

COMMISSION OF THE EUROPEAN COMMUNITIES

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Brussels, 15 November 1974

Proposal for

REGULATION (EEC) OF THE COUNCIL

implementing Decisions Nos. 6/74 and 7/74 of the Joint Committee set up under the Agreement between the European Economic Community and the Republic of Austria on the application of Community transit regulations

Proposal for

REGULATION (EEC) OF THE COUNCIL

implementing Decision Nos. 2/74 and 3/74 of the Joint Committee set up under the Agreement between the European Economic Community and the Swiss Confederation on the application of Community transit regulations

(submitted to the Council by the Commission)

COMMISSION NOTE TO THE COUNCIL

I. On 6 November 1974 the Joint Committee set up under the EEC/Austria Agreement⁽¹⁾ on the implementation of Community transit regulations adopted, by written procedure, two Decisions amending certain Appendices of the Agreement.

On the same day the Joint Committee set up under the EEC/Switzerland Agreement⁽²⁾ adopted 2 similar Decisions to those referred to above.

The Decisions have been examined in draft at Council level with a view to a common Community standpoint ⁽³⁾.

II. It is necessary to ensure the implementation of these two Decisions within the Community. Hence the proposals for the two regulations in Annexes A and B.

(1) Regulation (EEC) 2813/72, 21 November 1972, OJ L 58 , 28 February 1974, p.39.

(2) Regulation (EEC) 2812/72, 21 November 1972, OJ L 365, 31 December 1973, p.225

(3) cf. doc. S/1114/74 (CoS 119) (A 13)(CH 11); S/1168/74 (CoS 127)(A 14), S/1169/74 (CoS 128) (A 15); S/1175/74 (CoS 131) (CH 13), S/1176/74 (CoS 132) (CH 14).

Proposal
for
REGULATION (EEC) . . . OF THE COUNCIL

implementing Decision Nos. 6/74 and 7/74 of the Joint Committee set up under the Agreement between the European Economic Community and the Republic of Austria on the application of Community transit regulations

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 (1) between the European Economic Community and the Republic of Austria on the application of Community transit regulations, signed in Brussels on 30 November 1972, empowered the Joint Committee set up under that Agreement to adopt, by means of Decisions, certain amendments to the said Agreement and its Appendices;

Whereas on 6 November 1974 the Joint Committee adopted amendments to Appendices II A and VII to the Agreement necessitated by recent amendments to Community transit regulations; whereas these amendments are the subject of Decision Nos. 6/74 and 7/74;

Whereas it is necessary to take the measures required to implement the abovementioned Decisions,

HAS ADOPTED THIS REGULATION:

Article 1

Decision Nos. 6/74 and 7/74 of the Joint Committee set up under the Agreement between the European Economic Community and the Republic of Austria on the application of Community transit regulations, annexed to this Regulation, shall apply in the Community as from 1 January 1975.

(1) OJ No L 294, 29.12.1972, p. 86

Article 2

This Regulation shall enter into force on the third day following 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

DECISION No 6/74 OF THE JOINT COMMITTEE EEC-AUSTRIA
(Community transit)
OF 6 NOVEMBER 1974

amending Appendix II A to the Agreement

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)(a) thereof;

Whereas Community provisions on the use of loading lists as the descriptive part of Community transit declarations have recently been amended by a Regulation of the Commission; whereas it is therefore necessary to amend accordingly the provisions of Appendix IIA to the Agreement;

HAS DECIDED AS FOLLOWS:

Article 1

Appendix IIA, as added by Joint Committee Decision No 3/74 to the Agreement shall be amended as follows:

- (a) In the Title there is inserted, between the date "16 May 1973" and the dash, the figure "(¹)".
- (b) The following footnote is added:
"(¹) As amended by Regulation (EEC) No 1676/74 of 28 June 1974".
- (c) The Regulation is supplemented by the following Article.

"Article 3a

The customs authorities of each Member State may allow firms established in their country whose records are based on a system of electronic or mechanical data processing to use loading lists which, although not complying with all the conditions of Articles 2 and 3, are designed and completed in such a way that they can be used without difficulty by the customs and statistical authorities in question".

.../...

(d) Article 4 of the Regulation is amended to read as follows:

"Article 4

1. When Regulation (EEC) No 304/71 on the simplification of Community transit procedures for goods carried by railways operates, the provisions of Articles 2, 3 and 3A of this Regulation shall apply to loading lists which accompany the International Consignment Note and the number of accompanying lists shall be shown in box 32 of the Consignment Note.

In addition each loading list must include the wagon number to which the Consignment Note refers or, where appropriate, the number of the container in which the goods are carried.

2. For operations beginning within the Community comprising at the same time goods referred to in Article 1(2) and in Article 1(3) of Regulation (EEC) No 542/69 separate loading lists shall be used and the serial numbers of the loading lists relating to the goods referred to in Article 1(2) of that Regulation inserted in the "Description of goods" box on the International Consignment Note."

.../...

Article 2

Loading lists as referred to in Article 3a of Appendix IIA must in all cases include particulars as to the number, nature, marks and numbers of the packages, the description of the goods, the gross weight in kilograms of each consignment and the country from which the goods are consigned.

Article 3

This Decision shall enter into force on 1 January 1975.

Done at Brussels, 6 November 1974

For the Joint Committee
The President

K. PINGEL

DECISION No 7/74 OF THE JOINT COMMITTEE EEC-AUSTRIA

(community transit)

OF 6 NOVEMBER 1974

amending Appendix VII to the Agreement

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) (a) thereof;

Whereas the list of airline companies to which the Community transit guarantee waiver applies has recently been amended by a Regulation of the Commission; whereas it is therefore necessary to amend accordingly the list set out in Appendix VII to the said Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

Appendix VII to the Agreement as amended by Joint Committee Decision No 2/74 shall be amended as follows:

1. The footnote is replaced by the following:

"⁽¹⁾ List as revised by Regulation (EEC) No 2625/73 of 26 September 1973, as amended by Regulation (EEC) 757/74 of 1 April 1974."

