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Report

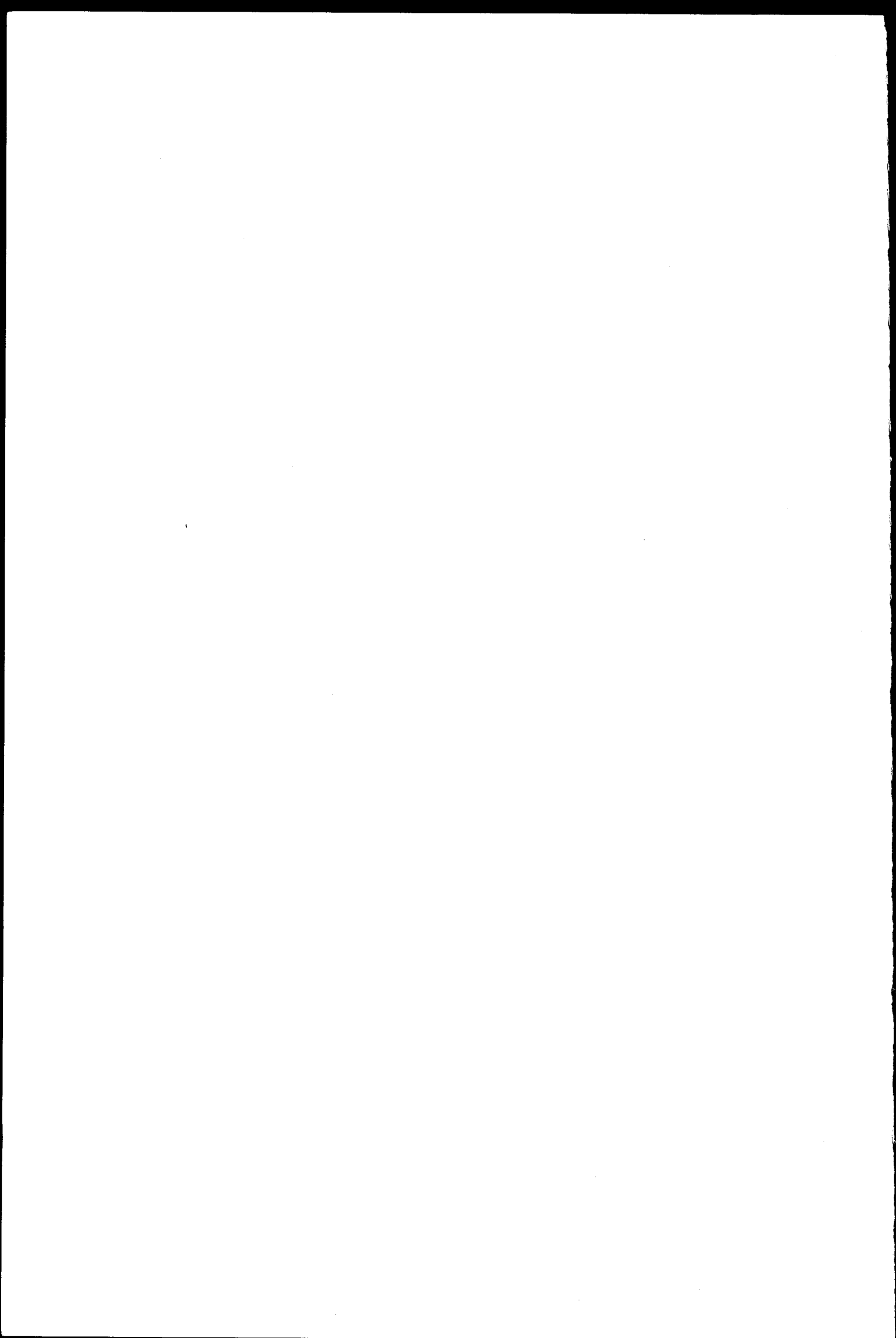
drawn up on behalf of the Committee on Economic and Monetary Affairs

on the Proposal from the Commission of the European Communities to the Council (Doc. 334/73) for a Directive on the harmonisation of procedures for the release of goods for free circulation

Rapporteur: Mr Hermann SCHWÖRER

1.2.1

PE 36.634/fin.



