

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(80) 879 final

Brussels, 17 december 1980

Proposals for

Council Regulation (EEC)

on the conclusion of the Agreement in the form of an exchange of letters relating to the amendment of the Agreement between the European Economic Community and the Republic of Austria on the simplification of formalities in respect of goods traded between the European Economic Community on the one hand and Greece and Turkey on the other hand when the said goods are forwarded from Austria and on the application in the Community of Decisions N° 1/80, N° 2/80 and N° 3/80 of the EEC-Austria Joint Committee - Community transit - amending the Agreement between the European Economic Community and the Republic of Austria on the application of the rules on Community transit and its Appendices.

Council Regulation (EEC)

on the application of Decisions N° 1/80, N° 2/80
and N° 3/80 of the EEC-Switzerland Joint Committee
- Community transit -
amending the Agreement between the European Economic
Community and the Swiss Confederation on the application
of the rules on Community transit and its Appendices

(submitted by the Commission to the Council)

COM(80) 879 final

EXPLANATORY MEMORANDUM

1. The EEC-Austria Joint Committee -Community transit - has adopted the following :
 - Recommendation No 1/80 of 18 September 1980 on the amendment, following the accession of Greece, of the Agreement between the European Economic Community and the Republic of Austria on the simplification of formalities in respect of goods traded between the European Economic Community on the one hand and Greece and Turkey on the other when the said goods are forwarded from Austria¹;
 - Decision No 1/80 of 18 September 1980 introducing the Greek-language version of the Agreement between the European Economic Community and the Republic of Austria on the application of the rules on Community transit² and making the technical adjustments to this Agreement rendered necessary by the accession of Greece;
 - Decision No 2/80 of 18 September 1980 providing, in particular, for the possibility of producing and completing Community transit documents by modern methods of reproduction and extending to carriage by means of large containers the simplification at present accorded to goods sent by rail;
 - Decision No /80 of 24 November 1980 introducing an additional protocol on the special arrangements for applying the Agreement rendered necessary by the accession of Greece.

2. The draft Decisions and Recommendation have already been examined in the Council with a view to adopting a common position (see Doc. 8505/80 AELE A 33, Doc. 8504/80 AELE A 32 CH 18, Doc. 8503/80 AELE A 31 CH 17 and Doc. 10299/80 AELE A 47). No change as to substance has been made to the texts as previously transmitted to the Council.

3. The Regulation which it is proposed the Council adopt is designed to render applicable in the Community the aforementioned Recommendation and Decisions of the Joint Committee.

¹ OJ No L 188, 19.7.1975, p. 2.

² OJ No L 58, 28.2.1974, p. 40.

Council Regulation (EEC)

on the conclusion of the Agreement in the form of an exchange of letters relating to the amendment of the Agreement between the European Economic Community and the Republic of Austria on the simplification of formalities in respect of goods traded between the European Economic Community on the one hand and Greece and Turkey on the other hand when the said goods are forwarded from Austria and on the application in the Community of Decisions N° 1/80, N° 2/80 and N° 3/80 of the EEC-Austria Joint Committee - Community transit - amending the Agreement between the European Economic Community and the Republic of Austria on the application of the rules on Community transit and its Appendices.

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 it is necessary to approve the Agreement in the form of an exchange of letters relating to the amendment of the Agreement between the European Economic Community and the Republic of Austria on the simplification of formalities in respect of goods traded between the European Economic Community on the one hand and Greece and Turkey on the other hand when the said goods are forwarded from Austria (1) ; whereas the proposed amendment is the subject of Recommendation N° 1/80 of the EEC-Austria Joint Committee - community transit ; whereas that Recommendation provides that the amendments rendered necessary by the accession of Greece to the European Communities should be made to the Agreement ;

(1) O.J. N° L 188, 19.7.1975, p.1.

Whereas, moreover, Article 16 of the Agreement between the European Economic Community and the Republic of Austria on the application of the rules on Community transit (1), signed on 30 November 1972, empowers the Joint Committee set up under that Agreement to adopt by means of Decisions, certain amendments to the said Agreement and its Appendices ;

Whereas the Joint Committee has decided to amend the Agreement of 30 November 1972 and its Appendices in order, in particular, to take account of the technical adjustments to the rules on Community transit following the accession of Greece and in order that the text in the Greek language of the Agreement may be equally authentic ;

Whereas, moreover, the Joint Committee has decided, in particular, to make provision for the possibility of producing and completing Community transit documents by modern methods of reproduction and, at the same time, to extend to carriage by means of large containers the simplification at present accorded to goods sent by rail ;

Whereas the Joint Committee has, moreover, laid down special provisions which make it possible, as long as customs duties and other charges have not been eliminated in intra-Community trade, to distinguish goods according to whether they have acquired Community status in the Community as constituted before the accession of Greece or in Greece ;

Whereas the said amendments are, respectively, the subject of Decisions N° 1/80 and N° 2/80 of 18 September 1980 and Decision N° 3/80 of 24 November 1980 of the Joint Committee; whereas it is necessary to adopt implementing measures in respect of the said Decisions;

HAS ADOPTED THIS REGULATION :

(1) O.J. N° L 294, 29.12.1972, p.87.

Article 1

The Agreement in the form of an exchange of letters relating to the amendment of the Agreement between the European Economic Community and the Republic of Austria on the simplification of formalities in respect of goods traded between the European Economic Community on the one hand and Greece and Turkey on the other hand when the said goods are forwarded from Austria is hereby approved on behalf of the Community.

The text of the Agreement is set out in Annex 1 to this Regulation.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement in order to bind the Community.

Article 3

Decisions N° 1/80, N° 2/80 and N° 3/80 of the EEC-Austria Joint Committee - Community transit - amending the Agreement between the European Economic Community and the Republic of Austria on the application of the rules on Community transit and its Appendices shall apply in the Community.

The text of the Decisions is set out in Annex 2 to this Regulation.

Article 4

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

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

Done at Brussels,

For the Council

The President.

AGREEMENT

in the form of an exchange of letters relating to the amendment of the Agreement between the European Economic Community and the Republic of Austria on the simplification of formalities in respect of goods traded between the European Economic Community on the one hand and Greece and Turkey on the other hand when the said goods are forwarded from Austria.

Brussels,

Your Excellency,

The EEC-Austria Joint Committee - Community transit - has proposed, in its Recommendation N° 1/80 of 18 September 1980, certain amendments to the Agreement between the European Economic Community and the Republic of Austria on the simplification of formalities in respect of goods traded between the European Economic Community on the one hand and Greece and Turkey on the other hand when the said goods are forwarded from Austria. The amended Agreement is set out in the appendix attached hereto.

I have the honour to confirm that the Community is in agreement with these amendments and I would propose that they enter into force on 1 January 1981. I should be grateful if you would confirm that the Republic of Austria is in agreement with these amendments and with the date proposed for their entry into force.

Please accept, your Excellency, the assurance of my highest consideration.

For the Council of the
European Communities.

Brussels,

Sir,

I have the honour to acknowledge receipt of your letter of today's date, which reads as follows :

"The EEC-Austria Joint Committee - Community transit - has proposed, in its Recommendation N° 1/80 of 18 September 1980, certain amendments to the Agreement between the European Economic Community and the Republic of Austria on the simplification of formalities in respect of goods traded between the European Economic Community on the one hand and Greece and Turkey on the other hand when the said goods are forwarded from Austria. The amended Agreement is set out in the appendix attached hereto. I have the honour to confirm that the Community is in agreement with these amendments and I would propose that they enter into force on 1 January 1981. I should be grateful if you would confirm that the Republic of Austria is in agreement with these amendments and with the date proposed for their entry into force."

I have the honour to confirm that the Republic of Austria is in agreement with the contents of your letter and with the date proposed for the entry into force of these amendments.

Please accept, Sir, the assurance of my highest consideration.

For the Republic of Austria.

EXPLANATORY MEMORANDUM

1. The EEC-Switzerland Joint Committee - Community transit - has adopted the following :
 - Decision No 1/80 of 18 September 1980 introducing the Greek-language version of the Agreement between the European Economic Community and the Swiss Confederation on the application of the rules on Community transit¹ and making the technical adjustments to this Agreement rendered necessary by the accession of Greece;
 - Decision No 2/80 of 18 September 1980 providing, in particular, for the possibility of producing and completing Community transit documents by modern methods of reproduction and extending to carriage by means of large containers the simplification at present accorded to goods sent by rail;
 - Decision No 3/80 of 24 November 1980 introducing an additional protocol on the special arrangements for applying the Agreement rendered necessary by the accession of Greece.

2. The draft Decisions have already been examined in the Council with a view to adopting a common position (see Doc. 8504/80 AELE A 32 CH 18, Doc. 8503/80 AELE A 31 CH 17 and Doc. 10300/80 AELE CH 28). No change as to substance has been made to the texts as previously submitted to the Council.

