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Price: £ 0.85

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

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I

(Acts whose publication is obligatory)

REGULATION (EEC) No 428/74 OF THE COUNCIL

of 16 January 1974

implementing Decision Nos 1/74, 2/74, 3/74 and 4/74 of the Joint Committee set up under the Agreement between the European Economic Community and the Republic of 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 ⁽¹⁾ between the European Economic Community and the Republic of Austria on the application of the rules on Community transit, signed in Brussels on 30 November 1972, empowered the Joint Committee set up under that Agreement to adopt, by means of Decisions, certain amendments to the said Agreement and its Appendices;

Whereas on 1 January 1974 the Joint Committee adopted amendments to the Appendices to the Agreement necessitated by changes made to the rules on Community transit since the signature of the Agreement, and amendments to the Agreement to take account of the enlargement of the Communities; whereas these amendments are the subject of Decision Nos 1/74, 2/74, 3/74 and 4/74;

Whereas it is necessary to take the measures required to implement the abovementioned Decisions,

HAS ADOPTED THIS REGULATION:

Article 1

Decision Nos 1/74, 2/74, 3/74 and 4/74 of the Joint Committee set up under the Agreement between the European Economic Community and the Republic of Austria on the application of the rules on Community transit, annexed to this Regulation, shall apply in the Community as from 2 January 1974.

Article 2

This Regulation shall enter into force on the day of 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, 16 January 1974.

For the Council

The President

W. SCHEEL

⁽¹⁾ OJ No L 294, 29. 12. 1972, p. 86.

DECISION No 1/74 OF THE JOINT COMMITTEE

amending the Agreement following the Accession to the European Economic Community of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland

THE JOINT COMMITTEE,

Having regard to the Agreement between the European Economic Community and the Republic of Austria on the application of the rules on Community transit, signed in Brussels on 30 November 1972, and in particular Article 16 (3) (b) thereof;

Whereas following the Accession of the new Member States to the Community it is desirable, as long as customs duties have not been eliminated in intra-Community trade, to be able to distinguish goods according to whether they have acquired Community status in the Community as originally constituted or in a new Member State;

Whereas on these grounds it has been considered necessary to introduce internal Community transit documents, comparable with those already in use and designated in particular by the references T3 and T3L as well as to make other provisions for the application of the rules on Community transit;

Whereas consequently it is necessary to adapt the Agreement,

HAS DECIDED AS FOLLOWS:

Sole Article

The Additional Protocol in the Annex to this Decision shall be added to the Agreement concluded between the European Economic Community and the Republic of Austria on the application of the rules on Community transit.

The Protocol shall form an integral part of the said Agreement.

Done at Brussels, 1 January 1974.

For the Joint Committee

The President

K. PINGEL

The Secretaries

H. DIEZLER

K. FUCHS

ANNEX

ADDITIONAL PROTOCOL

on special procedures implementing the Agreement following the Accession to the European Economic Community of the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland

Article 1

In this Protocol:

- (a) the 'original Member States' shall mean the Kingdom of Belgium, the Federal Republic of Germany, the French Republic, the Italian Republic, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands;
- (b) the 'new Member States' shall mean the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland.

Article 2

Save as provided in Articles 3 and 6 the provisions of the Agreement expressly referring to forms, declarations and documents T2 or T2L shall apply equally to forms, declarations and documents T3 or T3L.

Article 3

The issue by an Austrian office of departure of a document T3 or T3L shall be subject to the presentation at that office of a document T3 or T3L.

Article 4

1. Forms T3 and T3 *bis* shall conform to the specimens given in Annexes A and B respectively except in regard to the boxes reserved for national use.
2. The front of each copy of these forms shall be printed with two red diagonal stripes running from the bottom left-hand corner to the top right-hand corner. These diagonal lines shall be about 2 mm wide and 6 to 7 mm apart.

Article 5

The T3L form shall conform to the specimen shown in Annex C. The front of the form shall be printed with two red diagonal lines running from the bottom left-hand corner to the top right-hand corner. These diagonal lines shall be about 2 mm in width and be 6 to 7 mm apart.

Article 6

1. When the provisions of the Regulation on simplifying Community transit procedure for goods transported by rail are applied (Appendix VIII),
 - the International Consignment Note or the International Express Parcels Consignment Note drawn up in respect of goods accepted for transport by the railway authorities of an original Member State shall have equivalent effect to a document T2 provided it does not bear the indication T1 or T3;
 - the International Consignment Note or the International Express Parcels Consignment Note drawn up in respect of goods accepted for transport by the railway authorities of a new Member State, shall have equivalent effect to a document T3 provided it does not bear the indication T1 or T2, the T2 being authenticated by the office of departure.
2. For the implementation of Article 8 (2) of the Agreement the document must be stamped T3 when the goods concerned arrive in Austria under cover of
 - document T3,
 - International Consignment Note or International Express Parcels Consignment Note equivalent to document T3, or
 - document T3L.

ANNEX A

T3INTERNAL COMMUNITY
TRANSIT1 Guarantee **E.C. E.F. E.G. C.E.**

Statistical No

Declaration

COPY FOR THE OFFICE
OF DEPARTURE**1**

Please see Notice before completing this form

Office of departure

2 Appended documents

Document issued on
under No

3 Previous customs procedure

4 Number
of forms
T 3 bis

Stamp

Signature

10 DECLARATION:

represented by

hereby undertakes to produce the goods described below intact and within the prescribed time limit at the
office of destination at

At (Place of signature) on (date)

Signature

11 Consignee

25 Country of destination

30 Number, kind, marks and numbers of packages

31 Description of goods

32

35 Country of consignment

36 Gross weight

37 Price

30 Number, kind, marks and numbers of packages

31 Description of goods

32

35 Country of consignment

36 Gross weight

37 Price

45 Offices of
transit
intended
(and countries)46 Offices of
transit used
(and
countries)

50

Place

Mode of
transport

CHR

Identity of vehicle

C

Nationality/Flag

51 Previous country
of consignmentEntry into the
CommunityLoading/
Transshipment

Transshipment

Transshipment/
UnloadingExit from the
Community52 First country
of destination

EXAMINATION BY OFFICE OF DEPARTURE

Results of examination:

