COUNCIL REGULATION (EC) No 815/2003

of 8 May 2003

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

THE COUNCIL OF THE EUROPEAN UNION,

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 from 1 January 2002 to 31 December 2004 [1], and in particular Article 12(5) and (8) thereof,

Having regard to the proposal from the Commission,

Whereas:

(1) The tariff preferences referred to 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 that Regulation.

(2) Tariff preferences which had been removed under previous schemes, should be re-established in respect of a sector that has not met, during three consecutive years, the criteria referred to in that Regulation.

(3) The most recent and complete statistics available to establish which sectors meet the conditions laid down in Regulation (EC) No 2501/2001 are those for the years 1997 to 1999.

(4) The date of application of this Regulation should be set taking into account the necessity for economic operators to adapt to the new customs duties thus established.

(5) 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,

(6) The condition in Article 12(8) of Regulation (EC) No 2501/2001, whereby the removal of tariff preferences does not apply in cases where a beneficiary country faces a decrease of at least 3 % of its real gross domestic product, has been met by Argentina, Uruguay and Venezuela in respect of the most recent 12-month period for which data are available.

(7) The Committee referred to in Article 37 of Regulation (EC) No 2501/2001 did not deliver an opinion in favour of the proposed Commission Regulation submitted by that Institution with regard to measures to be taken pursuant to Article 12 of that Regulation,

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 by 50 % with effect from 1 November 2003 and by 100 % with effect from 1 May 2004, 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 with effect from 1 January 2003 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. Annex I to Regulation (EC) No 2501/2001 shall be replaced by Annex III to this Regulation.

Article 2

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

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

Done at Brussels, 8 May 2003.

For the Council

The President

M. CHRISOCHOÏDIS

[1] OJ L 346, 31.12.2001, p. 1.

ANNEX I

Sectors in respect of which tariff preferences shall be removed

Country code	Beneficiary country	Sector	Description
BR	Brazil	XIX	Wood
CN	People's Republic of China	III XVI XX XXVIII XXIX XXXII	Edible products of animal origin Plastics and rubber Paper Electro-mechanics Consumer electronics Optical and clocks
CO	Colombia	V	Trees, plants, cut flowers, edible vegetables and nuts
CR	Costa Rica	V	Trees, plants, cut flowers, edible vegetables and nuts
KW	Kuwait	XIII	Mineral products
MA	Morocco	XV	Fertilisers
MU	Mauritius	XXII	Clothing
MX	Mexico	XI XIV XXIV	Edible preparations of meat or fish and beverages Chemicals except fertilisers Glass and ceramic
TH	Thailand	XXIX	Consumer electronics
TN	Tunisia	XV	Fertilisers
		XXII	Clothing

ANNEX II

Sectors in respect of which tariff preferences shall be re-established

Country code	Beneficiary country	Sector	Description
AR	Argentina	III	Edible products of animal origin
		XI	Edible preparations and beverages
BR	Brazil	XXX	Transport equipment
CL	Chile	IX	Lac, gums and resins
		XV	Fertilisers
KZ	Kazakhstan	XV	Fertilisers
		XXV	Jewellery and precious metals
		XXVII	Base metals and articles of base metal, other than products of sector
MX	Mexico	III	Edible products of animal origin
		V	Trees, plants, cut flowers, edible vegetables and nuts
MY	Malaysia	VII	Cereals and malt and starches
		XXII	Clothing
RU	Russian Federation	XXVII	Base metals and articles of base metal, other than products of sector XXVI
TH	Thailand	V	Trees, plants, cut flowers, edible vegetables and nuts
		XXII	Clothing
		XXXIII	Miscellaneous

ANNEX III

'ANNEX I

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, Section 1)

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							
AO	Angola						X	
AQ	Antarctica							
AR	Argentina		I, XVII					
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	