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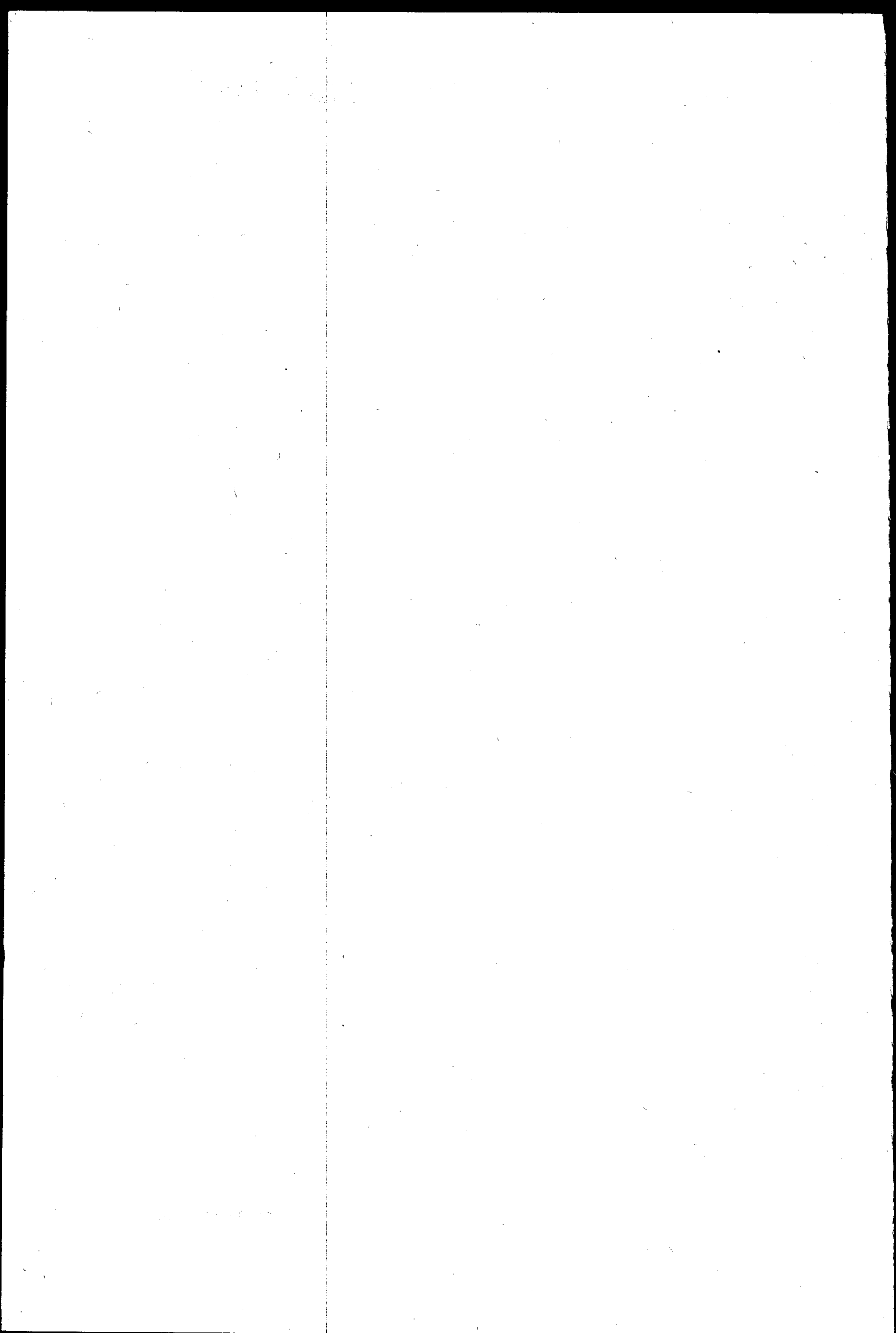
C O R R I G E N D U M

to the report by Mr SCHWÖRER (Doc. 119/74)

Insert the following third sub-paragraph in paragraph 2 on page 7:

'The committee subsequently considered the special aspects of the normal activities of "customs forwarding agents" as laid down by law in some Member States. It considered that, in order to avoid possible social hardship and in the interests of smooth harmonization, the provisions of Article 3 of the proposed Directive should not affect the activities of customs forwarding agents during a transitional period of five years.'

