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Conformément au règlement (CEE, Euratom) n° 354/83 du Conseil du 1er février 1983 concernant l'ouverture au public des archives historiques de la Communauté économique européenne et de la Communauté européenne de l'énergie atomique (JO L 43 du 15.2.1983, p. 1), tel que modifié par le règlement (CE, Euratom) n° 1700/2003 du 22 septembre 2003 (JO L 243 du 27.9.2003, p. 1), ce dossier est ouvert au public. Le cas échéant, les documents classifiés présents dans ce dossier ont été déclassifiés conformément à l'article 5 dudit règlement.

In accordance with Council Regulation (EEC, Euratom) No 354/83 of 1 February 1983 concerning the opening to the public of the historical archives of the European Economic Community and the European Atomic Energy Community (OJ L 43, 15.2.1983, p. 1), as amended by Regulation (EC, Euratom) No 1700/2003 of 22 September 2003 (OJ L 243, 27.9.2003, p. 1), this file is open to the public. Where necessary, classified documents in this file have been declassified in conformity with Article 5 of the aforementioned regulation.

In Übereinstimmung mit der Verordnung (EWG, Euratom) Nr. 354/83 des Rates vom 1. Februar 1983 über die Freigabe der historischen Archive der Europäischen Wirtschaftsgemeinschaft und der Europäischen Atomgemeinschaft (ABl. L 43 vom 15.2.1983, S. 1), geändert durch die Verordnung (EG, Euratom) Nr. 1700/2003 vom 22. September 2003 (ABl. L 243 vom 27.9.2003, S. 1), ist diese Datei der Öffentlichkeit zugänglich. Soweit erforderlich, wurden die Verschlussachen in dieser Datei in Übereinstimmung mit Artikel 5 der genannten Verordnung freigegeben.

COMMISSION OF THE EUROPEAN COMMUNITIES

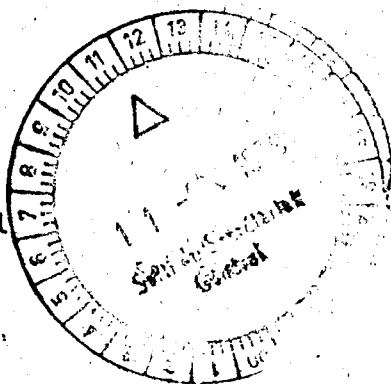
COM(79) 715 final

Brussels, 6th December 1979

PROPOSAL FOR A COUNCIL REGULATION (EEC)
FIXING FOR 1980 COMMUNITY QUANTITATIVE EXPORT QUOTAS FOR
CERTAIN TYPES OF COPPER ASH AND RESIDUES AND FOR CERTAIN
TYPES OF COPPER, ALUMINIUM AND LEAD WASTE AND SCRAP

(presented by the Commission to the Council)

COM(79) 715 final



EXPLANATORY MEMORANDUM

I. For a number of years the Community has maintained quantitative export quotas for the following categories of product :

- ex 26.03 Ash and residues of copper and copper alloys
- ex 74.01 Waste and scrap of copper and copper alloys
- ex 76.01 B Aluminium waste and scrap
- 78.01 B Lead waste and scrap.

The quotas have been established and maintained in the interests of ensuring the stability of Community supplies of copper, aluminium and lead.

II. The advisory Committee set up by Council Regulation (EEC) No. 2603/69 (establishing common rules for exports)¹ was convened to consider whether, in the light of the economic situation of these products on the Community market and the provisions of Regulation No. 2603/69, the export quota arrangements should be renewed for 1980.

It was agreed at these consultations that the following arrangements should be established for 1980 :

(a) Copper ash : renewal of the 1979 quota of 21,000 tonnes.

(b) Waste of copper and copper alloys :

Following a tariff reclassification, some waste previously defined as being of nickel are now classed as copper waste. It was therefore agreed to increase the quota volume to take account of this change. The increase is based on 1979 exports of the nickel waste in question. This adjustment raises the copper waste quota from 27,000 tonnes to 28,400 tonnes.

(c) Aluminium waste :

A number of delegations wanted an increase in this quota. However, in view of the fact that this quota had already been increased in 1979, and that the available figures suggested that the 1979 quota would not be fully utilised, it was agreed in the end that the 1980 quota should stand at the 1979 level of 5,600 tonnes.

