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COUNCIL REGULATION (EC) No 152/2002

of 21 January 2002

concerning the export of certain ECSC and EC steel products from the Former Yugoslav Republic of Macedonia to the European Community (double-checking system) and repealing Regulation (EC) No 190/98

(OJ L 25, 29.1.2002, p. 1)

Amended by:

		Official Journal		
		No	page	date
►**M1**	Council Regulation (EC) No 885/2004 of 26 April 2004	L 168	1	1.5.2004

Amended by:

►**A1**	Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded	L 236	33	23.9.2003

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COUNCIL REGULATION (EC)No 152/2002

of 21 January 2002

concerning the export of certain ECSC and EC steel products from the Former Yugoslav Republic of Macedonia to the European Community (double-checking system) and repealing Regulation (EC) No 190/98

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133 thereof,

Having regard to the proposal from the Commission,

Whereas:

(1) An Interim Agreement on trade and trade-related matters between the European Community, of the one part, and the Former Yugoslav Republic of Macedonia, of the other part [1], (hereinafter referred to as the 'Interim Agreement') entered into force on 1 June 2001.

(2) The Parties agreed in Protocol 2 to the Interim Agreement on steel products, to establish, immediately upon the entry into force of the said Agreement, a double-checking system, without quantitative limits, for the import into the Community of steel products originating in the Former Yugoslav Republic of Macedonia.

(3) 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steel products from the Former Yugoslav Republic of Macedonia to the Community (double-checking system) [2] should be repealed and replaced by a new Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

1. From the date of entry into force of the Interim Agreement and until further notice, in accordance with Protocol 2 to the Interim Agreement on 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 hereto, 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 Interim Agreement and until further notice, imports into the Community of steel products originating in the Former Yugoslav Republic of Macedonia as listed in Annex I shall also be subject to the issue of an export document by the competent authorities of the exporting country. The importer shall present the original of the export document not later than 31 March of the year following that in which the goods covered by the document were shipped.

4. Shipment shall be considered to have taken place on the date of loading on to the exporting means of transport.

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[1] OJ L 124, 4.5.2001, p. 2.
[2] OJ L 20, 27.1.1998, p. 1.

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5. 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 no later than three working days after submission, unless it is proven 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:

(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 CN code,

— the country of origin,

— the country of consignment;

(e) the net weight expressed in kg, or a quantity expressed in another unit of measure, as required, for each Combined Nomenclature heading;

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

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

(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 and bearing his name in capital letters:

'I, the undersigned, certify that the information provided in this application is accurate 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. 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.

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Article 3

1. If the unit price at which the transaction is effected exceeds that indicated in the surveillance document by less than 5 % or if 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 %, this 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. Within the first ten days of each month, the Member States shall communicate to the Commission:

(a) details of the quantities and values (calculated in euro) for which surveillance 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 country. It shall be communicated electronically in the form agreed for this purpose.

2. The Member States shall notify any anomalies or cases of fraud which they discover and, where relevant, the basis on which they have refused to grant a surveillance document.

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Article 4a

As regards release for free circulation in the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia as of 1 May 2004 of the steel products covered by this Regulation and shipped before 1 May 2004, an import document shall not be required provided that the goods were shipped before 1 May 2004 and that the bill of lading or another transport document deemed to be equivalent by Community authorities proving the shipment date, has been presented.

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Article 5

The notification provided for in this Regulation shall be given to the Commission of the European Communities (DG Trade E/2 and DG Enterprise E/2).

Article 6

Regulation (EC) No 190/98 is hereby repealed.

Article 7

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.

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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

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ANNEX II

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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EXPORT DOCUMENT
(Steel products)

1. Exporter (name, full address, country)
2. No
3. Year
4. Product group
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 laid down where other than net weight.
[2] In the currency of the sale contract.

