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REFERENCE C.N.316.1991.TREATIES-1 (Depositary Notification)

CUSTOMS CONVENTION ON THE TEMPORARY IMPORTATION
OF COMMERCIAL ROAD VEHICLES
DONE AT GENEVA ON 18 MAY 1956

AMENDMENTS PROPOSED BY ITALY

The Secretary-General of the United Nations, acting in his capacity as depositary, communicates the following:

On 11 November 1991, the Government of Italy transmitted to the Secretary-General, in accordance with article 41 (1) of the above-mentioned Convention, a proposal for amendments to the text of the Convention.

..... A copy, in the English and French languages, of the text of the proposed amendments will be found as an Annex to this depositary notification.

In this connexion, reference is made to the procedure for the amendment of the said Convention set forth in article 41 thereof, in particular paragraphs 1, 2 and 3, which read as follows:

"1. Any Contracting Party may propose one or more amendments to this Convention. The text of any proposed amendments shall be transmitted to the Secretary-General of the United Nations who shall transmit it to all Contracting Parties and inform all other countries referred to in article 33, paragraph 1.

2. Any proposed amendment circulated in accordance with the preceding paragraph shall be deemed to be accepted if no Contracting Party expresses an objection within a period of six months following the date of circulation of the proposed amendment by the Secretary-General.

3. The Secretary-General shall, as soon as possible, notify all Contracting Parties whether an objection to the proposed amendment has been expressed. If an objection to the proposed amendment has been expressed, the amendment shall be deemed not to have been accepted and shall be of no effect whatever. If no such objection has been expressed the amendment shall enter into force for all Contracting Parties three months after the expiry of the period of six months referred to in the preceding paragraph."

30 January 1992

H.

Attention: Treaty Services of Ministries of Foreign Affairs and of international organizations concerned

Proposed amendments to the Customs Convention on the Temporary
Importation of Commercial Road Vehicles (18 May 1956)

adopted by the ECE Working Party on Customs Questions affecting Transport

Article 1, paragraph (a)

For the existing text, substitute:

“(a) The term “import duties and import taxes” shall mean Customs duties and all other duties, taxes, fees and other charges which are collected on, or in connection with, the import of goods mentioned in this Convention, but not including fees and charges limited in amount to the approximate costs of services rendered;”

Article 1, paragraph (f)

For the existing text, substitute:

“(f) the term “persons” shall mean both natural and legal persons;”

Article 1, new paragraphs (g) to (k)

Add the following new paragraphs:

“(g) The term “issuing association” shall mean an association authorized to issue temporary importation papers;

(h) The term “guaranteeing association” shall mean an association approved by the Customs authorities of a Contracting Party to act as surety for persons using temporary importation papers;

(i) The term “international organization” shall mean an organization to which national associations are affiliated which are entitled to issue and to guarantee temporary importation papers;

(j) The term “Contracting Party” shall mean a country or regional economic integration organization, Party to this Convention;

(k) The term “regional economic integration organization” shall mean an organization constituted by and composed of countries as referred to in article 33, paragraph 1 of this Convention, which has competence to adopt its own legislation that is binding on its Member States, in respect of matters governed by this Convention, and has competence to decide, in accordance with its internal procedures, to accede to this Convention.”

Article 2, paragraph 2

For the existing text, substitute:

"2. The Contracting Parties may under the conditions set out in this Convention prescribe that such vehicles shall be covered by temporary importation papers guaranteeing payment of import duties and import taxes or an equivalent sum subject to the special provisions of article 27, paragraph 4, should the vehicles covered by temporary importation papers not be re-exported within the prescribed time limit."

Article 8, paragraph 3

Replace: "... in Annex 2 or in Annex 3 to this Convention ..." by: "... in Annex 2 of this Convention ...".

Article 14, paragraph 1 (b)

For the existing text, substitute:

"(b) are abandoned free of all expenses to the Exchequer of the country into which they were imported temporarily, in which case the holder of the temporary importation papers shall be exempt from import duties and import taxes; or ..."

