



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 06.10.1995
COM(95) 459 final

95/0241 (ACC)

Proposal for a
COUNCIL REGULATION (EC)
amending Regulations (EC) Nos 3285/94 and 519/94
with respect to the uniform Community surveillance document

(presented by the Commission)

Explanatory Memorandum

Council Regulation (EC) No 3285/94 of 22 December 1994 on the common rules for imports and repealing Regulation (EC) No 518/94⁽¹⁾, and Council Regulation (EC) No 519/94 of 7 March 1994 on common rules for imports from certain third countries and repealing Regulations (EEC) Nos 1765/82, 1766/82 and 3420/83⁽²⁾, established a common import document for use in cases of prior Community surveillance. The model for the surveillance document, which is identical for both the Regulations, appears in Annex I to Regulation (EC) No 3285/94 and in Annex IV to Regulation (EC) No 519/94.

In the interests of good administrative management and to assist Community operators, it is proposed that the layout and content of the import document in question be aligned as far as possible on the common import licence forms provided for in Commission Regulations (EC) Nos 3168/94⁽³⁾, 3169/94⁽⁴⁾ and 1150/95⁽⁵⁾ and in Commission Recommendation 3118/94/ECSC⁽⁶⁾.

A proposal for a Regulation to achieve this is being put to the Council for approval.

(1) OJ No L 349, 31.12.1994, p. 53.

(2) OJ No L 67, 10.3.1994, p. 89.

(3) OJ No L 335, 23.12.1994, p. 23.

(4) OJ No L 335, 23.12.1994, p. 33.

(5) OJ No L 116, 23.5.1995, p. 3.

(6) OJ No L 330, 21.12.1994, p. 6.

Proposal for a
COUNCIL REGULATION (EC)
amending Regulations (EC) Nos 3285/94 and 519/94
with respect to the uniform Community surveillance document

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas Council Regulation (EC) No 3285/94 of 22 December 1994 on the common rules for imports and repealing Regulation (EC) No 518/94⁽¹⁾ and Council Regulation (EC) No 519/94 of 7 March 1994 on common rules for imports from certain third countries and repealing Regulations (EEC) Nos 1765/82, 1766/82 and 3420/83⁽²⁾, as last amended by Regulation (EC) No 839/95⁽³⁾, established a common import document for use in cases of prior Community surveillance; whereas the model for the surveillance document, which is identical for both the Regulations, appears in Annex I to Regulation (EC) No 3285/94 and in Annex IV to Regulation (EC) No 519/94;

Whereas, in the interests of good administrative management and to assist Community operators, it is proposed that the layout and content of the import document in question be aligned as far as possible on the common import licence forms provided for in Commission Regulations (EC) Nos 3168/94⁽⁴⁾, 3169/94⁽⁵⁾ and 1150/95⁽⁶⁾, and in Commission Recommendation 3118/94/ECSC⁽⁷⁾;

Whereas under the current arrangements applications for import documents must be made using a special form which itself fulfils the function of an import document once completed and authenticated by the competent national authorities; whereas in order to simplify the formalities which importers must complete it should no longer be required that an application for an import document be made using a form specially intended for that purpose; whereas the information which must be given in the application for an import document, which may now follow any pattern, must nevertheless be specified;

Whereas transitional arrangements should be made for Community import documents already issued by the Member States before the date of application of this Regulation,

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- (1) OJ No L 349, 31.12.1994, p. 53.
(2) OJ No L 67, 10.3.1994, p. 89.
(3) OJ No L 85, 19.4.1995, p. 9.
(4) OJ No L 335, 23.12.1994, p. 23.
(5) OJ No L 335, 23.12.1994, p. 33.
(6) OJ No L 116, 23.5.1995, p. 3.
(7) OJ No L 330, 21.12.1994, p. 6.

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 3285/94 is amended as follows:

1. Article 12(2) is replaced by the following:

"2. The import document shall be made out on a form corresponding to the model in Annex I.

Except where the decision to impose surveillance provides otherwise, the declaration by the importer shall contain only the following:

- (a) the full name and address of the applicant (including telephone and fax numbers and any number identifying the applicant to the competent national authorities), plus the applicant's VAT registration number if he is liable for VAT;
- (b) where appropriate, the full name and address of the declarant or of any representative appointed by the applicant (including telephone and fax numbers);
- (c) a description of the goods giving:
 - their trade name;
 - their Combined Nomenclature code;
 - their place of origin and place of consignment;
- (d) the quantity declared, in kilograms and, where appropriate, any other additional unit (pairs, items, etc.);
- (e) the value of the goods, cif at Community frontier, in ecus;
- (f) the following statement, dated and signed by the applicant, with the applicant's name spelt out in capital letters:

"I, the undersigned, certify that the information provided in this application is true and given in good faith, and that I am established in the Community."

