



HARMONIZED SYSTEM
REVIEW SUB-COMMITTEE

-
26th Session
-

NR0323E1
(+ Annex)
O. Eng.

Brussels, 17 July 2002.

POSSIBLE AMENDMENTS TO CHAPTERS 84, 85, 90 AND 95
CONCERNING INFORMATION TECHNOLOGY PRODUCTS

(PROPOSAL BY THE EC)

(Item III.B.5 on Agenda)

Reference documents :

NC0250E2, Annex H/6 (HSC/25 – Report)
NR0115E1 (RSC/22)
NR0133E2, Annex D/5 (RSC/22 – Report)
NR0188E1 (RSC/24)

NR0201E1 (RSC/24)
NR0205E2, Annex E (RSC/24 – Report)
NR0265B3, Annex G (RSC/25 – Report)

I. BACKGROUND

1. During the 25th Session of the Harmonized System Review Sub-Committee, the Delegate of the EC informed the Sub-Committee about an initiative to review the Harmonized System with respect to certain products, using information technology, of Chapters 84, 85 and 90 (Doc. NR0265B3, Annex G (RSC/25 – Report)).
2. On 10 July 2002, the Secretariat received a note from the EC containing the framework proposals to amend (i) the Notes to Section XVI and to Chapters 84, 85 and 95, and (ii) various headings of Chapters 84, 85, 90 and 95. The covering note is reproduced below, whereas the actual introduction and suggestions are reproduced in the Annex to this document.

II. NOTE BY THE EC

3. "The EC informed the Harmonized System Review Sub-Committee that it was studying a proposal to update the HS Nomenclature and, more specifically, Chapters 84, 85 and 90 as part of a study on information technology products.

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4. In fact, the EC began this process in 2000, bringing together Nomenclature experts working on the issue of updating Note 5 to Chapter 84 and other relevant legal Notes. During the meetings, it became clear that updating various legal Notes would not resolve the fundamental problem, namely the fact that the Nomenclature itself is no longer up to date.
5. In this connection, the EC was invited to present its proposal for updating the HS Nomenclature in detail, so that the amendments could be examined as soon as possible with a view to their implementation in 2007.
6. Please find attached a note from the European Community containing its proposal. This proposal is also in keeping with the “Innovative approach to the Harmonized System” currently being examined by the Policy Commission, based on an Australian proposal (Docs. SP0088 and SP0101) for an approach aimed at conducting a major review of the HS Nomenclature.
7. I would be grateful if you could include the EC’s proposal on the Agenda for the Harmonized System Review Sub-Committee’s 26th Session.

III. SECRETARIAT COMMENTS

8. Following the above request, the Secretariat has inserted the EC submission on the Agenda and has prepared this working document. As indicated in the EC submission, the submission should serve as a starting point for the discussions in the Sub-Committee. That being the case and given the recent arrival of the submission, the Secretariat has refrained from offering any comments on the proposals at this point. Nonetheless, it has rectified certain typing errors in Appendix 2, i.e., (i) inserting a dash before the first subheading of the structure of proposed heading 85.43 in the French version, (ii) replacing the single dash by two dashes in the description of proposed subheadings 8543.10 and 8543.19, (iii) replacing the code 8543.10 by 8543.11, (iv) replacing the word “Reseaux” by “Réseaux” in the French version of proposed subheading 8555.10, and (v) replacing “95.04-95.03” by “95.01-95.03”, in the left hand column for the changes to Chapter 95.
9. Having said this, the Secretariat would like to draw the Sub-Committee’s attention to Agenda Items III.A.16, III.A.17, III.A.18, III.A.19 and III.B.1, which deal to a certain extent with the same headings as those covered by the EC proposal.

IV. CONCLUSION

10. The Sub-Committee is invited to examine the proposed draft amendments to the Nomenclature suggested by the EC, as set out in the Annex to this document.

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