COUNCIL REGULATION (EEC) No 1605/92

of 15 June 1992

temporarily suspending the autonomous Common Customs Tariff duties on imports of certain industrial products into the Canary Islands

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 28 thereof,

Having regard to the proposal from the Commission (1),

Having regard to the opinion of the European Parliament (2),

Whereas Council Regulation (EEC) No 1911/91 of 26 June 1991 on the application of the provisions of Community law to the Canary Islands (3), provides that from 1 July 1991 the Canary Islands shall form part of the Community's customs territory and that the Common Customs Tariff (CCT) shall be progressively introduced during a transitional period which, in principle, may not extend beyond 31 December 2000; whereas, consequently, since 1 July 1991 imports of industrial products into the Canary Islands originating in non-member countries have been subject to customs duties which hitherto had non been levied on them;

Whereas point 7.1 of the Annex to Council Decision 91/314/EEC of 26 June 1991 setting up a programme of options specific to the remote and insular nature of the Canary Islands (Poseican) (4) states that, at the request — with supporting documents — of the relevant Spanish authorities, specific tariff measures will be considered for certain sensitive products to take account of particular problems in a given sector of local production intended for local consumption or tourism, with a view to maintaining an exemption equivalent to that applied prior to the entry into force of Regulation (EEC) No 1911/91 and to allow access for consumer goods;

Whereas, according to point 7.2 of the said Annex, such measures must be carefully tailored to the Canary Islands' domestic market to avoid any deflection of trade and, in principle, must be limited to the transitional period provided for under Article 6 of Regulation (EEC) No 1911/91 for the gradual adoption of the Common Customs Tariff to the Canary Islands;

Whereas the relevant Spanish authorities submitted a request on 12 July 1991 for autonomous Common Customs Tariff duties to be suspended in full, from 1 July 1991 to 31 December 2000, on imports of certain sensitive products into the Canary Islands;

Whereas, in the light of the supporting arguments presented by the Spanish authorities to the Commission on 4 November 1991, these products are considered to be sensitive for the Canary Islands' economy;

Whereas, in order to ensure that the requested measure is carefully tailored to the Canary Islands' domestic market as it is now and as it might be by 31 December 2000, it is considered appropriate, initially, to suspend all duty on the abovementioned products up to 31 December 1995; whereas the measures to be decided between this date and the end of the transitional period must be adopted at a later stage in the light of all the measures adopted in favour of the economy of the Canary Islands until 31 December 1995; whereas, on the other hand, the purpose of the Spanish authorities' request for the products in question to be exempted from customs duty from 1 July 1991 is to maintain the supply of the products in question and is hence deemed to be justified;

Whereas measures must be taken to ensure that the products for which suspension is requested are intended solely for the Canary Islands' domestic market and also to ensure that the Commission is kept regularly informed of the volume of imports in question so that, if necessary, it can take steps to prevent any speculative movement or deflection of trade,

HAS ADOPTED THIS REGULATION:

Article 1

1. The Common Customs Tariff duties applicable to imports into the Canary Islands of the products listed in the

(1) OJ No C 100, 22. 4. 1992, p. 14.
(2) Opinion delivered on 9 June 1992 (not yet published in the Official Journal).
(3) OJ No L 171, 29. 6. 1991, p. 1. Regulation as amended by Regulation (EEC) No 284/92, OJ No L 31, 7. 2. 1992, p. 6.
(4) OJ No L 171, 29. 6. 1991, p. 5.

Annex shall be suspended in full from 1 July 1991 to 31 December 1995.

2. The suspension referred to in paragraph 1 shall apply solely to products intended for the Canary Islands' domestic market.

3. The relevant Spanish authorities shall adopt the provisions necessary to ensure compliance with paragraph 2 pursuant to the relevant Community provisions on end-use and in particular the levying of Common Customs Tariff duties when the products in question are dispatched to the other parts of the customs territory of the Community.

