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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

COM(76) 698 final.

Brussels, 23 December 1976.

PROPOSAL FOR A COUNCIL REGULATION

instituting a Community export declaration form

(submitted to the Council by the Commission)

COM(76) 698 final.

EXPLANATORY MEMORANDUM

The purpose of the attached draft regulation is to introduce a Community export declaration form in the Community as from 1 January 1978; this was one of the objectives of the customs simplification Programme sent by the Commission to the Council on 25 February 1975 (Doc COM (75) 67 final).

The introduction of Community transit procedures in 1970 has contributed to the achievement of substantial simplifications for the movement of goods; but further simplifications are necessary since, at the present stage of integration, other formalities over and above Community transit formalities still exist in regard to internal Community trade.

The harmonisation of national export forms should really have been^{an} indirect consequence of Article 15 of Regulation (EEC) No 542/69, under which the export or re-export declaration should be combined with and drawn up on a T form, but because Article 15 leaves each Member State the freedom to determine which data should appear on national forms (even data common to all Member States) and the location for such data, it has in practice been impossible to achieve the intended harmonisation. Work for users in the Community would be facilitated if export data are located in a fixed place on the forms. The resulting advantages would be greater still if the Community transit forms are aligned on the export forms; in practical terms, simultaneous completion of the two forms, regardless of the method of reproduction used (e.g. one-run systems), will result in the saving of time.

The Community export declaration form should be sufficiently simple for adaptations to be made to meet Community requirements or national requirements remaining in each Member State (boxes for Community data, spaces for national data). Without prejudicing any future harmonisation of import documents, the scope of national export data requirements must naturally be kept within the bounds of strict necessity, especially in regard to intra-Community trade.

In view of the growing tendency in international trade to use standard forms aligned on the layout key drawn up by the United Nations Economic Commission for Europe, generally known as the ECE layout key, it has seemed appropriate to base the Community form thereon.

After protracted and delicate design work, these forms received the unanimous agreement of the customs experts in the Customs Legislation Committee and the statisticians in the Committee on External Trade Statistics.

The experts have examined the design of the forms in all respects and down to the last detail. The design is thus as refined as is technically possible, and the above-mentioned two Committees have given the opinion that the present layout of the forms should be considered as definitive.

Use of the forms in conjunction with transit forms will be possible once the Commission, by virtue of its delegated powers under the Community transit regulation, has redesigned in parallel the Community transit

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documents.

The two types of documents should necessarily enter into effect on the same date.

As some data on the export forms are also required when the goods are entered to home use in the Member State of destination, the formalities and controls at the time of entry to home use would be suitably facilitated if the persons concerned were allowed to transmit the relevant data to destination on the Community transit documents.

The form could naturally be used separately when the export procedure is not followed by a transit procedure.

The European Parliament's opinion must be obtained because this draft regulation is based on Article 235 of the Treaty. It would also be desirable to seek the opinion of the Economic and Social Committee.

17.12.
15
Proposal for a Council Regulation instituting
a Community export declaration form

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,
and in particular Article 235 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament;

Having regard to the Opinion of the Economic and Social Committee;

Whereas a common export declaration form should be introduced in the
Community in order to facilitate the accomplishment by its users of the
residual formalities in intra-Community trade;

Whereas, with a view to standardising documents used in international
trade, such Community export declaration form should be aligned on the
model form drawn up under the auspices of the Economic Commission for
Europe of the United Nations;

Whereas the introduction of such Community export declaration form must
lead to harmonisation of the particulars to be entered thereon;

Whereas it is appropriate for the sake of simplification and efficiency
to provide boxes for all potential data requirements; whereas it is
clear that users can be required to complete only those boxes which are
in fact necessary under the Treaty;

Whereas the form should provide boxes for national use; whereas, however,
in regard to measures applied to intra-Community trade in accordance
with the Treaty, Member States may require only such data as are strictly
necessary and to the extent that such data cannot be obtained by other
means;

Whereas the concurrent standardisation of Community transit declaration
documents will enable the export declaration and Community transit
declaration to be readily produced simultaneously, regardless of the
reproduction system used;

