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Agreement in the form of an Exchange of Letters between the European
Community and the Republic of Kazakhstan establishing a
double-checking system without quantitative limits in respect of the
export of certain steel products from the Republic of Kazakhstan to
the European Community

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Community and the Republic of Kazakhstan establishing a double-checking system
without quantitative limits in respect of the export of certain steel products
from the Republic of Kazakhstan to the European Community

A. Letter from the European Community

Sir, 1. I have the honour to refer to the Agreement between the European Coal and Steel Community and the Government of the Republic of

Kazakhstan on trade in certain steel products concluded on 22 July 2002. Furthermore, consultations took place with regard to problems concerning certain steel products which fall outside the scope of the abovementioned Agreement.

2. Following these consultations the Parties hereby agree to establish a double-checking system, without quantitative limits, in respect of certain steel products in order to improve transparency and to avoid possible diversions of trade. The details of the double-checking system are annexed to this letter.

3. This Exchange of Letters is without prejudice to the application of the relevant provisions of the bilateral agreements on trade and trade-related matters, in particular those relating to anti-dumping and safeguard measures.

4. Either Party may at any time propose amendments to the Annex or the Appendices thereto, which shall require the mutual consent of the Parties and shall take effect as agreed by them. Should anti-dumping or safeguard investigations be initiated or measures introduced in the European Community concerning a product under the double-checking system, Kazakhstan will decide whether to exclude the product in question from the double-checking system. Such a decision shall not affect the entry into free circulation of the product in question into the Community.

5. In conclusion, I have the honour to propose that if this letter, the Annex and the Appendices thereto are acceptable to your

Government, this letter and your confirmation shall together constitute an agreement between the European Community and

Kazakhstan, which shall enter into force on the date of your reply.

Please accept, Sir, the assurance of my highest consideration,

On behalf of the European Community

>REFERENCE TO A GRAPHIC<

B. Letter from the Government of the Republic of Kazakhstan

Sir,

I have the honour to acknowledge receipt of your letter of

..... which reads as follows:

1. I have the honour to refer to the Agreement between the European

Coal and Steel Community and the Government of the Republic of

Kazakhstan on trade in certain steel products concluded on 22 July 2002 .
Furthermore, consultations took place with regard to problems concerning
certain steel products which fall outside the scope of the abovementioned
Agreement.

2. Following these consultations the Parties hereby agree to establish a
double-checking system, without quantitative limits, in respect of certain
steel products in order to improve transparency and to avoid possible
diversions of trade. The details of the double-checking system are annexed to
this letter.

3. This Exchange of Letters is without prejudice to the application of the
relevant provisions of the bilateral agreements on trade and trade-related
matters, in particular those relating to anti-dumping and safeguard measures.

4. Either Party may at any time propose amendments to the Annex or the
Appendices thereto, which shall require the mutual consent of the Parties and
shall take effect as agreed by them. Should anti-dumping or safeguard
investigations be initiated or measures introduced in the European Community
concerning a product under the double-checking system, Kazakhstan will decide
whether to exclude the product in question from the double-checking system.
Such a decision shall not affect the entry into free circulation of the product
in question into the Community.

5. In conclusion, I have the honour to propose that if this letter, the Annex
and the Appendices thereto are acceptable to your

Government, this letter and your confirmation shall together constitute an
agreement between the European Community and

Kazakhstan, which shall enter into force on the date of your reply.

I have the honour to confirm that the above is acceptable to my

Government and that your letter, this reply and the attached Annex and

Appendices together constitute an agreement, in accordance with your proposal.

Please accept, Sir, the assurance of my highest consideration,

For the Government of the Republic of Kazakhstan

>REFERENCE TO A GRAPHIC<

ANNEX

1.1. For the period running from the date on which this Agreement is applied between the Parties to 31 December 2004 , unless both

Parties agree to terminate the system earlier, imports into the

Community of the products listed in Appendix I originating in

Kazakhstan shall be subject to the presentation of a surveillance document conforming to the model shown in Appendix II issued by the authorities in the Community.

1.2. For the period running from the date on which this Agreement is applied to 31 December 2004 , unless both Parties agree to terminate the system earlier, imports into the Community of the products listed in Appendix I and which originate in Kazakhstan shall, in addition, be subject to the issue of an export document by the competent Kazakhstan authorities. The importer must present the original of the export document not later than 31 March of the year following that in which the goods covered by the document were shipped.

1.3. Shipment is considered to have taken place on the date of loading on to the exporting means of transport.

1.4. The export document shall conform to the model shown in

Appendix III. It shall be valid for exports throughout the custom territory of the Community.

1.5. Kazakhstan shall notify the Commission of the European

Communities of the names and addresses of the appropriate Kazakhstangovernmental authorities which are authorised to issue and verify export documents together with specimens of the stamps and signatures they use. Kazakhstan shall also notify the Commission of any change in these particulars.

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

(hereinafter called CN). The origin of the products covered by this Agreement shall be determined in accordance with the rules in force in the Community.

1.7. The competent authorities of the Community undertake to inform Kazakhstan of any changes in the CN in respect of products covered by this Agreement before their date of entry into force in the Community.

