

**COMMISSION REGULATION (EC) No 2308/2003
of 29 December 2003**

**laying down rules for the management and distribution of textile quotas established for the year
2004 under Council Regulation (EC) No 517/94**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 517/94 of 7 March 1994 on common rules for imports of textile products from certain third countries not covered by bilateral agreements, protocols or other arrangements, or by other specific Community import rules ⁽¹⁾, and in particular Article 17(3) and (6) and Article 21(2) thereof,

Whereas:

- (1) Regulation (EC) No 517/94 established quantitative restrictions on imports of certain textile products originating in certain third countries to be allocated on a 'first come, first served' basis.
- (2) Under that Regulation it is possible, in certain circumstances, to use other allocation methods, to divide quotas into tranches or to reserve a proportion of a specific quantitative limit exclusively for applications which are supported by evidence of the results of past import performance.
- (3) Rules for management of the quotas established for 2004 should be adopted before the quota year begins so that the continuity of trade flows is not affected unduly.
- (4) The measures adopted in previous years, such as those in Commission Regulation (EC) No 2357/2002 establishing rules for the management and distribution of textile quotas established for the year 2003 under Council Regulation (EC) No 517/94 ⁽²⁾, proved to be satisfactory and it is therefore appropriate to adopt similar rules for 2004.
- (5) In order to satisfy the greatest possible number of operators it is appropriate to make the 'first come, first served' allocation method more flexible by placing a ceiling on the quantities which can be allocated to each operator by that method.
- (6) To guarantee a degree of continuity in trade and efficient quota administration, operators should be allowed to make their initial import authorisation application for 2004 equivalent to the quantity which they imported in 2003.

- (7) To achieve optimum use of the quantities, an operator who has used up at least one half of the amount already authorised should be permitted to apply for a further amount, provided that quantities are available in the quotas.
- (8) For the sake of sound administration, import authorisations should be valid for nine months from the date of issue but only until the end of the year at the latest. Member States should issue licences only after being notified by the Commission that quantities are available and only if an operator can prove the existence of a contract and can certify, in the absence of a specific provision to the contrary that he/she has not already been allocated a Community import authorisation under this Regulation for the categories and countries concerned. The competent national authorities should, however, be authorised, in response to importers' applications, to extend by three months and up to 31 March 2005 licences of which at least one half has been used by the application date.
- (9) Given that on 1 May 2004 the European Union will be enlarged, the allocation amongst importers of the 2004 quota should be divided into two tranches, corresponding to the Union's current and future membership respectively. Acceding States should be permitted to issue import authorisations only for goods to be imported on or after 1 May.
- (10) The measures provided for in this Regulation are in accordance with the opinion of the Textile Committee established by Article 25 of Regulation (EC) No 517/94,

HAS ADOPTED THIS REGULATION:

Article 1

The purpose of this Regulation is to lay down rules on the management of quantitative quotas for imports of certain textile products set out in Annexes IIIB and IV to Regulation (EC) No 517/94 for the year 2004.

The 2004 quotas shall be allocated in two separate tranches, of which the second shall become available from 1 May 2004 for the acceding States. The quantitative limits for the tranches shall be as listed in Annex I.

⁽¹⁾ OJ L 67, 10.3.1994, p. 1; Regulation as last amended by Commission Regulation (EC) No 1484/2003 (OJ L 212, 22.8.2003, p. 46).

⁽²⁾ OJ L 351, 28.12.2002, p. 45.

Article 2

The quotas referred to in Article 1 shall be allocated according to the chronological order of receipt by the Commission of Member States' notifications of applications from individual operators, for amounts not exceeding the maximum quantities per operator set out in Annex II.

The maximum quantities shall not, however, apply to operators able to prove to the competent national authorities, when making their first application for 2004, that, in respect of given categories and given third countries, they imported more than the maximum quantities specified for each category pursuant to import licences granted to them for 2003.

In the case of such operators, the competent authorities may authorise imports not exceeding the quantities imported in 2003 from given third countries and in given categories, provided that enough quota capacity is available.

Article 3

Any importer who has already used up 50 % or more of the amount allocated to him/her under this Regulation may make a further application, in respect of the same category and country of origin, for amounts not exceeding the maximum quantities laid down in Annex II.

Article 4

1. The competent national authorities listed in Annex III may, from 10.00 on 5 January 2004, notify the Commission of the amounts covered by requests for import authorisations.

