COMMISSION REGULATION (EC) No 797/2002

of 14 May 2002

amending Annexes III and VIII to Council Regulation (EEC) No 3030/93 on common rules for imports of certain textile products from third countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3030/93 of 12 October 1993 on common rules for imports of certain textile products from third countries [1], as last amended by Commission Regulation (EC) No 27/2002 [2], and in particular Article 19 thereof,

Whereas:

(1) The Council has adopted by Regulation (EC) No 2474/2000 [3] the list of textiles and clothing products to be integrated into GATT 1994 on 1 January 2002.

(2) The People's Republic of China became a full member of the World Trade Organization on 11 December 2001. Taiwan became a full member on 1 January 2002.

(3) The certificate of origin and the export certificate used by Taiwan differ slightly from the standard model in Regulation (EEC) No 3030/93. Specimens have been provided by the Taiwanese authorities.

(4) The flexibility provisions for both countries, as laid out in Regulation (EEC) No 3030/93, need to be adapted in order to comply with the Community's international obligations.

(5) Regulation (EEC) No 3030/93 should be amended accordingly.

(6) In order to ensure that the Community complies with its international obligations the measures provided for in this Regulation should apply with effect from 1 January 2002.

(7) The measures provided for in this Regulation are in accordance with the opinion of the Textile Committee,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3030/93 is amended as follows:

1. Annex III is amended in accordance with part A of the Annex to this Regulation.
2. Annex VIII is replaced by the text set out in part B of the Annex to this Regulation.

Article 2

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

It shall apply with effect from 1 January 2002.

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

Done at Brussels, 14 May 2002.

For the Commission

Pascal LAMY

Member of the Commission

[1] OJ L 275, 8.11.1993, p. 3.
[2] OJ L 9, 11.1.2002, p. 1.
[3] OJ L 286, 11.11.2000, p. 1.

ANNEX

(A) In Annex III of Regulation (EEC) No 3030/93 the following specimen of a Taiwan export certificate and certificate of origin are added:

1 **Exporter** (name, full address, country)
Exportateur (nom, adresse complète, pays)

ORIGINAL

2 **No**

3 **Quota year**
Année contingentaire

4 **Category number**
Numéro de catégorie

5 **Consignee** (name, full address, country)
Destinataire (nom, adresse complète, pays)

EXPORT CERTIFICATE

(Textile products)

6 **Country of origin**
Pays d'origine
TAIWAN, R.O.C.

7 **Country of destination**
Pays de destination

8 **Place and date of shipment-Means of transport**
Lieu et date d'embarquement-Moyen de transport

9 **Supplementary details**
Données supplémentaires

10 **Marks and numbers-Number and kind of packages-DESCRIPTION OF GOODS**
Marques et numéros-Nombre et nature des colis-DÉSIGNATION DES MARCHANDISES

11 **Quantity (1)**
Quantité (1)

12 **FOB Value (2)**
Valeur FOB (2)

ORIGINAL
FOR APPLYING IMPORT LICENCE ONLY

13 **CERTIFICATION BY THE COMPETENT AUTHORITY-VISA DE L'AUTORITÉ COMPÉTENTE**

I, the undersigned, certify that the goods described above have been charged against the quantitative limit established for the year shown in box No 3 in respect of the category shown in box No 4 by the provisions regulating trade in textile products with the European Community.

Je soussigné certifie que les marchandises désignées ci-dessus ont été imputées sur la limite quantitative fixée pour l'année indiquée dans la case No 3 pour la catégorie désignée dans la case No 4 dans le cadre des dispositions régissant les échanges de produits textiles avec la Communauté Européenne.

14 **Competent authority** (name, full address, country)
Autorité compétente (nom, adresse complète, pays)

TAIWAN TEXTILE FEDERATION
TTF BUILDING
22, AI KUO EAST ROAD
TAIPEI, TAIWAN
TELEFAX:(02)2392-3855
TELEPHONE:(02)2341-7251
URL:http://www.textiles.org.tw

At-À ..... **on-le** .....

(Signature) (Stamp-Cachet)

(1)Show net weight (kg) and also quantity in the unit prescribed for category where other than net weight-Indiquer le poids net (kg) ainsi que la quantité dans l'unité prévue pour la catégorie si cette unité n'est pas le poids net.
(2)In the currency of the sale contract-Dans la monnaie du contrat de vente.

