

373R3573

28. 12. 73

Diario Oficial de las Comunidades Europeas

N° L 359/1

REGLAMENTO (CEE) N° 3573/73 DEL CONSEJO**de 17 de diciembre de 1973****relativo a la aplicación de la Decisión n° 2/73 del Consejo de Asociación (CEE – Turquía) por la que se modifica la Decisión n° 5/72 de 29 de diciembre de 1972, relativa a los métodos de cooperación administrativa para la aplicación de los artículos 2 y 3 del Protocolo Adicional al Acuerdo de Ankara**

EL CONSEJO DE LAS COMUNIDADES EUROPEAS,

Visto el Tratado constitutivo de la Comunidad Económica Europea y, en particular, su artículo 113,

Vista la propuesta de la Comisión,

Considerando que el Acuerdo Provisional entre la Comunidad Económica Europea y Turquía ⁽¹⁾ aplica, de forma anticipada, algunas disposiciones del Protocolo complementario al Acuerdo de Asociación entre la Comunidad Económica Europea y Turquía con motivo de la adhesión de nuevos Estados miembros a la Comunidad, firmado en Ankara el 30 de junio de 1973;

Considerando que, teniendo en cuenta la nueva situación así creada, la Decisión n° 5/72 del Consejo de Asociación, de 9 de diciembre de 1972, relativa a los métodos de cooperación administrativa para la aplicación de los artículos 2 y 3 del Protocolo Adicional al Acuerdo de Ankara ⁽²⁾ ha sido modificada por la Decisión n° 2/73 del Consejo de Asociación;

Considerando que es, pues, necesario adoptar las medidas que requiere la aplicación de la Decisión n° 2/73 y, en particular, adoptar en consecuencia el Reglamento

(CEE) n° 428/73 del Consejo, de 5 de febrero de 1973, relativo a la aplicación de las Decisiones n° 5/72 y 4/72 del Consejo de Asociación previsto por el Acuerdo por el que se crea una Asociación entre la Comunidad Económica Europea y Turquía ⁽³⁾,

HA ADOPTADO EL PRESENTE REGLAMENTO:

Artículo 1

En lo que se refiere a los métodos de cooperación administrativa para la aplicación de los artículos 2 y 3 del Protocolo Adicional al Acuerdo por el que se crea una Asociación entre la Comunidad Económica Europea y Turquía, la Decisión n° 2/73 del Consejo de Asociación aneja al presente Reglamento será aplicable a partir del 1 de enero de 1974.

Artículo 2

Queda suprimido el segundo párrafo del artículo 1 del Reglamento (CEE) n° 428/73.

Artículo 3

El presente Reglamento entrará en vigor al tercer día de su publicación en el *Diario Oficial de la Comunidades Europeas*.

El presente Reglamento será obligatorio en todos sus elementos y directamente aplicable en cada Estado miembro.

Hecho en Bruselas, el 17 de diciembre de 1973.

Por el Consejo
El Presidente
J. CHRISTENSEN

⁽¹⁾ DO n° L 277 de 3. 10. 1973, p. 2.

⁽²⁾ DO n° L 59 de 5. 3. 1973, p. 74.

⁽³⁾ DO n° L 59 de 5. 3. 1973, p. 73.

DECISIÓN DEL CONSEJO DE ASOCIACIÓN N° 2/73

por la que se modifica la Decisión n° 5/72, de 29 de diciembre de 1972, relativa a los métodos de cooperación administrativa para la aplicación de los artículos 2 y 3 del Protocolo Adicional al Acuerdo de Ankara

EL CONSEJO DE ASOCIACIÓN,

Visto el Acuerdo por el que se crea una asociación entre la Comunidad Económica Europea y Turquía,

Visto el Protocolo Adicional y, en particular, su artículo 4,

Considerando que el 30 de junio de 1973 se firmó un Protocolo Complementario así como un Acuerdo Provisional destinado a poner en vigor de manera anticipada ciertas disposiciones del Protocolo Complementario relativas a los intercambios de mercancías;

Considerando que la Decisión n° 5/72 de 29 de diciembre de 1972 fijó los métodos de cooperación administrativa para la aplicación de los artículos 2 y 3 del Protocolo Adicional;

Considerando que, en virtud del artículo 1 del Protocolo Complementario y del artículo 1 del Acuerdo Provisional, estas disposiciones son también aplicables a los intercambios de mercancías entre los nuevos Estados miembros y Turquía;

