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I

(Acts adopted under the EC Treaty/Euratom Treaty whose publication is obligatory)

REGULATIONS

COUNCIL REGULATION (EC) No 752/2007

of 30 May 2007

on administering certain restrictions on imports of certain steel products from Ukraine

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission,

Whereas:

- (1) The Partnership and Cooperation Agreement establishing a partnership between the European Communities and their Member States, of the one part, and Ukraine, of the other part ⁽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 of that Agreement, with the exception of Article 14 thereof, and by the provisions of an agreement on quantitative arrangements.
- (3) On 18 June 2007, 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 to administer 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 this end.
- (7) The effective application of the Agreement requires the introduction of a requirement of a Community import authorisation for the 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.

⁽¹⁾ OJ L 49, 19.2.1998, p. 3.

⁽²⁾ See page 24 of this Official Journal.

⁽³⁾ OJ L 256, 7.9.1987, p. 1. Regulation as last amended by Regulation (EC) No 580/2007 (OJ L 38, 30.5.2007, p. 1).

- (11) From 1 January 2007 imports into the Community of products covered by this Regulation have been subjected to a licence pursuant to Council Regulation (EC) No 1871/2006 of 11 December 2006 on trade in certain steel products between the European Community and Ukraine ⁽¹⁾. The Agreement provides that those imports are to be counted against the limits established for 2007 in this Regulation.
- (12) For reasons of clarity it is therefore necessary to replace Regulation (EC) No 1871/2006 by this Regulation,

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 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, set out in Annex II, and of an import authorisation issued by the Member States' authorities in accordance with 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 2007, for which a licence was required pursuant to Regulation (EC) No 1871/2006 shall be counted against the relevant limits for 2007 laid down in Annex V of 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.

Article 3

1. The quantitative limits listed 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 their 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 of products. 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 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.

⁽¹⁾ OJ L 360, 19.12.2006, p. 21.

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 Articles 3(3), 3(4) and 10(1) 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.

CHAPTER II

MODALITIES APPLICABLE TO THE MANAGEMENT OF THE QUANTITATIVE LIMITS

SECTION 1

Classification

Article 7

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

Article 8

On the initiative of the Commission or of a Member State, the Tariff and Statistical Nomenclature Section of the Customs Code Committee, which was 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 9

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

Article 10

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 combined nomenclature code (CN code) and the TARIC code;
- (c) the reasons which have led to the decision.

Article 11

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 12

Where a classification decision adopted in accordance with the Community procedures in force referred to in Article 11 involves a product group subject to a quantitative limit, the Commission shall, where necessary, initiate consultations without delay in accordance with Article 8, in order to reach agreement on any necessary adjustments to the corresponding quantitative limits provided for in Annex V.

Article 13

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 listed 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 14

In the cases referred to in Article 13, 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 15

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 14, determine the classification definitively applicable to the products involved in the divergence.

Article 16

When a case of divergence referred to in Article 13 cannot be resolved in accordance with Article 14, the Commission shall adopt, in accordance with 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 17

1. The competent authorities of Ukraine shall issue an export licence in respect of all consignments of steel products subject to the quantitative limits set out 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 20.

Article 18

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 19

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 20

1. To the extent that the Commission has confirmed that the amount requested is available within the quantitative limit in question pursuant to Article 4, 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 a 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:

Article 23

- (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 21

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 22

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.

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 24

1. The export licence referred to in Article 17 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 × 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:

BE	=	Belgium
BG	=	Bulgaria
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
RO	=	Romania
SI	=	Slovenia
SK	=	Slovakia
FI	=	Finland
SE	=	Sweden
GB	=	United Kingdom,

- a one-digit number identifying the quota year corresponding to the last figure in the year in question, e.g. '7' for 2007,
- 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 25

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 26

In the event of the 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'.

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

SECTION 4

Community import authorisation — common form

Article 27

1. The forms to be used by the competent authorities of the Member States for issuing the import authorisation referred to in Article 20 shall conform to the model of the import authorisations 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 × 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 guilloché-pattern background so as to reveal any falsification by mechanical or chemical means.

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 authorisation 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 authorisation 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 28

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 29

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. 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 30

1. Where the verification procedure referred to in Article 29 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 31

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.

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

Done at Brussels, 30 May 2007.

CHAPTER IV
FINAL PROVISIONS

Article 32

Regulation (EC) No 1871/2006 is hereby repealed.

