COMMISSION REGULATION (EEC) No 3396/84

of 3 December 1984

revising the list of exceptions referred to in Article 22 (2) (a) of Council Regulation (EEC) No 1736/75

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1736/75 of 24 June 1975 on the external trade statistics of the Community and statistics of trade between Member States (1), as amended by Regulation (EEC) No 2845/84 (2), and in particular Articles 22 (2) (a) and 41 (a) thereof,

Whereas, due to requirements of statistical order, the scope of the provisions contained in the list of exceptions set out in Annex B of Regulation (EEC) No 1736/75 is partly the same as the scope of Council Regulation (EEC) No 918/83 of 28 March 1983 setting up a Community system of reliefs from customs duty (3), of Council Directive 83/181/EEC of 28 March 1983 determining the scope of Article 14 (1) (d) of Directive 77/388/EEC as regards exemption from value added tax on the final importation of certain goods (4) and of Council Directive 83/183/EEC of 28 March 1983 on tax exemptions applicable to permanent imports from a Member State of the personal property of individuals (5);

Whereas, in order to determine the extent of the scope common to these different regulations, it is necessary to standardize, as far as possible, the terminology used therein; whereas the text of the list of exceptions referred to above should consequently be adapted, amended or even supplemented;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Committee on External Trade Statistics,

HAS ADOPTED THIS REGULATION:

Article 1

The text of Annex B to Council Regulation (EEC) No 1736/75 is hereby replaced by the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 January 1985.

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

Done at Brussels, 3 December 1984.

For the Commission

Richard BURKE

Member of the Commission

(1) OJ No L 183, 14. 7. 1975, p. 3.
(2) OJ No L 329, 22. 12. 1977, p. 3.
(3) OJ No L 105, 23. 4. 1983, p. 1.
(4) OJ No L 105, 23. 4. 1983, p. 38.
(5) OJ No L 105, 23. 4. 1983, p. 64.

ANNEX

Lists of exceptions referred to in Article 22 (2) (a)

Data shall not be required for the following goods :

(a) means of payment which are legal tender, and securities ;

(b) emergency aid for disaster areas ;

(c) because of the diplomatic or similar nature of their intended use :

1. goods benefiting from diplomatic and consular or similar immunity ;
2. gifts to a head of State or to members of a government or parliament ;
3. items being circulated within the framework of administrative mutual aid ;

(d) provided that their importation or exportation is temporary, amongst other things :

1. goods intended for fairs and exhibitions ;
2. theatrical scenery ;
3. merry-go-rounds and other fairground attractions ;
4. professional equipment within the meaning of the International Customs Convention of 8 June 1968 ;
5. cinematographic films ;
6. apparatus and equipment for experimental purposes ;
7. animals for show, breeding, racing, etc. ;
8. commercial samples ;
9. means of transport, containers and equipment connected with transport ;
10. packaging ;
11. goods on hire ;
12. plant and equipment for civil engineering works ;
13. goods destined for examination, analysis or test purposes ;

(e) provided that they are not the subject of a commercial transaction :

1. decorations, honorary distinctions, prizes, commemorative badges and medals ;
2. travel equipment, provisions and other items, including sports equipment, intended for personal use or consumption which accompany, precede of follow the traveller ;
3. bridal outfits, items involved in moving house, or heirlooms ;
4. coffins, funerary urns, ornamental funerary articles and items for the upkeep of graves and funeral monuments ;
5. printed advertising material, instructions for use, price lists and other advertising items ;
6. goods which have become unusable, or which cannot be used for industrial purposes ;
7. ballast ;
8. photographs, exposed and developed films, drafts, drawings, copies of plans, manuscripts, files and records, official printed matter and printing proofs, as well as all information media used for an international exchange of information ;
9. postage stamps ;
10. pharmaceutical products used at international sport events ;

(f) products used under agreements providing for common measures for the protection of persons or of the environment ;

(g) goods which are the subject of non-commercial traffic between persons resident in the frontier zones defined by the Member States (frontier traffic) ; products obtained by agricultural producers on properties located outside, but adjacent to, the statistical territory within which they have their principal undertaking ;

(h) goods leaving a given statistical territory to return after crossing a foreign territory, either directly or with halts inherent in the transport.