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(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 1500/2003

of 18 February 2003

on administering the double-checking system without quantitative limits in respect of the export of certain steel products from the Russian Federation to the European Community

(Text with EEA relevance)

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) The Agreement on partnership and cooperation establishing a partnership between the European Communities and their Member States, of the one part, and the Russian Federation, of the other part [1], entered into force on 1 December 1997.

(2) The European Community and the Russian Federation agreed to establish a double-checking system in respect of certain steel products for the period ranging from 13 October 1997 to 31 December 1999. This Agreement in the form of an Exchange of Letters was approved on behalf of the European Community by means of Decision 97/741/EC [2]. The system was extended for the period from 1 January 2000 to 31 December 2001 by means of Decision 2000/294/EC [3]. Regulation (EC) No 2135/97 [4], extended by Regulation (EC) No 793/2000 [5], established the corresponding implementing legislation for the Community.

(3) The situation relating to imports of certain steel products from the Russian Federation to the Community has been the subject of thorough examination and, on the basis of relevant information supplied to them, the Parties have concluded an Agreement in the form of an Exchange of Letters [6] which establishes a double-checking system without quantitative limits for the period between the date of entry into force of this Regulation and 31 December 2004, unless both Parties agree to terminate the system earlier.

(4) The measures necessary for the implementation of this Regulation should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission [7],

HAS ADOPTED THIS REGULATION:

Article 1

1. For the period running from the date on which this Regulation enters into force to 31 December 2004, in accordance with the provisions of the abovementioned Agreement in the form of an Exchange of Letters, imports into the Community of certain steel products originating in the Russian Federation, as listed in Appendix I, shall be subject to the presentation of a surveillance document conforming to the model shown in Appendix II issued by the authorities in the Community.

2. For the period running from the date on which this Regulation enters into force to 31 December 2004, imports into the Community of the steel products originating in the Russian Federation and listed in Appendix I shall, in addition, be subject to the issue of an export document issued by the competent Russian authorities. The export document shall conform to the model shown in Appendix III. It shall be valid for exports throughout the customs territory of the Community. The importer must 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.

3. Shipment is considered to have taken place on the date of loading on to the exporting means of transport.

4. The classification of the products covered by this Regulation is based on the tariff and statistical nomenclature of the Community (hereinafter called the 'CN'). The origin of the products covered by this Regulation shall be determined in accordance with the rules in force in the Community.

5. The competent authorities of the Community undertake to inform the Russian Federation of any changes in the CN in respect of products covered by this Regulation before their date of entry into force in the Community.

[1] OJ L 327, 28.11.1997, p. 3.
[2] OJ L 300, 4.11.1997, p. 36.
[3] OJ L 96, 18.4.2000, p. 44.
[4] OJ L 300, 4.11.1997, p. 1.
[5] OJ L 96, 18.4.2000, p. 1.
[6] See page 26 of this Official Journal.
[7] OJ L 184, 17.7.1999, p. 23.

6. Goods shipped before the entry into force of this Regulation shall be excluded from the scope of this Regulation.

Article 2

1. The surveillance document referred to in Article 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 Appendix IV shall be valid throughout the Community.

3. The importer's application for a surveillance document 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 fax numbers);

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

(d) the exact description of the goods, including:
— their trade name,
— the CN code(s),
— the country of origin,
— the country of consignment;

(e) the net weight, expressed in kg and also quantity in the unit prescribed where other than net weight, by 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 ([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, 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 the 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 period of validity.

Article 3

1. A finding that the unit price at which the transaction is effected exceeds that indicated in the import document by less than 5 % or that 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 % shall not preclude the release for free circulation of the products in question.

2. Applications for import 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 10 days of each month, the Member States shall communicate to the Commission:

(a) details of the quantities and values (calculated in euro) for which import documents were issued during the preceding month;

(b) details of imports during the month preceding the month referred to in (a).

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 an import document.

Article 5

Any notices to be given hereunder shall be given to the Commission 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

Committee procedure

1. The Commission shall be assisted by a committee composed of representatives of the Member States and chaired by a representative of the Commission.

2. Where reference is made to this paragraph, Articles 4 and 7 of Decision 1999/468/EC shall apply.

([1]) Under the criteria given in the Commission communication concerning identification criteria of non-prime steel products from third countries applied by customs services of Member States (OJ C 180, 11.7.1991, p. 4).

The period laid down in Article 4(3) of Decision 1999/468/EC shall be set at three months.

