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EN

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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 1440/2005**of 12 July 2005****on administering certain restrictions on imports of certain steel products from Ukraine and
repealing Regulation (EC) No 2266/2004**

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 between the European Communities and their Member States and Ukraine ⁽¹⁾, hereinafter referred to as 'the PCA', entered into force on 1 March 1998.
- (2) Article 22(1) of the PCA provides that trade in certain steel products shall be governed by Title III thereof, with the exception of Article 14 thereof, and by the provisions of an Agreement on quantitative arrangements.
- (3) On 29 July 2005, the European Community and the Government of Ukraine concluded such an Agreement on trade in certain steel products ⁽²⁾, hereinafter referred to as 'the Agreement'.
- (4) It is necessary to provide the means for administering the terms of the Agreement within the Community, taking into account the experience gained from previous Agreements concerning a similar regime.
- (5) It is appropriate to classify the products in question on the basis of the combined nomenclature (CN) established by Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽³⁾.
- (6) It is necessary to ensure that the origin of the products in question is checked and appropriate methods of administrative cooperation are set up to that end.
- (7) The effective application of the Agreement requires the introduction of a requirement of a Community import authorisation for entry into free circulation in the Community of the products in question together with a

system for administering the granting of such Community import authorisations.

- (8) Products placed in a free zone or imported under the arrangements governing customs warehouses, temporary importation or inward processing (suspension system) should not be counted against the limits established for the products in question.
- (9) In order to ensure that these quantitative limits are not exceeded, it is necessary to establish a management procedure whereby the competent authorities of the Member States will not issue import authorisations before obtaining prior confirmation from the Commission that appropriate amounts remain available within the quantitative limit in question.
- (10) The Agreement provides for a system of cooperation between Ukraine and the Community with the aim of preventing circumvention by means of transshipment, rerouting or other means. A consultation procedure should be established under which an agreement can be reached with the country concerned on an equivalent adjustment to the relevant quantitative limit when it appears that the Agreement has been circumvented. Ukraine has agreed to take the necessary measures to ensure that any adjustments could be rapidly applied. In the absence of agreement within the time limit provided, the Community should, where there is clear evidence of circumvention, have the possibility to apply the equivalent adjustment.
- (11) From 1 January 2005 imports into the Community of products covered by this Regulation have been subjected to a licence pursuant to Council Regulation (EC) No 2266/2004 of 20 December 2004 on trade in certain steel products between the Community and Ukraine ⁽⁴⁾. The Agreement provides that those imports are to be counted against the limits established for 2005 in this Regulation.

⁽¹⁾ OJ L 49, 19.2.1998, p. 3.

⁽²⁾ See page 43 of this Official Journal.

⁽³⁾ OJ L 256, 7.9.1987, p. 1. Regulation as last amended by Regulation (EC) No 493/2005 (OJ L 82, 31.3.2005, p. 1).

⁽⁴⁾ OJ L 395, 31.12.2004, p. 20.

- (12) For reasons of clarity it is therefore necessary to replace Regulation (EC) No 2266/2004 by this Regulation,

3. Imports of products as from 1 January 2005, for which a licence was required pursuant to Regulation (EC) No 2266/2004 shall be counted against the relevant limits for 2005 laid down in Annex V.

HAS ADOPTED THIS REGULATION:

4. For the purposes of this Regulation and as from the date of its application, shipment of products shall be considered as having taken place on the date on which they were loaded on to the exporting means of transport.

CHAPTER I

GENERAL PROVISIONS

Article 1

1. This Regulation applies to imports into the Community of steel products listed in Annex I, originating in Ukraine.
2. The steel products shall be classified in product groups as set out in Annex I.
3. The origin of the products referred to in paragraph 1 shall be determined in accordance with the rules in force in the Community.
4. The procedures for verification of the origin of the products referred to in paragraph 1 are laid down in Chapters II and III.

Article 2

1. The importation into the Community of the products listed in Annex I originating in Ukraine shall be subject to the annual quantitative limits laid down in Annex V. The release for free circulation in the Community of the products listed in Annex I originating in Ukraine shall be subject to the presentation of a certificate of origin, as set out in Annex II, and of an import authorisation issued by the Member States' authorities in accordance with the provisions of Article 4.

The authorised imports shall be counted against the quantitative limits laid down for the year in which the products are shipped in the exporting country.

2. In order to ensure that quantities for which import authorisations are issued do not exceed at any moment the total quantitative limits for each product group, the competent authorities of the Member States shall issue import authorisations only upon confirmation by the Commission that there are still quantities available within the quantitative limits for the relevant product group of steel products in respect of the supplier country, for which an importer or importers have submitted applications to those authorities. The competent authorities of the Member States for the purposes of this Regulation are listed in Annex IV.

Article 3

1. The quantitative limits referred to in Annex V shall not apply to products placed in a free zone or free warehouse or imported under the arrangements governing customs warehouses, temporary importation or inward processing (suspension system).

2. Where the products referred to in paragraph 1 are subsequently released for free circulation, either in the unaltered state or after working or processing, Article 2(2) shall apply and the products so released shall be counted against the relevant quantitative limit set out in Annex V.

Article 4

1. For the purpose of applying Article 2(2), before issuing import authorisations, the competent authorities of the Member States shall notify the Commission of the amounts of the requests for import authorisations, supported by original export licences, which they have received. By return, the Commission shall notify its confirmation that the requested amount(s) of quantities are available for importation in the chronological order in which the notifications of the Member States have been received.

2. The requests included in the notifications to the Commission shall be valid if they establish clearly in each case the exporting country, the product group concerned, the amounts to be imported, the number of the export licence, the quota year and the Member State in which the products are intended to be put into free circulation.

3. As far as possible, the Commission shall confirm to the authorities of the Member States the full amount indicated in the requests notified for each product group. Moreover, the Commission shall contact the competent authorities of Ukraine immediately in cases where requests notified exceed the limits in order to seek clarification and a rapid solution.

4. The competent authorities of the Member States shall notify the Commission immediately after being informed of any quantity that is not used during the duration of validity of the import authorisation. Such unused quantities shall automatically be transferred into the remaining quantities of the total Community quantitative limit for each product group.

5. The notifications referred to in paragraphs 1, 2, 3 and 4 shall be communicated electronically within the integrated network set up for this purpose, unless for imperative technical reasons it is necessary to use other means of communication temporarily.

6. The import authorisations or equivalent documents shall be issued in accordance with Chapter II.

7. The competent authorities of the Member States shall notify the Commission of any cancellation of import authorisations or equivalent documents already issued in cases where the corresponding export licences have been withdrawn or cancelled by the competent authorities of Ukraine. However, if the Commission or the competent authorities of a Member State have been informed by the competent authorities of Ukraine of the withdrawal or cancellation of an export licence after the related products have been imported into the Community, the quantities in question shall be counted against the quantitative limit for the year during which shipment of products took place.

Article 5

For the purposes of applying Article 3(3) and 3(4) of the Agreement, the Commission is hereby authorised to make the necessary adjustments.

Article 6

1. Where, following the enquiries carried out in accordance with the procedures set out in Chapter III, the Commission notes that the information in its possession constitutes proof that products listed in Annex I originating in Ukraine have been transhipped, rerouted or otherwise imported into the Community through circumvention of the quantitative limits referred to in Article 2 and that there is a need for the necessary adjustments to be made, it shall request that consultations be opened so that agreement may be reached on an equivalent adjustment of the corresponding quantitative limits.

2. Pending the outcome of the consultations referred to in paragraph 1, the Commission may ask Ukraine to take the necessary precautionary steps to ensure that adjustments to the quantitative limits agreed following such consultations may be carried out for the year in which the request for consultations was lodged or for the following year, if the quantitative limits for the current year are exhausted, where there is clear evidence of circumvention.

3. If the Community and Ukraine fail to arrive at a satisfactory solution and if the Commission notes that there is clear evidence of circumvention, the Commission shall deduct from the quantitative limits an equivalent volume of products originating in Ukraine.

Article 7

This Regulation shall not constitute in any way a derogation from the provisions of the Agreement which, in all cases of conflict, shall prevail.

CHAPTER II

MODALITIES APPLICABLE TO THE MANAGEMENT OF THE QUANTITATIVE LIMITS

SECTION 1

Classification

Article 8

The classification of the products covered by this Regulation is based on the combined nomenclature established by Regulation (EEC) No 2658/87.

Article 9

On the initiative of the Commission or of a Member State, the Tariff and Statistical Nomenclature Section of the Customs Code Committee, established by Regulation (EEC) No 2658/87 will examine urgently, in accordance with the provisions of that Regulation, all questions concerning the classification of products covered by this Regulation within the combined nomenclature in order to classify them in the appropriate product groups.

Article 10

The Commission shall inform Ukraine of any changes in the CN and TARIC codes affecting products covered by this Regulation at least one month before the date of their entry into force in the Community.

Article 11

The Commission shall inform the competent authorities of Ukraine of any decisions adopted in accordance with the procedures in force in the Community relating to classification of products covered by this Regulation, within one month at the latest of their adoption. Such communication shall include:

(a) a description of the products concerned;

- (b) the relevant product group, the CN and TARIC code;
- (c) the reasons which have led to the decision.

Article 12

1. Where a classification decision adopted in accordance with Community procedures in force results in a change of classification practice or a change in the product group of any product covered by this Regulation, the competent authorities of the Member States shall provide 30 days' notice, from the date of the Commission's notification, before the decision is put into effect.

2. Products shipped before the date of application of the decision shall remain subject to earlier classification practice, provided that the goods in question are entered to importation within 60 days of that date.

Article 13

Where a classification decision adopted in accordance with the Community procedures in force referred to in Article 12 involves a product group subject to a quantitative limit, the Commission shall, where necessary, initiate consultations without delay in accordance with Article 9, in order to reach agreement on any necessary adjustments to the corresponding quantitative limits provided for in Annex V.

Article 14

1. Without prejudice to any other provision on this subject, where the classification indicated in the documentation necessary for importation of the products covered by this Regulation differs from the classification determined by the competent authorities of the Member State into which they are to be imported, the goods in question shall be provisionally subject to the import arrangements which, in accordance with the provisions of this Regulation, are applicable to them on the basis of the classification determined by the aforementioned authorities.

2. The competent authorities of the Member States shall inform the Commission of the cases referred to in paragraph 1, indicating in particular:

- (a) the quantities of products involved;
- (b) the product group shown on the import documentation and that retained by the competent authorities;
- (c) the number of the export licence and the category shown.

3. The competent authorities of the Member States shall not issue a new import authorisation for steel products subject to a Community quantitative limit laid down in Annex V following re-classification until they have obtained confirmation from the Commission in accordance with the procedure laid down in Article 4 that the amounts to be imported are available.

4. The Commission shall notify the exporting countries concerned of the cases referred to in this Article.

Article 15

In the cases referred to in Article 14, as well as in those cases of a similar nature raised by the competent authorities of Ukraine, the Commission, if necessary, shall enter into consultations with Ukraine, in order to reach agreement on the classification definitively applicable to the products involved in the divergence.

Article 16

The Commission, in agreement with the competent authorities of the importing Member State or States and of Ukraine, may, in the cases referred to in Article 15, determine the classification definitively applicable to the products involved in the divergence.

Article 17

When a case of divergence referred to in Article 14 cannot be resolved in accordance with Article 15, the Commission shall adopt, in accordance with the provisions of Article 10 of Regulation (EEC) No 2658/87, a measure establishing the classification of the goods in the combined nomenclature.

SECTION 2

Double-checking system for administering quantitative limits

Article 18

1. The competent authorities of Ukraine shall issue an export licence in respect of all consignments of steel products subject to the quantitative limits laid down in Annex V up to the level of those limits.

2. The importer shall present the original of the export licence for the purposes of the issue of the import authorisation referred to in Article 21.

Article 19

1. The export licence for quantitative limits shall conform to the model set out in Annex II and shall certify, *inter alia*, that the quantity of goods in question has been counted against the quantitative limit established for the product group concerned.

2. Each export licence shall cover only one of the product groups listed in Annex I.

Article 20

Exports shall be counted against the quantitative limits established for the year in which the products covered by the export licence have been shipped within the meaning of Article 2(4).

Article 21

1. To the extent that the Commission pursuant to Article 4 has confirmed that the amount requested is available within the quantitative limit in question, the competent authorities of the Member States shall issue an import authorisation within a maximum of 10 working days of the presentation by the importer of the original of the corresponding export licence. This presentation must be effected not later than 31 March of the year following that in which the goods covered by the export licence have been shipped. Import authorisations shall be issued by the competent authorities of any Member State irrespective of the Member State indicated on the export licence, to the extent that the Commission has confirmed, in accordance with the procedure laid down in Article 4, that the amount requested is available within the quantitative limit in question.

2. The import authorisations shall be valid for four months from the date of their issue. Upon duly motivated request by an importer, the competent authorities of a Member State may extend the duration of validity for a further period not exceeding four months.

3. Import authorisations shall be drawn up in accordance with the model set out in Annex III and shall be valid throughout the customs territory of the Community.

4. The declaration or request made by the importer in order to obtain the import authorisation shall contain:

- (a) the full name and address of the exporter;
- (b) the full name and address of the importer;
- (c) the exact description of the goods and their TARIC code(s);
- (d) the country of origin of the goods;

- (e) the country of consignment;
- (f) the appropriate product group and the quantity for the products in question;
- (g) the net weight by CN heading;
- (h) the cif value of the products at Community frontier by CN heading;
- (i) where appropriate, dates of payment and delivery and a copy of the bill of lading and of the purchase contract;
- (j) date and number of the export licence;
- (k) any internal code used for administrative purposes;
- (l) date and signature of importer.

5. Importers shall not be obliged to import the total quantity covered by an import authorisation in a single consignment.

6. The import authorisation may be issued by electronic means as long as the customs offices involved have access to the document via a computer network.

Article 22

The validity of import authorisations issued by the authorities of the Member States shall be subject to the validity of export licences and the quantities indicated in the export licences issued by the competent authorities of Ukraine on the basis of which the import authorisations have been issued.

Article 23

Import authorisations or equivalent documents shall be issued by the competent authorities of the Member States in conformity with Article 2(2) and without discrimination to any importer in the Community, wherever the place of his establishment may be in the Community, without prejudice to other conditions required under the current rules.

Article 24

1. If the Commission finds that the total quantities covered by export licences issued by Ukraine for a particular product group in any year exceed the quantitative limit established for that product group, the competent authorities in the Member States shall be informed immediately in order to suspend the further issue of import authorisations. In this event, consultations shall be initiated forthwith by the Commission.

2. The competent authorities of a Member State shall refuse to issue import authorisations for products originating in Ukraine which are not covered by export licences issued in accordance with the provisions of this Chapter.

SECTION 3

Common provisions

Article 25

1. The export licence referred to in Article 18 and the certificate of origin referred to in Article 2 may include additional copies duly indicated as such. The original and the copies of these documents shall be drawn up in English.

2. If the documents referred to in paragraph 1 are completed by hand, entries must be in ink and in block letters.

3. The export licences or equivalent documents and certificates of origin shall measure 210 x 297 mm. The paper shall be white writing paper, sized, not containing mechanical pulp and weighing not less than 25 g/m². Each part shall have a printed guilloche-pattern background making any falsification by mechanical or chemical means apparent to the eye.

4. Only the original shall be accepted by the competent authorities of the Member States as being valid for import purposes in accordance with the provisions of this Regulation.

5. Each export licence or equivalent document and the certificate of origin shall bear a standardised serial number, whether or not printed, by which it can be identified.

6. This number shall be composed of the following elements:

— two letters identifying the exporting country as follows:

UA = Ukraine,

— two letters identifying the Member State of intended destination as follows:

AT = Austria

BE = Belgium

CY = Cyprus

CZ = Czech Republic

DE = Germany

DK = Denmark

EE = Estonia

EL = Greece

ES = Spain

FI = Finland

FR = France

GB = United Kingdom

HU = Hungary

IE = Ireland

IT = Italy

LT = Lithuania

LU = Luxembourg

LV = Latvia

MT = Malta

NL = Netherlands

PL = Poland

PT = Portugal

SE = Sweden

SI = Slovenia

SK = Slovakia,

— a one-digit number identifying the quota year corresponding to the last figure in the year in question, e.g. '5' for 2005,

— a two-digit number identifying the issuing office in the exporting country,

— a five-digit number running consecutively from 00001 to 99999 allocated to the specific Member State of destination.

Article 26

The export licence and the certificate of origin may be issued after the shipment of the products to which they relate. In such cases they shall bear the endorsement 'issued retrospectively'.

Article 27

1. In the event of theft, loss or destruction of an export licence or a certificate of origin, the exporter may apply to the competent authority which issued the document for a duplicate to be made out on the basis of the export documents in his possession. The duplicate licence or certificate issued in this way shall bear the endorsement 'duplicate'.

2. The duplicate shall bear the date of the original licence or certificate.

SECTION 4

Community import authorisation — common form*Article 28*

1. The forms to be used by the competent authorities of the Member States for issuing the import authorisations referred to in Article 21 shall conform to the model of the import authorisation set out in Annex III.

2. Import authorisation forms and extracts thereof shall be drawn up in duplicate, one copy, marked 'Holder's copy' and bearing the number 1 to be issued to the applicant, and the other, marked 'Copy for the issuing authority' and bearing the number 2, to be kept by the authority issuing the licence. For administrative purposes the competent authorities may add additional copies to form 2.

3. Forms shall be printed on white paper free of mechanical pulp, dressed for writing and weighing between 55 and 65 g/m². Their size shall be 210 x 297 mm; the type space between the lines shall be 4,24 mm (one sixth of an inch); the layout of the forms shall be followed precisely. Both sides of copy No 1, which is the licence itself, shall in addition have a red printed guilloche-pattern background making any falsification by mechanical or chemical means apparent to the eye.

4. Member States shall be responsible for having the forms printed. The forms may also be printed by printers appointed by the Member State in which they are established. In the latter case, reference to the appointment by the Member State must appear on each form. Each form shall bear the printer's name and address or a mark enabling the printer to be identified.

5. At the time of their issue the import authorisations or extracts shall be given an issue number determined by the competent authorities of the Member State. The import authorisation number shall be notified to the Commission electronically within the integrated network set up under Article 4.

6. Licences and extracts shall be completed in the official language, or one of the official languages, of the Member State of issue.

7. In box 10 the competent authorities shall indicate the appropriate steel product group.

8. The marks of the issuing agencies and debiting authorities shall be applied by means of a stamp. However, an embossing press combined with letters or figures obtained by means of perforation, or printing on the licence may be substituted for

the issuing authority's stamp. The issuing authorities shall use any tamper-proof method to record the quantity allocated in such a way as to make it impossible to insert figures or references.

9. The reverse of copy No 1 and copy No 2 shall bear a box in which quantities may be entered, either by the customs authorities when import formalities are completed, or by the competent administrative authorities when an extract is issued. If the space set aside for debits on a licence or extract thereof is insufficient, the competent authorities may attach one or more extension pages bearing boxes matching those on the reverse of copy No 1 and copy No 2 of the licence or extract. The debiting authorities shall place their stamp so that one half is on the licence or extract thereof and the other half is on the extension page. If there is more than one extension page, a further stamp shall be placed in like manner across each page and the preceding page.

