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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 4265/88

of 21 December 1988

on the application of Decisions No 2/88, No 3/88 and No 4/88 of the EEC—Austria Joint Committee supplementing and amending Protocol 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas the Agreement between the European Economic Community and the Republic of Austria was signed on 22 July 1972 and entered into force on 1 January 1973;

Whereas, by virtue of Article 28 of Protocol 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation, which forms an integral part of the above Agreement, the Joint Committee has adopted Decisions No 2/88, No 3/88 and No 4/88 supplementing and amending Protocol 3;

Whereas it is necessary to apply this Decision in the Community,

Article 1

Decisions No 2/88, No 3/88 and No 4/88 of the EEC—Austria Joint Committee shall apply in the Community.

The text of the Decisions is attached to this Regulation.

Article 2

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

It shall apply from 1 January 1989.

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

Done at Brussels, 21 December 1988.

For the Council
The President
V. PAPANDREOU

DECISION No 2/88 OF THE EEC—AUSTRIA JOINT COMMITTEE
of 14 December 1988

supplementing and amending Annex III to Protocol 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation

THE EEC—AUSTRIA JOINT COMMITTEE,

Having regard to the Agreement between the European Economic Community and the Republic of Austria, signed at Brussels on 22 July 1972,

Having regard to Protocol 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation, hereinafter referred to as 'Protocol 3', and in particular Article 28 thereof,

Whereas the Protocol 3 origin rules applying to sodium perborate falling within heading ex 2840 must be amended to take account of changes in manufacturing techniques and the economic conditions of international trade in the product,

HAS DECIDED AS FOLLOWS:

Article 1

Annex III to Protocol 3 to the EEC—Austria Agreement is hereby amended as follows:

1. The entry for ex Chapter 28 shall be replaced by the text appearing in the Annex to this Decision.
2. Heading ex 2840 and the corresponding entries, as they appear in the Annex to this Decision, shall be inserted after headings ex 2811 and ex 2833, which shall remain unchanged.

Article 2

This Decision shall enter into force on 1 January 1989.

Done at Brussels, 14 December 1988.

*For the EEC—Austria
Joint Committee*

*The Chairman
G. WAAS*

ANNEX

List of working or processing to be carried out on non-originating materials in order that the product manufactured can obtain originating status

Heading No	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
ex Chapter 28	Inorganic chemicals; organic or inorganic compounds of precious metals, of rare earth metals, of radioactive elements or of isotopes; except for heading Nos ex 2811, ex 2833 and ex 2840 for which the rules are set out below	Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20 % of the ex-works price of the product
ex 2840	Sodium perborate	Manufacture from disodium tetraborate pentahydrate

DECISION No 3/88 OF THE EEC—AUSTRIA JOINT COMMITTEE

of 14 December 1988

supplementing and amending Protocol 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation

THE EEC—AUSTRIA JOINT COMMITTEE,

Having regard to the Agreement between the European Economic Community and the Republic of Austria, signed at Brussels on 22 July 1972,

Having regard to Protocol 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation, hereinafter referred to as 'Protocol 3', and in particular Article 28 thereof,

Whereas, in the light of experience, the origin rules applying to used tyres collected in the Community or in Austria to be sent for retreading to the other contracting party should be specified to eliminate certain practical problems arising for industry and customs administrations; whereas to this end the text of Article 4 (h) of Protocol 3 should be supplemented and a new explanatory note to that provision should be incorporated,

HAS DECIDED AS FOLLOWS:

Article 1

Protocol 3 is hereby amended as follows:

1. Article 4 (h) shall be replaced by the following:

(h) used articles collected there, fit only for the recovery of raw materials, subject to Note 5a on used tyres contained in Annex I to this Protocol;'

2. In Annex I ('Explanatory Notes') the following shall be inserted:

'Note 5a — Article 4 (h)

In the case of used tyres, the term "used articles collected there, fit only for the recovery of raw materials" does not only cover used tyres fit only for the recovery of raw materials but also used tyres fit only for retreading or for use as waste.'

Article 2

This Decision shall enter into force on 1 January 1989.

Done at Brussels, 14 December 1988.

