

Proposal for a Council Regulation amending Regulation (EC) No 3050/95 temporarily suspending the autonomous Common Customs Tariff duties on a number of products intended for the construction, maintenance and repair of aircraft

(2002/C 151 E/21)

COM(2002) 131 final

(Submitted by the Commission on 13 March 2002)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 26 thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) By Council Regulation (EC) No 3050/95⁽¹⁾ Common Customs Tariff duties for a number of products intended for the construction, maintenance and repair of aircraft were suspended in full. However, import duties for these products are only suspended when they are subject to an end-use control in accordance with the provisions of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code⁽²⁾ (hereinafter: 'Customs Code') and of Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code⁽³⁾, that is to say, when they are used for civil aircraft only.
- (2) Similar tariff suspensions combined with the same end-use provisions of the Customs Code were introduced in Section II, B, of the Preliminary Provisions of the Combined Nomenclature in connection with the GATT aircraft agreement. The end-use for these products was the manufacture, repair, maintenance, rebuilding, modification or conversion, not only of civil aircraft, but also of ground flying trainers for civil use.
- (3) In view of the above it is appropriate to amend Regulation (EC) No 3050/95 in order to align its end-use provision

with the provisions of the Combined Nomenclature and to extend the autonomous tariff suspension introduced by Regulation (EC) No 3050/95 to ground flying trainers for civil use. The extension will also simplify the administration and control of the end-use for the economic operators and the customs authorities,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EC) No 3050/95, the first sentence is replaced by the following:

'The autonomous Common Customs Tariff duties for the products listed in the Annex shall be totally suspended, provided that those products are intended for the construction, maintenance and repair of aircraft of an unladen weight exceeding 2 000 kilograms and of ground flying trainers for civil use.'

Article 2

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

It shall apply from 1 April 2002.

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

⁽¹⁾ OJ L 320, 31.12.1995, p. 1.

⁽²⁾ OJ L 302, 19.10.1992, p. 1. The Regulation as last amended by Regulation (EC) No 2700/2000 (OJ L 311, 12.12.2000, p. 17).

⁽³⁾ OJ L 253, 11.10.1993, p. 1. The Regulation as last amended by Regulation (EC) No 993/2001 (OJ L 141, 28.5.2001, p. 1).