10. Import authorisations and extracts issued, and entries and endorsements made, by the authorities of one Member State shall have the same legal effect in each of the other Member States as documents issued, and entries and endorsements made, by the authorities of such Member States.

11. The competent authorities of the Member States concerned may, where indispensable, require the contents of licences or extracts to be translated into the official language or one of the official languages of that Member State.

CHAPTER III

ADMINISTRATIVE COOPERATION*Article 29*

The Commission shall supply the Member States' authorities with the names and addresses of authorities in Ukraine competent to issue certificates of origin and export licences together with specimens of the stamps used by these authorities.

Article 30

1. Subsequent verification of certificates of origin or export licences shall be carried out at random, or whenever the competent authorities of the Member States have reasonable doubt as to the authenticity of the certificate of origin or export licence or as to the accuracy of the information regarding the true origin of the products in question.

In such cases the competent authorities of the Community shall return the certificate of origin or the export licence or a copy thereof to the competent authorities of Ukraine, giving, where appropriate, the reasons of form or substance for an enquiry. If the invoice has been submitted, such invoice or a copy thereof shall be attached to the certificate of origin or export licence or copy thereof. The competent authorities shall also forward any information that has been offered suggesting that the particulars given on the certificate of origin or the export licence are inaccurate.

2. The provisions of paragraph 1 shall also apply to subsequent verifications of declarations of origin.

3. The results of the subsequent verifications carried out in accordance with paragraph 1 shall be communicated to the competent authorities of the Community within three months at the latest. The information communicated shall indicate whether the disputed certificate, licence or declaration applies to the goods actually exported and whether the goods are eligible for export to the Community under this Chapter. The competent authorities of the Community may also request copies of all documentation necessary to determine the facts fully, including, in particular, the origin of the goods.

4. Should such verifications reveal abuse or major irregularities in the use of declarations of origin, the Member State concerned shall inform the Commission of this fact. The Commission shall pass the information on to the other Member States.

5. Random recourse to the procedure specified in this Article shall not constitute an obstacle to the release for free circulation of the products in question.

Article 31

1. Where the verification procedure referred to in Article 30 or where information available to the competent authorities of the Community indicates that the provisions of this Chapter are being contravened, the said authorities shall request

Ukraine to carry out appropriate enquiries or arrange for such enquiries to be carried out concerning operations which are or appear to be in contravention of the provisions of this Chapter. The results of these enquiries shall be communicated to the competent authorities of the Community together with any other pertinent information enabling the true origin of the goods to be determined.

2. In pursuance of the action taken in accordance with the provisions of this Chapter, the competent authorities of the Community may exchange any information with the competent authorities of Ukraine which is considered to be of use in preventing the contravention of the provisions of this Chapter.

3. Where it is established that the provisions of this Chapter have been contravened, the Commission may take such measures as are necessary to prevent recurrence of such contravention.

Article 32

The Commission shall coordinate the action undertaken by the competent authorities of the Member States under the provisions of this Chapter. The competent authorities of the Member States shall inform the Commission and the other Member States of action which they have undertaken and the results obtained.

CHAPTER IV

FINAL PROVISIONS

Article 33

Regulation (EC) No 2266/2004 is hereby repealed.

Article 34

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, 12 July 2005.

For the Council
The President
G. BROWN

ANNEX I

SA. Flat-rolled products*SA1. (coils)*

7208 10 00 00
 7208 25 00 00
 7208 26 00 00
 7208 27 00 00
 7208 36 00 00
 7208 37 00 10
 7208 37 00 90
 7208 38 00 10
 7208 38 00 90
 7208 39 00 10
 7208 39 00 90
 7211 14 00 10
 7211 19 00 10
 7219 11 00 00
 7219 12 10 00
 7219 12 90 00
 7219 13 10 00
 7219 13 90 00
 7219 14 10 00
 7219 14 90 00
 7225 20 00 10
 7225 30 10 00
 7225 30 90 00

SA2. (heavy plate)

7208 40 00 10
 7208 51 20 10
 7208 51 20 91
 7208 51 20 93
 7208 51 20 97
 7208 51 20 98
 7208 51 91 10
 7208 51 91 90
 7208 51 98 10
 7208 51 98 91
 7208 51 98 99
 7208 52 91 10
 7208 52 91 90
 7208 52 10 00
 7208 52 99 00
 7208 53 10 00
 7211 13 00 00
 7225 40 12 30
 7225 40 40 00
 7225 40 60 00
 7225 99 00 10

SA3. (other flat rolled products)

7208 40 00 90
 7208 53 90 00
 7208 54 00 00

7208 90 00 10
 7209 15 00 00
 7209 16 10 00
 7209 16 90 00
 7209 17 10 00
 7209 17 90 00
 7209 18 10 00
 7209 18 91 00
 7209 18 99 00
 7209 25 00 00
 7209 26 10 00
 7209 26 90 00
 7209 27 10 00
 7209 27 90 00
 7209 28 10 00
 7209 28 90 00
 7209 90 00 10
 7210 11 00 10
 7210 12 20 10
 7210 12 80 10
 7210 20 00 10
 7210 30 00 10
 7210 41 00 10
 7210 49 00 10
 7210 50 00 10
 7210 61 00 10
 7210 69 00 10
 7210 70 10 10
 7210 70 80 10
 7210 90 30 10
 7210 90 40 10
 7210 90 80 91
 7211 14 00 90
 7211 19 00 90
 7211 23 20 10
 7211 23 30 10
 7211 23 30 91
 7211 23 80 10
 7211 23 80 91
 7211 29 00 10
 7211 90 00 11
 7212 10 10 00
 7212 10 90 11
 7212 20 00 11
 7212 30 00 11
 7212 40 20 10
 7212 40 20 91
 7212 40 80 11
 7212 50 20 11
 7212 50 30 11
 7212 50 40 11
 7212 50 61 11
 7212 50 69 11
 7212 50 90 13

7212 60 00 11
 7212 60 00 91
 7219 21 10 00
 7219 21 90 00
 7219 22 10 00
 7219 22 90 00
 7219 23 00 00
 7219 24 00 00
 7219 31 00 00
 7219 32 10 00
 7219 32 90 00
 7219 33 10 00
 7219 33 90 00
 7219 34 10 00
 7219 34 90 00
 7219 35 10 00
 7219 35 90 00
 7225 40 12 90
 7225 40 90 00

SB. Longs*SB1. (beams)*

7207 19 80 10
 7207 20 80 10
 7216 31 10 10
 7216 31 10 90
 7216 31 90 00
 7216 32 11 00
 7216 32 19 00
 7216 32 91 00
 7216 32 99 00
 7216 33 10 00
 7216 33 90 00

SB2. (wire rod)

7213 10 00 00
 7213 20 00 00
 7213 91 10 00
 7213 91 20 00
 7213 91 41 00
 7213 91 49 00
 7213 91 70 00
 7213 91 90 00
 7213 99 10 00
 7213 99 90 00
 7221 00 10 00
 7221 00 90 00
 7227 10 00 00
 7227 20 00 00
 7227 90 10 00
 7227 90 50 00
 7227 90 95 00

SB3. (other longs)	7216 21 00 00	7224 90 31 00
7207 19 12 10	7216 22 00 00	7224 90 38 00
7207 19 12 91	7216 40 10 00	7228 10 20 00
7207 19 12 99	7216 40 90 00	7228 20 10 10
7207 20 52 00	7216 50 10 00	7228 20 10 91
7214 20 00 00	7216 50 91 00	7228 20 91 10
7214 30 00 00	7216 50 99 00	7228 20 91 90
7214 91 10 00	7216 99 00 10	7228 30 20 00
7214 91 90 00	7218 99 20 00	7228 30 41 00
7214 99 10 00	7222 11 11 00	7228 30 49 00
7214 99 31 00	7222 11 19 00	7228 30 61 00
7214 99 39 00	7222 11 81 10	7228 30 69 00
7214 99 50 00	7222 11 81 90	7228 30 70 00
7214 99 71 10	7222 11 89 10	7228 30 89 00
7214 99 71 90	7222 11 89 90	7228 60 20 10
7214 99 79 10	7222 19 10 00	7228 60 80 10
7214 99 79 90	7222 19 90 00	7228 70 10 00
7214 99 95 10	7222 30 97 10	7228 70 90 10
7214 99 95 90	7222 40 10 00	7228 80 00 10
7215 90 00 10	7222 40 90 10	7228 80 00 90
7216 10 00 00	7224 90 02 89	7301 10 00 00

ANNEX II

EXPORT LICENCE

1. Exporter (name, full address, country)	ORIGINAL		2. No	
	3. Year		4. Product group	
5. Consignee (name, full address, country)	EXPORT LICENCE (for certain steel products)			
	6. Country of origin		7. Country of destination	
8. Place and date of shipment – means of transport	9. Supplementary details			
10. Description of goods – manufacturer	11. TARIC code	12. Quantity ⁽¹⁾	13. Fob value ⁽²⁾	
14. CERTIFICATION BY THE COMPETENT AUTHORITY I, the undersigned, certify that the goods described above have been charged against the quantitative limit established for the year shown in box No 3 in respect of the Product group shown in box No 4 by the provisions regulating trade in certain steel products with the European Community.				
15. Competent authority (name, full address, country)	At on (Signature) (Stamp)			

(1) Show net weight (kg) and also quantity in the unit prescribed where other than net weight.

(2) In the currency of the sale contract.

EXPORT LICENCE

1. Exporter (name, full address, country)	COPY		2. No	
	3. Year		4. Product group	
5. Consignee (name, full address, country)	EXPORT LICENCE (for certain steel products)			
	6. Country of origin		7. Country of destination	
8. Place and date of shipment – means of transport	9. Supplementary details			
10. Description of goods – manufacturer		11. TARIC code	12. Quantity ⁽¹⁾	13. Fob value ⁽²⁾
14. CERTIFICATION BY THE COMPETENT AUTHORITY I, the undersigned, certify that the goods described above have been charged against the quantitative limit established for the year shown in box No 3 in respect of the Product group shown in box No 4 by the provisions regulating trade in certain steel products with the European Community.				
15. Competent authority (name, full address, country)		At on (Signature) (Stamp)		

(1) Show net weight (kg) and also quantity in the unit prescribed where other than net weight.

(2) In the currency of the sale contract.

CERTIFICATE OF ORIGIN

1. Exporter (name, full address, country)	ORIGINAL		2. No	
	3. Year		4. Product group	
5. Consignee (name, full address, country)	CERTIFICATE OF ORIGIN (for certain steel products)			
	6. Country of origin		7. Country of destination	
8. Place and date of shipment – means of transport	9. Supplementary details			
10. Description of goods – manufacturer	11. TARIC code	12. Quantity ⁽¹⁾	13. Fob value ⁽²⁾	
14. CERTIFICATION BY THE COMPETENT AUTHORITY I, the undersigned, certify that the goods described above originated in the country shown in box No 6, in accordance with the provisions in force in the European Community.				
15. Competent authority (name, full address, country)	At on (Signature) (Stamp)			

(1) Show net weight (kg) and also quantity in the unit prescribed where other than net weight.

(2) In the currency of the sale contract.

CERTIFICATE OF ORIGIN

1. Exporter (name, full address, country)	COPY		2. No	
	3. Year		4. Product group	
5. Consignee (name, full address, country)	CERTIFICATE OF ORIGIN (for certain steel products)			
	6. Country of origin		7. Country of destination	
8. Place and date of shipment – means of transport	9. Supplementary details			
10. Description of goods – manufacturer		11. TARIC code	12. Quantity ⁽¹⁾	13. Fob value ⁽²⁾
14. CERTIFICATION BY THE COMPETENT AUTHORITY I, the undersigned, certify that the goods described above originated in the country shown in box No 6, in accordance with the provisions in force in the European Community.				
15. Competent authority (name, full address, country)		At on (Signature) (Stamp)		

(1) Show net weight (kg) and also quantity in the unit prescribed where other than net weight.
(2) In the currency of the sale contract.

ANNEX III

European Community import authorisation

1	1. Consignee (name, full address, country, VAT number)	2. Issue number	
Holder's copy		3. Year	
		4. Authority responsible for issue (name, address and telephone No)	
	5. Declarant/representative as applicable (name and full address)	6. Country of origin (and geonomenclature code)	
7. Country of consignment (and geonomenclature code)			
1		8. Last day of validity	
9. Description of goods		10. TARIC code	
		11. Quantity expressed in quota unit	
		12. Security/guarantee (as applicable)	
13. Further particulars			
14. Competent authority's endorsement Date: (Signature) (Stamp)			

15. ATTRIBUTIONS			
Indicate the quantity available in part 1 of column 17 and the quantity attributed in part 2 thereof			
16. Net quantity (net mass or other unit of measure stating the unit)		19. Customs document (form and number) or extract No and date of attribution	20. Name, Member State, stamp and signature of the attributing authority
17. In figures	18. In words for the quantity attributed		
1.			
2.			
1.			
2.			
1.			
2.			
1.			
2.			
1.			
2.			
1.			
2.			
1.			
2.			
1.			
2.			
1.			
2.			

Extension pages to be attached hereto.

European Community import authorisation

2	1. Consignee (name, full address, country, VAT number)	2. Issue number	
Copy for the issuing authority		3. Year	
		4. Authority responsible for issue (name, address and telephone No)	
		6. Country of origin (and geonomenclature code)	
2	5. Declarant/representative as applicable (name and full address)	7. Country of consignment (and geonomenclature code)	
8. Last day of validity			
9. Description of goods		10. TARIC code	
		11. Quantity expressed in quota unit	
		12. Security/guarantee (as applicable)	
13. Further particulars			
14. Competent authority's endorsement Date: (Signature) (Stamp)			

15. ATTRIBUTIONS			
Indicate the quantity available in part 1 of column 17 and the quantity attributed in part 2 thereof			
16. Net quantity (net mass or other unit of measure stating the unit)		19. Customs document (form and number) or extract No and date of attribution	20. Name, Member State, stamp and signature of the attributing authority
17. In figures	18. In words for the quantity attributed		
1.			
2.			
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1.			
2.			

Extension pages to be attached hereto.

ANNEX IV

LISTA DE LAS AUTORIDADES NACIONALES COMPETENTES
SEZNAM PŘÍSLUŠNÝCH VNITROSTÁTNÍCH ORGÁNŮ
LISTE OVER KOMPETENTE NATIONALE MYNDIGHEDER
LISTE DER ZUSTÄNDIGEN BEHÖRDEN DER MITGLIEDSTAATEN
PÄDEVATE RIIKLIKE ASUTUSTE NIMEKIRI
ΔΙΕΥΘΥΝΣΕΙΣ ΤΩΝ ΑΡΧΩΝ ΕΚΔΟΣΗΣ ΑΔΕΙΩΝ ΤΩΝ ΚΡΑΤΩΝ ΜΕΛΩΝ
LIST OF THE COMPETENT NATIONAL AUTHORITIES
LISTE DES AUTORITES NATIONALES COMPETENTES
ELENCO DELLE COMPETENTI AUTORITA NAZIONALI
VALSTU KOMPETENTO IESTAŽU SARAKSTS
ATSAKINGŲ NACIONALINIŲ INSTITUCIJŲ SĄRAŠAS
AZ ILLETÉKES NEMZETI HATÓSÁGOK LISTÁJA
LISTA TA' L-AWTORITAJIET KOMPETENTI NAZZJONALI
LIJST VAN BEVOEGDE NATIONALE INSTANTIES
LISTA WŁAŚCIWYCH ORGANÓW KRAJOWYCH
LISTA DAS AUTORIDADES NACIONAIS COMPETENTES
ZOZNAM PRÍSLUŠNÝCH ŠTÁTNYCH ORGÁNOV
SEZNAM PRISTOJNIH NACIONALNIH ORGANOV
LUETTELO TOIMIVALTAISISTA KANSALLISISTA VIRANOMAISISTA
FÖRTECKNING ÖVER BEHÖRIGA NATIONELLA MYNDIGHETER

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Service public fédéral, économie, PME,
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Office des licences
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Ministério das Finanças
Direcção-Geral das alfândegas e dos impostos
Especiais sobre o consumo
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Department of Trade and Industry
Import Licensing Branch
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Billingham
TS23 2NF
United Kingdom
Fax (44-1642) 36 42 69

ANNEX V

QUANTITATIVE LIMITS

(tonnes)		
Products	2005	2006
SA. Flat-rolled products		
SA1. Coils	150 000	153 750
SA2. Heavy plate	348 000	356 700
SA3. Other flat-rolled products	97 000	99 425
SB. Long products		
SB1. Beams	30 000	30 750
SB2. Wire rod	125 000	128 125
SB3. Other long products	230 000	235 750

Note: SA and SB are the 'categories'.

SA1, SA2, SA3, SB1, SB2 and SB3 are the 'product groups'.

COUNCIL REGULATION (EC) No 1441/2005**of 18 July 2005****on administering certain restrictions on imports of certain steel products from the Republic of Kazakhstan and repealing Regulation (EC) No 2265/2004**

THE COUNCIL OF THE EUROPEAN UNION,

system for administering the granting of such Community import authorisations.

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 between the European Communities and their Member States and the Republic of Kazakhstan ⁽¹⁾, hereinafter referred to as 'the PCA', entered into force on 1 July 1999.
- (2) Article 17(1) of the PCA provides that trade in certain steel products shall be governed by Title III of that Agreement, with the exception of Article 11 thereof, and by the provisions of an agreement on quantitative arrangements.
- (3) On 19 July 2005 the European Community and the Republic of Kazakhstan concluded such an Agreement on trade in certain steel products ⁽²⁾, hereinafter referred to as 'the Agreement'.
- (4) It is necessary to provide the means for administering the terms of the Agreement within the Community, taking into account the experience gained from previous Agreements concerning a similar regime.
- (5) It is appropriate to classify the products in question on the basis of the combined nomenclature, hereinafter referred to as 'CN', established by Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽³⁾.
- (6) It is necessary to ensure that the origin of the products in question is checked and that appropriate methods of administrative cooperation are set up to that end.
- (7) The effective application of the Agreement requires the introduction of a requirement of a Community import authorisation for entry into free circulation in the Community of the products in question together with a

- (8) Products placed in a free zone or imported under the arrangements governing customs warehouses, temporary importation or inward processing (suspension system) should not be counted against the limits established for the products in question.
- (9) In order to ensure that these quantitative limits are not exceeded, it is necessary to establish a management procedure whereby the competent authorities of the Member States will not issue import authorisations before obtaining prior confirmation from the Commission that appropriate amounts remain available within the quantitative limit in question.
- (10) The Agreement provides for a system of cooperation between the Republic of Kazakhstan and the Community with the aim of preventing circumvention by means of transshipment, rerouting or other means. A consultation procedure should be established under which an agreement can be reached with the country concerned on an equivalent adjustment to the relevant quantitative limit when it appears that the Agreement has been circumvented. The Republic of Kazakhstan has agreed to take the necessary measures to ensure that any adjustments could be rapidly applied. In the absence of agreement within the time limit provided, the Community should, where there is clear evidence of circumvention, have the possibility to apply the equivalent adjustment.
- (11) From 1 January 2005 imports into the Community of products covered by this Regulation have been subjected to a licence pursuant to Council Regulation (EC) 2265/2004 of 20 December 2004 on trade in certain steel products between the European Community and the Republic of Kazakhstan ⁽⁴⁾. The Agreement provides that those imports are to be counted against the limits established for 2005 in this Regulation.

