

No. 6862

**AUSTRIA, CUBA, CZECHOSLOVAKIA, DENMARK,
FEDERAL REPUBLIC OF GERMANY, etc.**

**Customs Convention (with annexes) on the temporary
importation of professional equipment. Done at Brus-
sels, on 8 June 1961**

Official texts: French and English.

*Registered by the Customs Co-operation Council, acting on behalf of the Contracting
Parties in accordance with article 22 of the Convention, on 8 August 1963.*

**AUTRICHE, CUBA, TCHÉCOSLOVAQUIE,
DANEMARK, RÉPUBLIQUE FÉDÉRALE
D'ALLEMAGNE, etc.**

**Convention douanière (avec annexes) relative à l'importa-
tion temporaire de matériel professionnel. Faite à
Bruxelles, le 8 juin 1961**

Textes officiels français et anglais.

*Enregistrée par le Conseil de coopération douanière, agissant au nom des Parties con-
tractantes conformément à l'article 22 de la Convention, le 8 août 1963.*

No. 6862. CUSTOMS CONVENTION¹ ON THE TEMPORARY IMPORTATION OF PROFESSIONAL EQUIPMENT. DONE AT BRUSSELS, ON 8 JUNE 1961

PREAMBLE

The States signatory to the present Convention,

Meeting under the auspices of the Customs Co-operation Council and the CONTRACTING PARTIES to the General Agreement on Tariffs and Trade (GATT), in consultation with the United Nations Educational, Scientific and Cultural Organization (UNESCO),

Having regard to proposals made by representatives of international trade and other interests for the extension of temporary duty-free importation procedures,

¹ In accordance with article 16, the Convention came into force on 1 July 1962, three months after the date of the deposit of their instruments of ratification or accession (a) with the Customs Co-operation Council :

Niger	14 March	1962	Norway	30 March	1962
Portugal	15 March	1962	France	31 March	1962
Czechoslovakia	28 March	1962			

The Convention subsequently came into force in respect of the following States, three months after the date of the deposit of their instruments of ratification or accession (a) with the Customs Co-operation Council :

State	Date of deposit		Date of entry into force
Central African Republic	1 April	1962 (a)	2 July 1962
Madagascar	12 April	1962 (a)	13 July 1962
Greece	19 July	1962 (a)	20 October 1962
Austria	5 October	1962	6 January 1963
Cuba	3 December	1962	4 March 1963
Hungary	4 February	1963 (a)	5 May 1963
Spain	11 February	1963	12 May 1963
United Arab Republic	25 March	1963 (a)	26 June 1963
United Kingdom of Great Britain and Northern Ireland (extended to Jersey, the Isle of Man and the Bailiwick of Guernsey)	25 March	1963	26 June 1963
Switzerland	30 April	1963	31 July 1963

The Convention came into force for all the above-mentioned States in respect of annexes A, B and C, with the exception of Greece, which undertook to apply the provisions of annexes A and B.

According to information provided by the Secretariat of the Customs Co-operation Council, the Governments of the Federal Republic of Germany, the Netherlands, Belgium and Luxembourg, although not yet having formally ratified the Convention or acceded thereto, notified the Secretary-General of the Customs Co-operation Council that the provisions of this Customs Convention would be applied in their respective countries as from 1 July 1962 (Federal Republic of Germany, in respect of Annexes, A, B and C) and 1 October 1962 (Netherlands, Belgium and Luxembourg) respectively.

Convinced that the adoption of general rules on the temporary duty-free importation of professional equipment would facilitate the international exchange of specialised skills and techniques,

Have agreed as follows :

CHAPTER I

DEFINITIONS

Article 1

For the purposes of the present Convention :

- (a) the term "import duties" means Customs duties and all other duties and taxes payable on or in connection with importation and shall include all internal taxes and excise duties chargeable on imported goods, but shall not include fees and charges which are limited in amount to the approximate cost of services rendered and do not represent an indirect protection to domestic products or a taxation of imports for fiscal purposes ;
- (b) the term "temporary admission" means temporary importation free of import duties and free of import prohibitions and restrictions, subject to re-exportation ;
- (c) the term "the Council" means the organisation set up by the Convention establishing a Customs Co-operation Council, done at Brussels on 15th December 1950 ;¹
- (d) the term "person" means both natural and legal persons, unless the context otherwise requires.

CHAPTER II

TEMPORARY ADMISSION

Article 2

Each Contracting Party bound by any Annex² to the present Convention shall grant temporary admission to the equipment referred to in that Annex, subject to the conditions specified in Articles 1 to 22 and in that Annex. The term "equipment" shall be taken to include any relevant ancillary apparatus and accessories.

Article 3

In cases where a Contracting Party requires security for compliance with the conditions attached to temporary admission, the amount of such security shall not exceed the amount of the import duties chargeable by more than 10 %.

¹ United Nations, *Treaty Series*, Vol. 157, p. 129, and Vol. 347, p. 379.

² See pp. 179, 181 and 183 of this volume.

Article 4

Equipment granted temporary admission shall be re-exported within six months from the date of importation. For valid reasons the Customs authorities may, within the limits laid down by the laws and regulations of the country of temporary importation, either grant a longer period or extend the initial period.

Article 5

Equipment granted temporary admission may be re-exported in one or several consignments to any country, through any Customs office open for such operations, and such re-exportation shall not be confined to the Customs office of importation.

Article 6

1. Notwithstanding the requirement of re-exportation laid down by the present Convention, the re-exportation of all or part of equipment badly damaged in duly authenticated accidents shall not be required, provided that it :

- (a) is subjected to the import duties to which it is liable ; or
 - (b) is abandoned free of all expense to the Exchequer of the country into which it was temporarily imported ; or
 - (c) is destroyed, under official supervision, without expense to the Exchequer of the country into which it was temporarily imported ;
- as the Customs authorities may require.

2. When all or part of equipment granted temporary admission 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 shall be suspended for the duration of the seizure.

Article 7

Component parts imported to repair temporarily admitted equipment shall also be granted the facilities provided for in the present Convention.

CHAPTER III

MISCELLANEOUS PROVISIONS

Article 8

In the application of the present Convention, the Annex or Annexes for the time being in force to which a Contracting Party is bound shall be construed to be an

integral part of the Convention, and in relation to that Contracting Party any reference to the Convention shall be deemed to include a reference to such Annex or Annexes.

Article 9

The provisions of the present Convention set out the minimum facilities to be accorded. They do not prevent the application of greater facilities which certain Contracting Parties grant or may grant in future by unilateral provisions or in virtue of bilateral and multilateral agreements.

Article 10

For the purposes of the present Convention the territories of Contracting Parties which form a Customs or economic union may be taken to be a single territory.

Article 11

The provisions of the present Convention shall not preclude the application of prohibitions or restrictions imposed under national laws and regulations on grounds of public morality or order, public security, public hygiene or health, or for veterinary or phytopathological considerations, or relating to the protection of patents, trade marks and copyrights.

Article 12

Any breach of the provisions of the present Convention, any substitution, false declaration or act having the effect of causing a person or goods improperly to benefit from the facilities provided for in the present Convention, may render the offender liable in the country where the offence was committed to the penalties prescribed by the laws and regulations of that country and to payment of any import duties chargeable.

CHAPTER IV

FINAL PROVISIONS

Article 13

1. The Contracting Parties shall meet together when necessary in order to consider the operation of the present Convention and, in particular, in order to consider measures to secure uniformity in the interpretation and application of the present Convention.

2. Such meetings shall be convened by the Secretary General of the Council at the request of any Contracting Party ; provided that where the matter to be con-