Considerando que, en virtud de las disposiciones del artículo 11 del Protocolo Complementario y del artículo 4 del Acuerdo Provisional, Turquía debe aplicar hasta el 1 de julio de 1977 a los nuevos Estados miembros derechos y exacciones de efecto equivalente distintos de los aplicables a la Comunidad en su composición original en virtud de las disposiciones del Protocolo Adicional y que, por tal motivo, se deben adaptar los métodos de cooperación administrativa con objeto de garantizar la aplicación correcta de las mencionadas disposiciones,

DECIDE:

Artículo 1

La Decisión n° 5/72 de 29 de diciembre de 1972 quedará modificada como sigue:

a) Se añadirán los siguientes artículos 14 y 15:

«Artículo 14

Hasta el 1 de julio de 1977, las autoridades aduaneras del Estado de exportación se ocuparán de que

en los certificados de circulación A TR 1 y A TR 3 que expiden conste si las mercancías de que se trata han obtenido el carácter de mercancías que reúnen las condiciones del artículo 2 y 3 del Protocolo Adicional, según los casos, en la Comunidad en su composición original o en un nuevo Estado miembro.»

Artículo 15

Las mercancías que reúnan las condiciones del artículo 2 del Protocolo Adicional, que hayan sido exportadas de un nuevo Estado miembro o de Turquía después de la firma del Protocolo Complementario y que, en la fecha de entrada en vigor del Acuerdo Provisional se encuentren en camino, o en Turquía e en un Estado miembro en régimen de depósito provisional, de depósitos aduaneros o de zonas francas, podrán beneficiarse de las disposiciones del Acuerdo Provisional, a condición de que se presenten a los servicios aduaneros del Estado de importación, dentro de un plazo que expirará transcurridos cuatro meses a contar de la fecha mencionada, un certificado A TR 1 visado a posteriori por las autoridades competentes del Estado de exportación y documentos justificativos del transporte directo.»

b) En el título de los modelos de formularios de certificados de circulación de mercancías A TR 1 y A TR 3 que figuran anejos a la Decisión n° 5/72 se añadirán las palabras:

«MOVEMENT CERTIFICATE» y «VARECERTIFICAT».

Las palabras «MALLARIN TEDAVÜL BELGESİ» serán sustituidas por «MALLARIN DOLAŞIM BELGESİ» y las palabras «CERTIFICATO PER LA CIRCOLAZIONE DELL MERCI» serán sustituidas por «CERTIFICATO DI CIRCOLAZIONE DELLE MERCI».

Artículo 2

Los formularios de certificados de circulación A TR 1 y A TR 3 que se ajusten a los antiguos modelos se podrán seguir utilizando hasta que se agoten las reservas existentes.

Artículo 3

Los textos de los formularios de certificados de circulación de mercancías A TR 1 y A TR 3 en lenguas danesa e inglesa que figuran anejos a la presente Decisión se podrán emplear en las mismas condiciones que los textos originales.

Artículo 4

Las disposiciones de la presente Decisión serán aplicables a partir de la fecha de entrada en vigor del Acuerdo Provisional firmado el 30 de junio de 1973.

Hecho en Bruselas, el 17 de diciembre de 1973.

Por el Consejo de Asociación

El Presidente

N. ERSBØLL

E.E.C. – TURKEY ASSOCIATION

A.TR.1

MOVEMENT CERTIFICATE

VARECERTIFIKAT

WARENVERKEHRSBESCHEINIGUNG

CERTIFICAT DE CIRCULATION DES MARCHANDISES

CERTIFICATO DI CIRCOLAZIONE DELLE MERCI

CERTIFICAAT INZAKE GOEDERENVERKEER

MALLARIN DOLAŞIM BELGESİ

A 000000

DECLARATION BY THE EXPORTER

I, the undersigned, (Surname and forename or name of firm and full address of exporter)

exporter of the goods described below:

Serial Number	PACKAGES (1)		DESCRIPTION OF GOODS	Gross weight (kg) or other measure (hl, cu.m, etc.,)
	Marks and numbers	Number and kind		
1	2	3	4	5

Total number of packages (col. 3) and total quantities (col. 5) (in words)

Remarks (2):

declare that these goods situated in meet the conditions required for the issue of this certificate (3) Country of destination (4)

(Place and date of signature)

(Signature of exporter)

(Optional information)

Consignment dated No.

