Commission Regulation (EC) No 2331/2003 of 23 December 2003 implementing Article 12 of Council Regulation (EC) No 2501/2001 applying a scheme of generalised tariff preferences for the period 1 January 2002 to 31 December 2004 and amending that Regulation

COMMISSION REGULATION (EC) No 2331/2003

of 23 December 2003

implementing Article 12 of Council Regulation (EC) No 2501/2001 applying a scheme of generalised tariff preferences for the period 1 January 2002 to 31 December 2004 and amending that Regulation

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2501/2001 of 10 December 2001 applying a scheme of generalised tariff preferences for the period 1 January 2002 to 31 December 2004[(1)], and in particular Article 12 thereof,

Whereas:

(1) The tariff preferences provided for in Articles 7 and 10 of Regulation (EC) No 2501/2001 should be removed in respect of products, originating in a beneficiary country, of a sector which has met, during three consecutive years, either of the criteria laid down in Article 12(1) of that Regulation.

(2) Tariff preferences which had been removed under previous schemes and under Council Regulation (EC) No 815/2003[(2)], should be re-established in respect of a sector that has not met, during three consecutive years, the criteria laid down in Article 12(2) of Regulation (EC) No 2501/2001.

(3) The condition in Article 12(3) of Regulation (EC) No 2501/2001, whereby paragraphs 1 and 2 of Article 12 do not apply to beneficiary countries whose exports to the Community account for less than the threshold mentioned in that condition, has been met by Argentina, Iran and Uruguay.

(4) Tariff preferences which had been removed under previous schemes and under Regulation (EC) No 815/2003, should be re-established in respect of sectors of all beneficiary countries whose exports to the Community account for less than the threshold mentioned in Article 12(3) of Regulation (EC) No 2501/2001.

(5) The most recent and complete statistics, which are those for the years 1999 to 2001, should be used in order to establish which sectors meet the conditions laid down in Regulation (EC) No 2501/2001.

(6) Annex I to Regulation (EC) No 2501/2001 should be replaced in order to reflect the removal or re-establishment of tariff preferences provided for in Articles 7 and 10.

Changes to legislation: *There are currently no known outstanding effects for the Commission Regulation (EC) No 2331/2003. (See end of Document for details)*

(7) The measures provided for in this Regulation are in accordance with the opinion of the Generalised Preferences Committee,

HAS ADOPTED THIS REGULATION:

Article 1

1 The tariff preferences provided for in Articles 7 and 10 of Regulation (EC) No 2501/2001 shall be removed according to Article 12(1) of that Regulation in respect of products originating in the beneficiary countries listed in Annex I to this Regulation, falling under the sectors mentioned in that Annex alongside each country concerned.

2 The tariff preferences provided for in Articles 7 and 10 of Regulation (EC) No 2501/2001 shall be re-established according to Article 12(2) of that Regulation in respect of products originating in the beneficiary countries listed in Annex II to this Regulation, falling under the sectors mentioned in that Annex alongside each country concerned.

3 The tariff preferences which had been removed under previous schemes and under Regulation (EC) No 815/2003, shall be re-established according to Article 12(3) of Regulation (EC) No 2501/2001 in respect of all beneficiary countries listed in Annex II to this Regulation.

Article 2

Annex I to Regulation (EC) No 2501/2001 shall be replaced by the text set out in Annex III to this Regulation.

Article 3

This Regulation shall enter into force on 1 January 2005.

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

Done at Brussels, 23 December 2003.