Seals affixed:

Time limit (date):

Remarks:

At _____ on _____
(Place of signature) (date)

Stamp and signature

T3INTERNAL COMMUNITY
TRANSIT1 Guarantee **E.C. E.F. E.G. C.E.**

Statistical No

Declaration

COPY FOR THE OFFICE OF DESTINATION		2	Please see Notice before completing this form	Office of departure	
2 Appended documents				Document issued on	
3 Previous customs procedure				under No	
		4 Number of forms T 3 bis		Stamp	Signature

10 DECLARATION:

represented by _____
hereby undertakes to produce the goods described below intact and within the prescribed time limit at the
office of destination at _____

At _____ on _____
(Place of signature) (date)
Signature _____

11 Consignee

	25 Country of destination		
30 Number, kind, marks and numbers of packages	31 Description of goods		
32	35 Country of consignment	36 Gross weight	37 Price

30 Number, kind, marks and numbers of packages	31 Description of goods		
32	35 Country of consignment	36 Gross weight	37 Price

45 Offices of transit intended (and countries)							
46 Offices of transit used (and countries)							
50	Place	Mode of transport	CHR	Identity of vehicle	C	Nationality/Flag	51 Previous country of consignment
Entry into the Community							
Loading/Transshipment							
Transshipment							
Transshipment/Unloading							
Exit from the Community							52 First country of destination

EXAMINATION BY OFFICE OF DEPARTURE

Results of examination:

Seals affixed:

Time limit (date):

Remarks:

At _____ on _____
(Place of signature) (date)

Stamp and signature

60 TRANSHIPMENTS AND OTHER INCIDENTS DURING CARRIAGE

DETAILS AND MEASURES TAKEN (¹)

DATE STAMP OF COMPETENT AUTHORITY

(¹) The name and address of any new carrier should in particular be stated.

CONTROL BY OFFICE OF DESTINATION

Date of arrival:

Examination of seals:

Remarks:

At _____ on _____
(Place of signature) (date)

Stamp and signature

(Space reserved for office of destination)

(Space reserved for general purposes)

T3INTERNAL COMMUNITY
TRANSIT

1 Guarantee

E.C. E.F. E.G. C.E.

Statistical No

Declaration

COPY FOR RETURN

3

Please see Notice before completing this form

Office of departure

2 Appended documents

Document issued on
under No

3 Previous customs procedure

4 Number
of forms
T 3 bis

Stamp

Signature

10 DECLARATION:

represented by

hereby undertakes to produce the goods described below intact and within the prescribed time limit at the
office of destination atAt on
(Place of signature) (date)

Signature

11 Consignee**25 Country of destination****30 Number, kind, marks and numbers of packages****31 Description of goods****32****35 Country of consignment****36 Gross weight****37 Price****30 Number, kind, marks and numbers of packages****31 Description of goods****32****35 Country of consignment****36 Gross weight****37 Price****45 Offices of
transit
intended
(and countries)****46 Offices of
transit used
(and
countries)****50**

Place

Mode of
transport

CHR

Identity of vehicle

C

Nationality/Flag

**51 Previous country
of consignment**Entry into the
CommunityLoading/
Transshipment

Transshipment

Transshipment/
UnloadingExit from the
Community**52 First country
of destination**

CONTROL BY OFFICE OF DESTINATION

Date of arrival:

Examination of seals:

Remarks:

At _____ on _____
(Place of signature) (date)

Stamp and signature

Registered under No _____ Returned to the office of departure

(Space reserved for other purposes)

T3INTERNAL COMMUNITY
TRANSIT

1 Guarantee

E.C. E.F. E.G. C.E.

Statistical No

Declaration

STATISTICAL COPY

4

Please see Notice before completing this form

Office of departure

2 Appended documents

Document issued on
under No

3 Previous customs procedure

4 Number
of forms
T 3 bis

Stamp

Signature

10 DECLARATION:

represented by

hereby undertakes to produce the goods described below intact and within the prescribed time limit at the

office of destination at

At on
(Place of signature) (date)

Signature

11 Consignee

25 Country of destination

30 Number, kind, marks and numbers of packages

31 Description of goods

32

35 Country of consignment

36 Gross weight

37 Price

30 Number, kind, marks and numbers of packages

31 Description of goods

32

35 Country of consignment

36 Gross weight

37 Price

45 Offices of
transit
intended
(and countries)46 Offices of
transit used
(and
countries)

50

Place

Mode of
transport

CHR

Identity of vehicle

C

Nationality/Flag

51 Previous country
of consignmentEntry into the
CommunityLoading/
Transhipment

Transhipment

Transhipment/
UnloadingExit from the
Community52 First country
of destination

T3 bisINTERNAL COMMUNITY
TRANSIT**E.C. E.F. E.G. C.E.**

OFFICE OF DEPARTURE

Continuation sheet to document T 3 issued on
under NoCOPY FOR THE OFFICE
OF DEPARTURE**1**

30 Number, kind, marks and numbers of packages	31 Description of goods		
32	35 Country of consignment	36 Gross weight	37 Price
30 Number, kind, marks and numbers of packages	31 Description of goods		
32	35 Country of consignment	36 Gross weight	37 Price
30 Number, kind, marks and numbers of packages	31 Description of goods		
32	35 Country of consignment	36 Gross weight	37 Price
30 Number, kind, marks and numbers of packages	31 Description of goods		
32	35 Country of consignment	36 Gross weight	37 Price
30 Number, kind, marks and numbers of packages	31 Description of goods		
32	35 Country of consignment	36 Gross weight	37 Price

At _____ on _____
(Place of signature) (date)_____
(Signature of declarant)

T3 *bis*

INTERNAL COMMUNITY
TRANSIT

E.C. E.F. E.G. C.E.