2. Article 14(2) is replaced by the following:

"2. Article 12(2) shall apply."

3. Annex I is replaced by Annex I hereto.

Article 2

Regulation (EC) No 519/94 is amended as follows:

1. Article 10(2) is replaced by the following:

"2. The import document shall be made out on a form corresponding to the model in Annex IV.

Except where the decision to impose surveillance provides otherwise, the declaration by the importer shall contain only the following:

- (a) the full name and address of the applicant (including telephone and fax numbers and any number identifying the applicant to the competent national authorities), plus the applicant's VAT registration number if he is liable for VAT;
- (b) where appropriate, the full name and address of the declarant or of any representative appointed by the applicant (including telephone and fax numbers);
- (c) a description of the goods giving:
 - their trade name;
 - their Combined Nomenclature code;
 - their place of origin and place of consignment;
- (d) the quantity declared, in kilograms and, where appropriate, any other additional unit (pairs, items, etc.);
- (e) the value of the goods, cif at Community frontier, in ecus;
- (f) the following statement, dated and signed by the applicant, with the applicant's name spelt out in capital letters:

"I, the undersigned, certify that the information provided in this application is true and given in good faith, and that I am established in the Community."

2. Article 13(2) is replaced by the following:

"2. Article 10(2) shall apply."

3. Annex IV is replaced by Annex II hereto.

Article 3

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

It shall apply with effect from 1 January 1996. However, import documents issued before that date may be used until the date of their expiration and until 31 December 1996, at the latest.

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

Done at Brussels,

For the Council
The President

ANNEX I

" Annex I

EUROPEAN COMMUNITY

SURVEILLANCE DOCUMENT

1	1. Consignee (name, full address, country, VAT number)	2. Issue number
		3. Proposed place and date of import
		4. Authority responsible for issue (name, address and telephone No)
		5. Declarant/representative as applicable (name and full address)
	5. Declarant/representative as applicable (name and full address)	6. Country of origin (and geonomenclature code)
		7. Country of consignment (and geonomenclature code)
		8. Last day of validity
	1	9. Description of goods
11. Quantity in kilograms (net mass)		
12. Value in ecus, cif at Community frontier		
13. Additional remarks/additional units		
14. Competent authority's endorsement Date : _____ Signature : _____ Stamp _____		

Holder's copy

EUROPEAN COMMUNITY

SURVEILLANCE DOCUMENT

Copy for the issuing authority	2	1. Consignee (name, full address, country, VAT number)	2. Issue number
			3. Proposed place and date of import
			4. Authority responsible for issue (name, address and telephone No)
		5. Declarant/representative as applicable (name and full address)	6. Country of origin (and geonomenclature code)
			7. Country of consignment (and geonomenclature code)
			8. Last day of validity
	2	9. Description of goods	10. CN code
			11. Quantity in kilograms (net mass)
		12. Value in ecus, cif at Community frontier	
13. Additional remarks/additional units			
14. Competent authority's endorsement			
Date :			
Signature :		Stamp	

ANNEX II

"Annex IV

EUROPEAN COMMUNITY

SURVEILLANCE DOCUMENT

1	1. Consignee (name, full address, country, VAT number)	2. Issue number	
		3. Proposed place and date of import	
		4. Authority responsible for issue (name, address and telephone No)	
		5. Declarant/representative as applicable (name and full address)	
	Holder's copy	6. Country of origin (and nomenclature code)	
		7. Country of consignment (and nomenclature code)	
		8. Last day of validity	
	1	9. Description of goods	10. CN code
11. Quantity in kilograms (net mass)			
12. Value in ecus, cif at Community frontier			
13. Additional remarks/additional units			
14. Competent authority's endorsement			
Date :			
Signature :		Stamp :	

Copy for the issuing authority	2	1. Consignee (name, full address, country, VAT number)	2. Issue number
	2		3. Proposed place and date of import
			4. Authority responsible for issue (name, address and telephone No)
			5. Declarant/representative as applicable (name and full address)
		7. Country of consignment (and geonomenclature code)	
		8. Last day of validity	
		9. Description of goods	10. CN code
			11. Quantity in kilograms (net mass)
		12. Value in ecus, cif at Community frontier	
13. Additional remarks/additional units			
14. Competent authority's endorsement			
Date:			
Signature:		Stamp	

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