

No. 9975

DENMARK
and
FEDERAL REPUBLIC OF GERMANY

Agreement concerning customs facilities in minor frontier traffic (with annexes and protocol). Signed at Copenhagen on 30 March 1967

Additional Protocol to the above-mentioned Agreement. Signed at Copenhagen on 9 August 1968

Authentic texts: Danish and German.

Registered by Denmark on 27 October 1969.

DANEMARK
et
RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE

Accord relatif aux facilités douanières pour le petit trafic frontalier (avec annexes et protocole). Signé à Copenhague le 30 mars 1967

Protocole additionnel à l'Accord susmentionné. Signé à Copenhague le 9 août 1968

Textes authentiques : danois et allemand.

Enregistrés par le Danemark le 27 octobre 1969.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE KINGDOM OF DENMARK
AND THE FEDERAL REPUBLIC OF GERMANY CON-
CERNING CUSTOMS FACILITIES IN MINOR FRONTIER
TRAFFIC

The Kingdom of Denmark and the Federal Republic of Germany,
Desiring to facilitate goods traffic in the Danish-German frontier area,

Have agreed as follows:

CHAPTER I

GENERAL PROVISIONS

Article 1

DEFINITIONS

In this Agreement,

1. "Customs frontier areas" means the areas extending, as a rule, over a width of fifteen kilometres on each side of the common frontier, including also such communes as have their administrative centres in the aforesaid areas;
2. "Frontier residents" means individuals having their residence in the customs frontier areas;
3. "Minor frontier traffic" means goods traffic between the two customs frontier areas;
4. "Frontier roads" means streets and roads beside or along which the frontier runs;
5. "Frontier watercourses" means watercourses and lakes beside or through which the frontier runs;
6. "Dues" means customs duties and all other taxes and charges leviable on the import and export of goods, except for fees in respect of special services.

¹ Came into force on 1 September 1969, the first day of the second month following the exchange of the instruments of ratification, which took place at Bonn on 2 July 1969, in accordance with article 24.

Article 2

CUSTOMS FRONTIER AREAS

The customs frontier areas comprise the communes specified in the lists annexed to this Agreement. The customs administrations of the two States may by agreement amend the aforesaid lists, subject to the provisions of article 1, item 1.

CHAPTER II

CUSTOMS FACILITIES IN MINOR FRONTIER TRAFFIC

Article 3

AGRICULTURAL AND FORESTRY TRAFFIC

(1) Frontier residents having their dwellings and farm buildings in the customs frontier area of one State may, if from them they cultivate land situated in the customs frontier area of the other State, import and export free of dues, in connexion with the working of such land:

1. On a permanent basis:

(a) Necessary materials, such as manures and fertilizers of all kinds, plant protection material, plants and cuttings, seed, stakes, poles, posts and fencing materials, and fodder, fuel, lubricants and other requisites for machinery, vehicles and working animals; in the case of feed and fuel, however, the quantity shall not exceed one day's supply. Unused goods shall be brought back to the area from which they were imported;

(b) Produce of such land, provided that it crosses the frontier in the state and at the time customary for the removal of such produce from the land.

2. On a temporary basis:

Working animals, vehicles, tools, implements, machinery and accessories.

(2) Exemption from dues shall similarly be enjoyed by bodies corporate and non-corporate if they have their headquarters and farm buildings in one customs frontier area and from them cultivate land in the other customs frontier area.

(3) Exemption from dues shall also be granted to frontier residents in one customs frontier area who — although not engaging in agriculture or forestry there — have in the other customs frontier area legal rights to the use of farm and forest land (individual gardens, fields, pastures, ponds etc.), if the extent of and yield from such land is insufficient to constitute it, for practical purposes, a business enterprise properly so-called.

(4) Persons claiming the exemptions referred to in this article must give proof of their cultivation rights by producing an official certificate which shall also specify the situation, size and manner of cultivation of the property.

Article 4

GRAZING AND MOVEMENT OF LIVESTOCK OVER THE FRONTIER FOR OTHER PURPOSES

(1) Livestock belonging to the farm of a frontier resident in one customs frontier area shall be exempt from dues if such resident:

1. Takes them to the other customs frontier area for grazing and brings them back to their area of origin within the normal annual grazing season. The person claiming exemption shall identify himself by producing the certificate referred to in article 4, paragraph (4), and declare the livestock at the competent customs office, indicating their external features and any individual marks applied (earmarks, brands). Any changes in the stock shall be notified to the customs office forthwith;
2. Takes them to or brings them back from grazing land in their area of origin by roads in the other customs frontier area;
3. Takes them for weighing, breeding, shoeing, gelding or veterinary treatment to the other customs frontier area and subsequently brings them back.

(2) The exemption shall also extend to fodder taken for livestock to the other customs frontier area, provided that the quantity imported in each individual case shall not exceed one week's supply. Unused fodder shall be brought back to the area of origin.

(3) Products obtained from the livestock while they are in the other customs frontier area, including young dropped there, may be brought free of dues to the area of origin of the livestock.

(4) Article 3, paragraph (2), shall apply as appropriate.

Article 5

IMPORT OF PROVISIONS

(1) No dues shall be levied on food and beverages taken by frontier residents of one customs frontier area to the other customs frontier area

as provisions or brought to them for that purpose, provided that the quantity shall not exceed one day's supply.

(2) The exemption shall not apply to dry coffee and tea, to extracts thereof or to alcoholic beverages other than beer.

Article 6

SHIP TRAFFIC

(1) In passenger ship traffic between landing places in the two customs frontier areas the sale of uncustomed and untaxed goods to crew members and passengers on board shall be subject to the following restrictions:

1. Food and beverages may be sold only for immediate consumption in the restaurant. The sale of alcoholic beverages in bottles shall not be permitted;
2. Tobacco products may be sold only to passengers over the age of sixteen and in quantities not exceeding
 - 20 cigarettes or
 - 10 cigars or
 - 10 cigarillos or
 - 50 g of pipe tobacco;

The sale of such products shall be permitted only upon production and marking of the passenger's ticket.

3. Apart from the aforesaid products only bakery goods, chocolate, sweets and other types of confectionery may be sold.

(2) The two States undertake to issue the necessary regulations to ensure that violations of the restrictions specified in paragraph (1) may be punished.

(3) The competent customs authorities of the two States may by agreement prohibit or restrict the supply of uncustomed and untaxed ship's stores to ships on which there has been a violation of the restrictions specified in paragraph (1).

Article 7

IMPORT OF MEDICAL SUPPLIES FOR IMMEDIATE USE

No dues shall be levied on drugs packaged for retail sale, serums, vaccines, diagnostic material or dressings and disinfectants