For the Commission

Pascal LAMY

Member of the Commission

***Changes to legislation:** There are currently no known outstanding effects for the Commission Regulation (EC) No 2331/2003. (See end of Document for details)*

ANNEX I

SECTORS IN RESPECT OF WHICH TARIFF PREFERENCES SHALL BE REMOVED

Country code	**Beneficiary country**	**Sector**	**Description**
BR	Brazil	XXXIV	Other base metals and articles of base metal
CN	People's Republic of China	XXV	Jewellery and precious metals
MX	Mexico	XXXI	Automobiles
PK	Pakistan	XXII	Clothing
RU	Russian Federation	XXXIV	Other base metals and articles of base metal
TH	Thailand	XXIV	Glass and ceramic

ANNEX II

—Sectors in respect of which tariff preferences shall be re-established in application of Article 12(2) of Regulation (EC) No 2501/2001

Country code	**Beneficiary country**	**Sector**	**Description**
BR	Brazil	XXIII	Footwear
IN	India	XVII	Leather, raw hides and skins
TH	Thailand	XVIII	Articles of leather and fur skins

— Countries in respect of which all tariff preferences previously removed shall be re-established in application of Article 12(3) of Regulation (EC) No 2501/2001

Argentina

Brunei Darussalam

Belarus

Chile

Colombia

Costa Rica

Iran

Kuwait

Changes to legislation: *There are currently no known outstanding effects for the Commission Regulation (EC) No 2331/2003. (See end of Document for details)*

Macao

Mauritius

Philippines

Ukraine

Uruguay

ANNEX III

BENEFICIARY COUNTRIES AND TERRITORIES OF THE COMMUNITY'S SCHEME OF GENERALISED TARIFF PREFERENCES

Column A	:	code according to the nomenclature of countries and territories for the external trade statistics of the Community
Column B	:	name of country
Column C	:	sectors not included in the general arrangements for the beneficiary country concerned (Article 7(7))
Column D	:	sectors in respect of which tariff preferences have been removed for the beneficiary country concerned (Article 7(8) and Article 10(3))
Column E	:	countries included in the special incentive arrangements for the protection of labour rights (Title III Section1)
Column F	:	sectors included in these arrangements for the beneficiary country concerned (Article 8(1) and (2))
Column G	:	countries included in the special incentive arrangements for the protection of the environment (Title III Section 2)
Column H	:	countries included in the special arrangements for least developed countries (Article 9)
Column I	:	countries included in the special arrangements to combat drug production and trafficking (Title IV)

A	B	C	D	E	F	G	H	I
AE	United Arab Emirates							
AF	Afghanistan						X	
AG	Antigua and Barbuda							
AI	Anguilla							
AM	Armenia	II, XXVI						
AN	Netherlands Antilles							

a Beneficiary country without development index.

b Only the products of sector XXVI which are underlined in Annex III are not included for the People's Republic of China, pursuant to Article 7(7).

***Changes to legislation:** There are currently no known outstanding effects for the Commission Regulation (EC) No 2331/2003. (See end of Document for details)*

Column A	:	code according to the nomenclature of countries and territories for the external trade statistics of the Community
Column B	:	name of country
Column C	:	sectors not included in the general arrangements for the beneficiary country concerned (Article 7(7))
Column D	:	sectors in respect of which tariff preferences have been removed for the beneficiary country concerned (Article 7(8) and Article 10(3))
Column E	:	countries included in the special incentive arrangements for the protection of labour rights (Title III Section1)
Column F	:	sectors included in these arrangements for the beneficiary country concerned (Article 8(1) and (2))
Column G	:	countries included in the special incentive arrangements for the protection of the environment (Title III Section 2)
Column H	:	countries included in the special arrangements for least developed countries (Article 9)
Column I	:	countries included in the special arrangements to combat drug production and trafficking (Title IV)

AO	Angola						X	
AQ	Antarctica							
AR	Argentina							
AS	American Samoa							
AW	Aruba							
AZ	Azerbaijan	II, XXVI						
BB	Barbados							
BD	Bangladesh						X	
BF	Burkina Faso						X	
BH	Bahrain							
BI	Burundi						X	
BJ	Benin						X	
BM	Bermuda							
BN	Brunei Darussalam[a]							
BO	Bolivia							X
BR	Brazil		I, VI, IX, XI, XII, XVII,					

a Beneficiary country without development index.

b Only the products of sector XXVI which are underlined in Annex III are not included for the People's Republic of China, pursuant to Article 7(7).