II

(Preparatory Acts)

COMMISSION

Amendment to the proposal for a Council Regulation simplifying customs facilities in trade within the Community (1)

(Submitted by the Commission to the Council pursuant to the second paragraph of Article 149 of the EEC Treaty on 6 April 1983)

The Commission amends its proposal as follows:

1. The text of the first subparagraph of Article 4 (1) is replaced by the following:

'1. Where Community goods are the subject of trade between two Member States, the formalities connected with such trade shall be completed using a single document, based on a declaration on a form, a specimen of which is to be established by the Council acting by a qualified majority on a proposal by the Commission and after consulting the European Parliament. This document or declaration shall serve, depending on the circumstances, as the dispatch document or declaration or as the document or declaration of internal Community transit or of entry for home use or of entry of the goods under any other procedure in the Member State of destination.'

2. The following paragraph 2 is inserted after paragraph 1 of Article 4:

'2. In intra-Community trade, Member States may not require an administrative document other than the document provided for in paragraph 1, except for those required pursuant to specific provisions of the Treaty or of Community acts.'

3. The former paragraph 2 of Article 4 becomes paragraph 3.

4. The text of Article 10 is replaced by the following:

'1. Simplified procedures, whether or not based on the use of computers, may be implemented, particularly:

— in order to allow a consignor or a consignee not to have to present the goods in question at a customs office,

— in order to allow a consignor or a consignee not to have to present a declaration at a customs office or to allow a consignor or a consignee to draw up an incomplete declaration, to be completed subsequently in the form of a general periodic declaration,

— in cases where Community goods are addressed by more than one consignor to more than one consignee.

2. The provisions of this Regulation shall not preclude:

— the application of special provisions laid down with regard to consignments by letter or parcel post,

— exemption from the requirements to submit a written declaration in certain cases, notably as regards Community goods contained in travellers' personal luggage, for dispatch or entry for home use,

— agreements made or to be made between Belgium, Luxembourg and the Netherlands or between the United Kingdom and Ireland with a view to greater simplification of formalities in trade between those States,

— the establishment between Member States, by means of bilateral arrangements, of simplified procedures applicable to certain trade flows, the effect of which is to dispense with the production of any administrative document in the trade concerned, apart from those required pursuant to specific provisions of the Treaty or of Community acts,

— the drawing up of declarations by means of publicly or privately owned computers,

— the possibility of Member States providing that particulars given in the declaration may be entered by the person concerned in the automatic data-processing system for declarations.'

(1) OJ No C 203, 6. 8. 1982, p. 5.