21.6.1974



By letter of 16 January 1974 the President of the Council of the European Communities requested the European Parliament, pursuant to Article 100 of the EEC Treaty, to deliver an opinion on the proposal from the Commission of the European Communities to the Council for a directive on the harmonization of procedures for the release of goods for free circulation (Doc. 334/73).

On 7 February 1974 the President referred this proposal to the Committee on Economic and Monetary Affairs as the committee responsible and to the Committee on Budgets for its opinion.

The Committee on Economic and Monetary Affairs appointed Mr H. SCHWÖRER rapporteur on 8 March 1974.

It discussed the proposal at its meeting of 27/28 May 1974 and unanimously adopted the motion for a resolution and explanatory statement.

The following were present: Mr Lange, chairman; Mr Schwörer, rapporteur; Mr Berthoin (deputizing for Mr de Broglie), Mr Bürgbacher, Mr Flämig (deputizing for Mr van der Hek), Mr Kater, Mr Leenhardt, Mr Brøndlund Nielsen, Mr Nørgaard and Mr Schachtschabel.

The opinion of the Committee on Budgets is attached to this report.

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A

The Committee on Economic and Monetary Affairs hereby submits to the European Parliament the following motion for a resolution, together with explanatory statement:

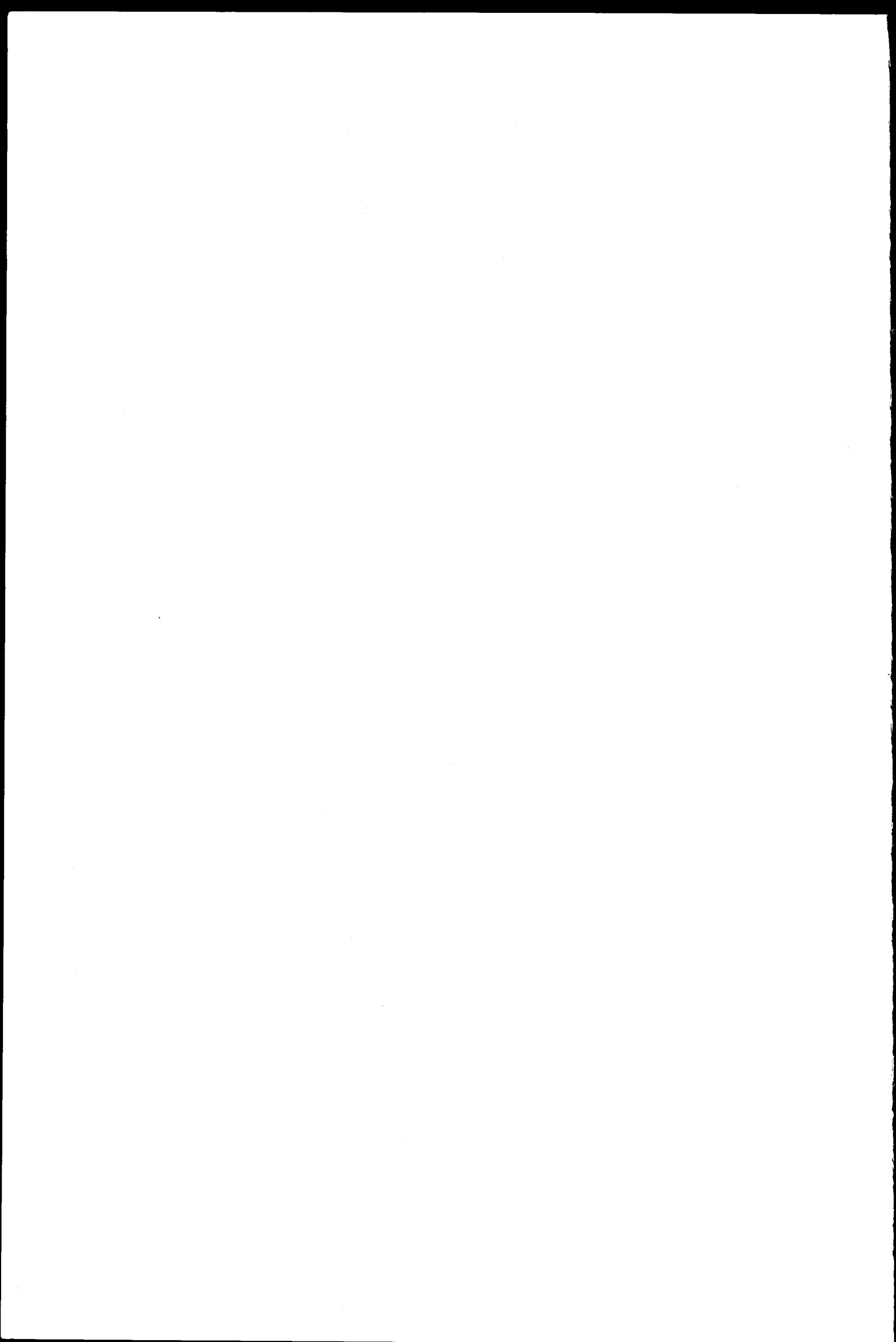
MOTION FOR A RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a directive on the harmonization of procedures for the release of goods for free circulation