OFFICE OF DEPARTURE

Continuation sheet to document T 3 issued on
under No

COPY FOR THE OFFICE
OF DESTINATION

2

30 Number, kind, marks and numbers of packages	31 Description of goods		
32	35 Country of consignment	36 Gross weight	37 Price

30 Number, kind, marks and numbers of packages	31 Description of goods		
32	35 Country of consignment	36 Gross weight	37 Price

30 Number, kind, marks and numbers of packages	31 Description of goods		
32	35 Country of consignment	36 Gross weight	37 Price

30 Number, kind, marks and numbers of packages	31 Description of goods		
32	35 Country of consignment	36 Gross weight	37 Price

30 Number, kind, marks and numbers of packages	31 Description of goods		
32	35 Country of consignment	36 Gross weight	37 Price

At _____ on _____
(Place of signature) (date)

(Signature of declarant)

T3 *bis*INTERNAL COMMUNITY
TRANSIT**E.C. E.F. E.G. C.E.**

OFFICE OF DEPARTURE

Continuation sheet to document T 3 issued on
under No

COPY FOR RETURN

3

30 Number, kind, marks and numbers of packages

31 Description of goods

32

35 Country of consignment

36 Gross weight

37 Price

30 Number, kind, marks and numbers of packages

31 Description of goods

32

35 Country of consignment

36 Gross weight

37 Price

30 Number, kind, marks and numbers of packages

31 Description of goods

32

35 Country of consignment

36 Gross weight

37 Price

30 Number, kind, marks and numbers of packages

31 Description of goods

32

35 Country of consignment

36 Gross weight

37 Price

30 Number, kind, marks and numbers of packages

31 Description of goods

32

35 Country of consignment

36 Gross weight

37 Price

At _____ on _____
(Place of signature) (date)_____
(Signature of declarant)

T3 bis

INTERNAL COMMUNITY
TRANSIT

E.C. E.F. E.G. C.E.

OFFICE OF DEPARTURE
Continuation sheet to document T 3 issued on
under No

STATISTICAL COPY

4

30 Number, kind, marks and numbers of packages	31 Description of goods		
32	35 Country of consignment	36 Gross weight	37 Price

30 Number, kind, marks and numbers of packages	31 Description of goods		
32	35 Country of consignment	36 Gross weight	37 Price

30 Number, kind, marks and numbers of packages	31 Description of goods		
32	35 Country of consignment	36 Gross weight	37 Price

30 Number, kind, marks and numbers of packages	31 Description of goods		
32	35 Country of consignment	36 Gross weight	37 Price

30 Number, kind, marks and numbers of packages	31 Description of goods		
32	35 Country of consignment	36 Gross weight	37 Price

At _____ on _____
(Place of signature) (date)

(Signature of declarant)

T3 LINTERNAL
COMMUNITY TRANSIT DOCUMENT
FOR ESTABLISHING THE
COMMUNITY NATURE OF GOODS**E.C. E.F. E.G. C.E.**

1

A 000000

See Notes overleaf

10 DECLARATION:

represented by

hereby declares that the goods described below are Community goods

At _____ on _____

(Place of signature)

(date)

Signature _____

30 Number, kind, marks and numbers of packages**31** Description of goods**32****36** Gross weight**30** Number, kind, marks and numbers of packages**31** Description of goods**32****36** Gross weight**CUSTOMS CERTIFICATE**

Satisfied declaration correct

Export document: Type _____ No _____ Date _____

Customs office at: _____

Remarks: _____

Official
Stamp

Date _____ 19____

(Signature)

REQUEST FOR VERIFICATION OF THIS T3L DOCUMENT

The undersigned customs officer requests that the authenticity of this document and the accuracy of the information shown therein be verified.



At on 19.....
(Place of signature) (date)

.....
(Signature)

RESULT OF VERIFICATION

The verification carried out by the undersigned customs officer has shown that this document:

1. was duly issued by the customs office named and that the information contained therein is correct ⁽¹⁾;
2. does not satisfy the requirements as to conditions of authenticity and regularity (see remarks annexed hereto) ⁽¹⁾.



At on 19.....
(Place of signature) (date)

.....
(Signature)

⁽¹⁾ Delete as necessary.

I. Rules for completion of Form T3L

A. A single Form T3L shall be made out only for goods dispatched by one means of transport for carriage from one office of departure to one office of destination.

B. The Form T3L may be used for the purpose of establishing the Community nature of goods to which it refers only where such goods are transported directly from one Member State to another.

The following shall be regarded as directly transported from one Member State to another:

- (a) goods transported without passing through the territory of a non-member country;
- (b) goods transported through the territory of one or more non-member countries provided that carriage through such countries is covered by a single transport document made out in a Member State.

C. The form shall be completed legibly and indelibly, preferably typed, without erasures or superimposed corrections.

Any alterations shall be made by crossing out the incorrect information and by adding the required information as appropriate.

Any such alteration shall be initialled by the person making it and countersigned by the customs authorities.

D. Only the following items are to be completed:

1. When the goods are transported under the TIR or TIF procedures or the Rhine Manifest procedure, or are covered by an ECS or ATA Carnet, the indication 'TIR', 'TIF', 'Rhine Manifest', 'ECS' or 'ATA' should be entered as the case may be,

followed by the date of issue and the number of the document relating to the procedure used.

10. Enter the surname and forenames or name of firm, and address of the person concerned and, if applicable, of the representative.

Where the form is signed by a person duly authorized, his name shall be shown in block letters.