Article 14, new paragraph 4

Add the following new paragraph:

"4. When the vehicle or the object listed in the papers are either lost or stolen during the course of the seizure other than a seizure made at the suit of private persons, no import duties or import taxes can be levied against the holder of the temporary importation papers, who should submit evidence of seizure to the Customs authorities."

Article 20

For the existing text, substitute:

"The lack of proof of re-exportation within the time allowed of vehicles temporarily imported shall be disregarded when the vehicles are presented to the Customs authorities for re-exportation within fourteen days from the expiry of the temporary entry deadline for the vehicles and satisfactory explanations of the delay are given."

.../

Article 21

Replace: "... Annex 4 ..." by "... Annex 3 ...".

Article 22, new paragraph 3

Add the following new paragraph:

"3. The validity of temporary importation papers can only be extended once for not more than one year. After this period, a new carnet must be issued and delivered in replacement of the former carnet."

Article 24, paragraph 1

(a) Replace: "... Annex 5 ..." by: "... Annex 4 ...".

(b) After the first sentence, for the remaining text, substitute:

"... As an alternative they shall accept any other valid documentary evidence that the vehicle or component parts are outside the country of temporary importation. In the case of papers, other than the carnets de passages en douane, which have not expired, the papers shall be produced at the same time as the evidence referred to above. In the case of carnets the Customs authorities shall accept, as evidence of re-exportation of the vehicles or component parts, the visas entered thereon by the Customs authorities of countries subsequently visited."

Article 24, paragraph 2

(a) Replace: "... Annex 5 ..." by: "... Annex 4 ...".

(b) For the last sentence, substitute:

"... As an alternative they shall accept any other valid documentary evidence that the vehicle or component parts are outside the country of temporary importation."

Article 24, paragraph 3

Insert the following wording between the second and third sentences:

"... In case of the misuse of a carnet after cancellation by the Customs authorities and the issuing association, the latter cannot be held responsible for import duties and import taxes payable. ..."

.../

Article 26

After the first sentence, add the following wording:

"... The Customs authorities shall provide the guaranteeing associations with details of the amount of import duties and import taxes within one year from the notification of the non-discharge. The guaranteeing associations' liability for these sums shall cease if such information is not furnished within this one-year period."

Article 27, paragraph 1

After the first sentence, add the following wording:

"... Nevertheless, this period can come into force only as of the date of expiry of the temporary importation papers. If the Customs authorities contest the validity of the proof provided they must so inform the guarantor within a period not exceeding one year."

Article 27, paragraph 2

For the first sentence substitute:

"2. If such proof is not furnished within the time limit allowed, the guaranteeing association shall deposit or pay provisionally within a maximum period of three months the import duties and import taxes payable. ..."

New article 32 bis

Add the following new article:

"This Convention shall not prevent the application of greater facilities which Contracting Parties grant or may wish to grant, either by unilateral provisions or in virtue of bilateral or multilateral agreements, provided that such facilities do not impede the application of the provisions of this Convention. The Contracting Parties are recommended to waive the request for temporary importation papers and guarantees."

.../

Article 33, new paragraph 2 bis

Insert the following paragraph between paragraph 2 and paragraph 3:

"2 bis. Any regional economic integration organization may become, in accordance with paragraph 1 of this article, a Contracting Party to this Convention. Such organization which has acceded to this Convention shall inform the Secretary-General of the United Nations of its competence and any subsequent changes thereto, with respect to the matters governed by this Convention. The organization and its Member States may, without however any derogation from the obligations under this Convention, decide on their respective responsibilities for the performance of their obligations under this Convention."

Article 34, paragraph 2

Replace: "... any country ..." by: "any country or regional economic integration organization ..." and: "... said country ..." by: "... said country or regional economic integration organization ...".

Article 40, paragraph 3

For the existing text, substitute:

"3. The Secretary-General shall invite to any conference convened in accordance with this article all countries referred to in Article 33, paragraph 1, and the Contracting Parties referred to in Article 33, paragraphs 2 and 2 bis."

