

Council Regulation (EEC) No 918/83 of 28 March 1983 setting up a Community system of reliefs from customs duty (repealed)

CHAPTER III

GENERAL AND FINAL PROVISIONS

Article 127

1 Subject to paragraph 2, the provisions of Chapter I shall apply both to goods declared for free circulation coming directly from third countries and to goods declared for free circulation after having been subject to another customs procedure.

2 The cases in which duty-free admission may not be granted for goods declared for free circulation after having been subject to another customs procedure shall be determined in accordance with the procedure referred to in Article 143 (2) and (3).

[^{F13} Goods which may be imported under relief from duties in accordance with this Regulation shall also not be subject to quantitative restrictions applied pursuant to measures adopted on the basis of Article 133 of the Treaty.]

Textual Amendments

- F1** Inserted by [Council Regulation \(EC\) No 274/2008 of 17 March 2008 amending Regulation \(EEC\) No 918/83 setting up a Community system of relief from customs duty.](#)

Article 128

Where relief from import duties is granted conditional upon goods being put to a particular use by the recipient, only the competent authorities of the Member State in whose territory the said goods are to be put to such a use may grant this relief.

Article 129

The competent authorities of the Member States shall take all appropriate measures to ensure that goods placed in free circulation, where relief from import duties is granted conditional upon goods being put to a particular use by the recipient, may not be used for other purposes without the relevant import duties being paid, unless such alternative use is in conformity with the conditions laid down by this Regulation.

Article 130

Where the same person simultaneously fulfils the conditions required for the grant of relief from import or export duties under different provisions of this Regulation, the provisions in question shall apply concurrently.

Article 131

Where this Regulation provides that the granting of relief shall be subject to the fulfilment of certain conditions, the person concerned shall, to the satisfaction of the competent authorities, furnish proof that these conditions have been met.

Status: Point in time view as at 01/12/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EEC) No 918/83 (repealed), CHAPTER III. (See end of Document for details)

Article 132

In the event of duty-free importation or exportation being granted within the limit of an amount determined in ECU, Member States may round-off, upwards or downwards, the sum arrived at by converting that amount into the national currency.

[^{F2}Member States may also maintain unamended the exchange value in national currency of the amount determined in ECU if, at the time of the annual adjustment provided for in the first subparagraph of Article 2 (2) of Regulation (EEC) No 2779/78⁽¹⁾, as last amended by Regulation (EEC) No 289/84⁽²⁾, the conversion of this amount, before the rounding off provided for in the previous paragraph leads to an alteration of less than 5 % in the exchange value expressed in national currency, or to a reduction thereof.]

Textual Amendments

- F2** Substituted by [Council Regulation \(EEC\) No 1315/88 of 3 May 1988 amending Regulation \(EEC\) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff and Regulation \(EEC\) No 918/83 setting up a Community system of reliefs from customs duty.](#)

Article 133

- 1 Nothing in this Regulation shall prevent the Member States from granting:
 - a relief pursuant to the Vienna Convention on diplomatic relations of 18 April 1961, the Vienna Convention on consular relations of 24 April 1963 or other consular conventions, or the New York Convention of 16 December 1969 on special missions;
 - b relief under the customary privileges accorded by virtue of international agreements or headquarters agreements to which either a third country or an international organization is a contracting party, including the relief granted on the occasion of international meetings;
 - c relief under the customary privileges and immunities accorded in the context of international agreements concluded by all the Member States and setting up a cultural or scientific institute or organization under international law;
 - d relief under the customary privileges and immunities accorded in the context of cultural, scientific or technical cooperation agreements concluded with third countries;
 - e special relief introduced under agreements concluded with third countries and providing for common measures for the protection of persons or of the environment;
 - f special relief introduced under agreements concluded with adjacent third countries, justified by the nature of the frontier-zone trade with the countries in question^{[F2];}
 - ^[F3]g relief in the context of agreements entered into on the basis of reciprocity with third countries that are Contracting Parties to the Convention on International Civil Aviation (Chicago 1944) for the purpose of implementing Recommended Practices 4.42 and 4.44 in Annex 9 to the Convention (eighth edition, July 1980).]

2 Where an international convention not covered by any of the categories referred to in paragraph 1, to which a Member State intends to subscribe, provides for the grant of relief, that Member State shall submit a request to the Commission for the application of such relief, supplying the Commission with all the necessary information.