30. In respect of goods which are not packed, indicate the number of articles, or if appropriate enter as loose goods.

31. The goods shall be described by their usual commercial name, or in accordance with the tariff nomenclature.

36. This refers to the weights as shown in the commercial documents relating to the consignment. The weight is to be specified in kilogrammes. Gross weight means the total weight of the goods and all packing material. All outside and inside containers, packings, wrappings and supports are regarded as packing; this excludes transport equipment, in particular containers, and sheets, tackle, covers and other transport accessories.

II. Production of Forms T3L at customs

Form T3L shall be produced at the customs office where the goods are to be entered to a customs procedure other than that under which they arrived.

If the goods have been transported by sea, air or pipeline, the form T3L shall be produced at the customs office at which the goods are placed under a customs procedure.

DECISION No 2/74 OF THE JOINT COMMITTEE

amending the Appendices to the Agreement

THE JOINT COMMITTEE,

Having regard to the Agreement between the European Economic Community and the Republic of Austria on the application of the rules on Community transit, signed in Brussels on 30 November 1972, and in particular Article 16 (3) thereof;

Whereas the rules on Community transit have been amended by the Act concerning the Conditions of Accession and the Adjustments to the Treaties as well as by different regulations of the Council and the Commission;

Whereas these provisions will also affect the trade with Austria and accordingly must be taken into account in the Agreement; whereas the Appendices of the aforesaid Agreement should be amended,

HAS DECIDED:

Article 1

The Appendices to the Agreement between the European Economic Community and the Republic of Austria on the application of the rules on Community transit are amended as follows:

*1. Appendix I***Regulation on Community transit**

(a) The footnote to the title of the Appendix shall be replaced as follows:

‘⁽¹⁾ Modified by Regulation (EEC) No 1079/71 of 25 May 1971, Regulation (EEC) No 2719/72 of 19 December 1972, Regulation (EEC) No 2720/72 of 19 December 1972 and the Act concerning the Conditions of Accession and the Adjustments to the Treaties of 22 January 1972.’

(b) Article 1 (2) and (3) shall be replaced as follows:

‘2. The procedure for external Community transit shall apply to movement of the following goods:

- (a) goods which do not satisfy the conditions laid down in Articles 9 and 10 of the Treaty establishing the European Economic Community,
- (b) goods which, though satisfying the conditions laid down in Articles 9 and 10 of the Treaty establishing the European Economic Community, have been subject to customs export formalities for the grant of refunds for export to third countries under the common agricultural policy,
- (c) goods coming under the Treaty establishing the European Coal and Steel Community which under the terms of that Treaty are not in circulation in the Community.

3. The procedure for internal Community transit shall apply to movement of the following goods, if they are subject to customs, tax, economic or statistical measures or any other measures relating to trade:

- (a) goods which satisfy the conditions laid down in Articles 9 and 10 of the Treaty establishing the European Economic Community (hereinafter called "Community goods"), except the goods referred to in paragraph 2 (b),
- (b) goods coming under the Treaty establishing the European Coal and Steel Community which under the terms of that Treaty are in free circulation within the Community.'

(c) Article 11 (d) shall be replaced as follows:

'(d) "office of transit" means:

- the customs office at the point of entry into a Member State other than the Member State of departure,
- also the office at the point of exit from the Community when the consignment is leaving the customs territory of the Community in the course of a Community transit operation via a frontier between a Member State and a third country.'

(d) Article 11 (g) shall be replaced as follows:

'(g) "internal frontier" means a frontier common to two Member States. Goods loaded in a seaport of a Member State and unloaded in a seaport of another Member State shall be deemed to have crossed an internal frontier provided that the sea crossing is covered by a single transport document.

Goods coming from a third country by sea and transhipped in a seaport of a Member State with a view to unloading in a seaport of another Member State shall not be deemed to have crossed an internal frontier.'

(e) A new paragraph, worded as follows, shall be inserted in Article 41:

'[3. The provisions of paragraph 1 shall likewise apply to goods crossing an internal frontier in accordance with the second subparagraph of Article 11 (g).]'

(f) Article 44 shall be replaced as follows:

'Article 44

[1. Notwithstanding the provisions of Article 4, goods the transport of which involves crossing an internal frontier within the meaning of the second subparagraph of Article 11 (g) need not be placed under the Community transit system before crossing the said frontier.

2. The provisions of paragraph 1 shall not apply:

- where goods are subject to Community measures entailing control of their use or destination; or
- where the transport operation is to end in a Member State other than that in which the port of unloading is situated, save where transport beyond that port is to be effected, in pursuance of the second subparagraph of Article 7 (2), under the Rhine Manifest procedure.]

3. Where goods have been placed under the Community transit system before crossing the internal frontier, the effect of that system shall be suspended during the crossing of the high seas.
4. No guarantee need be lodged in respect of the transport of goods by sea.'
- (g) In Article 47, the words '... pursuant to the provisions of the second subparagraph of Article 44 (1)' shall be replaced by:
- 'pursuant to the provisions of Article 44.'

- (h) Article 52 shall be replaced by the following:

'[Article 52

Until the Council, on a proposal from the Commission, has laid down provisions on the standardization of transit statistics:

- (a) the office of departure shall, without delay, send a copy of that copy of the T1 or T2 document returned to it by the office of destination to the service of the Member State of departure responsible for external trade statistics; the latter copy shall contain all the necessary data for the statistical recording of the Community transit operation in all the Member States involved therein;
- (b) the office of destination shall, without delay, send a copy of that copy of the T1 or T2 document that it retains to the service of the Member State of destination responsible for external trade statistics; the latter copy shall contain all the necessary data for the statistical recording of the Community transit operation in all the Member States involved therein;
- (c) the service in the Member State of departure responsible for external trade statistics shall without delay forward the data in the copy of the T1 or T2 document sent to it as provided for in (a) above to the services responsible for external trade statistics in the other Member States involved in the Community transit operation, with the exception of the Member State of destination.]'