第一聯 本聯專供進口商申請進口許可證

1 Exporter (name, full address, country)
Exportateur (nom, adresse complète, pays)

ORIGINAL

2 No

3 Quota year
Année contingentaire

4 Category number
Numéro de catégorie

5 Consignee (name, full address, country)
Destinataire (nom, adresse complète, pays)

CERTIFICATE OF ORIGIN

(Textile products)

6 Country of origin
Pays d'origine
TAIWAN, R.O.C.

7 Country of destination
Pays de destination

8 Place and date of shipment-Means of transport
Lieu et date d'embarquement-Moyen de transport

9 Supplementary details
Données supplémentaires

10 Marks and numbers-Number and kind of packages-DESCRIPTION OF GOODS Marques et numéros-Nombre et nature des colis-DÉSIGNATION DES MARCHANDISES	11 Quantity (1) Quantité (1)	12 FOB Value (2) Valeur FOB (2)

ORIGINAL
FOR ACCOMPANYING SHIPMENTS

This certificate shall be invalidated in case of any erasion, strikeover and alteration.

13 CERTIFICATION BY THE COMPETENT AUTHORITY-VISA DE L'AUTORITÉ COMPÉTENTE

I, the undersigned, certify that the goods described above originated in the country shown in box No 6. in accordance with the provisions in force in the European Community.
Je soussigné certifie que les marchandises désignées ci-dessus sont originaires du pays figurant dans la case No 6, conformément aux dispositions en vigueur dans la Communauté Européenne.

14 Competent authority (name, full address, country)
Autorité compétente (nom, adresse complète, pays)

TAIWAN TEXTILE FEDERATION
TTF BUILDING
22, AI KUO EAST ROAD
TAIPEI, TAIWAN
TELEFAX:(02)2392-3855
TELEPHONE:(02)2341-7251
URL:http://www.textiles.org.tw

At-À ..... on-le .....

(Signature) (Stamp-Cachet)

(1)Show net weight (kg) and also quantity in the unit prescribed for category where other than net weight-Indiquer le poids net (kg) ainsi que la quantité dans l'unité prévue pour la catégorie si cette unité n'est pas le poids net
(2)In the currency of the sale contract-Dans la monnaie du contrat de vente

第一聯 本聯隨同提貨單寄發進口商

(B) Annex VIII of Regulation (EEC) No 3030/93 is replaced by the following:

'ANNEX VIII

REFERRED TO IN ARTICLE 7

Flexibility provisions

The attached table indicates for each of the supplier countries listed in column 1 the maximum amounts which, after advance notification to the Commission, it may transfer between the corresponding quantitative limits indicated in Annex V in accordance with the following provisions:

— advance utilisation of the quantitative limit for the particular category established for the following quota year shall be authorised up to the percentage of the quantitative limit for the current year indicated in column 2; the amounts in question shall be deducted from the corresponding quantitative limits for the following year,

— carry-over of amounts not utilised in a given year to the corresponding quantitative limit for the following year shall be authorised up to the percentage of the quantitative limit for the year of actual utilisation indicated in column 3,

— transfers from categories 1 to categories 2 and 3 shall be authorised up to the percentages of the quantitative limit to which the transfer is made indicated in column 4,

— transfers between categories 2 and 3 shall be authorised up to the percentages of the quantitative limit to which the transfer is made indicated in column 5,

— transfers between categories 4, 5, 6, 7 and 8 shall be authorised up to the percentages of the quantitative limit to which the transfer is made indicated in column 6,

— transfers into any of the categories in Groups II or III (and where applicable Group IV) from any of the categories in Groups I, II or III shall be authorised up to the percentages of the quantitative limit to which the transfer is made indicated in column 7.

The cumulative application of the flexibility provisions referred to above shall not result in an increase in any Community quantitative limit for a given year above the percentage indicated in column 8.

The table of equivalence applicable to the abovementioned transfers is given in Annex I.

Additional conditions, possibilities for transfers and notes are given in column 9 of the table.

