

COMMISSION OF THE EUROPEAN COMMUNITIES

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EEC-AUSTRIA AGREEMENT
- COMMUNITY TRANSIT -

DRAFT OF A
DECISION OF THE JOINT COMMITTEE

amending Appendix VII to the Agreement between the European
Economic Community and the Republic of Austria on the application
of the rules on Community transit

DRAFT
DECISION OF THE JOINT COMMITTEE

amending Appendix II A to the Agreement between the European
Economic Community and the Republic of Austria on the application
of the rules on Community transit

DRAFT
DECISION OF THE JOINT COMMITTEE

adopting its Rules of Procedure

(submitted to the Council by the Commission)

NOTE FROM THE COMMISSION TO THE COUNCIL

The Community provisions (1) relating to the list of airline companies to which the Community transit waiver of guarantee applies and to the use of loading lists as the descriptive part of Community transit declarations have recently been modified by Commission regulations (2).

These amendments also affect the traffic of goods with Austria under the Agreement concluded between the Community and that country in respect of the implementation of the regulations on Community transit (3). Consequently the amendments must be taken into account under the Agreement modifying Annexes IIA and VII annexed thereto.

This will be the effect of the two draft Decisions of the Joint Committee EEC - Austria "Community transit" which the Council is recommended to adopt by the Community under the aegis of the Joint Committees set up by the Agreements EEC - Austria and EEC - Switzerland on the implementation of the regulations on (2) Community transit.

The third draft decision which the Council is recommended to adopt on behalf of the Community concerns the Procedural Rules of the Joint Committee. The text of the draft has been largely drawn from procedural rules adopted under other agreements concluded between the Community and Austria.

The draft Decisions to be submitted to the Joint Committee EEC - Switzerland will be identical with those which are the subject of this note. It should be noted that the drafts have been discussed: the Working groups set up by the Joint Committees EEC - Austria and EEC - Switzerland.

These drafts should be submitted for approval to the Joint Committees as soon as possible.

- (1) Regulations (EEC) 2588/69 of 22.12.1969 (O.J. No. L 322, 24.12.1969, p.32
Regulation (EEC) 1461/73 of 16.5.1973 (O.J. No. L 145, 2.6.1973, p.7
- (2) Regulation (EEC) 757/74 of 1.4.1974 (O.J. L 91, 2.4.1974, p.4
Regulation (EEC) 1676/74 of 28.6.1974 (O.J. L 175, 29.6.1974, p.79
- (3) Regulation (EEC) 2813/72 of 21.11.1972, O.J. L 294, 29.12.1973, p.86

DRAFT OF A
DECISION OF THE JOINT COMMITTEE

amending Appendix VII to the Agreement between the European Economic Community and the Republic of Austria on the application of the rules on Community transit

THE JOINT COMMITTEE,

HAVING REGARD to the Agreement between the European Economic Community and the Republic of Austria on the application of the rules on Community transit, signed in Brussels on 30 November 1972, and in particular Article 16 (3) thereof;

WHEREAS the list of airline companies exempt from the requirement of a guarantee under the Community transit arrangements has recently been amended by a Regulation of the Commission; whereas it is therefore necessary to amend accordingly the list set out in Appendix VII to the said Agreement;

HAS DECIDED AS FOLLOWS :

Article 1

Appendix VII to the Agreement between the European Economic Community and the Republic of Austria on the application of the rules on Community transit, as amended by Joint Committee Decision No 2/74 of 1 January 1974, is amended as follows :

1. The footnote is replaced by the following :

"(1) List as revised by Regulation (EEC) 2625/73 of 26 September 1973, as amended by Regulation 757/74 (EEC) of 1 January 1974".

2. The list set out in the Annex is amended as follows :

(a) The expression "Aer Lingus Teoranta (Irish International), Dublin" is replaced by the expression "Aer Lingus Teoranta (Irish Airlines), Dublin";

(b) The following companies are added :

- after "Austrian Airlines, Wien", insert
"Austrian Airtransport, Osterreichische Flugbetriebs GmbH, Wien";
- after "Aviation Hamburg", insert
"Balair Ltd., Basel"
- after "SAS Stockholm", insert
"SATA - S.A. de transport aerien, Geneve".

Article 2

This Decision shall enter into force on

1974.

Done at Brussels
The Secretaries

For the Joint Committee
The President

DRAFT

DECISION OF THE JOINT COMMITTEE

amending Appendix II A to the Agreement between the European Economic Community and the Republic of Austria on the application of the rules on Community transit

THE JOINT COMMITTEE,

HAVING REGARD to the Agreement between the European Economic Community and the Republic of Austria on the application of the rules on Community transit, signed in Brussels on 30 November 1972, and in particular Article 16 (3) (a) thereof;

WHEREAS Community provisions on the use of loading lists as the descriptive part of Community transit declarations have recently been amended by a Regulation of the Commission; whereas it is therefore necessary to amend accordingly the provisions of Appendix II A to the Agreement;

HAS DECIDED AS FOLLOWS :

Article 1

Appendix II A, as added by Joint Committee Decision No 3/74 to the Agreement between the European Economic Community and the Republic of Austria on the application of the rules on Community transit, is amended as follows :

- (a) In the Title there is inserted in superscript, between the date "16 May 1974" and the dash, the figure "(1)".
- (b) The following footnote is added :
"(1) As amended by Regulation (EEC) No 1676/76 of 28.6.74".
- (c) There is inserted in the Regulation set out therein, after Article 3 an Article 3 a as follows :

"Article 3a

The customs authorities of each Member State may allow firms established in their country whose records are based on a system of electronic or mechanical data processing to use loading lists which, although not complying with all the conditions of Articles 2 and 3, are designed and completed in such a way that they can be used without difficulty by the customs and statistical authorities in question".

