II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 4 December 1975

concerning the application made by the United Kingdom under Article 115 of the Treaty of Rome for authorization to apply protective measures in respect of certain products falling within heading Nos ex 61.01 and ex 61.02 of the Common Customs Tariff, originating in Hong Kong and in free circulation in the Federal Republic of Germany

(Only the English text is authentic)

(76/312/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first paragraph of Article 115 thereof,

Having regard to the application under the first paragraph of Article 115 of the Treaty, made on 27 November 1975 by the United Kingdom Government to the Commission by telex from the office of its Permanent Representative to the European Communities, for authorization to apply protective measures in respect of the importation of certain waterproof garments and raincoats, other than raincoats of the overcoat type for men and women falling within heading Nos ex 61.01 and ex 61.02 of the Common Customs Tariff, originating in Hong Kong and in free circulation in the Federal Republic of Germany,

Whereas the importation into the Community of the products in question originating in Hong Kong is the subject of an Agreement negotiated between the Community and Hong Kong and initialled on 13 August 1975;

Whereas, pending the completion of the procedures necessary for the conclusion and entry into force of that Agreement, the Community and Hong Kong have agreed to recognize the *de facto* application of its provisions with effect from 18 July 1975;

Whereas, under the Agreement, Hong Kong has undertaken to take all necessary steps to limit its exports of certain textile products to the Community to certain ceilings allocated among the Member States;

Whereas, however, in the particular case of waterproof garments and raincoats, other than raincoats of the overcoat type for men and women, Hong Kong has, in accordance with the Protocol annexed to the abovementioned Agreement, undertaken to limit its exports solely to the United Kingdom (1 522 000 items in 1975), while no restrictive measure is applied to exports of these same products being sent to other Community markets;

Whereas there is reason, arising from the disparities in the conditions for importation of the products concerned, to fear that the requests for licences on which the application is based may create an indirect trade flow into the United Kingdom, which would further aggravate the persistent economic difficulties in the sector, thereby compromising the objectives of the abovementioned Protocol;

Whereas, in these circumstances, it is appropriate to authorize the application of measures of protection under the first paragraph of Article 115 of the Treaty, bearing in mind that the first period of application of the Community Agreement will expire on 31 December 1975,

HAS ADOPTED THIS DECISION :

Article 1

The United Kingdom is authorized to exclude from Community treatment imports of the following products :

CCT heading No	Description of goods
ex 61.01	Waterproof garments and raincoats, other than raincoats of the overcoat type : — Men's anoraks
ex 61.02	Waterproof garments and raincoats, other than raincoats of the overcoat type : — Women's anoraks

originating in Hong Kong and put into free circulation in the Federal Republic of Germany, and in respect of which applications for import licences were lodged after 26 November 1975.

Article 2

This Decision shall apply until 31 December 1975.

Article 3

This Decision is addressed to the United Kingdom.

Done at Brussels, 4 December 1975.

For the Commission

Finn GUNDELACH

Member of the Commission