



HARMONIZED SYSTEM  
COMMITTEE

-  
25<sup>th</sup> Session

NC0212E1

O. Fr.

H3-1

Brussels, 24 January 2000.

POSSIBLE AMENDMENTS TO THE EXPLANATORY NOTES TO CLARIFY

THE CLASSIFICATION OF "SMART" CARDS

(Item VIII.15 on Agenda)

Reference documents :

NR0029E1 (RSC/19)  
NR0045E1, Annex D/15 (RSC/19 – Report)  
NC0073E1 (HSC/23)  
NC0090E2, Annexes F/3, N/23 and O/13 (HSC/23 – Report)  
NR0072E2, Annexe C, paragraph 92 (RSC/20 – Report)

I. BACKGROUND

1. As a result of the last HS review cycle, a new Subheading Note 3 to Chapter 85 and a new structure for heading 85.42 were adopted for the 2002 version of the HS (see Doc. NC0090E2, Annexes F/3, N/23 and O/13 – HSC/23 – Report).
2. However, at the Review Sub-Committee's 20<sup>th</sup> Session in September 1999, a delegate pointed out the need to draft an Explanatory Note on "smart" cards to make clear that certain such cards were classified elsewhere than in heading 85.42 (e.g., in heading 85.43). It was agreed that such a text should be drafted under the Article 8 procedure, since the wording already existed in the present Nomenclature.

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II. SECRETARIAT COMMENTS

3. Acting on the Review Sub-Committee's instructions, the Secretariat has prepared draft amendments that could be inserted in the Explanatory Notes by corrigendum, in order to clarify the classification of "smart" cards.
4. The proposed texts are appended hereto.

III. CONCLUSION

5. The Committee is invited to examine the appended texts.

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ANNEXE  
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MODIFICATIONS EVENTUELLES DES NOTES EXPLICATIVES VISANT A CLARIFIER  
LE CLASSEMENT DES "CARTES INTELLIGENTES"  
(Point VIII.15 de l'ordre du jour)

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ANNEX  
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POSSIBLE AMENDMENTS TO THE EXPLANATORY NOTES TO CLARIFY  
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MODIFICATIONS DES NOTES EXPLICATIVES  
A EFFECTUER PAR CORRIGENDUM

CHAPITRE 85.

Page 1516. N° 85.42. Troisième paragraphe. Point I. Alinéa 1) 4°).

A la fin de cet alinéa, ajouter la nouvelle phrase ci-après:

"**Ne** font cependant **pas** partie de ce groupe les cartes "intelligentes" comportant deux ou plusieurs circuits électroniques (**n° 85.43**)."

Page 1520. N° 85.43. Deuxième paragraphe.

Supprimer ce paragraphe.

Page 1520. N° 85.43. Nouveau cinquième paragraphe.

Après l'alinéa 17), insérer le nouveau paragraphe ci après :

"Sont également classées dans la présente position les cartes dénommées habituellement, "cartes intelligentes", comportant, noyées dans la masse, deux ou plusieurs circuits électroniques (microprocesseurs) sous forme de microplaquettes et munies ou non d'une piste magnétique, **à l'exception** des cartes de l'espèce qui ne comportent qu'un seul circuit électronique (**n° 85.42**)."

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AMENDMENTS TO THE EXPLANATORY NOTES  
TO BE MADE BY CORRIGENDUM

CHAPTER 85.

Page 1516. Heading 85.42. Third paragraph. Part (I). Item (1)(iv).

At the end of this Item, add the following :

“However, this group does **not** cover “smart” cards with two or more electronic circuits (**heading 85.43**).”

Page 1520. Heading 85.43. Item (14). Second paragraph.

Delete this paragraph.

Page 1520. Heading 85.43. New fifth paragraph.

After Item (17), insert the following new paragraph :

“This heading also covers cards commonly known as “smart” cards which have embedded in them two or more electronic integrated circuits (microprocessors) in the form of chips and which may or may not have a magnetic stripe; “smart” cards with only one electronic circuit are, however, **excluded (heading 85.42)**.”

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