3. The Regulation which it is proposed the Council adopt is designed to render applicable in the Community the aforementioned Decisions of the Joint Committee.

¹OJ No L 365, 31.12.1973, p. 226.

Council Regulation (EEC)

on the application of Decisions N° 1/80, N° 2/80
and N° 3/80 of the EEC-Switzerland Joint Committee
- Community transit -
amending the Agreement between the European Economic
Community and the Swiss Confederation on the application
of the rules on Community transit and its Appendices

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 Article 16 of the Agreement between the European Economic Community
and the Swiss Confederation on the application of the rules on Community
transit (1), signed on 23 November 1972, empowers the Joint Committee set up
under that Agreement to adopt, by means of Decisions, certain amendments to
the said Agreement and its Appendices ;

Whereas the Joint Committee has decided to amend the Agreement and its
Appendices in order in particular to take account of the technical adjust-
ments to the rules on Community transit following the accession of Greece
and in order that the text in the Greek language of the Agreement may be
equally authentic ;

Whereas, moreover, the Joint Committee has decided, in particular, to make
provision for the possibility of producing and completing Community transit
documents by modern methods of reproduction and, at the same time, to
extend to carriage by means of large containers the simplification at present
accorded to goods sent by rail ;

(1) O.J. N° L 294, 29.12.1972, p. 1.

Whereas the Joint Committee has, moreover, laid down special provisions which make it possible, as long as customs duties and other charges have not been eliminated in intra-Community trade, to distinguish goods according to whether they have acquired Community status in the Community as constituted before the accession of Greece or in Greece ;

Whereas the said amendments are, respectively, the subject of Decisions N° 1/80 and N° 2/80 of 18 September 1980 and of Decision N° 3/80 of 24 November 1980 of the Joint Committee ; whereas it is necessary to adopt implementing measures in respect of the said décisions,

HAS ADOPTED THIS REGULATION :

Article 1

Decisions N° 1/80, N° 2/80 and N° 3/80 of the EEC-Switzerland Joint Committee - Community transit - amending the Agreement between the European Economic Community and the Swiss Confederation on the application of the rules on Community transit and its Appendices shall apply in the Community.

The text of the decisions is annexed to this regulation.

Article 2

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

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

Done at Brussels,

For the Council,
The President.

AGREEMENT

between the European Economic Community and the Republic of Austria on the simplification of formalities in respect of goods traded between the European Economic Community and Turkey when the said goods are forwarded from Austria

THE EUROPEAN ECONOMIC COMMUNITY,

of the one part,

THE REPUBLIC OF AUSTRIA,

of the other part,

DESIRING to simplify the formalities to be completed in respect of goods traded between the European Economic Community and Turkey a State with which the Community has concluded an Association Agreement when such goods are forwarded from Austria after unloading and reloading or warehousing in bonded warehouse;

WHEREAS the Agreement between the European Economic Community and the Republic of Austria on the implementation of Community transit regulations, signed on 30 November 1972, laid down a wide measure of cooperation between the customs administration of the Member States and of Austria based on mutual confidence; whereas, in the interest of simplifying formalities, this cooperation could also be applied in trade between the European Economic Community and Turkey

HAVE AGREED AS FOLLOWS:

Article 1

In this Agreement the expressions set out below shall be understood as follows:

- (a) Community: the European Economic Community;
- (b) Member States: a Member State of the Community;
- (c) Agreement on transit: the Agreement of 30 November 1972 between the European Economic Community and the Republic of Austria on the implementation of Community transit regulations.

Article 2

1. Without prejudice to paragraph 2, this Agreement shall apply to goods in respect of which movement certificates conforming to the specimen shown in Annex I have been completed in respect of goods traded between the Community and Turkey and which are forwarded from Austrian territory after, as appropriate, unloading and reloading or warehousing in bonded warehouse.

2. The provisions of this Agreement shall not apply to the goods listed in Annex II.

Article 3

1. A movement certificate issued in a Member State or in Turkey for goods referred to in Article 2 (1) must be produced to the competent Austrian customs authorities. The movement certificate must be printed and completed in one of the languages referred to in Article 14 or in Turkish. When Turkish is used, it must also be drawn up in one of the languages referred to in Article 14.
2. The goods shall remain under Austrian customs control to ensure the identity and completeness thereof.

3. The goods must be segregated and must not have undergone any manipulation other than that necessary to preserve them in their original state or to split the consignments without replacing the packing.

Article 4

1. When goods referred to in Article 2 (1) are forwarded, the movement certificate shall include a statement that the conditions set out in Article 3 have been complied with.

2. For this purpose, when the goods are forwarded without splitting the consignment, the competent Austrian customs office shall write the words 'Direkte Weiterleitung EWG' in the 'Description of goods' box on the certificate and authenticate the notation by the customs office stamp and the date.

When a consignment, split in Austria, is forwarded, the movement certificate produced to the competent Austrian customs office shall be photocopied for each part-consignment. The top of each photocopy must be noted 'TEILSENDEUNG' in red ink. Each photocopy must indicate clearly the goods to which it refers. These statements must be authenticated by the customs office stamp and the date.

3. The original movement certificate must be noted with the particulars relevant to the splitting of the consignment. It shall be retained by the competent Austrian customs office for at least two years and on request sent to the customs administration of the Member State making a request under the arrangements for administrative cooperation referred to in Article 6.

Article 5

The forwarded goods and the relevant movement certificate or, when the consignment is split, the relevant photocopy of the said certificate authenticated by the competent Austrian customs office, must be produced to the customs authorities of the importing State within six months from the date of issue of the original movement certificate.

Article 6

1. Where necessary the customs administrations of the Member States on the one hand and of the Republic of Austria on the other hand shall communicate to one another, spontaneously or on request, all findings, documents, reports, records of proceedings and information relating to goods presented in the importing State as having been forwarded from Austria under this Agreement or relating to irregularities and offences committed in respect of goods traded under this Agreement.

2. The customs administrations of the Member States are authorized to send documents and information obtained under the arrangements for administrative cooperation referred to in paragraph 1 to the Turkish customs administration.

Article 7

The provisions of this Agreement shall not preclude prohibitions or restrictions on imports, exports or

goods in transit enacted by the Republic of Austria and justified on grounds of public policy, public security or public morality; the protection of health and life of humans, animals or plants; the protection of national treasures possessing artistic, historic or archaeological value; or the protection of industrial and commercial property.

Article 8

1. The Joint Committee set up under Article 15 of the Agreement on transit shall ensure the implementation of this Agreement. For this purpose it shall make recommendations and, in the circumstances provided for in paragraph 3, shall take Decisions.

2. The Committee shall recommend in particular:

- (a) amendments to this Agreement;
- (b) any other measure for the purpose of its implementation.

3. The Committee shall issue as Decisions:

- (a) amendments to Article 2 of this Agreement when the movement certificate annexed to this Agreement is amended;
 - (b) amendments to Articles 3, 4, 5 and 9 of this Agreement;
 - (c) amendments to this Agreement having a direct relation with the accession to the European Communities of new Member States;
 - (d) amendments to the Annexes to this Agreement.
- These Decisions shall be implemented by the Contracting Parties in accordance with their own rules.

Article 9

Annexes I and II form an integral part of this Agreement.

Article 10

1. The Community shall undertake suitably to adapt the methods of administrative cooperation governing the implementation of the preferential system which the Community and Turkey each apply to goods forwarded from Austria.

2. The Community shall notify the Republic of Austria as soon as the conditions necessary to implement this Agreement are present in the field of trade with Turkey.

Article 11

1. This Agreement shall enter into force on the first day of the second month following the dates on which the Contracting Parties notify each other that the necessary procedures have been completed.

2. The provisions of this Agreement shall apply in respect of trade with Turkey as from the first day of the second month following the notification referred to in Article 10 (2).

Article 12

The Contracting Parties shall keep each other informed of the provisions which they adopt for the implementation of this Agreement.

Article 13

Either of the Contracting Parties may withdraw from this Agreement by giving six months' notice in advance.

Article 14

This Agreement shall be drawn up in duplicate in the Danish, Dutch, English, French, German, Greek and Italian languages, each of these texts being authentic.

ANNEX I

MOVEMENT CERTIFICATE

1. Exporter (Name, full address, country)		A.TR.1 No A 000000	
		See notes overleaf before completing this form	
3. Consignee (Name, full address, country) (Optional)		2. Transport document (Optional) No _____ Date _____	
		4. ASSOCIATION between the EUROPEAN ECONOMIC COMMUNITY and TURKEY	
(1) Insert the Member State or Turkey.	5. Country of exportation		6. Country of destination (1)
	7. Transport details (Optional)		8. Remarks (2)
(2) Insert where appropriate 'compensatory levy, Turkey'.	9. Item number		10. Marks and numbers ; Number and kind of packages (for goods in bulk, indicate the name of the ship or the number of the railway wagon or road vehicle) ; Description of goods
			11. Gross weight (kg) or other measure (hl, m ³ , etc.)
12. CUSTOMS ENDORSEMENT		13. DECLARATION BY THE EXPORTER	
Declaration certified Export document (3): Form _____ No _____ Customs office _____ issuing country _____ Date _____ _____ (Signature)		Stamp I, the undersigned, declare that the goods described above meet the conditions required for the issue of this certificate. Place and date _____ _____ (Signature)	
(3) Complete only where the exporting country requires.			

