# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(79) 655 final

Brussels, 27 November 1979

# Proposal for a COUNCIL REGULATION (EEC)

implementing Decisions No 1/79 and No 2/79 of the EEC-Switzerland

Joint Committee - Community transit - amending GAFT ENGLANCE and

IIA to the Agreement between the European Economic Community and

the Swiss Confederation on the application of the rules on Community

transit

# Proposal for a COUNCIL REGULATION (EEC)

implementing Decisions No 1/79 and No 2/79 of the EEC-Austria Joint Committee - Community transit - amending Appendices II and IIA to the Agreement between the European Economic Community and the Republic of Austria on the application of the rules on Community transit

(submitted to the Council by the Commission)

#### Explanatory memorandum

Subject: Application, in the Community, of Decisions No 1/79 and No 2/79 of the EEC-Austria Joint Committee - Community transit

- 1. On 2 July 1979, the EEC-Austria Joint Committee Community transit adopted Decision No 1/79 on the amendment of Appendix II of the Agreement between the European Economic Community and the Republic of Austria on the application of the rules on Community transit (1). This Decision introduces a second type of Community transit declaration which has only one description-of-goods box.
- 2. On 23 November 1979, the Joint Committee also adopted Decision No 2/79 amending Appendix IIA of the Agreement. This Decision provides for the introduction of a special stamp adapted to the dimensions of the Community transit declaration form referred to in that Appendix and used in the case of simplification of the formalities to be carried out at offices of departure.
- 3. The draft Decisions have already been examined by the Council with a view to establishing a joint Community position (cf. Doc. 6766/79 AELE/A 14/ TRANS 51 and Doc. 9809/79 AELE/A 25/TRANS 125). No significant changes have been made in comparison with the texts submitted to the Council at that time.
- 4. The attached Regulation, the adoption of which by the Council is proposed, is intended to make the aforementioned Decisions of the Joint Committee applicable in the Community.

<sup>&</sup>lt;sup>(1)</sup>OJ No L 294, 29.12.1972, p. 87.

#### Proposal for

Council Regulation (EEC)

on the application of Decisions No 1/79 and No 2/79 of the EEC-Austria Joint Committee - Community transit - amending Appendices II and IIA to the Agreement between the European Economic Community and the Republic of Austria on the application of the rules on Community transit

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 Republic of Austria on the application of the rules on Community transit<sup>(1)</sup>, signed on 30 November 1972, empowers the Joint Committee set up under that Agreement to adopt Decisions making certain amendments to the Agreement and to its Appendices;

Whereas the Joint Committee has decided to amend Appendix II to the Agreement in order to introduce, on an optional basis, a second type of Community transit declaration which Member States may allow to be used and which has only one description—of—goods box;

Whereas the Joint Committee has also decided to amend Appendix IIA to the Agreement in order to introduce a special stamp suitable for the form provided for in that Appendix; whereas the special stamp is intended to be impressed or pre-printed on the said form in the case of simplification of the formalities to be carried out at offices of departure;

Whereas these amendments are the subject of Decisions No 1/79 of 2 July 1979 and No 2/79 of 23 November 1979 of the Joint Committee; whereas it is necessary to take the measures required to implement those Decisions.

HAS ADOPTED THIS REGULATION:

<sup>(1)</sup> OJ No L 294, 29.12.1972, p. 87.

# Article 1

Decisions No 1/79 and No 2/79 of the EEC-Austria Joint Committee - Community transit - amending Appendices II and IIA to the Agreement shall apply in the Community. The texts of the Decisions are annexed to this Regulation.