¹ OJ No. L 324 of 27.12.69

Another factor taken into consideration was that pressure is currently being exerted on the US authorities by interested parties to restrict exports, the US being a major supplier of aluminium waste to the Community market.

(d) Lead waste : renewal of the 1979 quota of 2 250 tonnes.

III. Following the consultations, Commission staff pointed out that while they could agree, in view of the state of the market and 1979 exports under quota, to a renewal of the quotas for 1980, they would be proposing, in the course of that year, that there should be a thorough and comprehensive re-appraisal of the market situation for these products. The provisions of Regulation No. 2603/69, designed to deal with cyclical problems, authorise the establishment or adjustment of export quotas where there is a "critical situation due to a shortage of essential products", and should not be used as the foundation for a settled policy.

With regard to the administration of the 1980 quotas (which will be dealt with in a later Commission regulation), Commission officials made proposals for a number of changes designed to allow exporters improved, equal and continuous access to Community quotas until they are fully utilised. It will be compulsory after a given date to return all non-utilised portions of Member States' quota shares to the Community reserve, and it will be easier to draw on the reserve.

IV. Accordingly, it is proposed that the Council adopt the attached regulation.

COUNCIL REGULATION (EEC)

fixing for 1980 Community quantitative export quotas for certain types of copper ash and residues and for certain types of copper, aluminium and lead 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 Council Regulation (EEC) No 1078/71 of 25 May 1971 establishing common rules for exports and opening a Community quantitative export quota for certain types of ash and waste of non-ferrous metals (copper, lead and aluminium)⁽³⁾, and in particular Article 4 thereof,

Having regard to the proposal from the Commission,

Whereas, in order to avoid supply difficulties for certain types of copper ash and residues as well as for certain types of copper, aluminium and lead waste and scrap, Community quantitative export quotas were fixed by Council Regulation (EEC) No 3038/78 whereas these quotas remain in force until 31 December 1979 ;

Whereas after consulting the Committee set up by Regulation (EEC) No 2603/69 it was considered necessary to maintain these quotas in force for 1980 ;

Whereas the criterion for their allocation should be determined,

⁽¹⁾ OJ No L 324, 27. 12. 1969, p. 25.

⁽²⁾ OJ No L 124, 8. 6. 1970, p. 1.

⁽³⁾ OJ No L 116, 28. 5. 1971, p. 5.

⁽⁴⁾ OJ No L 361, 23. 12. 1978, p. 1.

Whereas the provisions relating to the control of trade within the Community laid down in Commission Regulation (EEC) No 223/77⁽⁵⁾ apply only if the measures introducing export restrictions provide for their application,

HAS ADOPTED THIS REGULATION :

Article 1

Community quantitative export quotas are established as follows for 1980 :

CCT heading No	Description	Quantity (tonnes)
ex 26.03	Ash and residues of copper and copper alloys	21 000
ex 74.01	Waste and scrap of copper and copper alloys	28 400
76.01 B	Aluminium waste and scrap	5 600
78.01 B	Lead waste and scrap	2 250

Article 2

The quotas fixed in Article 1 shall be allocated according to the estimate of requirements.

⁽⁵⁾ OJ No L 38, 9. 2. 1977, p. 20.

Article 3

Exports outside the Community of products listed in Article 1 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 share of the exporting Member State. However derogations may be made in specific cases following an opinion from the Quota Administration Committee set up by Regulation (E.C.) No 1023/70.

Temporary exports for working, processing or repair in a third 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 reimported for home use within the customs territory of the Community shall be charged against the quota share of the exporting Member State.

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

Done at Brussels,

Article 4

Regulation (EEC) No 223/77 shall apply to movement within the Community of the products listed in Article 1.

Article 5

The Council shall decide in good time and in any case before 31 December 1980, on the measures to be taken after expiry of the validity of this Regulation as regards the export of the products listed in Article 1.

Article 6

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.

It shall apply until 31 December 1980.

For the Council
The President

(1) OJ No L 58, 8. 3. 1969, p. 1.

(2) OJ No L 24, 30.1.1976, p. 58