*For the EEC—Austria
Joint Committee*

The Chairman

G. WAAS

DECISION No 4/88 OF THE EEC—AUSTRIA JOINT COMMITTEE

of 14 December 1988

amending, in relation to heading No 8401, the List in Annex III to Protocol 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation

THE EEC—AUSTRIA JOINT COMMITTEE,

Having regard to the Agreement between the European Economic Community and the Republic of Austria, signed at Brussels on 22 July 1972,

Having regard to Protocol 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation, hereinafter referred to as 'Protocol 3', and in particular Article 28 thereof,

Whereas the footnote contained in the List in Annex III to Protocol 3 derogating in respect of nuclear fuel elements from the origin rule applicable to Chapter 84 of the Harmonized Commodity Description and Coding System (HS) is valid only until 31 December 1988; whereas nuclear fuel elements of heading No 8401 manufactured from non-originating uranium enriched in the Community do not yet satisfy the basic requirements of the rules on origin applicable to Chapter 84 and will probably not do so in the foreseeable future; whereas it is therefore necessary to extend the derogation for a further period;

Whereas in the nuclear fuel industry contracts are concluded for long periods and well in advance of the date when supplies are commenced; whereas it is advisable to provide for legal certainty in this connection; whereas it is therefore necessary to extend the derogation at this time,

HAS DECIDED AS FOLLOWS:

Article 1

In the List in Annex III to Protocol 3, the footnote relating to heading No 8401 is hereby replaced by the following:

'For nuclear fuel elements of heading No 8401, the rule in column (3) does not apply until 31 December 1993. However, materials classified in heading No 8401 may be used provided their value does not exceed 5% of the ex-works price of the product'.

Article 2

This Decision shall enter into force on 1 January 1989.

Done at Brussels, 14 December 1988.

*For the EEC—Austria
Joint Committee*

The President

G. WAAS

COUNCIL REGULATION (EEC) No 4266/88

of 21 December 1988

on the application of Decisions No 2/88, No 3/88 and No 4/88 of the EEC—Finland Joint Committee supplementing and amending Protocol 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas the Agreement between the European Economic Community and the Republic of Finland was signed on 5 October 1973 and entered into force on 1 January 1974;

Whereas, by virtue of Article 28 of Protocol 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation, which forms an integral part of the above Agreement, the Joint Committee has adopted Decisions No 2/88, No 3/88 and No 4/88 supplementing and amending Protocol 3;

Whereas it is necessary to apply this Decision in the Community,

Article 1

Decisions No 2/88, No 3/88 and No 4/88 of the EEC—Finland Joint Committee shall apply in the Community.

The text of the Decisions is attached to this Regulation.

Article 2

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

It shall apply from 1 January 1989.

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

Done at Brussels, 21 December 1988.

For the Council
The President
V. PAPANDREOU

DECISION No 2/88 OF THE EEC—FINLAND JOINT COMMITTEE

of 8 December 1988

supplementing and amending Annex III to Protocol 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation

THE EEC—FINLAND JOINT COMMITTEE,

Having regard to the Agreement between the European Economic Community and the Republic of Finland, signed at Brussels on 5 October 1973,

Having regard to Protocol 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation, hereinafter referred to as 'Protocol 3', and in particular Article 28 thereof,

Whereas the Protocol 3 origin rules applying to sodium perborate falling within heading ex 2840 must be amended to take account of changes in manufacturing techniques and the economic conditions of international trade in the product,

HAS DECIDED AS FOLLOWS:

Article 1

Annex III to Protocol 3 to the EEC—Finland Agreement is hereby amended as follows:

1. The entry for ex Chapter 28 shall be replaced by the text appearing in the Annex to this Decision.
2. Heading ex 2840 and the corresponding entries, as they appear in the Annex to this Decision, shall be inserted after headings ex 2811 and ex 2833, which shall remain unchanged.

Article 2

This Decision shall enter into force on 1 January 1989.

Done at Brussels, 8 December 1988.

*For the EEC—Finland
Joint Committee*

The Chairman

P. BENAVIDES

ANNEX

List of working or processing to be carried out on non-originating materials in order that the product manufactured can obtain originating status

Heading No	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
ex Chapter 28	Inorganic chemicals; organic or inorganic compounds of precious metals, of rare earth metals, of radioactive elements or of isotopes; except for heading Nos ex 2811, ex 2833 and ex 2840 for which the rules are set out below	Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20 % of the ex-works price of the product
ex 2840	Sodium perborate	Manufacture from disodium tetraborate pentahydrate

DECISION No 3/88 OF THE EEC—FINLAND JOINT COMMITTEE
of 8 December 1988

supplementing and amending Protocol 3 concerning the definition of the concept of
'originating products' and methods of administrative cooperation

THE EEC—FINLAND JOINT COMMITTEE,

Having regard to the Agreement between the European Economic Community and the Republic of Finland, signed at Brussels on 5 October 1973,

Having regard to Protocol 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation, hereinafter referred to as 'Protocol 3', and in particular Article 28 thereof,