Article 41, paragraph 2

After the existing text, add the following wording:

"... Regional economic integration organizations which are Contracting Parties to this Convention, for the matters within their competence, shall exercise their right to express an objection. In such case the Member States of said organizations, which are Contracting Parties to this Convention, shall not be entitled to exercise individually such right."

.../

Article 42

(a) For the first part of the phrase, substitute:

"In addition to the notifications provided for in Articles 40 and 41, the Secretary-General of the United Nations shall notify the countries referred to in Article 33, paragraph 1, and the Contracting Parties referred to in Article 33, paragraphs 2 and 2 bis, of: ..."

(b) Add the following new subparagraph (a) bis:

"(a) bis Information on the competence of regional economic integration organizations and any subsequent changes thereto in accordance with article 33, paragraph 2 bis;"

Article 45

For the existing text, substitute:

"After 31 August 1956, the original of this Convention shall be deposited with the Secretary-General of the United Nations, who shall transmit certified true copies to each of the countries and Contracting Parties mentioned in Article 33, paragraphs 1 to 2 bis."

Annex 1: "Carnet de Passages en Douane"

For the existing text, substitute:

""CARNET DE PASSAGES EN DOUANE""

The Carnet is issued in English and French.

The dimensions are 21 x 29.7 cm.

The issuing association shall insert its name on each voucher and shall include the initials of the international organization to which it belongs.

.../

< Front cover / Recto de la couverture >

1 2 3	Holder and address / Titulaire et adresse	CPD no. [REDACTED]
		Valid for not more than one year, that is until / Validité n'excedant pas un an, soit jusqu'au Inclusive / inclus
4 5	Issued by / Délivré par	The validity of this carnet is subject to compliance by the holder during this period with the customs laws and regulations of the countries visited / Ce carnet reste valable sous réserve que le titulaire ne cesse de remplir, pendant cette période, les conditions prévues par les lois et les règlements douaniers du pays visité. Validity extended until / Validité prolongée jusqu'au

INTERNATIONAL ORGANIZATION
ORGANISATION INTERNATIONALE

CARNET DE PASSAGES EN DOUANE

FOR MOTOR VEHICLES AND TRAILERS / POUR VÉHICULES À MOTEUR ET REMORQUES

8	This carnet is issued for the vehicle registered in / Ce carnet est délivré pour le véhicule immatriculé en.....	Under no. / Sous le n°.....
---	---	--------------------------------

This carnet, which has been drawn up in accordance with the provisions of the Customs Conventions on the
Temporary Importation of Private Road Vehicles (1954) and Commercial Road Vehicles (1956),
may be used in the countries listed on the back cover of this document, under the guarantee of the
authorized associations indicated.

It is issued on condition that the holder re-exports the vehicle within the specified period of validity
and complies with the customs laws and regulations relating to the temporary admission of motor vehicles
in the countries visited under the guarantee, in each country where the document is valid,
of the authorized association affiliated to the undersigned international organization.
ON EXPIRY, THE CARNET MUST BE RETURNED TO THE ASSOCIATION WHICH DELIVERED IT TO THE HOLDER. /

Ce carnet, qui a été élaboré selon les dispositions des Conventions douanières relatives à
l'importation temporaire des véhicules routiers privés (1954) et des véhicules routiers commerciaux (1956),
peut être utilisé dans les pays qui figurent au dos de la couverture de ce document,
sous la garantie des associations autorisées indiquées.

A charge pour le titulaire de réexporter le véhicule dans le délai de validité imparti et de se conformer
aux lois et règlements de douane sur l'importation temporaire des véhicules à moteur
dans les pays visités, sous la garantie, dans chaque pays où le document est valable,
de l'Association agréée, affiliée à l'organisation internationale soussignée.
À L'EXPIRATION, LE CARNET DOIT ÊTRE RETOURNÉ À L'ASSOCIATION QUI L'A DÉLIVRÉ.

