

European Communities

EUROPEAN PARLIAMENT

Working Documents

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19 March 1984

DOCUMENT 1-1545/83

Report

drawn up on behalf of the Committee on Economic and
Monetary Affairs

on the proposal from the Commission of the European
Communities (Doc. 1-1265/83 - COM(83) 730 final) for
a fourth Council directive amending Directive 74/651/EEC
on the tax reliefs to be allowed on the importation of
goods in small consignments of a non-commercial character
within the Community

Rapporteur: Mr D. ROGALLA

PE 89.087/fin.
Or. Fr.

By letter of 23 December 1983, the President of the Council of the European Communities requested the European Parliament to deliver an opinion, pursuant to Articles 99 and 100 of the EEC Treaty, on the proposal from the Commission of the European Communities for a fourth Council directive amending Directive 74/651/EEC on the tax reliefs to be allowed on the importation of goods in small consignments of a non-commercial character within the Community (COM(83) 730 final).

On 16 January 1984, the President of the European Parliament referred this proposal to the Committee on Economic and Monetary Affairs.

At its meeting of 31 January and 1 February 1984, the Committee on Economic and Monetary Affairs appointed Mr ROGALLA rapporteur.

The committee considered the Commission's proposal and the draft report at its meeting of 28/29 February 1984 and decided unanimously to recommend to Parliament that it approve the Commission's proposals with the following amendments.

The committee then unanimously adopted the motion for a resolution as a whole.

The following took part in the vote: Mr J. MOREAU, chairman; Mr HOPPER, vice-chairman; Mr DELEAU, vice-chairman; Mr ROGALLA, rapporteur (deputizing for Mr SCHINZEL); Mr DELOROZOY, Mr FERNANDEZ, Mr de FERRANTI, Mr LEONARDI, Mrs R. NIELSEN (deputizing for Mr DE GUCHT), Mr TUCKMAN (deputizing for Mr BEAZLEY), Mr VERGEER, Mr WEDEKIND (deputizing for Mr von BISMARCK) and Mr von WOGAU.

The explanatory statement will be submitted to the House orally by the rapporteur.

The report was tabled on 7 March 1984.

The deadline for tabling amendments to this report will be indicated in the draft agenda for the part-session at which it will be debated.

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The Committee on Economic and Monetary Affairs hereby submits to the European Parliament the following amendments to the Commission's proposal and motion for a resolution:

- I. Proposal from the Commission of the European Communities for a fourth Council directive amending Directive 74/651/EEC on the tax reliefs to be allowed on the importation of goods in small consignments of a non-commercial character within the Community

Amendments tabled by the
Committee on Economic and
Monetary Affairs

Text proposed by the Commission
of the European Communities

Preamble and recitals unchanged

Amendment 1

Article 1

1. Article 1(2)(d) is replaced by the following:

(d) do not have, for each consignment, a total value exceeding:

- as from 1 June 1984, 190 ECU;
- as from 1 January 1985, 210 ECU;
- as from 1 January 1986, 230 ECU;
- as from 1 January 1987, 260 ECU;

Article 2

1. Unchanged

Article 1

1. Article 1(2)(d) is replaced by the following:

(d) do not have, for each consignment, a total value exceeding:

- as from 1 January 1984, 95 ECU;
- as from 1 January 1985, 105 ECU;
- as from 1 January 1986, 115 ECU;
- as from 1 January 1987, 130 ECU;

2. The following articles are inserted after Article 1:

Article 2

1. Newspapers, reviews and other periodicals, brochures and books sent in small consignments from one Member State by a taxable person within the meaning of

Article 4 of the Council Directive (77/388/EEC)(1) to a private person in another Member State shall, on import, be allowed relief from turnover taxes and/or excise duties.

2. For the purposes of paragraph 1, 'small consignments' means consignments of goods which:
- a) have been supplied subject to the general conditions governing taxation on the domestic market of the Member State from which they were sent and with no refund of turnover taxes and/or excise duties;

Amendment 2

Article 2(2)b)

d) Delete

d) are not intended for commercial use and appear from their quantity to be intended solely for the personal or family use of the recipient;

Amendment 3

Article 2(2)c)

e) do not have a total value exceeding 100 ECU for each consignment.

c) do not have a total value exceeding 22 ECU for each consignment.

Rest unchanged.

MOTION FOR A RESOLUTION

closing the procedure for consultation of the European Parliament on the proposal from the Commission of the European Communities to the Council for a fourth directive amending Directive 74/651/EEC on the tax reliefs to be allowed on the importation of goods in small consignments of a non-commercial character within the Community

The European Parliament

- having regard to the proposal from the Commission of the European Communities to the Council (COM(83) 730 final),
- having been consulted by the Council (Doc. 1-1265/83),
- having regard to the report of the Committee on Economic and Monetary Affairs (Doc. 1-1545/83),
- having regard to the result of the vote on the Commission's proposal,
 1. Regrets that the total abolition of the system of tax reliefs in line with current Community law (on the customs union, internal market and the free movement of goods and persons, plus the harmonization of fiscal legislation has still not materialized in the Community because of the failure to act of the Council and Commission;
 2. Considers that unfortunately the increases in tax relief on small consignments of a non-commercial character within the Community adopted since introduction of the common system have not fully, and at best only partly, compensated for annual price rises and have therefore failed to maintain their real value;
 3. Welcomes therefore the present proposal which envisages a multi-annual programme to increase the relevant tax reliefs and a semi-automatic system designed simply to offset any reduction in the amount of relief in national currency terms which might result from a change in exchange rates;
 4. Regrets that in its Directive 83/181/EEC of 18 March 1983 the Council did not adopt the Commission's proposal that consignments of a commercial nature whose total value did not exceed 22 ECU should also be exempt but made such relief an optional provision rather than an obligation; fears that such an

optional provision will be applied only in an extremely limited number of cases and that it will give rise to an excess of red tape of the kind often complained of by the Member States; calls for the tax reliefs envisaged to be applied to commercial consignments too;

5. Supports the proposal that such exemption for commercial consignments of newspapers, reviews, brochures or books intended for personal use should be compulsory rather than optional as at present; takes the view, however, that the maximum total value of this exemption should be increased to 100 ECU; urges that such relief should be extended to all commercial consignments that are bought under normal market conditions for personal use;
6. Points out that the Commission did not submit the present proposal to the European Parliament until the directive was due to come into force, since the first increase in tax relief was to have applied as from 1 January 1984; regrets that the inevitable result of this delay in submitting the proposal is that it will be impossible to keep to the proposed schedule and considers therefore that the relevant tax reliefs should be increased to 260 ECU at 1 January 1987 and that these should be abolished altogether as from 1 January 1988;
7. Requests the Council to adopt the present proposal without delay;
8. Instructs its President to forward to the Council, the Commission and the national parliaments of the Member States, as Parliament's opinion, the Commission's proposal as voted by Parliament and the corresponding resolutions.