<p>14. REQUEST FOR VERIFICATION, to</p>	<p>15. RESULT OF VERIFICATION</p>
<p>Verification of the authenticity and accuracy of this certificate is requested.</p> <p style="text-align: center;">(Place and date)</p> <p style="text-align: right;">Stamp</p> <p style="text-align: center;">(Signature)</p>	<p>Verification carried out shows that this certificate (1):</p> <p><input type="checkbox"/> was issued by the customs office indicated and that the information contained therein is accurate;</p> <p><input type="checkbox"/> does not meet the requirements as to authenticity and accuracy (see remarks appended).</p> <p style="text-align: center;">(Place and date)</p> <p style="text-align: right;">Stamp</p>
<p>Full address of office making the request</p>	<p style="text-align: right;">(Signature)</p> <p>(1) Insert X in the appropriate box</p>

I. GOODS FOR WHICH A MOVEMENT CERTIFICATE A.TR.1 MAY BE ENDORSED

1. A movement certificate A.TR.1 may be endorsed only for goods which, in the exporting State, fall within one of the following categories

- (a) goods produced in the exporting State, including those obtained or produced wholly or partly from products on which the applicable customs duties or charges having equivalent effect have been levied and which have not benefited from a total or partial drawback of such duties or charges.
- (b) goods in free circulation in the exporting State (goods coming from a third country, in respect of which import formalities have been complied with and any customs duties or charges having equivalent effect have been levied, and which have not benefited from a total or partial drawback of such duties or charges);
- (c) goods obtained or produced within the exporting State, and in the manufacture of which have been used products on which the applicable customs duties or charges having equivalent effect have not been levied or which have benefited from a total or partial drawback of such duties or charges, subject to the collection, where appropriate, of the compensatory levy prescribed for them

Note: The statement 'compensatory levy, Turkey' must appear on all movement certificates A.TR.1 for goods obtained or produced in

- the Community from products coming from a third country on which the applicable customs duties and charges having equivalent effect have not been levied in either the Community or Turkey;
- (d) goods originally imported from a State party to the Agreement and which on exportation fall within one of the categories (a), (b) or (c) above.

Note: In the case of goods originally imported into the exporting State under the cover of a movement certificate bearing the statement 'compensatory levy, Turkey', the movement certificate or certificates A.TR.1 issued in lieu of the latter must also bear the statement 'compensatory levy, Turkey'

- 2. Agricultural products must also comply with the additional conditions laid down in respect thereof.
- 3. Movement certificates A.TR.1 may not be endorsed for goods originally imported from a third country under a preferential customs system because of their country of origin or of consignment and which accordingly may not be regarded as in free circulation within the meaning of the Agreement

II. SCOPE OF THE USE OF MOVEMENT CERTIFICATE A.TR.1

The movement certificate A.TR.1 may be used only if the goods to which it relates are transported direct from the exporting State to the importing State

The following shall be considered as transported direct from the exporting State to the importing State

- (a) goods transported without passing through territories other than those of the Community or Turkey.
- (b) goods transported through territories other than those of the Community or Turkey or with transhipment in such territories provided that

carriage through such territories or transhipment is covered by a single transport document made out in the Community or Turkey.

Note: Before requesting endorsement of movement certificate A.TR.1 by the customs authorities of the exporting State, the exporter must satisfy himself that the goods will in fact be transported direct to the importing State. Goods not transported direct are eligible for preferential treatment only if a movement certificate A.TR.3 is produced.

III. RULES FOR COMPLETING MOVEMENT CERTIFICATE A.TR.1

- 1. The movement certificate A.TR.1 must be completed in one of the languages in which the Agreement is drawn up and shall comply with the internal laws of the exporting State. When the certificate is completed in Turkish, it shall also be completed in one of the official languages of the Community
- 2. The movement certificate A.TR.1 must be typed or handwritten, if the latter it must be completed in ink in block letters. It must not contain any erasure or superimposed correction. Any alteration must be made by deleting the incorrect particulars and adding any necessary corrections. Any such alteration must be initialed by the person who completed the certificate and be endorsed by the customs authorities

- 3. Each item listed in the movement certificate A.TR.1 must be preceded by an item number. A horizontal line must be drawn immediately after the last entry. Unused space must be struck through so as to make any later addition impossible.
- 4. Goods must be described in accordance with commercial usage and in sufficient detail to enable them to be identified
- 5. The exporter or the carrier may enter in box 2 of the certificate a reference to the transport document. It is also recommended that the exporter or the carrier should show on the transport document covering the dispatch of the goods the serial number of the movement certificate A.TR.1

IV. EFFECT OF THE MOVEMENT CERTIFICATE A.TR.1

When properly used movement certificate A.TR.1 enables the goods described therein to benefit in the importing State from the progressive elimination of customs duties, quantitative restrictions and all other measures having equivalent effect. However, when the movement certificate bears the statement 'compensatory levy, Turkey', the goods

described therein shall not be eligible for this preferential treatment in the Member States of the EEC

The customs authorities of the importing State may, if they consider it to be necessary, require any other documentary evidence and in particular transport documents under cover of which the goods were dispatched.

V. TIME LIMIT FOR SUBMISSION OF MOVEMENT CERTIFICATE A.TR.1

The movement certificate A.TR.1 must be produced at the customs office of the importing State where the goods are presented, within a period of

three months from the date of endorsement

ANNEX II

List of goods excluded from the Agreement

(Article 2(2))

Brussels Nomenclature Heading No	Description of goods	Country issuing the movement certificate
ex10.01	Durum Wheat	Turkey
10.02	Rye	Turkey
ex 10.07	Canary seed	Turkey
ex 15.07	Olive oil other than that having under- gone a refining process	Turkey.

CH: Annex
A: Annex 2

EUROPEAN COMMUNITIES
THE COUNCIL

Brussels, 11 July 1980

8504/80		
		RESTREINT

AELE
A 32
CH 18

DECISION No 1/80
OF THE EEC - JOINT COMMITTEE
- Community transit -
OF 18 SEPTEMBER 1980

on the Greek text of the Agreement
between the European Economic Community
and
on the application of the rules on
Community transit and amending
the Appendices of the Agreement

THE JOINT COMMITTEE,

Having regard to the Agreement between the European Economic Community
and on the application of the rules on Community
transit, and in particular Article 16(3)(a) and (c) thereof,

Whereas from the date of its accession to the Community, the Hellenic Republic will be bound by that Agreement;

Whereas provision should be made for the text of the Agreement in the Greek language to be as authentic as the texts in the Danish, Dutch, English, French, German and Italian languages;

Whereas the rules on Community transit have been amended by the Act concerning the conditions of accession of the Hellenic Republic and the adjustments to the Treaties;

Whereas certain provisions of these rules have been amended in other ways; whereas these rules appear in the Appendices to the Agreement and the Appendices should therefore be amended accordingly;

Whereas Decision No 2/78 of the Joint Committee added to the Agreement an Appendix II A introducing, on an experimental basis, a Community transit declaration form for use in an automatic or electronic data-processing system; whereas this Appendix II A has been amended by Decision No 2/79; whereas these Decisions apply until 31 December 1980;

Whereas it has proved necessary to extend the use of this form beyond that date; whereas the period during which these Decisions shall apply should therefore be prolonged,

HAS DECIDED AS FOLLOWS :

Article 1

The annexed text, in the Greek language, of the Agreement between the European Economic Community and _____ on the application of the rules on Community transit shall be as authentic as the texts in the Danish, Dutch, English, French, German and Italian languages.

Article 2

Appendix I of the Agreement is hereby amended as follows :

- (a) in the title, the words "(EEC) No. 222/77 of 13 December 1976" are to be followed by a reference "(1)" and the following footnote is to be added to the page :

"(1) amended by:

- Regulation (EEC) No. 983/79 of 14 May 1979
- the Act of accession of the Hellenic Republic"

- (b) in Article 57 (2), "41" is replaced by "45".