Whereas, in the light of experience, the origin rules applying to used tyres collected in the Community or in Finland to be sent for retreading to the other contracting party should be specified to eliminate certain practical problems arising for industry and customs administrations; whereas to this end the text of Article 4 (h) of Protocol 3 should be supplemented and a new explanatory note to that provision should be incorporated,

HAS DECIDED AS FOLLOWS:

Article 1

Protocol 3 is hereby amended as follows:

1. Article 4 (h) shall be replaced by the following:

(h) used articles collected there, fit only for the recovery of raw materials, subject to Note 5a on used tyres contained in Annex I to this Protocol;

2. In Annex I ('Explanatory Notes') the following shall be inserted:

'Note 5a — Article 4 (h)

In the case of used tyres, the term "used articles collected there, fit only for the recovery of raw materials" does not only cover used tyres fit only for the recovery of raw materials but also used tyres fit only for retreading or for use as waste.'

Article 2

This Decision shall enter into force on 1 January 1989.

Done at Brussels, 8 December 1988.

*For the EEC—Finland
Joint Committee
The Chairman
P. BENAVIDES*

DECISION No 4/88 OF THE EEC—FINLAND JOINT COMMITTEE
of 8 December 1988

amending, in relation to heading No 8401, the List in Annex III to Protocol 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation

THE EEC—FINLAND JOINT COMMITTEE,

Having regard to the Agreement between the European Economic Community and the Republic of Finland, signed at Brussels on 5 October 1973,

Having regard to Protocol 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation, hereinafter referred to as 'Protocol 3', and in particular Article 28 thereof,

Whereas the footnote contained in the List in Annex III to Protocol 3 derogating in respect of nuclear fuel elements from the origin rule applicable to Chapter 84 of the Harmonized Commodity Description and Coding System (HS) is valid only until 31 December 1988; whereas nuclear fuel elements of heading No 8401 manufactured from non-originating uranium enriched in the Community do not yet satisfy the basic requirements of the rules on origin applicable to Chapter 84 and will probably not do so in the foreseeable future; whereas it is therefore necessary to extend the derogation for a further period;

Whereas in the nuclear fuel industry contracts are concluded for long periods and well in advance of the date when supplies are commenced; whereas it is advisable to provide for legal certainty in this connection; whereas it is therefore necessary to extend the derogation at this time,

HAS DECIDED AS FOLLOWS:

Article 1

In the List in Annex III to Protocol 3, the footnote relating to heading No 8401 is hereby replaced by the following:

'For nuclear fuel elements of heading No 8401, the rule in column (3) does not apply until 31 December 1993. However, materials classified in heading No 8401 may be used provided their value does not exceed 5% of the ex-works price of the product'.

Article 2

This Decision shall enter into force on 1 January 1989.

Done at Brussels, 8 December 1988.

*For the EEC—Finland
Joint Committee
The President
P. BENAVIDES*

COUNCIL REGULATION (EEC) No 4267/88

of 21 December 1988

on the application of Decisions No 2/88, No 3/88 and No 4/88 of the EEC—Iceland Joint Committee supplementing and amending Protocol 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas the Agreement between the European Economic Community and the Republic of Iceland was signed on 22 July 1972 and entered into force on 1 April 1973;

Whereas, by virtue of Article 28 of Protocol 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation, which forms an integral part of the above Agreement, the Joint Committee has adopted Decisions No 2/88, No 3/88 and No 4/88 supplementing and amending Protocol 3;

Whereas it is necessary to apply this Decision in the Community,

Article 1

Decisions No 2/88, No 3/88 and No 4/88 of the EEC—Iceland Joint Committee shall apply in the Community.

The text of the Decisions is attached to this Regulation.

Article 2

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

It shall apply from 1 January 1989.

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

Done at Brussels, 21 December 1988.

For the Council
The President
V. PAPANDREOU

DECISION No 2/88 OF THE EEC—ICELAND JOINT COMMITTEE

of 16 December 1988

supplementing and amending Annex III to Protocol 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation

THE EEC—ICELAND JOINT COMMITTEE,

Having regard to the Agreement between the European Economic Community and the Republic of Iceland, signed at Brussels on 22 July 1972,

Having regard to Protocol 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation, hereinafter referred to as 'Protocol 3', and in particular Article 28 thereof,

Whereas the Protocol 3 origin rules applying to sodium perborate falling within heading ex 2840 must be amended to take account of changes in manufacturing techniques and the economic conditions of international trade in the product,

HAS DECIDED AS FOLLOWS:

Article 1

Annex III to Protocol 3 to the EEC—Iceland Agreement is hereby amended as follows:

1. The entry for ex Chapter 28 shall be replaced by the text appearing in the Annex to this Decision.
2. Heading ex 2840 and the corresponding entries, as they appear in the Annex to this Decision, shall be inserted after headings ex 2811 and ex 2833, which shall remain unchanged.