- (12) For reasons of clarity it is therefore necessary to replace Regulation (EC) 2265/2004 by this Regulation,

⁽¹⁾ OJ L 196, 28.7.1999, p. 3.

⁽²⁾ See page 64 of this Official Journal.

⁽³⁾ OJ L 256, 7.9.1987, p. 1. Regulation as last amended by Regulation (EC) No 493/2005 (OJ L 82, 31.3.2005, p. 1).

⁽⁴⁾ OJ L 395, 31.12.2004, p. 1.

HAS ADOPTED THIS REGULATION:

CHAPTER I

GENERAL PROVISIONS

Article 1

1. This Regulation applies to imports into the Community of steel products listed in Annex I, originating in the Republic of Kazakhstan.
2. The steel products shall be classified in product groups as set out in Annex I.
3. The origin of the products referred to in paragraph 1 shall be determined in accordance with the rules in force in the Community.
4. The procedures for verification of the origin of the products referred to in paragraph 1 are laid down in Chapters II and III.

Article 2

1. The importation into the Community of the products listed in Annex I originating in the Republic of Kazakhstan shall be subject to the annual quantitative limits laid down in Annex V. The release for free circulation in the Community of the products listed in Annex I originating in the Republic of Kazakhstan shall be subject to the presentation of a certificate of origin, as set out in Annex II, and of an import authorisation issued by the Member States' authorities in accordance with the provisions of Article 4.

The authorised imports shall be counted against the quantitative limits laid down for the year in which the products are shipped in the exporting country.

2. In order to ensure that quantities for which import authorisations are issued do not exceed at any moment the total quantitative limits for each product group, the competent authorities of the Member States shall issue import authorisations only upon confirmation by the Commission that there are still quantities available within the quantitative limits for the relevant product group of steel products in respect of the supplier country, for which an importer or importers have submitted applications to those authorities. The competent authorities of the Member States for the purposes of this Regulation are listed in Annex IV.
3. Imports of products as from 1 January 2005, for which a licence was required pursuant to Regulation (EC) 2265/2004 shall be counted against the relevant limits for 2005 laid down in Annex V.

4. For the purposes of this Regulation and as from the date of its application, shipment of products shall be considered as having taken place on the date on which they were loaded on to the exporting means of transport.

Article 3

1. The quantitative limits referred to in Annex V shall not apply to products placed in a free zone or free warehouse or imported under the arrangements governing customs warehouses, temporary importation or inward processing (suspension system).
2. Where the products referred to in paragraph 1 are subsequently released for free circulation, either in the unaltered state or after working or processing, Article 2(2) shall apply and the products so released shall be counted against the relevant quantitative limit set out in Annex V.

Article 4

1. For the purpose of applying Article 2(2), before issuing import authorisations, the competent authorities of the Member States shall notify the Commission of the amounts of the requests for import authorisations, supported by original export licences, which they have received. By return, the Commission shall notify its confirmation that the requested amount(s) of quantities are available for importation in the chronological order in which the notifications of the Member States have been received.
2. The requests included in the notifications to the Commission shall be valid if they establish clearly in each case the exporting country, the product group concerned, the amounts to be imported, the number of the export licence, the quota year and the Member State in which the products are intended to be put into free circulation.
3. As far as possible, the Commission shall confirm to the authorities of the Member States the full amount indicated in the requests notified for each product group. Moreover, the Commission shall contact the competent authorities of the Republic of Kazakhstan immediately in cases where requests notified exceed the limits in order to seek clarification and a rapid solution.
4. The competent authorities of the Member States shall notify the Commission immediately after being informed of any quantity that is not used during the duration of validity of the import authorisation. Such unused quantities shall automatically be transferred into the remaining quantities of the total Community quantitative limit for each product group.

5. The notifications referred to in paragraphs 1 to 4 shall be communicated electronically within the integrated network set up for this purpose, unless for imperative technical reasons it is necessary to use other means of communication temporarily.

6. The import authorisations or equivalent documents shall be issued in accordance with Chapter II.

7. The competent authorities of the Member States shall notify the Commission of any cancellation of import authorisations or equivalent documents already issued in cases where the corresponding export licences have been withdrawn or cancelled by the competent authorities of the Republic of Kazakhstan. However, if the Commission or the competent authorities of a Member State have been informed by the competent authorities of the Republic of Kazakhstan of the withdrawal or cancellation of an export licence after the related products have been imported into the Community, the quantities in question shall be counted against the quantitative limit for the year during which shipment of products took place.

Article 5

For the purposes of applying Article 3(3) and 3(4) of the Agreement, the Commission is hereby authorised to make the necessary adjustments.

Article 6

1. Where, following the enquiries carried out in accordance with the procedures set out in Chapter III, the Commission notes that the information in its possession constitutes proof that products listed in Annex I originating in the Republic of Kazakhstan have been transhipped, rerouted or otherwise imported into the Community through circumvention of the quantitative limits referred to in Article 2 and that there is a need for the necessary adjustments to be made, it shall request that consultations be opened so that agreement may be reached on an equivalent adjustment of the corresponding quantitative limits.

2. Pending the outcome of the consultations referred to in paragraph 1, the Commission may ask the Republic of Kazakhstan to take the necessary precautionary steps to ensure that adjustments to the quantitative limits agreed following such consultations may be carried out for the year in which the request for consultations was lodged or for the following year, if the quantitative limits for the current year are exhausted, where there is clear evidence of circumvention.

3. If the Community and the Republic of Kazakhstan fail to arrive at a satisfactory solution and if the Commission notes that there is clear evidence of circumvention, the Commission shall deduct from the quantitative limits an equivalent volume of products originating in the Republic of Kazakhstan.

Article 7

This Regulation shall not constitute in any way a derogation from the provisions of the Agreement which, in all cases of conflict, shall prevail.

CHAPTER II

MODALITIES APPLICABLE TO THE MANAGEMENT OF THE QUANTITATIVE LIMITS

SECTION 1

Classification

Article 8

The classification of the products covered by this Regulation is based on the combined nomenclature established by Regulation (EEC) No 2658/87.

Article 9

On the initiative of the Commission or of a Member State, the Tariff and Statistical Nomenclature Section of the Customs Code Committee, established by Regulation (EEC) No 2658/87 will examine urgently, in accordance with the provisions of that Regulation, all questions concerning the classification of products covered by this Regulation within the combined nomenclature in order to classify them in the appropriate product groups.

Article 10

The Commission shall inform the Republic of Kazakhstan of any changes in the CN and TARIC codes affecting products covered by this Regulation at least one month before the date of their entry into force in the Community.

Article 11

The Commission shall inform the competent authorities of the Republic of Kazakhstan of any decisions adopted in accordance with the procedures in force in the Community relating to classification of products covered by this Regulation, within one month at the latest of their adoption. Such communication shall include:

- (a) a description of the products concerned;
- (b) the relevant product group, the CN code and the TARIC code;
- (c) the reasons which have led to the decision.

Article 12

1. Where a classification decision adopted in accordance with Community procedures in force results in a change of classification practice or a change in the product group of any product covered by this Regulation, the competent authorities of the Member States shall provide 30 days' notice, from the date of the Commission's notification, before the decision is put into effect.

2. Products shipped before the date of application of the decision shall remain subject to earlier classification practice, provided that the goods in question are entered to importation within 60 days of that date.

Article 13

Where a classification decision adopted in accordance with the Community procedures in force referred to in Article 12 involves a product group subject to a quantitative limit, the Commission shall, where necessary, initiate consultations without delay in accordance with Article 9, in order to reach agreement on any necessary adjustments to the corresponding quantitative limits provided for in Annex V.

Article 14

1. Without prejudice to any other provision on this subject, where the classification indicated in the documentation necessary for importation of the products covered by this Regulation differs from the classification determined by the competent authorities of the Member State into which they are to be imported, the goods in question shall be provisionally subject to the import arrangements which, in accordance with the provisions of this Regulation, are applicable to them on the basis of the classification determined by the aforementioned authorities.

2. The competent authorities of the Member States shall inform the Commission of the cases referred to in paragraph 1, indicating in particular:

- (a) the quantities of products involved;
- (b) the product group shown on the import documentation and that retained by the competent authorities;
- (c) the number of the export licence and the category shown.

3. The competent authorities of the Member States shall not issue a new import authorisation for steel products subject to a Community quantitative limit laid down in Annex V following re-classification until they have obtained confirmation from the Commission in accordance with the procedure laid down in Article 4 that the amounts to be imported are available.

4. The Commission shall notify the exporting countries concerned of the cases referred to in this Article.

Article 15

In the cases referred to in Article 14, as well as in those cases of a similar nature raised by the competent authorities of the Republic of Kazakhstan, the Commission, if necessary, shall enter into consultations with the Republic of Kazakhstan, in order to reach agreement on the classification definitively applicable to the products involved in the divergence.

Article 16

The Commission, in agreement with the competent authorities of the importing Member State or States and of the Republic of Kazakhstan, may, in the cases referred to in Article 15, determine the classification definitively applicable to the products involved in the divergence.

Article 17

When a case of divergence referred to in Article 14 cannot be resolved in accordance with Article 15, the Commission shall adopt, in accordance with the provisions of Article 10 of Regulation (EEC) No 2658/87, a measure establishing the classification of the goods in the combined nomenclature.

*SECTION 2****Double-checking system for administering quantitative limits****Article 18*

1. The competent authorities of the Republic of Kazakhstan shall issue an export licence in respect of all consignments of steel products subject to the quantitative limits laid down in Annex V up to the level of those limits.

2. The importer shall present the original of the export licence for the purposes of the issue of the import authorisation referred to in Article 21.

Article 19

1. The export licence for quantitative limits shall conform to the model set out in Annex II and shall certify, *inter alia*, that the quantity of goods in question has been counted against the quantitative limit established for the product group concerned.

2. Each export licence shall cover only one of the product groups listed in Annex I.

Article 20

Exports shall be counted against the quantitative limits established for the year in which the products covered by the export licence have been shipped within the meaning of Article 2(4).

Article 21

1. To the extent that the Commission pursuant to Article 4 has confirmed that the amount requested is available within the quantitative limit in question, the competent authorities of the Member States shall issue an import authorisation within a maximum of 10 working days of the presentation by the importer of the original of the corresponding export licence. This presentation must be effected not later than 31 March of the year following that in which the goods covered by the export licence have been shipped. Import authorisations shall be issued by the competent authorities of any Member State irrespective of the Member State indicated on the export licence, to the extent that the Commission has confirmed, in accordance with the procedure laid down in Article 4, that the amount requested is available within the quantitative limit in question.

2. The import authorisations shall be valid for four months from the date of their issue. Upon duly motivated request by an importer, the competent authorities of a Member State may extend the duration of validity for a further period not exceeding four months.

3. Import authorisations shall be drawn up in accordance with the model set out in Annex III and shall be valid throughout the customs territory of the Community.

4. The declaration or request made by the importer in order to obtain the import authorisation shall contain:

- (a) the full name and address of the exporter;
- (b) the full name and address of the importer;
- (c) the exact description of the goods and their TARIC code(s);
- (d) the country of origin of the goods;
- (e) the country of consignment;
- (f) the appropriate product group and the quantity for the products in question;
- (g) the net weight by CN heading;
- (h) the cif value of the products at Community frontier by CN heading;
- (i) where appropriate, dates of payment and delivery and a copy of the bill of lading and of the purchase contract;
- (j) date and number of the export licence;
- (k) any internal code used for administrative purposes;
- (l) date and signature of importer.

5. Importers shall not be obliged to import the total quantity covered by an import authorisation in a single consignment.

6. The import authorisation may be issued by electronic means as long as the customs offices involved have access to the document via a computer network.

Article 22

The validity of import authorisations issued by the authorities of the Member States shall be subject to the validity of export licences and the quantities indicated in the export licences issued by the competent authorities of the Republic of Kazakhstan on the basis of which the import authorisations have been issued.

Article 23

Import authorisations or equivalent documents shall be issued by the competent authorities of the Member States in conformity with Article 2(2) and without discrimination to any importer in the Community, wherever the place of his establishment may be in the Community, without prejudice to other conditions required under the current rules.

Article 24

1. If the Commission finds that the total quantities covered by export licences issued by the Republic of Kazakhstan for a particular product group in any year exceed the quantitative limit established for that product group, the competent authorities in the Member States shall be informed immediately in order to suspend the further issue of import authorisations. In this event, consultations shall be initiated forthwith by the Commission.

2. The competent authorities of a Member State shall refuse to issue import authorisations for products originating in the Republic of Kazakhstan which are not covered by export licences issued in accordance with the provisions of this Chapter.

*SECTION 3**Common provisions**Article 25*

1. The export licence referred to in Article 18 and the certificate of origin referred to in Article 2 may include additional copies duly indicated as such. The original and the copies of these documents shall be drawn up in English.

2. If the documents referred to in paragraph 1 are completed by hand, entries must be in ink and in block letters.

3. The export licences or equivalent documents and certificates of origin shall measure 210 x 297 mm. The paper shall be white writing paper, sized, not containing mechanical pulp and weighing not less than 25 g/m². Each part shall have a printed guilloche-pattern background making any falsification by mechanical or chemical means apparent to the eye.

4. Only the original shall be accepted by the competent authorities of the Member States as being valid for import purposes in accordance with the provisions of this Regulation.

5. Each export licence or equivalent document and the certificate of origin shall bear a standardised serial number, whether or not printed, by which it can be identified.

6. This number shall be composed of the following elements:

— two letters identifying the exporting country as follows:

KZ = the Republic of Kazakhstan

— two letters identifying the Member State of intended destination as follows:

AT = Austria

BE = Belgium

CY = Cyprus

CZ = Czech Republic

DE = Germany

DK = Denmark

EE = Estonia

EL = Greece

ES = Spain

FI = Finland

FR = France

GB = United Kingdom

HU = Hungary

IE = Ireland

IT = Italy

LT = Lithuania

LU = Luxembourg

LV = Latvia

MT = Malta

NL = Netherlands

PL = Poland

PT = Portugal

SE = Sweden

SI = Slovenia

SK = Slovakia

— a one-digit number identifying the quota year corresponding to the last figure in the year in question, e.g. '5' for 2005;

— a two-digit number identifying the issuing office in the exporting country;

— a five-digit number running consecutively from 00001 to 99999 allocated to the specific Member State of destination.

Article 26

The export licence and the certificate of origin may be issued after the shipment of the products to which they relate. In such cases they shall bear the endorsement 'issued retrospectively'.

Article 27

1. In the event of theft, loss or destruction of an export licence or a certificate of origin, the exporter may apply to the competent authority which issued the document for a duplicate to be made out on the basis of the export documents in his possession. The duplicate licence or certificate issued in this way shall bear the endorsement 'duplicate'.

2. The duplicate shall bear the date of the original licence or certificate.

SECTION 4

Community import authorisation — common form

Article 28

1. The forms to be used by the competent authorities of the Member States for issuing the import authorisations referred to in Article 21 shall conform to the model of the import authorisation set out in Annex III.

2. Import authorisation forms and extracts thereof shall be drawn up in duplicate, one copy, marked 'Holder's copy' and bearing the number 1 to be issued to the applicant, and the other, marked 'Copy for the issuing authority' and bearing the number 2, to be kept by the authority issuing the licence. For administrative purposes the competent authorities may add additional copies to form 2.

3. Forms shall be printed on white paper free of mechanical pulp, dressed for writing and weighing between 55 and 65 g/m². Their size shall be 210 x 297 mm; the type space between the lines shall be 4,24 mm (one sixth of an inch); the layout of the forms shall be followed precisely. Both sides of copy No 1, which is the licence itself, shall in addition have a red printed guilloche-pattern background making any falsification by mechanical or chemical means apparent to the eye.

4. Member States shall be responsible for having the forms printed. The forms may also be printed by printers appointed by the Member State in which they are established. In the latter case, reference to the appointment by the Member State must appear on each form. Each form shall bear the printer's name and address or a mark enabling the printer to be identified.

5. At the time of their issue the import authorisations or extracts shall be given an issue number determined by the competent authorities of the Member State. The import authorisation number shall be notified to the Commission electronically within the integrated network set up under Article 4.

6. Licences and extracts shall be completed in the official language, or one of the official languages, of the Member State of issue.

7. In box 10 the competent authorities shall indicate the appropriate steel product group.

8. The marks of the issuing agencies and debiting authorities shall be applied by means of a stamp. However, an embossing press combined with letters or figures obtained by means of perforation, or printing on the licence may be substituted for the issuing authority's stamp. The issuing authorities shall use any tamper-proof method to record the quantity allocated in such a way as to make it impossible to insert figures or references.

9. The reverse of copy No 1 and copy No 2 shall bear a box in which quantities may be entered, either by the customs authorities when import formalities are completed, or by the competent administrative authorities when an extract is issued. If the space set aside for debits on a licence or extract thereof is insufficient, the competent authorities may attach one or more extension pages bearing boxes matching those on the reverse of copy No 1 and copy No 2 of the licence or extract. The debiting authorities shall place their stamp so that one half is

on the licence or extract thereof and the other half is on the extension page. If there is more than one extension page, a further stamp shall be placed in like manner across each page and the preceding page.

10. Import authorisations and extracts issued, and entries and endorsements made, by the authorities of one Member State shall have the same legal effect in each of the other Member States as documents issued, and entries and endorsements made, by the authorities of such Member States.

11. The competent authorities of the Member States concerned may, where indispensable, require the contents of licences or extracts to be translated into the official language or one of the official languages of that Member State.

CHAPTER III

ADMINISTRATIVE COOPERATION

Article 29

The Commission shall supply the Member States' authorities with the names and addresses of authorities in the Republic of Kazakhstan competent to issue certificates of origin and export licences together with specimens of the stamps used by these authorities.

Article 30

1. Subsequent verification of certificates of origin or export licences shall be carried out at random, or whenever the competent authorities of the Member States have reasonable doubt as to the authenticity of the certificate of origin or export licence or as to the accuracy of the information regarding the true origin of the products in question.

In such cases the competent authorities of the Community shall return the certificate of origin or the export licence or a copy thereof to the competent authorities of the Republic of Kazakhstan, giving, where appropriate, the reasons of form or substance for an enquiry. If the invoice has been submitted, such invoice or a copy thereof shall be attached to the certificate of origin or export licence or copy thereof. The competent authorities shall also forward any information that has been offered suggesting that the particulars given on the certificate of origin or the export licence are inaccurate.

2. The provisions of paragraph 1 shall also apply to subsequent verifications of declarations of origin.

3. The results of the subsequent verifications carried out in accordance with paragraph 1 shall be communicated to the competent authorities of the Community within three months at the latest. The information communicated shall indicate whether the disputed certificate, licence or declaration applies to the goods actually exported and whether the goods are eligible for export to the Community under this Chapter. The competent authorities of the Community may also request copies of all documentation necessary to determine the facts fully, including, in particular, the origin of the goods.

4. Should such verifications reveal abuse or major irregularities in the use of declarations of origin, the Member State concerned shall inform the Commission of this fact. The Commission shall pass the information on to the other Member States.

5. Random recourse to the procedure specified in this Article shall not constitute an obstacle to the release for free circulation of the products in question.