11	Issued at / Délivré à	On / le	19.....
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12	Signature of International Organization / Signature de l'Organisation internationale	Signature of Issuing Association / Signature de l'Association émettrice	Holder's signature / Signature du titulaire
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< Front side of insert pages / Recto des pages intérieures >

CARNET DE PASSAGES EN DOUANE
COUNTERFOIL
SOUCHE

1	CPD	Valid until / Valable jusqu'au
2	Importation into / L'entrée en	
3	of the vehicle described in this carnet / du véhicule décrit dans ce carnet	
4	at the customs office of / par le bureau de douane de	
5	at the customs office of / par le bureau de douane de	
6	at the customs office of / par le bureau de douane de	
7	Customs officer's signature / Signature de l'agent de la douane	Stamp Timbre

CARNET DE PASSAGES EN DOUANE
EXPORTATION VOUCHER
VOLET DE SORTIE

1	Holder (name, address) / Titulaire (nom, adresse)	CPD no.	Valid until / Valable jusqu'au
2			Inclusive / inclus
3		Issued by / Délivré par	
4	DESCRIPTION OF VEHICLE / SIGNALLEMENT DU VEHICULE		
5	Registered in / Immatriculé en	under no. / sous le N°	
6	Year of manufacture / Année de construction		
7	Net weight of vehicle (kg) / Poids net du véhicule (kg)		
8	Value of vehicle / Valeur du véhicule		
9	Chassis no.	Date of exportation / Date de sortie	Customs office of exportation / Bureau de douane de sortie
10	Make / Marque		
11	Engine / Moteur N°		
12	Make / Marque	Voucher registered under no. / Volet pris en charge sous N°	
13	No. of cylinders / Nombre de cylindres		
14	Horsepower / Nb. de chevaux		
15	Coachwork / Carrosserie		
16	Type (car, lorry... / voiture, camion...)		
17	Colour / Couleur		
18	Upholstery / Garnitures intérieures		
19	No. seats or carrying capacity / Nombre de places ou C.U.		
20	Equipment / Equipement	Stamp Timbre	
21	Radio (make) / Appareil radio (marque)	Customs officer's signature / Signature de l'agent de la douane	
22	Spare tyres / Pneus de rechange	To be returned to the customs office of importation at / A retourner au bureau de douane d'entrée de	
23	Other particulars / Divers	where the carnet was registered under number / où le carnet a été pris en charge sous le numéro	

CARNET DE PASSAGES EN DOUANE
IMPORTATION VOUCHER
VOLET D'ENTREE

1	Holder (name, address) / Titulaire (nom, adresse)	CPD no.	Valid until / Valable jusqu'au
2			Inclusive / inclus
3		Issued by / Délivré par	
4	DESCRIPTION OF VEHICLE / SIGNALLEMENT DU VEHICULE		
5	Registered in / Immatriculé en	under no. / sous le N°	
6	Year of manufacture / Année de construction		
7	Net weight of vehicle (kg) / Poids net du véhicule (kg)		
8	Value of vehicle / Valeur du véhicule		
9	Chassis no.	Date of importation / Date d'entrée	Customs office of importation / Bureau de douane d'entrée
10	Make / Marque		
11	Engine / Moteur N°		
12	Make / Marque	Voucher registered under no. / Volet pris en charge sous N°	
13	No. of cylinders / Nombre de cylindres		
14	Horsepower / Nb. de chevaux		
15	Coachwork / Carrosserie		
16	Type (car, lorry... / voiture, camion...)		
17	Colour / Couleur		
18	Upholstery / Garnitures intérieures		
19	No. seats or carrying capacity / Nombre de places ou C.U.		
20	Equipment / Equipement	Stamp Timbre	
21	Radio (make) / Appareil radio (marque)	Customs officer's signature / Signature de l'agent de la douane	
22	Spare tyres / Pneus de rechange	N.B. The customs officer must fill in the lines indicated on the above exportation voucher / La douane d'entrée doit remplir le volet de sortie ci-dessus aux lignes indiquées	
23	Other particulars / Divers		

< Back cover / Extérieur du dos de la couverture >

This carnet, which has been drawn up in accordance with the provisions of the Customs Conventions on the Temporary importation of Private Road Vehicles (1954) and Commercial Road Vehicles (1956), may be used in the following countries under the guarantee of the authorized associations indicated: /