Article 33

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

For the Council
The President
F. MÜNTEFERING

ANNEX I

SA Flat-rolled products

SA1. (coils)	7208 51 20 93	7209 25 00 00	7212 10 10 00
7208 10 00 00	7208 51 20 97	7209 26 10 00	7212 10 90 11
7208 25 00 00	7208 51 20 98	7209 26 90 00	7212 20 00 11
7208 26 00 00	7208 51 91 00	7209 27 10 00	7212 30 00 11
7208 27 00 00	7208 51 98 10	7209 27 90 00	7212 40 20 10
7208 36 00 00	7208 51 98 91	7209 28 10 00	7212 40 20 91
7208 37 00 10	7208 51 98 99	7209 28 90 00	7212 40 80 11
7208 37 00 90	7208 52 10 00	7209 90 80 10	7212 50 20 11
7208 38 00 10	7208 52 91 00		7212 50 30 11
7208 38 00 90		7210 11 00 10	7212 50 40 11
7208 39 00 10	7208 52 99 00	7210 12 20 10	7212 50 61 11
7208 39 00 90	7208 53 10 00	7210 12 80 10	7212 50 69 11
		7210 20 00 10	
7211 14 00 10	7211 13 00 00	7210 30 00 10	7212 50 90 13
7211 19 00 10	7225 40 12 30	7210 41 00 10	7212 60 00 11
	7225 40 40 00	7210 49 00 10	7212 60 00 91
7219 11 00 00	7225 40 60 00	7210 50 00 10	
7219 12 10 00	7225 99 00 10	7210 61 00 10	7219 21 10 00
7219 12 90 00		7210 69 00 10	7219 21 90 00
7219 13 10 00		7210 70 10 10	7219 22 10 00
7219 13 90 00	SA3. (other flat rolled products)	7210 70 80 10	7219 22 90 00
7219 14 10 00		7210 90 30 10	7219 23 00 00
7219 14 90 00	7208 40 00 90	7210 90 40 10	7219 24 00 00
	7208 53 90 00	7210 90 80 91	7219 31 00 00
7225 30 10 00	7208 54 00 00		7219 32 10 00
7225 30 30 10	7208 90 80 10	7211 14 00 90	7219 32 90 00
7225 30 90 00		7211 19 00 90	7219 33 10 00
7225 40 15 10	7209 15 00 00	7211 23 20 10	7219 33 90 00
7225 50 20 10	7209 16 10 00	7211 23 30 10	7219 34 10 00
	7209 16 90 00	7211 23 30 91	7219 34 90 00
	7209 17 10 00	7211 23 80 10	7219 35 10 00
SA2. (heavy plate)	7209 17 90 00	7211 23 80 91	7219 35 90 00
7208 40 00 10	7209 18 10 00		
7208 51 20 10	7209 18 91 00	7211 29 00 10	7225 40 12 90
7208 51 20 91	7209 18 99 00	7211 90 80 10	7225 40 90 00

SB Longs

SB1. (beams)	7221 00 10 00	7214 99 95 00	7224 90 02 89
7216 31 10 00	7221 00 90 00	7215 90 00 10	7224 90 31 00
	7227 10 00 00		7224 90 38 00
7216 31 90 00	7227 20 00 00	7216 10 00 00	7228 10 20 00
7216 32 11 00	7227 90 10 00	7216 21 00 00	7228 20 10 10
7216 32 19 00	7227 90 50 00	7216 22 00 00	7228 20 10 91
7216 32 91 00	7227 90 95 00	7216 40 10 00	7228 20 91 10
7216 32 99 00		7216 40 90 00	7228 20 91 90
7216 33 10 00	SB3. (other longs)	7216 50 10 00	7228 30 20 00
7216 33 90 00	7207 19 12 10	7216 50 91 00	7228 30 41 00
	7207 19 12 91	7216 50 99 00	7228 30 49 00
	7207 19 12 99	7216 99 00 10	7228 30 61 00
SB2. (wire rod)	7207 20 52 00	7218 99 20 00	7228 30 69 00
7213 10 00 00	7214 20 00 00	7222 11 11 00	7228 30 70 00
7213 20 00 00	7214 30 00 00	7222 11 19 00	7228 30 89 00
7213 91 10 00	7214 91 10 00	7222 11 81 00	7228 60 20 10
7213 91 20 00	7214 91 90 00	7222 11 89 00	7228 60 80 10
7213 91 41 00	7214 99 10 00		7228 70 10 00
7213 91 49 00	7214 99 31 00	7222 19 10 00	7228 70 90 10
7213 91 70 00	7214 99 39 00	7222 19 90 00	7228 80 00 10
7213 91 90 00	7214 99 50 00	7222 30 97 10	7228 80 00 90
7213 99 10 00	7214 99 71 00	7222 40 10 00	
7213 99 90 00	7214 99 79 00	7222 40 90 10	7301 10 00 00

