, in addition, to the further rates of duty, in percentage of their customs value, shown in the table.

The duties applicable to imports of these products which are :

- within the limits of the quotas set out in the table; and
- accompanied by both a movement certificate EUR 1 and a licence delivered by the the Czech authorities in the form set out in Annex 1 bearing the mention : "Goods deducted from the relevant tariff quota to the amount of .... tonnes"

shall be those of the Interim Agreement without the additional rates of duty set out in the table.

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(3) .....

TABLE

CZECH REPUBLIC

<u>Order No</u>	<u>CN Code</u>	<u>Description</u>	<u>Volume of quota</u> (tonnes)			<u>Rate of</u> <u>additional</u> <u>duty</u>
			1.6.93 to 31.12.93	1994	1995	
09.5057	72091100	Cold rolled sheet	11970	21960	24300	30%
	72091290					
	72091390					
	72091490					
	72092100					
	72092290					
	72092390					
	72092491					
	72092499					
	72093100					
	72093290					
	72093390					
	72093490					
	72094100					
	72094290					
	72094390					
	72094490					
	72113010					
	72114110					
	72114191					
	72114910					
09.5059	72131000	Wire rod	119000	220000	242000	30%
	72132000					
	72133100					
	72133900					
	72134100					
	72134900					
	72135010					
	72135090					
	72210010					
	72210090					
	72271000					
	72272000					
	72279010					
	72279030					
	72279080					

CZECH REPUBLIC

<u>Order No</u>	<u>CN Code</u>	<u>Description</u>	<u>Volume of quota</u> (tonnes)			<u>Rate of</u> <u>additional</u> <u>duty</u>
			1.6.93 to 31.12.93	1994	1995	
09.5055	72111210	Hot rolled strip	2392	4400	4800	25%
	72111290	and hoop				
	72111910					
	72111991					
	72111999					
	72112210					
	72112290					
	72112910					
	72112991					
	72112999					
	72114191					
	72126091					
	72201100					
	72201200					
	72209031					
	72261010					
	72262020					
	72269110					
	72269190					
	72269920					

2. Protocol No 4 of the Interim Agreement shall apply to determine the rules of origin of goods but shall apply to the territory of the Czech Republic and not, as foreseen in the Protocol, to the territory of the Czech and Slovak Federal Republic.

3. Products imported in conformity with Community legislation into the Community after outward processing using the system foreseen in Council Regulation (EEC) N° 2473/86<sup>(4)</sup> or for the purposes of inward processing using the suspension system foreseen in Council Regulation (EEC) No 1999/85<sup>(5)</sup> shall be subject to the requirements of those systems and shall not otherwise be subject to the duties set out in paragraph 1.

(4) OJ No L 212, 2.8.1986, p. 1.

(5) OJ No L 188, 20.7.1985, p. 1.

Article 2

1. For the period 1 June 1993 to 31 December 1995 imports into the Community of the products set out in the following table originating in the Slovak Republic shall be subject to the duties applicable under the Interim Agreement between the EC and the Czech and Slovak Federal Republic and, in addition, to the further rates of duty, in percentage of their customs value, shown in the table.

The duties applicable to imports of these products which are :

- within the limits of the quotas set out in the table in this article; and
- accompanied by both a movement certificate EUR 1 and a licence delivered by the the Slovak authorities in the form set out in Annex 1 bearing the mention : "Goods deducted from the relevant tariff quota to the amount of .... tonnes"

shall be those of the Interim Agreement without the additional duties set out in the table.