#### Article 2

This Regulation shall enter into force on the third 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

# DECISION No 1/79 OF THE JOINT COMMITTEE EEC-AUSTRIA - Community transit OF 2 JULY 1979

on the amendment of Appendix II of the Agreement
between the European Economic Community

and the Republic of Austria on the application of the rules on Community transit

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 rules on Community transit have been changed recently to provide for the introduction of a second type of Community transit declaration which Kenber States may allow to be used and which has only one description-of-goods box; whereas it is necessary therefore to smend Appendix II of the Agreement,

HAS DECIDED AS FOLLOWS:

# Article 1

Appendix II of the Agreement between the European Economic Community and the Republic of Austria on the application of the rules on Community transit is hereby amended as follows:

# (a) Article 1(1) shall be replaced by the following:

The forms on which Community transit declarations are made shall correspond, except as regards spaces reserved for national use and boxes wholly or partly delineated by dotted lines, to the specimens shown in Annexes I and II. Each Member State may also allow users to employ, instead of the forms referred to in Annexes I and II, forms corresponding respectively to the specimens in Annexes III and IV. These declarations shall be used in accordance with the provisions of Regulation (EEC)

No 222/77 and of Articles 3 and 4 below.";

# (b) Article 3(4) shall be replaced by the following:

The the case of consignments containing at the same time goods of the types referred to in Article 1(2) and (3) of Regulation (EEC) No 222/77, continuation sheets T1 bis and T2 bis may be attached to the same T form. In this case, the space following the T symbol, boxes 42, 43 and 49 and, where appropriate, the second box 41 shall be barred and the serial numbers of the continuation sheets T1 bis and T2 bis shall be given in box 41 on the T form.":

# (c) Article 5(7) shall be replaced by the following:

7. In the case of consignments containing at the same time goods of the types referred to in Article 1(2) and (3) of Regulation (EEC) No 222/77, separate loading lists must be completed and may be attached to the same T form.

In this case the space following the T symbol, boxes 22, 42, 43 and 49 and, where appropriate, the second box 41 shall be barred and the serial numbers of the loading lists relating to each category of goods shall be given in box 41 on the T form. ":

(d) Annexes I and II of this Decision shall be added as Annexes III and IV.

# Article 2

This Decision shall enter into force on 1 January 1980.

Done at Brussels, 2 July 1979

For the Joint Committee

The President

Dr. Paul Steiger

# DECISION No 2/79

# OF THE EEC-AUSTRIA JOINT COMMITTEE

- Community transit - OF 23 November 1979

amending Appendix II A of 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 Article 58 of Appendix II of the Agreement provides for the possibility of stamping or pre-printing a special stamp on the Community transit declaration form in the case of simplification of the formalities to be carried out at offices of departure;

Whereas the box reserved for the stamp of the office on the form which conforms to the specimen in the Annex to Appendix II A of the Agreement is too small for the special stamp to be stamped or pre-printed on it;

Whereas the rules on Community transit were recently amended in order to provide for a special stamp adapted to this form; whereas it is therefore necessary to amend Appendix II A of the Agreement,

HAS DECIDED AS FOLLOWS:

# Article 1

Appendix II A to the Agreement between the European Economic Community and the Republic of Austria on the application of the rules on Community transit is hereby amended as follows:

### (a) Footnote (1) shall read:

- "(1) Amended by: Regulation (EEC) No 607/78 of 29 March 1978
  - Regulation (EEC) No 1653/79 of 25 July 1979";

(b) Article 1 is amended as follows:

# "Article 1

By way of derogation from the provisions of Regulation (EEC) No 223/77, Member States may permit the use, in an automatic or electronic data-processing system, of a Community transit declaration form corresponding to the specimen in Annex I in place of the forms shown in Annexes I and II of the said Regulation.";

(c) the following Article is inserted after Article 4:

# "Article 4a

When a form corresponding to the specimen in Annex I is used for the preparation of a Community transit declaration form for purposes of Section II Title IV of Regulation (EEC) No 223/77 the special metal stamp, the use of which is laid down in Article 58(1)(b) of the said Regulation, may by way of derogation from the said provision correspond to the specimen in Annex II.

In these circumstances the particulars recorded in the "Registration" box of the form shall include the name of the office of departure, the number of the document and the date.";

- (d) in the Annex, the numeral "I" is added after the word "Annex";
- (e) the Annex to this Decision is added as Annex II.