Article 31

1. Where the verification procedure referred to in Article 30 or where information available to the competent authorities of the Community indicates that the provisions of this Chapter are being contravened, the said authorities shall request the Republic of Kazakhstan to carry out appropriate enquiries or arrange for such enquiries to be carried out concerning operations which are or appear to be in contravention of the provisions of this Chapter. The results of these enquiries shall be communicated to the competent authorities of the Community

together with any other pertinent information enabling the true origin of the goods to be determined.

2. In pursuance of the action taken in accordance with the provisions of this Chapter, the competent authorities of the Community may exchange any information with the competent authorities of the Republic of Kazakhstan which is considered to be of use in preventing the contravention of the provisions of this Chapter.

3. Where it is established that the provisions of this Chapter have been contravened, the Commission may take such measures as are necessary to prevent recurrence of such contravention.

Article 32

The Commission shall coordinate the action undertaken by the competent authorities of the Member States under the provisions of this Chapter. The competent authorities of the Member States shall inform the Commission and the other Member States of action which they have undertaken and the results obtained.

CHAPTER IV

FINAL PROVISIONS

Article 33

Regulation (EC) No 2265/2004 is hereby repealed.

Article 34

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, 18 July 2005.

For the Council

The President

J. STRAW

ANNEX I

SA Flat-rolled products*SA1. Coils*

7208 10 00 00

7208 25 00 00

7208 26 00 00

7208 27 00 00

7208 36 00 00

7208 37 00 10

7208 37 00 90

7208 38 00 10

7208 38 00 90

7208 39 00 10

7208 39 00 90

7211 14 00 10

7211 19 00 10

7219 11 00 00

7219 12 10 00

7219 12 90 00

7219 13 10 00

7219 13 90 00

7219 14 10 00

7219 14 90 00

7225 20 00 10

7225 30 10 00

7225 30 90 00

SA2. Heavy Plate

7208 40 00 10

7208 51 20 10

7208 51 20 91

7208 51 20 93

7208 51 20 97

7208 51 20 98

7208 51 91 10

7208 51 91 90

7208 51 98 10

7208 51 98 91

7208 51 98 99

7208 52 91 10

7208 52 91 90

7208 52 10 00

7208 52 99 00

7208 53 10 00

7211 13 00 00

SA3. Other flat-rolled products

7208 40 00 90

7208 53 90 00

7208 54 00 00

7208 90 00 10

7209 15 00 00

7209 16 10 00

7209 16 90 00

7209 17 10 00

7209 17 90 00

7209 18 10 00

7209 18 91 00

7209 18 99 00

7209 25 00 00

7209 26 10 00

7209 26 90 00

7209 27 10 00

7209 27 90 00

7209 28 10 00

7209 28 90 00

7209 90 00 10

7210 11 00 10

7210 12 20 10

7210 12 80 10

7210 20 00 10

7210 30 00 10

7210 41 00 10

7210 49 00 10

7210 50 00 10

7210 61 00 10

7210 69 00 10

7210 70 10 10

7210 70 80 10

7210 90 30 10

7210 90 40 10

7210 90 80 91

7211 14 00 90

7211 19 00 90

7211 23 20 10

7211 23 30 10

7211 23 30 91

7211 23 80 10

7211 23 80 91

7211 29 00 10

7211 90 00 11

7212 10 10 00

7212 10 90 11

7212 20 00 11

7212 30 00 11

7212 40 20 10

7212 40 20 91

7212 40 80 11

7212 50 20 11

7212 50 30 11

7212 50 40 11

7212 50 61 11

7212 50 69 11

7212 50 90 13

7212 60 00 11

7212 60 00 91

7219 21 10 00

7219 21 90 00

7219 22 10 00

7219 22 90 00

7219 23 00 00

7219 24 00 00

7219 31 00 00

7219 32 10 00

7219 32 90 00

7219 33 10 00

7219 33 90 00

7219 34 10 00

7219 34 90 00

7219 35 10 00

7219 35 90 00

7225 40 12 90

7225 40 90 00

ANNEX II

EXPORT LICENCE

1. Exporter (name, full address, country)	ORIGINAL		2. No	
	3. Year		4. Product group	
5. Consignee (name, full address, country)	EXPORT LICENCE (for certain steel products)			
	6. Country of origin		7. Country of destination	
8. Place and date of shipment – means of transport	9. Supplementary details			
10. Description of goods – manufacturer		11. TARIC code	12. Quantity ⁽¹⁾	13. Fob value ⁽²⁾
14. CERTIFICATION BY THE COMPETENT AUTHORITY I, the undersigned, certify that the goods described above have been charged against the quantitative limit established for the year shown in box No 3 in respect of the Product group shown in box No 4 by the provisions regulating trade in certain steel products with the European Community.				
15. Competent authority (name, full address, country)		At on (Signature) (Stamp)		

(1) Show net weight (kg) and also quantity in the unit prescribed where other than net weight.

(2) In the currency of the sale contract.

EXPORT LICENCE

1. Exporter (name, full address, country)	COPY		2. No	
	3. Year		4. Product group	
5. Consignee (name, full address, country)	EXPORT LICENCE (for certain steel products)			
	6. Country of origin		7. Country of destination	
8. Place and date of shipment – means of transport	9. Supplementary details			
10. Description of goods – manufacturer		11. TARIC code	12. Quantity ⁽¹⁾	13. Fob value ⁽²⁾
14. CERTIFICATION BY THE COMPETENT AUTHORITY I, the undersigned, certify that the goods described above have been charged against the quantitative limit established for the year shown in box No 3 in respect of the Product group shown in box No 4 by the provisions regulating trade in certain steel products with the European Community.				
15. Competent authority (name, full address, country)		At on (Signature) (Stamp)		

(1) Show net weight (kg) and also quantity in the unit prescribed where other than net weight.

(2) In the currency of the sale contract.

CERTIFICATE OF ORIGIN

1. Exporter (name, full address, country)	ORIGINAL		2. No	
	3. Year		4. Product group	
5. Consignee (name, full address, country)	CERTIFICATE OF ORIGIN (for certain steel products)			
	6. Country of origin		7. Country of destination	
8. Place and date of shipment – means of transport	9. Supplementary details			
10. Description of goods – manufacturer		11. CN code	12. Quantity ⁽¹⁾	13. Fob value ⁽²⁾
14. CERTIFICATION BY THE COMPETENT AUTHORITY I, the undersigned, certify that the goods described above originated in the country shown in box No 6, in accordance with the provisions in force in the European Community.				
15. Competent authority (name, full address, country)		At on (Signature) (Stamp)		

(1) Show net weight (kg) and also quantity in the unit prescribed where other than net weight.

(2) In the currency of the sale contract.

CERTIFICATE OF ORIGIN

1. Exporter (name, full address, country)	COPY		2. No	
	3. Year		4. Product group	
5. Consignee (name, full address, country)	CERTIFICATE OF ORIGIN (for certain steel products)			
	6. Country of origin		7. Country of destination	
8. Place and date of shipment – means of transport	9. Supplementary details			
10. Description of goods – manufacturer	11. CN code	12. Quantity ⁽¹⁾	13. Fob value ⁽²⁾	
14. CERTIFICATION BY THE COMPETENT AUTHORITY I, the undersigned, certify that the goods described above originated in the country shown in box No 6, in accordance with the provisions in force in the European Community.				
15. Competent authority (name, full address, country)	At on (Signature) (Stamp)			

(1) Show net weight (kg) and also quantity in the unit prescribed where other than net weight.
(2) In the currency of the sale contract.

ANNEX III

European Community import authorisation

1	1. Consignee (name, full address, country, VAT number)	2. Issue number	
Holder's copy		3. Year	
		4. Authority responsible for issue (name, address and telephone No)	
		5. Declarant/representative as applicable (name and full address)	6. Country of origin (and geonomenclature code)
7. Country of consignment (and geonomenclature code)			
1		8. Last day of validity	
9. Description of goods		10. TARIC code	
		11. Quantity expressed in quota unit	
		12. Security/guarantee (as applicable)	
13. Further particulars			
14. Competent authority's endorsement Date: (Signature) (Stamp)			

15. ATTRIBUTIONS Indicate the quantity available in part 1 of column 17 and the quantity attributed in part 2 thereof			
16. Net quantity (net mass or other unit of measure stating the unit)		19. Customs document (form and number) or extract No and date of attribution	20. Name, Member State, stamp and signature of the attributing authority
17. In figures	18. In words for the quantity attributed		
1.			
2.			
1.			
2.			
1.			
2.			
1.			
2.			
1.			
2.			
1.			
2.			
1.			
2.			
1.			
2.			
Extension pages to be attached hereto.			

15. ATTRIBUTIONS			
Indicate the quantity available in part 1 of column 17 and the quantity attributed in part 2 thereof			
16. Net quantity (net mass or other unit of measure stating the unit)		19. Customs document (form and number) or extract No and date of attribution	20. Name, Member State, stamp and signature of the attributing authority
17. In figures	18. In words for the quantity attributed		
1.			
2.			
1.			
2.			
1.			
2.			
1.			
2.			
1.			
2.			
1.			
2.			
1.			
2.			
1.			
2.			
1.			
2.			
1.			
2.			

Extension pages to be attached hereto.

ANNEX IV

LISTA DE LAS AUTORIDADES NACIONALES COMPETENTES
 SEZNAM PŘÍSLUŠNÝCH VNITROSTÁTNÍCH ORGÁNŮ
 LISTE OVER KOMPETENTE NATIONALE MYNDIGHEDER
 LISTE DER ZUSTÄNDIGEN BEHÖRDEN DER MITGLIEDSTAATEN
 PÄDEVATE RIIKLIKE ASUTUSTE NIMEKIRI
 ΔΙΕΥΘΥΝΣΕΙΣ ΤΩΝ ΑΡΧΩΝ ΕΚΔΟΣΗΣ ΑΔΕΙΩΝ ΤΩΝ ΚΡΑΤΩΝ ΜΕΛΩΝ
 LIST OF THE COMPETENT NATIONAL AUTHORITIES
 LISTE DES AUTORITÉS NATIONALES COMPÉTENTES
 ELENCO DELLE AUTORITÀ NAZIONALI COMPETENTI
 VALSTU KOMPETENTO IESTĀŽU SARAKSTS
 ATSAKINGŲ NACIONALINIŲ INSTITUCIJŲ SĄRAŠAS
 AZ ILLETÉKES NEMZETI HATÓSÁGOK LISTÁJA
 LISTA TA' L-AWTORITAJIET KOMPETENTI NAZZJONALI
 LIJST VAN BEVOEGDE NATIONALE INSTANTIES
 LISTA WŁAŚCIWYCH ORGANÓW KRAJOWYCH
 LISTA DAS AUTORIDADES NACIONAIS COMPETENTES
 ZOZNAM PRÍSLUŠNÝCH ŠTÁTNYCH ORGÁNOV
 SEZNAM PRISTOJNIH NACIONALNIH ORGANOV
 LUETTELO TOIMIVALTAISISTA KANSALLISISTA VIRANOMAISISTA
 FÖRTECKNING ÖVER BEHÖRIGA NATIONELLA MYNDIGHETER

BELGIQUE/BELGIË

Service public fédéral, économie, PME,
 classes moyennes et énergie
 Administration du potentiel économique
 Direction «Industries» (Textile, diamant et autres secteurs)
 Rue du Progrès 50
 B-1210 Bruxelles
 Fax (32-2) 277 53 09

EESTI

Majandus- ja Kommunikatsiooniministeerium
 Harju 11
 EE-15072 Tallinn
 Faks: (372-6) 31 36 60

Federale Overheidsdienst Economie, K.M.O.,

Middenstand & Energie
 Bestuur Economisch Potentieel
 Directie Nijverheid (Textiel – Diamant en andere sectoren)
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ΕΛΛΑΔΑ

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 Διεύθυνση Διεθνών Οικονομικών Ροών
 Κορνάρου 1
 GR-105 63 Αθήνα
 Φαξ: (30-210) 328 60 94

ČESKÁ REPUBLIKA

Ministerstvo průmyslu a obchodu
 Licenční správa
 Na Františku 32
 110 15 Praha 1
 Česká republika
 Fax: (420) 224 212 133

ESPAÑA

Ministerio de Industria, Turismo y Comercio
 Secretaría General de Comercio Exterior
 Subdirección General de Comercio Exterior de Productos Industriales
 Paseo de la Castellana, 162
 E- 28046 Madrid
 Fax (34) 913 49 38 31

DANMARK

Erhvervs- og Boligstyrelsen
 Økonomi- og Erhvervsministeriet
 Vejlsovej 29
 DK-8600 Silkeborg
 Fax (45) 35 46 64 01

FRANCE

Ministère de l'économie des finances et de l'industrie
 Direction générale des entreprises
 Sous-direction des biens de consommation
 Bureau textile-importations
 Le Bervil, 12, rue Villiot
 F-75572 Paris Cedex 12
 Fax (33-1) 53 44 91 81

DEUTSCHLAND

Bundesamt für Wirtschaft und Ausfuhrkontrolle
(BAFA)
Frankfurter Straße 29-35
D-65760 Eschborn 1
Fax: (+ 49) 6196 942 26

ITALIA

Ministero delle Attività produttive
Direzione generale per la Politica commerciale e per
la gestione del regime degli scambi
Viale America, 341
I-00144 Roma
Fax (39) 06 59 93 22 35/06 59 93 26 36

ΚΥΠΡΟΣ

Υπουργείο Εμπορίου, Βιομηχανίας και Τουρισμού
Υπηρεσία Εμπορίου
Μονάδα Έκδοσης Αδειών Εισαγωγής/Εξαγωγής
Οδός Ανδρέα Αραούζου Αρ. 6
CY-1421 Λευκωσία
Φαξ: (357-22) 37 51 20

LATVIJA

Latvijas Republikas Ekonomikas ministrija
Brīvības iela 55
LV – 1519 Rīga
Fakss: + 371-728 08 82

LIETUVA

Lietuvos Respublikos ūkio ministerija
Prekybos departamentas
Gedimino pr. 38/2
LT-01104 Vilnius
Faksas + 370 5 26 23 974

LUXEMBOURG

Ministère des affaires étrangères
Office des licences
BP 113
L-2011 Luxembourg
Fax (352) 46 61 38

MAGYARORSZÁG

Magyar Kereskedelmi Engedélyezési Hivatal
Margit krt. 85.
H-1024 Budapest
Fax: + 36-1-336 73 02

MALTA

Diviżjoni għall -Kummerċ
Servizzi Kummerċjali
Lascaris
MT-Valletta CMR02
Fax: + 356-25-69 02 99

NEDERLAND

Belastingdienst/Douane centrale dienst voor in- en uitvoer
Postbus 30003, Engelse Kamp 2
9700 RD Groningen
Nederland
Fax (31-50) 523 23 41

IRELAND

Department of Enterprise, Trade and Employment
Import/ Export Licensing, Block C
Earlsfort Centre
Hatch Street
Dublin 2
Ireland
Fax (353-1) 631 25 62

ÖSTERREICH

Bundesministerium für Wirtschaft und Arbeit
Außenwirtschaftsadministration
Abteilung C2/2
Stubenring 1
A-1011 Wien
Fax: (+ 43) 1 7 11 00/ 83 86

POLSKA

Ministerstwo Gospodarki, Pracy i Polityki
Społecznej
Plac Trzech Krzyży 3/5
PL-00-507 Warszawa
Faks: + 48-22-693 40 21/693 40 22

PORTUGAL

Ministério das Finanças
Direcção-Geral das alfândegas e dos impostos
Especiais sobre o consumo
Rua Terreiro do Trigo, edifício da Alfândega de Lisboa
P-1140-060 Lisboa
Fax: (351) 218 814 261

SLOVENIJA

Ministrstvo za gospodarstvo
Področje ekonomskih odnosov s tujino
Kotnikova 5
SI-1000 Ljubljana
Faks (386-1) 478 36 11

SLOVENSKÁ REPUBLIKA

Ministerstvo hospodárstva SR
Odbor licencií
Mierová 19
SK-827 15 Bratislava 212
Fax: (421-2) 43 42 39 19

SUOMI

Tullihallitus
PL 512
FI-00101 Helsinki
Faksi (358-20) 492 28 52

SVERIGE

Kommerskollegium
Box 6803
S-113 86 Stockholm
Fax (46-8) 30 67 59

UNITED KINGDOM

Department of Trade and Industry
Import Licensing Branch
Queensway House - West Precinct
Billingham
TS23 2NF
United Kingdom
Fax (44-1642) 36 42 69

ANNEX V

QUANTITATIVE LIMITS

(tonnes)		
Products	2005	2006
SA. Flat products		
SA1. Coils	85 000	87 125
SA2. Heavy plate	0	0
SA3. Other flat products	115 000	117 875

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 12 July 2005

concerning the conclusion of an agreement between the European Community and the Government of Ukraine on trade in certain steel products

(2005/638/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133 in conjunction with Article 300(2) thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) The Partnership and Cooperation Agreement between the European Communities and their Member States and Ukraine ⁽¹⁾ entered into force on 1 March 1998.
- (2) Article 22(1) of the Partnership and Cooperation Agreement provides that trade in certain steel products shall be governed by Title III, save for Article 14 thereof, and by the provisions of an Agreement.
- (3) For the years 1995 to 2001, trade in certain steel products was the subject of Agreements between the Parties, and in 2002, 2003 and up to 19 November 2004 of specific arrangements. A further Agreement was concluded on 19 November 2004 covering the period to 31 December 2004. A new Agreement covering the period to 31 December 2006 has been negotiated between the Parties.
- (4) The Agreement should be approved,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement between the European Community and the Government of Ukraine concerning trade in certain steel products is hereby approved on behalf of the Community.

The text of the Agreement is annexed to this Decision.

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement in order to bind the Community.

Done at Brussels, 12 July 2005.

For the Council
The President
G. BROWN

⁽¹⁾ OJ L 49, 19.2.1998, p. 3.

AGREEMENT**between the European Community and the Government of Ukraine on trade in certain steel products**

THE EUROPEAN COMMUNITY, hereinafter referred to as 'the Community',

of the one part, and

THE GOVERNMENT OF UKRAINE,

of the other part,

together referred to as 'the Parties',

WHEREAS the Partnership and Cooperation Agreement between the European Communities and their Member States and Ukraine, hereinafter referred to as 'the PCA', entered into force on 1 March 1998;

WHEREAS the Parties are desirous to promote the orderly and equitable development of trade in steel between them;

WHEREAS Article 22(1) of the PCA provides that trade in certain steel products shall be governed by Title III with the exception of Article 14 thereof, and by the provisions of an agreement on quantitative arrangements;

WHEREAS this Agreement constitutes the Agreement referred to in Article 22(1) of the PCA;

BEARING in mind the process of accession of Ukraine to the World Trade Organisation (WTO) and the Community support for the integration of Ukraine into the international trading system;

WHEREAS for the years 1995 to 2001 trade in certain steel products was the subject of Agreements between the Parties, in 2002, 2003 and 2004 of specific arrangements and as from November 2004 of an Agreement which is therefore appropriate to replace with a further Agreement;

WHEREAS the Parties reiterate their commitment to achieve as soon as the conditions are fulfilled complete liberalisation of trade in respect of the steel products covered by this Agreement;

WHEREAS this Agreement should be accompanied by cooperation between the Parties in respect of their steel industries, including appropriate exchanges of information, within a contact group on coal and steel as foreseen in Article 22(2) to the PCA,

HAVE AGREED AS FOLLOWS:

Article 1

set out in Annex II as soon as the conditions have been established.