CUSTOMS ENDORSEMENT

Declaration certified: Export document: Type No. date Customs Office

Date

Official stamp

(Signature of customs officer)

(1) For goods in bulk indicate the name of the ship or the number of the railway wagon or road vehicle. (2) Among the remarks to be entered in this space, insert where appropriate "Compensatory Levy-Turkey", as provided for under note 1 (1) (c) and (d) overleaf. (3) See notes overleaf. (4) Insert the Member State or Turkey.

REQUEST FOR VERIFICATION

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

.....
(Place and date of signature)

Official
stamp

.....
(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⁾.

.....
(Place and date of signature)

Official
stamp

.....
(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 despatch 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 preferential

treatment in the Member States of the E.E.C.

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.

A.TR.3

E.E.C.-TURKEY ASSOCIATION

MOVEMENT CERTIFICATE

VARECERTIFIKAT

WARENVERKEHRSBESCHEINIGUNG

CERTIFICAT DE CIRCULATION DES MARCHANDISES

CERTIFICATO DI CIRCOLAZIONE DELLE MERCI

CERTIFICAAT INZAKE GOEDERENVERKEER

MALLARIN DOLAŞIM BELGESİ

DECLARATION BY THE EXPORTER

I, the undersigned,
 (Surname and forename or name of firm and full address of exporter)

..... exporter of the goods described below:

Serial number	PACKAGES ⁽¹⁾		Detailed description of goods	Tariff number	Gross weight	Net weight (kg) or other measure (hl, cu. m, etc.)
	Marks and numbers	Number and kind				
1	2	3	4	5	6	7

Total number of packages (col. 3) }
 and total quantities (col. 6) } (in words)

Remarks ⁽²⁾:

declare that these goods situated in
 meet the conditions required for the issue of this certificate ⁽³⁾

Place of loading

Dispatched on (date) No.

Country of destination of goods at the time of exportation

At
 (Place and date of signature)

.....
 (Signature of exporter)

(1) For goods in bulk indicate the name of the ship or the number of the railway wagon or road vehicle.
 (2) Among the remarks to be entered in this space, insert where appropriate "Compensatory Levy—Turkey", as provided for under note 1 (1) (c) and (d) on the last page of this certificate.
 (3) See notes on the last page of this certificate.

RESULT OF CUSTOMS EXAMINATION AND INDICATION OF MEANS OF IDENTIFICATION (1)

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

Declaration certified

Export document: Type No. Date

Customs office

Date

Official
stamp

.....
(Signature of customs officer)

(1) In this space the customs authorities of the place of exportation should give the result of their examination with any details which may facilitate identification of the goods. They must also indicate any special identification measures such as sealing, stamping, etc., which they have taken. Where supporting items of the type referred to in Note III (5) overleaf (photographs, plans, samples of woven fabric, etc.) are attached, the customs office must stamp them in such a way that a part of the official stamp is imprinted on the actual certificate A. TR. 3.

Spaces not used must be struck through in order to prevent later additions.

REQUEST FOR VERIFICATION

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

(Place and date of signature)

Official
stamp

(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).

(Place and date of signature)

Official
stamp

(Signature of customs officer)

(1) Delete as necessary.

I. GOODS FOR WHICH A MOVEMENT CERTIFICATE A. TR. 3 MAY BE ISSUED

1. A movement certificate A. TR. 3 may be issued 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. 3 for goods obtained or produced in the Community from products coming

from a third country and 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. 3 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. 3 may not be issued for goods:

- (a) which, in accordance with the provisions applicable to them, must be transported direct from the exporting State to the importing State;
- (b) which were 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. 3

A movement certificate A. TR. 3 may be used in all cases where a movement certificate A. TR. 1 cannot be used owing to the fact that the goods are not 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 transhipment in such territories provided that carriage through such territories or transhipment is covered by a single transport document made out in the Community or Turkey.

In particular, the movement certificate A. TR. 3 may be used for goods exported from a State party to the Agreement to a country not party to the Agreement, from which they are liable to be re-exported subsequently to a State party to the Agreement.

III. RULES FOR COMPLETING THE MOVEMENT CERTIFICATE A. TR. 3

1. The movement certificate A. TR. 3 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. 3 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 initialed by the person who completed the certificate and endorsed by the customs authorities.

3. The "declaration by the exporter" on the second page of the movement certificate A. TR. 3 must be completed in full. In

particular, the place of loading, the date of dispatch and the country of destination at the time of export must be stated.

4. Each item listed in the movement certificate A. TR. 3 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.

5. Goods must be described in accordance with commercial usage and great detail so as to ensure that they can be identified easily. The description of the goods must include the number of the tariff heading applicable to each item.

