

COMMISSION OF THE EUROPEAN COMMUNITIES

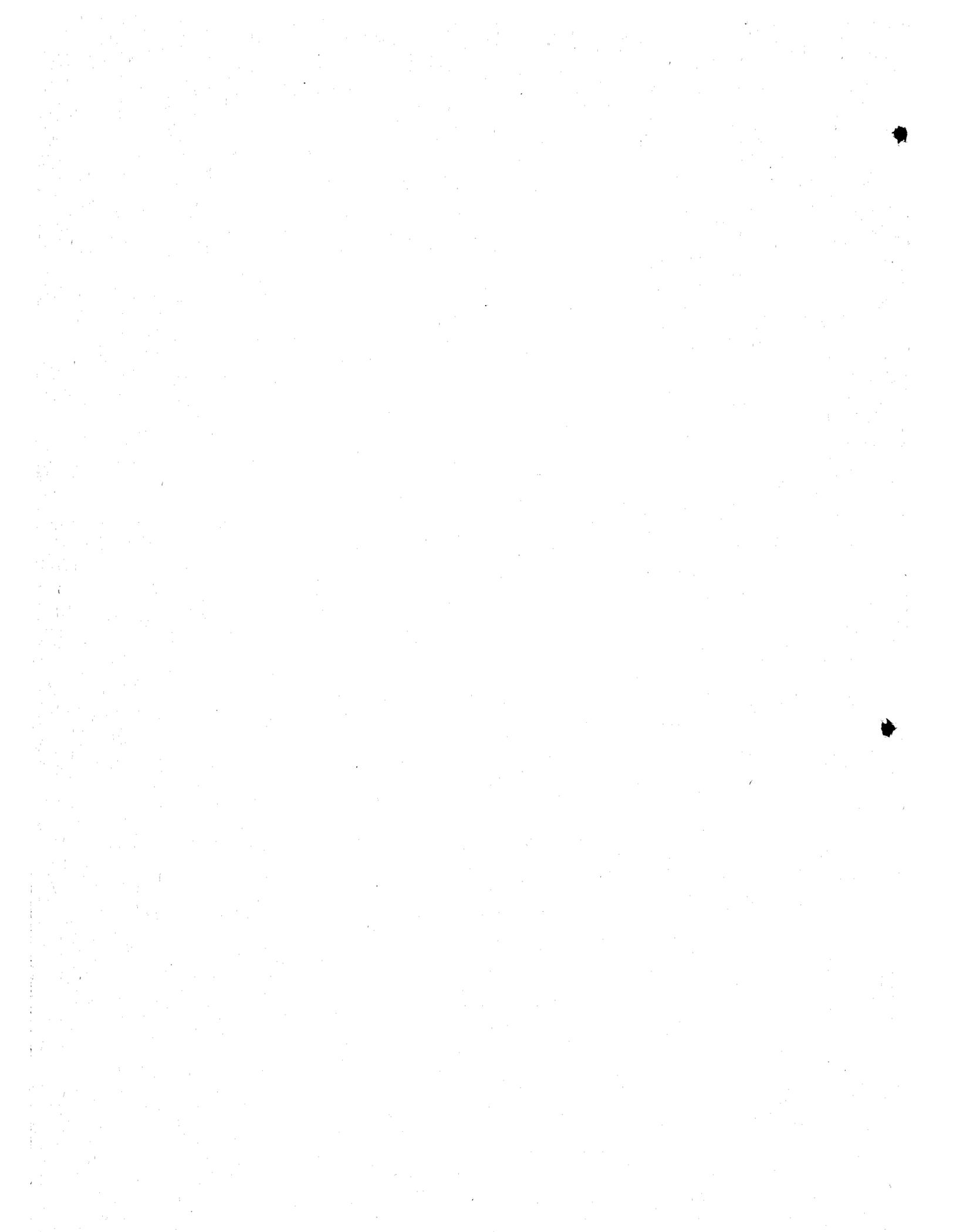
COM(80) 579 final

Brussels, 10th October 1980

PROPOSAL FOR A COUNCIL REGULATION (EEC)
AMENDING REGULATION (EEC) No 1224/80
ON THE VALUATION OF GOODS FOR CUSTOMS PURPOSES

(presented by the Commission to the Council)

COM(80) 579 final



EXPLANATORY NOTE

These provisions are intended to amend particular provisions of Council Regulation (EEC) No 1224/80 on the valuation of goods for customs purposes.

Articles 1 and 2 deal with amendments necessary as a result of the recent formal acceptance (1), on behalf of the Community, of the additional Protocol to the Agreement on implementation of Article VII of the GATT.

Article 3 is in pursuance of the Council mandate contained in Article 22 paragraph 5 of Regulation (EEC) No 1224/80 and sets out general provisions for simplified procedures for determining the customs value of certain perishable goods.

(1) copy of the letter of acceptance addressed to the Director General of the GATT is attached

COUNCIL REGULATION (EEC)

amending Regulation (EEC) No 1224/80 on the valuation
of goods for customs purposes

THE COUNCIL OF THE 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, by Decision 80/271/EEC⁽¹⁾, the Council
approved, on behalf of the European Economic Community, the Agreement
on implementation of Article VII of the General Agreement on Tariffs and
Trade and the Protocol annexed thereto,

Whereas the provisions of the said Protocol are to be regarded as an integral
part of the Agreement when the latter comes into force, that is on 1 January 1981,

Whereas the Council adopted, on 28 May 1980, Regulation (EEC) No 1224/80⁽²⁾
in conformity with the Agreement,

Whereas the provisions of Regulation (EEC) No 1224/80 must be brought into conformity
with certain provisions of the said Protocol, in respect of which the
European Economic Community's instrument of acceptance was deposited on
25 July 1980,

Whereas Article 22 (4) of Regulation (EEC) No 1224/80 permitted the extension
until the end of 1980 of the validity of ^{certain} regulations adopted pursuant to
Council Regulation (EEC) No 803/68 of 27 June 1968 on the valuation of goods
for customs purposes⁽³⁾,

Whereas Article 22(5) of Regulation (EEC) No 1224/80 provides that the
Council will adopt Community provisions on simplified procedures for
determining the customs value of certain perishable goods before 1 January
1981,

.../...

(1) OJ No L 71, 17.3.1980, p. 11

(2) OJ No L 134, 31.5.1980, p. 1.

(3) OJ No L 148, 28.6.1968, p. 6.

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1224/80 is hereby amended as follows:

1. Article 3(2)(b)(iv) is deleted.

2. Article 3(3)(a) is replaced by the following:

"3(a) The price actually paid or payable is the total payment made or to be made by the buyer to or for the benefit of the seller for the imported goods and includes all payments made or to be made as a condition of sale of the imported goods by the buyer to the seller or by the buyer to a third party to satisfy an obligation of the seller. The payment need not necessarily take the form of a transfer of money. Payment may be made by way of letters of credit or negotiable instruments and may be made directly or indirectly."

3. The following Article is inserted:

"Article 16a

1. By way of derogation from Article 2 (1) to (3), the customs value of perishable goods usually delivered on consignment may be determined under simplified procedures.

2. Customs values to be applied under simplified procedures referred to in paragraph 1 may be established in relation to the Community or to regions comprising one or more Member States.

3. The goods to which such procedures shall apply and the rules and criteria for the establishment of the customs value of such goods shall be determined in accordance with the procedure laid down in Article 19."

.../...

Article 2

This Regulation shall enter into force on the third day following the publication of this Regulation in the Official Journal of the European Communities.

However, Article 1(1) and (2) shall apply with effect from 1 January 1981.

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

Done at Brussels,

For the Council
The President