COUNCIL REGULATION (EEC) No 2716/76

of 25 October 1976

on the opening, allocation and administration of a Community tariff quota for ferro-silicon falling within subheading 73.02 C of the Common Customs Tariff

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, as regards ferro-silicon falling within subheading 73.02 C, the European Economic Community had undertaken to open an annual duty-free Community tariff quota of 20 000 metric tons; whereas the tariff quota in question should therefore be opened on 1 January 1977 and allocated among the Member States;

Whereas arrangements for the utilization of the Community tariff quota based on an allocation among Member States would seem to be consistent with the Community nature of the quota; whereas, in order that it may correspond as closely as possible to the actual market trends in the product in question, allocation of the quota should be in proportion to the requirements of the Member States as calculated by reference to statistical data on imports from third countries during a representative reference period and to the economic prospects for the quota period in question;

Whereas, during the last three years for which statistics are fully available, the corresponding imports into each of the Member States represented the following percentages of the total imports of the product in question:

	1973	1974	1975
Benelux	20·28	15·14	17·47
Denmark	0·64	0·36	0·54
Germany	61·47	56·31	53·03
France	0·37	0·52	1·22
Ireland	0	0·24	0·25
Italy	10·87	13·97	13·82
United Kingdom	6·42	13·46	13·67

Whereas, in view of these factors and of market forecasts for ferro-silicon for 1977, the percentage shares in the quota volume can be expressed roughly as follows:

Benelux	50·00
Denmark	0·75
Germany	29·75
France	0·25
Ireland	1·25
Italy	4·25
United Kingdom	13·75

Whereas, since this tariff quota is for a relatively small quantity, it seems possible to provide for a system of use based on a single allocation and at the same time preserve the Community nature of the quota; whereas such an allocation may therefore be based on the percentage figures shown in the table above;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any measure concerning the administration of the shares allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. During the period 1 January to 31 December 1977 a Community tariff quota of 20 000 metric tons shall be opened in the Community for ferro-silicon falling within subheading 73.02 C of the Common Customs Tariff.

2. Imports of the product in question may not be charged against this tariff quota if they are already

free of customs duties under other preferential tariff arrangements.

3. Within this tariff quota the Common Customs Tariff duty shall be totally suspended.

4. Within this tariff quota, the new Member States shall also apply this exemption from duty.

Article 2

The Community tariff quota referred to in Article 1 shall be allocated among Member States as follows:

	(metric tons)
Benelux	10 000
Denmark	150
Germany	5 950
France	50
Ireland	250
Italy	850
United Kingdom	2 750

Article 3

1. Member States shall ensure that importers of the product in question established in their territory have free access to the shares allocated to them.

2. The extent to which a Member State has used up its share shall be determined on the basis of the imports of the product in question entered with the customs authorities for home use.

Article 4

At the Commission's request, Member States shall inform it of the imports actually charged against their shares.

Article 5

Member States and the Commission shall cooperate closely to ensure that this Regulation is complied with.

Article 6

This Regulation shall enter into force on 1 January 1977.

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

Done at Luxembourg, 25 October 1976.

For the Council

The President

A.P.L.M.M. van der STEE