The exporter must include with the movement certificate A. TR. 3 all documents such as plans, drawings, photographs or commercial prospectuses, etc., which may help identification. If they consider it necessary, the customs authorities of the exporting country shall annex these documents to the movement certificate A. TR. 3.

IV. EFFECT OF THE MOVEMENT CERTIFICATE A. TR. 3

A movement certificate A. TR. 3 enables the goods described therein to benefit from the progressive elimination of customs duties, quantitative restrictions and all other measures having equivalent effect, where there is no doubt that the goods actually imported are those described in that movement certificate A. TR. 3. However when the movement certificate A. TR. 3 bears the statement "Compensatory Levy—Turkey", goods described therein shall not

be eligible for this preferential treatment in the Member States of the E.E.C. The customs authorities of the importing State may require submission of any supporting evidence if they consider there is doubt as to the identity of the goods and may exclude the goods from the progressive elimination of customs duties, quantitative restrictions and all measures having equivalent effect if satisfactory evidence cannot be produced.

V. TIME LIMIT FOR SUBMISSION OF THE MOVEMENT CERTIFICATE A. TR. 3

The movement certificate A. TR. 3 must be submitted to the customs authorities of the importing State within a period of six months

from the date of issue. It shall be valid only for the quantities of goods presented in that State during those six months.

ASSOCIERING E.Ø.F. – TYRKIET

A.TR.1

VARECERTIFIKAT

WARENVERKEHRSBESCHEINIGUNG

MOVEMENT CERTIFICATE

CERTIFICAT DE CIRCULATION DES MARCHANDISES

CERTIFICATO DI CIRCOLAZIONE DELLE MERCI

CERTIFICAAT INZAKE GOEDERENVERKEER

MALLARIN DOLAŞIM BELGESİ

A 000000

EKSPORTØRENS ERKLÆRING

Jeg underskrevne
(Eksportørens navn og fornavn eller virksomhedens navn samt fuldstændig adresse)

eksportør af de nedenfor beskrevne varer:

Løbenr.	KOLLI (*)		VAREBESKRIVELSE	Bruttovægt (kg) eller andet mål (hl, m³, m.v.)
	Mærker og numre	Antal og art		
1	2	3	4	5

Antal kolli i alt (spalte 3) (skrevet med bogstaver)
Samlet mængde (spalte 5)

Bemærkninger (*)

erklærer, at de ovenfor anførte varer, som befinder sig i
opfylder forudsætningerne for at opnå dette certifikat (*)
Bestemmelsesland (*)
....., den
(sted) (dato)
.....
(Eksportørens underskrift)

(Udfyldning ikke obligatorisk)
..... nr.

TOLDVÆSENETS PATEGNINGER

Rigtig og bekræftet erklæring
Udførselsdokument:
Formular nr.
Dato
Toldkammer
den
(dato)
Toldkammerets stempel
(Tjenstemandens underskrift)

(*) For styrt gods oplyses henholdsvis skibets navn, jernbanevognens eller lastvognens nummer.
(*) Her anføres bl. a. i påkommende tilfælde »Udligningsafgift-Tyrkiet«, således som fastsat i note 1, stk. 1, c) og d) på bagsiden.
(*) Se noterne på bagsiden.
(*) Anfør medlemsstaten eller Tyrkiet.

ANMODNING OM UNDERSØGELSE

Undertegnede toldmyndighed anmoder om undersøgelse af dette certifikat med hensyn til ægtheden og rigtigheden

....., den
(sted) (dato)

Toldkamrets
stempel

.....
(Tjenestemandens underskrift)

RESULTATET AF UNDERSØGELSEN

Toldmyndighedens undersøgelse har vist, at

1. dette certifikat er udstedt af det angivne toldkammer, og at angivelserne i det er rigtige ⁽¹⁾;
2. dette certifikat ikke opfylder de stillede krav med hensyn til ægthed og rigtighed (se vedføjede bemærkninger) ⁽¹⁾.

....., den
(sted) dato

Toldkamrets
stempel

.....
(Tjenestemandens underskrift)

⁽¹⁾ Det ikke gældende udstreges.