- (i) Article 58 shall be replaced by the following:

'[Article 58

1. The procedure laid down in paragraphs 2 and 3 shall be followed for the adoption of the provisions necessary:

- (a) for the application of Articles 2, 4, 7, 8, 9, 32, 34, 35, 41, 45, 55 and 60;
- (b) for the institution of the Community transit procedure so that certain Community measures entailing control of the use or destination of the goods may be applied;
- (c) for the simplification of formalities under the Community transit procedure, in particular in internal Community transit, or for their adaptation to requirements arising from the particular nature of certain goods;
- (d) for the extension of the periods at the end of which Article 7 (2), Article 15 (1), Article 41 (2) and Article 55 shall no longer apply, which periods must not be extended to more than double those prescribed by those Articles.

2. The representative of the Commission shall submit to the Committee a draft of the provisions to be adopted. The Committee shall deliver an opinion on the draft within a time limit set by the Chairman having regard to the urgency of the

matter. Decisions shall be taken by a majority of forty-one votes, the votes of the Member States being weighted as provided in Article 148 (2) of the Treaty. The Chairman shall not vote.

3. (a) The Commission shall adopt the provisions envisaged if they are in accordance with the Opinion of the Committee.
- (b) If the provisions envisaged are not in accordance with the Opinion of the Committee, or if no opinion is delivered, the Commission shall without delay submit to the Council a proposal with regard to the provisions to be adopted. The Council shall act by a qualified majority.
- (c) If, within three months of the proposal being submitted to it, the Council has not acted, the proposed provisions shall be adopted by the Commission.]'

2. *Appendix II*

Regulation on declaration forms for Community transit

- (a) The footnote to the title of the Appendix shall be replaced by the following:
'⁽¹⁾ Modified by Regulation (EEC) No 595/71 of 22 March 1971 and the Act concerning the Conditions of Accession and the Adjustments to the Treaties of 22 January 1972.'
- (b) The initials 'E.C.' and 'E.F.' shall be inserted in the heading of the form in the Annex.

3. *Appendix III*

Regulation on the procedure for operating the flat-rate guarantee system provided for in Article 32 of Regulation (EEC) No 542/69 on Community transit

- (a) The footnote to the title of the Appendix shall be replaced by the following text:
'⁽¹⁾ Modified by Regulation (EEC) No 2570/69 of 22 December 1969, Regulation (EEC) No 1031/70 of 1 June 1970 and the Act concerning the Conditions of Accession and the Adjustments to the Treaties of 22 January 1972.'
- (b) The initials 'E.C.' and 'E.F.' shall be inserted in the heading of the form in the Annex.

4. *Appendix IV*

Regulation on the notification to interested parties of information relating to the progress of Community transit operations with which they are concerned

- (a) Appendix heading. After '19 November 1969' and before the dash insert: '⁽¹⁾'.
- (b) Add the following footnote:
'⁽¹⁾ Modified by the Act concerning the Conditions of Accession and the Adjustments to the Treaties of 22 January 1972.'
- (c) The initials 'E.C.' and 'E.F.' shall be inserted in the heading of the form in the Annex.
- (d) The words
'RECEIPT' and 'ANKOMSTBEVIS' shall be inserted in the title of that form.

5. Appendix V

Regulation on the internal Community transit document for certifying the Community nature of goods

- (a) The footnote shall be replaced as follows:

'⁽¹⁾ Modified by Regulation (EEC) No 595/71 of 22 March 1971 and Regulation (EEC) No 690/73 of 9 March 1973 and the Act concerning the Conditions of Accession and the Adjustments to the Treaties of 22 January 1972.'

- (b) In Article 5 (3) the words 'ISSUED RETROACTIVELY' and 'UDSTEDT EFTERFØLGENDE' shall be inserted after 'Achteraaf afgegeven'.

- (c) The following subparagraph shall be inserted at the end of Article 8 (1):

'For the application of the preceding subparagraph, goods loaded in a seaport of a Member State for unloading in a seaport of another Member State shall be deemed not to have left the customs territory of the Community provided that the sea crossing is covered by a single transport document.'

- (d) The initials 'E.C.' and 'E.F.' shall be inserted in the heading of the form in the Annex.

6. Appendix VI

Regulation on the forms for transit advice notes provided for under the Community transit system

- (a) Appendix heading. After '19 November 1969' and before the dash insert '⁽¹⁾'.

- (b) Add the following footnote:

'⁽¹⁾ Modified by the Act concerning the Conditions of Accession and the Adjustments to the Treaties of 22 January 1972.'

- (c) The initials 'E.C.' and 'E.F.' shall be inserted in the heading of the form in the Annex.

- (d) The words 'TRANSIT ADVICE NOTE' and 'GRÆNSEOVERGANGSATTEST' shall be inserted in the heading of that form.

7. Appendix VII

Regulation establishing the list of airlines which are exempt from providing the guarantee required within the framework of the Community transit system

- (a) The footnote shall be replaced by:

'⁽¹⁾ List revised by Regulation (EEC) No 2625/73 of 26 September 1973.'

- (b) The list annexed to the Appendix is replaced by the list annexed to this Decision.

8. *Appendix VIII*

Regulation on simplifying Community transit procedures for goods carried by railways

(a) Appendix heading. After '11 February 1971' and before the dash insert '(¹)'.

(b) Add the following footnote to that page:

'(¹) Modified by the Act concerning the Conditions of Accession and the Adjustments to the Treaties of 22 January 1972.'

(c) Article 5 shall be replaced as follows:

'Article 5

The railway administrations shall ensure that for transport operations effected under the Community transit system labels bearing the following inscription are used: 'Douane/Zoll/Dogana/Customs/Told'. The labels shall be affixed to the Consignment Note or to the Express Parcels Consignment Note and also to the railway wagon in the case of a complete load or to the parcel or parcels in other cases.'

9. *Appendix X*

A. Specimen I—Comprehensive guarantee

(a) The initials 'E.C.' and 'E.F.' shall be inserted in the heading of the specimen.

