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Conformément au règlement (CEE, Euratom) n° 354/83 du Conseil du 1er février 1983 concernant l'ouverture au public des archives historiques de la Communauté économique européenne et de la Communauté européenne de l'énergie atomique (JO L 43 du 15.2.1983, p. 1), tel que modifié par le règlement (CE, Euratom) n° 1700/2003 du 22 septembre 2003 (JO L 243 du 27.9.2003, p. 1), ce dossier est ouvert au public. Le cas échéant, les documents classifiés présents dans ce dossier ont été déclassifiés conformément à l'article 5 dudit règlement.

In accordance with Council Regulation (EEC, Euratom) No 354/83 of 1 February 1983 concerning the opening to the public of the historical archives of the European Economic Community and the European Atomic Energy Community (OJ L 43, 15.2.1983, p. 1), as amended by Regulation (EC, Euratom) No 1700/2003 of 22 September 2003 (OJ L 243, 27.9.2003, p. 1), this file is open to the public. Where necessary, classified documents in this file have been declassified in conformity with Article 5 of the aforementioned regulation.

In Übereinstimmung mit der Verordnung (EWG, Euratom) Nr. 354/83 des Rates vom 1. Februar 1983 über die Freigabe der historischen Archive der Europäischen Wirtschaftsgemeinschaft und der Europäischen Atomgemeinschaft (ABl. L 43 vom 15.2.1983, S. 1), geändert durch die Verordnung (EG, Euratom) Nr. 1700/2003 vom 22. September 2003 (ABl. L 243 vom 27.9.2003, S. 1), ist diese Datei der Öffentlichkeit zugänglich. Soweit erforderlich, wurden die Verschlussachen in dieser Datei in Übereinstimmung mit Artikel 5 der genannten Verordnung freigegeben.

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(77) 369 final

Brussels, 29 July 1977

Proposal for a Council Regulation derogating in favour of Denmark from Regulation (EEC) No 1445/72 concerning the nomenclature of goods for the external trade statistics of the Community and statistics of trade between Member States (NIMEXE)

(submitted to the Council by the Commission)

COM(77) 369 final

REASONS FOR THE PROPOSAL

1. Council Regulation (EEC) No 3065/75 of 24 November 1975 amending Regulation (EEC) No 1445/72 concerning the nomenclature of goods for the external trade statistics of the Community and statistics of trade between Member States (NIMEXE) requires the Member States to apply NIMEXE in its entirety from 1 January 1978 onwards.
2. However, when this Regulation was adopted, the following declaration was recorded in the Council's minutes : "The Member States and the Commission agree that, in view of the special problems likely to be brought about in Denmark by the full application of NIMEXE as from 1978, the question whether this date should be deferred in the case of Denmark will be examined before the end of 1977".
3. In a memorandum dated 21 September 1976, the Permanent Representation for Denmark explained to the Commission the special difficulties still being experienced in efforts to introduce NIMEXE instead of Denmark's own classification, on which both external trade statistics and industrial statistics are based. It stressed that taking premature measures to solve Denmark's nomenclature problems would simply mean that the whole question would probably have to be re-opened when the time came for the Member States to incorporate into their national classifications the integrated classification being devised by the Commission departments and, at some time in the future, to adopt the Customs Co-operation Council's harmonized system for the designation and coding of goods. It would therefore be reasonable to authorize Denmark not to comply with the above-mentioned provisions until 1 January 1980 at the earliest.
4. Nevertheless, in the same memorandum, Denmark confirmed its resolve to abide by the commitments entered into by Member States under Article 38, paragraphs 1 and 2 and Article 34 a) of Council Regulation (EEC) No 1736/75 of 24 June 1975 on the external trade statistics of the Community and statistics of trade between Member States. The supply to the Commission of data on Danish external trade would therefore be unaffected by permitting that Member State to postpone the complete application of NIMEXE.
5. Measures should therefore be taken to allow for the continuation of the current Danish procedure for designating imported and exported goods without endangering the progress already achieved at Community level with regard to uniform automatic processing of information on external trade.

Proposal for a Council Regulation derogating in favour of Denmark from

Regulation (EEC) No 1445/72 concerning the nomenclature of goods for the external trade statistics of the Community and statistics of trade between Member States (NIMEXE)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 235 thereof,

Having regard to the proposal from the Commission,

Having regard to the Opinion of the European Parliament,

Whereas Council Regulation (EEC) No 1445/72 of 24 April 1972 concerning the nomenclature of goods for the external trade statistics of the Community and statistics of trade between Member States (NIMEXE) (1) has been amended by Regulation (EEC) No 3065/75 of 24 November 1975 (2); whereas, when the latter Regulation was adopted, the following declaration was recorded in the Council's minutes against Article 2(3), as then amended: "The Member States and the Commission agree that, in view of the special problems likely to be raised in Denmark by the full application of NIMEXE as from 1978, the question whether this date should be deferred in the case of Denmark will be examined before the end of 1977";

Whereas such examination has shown that special problems will arise if Denmark is required to use NIMEXE at the data collection stage during the period 1 January 1977 to 31 December 1979;

Whereas, in these circumstances, it is appropriate to postpone for two years the application of NIMEXE at the data collection stage and whereas such postponement does not jeopardize Regulation (EEC) No 1445/72 as amended nor Council Regulation (EEC) No 1736/75 of 24 June 1975 on the external trade statistics of the Community and statistics of trade between Member States (3), and in particular Articles 38(1) and (2) and 34(a) thereof,

(1) OJ No L 161, 17.7.1972, p. 1

(2) OJ No L 307, 27.11.1975, p. 1

(3) OJ No L 183, 14.7.1975, p. 3

HAS ADOPTED THIS REGULATION:

Article 1

By way of derogation from Article 2 (3) of Regulation (EEC) No 1445/72, Denmark may continue until 31 December 1979 to use its national nomenclature solely at the data collection stage for the external trade statistics of the Community and statistics of trade between Member States.

Article 2

This Regulation shall enter into force on 1 January 1978.

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

Done at Brussels,

For the Council
The President