

## II

*(Acts whose publication is not obligatory)*

## COMMISSION

## COMMISSION DECISION

of 13 January 1983

**establishing that the apparatus described as 'Livermore — Laser, model Nova Novette' may be imported free of Common Customs Tariff duties**

(83/20/EEC)

THE COMMISSION OF THE EUROPEAN  
COMMUNITIES,

Having regard to the Treaty establishing the European  
Economic Community,

Having regard to Council Regulation (EEC) No  
1798/75 of 10 July 1975 on the importation free of  
Common Customs Tariff duties of educational, scien-  
tific and cultural materials<sup>(1)</sup>, as last amended by  
Regulation (EEC) No 608/82<sup>(2)</sup>,

Having regard to Commission Regulation (EEC) No  
2784/79 of 12 December 1979 laying down provisions  
for the implementation of Regulation (EEC) No  
1798/75<sup>(3)</sup>, and in particular Article 7 thereof,

Whereas, by letter dated 8 July 1982, France has  
requested the Commission to invoke the procedure  
provided for in Article 7 of Regulation (EEC) No  
2784/79 in order to determine whether or not the  
apparatus described as 'Livermore — Laser, model  
Nova Novette', ordered on 23 November 1981 and to  
be used for research in plasma physics, should be  
considered to be a scientific apparatus and, where the  
reply is in the affirmative, whether apparatus of equi-

valent scientific value is currently being manufactured  
in the Community;

Whereas, in accordance with the provisions of Article  
7 (5) of Regulation (EEC) No 2784/79, a group of  
experts composed of representatives of all the Member  
States met on 14 December 1982 within the frame-  
work of the Committee on Duty-Free Arrangements to  
examine the matter;

Whereas this examination showed that the apparatus  
in question is a high-power laser; whereas its objective  
technical characteristics, such as the energy value of  
the emission, and the use to which it is put make it  
specially suited to scientific research; whereas, more-  
over, apparatus of the same kind are principally used  
for scientific activities; whereas it must therefore be  
considered to be a scientific apparatus;

Whereas, on the basis of information received from  
Member States, apparatus of equivalent scientific value  
capable of use for the same purpose is not currently  
manufactured in the Community; whereas, therefore,  
duty-free admission of this apparatus is justified,

HAS ADOPTED THIS DECISION:

*Article 1*

The apparatus described as 'Livermore — Laser, model  
Nova Novette', which is the subject of an application

<sup>(1)</sup> OJ No L 184 15. 7. 1975, p. 1.

<sup>(2)</sup> OJ No L 74, 18. 3. 1982, p. 4.

<sup>(3)</sup> OJ No L 318, 13. 12. 1979, p. 32.

by France of 8 July 1982, may be imported free of  
Common Customs Tariff duties.

Done at Brussels, 13 January 1983.

*Article 2*

This Decision is addressed to the Member States.

*For the Commission*

Karl-Heinz NARJES

*Member of the Commission*

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