I. VARER, FOR HVILKE VARECERTIFIKAT A. TR. 1 KAN UDSTEDES

1. Varecertifikat A. TR. 1 kan kun udstedes for varer, der i udførselsstaten er omfattet af en af følgende kategorier:

- a) Varer, der er fremstillet i udførselsstaten herunder sådanne varer, der er fremstillet fuldt ud eller delvis af varer, for hvilke den told og de afgifter med tilsvarende virkning, der finder anvendelse på disse, er opkrævet, og som ikke har nydt godt af hel eller delvis godtgørelse af sådan told og sådanne afgifter.
- b) Varer, der er i fri omsætning i udførselsstaten (d. v. s. varer, som hidrører fra tredjeland, for hvilke indførselsformaliteterne er opfyldt, og for hvilke told og afgifter med tilsvarende virkning er blevet opkrævet, og som ikke har nydt godt af hel eller delvis godtgørelse af sådan told og sådanne afgifter).
- c) Varer, fremstillet i udførselsstaten, og til hvis fremstilling er medgået varer, for hvilke den told og de afgifter med tilsvarende virkning, som finder anvendelse på disse, ikke er opkrævet, eller som har nydt godt af en hel eller delvis godtgørelse af nævnte told eller afgifter, på betingelse af, at den for varerne fastsatte udligningsafgift er opkrævet.

Ann.: Ethvert varecertifikat A. TR. 1 vedrørende varer, fremstillet i Fællesskabet ved anvendelse af varer, som hidrører fra tredjeland, og som hverken i Fællesskabet eller i Tyrkiet er belagt med den told og de afgifter med tilsvarende virkning, som finder anvendelse på disse, skal være påtegnet: "Udligningsafgift-Tyrkiet".

d) Varer, der oprindelig er indført fra en stat, der deltager i aftalen, og som ved udførsel kan henføres til en af de under a), b) eller c) nævnte kategorier.

Ann.: For så vidt angår varer, der oprindelig er indført i udførselsstaten, og for hvilke der er udfærdiget et varecertifikat med påtegningen "Udligningsafgift-Tyrkiet", skal det varecertifikat eller de varecertifikater A. TR. 1, som udstedes i stedet for dette, være påført den samme påtegning.

2. Landbrugsprodukter skal endvidere opfylde de supplerende betingelser, der er fastsat for sådanne produkter.
3. Varecertifikat A. TR. 1 kan ikke udstedes for varer, der oprindelig er indført fra tredjeland under en præferencordning som følge af deres oprindelsesland eller afsendelsessted.

II. ANVENDELSESOMRÅDE FOR VARECERTIFIKAT A. TR. 1

Varecertifikat A. TR. 1 kan kun anvendes, såfremt varerne, for hvilke certifikatet er udstedt, forsendes direkte fra udførselsstaten til indførselsstaten.

Som direkte forsendelse fra udførselsstaten til indførselsstaten anses:

- a) varer, hvis transport foregår uden passage af andre områder end Fællesskabets eller Tyrkiets.
- b) varer, hvis transport foregår med passage af andre områder end Fællesskabets eller Tyrkiets eller som omlades i sådanne om-

råder, såfremt transporten gennem disse områder foregår på et gennemgående transportdokument udfærdiget i Fællesskabet eller Tyrkiet.

Ann.: Eksportøren skal — for der fremsættes anmodning over for udførselsstatens toldmyndigheder — sikre sig, at varerne faktisk skal forsendes direkte til indførselsstaten. I tilfælde af, at transporten ikke gennemføres på disse betingelser, kan varerne kun nyde godt af en præferentiel behandling i sidstnævnte stat mod forevisning af et varecertifikat A. TR. 3.

III. REGLER, SOM SKAL IAGTTAGES VED UDSTEDELSEN AF VARECERTIFIKAT A. TR. 1

1. Varecertifikat A. TR. 1 skal udfærdiges på et af de sprog, på hvilke associeringsaftalen er affattet og i overensstemmelse med udførselsstatens interne retsregler. Udfærdiges certifikatet på tyrkisk skal det ligeledes udfærdiges på et af Fællesskabets officielle sprog.

2. Varecertifikat A. TR. 1 udfærdiges med maskin- eller håndskrift; i sidstnævnte tilfælde skal det udfyldes med blæk og med blok-bogstaver. Der må hverken forekomme raderinger eller overskrivninger. Ændringer skal foretages ved overstreghugning af de fejlagtige oplysninger, og i givet fald ved tilføjelse af de ønskede oplysninger. Enhver således foretaget ændring skal bekræftes af den, der har udstedt certifikatet, og påtegnes af toldmyndighederne.

3. Foran hver i varecertifikat A. TR. 1 angivet vare skal anføres et løbenummer. Umiddelbart under den sidste post trækkes en vandret afslutningsstreg. Ikke udfyldte felter skal ved overstreghugning gøres uanvendelige for tilføjelser.

