I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 190/98

of 19 January 1998

concerning the export of certain ECSC and EC steel products from the former Yugoslav Republic of Macedonia to the Community (double-checking system)

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 Cooperation Agreement between the European Community and the former Yugoslav Republic of Macedonia [1] entered into force on 1 January 1998;

Whereas the Parties agreed in the Protocol to the Agreement on additional trade arrangements for certain iron and steel products to establish a double-checking system, without quantitative limits, for the import into the Community of steel products originating in the former Yugoslav Republic of Macedonia,

HAS ADOPTED THIS REGULATION:

Article 1

1. From the date of entry into force of the Cooperation Agreement until further notice, in accordance with the provisions of the Protocol on additional trade arrangements for certain iron and steel products, imports into the Community of certain iron and steel products covered by the ECSC and EC Treaties originating in the former Yugoslav Republic of Macedonia, as listed in Annex I, shall be subject to the presentation of a surveillance 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. From the date of entry into force of the Cooperation Agreement until further notice, imports into the Community of the products originating in the former Yugoslav Republic of Macedonia 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 former Yugoslav Republic of Macedonia already shipped to the Community before the date of entry into force of the cooperation Agreement, provided that the destination of such products is not changed from a non-Community destination and that those products which, under the prior surveillance regime in force at the time, may be put into free circulation only on presentation of a surveillance 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 surveillance document referred to in Article 1 (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 not later than three working days after submission, unless it is proved otherwise.

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

3. The surveillance 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:

[1] OJ L 348, 18. 12. 1997, p. 2.

(a) the name and full address of the applicant (including telephone and fax 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;

(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 kilograms and also quantity in the unit prescribed where other than net weight, by Combined Nomenclature heading;

(f) the cif value of the goods in ecus at the Community frontier by Combined Nomenclature heading;

(g) whether the products concerned are seconds or of substandard quality, using the criteria laid down in Commission communication 91/C 180/04 [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 and of the pro forma invoice. If so requested, for example in cases where the goods are not directly purchased in the country of production, the importer shall present a certificate of production issued by the producing steel mill.

4. Surveillance documents may be used only for such time as arrangements for liberalisation 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 surveillance document is hereby fixed at four months,

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

5. The importer shall return surveillance documents to the issuing authority at the end of their peirod of validity.

6. The competent authorities may, under the conditions fixed by them, allow the submission of declarations or requests to be transmitted or printed by electronic means. However, all documents and evidence must be available to the competent authorities.

7. The surveillance document may be issued by electronic means as long as the customs offices involved have access to this document across a computer network.

Article 3

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

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

Article 4

1. Member States shall communicate to the Commission:

(a) on as regular and up-to-date a basis as possible and at least by the last day of each month, details of the quantities and values (calculated in ecus) for which surveillance documents have been issued;

(b) within six weeks of the end of each month, details of imports during that month, in accordance with Article 26 of Commission Regulation (EC) No 840/96 [2].

The information provided by Member States shall be broken down by product, CN code and by country.

2. 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 a surveillance document.

[1] OJ C 180, 11. 7. 1991, p. 4.

[2] OJ L 114, 8. 5. 1996, p. 7.

Article 5

Any notices to be given hereunder shall be given to the Commission of the European Communities and shall be communicated electronically within the integrated network set up for this purpose, unless for imperative technical reasons it is necessary to use other means of communication temporarily.

Article 6

This Regulation shall enter into force on the day of 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 Brussels, 19 January 1998.

For the Council

The President

G. BROWN

ANNEX I

FORMER YUGOSLAV REPUBLIC OF MACEDONIA

LIST OF PRODUCTS SUBJECT TO DOUBLE-CHECKING

Complete CN heading 7208
Complete CN heading 7209
Complete CN heading 7210
Complete CN heading 7211
Complete CN heading 7212
Complete CN heading 7303
Complete CN heading 7304
Complete CN heading 7305
Complete CN heading 7306

ANNEX II

1. Exporter *(name, full address, country)*	**ORIGINAL**	**2. No**
	3. Year	**4. Product group**
	EXPORT DOCUMENT **(ECSC and EC steel 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 DOCUMENT **(ECSC and EC steel 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
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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
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ΕΛΛΑΔΑ

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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 Economía y Hacienda
Dirección General de Comercio Exterior
Paseo de la Castellana, 162
E-28046 Madrid
Fax: (34 1) 563 18 23/349 38 31

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 del Commercio con l'estero
Direzione generale per la politica commerciale e per la gestione del regime degli scambi
Viale America 341
I-00144 Roma
Telefax: (39-6) 59 93 22 35/59 93 26 36

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
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PORTUGAL

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Telekopio: + 358-9 614 2852

SVERIGE

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Box 6803
S-113 86 Stockholm
Fax: (46-8) 30 67 59

UNITED KINGDOM

Department of Trade and Industry
Import Licensing Branch
Queensway House — West Precinct
Billingham, Cleveland
UK-TS23 2NF
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

2

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.

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17. In figures	**18. In words for the quantity attributed**		
1			
2			
1			
2			
1			
2			
1			
2			
1			
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2			
1			
2			

Extension pages to be attached hereto.