(b) Part I (1) of the specimen shall be replaced as follows:

'1. The undersigned (¹)
resident at (²)
hereby jointly and severally guarantees, at the office of guarantee of
.....
in favour of the Kingdom of Belgium, the Kingdom of Denmark, the Federal Republic of Germany, the French Republic, Ireland, the Italian Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands, the United Kingdom of Great Britain and Northern Ireland (³) and the Republic of Austria, the amounts for which the principal (⁴)
may be or become liable to the abovementioned States by reason of infringements or irregularities committed in the course of a Community transit operation carried out by that person including duties, taxes, agricultural levies and other charges — with the exception of pecuniary penalties — as regards principal or further liabilities, expenses and incidentals.'

(c) The serial numbers before the lines in Part I, paragraph 4 shall be deleted.

B. Specimen II — Individual guarantee

(a) The initials 'E.C.' and 'E.F.' shall be inserted in the heading of the specimen.

(b) Part I (1) of the specimen shall be replaced as follows:

'1. The undersigned⁽¹⁾
 resident at⁽²⁾
 hereby jointly and severally guarantees, at the office of guarantee of

 in favour of the Kingdom of Belgium, the Kingdom of Denmark, the
 Federal Republic of Germany, the French Republic, Ireland, the Italian
 Republic, the Grand Duchy of Luxembourg, the Kingdom of the Nether-
 lands, the United Kingdom of Great Britain and Northern Ireland ⁽³⁾ and the
 Republic of Austria, the amounts for which the principal
⁽⁴⁾ may be or become liable to the abovementioned
 States, by reason of infringements or irregularities committed in the course
 of a Community transit operation carried out by that person from the
 office of departure of
 to the office of destination of
 in respect of the goods designated hereafter, including duties, taxes, agricul-
 tural levies and other charges — with the exception of pecuniary penalties
 — as regards principal or further liabilities, expenses and incidentals.'

(c) The serial numbers before the lines in Part I, paragraph 4 are deleted.

C. Specimen III — Flat-rate guarantee system

(a) The initials 'E.C.' and 'E.F.' shall be inserted in the heading of the specimen.

(b) Part I (1) of the specimen shall be replaced as follows:

'1. The undersigned⁽¹⁾
 resident at⁽²⁾
 hereby jointly and severally guarantees, at the office of guarantee of

 in favour of the Kingdom of Belgium, the Kingdom of Denmark, the
 Federal Republic of Germany, the French Republic, Ireland, the Italian
 Republic, the Grand Duchy of Luxembourg, the Kingdom of the Nether-
 lands, the United Kingdom of Great Britain and Northern Ireland, the Re-
 public of Austria any amounts for which a principal may become liable to the
 abovementioned States by reason of infringements or irregularities com-
 mitted in the course of a Community transit operation including duties,
 taxes, agricultural levies and other charges — with the exception of pecu-
 niary penalties — as regards principal or further liabilities, expenses and
 incidental charges with regard to which the undersigned has agreed to be
 responsible by the issue of guarantee vouchers up to a maximum amount
 of 5 000 units of account per voucher.'

(c) The serial numbers before the lines in Part I, paragraph 4 shall be deleted.

D. Specimen IV — Guarantee certificate

The initials 'E.C.' and 'E.F.' shall be inserted in the heading of the specimen.

Article 2

Article 13 (1) of the Agreement shall be amended as follows:

(a) Heading, Appendix I:

After 'Article 41' insert 'Article 44 (1) (2)';

(b) Last subparagraph:

After '41' insert '44 (1) (2)'.

Done at Brussels, 1 January 1974.

For the Joint Committee

The President

K. PINGEL

The Secretaries

H. DIEZLER

K. FUCHS

ANNEX

List of airline companies to which the Community transit guarantee waiver applies

Aer Lingus Teoranta (Irish International), Dublin
Aero-Dienst GmbH, Nürnberg
Aeroflot-Soviet Airlines, Moskwa
Aerolineas Argentinas, Buenos Aires
Aerolinee Itavia, SpA, Roma
Aer Turas, Dublin
African Safari Airways, Nairobi
Air Afrique Abidjan
Air Algérie (Compagnie nationale de transports aériens Air Algérie), Alger
Air Anglia Ltd, Norwich
Air Canada, Montréal
Air Ceylon Ltd, Colombo
Air France, Paris
Air Freight Ltd, Ashford
Air India, Bombay
Air Inter, Paris
Airlift International Inc, Miami
Air Madagascar (Société nationale malgache de transports aériens), Tananarive
Air-Mali, Bamako
Air Sénégal (Société nationale de transports aériens), Dakar
Air Viking, Reykjavik
Air Zaïre, Kinshasa
Alaska Airlines Inc, Seattle
Alia (The Royal Jordanian Airline), Amman
Alitalia (Linee Aeree Italiane), Roma
APSA, Lima
Arco, Bermuda
Ariana Afghan Airlines, Kabul
ATI, Napoli
Aurigny Air Services Ltd, Alderney
Austrian Airlines, Wien
Avianca (Aerovias Nacionales de Colombia, S.A.), Bogotá
Aviation-Hanseatische Luftreederei GmbH & Co KG, Hamburg
Balkan-Bulgarian Airlines, Sofia
BASCO Brothers Air Services Co., Aden
Bavaria Fluggesellschaft Schwabe & Co, München
BEA (British European Airways), Ruislip
BKS, Air Transport Ltd, London
BOAC (British Overseas Airways Corporation), Heathrow Airport (London)
Britannia Airways Ltd, Luton
British Air Ferries Ltd, Southend-on-Sea
British Caledonian-Airways, Gatwick Airport (London)
British Island Airways Ltd, Gatwick Airport (London)
British Midland Airways Ltd, Castle Donington
British United Airways Ltd, Gatwick Airport (London)
Cambrian Airways Ltd, Rhooose
Cameroon Airlines, Douala
Canadian Pacific-Air, Vancouver
Cimber Air GmbH & Co, Flensburg
Condor Flugdienst GmbH, Frankfurt (Main)
Court Line Aviation Ltd, Luton Airport (London)
CP Air (Canadian Pacific-Air), Vancouver
CSA (Ceskoslovenske Aerolinie), Praha
Cyprus Airways Ltd, Nicosia