Article 2

This Decision shall enter into force on 1 January 1989.

Done at Brussels, 16 December 1988.

*For the EEC—Iceland
Joint Committee*

The Chairman
P. BENAVIDES

ANNEX

List of working or processing to be carried out on non-originating materials in order that the product manufactured can obtain originating status

Heading No	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
ex Chapter 28	Inorganic chemicals; organic or inorganic compounds of precious metals, of rare earth metals, of radioactive elements or of isotopes; except for heading Nos ex 2811, ex 2833 and ex 2840 for which the rules are set out below	Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20 % of the ex-works price of the product
ex 2840	Sodium perborate	Manufacture from disodium tetraborate pentahydrate

DECISION No 3/88 OF THE EEC—ICELAND JOINT COMMITTEE

of 16 December 1988

supplementing and amending Protocol 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation

THE EEC—ICELAND JOINT COMMITTEE,

Having regard to the Agreement between the European Economic Community and the Republic of Iceland, signed at Brussels on 22 July 1972,

Having regard to Protocol 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation, hereinafter referred to as 'Protocol 3', and in particular Article 28 thereof,

Whereas, in the light of experience, the origin rules applying to used tyres collected in the Community or in Iceland to be sent for retreading to the other contracting party should be specified to eliminate certain practical problems arising for industry and customs administrations; whereas to this end the text of Article 4 (h) of Protocol 3 should be supplemented and a new explanatory note to that provision should be incorporated,

HAS DECIDED AS FOLLOWS:

Article 1

Protocol 3 is hereby amended as follows:

1. Article 4 (h) shall be replaced by the following:

(h) used articles collected there, fit only for the recovery of raw materials, subject to Note 5a on used tyres contained in Annex I to this Protocol;'

2. In Annex I ('Explanatory Notes') the following shall be inserted:

'Note 5a — Article 4 (h)

In the case of used tyres, the term "used articles collected there, fit only for the recovery of raw materials" does not only cover used tyres fit only for the recovery of raw materials but also used tyres fit only for retreading or for use as waste.'

Article 2

This Decision shall enter into force on 1 January 1989.

Done at Brussels, 16 December 1988.

*For the EEC—Iceland
Joint Committee
The Chairman
P. BENAVIDES*

DECISION No 4/88 OF THE EEC—ICELAND JOINT COMMITTEE

of 16 December 1988

amending, in relation to heading No 8401, the List in Annex III to Protocol 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation

THE EEC—ICELAND JOINT COMMITTEE,

Having regard to the Agreement between the European Economic Community and the Republic of Iceland, signed at Brussels on 22 July 1972,

Having regard to Protocol 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation, hereinafter referred to as 'Protocol 3', and in particular Article 28 thereof,

Whereas the footnote contained in the List in Annex III to Protocol 3 derogating in respect of nuclear fuel elements from the origin rule applicable to Chapter 84 of the Harmonized Commodity Description and Coding System (HS) is valid only until 31 December 1988; whereas nuclear fuel elements of heading No 8401 manufactured from non-originating uranium enriched in the Community do not yet satisfy the basic requirements of the rules on origin applicable to Chapter 84 and will probably not do so in the foreseeable future; whereas it is therefore necessary to extend the derogation for a further period;

Whereas in the nuclear fuel industry contracts are concluded for long periods and well in advance of the date when supplies are commenced; whereas it is advisable to provide for legal certainty in this connection; whereas it is therefore necessary to extend the derogation at this time,

HAS DECIDED AS FOLLOWS:

Article 1

In the List in Annex III to Protocol 3, the footnote relating to heading No 8401 is hereby replaced by the following:

'For nuclear fuel elements of heading No 8401, the rule in column (3) does not apply until 31 December 1993. However, materials classified in heading No 8401 may be used provided their value does not exceed 5% of the ex-works price of the product'.

Article 2

This Decision shall enter into force on 1 January 1989.

Done at Brussels, 16 December 1988.

*For the EEC—Iceland
Joint Committee
The President
P. BENAVIDES*

COUNCIL REGULATION (EEC) No 4268/88

of 21 December 1988

on the application of Decisions No 2/88, No 3/88 and No 4/88 of the EEC—Norway Joint Committee supplementing and amending Protocol 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Article 1

Having regard to the proposal from the Commission,

Decisions No 2/88, No 3/88 and No 4/88 of the EEC—Norway Joint Committee shall apply in the Community.