Article 3

Appendix II of the Agreement is hereby amended as follows:

- (a) In the title the words "(EEC) No 223/77 of 22 December 1976" are to be followed by a reference "(1)" and the following footnote is to be added to the page :

"(1) amended by :

- Regulation (EEC) No 1601/77 of 11 July 1977
- Regulation (EEC) No 526/79 of 20 March 1979
- the Act of accession of the Hellenic Republic
- Regulation (EEC) No 1964/79 of 6 September 1979
- Regulation (EEC) No 137/80 of 9 January 1980
- Regulation (EEC) No 902/80 of 14 April 1980"

(b) Article 1 (3) is replaced by the following :

"3. The forms to be completed as the special Community transit document hereinafter referred to as "Control Copy T No 5" as proof that the goods have been used for a specific purpose and/or have arrived at a prescribed destination shall conform, except, as regards the dimensions of the boxes wholly or partly delineated by dotted lines, to the specimens T 5 and T 5 bis in Annexes VI and VI A. The Control Copy T No 5 shall be issued and used in accordance with the provisions of Articles 10 to 137."

(c) Article 2 (11) is replaced by the following :

"11. The provisions of paragraphs (2), (4), (5), (a), (6) first and second subparagraphs, (9) and (10) second and third subparagraphs, shall apply also to Control Copy T No 5. However, the guilloche patterned background referred to in paragraph 2 shall be blue for the front and back of the original of the Control Copy T No 5 and for the front of the original of continuation sheet T 5 bis7."

(d) Article 10 is replaced by the following :

"Article 10

1. Proof that the conditions prescribed by a Community measure as to the use and/or destination of goods imported into, exported from, or moving within the Community have been complied with, shall be furnished by production of Control Copy T No 5. A Control Copy T No 5 is a completed form T5, accompanied, if necessary, in the circumstances referred to in paragraphs 2 and 3, by one or more forms T5bis.

2. The competent customs authorities of each Member State may allow undertakings established in their territory to supplement a Control Copy T No 5 with one or more continuation sheets T 5 bis in cases where all the forms relate to a single consignment of goods, which are loaded on one single means of transport, and are destined for a single consignee and a single use and/or destination.
3. Where continuation sheets T 5 bis are used, the undertaking given by the person concerned in box 108 of the Control Copy T No 5 is to be worded as follows : "The person concerned, represented by hereby undertakes to ensure the declared use and/or destination of the goods described above and in the continuation sheet(s) T 5 bis attached."
4. The number of continuation sheets T 5 bis used and their printed serial numbers shall be shown in box 107 of the Control Copy T No 5 which they accompany. The registration number of the Control Copy T No 5 shall be shown in the box for registration particulars of each continuation sheet T 5 bis.⁷

(e) Article 11 is amended as follows:

- in paragraph 1, the words 'Control Copy T No 5 shall be made out' are replaced by 'Control Copy T No 5 and, where appropriate, continuation sheets T 5 bis, shall be made out';
- in paragraph 2, the words 'Control Copy T No 5 shall' are replaced by 'Control Copy T No 5 and, where appropriate, continuation sheets T 5 bis, shall'.

(f) Article 28 is supplemented as follows :

- In the first indent, after 'Verlaten van de Gemeenschap aan beperkingen onderworpen' the following is added:

Έξοδος από την Κοινότητα υποκειμένη σε περιορισμούς.

- In the second indent, after 'Verlaten van de Gemeenschap aan belastingheffing onderworpen' the following is added :

Έξοδος από την Κοινότητα υποκειμένη σε επιβάρυνση.

- (g) Article 40 is supplemented as follows : after the word 'Told', the word 'Τελευτείο' is added.
- (h) Article 71 is supplemented as follows : in paragraph 3, after 'Achteraf afgegeven', the following is added :
'έκδοθέν έκ τών ύστερων'.
- (i) In Annexes I and III, the following is added on the back of copy No 3 of Community transit declaration T:
'έπιστοχεπτεό εις:'.
- (j) In Annex VII, the initials 'EK' and the words 'δέλτιο διαλεύσεως' are added to the heading of the transit advice note.
- (k) In Annex VIII, the initials 'EK' and the words 'άπόδειξη παραλαβής' are added to the heading of the receipt.

Article 4

Appendix II A of the Agreement is hereby amended as follows :

- (a) The following indent shall be added after the first indent of footnote (1) :
"- the Act of accession of the Hellenic Republic";
- (b) 'έπιστοχεπτεό εις:' is inserted on the back of copy No 3 in Annex I.

Article 5

Appendix III of the Agreement is hereby amended as follows :

- (a) in point 1.1 of each of the Specimens I, II and III the words "the Hellenic Republic" are to be inserted after the words " the Federal Republic of Germany";
- (b) in Specimen IV the word "Greece" is to be added to box 7 of the Certificate of Guarantee.

Article 6

The period during which Decisions Nos 2/78 and 2/79 shall apply is prolonged until 31, December 1982.

Article 7

This Decision shall enter into force on 1 January 1981.

Done at Brussels, 18 September 1980
For the Joint Committee

The Chairman

CH: P. Affolter

A: F. Klein

Decision No 2/80

of the EEC - Joint Committee

- Community transit -

of 18 September 1980

on the amendment of the Agreement between
the European Economic Community and

on the application of the rules on Community transit
and on the amendment of Appendix II of that Agreement

THE JOINT COMMITTEE,

Having regard to the Agreement between the European Economic Committee and
on the application of the rules on Community
transit, and in particular Article 16 (3) (a) and (b) thereof,

Whereas the Community rules have been amended in particular to allow Community trans
documents to be produced and completed by modern methods of reproduction
and to extend to carriage by means of large containers the simplification
at present accorded to goods sent by rail;

Whereas Appendix II of the Agreement must be amended to take account of the
amendments thereby made to the rules on Community transit; whereas these
amendments made to Appendix II require certain amendments to the Agreement
itself,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement between the European Economic Community and on the application of the rules on Community transit is hereby amended as follows:

a) Article 8 (2) shall be replaced by the following:

"(2) Subject to the provisions of Article 6 of this Agreement the Austrian/Swiss office of departure shall, in respect of goods referred to in Article 1 (3) of the Regulation on Community transit (Appendix 1) indicate on the International Consignment Note, the International Express Parcels Consignment Note or the Transfer Note - Community transit that the goods to which it relates are being forwarded under the procedure for internal Community transit. This indication shall be given by the office of departure entering the symbol T 2, its stamp and the signature of the responsible official:

- a) in box 25 of sheet No. 3 of the International Consignment Note;
or
- b) on sheet No. 4 of the International Express Parcels Consignment Note; or
- c) in the box for customs use of sheet No. 3A of the Transfer Note - Community transit.

For the operations referred to in Article 9 (2) of the Regulation on the provisions for the implementation of the Community transit procedure and for certain simplifications of that procedure (Appendix II) and which are commenced in Switzerland/Austria a reference to the serial numbers of the loading lists relating to goods referred to in Article 1 (3) of the Regulation on Community transit (Appendix I) shall be inserted, as appropriate:

- a) in box 25 of the International Consignment note; or
- b) in the box reserved for the description of the goods of the Transfer Note - Community transit."

b) Article 8 (3) shall be replaced by the following:

EEC -
Austria " (3) In the case of goods referred to in Article 1 (2) of the Regulation on Community transit (Appendix I), the symbol T1 need not be shown on the documents referred to in paragraph 2, first subparagraph and paragraph 5.

Agree-
ment The Republic of Austria may moreover permit such goods to be forwarded under the procedure for external Community transit without requiring the International Consignment Note, the International Express Parcels Consignment Note or the Transfer Note - Community transit to be presented at the office of departure."

EEC-
Switzer-
land
Agree-
ment " (3) In respect of goods referred to in Article 1 (2) of the Regulation on Community transit (Appendix I) the symbol T1 need not be shown on the documents referred to in paragraph 2, first subparagraph and paragraph 5."

c) Article 8 (4) shall be replaced by the following:

" (4) The provisions of Articles 41 and 50 h of the Regulation on provisions for the implementation of the Community transit procedure and for certain simplifications of that procedure (Appendix II) shall not apply when the carriage begins in Austria/Switzerland or when goods enter the Community via Austria/Switzerland."

d) The following paragraph shall be added to Article 8:

" 5. In cases of carriage referred to in Article 50 i of the Regulation on provisions for the implementation of the Community transit procedure and for certain simplifications of that procedure (Appendix II) which begin in Switzerland/Austria a reference to the large container or containers containing the goods referred to in Article 1 (3) of the Regulation on Community transit (Appendix I) shall be made by the office of departure in the box for customs use of sheet No. 3A of the Transfer Note - Community transit, opposite the symbol T2."

e) Article 13 (1) shall be replaced by the following:

"1. The provisions set out in square brackets in Appendices I and II and listed below shall not apply:

Appendix I : Article 1(4); Article 2(2), second subparagraph;
Articles 3, 4 and 10; Article 12(1) last sentence;
Article 15; Article 22(1) last sentence; Article 26(2);
Article 29; Article 30(3); Article 32(1) second sub-
paragraph and (3);

Article 39(1) last sentence; Article 41;
Article 44(1) and (2); Article 45(2); Article 47;
Article 48(2); Articles 50 to 53 and 55 to 61;

Appendix II: Article 1(3), 1(6) first sentence and 1(9); Article 2(11);
Article 4; Article 7(3); Articles 10 to 14; Article 15(2);
Article 22; Article 24(5) second subparagraph last
sentence; Articles 27 to 34; Article 35(a); Article 42(2)
and (4); Article 50(a); Article 50 i (2) and (5);
Article 51; Article 54 second paragraph; Article 68(1);
Articles 68 a, 68 b, 68 c and 74.