Dan-Air Skyways Ltd, London
Donaldson International Airways, Gatwick Airport (London)
East African Airways Corporation, Nairobi
El Al Israel Airlines Ltd, Tel Aviv
Elivie (Società Italiana Esercizio Elicotteri S.p.A.), Napoli
Ethiopian Airlines S.C., Addis Abeba
Fairflight (Charters) Ltd, Biggin Hill Airport (London)
Finnair, Helsinki
Garuda Indonesian Airways, Djakarta
General Air GmbH KG, Hamburg
Germanair Bedarfsluftfahrtgesellschaft mbH & Co. Frankfurt (Main)
Ghana Airways Corporation, Accra
Humber Airways, Hull
Iberia (Lineas Aéreas de España S.A.), Madrid
Icelandair (Flugfélag Islands H.F.), Reykjavik
IFG (Interregional-Fluggesellschaft mbH), Düsseldorf
International Air Bahama (Air Bahama International), Nassau
Intra Airways Ltd, Jersey
Invicta Airways, Manston
Iranair, Teheran
Iraqi Airways, Bagdad
JAL (Japan Air Lines Co. Ltd), Tokio
JAT (Jugoslovenski Aerotransport), Beograd
KLM (Royal Dutch Airlines), Amsterdam
Kuwait Airways Corporation, Kuwait
Laker Airways (Services) Ltd, Gatwick Airport (London)
Libyan Arab Airlines, Tripoli
Loftleidir H.F. (Icelandic Airlines), Reykjavik
Loganair Ltd, Glasgow
LOT-Polish Airlines, Warszawa
LTU-Lufttransport-Unternehmen GmbH & Co. KG, Düsseldorf
Lufthansa-German Airlines (Deutsche Lufthansa AG), Köln
Luxair-Luxembourg Airlines, Luxembourg
Malév (Hungarian Airlines), Budapest
Martinair, Amsterdam
MEA (Middle East Airlines Airliban S.A.L.), Beyrouth
Monarch, Luton
National Airlines Inc, Miami
Nigeria Airways, Lagos
NLM-Dutch Airlines, Amsterdam
(Fred) Olsen, Oslo
Olympic Airways, Athenai
Ontario World Air, Toronto
Pacific Western Airlines, Vancouver
Pakistan International Airlines Corporation, Karachi
Pan American World Airways Inc, New York
Peters' Aviation, Norwich
Quantas Airways Ltd, Sydney
Rousseau Aviation, Dinard
Royal Air Maroc, Casablanca
Sabena (Belgian World Airlines), Bruxelles
SAM (Società Aerea Mediterranea), Roma
SAS (Scandinavian Airlines), Stockholm
Saturn, Oakland
Saudia (Saudi Arabian Airlines), Jeddah
Seaboard World Airlines Inc, New York
Seestern Spedition & Flugbetriebs AG, Düsseldorf
Sierra Leone Airways, Freetown
Singapore Airlines Ltd, Singapore
South African Airways, Johannesburg
Southern Air Transport, Miami

South-West Aviation Ltd, Exeter
Spantax SA, Madrid
Strathallan, Perth
Sudan Airways, Khartoum
Swissair (Swiss Air Transport Company Ltd), Zürich
Syrian Arab Airlines, Damascus
TAP — The Intercontinental Airline of Portugal, Lisboa
Tarom (Rumanian Air Transport), Bucuresti
THY — Turkish Airlines, Istanbul
Tradewinds, Gatwick Airport (London)
Transavia (Holland B.V.), Amsterdam
Trans-Mediterranean Airways S.A.L., Beyrouth
Transmeridian, Stansted Airport (London)
Trans-Union S.A., Paris
Tunis Air, Tunis
TWA (Trans World Airlines Inc), New York
United Arab Airlines, Heliopolis
UTA (Union de transports aériens), Paris
VARIG-Brazilian Airlines, Rio de Janeiro
VIASA (Venezolana Internacional de Aviación S.A.), Caracas
Zambia Airways Corporation, Lusaka

DECISION No 3/74 OF THE JOINT COMMITTEE
amending the Appendices to the Agreement
(loading lists)

THE JOINT COMMITTEE,

Having regard to the Agreement between the European Economic Community and the Republic of Austria on the application of the rules on Community transit, signed in Brussels on 30 November 1972, and in particular Article 16 (3) (a) thereof;

Whereas on 1 July 1973 the rules on Community transit as shown in the Appendices of the said Agreement were amended so that loading lists may be used, subject to certain conditions, as the descriptive part of Community transit declarations;

Whereas the provisions relating to the use of loading lists will also affect the trade with Austria and accordingly must be taken into account in the Agreement,

HAS DECIDED:

Article 1

The Regulation annexed to this Decision shall be added as Appendix II A to the Agreement between the European Economic Community and the Republic of Austria on the application of the rules on Community transit.

Article 2

For transactions of a kind covered by Article 4 (2) of the Regulation in the Annex to this Decision but which begin in Austria a reference to the serial numbers of the loading lists, relating to goods referred to in Article 1 (3) of Regulation (EEC) No 542/69 shall be inserted in the 'Description of goods' box on the International Consignment Note or on the International Express Parcels Consignment Note.

Done at Brussels, 1 January 1974.

