COMMISSION DIRECTIVE

of 27 March 1974

modifying Commission Directive No 73/95/EEC of 26 March 1973 applying Articles 13 and 14 of the Council Directive of 4 March 1969, on the harmonization of provisions laid down by law, regulation or administrative action in respect of inward processing

(74/204/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community;

Having regard to the Council Directive [1] of 4 March 1969, on the harmonization of provisions laid down by law, regulation or administrative action in respect of inward processing, as last amended by the Act [2] annexed to the Treaty [3] on the Accession of new Member States to the European Economic Community and the European Atomic Energy Community signed at Brussels on 22 January 1972, and in particular Article 28 thereof;

Whereas the Directive [4] applying Articles 13 and 14 of the foresaid Council Directive, adopted on 26 March 1973, makes provision in Article 7 for entry into force not later than six months after its notification;

Whereas the notification took place on 6 April 1973;

Whereas for some time past the Council has been advised of a proposal of the Commission to modify the Directive of 4 March 1969 in order to ensure equal customs consideration for direct importations of products which benefit from duty free admission based on these products on the one hand, and on products obtained in the Community under inward processing procedures having the same consignee or destination on the other hand; whereas this proposal is of particular interest to certain important Community industrial sectors;

Whereas the entry into force of the said applying Directive on the date laid down in Article 7 thereof would set up a customs cooperation procedure which, if the proposed Directive amending Article 13 of the Directive of 4 March 1969 were approved would be rendered ineffective for deliveries, by the authorized processor, of products of those industrial sectors under the conditions mentioned above;

Whereas the state of discussions on the proposed Directive for the amendment of Article 13, is such that this amendment cannot be expected in the near future;

Whereas the time limit of six months imposed on the Member States for carrying out the measures laid down by Commission Directive No 73/95/EEC, is already extended to twelve months by Commission Directive No 73/325/EEC [5] of 5 October 1973;

Whereas for these reasons an extension of this time limit until 30 September 1974 appears appropriate;

Whereas the provisions of this Directive are in accordance with the Opinion of the Committee on Inward Processing,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Article 7 of the Commission Directive of 26 March 1973 applying Articles 13 and 14 of the Council Directive of 4 March 1969, on the harmonization of provisions laid down by law, regulation or administrative action in respect of inward processing, shall be modified as follows:

'Article 7

The Member States shall bring into force the necessary measures to conform with this Directive from 1 October 1974.'

Article 2

This Directive is addressed to all Member States.

Done at Brussels, 27 March 1974.

For the Commission

The President

François-Xavier ORTOLI

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[1] OJ No L 58, 8. 3. 1969, p. 1.
[2] OJ No L 73, 26. 3. 1972, p. 14.
[3] OJ No L 73, 26. 3. 1972, p. 5.
[4] OJ No L 120, 7. 5. 1973, p. 17.
[5] OJ No L 297, 25. 10. 1973, p. 30.