However, the provisions of Articles 4, 15, 41, 44 (1) and (2), 47
and 50 to 53 of Appendix I and of Articles 24 (5) second subparagraph
last sentence, 27 to 34, 35 (a), 42 (2) and (4), 50 (a), 50 i (2)
and (5), 51, 54 second paragraph, 68 (1), 68 a, 68 b, 68 c and 74
of Appendix II shall continue to apply in Member States."

Article 2

Appendix II of the Agreement is hereby amended as follows:

a. The following Article shall be inserted after Article 2:

"Article 2a

Each Member State may allow:

- (a) Community transit declaration forms to be completed by a process of reproduction instead of in typescript or manuscript;
- (b) Community transit declaration forms to be produced and completed simultaneously by reproduction, provided that the provisions of Articles 1 and 2 as regards the specimens, the paper, the size, the language used, the legibility, the prohibition of erasures and alterations and as regards amendments are strictly observed."

b. Article 9 is replaced by the following:

"Article 9

1. Where the provisions of Articles 36 to 53 operate, the provisions of Articles 5(2), 6, 7 and 8 shall apply to Loading Lists which accompany the International Consignment Note or the Community Transit Transfer Note. [In the former case, the number of such Lists shall be shown in box 32 of the International Consignment Note; in the latter case, the number of such Lists shall be shown in the box for particulars of accompanying documents of the Community Transit Transfer Note. [In addition, the loading list must include the wagon number to which the International Consignment Note refers or, where appropriate, the number of the container containing the goods.
2. For operations beginning within the Community comprising at the same time goods referred to in Article 1(2) and (3) of Regulation (EEC) No 222/77, separate loading lists shall be used; in the case of goods carried in large containers under cover of Community Transit Transfer Notes, [such separate lists shall be completed for each large container which contains both categories of goods.

The serial numbers of the loading lists relating to the goods referred to in Article 1(2) of the aforesaid Regulation shall be inserted either in box 25 of the International Consignment Note or in the box for the description of goods of the Community Transit Transfer Note."

C. The following Article shall be inserted after Article 13:

Article 13 a

1. The customs authorities of the Member States may, as an exceptional measure, permit that, in the case of a consignment of goods accompanied by a Control Copy T No 5, such consignment and the Control Copy T No 5, may be divided before the completion of the procedure for which the form has been issued. Consignments resulting from such division may not themselves be further divided.
2. The provisions of paragraph 1 are without prejudice to the application of Community measures to products from intervention which are to be subjected to control of use and/or destination and which are processed in another Member State before being put to their final use or reaching their final destination.
3. The division referred to in paragraph 1 shall be carried out under the conditions set out in paragraphs 4 to 7 below. Member States need not apply these conditions in cases where all the consignments which result from the division are to be put to their final use or are to reach their final destination in the Member State where the division takes place.
4. The office at which the division takes place shall issue, in accordance with the provisions of Article 11, an extract Control Copy T No 5 for each part of the divided consignment, using for this purpose a Control Copy T No 5. Each extract shall contain the additional information shown on the initial Control Copy T No 5 and give in these particulars the net weight of the goods to which that extract applies. Each extract must show in box 106 the registration number, date and office and country of issue of the initial Control Copy T No 5, using one of the following forms of wording:
 - Extract of Control Copy:
.....
(Number, date, office and country of issue)
 - Udskrift af kontroleksemplar:
.....
(nummer, dato, udstedende toldsted og land)

- Auszug aus dem Kontrollexemplar:,
.....
(Nummer, Datum, ausstellende Zollstelle und Land)
- Extrait de l'exemplaire de contrôle:,
.....
(numéro, date, bureau et pays de délivrance)
- Estratto dell'esemplare di controllo:,
.....
(numero, data, ufficio e paese di emissione)
- Uittreksel uit controle-exemplaar:,
.....
(Nummer, datum, kantoor en land van afgifte).

5. The office where the division takes place shall state on the initial Control Copy T No 5 that the form has been divided. It shall do this by entering one of the following statements in the "control of use and/or destination" box:

- (number) extracts issued - copies attached
- (antal) udstedte udskrifter - kopier vedføjet
- (Anzahl) Auszüge ausgestellt - Durchschriften liegen bei
- (nombre) extraits délivrés - copies ci-jointes
- (numero) estratti rilasciati - copie allegate
- (aantal) uittreksels afgegeven - kopieën bijgevoegd

The initial Control Copy T No 5 shall be returned without delay to the office of departure accompanied by the . copies of the extracts issued.

6. The originals of the extract Control Copies T No 5 shall, together with the document relating to the procedure used, accompany each part of the divided consignment.

7. The competent customs office in the Member State of destination of the parts of the divided consignment shall carry out, or cause to be carried out under its responsibility, the control as to the use and/or destination provided for or prescribed. It shall return the extracts endorsed in accordance with Article 12(4) to the office of departure of the initial consignment. 7"

d. 1) Article 17 is hereby repealed.

2) The heading which precedes Article 17 is deleted.

e. Article 36 and the immediately preceding subheading are replaced by the following:

"General provisions relating to carriage by rail

Article 36

Formalities under the Community transit procedure shall be simplified in accordance with the provisions of Articles 37 to 50 and 51 to 53 for carriage of goods by railway authorities under cover of an International Consignment Note (CIM) or International Express Parcels Consignment Note (TIEx)."

f. Article 42(2) is replaced by the following:

"2. With respect to goods referred to in Article 1(2) of Regulation (EEC) No 222/77, the office of departure shall indicate on sheets Nos 1, 2 and 3 of the International Consignment Note that the goods to which the document refers are carried under the external Community transit procedure.

The symbol T1 shall accordingly be clearly shown in box 25."

g. Subparagraph (a) of Article 50 is replaced by the following:

"(a) The symbol required under Article 42(2) shall be entered on sheets Nos 2, 3 and 4 of the International Express Parcels Consignment Note."

h. The following text shall be inserted after Article 50:

"Provisions relating to goods carried in large containers

General

Article 50 a

Formalities under the Community transit procedure shall be simplified in accordance with Articles 50 b to 52 and 53(3) and (4) for the carriage of goods which the railway authorities effect by means of large containers, using transport undertakings as intermediaries and making use of Transfer Notes of a type specially devised to be used as a Community transit document and referred to for the purpose of this Regulation, as "Community Transit Transfer Note". These operations include,

where appropriate, the dispatch of consignments by transport undertakings using methods of transport other than the railway, in the country of consignment to the railway station of departure in that country and in the country of destination from the railway station of arrival in that country and any transport by sea in the course of the movement between these two stations.

Article 50 b

For the purposes of Articles 50 a to 52 and 53(3) and (4):

- (1) "transport undertaking" means an undertaking constituted by the railway authorities as a corporate entity of which they are members, such undertaking being set up for the purpose of carrying goods by means of large containers and under cover of Transfer Notes;
- (2) "large container" means a device for the carriage of goods that is:
 - permanent in nature;
 - specially designed to facilitate the carriage of goods, without intermediate reloading, by one or more means of transport;
 - designed for easy attachment and/or handling;
 - designed in such a way that it can be properly sealed when the application of Article 50 j requires this;
 - of a size such that the area bounded by the four lower external angles is not less than 7 m^2 ;
- (3) "Community Transit Transfer Note" means the document which comprises the contract of carriage by which the transport undertaking arranges for one or more large containers to be carried from a consignor to a consignee in international transport. The Community Transit Transfer Note must be serially numbered in the top right hand corner to enable it to be identified. This number must be made up of 6 digits, three of which precede and three of which follow the letters TR.
The Community Transit Transfer Note shall consist of at least the following sheets which must be delivered in numerical order:
 1. sheet for the head office of the transport undertaking;

2. sheet for the national representative of the transport undertaking in the station of destination;
- 3A. sheet for the customs;
- 3B. sheet for the consignee;
4. sheet for the head office of the transport undertaking;
5. sheet for the national representative of the transport undertaking in the station of departure;
6. sheet for the consignor.

Each sheet of the Community Transit Transfer Note, with the exception of sheet No 3A, shall have a green band (approximately four centimetres wide) along its right hand edge.

Article 50 c

The Community Transit Transfer Note used by the transport undertaking shall be treated as equivalent to:

- (a) a T1 declaration or document, as the case may be, for goods referred to in Article 1(2) of Regulation (EEC) No 222/77;
- (b) a T2 declaration or document, as the case may be, for goods referred to in Article 1(3) of the aforementioned Regulation.