4. Varerne anføres med deres sædvanlige handelsbetegnelse og så udførligt, at de kan identificeres.

5. Eksportøren eller fragtføreren kan på den del af certifikatet, der er bestemt til eksportørens erklæring, tilføje en henvisning til transportdokumentet. Det anbefales også eksportøren eller fragtføreren at forsyne de transportdokumenter, der er udfærdiget for varerne, med påtegning om varecertifikat A. TR. 1's løbenummer.

IV. BETYDNINGEN AF VARECERTIFIKAT A. TR. 1

Når varecertifikat A. TR. 1 anvendes forskriftsmæssigt, kan de i certifikatet beskrevne varer i indførselsstaten nyde godt af gradvis afvikling af toldsatserne og fjernelse af de kvantitative restriktioner og andre forholdsregler med tilsvarende virkning. Såfremt varecertifikatet er påført "Udligningsafgift-Tyrkiet" kan de i certifikatet beskrevne

varer dog ikke nyde godt af en præferentiel behandling i EF's medlemsstater.

Toldmyndighederne i indførselsstaten kan, når de anser det for nødvendigt, kræve fremlagt yderligere dokumentation, især de transportdokumenter, der er udfærdiget for varernes forsendelse.

V. FRISTEN FOR FORELÆGGELSE AF VARECERTIFIKAT A. TR. 1

Varecertifikat A. TR. 1 skal inden for en frist af tre måneder regnet fra datoen for dets udstedelse forelægges for det toldkammer i ind-

førselsstaten, hvor varerne frembydes.

A.TR.3

ASSOCIERING E.Ø.F. - TYRKIET

VARECERTIFIKAT

WARENVERKEHRSBESCHEINIGUNG

MOVEMENT CERTIFICATE

CERTIFICAT DE CIRCULATION DES MARCHANDISES

CERTIFICATO DI CIRCOLAZIONE DELLE MERCI

CERTIFICAAT INZAKE GOEDERENVERKEER

MALLARIN DOLAŞIM BELGESİ

EKSPORTØRENS ERKLÆRING

Jeg underskrevne

..... Eksportørens navn og fornavn eller virksomhedens navn samt fuldstændig adresse.

..... eksportør af de nedenfor beskrevne varer:

Løbenr.	KOLLI ⁽¹⁾		Varebeskrivelse	Told-position	Bruttovægt	Nettovægt (kg) eller andet mål (hl, m ³ , m.v.)
	Mærker og numre	Antal og art				
1	2	3	4	5	6	7

Antal kolli i alt (spalte 3)

Samlet mængde (spalte 6)

(skrevet med bogstaver)

Bemærkninger ⁽²⁾

erklærer, at disse varer, der befinder sig i opfylder forudsætningerne for at opnå dette certifikat ⁽³⁾

Indladningssted

Afsendt, den nr.
(dato)

Varernes bestemmelsesland på udførselstidspunkter

....., den
(sted) (dato)

.....
(Eksportørens underskrift)

⁽¹⁾ For styrtegods oplyses henholdsvis skibets navn, jernbanevognens eller lastvognens nummer.

⁽²⁾ Her anføres bl. a. i påkommende tilfælde "Udligningsafgift-Tyrkiet", således som fastsat i note I, stk. 1, c) og d) på certifikatets sidste side.

⁽³⁾ Se noterne på certifikatets sidste side.

TOLDMYNDIGHEDENS UNDERSØGELSE OG FREMGANGSMÅDEN VED IDENTIFIKATIONEN (1)

Rigtig og bekræftet erklæring

Udførselsdokument: Formular Nr. af

Toldkammer
(dato)den
(dato)Toldkamrets
stempel.....
(Tjenestemandens underskrift)

(1) Heri anføres udførselstoldstedet resultatet af undersøgelsen med alle enkeltheder, der kan lette identifikationen af varerne, herunder særlige identifikationsforanstaltninger, der er truffet, såsom forsegling (plombering), stempling o. s. v.

Hvis de under bagsidens note III, stk. 5, 3. punktum, omtalte identifikationshjælpemidler (fotografier, tegninger, stofprøver m. m.) er fastgjort på bagsiden af dette certifikat, skal toldstedet stemple disse på en sådan måde, at en del af stempelaftrykket findes på selve A. TR. 3 dokumentet.

Ikke udfyldte felter i denne rubrik skal ved overstregning gøres uanvendelige for tilføjelser.