1.8. Certain technical provisions on the implementation of the double-checking system are set out in Appendix IV.

2.1. Kazakhstan undertakes to supply the Community with precise statistical information on the export documents issued by the

Kazakhstan authorities pursuant to 1.2. Such information shall be transmitted to the Community by the end of the month following the month to which the statistics relate.

2.2. The Community undertakes to supply the Kazakhstan authorities with precise statistical information on surveillance documents issued by Member States in respect of the export documents issued by the Kazakhstan authorities pursuant to 1.1. Such information shall be transmitted to the Kazakhstan authorities by the end of the month following the month to which the statistics relate.

3. If necessary, at the request of either of the Parties, consultations shall be held on any problems arising from the operation of this Agreement. Such consultations shall be held promptly. Any consultations held under this paragraph shall be approached by both Parties in a spirit of cooperation and with a desire to reconcile the difference between them.

4. Any notices to be given hereunder shall be given:

in respect of the Community, to the Commission of the European

Communities, in respect of Kazakhstan, to the Mission of the Republic of

Kazakhstan to the European Communities.

Appendix I

List of products subject to double-checking without quantitative limits

KAZAKHSTAN

ex 72112330 (TARIC code 7211233099)

ex 72112380 (TARIC code 7211238099)

ex 72112900 (TARIC code 7211290091)

ex 72112900 (TARIC code 7211290099)

ex 72119000 (TARIC code 7211900090)

ex 72112320 (TARIC code 7211232090)

ex 72251910 (TARIC code 7225191000)

ex 72251990 (TARIC code 7225199000)

ex 72261910 (TARIC code 7226191000)

ex 72261980 (TARIC code 7226198010)

ex 72261980 (TARIC code 7226198090)

ex 72261100 (TARIC code 7226110090)

Appendix II

EUROPEAN COMMUNITY SURVEILLANCE DOCUMENT

>REFERENCE TO A GRAPHIC<

>REFERENCE TO A GRAPHIC<

EUROPEAN COMMUNITY SURVEILLANCE DOCUMENT

>REFERENCE TO A GRAPHIC<

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Appendix III

>REFERENCE TO A GRAPHIC>

>REFERENCE TO A GRAPHIC>

Appendix IV

KAZAKHSTAN

Technical provisions on the implementation of the double-checking system¹. The export 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. They shall be made out in

English. If they are completed by hand, entries must be in ink and in printed script. These documents may comprise additional copies duly indicated as such. If the documents have several copies only the top copy is the original. This copy shall be clearly marked as

original and other copies as copies. Only the original shall be accepted by the competent authorities of the Community as being valid for the control of export to the Community in accordance with the provisions of the double-checking system.

2. Each document shall bear a standardised serial number, whether or not printed, by which it can be identified. This number shall be composed of the following elements:

two letters identifying the exporting country as follows: KZ =

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

BE = Belgium DK = Denmark DE = Germany EL = Greece ES = Spain FR =

France IE = Ireland IT = Italy LU = Luxembourg NL = Netherlands AT =

Austria PT = Portugal FI = Finland SE = Sweden GB = United Kingdom

CZ = Czech Republic (1) EE = Estonia (2) CY = Cyprus (3) LV = Latvia (4)

LT = Lithuania (5) HU = Hungary (6) MT = Malta (7) PL = Poland (8) SI =

Slovenia (9) SK = Slovak Republic (10)

a one-digit number identifying the year, corresponding to the last figure in the respective year, e.g. 4 for 2004, a two-digit number from 01 to 99, identifying the particular issuing office concerned in the exporting country, a five-digit number running consecutively from 00001 to 99999 allocated to the intended Member State of customs clearance.

3. The export documents shall be valid for the calendar year during which they are issued, as shown in Box No 3 of the export document.

4. Since the importer needs to present the original export document when requesting an import document, export documents should, as far as possible, be issued in respect of individual commercial transactions, not global contracts.

5. Kazakhstan need not show price information on the export document, but that information is available to the Commission authorities on request.

6. Export documents may be issued after the shipment of the products to which they relate. In such cases they must bear the endorsement

issued retrospectively .

7. In the event of a theft, loss or destruction of an export document, the exporter may apply to the competent governmental authority which issued the document for a duplicate to be made out on the basis of the export documents in his possession. The duplicate of any such document so issued shall bear the endorsement

duplicate . The duplicate shall bear the date of the original export document.

8. The competent authorities of the Community shall be informed immediately of the withdrawal or modification of any export documents already issued and, where relevant, of the basis for such action.

(1) These references of these Member States and the associated codes shall apply as of their accession to the European community.

(2) These references of these Member States and the associated codes shall apply as of their accession to the European community.

(3) These references of these Member States and the associated codes shall apply as of their accession to the European community.

(4) These references of these Member States and the associated codes shall

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(5) These references of these Member States and the associated codes shall apply as of their accession to the European community.

(6) These references of these Member States and the associated codes shall apply as of their accession to the European community.

(7) These references of these Member States and the associated codes shall apply as of their accession to the European community.

(8) These references of these Member States and the associated codes shall apply as of their accession to the European community.

(9) These references of these Member States and the associated codes shall apply as of their accession to the European community.

(10) These references of these Member States and the associated codes shall apply as of their accession to the European community.



全球法律法规

Global Laws & Regulations



全球法律法规

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