

AGREEMENT

between the European Economic Community and the Republic of Austria on the simplification of formalities in respect of goods traded between the European Economic Community on the one hand and Greece and Turkey on the other hand when the said goods are forwarded from Austria

THE EUROPEAN ECONOMIC COMMUNITY,

of the one part,

THE REPUBLIC OF AUSTRIA,

of the other part,

DESIRING to simplify the formalities to be completed in respect of goods traded between the European Economic Community on the one hand and Greece and Turkey, States with which the Community has concluded Association Agreements, on the other hand when such goods are forwarded from Austria after unloading and reloading or warehousing in bonded warehouse ;

WHEREAS the Agreement between the European Economic Community and the Republic of Austria on the implementation of Community transit regulations, signed on 30 November 1972, laid down a wide measure of cooperation between the customs administration of the Member States and of Austria based on mutual confidence ; whereas, in the interest of simplifying formalities, this cooperation could also be applied in trade between the European Economic Community on the one hand and Turkey and Greece on the other hand,

HAVE AGREED AS FOLLOWS :

Article 1

In this Agreement the expressions set out below shall be understood as follows :

- (a) Community : the European Economic Community ;
- (b) Member States : a Member State of the Community ;
- (c) Agreement on transit : the Agreement of 30 November 1972 between the European Economic Community and the Republic of Austria on the implementation of Community transit regulations.

Article 2

1. Without prejudice to paragraph 2, this Agreement shall apply to goods in respect of which movement certificates conforming to the specimens shown in Annex I or Annex II have been completed in respect of goods traded between the Community on the one hand and Greece or Turkey on the other hand, being goods which are forwarded from Austrian territory after, as appropriate, unloading and reloading or warehousing in bonded warehouse.

2. The provisions of this Agreement shall not apply to the goods listed in Annex III.

Article 3

- 1. A movement certificate issued in a Member State or in Greece or Turkey for goods referred to in Article 2 (1) must be produced to the competent Austrian customs authorities. The movement certificate must be printed and completed in one of the languages referred to in Article 14 or in Greek or Turkish. When Greek or Turkish is used, it must also be drawn up in one of the languages referred to in Article 14.
- 2. The goods shall remain under Austrian customs control to ensure the identity and completeness thereof.
- 3. The goods must be segregated and must not have undergone any manipulation other than that necessary to preserve them in their original state or to split the consignments without replacing the packing.

Article 4

- 1. When goods referred to in Article 2 (1) are forwarded, the movement certificate shall include a statement that the conditions set out in Article 3 have been complied with.

2. For this purpose, when the goods are forwarded without splitting the consignment, the competent Austrian customs office shall write the words 'Direkte Weiterleitung EWG' in the 'Description of goods' box on the certificate and authenticate the notation by the customs office stamp and the date.

When a consignment, split in Austria, is forwarded, the movement certificate produced to the competent Austrian customs office shall be photocopied for each part-consignment. The top of each photocopy must be noted 'TEILSENDUNG' in red ink. Each photocopy must indicate clearly the goods to which it refers. These statements must be authenticated by the customs office stamp and the date.

3. The original movement certificate must be noted with the particulars relevant to the splitting of the consignment. It shall be retained by the competent Austrian customs office for at least two years and on request sent to the customs administration of the Member State making a request under the arrangements for administrative cooperation referred to in Article 6.

Article 5

The forwarded goods and the relevant movement certificate or, when the consignment is split, the relevant photocopy of the said certificate authenticated by the competent Austrian customs office, must be produced to the customs authorities of the importing State within six months from the date of issue of the original movement certificate.

Article 6

1. Where necessary the customs administrations of the Member States on the one hand and of the Republic of Austria on the other hand shall communicate to one another, spontaneously or on request, all findings, documents, reports, records of proceedings and information relating to goods presented in the importing State as having been forwarded from Austria under this Agreement or relating to irregularities and offences committed in respect of goods traded under this Agreement.

2. The customs administrations of the Member States are authorized to send documents and information obtained under the arrangements for administrative cooperation referred to in paragraph 1 to the Greek and Turkish customs administrations.

Article 7

The provisions of this Agreement shall not preclude prohibitions or restrictions on imports, exports or

goods in transit enacted by the Republic of Austria and justified on grounds of public policy, public security or public morality; the protection of health and life of humans, animals or plants; the protection of national treasures possessing artistic, historic or archaeological value; or the protection of industrial and commercial property.

Article 8

1. The Joint Committee set up under Article 15 of the Agreement on transit shall ensure the implementation of this Agreement. For this purpose it shall make recommendations and, in the circumstances provided for in paragraph 3, shall take Decisions.

2. The Committee shall recommend in particular:

- (a) amendments to this Agreement;
- (b) any other measure for the purpose of its implementation.