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ANNEX III

LISTA DE LAS AUTORIDADES NACIONALES COMPETENTES

SEZNAM PŘÍSLUŠNÝCH VNITROSTÁTNÍCH ORGÁNŮ

LISTE OVER KOMPETENTE NATIONALE MYNDIGHEDER

LISTE DER ZUSTÄNDIGEN BEHÖRDEN DER MITGLIEDSTAATEN

RIIKLIKE PÄDEVATE ASUTUSTE NIMEKIRI

ΔΙΕΥΘΥΝΣΕΙΣ ΤΩΝ ΑΡΧΩΝ ΕΚΔΟΣΗΣ ΑΔΕΙΩΝ ΤΩΝ ΚΡΑΤΩΝ ΜΕΛΩΝ

LIST OF THE COMPETENT NATIONAL AUTHORITIES

LISTE DES AUTORITÉS NATIONALES COMPÉTENTES

ELENCO DELLE COMPETENTI AUTORITÀ NAZIONALI

VALSTU KOMPETENTO IESTĀŽU SARAKSTS

ATSAKINGŲ NACIONALINIŲ INSTITUCIJŲ SĄRAŠAS

AZ ILLETÉKES NEMZETI HATÓSÁGOK LISTÁJA

LISTA TA' L-AWTORITAJIET NAZZJONALI KOMPETENTI

LIJST VAN BEVOEGDE NATIONALE INSTANTIES

LISTA WŁAŚCIWYCH ORGANÓW KRAJOWYCH

LISTA DAS AUTORIDADES NACIONAIS COMPETENTES

SEZNAM PRISTOJNIH NACIONALNIH ORGANOV

ZOZNAM PRÍSLUŠNÝCH ŠTÁTNYCH ORGÁNOV

LUETTELO TOIMIVALTAISISTA KANSALLISISTA VIRANOMAISISTA

FÖRTECKNING ÖVER BEHÖRIGA NATIONELLA MYNDIGHETER

▼B

BELGIQUE/BELGIË

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Administration des relations économiques
Services Licences
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Ministerie van Economische Zaken
Bestuur van de Economische Betrekkingen
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D-65760 Eschborn 1
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Direzione generale per la politica commerciale e per la gesione del regime degli scambi
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ΚΥΠΡΟΣ

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LUXEMBOURG

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MAGYAROSZÁG

Gazdasági és Közlekedési Minisztérium
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ÖSTERREICH

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Aussenwirtschaftsadministration
Landstrasser Hauptstraße 55-57
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POLSKA

Ministerstwo Gospodarki, Pracy i Polityki Społecznej
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UNITED KINGDOM

Department of Trade and Industry
Import Licensing Branch
Queensway House — West Precinct
Billingham,
Cleveland TS23 2NF
United Kingdom
Fax: 44-1642-533 557

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ANNEX IV

EUROPEAN COMMUNITY **SURVEILLANCE DOCUMENT**

1	1. **Consignee** (name, full address, country, VAT No)	2. **Issue No**
		3. **Proposed place and date of import**
		4. **Authority responsible for issue** (name, address and telephone No)
Holder's copy	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**
1		

9. **Description of goods**	10. **CN code and category**
	11. **Quantity in kg (net mass) or in additional units**
	12. **Value in euro, 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 No) **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			

Additional pages to be attached hereto.

▼B

EUROPEAN COMMUNITY **SURVEILLANCE DOCUMENT**

2

Copy for the issuing authority

2

1. **Consignee** (name, full address, country, VAT No)	2. **Issue No**
	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 kg (net mass) or in additional units**
	12. **Value in euro, 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 No) **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			

Additional pages to be attached hereto.

▼B

EUROPEAN COMMUNITY/SURVEILLANCE DOCUMENT

1 Holder's copy

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 consignement (and geonomenclature code)
8. Last day of validity
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11. Quantity in kilograms (net mass) or in additional units
12. Value in euro, cif at Community frontier
13. Additional remarks
14. Competent authority's endorsement

Date: .....

Stamp:

.....
Signature

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18. In words for the quanity attributed
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20. Name, Member State, stamp and signature of the attributing authority

Extension pages ot be attached hereto.