ANNEX II

EXPORT LICENCE

1. Exporter (name, full address, country)	ORIGINAL		2. No	
	3. Year		4. Product group	
	EXPORT LICENCE (for certain steel products)			
5. Consignee (name, full address, country)				
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	
	EXPORT LICENCE (for certain steel products)			
6. Country of origin				
5. Consignee (name, full address, country)	9. Supplementary details			
8. Place and date of shipment — means of transport				
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	
	CERTIFICATE OF ORIGIN (for certain steel products)			
6. Country of origin				
5. Consignee (name, full address, country)	9. Supplementary details			
8. Place and date of shipment — means of transport				
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	
	CERTIFICATE OF ORIGIN (for certain steel products)			
5. Consignee (name, full address, country)				
		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)	
8. Last day of validity			
1	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.			
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2.			

Extension pages to be attached hereto.

European Community import authorisation

Copy for the issuing authority	2	1. Consignee (name, full address, country, VAT number)	2. Issue number	
			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)	
	2		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.			
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Extension pages to be attached hereto.

ANNEX IV

СПИСКЪ НА КОМПЕТЕНТНИТЕ НАЦИОНАЛНИ ВЛАСТИ
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 COMPETENTI AUTORITÀ NAZIONALI
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
LISTA AUTORITĂȚILOR NAȚIONALE COMPETENTE
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»
Direction générale «Potentiel économique»
Service des licences
Rue de Louvain 44
B-1000 Bruxelles
Fax (32-2) 548 65 70

БЪЛГАРИЯ

Министерство на икономиката и енергетиката
Дирекция „Регистриране, лицензиране и контрол“
ул. „Славянска“ № 8
1052 София
Факс: (+359-2) 981 50 41
Fax: (+359-2) 980 47 10
(+359-2) 988 36 54

Federale Overheidsdienst Economie, Kmo, Middenstand en Energie
Algemene directie Economisch potentieel
Dienst Vergunningen
Leuvenseweg 44
B-1000 Brussel
Fax (32-2) 548 65 70

ČESKÁ REPUBLIKA

Ministerstvo průmyslu a obchodu
Licenční správa
Na Františku 32
CZ-110 15 Praha 1
Fax: (420) 224 21 21 33

DANMARK

Erhvervs- og Byggestyrelsen
Økonomi- og Erhvervsministeriet
Langelinie Allé 17
DK-2100 København Ø
Fax (45) 35 46 60 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) 153 44 91 81

DEUTSCHLAND

Bundesamt für Wirtschaft und Ausfuhrkontrolle,
(BAFA)
Frankfurter Straße 29-35
D-65760 Eschborn 1
Fax: (49-6196) 90 88 00

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 35/59 93 26 36

EESTI

Majandus- ja Kommunikatsiooniministeerium
Harju 11
EE-15072 Tallinn
Fax: + 372631 3660

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

ΕΛΛΑΔΑ

Υπουργείο Οικονομίας και Οικονομικών
Διεύθυνση Διεθνών Οικονομικών Ροών
Κορνάρου 1
GR-105 63 Αθήνα
Fax: + 301-328 60 94

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

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

ÖSTERREICH

Bundesministerium für Wirtschaft und Arbeit
Außenwirtschaftsadministration
Abteilung C2/2
Stubenring 1
A-1011 Wien
Fax: (43-1) 711 00-83 86

ΚΥΠΡΟΣ

Υπουργείο Εμπορίου, Βιομηχανίας και Τουρισμού
Υπηρεσία Εμπορίου
Μονάδα Έκδοσης Αδειών Εισαγωγής/Εξαγωγής
Οδός Ανδρέα Αραούζου 6
CY-1421 Λευκωσία
Fax: + 357-22-37 51 20

LATVIJA

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

LIETUVA

Lietuvos Respublikos ūkio ministerija
Prekybos departamentas
Gedimino pr. 38/2
LT-01104 Vilnius
Lietuva
Fax: (370-5) 262 39 74