1. Country	2. Advance utilisation	3. Carry-over	4. Transfers from categories 1 to categories 2 and 3	5. Transfers between categories 2 and 3	6. Transfers between categories 4, 5, 6, 7, 8	7. Transfers from Groups I, II, III to Groups II, III, IV	8. Maximum increase in any category	9. Additional conditions
Argentina	5 %	7 %	7 %	7 %	7 %	7 %	n.a.	Transfers may be made from categories 2 and 3 to category 1 up to 4 %
Belarus	5 %	7 %	4 %	4 %	4 %	5 %	13,5 %	With regard to column 7, transfers can also be made from and to Group V. For Group I categories the limit in column 8 is 13 %
Brazil	5 %	7 %	7 %	7 %	7 %	7 %	n.a.	A transfer of 2 % from categories 2 and 3 to category 1 shall also be authorised
China	1 %	3 %	1 %	4 %	4 %	6 %	n.a.	Further amounts may be authorised by the Commission in accordance with the procedure set out in Article 17(2) up to: Column 2: 5 % Column 3: 7 % With regard to column 7, transfers from Groups I, II, and III may only be made into Groups II and III
Hong Kong	—	—	0 %	4 %	4 %	5 %	n.a.	See appendix to Annex VIII
India	5 %	7 %	7 %	7 %	7 %	7 %	n.a.	Further amounts may be authorised by the Commission in accordance with the procedure set out in Article 17(2) up to 8 000 tonnes (2 500 tonnes for any particular textiles category and 3 000 tonnes for any particular clothing category)
Indonesia	5 %	7 %	7 %	7 %	7 %	7 %	n.a.	
Macao	1 %	2 %	0 %	4 %	4 %	5 %	n.a.	Further amounts may be authorised by the Commission in accordance with the procedure set out in Article 17(2) up to: Column 2: 5 % Column 3: 7 %
Malaysia	5 %	7 %	7 %	7 %	7 %	7 %	n.a.	

1. Country	2. Advance utilisation	3. Carry-over	4. Transfers from categories 1 to categories 2 and 3	5. Transfers between categories 2 and 3	6. Transfers between categories 4, 5, 6, 7, 8	7. Transfers from Groups I, II, III to Groups II, III, IV	8. Maximum increase in any category	9. Additional conditions
Pakistan	5 %	7 %	7 %	7 %	7 %	7 %	n.a.	With regard to Column 4 transfers may be made between categories 1, 2 and 3. Further amounts may be authorised by the Commission in accordance with the procedure set out in 17(2) up to 4 000 tonnes (2 000 tonnes for any particular category)
Peru	5 %	9 %	11 %	11 %	11 %	11 %	n.a.	Transfers may be made between categories 1, 2 and 3 up to 11 %
Philippines	5 %	7 %	7 %	7 %	7 %	7 %	n.a.	
Singapore	5 %	7 %	7 %	7 %	7 %	7 %	n.a.	
South Korea	1 %	2 %	0 %	4 %	4 %	5 %	n.a.	Further amounts may be authorised by the Commission in accordance with the procedure set out in Article 17(2) up to: Column 2: 5 % Column 3: 7 %
Sri Lanka	5 %	9 %	11 %	11 %	11 %	11 %	n.a.	Imports are currently not subject to quantitative limits (see Annex V)
Taiwan	5 %	7 %	0 %	4 %	4 %	5 %	n.a.	
Thailand	5 %	7 %	7 %	7 %	7 %	7 %	n.a.	
Uzbekistan	5 %	7 %	4 %	4 %	4 %	5 %	13,5 %	With regard to column 7, transfers can also be made from and to Group V. For Group I categories the limit in column 8 is 13 %.
Vietnam	5 %	7 %	0 %	0 %	7 %	7 %	17 %	With regard to column 7, transfers can be made from any category in Groups I, II, III, IV and V to Groups II, III, IV and V

n.a. = not applicable.

Flexibility provisions for quantitative restrictions referred to in Appendix C to Annex V

1. Country	2. Advance utilisation	3. Carry-over	4. Transfers between categories 156, 157, 159 and 161	5. Transfers between other categories	6. Maximum increase in any category	7. Additional conditions
China	1 %	3 %	1,5 %	6 %	14 %	Further amounts may be authorised by the Commission in accordance with the procedure set out in Article 17(2) up to: Column 2: 5 % Column: 7 %

Appendix to Annex VIII

Flexibility provisions Hong Kong

1. Country	Group	Category	2. Advance utilisation
Hong Kong	Group I	2, 2A	3,25 %
		3, 3A, 4, 7, 8	3,00 %
		5	3,75 %
		6, 6A	2,75 %
	Group II	13	3,50 %
		12, 16, 26, 39	4,25 %
		13S, 31, 83	4,50 %
		29, 78	5,00 %
	Group III	all categories	5,00 %

1. Country	Group	Category	3. Carry-over
Hong Kong	Group I	2, 2A, 3, 3A	3,75 %
		4	3,25 %
		5	3,00 %
		6, 6A, 7, 8	2,50 %
	Group II	13, 13S	3,00 %
		12, 31	4,50 %
		26, 39, 78	5,00 %
		16, 29, 83	5,50 %
	Group III	all categories	5,50 %’