COMMISSION REGULATION (EEC) No 1828/83

of 30 June 1983

on the form of prior authorizations to be granted for the economic outward processing traffic in textile and clothing products and the procedures for issuing and checking such authorizations

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 636/82 of 16 March 1982 establishing economic outward processing arrangements applicable to certain textile and clothing products reimported into the Community after working or processing in certain third countries (1), and in particular Article 12 thereof,

Whereas Article 4 of Regulation (EEC) No 636/82 provides that the competent authorities of the Member States shall issue prior authorizations to applicants eligible to use the economic outward processing arrangements in respect of textile and clothing products;

Whereas the operation of the said arrangements should be improved by harmonizing the form of such prior authorizations and the issuing and checking of procedures;

Whereas the introduction of a standard prior authorization form should facilitate administrative cooperation among Member States and the third countries where processing operations are carried out;

Whereas procedures for issuing and checking prior authorizations should be designed to ensure conformity with the purposes of the economic outward processing arrangements and to enable checks to be carried out on essential items such as the origin of goods and whether the set quantities are exported;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Committee on Economic Outward Processing Arrangements for Textiles,

HAS ADOPTED THIS REGULATION:

Article 1

The form of the prior authorizations referred to in Article 4 of Regulation (EEC) No 636/82 and the procedures whereby such authorizations are to be issued and checked by the competent authorities of the Member States shall be those laid down by this Regulation, subject to the transitional arrangements provided for in Article 18.

Article 2

Prior authorization forms shall conform to the specimen in the Annex, except as specified in Article 4.

Article 3

Prior authorizations may be made out in the form specified in Article 2 to cover part only of a quantity of compensating products in respect of which an initial prior authorization has previously been issued. The procedure for the issue of such partial prior authorizations is laid down in Article 9.

Article 4

Article 2 shall not apply to the initial prior authorizations on the basis of which partial prior authorizations are subsequently to be issued.

Article 5

The amounts of compensating products shall be charged against any quantitative limits or entered under any surveillance arrangements established as specific measures as referred to in Article 1 (3) of Regulation (EEC) No 636/82 at the time when the prior authorization is issued.

Article 6

Article 5 shall not be held to prevent the competent authorities from provisionally allocating in advance to applicants for the economic outward processing arrangements the quantity of compensating products to which they may be entitled under Article 2 (2) (b) of Regulation (EEC) No 636/82.

(1) OJ No L 76, 20. 3. 1982, p. 1.

Article 7

Each prior authorization shall be issued in respect of one category of compensating product and one processing country only. However, a prior authorization may be issued in respect of more than one category where the categories in question are covered by a single specific measure within the meaning of Article 1 (3) of Regulation (EEC) No 636/82.

Article 8

Prior authorizations may be issued without any indication having been given of the quantity of goods of Community origin to be exported or of the procedures for identifying them.

Such indications shall, in that case, be supplied by the customs authority of the Member State issuing the prior authorization.

Article 9

Partial prior authorizations shall be issued in accordance with one of the following procedures, as specified by the competent authorities :

— they may be issued progressively by the authority which issued the initial prior authorization,

— they may be issued by a customs office upon presentation of the initial prior authorization, provided such office is situated in the Member State where the said initial prior authorization was issued,

— they may be issued, in accordance with a simplified advance endorsement procedure, by the authority which issued the initial prior authorization.

Article 10

The procedure described in the third indent of Article 9 may be used only for firms that have been approved by the competent authorities which issued the initial prior authorization and that offer such guarantees as the said authorities may consider relevant.

Article 11

When issuing prior authorizations, the competent authorities may set time limits for the completion of temporary export formalities.

They may also require that the holder of the authorization carry out the temporary export and/or reimport formalities at a specific customs office. However, such requirement may not constitute an obstacle to the procedure described in Article 14.

