



HARMONIZED SYSTEM
REVIEW SUB-COMMITTEE

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(+ Annexes I and II)
O. Eng.

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POSSIBLE AMENDMENTS TO HEADINGS 85.35 AND 85.36

(PROPOSAL BY THE EC)

(Item III.B.11 on Agenda)

I. BACKGROUND

1. By letter of 23 January, the EC has presented a note setting out proposals to amend the Nomenclature to Chapter 85. The EC has indicated that, following the possible adoption of its proposals, it will prepare draft amendments to the Explanatory Notes. The EC note is reproduced in Annex I to this document. The usual layout of the proposals as well as alternative proposals prepared by the Secretariat, are reproduced in Annex II to this document.

II. SECRETARIAT COMMENTS

2. The EC suggests introducing the term “connectors” (French : “connecteurs”) in the wording of headings 85.35 and 85.36 with a view to clarifying their classification. The Secretariat has noted that the same term occurs in the English version of the Explanatory Note to heading 85.36 (first paragraph, item (III) (B), on page 1688), although it is preceded by the word “other”. The French version of the same Explanatory Note refers to “autres contacts”.
3. That being said, the Secretariat would like to draw the Sub-Committee’s attention to the structure of part (III) of the Explanatory Note to heading 85.36 (on pages 1687 and 1688), which applies, *mutatis mutandis*, to heading 85.35. Item (A) of part (III) refers to “plugs, sockets and other contacts” (French : “les fiches et prises de courant”), which appears to be a sub-category of “connectors, terminals, terminal strips” (French : “autres contacts”), as referred to in item (B) of the same Explanatory Note. That being the case, the Secretariat suggest the following alternative for the proposed amendments to headings 85.35 and 85.36 :

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

File No. 2973

Heading 85.35 :

Delete **“plugs,”** and substitute : **“plugs and other connectors,”**.

(French version : replace **“prises de courant,”** by **“prises de courant et autres connecteurs,”**).

Heading 85.36 :

Delete **“lamp-holders,”** and substitute : **“lamp-holders and other connectors,”**.

(French version : replace **“douilles pour lampes,”** by **“douilles pour lampes et autres connecteurs,”**).

4. The Secretariat has reproduced these proposals as an alternative in Annex II to this document.
5. With respect to the **EC** proposal to add a reference to “connectors for optical fibre cables” at the end of heading 85.36, the Secretariat would like to offer the following comments.
6. Since this part will be added as a new, separate part of the heading text after a semicolon, and since the first part of the heading text does not refer to connectors for optical fibre cables, the Secretariat considers that the word “other” in front of “connectors” is superfluous and possibly confusing. It, therefore, suggest deleting this term if the proposal to add a reference to this type of connector is acceptable to the Sub-Committee.
7. The Secretariat also suggests using the terminology found in headings 85.44 and 90.01 with respect to optical fibres, optical fibre bundles and optical fibre cables. The duly amended proposal would then read as follows :

“connectors for optical fibres, for optical fibre bundles or for optical fibre cables”

(French version : **“connecteurs pour fibres optiques, pour faisceaux de fibres optiques ou pour câbles de fibres optiques”**).
8. The Secretariat suggests using this text for proposed subheading 8536.70, as well. The texts have been reproduced as alternative proposals in Annex II to this document.
9. In this connection, the Secretariat would like to draw the Sub-Committee’s attention to some consequences of adopting the proposal to classify connectors for optical fibres, for optical fibre bundles or for optical fibre cables in heading 85.36.
10. First, parts suitable for use solely or principally with such connectors will be transferred from other Sections to heading 85.38.
11. Second, boards, panels, consoles, etc., comprising one electrical apparatus of heading 85.36 and connectors for optical fibres or optical fibre cables, will be classifiable in heading 85.37.
12. Finally, connectors for optical fibres, for optical fibre bundles or for optical fibre cables of heading 90.01, may be considered as accessories for these fibres, bundles and cables. Such accessories are classifiable in heading 90.01, by virtue of Note 2 (b) to Chapter 90. In

order to avoid any conflicting situation, if the proposed amendment is adopted, the Secretariat suggests inserting a new exclusion in Note 1 (h) to Chapter 90, as follows :

“connectors for optical fibres, for optical fibre bundles or for optical fibre cables (heading 85.36)”

(French version : “connecteurs pour fibres optiques, pour faisceaux de fibres optiques ou pour câbles de fibres optiques (n° 85.36)”).

13. The draft amendment is reproduced in Annex II to this document.

III. CONCLUSION

14. The Sub-Committee is invited to examine the **EC** proposal to amend headings 85.35 and 85.36, as set out in Annex I to this document, taking into account the comments and alternative proposals of the Secretariat in paragraphs 2 to 13 above. The proposed amendments and alternative texts are set out in Annex II to this document.

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EC PROPOSAL

Subject : Possible amendment of the HS Nomenclature in order to identify connectors for electronics

BACKGROUND

1. Electronics connectors are the devices which link the signal transmission circuits of electronic equipments. They are used extensively in communications, automotive, data processing, consumer, military, aerospace and industrial markets.
2. These products are supplied by a powerful industry (sales in **Europe** alone over 7 billion **Euros** in 2001). The international trade of these products is now dramatically growing, due to the world-wide localisation of the OEMs production plants to which they are supplied for integration in the final electronics products and systems.
3. This proposal, on the one hand, aims at keeping connectors for electronics classified in headings 85.35 or 85.36 taking into account whether they are designed for a voltage exceeding or not exceeding 1,000 volts respectively. On the other hand, it aims at putting all "optical" connectors in heading 85.36 (subheading 8536.70).

PROPOSAL

Heading 85.35 : New wording in order to add the term "connectors" to the list of examples :

"Electrical apparatus for switching or protecting electrical circuits, or for making connections to or in electrical circuits (for example, switches, fuses, lightning arresters, voltage limiters, surge suppressors, connectors, plugs, junction boxes), for a voltage exceeding 1,000 volts."

Heading 85.36 :

- (1) New heading text in order to
 - add the term "connectors" to the list of examples, and
 - add a reference to "optical connectors" at the end :

"Electrical apparatus for switching or protecting electrical circuits, or for making connections to or in electrical circuits (for example, switches, relays, fuses, surge suppressors, connectors, plugs, sockets, lamp-holders, junction boxes), for a voltage not exceeding 1,000 volts; other connectors for optical fibres, optical fibre bundles and cables."

- (2) New subheading aiming at specialising "optical connectors" :

8536.70 - Other connectors for optical fibres, optical fibre bundles and cables

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