

Ankara Anlaşması Katma Protokolünün 2 ve 3'üncü Maddelerinin uygulanması için idari işbirliği yöntemlerine ilişkin 5/72 sayılı Kararını değiştiren 1/78 sayılı ORTAKLIK KONSEYİ KARARI

ORTAKLIK KONSEYİ,

Avrupa Ekonomik Topluluğu ve Türkiye arasında bir Ortaklık kuran Anlaşmayı göz önünde bulundurarak;

Katma Protokolü ve özellikle 4'üncü maddesini göz önünde bulundurarak;

Uluslararası ticarete kullanılan belgelerin büyük bölümünün Topluluk düzeyinde, Avrupa Ekonomik Komisyonu tarafından geliştirilen tip-formüle adapte edilmiş olduklarını nazarı itibare alarak; bu nedenle, Ankara Anlaşması Katma Protokolünün 2 ve 3'üncü maddesinin uygulanması için idari iş birliği yöntemlerine ilişkin Ortaklık Konseyinin 29 Aralık 1972 tarihli ve 5/72 sayılı Kararına ekli A.TR.1 ve A.TR.3 dolaşım belgelerinin de söz konusu tip-formüle uygun modelde dolaşım belgeleri ile değiştirilmesinin gerektiğini göz önünde tutarak,

AŞAĞIDAKİ GİBİ KARAR VERMİŞTİR:

Madde 1

1. 5/72 sayılı Karara ekli A.TR.1 ve A.TR.3 serbest dolaşım belgeleri bu Karara ekli dolaşım belgeleri modelleri ile değiştirilmiştir.

5/72 sayılı Kararın 8'inci maddesinin üçüncü fıkrası yürürlükten kaldırılmıştır.

2. Eski modellere uygun dolaşım belgeleri 31 Aralık 1979 tarihine kadar kullanılabilir.

Madde 2

Bu Karar 1 Ekim 1978 tarihinde yürürlüğe girecektir.

Brüksel, 18 Temmuz 1978

**Ortaklık Konseyi adına
Başkan
T. SARAÇOĞLU**

1/78 Sayılı Ortaklık Konseyi Kararı

EK
MOVEMENT CERTIFICATE

1. Exporter (name, full address, country)		TR.1 No A 000000	
		See notes overleaf before completing this form	
3. Consignee (name, full address, country) (optional)		2. Transport document (optional) No Date	
		ASSOCIATION between the EUROPEAN ECONOMIC COMMUNITY and TURKEY	
(1) Insert the member State or Turkey	5. Country of exportation		6. Country of destination (1)
	7. Transport details (Optional)		8. Remarks (2)
9. Item Number	10. Marks and numbers; Number and kind of packages (for goods in bulks indicate the name of the ship or the number of the railway wagon or road vehicle); description of goods		11. Gross weight (kg) or other measure (hl, m, etc.)
(3) OKUNAMA DI only where the exporting country requires	12. CUSTOMS ENDORSEMENT Declaration certified Stamp Export document (3) No Form Customs office: Issuing country: Date (Signature)		13. DECLARATION BY THE EXPORTER I, the undersigned, declare that the goods described above meet the conditions required for the issue of this certificate. Place and date (Signature)
	14. REQUEST FOR VERIFICATION, to Verification of the authenticity and accuracy of this certificate is requested. _____ (Place and date) Stamp _____ (Signature)		15. RESULT OF VERIFICATION Verification carried out shows that this certificate (1) <input type="checkbox"/> was issued by the Customs Office indicated and that the information contained therein is accurate. <input type="checkbox"/> does not meet the requirements as to authenticity and accuracy (see remarks appended.) _____ (Place and date) Stamp _____ (Signature)
Full address of office making the request		(1) Insert X in the appropriate box.	

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

1. A movement certificates A. TR. 1 may be endorsed only for goods which, in the exporting States, fell within one of the following categories:
 - a. goods produced in the exporting State, including those obtained or produced wholly or partly from products on which the applicable customs duties or charges having equivalent effect have been levied, and which have not benefited from a total or partial drawback of such duties or charges;
 - b. goods in free circulations in the exporting State (goods coming from a third country, in respect of which import formalities have been comply with and any customs duties or charges having equivalent effect have been levied, and which have not benefited from a total or partial drawback of such duties or charges);
 - c. goods obtained or produced within the exporting State, 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 or 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 them;

Note: The statement 'Compensatory Levy Turkey' must appear on all movement certificates A.TR. 1 for goods obtained or produced in the Community from products coming from a third country on which the applicable customs duties and charges having equivalent effect have not been levied in either the Community or Turkey.

