



COMMISSION OF THE EUROPEAN COMMUNITIES
DIRECTORATE-GENERAL
TAXATION AND CUSTOMS UNION
Customs Policy
Customs legislation and control of the application of Community legislation

Brussels, 22 May 2006
Taxud/C/4 - MFB

TAXUD/1419/2006-EN
Orig. EN

Working document

SINGLE AUTHORISATION FOR SIMPLIFIED PROCEDURES

ADMINISTRATIVE ARRANGEMENT

This document is based on a draft of the
Customs 2007 Project Group on Single European Authorisation
and will be discussed at forthcoming meetings of the
Customs Code Committee, Section for general rules

**PROPOSAL FOR AN
ADMINISTRATIVE ARRANGEMENT
concerning Single Authorisations for simplified procedures involving customs
administrations in different Member States**

between the following Member States:.....(insert the names of the participating Member States)

The Participants to this Administrative Arrangement, hereinafter referred to as the "Participants" and "Arrangement" respectively;

Considering the further expansion of trade;

Recalling the Council Resolution of 16 June 1994 on the development of administrative co-operation in the implementation and enforcement of Community legislation in the internal market (OJ C 179, 1.7.1994);

Convinced that all efforts should be made to implement the action programme for customs in the Community (Customs 2007) which forms a basis for consistent action in improving and rationalising customs procedures whilst protecting the customs territory;

Recalling the Council Resolution of 25 October 1996 on the simplification and rationalisation of the Community's customs regulations and procedures (OJ C 332, 7.11.1996);

Recognising that customs procedures need to be highly efficient in the competitive commercial environment of trade;

Convinced that it is necessary to reduce trade costs which are detrimental to competition, growth and employment in the Community;

Noting the conclusion of the Brighton Seminar of 1997 to encourage pilots of Single European Authorisations involving cooperation between customs administrations of Member States;

Whereas Article 1(12) of Commission Regulation (EEC) No 2454/93 (OJ L 253, 11.10.1993) defines the term *single authorisation* and Article 263a of that Regulation lays down the procedure for granting such authorisations;

Whereas Article 250 of Council Regulation (EEC) No 2913/92 (OJ L 302, 19.10.1992) stipulates recognition of the acts and decisions of customs administrations in application of authorisation and supervision of customs procedures across national borders;

Whereas Council Regulation (EC) No 515/97 (OJ L 82, 22.3.1997) anticipates mutual assistance between Member States in enforcement of Community law;

Whereas in order to safeguard external trade and Community policies and financial interests it is necessary to carry out mutually agreed procedures and controls at every place designated by customs authorities and subsequent controls;

HAVE AGREED TO THE FOLLOWING ADMINISTRATIVE ARRANGEMENT:

1. SCOPE OF THE ARRANGEMENT

- (i) The Participants recognise that all acts and decisions of the Participants authorising and or assisting in relation to a Single Authorisation for simplified procedures (hereinafter referred to as an “authorisation”) will be made in accordance with Community law and prevailing practice (so far as the latter is in accordance with Community law).
- (ii) For the purposes of this Arrangement, “authorisation” shall include an application for an authorisation unless otherwise stipulated. This Arrangement shall apply to all applications for authorisations and all authorisations granted in accordance with its terms.
- (iii) Cooperation and assistance within the framework of this Arrangement shall be rendered in accordance with the national law of the Participant and within the competence of the customs administration.
- (iv) The Participants shall render each other cooperation and assistance within the framework of this Arrangement for the duration of any authorisation.

2. GRANTING OF THE AUTHORISATION

Approval of an application for authorisation and granting the authorisation shall be subject to agreement of the Participants as required.

3. EXCHANGE OF INFORMATION

- (i) Before granting an authorisation, the Participants shall, for the purposes of this paragraph, jointly obtain the written consent of the applicant to the disclosure of any information or data, for the duration of the application and authorisation.
- (ii) With the written consent of the applicant (or otherwise in accordance with the law in force) the Participants shall, upon request, exchange all information and data relating to the application or the authorisation and its operation (including for the purpose of verifying individual customs transactions under that authorisation) whatever the form in which it is recorded.
- (iii) Sub-paragraphs (i) and (ii) shall be without prejudice to the operation of any existing arrangements for mutual assistance between the Participants.

4. SUPERVISION OF CUSTOMS PROCEDURE

- (i) The Participants shall agree upon a procedure to ensure supervision of the customs procedure operated under the authorisation.
- (ii) The Participants shall designate customs offices responsible for supervising the agreed procedure.

5. NATIONAL PART OF OWN RESOURCES (COLLECTION COSTS)

- i. For the purposes of this paragraph, “Community customs duty” shall mean those revenues mentioned in Articles 2(1)(a) and (b) of the Council Decision of 29 September 2000 on the system of the European Communities’ own resources (2000/597/EC, Euratom) (OJ L 253, 7.10.2000).
- ii. The authorising Participant shall pay and remit to the assisting Participant(s) in accordance with sub-paragraph (iv) an amount defined and calculated in accordance with sub-paragraphs (iii) and (v).
- iii. An amount equal to seventy five per cent (75%) of the amount of collection costs of Community customs duty on goods released for free circulation within the jurisdiction of the assisting Participant, taking place under an authorisation to which this Arrangement applies.
- iv. Payments referred to in sub-paragraph (ii) shall be made in accordance with the timetable specified in Article 10(1) of Council Regulation (EEC, Euratom) No 1150/2000 (OJ L 130, 31.5.2000).
- v. The amount calculated in accordance with sub-paragraph (iii) will be calculated upon the amount of Community customs duty net of deduction permitted by Community law and in particular Article 17(2) of Council Regulation (EEC, Euratom) No 1150/2000 (OJ L 130, 31.5.2000).

6. GENERAL REVIEW

- (i) A meeting will be organised by the Commission when requested by any Participant, to assess the implementation of this Undertaking or any authorisation. Member States considering joining this arrangement will also be invited.
- (ii) The agenda for these meetings may include any subject of mutual interest requested by one of the Participants or potential Participants.

7. DISPUTE RESOLUTION

Any dispute arising between the Participants in relation to the implementation or operation of this Arrangement or any authorisation subject to its operation will be

resolved by negotiation as far as possible. The Participants may request mediation by the Commission services.

8. AMENDMENTS TO THIS ADMINISTRATIVE ARRANGEMENT

Any amendments to this Arrangement which may be required shall be made by mutual agreement between the Participants.

9. ENTRY INTO FORCE, TERMINATION

- (i) This Arrangement shall enter into force once the Participants have reached agreement and subject to sub-paragraph (ii) below.
- (ii) This Arrangement may be terminated by either of the Participants giving notice in writing to the Commission and the Participants. It shall cease to apply 6 months after the revocation of the last authorisation signed under it.
- (iii) The Commission shall publish this Arrangement on its website.