

DECISION No 10/73 OF THE JOINT COMMITTEE

of 12 December 1973

amending Protocol No 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation, and Decision No 3/73 of the Joint Committee laying down methods of administrative cooperation in the customs field

THE JOINT COMMITTEE,

Having regard to the Agreement between the European Economic Community and the Swiss Confederation, signed in Brussels on 22 July 1972;

Having regard to Protocol No 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation and in particular Article 28 thereof;

Whereas the specimen A.CH.1 movement certificate given in Annex V to Protocol No 3 should be replaced by certificate EUR.1 in order to enable the latter certificate to be used under the Agreements referred to in Article 2 of Protocol No 3;

Whereas the procedure for issuing the movement certificate in respect of a complete article imported in separate instalments should be laid down;

Whereas experience has shown the need to simplify procedures for issuing movement certificates relating either to goods which have remained in the territory of the countries concerned but have not been placed in a customs bonded warehouse and which are to be re-exported in the same state, or to originating products within the meaning of Article 2 and, where appropriate, Article 3 of Protocol No 3;

Whereas certain other provisions of Protocol No 3 and of Decision No 3/73 of the Joint Committee laying down methods of administrative cooperation in the customs field should be amended to take account of this Decision,

HAS DECIDED:

Article 1

Article 8 of Protocol No 3 is replaced by the following:

'1. Originating products within the meaning of this Protocol shall, on import into the

Community or into Switzerland, benefit from the Agreement upon submission of an EUR.1 movement certificate, a specimen of which is given in Annex V to this Protocol, issued by the Customs authorities of Switzerland or of the Member States of the Community.

2. Where Article 2, and where appropriate, Article 3 are applied, the certificates shall be issued by the Customs authorities of each of the countries concerned where the goods have either been held before their re-exportation in the same state or undergone the working or processing referred to in Article 2, upon presentation of the movement certificates issued previously.

3. Without prejudice to Article 5 (3), where, at the request of the person declaring the goods at customs a dismantled or non-assembled article falling within Chapter 84 or 85 of the Brussels Nomenclature is imported by instalments on the conditions laid down by the competent authorities, it shall be considered to be a single article and a movement certificate may be submitted for the whole article upon importation of the first instalment.

4. The Customs authorities of Switzerland and of the Member States of the Community shall be authorized to issue the movement certificates specified in the agreements referred to in Article 2 under the conditions laid down in those agreements provided that the goods covered by the certificates are in the territory of Switzerland or of the Community. A specimen of the certificate to be used is given in Annex V to this Protocol.'

Article 2

Article 9 of Protocol No 3 is replaced by the following:

'A movement certificate shall be issued only on application having been made in writing by the exporter. Such application shall be made on the form of which a specimen is given in Annex V to this Protocol, which shall be completed in accordance with this Protocol.'

Article 3

1. Article 10 (2) of Protocol No 3 is deleted.
2. Article 10 (3) of Protocol No 3 which becomes Article 10 (2) is replaced by the following:

‘2. Applications for movement certificates and the certificates referred to in Article 8 (2), upon presentation of which new certificates are issued, must be preserved for at least two years by the Customs authorities of the exporting country.’

Article 4

Article 11 (3) of Protocol No 3 is replaced by the following:

‘3. Movement certificates shall be preserved by the Customs authorities of the importing State in accordance with the rules in force in that State.’

Article 5

The first and second paragraphs of Article 12 of Protocol No 3 are replaced by the following:

‘Movement certificates shall be made out on the form of which a specimen is given in Annex V to this Protocol. This form shall be printed in one or more of the languages in which this Agreement is drawn up. Certificates shall be made out in one of these languages and in accordance with the provisions of the domestic law of the exporting State; if they are handwritten, they shall be completed in ink in printscript.

Each certificate shall measure 210 × 297 mm, a tolerance of up to 5 mm less and 8 mm more being permissible as regards length. The paper used must be white-sized writing paper not containing mechanical pulp and weighing not less than 25 g/m². It shall have a printed green guilloche pattern background making any falsification by mechanical or chemical means apparent to the eye.’

Article 6

Article 20 of Protocol No 3 is replaced by the following:

‘The Explanatory Notes, Lists A, B and C and the specimen movement certificate shall form an integral part of this Protocol.’

Article 7

Explanatory Note 7, Article 8 of Annex I to Protocol No 3 is deleted.

Article 8

The second sentence of Explanatory Note 8, Article 10 of Annex I to Protocol No 3 is deleted.

Article 9

Article 1 of Decision No 3/73 is deleted.

Article 10

The second subparagraph of Article 2 (1) of Decision No 3/73 is deleted.

Article 11

The initials A.CH.1 in Articles 4 and 5 of Decision No 3/73 and the initials A.W.1 in Article 6 and in Article 8 (2) of that Decision are replaced by EUR.1.

Article 12

Article 8 (1) of Decision No 3/73 is deleted.

