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HARMONIZED SYSTEM  
REVIEW SUB-COMMITTEE

-  
26<sup>th</sup> Session  
-

NR0302E1  
(+ Annex)

O. Eng.

Brussels, 2 August 2002.

COMPREHENSIVE REVIEW OF THE EXPLANATORY NOTES

POSSIBLE AMENDMENT OF THE EXPLANATORY NOTES

TO HEADINGS 84.01 TO 84.31

(Item III.C.11 on Agenda)

I. BACKGROUND

1. At its 23<sup>rd</sup> Session (March 2001), the Review Sub-Committee discussed the issue of the comprehensive review of the HS Explanatory Notes, taking into account the points raised by the Secretariat in Doc. NR0150E1, in particular the scope of the updating of the existing Explanatory Notes, by :
  - Deleting references to obsolete products and technology,
  - Substituting references to current products and technology,
  - Restructuring the Notes to make them easier to understand, and
  - Supplementing the Notes to make them more complete.
2. In accordance with these discussions, amendments to the Explanatory Notes to headings 84.01 to 84.31 have been prepared as a joint proposal from the Secretariat and an officer of the Swedish Administration.
3. The Swedish "Explanatory Memorandum" and the Secretariat's own proposals (in bold) are reproduced below.

Note : Shaded parts will be removed when documents are placed on the WCO documentation database available to the public.

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## II. SECRETARIAT COMMENTS

4. The proposed amendments are set out in the Annex to this document. In this context, the Secretariat would like to clarify that only those parts of the Explanatory Notes (ENs) have been reproduced which are affected by the amendments. Proposed deletions are indicated by “strikethrough” text, whereas new texts are indicated by underlining. Throughout the recommended amendments to the ENs, when a new numbered or lettered paragraph was added the remaining paragraphs in the sequence were consequently renumbered or re-lettered.

### **Explanatory comments for each heading**

#### **Section XVI. General.**

5. ADP machines are often used to control other machines with which they form a functional unit, therefore, it is suggested to insert a reference to those machines in the General Explanatory Notes.

#### **Chapter 84. General.**

6. Correction of General EN (decreasing volume of trade in typewriters - important trade in electro-magnetic valves).

#### **Heading 84.01.**

7. The Explanatory Note was aligned on the numerical order of the subheadings.

#### **Headings 84.02 to 84.04.**

8. No changes are recommended.

#### **Heading 84.05.**

9. New exclusion (b); exclusion (c) amended.

10. The amendment is based on a text in the Official Journal of the **European Communities** (Explanatory Notes to the **EC** Combined Nomenclature).

11. **The Secretariat has no objections to the new proposed exclusion (b), as coke ovens are expressly mentioned in the Explanatory Note to heading 84.17. Meanwhile, it leaves to the Sub-Committee the decision on the insertion of the new generator as an example of an article classified in heading 85.43 (new exclusion (c)).**

#### **Headings 84.06 to 84.11.**

12. No changes are recommended.

**Heading 84.12.**

13. No amendment has been recommended, however it should be noted that piston steam engines (heading 84.12) have largely been replaced by steam turbines (heading 84.06).
14. **The Secretariat would ask the Review sub-Committee to indicate whether it wishes to maintain Part (F) of the Explanatory Note to heading 84.12 (page 1417), or whether it should be deleted.**

**Heading 84.13.**

15. New exclusions (f) and (g).
16. The amendment is based on a text in the Official Journal of the **European Communities** (Explanatory Notes to the **EC** Combined Nomenclature).
17. **The Secretariat is able to accept the two exclusions as proposed, taking into account that the described apparatus seem to clearly fulfil the conditions of apparatus classified in headings 90.18 and 90.21, respectively. If the Sub-Committee believes that more information is needed in this connection, a classification question could be presented to the HS Committee. The proposed new exclusions were placed in square brackets in the Annex to this document.**

**Heading 84.14.**

18. Reference to exhaust-gas turbocharger added.
19. New exclusion (a) exhaust-gas turbines.
20. The amendments are based on a text in the Official Journal of the **European Communities** (Explanatory Notes to the **EC** Combined Nomenclature).
21. **Clarifications of the special compressor, the exhaust-gas turbocharger and the exhaust-gas turbines are needed. If the Sub-Committee agrees with this approach, more information should be submitted to the Secretariat and a document will be prepared for discussion at the HS Committee's 30<sup>th</sup> Session. The proposed amendments have been placed in square brackets in the Annex.**

**Headings 84.15 and 84.16.**

22. No changes are recommended.

**Heading 84.17.**

23. The Explanatory Note was aligned on the numerical order of the subheadings.

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**Headings 84.18 to 84.21.**

24. No changes are recommended.

**Heading 84.22.**

25. The Explanatory Note was aligned on the numerical order of the subheadings.

**Headings 84.23 to 84.25.**

26. No changes are recommended.

**Heading 84.26.**

27. The Explanatory Note was aligned on the numerical order of the subheadings.

28. New item (6) - tower cranes – subheading 8426.20.

29. It would appear that tower cranes are not covered by any of the crane categories mentioned in the Explanatory Note to heading 84.26. Based on information from the Internet and documents provided by the UK company Delta Tower Cranes, a short generic description of tower cranes was prepared and suggested as a new item (6), following the numerical order of the subheadings.

**Heading 84.27.**

30. No changes are recommended.

**Heading 84.28.**

31. The Explanatory Note was aligned on the numerical order of the subheadings.

32. Description of rack and pinion driven lifts added.

33. New items (L) - patient lifts, and (M) - stair lifts.

34. The amendment is based on a text in the Official Journal of the European Communities (Explanatory Notes to the EC Combined Nomenclature).

35. According to a Swedish manufacturer (Alimak AB), rack and pinion driven lifts form a specific category of lifts; therefore, a generic description of those lifts was prepared in co-operation with the manufacturer.

**Heading 84.29.**

36. The Explanatory Note was aligned on the numerical order of the subheadings.

**Heading 84.30.**

37. The Explanatory Note was aligned on the numerical order of the subheadings.

**Heading 84.31.**

38. No changes recommended.

III. CONCLUSION

39. The Sub-Committee is invited to examine the draft amendments to the Explanatory Notes to headings 84.01 to 84.31, as set out in the Annex to this document.

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