

**ARCHIVES HISTORIQUES
DE LA COMMISSION**

**COLLECTION RELIEE DES
DOCUMENTS "COM"**

COM (81)599

Vol. 1981/0182

Historical Archives of the European Commission

Disclaimer

Conformément au règlement (CEE, Euratom) n° 354/83 du Conseil du 1er février 1983 concernant l'ouverture au public des archives historiques de la Communauté économique européenne et de la Communauté européenne de l'énergie atomique (JO L 43 du 15.2.1983, p. 1), tel que modifié par le règlement (CE, Euratom) n° 1700/2003 du 22 septembre 2003 (JO L 243 du 27.9.2003, p. 1), ce dossier est ouvert au public. Le cas échéant, les documents classifiés présents dans ce dossier ont été déclassifiés conformément à l'article 5 dudit règlement.

In accordance with Council Regulation (EEC, Euratom) No 354/83 of 1 February 1983 concerning the opening to the public of the historical archives of the European Economic Community and the European Atomic Energy Community (OJ L 43, 15.2.1983, p. 1), as amended by Regulation (EC, Euratom) No 1700/2003 of 22 September 2003 (OJ L 243, 27.9.2003, p. 1), this file is open to the public. Where necessary, classified documents in this file have been declassified in conformity with Article 5 of the aforementioned regulation.

In Übereinstimmung mit der Verordnung (EWG, Euratom) Nr. 354/83 des Rates vom 1. Februar 1983 über die Freigabe der historischen Archive der Europäischen Wirtschaftsgemeinschaft und der Europäischen Atomgemeinschaft (ABl. L 43 vom 15.2.1983, S. 1), geändert durch die Verordnung (EG, Euratom) Nr. 1700/2003 vom 22. September 2003 (ABl. L 243 vom 27.9.2003, S. 1), ist diese Datei der Öffentlichkeit zugänglich. Soweit erforderlich, wurden die Verschlussachen in dieser Datei in Übereinstimmung mit Artikel 5 der genannten Verordnung freigegeben.

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(81) 599 final

Brussels, 26 October 1981

DRAFT DECISION NO 1/81 of the
EEC-Switzerland
EEC-Austria
Joint Committee - Community transit -
amending Appendix II to the Agreement between the European
Economic Community and Switzerland and Austria on the
application of the rules on Community transit

Proposal for a
COUNCIL REGULATION (EEC)

on the application of Decision No 1/81 of the EEC-Switzerland
EEC-Austria Joint Committee - Community transit - amending
Appendix II to the Agreement between the European Economic
Community and Switzerland and Austria on the application
of the rules on Community transit

(submitted to the Council by the Commission)

COM(81) 599 final

Explanatory memorandum

Subject: Application in the Community of Decision No 1/81 of the EEC-Switzerland and EEC-Austria Joint Committees -Community transit- amending Appendix II to the Agreements on transit

1. Commission Regulation (EEC) No 223/77¹ on provisions for the implementation of the Community transit procedure and for certain simplifications of that procedure was amended recently to permit the guarantor, under the flat-rate guarantee system, to limit the extent of the risk he accepts by issuing flat-rate guarantee vouchers.
2. This change in the Community rules makes it necessary to amend Appendix II to the Agreements between the EEC and Switzerland, and between the EEC and Austria, on the application of the rules on Community transit².
3. Such is purpose of the attached draft decision of the Joint Committees. It is proposed that the draft be adopted as representing the Community's agreed position within the EEC-Austria and EEC-Switzerland Joint Committees -Community transit-.
4. Once it has been adopted by the Joint Committees, this decision will have to be brought into effect in the Community by way of a Council Regulation the draft of which is also attached.

¹OJ No L 33, 9.2.1977, p. 20.

²OJ No L 294, 29.12. 1972, pp. 1 and 87.

