

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(75) 205 final

Brussels, 12 May 1976

# HILLMAN

Draft Decision

of the

Association Council amending  
Decision n° 5/72 on the methods of administrative  
co-operation for the implementation of Articles 2 and 3  
of the Additional Protocol to the Ankara Agreement

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Proposal for

Council Regulation (EEC) No ... /76  
amending Regulation (EEC) n° 428/73  
on the application of Decisions n°s 5/72 and 4/72  
of the Association Council provided for by the Agreement  
establishing the Association between  
the European Economic Community and Turkey

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(submitted to the Council by the Commission)

COM(76) 205 final



## EXPLANATORY NOTE

I. An Agreement<sup>(1)</sup> was concluded on 11 June 1975 between the European Economic Community and the Republic of Austria on the simplification of formalities in respect of goods traded between the EEC and Greece and Turkey when such goods are re-exported from Austria. Since the Contracting Parties notified one another in March 1976 that the necessary procedures to this end had been taken, the said Agreement will enter into force on 1 May 1976 (see Article 11(1) of the Agreement).

Thus the Decision No 5/72 (see Article 11(2) of the Agreement) of the Council of Association EEC-Turkey on the methods of administrative co-operation needs to be amended so that the provisions of the said Agreement under the Association EEC-Turkey can apply.

The Customs Co-operation Committee EEC-Turkey agreed unanimously at the 6th meeting (17-18 March 1975) on the draft Decision in Annex I.

II. The Council of the European Communities adopted the provisions of Regulation (EEC) 428/73<sup>(2)</sup> of 5 February 1973 for the implementation of Decision No 5/72 taken by the Council of Association on 29 December 1972.

Amendment of the draft Decision as set out under I means that the regulation has to be modified to take account of the new situation.

The regulation proposed for adoption by the Council of the European Communities is at Annex II.

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(1) OJ No L 188, 19 July 1975, p.1

(2) OJ No L 59, 5 March 1973, p.73

Draft Decision

of the

~~EEC~~-Turkey Association Council amending  
Decision No 5/72 on methods of administrative  
cooperation for the implementation of Articles 2  
and 3 of the Additional Protocol to the Ankara  
Agreement

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THE ASSOCIATION COUNCIL,

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

Having regard to the Additional Protocol, signed in Brussels on  
23 November 1970, and in particular Article 4 thereof,

Whereas under of an Agreement between the European Economic  
Community and the Republic of Austria goods traded under the  
EEC-Turkey Association which are forwarded from Austria remain during their  
stay there under the continuous control of the Austrian customs  
authorities so that their identity and completeness are ensured ;  
whereas the Agreement also provides for a broad exchange of information in  
respect of such goods between the customs administrations of Member States  
and that of Austria; whereas such information obtained under this Agreement  
by the customs administrations of Member States from that of Austria will  
on request, be put at the disposal of the Turkish customs administration ;

Whereas the implementation of the said Agreement will accordingly allow  
considerable simplification of formalities in trade between the Community  
and Turkey;

Whereas the methods of administrative co-operation for the implementation of  
Articles 2 and 3 of the Additional Protocol which were adopted in Council  
Association Decision No 5/72, as amended by Decision No 2/73, should  
therefore be amended,

HAS DECIDED :

Article 1

There shall be added to  
the following Title III A :

Decision No 5/72 of 29 December 1972:

.../..

"TITLE IIIA

Special provisions for the use of movement certificate A.TR.1 for goods forwarded from Austria.

Article 7A

When goods are forwarded from Austria after being unloaded and reloaded or warehoused in a bonded warehouse, the documentary evidence referred to in Article 1 shall be movement certificate A.TR.1 provided that the conditions set out in Articles 7 B and 7 C are complied with.

Article 7B

Movement certificate A.TR.1 relating to goods referred to in Article 7A shall only be valid when the certificate is endorsed to the effect that the goods have remained under continuous Austrian customs control to ensure the identity and completeness thereof.

When the goods are forwarded without splitting the consignment, this endorsement, in the "Description of goods" section of movement certificate A.TR.1, shall be the words "Direkte Weiterleitung EWG" authenticated by the stamp of the competent Austrian customs office and the date.

When the goods are forwarded after the consignment has been split in Austria, the competent Austrian customs office is authorised to authenticate, on production of movement certificate A.TR.1 issued in a Member State or in Turkey, a photocopy of such certificate for each part consignment. The top of each photocopy shall be endorsed "TEILSENDUNG" in red ink. Each photocopy shall clearly indicate the goods to which it refers. These particulars shall be authenticated by the customs office stamp and the date.