3. The Committee shall adopt its rules of procedure.

Article 7

Amendments to the appendices which may be necessary to take into account modifications to the Annex or appendices attached to the Agreement in the Form of an Exchange of Letters between the European Community and the Russian Federation, or amendments made to Community rules on statistics, customs arrangements, common rules for imports or import surveillance, shall be adopted in accordance with the procedure laid down in Article 6(2).

This Regulation shall enter into force on the 15th day following that of its publication in the *Official Journal of the European Union*.

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

Done at Brussels, 18 February 2003.

For the Council

The President

N. CHRISTODOULAKIS

ANNEX

Appendix I

List of products subject to double-checking without quantitative limits

RUSSIAN FEDERATION

Cold-rolled narrow strip of a width not exceeding 500 mm

7211 23 99

7211 29 50

7211 29 90

7211 90 90

Grain non-oriented electrical sheet

7211 23 91

7225 19 10

7225 19 90

7226 19 10

7226 19 30

7226 19 90

Grain-oriented electrical sheet

7226 11 90

Appendix II

EUROPEAN COMMUNITY SURVEILLANCE DOCUMENT

1

Holder's copy

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**

1

9. **Description of goods**

10. **CN code and category**

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: .....

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 euro, 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.

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

APÉNDICE IV — TILLÆG IV — ANLAGE IV — ΠΡΟΣΑΡΤΗΜΑ IV — APPENDIX IV — APPENDICE IV — APPENDICE IV — AANHANGSEL IV — APÊNDICE IV — LISÄYS IV — TILLÄGG 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

BELGIQUE/BELGIË

Ministère des affaires économiques
Administration des relations économiques
Services Licences
Rue Général Leman 60
B-1040 Bruxelles
Télécopieur (32-2) 230 83 22

Ministerie van Economische Zaken
Bestuur van de Economische Betrekkingen
Dienst Vergunningen
Generaal Lemanstraat 60
B-1040 Brussel
Fax (32-2) 230 83 22

DANMARK

Erhvervsfremme Styrelsen
Erhvervsministeriet
Vejlsøvej 29
DK-8600 Silkeborg
Fax (45) 35 46 64 01

DEUTSCHLAND

Bundesamt für Wirtschaft und Ausfuhrkontrolle (BAFA)
Frankfurter Straße 29-35
D-65760 Eschborn 1
Fax (49-61) 969 42 26

ΕΛΛΑΔΑ

Υπουργείο Εθνικής Οικονομίας
Γενική Γραμματεία Διεθνών Σχέσεων
Διεύθυνση Διεθνών Οικονομικών Ροών
Κορνάρου 1
GR-105 63 Αθήνα
Φαξ (30 210) 32 86 094

ESPAÑA

Ministerio de Economía
Secretaría General de Comercio Exterior
Paseo de la Castellana, 162
E-28046 Madrid
Fax: (34) 91 563 18 23/(34) 91 349 38 31

FRANCE

Service des industries manufacturières
DIGITIP
12, rue Villiot — Bâtiment Le Bervil
F-75572 Paris Cedex 12
Télécopieur (33-1) 53 44 91 81

IRELAND

Department of Enterprise, Trade and Employment
Import/Export Licensing, Block C
Earlsfort Centre
Hatch Street
Dublin 2
Ireland
Fax: (353-1) 631 28 26

ITALIA

Ministero delle Attività produttive
Direzione generale per la Politica commerciale e per la gestione del regime degli scambi
Viale America 341
I-00144 Roma
Fax (39) 06 59 93 22 35/59 93 26 36

LUXEMBOURG

Ministère des affaires étrangères
Office des licences
BP 113
L-2011 Luxembourg
Télécopieur (352) 46 61 38

NEDERLAND

Belastingdienst/Douane centrale dienst voor in- en uitvoer
Postbus 30003, Engelse Kamp 2
9700 RD Groningen
Nederland
Fax (31-50) 523 23 41

ÖSTERREICH

Bundesministerium für Wirtschaft und Arbeit
Außenwirtschaftsadministration
Landstrasser Hauptstraße 55-57
A-1030 Wien
Fax (43-1) 711 00/83 86

PORTUGAL

Ministério das Finanças
Direcção-Geral das Alfândegas e dos Impostos Especiais sobre o Consumo
Rua Terreiro do Trigo
Edifício da Alfândega da Lisboa
P-1140-060 Lisboa
Fax: (351-21) 881 42 61

SUOMI/FINLAND

Tullihallitus/Tullstyrelsen
PL/PB 512
FIN-00101 Helsinki/Helsingfors
Faksi/Fax (358-9) 614 28 52

SVERIGE

Kommerskollegium
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
TS23 2NF
United Kingdom
Fax: (44-1642) 53 35 57