# Article 2

This Decision shall enter into force on 1 January 1980.

It shall apply until 31 December 1980.

Done at Brussels, 23 November 1979

For the Joint Committee

The President

Dr. Paul Steiger

# ANNEX II

# SPECIAL STAMP

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- 1. Member State's coat of arms
- 2. Authorization
- 3. Authorized consignor

## Explanatory memorandum

Subject: Application, in the Community, of Decisions No 1/79 and No 2/79 of the EEC-Switzerland Joint Committee - Community transit

- 1. On 2 July 1979, the EEC-Switzerland Joint Committee Community transit adopted Decision No 1/79 on the amendment of Appendix II of the Agreement between the European Economic Community and the Swiss Confederation on the application of the rules on Community transit (1). This Decision introduces a second type of Community transit declaration which has only one description-of-goods box.
- 2. On 23 November 1979, the Joint Committee also adopted Decision No 2/79 amending Appendix IIA of the Agreement. This Decision provides for the introduction of a special stamp adapted to the dimensions of the Community transit declaration form referred to in that Appendix and used in the case of simplification of the formalities to be carried out at offices of departure.
- 3. The draft Decisions have already been examined by the Council with a view to establishing a joint Community position (cf. Doc. 6767/79 AELE /CH 6 TRANS 52 and Doc. 9810/79 AELE/CH 22/TRANS 129). No significant changes have been made in comparison with the texts submitted to the Council at that time.
- 4. The attached Regulation, the adoption of which by the Council is proposed, is intended to make the aforementioned Decisions of the Joint Committee applicable in the Community.

<sup>&</sup>lt;sup>(1)</sup>OJ No L 294, 29.12.1972, p. 1.

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#### Proposal for

#### Council Regulation (EEC)

implementing Decisions No 1/79 and No 2/79
of the EEC-Switzerland Joint Committee - Community transit amending Appendices II and IIA to the Agreement between
the European Economic Community and the Swiss Confederation
on the application of the rules on Community transit

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<sup>(1)</sup>, signed on 23 November 1972, empowers the Joint Committee set up under that Agreement to adopt Decisions making certain amendments to the Agreement and to its Appendices;

Whereas the Joint Committee has decided to amend Appendix II to the Agreement in order to introduce, on an optional basis, a second type of Community transit declaration which Member States may allow to be used and which has only one description-of-goods box;

Whereas the Joint Committee has also decided to amend Appendix IIA to the Agreement in order to introduce a special stamp suitable for the form provided for in that Appendix; whereas the special stamp is intended to be impressed or pre-printed on the said form in the case of simplification of the formalities to be carried out at offices of departure;

Whereas these amendments are the subject of Decisions No 1/79 of 2 July 1979 and No 2/79 of 23 November 1979 of the Joint Committee; whereas it is necessar to take the measures required to implement those Decisions,

HAS ADOPTED THIS REGULATION:

# Article 1

Decisions No 1/79 and No 2/79 of the EEC-Switzerland Joint Committee - Community transit - amending Appendices II and IIA of the Agreement shall apply in the Community. The texts of the Decisions are annexed to this Regulation.

### Article 2

This Regulation shall enter into force on the third 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

# DECISION No 1/79 OF THE JOINT COMMITTEE EEC-SWITZERLAND - Community transit OF 2 JULY 1979

on the amendment of Appendix II of the Agreement
between the European Economic Community
and the Swiss Confederation
on the application of the rules
on Community transit

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 the rules on Community transit have been changed recently to provide for the introduction of a second type of Community transit declaration which Member States may allow to be used and which has only one description-of-goods box; whereas it is necessary therefore to smend Appendix II of the Agreement,

HAS DECIDED AS FOLLOWS:

# Article 1

Appendix II of the Agreement between the European Economic Community and the Swiss Confederation on the application of the rules on Community transit is hereby amended as follows:

# (a) Article 1(1) shall be replaced by the following:

The forms on which Community transit declarations are made shall correspond, except as regards spaces reserved for national use and boxes wholly or partly delineated by dotted lines, to the specimens shown in Annexes I and II. Each Member State may also allow users to employ, instead of the forms referred to in Annexes I and II, forms corresponding respectively to the specimens in Annexes III and IV. These declarations shall be used in accordance with the provisions of Regulation (EEC) No 222/77 and of Articles 3 and 4 below.

