II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 24 May 1977

authorizing the United Kingdom not to apply Community treatment to women's woven man-made fibre jackets, suits and costumes, falling within heading No ex 61.02 of the Common Customs Tariff, originating in Czechoslovakia and in free circulation in the other Member States

(Only the English text is authentic)

(77/494/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,

Whereas in a telex from the office of its Permanent Representative to the European Communities on 12 May 1977, the United Kingdom requested authorization to apply protective measures to imports of women's fibre jackets, suits and costumes falling within heading No ex 61.02 of the Common Customs Tariff, originating in Czechoslovakia and in free circulation in the other Member States, and to extend such authorization to goods for which the United Kingdom authorities have deferred the issue of the import authorization in accordance with Article 2 (2) of Commission Decision 71/202/EEC of 12 May 1971 [1], as amended by Decision 73/55/EEC of 9 March 1973 [2];

Whereas, in accordance with Council Decision 76/971/EEC of 13 December 1976 [3], the United Kingdom opened a quota for 1977 of £ 612 850 for the products in question originating in Czechoslovakia, and including also other textile products, 52 % of which has been used;

Whereas, the quota opened for the products concerned originating in Czechoslovakia is not reserved for imports coming direct from the country of origin under a Trade Agreement with that country;

Whereas the amount of that quota is not likely to be exceeded in view of the direct or indirect imports already effected or authorized;

Whereas the United Kingdom authorities cannot therefore invoke Article 2 of the abovementioned Commission Decision 73/55/EEC in order to defer the issue of import authorizations for the goods in question;

Whereas for that reason no protective measure may be authorized for goods for which import authorizations were requested on a date prior to that of the entry into force of this Decision;

Whereas, therefore, it merely remains to be determined whether it is necessary to authorize protective measures in respect of goods, which it is planned to import from the other Member States after the entry into force of this Decision;

Whereas, however, the autonomous import quotas for State-trading countries were coordinated by Council Decision 75/210/EEC [4], as last amended by the abovementioned Council Decision 76/971/EEC, in order to ensure the proper functioning and consolida-

(1) OJ No L 121, 3. 6. 1971, p. 26.
(2) OJ No L 80, 18. 3. 1973, p. 22.
(3) OJ No L 365, 13. 12. 1976, p. 75.
(4) OJ No L 99, 21. 4. 1975, p. 7.

tion of the common market and the gradual introduction of common import arrangements and in order to safeguard the fundamental interests of the Community and of its Member States ;

Whereas it may consequently be presumed that, within the limits of the quota fixed by the abovementioned Council Decision 76/971/EEC, imports into the United Kingdom of the goods in question originating in Czechoslovakia are not likely to create economic difficulties in the textile industry concerned ;

Whereas, according to information given in the application, it appears that the abovementioned quota will be exhausted rapidly and consequently the total amount will be greatly exceeded, taking into consideration the indirect imports already made or authorized by the date of this Decision ;

Whereas, according to information supplied by the United Kingdom Government, the realization of other indirect imports in addition to those mentioned above, is likely to worsen the serious economic difficulties in the textile industry concerned, demonstrated by falling production and a progressively increasing rate of unemployment ;

Whereas, it is not possible at short notice to set in motion the machinery for bringing about the necessary cooperation from the other Member States ;

Whereas authorization should accordingly be given for the application of protective measures, under the first paragraph of Article 115, subject to the conditions laid down by the Commission Decision of 12 May 1971, and in particular Article 1 thereof,

HAS ADOPTED THIS DECISION :

Article 1

The United Kingdom is authorized not to apply Community treatment to imports of women's woven man-made fibre jackets, suits and costumes, falling within heading No ex 61.02 of the Common Customs Tariff, originating in Czechoslovakia and in free circulation in the other Member States and in respect of which applications for import licences are lodged after the date of this Decision.

Article 2

This Decision shall apply until new opportunities arise in the United Kingdom for the importation of the products in question from Czechoslovakia and in any case not later than 31 December 1977.

Article 3

This Decision is addressed to the United Kingdom.

Done at Brussels, 24 May 1977.

For the Commission

Wilhelm HAFERKAMP

Vice-President