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(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 57/2004

of 27 October 2003

amending Commission Decision 2002/602/ECSC on administering certain restrictions on imports of certain steel products from the Russian Federation

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133 thereof,

Having regard to the proposal from the Commission,

Whereas:

(1) The Partnership and Cooperation Agreement establishing a partnership between the European Communities and their Member States, of the one part, and the Russian Federation, of the other part [1], entered into force on 1 December 1997.

(2) Article 21 of the Partnership and Cooperation Agreement provides that trade in European Coal and Steel Community (hereinafter referred to as 'the ECSC') products shall be governed by Title III, save for Article 15 thereof, and by the provisions of an agreement.

(3) On 9 July 2002 the ECSC and the Government of the Russian Federation concluded such an Agreement on trade in certain steel products [2], approved on behalf of the ECSC by Commission Decision 2002/603/ECSC [3].

(4) The ECSC Treaty expired on 23 July 2002. The Parties agreed pursuant to Article 10(2) of the Agreement on trade in certain steel products that it should be continued and that all rights and obligations should be maintained after such expiry.

(5) The Government of the Russian Federation has requested, in accordance with Article 3(3) of the Agreement, to carry over certain amounts of the quantitative limits not used during the year 2002; the authorised carryover for each product group is as follows: 2 186 980 kg for SA1, 10 802 830 kg for SA1a, 4 200 000 kg for SA2, 2 505 046 kg for SA3, 0 for SA4, 272 850 kg for SB1, 4 200 000 for SB2 and 11 550 000 for SB3.

(6) In accordance with Article 3(4) of the Agreement, the Government of the Russian Federation has requested the transfer of 4 000 tonnes from product group SB2 and 6 000 tonnes from product group SB3 to product group SA1a.

(7) The Parties entered into consultations as provided for in Agreed Minute No 2 of the abovementioned Agreement and concluded that the product coverage of the Agreement has to be extended to include also product groups SA5 and SA6, such extension being the subject of a new agreement amending the previous Agreement.

(8) The Community approved the conclusion of the new Agreement, which entered into force on the day of its signature [4].

(9) It is necessary to amend accordingly Commission Decision 2002/602/ECSC on administering certain restrictions on imports of certain steel products from the Russian Federation [5] to take account of the request for carryover, the request for the transfer and the new Agreement,

HAS ADOPTED THIS REGULATION:

Article 1

Decision 2002/602/ECSC shall be amended as follows:

1. Annex I is replaced by the text of Annex I hereto.

2. Annex IV is replaced by the text of Annex II hereto.

Article 2

Imports into the Community of goods falling within product groups SA5 and SA6 accompanied by a surveillance document [6] issued before the date of entry into force of this Regulation shall not require an import authorisation as referred to in Commission Decision 2002/602/ECSC, notably in Article 2 thereof.

[1] OJ L 327, 28.11.1997, p. 3.
[2] OJ L 195, 24.7.2002, p. 55.
[3] OJ L 195, 24.7.2002, p. 54.
[4] See page 21 of this Official Journal.
[5] OJ L 195, 24.7.2002, p. 38.
[6] Issued in accordance with Commission Regulation (EC) No 76/2002 (OJ L 16, 18.1.2002, p. 3). Regulation as last amended by Regulation (EC) No 2385/2002 (OJ L 358, 31.12.2002, p. 125).

Article 3

The products listed in product groups SA5 and SA6 as defined in Annex I originating in the Russian Federation and imported into the Community as from 1 January 2003 shall be counted against the respective quantitative limits set out in Annex II for the year 2003.

Article 4

This Regulation shall enter into force on the 10th day following that 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 Luxembourg, 27 October 2003.

For the Council

The President

A. MATTEOLI