(b) Article 3(4) shall be replaced by the following:

The case of consignments containing at the same time goods of the types referred to in Article 1(2) and (3) of Regulation (EEC) No 222/77, continuation sheets T1 bis and T2 bis may be attached to the same T form. In this case, the space following the T symbol, boxes 42, 43 and 49 and, where appropriate, the second box 41 shall be barred and the serial numbers of the continuation sheets T1 bis and T2 bis shall be given in box 41 on the T form."

# (c) Article 5(7) shall be replaced by the following:

\*7. In the case of consignments containing at the same time goods of the types referred to in Article 1(2) and (3) of Regulation (EEC) No 222/77, separate loading lists must be completed and may be attached to the same T form.

In this case the space following the T symbol, boxes 22, 42, 43 and 49 and, where appropriate, the second box 41 shall be barred and the serial numbers of the loading lists relating to each category of goods shall be given in box 41 on the T form."

(d) Annexes I and II of this Decision shall be added as Annexes III and IV.

# Article 2

This Decision shall enter into force on 1 January 1980.

Done at Brussels, 2 July 1979

For the Joint Committee

The President

F. Klein

# DECISION No 2/79

# OF THE EEC-SWITZERLAND JOINT COMMITTEE

- Community transit -

OF 23 November 1979

amending Appendix II A of the Agreement

THE JOINT COMMITTEE,

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

Whereas Article 58 of Appendix II of the Agreement provides for the possibility of stamping or pre-printing a special stamp on the Community transit declaration form in the case of simplification of the formalities to be carried out at offices of departure;

Whereas the box reserved for the stamp of the office on the form which conforms to the specimen in the Annex to Appendix II A of the Agreement is too small for the special stamp to be stamped or pre-printed on it;

Whereas the rules on Community transit were recently amended in order to provide for a special stamp adapted to this form; whereas it is therefore necessary to amend Appendix II A of the Agreement.

HAS DECIDED AS FOLLOWS:

# Article 1

Appendix II A to the Agreement between the European Economic Community and the Swiss Confederation on the application of the rules on Community transit is hereby amended as follows:

- (a) Footnote (1) shall read:
  - "(1) Amended by: Regulation (EEC) No 607/78 of 29 March 1978
    - Regulation (EEC) No 1653/79 of 25 July 1979";

(b) Article 1 is amended as follows:

# "Article 1

By way of derogation from the provisions of Regulation (EEC) No 223/77, Member States may permit the use, in an automatic or electronic data-processing system, of a Community transit declaration form corresponding to the specimen in Annex I in place of the forms shown in Annexes I and II of the said Regulation.";

(c) the following Article is inserted after Article 4:

# "Article 4a

When a form corresponding to the specimen in Annex I is used for the preparation of a Community transit declaration form for purposes of Section II Title IV of Regulation (EEC) No 223/77 the special metal stamp, the use of which is laid down in Article 58(1)(b) of the said Regulation, may by way of derogation from the said provision correspond to the specimen in Annex II.

In these circumstances the particulars recorded in the "Registration" box of the form shall include the name of the office of departure, the number of the document and the date.";

- (d) in the Annex, the numeral "I" is added after the word "Annex";
- (e) the Annex to this Decision is added as Annex II.

# Article 2

This Decision shall enter into force on 1 January 1980.

It shall apply until 31 December 1980.

Done at Brussels, 23 November 1979

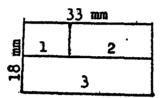
For the Joint Committee

The President

Dr. Paul Steiger

# ANNEX II

#### SPECIAL STAMP



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- 2. Authorization
- 3. Authorized consignor

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