DRAFT DECISION NO 1/81 of the
EEC-Switzerland
EEC-Austria
Joint Committee - Community transit -

amending Appendix II to the Agreement between the European
Economic Community and Switzerland and Austria on the
application of the rules on Community transit

THE JOINT COMMITTEE,

Having regard to the Agreement between the European Economic Community
and Switzerland and Austria on the application of the rules on Community
transit, and in particular Article 16(3)(a) thereof,

Whereas Commission Regulation (EEC) No 223/77 of 22 December 1976 on pro-
visions for the implementation of the Community transit procedure and
for certain simplifications of that procedure¹ has been amended by Regu-
lation (EEC) No 1604/81² in order to permit the guarantor, under the
flat-rate guarantee system, to limit, at the time of issuing flat-rate
guarantee vouchers, the extent of the risk which he thereby accepts;

Whereas the said Regulation appears in Appendix II to the Agreement and
whereas that Appendix should be amended to take account of the changes
thus made in the rules on Community transit,

HAS DECIDED AS FOLLOWS:

Article 1

Appendix II to the Agreement between the European Economic Community and
Switzerland and Austria on the application of the rules on Community
transit is hereby amended as follows:

¹OJ No L 38, 9.2.1977, p. 20

²OJ No L

1. The following subparagraphs are to be inserted after the first subparagraph of Article 23 (1):

"The guarantor may issue flat-rate guarantee vouchers:

- which are not valid for a Community transit operation in respect of goods which are listed in Annex XIII, and
- which may be used in multiples of up to seven vouchers per means of transport as referred to in Article 16 (2) of Regulation (EEC) No 222/77 for goods other than those referred to in the previous indent.

For this purpose the guarantor shall mark such flat-rate guarantee vouchers diagonally in capital letters with one of the following statements:

'LIMITED VALIDITY — REG. (EEC) 223/77,
APPLICATION ART. 23 (1), 2ND SUBPARA.
BEGRÆNSET GYLDIGHED — ANV. AF ART.
23, STK. 1, 2. AFS. FO (EØF) 223/77
BESCHRÄNKTE GELTUNG — ANWENDG.
ART. 23 ABS. 1 UNTERABS. 2 VO (EWG) 223/77
ΠΕΡΙΟΡΙΣΜΕΝΗ ΙΣΧΥΣ — ΕΦΑΡΜΟΓΗ
ΑΡΘΡΟ 23 ΠΑΡ. 1 ΕΔΑΦ. 2 ΚΑΝ. (ΕΟΚ) 223/77
VALIDITÉ LIMITÉE — APPLICATION ART. 23,
PAR. 1, AL. 2, REGL. (CEE) 223/77
VALIDITA LIMITATA — APPLICAZIONE ART.
23, PAR. 1, 2° COMMA, REG. (CEE) 223/77
BÉPERKTE GELDIGHED — TOEPASSING
ART. 23, LID 1, 2 E AL., VER. (EEG) 223/77'.

2. Article 23 (3) is replaced by the following:

"3. Without prejudice to the provisions in the second and third subparagraphs of paragraph 1 and in Article 24, the principal may carry out one Community transit operation under each flat-rate guarantee voucher. The voucher shall be delivered to the office of departure, where it shall be retained".

Article 2

This Decision shall enter into force on 1 January 1982.

It shall apply until 30 June 1982.

Done at Brussels,

For the Joint Committee

The Chairman

Proposal for a
COUNCIL REGULATION (EEC)

on the application of Decision No 1/81 of the EEC-Switzerland
EEC-Austria Joint Committee - Community transit - amending
Appendix II to the Agreement between the European Economic
Community and Switzerland and Austria on the application
of the rules on Community transit

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 Article 16 of the Agreement between the European Economic Community
Switzerland and
and/Austria on the application of the rules on Community transit (1), signed
on November 1972, empowers the Joint Committee set up under that Agreement
to adopt decisions making certain amendments to the Agreement and to its
Appendices;

Whereas the Joint Committee has decided to amend Appendix II to the Agreement
in order to permit the guarantor, under the flat-rate guarantee system to
limit, at the time of issuing flat-rate guarantee vouchers, the extent of
the risk which he thereby accepts;

Whereas this amendment is the subject of Decision No 1/81 of the Joint
Committee; whereas it is necessary to take the measures required to
implement the above mentioned Decision,

HAS ADOPTED THIS REGULATION:

(1) OJ No L 294, 29.12.1972, p

Article 1

Decision No 1/81 of the EEC-Switzerland, EEC-Austria Joint Committee -
Community transit - amending Appendix II to the Agreement between
the European Economic Community and Switzerland and Austria on the
application of rules on Community transit shall apply in the
Community.

The text of the Decision is annexed to this Regulation.

Article 2

This Regulation shall enter into force on the 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

For the Council
The President