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### ***Disclaimer***

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) 604 final

Brussels, 21 November 1977

Draft

## JOINT COMMITTEE DECISION

derogating from List A annexed to Protocol No 3  
concerning the definition of the concept of 'originating  
products' and methods of administrative cooperation

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Proposal for a

## COUNCIL REGULATION (EEC)

on the application of Decision No /77 of the EEC-.....<sup>(1)</sup>  
Joint Committee derogating from List A annexed to Protocol  
No 3 concerning the definition of the concept of 'originating  
products' and methods of administrative cooperation

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(submitted to the Council by the Commission)

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(1) Austria, Finland, Iceland, Norway, Portugal, Sweden, Switzerland

## EXPLANATORY NOTE

A derogation to the origin rule in Protocol No 3 to the Free Trade Agreements with the EFTA-countries for certain products in tariff heading 38.19 was introduced in 1976 by Joint Committee Decision.

This derogation, valid for the period 1 December 1976 - 30 November 1977, was made necessary by a change in the international economic conditions at the time which gave rise to the possibility that the products in question would lose originating status even though the processes of manufacture remained unchanged.

These economic conditions persist and it is therefore necessary to extend the derogation until 31 December 1978, after which date no further extension is foreseen.

This is the reason for the seven proposals for Joint Committee Decisions which should be adopted as the common Community position.

For simplicity and for reasons of urgency the draft Regulations to apply these Decisions are also being submitted at the same time for approval.

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Draft

JOINT COMMITTEE DECISION No 177

derogating from List A annexed to Protocol No 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation

THE JOINT COMMITTEE,

Having regard to the Agreement between the European Economic Community and the ..... (A), signed in Brussels on ..... (B),

Having regard to Protocol No 3 concerning the definition of the concept of 'originating products' and methods of administrative co-operation, and in particular Article 28 thereof,

Whereas the provisions in List A annexed to Protocol No 3, as amended by Joint Committee Decision No 2/76<sup>(1)</sup>, only apply until 30 November 1977 in the case of certain products falling within tariff heading No 38.19;

Whereas, since the international economic conditions that led to the introduction of these provisions for the products in question continue to exist, the period of validity of these provisions should be extended until 31 December 1978,

HAS DECIDED AS FOLLOWS :

Article 1

By way of derogation from the special provisions applying to tariff heading No ex 38.19 in Annex II to Protocol No 3, the products listed in column 2 below shall be considered as originating products in .....(C) or the Community provided that both the conditions in column 4 and the other conditions of Protocol No 3 applicable to these products are satisfied.

.../...

(1) OJ No L 328, 26.11.1976, p. ... (D)

(A) Republic of Austria, Republic of Finland, Republic of Iceland, Kingdom of Norway, Republic of Portugal, Kingdom of Sweden, Swiss Confederation

(B) Austria, Iceland, Portugal, Sweden, Switzerland : 22 July 1972  
Norway : 14 May 1973  
Finland : 5 October 1973

(C) Austria, Iceland, Portugal, Sweden, Switzerland, Norway, Finland.

(D) Austria : 2; Finland : 10; Iceland : 18; Norway : 26; Portugal : 34;  
Sweden : 42; Switzerland : 50.

| Products obtained         |   | Working or processing that does not confer the status of originating products | Working or processing that confers the status of originating products when the following conditions are met  |
|---------------------------|---|---|--|
| Customs Tariff heading No | Description   |   |  |
| 1                         | 2   | 3   | 4  |
| ex 38.19                  | Auxiliary products of a kind used in the textile, leather and paper industries (not elsewhere specified or included); composite plasticizers, hardeners, and stabilizers for plastic materials, and for products based on plastic materials (not elsewhere specified or included) |   | Manufacture in which the value of the products used does not exceed 60% of the value of the finished product |

Article 2

This Decision shall enter into force on 1 December 1977 and shall apply to products exported on or before 31 December 1978.

Done at Brussels,

For the Joint Committee

The Chairman

on the application of Decision No 177 of the EEC-..... (1) Joint Committee derogating from List A annexed to Protocol No-3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas an Agreement between the European Economic Community and the ..... (2)(3), was signed on .....(4) and entered into force on .....(5) ;

Whereas, pursuant to Article 28 of Protocol No 3 concerning the definition of the concept of 'originating products' and methods of administrative co-operation, which is an integral part of that Agreement, the Joint Committee has adopted Decision No 177 derogating from List A annexed to that Protocol;

Whereas it is necessary to apply this Decision in the Community,

HAS ADOPTED THIS REGULATION :

Article 1

For the purpose of the Agreement between the European Economic Community and the .....(2), Joint Committee Decision No 177 annexed hereto shall apply in the Community.

.../...

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- (1) Austria, Finland, Iceland, Norway, Portugal, Sweden, Switzerland.
  - (2) Republic of Austria, Republic of Finland, Republic of Iceland, Kingdom of Norway, Republic of Portugal, Kingdom of Sweden, Swiss Confederation.
  - (3) Austria, Sweden, Switzerland : OJ No L 300, 31.12.1972  
 Finland : OJ No L 328, 28.11.1973  
 Norway : OJ No L 171, 27.6.1973  
 Iceland, Portugal : OJ No L 301, 31.12.1972
  - (4) Austria, Iceland, Portugal, Sweden, Switzerland : 22 July 1972  
 Norway : 14 May 1973  
 Finland : 5 October 1973
  - (5) Austria, Portugal, Sweden, Switzerland : 1 January 1973  
 Iceland : 1 April 1973  
 Norway : 1 July 1973  
 Finland : 1 January 1974

Article 2

This Regulation shall enter into force on 1 December 1977.

This Regulation shall enter into force on the third day following its publication in the Official Journal of the European Communities and shall apply with effect from 1 December 1977

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

Done at Brussels,

For the Council

The President