

DECISION No 9/73 OF THE JOINT COMMITTEE

supplementing and amending Articles 24 and 25 of Protocol No 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation

THE JOINT COMMITTEE,

Having regard to the Agreement between the European Economic Community and the Portuguese Republic signed in Brussels on 22 July 1972;

Having regard to Protocol No 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation (hereafter referred to as 'Protocol No 3') and in particular Article 28 thereof;

Whereas Decision No 6/73 of the Joint Committee of 2 February 1973 amended Article 25 (1) of Protocol No 3 to avoid, to the detriment of originating products within the meaning of the Agreement of 22 July 1972, distortions of sources of supply which could arise until customs duties are abolished between the Community as originally constituted and Ireland on the one hand, and Portugal on the other; whereas that Decision has consequently amended Articles 23 and 24;

Whereas, taking account of the emergence of further risks of distortion of sources of supply, new amendments should be made to Article 25 (1) of Protocol No 3,

HAS DECIDED:

Article 1

The text of Article 25 (1) of Protocol No 3 shall be replaced by the following:

'1. The following products may benefit, upon import into Portugal or Denmark or the United Kingdom, from the tariff provisions in force in

Portugal or in the latter two countries and covered by Article 3 (1) of the Agreement and Article 4 of the Protocol No 1:

- (a) products which meet the conditions of this Protocol and for which a movement certificate has been issued indicating that they have acquired the status of originating products and have undergone any additional processing solely in Portugal or in the two countries referred to above or in the other five countries specified in Article 2 of this Protocol;
- (b) products other than products of Chapters 50 to 62, which meet the conditions of this Protocol and for which a movement certificate has been issued indicating:
 1. that they have been obtained by the processing of goods which, upon export from the Community as originally constituted or from Ireland, had already acquired there the status of originating products;
 2. and that the added value acquired in Portugal or in the two countries referred to above or in the other five countries specified in Article 2 of this Protocol represents 50% or more of the value of those products;
- (c) products listed in column 2 below which meet the conditions of this Protocol and for which a movement certificate has been issued indicating that they have been obtained by the processing of goods listed in column 1 below which, upon export from the Community as originally constituted or from Ireland, had already acquired there the status of originating products.

		<i>Column 1</i>			<i>Column 2</i>
		Products used			Products obtained
1.	ex 11.08	Maize and potato starches	ex 35.05		Starch glues
2.	73.12	Hoop and strip, of iron or steel, hot-rolled or cold-rolled	73.18		Tubes and pipes and blanks therefor, of iron (other than of cast iron) or steel, excluding high-pressure hydro-electric conduits
3.	74.01	Copper matte; unwrought copper (refined or not), copper waste and scrap	74.03		Wrought bars, rods, angles, shapes and sections, of copper; copper wire
			74.04		Wrought plates, sheets and strip, of copper
			74.05		Copper foil (whether or not embossed, cut to shape, perforated, coated, printed, or backed with paper or other reinforcing material), of a thickness (excluding any backing) not exceeding 0.15 mm
			74.06		Copper powders and flakes
			74.07		Tubes and pipes and blanks therefor, of copper; hollow bars of copper
			74.08		Tube and pipe fittings (for example, joints elbows, sockets and flanges), of copper
			74.10		Stranded wire, cables, cordage, ropes, plaited bands and the like, of copper wire, but excluding insulated electric wires and cables
			85.23		Insulated (including enamelled or anodized) electric wire, cable, bars, strip and the like (including co-axial cable), whether or not fitted with connectors
4.	75.01	Nickel mattes, nickel speiss and other intermediate products of nickel metallurgy; unwrought nickel (excluding electro-plating anodes); nickel waste and scrap	75.02		Wrought bars, rods, angles, shapes and sections, of nickel; nickel wire
			75.03		Wrought plates, sheets and strip, of nickel; nickel foil; nickel powders and flakes
			75.04		Tubes and pipes and blanks therefor, of nickel; hollow bars, and tube and pipe fittings (for example, joints, elbows, sockets and flanges), of nickel
5.	ex 85.24	Carbon electrodes	ex 85.24		Graphite electrodes
6.		Materials not falling within Chapters 50 to 62			All products falling within Chapters 50 to 62
7.	ex Chapters 50 to 57	Fibres, yarn, monofil and strip of textile materials, other than those predominating in weight provided that their weight does not exceed 10% of the total weight of all the textile materials incorporated in the finished good			All products of Chapters 50 to 62 containing two or more textile materials
8.	ex Chapters 50 to 59	Yarn	ex 60.04		Under-garments, complete and ready to wear
			ex 60.05		Outer garments and other articles, complete and ready for wear or use, other than blankets