Article 13

1. The specimen movement certificate in Annex V to Protocol No 3 is replaced by that in the Annex to this Decision.
2. Annex VI to Protocol No 3 is deleted.
3. Movement certificates made out on the forms previously in force, whether of the A.CH.1 or of the A.W.1 type, may continue to be used until stocks are used up, under the conditions laid down by this Decision.

Done at Brussels, 12 December 1973.

For the Joint Committee

The Chairman

R. de KERGORLAY

The Secretaries

S. MEILI A. SLINGERLAND

ANNEX
MOVEMENT CERTIFICATE

1. Exporter (Name, full address, country)	EUR.1 No A 000.000		
	See notes overleaf before completing this form		
	2. Certificate used in preferential trade between and (insert appropriate countries, groups of countries or territories)		
3. Consignee (Name, full address, country) (Optional)	4. Country, group of countries or territory of exportation		5. Country, group of countries or territory of destination
	7. Remarks		
6. Transport details (Optional)			
8. Item number; marks and numbers; Number and kind of packages ⁽¹⁾; Description of goods		9. Gross weight (kg) or other measure (litres, m ³ , etc.)	10. Invoices (Optional)
11. CUSTOMS ENDORSEMENT Declaration certified Export document ⁽²⁾ Form No Customs office Issuing country or territory Date (Signature)		12. DECLARATION BY THE EXPORTER I, the undersigned, declare that the goods described above meet the conditions required for the issue of the attached certificate. Place and date (Signature)	

⁽¹⁾ If goods are not packed, indicate number of articles or state 'in bulk' as appropriate.

⁽²⁾ Complete only where the regulations of the exporting country or territory require.

13. REQUEST FOR VERIFICATION, to	14. RESULT OF VERIFICATION,
Verification of the authenticity and accuracy of this certificate is requested.	Verification carried out shows that this certificate ⁽¹⁾ <input type="checkbox"/> was issued by the Customs Office indicated and that the information contained therein is accurate. <input type="checkbox"/> does not meet the requirements as to authenticity and accuracy (see remarks appended).
<div style="text-align: center;">.....</div> <div style="display: flex; justify-content: space-between;"> (Place and date) Stamp </div>	<div style="text-align: center;">.....</div> <div style="display: flex; justify-content: space-between;"> (Place and date) Stamp </div>
<div style="text-align: center;">.....</div> <div style="text-align: center;">(Signature)</div>	<div style="text-align: center;">.....</div> <div style="text-align: center;">(Signature)</div> <div style="text-align: center;">(1) Insert X in the appropriate box.</div>

NOTES

1. Certificates must not contain erasures or words written over one another. Any alterations must be made by deleting the incorrect particulars and adding any necessary corrections. Any such alteration must be initialled by the person who completed the certificate and endorsed by the Customs authorities of the issuing country or territory.
2. No spaces must be left between the items entered on the certificate and each item must be preceded by an item number. A horizontal line must be drawn immediately below the last item. Any unused space must be struck through in such a manner as to make any later additions impossible.
3. Goods must be described in accordance with commercial practice and with sufficient detail to enable them to be identified.

APPLICATION FOR A MOVEMENT CERTIFICATE

1. Exporter (Name, full address, country)		EUR.1 No A 000.000	
		See notes overleaf before completing this form	
3. Consignee (Name, full address, country) (Optional)		2. Application for a certificate to be used in preferential trade between	
	 and (insert appropriate countries, groups of countries or territories)	
		4. Country, group of countries or territory of exportation	5. Country, group of countries or territory of destination
6. Transport details (Optional)		7. Remarks	
8. Item number; marks and numbers; Number and kind of packages ⁽¹⁾ ; Description of goods		9. Gross weight (kg) or other measure (litres, m ³ , etc.)	10. Invoices (Optional)
		12. DECLARATION BY THE EXPORTER	
		I, the undersigned, declare that the goods described above meet the conditions required for the issue of the attached certificate.	
		Place and date	
	 (Signature)	

⁽¹⁾ If goods are not packed, indicate number of articles or state 'in bulk' as appropriate.

DECLARATION BY THE EXPORTER

I, the undersigned, exporter of the goods described overleaf,

DECLARE that the goods meet the conditions required for the issue of the attached certificate;

SPECIFY as follows the circumstances which have enabled these goods to meet the above conditions:

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SUBMIT the following supporting documents ⁽¹⁾:

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UNDERTAKE to submit, at the request of the appropriate authorities, any supporting evidence which these authorities may require for the purpose of issuing the attached certificate, and undertake, if required, to agree to any inspection of my accounts and to any check on the processes of manufacture of the above goods, carried out by the said authorities;

REQUEST the issue of the attached certificate for these goods.

.....
(Place and date)

.....
(Signature)

⁽¹⁾ For example: import documents, movement certificates, invoices, manufacturer's declarations, etc., referring to the products used in manufacture or to the goods re-exported in the same state.