Whereas the Agreement between the European Economic Community and the Kingdom of Norway was signed on 14 May 1973 and entered into force on 1 July 1973;

The text of the Decisions is attached to this Regulation.

Whereas, by virtue of Article 28 of Protocol 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation, which forms an integral part of the above Agreement, the Joint Committee has adopted Decisions No 2/88, No 3/88 and No 4/88 supplementing and amending Protocol 3;

Article 2

Whereas it is necessary to apply this Decision in the Community,

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

It shall apply from 1 January 1989.

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

Done at Brussels, 21 December 1988.

For the Council
The President
V. PAPANDREOU

DECISION No 2/88 OF THE EEC—NORWAY JOINT COMMITTEE

of 5 December 1988

supplementing and amending Annex III to Protocol 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation

THE EEC—NORWAY JOINT COMMITTEE,

Having regard to the Agreement between the European Economic Community and the Kingdom of Norway, signed at Brussels on 14 May 1973,

Having regard to Protocol 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation, hereinafter referred to as 'Protocol 3', and in particular Article 28 thereof,

Whereas the Protocol 3 origin rules applying to sodium perborate falling within heading ex 2840 must be amended to take account of changes in manufacturing techniques and the economic conditions of international trade in the product,

HAS DECIDED AS FOLLOWS:

Article 1

Annex III to Protocol 3 to the EEC—Norway Agreement is hereby amended as follows:

1. The entry for ex Chapter 28 shall be replaced by the text appearing in the Annex to this Decision.
2. Heading ex 2840 and the corresponding entries, as they appear in the Annex to this Decision, shall be inserted after headings ex 2811 and ex 2833, which shall remain unchanged.

Article 2

This Decision shall enter into force on 1 January 1989.

Done at Brussels, 5 December 1988.

*For the EEC—Norway
Joint Committee*

The Chairman
C. BERG-NIELSEN

ANNEX

List of working or processing to be carried out on non-originating materials in order that the product manufactured can obtain originating status

Heading No	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
ex Chapter 28	Inorganic chemicals; organic or inorganic compounds of precious metals, of rare earth metals, of radioactive elements or of isotopes; except for heading Nos ex 2811, ex 2833 and ex 2840 for which the rules are set out below	Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20 % of the ex-works price of the product
ex 2840	Sodium perborate	Manufacture from disodium tetraborate pentahydrate

DECISION No 3/88 OF THE EEC—NORWAY JOINT COMMITTEE

of 5 December 1988

supplementing and amending Protocol 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation

THE EEC—NORWAY JOINT COMMITTEE,

Having regard to the Agreement between the European Economic Community and the Kingdom of Norway, signed at Brussels on 14 May 1973,

Having regard to Protocol 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation, hereinafter referred to as 'Protocol 3', and in particular Article 28 thereof,

Whereas, in the light of experience, the origin rules applying to used tyres collected in the Community or in Norway to be sent for retreading to the other contracting party should be specified to eliminate certain practical problems arising for industry and customs administrations; whereas to this end the text of Article 4 (h) of Protocol 3 should be supplemented and a new explanatory note to that provision should be incorporated,

HAS DECIDED AS FOLLOWS:

Article 1

Protocol 3 is hereby amended as follows:

1. Article 4 (h) shall be replaced by the following:

(h) used articles collected there, fit only for the recovery of raw materials, subject to Note 5a on used tyres contained in Annex I to this Protocol;'

2. In Annex I ('Explanatory Notes') the following shall be inserted:

'Note 5a — Article 4 (h)

In the case of used tyres, the term "used articles collected there, fit only for the recovery of raw materials" does not only cover used tyres fit only for the recovery of raw materials but also used tyres fit only for retreading or for use as waste.'

Article 2

This Decision shall enter into force on 1 January 1989.

Done at Brussels, 5 December 1988.

