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REGULATION (EEC) No 1692/73 OF THE COUNCIL

of 25 June 1973

on the safeguard measures provided for in the Agreement between the European Economic Community and the Kingdom of Norway

(OJ L 171, 27.6.1973, p. 103)

Amended by:

		Official Journal		
		No	page	date
►**M1**	Council Regulation (EEC) No 641/90 of 5 March 1990	L 74	5	20.3.1990
►**M2**	Regulation (EU) No 37/2014 of the European Parliament and of the Council of 15 January 2014	L 18	1	21.1.2014

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REGULATION (EEC) No 1692/73 OF THE COUNCIL

of 25 June 1973

on the safeguard measures provided for in the Agreement between the European Economic Community and the Kingdom of Norway

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113, thereof;

Having regard to the proposal from the Commission;

Whereas an Agreement between the European Economic Community and the Kingdom of Norway was signed in Brussels on 14 May 1973;

Whereas, for the purposes of implementing the safeguard clauses provided for in the Treaty establishing the European Economic Community, the procedures to be followed are laid down by the Treaty itself;

Whereas, on the other hand, the detailed rules for implementing the safeguard clauses and precautionary measures provided for in Articles 22 to 27 of the Agreement remain to be laid down;

HAS ADOPTED THIS REGULATION:

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Article 1

The Commission may decide to refer to the Joint Committee established by the Agreement between the European Economic Community and the Kingdom of Norway, hereinafter referred to as the 'Agreement', for the purpose of taking the measures provided for in Articles 22, 24, 24a and 26 of the Agreement. Where necessary, the Commission shall adopt those measures in accordance with the examination procedure referred to in Article 7(2) of this Regulation.

The Commission shall inform the Member States should it decide to refer an issue to the Joint Committee.

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Article 2

1. In the case of a practice that may justify application by the Community of the measures provided for in Article 23 of the Agreement, the Commission, after examining the case on its own initiative or at the request of a Member State, shall decide whether such practice is compatible with the Agreement. ►M2 Where necessary, the Commission shall adopt safeguard measures in accordance with the examination procedure referred to in Article 7(2) of this Regulation. ◄

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2. In the case of a practice that may cause safeguard measures to be applied to the Community on the basis of Article 23 of the Agreement, the Commission, after examining the case, shall decide whether the practice is compatible with the principles set out in the Agreement. Where necessary, it shall formulate appropriate recommendations.

Article 3

In the case of a practice that may justify application by the Community of the measures provided for in Article 25 of the Agreement, the procedures established by Regulation (EEC) No 459/68 ([1]) shall be applicable.

▼M2

Article 4

1. Where exceptional circumstances require immediate action in the situations referred to in Articles 24, 24a and 26 of the Agreement or in the case of export aids that have a direct and immediate effect on trade, the precautionary measures provided for in Article 27(3)(e) of the Agreement may be adopted by the Commission in accordance with the examination procedure referred to in Article 7(2) of this Regulation, or in cases of urgency, in accordance with Article 7(3).

2. Where the Commission is requested to take action by a Member State, it shall take a decision on that request within a maximum period of five working days of its receipt.

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Article 6

Notification to the Joint Committee by the Community as required by Article 27 (2) of the Agreement shall be the responsibility of the Commission.

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Article 7

1. The Commission shall be assisted by the Committee on Safeguards established by Article 4(1) of Council Regulation (EC) No 260/2009 ([2]). That Committee shall be a committee within the meaning of Regulation (EU) No 182/2011 of the European Parliament and of the Council ([3]).

2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

([1]) OJ No L 93, 17. 4. 1968, p. 1.
([2]) Council Regulation (EC) No 260/2009 of 26 February 2009 on the common rules for imports (OJ L 84, 31.3.2009, p. 1).
([3]) Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

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3. Where reference is made to this paragraph, Article 8 of Regulation (EU) No 182/2011, in conjunction with Article 5 thereof, shall apply.

Article 8

The Commission shall include information on the implementation of this Regulation in its annual report on the application and implementation of trade defence measures presented to the European Parliament and to the Council pursuant to Article 22a of Council Regulation (EC) No 1225/2009 ([1]).

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This Regulation shall be binding in its entirety and directly applicable in all Member States.

([1]) Council Regulation (EC) No 1225/2009 of 30 November 2009 on protection against dumped imports from countries not members of the European (OJ L 343, 22.12.2009, p. 51).