2. The list set out in the Annex is amended as follows:

(a) the expression "Aer Lingus Teoranta (Irish International), Dublin" is replaced by the expression "Aer Lingus Teoranta (Irish Airlines), Dublin";

(b) the following companies are added:

- after "Austrian Airlines, Wien", insert:

"Austrian Airtransport, Osterreichische Flugbetriebs GmbH, Wien";

- after "Aviation Hamburg", insert:

"Balair Ltd., Basel";

- after "SAS, Stockholm", insert:

"SATA, S.A. de transport aérien, Genève".

.../...

Article 2

This Decision shall enter into force on 1 January 1975.

Done at Brussels, 6 November 1974

For the Joint Committee

The President

K. PINGEL

Proposal
for
REGULATION (EEC) OF THE COUNCIL

implementing Decision Nos. 2/74 and 3/74 of the Joint Committee set up under the Agreement between the European Economic Community and the Swiss Confederation on the application of Community transit regulations

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

Whereas on 6 November 1974 the Joint Committee adopted amendments to Appendices II A and VII to the Agreement necessitated by recent amendments to Community transit regulations; whereas these amendments are the subject of Decision Nos. 2/74 and 3/74;

Whereas it is necessary to take the measures required to implement the abovementioned Decisions,

HAS ADOPTED THIS REGULATION:

Article 1

Decision Nos. 2/74 and 3/74 of the Joint Committee set up under the Agreement between the European Economic Community and the Swiss Confederation on the application of Community transit regulations, annexed to this Regulation, shall apply in the Community as from 1 January 1975.

Article 2

This Regulation shall enter into force on the third day following 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

DECISION No 2/74 OF THE JOINT COMMITTEE EEC-SWITZERLAND
(Community transit)

OF 6 NOVEMBER 1974

amending Appendix II A to the Agreement

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) (a) thereof;

Whereas Community provisions on the use of loading lists as the descriptive part of Community transit declarations have recently been amended by a Regulation of the Commission; whereas it is therefore necessary to amend accordingly the provisions of Appendix II A to the Agreement;

HAS DECIDED AS FOLLOWS:

Article 1

Appendix II A, as added by Joint Committee Decision No 3/73 to the Agreement shall be amended as follows:

- (a) In the Title there is inserted, between the date "16 May 1973" and the dash, the figure "(1)".
- (b) The following footnote is added:
"(¹) As amended by Regulation (EEC) No 1676/74 of 28 June 1974".
- (c) The Regulation is supplemented by the following Article:

"Article 3a

The customs authorities of each Member State may allow firms established in their country whose records are based on a system of electronic or mechanical data processing to use loading lists which, although not complying with all the conditions of Articles 2 and 3, are designed and completed in such a way that they can be used without difficulty by the customs and statistical authorities in question".

.../...

(d) Article 4 of the Regulation is amended to read as follows:

"Article 4

1. When Regulation (EEC) No 304/71 (1) on the simplification of Community transit procedures for goods carried by railways operates, the provisions of Articles 2, 3 and 3A of this Regulation shall apply to loading lists which accompany the International Consignment Note and the number of the accompanying lists shall be shown in box 32 of the Consignment Note.

In addition each loading list must include the wagon number to which the Consignment Note refers or, where appropriate, the number of the container in which the goods are carried.

2. For operations beginning within the Community comprising at the same time goods referred to in Article 1 (2) and in Article 1 (3) of Regulation (EEC) No 542/69 separate loading lists shall be used and the serial numbers of the loading lists relating to the goods referred to in Article 1 (2) of that Regulation inserted in the "Description of goods" box on the International Consignment Note."

.../...

Article 2

Loading lists as referred to in Article 3a of Appendix II A must in all cases include particulars as to the number, nature, marks and numbers of the packages, the description of the goods, the gross weight in kilograms of each consignment and the country from which the goods are consigned.

Article 3

This Decision shall enter into force on 1 January 1975.

Done at Brussels, 6 NOVEMBER 1974

For the Joint Committee

The President

CH. LENZ

DECISION No 3/74 OF THE JOINT COMMITTEE EEC-SWITZERLAND
(Community Transit)
OF 6 NOVEMBER 1974
appending Appendix VII to the Agreement

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 (3a) thereof;

Whereas the list of airline companies to which the Community transit guarantee waiver applies has recently been amended by a Regulation of the Commission; whereas it is therefore necessary to amend accordingly the list set out in Appendix VII to the said Agreement,

HAS DECIDED:

Article 1

Appendix VII to the Agreement as amended by Joint Committee Decision No 2/73 shall be amended as follows:

1. The footnote is replaced by the following:
"(1) List as revised by Regulation (EEC) 2625/73 of 26.9.1973, as amended by Regulation 757/74 (EEC) of 1.4.1974."
2. The list set out in the Annex is amended as follows:
 - (a) The expression "Aer Lingus Teoranta (Irish International), Dublin" is replaced by the expression "Aer Lingus Teoranta (Irish Airlines), Dublin";
 - (b) The following companies are added:
 - after "Austrian Airlines, Wien", insert "Austrian Airtransport, Osterreichische Flugbetriebs GmbH, Wien."
 - after "Aviation Hamburg", insert "Balair Ltd., Basel"
 - after "SAS..... Stockholm", insert "SATA, SA de transport aerien, Genève."

.../...

Article 2

This Decision shall enter into force on 1 January 1975.

Done at Brussels, 6 November 1974

For the Joint Committee

The President

CH. LENZ
