

COUNCIL REGULATION (EEC) No 3440/82**of 21 December 1982****on export arrangements for certain types of non-ferrous metal waste and scrap**

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2603/69 of 20 December 1969 establishing common
rules for exports ⁽¹⁾, and in particular Article 7 thereof,

Having regard to Council Regulation (EEC) No
1023/70 of 25 May 1970 establishing a common
procedure for administering quantitative quotas ⁽²⁾, and
in particular Article 2 thereof,

Having regard to the proposal from the Commission,

Whereas, under Regulation (EEC) No 3568/81 ⁽³⁾,
exports of aluminium and lead waste and scrap were
made subject, for 1982, to production of a prior export
licence to be issued by the relevant authorities of the
Member States according to procedures to be laid
down; whereas this arrangement expires on 31
December 1982;

Whereas, in order to avoid supply difficulties for
copper ash and residues and for copper waste and
scrap, Community quantitative export quotas were
fixed in Regulation (EEC) No 3568/81; whereas these
quotas remain in force until 31 December 1982;

Whereas it is necessary to maintain in force for 1983
the system of export licences for aluminium and lead
products and the quotas for copper products;

Whereas the Committee set up by Regulation (EEC)
No 2603/69 has been consulted;

Whereas the criterion for the allocation of the said
quotas should be determined;

Whereas the provisions relating to the monitoring of
intra-Community trade laid down in Commission
Regulation (EEC) No 223/77 of 22 December 1976 on
provisions for the implementation of the Community
transit procedure and for certain simplifications of that
procedure ⁽⁴⁾ apply only if the measures introducing
export restrictions provide for their application,

HAS ADOPTED THIS REGULATION:

Article 1

1. Community exports between 1 January and 31
December 1983 of aluminium waste and scrap falling
within subheading 76.01 B of the Common Customs
Tariff and lead waste and scrap falling within subhead-
ing 78.01 B shall be subject to production of an export
licence to be issued by the relevant authorities of the
Member States. The licence shall be issued free of
charge, for such quantities as are requested subject to
the provisions set out below.

2. The export licence shall be issued within not
more than 15 working days of the date of the request
on presentation by the applicant of a sale contract for
the entire quantity requested.

The licence shall be valid for two months.

3. Each Member State shall inform the Commission
of the following within the first 15 days of each
month:

- (a) the quantities in tonnes and the prices of the
products for which export licences have been
issued during the previous month;
- (b) the quantities in tonnes of products which have
been exported during the month preceding that
referred to under point (a);
- (c) the quantities in tonnes authorized for export or
exported as part of inward or outward processing
arrangements;
- (d) the third country of destination.

The Commission shall pass this information to the
Member States.

Article 2

Community quantitative export quotas shall be
established as follows for 1983:

(tonnes)

CCT heading No	Description	Quantity
ex 26.03	Ash and residues of copper and copper alloys	22 300
ex 74.01 D	Waste and scrap of copper and copper alloys	32 700

⁽¹⁾ OJ No L 324, 27. 12. 1969, p. 25.

⁽²⁾ OJ No L 124, 8. 6. 1970, p. 1.

⁽³⁾ OJ No L 357, 12. 12. 1981, p. 7.

⁽⁴⁾ OJ No L 38, 9. 2. 1977, p. 20.

Article 3

The quotas fixed in Article 2 shall be allocated according to the estimate of requirements.

Article 4

Exports outside the Community of products listed in Article 2 and obtained under inward processing arrangements within the meaning of Council Directive 69/73/EEC of 4 March 1969 on the harmonization of provisions laid down by law, regulation or administrative action in respect of inward processing⁽¹⁾, shall be charged against the quota of the exporting Member State. However, derogations may be made in specific cases following an opinion from the Quota Administration Committee set up under Regulation (EEC) No 1023/70.

Temporary exports for working, processing or repair in a non-member country, within the meaning of Council Directive 76/119/EEC of 18 December 1975 on the harmonization of provisions laid down by law, regulation or administrative action in respect of outward processing⁽²⁾, of products which are to be re-imported for home use within the customs territory

of the Community, shall be charged against the quota of the exporting Member State. However, derogations may be made in specific cases following an opinion from the Quota Administration Committee set up under Regulation (EEC) No 1023/70.

Article 5

Regulation (EEC) No 223/77 shall apply to the movement within the Community of the products listed in Article 2.

Article 6

The Council shall decide in due time and in any case before 31 December 1983 on the measures to be taken regarding the export of the products listed in Articles 1 and 2 after the validity of this Regulation has expired.

Article 7

This Regulation shall enter into force on 1 January 1983.

It shall apply until 31 December 1983.

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

Done at Brussels, 21 December 1982.

For the Council

The President

O. MØLLER

⁽¹⁾ OJ No L 58, 8. 3. 1969, p. 1.

⁽²⁾ OJ No L 24, 30. 1. 1976, p. 58.