



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 12.09.2000
COM(2000) 557 final

2000/0229 (ACC)

Proposal for a

COUNCIL REGULATION

amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff

(presented by the Commission)

EXPLANATORY MEMORANDUM

1. The Council approved, on behalf of the Community, by its Decision No 97/359/EC the Agreement on trade in information technology products (ITA) together with a communication on its implementation.
2. This agreement lists positively specific products to be covered by the agreement wherever they are classified in the Harmonised System (Attachment B and part of Attachment A, Section 2). For Attachment B products, ITA participants have created in their tariff schedules the necessary lines covering such products and have accordingly informed other participants.
3. Under the ITA, a process has been set up whereby participants meet to consider any divergence among them in classifying information technology products, beginning with the products specified in Attachment B. As a result of this process, certain modifications to the EU tariff will be required by creating or deleting certain subheadings to the HS nomenclature in order to respect the Community's tariff commitments under the ITA.
4. The purpose of this proposal is to cover one specific type of product which is considered to be covered by the ITA but for which the ITA tariff treatment is currently not granted.
5. In the light of the foregoing, it is proposed to amend Annex I to Council Regulation (EEC) No 2658/87 accordingly.

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THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133 thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff¹, as last amended by Regulation (EC) No 1264/2000² of 8 June 2000, established a nomenclature of goods, known as the Combined Nomenclature, and sets out the conventional duty rates of the Common Customs Tariff.
- (2) By its Decision (97/359/EC)³ of 24 March 1997 concerning the elimination of duties on information technology products, the Council approved the Agreement on trade in information technology products, known as the “Information Technology Agreement” (ITA), together with the Communication on its implementation on behalf of the Community.
- (3) According to this agreement, participants shall meet to consider any divergence among them in classifying information technology products, beginning with the products specified in Attachment B. As a result of this process, modifications to the Community’s tariff schedule, reproduced in Regulation (EC) No 2658/87, are required.

¹ OJ L 256, 07.09.1987, p. 1.

² OJ L 144, 17.06.2000, p. 6.

³ OJ L 155, 12.06.1997, p. 1

HAS ADOPTED THIS REGULATION:

Article 1

1. Annex I of Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff is amended as set out in the annex to this regulation.
2. The amendments to the CN subheadings provided for in this Regulation shall be applicable as TARIC subheadings until their insertion into the Combined Nomenclature in accordance with Article 12 of Regulation (EEC) No 2658/87.

Article 2

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

It shall apply from 1 October 2000.

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

Done at Brussels,

For the Council
The President

ANNEX

CN code	Description	Rate of duty	Supplementary unit
1	2	4	5
8528	Reception apparatus for television, whether or not incorporating radio-broadcast receivers or sound or video recording or reproducing apparatus; video monitors and video projectors:		
	- Reception apparatus for television, whether or not incorporating radio-broadcast receivers or sound or video recording or reproducing apparatus:		
8528 12	-- Colour:		
8528 12 10 to 8528 12 81	<i>(unchanged)</i>		
8528 12 89	----- Other	14	p/st
	----- Without screen:		
	----- Video tuners:		
8528 12 90	----- Electronic assemblies for incorporation into automatic data processing machines	free	p/st
8528 12 91 ⁴	----- Apparatus with a microprocessor-based device incorporating a modem for gaining access to the Internet, and having a function of interactive information exchange, capable of receiving television signals ("Set-top boxes with communication function")	free	p/st
	----- Other:		
8528 12 94 ⁵	----- Digital (including mixed digital and analogue)	14	p/st
8528 12 95 to 8528 12 98	<i>(unchanged)</i>		

⁴ TARIC code: 8528 12 93 10.

⁵ TARIC code: 8528 12 93 90.

FINANCIAL STATEMENT

1. TITLE OF OPERATION

Proposal for a Council Regulation amending Annex I to Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff

2. BUDGET HEADING(S) INVOLVED

Chapter 12 Article 120

3. LEGAL BASIS

Article 26 of the Treaty

4. DESCRIPTION OF OPERATION

Implementing a tariff commitment resulting from the Information Technology Agreement

5. FINANCIAL IMPACT

No change as compared with the financial impact stated for the adoption of the Information Technology Agreement

6. FRAUD PREVENTION MEASURES

Application of the normal measures under the Community Customs Code.