(d) Article 4 of the Regulation as aforesaid is amended to read as follows :

"Article 4

1. When Regulation (EEC) No. 304/71 (1) on the simplification of Community procedures for goods carried by railways operates, the provisions of Articles 2, 3 and 3A of this Regulation shall apply to loading lists which accompany the International Consignment Note and the number of the accompanying lists shall be shown in box 32 of the Consignment Note.

In addition each loading list must include the wagon number to which the Consignment Note refers or, where appropriate, the number of the container in which the goods are carried.

2. For operations beginning within the Community comprising at the same time goods referred to in Article 1 (2) and in Article 1 (3) of Regulation (EEC) No. 542/69 separate loading lists shall be used and the serial numbers of the loading lists relating to the goods referred to in Article 1 (2) of that Regulation inserted in the "Description of goods" box on the International Consignment Note."

Article 2

Loading lists as referred to in Article 3a of Appendix IIA must in all cases include particulars as to the number, nature, marks and numbers of the packages, the description of the goods, the gross weight in kilograms of each consignment and the country from which the goods are consigned.

Article 3

This Decision shall enter into force on [.....].

Done at Brussels
The Secretaries

For the Joint Committee
The President

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DRAFT
DECISION OF THE JOINT COMMITTEE
adopting its Rules of Procedure

THE JOINT COMMITTEE,

HAVING REGARD to the Agreement between the European Economic Community and the Republic of Austria on the application of the rules on Community transit, and in particular Article 15 thereof;

HAS DECIDED AS FOLLOWS :

Article 1

The Joint Committee shall be chaired in turn for each calendar year by a representative of each of the two Parties to the Agreement.

Article 2

After obtaining the agreement of both Parties, the Chairman of the Joint Committee shall fix the dates and times of meetings.

Article 3

Before each meeting the Chairman shall be informed of the names of the members of each delegation.

Article 4

Subject to any decision to the contrary, the meetings of the Joint Committee shall not be open to the public.

Article 5

The Joint Committee's decisions on urgent matters may, if both Parties so agree, be taken by written procedure.

Article 6

All communications from the Chairman in accordance with these rules of procedure shall be addressed to the Secretary General of the Commission of the European Communities to the Secretariat of the Council of the European Communities and to the Austrian Mission to the European Communities.

Article 7

1. The Chairman shall draw up the provisional agenda for each meeting. It shall be forwarded to the addressees referred to in the preceding Article not later than fifteen days before the beginning of the meeting.

The provisional agenda shall include those items in respect of which the Chairman has received a request for inclusion in the agenda not later than twenty-one days before the beginning of the meeting.

Items shall not be written into the provisional agenda unless the relevant documentation has been forwarded to the addressees referred to in the preceding Article by the date on which the agenda is sent out.

The agenda shall be adopted by the Joint Committee at the beginning of each meeting. An item other than those appearing on the provisional agenda may be placed on the agenda if the two Parties so agree.

2. The Chairman may, with the agreement of both Parties, shorten the periods specified in paragraph 1 in order to take account of the requirements of a particular case.

Article 8

The Joint Committee may set up working groups instructed to prepare its business and in particular to examine any problem concerning the practical application of the Agreement. These working groups may meet with other groups set up under the Agreements concluded by the Community with other States with a view to the implementation of the Community transit regulations.

Article 9

Minutes shall be taken for each meeting and shall include in particular a summary, based on a summing up of the proceedings by the Chairman, of the conclusions arrived at by the Joint Committee.

Upon adoption by the Joint Committee, the minutes shall be signed by the acting Chairman and by the Secretaries of the Joint Committee and shall be kept in the records of the Joint Committee. A copy of the minutes shall be forwarded to each of the addressees referred to in Article 6 above.

Article 10

The official languages of the Joint Committee shall be Danish, Dutch, English, French, German and Italian.

Subject to any decision to the contrary, the Joint Committee shall base its discussions on documentation drawn up in these six languages.

Article 11

Acts of the Joint Committee shall be signed by the Chairman.

Article 12

Recommendations and Decisions of the Joint Committee within the meaning of Article 16 of the Agreement shall be entitled "Recommendation" or "Decision" followed by a serial number and a reference to their subject matter.

Article 13

Recommendations and Decisions within the meaning of Article 16 of the Agreement shall be divided into Articles. [As a general rule Decisions shall include a provision specifying their date of entry into force.]

The acts referred to in the paragraph above shall end with the words "Done at.....,(date)", the date being that on which they were adopted by the Joint Committee.

Recommendations and Decisions of the Joint Committee shall be forwarded to the addressees referred to in Article 6 above.

Article 14

The office of Secretary to the Joint Committee shall be filled jointly by an official from each of the two Parties to the Agreement.

Article 15

The two Parties to the Agreement shall each bear their own expenses incurred as a result of participation in meetings of the Joint Committee and of the working parties in respect of staff, travelling and subsistence expenses and also of postal and telecommunication costs.

Expenses in respect of interpretation at meetings and of translation and duplication of documents and also those relating to the material organization of meetings shall normally be borne by the Community.

Article 16

Without prejudice to other provisions applicable in this matter, the business of the Joint Committee shall be confidential.

Article 17

Correspondence for the Joint Committee shall be addressed to its Chairman.

Secretaries

Done at Brussels,
For the Joint Committee
The Chairman