COUNCIL REGULATION (EEC) No 1707/78

of 18 July 1978

derogating, for certain products coming from Malta, from the Protocol to the Agreement establishing an association between the European Economic Community and Malta concerning the definition of the concept of 'originating products' and methods of administrative cooperation

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 establishing an association between the European Economic Community and Malta (1), hereinafter called 'the Agreement', was signed at Valletta on 5 December 1970 and entered into force on 1 April 1971 ;

Whereas a Protocol laying down certain provisions relating to the Agreement (2) and to which is annexed a Protocol concerning the definition of the concept of 'originating products' and methods of administrative cooperation, hereinafter called 'the Origin Protocol', was signed in Brussels on 4 March 1976 and entered into force on 1 June 1976 ;

Whereas an Additional Protocol to the Agreement (3) was signed in Brussels on 27 October 1977 and entered into force on 1 January 1978 ; whereas Article 10 of that Protocol provides for derogations from the Origin Protocol in the case of intermediate-frequency transformers, radios and tape recorders until 30 June 1978 ;

Whereas the Government of the Republic of Malta has requested that these derogations be extended ;

Whereas the derogations should be granted for a further period of six months,

HAS ADOPTED THIS REGULATION :

Article 1

1. By way of derogation from the special provisions of Annex II to the Origin Protocol for heading No 85.15, to the effect that at least 50 % in value of the materials and parts used shall be originating products, intermediate-frequency transformers manufactured in Malta shall be regarded as products originating in Malta even though this condition is not observed, provided that the other conditions relating to this heading are satisfied.

The following entry shall be made in box 7 of movement certificates EUR.1 issued in respect of originating products pursuant to the derogation referred to in this paragraph :

'Derogation IFT.'

2. By way of derogation from the special provisions of Annex II to the Origin Protocol for heading No 85.15, to the effect that non-originating transistors may not represent more than 3 % of the value of the finished product, reception apparatus manufactured in Malta shall be regarded as a product originating in Malta even though this condition is not observed, provided that the other conditions relating to this heading are satisfied.

The following entry shall be made in box 7 of movement certificates EUR.1 issued in respect of originating products pursuant to the derogation referred to in this paragraph :

'Derogation radios.'

3. By way of derogation from the special provisions of Annex II to the Origin Protocol for heading No 92.11, to the effect that non-originating transistors may not represent more than 3 % of the value of the finished product, tape recorders manufactured in Malta shall be regarded as products originating in Malta if the value of the non-originating transistors does not exceed 5 % of the value of the finished product, provided that the other conditions relating to this heading are satisfied.

The following entry shall be made in box 7 of movement certificates EUR.1 issued in respect of originating products pursuant to the derogation referred to in this paragraph :

'Derogation tape recorders.'

Article 2

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities.*

It shall apply from 1 July to 31 December 1978.

(1) OJ No L 61, 14. 3. 1971, p. 1.
(2) OJ No L 111, 28. 4. 1976, p. 3.
(3) OJ No L 304, 29. 11. 1977, p. 2.

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

Done at Brussels, 18 July 1978.

For the Council

The President

M. LAHNSTEIN