Article 50 d

1. In each Member State the transport undertaking shall, for purposes of control, make available to the customs authorities through the medium of its national representative or representatives the records held at its accounting office or offices or at those of its national representative or representatives.
2. At the request of the customs authorities, the transport undertaking or its national representative or representatives shall communicate to them forthwith any documents, accounting records or information relating to carriage operations already completed or still being undertaken of which those authorities might feel they should be informed.

3. The transport undertaking or its national representative or representatives shall inform:
- (a) the customs office of destination of any Community Transit Transfer Note (sheet 1 of which has been sent to it without a customs stamp;
 - (b) the customs office of departure of any Community Transit Transfer Note (sheet 1 of which has not been returned to it and in respect of which it has been unable to ascertain that the consignment has either been presented in proper fashion to the customs office of destination or been exported from the Community to a third country under the provisions of Article 50 l.

Article 50 e

1. For the carriage of goods referred to in Article 50 a and accepted by the transport undertaking in a Member State, the railway administration of that Member State shall be the principal.
2. For the carriage of goods referred to in Article 50 a and accepted by the transport undertaking in a third country, the railway administration of the Member State by way of which the goods enter the Community shall be the principal.

Article 50 f

Where customs formalities have to be carried out during carriage by means other than rail to the station of departure or from the station of destination, only one large container may be covered by each Community Transit Transfer Note.

Article 50 g

The transport undertaking shall ensure that consignments carried under the Community transit procedure are identified by labels marked "Douane/Zoll/Dogana/Customs/Told". The labels shall be affixed to the Community Transit Transfer Note (and to the large container or containers concerned.

Article 50 h

Where the contract of carriage is modified so that:

- a carriage operation which was to end outside the Community ends within the Community,
- a carriage operation which was to end within the Community ends outside the Community,

the transport undertaking shall not carry out the modified contract except with the prior agreement of the office of departure.

Where the contract of carriage is modified so that the carriage operation ends within the Member State of departure, the modified contract shall be carried out subject to conditions to be determined by the customs authorities of that Member State.

In all other cases, the transport undertaking may carry out the modified contract; it shall forthwith inform the office of departure of the modification made.

Movement of goods between Member States

Article 50 i

1. Where a carriage operation starts and is to end within the Community, the Community Transit Transfer Note shall be produced at the office of departure.
2. In the case of goods referred to in Article 1(2) of Regulation (EEC) No 222/77, the office of departure shall indicate on sheets Nos 2, 3A and 3B of the Community Transit Transfer Note that the goods to which it refers are carried under the external Community transit procedure.
The symbol T1 shall accordingly be clearly shown in the box for customs use of sheets Nos 2, 3A and 3B of the Community Transit Transfer Note.
3. Where one or more of the large containers carried under cover of a Community Transit Transfer Note contain goods referred to in Article 1(2) of Regulation (EEC) No 222/77 and where the other large container or containers contain only goods referred to in Article 1(3) of that Regulation, a reference to the large container or containers containing the goods referred to in Article 1(2) of the said Regulation shall be made by the office of departure in the box for customs use of sheets Nos 2, 3A and 3B of the Community Transit Transfer Note opposite the symbol T1.

4. All sheets of the Community Transit Transfer Note shall be returned to the party concerned.
5. Each Member State may provide that goods referred to in Article 1(3) of Regulation (EEC) No 222/77 may, under conditions which it shall lay down, be placed under the internal Community transit procedure without it being necessary to produce to the office of departure the Community Transit Transfer Note relating to those goods. Production of the said Transfer Note may not, however, be waived in the case of goods in respect of which the provisions of Title III are to apply.]
6. The Community Transit Transfer Note shall be produced to the customs office - hereinafter referred to as the office of destination - at which a declaration is made with a view to the goods in question being entered for home use or placed under some other customs procedures.

Article 50 j

Identification of goods shall be ensured in accordance with Article 18 of Regulation (EEC) No 222/77. However, in cases where, under the provisions of Article 50 i(5), the Community Transit Transfer Note is not produced to the office of departure, the customs, having regard to the identification measures taken by the railway authorities, shall not normally seal the large containers. If customs seals are affixed, the box for customs use on sheets Nos 3A and 3B of the Community Transit Transfer Note shall be noted accordingly.

Article 50 k-

1. The transport undertaking shall forward to the customs office of destination sheets Nos 1, 2 and 3A of the Community Transit Transfer Note.
2. The office of destination shall without delay return sheets Nos 1 and 2 to the transport undertaking after stamping them and shall retain sheet No 3A.

Carriage of goods to or from third countries.

Article 50 l

1. Where a carriage operation starts within the Community and is to end outside the Community, the provisions of Article 50 i (1) to (5) and 50 j shall apply.
2. The customs office responsible for the frontier station through which the goods leave the territory of the Community shall act as the office of destination.
3. No formalities need be carried out at the office of destination.

Article 50 m

1. Where a carriage operation starts outside the Community and is to end within the Community, the customs office responsible for the frontier station through which the goods enter the Community shall act as the office of departure. No formalities need be carried out at the office of departure.
2. The customs office to which the goods are presented shall act as the office of destination.
The formalities provided for in Article 50 k shall be carried out at the office of destination.

Article 50 n

1. Where a carriage operation starts and is to end outside the Community, the customs offices which are to act as the office of departure and the office of destination shall be those referred to in Article 50 m (1) and Article 50 l (2) respectively.
2. No formalities need be carried out at the offices of departure or of destination.

Article 50 o

Goods carried according to the arrangements referred to in Article 50 m (1) or Article 50 n (1) shall be considered as moving under the external Community transit procedure unless a movement certificate DD, or an internal Community transit document T2L that has been completed in order to establish the Community nature of the goods concerned is produced."

1. Article 51 is replaced by the following:

Article 51

1. The railway authorities shall, for the purpose of compiling transit statistics, supply the department responsible for the external trade statistics in the Member State of departure with the necessary information regarding each Community transit operation in respect of which they have acted as principals by virtue of Articles 39 and 50 e.
2. Until such time as a Community procedure has been introduced for the purposes of applying paragraph 1 and transmissions of the information to the departments responsible for external trade statistics in the Member States, other than the Member State of departure, whose territory is crossed during any Community transit operation, each Member State shall determine the method whereby the national railway authorities are to supply the necessary information to the responsible national department.
3. In the case of carriage operations effected by means of large containers and referred to in Articles 50 a to 50 o, each Member State may stipulate that the information to be provided by virtue of paragraphs 1 and 2 shall relate also to carriage by road, within the said Member State, to the station of departure or from the station of destination; such information should include mention of any transhipment carried out in connection with such carriage operations.

4. The railway authorities may not, for the purpose of applying paragraphs 1, 2 and 3, require the consignor to supply any further information in addition to the information shown on the International Consignment Note, the International Express Parcels Consignment Note or the Community Transit Transfer Note [except for the names of the countries of consignment and of destination of the goods carried.]”

j. Article 53 is replaced by the following:

“Article 53

1. The provisions of Articles 36 to 50 shall not preclude the use of the procedure provided for in Regulation (EEC) No 222/77, in which case Articles 36 and 40 shall nevertheless apply.
2. In addition, sheet No 2 of the International Consignment Note or of the International Express Parcels Consignment Note shall be produced at one of the customs offices for the different stations involved in the Community transit operation.
That customs office shall stamp the document presented after ascertaining that carriage of the goods is covered by one or more Community transit documents.
3. The procedure laid down in Regulation (EEC) No 222/77 may not be used when the provisions of Articles 50 a to 50 o are applied.
4. Where a Community transit operation is effected under cover of a [Community Transit Transfer Note] in accordance with the provisions of Articles 50 a to 50 o, the International Consignment Note used for the operation shall be excluded from the scope of Articles 36 to 50, 51 to 52 and 53(1) and (2).
The International Consignment Note shall bear a clear reference in box 32 to the [Community Transit Transfer Note] [This reference must comprise the words “Transfer Note” followed by the serial number.”

k. Article 58(1) is replaced by the following:

"1. The authorization shall stipulate that the box to be used for the registration of declaration on the front of the Community transit declaration form shall:

- (a) be stamped in advance with the stamp of the office of departure and be signed by an official of that office; or
- (b) be stamped by the approved consignor with a special metal stamp approved by the customs authorities and conforming to the specimen shown in Annex XV. The imprint of the stamp may be pre-printed on the forms where the printing is entrusted to a printing works approved for that purpose.

The authorized consignor shall complete that box by indicating the date of consignment of the goods and must give the declaration a number in accordance with the rules to that effect in the authorization."

l. Article 68 is replaced by the following:

"Article 68

- [1. When production of the Community transit declaration at the office of departure is not required in respect of goods referred to in Article 1(2) of Regulation (EEC) No 222/77, which are to be dispatched under cover of an International Consignment Note, an International Express Parcels Consignment Note, or a Community Transit Transfer Note in accordance with the provisions of Articles 36 to 53, the customs authorities shall take the necessary measures to ensure that sheets Nos 1, 2 and 3 of the International Consignment Note, sheets Nos 2, 3 and 4 of the International Express Parcels Consignment Note or sheets Nos 2, 3A and 3B of the Community Transit Transfer Note bear the symbol "T1".]