1. This Agreement applies to trade in steel products as set out in Annex I originating in Ukraine and the Community.

2. Trade in steel products as set out in Annex II may be subject to quantitative limits.

3. Trade in steel products not set out in Annex II shall not be subject to quantitative limits.

4. In the case of steel products and of subject matters which are not covered by this Agreement, the relevant provisions of the PCA shall apply.

3. The Parties agree that imports into the Community from Ukraine of the steel products set out in Annex II as from 1 January 2005 until the entry into force of this Agreement shall be deducted from the quantitative limits set out in Annex III.

4. Imports of quantities in excess of those mentioned in Annex III shall be authorised where the Community industry is unable to meet the internal demand and results in a shortage of supply for one or more products listed in Annex II. Consultations shall take place immediately at the request of either Party to determine the level of the shortage on the basis of objective evidence. Following the conclusions of the consultations, the Community shall instigate its internal procedures to increase the quantitative limits set out in Annex III.

5. Each Party may, at any time, request consultations concerning:

— the levels of the quantitative limits set out in Annex III, where the conditions in respect of the products covered by Annex II have substantially deteriorated or improved;

Article 2

1. The Parties agree to establish and maintain for the period of validity of the present Agreement quantitative arrangements fixing the limits set out in Annex III on Ukrainian exports to the Community of the products set out in Annex II. Such exports shall be subject to a double-checking system as specified in Protocol A.

2. The Parties reiterate their commitment to achieve complete liberalisation of trade in respect of the steel products

- the possibility of transferring unused amounts set out in Annex III from under-utilised product groups to other groups.

Article 3

1. Imports into the customs territory of the Community for free circulation of the products set out in Annex II shall be subject to the presentation of an import authorisation issued by the competent authority of a Member State based on the production of an export licence issued by the authorities of Ukraine and to proof of origin in accordance with the provisions of Protocol A.

2. Imports into the customs territory of the Community of the products set out in Annex II shall not be subject to the quantitative limits set out in Annex III provided they are declared to be for re-export outside the Community in the same state or after processing, within the administrative system of control which exists within the Community.

3. Carry-over to the corresponding quantitative limits for the following calendar year of the amounts of quantitative limits not used during any calendar year is authorised up to 10 % of the relevant quantitative limit set out in Annex III for a product group in question for the year in which it was not used. The Government of Ukraine shall notify the Community no later than 31 March of the following year if it intends to make use of this provision.

4. Up to 15 % of the quantitative limit for a given product group may be transferred to one or more other groups subject to the consent of both Parties. The quantitative limit for a given product group can be adjusted once in the course of a calendar year. Any adjustments to the quantitative limits resulting from transfers shall only affect the calendar year in progress. At the start of the following calendar year, the quantitative limits shall be those shown at Annex III, without prejudice to the provisions of paragraph 3. Ukraine shall notify the Community no later than 31 May if it intends to make use of this provision.

Article 4

1. With a view to rendering the double-checking system as effective as possible and to minimise the possibilities for abuse and circumvention:

- the Community authorities shall inform the Ukrainian competent authorities by the 28th of each month of the import authorisations issued during the preceding month;
- the Ukrainian competent authorities shall inform the Community by the 28th of each month of the export licences issued during the preceding month.

2. In the event of any significant discrepancy, taking account of the time factors involved in respect of such informa-

tion, either Party may request consultations which shall be opened immediately.

3. Without prejudice to paragraph 1 and with a view to ensuring the effective functioning of this Agreement, the Parties agree to take all necessary steps to prevent, to investigate and to take any necessary legal and/or administration action against circumvention, notably by transshipment, re-routing, false declaration concerning the country or place of origin, falsification of documents, false declaration concerning quantities, description or classification of merchandise. Accordingly, the Parties agree to establish the necessary legal provisions and administrative procedures permitting effective action to be taken against such circumvention, which shall include the adoption of legally binding corrective measures against exporters and/or importers involved.

4. Should either Party believe on the basis of information available that this Agreement is being circumvented, it may request consultations with the other Party which shall be held immediately.

5. Pending the results of the consultations referred to in paragraph 3, the Government of Ukraine shall, as a precautionary measure, and if so requested by the Community, take all necessary measures to ensure that, where sufficient evidence of circumvention is provided, adjustments of the quantitative limits liable to be agreed following the consultations referred to in paragraph 3, shall be carried out for the calendar year in which the request for consultations under paragraph 3 was made, or for the following year, if the limit for that calendar year is exhausted.

6. Should the Parties be unable in the course of the consultations referred to in paragraph 3 to reach a mutually satisfactory solution, the Community shall have the right, where there is sufficient evidence that steel products covered by this Agreement originating in Ukraine have been imported in circumvention of this Agreement, to set off the relevant quantities against the quantitative limits established under Annex III.

7. Should the Parties be unable in the course of the consultations referred to in paragraph 3 to reach a mutually satisfactory solution, the Community shall have the right, where sufficient evidence shows false declaration concerning quantities description or classification has occurred, to refuse to import the products in question.

8. The Parties agree to cooperate fully to prevent and to address effectively all problems arising from circumvention of this Agreement.

Article 5

1. The quantitative limits established under this Agreement on imports into the Community of products set out in Annex II shall not be broken down by the Community into regional shares.

2. The Parties shall cooperate in order to prevent sudden and prejudicial changes in traditional trade flows into the Community. Should a sudden and prejudicial change in traditional trade flows arise (including regional concentration or the loss of traditional customers), the Community will be entitled to request consultations in order to find a satisfactory solution to the problem. Such consultations shall be held immediately.

3. The Government of Ukraine shall endeavour to ensure that exports into the Community of products set out in Annex II are spaced out as evenly as possible over the year. Should a sudden and prejudicial surge of imports arise, the Community will be entitled to request consultations in order to find a satisfactory solution to the problem. Such consultations shall be held immediately.

4. In addition to the obligation contained in paragraph 3, and without prejudice to the consultations foreseen by Article 2(5), where licences issued by the Ukrainian competent authorities have reached 90 % of the quantitative limits for the calendar year in question, either Party may request consultations. Such consultations shall be held immediately. Pending the outcome of such consultations the Ukrainian competent authorities may continue to issue export licences for the products set out in Annex II provided they do not exceed the quantities set out in Annex III.

Article 6

1. Where any product set out in Annex II is being imported into the Community from Ukraine under such conditions as to cause or threaten to cause substantial injury to Community producers of like products, the Community shall supply Ukraine with all relevant information with a view to seeking a solution acceptable to both Parties. The Parties shall commence consultations promptly.

2. Should the consultations referred to in paragraph 1 fail to lead to agreement within 30 days of the Community's request for consultations, the Community may utilise the right to take action concerning safeguard measures pursuant to the provisions of the Partnership and Cooperation Agreement.

3. Notwithstanding the provisions of this Agreement, the provisions of Article 19 of the Partnership and Cooperation Agreement shall apply.

Article 7

1. The classification of the products covered by this Agreement is based on the tariff and statistical nomenclature of the

Community hereinafter called the 'combined nomenclature', or in abbreviated form 'CN'. Any amendment to the combined nomenclature made in accordance with the procedures in force in the Community concerning the products set out in Annex II or any decision relating to the classification of goods shall not have the effect of reducing the quantitative limits of the products set out Annex III.

2. The origin of the products covered by this Agreement shall be determined in accordance with the rules in force in the Community. Any amendment to these rules of origin shall be communicated to the Government of Ukraine and shall not have the effect of reducing the quantitative limits of this Agreement. The procedures for control of the origin of the products referred to above are laid down in Protocol A.

Article 8

1. Without prejudice to the periodic exchange of information on export licences and import authorisations pursuant to Article 4(1), the Parties agree to exchange available statistical information relating to trade in the products set out in Annex II at appropriate intervals, taking account of the shortest periods in which the information in question is prepared, which shall cover export licences and import authorisations issued pursuant to Article 3 and import and export statistics in respect of the products in question.

2. Either Party may request consultations in the event of any significant discrepancy between the information exchanged.

Article 9

1. Without prejudice to provisions concerning consultations provided for in respect of specific circumstances in preceding Articles, consultations shall be held on any problems arising from the application of this Agreement at the request of either Party. Any consultations shall take place in a spirit of cooperation and with a desire to reconcile the differences between the Parties.

2. Where this Agreement provides that consultations shall be held immediately, the Parties undertake to use all reasonable means to ensure that this is achieved.

3. All other consultations shall be governed by the following provisions:

— any request for consultations shall be notified in writing to the other Party,

- where appropriate, the request shall be followed within a reasonable period by a report setting out the reasons for the consultations,
- consultations shall begin within one month from the date of receipt of the request,
- consultations shall endeavour to arrive at a mutually acceptable result within one month of their commencement, unless the period is extended by agreement between the Parties.

Article 10

1. This Agreement shall enter into force on the date of its signature. It shall be applicable until 31 December 2006 subject to any modifications agreed by the Parties and unless it is denounced or terminated in accordance with, respectively, the provisions of paragraphs 3 or 4.

2. Either Party may at any time propose modifications to this Agreement which shall require the mutual consent of the Parties and take effect as agreed by them.

3. Either Party may denounce this Agreement, provided that at least six months' notice is given. In that event, this Agreement shall come to an end on the expiry of the period of notice and the limits established by this Agreement shall be

reduced on a pro rata basis up to the date on which denunciation takes effect unless the Parties decide otherwise.

4. In the event that Ukraine accedes to the WTO before the expiration of this Agreement, this Agreement shall be terminated and the quantitative limits shall be abolished as of the date of accession.

5. The Community reserves the right at all times to take all appropriate measures including, where the Parties are unable to reach a mutually satisfactory solution in the consultations foreseen in previous Articles or where this Agreement is denounced by either Party, the reintroduction of a system of autonomous quotas in respect of exports from Ukraine of the products mentioned in Annex II.

6. Annexes I, II and III, declarations 1, 2, 3 and 4, the agreed minute and Protocol A annexed to this Agreement shall form an integral part thereof.

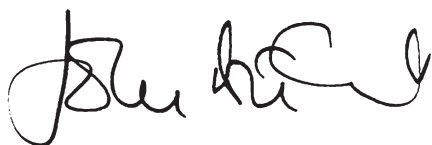
Article 11

This Agreement shall be drawn up in duplicate in the Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Slovak, Slovenian, Spanish, Swedish and Ukrainian languages, each of these texts being equally authentic.

Hecho en Bruselas, el
V Bruselu dne
Udfærdiget i Bruxelles den
Geschehen zu Brüssel am
Brüsselis
Έγινε στις Βρυξέλλες, στις
Done at Brussels,
Fait à Bruxelles, le
Fatto a Bruxelles, addì
Briselē,
Priimta Briuselyje
Kelt Brüsszelben,
Magħmul fi Brussel,
Gedaan te Brussel,
Sporządzono w Brukseli, dnia
Feito em Bruxelas,
V Bruseli
V Bruslju,
Tehty Brysselissä
Utfärdat i Bryssel den
Вчинено в м.

29 -07- 2005

Por la Comunidad Europea
Za Evropské společenství
For Det Europæiske Fællesskab
Für die Europäische Gemeinschaft
Euroopa Ühenduse nimel
Για την Ευρωπαϊκή Κοινότητα
For the European Community
Pour la Communauté européenne
Per la Comunità europea
Eiropas Kopienas vārdā
Europos bendrijos vardu
az Európai Közösség részéről
Għall-Komunità Ewropea
Voor de Europese Gemeenschap
W imieniu Wspólnoty Europejskiej
Pela Comunidade Europeia
Za Európske spoločenstvo
Za Evropsko skupnost
Euroopan yhteisön puolesta
På Europeiska gemenskapens vägnar
За Европейське Співтовариство



ANNEX I

7201 10 11 00	7208 38 00 10	7210 69 00 10	7214 99 10 00	7219 33 10 00	7225 91 00 10
7201 10 19 00	7208 38 00 90	7210 70 10 10	7214 99 31 00	7219 33 90 00	7225 92 00 10
7201 10 30 00	7208 39 00 10	7210 70 80 10	7214 99 39 00	7219 34 10 00	7225 99 00 10
7201 10 90 00	7208 39 00 90	7210 90 30 10	7214 99 50 00	7219 34 90 00	7226 11 00 10
7201 20 00 00	7208 40 00 10	7210 90 40 10	7214 99 71 00	7219 35 10 00	7226 19 10 00
7201 50 10 00	7208 40 00 90	7210 90 80 91	7214 99 79 00	7219 35 90 00	7226 19 80 10
7201 50 90 00	7208 51 20 10	7211 13 00 00	7214 99 95 00	7219 90 00 10	7226 20 00 10
7202 11 20 00	7208 51 20 91	7211 14 00 10	7215 90 00 10	7220 11 00 00	7226 91 20 00
7202 11 80 00	7208 51 20 93	7211 14 00 90	7216 10 00 00	7220 12 00 00	7226 91 91 00
7202 99 10 10	7208 51 20 97	7211 19 00 10	7216 21 00 00	7220 20 21 10	7226 91 99 00
7203 10 00 00	7208 51 20 98	7211 19 00 90	7216 22 00 00	7220 20 29 10	7226 92 00 10
7203 90 00 00	7208 51 91 00	7211 23 20 10	7216 31 10 10	7220 20 41 10	7226 93 00 10
7204 10 00 00	7208 51 98 10	7211 23 30 10	7216 31 10 90	7220 20 49 10	7226 94 00 10
7204 21 10 00	7208 51 98 91	7211 23 30 91	7216 31 90 00	7220 20 81 10	7226 99 00 10
7204 21 90 00	7208 51 98 99	7211 23 80 10	7216 32 11 00	7220 20 89 10	7227 10 00 00
7204 29 00 00	7208 52 10 00	7211 23 80 91	7216 32 19 00	7220 90 00 11	7227 20 00 00
7204 30 00 00	7208 52 91 00	7211 29 00 10	7216 32 91 00	7220 90 00 31	7227 90 10 00
7204 41 10 00	7208 52 99 00	7211 90 00 11	7216 32 99 00	7221 00 10 00	7227 90 50 00
7204 41 91 00	7208 53 10 00	7212 10 10 00	7216 33 10 00	7221 00 90 00	7227 90 95 00
7204 41 99 00	7208 53 90 00	7212 10 90 11	7216 33 90 00	7222 11 11 00	7228 10 20 00
7204 49 10 00	7208 54 00 00	7212 20 00 11	7216 40 10 00	7222 11 19 00	7228 20 10 10
7204 49 30 00	7208 90 00 10	7212 30 00 11	7216 40 90 00	7222 11 81 00	7228 20 10 91
7204 49 90 00	7209 15 00 00	7212 40 20 10	7216 50 10 00	7222 11 89 00	7228 20 91 10
7204 50 00 00	7209 16 10 00	7212 40 20 91	7216 50 91 00	7222 19 10 00	7228 20 91 90
7206 10 00 00	7209 16 90 00	7212 40 80 11	7216 50 99 00	7222 19 90 00	7228 30 20 00
7206 90 00 00	7209 17 10 00	7212 50 20 11	7216 99 00 10	7222 30 97 10	7228 30 41 00
7207 11 11 00	7209 17 90 00	7212 50 30 11	7218 10 00 00	7222 40 10 00	7228 30 49 00
7207 11 14 00	7209 18 10 00	7212 50 40 11	7218 91 10 00	7222 40 90 10	7228 30 61 00
7207 11 16 00	7209 18 91 00	7212 50 61 11	7218 91 80 00	7224 10 00 00	7228 30 69 00
7207 12 10 00	7209 18 99 00	7212 50 69 11	7218 99 11 00	7224 90 02 00	7228 30 70 00
7207 19 12 10	7209 25 00 00	7212 50 90 13	7218 99 20 00	7224 90 03 00	7228 30 89 00
7207 19 12 91	7209 26 10 00	7212 60 00 11	7219 11 00 00	7224 90 05 00	7228 60 20 10
7207 19 12 99	7209 26 90 00	7212 60 00 91	7219 12 10 00	7224 90 07 00	7228 60 80 10
7207 19 80 10	7209 27 10 00	7213 10 00 00	7219 12 90 00	7224 90 14 00	7228 70 10 00
7207 20 11 00	7209 27 90 00	7213 20 00 00	7219 13 10 00	7224 90 31 00	7228 70 90 10
7207 20 15 00	7209 28 10 00	7213 91 10 00	7219 13 90 00	7224 90 38 00	7228 80 00 10
7207 20 17 00	7209 28 90 00	7213 91 20 00	7219 14 10 00	7225 11 00 00	7228 80 00 90
7207 20 32 00	7209 90 00 10	7213 91 41 00	7219 14 90 00	7225 19 10 00	7301 10 00 00
7207 20 52 00	7210 11 00 10	7213 91 49 00	7219 21 10 00	7225 19 90 00	7302 10 21 00
7207 20 80 10	7210 12 20 10	7213 91 70 00	7219 21 90 00	7225 20 00 10	7302 10 23 00
7208 10 00 00	7210 12 80 10	7213 91 90 00	7219 22 10 00	7225 30 00 00	7302 10 29 00
7208 25 00 00	7210 20 00 10	7213 99 10 00	7219 22 90 00	7225 40 12 30	7302 10 40 00
7208 26 00 00	7210 30 00 10	7213 99 90 00	7219 23 00 00	7225 40 12 90	7302 10 50 00
7208 27 00 00	7210 41 00 10	7214 20 00 00	7219 24 00 00	7225 40 40 00	7302 10 90 00
7208 36 00 00	7210 49 00 10	7214 30 00 00	7219 31 00 00	7225 40 60 00	7302 40 00 00
7208 37 00 10	7210 50 00 10	7214 91 10 00	7219 32 10 00	7225 40 90 00	
7208 37 00 90	7210 61 00 10	7214 91 90 00	7219 32 90 00	7225 50 00 00	

ANNEX II

SA Flat-rolled products*SA1. (coils)*

7208 10 00 00
 7208 25 00 00
 7208 26 00 00
 7208 27 00 00
 7208 36 00 00
 7208 37 00 10
 7208 37 00 90
 7208 38 00 10
 7208 38 00 90
 7208 39 00 10
 7208 39 00 90
 7211 14 00 10
 7211 19 00 10
 7219 11 00 00
 7219 12 10 00
 7219 12 90 00
 7219 13 10 00
 7219 13 90 00
 7219 14 10 00
 7219 14 90 00
 7225 20 00 10
 7225 30 10 00
 7225 30 90 00

SA2. (heavy Plate)

7208 40 00 10
 7208 51 20 10
 7208 51 20 91
 7208 51 20 93
 7208 51 20 97
 7208 51 20 98
 7208 51 91 10
 7208 51 91 90
 7208 51 98 10
 7208 51 98 91
 7208 51 98 99
 7208 52 91 10
 7208 52 91 90
 7208 52 10 00
 7208 52 99 00
 7208 53 10 00
 7211 13 00 00
 7225 40 12 30
 7225 40 40 00
 7225 40 60 00
 7225 99 00 10

SA3. (other flat rolled products)

