Mutual assistance and cooperation between customs administrations: accession of Bulgaria and Romania to the Convention of 18 December 1997

2007/0073(CNS) - 06/12/2007 - Final act

PURPOSE: to enable Bulgaria and Romania to accede to the Convention on mutual assistance and cooperation between customs administrations.

LEGISLATIVE ACT: Council Decision 2008/39/JHA concerning the accession of Bulgaria and Romania to the Convention of 18 December 1997, drawn up on the basis of Article K.3 of the Treaty on European Union, on mutual assistance and cooperation between customs administrations.

CONTENT: the Convention drawn up on the basis of Article K.3 of the Treaty on European Union, on mutual assistance and cooperation between customs administrations ("the Convention") was signed at Brussels on 18 December 1997 and will enter into force 90 days after the notification by the State, Member of the European Union at the time of adoption by the Council of the Act drawing up the Convention, which is last to complete that formality.

Until the Convention enters into force, any Member State may, when giving the required notification declare that as far as it is concerned the Convention, shall apply to its relations with Member States that have made the same declaration.

Following their accession to the European Union, the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Poland, Slovenia and Slovakia have deposited their instruments of accession to the Convention.

The Act of Accession provides that Bulgaria and Romania are to accede to the conventions and protocols concluded between the Member States and listed in Annex I to the Act of Accession, which includes, inter alia, the Convention on mutual assistance and cooperation between customs administrations. Those conventions and protocols are to enter into force in relation to Bulgaria and Romania on the date determined by the Council. The Council is to make all adjustments required by reason of accession to those conventions and protocols.

This Decision provides that the Convention, as amended by this Decision, shall enter into force for Bulgaria and Romania on the date of entry into force of the Convention.

It also provides that Article 31(1) of the Convention will be replaced by a clause stating that the Convention shall apply to the territories of the Member States comprised in the customs territory of the Community as well as, for Germany, the Island of Heligoland and the territory of Büsingen (within the framework of and pursuant to the Treaty of 23 November 1964 between the Federal Republic of Germany and the Swiss Confederation on the inclusion of the commune of Büsingen am Hochrhein in the customs territory of the Swiss Confederation, or the current version thereof) and, for the Italian Republic, the municipalities of Livigno and Campione d'Italia, and to the territorial waters, the inland maritime waters and the airspace of the territories of the Member States.

DATE OF EFFECT : 13/01/2008.