TABLE

SLOVAK REPUBLIC

<u>Order No</u>	<u>CN Code</u>	<u>Description</u>	<u>Volume of quota</u> (tonnes)			<u>Rate of</u> <u>additional</u> <u>duty</u>
			1.6.93 to 31.12.93	1994	1995	
09.5061	72081100	Hot-rolled coils	78167	167000	200000	25%
	72081210					
	72081291					
	72081295					
	72081298					
	72081310					
	72081391					
	72081395					
	72081398					
	72081410					
	72081491					
	72081499					
	72082110					
	72082190					
	72082210					
	72082291					
	72082295					
	72082298					
	72082310					
	72082391					
	72082395					
	72082398					
	72082410					
	72082491					
	72082499					
	72111210					
	72111910					
	72112210					
	72112910					
	72191110					
	72191190					
	72191210					
	72191290					
	72191310					
	72191390					
	72191410					
	72191490					
	72251010					
	72252020					
	72253000					



SLOVAK REPUBLIC

<u>Order No</u>	<u>CN Code</u>	<u>Description</u>	<u>Volume of quota</u> (tonnes)			<u>Rate of</u> <u>additional</u> <u>duty</u>
			1.6.93 to 31.12.93	1994	1995	
09.5057	72091100	Cold rolled sheet	54530	100040	110700	30%
	72091290					
	72091390					
	72091490					
	72092100					
	72092290					
	72092390					
	72092491					
	72092499					
	72093100					
	72093290					
	72093390					
	72093490					
	72094100					
	72094290					
	72094390					
	72094490					
	72113010					
	72114110					
	72114191					
	72114910					
09.5055	72111210	Hot rolled strip	21525	39600	43200	25%
	72111290	and hoop				
	72111910					
	72111991					
	72111999					
	72112210					
	72112290					
	72112910					
	72112991					
	72112999					
	72114191					
	72126091					
	72201100					
	72201200					
	72209031					
	72261010					
	72262020					
	72269110					
	72269190					
	72269920					

SLOVAK REPUBLIC

<u>Order No</u>	<u>CN Code</u>	<u>Description</u>	<u>Volume of quota</u> (tonnes)			<u>Rate of</u> <u>additional</u> <u>duty</u>
			1.6.93 to 31.12.93	1994	1995	
09.5063	72083210	Cut lengths	55417	102000	112000 25%	
	72083310					
	72083399					
	72083410					
	72083490					
	72084210					
	72084310					
	72084399					
	72084410					
	72084490					
	72083510					
	72083590					
	72084510					
	72084590					

2. Protocol No 4 of the interim agreement shall apply to determine the rules of origin of goods but shall apply to the territory of the Slovak Republic and not, as foreseen in the Protocol, to the territory of the Czech and Slovak Federal Republic.

3. Products imported in conformity with Community legislation into the Community after outward processing using the system foreseen in Council Regulation (EEC) N° 2473/86<sup>(6)</sup> or for the purposes of inward processing using the suspension system foreseen in Commission Regulation (EEC) No 1999/85<sup>(7)</sup> shall be subject to the requirements of those systems and shall not otherwise be subject to the duties set out in paragraph 1.

Article 3

1. The tariff quotas referred to in Articles 1 and 2 shall be managed by the Commission which may take all appropriate measures in order to ensure effective administration thereof.

(6) OJ No L 212, 2.8.1986., p. 1.

(7) OJ No L 188, 20.7.1985, p. 1.

Article 4

If an importer presents in a Member State a declaration of entry into free circulation, including a request for benefit under the the system of Article 1(1), second subparagraph or Article 2(1), second subparagraph for a product covered by this Decision and if this declaration is accepted by the customs authorities, the Member State concerned shall inform the Commission and draw an amount corresponding to its requirements from the quota volume.

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

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

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

Article 5

Each Member State shall ensure importers of the products concerned equal and continuous access to the quotas for such time as the residual balance of quota volumes so permits.

Article 6

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

Article 7

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

It shall apply with effect from 1 June 1993.

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



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MINISTRY OF ECONOMY  
OF THE SLOVAK REPUBLIC  
Licensing Department  
Spitalska 8  
813 15 Bratislava

EXPORT LICENCE  
No

Exporter:		
Description of goods:		
CN codes	Name	Quantity
Country of destination:		
Certification by the competent authority: Goods deducted from the tariff quota to the amount of                      tonnes.		

In Bratislava

on

Signature



