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(Acts whose publication is obligatory)

REGULATION (EEC) No 1496/75 OF THE COUNCIL

of 11 June 1975

on the implementation of the provisions adopted under the association between the European Economic Community and Greece in respect of the movement of goods consequent on the extension of the association to the new Member States

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 an Additional Protocol to extend the association between the European Economic Community as originally constituted and Greece to the new Member States was signed on 28 April 1975; whereas an interim Agreement relating to the advance implementation of certain provisions on trade of the Additional Protocol was concluded on the same date;

Whereas, pursuant to Article 12 of the said interim Agreement, the Council of Association adopted, by Decision No 2/75, methods of administrative cooperation for the implementation of Articles 7 and 8 of the Association Agreement for the whole range of intra-association trade; whereas the Council of Association adopted at the same time, by Decision No 3/75, special provisions for a period ending 30 June 1977 in respect of the percentage of the duties of the Common Customs Tariff to be used to determine the rate of the levy referred to in Article 8 of the Association Agreement for trade between the new Member States and Greece;

Whereas measures must be taken for the implementation of the Decisions referred to above and, to this end, Council Regulation (EEC) No 610/72 [1] of 23 March 1972 on the application of provisions adopted within the association established between the European Economic Community and Greece on the movement of goods in the manufacture of which are used third country products which are not in free circulation either in the Community or Greece, as last amended by Regulation (EEC) No 2911/74 [2], must be amended as regards the levy to be collected in trade between the new Member States and Greece,

HAS ADOPTED THIS REGULATION:

Article 1

Decision No 2/75 of the Association Council, annexed to this Regulation, shall apply as regards methods of administrative cooperation for the implementation of Articles 7 and 8 of the Agreement establishing an association between the European Economic Community and Greece.

Article 2

Regulation (EEC) No 610/72 is amended as follows:

(a) The second subparagraph of Article 2 is replaced by the following:

'As regards goods manufactured from products within the province of the European Coal and Steel Community the percentage shall apply to the customs duties of the unified tariff in force in the Community as originally constituted in respect of products within the province of the European Coal and Steel Community used in the manufacture of those goods'.

[1] OJ No L 75, 28. 3. 1972, p. 7.

[2] OJ No L 313, 25. 11. 1974, p. 52.

(b) The following Article is inserted :

'*Article 5b*

In derogation from the provisions of Article 5 and 5a, the percentage of duties to be used in respect of goods obtained or produced in the new Member States shall be as follows :

(a) — 60 % for the period from 1 July to 31 December 1975,

— 80 % for the period from 1 January 1976 to 30 June 1977,

for goods covered by the arrangements in Article 14 of the Association Agreement ;

(b) 21·6 % as from 1 July 1975,

for goods covered by the arrangements in Article 15 of the said Agreement.'

Article 3

This Regulation shall enter into force on 1 July 1975.

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

Done at Brussels, 11 June 1975.

For the Council

The President

G. FITZGERALD

ANNEX

DECISION No 2/75 OF THE COUNCIL OF ASSOCIATION

on the methods of administrative cooperation for the implementation of Articles 7 and 8 of the Agreement establishing an association between the European Economic Community and Greece

THE COUNCIL OF ASSOCIATION,

Having regard to the Agreement establishing an association between the European Economic Community and Greece, and in particular Article 9 thereof ;

Having regard to the interim Agreement between the European Economic Community and Greece consequent on the accession of new Member States to the Community, and in particular Article 12 thereof ;

Whereas an Agreement concluded pursuant to Article 9 of the Association Agreement between the Governments of Member States of the Community as originally constituted and the Greek Government, signed on 26 September 1962 in Brussels, laid down the methods of administrative cooperation for the implementation of Articles 7 and 8 of the Association Agreement ;

Whereas Article 4 of the Additional Protocol signed on 28 April 1975, provides for an amendment to Article 9 of the Association Agreement, so that the methods of administrative cooperation for the implementation of Articles 7 and 8 of the said Agreement may be determined by the Council of Association ; whereas, pending the entry into force of the said Protocol, and in anticipation of the amendment to be made, Article 12 of the interim Agreement henceforth delegates this task to the Council of Association ;

