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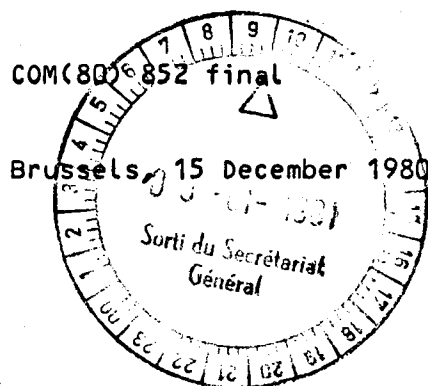
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Conformément au règlement (CEE, Euratom) n° 354/83 du Conseil du 1er février 1983 concernant l'ouverture au public des archives historiques de la Communauté économique européenne et de la Communauté européenne de l'énergie atomique (JO L 43 du 15.2.1983, 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



Proposal for a

COUNCIL REGULATION (EEC)

amending Regulations (EEC) Nos 1544/69, 2780/78 and 3060/78 on the tariff treatment applicable to goods contained in travellers' personal luggage or sent in small consignments to private individuals

(submitted to the Council by the Commission)

COM(80) 852 final

EXPLANATORY MEMORANDUM

1. The first subparagraph of Article 2 (2) of Council Regulation (EEC) No 2779/78 of 23 November 1978 on the procedure for applying the European unit of account (EUA) to legal acts adopted in the customs sphere (1) provides that the equivalents in national currencies of the sums expressed in EUA which are applicable to the tariff treatment of goods imported by private individuals shall be adjusted once a year in line with the exchange rate obtaining on the first working day of October, with effect from 1 January of the following year.

2. The Regulation which determine the tariff treatment applicable to private persons (2) (3) (4) incorporate a provision whereby Member States are allowed to maintain unchanged the national currency equivalents of the sums laid down in those Regulations if, at the time of the annual adjustment provided for in Regulation 2779/78, conversion of the sums results in a change of less than 5 % in their national currency equivalents. However, the abovementioned Regulations do not make any provision for cases where the change exceeds 5 %.

(1) OJ No L 333, 30.11.1978, p. 5

(2) Council Regulation (EEC) No 1544/69 of 23 July 1969 on the tariff treatment applicable to goods contained in travellers' personal luggage (OJ No L 191, 5.8.1969, p. 1), as amended by Regulation (EEC) No 3061/78 (OJ No L 366, 28.12.1978, p. 3)

(3) Council Regulation (EEC) No 2780/78 of 27 November 1978 amending Regulation (EEC) No 950/68 as regards the preliminary provisions of the Common Customs Tariff (OJ No L 333, 30.11.1978, p. 7)

(4) Council Regulation (EEC) No 3060/78 of 19 December 1978 providing exemption from import duties for goods in small consignments of a non-commercial character from third countries (OJ No L 366, 28.12.1978, p. 1)

3. When adopting Regulation (EEC) No 2779/78, the Council, in a statement recorded in the minutes, called upon the Commission to keep the effects of the application of Article 2 of the Regulation under review and to propose appropriate measures in the event of there being major fluctuations in the exchange rates of the EUA against the various national currencies in a particular year.

Such will be the case with the pound sterling from 1 January 1981. Since the change over from the UA to the EUA, the EUA's exchange rate against the pound has fallen as follows:

	<u>1 January 1979</u>	<u>1 January 1980</u>	<u>1 January 1981</u>
1 EUA =	£ 0.669415	0.652555	0.587199

Application of the new exchange rate from 1 January 1981 would result in a reduction in the pound sterling equivalents of the duty-free allowances and other concessions granted by the United Kingdom under the abovementioned Regulations. This could have serious psychological and political consequences among the citizens of the United Kingdom. The Commission is therefore proposing to increase the sums expressed in EUA in the three Regulations referred to in paragraph 2 above.

4. A corresponding proposal has been submitted in the taxation field.

Proposal for a
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amending Regulations (EEC) Nos 1544/69, 2780/78 and 3060/78 on the tariff treatment applicable to goods contained in travellers' personal luggage or sent in small consignments to private individuals

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 28 and 43,

Having regard to the proposal from the Commission ¹,

Having regard to the opinion of the European Parliament ²,

Having regard to the opinion of the Economic and Social Committee ³,

Whereas the first subparagraph of Article 2(2) of Council Regulation (EEC) No 2779/78 of 23 November 1978 on the procedure for applying the European unit of account (EUA) to legal acts adopted in the customs sphere ⁴ provides that the equivalents in national currencies of the sums expressed in EUA applicable, in particular, to the tariff treatment of private individuals shall be adjusted once a year ;

Whereas it is important that the said adjustment should not result in a reduction in the present value, expressed in national currency, of duty-free allowances and other concessions granted to private individuals; whereas to avoid such a reduction resulting from the exchange rates of the European unit of account applicable from 1 January 1981, it is necessary to increase the sums expressed in European units of account which are laid down in the Regulations listed below which govern the tariff treatment of private individuals :

.../...

¹ OJ

² OJ

³ OJ

⁴ OJ No L 333, 30.11.1978, p. 5

.../...

- Council Regulation (EEC) No 1544/69 of 23 July 1969 on the tariff treatment applicable to goods contained in travellers' personal luggage¹, as amended by Regulation (EEC) No 2780/78, referred to below, and Regulation (EEC) No 3061/78²,
- Council Regulation (EEC) No 2780/78 of 27 November 1978 amending Regulation (EEC) No 950/68 as regards the preliminary provisions of the Common Customs Tariff³,
- Council Regulation (EEC) No 3060/78 of 19 December 1978 providing exemption from import duties for goods in small consignments of a non-commercial character from third countries⁴,

HAS ADOPTED THIS REGULATION :

¹OJ No L 191, 5.8.1969, p. 1

²OJ No L 366, 28.12.1978, p. 3

³OJ No L 333, 30.11.1978, p. 7

⁴OJ No L 366, 28.12.1978, p. 1

.../...

Article 1

Regulation (EEC) No 1544/69 is hereby amended as follows :

1. In the first subparagraph of Article 1(1), "40 European units of account" is replaced by "45 European units of account".
2. In Article 1(2), "20 European units of account" is replaced by "23 European units of account".
3. In Article 1(3), "40 European units of account" is replaced by "45 European units of account".
4. In Article 8(2), "40 and 20 European units of account" is replaced by "45 and 23 European units of account".

Article 2

In Article 1(1), (5) and (6) of Regulation (EEC) No 2780/78, "100 European units of account" is replaced by "115 European units of account".

Article 3

In Article 1(2)(a) and Article 4(1) and (2) of Regulation (EEC) No 3060/78, "30 European units of account" is replaced by "35 European units of account".

.../...

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Article 4

This Regulation shall enter into force on 1 January 1981.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Council,

The President