3. The Committee shall issue as Decisions:

- (a) amendments to Article 2 of this Agreement when the movement certificates annexed to this Agreement are amended;
- (b) amendments to Articles 3, 4, 5 and 9 of this Agreement;
- (c) amendments to the Annexes to this Agreement.

These Decisions shall be implemented by the Contracting Parties in accordance with their own rules.

Article 9

Annexes I, II and III form an integral part of this Agreement.

Article 10

1. The Community shall undertake suitably to adapt the methods of administrative cooperation governing the implementation of the preferential system which the Community on the one hand and Greece and Turkey on the other hand each apply to goods forwarded from Austria.

2. The Community shall notify the Republic of Austria as soon as the conditions necessary to implement this Agreement are present in the field of trade with Greece and/or Turkey.

Article 11

1. This Agreement shall enter into force on the first day of the second month following the dates on which the Contracting Parties notify each other that the necessary procedures have been completed.

2. The provisions of this Agreement shall apply in respect of trade with Greece and with Turkey as from the first day of the second month following the notification referred to in Article 10 (2).

Article 12

The Contracting Parties shall keep each other informed of the provisions which they adopt for the implementation of this Agreement.

Article 13

Either of the Contracting Parties may withdraw from this Agreement by giving six months' notice in advance.

Article 14

This Agreement shall be drawn up in duplicate in the Danish, Dutch, English, French, German and Italian languages, each of these texts being authentic.

ANNEX I
MOVEMENT CERTIFICATE

1. Exporter (Name, full address, country)	A. G. 1 No A 000000	
	See notes overleaf before completing this form	
	2. Transport document (Optional) No date	
3. Consignee (Name, full address, country) (Optional)	4. ASSOCIATION between the EUROPEAN ECONOMIC COMMUNITY and GREECE	
	5. Country of exportation	6. Country of destination ⁽¹⁾
7. Transport details (Optional)	8. Remarks ⁽²⁾	
9. Item number	10. Marks and numbers ; number and kind of packages (for goods in bulk, indicate the name of the ship or the number of the railway wagon or road vehicle) ; description of goods	11. Gross weight (kg) or other measure (hl, m³, etc.)
12. CUSTOMS ENDORSEMENT Declaration certified Export document ⁽³⁾ : Form No Date Customs office : Issuing country : Date (Signature)	Stamp	13. DECLARATION BY THE EXPORTER I, the undersigned, declare that the goods described above meet the conditions required for the issue of this certificate. Place and date (Signature)

⁽¹⁾ Insert the Member State or Greece

⁽²⁾ Insert where appropriate 'compensatory levy EEC-Greece'

⁽³⁾ Complete only where the exporting country requires

<p>14. REQUEST FOR VERIFICATION, to</p> <p>Verification of the authenticity and accuracy of this certificate is requested.</p> <hr style="border-top: 1px dotted black;"/> <p style="text-align: center;">(Place and date)</p> <p style="text-align: right;">Stamp</p> <hr style="border-top: 1px dotted black;"/> <p style="text-align: center;">(Signature)</p>	<p>15. RESULT OF VERIFICATION</p> <p>Verification carried out shows that this certificate ⁽¹⁾</p> <p><input type="checkbox"/> was issued by the customs office indicated and that the information contained therein is accurate.</p> <p><input type="checkbox"/> does not meet the requirements as to authenticity and accuracy (see remarks appended).</p> <hr style="border-top: 1px dotted black;"/> <p style="text-align: center;">(Place and date)</p> <p style="text-align: right;">Stamp</p> <hr style="border-top: 1px dotted black;"/> <p style="text-align: center;">(Signature)</p> <p><small>(¹) Insert X in the appropriate box.</small></p>
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I. GOODS FOR WHICH A MOVEMENT CERTIFICATE A. G. 1 MAY BE ENDORSED

1. A movement certificate A.G.1 may be endorsed only for goods which, in the exporting State, fall within one of the following categories :
 - (a) goods produced in the exporting State, including those obtained or produced wholly or partly from products on which the applicable customs duties or charges having equivalent effect have been levied and which have not benefited from a total or partial drawback of such duties or charges ;
 - (b) goods in free circulation in the exporting State (goods coming from a third country, in respect of which import formalities have been complied with and any customs duties or charges having equivalent effect have been levied, and which have not benefited from a total or partial drawback of such duties or charges);
 - (c) goods obtained or produced within the exporting State, and in the manufacture of which have been used products on which the applicable duties or charges having equivalent effect have not been levied or which have benefited from a total or partial drawback of such duties or charges, subject to the collection, where appropriate, of the compensatory levy prescribed for them;

Note: The statement 'compensatory levy EEC-Greece' must appear on all movement certificates A.G.1 for goods obtained or produced in the Community from products coming from a third country on which the applicable customs duties and charges having equivalent effect have not been levied either in the Community or in Greece.

