

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(83) 78 final

Brussels, 22 February 1983

Draft for a Decision  
ASSOCIATION COUNCIL EEC/TURKEY

replacing the unit of account by the ECU in Decision No 5/72 on methods of administrative cooperation for implementation of Articles 2 and 3 of the Additional Protocol to the Ankara Agreement

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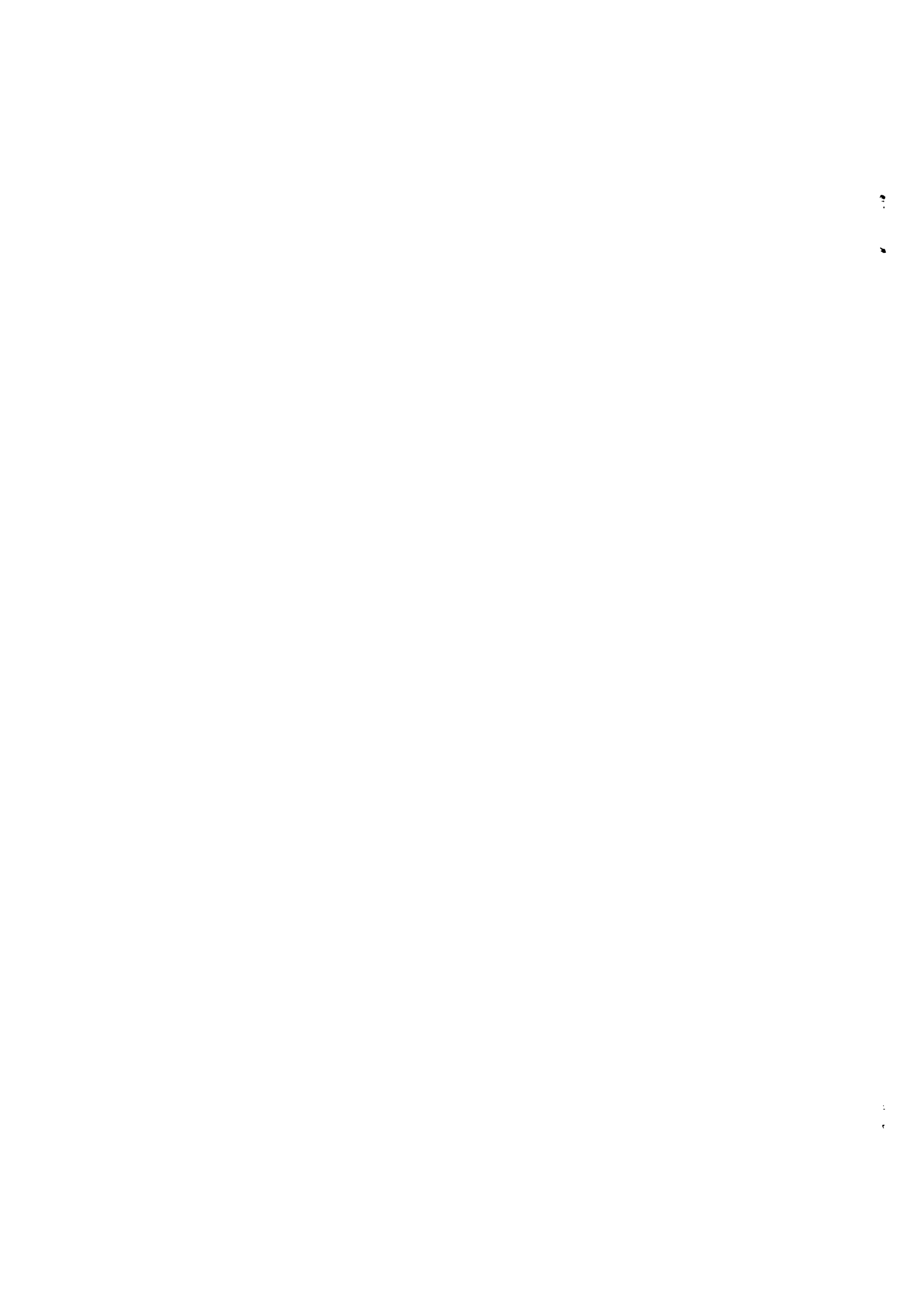
Proposal for a  
COUNCIL REGULATION (EEC)

on the application of Decision of the EEC-Turkey Association Council replacing the unit of account by the ECU in Decision No 5/72 on methods of administrative cooperation for implementation of Articles 2 and 3 of the Additional Protocol to the Ankara Agreement

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(submitted to the Council by the Commission)

COM(83) 78 final



## EXPLANATORY MEMORANDUM

I. The EEC-Turkey Customs Cooperation Committee has prepared a draft decision to be approved by the Association Council before the 1st May 1983. The draft decision is to modify the provisions of Article 10(a) of Decision No 5/72 concerning the amount, below, which a movement certificate A.TR. 1 or A.TR. 3 is unnecessary for dutiable goods accompanied by or forming part of the luggage of a traveller, provided the goods are not intended for commercial purposes. The revisions are:

1. To express the amount in ECU instead of in UA.
2. To align this amount with that actually used in other mediterranean agreements, viz. 325 ECUs. If this amount should be modified in the framework of those agreements at time of adoption of this proposal by the Association Council the Committee has agreed to retain this new amount.
3. In order to simplify the work of the customs Administrations in the Community to adopt the method used in other mediterranean Agreements for conversion of the ECU to national currencies.