7208 40 00 90
 7208 53 90 00
 7208 54 00 00

7208 90 00 10
 7209 15 00 00
 7209 16 10 00
 7209 16 90 00
 7209 17 10 00
 7209 17 90 00
 7209 18 10 00
 7209 18 91 00
 7209 18 99 00
 7209 25 00 00
 7209 26 10 00
 7209 26 90 00
 7209 27 10 00
 7209 27 90 00
 7209 28 10 00
 7209 28 90 00
 7209 90 00 10
 7210 11 00 10
 7210 12 20 10
 7210 12 80 10
 7210 20 00 10
 7210 30 00 10
 7210 41 00 10
 7210 49 00 10
 7210 50 00 10
 7210 61 00 10
 7210 69 00 10
 7210 70 10 10
 7210 70 80 10
 7210 90 30 10
 7210 90 40 10
 7210 90 80 91
 7211 14 00 90
 7211 19 00 90
 7211 23 20 10
 7211 23 30 10
 7211 23 30 91
 7211 23 80 10
 7211 23 80 91
 7211 29 00 10
 7211 90 00 11
 7212 10 10 00
 7212 10 90 11
 7212 20 00 11
 7212 30 00 11
 7212 40 20 10
 7212 40 20 91
 7212 40 80 11
 7212 50 20 11
 7212 50 30 11
 7212 50 40 11
 7212 50 61 11
 7212 50 69 11
 7212 50 90 13

7212 60 00 11
 7212 60 00 91
 7219 21 10 00
 7219 21 90 00
 7219 22 10 00
 7219 22 90 00
 7219 23 00 00
 7219 24 00 00
 7219 31 00 00
 7219 32 10 00
 7219 32 90 00
 7219 33 10 00
 7219 33 90 00
 7219 34 10 00
 7219 34 90 00
 7219 35 10 00
 7219 35 90 00
 7225 40 12 90
 7225 40 90 00

SB Longs*SB1. (beams)*

7207 19 80 10
 7207 20 80 10
 7216 31 10 10
 7216 31 10 90
 7216 31 90 00
 7216 32 11 00
 7216 32 19 00
 7216 32 91 00
 7216 32 99 00
 7216 33 10 00
 7216 33 90 00

SB2. (wire rod)

7213 10 00 00
 7213 20 00 00
 7213 91 10 00
 7213 91 20 00
 7213 91 41 00
 7213 91 49 00
 7213 91 70 00
 7213 91 90 00
 7213 99 10 00
 7213 99 90 00
 7221 00 10 00
 7221 00 90 00
 7227 10 00 00
 7227 20 00 00
 7227 90 10 00
 7227 90 50 00
 7227 90 95 00

SB3. (<i>other longs</i>)	7216 21 00 00	7224 90 31 00
7207 19 12 10	7216 22 00 00	7224 90 38 00
7207 19 12 91	7216 40 10 00	7228 10 20 00
7207 19 12 99	7216 40 90 00	7228 20 10 10
7207 20 52 00	7216 50 10 00	7228 20 10 91
7214 20 00 00	7216 50 91 00	7228 20 91 10
7214 30 00 00	7216 50 99 00	7228 20 91 90
7214 91 10 00	7216 99 00 10	7228 30 20 00
7214 91 90 00	7218 99 20 00	7228 30 41 00
7214 99 10 00	7222 11 11 00	7228 30 49 00
7214 99 31 00	7222 11 19 00	7228 30 61 00
7214 99 39 00	7222 11 81 10	7228 30 69 00
7214 99 50 00	7222 11 81 90	7228 30 70 00
7214 99 71 10	7222 11 89 10	7228 30 89 00
7214 99 71 90	7222 11 89 90	7228 60 20 10
7214 99 79 10	7222 19 10 00	7228 60 80 10
7214 99 79 90	7222 19 90 00	7228 70 10 00
7214 99 95 10	7222 30 97 10	7228 70 90 10
7214 99 95 90	7222 40 10 00	7228 80 00 10
7215 90 00 10	7222 40 90 10	7228 80 00 90
7216 10 00 00	7224 90 02 89	7301 10 00 00

ANNEX III

QUANTITATIVE LIMITS

(tonnes)		
Products	2005	2006
SA. Flat-rolled products		
SA1. Coils	150 000	153 750
SA2. Heavy plate	348 000	356 700
SA3. Other flat-rolled products	97 000	99 425
SB. Long products		
SB1. Beams	30 000	30 750
SB2. Wire rod	125 000	128 125
SB3. Other long products	230 000	235 750

Note: SA and SB are the 'categories'

SA1, SA2, SA3, SB1, SB2 and SB3 are the 'product groups'

AGREED MINUTE

In the context of this Agreement, the Parties agree that:

- in pursuance of the exchange of information provided for in Article 4(1) concerning export licences and import authorisations, the parties will supply that information by reference to the Member States in addition to the Community as a whole,
- pending the satisfactory outcome of the consultations provided for in Article 5(2), the Government of Ukraine will cooperate, if so requested by the Community, by not issuing export licences that would further aggravate the problems resulting from sudden and prejudicial changes in traditional trade flows, and
- the Government of Ukraine will take due account of the sensitive nature of small regional markets within the Community both as regards their traditional needs for supplies and the avoidance of regional concentrations.

DECLARATION No 1

In the context of this Agreement, and more particularly Article 3 thereof, the Parties confirm their understanding that this Agreement does not affect existing systems concerning the import and duties in respect of the steel products mentioned in Annex II to the Agreement which are intended for certain categories of ships, boats and other vessels and for drilling or production platforms for the purposes of their construction, repair, maintenance or conversion and in respect of goods intended for fitting to or equipping such ships, boats or other vessels.

DECLARATION No 2

The Parties agree that they shall not apply quantitative restrictions, customs duties, charges or any measures having equivalent effect on the export of ferrous scrap and waste under the EC Combined Nomenclature heading 7204.

However, Ukraine is currently applying a tax on the exports of ferrous scrap of EUR 30 per tonne. The quantitative limits set out in Annex III of the Agreement take into account that tax. Ukraine is committed not to increase this tax. If Ukraine were to reduce or remove this tax on all ferrous scrap positions, the quantitative limits mentioned in Annex III would be increased accordingly up to 43 %. The increase of these quantitative limits would be directly proportional to the reduction of the levy.

In case of removal or reduction of the EUR 30 export tax on the exports of certain ferrous scrap positions, e.g., shredded scrap, the Parties shall enter the consultations immediately in order to assess the increase of the quantitative limits set out in Annex III.

DECLARATION No 3

Both Parties aim at achieving complete liberalisation of trade in steel products. In this context, both Parties intend to terminate quantitative restrictions once Ukraine becomes a WTO member. They also recognise that it is an important condition for promoting trade between them that competition, state aid and environment provisions applicable within each Party must be compatible. To this end, and upon request from Ukraine authorities, the Community shall provide technical assistance within available budgetary means to help Ukraine to adopt and implement legislative provisions compatible with those adopted and applied by the Community. Such assistance shall be specified in projects to be agreed by both Parties and identifying clearly, *inter alia*, the objectives, the means and the calendar.

DECLARATION No 4

In the case Ukrainian operators were to set up service centres in the Community that would further process steel products set out in Annex II imported from Ukraine, the Government of Ukraine declares that it could request an increase of quantitative limits mentioned in Annex III. In this case, the Community shall examine such request of increase and the Parties will enter into consultations as soon as possible.

PROTOCOL A**TITLE I****CLASSIFICATION***Article 1*

1. The competent authorities of the Community undertake to inform the competent authorities of Ukraine of any changes in the combined nomenclature in respect of products covered by the Agreement before the date of their entry into force in the Community.

2. The competent authorities of the Community undertake to inform the competent authorities of Ukraine of any decisions relating to the classification of products covered by the Agreement within one month of their adoption at the latest.

Such a description shall include:

- (a) a description of the products concerned,
- (b) the relevant CN codes,
- (c) the reasons which have led to the decision.

3. Where a decision on classification results in a change of classification practice of any product covered by the Agreement, the competent authorities of the Community shall provide 30 days' notice, from the date of the Community's communication, before the decision is put into effect. Products shipped before the date of entry into effect of the decision shall remain subject to the earlier classification practice, provided that the goods in question are presented for importation into the Community within 60 days of that date.

4. Where a Community decision on classification resulting in a change of classification practice of any product covered by the Agreement affects a category subject to quantitative limits, the Parties agree to enter into consultations in accordance with the procedures described in Article 9(3) of the Agreement with a view to honouring the obligation contained in Article 7(1) of the Agreement.

5. In case of divergent opinions between the competent authorities of Ukraine and the Community at the point of entry into the Community on the classification of products covered by the Agreement, classification shall provisionally be based on indications provided by the Community, pending consultations in accordance with Article 9 of the Agreement with a view to reaching agreement on the definitive classification of the products concerned.

TITLE II**ORIGIN***Article 2*

1. Products originating in Ukraine according to the Community Regulations in force for export to the Community in accordance with the arrangements established by the Agree-

ment shall be accompanied by a certificate of Ukrainian origin conforming to the model annexed to this Protocol.

2. The certificate of origin shall be certified by the authorised Ukrainian organisations as to whether the products in question can be considered products originating in Ukraine.

Article 3

The certificate of origin shall be issued only on application in writing by the exporter or, under the exporter's responsibility, by his authorised representative. The authorised Ukrainian organisations shall ensure that the certificate of origin is properly completed and for this purpose they shall call for any necessary documentary evidence or carry out any check which they consider appropriate.

Article 4

The discovery of slight discrepancies between the statements made in the certificate of origin and those made in the documents produced to the customs office for the purpose of carrying out the formalities for importing the products shall not ipso facto cast doubt upon the statements in the certificate.

TITLE III**DOUBLE-CHECKING SYSTEM FOR PRODUCTS SUBJECT TO QUANTITATIVE LIMITS****SECTION I****Exportation***Article 5*

The appropriate Ukrainian governmental authorities shall issue an export licence in respect of all consignments from Ukraine of steel products covered by the Agreement up to the quantitative limits set out in Annex III of the Agreement.

Article 6

1. The export licence shall conform to the model annexed to this Protocol and it shall be valid for exports throughout the customs territory of the Community.

2. Each export licence must certify *inter alia* that the quantity of the product in question has been set off against the relevant quantitative limit established for the product concerned in Annex III of the Agreement.

Article 7

The competent authorities of the Community must be informed immediately of the withdrawal or modification of any export licence already issued.

Article 8

1. Exports shall be set off against the quantitative limits established for the year in which the shipment of goods has been effected even if the export licence is issued after such shipment.

2. For the purposes of applying paragraph 1, shipment of goods is considered to have taken place on the date of their loading onto the exporting means of transport.

Article 9

The importer shall present an export licence not later than 31 March of the year following that in which the goods covered by the licence have been shipped.

*SECTION II***Importation***Article 10*

The release for free circulation into the Community of steel products subject to quantitative limits shall be subject to the presentation of an import authorisation.

Article 11

1. The competent authorities of the Community shall issue the import authorisation referred to in Article 10 within ten working days of the presentation by the importer of the original of the corresponding export licence.

2. The import authorisations shall be valid for four months from the date of their issue for imports throughout the customs territory of the Community.

3. The competent authorities of the Community shall cancel the import authorisation already issued whenever the corresponding export licence has been withdrawn. However, if the competent authorities of the Community are notified of the withdrawal or the cancellation of the export licence only after the release for free circulation of the products into the Community, the relevant quantities shall be set off against the limits established for the product.

Article 12

If the competent authorities of the Community find that the total quantities covered by export licences issued by the competent authorities of Ukraine exceed the relevant quantitative limit established for products covered by Annex III of the Agreement, the Community authorities shall suspend the further issue of import authorisations in respect of products covered by the quantitative limit in question. In this event, the competent authorities of the Community shall immediately inform the competent authorities of Ukraine and immediate

consultations pursuant to Article 9(1) of the Agreement shall be initiated.

*TITLE IV***FORM AND PRODUCTION OF EXPORT LICENCES AND CERTIFICATES OF ORIGIN, AND COMMON PROVISIONS CONCERNING EXPORTS TO THE COMMUNITY***Article 13*

1. The export licence and the certificate of origin may comprise additional copies duly indicated as such. They shall be made out in English. If they are completed by hand, entries must be in ink and in block letters.

These documents shall measure 210 x 297 mm. The paper used shall be white writing paper, sized, not containing mechanical pulp, and weighing not less than 25 g/m². If the documents have several copies only the top copy, which is the original, shall be printed with the guilloche pattern background. This copy shall be clearly marked 'original' and the other copies 'copies'. Only the original shall be accepted by the competent authorities of the Community as being valid for the purpose of export to the Community in accordance with the provisions of the Agreement.

2. Each document shall bear a standardised serial number, whether or not printed, by which it can be identified.

This number shall be composed of the following elements:

— two letters identifying the exporting country as follows:

UA = Ukraine

— two letters identifying the intended Member State of customs clearance as follows:

BE = Belgium

CZ = Czech Republic

DK = Denmark

DE = Germany

EE = Estonia

EL = Greece

ES = Spain

FR = France

IE = Ireland

IT = Italy

CY = Cyprus

LV = Latvia

LT = Lithuania

LU = Luxembourg

HU = Hungary

MT = Malta
 NL = Netherlands
 AT = Austria
 PL = Poland
 PT = Portugal
 SI = Slovenia
 SK = Slovakia
 FI = Finland
 SE = Sweden
 GB = United Kingdom;

- a one-digit number identifying the year in question corresponding to the last figure in the year, e.g. '5' for 2005,
- a two-digit number from 01 to 99, identifying the particular issuing office concerned in exporting country,
- a five-digit number running consecutively from 00001 to 99999 allocated to the intended Member State of customs clearance.

Article 14

The export licence and the certificate of origin may be issued after the shipment of the products to which they relate. In such cases, they must bear the endorsement 'issued retrospectively'.

Article 15

1. In the event of theft, loss or destruction of an export licence or a certificate of origin, the exporter may apply to the Ukrainian governmental authorities competent to issue licences or to the Ukrainian organisations authorised to issue certificates of origin under Ukrainian legislation, respectively, for a duplicate to be made out on the basis of the export documents in his possession. The duplicate of any such certificate or licence so issued shall bear the endorsement 'duplicate'.

2. The duplicate shall bear the date of the original export licence or certificate of origin.

TITLE V

ADMINISTRATIVE COOPERATION

Article 16

The Parties shall cooperate closely in the implementation of the provisions of this Protocol. To this end, contacts and exchanges of views, including on technical matters, shall be facilitated by both Parties.

Article 17

In order to ensure the correct application of this Protocol, the Parties shall offer mutual assistance for the checking of the authenticity and the accuracy of export licences and certificates

of origin issued or of any declarations made within the terms of this Protocol.

Article 18

The competent authorities of Ukraine shall send the Commission of the European Communities the names and addresses of the competent Ukrainian authorities which are authorised to issue and to verify export licences and certificates of origin together with specimens of the stamps and signatures they use. The competent authorities of Ukraine shall also notify the Commission of any change in this information.

Article 19

1. Subsequent verification of certificates of origin or export licences shall be carried out at random, or whenever the competent Community authorities have reasonable doubt as to the authenticity of the certificate or licence or as to the accuracy of the information regarding the true origin of the products in question.

2. In such cases, the competent authorities in the Community shall return the certificate of origin or the export licence or a copy thereof to the appropriate Ukrainian authorities giving, where appropriate, the reasons of form or substance which justify an enquiry. If the invoice has been submitted, such invoice or a copy thereof shall be attached to the certificate or to the licence or their copies. The authorities shall also forward any information that has been obtained suggesting that the particulars given on the said certificate or licence are inaccurate.

3. The provisions of paragraph 1 shall also apply to subsequent verifications of the certificates of origin provided for in Article 2.

4. The results of the subsequent verifications carried out in accordance with paragraphs 1 and 2 shall be communicated to the competent authorities of the Community within three months at the latest. The information communicated shall indicate whether the disputed certificate, licence or declaration, applies to the goods actually exported and whether these goods are eligible for export under the arrangements established by the Agreement. The information shall also include, at the request of the Community, copies of all the documentation necessary to fully determine the facts, and in particular the true origin of the goods.

Should such verifications reveal systematic irregularities in the use of certificates of origin, the Community may subject imports of the products in question to the provisions of Article 2(1).

5. For the purpose of subsequent verification of certificates of origin, copies of the certificates as well as any export documents referring to them shall be kept by the appropriate Ukrainian authorities for at least one year following the end of the Agreement.

6. Recourse to the random verification procedure specified in this Article must not constitute an obstacle to the release for free circulation of the products in question.

Article 20

1. Where the verification procedure referred to in Article 19 or where information available to the competent authorities of the Community or of Ukraine indicates or appears to indicate that the provisions of the Agreement are being circumvented or infringed, the two Parties shall cooperate closely and with the appropriate urgency in order to prevent any such circumvention or infringement.

2. To this end, the appropriate Ukrainian authorities shall, on their own initiative or at the request of the Community, carry out appropriate inquiries, or arrange for such inquiries to be carried out, concerning operations which are, or appear to the Community to be, in circumvention or infringement of this Protocol. The competent authorities of Ukraine shall communicate the results of these inquiries to the Community, including any other pertinent information enabling the cause of the circumvention or infringement, including the true origin of the goods to be determined.

3. By agreement between the Parties, officials designated by the Community may be present at the inquiries referred to in paragraph 2.

4. In pursuance of the cooperation referred to in paragraph 1, the competent authorities of the Community and Ukraine shall exchange any information considered by either Party to be of use in preventing circumvention or infringement of the provisions of the Agreement. These exchanges may include information on the trade in the type of products covered by the Agreement between Ukraine and third countries, particularly where the Community has reasonable grounds to consider that the products in question may be in transit across the territory of Ukraine prior to their importation into the Community. This information may include, at the request of the Community, copies of all relevant documentation, where available.

5. Where sufficient evidence shows that the provisions of this Protocol have been circumvented or infringed, the competent authorities of Ukraine and the Community may agree to take any measures as are necessary to prevent a recurrence of such circumvention or infringement.

EXPORT LICENCE

1. Exporter (name, full address, country)	ORIGINAL		2. No	
	3. Year		4. Product group	
5. Consignee (name, full address, country)	EXPORT LICENCE (for certain steel products)			
	6. Country of origin		7. Country of destination	
8. Place and date of shipment – means of transport	9. Supplementary details			
10. Description of goods – manufacturer	11. TARIC code	12. Quantity ⁽¹⁾	13. Fob value ⁽²⁾	
14. CERTIFICATION BY THE COMPETENT AUTHORITY I, the undersigned, certify that the goods described above have been charged against the quantitative limit established for the year shown in box No 3 in respect of the Product group shown in box No 4 by the provisions regulating trade in certain steel products with the European Community.				
15. Competent authority (name, full address, country)	At on (Signature) (Stamp)			

(1) Show net weight (kg) and also quantity in the unit prescribed where other than net weight.

(2) In the currency of the sale contract.

