

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 Tariff

THE 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 classifi-
cation 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 abovementioned 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 the

screen, 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.