- (d) goods originally imported from a State party to the Agreement and which on exportation fall within one of the categories (a), (b) or (c) above;

Note: In the case of goods originally imported into the exporting State under the cover of a movement certificate bearing the statement 'compensatory levy EEC-Greece', the movement certificates or certificate A.G.1 issued in lieu of the latter must also bear the statement 'compensatory levy EEC-Greece'.
2. Certain products must also comply with the additional conditions laid down in respect thereof.
3. Movement certificates A.G.1 may not be endorsed for goods originally imported from a third country under a preferential customs system because of their country of origin or place of consignment.

II. SCOPE OF THE USE OF MOVEMENT CERTIFICATE A. G. 1

The movement certificate A.G.1 may be used only if the goods to which it relates are transported direct from the exporting State to the importing State.

The following shall be considered as transported direct from the exporting State to the importing State:

- (a) goods transported without passing through territories other than those of the Community or Greece;
- (b) goods transported through territories other than those of the Community or Greece or with transshipment in such territories

provided that carriage through such territories or transshipment is covered by a single transport document made out in the Community or in Greece.

Note: Before requesting endorsement of movement certificate A.G.1 by the customs authorities of the exporting State, the exporter must satisfy himself that the goods will in fact be transported direct to the importing State. Goods not transported direct are eligible for preferential treatment only if a movement certificate A.G.3 is produced.

III. RULES FOR COMPLETING MOVEMENT CERTIFICATE A. G. 1

1. The movement certificate A.G.1 must be completed in one of the languages in which the Agreement is drawn up and shall comply with the internal laws of the exporting State. When the certificate is completed in Greek, it shall also be completed in one of the official languages of the Community.
2. The movement certificate A.G.1 must be typed or handwritten; if the latter it must be completed in ink in block letters. It must not contain any erasure or superimposed correction. Any alteration 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 be endorsed by the customs authorities.

3. Each item listed in the movement certificate A.G.1 must be preceded by a serial number. A horizontal line must be drawn immediately after the last entry. Unused space must be struck through so as to make any later addition impossible.
4. Goods must be described in accordance with commercial usage and in sufficient detail to enable them to be identified.
5. The exporter or the carrier may complete the certificate by a reference to the transport document. It is also recommended that the exporter or the carrier should show on the transport document covering the dispatch of the goods the serial number of the movement certificate A.G.1.

IV. EFFECT OF THE MOVEMENT CERTIFICATE A. G. 1

When properly used movement certificate A.G.1 enables the goods described therein to benefit in the importing State from the progressive elimination of customs duties, quantitative restrictions and all other measures having equivalent effect. However, when the movement certificate is endorsed in the Community with the statement 'compensatory levy EEC-Greece' the goods described therein shall not

be eligible for this preferential treatment in the Member States of the EEC.

The customs authorities of the importing State may, if they consider it to be necessary, require any other documentary evidence and in particular transport documents under cover of which the goods were dispatched.

V. TIME LIMIT FOR SUBMISSION OF MOVEMENT CERTIFICATE A. G. 1

The movement certificate A.G.1 must be produced at the customs office of the importing State where the goods are presented, within

a period of three months from the date of endorsement.

REQUEST FOR VERIFICATION

The undersigned customs officer requests verification of the authenticity and accuracy of this certificate.

Official stamp	(Place and date of signature)
	(Signature of customs officer)

RESULT OF VERIFICATION

Verification carried out by the undersigned customs officer shows that this movement certificate :

1. was issued by the customs office indicated and that the information contained therein is accurate ⁽¹⁾ ;
2. does not meet the requirements as to authenticity and accuracy (see notes appended) ⁽¹⁾.

Official stamp	(Place and date of signature)
	(Signature of customs officer)

⁽¹⁾ Delete as necessary.

I. GOODS FOR WHICH A MOVEMENT CERTIFICATE A.TR.1 MAY BE ENDORSED

1. A movement certificate A.TR.1 may be endorsed only for goods which, in the exporting State, fall within one of the following categories :

- (a) goods produced in the exporting State, including those obtained or produced wholly or partly from products on which the applicable customs duties or charges having equivalent effect have been levied and which have not benefited from a total or partial drawback of such duties or charges ;
- (b) goods in free circulation in the exporting State (goods coming from a third country, in respect of which import formalities have been complied with and any customs duties or charges having equivalent effect have been levied, and which have not benefited from a total or partial drawback of such duties or charges) ;
- (c) goods obtained or produced within the exporting State, and in the manufacture of which have been used products on which the applicable customs duties or charges having equivalent effect have not been levied or which have benefited from a total or partial drawback of such duties or charges, subject to the collection, where appropriate, of the compensatory levy prescribed for them ;

Note : The statement 'compensatory levy Turkey' must appear on all movement certificates A.TR.1 for goods obtained or produced in the Community from products coming from a third country on which the applicable customs duties and charges having equivalent effect have not been levied in either the Community or Turkey.

