COMMISSION DECISION

of 21 December 1973

derogating from High Authority Recommendation No 1/64 on an increase in the protective duty on iron and steel products at the external frontiers of the Community (fifty-sixth derogation)

(74/43/ECSC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community;

Having regard to High Authority Recommendation No 1/64 [1] of the 15 January 1964 to the Governments of the Member States on an increase in the protective duty on iron and steel products at the external frontiers of the Community, and in particular Article 3 thereof;

Whereas by the Decision of 10 December 1973 the representatives of the Governments of the Member States of the European Coal and Steel Community meeting within the Council acting in agreement with the Commission decided to reduce autonomously, for the period from 1 January 1974 to 31 December 1974 at the latest, the import duties on products covered by the Treaty originating in the Republic of Finland;

Whereas the purpose of that Decision was to implement, on the date originally envisaged, the tariff reductions resulting from the Agreement signed on 5 October 1973 between the third country specified above of the one part and the Member States of the Community, and the Community itself, on the other part; whereas notification of completion of the procedures required to bring that Agreement into force has in fact not yet been made;

Whereas the products affected include pig-iron, high carbon ferro-manganese and the iron and steel products falling within Chapter 73 of the Common Customs Tariff for which minimum duties were created by High Authority Recommendation No 1/64 and by the instruments amending it; whereas, however, in respect of special cases, such as where commercial policy or customs procedure so requires, Article 3 of the Recommendation makes provision for derogations from the minimum rates, such derogations to be made by Commission Decision; whereas such a special commercial policy situation arises from the conclusion of trade Agreements or from the adoption of autonomous Decisions implementing the provisions thereof relating to tariffs on the date provided for in the Agreements,

HAS ADOPTED THIS DECISION:

Article 1

The Member States are authorized to derogate from the obligations arising under High Authority Recommendation No 1/64 to the extent necessary for the application of the reduced duties, provided for by the Decision of 10 December 1973 of the representatives of the Governments of the Member States of the European Coal and Steel Community meeting within the Council, to imported iron and steel products originating in the Republic of Finland.

Article 2

1. This Decision is addressed to all Member States.

2. This Decision shall apply until 31 December 1974.

Done at Brussels, 21 December 1973.

For the Commission
The President
François-Xavier ORTOLI

[1] OJ No 8, 22. 1. 1964, p. 99/64.