

No. 4834

**AUSTRIA, BELGIUM, FEDERAL REPUBLIC
OF GERMANY, FRANCE, HUNGARY, etc.**

**Customs Convention on Containers (with annexes and
Protocol of signature). Done at Geneva, on 18 May 1956**

Official texts: English and French.

Registered ex officio on 4 August 1959.

**AUTRICHE, BELGIQUE, RÉPUBLIQUE FÉDÉRALE
D'ALLEMAGNE, FRANCE, HONGRIE, etc.**

**Convention douanière relative aux containers (avec annexes
et Protocole de signature). Faite à Genève, le 18 mai 1956**

Textes officiels anglais et français.

Enregistrée d'office le 4 août 1959.

No. 4834. CUSTOMS CONVENTION¹ ON CONTAINERS.
DONE AT GENEVA, ON 18 MAY 1956

PREAMBLE

The Contracting Parties,

Desiring to develop and to facilitate the use of containers in international traffic,

Have agreed as follows :

CHAPTER I

DEFINITIONS

Article 1

For the purpose of this Convention :

(a) The term "import duties and import taxes" shall mean not only Customs duties but also all duties and taxes whatsoever chargeable by reason of importation;

(b) The term "container" shall mean an article of transport equipment (lift-van, movable tank or other similar structure) :

- (i) Of a permanent character and accordingly strong enough to be suitable for repeated use;
- (ii) Specially designed to facilitate the carriage of goods, by one or more modes of transport, without intermediate reloading;

¹ In accordance with article 13, the Convention came into force on 4 August 1959, the ninetieth day after the deposit of the fifth instrument of ratification or accession, in respect of the following States on behalf of which the instruments of ratification or accession (a) were deposited on the dates indicated :

Austria	13 November 1957	Spain	21 January 1959 (a)
Hungary	23 July 1957	United Kingdom of Great Britain and Northern Ireland	23 May 1958
Poland	6 May 1959	(Applicable to the Isle of Man, Jersey and the Bailiwick of Guernsey)	

In addition, the instruments of ratification or accession (a) have been deposited by the following States :

	<i>Date of deposit</i>	<i>Effective date</i>
Cambodia	4 August 1959 (a)	2 November 1959
France	20 May 1959	18 August 1959
Sweden	11 August 1959	9 November 1959

- (iii) Fitted with devices permitting its ready handling, particularly its transfer from one mode of transport to another;
 - (iv) So designed as to be easy to fill and empty; and
 - (v) Having an internal volume of one cubic metre or more;
- and shall include the normal accessories and equipment of the container, when imported with the container; the term " container " includes neither vehicles nor conventional packing;
- (c) The term " persons " shall mean both natural and legal persons unless the context otherwise requires.

CHAPTER II

TEMPORARY IMPORTATION FREE OF IMPORT DUTIES AND IMPORT TAXES AND FREE OF IMPORT PROHIBITIONS AND RESTRICTIONS

Article 2

Each of the Contracting Parties shall grant temporary admission free of import duties and import taxes and free of import prohibitions and restrictions, subject to re-exportation and to the other conditions laid down in articles 3 to 6 below, to containers when they are imported loaded to be re-exported either empty or loaded, or imported empty to be re-exported loaded. Each Contracting Party shall retain the right to withhold these facilities in the case of containers which are imported on purchase or otherwise taken into effective possession and control by a person resident or established in its territory; the same applies to containers imported from a country which does not apply the provisions of this Convention.

Article 3

Containers temporarily imported free of import duties and import taxes shall be re-exported within three months from the date of importation. This period may be extended for valid reasons by the Customs authorities within the limits laid down by the legislation in force in the territory into which containers have been temporarily imported.

Article 4

1. Notwithstanding the requirement of re-exportation laid down in article 3, the re-exportation of badly damaged containers shall not be required, in the case of duly authenticated accidents, provided that the containers :

(a) Are subjected to the import duties and import taxes to which they are liable; or

(b) Are abandoned free of all expense to the Exchequer of the country into which they were imported temporarily; or

(c) Are destroyed, under official supervision, at the expense of the parties concerned, any salvaged parts and materials being subjected to the import duties and import taxes to which they are liable;

as the Customs authorities may require.

2. When a container temporarily imported cannot be re-exported as a result of a seizure, other than a seizure made at the suit of private persons, the requirement of re-exportation laid down in article 3 shall be suspended for the duration of the seizure.

Article 5

1. Component parts imported for the repair of a particular container already temporarily imported shall be admitted temporarily free of import duties and import taxes and free of import prohibitions and restrictions.

2. Replaced parts which are not re-exported shall be liable to import duties and import taxes except where, in conformity with the regulations of the country concerned, they may be abandoned free of all expense to the Exchequer or destroyed, under official supervision, at the expense of the parties concerned.

Article 6

The procedure for the temporary admission of containers and component parts free of import duties and import taxes shall be governed by the regulations in force in the territory of each Contracting Party.

CHAPTER III

TECHNICAL CONDITIONS APPLICABLE TO CONTAINERS WHICH MAY BE ACCEPTED FOR TRANSPORT UNDER CUSTOMS SEAL

Article 7

Each of the Contracting Parties which applies a system of transport of containers under Customs seal shall accept for such transport containers complying with the provisions of the regulations contained in Annex 1¹ and shall apply the approval procedures laid down in Annex 2.²

¹ See p. 124 of this volume.

² See p. 128 of this volume.

CHAPTER IV

MISCELLANEOUS PROVISIONS

Article 8

The Contracting Parties shall endeavour not to introduce Customs procedures which might have the effect of impeding the development of international transport by containers.

Article 9

Any breach of the provisions of this Convention, any substitution, false declaration or act having the effect of causing a person or an article improperly to benefit from the facilities provided for in this Convention, may render the offender liable in the country where the offence was committed to the penalties prescribed by the laws of that country.

Article 10

Nothing in this Convention shall prevent Contracting Parties which form a Customs or economic union from enacting special provisions applicable to persons resident or established in one of the countries forming that union.

Article 11

Each Contracting Party shall have the right to deny the benefit of temporary importation free of import duties and import taxes and free of import prohibitions and restrictions to, or to withdraw that benefit from, containers which are used, even occasionally, for the purpose of loading goods within the frontiers of the country into which the container is imported, for deposit within those frontiers.

CHAPTER V

FINAL PROVISIONS

Article 12

1. Countries members of the Economic Commission for Europe and countries admitted to the Commission in a consultative capacity under paragraph 8 of the Commission's terms of reference, may become Contracting Parties to this Convention :

- (a) By signing it;
- (b) By ratifying it after signing it subject to ratification;
- (c) By acceding to it.