LUXEMBOURG

Ministère de l'économie et du commerce extérieur
Office des licences
BP 113
L-2011 Luxembourg
Fax: (352) 46 61 38

ROMÂNIA

Ministerul pentru Întreprinderi Mici și Mijlocii, Comerț, Turism și Profesii Liberale
Direcția Generală politici comerciale
Str. Ion Câmpineanu, nr. 16
București, sector 1
Cod poștal 010036
Tel.: (40) 21 315 00 81
Fax: (40) 21 315 04 54
E-mail: clc@dce.gov.ro

SLOVENIJA

Ministrstvo za finance
Carinska uprava Republike Slovenije
Carinski urad Jesenice
Spodnji plavž 6C
SI-4270 Jesenice
Fax: (386-4) 297 44 56

SLOVENSKO

Odbor obchodnej politiky
Ministerstvo hospodárstva
Mierová 19
827 15 Bratislava 212
Slovenská republika
Fax: (421-2) 48 54 31 16

SUOMI/FINLAND

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

Tullstyrelsen

PB 512
FI-00101 Helsingfors
Fax: (358-20)-492 28 52

POLSKA

Ministerstwo Gospodarki
plac Trzech Krzyży 3/5
00-507 Warszawa
Polska
Fax: (48) 22 693 40 21/22 693 40 22

SVERIGE

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

PORTUGAL

Ministério das Finanças
Direcção-Geral das Alfândegas e dos Impostos
Especiais sobre o Consumo
Rua Terreiro do Trigo, Edifício da Alfândega de
Lisboa
PT-1140-060 Lisboa
Fax: (351) 218 814 261

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	2007
<i>SA. Flat-rolled products</i>	
SA1. Coils	190 000
SA2. Heavy plate	390 000
SA3. Other flat-rolled products	140 000
<i>SB. Long products</i>	
SB1. Beams	50 000
SB2. Wire rod	195 000
SB3. Other long products	355 000

Note: SA and SB are the 'categories'.

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

II

(Acts adopted under the EC Treaty/Euratom Treaty whose publication is not obligatory)

DECISIONS

COUNCIL

COUNCIL DECISION

of 30 May 2007

approving the conclusion of the Agreement between the European Community and the Government of Ukraine on trade in certain steel products

(2007/451/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) Trade in certain steel products is governed by Title III of that Agreement, with the exception of Article 14 thereof, and by the provisions of an agreement on quantitative arrangements.

(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 up to 31 December 2004. Thereafter, an Agreement was concluded covering the period 2005 and 2006.

(4) Council Decision of 13 November 2006 ⁽²⁾ authorised the Commission to open negotiations with a view to renewing the agreements on trade in certain steel products concluded between the European Community, of the one part, and Ukraine, of the other part.

(5) Following that Decision, a new Agreement, covering the period up to 31 December 2007 and the following years, has been negotiated between the Parties.

(6) The Agreement should be approved,

HAS DECIDED AS FOLLOWS:

Article 1

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

2. The text of the Agreement is attached to this Decision.

⁽¹⁾ OJ L 49, 19.2.1998, p. 3.

⁽²⁾ 14134/06 and 14135/06.

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, 30 May 2007.

For the Council
The President
F. MÜNTEFERING

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 establishing a partnership between the European Communities and their Member States, of the one part, and Ukraine, of the other part, 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 Agreements; it is therefore appropriate to put in place a new 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

1. This Agreement applies to trade in the steel products set out in Annex I to this Agreement originating within the Parties.
2. Trade in steel products 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.

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

3. The Parties agree that imports into the Community from Ukraine of the steel products set out in Annex II as from 1 January 2007 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,

- 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. 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. 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. 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 authorities by the 28th of each month of the import authorisations issued during the preceding month,
 - the Ukrainian 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 information 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 administrative 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 4, 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 4, shall be carried out for the calendar year in which the request for consultations under paragraph 4 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 4 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 4 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. 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 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 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 remain in force until 31 December 2007 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. This Agreement shall be automatically renewed year by year provided that neither Party gives the other Party written notice of denunciation of the Agreement at least six months before it expires. With each yearly renewal, quantities in every product group shall be increased by 2,5 %.

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, the 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 World Trade Organisation (WTO) before the expiration of this Agreement, the 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 attached to this Agreement shall form an integral part thereof.

Article 11

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

Съставено в Люксембург на осемнадесети юни две хиляди и седма година.