Whereas, pursuant to the interim Agreement and the Additional Protocol, the new Member States and Greece shall apply until 31 December 1977 customs duties and charges having equivalent effect different from those applicable under the Association Agreement in respect of trade between the Community as originally constituted and Greece ; whereas it is accordingly appropriate to adopt methods of administrative cooperation ensuring the proper implementation of the provisions governing the whole range of intra-association trade,

HAS DECIDED AS FOLLOWS :

TITLE I

General

Article 1

Goods satisfying the required conditions for the implementation of the provisions adopted under the association relating to the progressive abolition between the Community and Greece of customs duties, quantitative restrictions and all measures having equivalent effect, shall benefit from these provisions in the Member States or in Greece upon submission of documentary evidence issued at the exporter's request by the customs authorities of Greece or of a Member State.

Article 2

1. When the goods are transported directly from a Member State to Greece or from Greece to a Member State, the documentary evidence referred to in Article 1 shall be movement certificate A.G.1.

In other cases, the documentary evidence shall be movement certificate A.G.3.

2. For the application of paragraph 1, the following shall be considered as transported directly from a Member State to Greece or from Greece to a Member State :

(a) goods that are transported without passing through territory other than that of the Community or of Greece ;

(b) goods transported through territory other than that of the Community or of Greece, or transhipped in such territory provided that they cross such territory, or are transhipped, under cover of a single transport document made out in the Community or in Greece.

Article 3

When movement certificate A.G.1 or A.G.3 relates to goods obtained in the Community under the conditions set out in Article 8 of the Association Agreement, it must bear a statement to that effect.

TITLE II

Special provisions on movement certificate A.G.1

Article 4

1. Movement certificate A.G.1 shall be endorsed by the customs authorities of the exporting State when

goods to which it relates are exported. It shall be made available to the exporter as soon as actual exportation has been effected or ensured.

In exceptional circumstances movement certificate A.G.1 may also be endorsed after exportation of the goods to which it relates, if it was not produced at the time of exportation because of errors or involuntary omission or special circumstances. In this case, the certificate shall bear a special reference to the conditions in which it was endorsed.

2. Movement certificate A.G.1 may be endorsed only where it can serve as the documentary evidence required for the purpose of implementing the preferential treatment provided for under the association.

Article 5

Movement certificate A.G.1 must be submitted, within three months of the date of endorsement by the customs authorities of the exporting State, to the customs office of the importing State where the goods are entered.

TITLE III

Special provisions on movement certificate A.G.3

Article 6

Movement certificate A.G.3 shall be issued by the customs authorities of the exporting State when the goods to which it relates are exported. It shall be made available to the exporter as soon as actual exportation has been effected or ensured. Under no circumstances may movement certificate A.G.3 be issued after the goods have been exported.

Movement certificate A.G.3 must be made out so as to allow identification of the goods to which it relates when they are imported. The customs authorities of the exporting State shall also take any measures they consider necessary to facilitate such identification and shall refer to these on the certificate itself.

Article 7

Movement certificate A.G.3 must be submitted within six months of the date of issue to the customs authorities of the importing State. It shall only be valid for the quantities of goods entering the importing State during that period.

TITLE IV

Provisions common to movement certificates A.G.1 and A.G.3

Article 8

Movement certificates shall be made out on the appropriate form, specimens of which are appended to this Decision, in one of the languages in which the Association Agreement is drawn up and in accordance with the provisions of the domestic law of the exporting State. When certificates are made out in Greek, they shall also be completed in one of the official languages of the Community. They shall be typed or handwritten ; in the latter case they must be in capital letters in ink.

The customs authorities of the exporting State may require a duplicate copy of movement certificates to be submitted to the customs export office at the same time as the original.

Each certificate shall measure 210 × 297 mm. The paper used must be white-sized writing paper not containing mechanical pulp and weighing not less than 64 g/m^2. It shall have a printed green guilloche pattern background making any falsification by mechanical or chemical means apparent to the eye.

The Member States and Greece may reserve the right to print the certificates themselves or may have them printed by approved printers. In the latter case, each certificate must include a reference to such approval. Each certificate must bear the name and address of the printer or a mark by which the printer can be identified. It shall also bear a serial number by which it can be identified.