Whereas certain particulars which have been passed or acknowledged by the
customs authorities for the purposes of an export procedure must also be
supplied when the goods are entered to home use in the Member State of
destination; whereas, with a view to facilitating the formalities and con-
trols of entry to home use, the persons concerned must be allowed the
option of transmitting any such relevant data to the Member State of
destination by means of the Community transit document;

Whereas the Treaty has not provided the necessary powers for the intro-
duction of a Community export declaration form; whereas it is therefore
necessary to base this Regulation on Article 235;

HAS ADOPTED THIS REGULATION :

Article 1

1. Without prejudice to rules laid down regarding export procedures and to special rules applicable under specific Community legislation, this Regulation shall apply to goods covered by a written export declaration when traded between Member States or destined for exportation from the Community.
2. For the purpose of this Regulation, "export" and "exportation" shall be taken to mean both the dispatch of goods from one Member State to another and the exportation, whether definitive or temporary, or re-exportation of goods outside the territory of the Community.

Article 2

1. The written export declaration referred to in Article 1 shall be made out on a form EX corresponding to the specimen in Annex 1 hereto, accompanied where appropriate by one or more forms EXc corresponding to the specimen in Annex II hereto.
2. Each Member State may furthermore allow users to employ in place of the forms referred to in paragraph 1 forms EX and EXc corresponding, respectively, to the specimens in Annexes III and IV hereto.

Article 3

1. Each Member State shall determine the number of copies of which forms EX and EXc shall be composed, the colour and weight of paper to be used, and the description and number to be given to each copy.

Each Member State may furthermore adapt the specimens in Annexes I to IV hereto in accordance with the conditions of Section B of Annex V hereto.

2. The technical conditions governing forms EX and EXc under Section A of Annex V must be respected.

Article 4

1. Each Member State shall prescribe the particulars to be inserted in the appropriate boxes for purposes of national measures regarding trade taken in conformity with the Treaty.
2. Each Member State may prescribe those particulars strictly necessary for purposes of national measures concerning intra-Community trade taken in conformity with the Treaty, and only insofar as such particulars cannot be obtained otherwise than in connection with export formalities for goods.

.../...

Article 5

1. Nothing in this Regulation shall affect:

- (a) the operation of Council Regulation (EEC) No 1736/75 of 24 June 1975 on the external trade statistics of the Community and statistics of trade between Member States⁽¹⁾;
- (b) the use of special export declaration forms by virtue of international agreements;
- (c) the use, under simplified export procedures, of special export declaration forms such as forms containing the data of the export declaration in general, periodic or recapitulative form;
- (d) the use of automatic data processing systems.

2. Belgium, Luxemburg and the Netherlands may abstain from applying this Regulation in regard to internal Benelux trade.

Article 6

Where certain particulars which the customs authorities have passed or acknowledged for the purposes of an export procedure must also be supplied when the goods are entered to home use in the Member State of destination, those concerned may also enter those particulars on the Community transit document under cover of which goods are consigned to that Member State of destination.

Article 7

The specimens in Annexes I to IV may be adapted, in accordance with the procedure laid down in Article 58 of Regulation (EEC) No 542/69 of 18 March 1969 on Community transit⁽²⁾, to requirements arising from the particular nature of certain goods or to technical requirements such as those arising from automatic data processing systems.

Article 8

Each Member State shall inform the Commission of the measures which it takes in implementation of this Regulation.

Article 9

This Regulation shall enter into force on 1 January 1978.

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

For the Council

(1) OJ No L 183 of 14.7.75, p.3

(2) OJ No L 77 of 29.3.69, p.7

Number of
forms 'Exe'
attached

FOR NATIONAL USE

REGISTRATION OF DECLARATION

EXPORT DECLARATION

Statistical Copy

1

Consignee •

FOR NATIONAL USE

Country of consignment • Code •

Country of origin • Code • Country of destination Code •

Previous customs regime •

FOR NATIONAL USE : other transport details

Identity of means of transport •

FOR NATIONAL USE : details on the nature of the transaction and the delivery terms