Article 7C

The goods referred to in Article 7B and the relevant movement certificate A.TR. 1 or, when the consignment is split, the photocopies of the said certificate authenticated by the competent Austrian customs office, must be produced to the customs authorities of the importing Member State within six months from the date of issue of the original movement certificate."

.../...

Article 2

This Decision shall apply with effect from [1 July 1976]

Done at Brussels

For the Association Council

The President

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Council Regulation (EEC) No..../76  
of....

amending Regulation (EEC) No 428/73  
on the application of Decisions Nos 5/72 and 4/72  
of the Association Council provided for by the Agreement  
establishing the Association between the European  
Economic Community and Turkey

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 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 and Greece and Turkey  
when the said goods are forwarded from Austria (1) entered into force on 1 May 1976;

Whereas the EEC-Turkey Association Council has adopted Decision No.../76  
amending Decision No 5/72 on methods of administrative co-operation for  
the implementation of Articles 2 and 3 of the Additional Protocol to the  
Ankara Agreement by inserting therein special provisions for the use of  
movement certificate A.TR.1 for goods forwarded from Austria;

Whereas Decision No .../76 must therefore be implemented within the Community  
by amending Regulation (EEC) No 428/73  
on the application of Decisions Nos 5/72 and 4/72 of the Association  
Council provided for by the Agreement establishing an Association between the  
European Economic Community and Turkey (2) which as last amended by Regulation (EEC)  
No 3573/73 under the said methods of administrative  
co-operation were implemented for the Community,

HAS ADOPTED THIS REGULATION

- (1) OJ No L 188, 19.7.75, p.1  
(2) OJ No L 59, 5.3.73, p. 73  
(3) OJ No L 359, 28.12.1973, p. 1

Article 1

Regulation (EEC) No 428/73 is hereby amended as follows:

The following TITLE IIIA shall be added to EEC-Turkey Association Council, Decision No 5/72 of 29 December 1972, annexed to the said Regulation:

"TITLE IIIA

Special provisions for the use of movement  
certificate A.TR. 1 for goods forwarded from  
Austria

Article 7A

When goods are forwarded from Austria after being unloaded and reloaded or warehoused in a bonded warehouse the documentary evidence referred to in Article 1 shall be movement certificate A.TR.1 provided that the conditions set out in Articles 7B and 7C are complied with.

Article 7B

Movement certificate A.TR.1 relating to goods referred to in Article 7A shall only be valid when the certificate is endorsed to the effect that the goods have remained under continuous Austrian customs control to ensure the identity and completeness thereof.

When the goods are forwarded without splitting the consignment, this endorsement, in the "Description of goods" section of movement certificate A.TR.1 shall be the words "Direkte Weiterleitung EWG" authenticated by the stamp of the competent Austrian customs office and the date.

When the goods are forwarded after the consignment has been split in Austria, the competent Austrian customs office is authorised to authenticate, on production of movement certificate A.TR.1 issued in a Member State or in Turkey, a photocopy of such certificate for each part consignment. The top of each photocopy shall be endorsed "TEILSENDUNG" in red ink. Each photocopy shall clearly indicate the goods to which it refers. These particulars shall be authenticated by the customs office stamp and the date.

Article 7C

The goods referred to in Article 7B and the relevant movement certificate A.TR.1 or, when the consignment is split, the photocopies of the said



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Article 7A

When goods are forwarded from Austria after being unloaded and reloaded or warehoused in a bonded warehouse the documentary evidence referred to in Article 1 shall be movement certificate A.TR.1 provided that the conditions set out in Articles 7B and 7C are complied with.

Article 7B

Movement certificate A.TR.1 relating to goods referred to in Article 7A shall only be valid when the certificate is endorsed to the effect that the goods have remained under continuous Austrian customs control to ensure the identity and completeness thereof.

When the goods are forwarded without splitting the consignment, this endorsement, in the "Description of goods" section of movement certificate A.TR.1 shall be the words "Direkte Weiterleitung EWG" authenticated by the stamp of the competent Austrian customs office and the date.

When the goods are forwarded after the consignment has been split in Austria, the competent Austrian customs office is authorised to authenticate, on production of movement certificate A.TR.1 issued in a Member State or in Turkey, a photocopy of such certificate for each part consignment. The top of each photocopy shall be endorsed "TEILSENDUNG" in red ink. Each photocopy shall clearly indicate the goods to which it refers. These particulars shall be authenticated by the customs office stamp and the date.

Article 7C

The goods referred to in Article 7B and the relevant movement certificate A.TR.1 or, when the consignment is split, the photocopies of the said

within six months from the date of issue of the original movement certificate."

Article 2

This Regulation shall enter into force on [1 July 1967].

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

Done at Brussels

For the Council

The President

