COUNCIL REGULATION (EEC) No 2817/77

of 28 November 1977

establishing ceilings and Community supervision for imports of certain products originating in Algeria, Morocco and Tunisia (1978)

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 the Cooperation Agreements between the European Economic Community of the one part and the People's Democratic Republic of Algeria, the Kingdom of Morocco and the Republic of Tunisia of the other part each stipulate in Article 9 that products originating in these countries shall be imported into the Community free of customs duties; whereas, by way of derogation therefrom, Article 12 of each of these Agreements provides that the reduction of duties shall apply to imports of the products listed therein only up to ceilings above which the customs duties applicable to third countries may be reimposed; whereas the ceilings to be applied in 1978 should therefore be established;

Whereas the application of ceilings requires the Community to be regularly informed of the trend of imports of the relevant products originating in these countries; whereas imports should therefore be made subject to a system of supervision;

Whereas this objective may be achieved by means of an administrative procedure based on charging imports of the products in question against the ceilings at Community level, as and when these products are submitted to the customs authorities under cover of declarations that they have been made available for consumption; whereas this administrative procedure must make provision for the reintroduction of customs tariff duties as soon as the ceilings have been reached at Community level;

Whereas this administrative procedure requires close and particularly rapid cooperation between the Member States and the Commission; whereas the latter must, in particular, be able to follow the progress of amounts set off against the ceilings and keep the Member States informed; whereas this cooperation must be all the closer in that the Commission must be able to take adequate measures to reintroduce customs tariff duties whenever one of the ceilings is reached,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1978, imports of the products originating in Algeria, Morocco and Tunisia which are listed in Annexes I, II and III respectively shall be subject to annual ceilings and Community supervision.

The description of the products referred to in the first paragraph, their tariff headings and statistical numbers and the levels of the ceilings are given in Annexes I, II and III.

2. Amounts shall be set off against the ceilings as and when products are submitted to the customs authorities under cover of a declaration that they have been made available for consumption and accompanied by a movement certificate conforming to the rules contained in the Protocols on rules of origin annexed to the Cooperation Agreements between the Community of the one part and Algeria, Morocco and Tunisia of the other part. However, in the case of products falling within Chapter 27, a certificate of origin may be substituted for the movement certificate.

Goods shall be set off against the ceiling only if the movement certificate or, in the case of goods falling within Chapter 27, the certificate of origin has been submitted before the date on which customs duties are reimposed.

The reaching of a ceiling shall be determined at Community level on the basis of imports set off against it as defined in the preceding subparagraphs.

Member States shall inform the Commission at the intervals and within the time limits specified in paragraph 4 of imports effected in accordance with the above rules.

3. As soon as the ceilings have been reached, the Commission may issue a Regulation reimposing the

customs duties applicable to third countries until the end of the calendar year.

4. Member States shall forward to the Commission not later than the 15th day of each month statements of the amounts set off during the preceding month. They shall, if the Commission so requests, make up such statements for periods of 10 days and forward them within five clear days from the expiry of the preceding 10-day period.

Article 2

For the implementation of this Regulation the Commission shall take all necessary measures in close cooperation with the Member States.

Article 3

This Regulation shall enter into force on 1 January 1978.

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

Done at Brussels, 28 November 1977.

For the Council

The President

L. OUTERS

ANNEX I

List of products originating in Algeria subject to import ceilings in 1978

Order No	CCT heading No	Description	NIMEXE code	Level of ceiling (tonnes)
1	2	3	4	5
	27.10	Petroleum oils and oils obtained from bituminous minerals, other than crude; preparations not elsewhere specified or included, containing not less than 70 % by weight of petroleum oils or of oils obtained from bituminous minerals, these oils being the basic constituents of the preparations:		
		A. Light oils:		
		III. For other purposes	27.10-15, 17, 21, 25, 29	
		B. Medium oils:		
		III. For other purposes	27.10-34, 38, 39	
		C. Heavy oils:		
		I. Gas oils:		
		c) For other purposes	27.10-59	
		II. Fuel oils:		
		c) For other purposes	27.10-69	
		III. Lubricating oils; other oils:		
		c) To be mixed in accordance with the terms of Additional Note 7 to this Chapter (a)	27.10-75	
		d) For other purposes	27.10-79	
I DZ 1	27.11	Petroleum gases and other gaseous hydrocarbons:		1 155 000
		A. Propane of a purity not less than 99 %:		
		I. For use as power or heating fuel	27.11-03	
		B. Other:		
		I. Commercial propane and commercial butane:		
		c) For other purposes	27.11-19	
	27.12	Petroleum jelly:		
		A. Crude:		
		III. For other purposes	27.12-19	
		B. Other	27.12-90	
	27.13	Paraffin wax, micro-crystalline wax, slack wax, ozokerite, lignite wax, peat wax and other mineral waxes, whether or not coloured:		
		B. Other:		
		I. Crude:		
		c) For other purposes	27.13-89	
		II. Other	27.13-90	

(a) Entry under the subheading is subject to conditions to be determined by the competent authorities.

