



WORLD TRADE ORGANIZATION
ORGANISATION MONDIALE DU COMMERCE
ORGANIZACIÓN MUNDIAL DEL COMERCIO

Reference: WLI/100

19 March 2010

**MARRAKESH AGREEMENT ESTABLISHING
THE WORLD TRADE ORGANIZATION
DONE AT MARRAKESH ON 15 APRIL 1994**

GENERAL AGREEMENT ON TARIFFS AND TRADE 1994

**CERTIFICATION OF MODIFICATIONS AND RECTIFICATIONS TO
SCHEDULE CXL - EUROPEAN COMMUNITIES¹**

TRANSMISSION OF CERTIFIED TRUE COPY

I have the honour to furnish herewith a certified true copy of the Certification of Modifications and Rectifications to Schedule **CXL - European Communities**, effective **22 February 2010**.

Pascal Lamy
Director-General

10-1486

WT/Let/667

¹ On 1 December 2009, the Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community (done at Lisbon, 13 December 2007) entered into force. On 29 November 2009, the WTO received a Verbal Note (WT/L/779) from the Council of the European Union and the Commission of the European Communities stating that, by virtue of the Treaty of Lisbon, as of 1 December 2009, the European Union replaces and succeeds the European Community.

**SCHEDULES OF TARIFF CONCESSIONS TO THE
GENERAL AGREEMENT ON TARIFFS AND TRADE 1994**

CERTIFICATION OF MODIFICATIONS AND RECTIFICATIONS

SCHEDULE CXL - EUROPEAN COMMUNITIES

WHEREAS the CONTRACTING PARTIES to the General Agreement on Tariffs and Trade 1947 adopted, on 26 March 1980, a Decision on Procedures for Modification and Rectification of Schedules of Tariff Concessions (BISD 27S/25);

WHEREAS in accordance with the provisions of the above-mentioned Decision, a draft containing modifications and rectifications to Schedule **CXL - European Communities** was communicated to all Members of the World Trade Organization in document G/MA/TAR/RS/74 dated 15 December 2000;

IT IS HEREBY CERTIFIED that the modifications and rectifications to Schedule **CXL - European Communities** are established in conformity with the above-mentioned Decision.

The annexed modifications and rectifications are effective as of **22 February 2010**

This Certification is deposited with the Director-General of the World Trade Organization, who shall promptly furnish a certified true copy to each Member of the World Trade Organization. It shall be registered in accordance with the provisions of Article 102 of the Charter of the United Nations.

DONE at Geneva this fifth day of March, two thousand and ten.

Pascal Lamy

Certified true copy:

Director-General

SCHEDULE CXL - EUROPEAN COMMUNITIES

This Schedule is authentic only in the English language

22 February 2010

Schedule CXL - European Communities

RECTIFICATION AND MODIFICATIONS OF SCHEDULES

INFORMATION TECHNOLOGY AGREEMENT (G/MA/TAR/RS16)¹

When the European Communities notified their commitments under the Information Technology Agreement in doc. G/MA/TAR/RS/16 of 2 April 1997, they indicated that the EC would classify "set-top boxes", an Attachment B product, under the following tariff lines: 8517 50 90, 8517 80 90 and 8525 20 99, all duty-free from 1 January 2000.

Customs experts from ITA participants have met several times to discuss classification divergences on ITA products, as mandated by paragraph 5 of the Annex to the Ministerial Declaration of 13 December 1996. Their recommendations to the Committee of Participants to the Agreement are contained in doc. G/IT/14 of 6 September 2000.

As indicated in that document, the European Communities have decided to join some other ITA participants in classifying certain types of ITA set-top boxes under HS sub-heading 8528 12. The European Communities have created a new tariff line for such set-top boxes, as follows:

		Base rate	Final rate	Implementation
8528 12 91	----- Apparatus with a microprocessor-based device incorporating a modem for gaining access to the Internet, and having a function of interactive information exchange, capable of receiving television signals ("Set-top boxes with a communication function")	New line	0.0	2000

This change took effect from 1 October 2000². It is without prejudice to other possible changes in ITA product classification that may be necessary once the Committee of Participants to the Agreement has completed its examination of the recommendations from customs experts.

Consequently, the tariff references shown against product descriptions in Attachment B of the ITA Schedule of the European Communities should be modified as follows:

Set-top boxes: Replace by following reference: 8517.50.90 (unchanged), 8517.80.90 (unchanged), 8525.20.99 (unchanged), **8528.12.91 (new)**.

¹ Certified in document WT/LET/156.

² Council Regulation (EC) N° 2559/2000 of 16 November 2000, published in the Official Journal of the European Communities, L 293 of 22 November 2000