II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 17 November 1977

authorizing the French Republic not to apply Community treatment to suits, jackets, blazers and the like, falling within heading No ex 61.01 of the Common Customs Tariff, orginating in Hong Kong and in free circulation in the other Member States

(Only the French text is authentic)

(78/171/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 9 November 1977 by the French Government to the Commission by telex from the office of its Permanent Representative to the European Communities, for authorization not to apply Community treatment to imports of suits, jackets, blazers and the like, falling within heading No ex 61.01 of the Common Customs Tariff, originating in Hong Kong and in free circulation in the other Member States,

Whereas the importation into the Community of the products in question originating in Hong Kong is covered by an Agreement negotiated between the Community and Hong Kong and concluded on 8 April 1976 ;

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 according to information supplied by the French Governement there are serious economic difficulties in the clothing industry resulting in a progressive decline in production and a reduction in the number of workers employed ;

Whereas, because of the appreciable amount in question, the execution of the indirect transactions that prompted this application would be likely to aggravate the abovementioned economic difficulties ;

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

Whereas authorization should accordingly be given, for a limited period, for the application of protective measures under the first paragraph of Article 115, subject to the conditions specified in the Commission Decision of 12 May 1971 [1], and in particular Article 1 thereof,

HAS ADOPTED THIS DECISION :

Article 1

The French Republic is authorized not to apply Community treatment to suits, jackets, blazers and the like, falling within heading No ex 61.01 of the Common Customs Tariff, where they originate in Hong Kong and are in free circulation in the other Member States, and in respect of which applications for import licences lodged after 27 October 1977 are before the French authorities at the date of this Decision.

Article 2

This Decision is addressed to the French Republic.

Done at Brussels, 17 November 1977.

For the Commission

Christopher TUGENDHAT

Member of the Commission

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[1] OJ No L 121, 3. 6. 1971, p. 26.