The European Parliament,

- having regard to the proposal from the Commission of the European Communities to the Council¹,
 - having regard to the communication from the Commission to the Council on the simplification of customs procedures and formalities (SEC(73) 2334 final),
 - having been consulted by the Council pursuant to Article 100 of the EEC Treaty (Doc. 334/73),
 - having regard to the report of the Committee on Economic and Monetary Affairs and the opinion of the Committee on Budgets (Doc. 119/74),
1. Approves the Commission's proposal;
 2. Instructs its President to forward this resolution and the report of its committee to the Council and Commission of the European Communities.

¹O.J. No. C 14, 15 February 1974, p. 45



EXPLANATORY STATEMENT

1. Fifteen years after the establishment of the customs union administrative formalities have not yet been abolished in trade between the Member States and uniformity of customs provisions governing trade with third countries has still not been achieved.

The Committee on Economic and Monetary Affairs notes that progress has been made with regard to the administrative procedures for trade between Member States (for example through the Community transit system). It is, however, aware that administrative procedures cannot be completely avoided as long as there are substantial differences in Member States' legislation on levies, etc.

2. These differences should not, however, continue to exist in applying the Common Customs Tariff, etc. in trade with third countries. The Committee on Economic and Monetary Affairs therefore supports the Commission's proposal on the implementation of Community provisions concerning customs procedure and the release of goods for 'free circulation' (see Article 10(1) of the EEC Treaty) and recommends that this proposal be put into effect as quickly as possible.

Implementation of the Commission's proposal would solve many of the administrative and economic problems which arise through variances in the application of the Common Customs Tariff by the Member States and through the fact that the release of goods imported from third countries for duty-free circulation in a State other than the consumer Member State involves considerable expenditure for those concerned. In other words, the proposal would remove a number of factors which have hitherto led to deflections of trade and artificial transfers of activity.

3. The Committee on Economic and Monetary Affairs regrets that Community provisions can only be issued on the release of goods for duty-free circulation and that this cannot be extended to the release of goods for duty-free and tax-free circulation. It can be assumed that the Community provisions on the release of goods for duty-free circulation will be taken by the Member States as the basis for the procedure for the release of goods for tax-free and duty-free circulation. In the committee's view the Commission should therefore urge the Council and the Member States to attain the greatest possible uniformity

of the national legislations so as to allow the proper functioning of the Common Market. The committee requests the Commission to keep it informed on the extent to which the Member States comply with this appeal. If necessary, consideration must be given to the application of Article 235 of the EEC Treaty.

OPINION OF THE COMMITTEE ON BUDGETS

Letter from Mr Georges SPENALE to the Chairman of the
Committee on Economic and Monetary Affairs

Luxembourg, 21 March 1974

Dear Mr Chairman,

At its meeting of 11 March 1974 the Committee on Budgets discussed the proposal from the Commission of the European Communities for a directive on the harmonization of procedures for the release of goods for free circulation (Doc. 334/73).

During the discussion it was found that this proposal aims at the harmonization of national procedures with a view to preventing differences of treatment prejudicial to certain Community imports and enabling deflections of trade and artificial transfers of activity caused by these differences to be eliminated.