A decision shall be taken on such a request in accordance with the procedure laid down in Article 143 (2) and (3).

Status: Point in time view as at 01/12/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EEC) No 918/83 (repealed), CHAPTER III. (See end of Document for details)

3 The supply of information as specified in paragraph 2 shall not be required where the international convention in question provides for the grant of relief not exceeding the limits set under Community law.

Textual Amendments

- F2** Substituted by Council Regulation (EEC) No 1315/88 of 3 May 1988 amending Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff and Regulation (EEC) No 918/83 setting up a Community system of reliefs from customs duty.
- F3** Inserted by Council Regulation (EEC) No 1315/88 of 3 May 1988 amending Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff and Regulation (EEC) No 918/83 setting up a Community system of reliefs from customs duty.

Article 134

[^{F2}1 Member States shall notify the Commission of the customs provisions contained in international conventions and agreements of the type referred to in Article 133 (1) (b), (c), (d), (e), (f) and (g) and Article 133 (3) concluded after the entry into force of this Regulation.]

2 The Commission shall forward to the other Member States the texts of the conventions and agreements notified to it in accordance with paragraph 1.

Textual Amendments

- F2** Substituted by Council Regulation (EEC) No 1315/88 of 3 May 1988 amending Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff and Regulation (EEC) No 918/83 setting up a Community system of reliefs from customs duty.

[^{F2}Article 135

This Regulation shall not preclude retention:

- (a) by Greece of the special status accorded to Mount Athos as guaranteed by Article 105 of the Greek Constitution;
- (b) by Spain and France, until the entry into force of arrangements governing trade relations between the Community and Andorra, of the relief resulting from the Convention of 13 July 1867 and 22 and 23 November 1867 respectively between those countries and Andorra;
- (c) by the Member States and up to a limit of 210 ECU of the relief, if any, in excess of that referred to in Article 47 which they granted on 1 January 1983 to merchant-navy seamen involved in international travel;
- (d) [^{F4}by the United Kingdom of the reliefs on importations of goods for the use of its forces or the civilian staff accompanying them or for supplying their messes or canteens resulting from the Treaty of Establishment concerning the Republic of Cyprus, dated 16 August 1960.]

Textual Amendments

- F2** Substituted by Council Regulation (EEC) No 1315/88 of 3 May 1988 amending Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff and Regulation (EEC) No 918/83 setting up a Community system of reliefs from customs duty.

Status: Point in time view as at 01/12/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EEC) No 918/83 (repealed), CHAPTER III. (See end of Document for details)

- F4** Inserted by Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded.

Article 136

1 Until the establishment of Community provisions in the field in question, Member States may grant special relief to armed forces not serving under their flags which are stationed on their territories in pursuance of international agreements.

2 Until the establishment of Community provisions in the field in question, this Regulation shall not preclude the retention by Member States of relief granted to workers returning to their country after having resided for at least six months outside the customs territory of the Community on account of their occupation.]

Textual Amendments

- F2** Substituted by Council Regulation (EEC) No 1315/88 of 3 May 1988 amending Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff and Regulation (EEC) No 918/83 setting up a Community system of reliefs from customs duty.

^{F5} Article 137

Textual Amendments

- F5** Deleted by Council Regulation (EEC) No 1315/88 of 3 May 1988 amending Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff and Regulation (EEC) No 918/83 setting up a Community system of reliefs from customs duty.

^{F5} Article 138

Textual Amendments

- F5** Deleted by Council Regulation (EEC) No 1315/88 of 3 May 1988 amending Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff and Regulation (EEC) No 918/83 setting up a Community system of reliefs from customs duty.

Article 139

This Regulation shall apply without prejudice to:

- (a) Council Regulation (EEC) No 754/76 of 25 March 1976 on the customs treatment applicable to goods returned to the customs territory of the Community⁽³⁾;
- (b) the provisions in force concerning the stores of vessels, aircraft and international trains;
- (c) provisions on relief introduced by other Community Acts.

