# COMMISSION DECISION

## of 19 June 1974

## amending Commission Decision No 74/133/EEC of 14 February 1974 on the application by the United Kingdom of Great Britain and Northern Ireland of protective measures in respect of certain iron and steel products in Chapter 73 of the Common Customs Tariff under Article 135 of the Act concerning the conditions of accession and the adjustments to the Treaties

(74/342/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to the Act concerning the Conditions of Accession and the Amendments to the Treaties, and in particular Article 135 thereof;

Having regard to Commission Decision No 74/133/EEC (1) of 14 February 1974, and in particular Article 4 thereof;

Having regard to the application of 18 June 1974 by the United Kingdom;

Whereas as a result of the events which took place in the United Kingdom at the end of 1973 and the beginning of 1974, which led the Commission to take Decision No 74/134/ECSC (2) of 18 February 1974 in respect of certain coal and steel products referred to in Article 81 of the Treaty establishing the European Coal and Steel Community, the British coal, iron and steel production remains markedly below normal levels; whereas it is not possible to find at short notice alternative sources of supply;

Whereas the Commission intends to amend the above-mentioned Commission Decision No 74/134/ECSC in so far as it concerns products covered by the ECSC Treaty;

Whereas these measures do not resolve the supply problems in the sectors which are major consumers of steel products not coming under the ECSC Treaty; whereas these sectors are in danger therefore of being exposed to serious supply difficulties which are likely to persist;

Whereas it now appears that it is possible to diminish the consequences of the situation by measures less disturbing the operation of the common market than by the measures authorized by the Commission in its Decision of 14 February 1974, to deal with the difficulties caused by the suspension of coal production;

Whereas the Commission considers that, therefore, the Decision of 14 February 1974 should be amended; whereas nevertheless protective measures causing less disturbance to the functioning of the common market are called for to enable the United Kingdom iron and steel industry to regain a satisfactory level of production;

Whereas the period of time during which the measures covered by this Decision are in force must be limited to that strictly required to attain the objects of Article 135 of the Accession Treaty,

HAS ADOPTED THIS DECISION:

*Article 1*

Article 1 of Commission Decision No 74/133/EEC of 14 February 1974 is deleted and the following is substituted:

'1. The United Kingdom is authorized to set up an "Open General Export Licence" system covering certain iron and steel products contained in Chapter 73 of the Common Customs Tariff, of which a list is set out in the Annex.

2. After the entry into operation of this Decision, the United Kingdom, may after consultation with the Commission introduce a licence system in order to:

— limit exports of such products to third countries;

(1) OJ No L 74, 19. 3. 1974, p. 14.
(2) OJ No L 74, 19. 3. 1974, p. 20.

— control and, in so far as is necessary, limit deliveries of such products to other Member States – such regime however may in no circumstances be more restrictive, as far as each product is concerned, than that applied to exports to third countries.

3. The British Government shall ensure that the application of the measures authorized will entail no greater restriction on the free movement of goods than is strictly necessary to attain the object of these measures, and will in particular further a significant increase of exports to other Member States.'

*Article 2*

Article 5 of Decision No 74/133/EEC of 14 February 1974 is deleted and the following is substituted:

'Without prejudice to the application of Article 4, this Decision shall remain in operation until 1 October 1974.'

*Article 3*

This Decision shall enter into force on 1 July 1974.

*Article 4*

This Decision is addressed to the Member States.

Done at Brussels, 19 June 1974.

*For the Commission*

*The President*

François-Xavier ORTOLI