EXPORT LICENCE

1. Exporter (name, full address, country)	COPY		2. No	
	3. Year		4. Product group	
5. Consignee (name, full address, country)	EXPORT LICENCE (for certain steel products)			
	6. Country of origin		7. Country of destination	
8. Place and date of shipment – means of transport	9. Supplementary details			
10. Description of goods – manufacturer	11. TARIC code	12. Quantity ⁽¹⁾	13. Fob value ⁽²⁾	
14. CERTIFICATION BY THE COMPETENT AUTHORITY I, the undersigned, certify that the goods described above have been charged against the quantitative limit established for the year shown in box No 3 in respect of the Product group shown in box No 4 by the provisions regulating trade in certain steel products with the European Community.				
15. Competent authority (name, full address, country)	At on (Signature) (Stamp)			

(1) Show net weight (kg) and also quantity in the unit prescribed where other than net weight.

(2) In the currency of the sale contract.

CERTIFICATE OF ORIGIN

1. Exporter (name, full address, country)	ORIGINAL		2. No	
	3. Year		4. Product group	
5. Consignee (name, full address, country)	CERTIFICATE OF ORIGIN (for certain steel products)			
	6. Country of origin		7. Country of destination	
8. Place and date of shipment – means of transport	9. Supplementary details			
10. Description of goods – manufacturer	11. TARIC code	12. Quantity ⁽¹⁾	13. Fob value ⁽²⁾	
14. CERTIFICATION BY THE COMPETENT AUTHORITY I, the undersigned, certify that the goods described above originated in the country shown in box No 6, in accordance with the provisions in force in the European Community.				
15. Competent authority (name, full address, country)	At on			
	(Signature)		(Stamp)	

(1) Show net weight (kg) and also quantity in the unit prescribed where other than net weight.

(2) In the currency of the sale contract.

CERTIFICATE OF ORIGIN

1. Exporter (name, full address, country)	COPY		2. No	
	3. Year		4. Product group	
5. Consignee (name, full address, country)	CERTIFICATE OF ORIGIN (for certain steel products)			
	6. Country of origin		7. Country of destination	
8. Place and date of shipment – means of transport	9. Supplementary details			
10. Description of goods – manufacturer	11. TARIC code	12. Quantity ⁽¹⁾	13. Fob value ⁽²⁾	
14. CERTIFICATION BY THE COMPETENT AUTHORITY I, the undersigned, certify that the goods described above originated in the country shown in box No 6, in accordance with the provisions in force in the European Community.				
15. Competent authority (name, full address, country)	At on (Signature) (Stamp)			

(1) Show net weight (kg) and also quantity in the unit prescribed where other than net weight.

(2) In the currency of the sale contract.

COUNCIL DECISION**of 18 July 2005****concerning the conclusion of an agreement between the European Community and the Government of the Republic of Kazakhstan on trade in certain steel products**

(2005/639/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133, in conjunction with Article 300(2) thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) The Partnership and Cooperation Agreement between the European Communities and their Member States and the Republic of Kazakhstan ⁽¹⁾, hereinafter referred to as 'the PCA', entered into force on 1 July 1999.
- (2) Article 17(1) of the PCA provides that trade in certain steel products is governed by Title III of that Agreement with the exception of Article 11 thereof, and by the provisions of an agreement on quantitative arrangements.
- (3) For the years 2000 to 2004, trade in certain steel products was the subject of agreements between the Parties to the PCA. It is therefore appropriate to conclude a new agreement which takes account of the developments in the relationship between the Parties.
- (4) The Agreement should be approved,

HAS DECIDED AS FOLLOWS:

Article 1

1. The Agreement between the European Community and the Government of the Republic of Kazakhstan on trade in certain steel products is hereby approved on behalf of the Community.
2. The text of the Agreement is attached to this Decision.

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement in order to bind the Community.

Done at Brussels, 18 July 2005.

For the Council
The President
J. STRAW

⁽¹⁾ OJ L 196, 28.7.1999, p. 3.

AGREEMENT**between the European Community and the Government of the Republic of Kazakhstan on trade in certain steel products**

THE EUROPEAN COMMUNITY,

of the one part, and

THE GOVERNMENT OF THE REPUBLIC OF KAZAKHSTAN,

of the other part,

being the Parties to this Agreement,

WHEREAS the Partnership and Cooperation Agreement between the European Communities and their Member States and the Republic of Kazakhstan (hereinafter referred to as the PCA) ⁽¹⁾, signed on 23 January 1995, entered into force on 1 July 1999;

WHEREAS the European Community (hereinafter referred to as the Community) and the Government of the Republic of Kazakhstan (hereinafter referred to as Kazakhstan) are desirous to promote the orderly and equitable development of trade in steel products between the Community and Kazakhstan;

WHEREAS Article 17(1) of the PCA provides that trade in certain steel products (i.e. the steel products of the former European Coal and Steel Community, hereinafter referred to as ECSC) is governed by Title III of the PCA, save for Article 11 thereof and by the provisions of an Agreement; whereas this Agreement constitutes an Agreement in the sense of Article 17(1) of the PCA;

WHEREAS for the years 2000 to 2004, trade in these steel products was the subject of an agreement, which it is appropriate to replace with a further agreement which takes account of developments in the relationship between the Parties;

WHEREAS this Agreement is designed to provide a framework permitting the removal of quantitative restrictions on trade in certain steel products, provided that certain conditions are met and in particular when proper competitive conditions have been established in respect of the steel products covered by the Agreement;

WHEREAS this Agreement should be complemented by the cooperation between the Parties in respect of their steel industries, including appropriate exchanges of information, within the Contact Group as foreseen in Article 17(2) of the PCA,

HAVE AGREED AS FOLLOWS:

Article 1

1. This Agreement applies to trade in (former ECSC) steel products.

2. Trade in steel products set out in Annex I may be subject to quantitative limits.

3. Trade in steel products not set out in Annex I shall not be subject to quantitative limits.

4. In the case of steel products and subject matters which are not covered by this Agreement, the relevant provisions of the PCA shall apply.

Community as set out in Annex II for the products set out in Annex I. Such exports shall be subject to a double-checking system as specified in Protocol A.

2. The Parties reiterate their commitment to achieve complete liberalisation of trade in respect of the steel products mentioned in Annex I provided that compatible competitive conditions have been established.

3. Quantitative restrictions, customs duties, charges or any similar measures on the export of ferrous scrap and waste under the Combined Nomenclature heading 7204 are prohibited among the Parties.

Article 2

1. The Parties agree to establish and maintain for each calendar year quantitative limits on the Kazakh exports to the

4. The Parties agree that imports into the Community from Kazakhstan of products mentioned in Annex I as from 1.1.2005 until the entry into force of this Agreement shall be deducted from the quantitative limits set out in Annex II.

⁽¹⁾ OJ L 196, 28.7.1999, p. 3.

5. Imports of quantities in excess of those mentioned in Annex II shall be authorised where the Community industry is unable to meet the internal demand which results in a shortage of supply for one or more products mentioned in Annex I. Consultations shall take place immediately at the request of either Party to determine the level of the shortage on the basis of objective evidence. Following the conclusions of the consultations, the Community shall instigate its internal procedures to increase the quantities set out in Annex II.

6. In the case where countries candidate for membership of the European Union would accede before the termination of this Agreement, the Parties agree to consider to increase the quantitative limits set out in Annex II.

7. Either Party may, at any time, request consultations concerning:

- the levels of the quantitative limits set out in Annex II, where the conditions in respect of the products mentioned in Annex I have substantially deteriorated or improved,
- the possibility of transferring unused amounts from under-utilised product groups to other groups.

Article 3

1. Imports into the customs territory of the Community for free circulation of steel products mentioned in Annex I shall be subject to the presentation of an import authorisation issued by the competent authority of a Member State based on the production of an export licence issued by the authorities of Kazakhstan and to a certificate of origin in accordance with the provisions of Protocol A.

2. Imports into the customs territory of the Community of steel products mentioned in Annex I shall not be subject to the quantitative limits set out in Annex II provided they are declared to be for re-export outside the Community in the same state or after processing, within the administrative system of control which exists within the Community.

3. Carryover to the corresponding quantitative limits for the following calendar year of the amounts of quantitative limits set out in Annex II not used during the first calendar year is authorised up to 10 % of the relevant quantitative limit for the year in which it was not used. Kazakhstan shall notify the Community no later than 31 March of the following year if it intends to make use of this provision.

4. The quantitative limit for a given product group can be adjusted once in the course of a calendar year up to 10 % of the quantitative limit for a given product group, subject to the consent of both Parties. Any adjustments to the quantitative

limits resulting from transfers shall only affect the calendar year in progress. At the start of the following calendar year, the quantitative limits shall be those shown at Annex II, without prejudice to the provisions of paragraph 3 above. Kazakhstan shall notify the Community no later than 31 May if it intends to make use of this provision.

Article 4

1. With a view to rendering the double-checking system as effective as possible and to minimise the possibilities for abuse and circumvention:

- the Kazakh authorities shall inform the Community authorities by the 28th of each month of the export licences issued during the preceding month,
- the Community authorities shall inform the Kazakh authorities by the 28th of each month of the import authorisations issued during the preceding month.

In the event of any significant discrepancy taking account of the time factors involved in respect of such information, either Party may request consultations which shall be opened immediately.

2. Without prejudice to paragraph 1 and with a view to ensuring the effective functioning of this Agreement, both Parties agree to take all necessary steps to prevent, to investigate and to take any necessary legal and/or administrative action against circumvention by transshipment, re-routing, false declaration concerning the country or place of origin, falsification of documents, false declaration concerning quantities description or classification of merchandise and by whatever other means. Accordingly, the Parties agree to establish the necessary legal provisions and administrative procedures permitting effective action to be taken against such circumvention, which shall include the adoption of legally binding corrective measures against exporters and/or importers involved.

3. Should either Party believe on the basis of information available that this Agreement is being circumvented, it may request consultations with the other Party which shall be held immediately.

4. Pending the results of the consultations referred to in paragraph 3, and if requested by the Community and on provision of sufficient evidence, Kazakhstan shall ensure that any adjustments of the quantitative limits which may result from such consultations, are carried out for the calendar year in which the request for consultations under paragraph 3 was made, or for the following year, if the limit for that calendar year is exhausted.

5. Should the Parties be unable in the course of the consultations referred to in paragraph 3 to reach a mutually satisfactory solution, the Community shall have the right, where there is sufficient evidence that steel products covered by this Agreement originating in Kazakhstan have been imported in circumvention of this Agreement, to set off the relevant quantities against the quantitative limits set out in Annex II.

6. Should the Parties be unable in the course of the consultations referred to in paragraph 3 to reach a mutually satisfactory solution, the Community shall have the right, where sufficient evidence shows false declaration concerning quantities description or classification has occurred, to refuse to import the products in question.

7. The Parties agree to cooperate fully to prevent and to address effectively all problems arising from circumvention of this Agreement.

Article 5

1. The quantitative limits set out in Annex II on imports into the Community of the steel products set out in Annex I shall not be broken down by the Community into regional shares.

2. The Parties shall cooperate in order to prevent sudden and prejudicial changes in traditional trade flows into the Community. Should a sudden and prejudicial change in traditional trade flows arise (including regional concentration or the loss of traditional supplies), the Community will be entitled to request consultations in order to find a satisfactory solution to the problem. Such consultations shall be held immediately.

3. Kazakhstan shall endeavour to ensure that exports into the Community of steel products mentioned in Annex I are spaced out as evenly as possible over the year. Should a sudden and prejudicial surge of imports arise, the Community will be entitled to request consultations in order to find a satisfactory solution to the problem. Such consultations shall be held immediately.

4. In addition to the obligation contained in paragraph 3, where licences issued by the Kazakh authorities have reached 90 % of the quantitative limits for the calendar year in question, either Party may request consultations concerning the quantitative limits for that year. Such consultations shall be held immediately. Pending the outcome of such consultations the Kazakh authorities may continue to issue export licences for the products covered by this Agreement provided they do not exceed the quantities set out in Annex II.

Article 6

1. Where any product covered by this Agreement is being imported into the Community from Kazakhstan under such conditions as to cause or threaten to cause substantial injury to Community producers of like products, the Community shall supply Kazakhstan with all relevant information with a view to seeking a solution acceptable to both Parties. The Parties shall commence consultations immediately.

2. Should the consultations referred to in paragraph 1 fail to lead to agreement within 30 days of the Community's request for consultations, the Community may utilise the right to take action concerning safeguard measures pursuant to the provisions of the PCA.

3. Notwithstanding the provisions of this Agreement, the provisions of Article 13.6 of the PCA shall apply.

Article 7

1. The classification of the products covered by this Agreement is based on the tariff and statistical nomenclature of the Community (hereinafter called the combined nomenclature, or in abbreviated form CN) and any amendments thereof. Any amendment to the combined nomenclature made in accordance with the procedures in force in the Community concerning the products covered by this Agreement or any decision relating to the classification of goods shall not have the effect of reducing the quantitative limits set out in Annex II.

2. The origin of the products covered by this Agreement shall be determined in accordance with the rules in force in the Community. Any amendment to these rules of origin shall be communicated to Kazakhstan and shall not have the effect of reducing the quantitative limits set out in Annex II. The procedures for control of the origin of the products referred to above are laid down in Protocol A.

Article 8

1. Without prejudice to the periodic exchange of information on export licences and import authorisations pursuant to Article 4(1), the Parties agree to exchange full statistical information relating to the products mentioned in Annex I at appropriate intervals taking account of the shortest periods in which the information in question is prepared which shall cover export licences and import authorisations issued pursuant to Article 3, import and export statistics in respect of the products in question.

2. Either Party may request consultations in the event of any significant discrepancy between the information exchanged.

Article 9

1. Without prejudice to provisions concerning consultations foreseen in respect of specific circumstances in preceding Articles, consultations shall be held on any problems arising from the application of this Agreement at the request of either of the Parties. Any consultations shall take place in a spirit of cooperation and with a desire to reconcile the differences between the Parties.

2. Where this Agreement provides that consultations shall be held immediately, the Contracting Parties undertake to use all reasonable means to ensure that this is achieved.

3. All other consultations shall be governed by the following provisions:

- any request for consultations shall be notified in writing to the other Party,
- where appropriate, the request shall be followed within a reasonable period by a report setting out the reasons for the consultations,
- consultations shall begin within one month from the date of the request,
- consultations shall arrive at a mutually acceptable result within one month of their commencement, unless the period is extended by agreement between the Parties.

4. Specific additional consultations may also be held by agreement between the Parties.

Article 10

Both Parties aim at achieving complete liberalisation of trade in steel products and recognise that it is an important condition for promoting trade between them that competition, State aid and environment provisions applicable within each Party must be compatible. To this end, and upon request from Kazakhstan, the Community shall provide technical assistance to help Kazakhstan to adopt and implement legislative provisions compatible with those adopted and applied by the Community. Such assistance shall be specified in projects to be agreed by both Parties and identifying clearly, *inter alia*, the objectives, the means and the calendar.

Article 11

1. This Agreement shall enter into force on the day of its signature. It shall be applicable until 31 December 2006 unless it is denounced or terminated in accordance with, respectively, the provisions of paragraph 3 or 4.

2. Either Party may at any time propose modifications to this Agreement which at the request of either Party shall be the subject of consultations.

3. Either Party may denounce this Agreement, provided that at least six months' notice is given. In that event, the Agreement shall come to an end on the expiry of the period of notice and the quantitative limits in the Community established in Annex II shall be reduced on a pro rata basis up to the date on which denunciation takes effect unless the Parties decide otherwise.

4. In the event that Kazakhstan accedes to the WTO before the expiration of this Agreement, the Agreement shall be terminated as of the date of accession.

5. The Community reserves the right at all times to take all appropriate measures including, where the Parties are unable to reach a mutually satisfactory solution in the consultations foreseen in previous Articles or where this Agreement is denounced by either Party, the reintroduction of a system of autonomous quotas in respect of exports from Kazakhstan of the products mentioned in Annex I.

6. The Annexes, the Agreed Minute and Protocol A annexed to this Agreement shall form an integral part thereof.

Article 12

This Agreement shall be drawn up in duplicate in the Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Slovak, Slovenian, Spanish, Swedish, Kazakh and Russian languages, each of these texts being equally authentic.

Hecho en Bruselas, el diecinueve de julio del dos mil cinco.

V Bruselu dne devatenáctého července dva tisíce pět.

Udfærdiget i Bruxelles den nittende juli to tusind og fem.

Geschehen zu Brüssel am neunzehnten Juli zweitausendfünf.

Kahe tuhande viienda aasta juulikuu üheksateistkümnendal päeval Brüsselis.

Έγινε στις Βρυξέλλες, στις δεκαεννέα Ιουλίου δύο χιλιάδες πέντε.

Done at Brussels on the nineteenth day of July in the year two thousand and five.

Fait à Bruxelles, le dix-neuf juillet deux mille cinq.

Fatto a Bruxelles, addì diciannove luglio duemilacinque.

Briselē, divtūkstoš piektā gada deviņpadsmitajā jūlijā.

Priimta du tūkstančiai penktų metų liepos devynioliktą dieną Briuselyje.

Kelt Brüsszelben, a kettőezer ötödik év július tizenkilencedik napján.

Magħmul fi Brussel, fid-dsatax jum ta' Lulju tas-sena elfejn u ħamsa.

Gedaan te Brussel, de negentiende juli tweeduizend vijf.

Sporządzono w Brukseli dnia dziewiętnastego lipca roku dwutysięcznego piątego.

Feito em Bruxelas, em dezanove de Julho de dois mil e cinco.

V Bruslju, devetnajstega julija leta dva tisoč pet.

V Bruseli dňa devätnásteho júla dvetisícpäť.

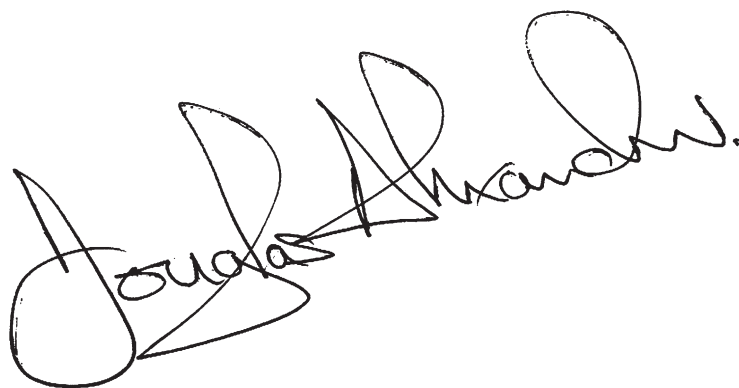
Tehty Brysselissä yhdeksäntenätoista päivänä heinäkuuta vuonna kaksituhattaviisi.

Som skedde i Bryssel den nittonde juli tjugohundrafem.

Екі мың бесінші жылы он тоғызыншы шілдеде Брюссель қаласында жасалған.

Совершено в городе Брюсселе девятнадцатого июля две тысячи пятого года.

Por la Comunidad Europea
Za Evropské společenství
For Det Europæiske Fællesskab
Für die Europäische Gemeinschaft
Euroopa Ühenduse nimel
Για την Ευρωπαϊκή Κοινότητα
For the European Community
Pour la Communauté européenne
Per la Comunità europea
Eiropas Kopienas vārdā
Europos bendrijos vardu
az Európai Közösség részéről
Għall-Komunità Ewropea
Voor de Europese Gemeenschap
W imieniu Wspólnoty Europejskiej
Pela Comunidade Europeia
Za Európske spoločenstvo
Za Evropsko skupnost
Euroopan yhteisön puolesta
På Europeiska gemenskapens vägnar
Еуропалық қоғамдастық үшін
За Европейское сообщество

A large, stylized handwritten signature in black ink, likely belonging to Jacques Delors, the President of the European Commission at the time. The signature is written in a cursive, flowing style with large loops and is positioned diagonally across the lower half of the page.