- d. goods originally imported a State party to the Agreement and which on exportation fell within one of the categories (a), (b) or (c) above

Note: In the case of goods originally imported into the exporting State under the cover of a movement certificate bearing the statement 'Compensatory Levy Turkey', the movement certificate or certificates A. TR. 1 issued in line of the latter must also bear the statement 'Compensatory Levy Turkey'

2. Agricultural products must also comply with the additional conditions laid down in respect thereof.
3. Movement certifies A. TR. 1 may not be endorsed for goods originally imported from a third country under a preferential customs system because of their country of origin or of consignment and which accordingly may not be regarded as in free circulation within in the meaning of the Agreement

II. SCOPE OF THE USE OF MOVEMENT CERTIFICATE A. TR.1

The movement certificate A. TR.1 may be used only if the goods to which relate are transported direct from the exporting State to the importing State.

The following shall be considered as transported direct from the exporting State to the imported State:

- a. goods transported without passing through territories other than those of the Community or Turkey.
- b. goods transported through territories other than those of the Community or Turkey or with transhipment is

covered by a single transport document made out in the Community or Turkey.

Note: Before requesting endorsement of movement certificate A. TR. 1 by the customs authorities of the exporting State, the exporter must satisfy himself that the goods will in fact be transported direct to the importing State. Goods not transported direct are eligible for preferential treatment only if a movement certificate A.TR.3 is produced.

III. RULES FOR COMPLETING MOVEMENT CERTIFICATE A. TR.1

1. The movement certificate A. TR. 1 must be completed in one of the language in which the Agreement is drawn up and shall comply with the internal laws of the exporting State. When the certificate is completed in Turkish, it shall also be completed in one of the official language of the Community.
2. The movement certificate A. TR. 1 must be typed or handwritten; if the latter it must be completed in ink in block letters. it must not contain any eraser superimposed correction. Any alteration must be made by deletin the incorrect particular or adding any necessary corrections. Any each alteration must be initiated by the person who completed the certificate and be endorsed by the customs authorities.

3. Each item listed in the movement certificate A. TR.1 must be preceded by an item 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 a sufficient detail to enable them to be unidentified.

The exporter or the carrier may enter in box No. 2 of the certificate a reference to the transport document. It is also recommended that the exporter or the carrier should show on the transport document covering the dispatch of the goods the serial number of the movement certificate A. TR.1

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

When property used movement certificate A. TR. 1 enables the goods described there in to benefit in the importing State from the progressive elimination of the customs duties quantitative restrictions and all other measures having aqualent effect.However when the movement certificate bears the statement 'Compensatory Levy Turkey' the goods describe

therein shall not be eligible for this preferential treatment in the Member States of the E.E.C.

The customs authorities of the importing State may, if they consider will be 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 MOVEMENT CERTIFICATE A. TR.1

The movement certificate A. TR.1 must be produced at the customs office of the importing State where the goods are

presented within a period of three months from the date of endorsement.

1/78 Sayılı Ortaklık Konseyi Kararı**MOVEMENT CERTIFICATE**

1. Exporter (name, full address, country)		TR.3 No A 000000		
		See notes overleaf before completing this form		
3. Consignee (name, full address, country) (optional)		2. Transport document (optional)		
		No Date		
		ASSOCIATION between the EUROPEAN ECONOMIC COMMUNITY and TURKEY		
		5. Country of exportation	6. Country of destination at the time of export	
7. Transport details (Optional)		8. Remarks (1)		
10. Marks and numbers; Number and kind of packages (for goods in bulks indicate the name of the ship or the number of the railway wagon or road vehicle); description of goods		11. Tariff number	12. Gross weight (kg)	13. Net weight (kg) or other measure (hl, m, etc.)
14. CUSTOMS ENDORSEMENT				
Result of customs examination and indication of means of identification(2)				
12. CUSTOMS ENDORSEMENT		15. DECLARATION BY THE EXPORTER		
Declaration certified Export document (3) Form No Customs office: Issuing country:		I, the undersigned, declare that the goods described above meet the conditions required for the issue of this certificate.		
Date		Place of loading:		
Stamp		Place and date		
(Signature)		(Signature)		
16. REQUEST FOR VERIFICATION, to		17. RESULT OF VERIFICATION		
Verification of the authenticity and accuracy of this certificate is requested.		Verification carried out shows that this certificate (1)		
		<input type="checkbox"/> was issued by the Customs Office indicated and that the information contained therein is accurate.		
		<input type="checkbox"/> does not meet the requirements as to authenticity and accuracy (see remarks appended.)		
(Place and date) Stamp		(Place and date) Stamp		
(Signature)		(Signature)		
Full address of office making the request		(1) Insert X in the appropriate box.		

