Council Regulation (EC) No 111/2005 of 22 December 2004 laying down rules for the monitoring of trade between the Union and third countries in drug precursors

CHAPTER II

MONITORING OF TRADE

SECTION 6

Import authorisation

Article 20

Imports of scheduled substances listed in Category 1 of the Annex shall be subject to an import authorisation. An import authorisation may only be granted to an operator established in the **[**[F1]Union**]**. The import authorisation shall be issued by the competent authorities of the Member State where the importer is established.

[[F1]However, where the substances referred to in the first paragraph are unloaded or transhipped, under temporary storage, stored in a free zone of control type I or a free warehouse, or placed under the external Union transit procedure, such import authorisation shall not be required.**]**

Textual Amendments

F1 Substituted by Regulation (EU) No 1259/2013 of the European Parliament and of the Council of 20 November 2013 amending Council Regulation (EC) No 111/2005 laying down rules for the monitoring of trade between the Community and third countries in drug precursors.

Article 21

1 The application for the import authorisations referred to in Article 20 shall contain at least the following:

a the names and addresses of the importer, the exporter of the third country, any other operator involved and the ultimate consignee;

b the name of the scheduled substance as stated in the Annex or, in the case of a mixture or a natural product, its name and the eight-digit CN code and the name of any scheduled substance, as stated in the Annex, contained in the mixture or in the natural product;

c the quantity and weight of the scheduled substance and, in the case of a mixture or a natural product, the quantity, weight, and, if available, the percentage of any scheduled substance contained therein;

d if available, details of the transport arrangements, such as methods and means of transport, and date and place of envisaged import activities, and

e the number of the licence or registration referred to in Articles 6 and 7.

2 A decision on the application for an import authorisation shall be taken within a period of 15 working days from the date on which the competent authority considers the file to be complete.

Article 22

The import authorisation shall accompany the consignment from the point of entry into the **[**F1customs territory of the Union**]** to the premises of the importer or ultimate consignee.

The import authorisation shall be presented to the customs office when the scheduled substances are declared for a customs procedure.

Where the import authorisation is presented to a customs office in a Member State other than that of the issuing authority, the importer shall make available any certified translation of parts or all information contained on the authorisation, upon request.

Textual Amendments

F1 Substituted by Regulation (EU) No 1259/2013 of the European Parliament and of the Council of 20 November 2013 amending Council Regulation (EC) No 111/2005 laying down rules for the monitoring of trade between the Community and third countries in drug precursors.

Article 23

Without prejudice to measures adopted in accordance with Article 26(3), the granting of the import authorisation shall be refused if:

(a) details supplied in accordance with Article 21(1) are incomplete;

(b) there are reasonable grounds for suspecting that the details supplied in accordance with Article 21(1) in the application are false or incorrect, or

(c) there are reasonable grounds for suspecting that the scheduled substances are intended for the illicit manufacture of narcotic drugs or psychotropic substances.

Article 24

The competent authorities may suspend or revoke the import authorisation whenever there are reasonable grounds for suspecting that the substances are intended for the illicit manufacture of narcotic drugs or psychotropic substances.

Article 25

The period of validity of the import authorisation within which the scheduled substances must have been entered into the customs territory of the **[**F1Union**]** shall not exceed six months from the date of issue of the import authorisation. Under exceptional circumstances, the period of validity may be extended, upon request.

Textual Amendments

F1 Substituted by Regulation (EU) No 1259/2013 of the European Parliament and of the Council of 20 November 2013 amending Council Regulation (EC) No 111/2005 laying down rules for the monitoring of trade between the Community and third countries in drug precursors.

Changes to legislation:
There are outstanding changes not yet made to Council Regulation (EC) No 111/2005. Any changes that have already been made to the legislation appear in the content and are referenced with annotations.
View outstanding changes

Changes and effects yet to be applied to the whole legislation item and associated provisions

- Signature words omitted by S.I. 2019/742 reg. 14(29)
- Art. 2(a) words substituted by S.I. 2019/742 reg. 14(3)(a)
- Art. 2(c) substituted by S.I. 2019/742 reg. 14(3)(b)
- Art. 2(d) substituted by S.I. 2019/742 reg. 14(3)(c)
- Art. 2(e) words substituted by S.I. 2019/742 reg. 14(3)(d)(i)
- Art. 2(e) words substituted by S.I. 2019/742 reg. 14(3)(d)(ii)
- Art. 2(l) inserted by S.I. 2019/742 reg. 14(3)(e)
- Art. 13(1)(d) words substituted by S.I. 2019/742 reg. 14(11)