<i>Column 1</i>		<i>Column 2</i>	
Products used		Products obtained	
9.	ex Chapters 50 to 59	Woven fabric, not embroidered, provided that the value of the woven fabric does not exceed 50% of the value of the finished product	ex 62.02 Goods as following embroidered: table linen, curtains, table runners, chair-backs; arm-rests and cushion covers (excluding bed linen) and furnishing articles for churches and similar places of worship
10.	ex Chapters 50 to 62	Trimmings and accessories (excluding linings)	All products falling within Chapter 60, heading Nos 61.01 to 61.04, 61.06, 61.07, 61.09 to 61.11 (complete and ready to wear), 61.05 (complete and ready for use), and products falling within heading No 61.08 and Chapter 62
11.	ex 57.07	Sisal yarn	ex 58.02 Sisal carpets
12.	50.03	Silk waste (including cocoons unsuitable for reeling, silk noils and pulled or garnetted rags)	All goods falling within Chapters 50 to 62
	56.03	Waste (including yarn waste and pulled or garnetted rags) of man-made fibres (continuous or discontinuous), not carded, combed or otherwise prepared for spinning	
13.	53.05	Sheep's or lambs' wool or other animal hair (fine or coarse), carded or combed	All goods falling within Chapters 50 to 57
14.	ex 56.01	Synthetic textile fibres (discontinuous), not carded, combed or otherwise prepared for spinning	— All goods falling within Chapters 50 to 57, except heading No 56.04: man-made fibres (discontinuous or waste), carded, combed or otherwise prepared for spinning — The following goods falling within Chapters 58 to 62: ex 59.01: Sanitary towels ex 59.04: Twine, cordage, ropes and cables, plaited or not, other than single yarn composed solely of continuous synthetic textile fibres
	ex 56.02	Continuous filament tow for the manufacture of synthetic textile fibres (discontinuous)	
15.	ex 56.01 ex 56.02	Fibres and continuous filament tow of polypropylene, provided that their value does not exceed 40% of the value of the finished good	ex 59.02 Needleloom felt, whether or not impregnated or coated
16.	ex Chapters 50 to 57	Yarn	ex 50.09 Woven fabrics, dyed, containing 80% or more by weight of silk or waste silk other than noil ex 51.04 Woven fabrics of man-made fibres (continuous), flocked ex 55.09 Other woven fabrics of cotton flocked ex 55.09 Organdies, bleached, mercerized and parchmented ex 56.07 Woven fabrics of man-made fibres (discontinuous or waste), flocked 58.01 Carpets, carpeting and rugs, knotted (made up or not) ex 59.01 Sanitary towels

