



COMMISSION OF THE EUROPEAN COMMUNITIES

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2004/0174 (ACC)

Proposal for a

COUNCIL REGULATION

amending the Commission Decision No 1469/2002/ECSC on administering certain restrictions on imports of certain steel products from the Republic of Kazakhstan

(presented by the Commission)

EXPLANATORY MEMORANDUM

The European Coal and Steel Community and the Government of the Republic of Kazakhstan concluded an Agreement on 22 July 2002 on trade in certain steel products.

Article 2 paragraph 6 of the Agreement stipulates that “In the case where the candidate countries to EU membership would accede before the termination of this Agreement, the Parties agree to consider the increase of quantitative limits set out in Annex II”. Consequently, the Parties agreed to increase the quantitative limits and a new Agreement incorporating these increases has been signed by the Parties.

This proposal for a Council Regulation provides for the necessary implementing legislation for the new Agreement.

Proposal for a

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amending the Commission Decision No 1469/2002/ECSC on administering certain restrictions on imports of certain steel products from the Republic of Kazakhstan

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 Commission¹,

Whereas:

- (1) The Partnership and Cooperation Agreement establishing a partnership between the European Communities and their Member States, of one part, and the Republic of Kazakhstan, of the other part², entered into force on 1 July 1999.
- (2) Article 17(1) of the Partnership and Cooperation Agreement provides that trade in European Coal and Steel Community (hereinafter referred to as the 'ECSC') products shall be governed by Title III of that Agreement, save for Article 11 thereof, and by the provisions of an agreement on quantitative arrangements concerning exchanges of ECSC steel products.
- (3) On 22 July 2002 the ECSC and the Government of the Republic of Kazakhstan concluded such an Agreement on trade in certain steel products³ (hereinafter referred to as 'the Agreement'), approved on behalf of the ECSC by Commission Decision 2002/654/ECSC⁴.
- (4) The ECSC Treaty expired on 23 July 2002 and the European Community took over all rights and obligations contracted by the European Coal and Steel Community.
- (5) The Parties agreed pursuant to Article 11(2) of the Agreement that it should be continued and that all rights and obligations of the Parties under it should be maintained after such expiry.

¹ OJ C , , p. .

² OJ L196, 28.7.1999, p.3

³ OJ L 222, 19.8.2002, p. 20

⁴ OJ L 222, 19.8.2002, p. 19

- (6) The Parties entered into consultations as provided for in Article 2(6) of the Agreement and agreed to increase the quantitative limits set out therein to take into account the enlargement of the European Union. The increases have been the subject of a new agreement that entered into force on the day of its signature⁵.
- (7) Commission Decision No 1469/2002/ECSC of 8 July 2002 on administering certain restrictions on imports of certain steel products from the Republic of Kazakhstan⁶ should be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

In Annex IV to Decision No 1469/2002/ECSC, the quantitative limits set out for the year 2004 are replaced by the quantitative limits appearing in the Annex to this Regulation.

This Regulation shall enter into force on the third 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,

For the Council
The President

⁵ See page ...of this Official Journal.

⁶ OJ L 222, 19.8.2002, p. 1.

ANNEX
QUANTITATIVE LIMITS

Unit: tonnes

Products	2004
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SA. Flat products

SA1. Coils	55 228
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SA1a. Coils for re-rolling	5 500
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SA2. Heavy plate	852
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SA3. Other flat products	80 082
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