

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(82) 229 final

Brussels, 5 May 1982

Recommendation for a

COUNCIL DECISION

accepting on behalf of the Community the Recommendation of the
Customs Co-operation Council of 16 May 1979 concerning customs
requirements regarding commercial invoices

(submitted to the Council by the Commission)

COM(82) 229 final

EXPLANATORY MEMORANDUM

In the light of its purpose, which is to facilitate international trade and to ensure the highest possible degree of harmonisation and uniformity in customs matters, this Recommendation, which deals with a subject of special interest for the functioning of customs services given recent developments in communication technology, directly concerns the operation of the customs union and, consequently, the implementation of the Community's commercial policy.

The Recommendation was adopted by the CCC in May 1979. The Community should now adopt its position on it. It should be noted that Belgium has already accepted the Recommendation on 10 September 1979. This Recommendation has been examined in detail by the relevant Commission departments and by representatives of the Member States.

Following this examination it seems possible to accept the Recommendation without reservation.

In light of the wish of the Community and the Member States to announce this acceptance at the next session of the Customs Cooperation Council, the decision accepting the recommendation should be adopted as soon as possible. For this reason the Commission, in its concern for operational effectiveness and guided by the previous practice of the Council when accepting annexes to the Kyoto Convention, recommends it to adopt the decision concerning the recommendation of the Customs Cooperation Council on the basis of the Treaty as a whole.

CONCLUSION

The Commission recommends that the Council,
accept with immediate effect the Recommendation of the
Customs Cooperation Council concerning customs requirements regarding
commercial invoices.

Recommendation for a
COUNCIL DECISION

accepting on behalf of the Community the

Recommendation of the Customs Co-operation Council of 16 May 1979
concerning customs requirements regarding commercial invoices

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community

Having regard to the recommendation from the Commission,

Whereas the Recommendation of the Customs Co-operation Council concerning
customs requirements regarding commercial invoices can be accepted by
the Community with immediate effect,

HAS DECIDED AS FOLLOWS :

Article 1

The Recommendation of 16 May 1979 of the Customs Co-operation Council
concerning customs requirements regarding commercial invoices is hereby
accepted on behalf of the Community with immediate effect. The text
of the said Recommendation is produced in the Annex.

Article 2

The President of the Council shall designate the person empowered to
inform the Secretariat-General of the Customs Co-operation Council of the
acceptance by the Community with immediate effect of the Recommendation
referred to in Article 1.

Done at Brussels,

For the Council,

President

ANNEX

RECOMMENDATION OF THE
CUSTOMS CO-OPERATION COUNCIL OF 16 MAY 1979
CONCERNING CUSTOMS REQUIREMENTS
REGARDING COMMERCIAL INVOICES

THE CUSTOMS CO-OPERATION COUNCIL,

DESIRING to facilitate international trade by making it possible for trade circles to employ modern methods of data reproduction and transmission,

TAKING INTO ACCOUNT inter alia the efforts being made at international level to enable all the documents required for an international trade transaction to be prepared from a single master by the one-run method,

TAKING INTO ACCOUNT the Recommendation concerning signatures and authentication adopted in March 1979 by the Working Party on Facilitation of International Trade Procedures of the Economic Commission for Europe, which notes in particular that the general adoption of mechanical or electronic methods of data transfer requires changes in current practice regarding handwritten signatures,

CONSIDERING that the requirement of a signature on the commercial invoice for Customs purposes does not afford the Customs any particular guarantee of its accuracy,

RECOMMENDS that Members should :

1. accept commercial invoices produced by any process, for example the one-run method, in cases where the presentation of the commercial invoice is required in connexion with the clearance of goods;

2. refrain from requiring a signature, for Customs purposes, on commercial invoices presented in support of a Goods declaration,

REQUESTS Members who accept this Recommendation to notify the Secretary General of their acceptance, of the date from which they will apply the Recommendation, and of the conditions of its application. The Secretary General will transmit this information to the Customs administrations of Members.