

COMMISSION REGULATION (EC) No 701/1999
of 31 March 1999
concerning the classification of certain goods in the Combined Nomenclature

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽¹⁾, as last amended by Commission Regulation (EC) No 2261/98 ⁽²⁾, and in particular Article 9,

Whereas in order to ensure uniform application of the Combined Nomenclature annexed to the said Regulation, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation;

Whereas Regulation (EEC) No 2658/87 has set down the general rules for the interpretation of the Combined Nomenclature and those rules also apply to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific Community provisions, with a view to the application of tariff and other measures relating to trade in goods;

Whereas, pursuant to the said general rules, the goods described in column 1 of the table annexed to the present Regulation must be classified under the appropriate CN codes indicated in column 2, by virtue of the reasons set out in column 3;

Whereas it is accepted that binding tariff information issued by the customs authorities of Member States in respect of the classification of goods in the Combined Nomenclature and which do not conform to the rights

established by this Regulation, can continue to be invoked, under the provisions in Article 12(6) of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code ⁽³⁾, for a period of three months by the holder;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the tariff and statistical nomenclature section of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column 1 of the annexed table are now classified within the Combined Nomenclature under the appropriate CN codes indicated in column 2 of the said table.

Article 2

Binding tariff information issued by the customs authorities of Member States which do not conform to the rights established by this Regulation can continue to be invoked under the provisions of Article 12(6) of Regulation (EEC) No 2913/92 for a period of three months.

Article 3

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, 31 March 1999.

For the Commission

Mario MONTI

Member of the Commission

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.

⁽²⁾ OJ L 292, 30.10.1998, p. 1.

⁽³⁾ OJ L 302, 19.10.1992, p. 1.

ANNEX

Description of goods	Classification (CN) Code	Reason
(1)	(2)	(3)
<p>1. Electronic assembly, so-called Call Processor Pack, consisting of a printed circuit board equipped with a processor, memory modules and other electronic components. The assembly contains a front panel with press buttons and an LCD display. The assembly is designed for use as a main module in an automatic telephone exchange system having special plug connectors for this purpose and customised components (ASICs) which contain specific software.</p>	8517 90 82	<p>Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the Combined Nomenclature, Note 2b to Section XVI and the wording of CN codes 8517, 8517 90 and 8517 90 82.</p> <p>Although the processor is freely programmable (Note 5.A to Chapter 84), the assembly represents a part of an automatic telephone exchange system and not an automatic data processing machine of Heading 8471 because of its specific components, connectors and front panel (Note 5.E. to Chapter 84).</p>
<p>2. Electronic assembly, so-called Core To Network Interface Pack (CNI), consisting of a printed circuit board equipped with electronic components. The assembly contains a front panel with press buttons and an LCD display. The assembly is designed for use as an interface between a Call Processor Pack and the network cards in an automatic telephone exchange system having special plug connectors and a customised component (ASICs) which contains specific software.</p>	8517 90 82	<p>Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the Combined Nomenclature, Note 2b to Section XVI and the wording of CN codes 8517, 8517 90 and 8517 90 82</p> <p>The assembly represents a part of an automatic telephone exchange system and not a product of Heading 8473 because of its specific components, connectors and front panel.</p>
<p>3. Electronic assembly, so-called Input-Output Processor, consisting of two interconnected printed circuit boards equipped with a processor, RAM memories, EPROM and other electronic components. The assembly contains a front panel with press buttons and an LCD display. The assembly is designed for use as an interface between the special connectors of an automatic telephone exchange system and standard SCSI/RS232/IEEE interfaces having special plug connectors and customised components (ASICs) which contain specific software. The assembly contains a floppy disk drive and a hard disk drive.</p>	8517 90 82	<p>Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the Combined Nomenclature, Note 2b to Section XVI and the wording of CN codes 8517, 8517 90 and 8517 90 82</p> <p>The assembly represents a part of an automatic telephone exchange system and not a product of Heading 8473 because of its specific components, connectors and front panel.</p>
<p>4. A satellite receiver which receives scrambled and digitalised MPEG satellite television broadcast signals (images and sound), converts them into analogue signals and transfers them in a usable form to a connected television receiver, videomonitor or data monitor.</p> <p>The apparatus consists of:</p> <ul style="list-style-type: none"> — a 950 to 2050 MHz tuner, — a unit to decompress and descramble the MPEG signals into analogue video signals and to transmit the converted signals, — a front panel with keypad and LCD display. 	8528 12 93	<p>Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the Combined Nomenclature, Note 3 to Section XVI and the wording of CN codes 8528, 8528 12 and 8528 12 93.</p> <p>The reception of television signals is considered the principal function of the product.</p>

Description of goods	Classification (CN) Code	Reason
(1)	(2)	(3)
<p>5. An integrated receiver/decoder (addressable converter) capable of receiving and decoding scrambled signals through a cable network and converting them into radio frequency (RF) signals.</p> <p>It includes a tuner, filters, modulators, audio/video processor, microprocessor with memory, FM receiver, return path transmitter and smart card reader. It also includes a keypad and a remote control as a means for selecting channels.</p> <p>It also has control and communication functions, i.e. downloading billing data, event purchasing, polling etc. The apparatus will only unscramble encoded signals assigned to a particular subscriber.</p>	8528 12 93	<p>Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the Combined Nomenclature, Note 3 to Section XVI and the wording of CN codes 8528, 8528 12 and 8528 12 93.</p> <p>The reception of television signals is considered the principal function of the product.</p>