Basic information

1997/0242(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Procedure completed
Community Customs Code: external transit procedure **Subject** 2.10.01 Customs union, tax and duty-free, Community transit	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
ECON Economic and Monetary Affairs, Industrial Policy	PEIJS Karla M.H. (PPE)	20/10/1997

Former committee responsible	Former rapporteur	Appointed
ECON Economic and Monetary Affairs, Industrial Policy	PEIJS Karla M.H. (PPE)	20/10/1997

Former committee for opinion	Former rapporteur for opinion	Appointed
RELA External Economic Relations	The committee decided not to give an opinion.	
CONT Budgetary Control		

Council of the European Union

Council configuration	Meetings	Date
Competitiveness (Internal Market, Industry, Research and Space)	2117	1998-09-24
Competitiveness (Internal Market, Industry, Research and Space)	2051	1997-11-27
Competitiveness (Internal Market, Industry, Research and Space)	2079	1998-03-30
Transport, Telecommunications and Energy	2169	1999-03-29

Key events

Date	Event	Reference	Summary
26/09/1997	Legislative proposal published	COM(1997)0472	Summary
20/10/1997	Committee referral announced in Parliament, 1st reading		

27/11/1997	Debate in Council		
30/03/1998	Debate in Council		
23/04/1998	Vote in committee, 1st reading		Summary
23/04/1998	Committee report tabled for plenary, 1st reading	A4-0149/1998	
12/05/1998	Debate in Parliament		Summary
03/07/1998	Modified legislative proposal published	COM(1998)0428	Summary
24/09/1998	Council position published	10065/1/1998	Summary
09/10/1998	Committee referral announced in Parliament, 2nd reading		
25/11/1998	Vote in committee, 2nd reading		Summary
25/11/1998	Committee recommendation tabled for plenary, 2nd reading	A4-0442/1998	
15/12/1998	Debate in Parliament		
29/03/1999	Act approved by Council, 2nd reading		
13/04/1999	Final act signed		
13/04/1999	End of procedure in Parliament		
07/05/1999	Final act published in Official Journal		

Technical information

Procedure reference	1997/0242(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Legal basis	EC Treaty (before Amsterdam) E 028 EC Treaty (before Amsterdam) E 100A EC Treaty (before Amsterdam) E 113
Stage reached in procedure	Procedure completed
Committee dossier	ECON/4/10463

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A4-0149/1998 OJ C 167 01.06.1998, p. 0003	23/04/1998	
Text adopted by Parliament, 1st reading/single reading		T4-0270/1998 OJ C 167 01.06.1998, p. 0079-0102	13/05/1998	Summary
Committee recommendation tabled for plenary, 2nd reading		A4-0442/1998 OJ C 398 21.12.1998, p. 0004	25/11/1998	
		T4-0743/1998		

Text adopted by Parliament, 2nd reading		OJ C 098 09.04.1999, p. 0144-0157	16/12/1998	Summary

Council of the EU

Document type	Reference	Date	Summary
Council position	10065/1/1998 OJ C 333 30.10.1998, p. 0065	24/09/1998	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(1997)0472 OJ C 337 07.11.1997, p. 0052	26/09/1997	Summary
Modified legislative proposal	COM(1998)0428 OJ C 261 19.08.1998, p. 0015	03/07/1998	Summary
Commission communication on Council's position	SEC(1998)1622	01/10/1998	Summary
Commission opinion on Parliament's position at 2nd reading	COM(1999)0047	26/02/1999	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES1380/1997 OJ C 073 09.03.1998, p. 0017	10/12/1997	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Regulation 1999/0955
OJ L 119 07.05.1999, p. 0001 Summary

Community Customs Code: external transit procedure

1997/0242(COD) - 26/09/1997 - Legislative proposal

OBJECTIVE: to amend Regulation 2913/92/EEC establishing the Community Customs Code (Transit). CONTENT: the proposal for a directive concerns the following aspects: - the scope of external transit for Community goods: without removing every possibility for using external transit in connection with the export of Community goods, its definition should be entrusted to the committee procedure; - agreeing the transit scheme: one

needs to define this concept, which is necessary for an effective management of the scheme; - exemption from guarantee: shipping routes should be removed from cases of general exemption from the guarantee, so that in such cases the guarantee would no longer be the exception and items dispatched by scheduled shipping routes would be treated similarly to those sent by road; - the responsibility of the carrier and consignee: it is proposed to remove that provision which states that any carrier or consignee who knows that the goods in question are in a transit procedure is obliged to produce the said goods at the customs office of destination and to comply with the identification measures, in addition to the obligations appropriate to the principal obligor; - the national or bilateral/multilateral simplifications put in place by the Member States: it is recommended that these simplifications be reintegrated into the Community framework of measures; - guarantee of fees and other transit duties: it seems necessary to reserve, under Article 192 of the Code, the special case of obligatory guarantee under the transit procedure; - the place of origin of the debt and the competent authority for consideration of the customs debt: a new wording is being proposed for this provision.

Community Customs Code: external transit procedure

1997/0242(COD) - 26/02/1999 - Commission opinion on Parliament's position at 2nd reading

The Commission considers Parliament's two amendments at the second reading perfectly compatible with the objectives laid down in the Action Plan adopted by the Commission on 30 April 1997 in the light of the recommendations of Parliament's commission of enquiry into the Community transit system and extensive consultations with traders ans customs administrations.