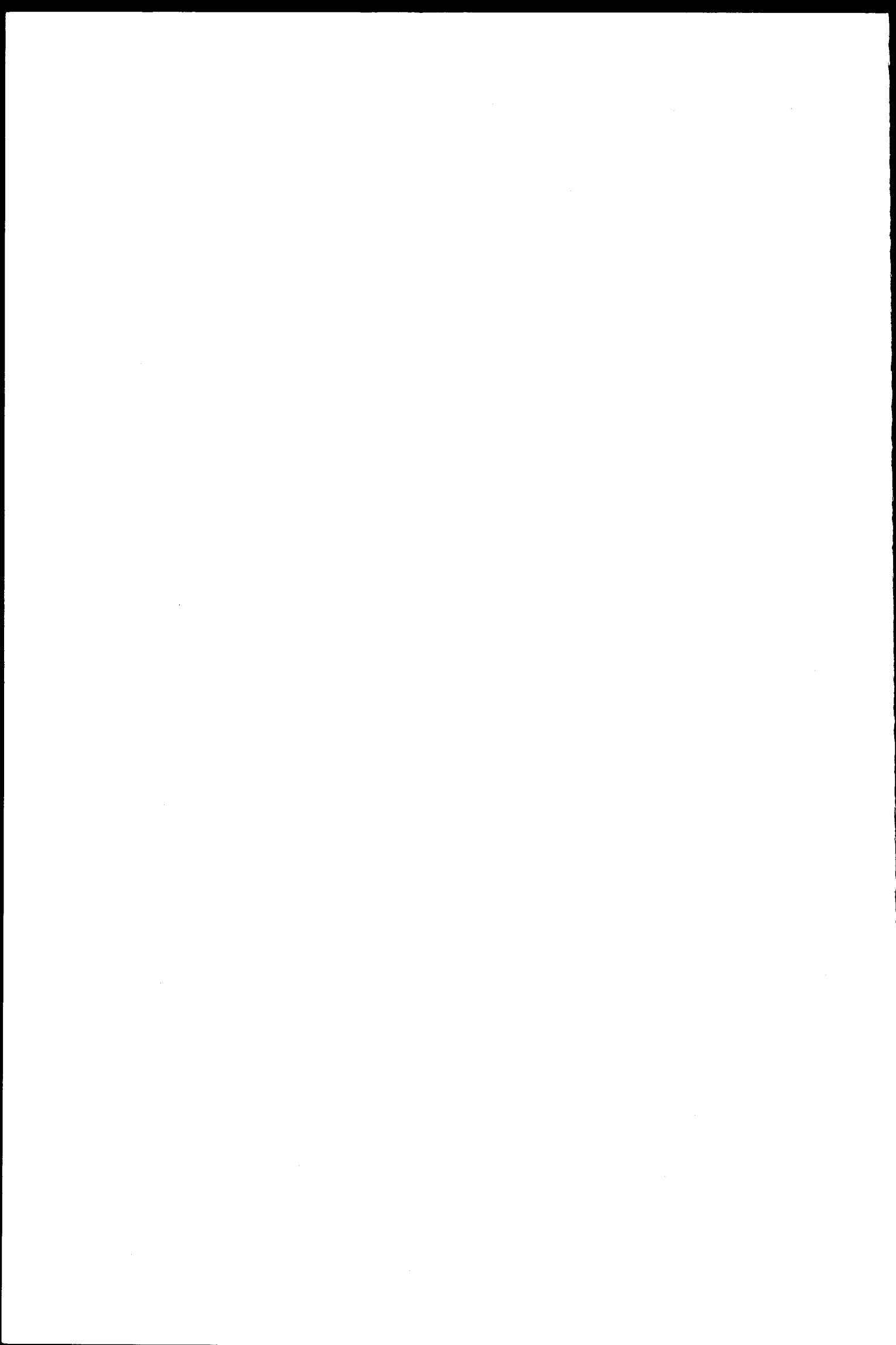
It was also noted that these measures should not have any significant budgetary implications at Community level.

In these circumstances, the Committee on Budgets is able to give a favourable opinion on the proposal.¹

Yours sincerely,

Georges SPENALE

¹The opinion was adopted unanimously. The following were present at the meeting: Mr Aigner, acting chairman, Mr Rossi, vice-chairman, Mr Artzinger, Mr Bangemann (deputizing for Miss Flesch), Lord Bessborough, Mr Boano, Mr Concas, Mr Fabbrini, Mr Gerlach, Mr Maigaard, Mr de la Malene, Mr Petre, Mr Pounder, Mr Radoux, Mr Terrenoire, Mr Wieldraaijer and Mr Wohlfart



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See DEBATES OF THE EUROPEAN PARLIAMENT, Official Journal of the
European Communities, Annex No. 177, June 1974, p. 212