Status: Point in time view as at 01/12/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EEC) No 918/83 (repealed), CHAPTER III. (See end of Document for details)

Article 140

[^{X1} The following shall be repealed with effect from the date of implementation of this Regulation:]

- a Council Regulation (EEC) No 1544/69 of 23 July 1969 on the tariff treatment applicable to goods contained in travellers' personal luggage⁽⁴⁾, as last amended by Regulation (EEC) No 3313/81⁽⁵⁾;
- b Council Regulation (EEC) No 1410/74 of 4 June 1974 on the tariff treatment applicable to goods imported for free circulation in the event of disasters occurring in the territory of one or more Member States⁽⁶⁾;
- c Council Regulation (EEC) No 1818/75 of 10 July 1975 on the agricultural levies, compensatory amounts and other import charges applicable to agricultural products and to certain goods resulting from their processing, contained in travellers' personal baggage⁽⁷⁾;
- d Regulation (EEC) No 1798/75, as last amended by Regulation (EEC) No 608/82⁽⁸⁾;
- e Council Regulation (EEC) No 1990/76 of 22 July 1976 on the customs treatment applicable to goods imported for testing⁽⁹⁾;
- f Council Regulation (EEC) No 3060/78 of 19 December 1978 providing exemption from import duties for goods in small consignments of a non-commercial character from third countries⁽¹⁰⁾, as amended by Regulation (EEC) No 3313/81⁽¹¹⁾;
- g Council Regulation (EEC) No 1028/79 of 8 May 1979 on the importation free of Common Customs Tariff duties of articles for the use of handicapped persons⁽¹²⁾.

2 References to the Regulations listed in paragraph 1 shall be construed as references to this Regulation.

Editorial Information

- X1** Substituted by [Corrigendum to Council Regulation \(EEC\) No 918/83 of 28 March 1983 setting up a Community system of reliefs from customs duty \(Official Journal of the European Communities No L 105 of 23 April 1983\)](#).

F6 Article 141

Textual Amendments

- F6** Deleted by [Council Regulation \(EEC\) No 2913/92 of 12 October 1992 establishing the Community Customs Code](#).

F6 Article 142

Textual Amendments

- F6** Deleted by [Council Regulation \(EEC\) No 2913/92 of 12 October 1992 establishing the Community Customs Code](#).

Status: Point in time view as at 01/12/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EEC) No 918/83 (repealed), CHAPTER III. (See end of Document for details)

^{F6} *Article 143*

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Textual Amendments

- F6** Deleted by [Council Regulation \(EEC\) No 2913/92 of 12 October 1992 establishing the Community Customs Code](#).

Article 144

The reference made in the following Regulations to the Committee provided for in Article 7 of Regulation (EEC) No 1798/75 shall be replaced by a reference to the Committee provided for in Article 141 of this Regulation:

- (a) Article 15 of Regulation (EEC) No 754/76;
- (b) Article 25 of Council Regulation (EEC) No 1430/79 of 2 July 1979 on the repayment or remission of import or export duties⁽¹³⁾;
- (c) Article 10 of Council Regulation (EEC) No 1697/79 of 24 July 1979 on the post-clearance recovery of import duties or export duties which have not been required of the person liable for payment on goods entered for a customs procedure involving the obligation to pay such duties⁽¹⁴⁾.

Article 145

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.

It shall apply from 1 July 1984.

Status: Point in time view as at 01/12/2008.

Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EEC) No 918/83 (repealed), CHAPTER III. (See end of Document for details)

- (1) [^{F2}OJ No L 333, 30.11.1978, p. 5.
- (2) OJ No L 33, 4.2.1984, p. 2.]
- (3) OJ No L 89, 2.4.1976, p. 1.
- (4) OJ No L 191, 5.8.1969, p. 1.
- (5) OJ No L 334, 21.11.1981, p. 1.
- (6) OJ No L 150, 7.6.1974, p. 4.
- (7) OJ No L 185, 16.7.1975, p. 3.
- (8) OJ No L 74, 18.3.1982, p. 4.
- (9) OJ No L 219, 12.8.1976, p. 14.
- (10) OJ No L 366, 28.12.1978, p. 1.
- (11) OJ No L 334, 21.11.1981, p. 1.
- (12) OJ No L 134, 31.5.1979, p. 8.
- (13) OJ No L 175, 12.7.1979, p. 1.
- (14) OJ No L 197, 3.8.1979, p. 1.

Textual Amendments

- F2** Substituted by Council Regulation (EEC) No 1315/88 of 3 May 1988 amending Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff and Regulation (EEC) No 918/83 setting up a Community system of reliefs from customs duty.

Status:

Point in time view as at 01/12/2008.

Changes to legislation:

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