Community Customs Code: external transit procedure

1997/0242(COD) - 01/10/1998 - Commission communication on Council's position

The Commission considered that the common position of the Council was in accordance with the objectives it had laid down in its Action Plan for the reform of transit. It considered that the text clarified and simplified the rules applicable, that it took into account both the reliability of operators and the assessment of the relevant risks to ensure that transit operations were sufficiently secure. The Commission acknowledged that the common position should ensure greater harmonisation of customs practices in the field of simplification and that it incorporated the necessary steps to improve the effectiveness of recovery measures linked to transit operations.

Community Customs Code: external transit procedure

1997/0242(COD) - 16/12/1998 - Text adopted by Parliament, 2nd reading

In her recommendation for second reading under the co-decision procedure on the Council's common position on a Commission proposal designed to strengthen customs checks under the EU's transit arrangements, Ms. Karla PEIJS (NI, EPP), noted that Council took over most of the EP's amendments approved at first reading. Nevertheless, she had tabled two further modified amendments designed to ensure transparency and to improve procedures.

Community Customs Code: external transit procedure

1997/0242(COD) - 10/12/1997 - Economic and Social Committee: opinion, report

The proposed transfer of procedural provisions from the body of law laid down by the Council (Customs Code) to the Commission's sphere of responsibility (Customs Code implementing provisions) has both advantages and disadvantages. The swifter and more flexible adaptation of provisions to the needs of economic operators and customs administrations might be beneficial. However, frequent changes could be seen as a disadvantage vis-à-vis the stability offered by the Code in the past. From the Committee's point of view, the transfer of responsibility for procedural provisions to the Commission could be welcomed if individual decisions are taken properly using the "comitology" procedure, i.e. after consulting economic operators and customs administrations.

Community Customs Code: external transit procedure

1997/0242(COD) - 13/05/1998 - Text adopted by Parliament, 1st reading/single reading

In adopting by 366 votes to 67 with 111 abstentions the report by Mrs Karla PEIJS (EPP, NL) Parliament wished to ensure that the customs code committee did not have too much latitude when adopting implementing provisions. The approach adopted by the Commission, which provided for regulations comprising fewer detailed provisions and therefore leaving more power to the customs code committee, was not shared by Parliament. Parliament considered that all decisions taken under the committee procedure must be transparent for both customs administrations and industry.

Community Customs Code: external transit procedure

1997/0242(COD) - 13/04/1999 - Final act

PURPOSE: to amend the Community customs code in accordance with the proposals put forward in the Action Plan for the reform of transit in Europe presented by the Commission on 30/04/1997. COMMUNITY MEASURE: Directive 955/1999/EC of the European Parliament and the Council, amending Council regulation 2913/92/EEC with regard to the external transit procedure. CONTENT: the regulation is part of the framework of reform of

the transit procedures and follows on from the Commission Action plan for transit in Europe, developed in response to the findings of the European Parliament's temporary committee of enquiry on the Community transit procedure. The amendment of the Community Customs Code is only one part of a more extensive reform, essentially consisting of a recasting of of the application provisions of the code, the revision of the Convention on joint transit concluded with the EFTA and Visegrad countries, the computerization of transit procedures and improvement of the operational wing of procedures. The tewt clarifies and simplifies the rules to be applied and takes account of both the reliability of operators and the assessment of the risks in play to ensure a satisfactory level of security in transit operations. It ensures increased harmonisation of customs practices in the field of simplifications and integrates the necessary measures for the improvement of efficiency of recovery actions in the context of transit. ENTRY INTO FORCE: 10/05/1999.

Community Customs Code: external transit procedure

1997/0242(COD) - 03/07/1998 - Modified legislative proposal

The Commission's amended proposal incorporated 5 of the 7 amendments adopted by the European Parliament to the extent that they complied with the objectives laid down by the Commission in its Action Plan for transit in Europe. The amendments rejected concerned: - Art. 92 of the code and the definition of discharge; - Art. 97(2) of the code and the option for Member States to allow the use of simplified procedures for transit operations carried out within a single Member State or under bilateral or multilateral agreements. The Commission could not accept such an amendment, which would indirectly allow Member States to waive the basic guarantee rules for single-country transit operations.

Community Customs Code: external transit procedure

1997/0242(COD) - 24/09/1998 - Council position

The common position very largely adhered to the amendments adopted by Parliament at first reading, and corresponded to the amended proposal subsequently presented by the Commission. The main amendments accepted concerned: a) the insertion, in a recital, of a reference to provisions adopted under the committee procedure, thus applying to them the principles of simplification and clarification of the rules for the benefit of both operators and managers of the transit procedure; b) the scope of external transit (Art. 91(1)(b) of the code); c) amendments concerning guarantees (Art. 94 of the code), mainly concerning the following points: - the conditions for acceptance of a smaller guarantee or exemption from the guarantee requirement; - exclusion of sensitive goods from exemption from the guarantee requirement; - introduction of the possibility of temporarily prohibiting reduction of or exemption from the comprehensive guarantee in exceptional circumstances, while exempting from this ban operators who guarantee a very high standard of security for their operations; d) exemption from the guarantee requirement for certain modes of transport (Art. 95 of the code); e) carrier and consignee jointly responsible with the holder (Art. 96 of the code). The text associated with the amendment of Article 91(1)(b) is supplemented by a clause pointing out to the committee responsible for defining the situations where external transit applies to Community goods that it should take account of the risks involved and should consider not applying the transit procedure only where an equivalent standard of security is guaranteed in another way to ensure that exports are controlled and monitored.