

COMMISSION REGULATION (EEC) No 2882/83

of 13 October 1983

on the classification of goods in heading No 97.04, subheading C of the
Common Customs TariffTHE COMMISSION OF THE EUROPEAN
COMMUNITIES,Having regard to the Treaty establishing the European
Economic Community,Having regard to Council Regulation (EEC) No 97/69
of 16 January 1969 on measures to be taken for
uniform application of the nomenclature of the
Common Customs Tariff (¹), as last amended by the
Act of Accession of Greece, and in particular Article 3
thereof,Whereas, in order to ensure uniform application of the
nomenclature of the Common Customs Tariff, provi-
sions must be laid down concerning the tariff classi-
fication of an electronic game (110 × 73,5 × 8 mm),
consisting of a metal and plastic case, with a liquid
crystal display screen, and containing a monolithic
integrated circuit programmed for the game (with a
display of the player's score), the clock and alarm
functions and a calculator;Whereas the Common Customs Tariff annexed to
Council Regulation (EEC) No 950/68 (²), as last
amended by Regulation (EEC) No 604/83 (³) refers
under heading No 97.03 to (*inter alia*) toys and under
heading No 97.04 to (*inter alia*) equipment for
parlour games; whereas these two headings merit
consideration for the classification of the abovement-
tioned goods;Whereas, on the basis of their design and use, the
goods have the essential character of an electronic
game;Whereas, in addition, these games, because they
provide for the player's score to be displayed on thescreen, are designed for competition against other
players on the basis of the number of points scored;
whereas, consequently they should be considered as
equipment for parlour games and thus must be classi-
fied under heading No 97.04, subheading C of the
Common Customs Tariff;Whereas the measures provided for in this Regulation
are in accordance with the opinion of the Committee
on Common Customs Tariff Nomenclature,

HAS ADOPTED THIS REGULATION:

*Article 1*Electronic games, consisting of a plastic and metal
case (110 × 73,5 × 8 mm) with a liquid crystal
display screen and containing a monolithic integrated
circuit programmed for the game (with a display of the
player's score), clock, alarm and calculator functions,
are classified, in the Common Customs Tariff, under
subheading:97.04 Equipment for parlour, table and funfair games
for adults or children (including billiard tables
and table-tennis requisites);

C. Other.

*Article 2*This Regulation shall enter into force on the 21st day
following its publication in the *Official Journal of the
European Communities*.This Regulation shall be binding in its entirety and directly applicable in all Member
States.

Done at Brussels, 13 October 1983.

For the Commission

Karl-Heinz NARJES

Member of the Commission

(¹) OJ No L 14, 21. 1. 1969, p. 1.

(²) OJ No L 172, 22. 7. 1968, p. 1.

(³) OJ No L 72, 18. 3. 1983, p. 3.