*For the EEC—Norway
Joint Committee
The Chairman
C. BERG-NIELSEN*

DECISION No 4/88 OF THE EEC—NORWAY JOINT COMMITTEE

of 5 December 1988

amending, in relation to heading No 8401, the List in Annex III to Protocol 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation

THE EEC—NORWAY JOINT COMMITTEE,

Having regard to the Agreement between the European Economic Community and the Kingdom of Norway, signed at Brussels at 14 May 1973,

Having regard to Protocol 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation, hereinafter referred to as 'Protocol 3', and in particular Article 28 thereof,

Whereas the footnote contained in the List in Annex III to Protocol 3 derogating in respect of nuclear fuel elements from the origin rule applicable to Chapter 84 of the Harmonized Commodity Description and Coding System (HS) is valid only until 31 December 1988; whereas nuclear fuel elements of heading No 8401 manufactured from non-originating uranium enriched in the Community do not yet satisfy the basic requirements of the rules on origin applicable to Chapter 84 and will probably not do so in the foreseeable future; whereas it is therefore necessary to extend the derogation for a further period;

Whereas in the nuclear fuel industry contracts are concluded for long periods and well in advance of the date when supplies are commenced; whereas it is advisable to provide for legal certainty in this connection; whereas it is therefore necessary to extend the derogation at this time,

HAS DECIDED AS FOLLOWS:

Article 1

In the List in Annex III to Protocol 3, the footnote relating to heading No 8401 is hereby replaced by the following:

'For nuclear fuel elements of heading No 8401, the rule in column (3) does not apply until 31 December 1993. However, materials classified in heading No 8401 may be used provided their value does not exceed 5% of the ex-works price of the product'.

Article 2

This Decision shall enter into force on 1 January 1989.

Done at Brussels, 5 December 1988.

*For the EEC—Norway
Joint Committee
The President
C. BERG-NIELSEN*

COUNCIL REGULATION (EEC) No 4269/88

of 21 December 1988

on the application of Decisions No 2/88, No 3/88 and No 4/88 of the EEC—Sweden Joint Committee supplementing and amending Protocol 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas the Agreement between the European Economic Community and the Kingdom of Sweden was signed on 22 July 1972 and entered into force on 1 January 1973;

Whereas, by virtue of Article 28 of Protocol 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation, which forms an integral part of the above Agreement, the Joint Committee has adopted Decisions No 2/88, No 3/88 and No 4/88 supplementing and amending Protocol 3;

Whereas it is necessary to apply this Decision in the Community,

Article 1

Decisions No 2/88, No 3/88 and No 4/88 of the EEC—Sweden Joint Committee shall apply in the Community.

The text of the Decisions is attached to this Regulation.

Article 2

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

It shall apply from 1 January 1989.

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

Done at Brussels, 21 December 1988.

For the Council
The President
V. PAPANDREOU

DECISION No 2/88 OF THE EEC—SWEDEN JOINT COMMITTEE

of 6 December 1988

supplementing and amending Annex III to Protocol 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation

THE EEC—SWEDEN JOINT COMMITTEE,

Having regard to the Agreement between the European Economic Community and the Kingdom of Sweden, signed at Brussels on 22 July 1972,

Having regard to Protocol 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation, hereinafter referred to as 'Protocol 3', and in particular Article 28 thereof,

Whereas the Protocol 3 origin rules applying to sodium perborate falling within heading ex 2840 must be amended to take account of changes in manufacturing techniques and the economic conditions of international trade in the product,

HAS DECIDED AS FOLLOWS:

Article 1

Annex III to Protocol 3 to the EEC—Sweden Agreement is hereby amended as follows:

1. The entry for ex Chapter 28 shall be replaced by the text appearing in the Annex to this Decision.
2. Heading ex 2840 and the corresponding entries, as they appear in the Annex to this Decision, shall be inserted after headings ex 2811 and ex 2833, which shall remain unchanged.

Article 2

This Decision shall enter into force on 1 January 1989.

Done at Brussels, 6 December 1988.

*For the EEC—Sweden
Joint Committee*

*The Chairman
P. BENAVIDES*

ANNEX

List of working or processing to be carried out on non-originating materials in order that the product manufactured can obtain originating status

Heading No	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
ex Chapter 28	Inorganic chemicals; organic or inorganic compounds of precious metals, of rare earth metals, of radioactive elements or of isotopes; except for heading Nos ex 2811, ex 2833 and ex 2840 for which the rules are set out below	Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20 % of the ex-works price of the product
ex 2840	Sodium perborate	Manufacture from disodium tetraborate pentahydrate

DECISION No 3/88 OF THE EEC—SWEDEN JOINT COMMITTEE
of 6 December 1988

supplementing and amending Protocol 3 concerning the definition of the concept of
'originating products' and methods of administrative cooperation

THE EEC—SWEDEN JOINT COMMITTEE,

Having regard to the Agreement between the European Economic Community and the Kingdom of Sweden, signed at Brussels on 22 July 1972,

Having regard to Protocol 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation, hereinafter referred to as 'Protocol 3', and in particular Article 28 thereof,

