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-ninth derogation)

(74/44/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 on 22 July 1972, the Member States signed Agreements with the Swiss Confederation and the Principality of Liechtenstein involving, *inter alia*, the reduction of import duties on products covered by the ECSC Treaty and originating in those States;

Whereas on 29 November 1973, the parties notified each other that the procedures required to bring these Agreements into force had been completed; whereas under Articles 2 and 31 of the Agreement with the Swiss Confederation which are incorporated as reference into the Agreement with the Principality of Liechtenstein, the tariff reductions provided for by that Agreement must take effect from 1 January 1974;

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 such as those referred to above,

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 to imported iron and steel products originating in the Swiss Confederation and the Principality of Liechtenstein of the reduced duties provided for by the Agreement signed on 22 July 1972 between the Member States of the European Coal and Steel Community of the one part, and the Swiss Confederation and the Principality of Liechtenstein of the other part.

Article 2

1. This Decision is addressed to all Member States.

2. This Decision shall enter into force on 1 January 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.