

COUNCIL DECISION

on the Agreement on methods of administrative cooperation for the implementation of Articles 7 and 8 of the Agreement establishing an Association between the European Economic Community and Greece

(63/115/EEC)

THE COUNCIL OF THE EUROPEAN ECONOMIC COMMUNITY,

Having regard to the Agreement establishing an Association between the European Economic Community and Greece, and in particular Articles 7, 8 and 9 thereof;

Having regard to the Agreement on measures and procedures required for the implementation of the Agreement establishing an Association between the European Economic Community and Greece, and in particular Article 1 thereof;

Having consulted the Commission,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement between the Governments of Member States and the Community, of the one part, and the Government of the Kingdom of Greece, of the other part, on methods of administrative cooperation for the implementation of Articles 7 and 8 of the Agreement establishing an Association between the European Economic Community and Greece is concluded on behalf of the Community.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement referred to in Article 1, and to confer on him the powers required in order to bind the Community.

Done at Brussels, 25 September 1962.

For the Council
The President
E. COLOMBO

AGREEMENT

on methods of administrative cooperation for the implementation of Articles 7 and 8 of the Agreement establishing an Association between the European Economic Community and Greece

(63/116/EEC)

THE GOVERNMENTS OF THE KINGDOM OF BELGIUM, THE FEDERAL REPUBLIC OF GERMANY, THE FRENCH REPUBLIC, THE ITALIAN REPUBLIC, THE GRAND DUCHY OF LUXEMBOURG, THE KINGDOM OF THE NETHERLANDS, AND THE EUROPEAN ECONOMIC COMMUNITY,

of the one part, and

THE GOVERNMENT OF THE KINGDOM OF GREECE,

of the other part,

Having regard to the Agreement establishing an Association between the European Economic Community and Greece, and in particular Article 9 thereof;

Mindful of the Commission Decision of 5 December 1960¹ on methods of administrative cooperation for the implementation of Article 9 (2) of the Treaty establishing the European Economic Community;

Considering that the adoption by the Contracting Parties of methods of administrative cooperation similar to those in force in respect of trade between Member States of the European Economic Community is intended to ensure effective control of the implementation of Articles 7 and 8 of the Agreement of Association,

HAVE AGREED AS FOLLOWS:

TITLE I

GENERAL PROVISIONS

Article 1

Goods which satisfy the conditions for the application of those provisions of the Agreement which relate to the progressive abolition between countries Parties to that Agreement (hereinafter called 'member countries') of customs duties and quantitative restrictions and of all measures having equivalent effect shall be eligible for treatment under those provisions when imported into a member country, on production to that country's customs authorities of the documentary evidence endorsed, at the request of the exporter, by the customs authorities of the exporting member country.

Article 2

1. Where goods are transported direct from the exporting member country to the importing member country, the documentary evidence referred to in Article 1 shall be movement certificate A.G.1. In other cases the documentary evidence required shall be movement certificate A.G.3.

2. For the purposes of paragraph 1 the following shall be considered as transported direct from the exporting member country:

- (a) goods transported without passing through the territory of a country not party to the Association;
- (b) goods transported through the territory of one or more countries which are not parties to the Association, provided that carriage through such countries is covered by a single transport document made out in a member country.

Article 3

Where a movement certificate A.G.1 or A.G.3 relates to goods obtained or produced in Member States of the Community under the conditions specified in Article 8 of the Agreement, this fact shall be recorded on the certificate.

TITLE II

SPECIAL PROVISIONS CONCERNING MOVEMENT CERTIFICATE A.G.1.

Article 4

1. Movement certificate A.G.1 shall be endorsed by the customs authorities of the exporting member country at the time of exportation of the goods to which it relates. It shall be made available to the exporter as soon as exportation has been actually effected or ensured.

Exceptionally, movement certificate A.G.1 may be endorsed after exportation of the goods to which it relates if, through error or inadvertent omissions, it was not produced at the time of exportation. In that case, a special note shall be added explaining the circumstances in which it was endorsed.

