

Commission Regulation (EC) No 1159/2003 of 30 June 2003 laying down detailed rules of application for the 2003/04, 2004/05 and 2005/06 marketing years for the import of cane sugar under certain tariff quotas and preferential agreements and amending Regulations (EC) No 1464/95 and (EC) No 779/96

TITLE II

ACP-INDIA PREFERENTIAL SUGAR

Article 12

1 Where, for a given exporting country, the total quantity of ACP-India preferential sugar counted against a given delivery period is less than the delivery obligations, the provisions of Article 7 of the ACP Protocol or Article 7 of the Agreement with India shall apply.

2 Paragraph 1 shall not apply where the difference between the quantity of delivery obligations and the total quantity of ACP-India preferential sugar counted is 5 % or less than the delivery obligations and 5 000 tonnes or less of sugar expressed as white sugar.

3 Notwithstanding Article 50 of Regulation (EC) No 1291/2000, and provided they are covered by a certificate of origin as referred to in Article 14 or Article 15 of this Regulation, as appropriate, the quantities imported within the positive tolerance provided for in Article 8(4) of Regulation (EC) No 1291/2000 shall be eligible under the arrangements for ACP-India preferential sugar.

4 Where the provisions of paragraphs 2 and 3 apply, the balance of the differences shall, as appropriate, be added to the delivery obligations or deducted from them, by the Commission.

Changes to legislation:

There are currently no known outstanding effects for the Commission Regulation (EC) No 1159/2003, Article 12.