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REGULATION (EEC) No 610/72 OF THE COUNCIL

of 23 March 1972

on the application of the provisions adopted within the framework of the Association established between the European Economic Community and Greece relating to the movement of goods in the manufacture of which are used products which come from third countries and are not in free circulation either in the Community or in Greece

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 Article 8 of the Agreement establishing an Association between the European Economic Community and Greece laid down the conditions under which the provisions relating to free circulation may apply to goods in the manufacture of which are used products which originate in third countries and are not in free circulation either in the Community or in Greece, whereas these conditions entail, in particular, the charging of a levy by the State where the goods are manufactured; whereas the procedure for the charging of such levy is laid down in the Council of Association Decision No 1/62;

Whereas as regards goods obtained in the Community the rate of the levy is to be determined in accordance with Council of Association Decision Nos 5/65, 2/67, 3/68, 1/70 and 1/72;

Whereas it is necessary to adopt the measures for implementing the Decisions referred to above,

HAS ADOPTED THIS REGULATION:

TITLE I

Article 1

For the purposes of the Agreement establishing an Association between the European Economic Community and Greece, goods obtained or produced in the Community in the manufacture of which are used products imported from a country outside the Association and which were not, within the meaning of that Agreement, in free circulation either in the Community or in Greece, shall be considered as fulfilling the conditions for implementation of the Athens Agreement relating to the progressive elimination in Greece of customs duties, quantitative restrictions and all other measures having equivalent effect, subject to the following provisions being complied with.

Article 2

The exporting Member State shall charge a levy on goods obtained or produced as provided in Article 1, the rate of which shall be equal to a percentage of the duties in the Common Customs Tariff which are applicable to the products used in their manufacture.

As regards goods in the manufacture of which are used products within the province of the European Coal and Steel Community, this percentage shall apply to the customs duty in force in the exporting Member State in respect of products within the province of the European Coal and Steel Community which are used in the manufacture of these goods.

Article 3

The levy charged on goods obtained or produced under the conditions specified in Article 1 shall be calculated by reference to the type and value – or where appropriate on some other basis of assessment – of the products imported from countries outside the Association and used in their manufacture, as determined by Customs when those goods were admitted to the customs procedure under which that manufacture took place.

Article 4

The relevant date for determining the rate of the levy shall be the date on which the goods referred to above were exported. However, when these goods are placed in customs warehouses in the Community before being exported to Greece, the relevant date for determining the rate of the levy shall be the date when these goods were placed in customs warehouses.

TITLE II

Article 5

As regards goods subject to the provisions of Article 14 of the Athens Agreement, the percentage of the duties to

be applied when determining the rate of the levy referred to in Article 2 shall be as follows:

– from 1 February 1966 to 14 September 1967	30%
– from 15 September 1967 to 31 December 1968	40%
– from 1 January 1969 to 30 June 1970	50%
– from 1 July 1970 to 31 March 1972	60%
– from 1 April 1972	70%

Article 6

Notwithstanding Article 2, no levy shall be charged if the relevant date falls between 1 November 1962 and 31 January 1966.

Article 7

Notwithstanding Article 2, no levy shall be charged if the goods obtained or produced in Member States of the Community are listed in Annex I to the Association Agreement, as amended in accordance with Article 15 (2), Article 16 and Article 20 (3), or are listed in Annex II to the Association Agreement but are not listed in Annex III thereto, even if they are included in the list annexed to Protocol No 13.

TITLE III

Article 8

This Regulation shall enter into force on 1 April 1972.

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

Done at Brussels, 23 March 1972.

For the Council

The President

J. P. BUECHLER