¹ No 4, 20.1.1961.

2. Movement certificate A.G.1 may be endorsed only where it can serve as documentary evidence for the application of Article 1.

Article 5

Movement certificate A.G.1 must be submitted to the customs office of the importing Member State where the goods are presented within one month of the date of endorsement. This period shall be extended to two months, however, where the goods are transported wholly or partly by sea.

TITLE III

SPECIAL PROVISIONS CONCERNING MOVEMENT CERTIFICATE A.G.3.

Article 6

Movement certificate A.G.3 shall be issued by the customs authorities of the exporting Member State at the time of exportation of the goods to which it relates. It shall be made available to the exporter as soon as exportation has been actually effected or ensured.

Under no circumstances may a movement certificate A.G.3 be issued after exportation of the goods has been effected.

Movement certificate A.G.3 shall be made out in such a way as to enable the goods to which it relates to be identified when imported at a later date into another member country. The customs authorities of the exporting member country shall take such measures as they consider necessary to facilitate such identification, and shall note these on the certificate.

Article 7

Movement certificate A.G.3 must be submitted to the customs authorities of the importing member country within six months of the date of issue thereof. It shall be valid only in respect of the quantity of goods presented to the customs authorities of the importing member country during that period.

TITLE IV

PROVISIONS COMMON TO MOVEMENT CERTIFICATES A.G.1 and A.G.3.

Article 8

Movement certificates A.G.1 and A.G.3 shall be made out in the form shown in the annex to this Agreement. They shall be in the language, or in one of the languages, of the exporting member country. In Greece they may also be completed in one of the official languages of the Community. They shall be typed or handwritten; if the latter they shall be in ink in block letters.

Member countries may require duplicate copies of the movement certificates to be submitted to the customs office of export at the same time as the originals.

The size of the certificates shall be 21 x 30 cm. The paper used shall be sized writing paper, containing no mechanical pulp, and weighing not less than 64g/m². It shall have a printed green guilloche-pattern background such as to reveal any falsification by mechanical or chemical means.

A double band shall be printed diagonally across the front of each certificate from the lower left to the top right corner. The double diagonal band shall be in blue for movement certificate A.G.1 and in red for movement certificate A.G.3.

Member countries may themselves print the certificate forms or may entrust the work to printers authorized by them. In the latter case, reference to that authorization must appear on each certificate. Each certificate shall bear the distinguishing mark of the authorized printer and an indentifying serial number.

Article 9

The movement certificates shall be submitted to the customs authorities of the importing member country in accordance with its procedural requirements. Those authorities shall have the right to require a translation of them. They may require the import declaration to be supplemented by a statement by the importer that the goods satisfy the conditions required by the Agreement of Association.

TITLE V

OTHER PROVISIONS

Article 10

The following shall be accepted as eligible for treatment under the provisions of the Agreement relating to the progressive abolition, in trade between the member countries, of customs duties and quantitative restrictions, and of all measures having equivalent effect, without production of movement certificate A.G.1 or A.G.3:

- (a) Dutiable articles accompanying travellers or contained in their personal luggage, if they are not intended for commercial use and their total value does not exceed the equivalent in national currency of 200 units of account, and if they are declared to comply with the conditions required for the application of such provisions and the accuracy of this declaration is not in doubt;
- (b) Postal packets (including parcels) sent direct from the exporting member country to the importing member country, unless it is indicated on the packaging or accompanying documents that the goods contained therein do not comply with the conditions laid down in Article 7 of the Agreement. Such indication shall be a yellow DD 2 label affixed in all these cases by the customs authorities of the exporting member country.

Article 11

In order to ensure that this Agreement is properly applied, the Governments of member countries shall afford one another assistance in verifying the authenticity of the certificates and that the entries thereon tally with those of the corresponding export documents.

Article 12

1. The Governments of Member Countries shall take all necessary measures to ensure that movement certificates A.G.1 and A.G.3 can be submitted, in accordance with Article 9, from 1 November 1962.