Whereas, in the light of experience, the origin rules applying to used tyres collected in the Community or in Austria to be sent for retreading to the other contracting party should be specified to eliminate certain practical problems arising for industry and customs administrations; whereas to this end the text of Article 4 (h) of Protocol 3 should be supplemented and a new explanatory note to that provision should be incorporated,

HAS DECIDED AS FOLLOWS:

Article 1

Protocol 3 is hereby amended as follows:

1. Article 4 (h) shall be replaced by the following:

(h) used articles collected there, fit only for the recovery of raw materials, subject to Note 5a on used tyres contained in Annex I to this Protocol;'

2. In Annex I ('Explanatory Notes') the following shall be inserted:

'Note 5a — Article 4 (h)

In the case of used tyres, the term "used articles collected there, fit only for the recovery of raw materials" does not only cover used tyres fit only for the recovery of raw materials but also used tyres fit only for retreading or for use as waste.'

Article 2

This Decision shall enter into force on 1 January 1989.

Done at Brussels, 6 December 1988.

*For the EEC—Sweden
Joint Committee
The Chairman
P. BENAVIDES*

DECISION No 4/88 OF THE EEC—SWEDEN JOINT COMMITTEE

of 6 December 1988

amending, in relation to heading No 8401, the List in Annex III to Protocol 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation

THE EEC—SWEDEN JOINT COMMITTEE,

HAS DECIDED AS FOLLOWS:

Having regard to the Agreement between the European Economic Community and the Kingdom of Sweden, signed at Brussels on 22 July 1972,

Having regard to Protocol 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation, hereinafter referred to as 'Protocol 3', and in particular Article 28 thereof,

Whereas the footnote contained in the List in Annex III to Protocol 3 derogating in respect of nuclear fuel elements from the origin rule applicable to Chapter 84 of the Harmonized Commodity Description and Coding System (HS) is valid only until 31 December 1988; whereas nuclear fuel elements of heading No 8401 manufactured from non-originating uranium enriched in the Community do not yet satisfy the basic requirements of the rules on origin applicable to Chapter 84 and will probably not do so in the foreseeable future; whereas it is therefore necessary to extend the derogation for a further period;

Whereas in the nuclear fuel industry contracts are concluded for long periods and well in advance of the date when supplies are commenced; whereas it is advisable to provide for legal certainty in this connection; whereas it is therefore necessary to extend the derogation at this time,

Article 1

In the List in Annex III to Protocol 3, the footnote relating to heading No 8401 is hereby replaced by the following:

'For nuclear fuel elements of heading No 8401, the rule in column (3) does not apply until 31 December 1993. However, materials classified in heading No 8401 may be used provided their value does not exceed 5% of the ex-works price of the product'.

Article 2

This Decision shall enter into force on 1 January 1989.

Done at Brussels, 6 December 1988.

*For the EEC—Sweden
Joint Committee
The President
P. BENAVIDES*

COUNCIL REGULATION (EEC) No 4270/88

of 21 December 1988

on the application of Decisions No 2/88, No 3/88 and No 4/88 of the EEC—Switzerland Joint Committee supplementing and amending Protocol 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Article 1

Having regard to the proposal from the Commission,

Decisions No 2/88, No 3/88 and No 4/88 of the EEC—Switzerland Joint Committee shall apply in the Community.

Whereas the Agreement between the European Economic Community and the Swiss Confederation was signed on 22 July 1972 and entered into force on 1 January 1973;

The text of the Decisions is attached to this Regulation.

Whereas, by virtue of Article 28 of Protocol 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation, which forms an integral part of the above Agreement, the Joint Committee has adopted Decisions No 2/88, No 3/88 and No 4/88 supplementing and amending Protocol 3;

Article 2

Whereas it is necessary to apply this Decision in the Community,

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

It shall apply from 1 January 1989.

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

Done at Brussels, 21 December 1988.

For the Council
The President
V. PAPANDREOU

DECISION No 2/88 OF THE EEC—SWITZERLAND JOINT COMMITTEE

of 6 December 1988

supplementing and amending Annex III to Protocol 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation

THE EEC—SWITZERLAND JOINT COMMITTEE,

Having regard to the Agreement between the European Economic Community and the Swiss Confederation, signed at Brussels on 22 July 1972,

Having regard to Protocol 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation, hereinafter referred to as 'Protocol 3', and in particular Article 28 thereof,

Whereas the Protocol 3 origin rules applying to sodium perborate falling within heading ex 2840 must be amended to take account of changes in manufacturing techniques and the economic conditions of international trade in the product,

HAS DECIDED AS FOLLOWS:

Article 1

Annex III to Protocol 3 to the EEC—Switzerland Agreement is hereby amended as follows:

1. The entry for ex Chapter 28 shall be replaced by the text appearing in the Annex to this Decision.
2. Heading ex 2840 and the corresponding entries, as they appear in the Annex to this Decision, shall be inserted after headings ex 2811 and ex 2833, which shall remain unchanged.

