



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 22.12.2003
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2003/0314 (ACC)

Proposal for a

COUNCIL DECISION

**regarding the position to be taken by the Community within the EC/CANADA Joint
Customs Co-operation Committee with a view to adopting its internal rules of procedure**

(presented by the Commission)

EXPLANATORY MEMORANDUM

1. On 4 December 1997, the Agreement between the European Community and Canada on customs cooperation and mutual administrative assistance in customs matters has been signed. It has entered into force on the 1st January 1998.
2. According to Article 20 (2) of that Agreement, a Joint Customs Cooperation Committee shall ensure the proper functioning of the Agreement and shall examine all issues arising from its application.
3. The Joint Customs Cooperation Committee should, in accordance with Article 20 (3) of the Agreement, adopt its own rules of procedure.
4. A draft Declaration concerning the composition of delegations on the Joint Customs Cooperation Committee should also be adopted.
5. In view of the above, the Commission proposes that the Council adopt at the earliest opportunity the text of the attached draft Decision, as well as the text of the draft declaration, as the Community's common position within the EC/ Canada Joint Customs Cooperation Committee.

Proposal for a

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regarding the position to be taken by the Community within the EC/CANADA Joint Customs Co-operation Committee with a view to adopting its internal rules of procedure

THE COUNCIL OF THE EUROPEAN UNION,

Whereas:

Having regard to the Treaty establishing the European Community, and in particular Article 133, in conjunction with Article 300 (2), second subparagraph,

Having regard to the proposal from the Commission,

Whereas:

- (1) Article 20 of the Agreement between the European Community and Canada on customs co-operation and mutual assistance in customs matters (the "Agreement")¹, established an EC-Canada Joint Customs Co-operation Committee;
- (2) Article 20(3) of the Agreement provides that the EC-Canada Joint Customs Co-operation Committee adopt its internal rules of procedure;
- (3) The Community position within the EC-Canada Joint Customs Co-operation Committee with a view to adopting its rules of procedure should be determined;

HAS DECIDED AS FOLLOWS:

Sole article

The Community's position within the EC-Canada Joint Customs Co-operation Committee on the adoption of its rules of procedure shall be based on the draft Decision annexed hereto.

Done at Brussels,

*For the Council
The President*

¹ OJ L 7 of 13.01.98, p. 37-45

Draft

DECISION N°1/2003

**of the Joint Customs Co-operation Committee EC/CANADA
Adopting its rules of procedure**

THE JOINT CUSTOMS COOPERATION COMMITTEE,

- (1) Having regard to the Agreement between the European Community on the one part and the Government of Canada on the other², and in particular Article 20 (3) thereof

HAS DECIDED AS FOLLOWS:

Article 1

CHAIRMANSHIP

The office of Chairman of the EC/Canada Joint Customs Co-operation Committee, hereinafter referred to as "the Joint Committee", shall be held alternately by a representative of Canada and by a representative of the European Community, hereinafter referred to as the "Community".

Article 2

MEETINGS

1. Each meeting of the Joint Committee, shall be held at a time and place agreed by both Parties alternately in Ottawa and Brussels or a venue agreed upon by both Parties.
2. The work of the Joint Committee shall be treated as confidential unless both Parties decide the contrary, the meetings of the Joint Committee shall not be public.

Article 3

DELEGATIONS

Before each session of the Joint Committee the Community and Canada shall inform each other of the intended composition of each delegation.

² OJ L 7 of 13.01.98, p. 37-45

Article 4

SECRETARIAT

An official of Canada and an official of the Commission of the European Communities shall act jointly as Secretaries of the Joint Committee.

Article 5

AGENDA

1. The Parties, through consultation with each other, shall draw up an agenda for each meeting.
2. The agenda shall be adopted by the Joint Committee at the beginning of each meeting.

Article 6

MINUTES

Minutes shall be taken for each meeting and shall include the summing up of the proceedings by the Chairman. The minutes shall be initialed by both Heads of delegation as soon as possible after the meeting. The minutes will be adopted formally at the next Joint Committee. Upon adoption by the Joint Committee, the minutes shall be signed by the Chairman and Secretaries and one original copy filed by each of the Parties.

Article 7

MEASURES, RECOMMENDATIONS AND URGENT MATTERS OF THE JOINT COMMITTEE

1. The Joint Committee shall take measures and make recommendations in order to facilitate the proper implementation of the agreement.
2. Between meetings of the Joint Committee urgent matters can be dealt with, if necessary by written procedure, where both Parties so agree.

Article 8

WORKING PARTIES

1. The Joint Committee may set up working parties for specific subjects.
2. The Joint Committee shall specify the scope of their activities.
3. These working parties shall report to the Joint Committee.
4. Working parties terminate as soon as their mandate is completed except in cases where the mandate has been modified by the Joint Committee.

Article 9

AMENDMENTS

In the framework fixed by the Agreement the Joint Committee may make any necessary amendments considered appropriate to these rules in order to facilitate the efficient performance of its tasks.

Article 10

ACTS AND COMMUNICATIONS

1. Acts adopted by the Joint Committee shall be signed by the Chairman.
2. All acts and communications shall be forwarded to the Secretaries referred to in Article 4.

Article 11

EXPENSES

The Community, on one hand, and Canada on the other, shall defray the expenditure that they incur as a result of their respective participation in Joint Committee and working party meetings in respect of staff, travelling and subsistence expenses and also of postal and telecommunications costs.

Done at Brussels,

For the Joint Committee

The Chairman

ANNEX
Declaration by the Joint Customs Co-operation Committee
Upon the adoption of decision n°1/by the EC/Canada Joint Customs Co-operation
Committee

Concerning the composition of delegations on the Joint Customs Co-operation Committee.

The Community shall be represented in the Joint Customs Co-operation Committee by the Commission assisted by representatives of the Member States. The Council General Secretariat may assist at Joint Customs Co-operation Committee meetings.

Canada shall be represented in the Joint Customs Co-operation Committee by representatives from the Canada Customs and Revenue Agency.