COMMISSION DECISION

of 7 November 1973

setting up an Advisory Committee on customs matters

(73/351/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Whereas, after studying several proposals from the Commission in customs matters, the European Parliament considered that the setting up of an Advisory Committee for customs problems, representing all interested parties, 'would make an important contribution to the democratization of the EEC'; (1)

Whereas, on several occasions, the Economic and Social Committee has stressed the benefit that would result from guaranteeing the organized representation of professional interests for all problems arising on customs matters; whereas for this purpose it suggested a solution 'consisting in the setting up of an Advisory Committee similar to the bodies functioning alongside Community bodies on agricultural matters'; (2)

Whereas, the Commission needs to gather the opinions of professional and consumer circles on problems arising from the operation of the customs union; whereas all professions directly concerned with the subject as well as consumers should be in a position to participate in the formulation of opinions requested by the Commission; whereas the professional circles concerned have set up organizations of an international nature; whereas consumer groups in the Member States are also in a position to obtain representation at Community level,

HAS DECIDED AS FOLLOWS:

Article 1

There shall be attached to the Commission an Advisory Committee on customs matters, hereinafter referred to as the 'Committee'.

Article 2

The Committee may be consulted by the Commission on all problems relating to the application of Community provisions on customs matters, and in particular on any measures taken by the Commission under those provisions.

Article 3

1. The Committee shall consist of 33 members.

The Committee shall be composed of representatives from the following categories: industrialists, craftsmen, agriculturists, tradesmen, carriers, banking and insurance institutions, customs agents (including specialized transport carriers), tourist boards, workers and consumers.

2. Representation on the Committee shall be as follows:

— three to representatives of industry;

— one to representatives of craft industry;

— three to representatives of agriculture (of which one shall be to representatives of agricultural co-operatives);

— four to representatives of commercial organizations;

— three to representatives of Chambers of Commerce and Industry;

— one to representatives of rail transport;

— one to representatives of road transport;

— one to representatives of shipping;

— one to representatives of inland waterways transport;

— one to representatives of air transport;

— one to representatives of banking institutions;

— one to representatives of insurance institutions;

— three to representatives of customs agents (including specialized transport carriers);

— two to representatives of tourist boards;

(1) EP Doc No 34, 15. 5. 1968, and OJ No C 55, 5. 6. 1968, p. 34.
(2) OJ No C 58, 13. 6. 1968, p. 2.

— four to representatives of workers ;
— three to representatives of consumers (of which one shall be for consumers cooperatives).

Article 4

The Members of the Committee shall be appointed by the Commission.

For each of the allotted places attributed to them, the professional or consumer organizations which are most representative of the activities affected by customs problems and set up either at Community level or at international level, shall put forward to the Commission the names of two candidates of different nationalities from within the Community.

Article 5

The term of office for members of the Committee shall be three years. Their appointments may be renewed.

After expiry of the three years, members of the Committee shall remain in office until they are replaced or until their appointments are renewed.

A member's term of office shall terminate before expiry of the three years through death or resignation. It may also be terminated where the organization which proposed the member requests that he be replaced.

A person shall be appointed, in accordance with the procedure laid down in Article 4, to replace such member for the remainder of the term of office.

Members shall not be remunerated for their services.

Article 6

The list of the members of the Committee shall be published by the Commission for information purposes in the *Official Journal of the European Communities.*

Article 7

The Committee shall, by two-thirds majority of the members present, elect a Chairman and two Vice-Chairman for a period of three years.

The Committee may, by the like majority, elect further officers from among the other members.

The officers shall prepare and organize the work of the Committee.

Article 8

The Committee may invite any person with specialist qualifications to participate, in the capacity of an expert, in its deliberations on a subject which is included in the agenda.

Experts shall take part only in discussions of those questions on account of which they were invited.

Article 9

The Committee may set up working groups.

Article 10

1. The Committee shall be convened by the Commission and shall meet at Commission headquarters. Meetings of the officers shall be convened by the Chairman by arrangement with the Commission.

2. Representatives of the Commission departments concerned shall take part in meetings of the Committee, of its officers and of working groups.

3. Secretarial services for the Committee, its officers and working groups shall be provided by the Commission.

Article 11

The Committee shall discuss matters on which the Commission has requested an opinion. No vote shall be taken.

The Commission may, when seeking the opinion of the Committee, set a time limit within which such opinion shall be given.

The views expressed by the various interests represented shall be included in a report forwarded to the Commission.

In the event of unanimous agreement being reached in the Committee on the opinion to be given, the Committee shall formulate joint conclusions and attach them to the report.

The outcome of the Committee's discussions shall be communicated by the Commission to the Council or, when requested to the institutionalized Customs Committees concerned.

Article 12

Without prejudice to the provisions of Article 214 of the Treaty where the Commission informs them that the opinion requested or the question raised is on a matter of a confidential nature, members of the Committee shall be under an obligation not to disclose information which has come to their knowledge through the work of the Committee or of its working groups.

In such cases, only Committee members and representatives of the Commission departments concerned may be present at meetings.

Article 13

This Decision shall enter into force on 7 November 1973.

Done at Brussels, 7 November 1973.

For the Commission

The President

François-Xavier ORTOLI