COUNCIL REGULATION (EC) No 86/98

of 19 December 1997

concerning the export of certain ECSC steel products from Bulgaria to the Community for the period 1 January to 31 December 1998 (renewal of the 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 Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Bulgaria, of the other part, entered into force on 1 February 1995 [1];

Whereas the Parties decided in Association Council Decision No 3/97 [2] to extend the double-checking system introduced by Decision No 1/96 [3] for the period 1 January to 31 December 1998;

Whereas it is consequently necessary to renew the Community implementing legislation introduced by Regulation (EC) No 2486/96 [4],

HAS ADOPTED THIS REGULATION:

Article 1

1. For the period 1 January to 31 December 1998, in accordance with the provisions of Association Council Decision No 3/97, imports into the Community of certain iron and steel products covered by the ECSC Treaty originating in Bulgaria, as listed in Annex I, shall be subject to the presentation of a surveillance document issued by the authorities in the Community.

2. The surveillance document shall be made out on a form corresponding to the model set out in Annex II.

3. 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.

4. For the period 1 January to 31 December 1998, imports into the Community of the products listed in Annex I shall, in addition, be subject to the issue of an export document issued by the competent Bulgarian authorities. 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.

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 III. 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 no 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 IV shall be valid throughout the Community.

3. 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 telefax numbers);

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

(d) the exact description of the goods, including

— their trade name,

[1] OJ L 358, 31. 12. 1994, p. 3.
[2] See page 85 of this Official Journal.
[3] OJ L 26, 29. 1. 1997, p. 21.
[4] OJ L 338, 28. 12. 1996, p. 5.

— 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 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 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 period 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. 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 a surveillance document.

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 apply with effect from 1 January 1998.

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

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

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

Done at Brussels, 19 December 1997.

For the Council
The President
F. BODEN

ANNEX I

BULGARIA

List of products subject to double-checking (1998)

7206 10 00
7206 90 00

7208 10 00
7208 25 00
7208 26 00
7208 27 00
7208 36 00
7208 37 10
7208 37 90
7208 38 10
7208 38 90
7208 39 10
7208 39 90
7208 40 10
7208 40 90
7208 51 10
7208 51 30
7208 51 50
7208 51 91
7208 51 99
7208 52 10
7208 52 91
7208 52 99
7208 53 10
7208 53 90
7208 54 10
7208 54 90
7208 90 10

7209 15 00
7209 16 10
7209 16 90
7209 17 10
7209 17 90
7209 18 10
7209 18 91
7209 18 99
7209 25 00
7209 26 10
7209 26 90
7209 27 10
7209 27 90
7209 28 10
7209 28 90
7209 90 10

7210 11 10
7210 12 11
7210 12 19
7210 20 10
7210 30 10
7210 41 10
7210 49 10
7210 50 10
7210 61 10
7210 69 10
7210 70 31
7210 70 39
7210 90 31
7210 90 33
7210 90 38

7211 13 00
7211 14 10
7211 14 90
7211 19 20
7211 19 90
7211 23 10
7211 23 51
7211 29 20
7211 90 11

7212 10 10
7212 10 91
7212 20 11
7212 30 11
7212 40 10
7212 40 91
7212 50 31
7212 50 51
7212 60 11
7212 60 91

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

7214 20 00
7214 30 00
7214 91 10
7214 91 90
7214 99 10
7214 99 31
7214 99 39
7214 99 50
7214 99 61
7214 99 69
7214 99 80
7214 99 90

7215 90 10

7216 10 00
7216 21 00
7216 22 00
7216 31 11
7216 31 19
7216 31 91
7216 31 99
7216 32 11
7216 32 19
7216 32 91
7216 32 99
7216 33 10
7216 33 90
7216 40 10
7216 40 90
7216 50 10
7216 50 91
7216 50 99
7216 99 10

7225 11 00
7225 19 10
7225 19 90
7225 20 20
7225 30 00
7225 40 20
7225 40 50
7225 40 80
7225 50 00
7225 91 10
7225 92 10
7225 99 10

7226 11 10
7226 19 10
7226 19 30
7226 20 20
7226 91 10
7226 91 90
7226 92 10
7226 93 20
7226 94 20
7226 99 20

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

7228 10 10
7228 10 30
7228 20 11
7228 20 19
7228 20 30
7228 30 20
7228 30 41
7228 30 49
7228 30 61
7228 30 69
7228 30 70
7228 30 89
7228 60 10
7228 70 10
7228 70 31
7228 80 10
7228 80 90

ANNEX II

EUROPEAN COMMUNITY **SURVEILLANCE DOCUMENT**

1	**1. Consignee** (name, full address, country, VAT number)	**2. Issue number**
Original & Copy		**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)
1		**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

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Date: .....

Signature: ..... Stamp:

15. ATTRIBUTIONS

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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.

ANNEX III

1 Exporter (name, full address, country)	**ORIGINAL**	2 **No**
	3 Year	4 Product group
5 Consignee (name, full address, country)	**EXPORT DOCUMENT** (ECSC steel products)	
	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
5 Consignee (name, full address, country)	**EXPORT DOCUMENT** (ECSC steel products)	
	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 IV — BILAG IV — ANHANG IV — ΠΑΡΑΡΤΗΜΑ IV — ANNEX IV — ANNEXE IV — ALLEGATO IV — BIJLAGE IV — ANEXO IV — LIITE IV — BILAGA IV

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 BEHÖRIGA NATIONELLA MYNDIGHETER

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