Article 9

Movement certificates shall be submitted to customs authorities in the importing State in accordance with the procedures laid down by that State. These authorities may require a translation of a certificate. They may also require the import declaration to be accompanied by a statement from the importer to the effect that the goods meet the conditions required for the implementation of the provisions adopted under the association.

TITLE V

Miscellaneous provisions

Article 10

The following shall benefit from the provisions under the association relating to the progressive abolition, between the Community and Greece, of customs duties, quantitative restrictions and all measures having equivalent effect, without requiring the production of a movement certificate A.G.1 or A.G.3 :

(a) dutiable objects accompanying travellers or forming part of their luggage, provided they are not objects intended for commercial purposes and their total value does not exceed 200 units of account, once they have been declared as meeting the conditions required for the application of these provisions and where there is no doubt as to the accuracy of such declaration ;

(b) postal consignments (including postal packages) transported directly from the exporting State to the importing State provided there is no indication on the packing or on the accompanying documents that the goods contained therein do not comply with the conditions set out in Article 7 or 8 of the Association Agreement. This indication shall consist of a yellow label, complying with that provided for under the Community transit authorities of the exporting State.

Article 11

In order to ensure the proper implementation of this Decision, the Member States and Greece shall assist each other, through their respective customs administrations, in checking the authenticity and accuracy of the certificates.

Article 12

Greece and the Community shall each take the steps necessary to implement this Decision.

Article 13

1. The specimens of movement certificates A.G.1 and A.G.3 shall form an integral part of this Decision.

2. A.G.1 and A.G.3 movement certificates complying with the former specimens annexed to the Agreement of 26 September 1962 may continue to be used until existing stocks are exhausted.

Article 14

1. Until 31 December 1977, the customs authorities of the exporting State shall ensure that A.G.1 and A.G.3 movement certificates issued by them indicate that the goods covered by the said certificates have acquired the status of products fulfilling the conditions of Article 7 or 8 of the Association Agreement either in the Community as originally constituted or in a new Member State.

2. During the period referred to in paragraph 1, a movement certificate A.G.1 or A.G.3 relating to goods obtained in Greece under the conditions set out in Article 8 of the Association Agreement shall bear a statement to that effect, together with an indication of the percentage taken into consideration for the determination of the rate of the levy.

Article 15

Goods fulfilling the conditions of Article 7 of the Association Agreement which have been exported from a new Member State or from Greece after the Additional Protocol has been signed and which, on the date of entry into force of the interim Agreement are either in transit, or held in Greece or a Member State in a customs warehouse, in temporary storage or in a free zone, may benefit from the provisions of the interim Agreement subject to production, within four months of that date, to the customs authorities of the importing State of a movement certificate A.G.1 endorsed retrospectively by the customs authorities of the exporting State, together with documentary evidence of through transit.

Article 16

1. This Decision shall apply as from 1 July 1975.

2. For the purposes of implementing this Decision, movement certificates issued in accordance with the Agreement of 26 September 1962 before the date referred to in paragraph 1 but submitted to the customs authorities of the importing State after this date shall be considered as issued in accordance with the provisions of this Decision.

Done at Brussels, 11 June 1975.

For the Council of Association

The President

St. STATHATOS

Appendix to the Annex

MOVEMENT CERTIFICATE

1. Exporter (Name, full address, country)

A. G. 1 No A 000000

See notes overleaf before completing this form

2. Transport document (Optional)
No ..... date .....

3. Consignee (Name, full address, country) (Optional)

4. ASSOCIATION
between the
EUROPEAN ECONOMIC COMMUNITY
and
GREECE

5. Country of exportation

6. Country of destination (1)

(1) Insert the Member State or Greece

7. Transport details (Optional)

8. Remarks (2)

(2) Insert where appropriate 'compensatory levy EEC-Greece'

9. Item number	10. Marks and numbers ; number and kind of packages (for goods in bulk, indicate the name of the ship or the number of the railway wagon or road vehicle) ; description of goods	11. Gross weight (kg) or other measure (hl, m³, etc.)

12. CUSTOMS ENDORSEMENT

Declaration certified

Export document (3) :

Form ..... No .....