Article 12

The customs office where the temporary export formalities are carried out shall :

(a) carry out any necessary checks on the goods to be temporarily exported ;

(b) charge against the prior authorization the quantity of temporarily exported goods in respect of which a derogation has been accorded under Article 2 (2) (c) of Regulation (EEC) No 636/82 ;

(c) return the prior authorization to the holder, with the official proof of temporary export of the goods which is to be presented upon reimport of the compensating products.

Article 13

Where the holder of a prior authorization is asked to supply further proof of the declared origin of the goods, such a request may not in itself be used to prevent the export of the goods.

Article 14

1. Temporary export formalities may be completed in a customs office of a Member State other than that which issued the prior authorization. The said customs office shall carry out the checks and formalities specified in Article 12 as though the authorization had been issued by the Member State where that office is situated.

2. The customs authorities of the Member State of temporary export may require that the holder of the authorization carry out the temporary export formalities in a specific customs office.

3. The customs authorities of the Member State of export shall, at the request of the holder of the prior authorizations, issue an INF 2 sheet conforming to the model laid down in Commission Directive 76/447/EEC (1).

Article 15

1. Upon reimport of the compensating products, the prior authorization in the form specified in Article 2 shall be presented at the customs office where the reimport formalities are to be carried out. Where products are reimported in split consignments, the prior authorization shall be presented at the time of reimport of each such consignment.

2. Official proof of the temporary export of the quantity and type of good covered by the prior authorization shall be presented at the customs office of reimport.

3. The customs office may take appropriate measures to ensure that the conditions of the prior authorization have been met.

(1) OJ No L 121, 8. 5. 1976, p. 52.

4. The customs office shall only accept the prior authorization for the compensating products corresponding to the quantity and type of goods actually exported.

Article 16

1. The authority which issued the prior authorization shall be notified without delay of any contravention of this Regulation.

2. Where a prior authorization is withdrawn from the holder or expires before some or all of the compensating products have been reimported, the competent authority shall cancel in whole or in part entries against quantitative limits or surveillance arrangements made at the time when such authorization was issued pursuant to Article 5.

3. The Commission shall be notified, should it so request, of action taken pursuant to paragraph 2.

Article 17

Member States shall take the necessary steps to see that prior authorizations issued under this Regulation replace any import licence or authorization currently required on import of products to which Regulation (EEC) No 636/82 applies.

Article 18

Member States may defer implementation of Article 2 until 31 December 1983.

Article 19

This Regulation shall enter into force on the 45th day following 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, 30 June 1983.

For the Commission

Karl-Heinz NARJES

Member of the Commission

PRIOR AUTHORIZATION

for economic outward processing
(textile or clothing products)

No **ORIGINAL**

1 (a)

2 Country of processing

3 Holder of the authorization

4 Description of compensating products to be reimported

5 Statistical No

6 Category No

7 Quantity or value

8 Order No — Description of goods to be temporarily exported	9 Origin	10 Statistical No	11 Quantity

12 For official use (b)

13 Last day of validity	14 Means of identification specified

15 Authorization issued on by	16 Validity prolonged until on
(Pre-printed or other stamp) (Signature)	(Stamp) (Signature)

(a) This box may be used for a dry stamp and perforation of the issuing authority. In such case box 15 shall not be stamped.
(b) To be used where necessary to indicate the global value of the goods to be exported and the global value of goods of non-Community or

EUROPEAN COMMUNITY

PRIOR AUTHORIZATION
for economic outward processing
(textile or clothing products)

No **COPY No 2**

1 (a)

2 Country of processing

3 Holder of the authorization

4 Description of compensating products to be reimported

5 Statistical No

6 Category No

7 Quantity or value

8 Order No — Description of goods to be temporarily exported	9 Origin	10 Statistical No	11 Quantity

12 For official use (b)

13 Last day of validity	14 Means of identification specified

15 Authorization issued on by (Pre-printed or other stamp) (Signature)	16 Validity prolonged until on (Stamp) (Signature)

(a) This box may be used for a dry stamp and perforation of the issuing authority. In such case box 15 shall not be stamped.
(b) To be used where necessary to indicate the global value of the goods to be exported and the global value of goods of non-Community origin.