Hecho en Luxemburgo, el dieciocho de junio de dos mil siete.

V Lucemburku dne osmnáctého června dva tisíce sedm.

Udfærdiget i Luxembourg den attende juni to tusind og syv.

Geschehen zu Luxemburg am achtzehnten Juni zweitausendsieben.

Kahe tuhande seitsmenda aasta juunikuu kaheksateistkümnendal päeval Luxembourgis.

Έγινε στο Λουξεμβούργο, στις δέκα οκτώ Ιουνίου δύο χιλιάδες επτά.

Done at Luxembourg, on the eighteenth day of June in the year two thousand and seven.

Fait à Luxembourg, le dix-huit juin deux mille sept.

Fatto a Lussemburgo, addì diciotto giugno duemilasette.

Luksemburgā divtūkstoš septītā gada astoņpadsmitajā jūnijā.

Priimta Liuksemburge, du tūkstančiai septintųjų metų birželio aštuonioliką dieną.

Kelt Luxembourgban, a kétezer-hetedik év június havának tizennyolcadik napján.

Magħmul fil-Lussemburgu, fit-tmintax-il jum ta' Ġunju tas-sena elfejn u sebgħa.

Gedaan te Luxemburg, de achttiende juni tweeduizend zeven.

Sporządzono w Luksemburgu dnia osiemnastego czerwca roku dwa tysiące siódmego.

Feito no Luxemburgo, em dezoito de Junho de dois mil e sete.

Întocmit la Luxemburg, optsprezece iunie două mii şapte.

V Luxemburgu osemnásteho júna dvetisícisedem.

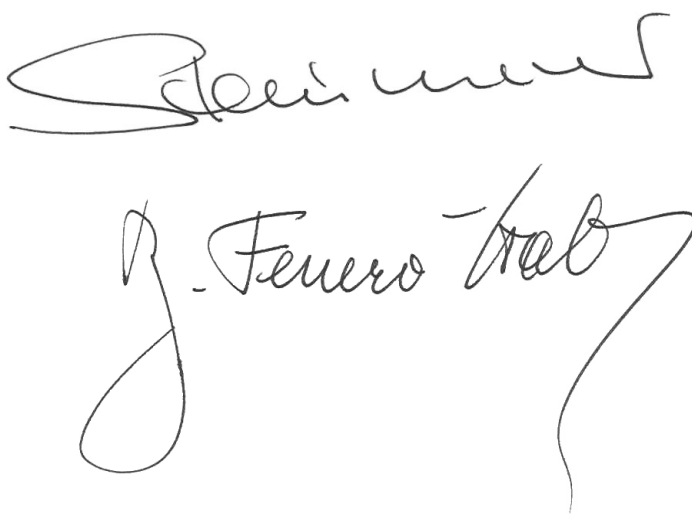
V Luxembourggu, dne osemnajstega junija leta dva tisoč sedem.

Tehty Luxemburgissa kahdeksantenatoista päivänä kesäkuuta vuonna kaksituhattaseitsemän.

Som skedde i Luxemburg den artonde juni tjugohundrasju.

Вчинено у Люксембурзі у вісімнадцятий день червня двохтисячо сьомого року.

За Европейската общност
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
Pentru Comunitatea Europeană
Za Európske spoločenstvo
Za Evropsko skupnost
Euroopan yhteisön puolesta
På Europeiska gemenskapens vägnar
За Европейське Співтовариство



За правителството на Украйна
Por el Gobierno de Ucrania
Za vládu Ukrajiny
For Ukraines regering
Für die Regierung der Ukraine
Ukraina valitsuse nimel
Για την κυβέρνηση της Ουκρανίας
For the Government of Ukraine
Pour le gouvernement ukrainien
Per il governo dell'Ucraina
Ukrainas valdības vārdā
Ukrainos Vyriausybės vardu
Ukraina kormány részéről
Għall-Gvern ta' l-Ukraina
Voor de regering van Oekraïne
W imieniu Rządu Ukrainy
Pelo Governo da Ucrânia
Pentru Guvernul Ucrainei
Za vládu Ukrajiny
Za Vlado Ukrajinie
Ukrainan hallituksen puolesta
För Ukrainas regering
За Уряд України