2. Movement certificates (provisional form) issued under Protocol No 2 shall continue to be valid, if they have been or are submitted to the customs authorities of a member country within two months of their date of issue.

Article 13

This Agreement is drawn up in two copies in the Dutch, French, German, Italian and Greek languages, all five texts being equally authentic. One copy shall be deposited in the archives of the Secretariat of the Councils of the European Communities and the other in the archives of the Government of the Kingdom of Greece.

In witness whereof, the undersigned Plenipotentiaries have signed this Agreement.

Done at Brussels, in two copies, on the twenty-sixth day of September in the year one thousand nine hundred and sixty-two.

For the Government of the Kingdom of Belgium:

Joseph Van Der Meulen

For the Government of the Federal Republic of Germany:

Eberhard Boemcke

For the Government of the French Republic:

Jean-Marc Boegner

For the Government of the Italian Republic:

Antonio Venturini

For the Government of the Grand Duchy of Luxembourg:

Albert Borschette

For the Government of the Kingdom of the Netherlands

Johannes Linthorst-Homan

For the Council of the European Economic Community

Antonio Venturini

For the Government of the Kingdom of Greece:

Konstantinos Tranos

EEC - GREECE ASSOCIATION

CERTIFICAT DE CIRCULATION DES MARCHANDISES

CERTIFICATO PER LA CIRCOLAZIONE DELLE MERCI

MOVEMENT CERTIFICATE

ΠΙΕΤΟΠΟΙΗΤΙΚΟΝ ΚΥΚΛΟΦΟΡΙΑΕ ΕΜΠΟΡΕΥΜΑΤΩΝ

CERTIFICAAT INZAKE GOEDERENVERKEER

GODSTRANSPORTBEVIS

WARENVERKEHRSBESCHEINIGUNG

A. G. 1

A 00000

DECLARATION BY THE EXPORTER

I, the undersigned,

(Surname and forename or business name and full address of exporter)

exporter of the goods described below:

[illegible]

Total number of packages (col 3)

and total quantities (col 5)

(in words)

Remarks (2):

Declare that these goods sitated in

meet the conditions required for the issue of this certificate ⁽³⁾:

Member country of destination

(Place and date of signature)

(Signature of exporter)

(Optional information)

Consignment dated _____ No _____

CUSTOMS ENDORSEMENT

Declaration certified:

Export document :

Type No

Date _____

Customs Office

Official Stamp

Date

(Signature of customs officer)

(1) For goods in bulk, indicate the name of the ship or the number of the railway wagon or road vehicle.

(2) Among the remarks to be entered in this space, insert where appropriate 'Compensatory Levy — Greece', as provided for under Note I (1) (c) and (d) overleaf.

(³) See Notes overleaf.

REQUEST FOR VERIFICATION OF THIS MOVEMENT CERTIFICATE A.G.1

The undersigned customs officer requests verification of the verification of the authenticity and accuracy of this certificate.



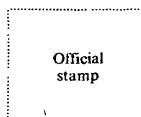
(Place and date of signature)

(Signature of customs officer)

RESULT OF VERIFICATION

Verification carried out by the undersigned customs officer shows that this movement certificate A.G.1:

1. was issued by the customs office indicated and that the information contained therein is accurate ⁽¹⁾;
2. does not meet the requirements as to authenticity and accuracy (see notes appended) ⁽¹⁾;



(Place and date of signature)

(Signature of customs officer)

⁽¹⁾ Delete as necessary.

I. GOODS FOR WHICH A MOVEMENT CERTIFICATE A.G.1 MAY BE ENDORSED

1. A movement certificate A.G.1 may be endorsed only for goods which, in the exporting member country (*), fall within one of the following categories:
 - (a) goods produced in that exporting member country, including those obtained or produced wholly or partly from products on which the applicable customs duties or charges having equivalent effect have been levied in that member country and which have not benefited from a total or partial drawback of such duties or charges;
 - (b) goods in free circulation in that exporting member country, within the meaning of Article 7(2) of the Agreement (goods coming from a third country, in respect of which import formalities have been complied with and any customs duties or charges having equivalent effect have been levied in that member country, and which have not benefited from a total or partial drawback of such duties or charges);
 - (c) goods obtained or produced within that exporting member country, and in the manufacture of which have been used products on which the applicable customs duties or charges having equivalent effect have not been levied in that member country or products which have benefited from a total or partial drawback of such duties or charges, subject to the collection, where appropriate, of the compensatory levy prescribed for those goods in Article 8 of the Agreement;

