COUNCIL REGULATION (EC) No 790/96

of 29 April 1996

concerning the export of certain ECSC and EC steel products from the Czech Republic to the Community

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas a Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Czech Republic, of the other part [1], entered into force on 1 February 1995;

Whereas the situation relating to imports of certain steel products from the Czech Republic into the Community has been the subject of thorough examination and whereas, on the basis of relevant information supplied to them, the parties decided in Association Council Decision No 2/96 [2] that the solution acceptable to both parties is a double-checking system, without quantitative limits, for the import into the Community of certain steel products covered by the ECSC and EC Treaties for an initial period running from the date on which this Regulation enters into force to 31 December 1996,

HAS ADOPTED THIS REGULATION:

Article 1

1. For the period running from the date on which this Regulation enters into force to 31 December 1996, in accordance with the provisions of Association Council Decision No 2/96, imports into the Community of certain iron and steel products covered by the ECSC and EC Treaties originating in the Czech Republic, as listed in Annex I, shall be subject to the presentation of an import document issued by the authorities in the Community.

2. The classification of the products covered by this Regulation is based on the tariff and statistical nomenclature of the Community (hereinafter called the 'combined nomenclature', or in abbreviated form 'CN'). The origin of the products covered by this Regulation shall be determined in accordance with the rules in force in the Community.

3. For the period running from the date on which this Regulation enters into force to 31 December 1996, imports into the Community of the iron and steel products originating in the Czech Republic and listed in Annex I shall, in addition, be subject to the issue of an export document issued by the competent authorities of the exporting country. Presentation by the importer of the original of the export document must be effected not later than 31 March of the year following that in which the goods covered by the document were shipped.

4. An export document will not be required for goods originating in the Czech Republic already shipped before the date on which this Regulation enters into force, provided that the destination of such products is not changed and that those products which, under the prior surveillance regime applicable in 1995, may be put into free circulation only on production of an import document are in fact accompanied by such a document.

5. Shipment is considered to have taken place on the date of loading on to the exporting means of transport.

6. The export document shall conform to the model shown in Annex II. It shall be valid for exports throughout the customs territory of the Community.

Article 2

1. The import document referred to in Article 1 shall be issued automatically by the competent authority in the Member States, without charge for any quantities requested, within five working days of presentation of an application by any Community importer, wherever established in the Community. This application shall be deemed to have been received by the competent national authority no later than three working days after submission, unless it is proven otherwise.

2. An import document issued by one of the competent national authorities listed in Annex III shall be valid throughout the Community.

3. The import document shall be made out on a form corresponding to the model set out in Annex IV. The importer's application shall include the following elements:

(a) the name and full address of the applicant (including telephone and telefax numbers, and possible identification number used by the competent national authorities) and VAT registration number, if subject to VAT;

(b) if applicable, the name and full address of the declarant or representative of the applicant (including telephone and fax numbers);

(c) the full name and address of the exporter;

[1] OJ No L 360, 31. 12. 1994, p. 2.
[2] Cf doc. UE-CZ 1705/91 + COR 1.

(d) the exact description of the goods, including

— their trade name,

— the combined nomenclature (CN) code(s),

— the country of origin,

— the country of consignment;

(e) the net weight, expressed in kg and also quantity in the unit prescribed where other than net weight, by combined nomenclature heading;

(f) the cif value of the goods in ECU at the Community frontier by combined nomenclature heading;

(g) whether the products concerned are seconds or of substandard quality (1);

(h) the proposed period and place of customs clearance;

(i) whether the application is a repeat of a previous application concerning the same contract;

(j) the following declaration, dated and signed by the applicant with the transcription of his name in capital letters:

'I, the undersigned, certify that the information provided in this application is true and given in good faith, and that I am established in the Community.'

The importer shall also submit a copy of the contract of sale or purchase, the *pro forma* invoice and/or, in cases where the goods are not directly purchased in the country of production, a certificate of production issued by the producing steel mill.

4. Import documents may be used only for such time as arrangements for liberalization of imports remain in force in respect of the transactions concerned. Without prejudice to possible changes in the import regulations in force or decisions taken in the framework of an agreement or the management of a quota:

— the period of validity of the import document is hereby fixed at four months,

— unused or partly used import documents may be renewed for an equal period.

Article 3

1. A finding that the unit price at which the transaction is effected exceeds that indicated in the import document by less than 5 % or that the total value or quantity of the products presented for import exceeds the value or quantity given in the import document by less than 5 % shall not preclude the release for free circulation of the products in question.

2. Applications for import documents and the documents themselves shall be confidential. They shall be restricted to the competent authorities and the applicant.

Article 4

1. Within the first 10 days of each month, the Member States shall communicate to the Commission:

(a) details of the quantities and values (calculated in ECU) for which import documents were issued during the preceding month;

(b) details of imports during the month preceding the month referred to in subparagraph (a).

The information provided by Member States shall be broken down by product, CN code and by country. It shall be communicated electronically in the form agreed for this purpose.

2. The Member States shall give notification of any anomalies or cases of fraud which they discover and, where relevant, the basis on which they have refused to grant an import document.