ANNEX I

7201 10 11 00	7208 37 00 90	7210 70 10 10	7214 99 31 00	7219 34 90 00	7225 50 80 00
7201 10 19 00	7208 38 00 10	7210 70 80 10	7214 99 39 00	7219 35 10 00	7225 91 00 10
7201 10 30 00	7208 38 00 90	7210 90 30 10	7214 99 50 00	7219 35 90 00	7225 92 00 10
7201 10 90 00	7208 39 00 10	7210 90 40 10	7214 99 71 00	7219 90 80 10	7225 99 00 10
7201 20 00 00	7208 39 00 90	7210 90 80 91	7214 99 79 00		
7201 50 10 00	7208 40 00 10		7214 99 95 00	7220 11 00 00	7226 11 00 10
7201 50 90 00	7208 40 00 90	7211 13 00 00		7220 12 00 00	7226 19 10 00
	7208 51 20 10	7211 14 00 10	7215 90 00 10	7220 20 21 10	7226 19 80 10
7202 11 20 00	7208 51 20 91	7211 14 00 90	7216 10 00 00	7220 20 29 10	7226 20 00 10
7202 11 80 00	7208 51 20 93	7211 19 00 10	7216 21 00 00	7220 20 41 10	7226 91 20 00
7202 99 10 10	7208 51 20 97	7211 19 00 90	7216 22 00 00	7220 20 49 10	7226 91 91 00
	7208 51 20 98	7211 23 20 10	7216 31 10 00	7220 20 81 10	7226 91 99 00
7203 10 00 00	7208 51 20 98	7211 23 30 10	7216 31 90 00	7220 20 89 10	7226 92 00 10
7203 90 00 00	7208 51 91 00	7211 23 30 91	7216 32 11 00	7220 90 80 10	7226 99 10 00
	7208 51 98 10	7211 23 80 10	7216 32 19 00	7221 00 10 00	7226 99 30 00
7204 10 00 00	7208 51 98 91	7211 23 80 91	7216 32 91 00	7221 00 90 00	7226 99 70 10
7204 21 10 00	7208 51 98 99	7211 29 00 10	7216 32 99 00		
7204 21 90 00	7208 52 10 00	7211 90 80 10	7216 33 10 00	7222 11 11 00	7227 10 00 00
7204 29 00 00	7208 52 91 00		7216 33 90 00	7222 11 19 00	7227 20 00 00
7204 30 00 00	7208 52 99 00	7212 10 10 00	7216 40 10 00	7222 11 81 00	7227 90 10 00
7204 41 10 00	7208 53 10 00	7212 10 90 11	7216 40 90 00	7222 11 89 00	7227 90 50 00
7204 41 91 00	7208 53 90 00	7212 20 00 11	7216 50 10 00	7222 19 10 00	7227 90 95 00
7204 41 99 00	7208 54 00 00	7212 30 00 11	7216 50 91 00	7222 19 90 00	7228 10 20 00
7204 49 10 00	7208 90 80 10	7212 40 20 10	7216 50 99 00	7222 30 97 10	7228 20 10 10
7204 49 30 00		7212 40 20 91	7216 99 00 10	7222 40 10 00	7228 20 10 91
7204 49 90 00	7209 15 00 00	7212 40 80 11		7222 40 90 10	7228 20 91 10
7204 50 00 00	7209 16 10 00	7212 50 20 11	7218 10 00 00		7228 20 91 90
7204 90 02 29 ⁽¹⁾	7209 16 90 00	7212 50 30 11	7218 91 10 00 ⁽²⁾	7224 10 00 00	7228 30 20 00
	7209 17 10 00	7212 50 40 11	7218 91 80 00 ⁽³⁾		7228 30 41 00
7206 10 00 00	7209 17 90 00	7212 50 61 11	7218 99 11 00	7224 90 02 89	7228 30 49 00
7206 90 00 00	7209 18 10 00	7212 50 69 11	7218 99 20 00	7224 90 03 00	7228 30 61 00
	7209 18 91 00	7212 50 90 13		7224 90 05 00	7228 30 69 00
7207 11 11 00	7209 18 99 00		7219 11 00 00	7224 90 07 00	7228 30 70 00
7207 11 14 00	7209 25 00 00	7212 60 00 11	7219 12 10 00	7224 90 14 00	7228 30 89 00
7207 11 16 00	7209 26 10 00	7212 60 00 91	7219 12 90 00		7228 60 20 10
7207 12 10 00	7209 26 90 00		7219 13 10 00	7224 90 31 00	7228 60 80 10
7207 19 12 10	7209 27 10 00	7213 10 00 00	7219 13 90 00	7224 90 38 00	7228 70 10 00
7207 19 12 91	7209 27 90 00	7213 20 00 00	7219 14 10 00		7228 70 90 10
7207 19 12 99	7209 28 10 00	7213 91 10 00	7219 14 90 00	7225 11 00 00	7228 80 00 10
7207 19 80 10	7209 28 90 00	7213 91 20 00	7219 21 10 00	7225 19 10 00	7228 80 00 90
7207 20 11 00	7209 28 90 80 10	7213 91 41 00	7219 21 90 00	7225 19 90 00	
7207 20 15 00		7213 91 49 00	7219 22 10 00		
7207 20 17 00	7210 11 00 10	7213 91 70 00	7219 22 90 00	7225 30 10 00	7301 10 00 00
7207 20 32 00	7210 12 20 10	7213 91 90 00	7219 23 00 00	7225 30 30 10	
7207 20 52 00	7210 12 80 10	7213 99 10 00	7219 24 00 00	7225 30 90 00	7302 10 21 00
7207 20 80 10	7210 20 00 10	7213 99 90 00	7219 31 00 00	7225 40 12 30	7302 10 23 00
	7210 30 00 10		7219 32 10 00	7225 40 12 90	7302 10 29 00
7208 10 00 00	7210 41 00 10	7214 20 00 00	7219 32 90 00	7225 40 15 10	7302 10 40 00
7208 25 00 00	7210 49 00 10	7214 30 00 00	7219 33 10 00	7225 40 40 00	7302 10 50 00
7208 26 00 00	7210 50 00 10	7214 91 10 00	7219 33 90 00	7225 50 20 10	7302 10 90 00
7208 27 00 00	7210 61 00 10	7214 91 90 00	7219 34 10 00	7225 40 60 00	7302 40 00 00 ⁽⁴⁾
7208 36 00 00	7210 69 00 10	7214 99 10 00		7225 40 90 00	7302 90 00 00 ⁽⁵⁾
7208 37 00 10					

