



HARMONIZED SYSTEM
COMMITTEE
-
31st Session
-

NC0704E1
(+ Annex)

O. Fr.

Brussels, 24 March 2003.

POSSIBLE AMENDMENT OF THE EXPLANATORY NOTE TO HEADING 95.05
(PROPOSAL BY THE EC)
(Item VIII.18 on Agenda)

Reference documents :

NC0635E1

NC0655F2, Annex H/21 (HSC/30 - Report)

I. BACKGROUND

1. At its 30th Session (November 2002), the Committee conducted a preliminary examination of the proposal by the EC to align the two versions of Part (A), Items (1) and (2) of the Explanatory Note to heading 95.05. During the discussion, the EC indicated that it could support the Secretariat's approach set out in the Annex to Doc. NC0635E1 to draft a new text for the Explanatory Note at issue. The Committee then decided to place the texts proposed by the Secretariat in square brackets for re-examination at its next session.
2. The Secretariat was consequently instructed to prepare a new document taking account of the views expressed during the meeting as well as any additional contributions by administrations.

II. SECRETARIAT COMMENTS

3. At the time of preparation of this document, the Secretariat had still not received any contributions on this matter from Customs administrations.
4. The Secretariat considers that the draft texts that the Committee examined and decided to place in square brackets are more accurate than the previous version, and that the French and English versions are now identical. The texts also take account of cultural differences between the French and English-speaking communities and of the way in which they celebrate festivals, particularly Christmas.

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5. Moreover, in accordance with the views expressed by several delegates during the discussions, the Secretariat has deleted the English expression “of a kind” and the French equivalent “des types” from both drafts of Item (1).
6. The Secretariat considers that the current version of the texts, set out in the Annex hereto, allays the concerns expressed by the **EC** while continuing to accommodate the cultural differences between the French and English-speaking communities.

III. CONCLUSION

7. The Committee is invited to examine the draft text set out at the Annex hereto, in the light of the information submitted by the **EC** in Doc. NC0635E1 and the Secretariat’s comments.

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