

REGULATION (EEC) No 3615/73 OF THE COMMISSION

of 20 December 1973

derogating from Articles 5 and 6 of Commission Regulation (EEC) No 3614/73 on the definition of the concept of the origin of goods for purposes of the application of tariff preferences granted by the European Economic Community in respect of certain products from developing countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Whereas the measures provided for in this Regulation are in accordance with the Opinion of the Committee on Origin,

Having regard to the Treaty establishing the European Economic Community;

HAS ADOPTED THIS REGULATION:

Having regard to Council Regulation (EEC) No 3506/73 ⁽¹⁾ of 18 December 1973 establishing, for certain products falling within Chapters 1 to 24 of the Common Customs Tariff, a system of generalized preferences for developing countries;

Article 1

By way of provisional and exceptional derogation from the provisions of Article 5 of Commission Regulation (EEC) No 3614/73, products listed in Annex A which meet the requirements of this Regulation for treatment as products originating in Indonesia, Malaysia, the Philippines or Thailand shall be considered as being conveyed directly from any one of these countries into the Community, notwithstanding that they transit through the port of Singapore and be commercialized or not, provided that they remain under the supervision of the Trade Department of the Ministry of Finance of Singapore, that they do not undergo any operation other than those listed in Annex B and that no product is added in the course of these operations, except those required to pack goods and identify packages.

Whereas, as regards the products referred to in the abovementioned Regulation, rules were laid down by Commission Regulation (EEC) No 3614/73 ⁽²⁾ of 20 December 1973 to define the conditions in which they acquire the character of originating products, and the mode of proof and the terms as to verification thereof;

Article 2

Certificates of Origin Form A issued in Indonesia, Malaysia, the Philippines or Thailand shall state in column 12 that the products are bound for the European Economic Community. They shall also include, in column 2, the name of the consignee in the Community or the words 'to order'.

Whereas the Association of South-East Asian Nations (ASEAN) established very close economic cooperation between Indonesia, Malaysia, the Philippines, Thailand and Singapore; whereas this cooperation would be affected by the enforcement of the provisions made for the transport of originating products under Article 5 of Commission Regulation (EEC) No 3614/73 of 20 December 1973, owing to the fact that certain products originating in Indonesia, Malaysia, the Philippines and Thailand would lose their character of originating products on undergoing certain operations whilst in transit through the port of Singapore; whereas the said provisions should be amended accordingly and tariff preferences should be granted in respect to these originating products on production of a Certificate of Origin Form A issued by Singapore;

Article 3

1. By way of derogation from the provisions of Article 6 of Commission Regulation (EEC) No 3614/73 of 20 December 1973 the preferential tariff measures provided for in Article 1 shall be applied to the products referred to in that Article on production of a Certificate of Origin Form A issued by

⁽¹⁾ See p. 94 of this Official Journal.

⁽²⁾ See p. 132 of this Official Journal.

the Trade Department of the Ministry of Finance of Singapore, replacing the certificate(s) formerly issued and referred to in Article 2.

2. The certificates made out under the conditions described in Paragraph 1 shall state, in column 4, the references of the certificate(s) referred to in Article 2 on production of which they are issued.

3. The measures provided for in paragraph 1 shall apply on condition that the countries referred to in

Article 1 agree to assist the Community, through the Customs authorities of the Member States, in checking the authenticity and correctness of the certificates.

Article 4

This Regulation shall enter into force on 1 January 1974.

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

Done at Brussels, 20 December 1973.

For the Commission

The President

François-Xavier ORTOLI

ANNEX A

List of the products referred to in Article 1

CCT heading No	Description
ex 03.03	Crustaceans and molluscs, whether in shell or not, fresh (live or dead), chilled, frozen, salted, in brine or dried; crustaceans, in shell, simply boiled in water
ex 15.07	Fixed vegetable oils, fluid or solid, crude, refined or purified
ex 15.10	Fatty acids, acid oils from refining; fatty alcohols
ex 20.06	Fruit otherwise prepared or preserved, whether or not containing added sugar or spirit
ex 44.05	Wood sawn lengthwise, sliced or peeled, but not further prepared, of a thickness exceeding 5 m
ex 44.15	Plywood, blockboard, laminboard, battenboard and similar laminated wood products (including veneered panels and sheets); inlaid wood and wood marquetry

ANNEX B

List of the operations referred to in Article 1

1. Sorting, classifying, matching.
 2. Packing, unpacking, changes of packing, decanting or repacking into other containers.
 3. Breaking up and assembly of goods and consignments.
 4. Affixing marks, labels or other like distinguishing signs on products or their packing.
 5. All operations to ensure the preservation of merchandise in good condition during transport and storage.
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