2. When goods carried under the provisions of Articles 36 to 53 are intended for an authorized consignee, the customs authorities may provide that, by way of derogation from Articles 62(2) and 65(1)(b), sheets Nos 2 and 3 of the International Consignment Note, sheets Nos 2 and 4 of the International Express Parcels Consignment Note or sheets Nos 1, 2 and 3A of the Community Transit Transfer Note are to be delivered direct by the railway authorities or by the transport undertaking to the office of destination."

m. The following Section shall be inserted in Title IV:

"Section III

Simplification of formalities applicable to certain goods

Provisions relating to motorized road vehicles

[Article 68 a

Without prejudice to the provisions applicable to the temporary importation of road vehicles, the provisions of the Treaty establishing the European Economic Community regarding the free circulation of goods shall apply to all motorized road vehicles registered in a Member State of the Community:

- (a) provided that they are accompanied by their registration plates and documents and that the registration particulars shown on the registration documents and plates clearly establish the Community nature of the goods.
- (b) in other cases, if an internal Community transit document is produced.]

Article 68 b

The formalities of the Community transit procedure shall not be compulsory for the dispatch of a motorized road vehicle registered in a Member State of the Community which is returned to this Member State by means other than its own power provided that it satisfies the conditions laid down in Article 68 a (a).]

Provisions relating to certain packings

Article 68 c

1. The formalities of the Community transit procedure shall not be compulsory for the dispatch of the packings defined in paragraph 3 below which can be identified as belonging to a person established in a Member State and which are being returned empty after use from another Member State, provided that they are declared as Community goods and that there is no doubt as to the accuracy of that declaration.
2. The provisions of the Treaty establishing the European Economic Community relating to the free movement of goods shall apply to packing which, pursuant to paragraph 1, are carried without the formalities of the Community transit procedure.
3. The simplification referred to in paragraph 1 shall be granted for receptacles, packings, pallets and other similar equipment used for the carriage of goods consigned within the Community, excluding those containers which are defined in Article 1(b) of the Geneva Customs Convention on Containers of 13 May 1956.]"

n. Article 77(2) is replaced by the following:

- "2. Not later than on consignment of the goods, the authorized consignor shall complete the form T2L and sign it. In addition, he shall enter in the space reserved for the customs certificate the name of the responsible customs office, the date of completion of the document, such particulars of export documentation as are required by the Member State of exportation and the words "simplified procedure"."

o) Annex XIII shall be replaced by the Annex to this Decision.

Article 3

This Decision shall enter into force on 1 July 1981.

Done at Brussels, 18 September 1980

For the Joint Committee

The Chairman

CH: P. Affolter

A: F. Klein

ANNEX XIII

LIST OF GOODS WHICH WHEN TRANSPORTED GIVE RISE TO AN INCREASE IN
THE FLAT-RATE GUARANTEE

(Article 24(3))

1	2	3
CCT heading No	Description	Quantity corresponding to the standard amount of 7 000 EUA
02.01 A II 02.06 C Ia) 16.02 B III b) laa)) meat of bovine animals)	5 000 kg
04.02	Milk and cream, preserved, concentrated or sweetened	5 000 kg
04.03	Butter	3 000 kg
04.04	Cheese and curd	5 000 kg
09.01 A I	Coffee unroasted	5 000 kg
09.01 A II	Coffee roasted	3 500 kg
ex 21.02 A	Coffee extracts and essences	1 200 kg
09.02	Tea	3 500 kg
ex 21.02 B	Tea extracts and essences	1 200 kg
21.07 G V to IX	Other food preparations, not elsewhere specified or included, containing 18% or more of milk fats	5 000 kg
22.05 A	Sparkling wine	20 hl
22.06	Vermouth and similar wines	20 hl
22.08 B) Ethyl alcohol, undenatured	10 hl
22.09 A) Ethyl alcohol, undenatured	10 hl
ex 22.09	Alcoholic beverages	20 hl
24.02 A	Cigarettes	125 000 pieces
ex 24.02 B	Cigarillos	125 000 pieces
ex 24.02 B	Cigars	50 000 pieces
24.02	Smoking tobacco	1 000 kg
ex 27.10	Petrol, gas-oil	400 hl
ex 33.06 A II	Perfumes and toilet water	10 hl

EUROPEAN COMMUNITIES
THE COUNCIL

Brussels, 17 October 1980

10300/80		
		RESTREINT

AELE
CH 28

DECISION No 3/80 OF THE EEC-SWITZERLAND JOINT COMMITTEE
- Community transit -
OF 24 NOVEMBER 1980

amending the Agreement between the European Economic Community
and the Swiss Confederation on the application
of the rules on Community transit
following the accession of the Hellenic Republic
to the European Communities

THE JOINT COMMITTEE,

Having regard to the Agreement between the European Economic
Community and the Swiss Confederation on the application of
the rules on Community transit, and in particular Article 16(3)(c)
thereof,

.../...

Whereas, following the accession of the Hellenic Republic to the Community it is desirable, as long as customs duties and other charges have not been eliminated in intra-Community trade, to be able to distinguish goods according to whether they have acquired Community status in the Community as constituted before the accession of Greece or in Greece;

Whereas, on these grounds, it has proved necessary to introduce internal Community transit documents, comparable with those already in use but distinguished therefrom by the references T2GR and T2LGR, as well as to make other provisions for the application of the rules on Community transit;

Whereas consequently it is necessary to adapt the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The Additional Protocol GR in the Annex to this Decision shall be added to the Agreement concluded between the European Economic Community and the Swiss Confederation on the application of the rules on Community transit.

The Protocol shall form an integral part of the Agreement.

Article 2

The Decision shall enter into force on 1 January 1981.

However, the provisions of Article 6 of the Additional Protocol referred to in Article 1 regarding the Community Transit Transfer Note shall enter into force on 1 July 1981.

Done at Brussels, 24 November 1980
For the Joint Committee
The Chairman

P. Affolter

Additional Protocol GR

on special procedures implementing
the Agreement made necessary by the accession of
the Hellenic Republic to the Community

ARTICLE 1

In this Protocol the "Community as constituted before the accession of Greece", hereinafter called "Community of Nine", shall mean the Kingdom of Belgium, the Kingdom of Denmark, the Federal Republic of Germany, the French Republic, Ireland, the Italian Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands and the United Kingdom of Great Britain and Northern Ireland.

ARTICLE 2

Save as provided in Articles 3 and 6 of this Protocol, the provisions of the Agreement expressly referring to transit forms, declarations and documents T2 or T2L shall apply equally to transit forms, declarations and documents T2GR or T2LGR.

ARTICLE 3

The issue by a Swiss office of departure of a transit document T2GR or T2LGR shall be subject to the presentation at that office of a transit document T2GR or T2LGR drawn up in a Member State.

ARTICLE 4

1. A T2GR declaration is a declaration made:

- on a form corresponding, except as regards spaces reserved for national use and the dimensions of boxes wholly or partly delineated by dotted lines, to the specimen shown in Annex I or Annex III to the Regulation on provisions for the implementation of the Community transit procedure and for certain simplifications of that procedure (Appendix II to the Agreement), accompanied where appropriate by one or more forms corresponding to the specimens shown in Annex II or Annex IV to the said Regulation, or
- on a form corresponding to the specimen shown in Annex I to the Regulation introducing a Community transit declaration form for use in an automatic or electronic data-processing system (Appendix II A to the Agreement).

2. The principal shall indicate whether the Community transit declaration is made on a form T2GR, accompanied, where appropriate, by one or more continuation sheets, T2GR bis, by inserting in printed characters or in typescript, in the space following the T symbol on these forms, the symbols "2 - TWO GR".

ARTICLE 5

1. The form on which the internal Community transit document T2LGR is drawn up must conform to the specimen annexed hereto. However, Member States may allow the use of forms corresponding to the specimen shown in Annex XI to the Regulation on provisions for the implementation of the Community transit procedure and for certain simplifications of that procedure (Appendix II to the Agreement) the symbol T2L of which has been completed at the time of the preparation of the document by the addition of the letters GR either in typescript or legibly and indelibly handwritten.
2. The provisions of Article 2(2), (5)(a), (6) first two subparagraphs, (9) and (10) and Title V of the Regulation referred to above (Appendix II to the Agreement) shall apply to the document T2LGR.