<i>Column 1</i>		<i>Column 2</i>			
Products used		Products obtained			
		ex 59.15	Textile hosepiping and similar tubing in which linen or true hemp or both materials together represent not more than 50% of the weight of the textile components		
		ex 59.17	Bolting cloth		
		ex 59.17	Textile articles other than the goods defined in Note 5 (a) to Chapter 59		
		ex 60.03	Stockings, under-stockings, socks, ankle-socks, sockettes and the like, complete and ready to wear		
		ex 60.06	Articles of the kinds falling within heading Nos 60.02 to 60.05, knitted or crocheted and elastic or rubberized complete and ready to wear or ready for use		
17.	ex Chapters 50 to 59 Single yarn	59.05	Nets and netting made of twine, cordage, or rope, and made up fishing nets of yarn, twine, cordage or rope		
		59.06	Other articles made from yarn, twine, cordage, rope or cables, other than textile fabrics and articles made from such fabrics		
18.	ex Chapters 55 and 56 Single yarn	ex 58.08	Knotted net fabrics, having a uniform square or diamond-shaped mesh knotted at each corner, entirely made of cotton or synthetic textile fibres		
19.	ex 51.01 Yarn of synthetic textile fibre (continuous), not put up for retail sale	} ex 58.08	} Knotted net fabrics, having a uniform square or diamond-shaped mesh knotted at each corner, entirely made of cotton or of synthetic textile fibres		
	ex 51.02 Monofil, strip (artificial straw and the like) and imitation catgut, of synthetic textile materials			ex 59.04	Twine, cordage, ropes and cables, plaited or not other than single yarn composed solely of continuous synthetic textile fibres
				59.05	Nets and netting made of twine, cordage or rope, and made up fishing nets of yarn, twine, cordage or rope
				59.06	Other articles made from yarn, twine, cordage, rope or cables, other than textile fabrics and articles made from such fabrics
20.	ex 51.01 Yarn, monofil, strip (artificial straw and the like) and imitation catgut, of cuprammonium fibres	58.06	Woven labels, badges and the like, not embroidered, in the piece, in strips or cut to shape or size		
21.	ex 51.02 Monofil of polyesters	ex 59.17	Fabrics (other than felted fabrics of textile fibres), of a kind commonly used in machinery for making or finishing cellulosic pulp, paper or paperboard, including fabrics of tubular or endless kind		

<i>Column 1</i>		<i>Column 2</i>	
Products used		Products obtained	
22.	ex Chapters 50 to 59 Fabric and other products except those falling within heading Nos 59.10 and 59.11	59.10 ex 59.11	Linoleum and materials prepared on a textile base in a similar manner to linoleum, whether or not cut to shape or of a kind used as floor coverings; floor coverings consisting of a coating applied on a textile base, cut to shape or not Plates, sheets and strip, of expanded foam or sponge rubber, combined with textile fabric
23.	ex Chapters 50 to 59 Fabric (excluding linings), provided that the value of the fabric (linings, trimmings and accessories not included) does not exceed 45% of the value of the finished good	ex 61.01 ex 61.02	Men's and boys' outer garments complete and ready to wear Women's, girls' and infants' outer garments, complete and ready to wear, of the following kinds: frocks, skirts, jackets, trousers (other than trousers whose fabric falls within heading Nos 55.08 and 55.09), suits (consisting of a jacket and skirt or a jacket and trousers) and coats
24.	ex Chapters 50 to 60 Fabric, including knitted or crocheted fabric, provided that the value of the fabric does not exceed 40% of the value of the finished good	ex 61.09	Brassieres, corsets, corset-belts, suspender belts, girdle corsets and other articles designed for wear as body-supporting garments, whether or not elastic, complete and ready to wear.

This paragraph shall only apply to products which by virtue of this Agreement and of the Protocols annexed thereto will benefit from the abolition of customs duties at the conclusion of the period of tariff dismantling laid down for each product. This paragraph shall cease to be applicable upon the expiry of the period of tariff dismantling laid down for each product.'

Article 2

1. The text of Article 24 (1) of Protocol No 3 is replaced by the following:

'Movement certificates may, where appropriate, be required to indicate that the products to which they relate have acquired the status of originating products and have undergone any additional processing under the conditions set out in Article 25 (1) until the date from which the customs duties applicable to the said products are abolished between the Community as originally constituted and Ireland on the one hand, and Portugal on the other.'

2. Note 12, Articles 24 and 25 of Annex I to Protocol No 3 is deleted.

Article 3

This Decision replaces Decision No 6/73 of the Joint Committee of 2 February 1973.

Done at Brussels, 20 August 1973.

For the Joint Committee
The Chairman
F. de MAGALHAES CRUZ

The Secretaries

A. CORREIA C. D. von SCHUMANN