Customs office : .....

Issuing country : .....

.....

.....

Date .....

.....
(Signature)

Stamp

(3) Complete only where the exporting country requires

13. DECLARATION BY THE EXPORTER

I, the undersigned, declare that the goods described above meet the conditions required for the issue of this certificate.

Place and date .....

.....
(Signature)

14. REQUEST FOR VERIFICATION, to	15. RESULT OF VERIFICATION
Verification of the authenticity and accuracy of this certificate is requested. ..... (Place and date) Stamp ..... (Signature)	Verification carried out shows that this certificate (1) ☐ was issued by the customs office indicated and that the information contained therein is accurate. ☐ does not meet the requirements as to authenticity and accuracy (see remarks appended). ..... (Place and date) Stamp ..... (Signature) (1) Insert X in the appropriate box.

I. GOODS FOR WHICH A MOVEMENT CERTIFICATE A. G. 1 MAY BE ENDORSED

1. A movement certificate A.G.1 may be endorsed only for goods which, in the exporting State, fall within one of the following categories :
   (a) goods produced in the exporting State, including those obtained or produced wholly or partly from products on which the applicable customs duties or charges having equivalent effect have been levied and which have not benefited from a total or partial drawback of such duties or charges ;
   (b) goods in free circulation in the exporting State (goods coming from a third country, in respect of which import formalities have been complied with and any customs duties or charges having equivalent effect have been levied, and which have not benefited from a total or partial drawback of such duties or charges);
   (c) goods obtained or produced within the exporting State, and in the manufacture of which have been used products on which the applicable duties or charges having equivalent effect have not been levied or which have benefited from a total or partial drawback of such duties or charges, subject to the collection, where appropriate, of the compensatory levy prescribed for them;

   Note: The statement 'compensatory levy EEC-Greece' must appear on all movement certificates A.G.1 for goods obtained or produced in the Community from products coming from a third country on which the applicable customs duties and charges having equivalent effect have not been levied either in the Community or in Greece.

   (d) goods originally imported from a State party to the Agreement and which on exportation fall within one of the categories (a), (b) or (c) above;
   Note: In the case of goods originally imported into the exporting State under the cover of a movement certificate bearing the statement 'compensatory levy EEC-Greece', the movement certificates or certificate A.G.1 issued in lieu of the latter must also bear the statement 'compensatory levy EEC-Greece'.
2. Certain products must also comply with the additional conditions laid down in respect thereof.
3. Movement certificates A.G.1 may not be endorsed for goods originally imported from a third country under a preferential customs system because of their country of origin or place of consignment.

II. SCOPE OF THE USE OF MOVEMENT CERTIFICATE A. G. 1

The movement certificate A.G.1 may be used only if the goods to which it relates are transported direct from the exporting State to the importing State.
The following shall be considered as transported direct from the exporting State to the importing State:
(a) goods transported without passing through territories other than those of the Community or Greece;
(b) goods transported through territories other than those of the Community or Greece or with transhipment in such territories provided that carriage through such territories or transhipment is covered by a single transport document made out in the Community or in Greece.
Note: Before requesting endorsement of movement certificate A.G.1 by the customs authorities of the exporting State, the exporter must satisfy himself that the goods will in fact be transported direct to the importing State. Goods not transported direct are eligible for preferential treatment only if a movement certificate A.G.3 is produced.

III. RULES FOR COMPLETING MOVEMENT CERTIFICATE A. G. 1

1. The movement certificate A.G.1 must be completed in one of the languages in which the Agreement is drawn up and shall comply with the internal laws of the exporting State. When the certificate is completed in Greek, it shall also be completed in one of the official languages of the Community.
2. The movement certificate A.G.1 must be typed or handwritten; if the latter it must be completed in ink in block letters. It must not contain any erasure or superimposed correction. Any alteration must be made by deleting the incorrect particulars and adding any necessary corrections. Any such alteration must be initialled by the person who completed the certificate and be endorsed by the customs authorities.
3. Each item listed in the movement certificate A.G.1 must be preceded by a serial number. A horizontal line must be drawn immediately after the last entry. Unused space must be struck through so as to make any later addition impossible.
4. Goods must be described in accordance with commercial usage and in sufficient detail to enable them to be identified.
5. The exporter or the carrier may complete the certificate by a reference to the transport document. It is also recommended that the exporter or the carrier should show on the transport document covering the dispatch of the goods the serial number of the movement certificate A.G.1.

