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(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 527/96

of 25 March 1996

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

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission,

Whereas Article 6 (1) of Council Regulation (EEC) No 1911/91 of 26 June 1991 on the application of the provisions of Community law to the Canary Islands [1] provides for the Common Customs Tariff (CCT) to be progressively introduced in the course of a transitional period which shall not extend beyond 31 December 2000; whereas, in accordance with Article 7 of that Regulation, the common commercial policy shall apply to the Canary Islands, without prejudice to the specific measures referred to in Article 6 (3) thereof;

Whereas paragraph 7.2 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) [2] states that specific tariff measures must continue to be considered and that in principle they must be limited to the transitional period provided for under Article 6 of Regulation (EEC) No 1911/91 for the gradual adoption of the CCT to the Canary Islands;

Whereas 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 [3] suspended in full until 31 December 1995 CCT duties applicable to imports into the Canary Islands of the products listed in the Annex to the Regulation which are intended for the Canary Islands' domestic market;

Whereas, in accordance with Article 3 of Regulation (EEC) No 1605/95, the Commission has examined this year the effect of measures adopted in favour of the economy of the Canary Islands; whereas that examination has shown that the suspension of duties on certain industrial products has not had the effect of increasing the volume of imports orginating in non-Community countries;

Whereas the progressive introduction of the suspended CCT duties will not in principle have any adverse effect on the sectors concerned by the duty suspensions or, in general, on the Canary Islands' economy as a whole; whereas an appropriate timetable should be laid down for successive increases in the applicable rates of duty;

Whereas, in order to take advantage of the closing date of the transitional period laid down by Regulation (EEC) No 1911/91 and to take account of the request from the Spanish authorities, the duty suspensions under Regulation (EEC) No 1605/92 may be retained in 1996;

Whereas, in view of the foregoing, the progressive introduction of CCT duties must commence on 1 January 1997 until fully applicable on 31 December 2000; whereas, in the case of certain sensitive sectors of the Canary Islands' economy, in particular those processing imported raw materials into finished products and commerce, duties should be introduced in a flexible manner so as to prevent in the early years any adverse effect on production and employment in those sectors;

Whereas the Marrakesh Protocol to the General Agreement on Tariffs and Trade 1994, approved by the Community by Decision 94/800/EC [4] provides for bound tariff reductions to be implemented in five equal rate reductions (or 10 rate reductions for certain tariff headings); whereas that progressive reduction, which became operative in 1995, will culminate in a minimum,

[1] 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).
[2] OJ No L 171, 29. 6. 1991, p. 5.
[3] OJ No L 173, 15. 6. 1992, p. 31. Regulation as amended by Regulation (EC) No 3012/95 (OJ No L 314, 28. 12. 1995, p. 15).
[4] OJ No L 336, 23. 12. 1994, p. 1.

or even a zero, rate by the end of the period in question; whereas, consequently, duty suspensions should continue in respect of certain industrial products on which CCT duties resulting from the GATT agreements would reach a zero or minimum rate on 31 December 2000, the date on which the transitional period for the Canary Islands expires;

Whereas imports into the Canary Islands of certain goods originating in non-Community countries were non-existent or nearly so during the period in which CCT duty suspensions applied; whereas, consequently, there are no grounds for retaining those suspensions;

Whereas the measures taken under Regulation (EEC) No 1605/92 should be retained, on the one hand, in order to ensure that products on which the suspension of duty is extended and then progressively dismantled are intended solely for the Canary Islands' domestic market and, on the other hand, in order to permit the Commission to be regularly informed of the volume of the imports in question and, if necessary, to adopt provisions designed to prevent any speculative movement of 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 Annexes I and II shall be suspended in full in accordance with the timetables laid down in those Annexes.

2. From 1 January 1997 to 31 December 2000 the Common Customs Tariff duties applicable to imports into the Canary Islands of the products listed in Annexes III and IV shall be progressively introduced in accordance with the provisions of those Annexes.

Article 2

1. The measures referred to in Article 1 shall apply solely to products intended for the Canary Islands' domestic market.

2. The Spanish authorities shall adapt the measures necessary to ensure compliance with paragraph 1 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 other parts of the customs territory of the Community.

Article 3

With regard to the products referred to in Article 1 the Spanish authorities shall inform the Commission, no later than the 15th of each month, of the volume of imports exempted under the tariff measures provided for in that Article during the preceding month.

In the case of threat of injury, certified in particular by information forwarded to the Commission, for certain sensitive or ultrasensitive products, the Commission shall propose to the Council, at the request of the Spanish authorities, any appropriate measure particular regard being paid to the objectives of Decision 91/314/EEC.

Article 4

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 April 1996.

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

Done at Brussels, 25 March 1996.

For the Council

The President

S. AGNELLI

ANNEX I

List of industrial products, duties on which are suspended in full from 1 April to 31 December 1996

CN code (1)			
3901	Chapter 63	8519	8712 00
3904 10 00	Chapter 64	8520	8713
4011	7213	8521	8714
4202	7304	8522	9001
4203	7312	8523	9002
4407	7601	8524	9003
4410	8415	8525	9004
4412	8418	8526	9005
4803 00	8422	8527	9006
4805	8427	8528	9007
4808	8431	8529	9008
4810	8450	8701	9009
Chapter 51	8469	8702	9010
Chapter 52	8470	8703	9011
Chapter 54	8471	8704	9012
Chapter 55	8472	8705	9030
5608	8473	8706	Chapter 91
Chapter 60	8501	8707	9207
Chapter 61	8517	8708	Chapter 95
Chapter 62	8518	8711	

(1) Combined Nomenclature codes applicable on 1 January 1996 adopted by Commission Regulation (EC) No 3009/95 of 22 December 1995 amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ No L 319, 30. 12. 1995).