Note: The statement 'Compensatory Levy—Greece' must appear on all movement certificates A.G.1 for goods obtained or produced in the Member States of the EEC from products coming from a third country on which the applicable customs duties and charges having equivalent effect have not been levied in any Member State.

- (d) goods originally imported from a member country which on exportation fall within one of the categories (a), (b) or (c) above.

Note: In the case of goods originally imported into the exporting member country under the cover of a movement certificate bearing the statement 'Compensatory levy — Greece', the movement certificate or certificates A.G.1 issued in lieu of the latter must also bear the statement 'Compensatory levy — Greece'.

2. Movement certificates A.G.1 may not be endorsed for goods exported from a member country to another member country when these goods:
 - (a) come within the province of the European Coal and Steel Community;
 - (b) were originally imported from a country not party to the Association to the exporting member country under a preferential system because of their country of origin or place of consignment.

II. SCOPE OF THE MOVEMENT CERTIFICATE A.G.1

The movement certificate A.G.1 may be used only if the goods to which it relates are transported direct from the exporting member country to the importing member country.

The following shall be considered as transported direct from the exporting member country to the importing member country:

- (a) goods transported without passing through the territory of a country not party to the Association;
- (b) goods transported through the territory of one or more countries which are

not parties to the Association provided that carriage through such countries is covered by a single transport document made out in a member country.

Note: Before requesting endorsement of movement certificate A.G.1 by the customs authorities of the exporting member country, the exporter must satisfy himself that the goods will in fact be transported direct to the importing member country. Goods not transported direct are eligible for preferential treatment only if a movement certificate A.G.1 is produced.

III. RULES FOR COMPLETING THE MOVEMENT CERTIFICATE A.G.1

1. The movement certificate A.G.1 must be completed in the language of the exporting member country or in one of the languages of that country. Where the exporting member country is Greece, it may also be completed in one of the official languages of the European Economic Community.
2. The movement certificate A.G.1 must be typed or handwritten; if the latter, it must be completed in ink in block letters. It must not contain any erasure or superimposed correction. Any alteration must be made by deleting the incorrect particulars and adding any corrections. Any such alteration must be initiated by the person who completed the certificate and endorsed by the customs authorities.
3. Each item listed on the movement certificate A.G.1 must be preceded by a serial

number. A horizontal line must be drawn immediately after the last entry. Unused space must be struck through so as to make any later addition impossible.

4. Goods must be described in accordance with commercial usage and in sufficient detail to enable them to be identified.
5. The exporter or the carrier may complete the part of the certificate reserved for the declaration by the exporter by a reference to the transport document. It is also recommended that the exporter or the carrier show on the transport document covering the dispatch of the goods the serial number of the movement certificate A.G.1.

IV. EFFECT OF THE MOVEMENT CERTIFICATE A.G.1

When correctly used, the movement certificate A.G.1 enables the goods described therein to benefit in the importing member country from the progressive elimination of customs duties, quantitative restrictions and all other measures having equivalent effect. However, when the movement certificate bears the statement 'Compensatory

levy — Greece', goods described therein shall not be eligible for this preferential treatment in the Member States of the EEC.

The customs authorities of the importing Member Country may, if they consider it necessary, require any other documentary evidence and in particular transport documents under cover of which the goods were dispatched.

V. TIME LIMIT FOR SUBMISSION OF THE MOVEMENT CERTIFICATE A.G.1

The movement certificate A.G.1 must be produced at the customs office of the importing member country where the goods are presented within a period of one month

from the date of endorsement. This period may, however, be extended to two months in cases where the goods are transported wholly or partly by sea.

