

Council Regulation (EC) No 1186/2009 of 16 November 2009 setting up a Community system of reliefs from customs duty (codified version)

TITLE II

**RELIEF FROM IMPORT DUTY**

CHAPTER XIV

**Instruments and apparatus intended for medical research, establishing medical diagnoses or carrying out medical treatment**

*Article 57*

1 Instruments and apparatus intended for medical research, establishing medical diagnoses or carrying out medical treatment which are donated either by a charitable or philanthropic organisation or by a private individual to health authorities, hospital departments or medical research institutions approved by the competent authorities of the Member States to receive such articles duty free, or which are purchased by such health authorities, hospitals or medical research institutions entirely with funds supplied by a charitable or philanthropic organisation or with voluntary contributions, shall be admitted free of import duties, always provided that it is established that:

- a the donation of the instruments or apparatus in question does not conceal any commercial intent on the part of the donor; and
- b the donor is in no way connected with the manufacturer of the instruments or apparatus for which relief is requested.

2 The relief shall also apply, subject to the same conditions, to:

- a spare parts, components or accessories specifically suitable for the instruments or apparatus referred to in paragraph 1, provided that these spare parts, components or accessories are imported at the same time as such instruments and apparatus or, where they are imported subsequently, that they can be identified as being intended for instruments or apparatus previously admitted duty free;
- b tools to be used for the maintenance, checking, calibration or repair of instruments or apparatus, provided that these tools are imported at the same time as such instruments and apparatus or, where they are imported subsequently, that they can be identified as being intended for instruments or apparatus previously admitted duty free.

*Article 58*

For the purposes of Article 57, and in particular with regard to the instruments or apparatus and the recipient bodies referred to therein, Articles 47, 48 and 49 shall apply *mutatis mutandis*.

**Changes to legislation:**

There are outstanding changes not yet made to Council Regulation (EC) No 1186/2009. 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 :**

- Regulation excluded by S.I. 1995/2518, regs. 133AD(a), 133L (as inserted) by [S.I. 2021/715 reg. 4347](#)