

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(90) 74 final SYN 216

Brussels, 14 February 1990

Amendment to the

Proposal for a

COUNCIL DIRECTIVE

amending the Council Directive of 24 July 1979
on the harmonization of procedures for the
release of goods for free circulation (79/695/EEC)

(presented by the Commission pursuant to the
third paragraph of Article 149 of the EEC Treaty)

Explanatory Memorandum

Following the opinion of the European Parliament on the proposal for a Council Directive amending the Council Directive of 24 July 1979 on the harmonisation of procedures for the release of goods for free circulation (79/695/EEC)⁽¹⁾, given at its January 1990 session, the Commission considers it appropriate to amend its original proposal pursuant to Article 149(3) of the Treaty establishing the European Community.

The amendment is intended to improve the original proposal with regard to non-commercial importations and low-value goods. It provides for greater harmonisation in this area, by making compulsory the principle of exemption from a written declaration, whilst maintaining the possibility of making the practical application more adaptable to needs in particular circumstances, taking into account the requirements arising either from international agreements or regulations governing specific fields, or from certain practices in the simplification of formalities.

(1) COM (89) 385 final - SYN 216 of 27 July 1989 -
OJ No C 235 of 13.9.1989, p.16

**Amendment to the proposal for a
Council Directive
amending the Council Directive of 24 July 1979
on the harmonisation of procedures for the
release of goods for free circulation (79/695/EEC)

(application of Article 149(3) of the EEC Treaty)**

The Commission amends its proposal as follows:

The text of Article 16(a) is replaced by the following:

"Without prejudice to the special provisions laid down in respect of consignments sent by letter or parcel post and with the exception of cases where an import licence has to be presented, goods imported for non-commercial purposes as well as low-value goods shall not be the subject of a written declaration.

The implementing provisions shall be adopted in accordance with the procedure laid down in Article 26(3)."

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