IV. EFFECT OF THE MOVEMENT CERTIFICATE A. G. 1

When properly used movement certificate A.G.1 enables the goods described therein to benefit in the importing State from the progressive elimination of customs duties, quantitative restrictions and all other measures having equivalent effect. However, when the movement certificate is endorsed in the Community with the statement 'compensatory levy EEC-Greece' the goods described therein shall not be eligible for this preferential treatment in the Member States of the EEC.
The customs authorities of the importing State may, if they consider it to be necessary, require any other documentary evidence and in particular transport documents under cover of which the goods were dispatched.

V. TIME LIMIT FOR SUBMISSION OF MOVEMENT CERTIFICATE A. G. 1

The movement certificate A.G.1 must be produced at the customs office of the importing State where the goods are presented, within a period of three months from the date of endorsement.

MOVEMENT CERTIFICATE

1. Exporter (Name, full address, country)

A.G. 3 No A 000000

See notes overleaf before completing this form

2. Transport document
No ..... date .....

3. Consignee (Name, full address, country) (Optional)

4. ASSOCIATION
between the
EUROPEAN ECONOMIC COMMUNITY
and
GREECE

5. Country of exportation

6. Country of destination at the time of export

(1) Insert where appropriate 'compensatory levy EEC-Greece'

7. Transport details (Optional)

8. Remarks (1)

9. Item number	10. Marks and numbers ; number and kind of packages (for goods in bulk, indicate the name of the ship or the number of the railway wagon or road vehicle) ; description of goods	11. Tariff number	12. Gross weight (kg)	13. Net weight (kg) or other measure hl, m^3, etc.)

(2) See note overleaf

14. CUSTOMS ENDORSEMENT
Result of customs examination and indication of means of identification (2)

(3) Complete only where the exporting country requires

Declaration certified
Export document (3) :
Form ..... No .....
Customs office : .....
Issuing country : .....
.....
.....
Date .....
.....
(Signature)

Stamp

15. DECLARATION BY THE EXPORTER

I, the undersigned, declare that the goods described above meet the conditions required for the issue of this certificate.

Place of loading : .....

Place and date .....

.....
(Signature)

16. REQUEST FOR VERIFICATION,to	17. RESULT OF VERIFICATION
Verification of the authenticity and accuracy of this certificate is requested. ..... (Place and date) Stamp ..... (Signature)	Verification carried out shows that this certificate (1) ☐ was issued by the customs office indicated and that the information contained therein is accurate. ☐ does not meet the requirements as to authenticity and accuracy (see remarks appended). ..... (Place and date) Stamp ..... (Signature) (1) Insert X in the appropriate box.

I. GOODS FOR WHICH A MOVEMENT CERTIFICATE A. G. 3 MAY BE ISSUED

1. A movement certificate A.G.3 may be endorsed only for goods which, in the exporting State, fall within one of the following categories :
   (a) goods produced in the exporting State, including those obtained or produced wholly or partly from products on which the applicable customs duties or charges having equivalent effect have been levied and which have not benefited from a total or partial drawback of such duties or charges ;
   (b) goods in free circulation in the exporting State (goods coming from a third country, in respect of which import formalities have been complied with and any customs duties or charges having equivalent effect have been levied, and which have not benefited from a total or partial drawback of such duties or charges);
   (c) goods obtained or produced within the exporting State, and in the manufacture of which have been used products on which the applicable duties or charges having equivalent effect have not been levied or which have benefited from a total or partial drawback of such duties or charges, subject to the collection, where appropriate, of the compensatory levy prescribed for them;
   Note: The statement 'compensatory levy EEC-Greece' must appear on all movement certificates A.G.3 for goods obtained or produced in the Community from products coming from a third country on which the applicable customs duties and charges having equivalent effect have not been levied either in the Community or in Greece.
   (d) goods originally imported from a State party to the Agreement and which on exportation fall within one of the categories (a), (b) or (c) above;
   Note: In the case of goods originally imported into the exporting State under the cover of a movement certificate bearing the statement 'compensatory levy EEC-Greece', the movement certificates or certificate A.G.3 issued in lieu of the latter must also bear the statement 'compensatory levy EEC-Greece'.
2. Certain products must also comply with the additional conditions laid down in respect thereof.
3. Movement certificates A.G.3 may not be issued for goods:
   (a) which, in accordance with the provisions applicable therein must be transported direct from the exporting State to the importing State;
   (b) which were originally imported from a third country under a preferential customs system because of their country of origin or place of consignment.

