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COUNCIL REGULATION (EU) No 479/2013

of 13 May 2013

on the waiver from the requirement to submit entry and exit summary declarations for Union goods that are moved across the Neum corridor

(OJ L 139, 25.5.2013, p. 1)

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COUNCIL REGULATION (EU) No 479/2013

of 13 May 2013

on the waiver from the requirement to submit entry and exit summary declarations for Union goods that are moved across the Neum corridor

Article 1

Subject matter and scope

This Regulation lays down the rules under which:

(a) the requirement for an exit summary declaration is waived for Union goods exiting the territory of Croatia to be moved across the Neum corridor;

(b) the requirement for an entry summary declaration is waived for Union goods when they re-enter the territory of Croatia after having moved across the Neum corridor.

Article 2

Definitions

For the purposes of this Regulation, the following definitions shall apply:

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(1) 'Union goods' means 'Union goods' as defined in point (23) of Article 5 of Regulation (EU) No 952/2013 of the European Parliament and of the Council [1];

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(2) 'Area of Dubrovnik' means Dubrovnik and its surrounding area in the territory of Croatia which is separated by the Neum corridor from the mainland territory of Croatia;

(3) 'Mainland territory of Croatia' means the territory of Croatia except for the area of Dubrovnik;

(4) 'Neum Corridor' means the area which is a part of the territory of Bosnia and Herzegovina that separates the area of Dubrovnik from the mainland territory of Croatia;

(5) 'Customs authorities' means the customs authorities of Croatia at the exit and re-entry border crossing points at the Neum Corridor;

(6) 'Exit' means the exit of goods, either from the area of Dubrovnik into the mainland territory of Croatia through the Neum Corridor, or from the mainland territory of Croatia into the area of Dubrovnik through the Neum Corridor;

(7) 'Re-entry' means the entry of goods into the area of Dubrovnik from the mainland territory of Croatia through the Neum Corridor, or into the mainland territory of Croatia from the area of Dubrovnik through the Neum Corridor.

[1] Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code (OJ L 269, 10.10.2013, p. 1).

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Article 3

Waiver from the requirement to submit an exit or an entry summary declaration

1. No exit summary declaration shall be required for Union goods upon their exit.

2. No entry summary declaration shall be required for Union goods upon their re-entry.

Article 4

Conditions for the application of the waiver

Article 3 shall apply where the following conditions are met:

(a) the total value of each consignment of Union goods moved across the Neum Corridor does not exceed ►M1 EUR 15 000 ◄ or its equivalency in local currency;

(b) the goods referred to under point (a) of this Article are accompanied by invoices or transport documents which:

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(i) include at least the particulars referred to in the first subparagraph of Article 126(2) of Commission Delegated Regulation (EU) 2015/2446 ([1]);

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(ii) are endorsed with official markings by the customs authorities upon exit;

(iii) are presented for verification to the customs authorities upon re-entry.

Article 5

Customs Controls

1. The risk analysis associated with the customs controls applied to Union goods moved across the Neum Corridor may be performed by the customs authorities through means other than automated data-processing techniques.

2. Croatia shall ensure that the border crossing points at exit from and re-entry into its territory of goods moved through the Neum Corridor have all the necessary resources, equipment, control facilities and capabilities to ensure the application of this Regulation.

3. Upon exit, the customs authorities shall:

(a) determine a time limit within which the movement of Union goods across the Neum Corridor must be completed;

([1]) Commission Delegated Regulation (EU) 2015/2446 of 28 July 2015 supplementing Regulation (EU) No 952/2013 of the European Parliament and of the Council as regards detailed rules concerning certain provisions of the Union Customs Code (OJ L 343, 29.12.2015, p. 1).

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(b) indicate that time limit together with the date of endorsement on the invoice or transport document as referred to in Article 4(b)(ii);

(c) where they deem it necessary, seal the space containing the goods or each individual package of goods that are to be moved across the Neum corridor.

4. Upon re-entry, the customs authorities shall:

(a) carry out risk analysis primarily for security and safety purposes;

(b) verify the invoices or transport documents accompanying the goods;

(c) check compliance with the time limit referred to in paragraph (3)(a) of this Article;

(d) check the integrity of seals, when affixed in accordance with paragraph (3)(c) of this Article;

(e) where appropriate, physically examine the goods;

(f) remove seals as appropriate.

5. Where the customs authorities establish that conditions referred to in Article 4 have not been complied with, they shall allow the re-entry of such a consignment if:

(a) an effective risk analysis has been carried out;

(b) on the basis of the results of the risk analysis referred to in point (a), the customs authorities have adopted effective measures specifically targeted to prevent risks related to safety and security.

Article 6

Information

Croatia shall inform the Commission about any irregularities found as regards the application of this Regulation as well as concrete measures that have been taken in order to remedy those irregularities at any time but no later than 1 March 2014.

Article 7

Report

The Commission shall submit a report to the Council providing an assessment of the application of this Regulation no later than two years after the date of accession of Croatia.

Article 8

Entry into force

This Regulation shall enter into force subject to, and as from the date of the entry into force of the Treaty of Accession.

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