REGULATION (EEC) No 3149/75 OF THE COUNCIL

of 24 November 1975

totally suspending the customs duties on certain industrial products originating in Malta (1976)

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, by virtue of the Agreement [1] establishing an association between the European Economic Community and Malta, the Community applies the Common Customs Tariff duties, reduced by 70%, to products covered by this Agreement; whereas it seems advisable provisionally to increase this tariff advantage by means of the total suspension of the customs duties applicable to such products; whereas, however, this measure cannot affect the products subject to the tariff quotas provided for in the abovementioned Agreement;

Whereas, in order to avoid the danger of disrupting traditional patterns of trade by imports of such products, provision should be made to enable the Commission to re-introduce at any time, by means of a Regulation, the levying of conventional duties in respect of Malta,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1976 the Common Customs Tariff duties and the customs tariff duties of the new Member States shall be totally suspended in respect of products falling within Chapters 25 *et seq.* of the Common Customs Tariff, covered by the Agreement establishing an association between the European Economic Community and Malta, pursuant to Article 1 of Annex I thereto, with the exception of products falling within heading Nos 55.05, 56.04, 60.05 and 61.01.

Ireland, however, shall be authorized to apply to such products duties equal to those which it applies to Member States other than the United Kingdom.

2. The suspension referred to in paragraph 1 shall apply solely to products originating in Malta. The rules of origin shall be those in force at the time as regards the implementation of the above Agreement.

However, the last sentence of Article 1 (2) (b) of the Protocol relating to the definition of the concept of originating products and to methods of administrative cooperation shall not apply in the case of products obtained in Malta from:

— products originating in one or more Member States of the Community as originally constituted and exported to one or more new Member States, or

— products originating in one or more new Member States and exported to one or more Member States of the Community as originally constituted,

where the products referred to in the two indents above have undergone only the insufficient working or processing listed in points 1 to 6 of List A annexed to the above Protocol.

Article 2

In order to avoid disrupting traditional trade patterns by imports of products benefiting from the duty suspension provided for in Article 1, the Commission may, by means of a Regulation, re-introduce the levying of customs duties at any time up to the end of the calendar year, at the level applicable in pursuance of Article 1 of Annex I to the aforesaid Agreement.

Article 3

This Regulation shall enter into force on 1 January 1976.

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[1] OJ No L 61, 14. 3. 1971, p. 3.

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

Done at Brussels, 24 November 1975.

For the Council

The President

B. VISENTINI