(*) The member countries are:
(a) The Member States of the EEC;
(b) The Kingdom of Greece.

A.G.3

EEC—GREECE ASSOCIATION

MOVEMENT CERTIFICATE

CERTIFICAT DE CIRCULATION DES MARCHANDISES

WARENVERKEHRSBESCHEINIGUNG

CERTIFICATO PER LA CIRCOLAZIONE DELLE MERCI

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GODSTRANSPORTBEVIS

ΠΙΣΤΟΠΟΙΗΤΙΚΟΝ ΚΥΚΛΟΦΟΡΙΑΣ ΕΜΠΟΡΕΥΜΑΤΩΝ

DECLARATION BY THE EXPORTER

I, the undersigned,

(Surname and forename or name of firm and full address of exporter)

... exporter of the goods described below:

[illegible]

Total number of packages (col 3) } (in words)
 and total quantities (col 6)

Remarks (2):

Declare that these goods situated in _____
meet the conditions required for the issue of this certificate ⁽³⁾

Place of loading 20

Dispatched on _____ Date _____ No _____

Country of destination of goods at the time of exportation ...

At _____
(Place and date of signature)

(Signature of exporter)

(1) For goods in bulk indicate the name of the ship or the number of the railway wagon or road vehicle.

(2) Among the remarks to be entered in this space, insert where appropriate 'Compensatory levy — Greece', as provided for under Note 1 (1) (c) and (d) on the last page of this certificate.

(³) See Notes on the last page of this certificate.

ACTION RESERVED FOR THE CUSTOMS AUTHORITIES OF THE MEMBER COUNTRY

RESULT OF CUSTOMS EXAMINATION AND INDICATION OF MEANS OF IDENTIFICATION (1)

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Declaration certified

Export document: Type

No _____ Date _____

Customs office

Official stamp

Date _____ 19____

(Signature of customs officer)

(f) In this space the customs authorities of the place of exportation should give the results of their examination with any details which may facilitate identification of the goods. They must also indicate any special identification measures such as sealing, stamping, etc., which they have taken. Where supporting items of the type referred to in the second paragraph of Note III (5) overleaf (photographs, plans, samples of woven fabric, etc.) are attached, the customs office must stamp them in such a way that a part of the official stamp is imprinted on the actual certificate A.G.3.

Spaces not used must be struck through in order to prevent later additions.

REQUEST FOR VERIFICATION OF THIS MOVEMENT CERTIFICATE A.G.3

The undersigned customs officer requests verification of the authenticity and accuracy of this certificate.

Official
stamp

(Place and date of signature)

(Signature of customs officer)

RESULT OF VERIFICATION

Verification carried out by the undersigned customs officer shows that this movement certificate A.G.3:

1. was issued by the customs office indicated and that the information contained therein is accurate (1);
2. does not meet the requirements as to authenticity and accuracy (see notes appended) (1).

Official
stamp

(Place and date of signature)

(Signature of customs officer)

(1) Delete as necessary.

I. GOODS FOR WHICH A MOVEMENT CERTIFICATE A.G.3 MAY BE ENDORSED

1. A movement certificate A.G.3 may be endorsed only for goods which, in the exporting member country (*), fall within one of the following categories:
 - (a) goods produced in that exporting member country, including those obtained or produced wholly or partly from products on which the applicable customs duties or charges having equivalent effect have been levied in that member country and which have not benefited from a total or partial drawback of such duties or charges;
 - (b) goods in free circulation in that exporting member country, within the meaning of Article 7 (2) of the Agreement (goods coming from a third country, in respect of which import formalities have been complied with and any customs duties or charges having equivalent effect have been levied in that member country, and which have not benefited from a total or partial drawback of such duties or charges);
 - (c) goods obtained or produced within that exporting member country, and in the manufacture of which have been used products on which the applicable customs duties or charges having equivalent effect have not been levied in that member country or products which have benefited from a total or partial drawback of such duties or charges, subject to the collection, where appropriate, of the compensatory levy prescribed for those goods in Article 8 of the Agreement;

Note: The statement 'Compensatory levy — Greece' must appear on all movement certificates A.G.3 for goods obtained or produced in the Member States of the EEC from products coming from a third country on which the applicable customs duties and charges having equivalent effect have not been levied in any Member State.