ANNEX II

List of industrial products, duties on which are suspended in full from 1 January 1997 to 31 December 2000

CN code (1)			
4407	8431 31	8473 50 90	8701 90 15
7213	8431 39	8517 11 00	8701 90 21
8418 10 91	8431 41	8517 19 90	8701 90 25
8418 10 99	8431 42	8519 92 00	8701 90 31
8418 21 10	8431 43	8522 90 30	8701 90 35
8418 21 59	8431 49	8522 90 93	8701 90 39
8418 21 99	8471 60 90	8523 20 11	8701 90 50
8422 19	8471 70	8526 91 11	8704 10 11
8422 20	8473 10 90	8526 91 19	8704 10 19
8422 30	8473 21 90	8529 90 10	8704 10 90
8422 40	8473 29 90	8701 30 00	8713
8422 90	8473 30 90	8701 90 11	8714 20 00
8431 10	8473 40 90		

(1) Combined Nomenclature codes applicable on 1 January 1996 adopted by Commission Regulation (EC) No 3009/95 of 22 December 1995 amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ No L 319, 30. 12. 1995).

ANNEX III

List of industrial products duties on which will be introduced during the period 1 January 1997 to 31 December 2000 according to the following timetable

Sensitive products

— on 1 January 1997 applicable duty rates will be 5 % of the CCT;

— on 1 January 1998 applicable duty rates will be 15 % of the CCT;

— on 1 January 1999 applicable duty rates will be 30 % of the CCT;

— on 1 January 2000 applicable duty rates will be 60 % of the CCT;

— on 1 January 2001 applicable duty rates will be 100 % of the CCT.

CN code (1)			
3901	8427	8519 31	8524 91 90
3904 10	8431 20	8519 39	8524 99 00
4011	8450	8519 40	8529 10
4202	8469	8519 93	8529 90 51
4203	8470	8519 99	8529 90 59
4410	8471 10	8520 10	8529 90 70
4412	8471 30	8520 20	8529 90 81
4803 00	8471 41	8520 32 19	8529 90 89
4805	8471 49	8520 32 50	8701 10
4808	8471 50	8520 32 91	8701 20
4810	8471 60 10	8520 32 99	8701 90 90
5203	8471 60 40	8520 33	8702
5205	8471 60 50	8520 39	8706
5208	8471 80	8520 90	8711
5209	8471 90	8521	8712 00
5210	8472	8522 90 91	8714 11
5212	8473 10 10	8522 90 98	8714 19
Chapter 55	8473 21 10	8523 11	8714 91
5608	8473 29 10	8523 12	8714 92
7312	8473 30 10	8523 13	8714 93
7601	8473 40 10	8523 20 19	8714 94
8415	8473 50 10	8523 20 90	8714 95
8418 21 51	8501	8523 30	8714 96
8418 21 91	8517 19 10	8523 90	8714 99
8418 22	8517 21	8524 10	9002
8418 29	8517 22	8524 31	9004
8418 30	8517 30	8524 32	9005
8418 40	8517 50	8524 39	9007
8418 50	8517 80	8524 40 91	9009
8418 61	8517 90	8524 40 99	9010
8418 69	8518	8524 51	9207
8418 91	8519 10	8524 52	
8418 99	8519 21	8524 53	
8422 11	8519 29	8524 60	

(1) Combined Nomenclature codes applicable on 1 January 1996 adopted by Commission Regulation (EC) No 3009/95 of 22 December 1995 amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ No L 319, 30. 12. 1995).

Ultrasensitive products

— on 1 January 1997 applicable duty rates will be 0 % of the CCT;

— on 1 January 1998 applicable duty rates will be 5 % of the CCT;

— on 1 January 1999 applicable duty rates will be 15 % of the CCT;

— on 1 January 2000 applicable duty rates will be 35 % of the CCT;

— on 1 January 2001 applicable duty rates will be 100 % of the CCT.

CN code (1)	
4804	8704 22
Chapter 61	8704 23
Chapter 62	8704 31
Chapter 63	8704 32
Chapter 64	8704 90
8525	8708
8527	9006
8528	Chapter 91
8703	Chapter 95
8704 21	

(1) Combined Nomenclature codes applicable on 1 January 1996 adopted by Commission Regulation (EC) No 3009/95 of 22 December 1995 amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ No L 319, 30. 12. 1995).

ANNEX IV

List of industrial products on which duties will be introduced during the period 1 January 1997 to 31 December 2000 according to the following timetable

— on 1 January 1997 applicable duty rates will be 20 % of the CCT;
— on 1 January 1998 applicable duty rates will be 40 % of the CCT;
— on 1 January 1999 applicable duty rates will be 60 % of the CCT;
— on 1 January 2000 applicable duty rates will be 80 % of the CCT;
— on 1 January 2001 applicable duty rates will be 100 % of the CCT.

CN code (1)	
5103	8522 10
5104	8522 90 10
5108	8526 10
5110	8526 91 90
5111	8526 92
5112	8705
5401	8707
5402	9001
5403	9003
5404	9008
5407	9011
5408	9012
Chapter 60	9030

(1) Combined Nomenclature codes applicable on 1 January 1996 adopted by Commission Regulation (EC) No 3009/95 of 22 December 1995 amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ No L 319, 30. 12. 1995).