They shall inform the Commission of such measures at the earliest opportunity.

Article 2

1. In the case of the products referred to in Article 1, the relevant Spanish authorities shall inform the Commission, no later than the fifteenth of each month, beginning on 15 September 1992, of the volume of imports exempted from duty during the preceding month.

2. The information to be sent on 15 September 1992 must cover all imports since 1 July 1991.

Article 3

In the framework of the interim period provided for in Article 6 of Regulation (EEC) No 1911/91, the Commission, after consulting the competent Spanish authorities, shall examine in 1995 the effect of all the measures adopted in favour of the economy of the Canary Islands. On the basis of the outcome of this examination, it shall submit to the Council the requisite proposals for the period extending beyond 31 December 1995.

Article 4

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

It shall apply from 1 July 1991.

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

Done at Luxembourg, 15 June 1992.

For the Council

The President

João PINHEIRO

ANNEX

Order No	CN code	Description
17.0503	3901	Polymers of ethylene, in primary forms
17.0505	3904 10 00	Polyvinyl chloride, not mixed with any other substances
17.0507	4011	New pneumatic tyres, of rubber
17.0509	4202	Trunks, suit-cases, vanity-cases, executive-cases, brief-cases, school satchels, spectacle cases, binocular cases, camera cases, musical instrument cases, gun cases, holsters and similar containers, travelling-bags, toilet bags, rucksacks, handbags, shopping-bags, wallets, purses, map-cases, cigarette-cases, tobacco-pouches, tool bags, sports bags, bottle-cyases, jewellery boxes, powder-boxes, cutlery cases and similar containers, of leather of of composition leather, of sheeting of plastics, of textile materials, of vulcanised fibre or of paperboard or wholly or mainly covered with such material or with paper
17.0511	4203	Articles of apparel and clothing accessoires, of leather or of composition leather
17.0513	4407	Wood sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or finger-jointed, of a thickness exceeding 6 mm
17.0515	4410	Particle board and similar board of wood or other ligneous materials, whether or not agglomerated with resins or other organic binding substances
17.0517	4412	Playwood, veneered panels and similar laminated wood
17.0519	4803 00	Toilet or facial tissue stock, towel or napkin stock and similar paper of a kind used for household or sanitary purposes, cellulose wadding and webs of cellulose fibres, whether or not creped, crinkled, embossed, perforated, surface-coloured, surface-decorated or printed, in rolls of a width exceeding 36 cm or in rectangular (including square) sheets with a least one side exceeding 36 cm in unfolded state
17.0521	4804	Uncoated kraft paper and paperboard, in rolls or sheets, other than that of heading No 4902 or 4803
17.0523	4805	Other uncoated paper and paperboard, in rolls or sheets
17.0525	4808	Paper and paperboard, corrugated (with or without glued flat surface sheets), creped, crinkled, embossed or perforated, in rolls or sheets, other than that of heading No 4803 or 4818
17.0527	4810	Paper and paperboard, coated on one or both sides with kaolin (China clay) or other inorganic substances, with or without a binder, and with no other coating, wheter or not surface-coloured, surface-decorated or printed, in rolls or sheets
17.0529	Chapter 51	WOOL, FINE OR COARSE ANIMNAL HAIR, HORSEHAIR YARN AND WOVEN FABRIC
17.0531	Chapter 52	COTTON
17.0533	Chapter 54	MAN-MADE FILAMENTS
17.0535	Chapter 55	MAN-MADE STAPLE FIBRES
17.0537	5608	Knotted netting of twine, cordage or rope; made up fishing nets and other made up nets, of textile materials