- the method is as follows:

- a) the equivalent value of the ECU in national currency is stabilized for a period of two years;
- b) the equivalent value of the ECU in national currency is established on the first working day of October during the year before this period of two years;
- c) In order to give to the customs administrations time to issue appropriate instructions to their services, the entry into force of the new amount occurs on the 1st May of the next year.

The draft decision received a favourable opinion from the Customs Cooperation Committee.

- II. To ensure the execution by the Community of this decision of the Association Council it is necessary to adopt the attached proposed Regulation pursuant to Article 113 of the EEC Treaty.

Draft for a Decision of the  
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replacing the unit of account by the Ecu in Decision No 5/72 on methods of administrative cooperation for implementation of Articles 2 and 3 of the Additional Protocol to the Ankara Agreement

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THE ASSOCIATION COUNCIL

Having regard to the Agreement establishing an Association between the European Economic Community and Turkey,

Having regard to the Additional Protocol to the said Agreement and, in particular, Article 4 thereof,

Whereas the unit of account used in Article 10(a) of Decision No 5/72 of the Association Council on methods of administrative cooperation for implementation of Articles 2 and 3 of the Additional Protocol to the Ankara Agreement,<sup>1</sup> as last amended by Decision No 1/78 of the Association Council,<sup>2</sup> is no longer suited to the present international monetary situation, and it is therefore necessary to adopt a new value for the purpose of determining the amount below which it is not necessary to produce a movement certificate A.TR. 1 or A.TR. 3 in respect of dutiable objects accompanying travellers or forming part of their luggage, provided they are not objects intended for commercial purposes;

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<sup>1</sup> OJ L 59, 5.3.1973, p. 73.  
<sup>2</sup> OJ L 253, 15.9.1978, p. 2.

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Whereas the European Communities introduced the ECU<sup>1</sup> on 1 January 1981;

Whereas the ECU should be used as a common basic unit;

Whereas, for reasons of administrative simplification, that unit must remain unchanged for periods of at least two years;

Whereas the provisions of Article 10(a) of Decision No 5/72 must be supplemented accordingly;

HAD DECIDED AS FOLLOWS:

Article 1

Decision No 5/72 of the Association Council is hereby amended as follows:

1. In Article 10(a), the amount "200 units of account" replaced by "325 ECU".

2. The following paragraphs are added to Article 10(a):

"Up to and including 30 April 1985, the value of the ECU in national currency in a given country shall be the value calculated as at 1 October 1982.

For each successive period of two years thereafter it shall be the equivalent in that national currency of the ECU as at the first working day in October in the year immediately preceding that two-year period.

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<sup>1</sup> The ECU is composed of the sum of specified amounts of the currencies of the Member States as set out in Council Regulation (EEC) No 3180/78.

On the entry in force of this Decision such amounts are as follows:

0.828 German marks	0.14 Luxembourg francs
0.0885 pounds sterling	0.217 Danish kroner
1.15 French francs	0.00759 Irish pounds
109 Italian lire	
0.286 Dutch guilders	
3.66 Belgian francs	

The amount in the national currency of the exporting State equivalent to the amount expressed in this Article shall be fixed by the exporting State and communicated to the Customs Cooperation Committee no later than one month prior to its entry into force.

When this amount is more than the corresponding amount fixed by the importing State, the importing State shall accept it if the goods are invoiced in the currency of the exporting State.

If the goods are invoiced in the currency of another Member State of the Community, the importing State shall recognize the amount notified by the State concerned."

Article 2

This Decision shall enter into force on 1 May 1983.

Done at Brussels,

For the Association Council

The President

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on the application of Decision :        of the EEC-Turkey  
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Articles 2 and 3 of the Additional Protocol to the  
Ankara Agreement

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THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,  
and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas Council Regulation (EEC) No 428/73 of 5 February 1973 on the application  
of Decisions No 5/72 and No 4/72 of the Association Council set up under  
the Agreement establishing an Association between the European Economic  
Community and Turkey<sup>1</sup>, as last amended by Regulation (EEC) No 2152/78<sup>2</sup>,  
implemented in the Community the methods of administrative cooperation  
laid down by Decision No 5/72 for methods of administrative cooperation  
for implementation of Articles 2 and 3 of the Additional Protocol to  
the abovementioned Agreement;

Whereas these methods have been amended by Decision No        /83 of the  
EEC-Turkey Association Council, and it is therefore necessary to ensure  
the implementation of this Decision in the Community,

HAS ADOPTED THIS REGULATION:

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<sup>1</sup>OJ No L 59, 5.3.1973, p. 73.

<sup>2</sup>OJ No L 253, 15.9.1978, p. 1

Article 1

Decision No 1/83 of the EEC-Turkey Association Council  
shall apply in the Community.

The text of the Decision is annexed to this Regulation.

Article 2

This Regulation shall enter into force on 1 May 1983.

This Regulation shall be binding in its entirety and directly applicable  
in all Member States.

Done at Brussels .....

For the Council

The President