The time fixed in the first subparagraph shall be understood as Brussels time.

Requests from the competent national authorities of Member States set out in section A of Annex III shall be processed initially by deduction from the first tranche. When the quantitative

limit on a category of the first tranche is exhausted further requests shall be processed against the second tranche. Requests from the competent national authorities of Member States set out in section B of Annex III shall be processed only against the second tranche.

2. The competent national authorities shall issue authorisations only after being notified by the Commission pursuant to Article 17(2) of Regulation (EC) No 517/94 that quantities are available for importation. The competent national authorities of acceding States may only issue import authorisations for goods to be imported on or after 1 May.

They shall issue authorisations only if an operator:

- (a) proves the existence of a contract relating to the provision of the goods; and
- (b) certifies in writing that, in respect of the categories and countries concerned:
 - (i) he/she has not already been allocated an authorisation under this Regulation; or
 - (ii) he/she has been allocated an authorisation under this Regulation but has used up at least 50 % of it.

3. Import authorisations shall be valid for nine months from the date of issue, but until 31 December 2004 at the latest.

The competent national authorities may, however, at the importer's request, grant a three-month extension for authorisations which are at least 50 % used up at the time of the request. Such extension shall in no circumstances expire later than 31 March 2005.

Article 5

This Regulation shall enter into force on 1 January 2004.

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

Done at Brussels, 29 December 2003.

For the Commission

Pascal LAMY

Member of the Commission

ANNEX I

Quantitative limits for the tranches referred to in Article 1

Serbia and Montenegro ⁽¹⁾

Category	Unit	First tranche 1 January to 30 April 2004	Second tranche 1 May to 31 December 2004
1	Tonne	770	1 580
2	Tonne	949	1 904
2a	Tonne	215	430
3	Tonne	104	208
5	1 000 pieces	429	897
6	1 000 pieces	185	409
7	1 000 pieces	96	215
8	1 000 pieces	355	754
9	Tonne	97	195
15	1 000 pieces	143	317
16	1 000 pieces	77	155
67	Tonne	80	164

⁽¹⁾ Including Kosovo as defined by United Nations Security Council Resolution 1244 of 10 June 1999.

North Korea

Category	Unit	First tranche 1 January to 30 April 2004	Second tranche 1 May to 31 December 2004
1	Tonne	43	85
2	Tonne	48	102
3	Tonne	16	65
4	1 000 pieces	95	194
5	1 000 pieces	62	126
6	1 000 pieces	72	146
7	1 000 pieces	31	66
8	1 000 pieces	100	202
9	Tonne	24	47
12	1 000 pairs	430	878
13	1 000 pieces	503	1 006
14	1 000 pieces	51	103
15	1 000 pieces	58	117
16	1 000 pieces	29	59
17	1 000 pieces	20	41
18	Tonne	20	41
19	1 000 pieces	137	274
20	Tonne	47	95
21	1 000 pieces	1 137	2 279
24	1 000 pieces	88	175
26	1 000 pieces	58	117
27	1 000 pieces	95	193

Category	Unit	First tranche 1 January to 30 April 2004	Second tranche 1 May to 31 December 2004
28	1 000 pieces	95	191
29	1 000 pieces	40	80
31	1 000 pieces	98	195
36	Tonne	30	65
37	Tonne	119	259
39	Tonne	17	34
59	Tonne	155	311
61	Tonne	13	27
68	Tonne	40	80
69	1 000 pieces	61	123
70	1 000 pieces	90	180
73	1 000 pieces	50	99
74	1 000 pieces	44	89
75	1 000 pieces	13	26
76	Tonne	40	80
77	Tonne	5	9
78	Tonne	61	123
83	Tonne	18	36
87	Tonne	2	6
109	Tonne	4	7
117	Tonne	17	34
118	Tonne	8	15
142	Tonne	3	7
151A	Tonne	3	7
151B	Tonne	3	7
161	Tonne	50	102