Order No	CN code	Description
17.0539	Chapter 60	KNITTED OR CROCHETTED FABRICS
17.0541	Chapter 61	ARTICLES OF APPAREL AND CLOTHING ACCESSORIES, KNITTED OR CHROCHETED
17.0543	Chapter 62	ARTICLES OF APPAREL AND CLOTHING ACCESSORIES, NOT KNITTED OR CHROCHETED
17.0545	Chapter 63	OTHER MADE-UP TEXTILE ARTICLES; SETS; WORN CLOTHING AND WORN TEXTILE ARTICLES; RAGS
17.0547	Chapter 64	FOOTWEAR, GAITERS AND THE LIKE; PARTS OF SUCH ARTICLES
17.0549	7304	Tubes, pipes and hollow profiles, seamless, of iron (other than cast iron) or steel
17.0551	7312	Stranded wire, ropes, cables, plaited bands, slings and the like, of iron or steel, not electrically insulated
17.0553	7601	Unwrought aluminium
17.0555	8415	Air conditioning machines, comprising a motor-driven fand and elements for changing the temperature and humidity, including those machines in which the humidity cannot be spearately regulated
17.0557	8418	Refrigerators, freezers and other refrigerating or freezing equipment, electric or other; heat pumps other than air conditioning machines of heading No 8415
17.0559	8422	Dish washing machines; machinery for cleaning or drying bottles or other containers, machinery for filling, closing, sealing, capsuling or labelling bottles, cans, boxes, bags or other containers; other paking or wrapping machinery; machinery for aerating beverages
17.0561	8427	Fork-lift trucks; other works trucks fitted with lifting or handling equipment
17.0563	8431	Parts suitable for use solely or principally with the machinery of headings Nos 8425 to 8430
17.0565	8450	Household or laundry-type washing machines, including machines which both wash hand dry
17.0567	8469	Typewriters and word-processing machines
17.0569	8470	Calculating machines; accounting machines, postage-franking, machines, ticket-issuing machines and similar machines, incorporation a calculating device; cash registers
17.0571	8471	Automatic data processing machines and units thereof; magnetic or optical readers, machines for transcribing data onto data media in coded form and machines for processing such data, not elsewhere specific or included
17.0573	8472	Other office machines (for example, hectograph or stencil duplicating machines, addressing machines, automatic banknote dispensers, coin-sorting machines, coin-counting or wrapping machines, pencil-sharpening machines, perforating or stapling machines)
17.0575	8473	Parts and accessories (other than covers, carrying cases and the like) suitable for use solely or principally with machines of headings Nos 8469 to 8472
17.0577	8501	Electric motors and generators (excluding generating sets)

Order No	CN code	Description
17.0579	8517	Electrical apparatur for line telephony or line telegraphy, including such apparatus for carrier-current line system
17.0581	8518	Microphones and stands therefor; loudspeakers, whether or not mounted in their enclosures; headphones, earphones and combined microphone/speaker stets; audio-frequency electric amplifiers; electric sound amplifier sets
17.0583	8519	Turntables (record-decks), record-players, cassette-players and other sound reproducing apparatus, not incorporating a sound recording device
17.0585	8520	Magnetic tape recorders and other sound recording apparatus, whether or not incorporating a sound reproducing device
17.0587	8521	Viedo recording or reproducing apparatus, whether or not incorporating a video tuner
17.0589	8522	Parts and accessories of apparatus of headings Nos 8518 to 8521
17.0591	8523	Prepared unrecorded media for sound recording or similar recording of other phenomena, other than products of Chapter 37
17.0593	8524	Records, tapes and other recorded media for sound or other similary recorded phenomena, including matrices and masters for the production of records, but excluding products of Chapter 37
17.0595	8525	Transmission apparatus for radio-telephony, radio-telegraphy, radio broadcasting of television, whether of not incorporating reception apparatus or sound recording of reproducing apparatus; television cameras
17.0597	8526	Radar apparatus, radio navigational aid apparatus and radio remote control apparatus
17.0599	8527	Reception apparatus for radio-telephony, radio-telegraphy of radio-broadcasting, whether or not combined, in the same housing, with sound recording or reproducing apparatus or a clock
17.0601	8528	Television receivers (including video monitors and video projectors, whether or not incorporating radio-broadcast receivers or sound or viedeo recording or reproducing apparatus
17.0603	8529	Parts suitable for use soley or principally with the apparatus of headings Nos 8528 to 8528
17.0605	8701	Tractors (other than tractors of heading No 8709)
17.0607	8702	Motor vehicles for the transport of ten or more persons, including the driver
17.0609	8703	Motor cars and other motor vehicles principally designed for the transport of persons (other than those of heading No 8702), including station wagons and racing cars
17.0611	8704	Motor vehicles for the transport of goods
17.0613	8705	Special pupose motor vehicles, other than those principally designed for the transport of persons or goods (for example, breakdown lorries, crane lorries, fire fighting vehicles, concretemixer lorries, road sweeper lorries, spraying lorries, mobile workshops, mobile radiological units)
17.0615	8706	Chassis fitted with engines, for the motor vehicles of headings No 8701 to 8705
17.0617	8707	Bodies (including cabs), for the motor vehicles of headings No 8701 to 8705