1

Marks, numbers, number and kind of packages; description of goods

Statistical number Gross weight •

FOR NATIONAL USE

FOR NATIONAL USE

Net weight Statistical value

2

Marks, numbers, number and kind of packages; description of goods

Statistical number Gross weight •

FOR NATIONAL USE

FOR NATIONAL USE

Net weight Statistical value

FOR NATIONAL USE

FOR NATIONAL USE

EXPORTER'S DECLARATION

EXE

ANNEX II

Serial number of form	FOR NATIONAL USE		FOR NATIONAL USE REGISTRATION OF DECLARATION EX	
1	Statistical Copy			
EXPORT DECLARATION	Marks, numbers, number and kind of packages; description of goods 		Statistical number	Gross weight •
		FOR NATIONAL USE		
		FOR NATIONAL USE	Net weight	Statistical value
2	Marks, numbers, number and kind of packages; description of goods 		Statistical number	Gross weight •
		FOR NATIONAL USE		
		FOR NATIONAL USE	Net weight	Statistical value
3	Marks, numbers, number and kind of packages; description of goods 		Statistical number	Gross weight •
		FOR NATIONAL USE		
		FOR NATIONAL USE	Net weight	Statistical value
4	Marks, numbers, number and kind of packages; description of goods 		Statistical number	Gross weight •
		FOR NATIONAL USE		
		FOR NATIONAL USE	Net weight	Statistical value
5	Marks, numbers, number and kind of packages; description of goods 		Statistical number	Gross weight •
		FOR NATIONAL USE		
		FOR NATIONAL USE	Net weight	Statistical value
FOR NATIONAL USE				
At.....(place).....(Date)..... (Signature) •				

FOR NATIONAL USE

REGISTRATION OF DECLARATION

Number of
forms etc
attached

Exporter

EXPORT DECLARATION

Statistical Copy

Consignee •

FOR NATIONAL USE

Country of consignment • Code •

Country of origin • Code Country of destination Code •

Previous customs regime •

FOR NATIONAL USE : other transport details

Identity of means of transport •

FOR NATIONAL USE : details on the nature of the trans-
action and the delivery terms

Marks, numbers, number and kind of packages; description of goods

Statistical number

Gross weight •

FOR NATIONAL USE

FOR NATIONAL USE

Net weight

Statistical value

FOR NATIONAL USE

EXPORTER'S DECLARATION

2013

ANNEX IV

Serial number of form	FOR NATIONAL USE	FOR NATIONAL USE REGISTRATION OF DECLARATION EX	
1	Statistical Copy		
EXPORT DECLARATION	Marks, numbers, number and kind of packages; description of goods	Statistical number	Gross weight •
		FOR NATIONAL USE	
	FOR NATIONAL USE	Net weight	Statistical value
2	Marks, numbers, number and kind of packages; description of goods	Statistical number	Gross weight •
		FOR NATIONAL USE	
	FOR NATIONAL USE	Net weight	Statistical value
3	Marks, numbers, number and kind of packages; description of goods	Statistical number	Gross weight •
		FOR NATIONAL USE	
	FOR NATIONAL USE	Net weight	Statistical value
At..... (Place) (Date) (Signature) •			

Technical conditions governing forms EX and EXc, and adaptations which the Member States may make to these forms

A. Technical conditions

1. Paper

The paper used shall be dressed for writing purposes

2. Size

The size shall be 210 x 297 mm, a tolerance in the length and width of + 8 mm being allowed.

3. Layout

The layout of the form shall be based on 4.24 mm (1/6 inch) line-spacing and 2.54 mm (1/10 inch) character-spacing

B. Adaptation by the Member States

1. Each Member State may add a national symbol to the symbols EX and EXc.
2. Each Member State may dispense with boxes marked with an asterisk or lay down that such boxes need not be completed. The space left by boxes which have been thus dispensed with may not be used for other purposes.
3. The "exporter" box may be divided in two such that the upper part shall contain the data concerning the exporter and the lower part shall, where appropriate, contain the data concerning the declarant.
4. Each Member State may move in either direction any of the dotted lines at the edge of certain boxes, in order to adapt those boxes to meet its needs.
However, the horizontal dotted lines of the "previous customs procedure" and "identity of means of transport" boxes may not be moved upwards.
5. Each Member State shall determine the wording for the "exporter's declaration" box.
6. Any box adapted by Member States must respect the line-spacing and character spacing laid down at A.3 above.