REGULATION (EEC) No 3227/74 OF THE COMMISSION

of 20 December 1974

amending Regulation (EEC) No 1279/71 on the use of Community transit documents for the purpose of applying certain measures on the exportation of certain goods

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to Council Regulation (EEC) No 542/69 [1] of 18 March 1969 on Community transit, as last amended by the Council Decision of 1 January 1973 [2], and in particular Article 58 (1) (b) thereof;

Whereas the Agreements [3] on the application of Community transit regulations concluded on 21 November 1972 between the European Economic Community and respectively the Republic of Austria and the Swiss Confederation allow goods moving between two points situated in the Community to be placed under one of the Community transit procedures when they are consigned to Austria or Switzerland and are to be re-consigned from either of those countries to the Community; whereas it is therefore necessary to insert in Commission Regulation (EEC) No 1279/71 [4] of 17 June 1971 on the use of Community transit documents for the purpose of applying certain measures on the exportation of certain goods, as last amended by the Act of Accession [5], provisions which ensure that in such circumstances the goods are re-imported into the Community;

Whereas the measures provided for in this Regulation are in accordance with the Opinion of the Committee on Community Transit,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1279/71 is amended by the insertion of an Article 4b as follows:

'Article 4b

1. The provisions of Article 3 shall apply equally to goods as referred to in Article 1 (1) which in the course of transportation between two points within the Community cross the territory of Austria or Switzerland and are re-consigned from that territory.

By way of derogation from the provisions of Article 5 (3) of Regulation (EEC) No 2315/69, the control copy shall accompany the goods to the competent customs office of the Member State of destination.

The office of departure shall specify the period within which the goods must be re-imported into the Community.

2. If a measure as referred to in Article 1 (2) provides for the giving of security, then notwithstanding the provisions of Article 4a such security shall be furnished for all transactions coming within paragraph 1 of this Article.'

Article 2

This Regulation shall enter into force on 23 December 1974.

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

Done at Brussels, 20 December 1974.

For the Commission

The President

François-Xavier ORTOLI

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(1) OJ No L 77, 29. 3. 1969, p. 1.
(2) OJ No L 2, 1. 1. 1973, p. 1.
(3) OJ No L 294, 29. 12. 1972, pp. 1 and 86.
(4) OJ No L 133, 19. 6. 1971, p. 32.
(5) OJ No L 73, 27. 3. 1972, p. 14.