Order No	CN code	Description
17.0619	8708	Parts and accessories of the motor vehicles of headings No 8701 to 8705
17.0621	8711	Motorcycles (including mopeds) and cycles fitted with an auxiliary motor, with or without side-cars; side-cars
17.0623	8712 00	Bicycles and other cycles (including delivery tricycles), not motorised
17.0625	8713	Invalid carriages, whether or not motorized or otherwise machanically propelled
17.0627	8714	Parts and accessories of vehicles of headings No 8711 to 8713
17.0629	9001	Optical fibres and optical fibre bundles; optical fibre cables other than those of heading No 8544; sheets and plates of polarising material; lenses (including contact lenses), prisms, mirrors and other optical elements, of any material, unmounted, other than such elements of glass not opticalls worked
17.0631	9002	Lenses, prisms, mirrors and other optical elements, of any material, mounted, being parts if or fittings for instruments or apparatus, other than such elements of glass not optically worked
17.0633	9003	Frames and mountings for spectacles, goggles or the like, and parts thereof
17.0635	9004	Spectacles, goggles and the like, corrective, protective or other
17.0637	9005	Binoculars, monoculars, other optical telescopes, and mountings therefor; other astronomical instruments and mountings therefor, but not including instruments for radio-astronomy
17.0639	9006	Photographic (other than cinematographic) cameras; photographic flaslight apparatus and flashoulbs other than discharge lamps of heading No 8539
17.0641	9007	Cinematographic cameras and projectors, whether or not incorporating sound recording or reproducing apparatus
17.0643	9008	Image projectors, other than cinematographic; photographic (other than cinematographic) enlargers and reducers
17.0645	9009	Photocopying apparatus incorporating an optical system or of the contact type and thermo-copying apparatus
17.0647	9010	Apparatus and equipment for photographic (including cinematographic) laboratories (including apparatus for the projection of circuit patterns of sensitised semi-conductor materials), not specified for included elsewhere in this Chapter; negatoscopes; projection screens
17.0649	9011	Compound optical microscopes, including those for photomicrography, cinephotomicrography or microprojection
17.0651	9012	Microscopes other than optical microscopes; diffraction apparatus
17.0653	9030	Oscilloscopes, spectrum analysers and other instruments and apparatus for measuring of checking electrical quantities, excluding meters of heading No 9028; instruments and apparatus for measuring or detecting alpha, beta, gamma, X-ray, cosmic or other ionizing radiations
17.0655	Chapter 91	CLOCKS AND WATCHES AND PARTS THEREOF
17.0657	9207	Musical instruments, the sound of which is produced, or must be amplified, electrically (for example, organs, guitars, accordions)
17.0659	Chapter 95	TOYS, GAMES AND SPORTS REQUISITES; PARTS AND ACCESSORIES THEREOF