- (d) goods originally imported from a State party to the Agreement and which on exportation fall within one of the categories (a), (b) or (c) above.

Note : In the case of goods originally imported into the exporting State under the cover of a movement certificate bearing the statement 'compensatory levy Turkey', the movement certificate or certificates A.TR.1 issued in lieu of the latter must also bear the statement 'compensatory levy Turkey'.

2. Agricultural products must also comply with the additional origin conditions laid down for them.
3. Movement certificates A.TR.1 may not be endorsed for goods originally imported from a third country under a preferential customs system because of their country of origin or place of consignment.

II. SCOPE OF THE MOVEMENT CERTIFICATE A.TR.1

The movement certificate A.TR.1 may be used only if the goods to which it relates are transported direct from the exporting State to the importing State.

The following shall be considered as transported direct from the exporting State to the importing State :

- (a) goods transported without passing through territories other than those of the Community or Turkey ;
- (b) goods transported through territories other than those of the Community or Turkey or with transshipment in such territories

provided that carriage through such territories or transshipment is covered by a single transport document made out in the Community or Turkey.

Note : Before requesting endorsement of movement certificate A.TR.1 by the customs authorities of the exporting State, the exporter must satisfy himself that the goods will in fact be transported direct to the importing State. Goods not transported direct are eligible for preferential treatment only if a movement certificate A.TR.3 is produced.

III. RULES FOR COMPLETING THE MOVEMENT CERTIFICATE A.TR.1

1. The movement certificate A.TR.1 must be completed in one of the languages in which the Agreement is drawn up and shall comply with the internal laws of the exporting State. Where the certificate is completed in Turkish, it may also be completed in one of the official languages of the Community.
2. The movement certificate A.TR.1 must be typed or handwritten ; if the latter it must be completed in ink in block letters. It must not contain any erasure or superimposed correction. Any alteration 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.

3. Each item listed in the movement certificate A.TR.1 must be preceded by a serial number. A horizontal line must be drawn immediately after the last entry. Unused space must be struck through so as to make any later addition impossible.

4. Goods must be described in accordance with commercial usage and in sufficient detail to enable them to be identified.

5. The exporter or the carrier may complete the part of the certificate reserved for the declaration by the exporter by a reference to the transport document. It is also recommended that the exporter or the carrier show on the transport document covering the dispatch of the goods the serial number of the movement certificate A.TR.1.

IV. EFFECT OF THE MOVEMENT CERTIFICATE A.TR.1

When properly used, the movement certificate A.TR.1 enables the goods described therein to benefit in the importing State from the progressive elimination of customs duties, quantitative restrictions and all other measures having equivalent effect. However, when the movement certificate bears the statement 'compensatory levy Turkey', goods described therein shall not be eligible for this pre-

ferential treatment in the Member States of the EEC.

The customs authorities of the importing State may, if they consider it to be necessary, require any other documentary evidence and in particular transport documents under cover of which the goods were dispatched.

V. TIME LIMIT FOR SUBMISSION OF THE MOVEMENT CERTIFICATE A.TR.1

The movement certificate A.TR.1 must be produced at the customs office of the importing Member State where the goods are

presented, within a period of three months from the date of endorsement.

ANNEX III

List of goods excluded from the Agreement

(Article 2 (2))

Brussels Nomenclature heading No	Description of goods	Country issuing the movement certificate
ex 07.01	Vegetables, fresh or chilled : — Olives for use for the production of oil	Greece
ex 07.03	Vegetables provisionally preserved in bri- ne, in sulphur water or in other preser- vative solutions, but not specially prepa- red for immediate consumption : — Olives for the use for the production of oil	Greece
ex 10.01	Wheat and meslin (mixed wheat and rye) : — Durum wheat	Turkey
10.02	Rye	Turkey
ex 10.07	Buckwheat, millet, canary seed and grain sorghum ; other cereals : — Canary seed	Turkey
ex 15.07	Fixed vegetable oils, fluid or solid, crude refined or purified : — Olive oil other than that having un- dergone a refining process — Olive oil having undergone a refining process	Greece, Turkey Greece
ex 15.17	Residues resulting from the treatment of fatty substances or animal or vegetable waxes : — Containing oil having the character- istics of olive oil	Greece
ex 23.04	Oil-cake and other residues (except dregs) resulting from the extraction of vegetable oils : — Oil-cake and other residues resulting from the extraction of olive oil	Greece