ANNEX II

Maximum amounts referred to in Articles 2 and 3

Country concerned	Category	Unit	Maximum amount
North Korea	1	Kilogram	10 000
	2	Kilogram	10 000
	3	Kilogram	10 000
	4	Piece	10 000
	5	Piece	10 000
	6	Piece	10 000
	7	Piece	10 000
	8	Piece	10 000
	9	Kilogram	10 000
	12	Pairs	10 000
	13	Piece	10 000
	14	Piece	10 000
	15	Piece	10 000
	16	Piece	10 000
	17	Piece	10 000
	18	Kilogram	10 000
	19	Piece	10 000
	20	Kilogram	10 000
	21	Piece	10 000
	24	Piece	10 000
	26	Piece	10 000
	27	Piece	10 000
	28	Piece	10 000
	29	Piece	10 000
	31	Piece	10 000
	36	Kilogram	10 000
	37	Kilogram	10 000
	39	Kilogram	10 000
	59	Kilogram	10 000
	61	Kilogram	10 000
	68	Kilogram	10 000
	69	Piece	10 000
	70	Piece	10 000
	73	Piece	10 000
	74	Piece	10 000
	75	Piece	10 000
	76	Kilogram	10 000
	77	Kilogram	5 000
	78	Kilogram	5 000
	83	Kilogram	10 000
	87	Kilogram	10 000
109	Kilogram	10 000	
117	Kilogram	10 000	
118	Kilogram	10 000	
142	Kilogram	10 000	
151A	Kilogram	10 000	
151B	Kilogram	10 000	
161	Kilogram	10 000	

Country concerned	Category	Unit	Maximum amount
Serbia and Montenegro ⁽¹⁾	1	Kilogram	20 000
	2	Kilogram	20 000
	2a	Kilogram	10 000
	3	Kilogram	10 000
	5	Piece	10 000
	6	Piece	10 000
	7	Piece	10 000
	8	Piece	10 000
	9	Kilogram	10 000
	15	Piece	10 000
	16	Piece	10 000
	67	Kilogram	10 000

⁽¹⁾ Including Kosovo as defined by United Nations Security Council Resolution 1244 of 10 June 1999.

ANNEX III

List of licensing offices referred to in Article 4

Section A: List of the competent national authorities in the current Member States

1. **België**

Ministerie van Economische Zaken
Bestuur Economische Betrekkingen
Dienst Vergunningen
Generaal Lemanstraat 60
B-1040 Brussel
Tel. (32-2) 206 58 11
Fax (32-2) 230 83 22

1. **Belgique**

Ministère des affaires économiques
Administration des relations économiques
Service des Licences
Rue Général Leman 60
B-1040 Bruxelles
Tel. (32-2) 206 58 11
Fax (32-2) 230 83 22

2. **Danmark**

Erhvervs- og Boligstyrelsen
Økonomi- og Erhvervsministeriet
Vejlshøjvej 29
DK-8600 Silkeborg
Tel. (45) 35 46 64 30
Fax: (45) 35 46 64 01

3. **Deutschland**

Bundesamt für Wirtschaft und Ausfuhrkontrolle
(BAFA)
Frankfurter Str. 29-35
D-65760 Eschborn
Tel. (49 61 96) 9 08-0
Fax: (49 61 96) 9 42 26

4. **text missing**

Υπουργείο Οικονομίας & Οικονομικών
Γενική Γραμματεία Διεθνών Σχέσεων
Γενική Διεύθυνση Σχεδιασμού & Διαχείρισης Πολιτικής
Διεύθυνση Διεθνών Οικονομικών Ροών
Κορνάρου 1
GR-10563 Αθήνα
Τηλ (3010) 328 60 31-5
Φαξ (3010) 328 60 94

5. **España**

Ministerio de Economía
Secretaría General de Comercio Exterior
Paseo de la Castellana nº 162
E-28046 Madrid
Tel. (34 91) 349 38 17, 349 37 48
Fax (34 91) 563 18 23, 349 38 31

6. **France**

Ministère de l'économie, des finances et de l'industrie
Direction générale de l'industrie, des technologies de l'information et des postes
Service des industries manufacturières (SIM)
Mission 'Textile-Importations'
Le Bervil, 12 rue Villiot
F-75572 Paris Cedex 12
Tél. (33-1) 44 87 17 17
Fax (33-1) 53 44 91 81

7. **Ireland**

Department of Enterprise, Trade and Employment
Internal Market
Kildare Street
Dublin 2
Ireland
Tel. (353-1) 631 21 21
Fax (353-1) 631 28 26

8. **Italy**

Ministero del Commercio con l'Estero
Direzione Generale per la Politica Commerciale e per la Gestione del Regime degli Scambi
DIV. III
Viale America 341
I-00144 Roma
Tel. (39-6) 59 64 75 17/59 93 22 02/59 93 22 15
Fax (39-6) 59 93 22 35/59 93 22 35
Telex: (39-6) 59 64 75 31