Article 2

This Decision shall enter into force on 1 January 1989.

Done at Brussels, 6 December 1988.

*For the EEC—Switzerland
Joint Committee*

The Chairman

P. BENAVIDES

ANNEX

List of working or processing to be carried out on non-originating materials in order that the product manufactured can obtain originating status

Heading No	Description of product	Working or processing carried out on non-originating materials that confers originating status
(1)	(2)	(3)
ex Chapter 28	Inorganic chemicals; organic or inorganic compounds of precious metals, of rare earth metals, of radioactive elements or of isotopes; except for heading Nos ex 2811, ex 2833 and ex 2840 for which the rules are set out below	Manufacture in which all the materials used are classified within a heading other than that of the product. However, materials classified within the same heading may be used provided their value does not exceed 20 % of the ex-works price of the product
ex 2840	Sodium perborate	Manufacture from disodium tetraborate pentahydrate

DECISION No 3/88 OF THE EEC—SWITZERLAND JOINT COMMITTEE

of 6 December 1988

supplementing and amending Protocol 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation

THE EEC—SWITZERLAND JOINT COMMITTEE,

Having regard to the Agreement between the European Economic Community and the Swiss Confederation, signed at Brussels on 22 July 1972,

Having regard to Protocol 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation, hereinafter referred to as 'Protocol 3', and in particular Article 28 thereof,

Whereas, in the light of experience, the origin rules applying to used tyres collected in the Community or in Switzerland to be sent for retreading to the other contracting party should be specified to eliminate certain practical problems arising for industry and customs administrations; whereas to this end the text of Article 4 (h) of Protocol 3 should be supplemented and a new explanatory note to that provision should be incorporated,

HAS DECIDED AS FOLLOWS:

Article 1

Protocol 3 is hereby amended as follows:

1. Article 4 (h) shall be replaced by the following:

(h) used articles collected there, fit only for the recovery of raw materials, subject to Note 5a on used tyres contained in Annex I to this Protocol;'

2. In Annex I ('Explanatory Notes') the following shall be inserted:

'Note 5a — Article 4 (h)

In the case of used tyres, the term "used articles collected there, fit only for the recovery of raw materials" does not only cover used tyres fit only for the recovery of raw materials but also used tyres fit only for retreading or for use as waste.'

Article 2

This Decision shall enter into force on 1 January 1989.

Done at Brussels, 6 December 1988.

*For the EEC—Switzerland
Joint Committee
The Chairman
P. BENAVIDES*

DECISION No 4/88 OF THE EEC—SWITZERLAND JOINT COMMITTEE
of 6 December 1988

amending, in relation to heading No 8401, the List in Annex III to Protocol 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation

THE EEC—SWITZERLAND JOINT COMMITTEE,

Having regard to the Agreement between the European Economic Community and the Swiss Confederation, signed at Brussels on 22 July 1972,

Having regard to Protocol 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation, hereinafter referred to as 'Protocol 3', and in particular Article 28 thereof,

Whereas the footnote contained in the List in Annex III to Protocol 3 derogating in respect of nuclear fuel elements from the origin rule applicable to Chapter 84 of the Harmonized Commodity Description and Coding System (HS) is valid only until 31 December 1988; whereas nuclear fuel elements of heading No 8401 manufactured from non-originating uranium enriched in the Community do not yet satisfy the basic requirements of the rules on origin applicable to Chapter 84 and will probably not do so in the foreseeable future; whereas it is therefore necessary to extend the derogation for a further period;

Whereas in the nuclear fuel industry contracts are concluded for long periods and well in advance of the date when supplies are commenced; whereas it is advisable to provide for legal certainty in this connection; whereas it is therefore necessary to extend the derogation at this time,

HAS DECIDED AS FOLLOWS:

Article 1

In the List in Annex III to Protocol 3, the footnote relating to heading No 8401 is hereby replaced by the following:

'For nuclear fuel elements of heading No 8401, the rule in column (3) does not apply until 31 December 1993. However, materials classified in heading No 8401 may be used provided their value does not exceed 5% of the ex-works price of the product'.

Article 2

This Decision shall enter into force on 1 January 1989.

Done at Brussels, 6 December 1988.

*For the EEC—Switzerland
Joint Committee
The President
P. BENAVIDES*