Order No	CCT heading No	Description	NIMEXE code	Level of ceiling (tonnes)
1	2	3	4	5
I DZ 1 *(cont'd)*	27.14	Petroleum bitumen, petroleum coke and other residues of petroleum oils or of oils obtained from bituminous minerals: C. Other: II. Other	27.14-99	
I DZ 2	45.02	Natural cork in blocks, plates, sheets or strips (including cubes or square slabs, cut to size for corks or stoppers)	45.02-all Nos	52
I DZ 3	45.03	Articles of natural cork	45.03-all Nos	155
I DZ 4	45.04	Agglomerated cork (being cork agglomerated with or without a binding substance) and articles of agglomerated cork	45.04-all Nos	2 060

ANNEX II

List of products originating in Morocco subject to import ceilings in 1978

Order No	CCT heading No	Description	NIMEXE code	Level of ceiling (tonnes)
1	2	3	4	5
I MA 1	27.10	Petroleum oils and oils obtained from bituminous minerals, other than crude; preparations not elsewhere specified or included, containing not less than 70 % by weight of petroleum oils or of oils obtained from bituminous minerals, these oils being the basic constituents of the preparations:		183 750
		A. Light oils:		
		III. For other purposes	27.10-15, 17, 21, 25, 29	
		B. Medium oils:		
		III. For other purposes	27.10-34, 38, 39	
		C. Heavy oils:		
		I. Gas oils:		
		c) For other purposes	27.10-59	
		II. Fuel oils:		
		c) For other purposes	27.10-69	
		III. Lubricating oils; other oils:		
		c) To be mixed in accordance with the terms of Additional Note 7 to this Chapter (a)	27.10-75	
		d) For other purposes	27.10-79	
	27.11	Petroleum gases and other gaseous hydrocarbons:		
		A. Propane of a purity not less than 99 %:		
		I. For use as power or heating fuel	27.11-03	
		B. Other:		
		I. Commercial propane and commercial butane:		
		c) For other purposes	27.11-19	
	27.12	Petroleum jelly:		
		A. Crude:		
		III. For other purposes	27.12-19	
		B. Other	27.12-90	
	27.13	Paraffin wax, micro-crystalline wax, slack wax, ozokerite, lignite wax, peat wax and other mineral waxes, whether or not coloured:		
		B. Other:		
		I. Crude:		
		c) For other purposes	27.13-89	
		II. Other	27.13-90	

(a) Entry under this subheading is subject to conditions to be determined by the competent authorities.

Order No	CCT heading No	Description	NIMEXE Code	Level of ceiling (tonnes)
1	2	3	4	5
I MA 1 *(cont'd)*	27.14	Petroleum bitumen, petroleum coke and other residues of petroleum oils or of oils obtained from bituminous minerals:		
		C. Other:		
		II. Other	27.14-99	
I MA 2	45.02	Natural cork in blocks, plates, sheets or strips (including cubes or square slabs, cut to size for corks or stoppers)	45.02-all Nos	52
I MA 3	45.03	Articles of natural cork	45.03-all Nos	618
I MA 4	45.04	Agglomerated cork (being cork agglomerated with or without a binding substance) and articles of agglomerated cork	45.04-all Nos	2 060

ANNEX III

List of products originating in Tunisia subject to import ceilings in 1978

Order No	CCT heading No	Description	NIMEXE code	Level of ceiling (tonnes)
1	2	3	4	5
	27.10	Petroleum oils and oils obtained from bituminous minerals, other than crude; preparations not elsewhere specified or included, containing not less than 70 % by weight of petroleum oils or of oils obtained from bituminous minerals, these oils being the basic constituents of the preparations:		
		A. Light oils:		
		III. For other purposes	27.10-15, 17, 21, 25, 29	
		B. Medium oils:		
		III. For other purposes	27.10-34, 38, 39	
		C. Heavy oils:		
		I. Gas oil:		
		c) For other purposes	27.10-59	
		II. Fuel oil:		
		c) For other purposes	27.10-69	
		III. Lubricating oils; other oils:		
		c) To be mixed in accordance with the terms of Additional Note 7 to this Chapter (a)	27.10-75	
		d) For other purposes	27.10-79	
I TN 1	27.11	Petroleum gases and other gaseous hydrocarbons:		183 750
		A. Propane of a purity not less than 99 % :		
		I. For use as power or heating fuel	27.11-03	
		B. Other:		
		I. Commercial propane and commercial butane:		
		c) For other purposes	27.11-19	
	27.12	Petroleum jelly:		
		A. Crude:		
		III. For other purposes	27.12-19	
		B. Other	27.12-90	
	27.13	Paraffin wax, micro-crystalline wax, slack wax, ozokerite, lignite wax, peat wax and other mineral waxes, whether or not coloured:		
		B. Other:		
		I. Crude:		
		c) For other purposes	27.13-89	
		II. Other	27.13-90	

(a) Entry under the subheading is subject to conditions to be determined by the competent authorities.

Order No	CCT heading No	Description	NIMEXE code	Level of ceiling (tonnes)
1	2	3	4	5
I TN 1 *(cont'd)*	27.14	Petroleum bitumen, petroleum coke and other residues of petroleum oils or of oils obtained from bituminous minerals: C. Other: II. Other	27.14-99	
I TN 2	45.02	Natural cork in blocks, plates, sheets or strips (including cubes or square slabs, cut to size for corks or stoppers)	45.02-all Nos	52
I TN 3	45.03	Articles of natural cork	45.03-all Nos	52
I TN 4	45.04	Agglomerated cork (being cork agglomerated with or without a binding substance) and articles of agglomerated cork	45.04-all Nos	824