⁽¹⁾ Limited to ex-7204 90 08 and ex-7224 90 15 of former ECSC Treaty.⁽²⁾ Limited to ex-7218 91 11 of former ECSC Treaty.⁽³⁾ Limited to ex-7218 91 19 of former ECSC Treaty.⁽⁴⁾ Limited to ex-7304 40 10 of former ECSC Treaty.⁽⁵⁾ Limited to ex-7302 90 20 of former ECSC Treaty.

ANNEX II

SA Flat-rolled products

SA1. (coils)	7208 51 20 93	7209 25 00 00	7212 10 10 00
7208 10 00 00	7208 51 20 97	7209 26 10 00	7212 10 90 11
7208 25 00 00	7208 51 20 98	7209 26 90 00	7212 20 00 11
7208 26 00 00	7208 51 91 00	7209 27 10 00	7212 30 00 11
7208 27 00 00	7208 51 98 10	7209 27 90 00	7212 40 20 10
7208 36 00 00	7208 51 98 91	7209 28 10 00	7212 40 20 91
7208 37 00 10	7208 51 98 99	7209 28 90 00	7212 40 80 11
7208 37 00 90	7208 52 10 00	7209 90 80 10	7212 50 20 11
7208 38 00 10	7208 52 91 00	7210 11 00 10	7212 50 30 11
7208 38 00 90	7208 52 99 00	7210 12 20 10	7212 50 40 11
7208 39 00 10	7208 53 10 00	7210 12 80 10	7212 50 61 11
7208 39 00 90	7211 13 00 00	7210 20 00 10	7212 50 69 11
7211 14 00 10	7225 40 12 30	7210 30 00 10	7212 50 90 13
7211 19 00 10	7225 40 40 00	7210 41 00 10	7212 60 00 11
7219 11 00 00	7225 40 60 00	7210 49 00 10	7212 60 00 91
7219 12 10 00	7225 99 00 10	7210 50 00 10	7219 21 10 00
7219 12 90 00		7210 61 00 10	7219 21 90 00
7219 13 10 00	SA3. (other flat rolled products)	7210 69 00 10	7219 22 10 00
7219 13 90 00		7210 70 10 10	7219 22 90 00
7219 14 10 00	7208 40 00 90	7210 70 80 10	7219 23 00 00
7219 14 90 00	7208 53 90 00	7210 90 30 10	7219 24 00 00
	7208 54 00 00	7210 90 40 10	7219 31 00 00
7225 30 10 00	7208 90 80 10	7210 90 80 91	7219 32 10 00
7225 30 30 10			7219 32 90 00
7225 30 90 00	7209 15 00 00	7211 14 00 90	7219 33 10 00
7225 40 15 10	7209 16 10 00	7211 19 00 90	7219 33 90 00
7225 50 20 10	7209 16 90 00	7211 23 20 10	7219 34 10 00
	7209 17 10 00	7211 23 30 10	7219 34 90 00
SA2. (heavy plate)	7209 17 90 00	7211 23 30 91	7219 35 10 00
7208 40 00 10		7211 23 80 10	7219 35 90 00
7208 51 20 10	7209 18 10 00	7211 23 80 91	
7208 51 20 91	7209 18 91 00	7211 29 00 10	7225 40 12 90
	7209 18 99 00	7211 90 80 10	7225 40 90 00

