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COUNCIL REGULATION (EC) No 87/98

of 19 December 1997

concerning the export of certain ECSC and EC steel products from the Czech Republic to the Community for the period ►M5 7 April 2003 to the date of accession by the Czech Republic to the European Union ◄ (renewal of the double-checking system)

(OJ L 13, 19.1.1998, p. 43)

Amended by:

		Official Journal		
		No	page	date
►M1	Council Regulation (EC) No 248/1999 of 22 December 1998	L 29	1	3.2.1999
►M2	COUNCIL REGULATION (EC) No 567/2000 of 14 February 2000	L 69	1	17.3.2000
►M3	Council Regulation (EC) No 239/2001 of 22 December 2000	L 35	3	6.2.2001
►M4	Council Regulation (EC) No 844/2002 of 18 February 2002	L 135	1	23.5.2002
►M5	Council Regulation (EC) No 542/2003 of 21 January 2003	L 81	1	28.3.2003

NB: This consolidated version contains references to the European unit of account and/or the ecu, which from 1 January 1999 should be understood as references to the euro — Council Regulation (EEC) No 3308/80 (OJ L 345, 20.12.1980, p. 1) and Council Regulation (EC) No 1103/97 (OJ L 162, 19.6.1997, p. 1).

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COUNCIL REGULATION (EC) No 87/98

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concerning the export of certain ECSC and EC steel products from the Czech Republic to the Community for the period ►M5 7 April 2003 to the date of accession by the Czech Republic to the European Union ◄ (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 Czech Republic, 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 4/96 ([3]) for the period ►M5 7 April 2003 to the date of accession by the Czech Republic to the European Union ◄;

Whereas it is consequently necessary to renew the Community implementing legislation introduced by Regulation (EC) No 7/97 ([4]),

HAS ADOPTED THIS REGULATION:

Article 1

1. For the period ►M5 7 April 2003 to the date of accession by the Czech Republic to the European Union ◄, 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 and EC Treaties originating in the Czech Republic, 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 ►M5 7 April 2003 to the date of accession by the Czech Republic to the European Union ◄, 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 Czech 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.

([1]) OJ L 360, 31. 12. 1994, p. 2.
([2]) See page 99 of this Official Journal.
([3]) OJ L 64, 5. 3. 1997, p. 13.
([4]) OJ L 4, 8. 1. 1997, p. 1 and corrigendum in OJ L 71, 13. 3. 1997, p. 46.

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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,

— 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.

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

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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 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 ([1]).

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.

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

([1]) OJ L 114, 8. 5. 1996, p. 7.

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ANNEX I

CZECH REPUBLIC

List of products subject to double-checking

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

Welded tubes

Complete CN heading 7306

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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:

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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.

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EUROPEAN COMMUNITY **SURVEILLANCE DOCUMENT**

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

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:

▼B

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.

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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 and EC 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.

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1 Exporter (name, full address, country)	**COPY**	2 **No**
	3 Year	4 Product group
5 Consignee (name, full address, country)	**EXPORT DOCUMENT** (ECSC and EC 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.

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ANNEX 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 — FÖRTECKNING ÖVER BEHÖRIGA NATIONELLA MYNDIGHETER

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