- (d) goods originally imported from a member country which on exportation fall within one of the categories (a), (b) or (c) above.

Note: In the case of goods originally imported into the exporting member country under the cover of a movement certificate bearing the statement 'Compensatory levy — Greece', the movement certificate or certificates A.G.3 issued in lieu of the latter must also bear the statement 'Compensatory levy — Greece'.

2. Movement certificates A.G.3 may not be issued for goods exported from a member country to another member country when these goods:
 - (a) come within the province of the European Coal and Steel Community;
 - (b) were originally imported from a country not party to the Association to the exporting member country under a preferential customs system because of their country of origin or place of consignment.

II. SCOPE OF THE MOVEMENT CERTIFICATE A.G.3

A movement certificate A.G.3 may be used in all cases where a movement certificate A.G.1 cannot be used owing to the fact that the goods are not transported direct from the exporting member country to the importing member country. The following shall be considered as transported direct from the exporting member country to the importing member country:

- (a) goods transported without passing through the territory of a country not party to the Association;

- (b) goods transported through the territory of one or more countries not party to the Association provided that carriage through such countries is covered by a single transport document made out in a member country.

In particular, the movement certificate A.G.3 may be used for goods exported from a member country to a country not party to the Association, from which they are liable to be re-exported subsequently to a member country.

III. RULES FOR COMPLETING THE MOVEMENT CERTIFICATE A.G.3

1. The movement certificate A.G.3 must be completed in the language of the exporting member country or in one of the languages of that country. Where the exporting member country is Greece, it may also be completed in one of the official languages of the European Economic Community.
2. The movement certificate A.G.3 must be typed or handwritten; if the latter it must be completed in ink in block letters. It must not contain any erasure or superimposed correction. Any alteration must be made by deleting the incorrect particulars and adding any necessary corrections. Any such alteration must be initiated by the person who completed the certificate and endorsed by the customs authorities.
3. The 'declaration by the exporter' on the second page of the movement certificate

A.G.3 must be completed in full. In particular, the place of loading, the date of dispatch and the country of destination at the time of export must be stated.

4. Each item listed on the movement certificate A.G.3 must be preceded by a serial number. A horizontal line must be drawn immediately after the last entry. Unused space must be struck through so as to make any later addition impossible.
5. Goods must be described in accordance with commercial usage and in great detail so as to ensure that they can be identified easily. The description of the goods must include the number of the tariff heading applicable to each item. The exporter must include with the movement certificate A.G.3 all documents such as plans, drawings, photographs or commercial prospectuses, etc., which may help identification. If they consider it necessary, the customs authorities of the exporting country shall annex these documents to the movement certificate A.G.3.

IV. EFFECT OF THE MOVEMENT CERTIFICATE A.G.3

A movement certificate A.G.3 enables the goods described therein to benefit from the progressive elimination of customs duties, quantitative restrictions and all other measures having equivalent effect where there is no doubt that the goods actually imported are those described in that movement certificate A.G.3. However, when the movement certificate A.G.3 bears the statement 'Compensatory levy — Greece', goods described therein shall not be eligible for this preferential treatment in the Member States of the EEC.

The customs authorities of the importing member country may require submission of any supporting evidence if they consider there is doubt as to the identity of the goods and may exclude the goods from the progressive elimination of customs duties, quantitative restrictions and all measures having equivalent effect if satisfactory evidence cannot be produced.

V. TIME LIMIT FOR SUBMISSION OF THE MOVEMENT CERTIFICATE A.G.3

The movement certificate A.G.3 must be submitted to the customs authorities of the importing member country within a period of six months from the date of issue. It

shall be valid only for the quantities of goods presented in that member country during those six months.

(*) The Member Countries are: (a) The Member States of the EEC;
(b) The Kingdom of Greece.