Basic information

1998/0251(CNS) CNS - Consultation procedure Regulation	Procedure completed
Tax and duty-free allowances for travellers: temporary derogation to Germany and Austria (amend. Regulation (EC) No 355/94) **Subject** 2.10.01 Customs union, tax and duty-free, Community transit **Geographical area** Austria Germany FR	

Key players

European Parliament	**Committee responsible**	**Rapporteur**	**Appointed**
	ECON Economic and Monetary Affairs, Industrial Policy	LANGEN Werner (PPE)	23/09/1998
Council of the European Union	**Council configuration**	**Meetings**	**Date**
	Agriculture and Fisheries	2151	1998-12-14

Key events

Date	Event	Reference	Summary
24/07/1998	Legislative proposal published	COM(1998)0473	Summary
14/09/1998	Committee referral announced in Parliament		
25/11/1998	Vote in committee		Summary
25/11/1998	Committee report tabled for plenary, 1st reading/single reading	A4-0440/1998	
14/12/1998	Act adopted by Council after consultation of Parliament		
14/12/1998	End of procedure in Parliament		
19/12/1998	Final act published in Official Journal		

Technical information

Procedure reference	1998/0251(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation

Legislative instrument	Regulation
Legal basis	Rules of Procedure EP 170 EC Treaty (before Amsterdam) E 028
Stage reached in procedure	Procedure completed
Committee dossier	ECON/4/10440

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A4-0440/1998 OJ C 398 21.12.1998, p. 0004	25/11/1998	
Text adopted by Parliament, 1st reading/single reading		T4-0708/1998 OJ C 398 21.12.1998, p. 0018-0041	03/12/1998	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(1998)0473	24/07/1998	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Regulation 1998/2744
OJ L 345 19.12.1998, p. 0009 Summary

Tax and duty-free allowances for travellers: temporary derogation to Germany and Austria (amend. Regulation (EC) No 355/94)

1998/0251(CNS) - 24/07/1998 - Legislative proposal

OBJECTIVE: to amend Directive 355/94/EC in order to extend until 2003 the temporary customs derogation applicable to Germany and Austria with regard to duty-free allowances for travellers. SUBSTANCE: Until 31.12.1997, Austria and Germany enjoy a derogation allowing them to apply an allowance of ECU 75 (instead of ECU 175, which is the Community figure) for goods imported by travellers entering their territory at a land border (or, where applicable, by means of coastal navigation) linking them to countries (Czech Republic, Hungary, Slovenia, etc.) other than Member States and EFTA members. The reasons put forward by these two Member States concerned both the considerable disparity in prices between their national markets and those of their neighbours to the east, and the existence of duty-free shops in close proximity to their land borders with those countries. These factors were causing considerable commercial and fiscal distortions. The German and Austrian authorities have requested an extension of the derogation, as socio- economic conditions in their eastern neighbours persist. Accordingly, the Commission proposes to extend the derogation until 01.01.2003, with the proviso that the two Member States concerned must gradually raise the limit from the figure of ECU 75. The proposal therefore

sets a figure of ECU 100, which is to apply as from 01.01.1999 in order to limit distortions of fiscal and customs competition between Member States. Germany and Austria will be required to increase this figure gradually, to reach ECU 175 by 01.01.2003 at the latest.

Tax and duty-free allowances for travellers: temporary derogation to Germany and Austria (amend. Regulation (EC) No 355/94)

1998/0251(CNS) - 14/12/1998 - Final act

OBJECTIVE: to amend Regulation (EC) No 355/94 in order to extend until 2003 the temporary customs derogation applicable to Germany and Austria with regard to duty-free allowances for travellers. COMMUNITY MEASURE: Council Regulation (EC) No 2744/98 amending Regulation (EC) No 355 /94 and extending the temporary derogation applicable to Germany and Austria. CONTENT: until 31 December 1997, Germany and Austria enjoy a derogation allowing them to apply an allowance of ECU 75 (instead of ECU 175, which is the Community figure) for goods imported by travellers entering their territory at a land border linking them to countries (Czech Republic, Hungary, Slovenia, etc.) other than Member States and EFTA members. The reasons put forward by these two Member States concern both the considerable disparity in prices between their national markets and those of their neighbours to the east, and the existence of duty-free shops in close proximity to their land borders, causing considerable commercial and fiscal distortions. As the economic conditions which led to the adoption of Regulation 355/94/EC have persisted or even worsened, the German and Austrian authorities have requested an extension of the derogation and the new regulation therefore extends the derogation until 1 January 2003, with the proviso that the two Member States concerned must gradually raise the limit from the figure of ECU 75. The regulation therefore sets an ex officio figure of ECU 100, to apply as from 1 January 1999 in order to limit distortions of fiscal and customs competition between Member States. Germany and Austria will be required to increase this figure gradually, to reach ECU 175 by 1 January 2003 at the latest. ENTRY INTO FORCE: The Regulation will enter into force on 19 December 1998 and will be applicable retroactively from 1 January 1998.

Tax and duty-free allowances for travellers: temporary derogation to Germany and Austria (amend. Regulation (EC) No 355/94)

1998/0251(CNS) - 03/12/1998 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted the report by Mr Werner LANGEN (PPE, D) on extending the temporary derogation applicable to Germany and Austria. It approved the derogation in question, but called for it to expire on 01.01.2002 rather than 01.01.2003. As from 2002, Austria and Germany should apply the ECU 175 limit which applied throughout the rest of the Community.