COMMISSION DECISION

of 22 May 1980

finding that the conditions required for the admission free of Common Customs Tariff duties of the scientific apparatus described as 'Scientific-Atlanta — Antenna Data Collection System, model 2031, with positioner' are fulfilled

(80/549/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1798/75 of 10 July 1975 on the importation free of Common Customs Tariff duties of educational, scientific and cultural materials (1), as amended by Regulation (EEC) No 1027/79 (2),

Having regard to Commission Regulation (EEC) No 2784/79 of 12 December 1979 laying down provisions for the implementation of Regulation (EEC) No 1798/75 (3), and in particular Article 7 thereof,

Whereas, by letter dated 13 November 1979, the Belgian Government has requested the Commission to invoke the procedure now provided for in Article 7 of Regulation (EEC) No 2784/79 in order to determine whether or not the apparatus described as 'Scientific-Atlanta — Antenna Data Collection System, model 2031, with positioner', designed to be used in the study of integrated microwave antennas, in particular, to formulate theoretical descriptions of simple planar radiator and integrated planar arrays, to devise design methods for both simple and composite radiator configurations and to design and optimize an integrated planar-array antenna, should be considered to be a scientific apparatus and, where the reply is in the affirmative, whether apparatus of equivalent scientific value is currently being manufactured in the Community ;

Whereas, in accordance with the provisions of Article 7 (5) of Regulation (EEC) No 2784/79, a group of experts composed of representatives of all the Member States met on 27 March 1980 within the framework of the Committee on Duty-Free Arrangements to examine the matter ;

Whereas this examination showed that the apparatus in question is an antenna data collection and recording system ; whereas its objective technical characteristics such as its very wide frequency range and the use to which it is put make it specially suited to scientific research ; whereas, moreover, apparatus of the same kind are principally used for scientific activities ; whereas it must therefore be considered to be a scientific apparatus ;

Whereas, on the basis of information received from Member States, apparatus of equivalent scientific value capable of use for the same purpose is not currently manufactured in the Community ; whereas, therefore, duty-free admission of this apparatus is justified ;

Whereas, however, rapid technical developments that may occur in the coming months could deprive this type of apparatus of its scientific character ; whereas a similar forecast may be made as regards its use ; whereas the period of validity of this Decision should therefore be limited,

HAS ADOPTED THIS DECISION :

Article 1

1. The apparatus described as 'Scientific-Atlanta — Antenna Data Collection System, model 2031, with positioner' is considered to be a scientific apparatus.

2. The conditions required for the admission free of Common Customs Tariff duties of the scientific apparatus described in paragraph 1 are fulfilled.

Article 2

This Decision shall apply until 31 December 1980.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 22 May 1980.

For the Commission

Étienne DAVIGNON

Member of the Commission

(1) OJ No L 184, 15. 7. 1975, p. 1.
(2) OJ No L 134, 31. 5. 1979, p. 1.
(3) OJ No L 318, 13. 12. 1979, p. 32.