SB Longs

SB1. (beams)	7221 00 10 00	7214 99 95 00	7224 90 02 89
7216 31 10 00	7221 00 90 00	7215 90 00 10	7224 90 31 00
	7227 10 00 00		7224 90 38 00
7216 31 90 00	7227 20 00 00	7216 10 00 00	
7216 32 11 00	7227 90 10 00	7216 21 00 00	7228 10 20 00
7216 32 19 00	7227 90 50 00	7216 22 00 00	7228 20 10 10
7216 32 91 00	7227 90 95 00	7216 40 10 00	7228 20 10 91
7216 32 99 00		7216 40 90 00	7228 20 91 10
7216 33 10 00	SB3. (other longs)	7216 50 10 00	7228 20 91 90
7216 33 90 00	7207 19 12 10	7216 50 91 00	7228 30 20 00
	7207 19 12 91	7216 50 99 00	7228 30 41 00
	7207 19 12 99	7216 99 00 10	7228 30 49 00
SB2. (wire rod)	7207 20 52 00	7218 99 20 00	7228 30 61 00
7213 10 00 00			7228 30 69 00
7213 20 00 00	7214 20 00 00	7222 11 11 00	7228 30 70 00
7213 91 10 00	7214 30 00 00	7222 11 19 00	7228 30 89 00
7213 91 20 00	7214 91 10 00	7222 11 81 00	7228 60 20 10
7213 91 41 00	7214 91 90 00	7222 11 89 00	7228 60 80 10
7213 91 49 00	7214 99 10 00		7228 70 10 00
7213 91 70 00	7214 99 31 00	7222 19 10 00	7228 70 90 10
7213 91 90 00	7214 99 39 00	7222 19 90 00	7228 80 00 10
7213 99 10 00	7214 99 50 00	7222 30 97 10	7228 80 00 90
7213 99 90 00	7214 99 71 00	7222 40 10 00	
	7214 99 79 00	7222 40 90 10	7301 10 00 00

ANNEX III

QUANTITATIVE LIMITS

(tonnes)	
Products	2007
SA. Flat-rolled products	
SA1. Coils	190 000
SA2. Heavy plate	390 000
SA3. Other flat-rolled products	140 000
SB. Long products	
SB1. Beams	50 000
SB2. Wire rod	195 000
SB3. Other long products	355 000

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 this 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, 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 Ukraine 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 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 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 Agreement 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 Ukrainian organisations authorised for such purposes under Ukrainian legislation 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 Ukrainian organisations authorised for such purposes under Ukrainian 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 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 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 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 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 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 printed script.

These documents shall measure 210 × 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,

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

BE = Belgium

BG = Bulgaria

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
 RO = Romania
 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. '7' for 2007,
- 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 the 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

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. 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 of this Protocol.

4. The results of the subsequent verifications carried out in accordance with paragraphs 1 and 2 above 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) of this Protocol.

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. 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	
	EXPORT LICENCE (for certain steel products)			
6. Country of origin				
5. Consignee (name, full address, country)	9. Supplementary details			
8. Place and date of shipment — means of transport				
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	
	EXPORT LICENCE (for certain steel products)			
6. Country of origin				
5. Consignee (name, full address, country)	9. Supplementary details			
8. Place and date of shipment — means of transport				
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	
	CERTIFICATE OF ORIGIN (for certain steel products)			
6. Country of origin				
5. Consignee (name, full address, country)	9. Supplementary details			
8. Place and date of shipment — means of transport				
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	
	CERTIFICATE OF ORIGIN (for certain steel products)			
5. Consignee (name, full address, country)				
		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.				