ARTICLE 6

1. For the purpose of implementing the provisions of Title IV, Section I of the Regulation referred to above (Appendix II to the Agreement):

- (a) - the International Consignment Note or the International Express Parcels Consignment Note drawn up in respect of goods accepted for transport by one of the railway authorities of the Community of Nine, or
 - the Community Transit Transfer Note drawn up for goods accepted for transport by one of the national representatives of the transport undertaking in the Community of Nine

shall have equivalent effect to a declaration or document T2 provided it does not bear the symbol T1 or T2GR;

- (b) - the International Consignment Note or the International Express Parcels Consignment Note drawn up in respect of goods accepted for transport by the Greek railway authorities, or
 - the Community Transit Transfer Note drawn up for goods accepted for transport by the Greek national representative of the transport undertaking

shall have equivalent effect to a declaration or document T2GR provided it does not bear the symbol T1 or T2, the symbol T2 being authenticated by the stamp of the office of departure.

2. For the implementation of Article 8(2) of the Agreement the document must be stamped T2GR when the goods concerned arrived in Switzerland under cover of:

- a document T2GR,
 - an International Consignment Note, an International Express Parcels Consignment Note or a Community Transit Transfer Note equivalent to document T2GR, or
 - a document T2LGR.
-

T2 L GR

Nr. A 000000

Annex

Please see Notice before completing this form
INTERNAL COMMUNITY TRANSIT DOCUMENT FOR ESTABLISHING
THE COMMUNITY STATUS OF GOODS

3 Person concerned

28 Previous Customs procedure

1
41 Marks, numbers, number and kind of packages; description of goods

42 Statistical number (¹)

43 Gross weight

49 Net weight (¹)

2
41 Marks, numbers, number and kind of packages; description of goods

42 Statistical number (¹)

43 Gross weight

49 Net weight (¹)

CUSTOMS CERTIFICATE

Certified declaration satisfactory

Export document:

type No

date

Customs office (and country):

Remarks:

At on
(Place of signature) (Date)

(Signature)

(Stamp)

59 Procedure and document used

60 DECLARATION BY THE PERSON CONCERNED

The person concerned, represented by

declares that the goods described above are Community goods.

At on
(Place of signature) (Date)

(Signature)

(¹) For completion only when required by Community regulations.

REQUEST FOR VERIFICATION	RESULT OF VERIFICATION
<p>Verification of the authenticity of this document and the accuracy of the information contained therein is requested.</p> <p>At on</p> <p style="text-align: center;">(Place of signature) (Date)</p> <p>(Signature) (Stamp)</p>	<p>Verification carried out shows that this document</p> <ol style="list-style-type: none"> 1. was issued by the Customs office indicated and that the information contained therein is accurate. ⁽¹⁾ 2. does not meet the requirements as to authenticity and regularity (see remarks below). ⁽¹⁾ <p>At on</p> <p style="text-align: center;">(Place of signature) (Date)</p> <p>(Signature) (Stamp)</p> <p>⁽¹⁾ Delete as necessary.</p>
<p>REMARKS</p>	

EUROPEAN COMMUNITIES
THE COUNCIL

Brussels, 16 October 1980

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DECISION No 3/80 OF THE EEC-AUSTRIA JOINT COMMITTEE
- Community transit -
OF 24 NOVEMBER 1980

amending the Agreement between the European Economic Community
and the Republic of Austria on the application
of the rules on Community transit
following the accession of the Hellenic Republic
to the European Communities

THE JOINT COMMITTEE,

Having regard to the Agreement between the European Economic
Community and the Republic of Austria on the application of
the rules on Community transit, and in particular Article 16(3)(c)
thereof,

.../...

Whereas, following the accession of the Hellenic Republic to the Community it is desirable, as long as customs duties and other charges have not been eliminated in intra-Community trade, to be able to distinguish goods according to whether they have acquired Community status in the Community as constituted before the accession of Greece or in Greece;

Whereas, on these grounds, it has proved necessary to introduce internal Community transit documents, comparable with those already in use but distinguished therefrom by the references T2GR and T2LGR, as well as to make other provisions for the application of the rules on Community transit;

Whereas consequently it is necessary to adapt the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The Additional Protocol GR in the Annex to this Decision shall be added to the Agreement concluded between the European Economic Community and the Republic of Austria on the application of the rules on Community transit.

The Protocol shall form an integral part of the Agreement.

Article 2

The Decision shall enter into force on 1 January 1981.

However, the provisions of Article 6 of the Additional Protocol referred to in Article 1 regarding the Community Transit Transfer Note shall enter into force on 1 July 1981.

Done at Brussels, 24 November 1980
For the Joint Committee
The Chairman
F. Klein

Additional Protocol GR

on special procedures implementing
the Agreement made necessary by the accession of
the Hellenic Republic to the Community

ARTICLE 1

In this Protocol the "Community as constituted before the accession of Greece", hereinafter called "Community of Nine", shall mean the Kingdom of Belgium, the Kingdom of Denmark, the Federal Republic of Germany, the French Republic, Ireland, the Italian Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands and the United Kingdom of Great Britain and Northern Ireland.

ARTICLE 2

Save as provided in Articles 3 and 6 of this Protocol, the provisions of the Agreement expressly referring to transit forms, declarations and documents T2 or T2L shall apply equally to transit forms, declarations and documents T2GR or T2LGR.

ARTICLE 3

The issue by an Austrian office of departure of a transit document T2GR or T2LGR shall be subject to the presentation at that office of a transit document T2GR or T2LGR drawn up in a Member State.

ARTICLE 4

1. A T2GR declaration is a declaration made:

- on a form corresponding, except as regards spaces reserved for national use and the dimensions of boxes wholly or partly delineated by dotted lines, to the specimen shown in Annex I or Annex III to the Regulation on provisions for the implementation of the Community transit procedure and for certain simplifications of that procedure (Appendix II to the Agreement), accompanied where appropriate by one or more forms corresponding to the specimens shown in Annex II or Annex IV to the said Regulation, or
- on a form corresponding to the specimen shown in Annex I to the Regulation introducing a Community transit declaration form for use in an automatic or electronic data-processing system (Appendix II A to the Agreement).

2. The principal shall indicate whether the Community transit declaration is made on a form T2GR, accompanied, where appropriate, by one or more continuation sheets, T2GR bis, by inserting in printed characters or in typescript, in the space following the T symbol on these forms, the symbols "2 - TWO GR".

ARTICLE 5

1. The form on which the internal Community transit document T2LGR is drawn up must conform to the specimen annexed hereto. However, Member States may allow the use of forms corresponding to the specimen shown in Annex XI to the Regulation on provisions for the implementation of the Community transit procedure and for certain simplifications of that procedure (Appendix II to the Agreement) the symbol T2L of which has been completed at the time of the preparation of the document by the addition of the letters GR either in typescript or legibly and indelibly handwritten.
2. The provisions of Article 2(2), (5)(a), (6) first two subparagraphs, (9) and (10) and Title V of the Regulation referred to above (Appendix II to the Agreement) shall apply to the document T2LGR.

.../...

ARTICLE 6

1. For the purpose of implementing the provisions of Title IV, Section I of the Regulation referred to above (Appendix II to the Agreement):

- (a) - the International Consignment Note or the International Express Parcels Consignment Note drawn up in respect of goods accepted for transport by one of the railway authorities of the Community of Nine, or
- the Community Transit Transfer Note drawn up for goods accepted for transport by one of the national representatives of the transport undertaking in the Community of Nine

shall have equivalent effect to a declaration or document T2 provided it does not bear the symbol T1 or T2GR;

- (b) - the International Consignment Note or the International Express Parcels Consignment Note drawn up in respect of goods accepted for transport by the Greek railway authorities, or
- the Community Transit Transfer Note drawn up for goods accepted for transport by the Greek national representative of the transport undertaking

shall have equivalent effect to a declaration or document T2GR provided it does not bear the symbol T1 or T2, the symbol T2 being authenticated by the stamp of the office of departure.

2. For the implementation of Article 8(2) of the Agreement the document must be stamped T2GR when the goods concerned arrived in Austria under cover of:

- a document T2GR,
- an International Consignment Note, an International Express Parcels Consignment Note or a Community Transit Transfer Note equivalent to document T2GR, or
- a document T2LGR.

T2 L GR

Nr. A 000000

Annex

Please see Notice before completing this form

INTERNAL COMMUNITY TRANSIT DOCUMENT FOR ESTABLISHING
THE COMMUNITY STATUS OF GOODS

3 Person concerned

28 Previous Customs procedure

1 41 Marks, numbers, number and kind of packages; description of goods

42 Statistical number (1)

43 Gross weight

49 Net weight (1)

2 41 Marks, numbers, number and kind of packages; description of goods

42 Statistical number (1)

43 Gross weight

49 Net weight (1)

CUSTOMS CERTIFICATE

Certified declaration satisfactory

Export document:

type No

date

Customs office (and country):

Remarks:

At on
(Place of signature) (Date)

(Signature)

(Stamp)

59 Procedure and document used

60 DECLARATION BY THE PERSON CONCERNED

The person concerned, represented by

declares that the goods described above are Community goods.

At on
(Place of signature) (Date)

(Signature)

(1) For completion only when required by Community regulations.