II. SCOPE OF THE USE OF MOVEMENT CERTIFICATE A. G. 3

A movement certificate A.G.3 may be used in all cases where a movement certificate A.G.1 ctnnot be used owing to the fact that the goods are not transported direct from the exporting State to the importing State:

The following shall be considered as transported direct from the exporting State to the importing State:

(a) goods transported without passing through territories other than those of the Community or Greece;

(b) goods transported through territories other than those of the Community or Greece or with transhipment in such territories provided that carriage through such territories or transhipment is covered by a single transport document made out in the Community or in Greece.
In particular, the movement certificate A.G.3 may be used for goods exported from a State party to the Agreement to a country not party to the Agreement, from which they are liable to be re-exported subsequently to a State party to the Agreement.

III. RULES FOR COMPLETING MOVEMENT CERTIFICATE A. G. 3

1. The movement certificate A.G.3 must be completed in one of the languages in which the Agreement is drawn up and shall comply with the internal laws of the exporting State. When the certificate is completed in Greek, it shall also be completed in one of the official languages of the Community.
2. The movement certificate A.G.3 must be typed or handwritten; if the latter it must be completed in ink in block letters. It must not contain any erasure or superimposed correction. Any alteration must be made by deleting the incorrect particulars and adding any necessary corrections. Any such alteration must be initialled by the person who completed the certificate and be endorsed by the customs authorities.
3. The movement certificate A.G.3 must be completed in full. In particular, the place of loading, the date of dispatch and the country of destination at the time of export must be stated.
4. Each item listed in the movement certificate A.G.1 must be preceded by a serial number. A horizontal line must be drawn immediately after the last entry. Unused space must be struck through so as to make any later addition impossible.
5. Goods must be described in accordance with commercial usage and in great detail so as to ensure that they can be identified easily. The description of the goods must include the number of the tariff heading applicable to each item.

   The exporter must include with the movement certificate A.G.3 all documents such as plans, drawings, photographs or commercial prospectuses, etc., which may help identification. If they consider it necessary the customs authorities of the exporting country shall annex these documents to the movement certificate A.G.3.

IV. EFFECT OF THE MOVEMENT CERTIFICATE A. G. 3

A movement certificate A.G.3 enables the goods described therein to benefit from the progressive elimination of customs duties, quantitative restrictions and all other measures having equivalent effect, where there is no doubt that the goods actually imported are those described in that movement certificate A.G.3 However when the movement certificate A.G.3 is endorsed in the Community with the statement 'compensatory levy EEC-Greece', goods described therein shall not be eligible for this preferential treatment in the Member States of the EEC. The customs authorities of the importing State may require submission of any supporting evidence if they consider there is doubt as to the identity of the goods and may exclude the goods from the progressive elimination of customs duties, quantitative restrictions and all measures having equivalent effect if satisfactory evidence cannot be produced.

V. TIME LIMIT FOR SUBMISSION OF MOVEMENT CERTIFICATE A. G. 3

The movement certificate A.G.3 must be submitted to the customs authorities of the importing State within a period of six months from the date of issue. It shall be valid only for the quantities of goods presented in that State during those six months.

Footnote 2, front page : In this space the customs authorities of the place of exportation should give the result of their examination with any details which may facilitate identification of the goods. They must also indicate any special identification measures such as sealing, stamping, etc., which they have taken. Where supporting items of the type referred to in Note III (5) (photographs, plans, samples of woven fabric, etc.), are attached, the customs office must stamp them in such a way that a part of the official stamp is imprinted on the actual certificate A.G.3.
Spaces not used must be struck through in order to prevent later additions.