9. **Luxembourg**

Ministère des affaires étrangères
Office des licences
Boîte postale 113
L-2011 Luxembourg
Tel. (352) 47 82 371
Fax (352) 46 61 38

10. **Nederland**

Belastingdienst/Douane
Centrale dienst voor in- en uitvoer
Engelse Kamp 2
Postbus 30003
9700 RD Groningen
Nederland
Tel. (31-50) 523 91 11
Fax (31-50) 523 22 10

11. **Portugal**

Ministério das Finanças
Direcção Geral das Alfândegas e dos Impostos Especiais sobre o Consumo
Rua Terreiro do Trigo
Edifício da Alfândega
P-1149-060 Lisboa
Tel. (351-1) 218 814 263
Fax (351-1) 218 814 261
E-mail: dsl@dgaiec.min-financas.pt

12. United Kingdom

Department of Trade and Industry
 Import Licensing Branch
 Queensway House
 West Precinct
 Billingham
 TS23 2NF
 United Kingdom
 Tel. (44-1642) 36 43 33/36 43 34
 Fax (44-1642) 53 35 57

13. Österreich

Bundesministerium für Wirtschaft und Arbeit
 Außenwirtschaftsadministration
 Abteilung C2/2
 Stubenring 1
 A-1011 Wien
 Tel. (43-1) 71100-0
 Fax (43-1) 71100-8386

14. Sweden

National Board of Trade (Kommerskollegium)
 Box 6803
 S-113 86 Stockholm
 Tel. (46-8) 690 48 00
 Fax (46-8) 30 67 59

15. Suomi

Tullihallitus
 Erottajankatu 2
 FIN-00101 Helsinki
 Tel. (358-9) 61 41
 Fax (358-9) 61 42 852

Section B: List of the competent national authorities in the Acceding countries**1. Cyprus**

Ministry of Commerce, Industry and Tourism
 Trade Department
 6 Andrea Araouzou Str.
 1421 Nicosia
 Tel. (357-2) 86 71 00
 Fax (357-2) 37 51 20

2. Czech Republic

Ministerstvo průmyslu a obchodu
 Licenční správa
 Na Frantisku 32
 110 15 Praha 1
 Tel. (420) 224 06 2206
 Fax (420) 224 21 2133

3. Estonia

Majandus- ja Kommunikatsiooniministeerium
 Harju 11
 15072 Tallinn
 Estonia
 Tel. (372) 6256 400
 Fax (372) 6313 660

4. Hungary

Gazdasági és Közlekedési Minisztérium
 Engedélyezési és Közigazgatási Hivatala
 1024 Budapest Margit krt. 85.
 Postafiók: 1537 Budapest Pf. 345.
 Tel. 0036(1) 336 7300
 Fax 0036(1)336 7302

5. Latvia

Ekonomikas ministrija
 Brīvības iela 55
 LV-1519 Rīga
 Tel. (371) 701 30 06
 Fax: (371) 728 08 82

6. Lithuania

Lietuvos Respublikos Ūkio Ministerija
 Gedimino Ave 38/2
 LT-2600 Vilnius
 Tel. (370-5) 262 50 30/262 87 50
 Fax (370-5) 262 39 74

7. Malta

Ministry of Finance and Economic Affairs
 Trade Services Directorate, Commerce Division
 Lascaris
 Valletta CMR02
 Malta
 Tel. (356-21) 24 68 00
 Fax (356-21) 25 15 15

8. Poland

Ministerstwo Gospodarki, Pracy i Polityki
 Społecznej
 Pl. Trzech Krzyży 3/5
 00-950 Warszawa
 Tel. (48-22) 693 55 53
 Fax (48-22) 693 40 21

9. Slovakia

Ministerstvo Hospodárstva SR
 Odbor výkonu obchodno-politických opatrení
 Mierová 19
 827 15 Bratislava
 Tel. (421-2) 43 42 39 13/48 54 21 60
 Fax (421-2) 43 42 39 19

10. Slovenia

Ministrstvo za gospodarstvo
 Področje ekonomskih odnosov s tujino
 Kotnikova 5
 1000 Ljubljana
 Tel. (386(0)1) 478 35 42
 Fax (386(0)1) 478 36 11