1/78 Sayılı Ortaklık Konseyi Kararı**I. GOODS FOR WHICH A MOVEMENT CERTIFICATE A. TR.1 MAY BE ISSUED**

A movement certificate A. TR. 3 may be endorsed only for goods which, in the exporting States, fell within one of the following categories:

- a. goods produced in the exporting State, including those obtained or produced wholly or partly from products on which the applicable customs duties or charges having equivalent effect have been levied, and which have not benefited from a total or partial drawback of such duties or charges;
- b. goods in free circulations in the exporting State (goods coming from a third country, in respect of which import formalities have been comply with and any customs duties or charges having equivalent effect have been levied, and which have not benefited from a total or partial drawback of such duties or charges);
- c. goods obtained or produced within the exporting State, 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 or 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 them;

Note: The statement 'Compensatory Levy Turkey' must appear on all movement certificates A.TR.3 for goods

obtained or produced in the Community from products coming from a third country on which the applicable customs duties and charges having equivalent effect have not been levied in either the Community or Turkey.

d. goods originally imported a State party to the Agreement and which on exportation fell within one of the categories (a), (b) or (c) above

Note: In the case of goods originally imported into the exporting State under the cover of a movement certificate bearing the statement 'Compensatory Levy Turkey', the movement certificate or certificates A. TR. 3 issued in line of the latter must also bear the statement 'Compensatory Levy Turkey'.

2. Agricultural products must also comply with the additional conditions laid down in respect thereof.
3. Movement certifies A. TR. 3 may not be issued for goods:
 - a. which, in accordance with the provisions applicable to them must be applicable to them, must be transported direct from the exporting State to the importing State;
 - b. which were originally imported from a third country under a preferential customs system because of their country of origin or of consignment and which accordingly may not be regarded as in free circulation within the meaning of the Agreement.

II. SCOPE OF THE USE OF MOVEMENT CERTIFICATE A. TR.3

A movement certificate A. TR.3 may be used in all cases where a movement certificate A.TR.1 cannot be used owing to the fact that the goods are not transported direct from the exporting State to the importing State.

The following shall be considered as transported direct from the exporting State to the imported State:

- a. goods transported without passing through territories other than those of the Community or Turkey.

b. goods transported through territories other than those of the Community or Turkey with transshipment is covered by a single transport document

made out in the Community or Turkey. In particular, the movement certificate A.TR.3 may be used for goods exported from a State party to the Agreement to a country not party to the Agreement, from which they are liable to be re-exported subsequently to a State party to the Agreement.

III. RULES FOR COMPLETING MOVEMENT CERTIFICATE A. TR.3

The movement certificate A. TR. 3 must be completed in one of the language in which the Agreement is drawn up and shall comply with the internal laws of the exporting State. When the certificate is completed in Turkish, it shall also be completed in one of the official language of the Community.

1. The movement certificate A. TR. 3 must be typed or handwritten; if the latter it must be completed in ink in block letters. it must not contain any eraser superimposed correction. Any alteration must be made by deletin the incorrect particular or adding any necessary corrections. Any each alteration must be initiated by the person who completed the certificate and be endorsed by the customs authorities.
2. The movement certificate A. TR.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.

3. Cash items listed in the movement certificate A.TR.3 must be preceded by an item number. A horizontal line must be drawn immediately (OKUNAMAMIŞTIR) 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 a 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. TR.3 all documents such as plans, ..., photographs or commercial propose (OKUNAMAMIŞTIR) ,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.TR.3.

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

A movement certificate A. TR. 3 enables the goods described therein to benefit from the progressive elimination of the customs duties quantitative restrictions and all other measures having aquivalent effect where there is no doubt that the goods actually imported are those described in that movement certificate A.TR.3..However when the movement certificate

A.TR.3 bears the statement 'Compensatory Levy Turkey' the goods described therein shall not be eligible for this preferential treatment in the Member States of the E.E.C. The customs authorities of the importing State may require the submission of any supporting evidence, if they consider it necessary the customs authorities of the exporting country shall annex these documents to the movement certificate A.TR.3.

V. TIME LIMIT FOR SUBMISSION OF MOVEMENT CERTIFICATE A. TR.1

The movement certificates A.TR.3 must be submitted to the customs authorities of the importing State within a period of six months from the date of issue. It shall be valid only for the quantities of goods presented in that State during those six months.

(OKUNAMAMIŞTIR) In this space the customs authorities of the place of exportation should give the result of their (OKUNAMAMIŞTIR) with any details which