Article 5

Any notices to be given hereunder shall be given to the Commission of the European Communities (DG I/D/2 and DG III/C/2).

Article 6

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

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

Done at Luxembourg, 29 April 1996.

For the Council

The President

W. LUCHETTI

(1) Under the criteria given in Commission communication concerning identification criteria of non-prime steel products from third countries applied by customs services of Member States (OJ No C 180, 11. 7. 1991, p. 4).

ANNEX I

CZECH REPUBLIC

List of products subject to double-checking (1996)

Heavy plates

(excluding ex-CN codes)

7208 40 10
7208 51 30
7208 51 50
7208 51 91
7208 51 99
7208 52 91
7208 52 99
7208 54 10
7208 90 10
7208 90 90

Cold-rolled sheet

7209 15 00
7209 16 90
7209 17 90
7209 18 91
7209 18 99
7209 25 00
7209 26 90
7209 27 90
7209 28 90

7211 23 10
7211 23 51
7211 29 20

Hot-rolled strip and hoop

7211 14 10
7211 14 90
7211 19 20
7211 19 90

7212 60 91

7220 11 00
7220 12 00
7220 90 31

7226 19 10
7226 20 20
7226 91 10
7226 91 90
7226 99 20

Wire rod

7213 10 00
7213 20 00
7213 91 10
7213 91 20
7213 91 41
7213 91 49
7213 91 70
7213 91 90
7213 99 10
7213 99 90

7221 00 10
7221 00 90

7227 10 00
7227 20 00
7227 90 10
7227 90 50
7227 90 95

Hematite pig iron

7201 10 19

Beams and sections

7216 31 11
7216 31 19
7216 31 91
7216 31 99
7216 32 11
7216 32 19
7216 32 91
7216 32 99

Seamless tubes

Complete CN heading 7304

Welded tubes

Complete CN heading 7306

ANNEX II

1. **Exporter** *(name, full address, country)*	**ORIGINAL**	2. **No**
	3. **Year**	4. **Product group**
	EXPORT LICENCE **(ECSC products)**	
5. **Consignee** *(name, full address, country)*	6. **Country of origin**	7. **Country of destination**
8. **Place and date of shipment – Means of transport**	9. **Supplementary details**	

10. **Description of goods – Manufacturer**	11. **CN code**	12. **Quantity** (1)	13. **FOB Value** (2)

14. **CERTIFICATION BY THE COMPETENT AUTHORITY**

15. **Competent authority** *(name, full address, country)*

At....., on.....

.....
(Signature) (Stamp)

(1) Show net weight (kg) and also quantity in the unit prescribed where other than net weight.
(2) In the currency of the sale contract.

1. **Exporter** *(name, full address, country)*	**COPY**	**2. No**
	3. Year	**4. Product group**
	EXPORT LICENCE **(ECSC products)**	
5. Consignee *(name, full address, country)*	**6. Country of origin**	**7. Country of destination**
8. Place and date of shipment – Means of transport	**9. Supplementary details**	

10. **Description of goods – Manufacturer**	11. **CN code**	12. **Quantity** (1)	13. **FOB Value** (2)

14. CERTIFICATION BY THE COMPETENT AUTHORITY

15. **Competent authority** *(name, full address, country)*	At....., on..... ..... (Signature) (Stamp)

(1) Show net weight (kg) and also quantity in the unit prescribed where other than net weight.
(2) In the currency of the sale contract.

ANEXO III — BILAG III — ANHANG III — ΠΑΡΑΡΤΗΜΑ III — ANNEX III — ANNEXE III — ALLEGATO III — BIJLAGE III — ANEXO III — LIITE III — BILAGA III

LISTA DE LAS AUTORIDADES NACIONALES COMPETENTES
LISTE OVER KOMPETENTE NATIONALE MYNDIGHEDER
LISTE DER ZUSTÄNDIGEN BEHÖRDEN DER MITGLIEDSTAATEN
ΔΙΕΥΘΥΝΣΕΙΣ ΤΩΝ ΑΡΧΩΝ ΕΚΔΟΣΗΣ ΑΔΕΙΩΝ ΤΩΝ ΚΡΑΤΩΝ ΜΕΛΩΝ
LIST OF THE COMPETENT NATIONAL AUTHORITIES
LISTE DES AUTORITÉS NATIONALES COMPÉTENTES
ELENCO DELLE COMPETENTI AUTORITÀ NAZIONALI
LIJST VAN BEVOEGDE NATIONALE INSTANTIES
LISTA DAS AUTORIDADES NACIONAIS COMPETENTES
LUETTELO TOIMIVALTAISISTA KANSALLISISTA VIRANOMAISISTA
LISTA ÖVER KOMPETENTA NATIONELLA MYNDIGHETER

BELGIQUE/BELGIË

Administration des relations économiques
Quatrième division: mise en œuvre des politiques commerciales internationales — Services 'Licences'
Rue Général Leman 60
B-1040 Bruxelles
Télécopieur: (32 2) 230 83 22