Por el Gobierno de la República de Kazajstán
Za vládu Republiky Kazachstán
For regeringen for Republikken Kasakhstan
Im Namen der Regierung der Republik Kasachstan
Kasahstani Vabariigi valitsuse nimel
Για την κυβέρνηση της Δημοκρατίας του Καζακστάν
For the Government of the Republic of Kazakhstan
Pour le gouvernement de la République du Kazakhstan
Per il governo della Repubblica del Kazakistan
Kazahstānas Republikas valdības vārdā
Kazachstano Respublikos Vyriausybės vardu
a Kazah Köztársaság Kormánya részéről
Ghall-Gvern tar-Repubblika tal-Kazakistan
Voor de regering van de Republiek Kazachstan
W imieniu rządu Republiki Kazachstanu
Pelo Governo da República do Cazaquistão
Za vládu Kazašskej republiky
Za Vlado Republike Kazahstan
Kazakstanin tasavallan hallituksen puolesta
På Republiken Kazakstans regerings vägnar
Қазақстан Республикасының Үкіметі үшін
За Правітельство Республікі Казахстан

A handwritten signature in black ink, consisting of stylized, overlapping loops and strokes, likely representing the name of an official.

ANNEX I

SA Flat-rolled products*SA1. Coils*

7208 10 00 00

7208 25 00 00

7208 26 00 00

7208 27 00 00

7208 36 00 00

7208 37 00 10

7208 37 00 90

7208 38 00 10

7208 38 00 90

7208 39 00 10

7208 39 00 90

7211 14 00 10

7211 19 00 10

7219 11 00 00

7219 12 10 00

7219 12 90 00

7219 13 10 00

7219 13 90 00

7219 14 10 00

7219 14 90 00

7225 20 00 10

7225 30 10 00

7225 30 90 00

SA2. Heavy Plate

7208 40 00 10

7208 51 20 10

7208 51 20 91

7208 51 20 93

7208 51 20 97

7208 51 20 98

7208 51 91 10

7208 51 91 90

7208 51 98 10

7208 51 98 91

7208 51 98 99

7208 52 91 10

7208 52 91 90

7208 52 10 00

7208 52 99 00

7208 53 10 00

7211 13 00 00

SA3. Other flat rolled products

7208 40 00 90

7208 53 90 00

7208 54 00 00

7208 90 00 10

7209 15 00 00

7209 16 10 00

7209 16 90 00

7209 17 10 00

7209 17 90 00

7209 18 10 00

7209 18 91 00

7209 18 99 00

7209 25 00 00

7209 26 10 00

7209 26 90 00

7209 27 10 00

7209 27 90 00

7209 28 10 00

7209 28 90 00

7209 90 00 10

7210 11 00 10

7210 12 20 10

7210 12 80 10

7210 20 00 10

7210 30 00 10

7210 41 00 10

7210 49 00 10

7210 50 00 10

7210 61 00 10

7210 69 00 10

7210 70 10 10

7210 70 80 10

7210 90 30 10

7210 90 40 10

7210 90 80 91

7211 14 00 90

7211 19 00 90

7211 23 20 10

7211 23 30 10

7211 23 30 91

7211 23 80 10

7211 23 80 91

7211 29 00 10

7211 90 00 11

7212 10 10 00

7212 10 90 11

7212 20 00 11

7212 30 00 11

7212 40 20 10

7212 40 20 91

7212 40 80 11

7212 50 20 11

7212 50 30 11

7212 50 40 11

7212 50 61 11

7212 50 69 11

7212 50 90 13

7212 60 00 11

7212 60 00 91

7219 21 10 00

7219 21 90 00

7219 22 10 00

7219 22 90 00

7219 23 00 00

7219 24 00 00

7219 31 00 00

7219 32 10 00

7219 32 90 00

7219 33 10 00

7219 33 90 00

7219 34 10 00

7219 34 90 00

7219 35 10 00

7219 35 90 00

7225 40 12 90

7225 40 90 00

ANNEX II

QUANTITATIVE LIMITS

Products	(Tonnes)	
	2005	2006
SA. Flat products		
SA1. Coils	85 000	87 125
SA2. Heavy plate	0	0
SA3. Other flat products	115 000	117 875

AGREED MINUTE

In the context of this Agreement, the Parties agree that:

- in pursuance of the exchange of information foreseen in Article 4(1) concerning export licences and import authorisations the parties will supply that information by reference to the Member States in addition to the Community as a whole,
 - pending the satisfactory outcome of the consultations foreseen by Article 5(2), Kazakhstan will cooperate, if so requested by the Community, by not issuing export licences that would further aggravate the problems resulting from sudden and prejudicial changes in traditional trade flows; and
 - Kazakhstan will take due account of the sensitive nature of small regional markets within the Community both as regards their traditional needs for supplies and the avoidance of regional concentrations.
-

PROTOCOL A**TITLE I****CLASSIFICATION***Article 1*

1. The competent authorities of the Community undertake to inform Kazakhstan of any changes in the combined nomenclature (CN) in respect of products covered by the Agreement before the date of their entry into force in the Community.

2. The competent authorities of the Community undertake to inform the competent authorities of Kazakhstan of any decisions relating to the classification of products covered by the Agreement within one month of their adoption at the latest.

Such a description shall include:

- (a) a description of the products concerned;
- (b) the relevant CN codes;
- (c) the reasons which have led to the decision.

3. Where a decision on classification results in a change of classification practice of any product covered by the Agreement, the competent authorities of the Community shall provide 30 days' notice, from the date of the Community's communication, before the decision is put into effect. Products shipped before the date of entry into effect of the decision shall remain subject to the earlier classification practice, provided that the goods in question are presented for importation into the Community within 60 days of that date.

4. Where a Community decision on classification resulting in a change of classification practice of any product covered by the Agreement affects a category subject to quantitative limits, the Parties agree to enter into consultations in accordance with the procedures described in Article 9(3) of the Agreement with a view to honouring the obligation contained in Article 7(1) of the Agreement.

5. In case of divergent opinions between the competent authorities of Kazakhstan and the Community at the point of entry into the Community on the classification of products covered by the Agreement, classification shall provisionally be based on indications provided by the Community, pending consultations in accordance with Article 9 of the Agreement with a view to reaching agreement on the definitive classification of the products concerned.

TITLE II**ORIGIN***Article 2*

1. Products originating in Kazakhstan according to the Community Regulations in force for export to the Community in accordance with the arrangements established by the Agreement shall be accompanied by a certificate of Kazakh origin conforming to the model annexed to this Protocol.

2. The certificate of origin shall be certified by the Kazakh organisations authorised for such purposes under Kazakh legislation as to whether the products in question can be considered as products originating in Kazakhstan.

Article 3

The certificate of origin shall be issued only on application having been made in writing by the exporter or, under the exporter's responsibility, by his authorised representative. The Kazakh organisations authorised for such purposes under Kazakh legislation shall ensure that the certificate of origin is properly completed and for this purpose they shall call for any necessary documentary evidence or carry out any check which they consider appropriate.

Article 4

The discovery of slight discrepancies between the statements made in the certificate of origin and those made in the documents produced to the customs office for the purpose of carrying out the formalities for importing the products shall not ipso facto cast doubt upon the statements in the certificate.

TITLE III**DOUBLE-CHECKING SYSTEM FOR PRODUCTS SUBJECT TO QUANTITATIVE LIMITS****SECTION I****Exportation***Article 5*

The appropriate Kazakh governmental authorities shall issue an export licence in respect of all consignments from Kazakhstan of steel products covered by the Agreement up to the quantitative limits set out in Annex II of the Agreement.

Article 6

1. The export licence shall conform to the model annexed to this Protocol and it shall be valid for exports throughout the customs territory of the Community.

2. Each export licence must certify, *inter alia*, that the quantity of the product in question has been set off against the relevant quantitative limit established for the product concerned in Annex II of the Agreement.

Article 7

The competent authorities of the Community must be informed immediately of the withdrawal or modification of any export licence already issued.

Article 8

1. Exports shall be set off against the quantitative limits established for the year in which the shipment of goods has been effected even if the export licence is issued after such shipment.

2. For the purposes of applying paragraph 1, shipment of goods is considered to have taken place on the date of their loading onto the exporting means of transport.

Article 9

The presentation of an export licence, in application of Article 11, shall be effected not later than 31 March of the year following that in which the goods covered by the licence have been shipped.

*SECTION II***Importation***Article 10*

The release for free circulation into the Community of steel products subject to quantitative limits shall be subject to the presentation of an import authorisation.

Article 11

1. The competent authorities of the Community shall issue the import authorisation referred to in Article 10 within 10 working days of the presentation by the importer of the original of the corresponding export licence.

2. The import authorisations shall be valid for four months from the date of their issue for imports throughout the customs territory of the Community.

3. The competent authorities of the Community shall cancel the import authorisation already issued whenever the corresponding export licence has been withdrawn. However, if the competent authorities of the Community are notified of the withdrawal or the cancellation of the export licence only after the release for free circulation of the products into the Community, the relevant quantities shall be set off against the limits established for the product.

Article 12

If the competent authorities of the Community find that the total quantities covered by export licences issued by the competent authorities of Kazakhstan exceed the relevant quantitative limit established for products covered by Annex II of the Agreement the Community authorities shall suspend the further issue of import authorisations in respect of products covered by the quantitative limit in question. In this event, the competent authorities of the Community shall immediately inform the authorities of Kazakhstan and immediate consulta-

tions pursuant to Article 9(2) of the Agreement shall be initiated.

*TITLE IV***FORM AND PRODUCTION OF EXPORT LICENCES AND CERTIFICATES OF ORIGIN, AND COMMON PROVISIONS CONCERNING EXPORTS TO THE COMMUNITY***Article 13*

1. The export licence and the certificate of origin may comprise additional copies duly indicated as such. They shall be made out in English. If they are completed by hand, entries must be in ink and in block letters.

These documents shall measure 210 x 297 mm. The paper used shall be white writing paper, sized, not containing mechanical pulp, and weighing not less than 25 g/m². If the documents have several copies only the top copy, which is the original, shall be printed with the guilloche pattern background. This copy shall be clearly marked 'original' and the other copies 'copies'. Only the original shall be accepted by the competent authorities of the Community as being valid for the purpose of export to the Community in accordance with the provisions of the Agreement.

2. Each document shall bear a standardised serial number, whether or not printed, by which it can be identified.

This number shall be composed of the following elements:

— two letters identifying the exporting country as follows:

KZ = Kazakhstan,

— two letters identifying the intended Member State of customs clearance as follows:

BE = Belgium

CZ = Czech Republic

DK = Denmark

DE = Germany

EE = Estonia

EL = Greece

ES = Spain

FR = France

IE = Ireland

IT = Italy

CY = Cyprus

LV = Latvia

LT = Lithuania

LU = Luxembourg

HU = Hungary

MT = Malta
 NL = Netherlands
 AT = Austria
 PL = Poland
 PT = Portugal
 SI = Slovenia
 SK = Slovakia
 FI = Finland
 SE = Sweden
 GB = United Kingdom,

- a one-digit number identifying the year in question corresponding to the last figure in the year, e.g. '5' for 2005,
- a two-digit number from 01 to 99, identifying the particular issuing office concerned in exporting country,
- a five-digit number running consecutively from 00001 to 99999 allocated to the intended Member State of customs clearance.

Article 14

The export licence and the certificate of origin may be issued after the shipment of the products to which they relate. In such cases, they must bear the endorsement 'issued retrospectively'.

Article 15

1. In the event of theft, loss or destruction of an export licence or a certificate of origin, the exporter may apply to the Kazakh governmental authorities competent to issue licences or to the Kazakh organisations authorised to issue certificates of origin under Kazakh legislation, respectively, for a duplicate to be made out on the basis of the export documents in his possession. The duplicate of any such certificate or licence so issued shall bear the endorsement 'duplicate'.
2. The duplicate shall bear the date of the original export licence or certificate of origin.

TITLE V

ADMINISTRATIVE COOPERATION

Article 16

The Parties shall cooperate closely in the implementation of the provisions of this Protocol. To this end, contacts and exchanges of views, including on technical matters, shall be facilitated by both Parties.

Article 17

In order to ensure the correct application of this Protocol, the Parties shall offer mutual assistance for the checking of the authenticity and the accuracy of export licences and certificates

of origin issued or of any declarations made within the terms of this Protocol.

Article 18

Kazakhstan shall send the Community (European Commission) the names and addresses of the competent Kazakh authorities which are authorised to issue and to verify export licences and certificates of origin together with specimens of the stamps and signatures they use. Kazakhstan shall also notify the Community (European Commission) of any change in this information.

Article 19

1. Subsequent verification of certificates of origin or export licences shall be carried out at random, or whenever the competent Community authorities have reasonable doubt as to the authenticity of the certificate or licence or as to the accuracy of the information regarding the true origin of the products in question.

2. In such cases, the competent authorities in the Community shall return the certificate of origin or the export licence or a copy thereof to the appropriate Kazakh authorities giving, where appropriate, the reasons of form or substance which justify an enquiry. If the invoice has been submitted, such invoice or a copy thereof shall be attached to the certificate or to the licence or their copies. The authorities shall also forward any information that has been obtained suggesting that the particulars given on the said certificate or licence are inaccurate.

3. The provisions of paragraph 1 shall also apply to subsequent verifications of the certificates of origin provided for in Article 2.

4. The results of the subsequent verifications carried out in accordance with paragraphs 1 and 2 shall be communicated to the competent authorities of the Community within three months at the latest. The information communicated shall indicate whether the disputed certificate, licence or declaration, applies to the goods actually exported and whether these goods are eligible for export under the arrangements established by the Agreement. The information shall also include, at the request of the Community, copies of all the documentation necessary to fully determine the facts, and in particular the true origin of the goods.

Should such verifications reveal systematic irregularities in the use of certificates of origin, the Community may subject imports of the products in question to the provisions of Article 2(1).

5. For the purpose of subsequent verification of certificates of origin, copies of the certificates as well as any export documents referring to them shall be kept by the appropriate Kazakh authorities for at least one year following the end of the Agreement.

6. Recourse to the random verification procedure specified in this Article must not constitute an obstacle to the release for free circulation of the products in question.

Article 20

1. Where the verification procedure referred to in Article 19 or where information available to the competent authorities of the Community or of Kazakhstan indicates or appears to indicate that the provisions of the Agreement are being circumvented or infringed, the two Parties shall cooperate closely and with the appropriate urgency in order to prevent any such circumvention or infringement.

2. To this end, the appropriate Kazakh authorities shall, on their own initiative or at the request of the Community, carry out appropriate inquiries, or arrange for such inquiries to be carried out, concerning operations which are, or appear to the Community to be, in circumvention or infringement of this Protocol. Kazakhstan shall communicate the results of these inquiries to the Community, including any other pertinent information enabling the cause of the circumvention or infringement, including the true origin of the goods to be determined.

3. By agreement between the Parties, officials designated by the Community may be present at the inquiries referred to in paragraph 2.

4. In pursuance of the cooperation referred to in paragraph 1, the competent authorities of the Community and Kazakhstan shall exchange any information considered by either Party to be of use in preventing circumvention or infringement of the provisions of the Agreement. These exchanges may include information on the trade in the type of products covered by the Agreement between Kazakhstan and third countries, particularly where the Community has reasonable grounds to consider that the products in question may be in transit across the territory of Kazakhstan prior to their importation into the Community. This information may include, at the request of the Community, copies of all relevant documentation, where available.

5. Where sufficient evidence shows that the provisions of this Protocol have been circumvented or infringed, the competent authorities of Kazakhstan and the Community may agree to take any measures as are necessary to prevent a recurrence of such circumvention or infringement.

EXPORT LICENCE

1. Exporter (name, full address, country)	ORIGINAL		2. No	
	3. Year		4. Product group	
5. Consignee (name, full address, country)	EXPORT LICENCE (steel products)			
	6. Country of origin		7. Country of destination	
8. Place and date of shipment – means of transport	9. Supplementary details			
10. Description of goods – manufacturer	11. CN code	12. Quantity ⁽¹⁾	13. Fob value ⁽²⁾	
14. CERTIFICATION BY THE COMPETENT AUTHORITY I, the undersigned, certify that the goods described above have been charged against the quantitative limit established for the year shown in box No 3 in respect of the Product group shown in box No 4 by the provisions regulating trade in certain steel products with the European Community.				
15. Competent authority (name, full address, country)	At on			
	(Signature)		(Stamp)	

(1) Show net weight (kg) and also quantity in the unit prescribed where other than net weight.

(2) In the currency of the sale contract.

EXPORT LICENCE

1. Exporter (name, full address, country)	COPY		2. No	
	3. Year		4. Product group	
5. Consignee (name, full address, country)	EXPORT LICENCE (steel products)			
	6. Country of origin		7. Country of destination	
8. Place and date of shipment – means of transport	9. Supplementary details			
10. Description of goods – manufacturer	11. CN code	12. Quantity ⁽¹⁾	13. Fob value ⁽²⁾	
14. CERTIFICATION BY THE COMPETENT AUTHORITY I, the undersigned, certify that the goods described above have been charged against the quantitative limit established for the year shown in box No 3 in respect of the Product group shown in box No 4 by the provisions regulating trade in certain steel products with the European Community.				
15. Competent authority (name, full address, country)	At on (Signature) (Stamp)			

(1) Show net weight (kg) and also quantity in the unit prescribed where other than net weight.

(2) In the currency of the sale contract.

CERTIFICATE OF ORIGIN

1. Exporter (name, full address, country)	ORIGINAL		2. No	
	3. Year		4. Product group	
5. Consignee (name, full address, country)	CERTIFICATE OF ORIGIN (steel products)			
	6. Country of origin		7. Country of destination	
8. Place and date of shipment – means of transport	9. Supplementary details			
10. Description of goods – manufacturer	11. CN code	12. Quantity ⁽¹⁾	13. Fob value ⁽²⁾	
14. CERTIFICATION BY THE COMPETENT AUTHORITY I, the undersigned, certify that the goods described above originated in the country shown in box No 6, in accordance with the provisions in force in the European Community.				
15. Competent authority (name, full address, country)	At on (Signature) (Stamp)			

(1) Show net weight (kg) and also quantity in the unit prescribed where other than net weight.

(2) In the currency of the sale contract.

CERTIFICATE OF ORIGIN

1. Exporter (name, full address, country)	COPY		2. No	
	3. Year		4. Product group	
5. Consignee (name, full address, country)	CERTIFICATE OF ORIGIN (steel products)			
	6. Country of origin		7. Country of destination	
8. Place and date of shipment – means of transport	9. Supplementary details			
10. Description of goods – manufacturer	11. CN code	12. Quantity ⁽¹⁾	13. Fob value ⁽²⁾	
14. CERTIFICATION BY THE COMPETENT AUTHORITY I, the undersigned, certify that the goods described above originated in the country shown in box No 6, in accordance with the provisions in force in the European Community.				
15. Competent authority (name, full address, country)	At on (Signature) (Stamp)			

(1) Show net weight (kg) and also quantity in the unit prescribed where other than net weight.

(2) In the currency of the sale contract.