For the Joint Committee

The President

K. PINGEL

The Secretaries

H. DIEZLER

K. FUCHS

ANNEX

APPENDIX II A

Regulation on the use of loading lists as the descriptive part of Community transit declarations

— (EEC) No 1461/73 of 16 May 1973 —

Article 1

1. When a Community transit declaration is issued for a load comprising more than two lots of goods, the particulars of the goods may be furnished on one or more loading lists instead of being given in boxes 30, 31, 35, 36 and 37 of form T1, accompanied by one or more forms T1 *bis*, or of form T2, accompanied by one or more forms T2 *bis*.

When loading lists are used, the boxes in question on forms T1 or T2 shall be crossed out and the forms need not be accompanied by forms T1 *bis* or T2 *bis*.

2. 'Loading list' means any commercial document which complies with the conditions of Articles 2 and 3 of this Regulation.

3. The loading list shall be produced in the same number of copies as the form T1 or T2 to which it relates; it shall be signed by the person signing the form T1 or T2.

4. When several lists accompany the same form T1 or T2, each must bear a serial number allotted by the principal; the number of accompanying lists must be shown in box 4 of the form.

5. A declaration on a form T1 or T2 accompanied by one or more loading lists complying with the conditions of this Regulation shall be, as appropriate, a T1 or T2 declaration.

6. When the declaration is registered, the loading list must be marked with the same register number as the form T1 or T2 to which it relates. This number must be complemented by the name of the issuing office either by a stamp or by hand. In the latter case the office name must be complemented by the office stamp.

The signature of the customs officer at the office of registration is optional.

Article 2

1. The loading list shall be completed on a form based on the specimen in the Annex. The form must include:

- (a) the heading 'loading list';
- (b) a box, 70 × 55 mm in height, divided into a top part 70 × 15 mm, intended for the reference to the document T1 or T2 to which the loading list refers and a lower part 70 × 40 mm for the references referred to in Article 1 (6).
- (c) columns, in the following order and headed as shown:
 - Serial No.
 - 30. Number, kind, marks and numbers of packages.
 - 31. Description of goods.
 - 35. Country of consignment.
 - 36. Gross weight (kg).
 - Reserved for customs.

The width of the columns may be adapted as necessary except that the width of the column headed 'Reserved for customs' shall be not less than 30 mm. Spaces not reserved for a particular purpose under (a) to (c) above may also be used.

2. The paper used shall be dressed for writing purposes and weigh not less than 40 g/m². It must be sufficiently opaque for any commercial details which may eventually appear on the back not to affect the legibility of the information on the front. It must be sufficiently strong to ensure that under normal handling it will not tear or crumple.

3. The size of the form shall be 210 × 297 mm, a maximum tolerance of minus 5 or plus 8 mm being allowed for the length.

Article 3

1. Only the front of the form may be used as a loading list.

2. The form shall be printed and completed in one of the official languages of the Community to be designated by the competent authorities of the Member State in which the Community transit operation begins. The competent authorities of a Member State concerned in the Community transit operation may require a translation into the official language or one of the official languages of that Member State.

3. The form shall be completed in typescript or in legible hand writing; in the latter case it shall be completed in ink and in print. It must contain no erasures or alterations. Amendments shall be made by striking out the incorrect particulars and adding those required. All amendments must be initialled by the responsible person and counter-initialled by the customs.

4. Each item shown on the loading list must be preceded by a serial number and, where appropriate, followed by any special reference required by Community regulations in particular in regard to the common agricultural policy. A horizontal line must be drawn after the last entry and the remaining unused spaces barred so that any subsequent addition is impossible.

Article 4

1. When Regulation (EEC) No 304/71 on the simplification of Community transit procedures for goods carried by railways is applied, the provisions of Articles 2 and 3 of the present Regulation shall apply to the loading lists which accompany the International Consignment Note or the International Express Parcels Consignment Note.

In this case the number of the accompanying lists shall be shown, as appropriate, in box 32 of the Consignment Note or in the box 'Documents attached for customs clearance and other formalities' of the Express Parcels Consignment Note.

In addition the loading lists must include, as appropriate, the control label number of the accompanying International Consignment Note or in the case of the Express Parcels Consignment Note, the name of the station and the date on which the Consignment Note was accepted.

2. For transactions beginning within the Community comprising at the same time goods referred to in Article 1 (2) and in Article 1 (3) of Regulation (EEC) No 542/69 separate loading lists shall be used and the serial numbers of the loading lists relating to the goods referred to in Article 1 (2) of that Regulation inserted in the 'Description of goods' box on the International Consignment Note or, where appropriate, the International Express Parcels Note.

Article 5

1. The provisions of this Regulation in no way affect these obligations which concern the formalities for exporting, re-exporting, importing and re-importing or the forms used in connection therewith.

2. This Regulation shall apply without prejudice to the application of the provisions of Commission Regulation (EEC) No 1226/71 of 11 June 1971, on reducing the formalities to be carried out at offices of departure and destination in respect of goods transported under Community transit procedures.

ANNEX

LOADING LIST

Serial No	30. Number, kind, marks and numbers of packages	31. Description of goods	35. Country of consignment	36. Gross weight (kg)	Reserved for customs

(Signature)

DECISION No 4/74 OF THE JOINT COMMITTEE
on the Danish and English texts of the Agreement

THE JOINT COMMITTEE,

Having regard to the Agreement between the European Economic Community and the Republic of Austria on the application of the rules on Community transit, signed in Brussels on 30 November 1972, and in particular Article 16 (3) (b) thereof;

Whereas the Community has been enlarged to include the Kingdom of Denmark, Ireland and the United Kingdom of Great Britain and Northern Ireland;

Whereas the Danish and English texts of the Agreement should be accorded the same legal status as the texts in the Dutch, French, German and Italian languages,

HAS DECIDED:

Sole Article

The Danish and English texts of the Agreement signed on 30 November 1972, annexed to this Decision, shall be authentic under the same conditions as the Dutch, French, German and Italian texts.

Done at Brussels, 1 January 1974.

For the Joint Committee

The President

K. PINGEL

The Secretaries

H. DIEZLER

K. FUCHS