Bestuur van de Economische Betrekkingen
Vierde Afdeling: Toepassing van het Internationaal Handelsbeleid — Dienst Vergunningen
Generaal Lemanstraat 60
B-1040 Brussel
Fax (32-2) 230 83 22

DANMARK

Erhvervsfremme Styrelsen
Søndergade 25
DK-8600 Silkeborg
Fax (45) 87 20 40 77

DEUTSCHLAND

Bundesamt für Wirtschaft, Dienst 01
Postfach 5171
D-65762 Eschborn 1
Fax: (49) (61 96) 40 42 12

ΕΛΛΑΔΑ

Υπουργείο Εθνικής Οικονομίας
Γενική Γραμματεία ΔΟΣ
Διεύθυνση Διαδικασιών Εξωτερικού Εμπορίου
Κορνάρου 1
GR-105 63 Αθήνα
Τέλεφαξ: (30-1) 328 60 29/328 60 59/328 60 39

ESPAÑA

Ministerio de Comercio y Turismo
Dirección General de Comercio Exterior
Paseo de la Castellana, 162
E-28046 Madrid
Fax: (34 1) 563 18 23

FRANCE

SERIBE
3-5, rue Barbet-de-Jouy
F-75357 Paris 07 SP
Télécopieur: (33 1) 43 19 43 69

IRELAND

Licensing Unit
Department of Tourism and Trade
Kildare Street
IRL-Dublin 2
Fax: (353 1) 676 61 54

ITALIA

Ministero per il Commercio estero
D.G. Import-export, Division V
Viale Boston
I-00144 Roma
Fax: (39-6) 59 93 26 36/59 93 26 37

LUXEMBOURG

Ministère des affaires étrangères
Office des Licences
Boîte postale 113
L-2011 Luxembourg
Télécopieur: (352) 46 61 38

NEDERLAND

Centrale Dienst voor In- en Uitvoer
Postbus 30.003, Engelse Kamp 2
NL-9700 RD Groningen
Fax: (31-50) 526 06 98

ÖSTERREICH

Bundesministerium für wirtschaftliche Angelegenheiten
Außenwirtschaftsadministration
Landstrasser Hauptstraße 55-57
A-1030 Wien
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PORTUGAL

Direcção-Geral do Comércio
Avenida da República, 79
P-1000 Lisboa
Telefax: (351-1) 793 22 10

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PL 512
FIN-00101 Helsinki
Fax: + 358 0 614 2852

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Box 1209
S-111 82 Stockholm
Fax: + 46 8 20 03 24

UNITED KINGDOM

Department of Trade and Industry
Import Licensing Branch
Queensway House — West Precinct
Billingham, Cleveland
UK-TS23 2NV
Fax (44 1642) 533 557

ANNEX IV

EUROPEAN COMMUNITY **SURVEILLANCE DOCUMENT**

1

Holder's copy

1

1. Consignee
(name, full address, country, VAT number)

2. Issue number

3. Proposed place and date of import

4. Authority responsible for issue
(name, address and telephone No)

5. Declarant/representative as applicable
(name and full address)

6. Country of origin
(and geonomenclature code)

7. Country of consignment
(and geonomenclature code)

8. Last day of validity

9. Description of goods

10. CN code and category

11. Quantity in kilograms (net mass) or in additional units

12. Value in ecus, cif at Community frontier

13. Additional remarks

14. Competent authority's endorsement

Date: .....

Signature: ..... Stamp

15. ATTRIBUTIONS
Indicate the quantity available in part 1 of column 17 and the quantity attributed in part 2 thereof.

16. Net quantity (net mass or other unit of measure stating the unit)		**19. Customs document** (form and number) **or extract No and date of attribution**	**20. Name, Member State, stamp and signature of the attributing authority**
17. In figures	**18. In words for the quantity attributed**		
1			
2			
1			
2			
1			
2			
1			
2			
1			
2			
1			
2			
1			
2			

Extension pages to be attached hereto.

EUROPEAN COMMUNITY **SURVEILLANCE DOCUMENT**

2

Copy for the issuing authority

1. Consignee
(name, full address, country, VAT number)

2. Issue number

3. Proposed place and date of import

4. Authority responsible for issue
(name, address and telephone No)

5. Declarant/representative as applicable
(name and full address)

6. Country of origin
(and geonomenclature code)

7. Country of consignment
(and geonomenclature code)

8. Last day of validity

2

9. Description of goods

10. CN code and category

11. Quantity in kilograms (net mass) or in additional units

12. Value in ecus, cif at Community frontier

13. Additional remarks

14. Competent authority's endorsement

Date: .....

Signature: ..... Stamp

15. ATTRIBUTIONS
Indicate the quantity available in part 1 of column 17 and the quantity attributed in part 2 thereof.

16. Net quantity (net mass or other unit of measure stating the unit)		**19. Customs document** (form and number) **or extract No and date of attribution**	**20. Name, Member State, stamp and signature of the attributing authority**
17. In figures	**18. In words for the quantity attributed**		
1			
2			
1			
2			
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2			
1			
2			

Extension pages to be attached hereto.