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LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL DECISION on the position to be adopted, on behalf of the European Union, within the Administrative Committee for the TIR Convention, as regards the proposal to amend the Customs Convention on the international transport of goods under cover of TIR carnets

COUNCIL DECISION (EU) 2016/...

of ...

**on the position to be adopted, on behalf of the European Union,
within the Administrative Committee for the TIR Convention,
as regards the proposal to amend the Customs Convention
on the international transport of goods under cover of TIR carnets**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 207 in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Customs Convention on the international transport of goods under cover of TIR carnets ('TIR Convention') of 14 November 1975 was approved on behalf of the European Economic Community by Council Regulation (EEC) No 2112/78¹ and entered into force in the Community on 20 June 1983.
- (2) A consolidated version of the TIR Convention was published as an Annex to Council Decision 2009/477/EC². According to that Decision, the Commission is to publish future amendments to the TIR Convention in the *Official Journal of the European Union* indicating their date of entry into force.
- (3) Following the discussion of the TIR Executive Board on the correct application of Article 42 bis of the TIR Convention, the TIR Executive Board transmitted to the Administrative Committee for the TIR Convention ("the Administrative Committee") a proposal for a new Explanatory Note to Article 42 bis that would clarify the procedure of communication between the TIR Executive Board and the Contracting Parties on national control measures that may affect the application of the TIR Convention or the functioning of the TIR system. The guidelines for communicating and introducing new control measures were adopted at the 61st session of the Administrative Committee and will be included in Chapter 5 of the TIR Handbook.

¹ Council Regulation (EEC) No 2112/78 of 25 July 1978 concerning the conclusion of the Customs Convention on the international transport of goods under cover of TIR carnets (TIR Convention) of 14 November 1975 at Geneva (OJ L 252, 14.9.1978, p. 1).

² Council Decision 2009/477/EC of 28 May 2009 publishing in consolidated form the text of the Customs Convention on the international transport of goods under cover of TIR carnets (TIR Convention) of 14 November 1975 as amended since that date (OJ L 165, 26.6.2009, p. 1).

- (4) The Working Party on Customs Questions affecting Transport of the United Nations Economic Commission for Europe proposed to the Administrative Committee an amendment introducing a new transport technique for vehicles and containers, which seeks to improve the effectiveness and efficiency of road transport. According to the Administrative Committee, the new design of vehicles and containers with a sheeted sliding roof or sliding sheets is customs secure and can be incorporated into Annexes 2 and 7 to the TIR Convention.
- (5) All Member States of the Union expressed their positive opinion as regards the proposed amendments within the Customs Legislation Committee (Coordination Geneva).
- (6) The next step in the procedure is the adoption of the proposal by the Administrative Committee.
- (7) The position of the Union within the Administrative Committee should therefore be based on the attached draft amendments,

HAS ADOPTED THIS DECISION:

Article 1

The position to be adopted on behalf of the Union within the Administrative Committee for the TIR Convention ("the Administrative Committee") shall be based on the draft amendments attached to this Decision.

Minor technical changes to the draft amendments may be agreed to by the representatives of the Union in the Administrative Committee without further decision of the Council.

Article 2

Upon their adoption, the amendments are to be published in the *Official Journal of the European Union* indicating their date of entry into force.

Article 3

This Decision shall enter into force on the day of its adoption.

Done at Brussels,

For the Council

The President
