

Modernised Community Customs Code

2005/0246(COD) - 22/11/2006

The committee adopted the report by Jannelly FOURTOU (ALDE, FR) amending - under the 1st reading of the codecision procedure - the proposed regulation laying down the Community Customs Code (Modernised Customs Code). The main amendments were as follows:

- the committee introduced a definition of 'customs representative', meaning "any person established on EU territory who provides customs services to third parties". It also clarified the criteria applicable, specifying that the status of customs representative shall be open to all applicants, managed by a government body in the Member State, recognised in all Member States once it has been registered in the Member State of application, and subject to "practical standards of competent or professional qualifications directly linked to the activity carried out". The amendment also stipulated that there should be no limit on the number of customs representatives in the EU and that a person with the status of customs representative and with the status of Authorised Economic Operator "shall be able to benefit from all simplifications". Lastly, to ensure that customs representatives should no longer have a monopoly over their activities in dealing with customs, the committee said that anyone should be able to pursue a commercial activity by addressing the customs authorities, without being obliged to be represented by a customs representative;
- the committee introduced new provisions making it clear in the body of the text that there are two statuses of authorised economic operator: 'customs simplification' authorised economic operator and 'security and safety' authorised economic operator. Both authorisations may be held at the same time;
- the derogation making it possible to limit the status of authorised economic operator to one or more specified Member States should be withdrawn as it would be difficult to apply in practice and could create problems vis-à-vis the recognition of this status by third countries (e.g. the USA);
- one amendment sought to enable customs authorities to determine not only the route to be used when goods are to leave the customs territory of the Community but also the time limit for their removal from that territory. The committee argued that this would prevent the long-term storage of goods at the border when their exit formalities have already been carried out.