Ce carnet, qui a été élaboré selon les dispositions des Conventions douanières relatives à l'importation temporaire des véhicules routiers privés (1954) et des véhicules routiers commerciaux (1956), peut être utilisé dans les pays suivants, sous la garantie des associations autorisées ci-après:

(LIST OF COUNTRIES AND AUTHORIZED ASSOCIATIONS)
(LISTE DES PAYS ET ASSOCIATIONS AUTORISÉES)



.../

Annex 3: Diptych

Annex 3 should be deleted.

Annex 4: Extension of Validity of the "Carnet de Passages en Douane"

(a) For paragraph 1, substitute:

"1. The stamp for extension of validity shall conform to the model contained in this annex.

The stamp shall be drawn up in English or French. The inscribed wording may be repeated in another language."

(b) Existing Annex 4 becomes Annex 3.

Annex 5: Model Certificate for the Adjustment of Undischarged, Destroyed, Lost or Stolen Temporary Importation Papers

(a) For the existing model certificate, substitute: (see page 29)

(b) Existing Annex 5 becomes Annex 4.


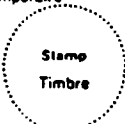
ANNEX 5 / ANNEXE 5

MODEL CERTIFICATE FOR THE ADJUSTMENT OF UNDISCHARGED,
DESTROYED, LOST OR STOLEN TEMPORARY IMPORTATION PAPERS
(CERTIFICATE OF LOCATION)

MODÈLE DE CERTIFICAT POUR LA RÉGULARISATION
DES TITRES D'IMPORTATION TEMPORAIRE
NON DÉCHARGÉS, DÉTRUITS, PERDUS OU VOLÉS
(CERTIFICAT DE PRÉSENCE)

Name of country / Nom du pays
The undersigned authority / l'autorité soussignée
certifies that this day / certifie que ce jour (date to be given in full / préciser la date)
a vehicle was produced at / un véhicule a été présenté à (place and country / lieu et pays)
by / par (name, address / nom, adresse)

The vehicle was found on examination to be of the description mentioned hereunder: /
Il a été constaté que ce véhicule répondait aux caractéristiques mentionnées ci-dessous:

DESCRIPTION OF VEHICLE / SIGNALEMENT DU VÉHICULE	
Registered in / Immatriculé en	under no. / sous le N°
Year of manufacture / Année de construction	A.* This examination has been made on presentation of the carnet de passages issued for the vehicle described here. / Cet examen a été effectué sur présentation du carnet de passages délivré pour le véhicule décrit ci-contre.
Net weight of vehicle (kg) / Poids net du véhicule (kg)	
Value of vehicle / Valeur du véhicule	CPD no. 
Chassis no.	Issued by / Délivré par
Make / Marque	B.* No temporary importation papers were produced / Il n'a été présenté aucun titre d'importation temporaire
Engine / Moteur N°	
Make / Marque	
No. of cylinders / Nombre de cylindres	
Horsepower / Nb. de chevaux	Date and place of signature / Date et lieu de signature
Coachwork / Carrosserie	Official position / Qualité du (des) signataire(s)
Type (car, lorry... / voiture, camion...)	Signature(s)
Colour / Couleur	
Upholstery / Garnitures intérieures	
No. seats or carrying capacity / Nombre de places ou C.U.	
Equipment / Equipement	
Radio (make) / Appareil radio (marque)	
Spare tyres / Pneus de rechange	
Other particulars / Divers	

[*] Choose formula A or B as applicable /
Formula A ou B à adopter suivant le cas

N.B. THIS CERTIFICATE MUST BE COMPLETED EITHER BY A CONSULAR
AUTHORITY OF THE COUNTRY IN WHICH THE PAPERS SHOULD HAVE BEEN
DISCHARGED, OR BY AN OFFICIAL AUTHORITY (CUSTOMS, POLICE, MAYOR,
JUDICIAL OFFICER, ETC.) OF THE COUNTRY IN WHICH THE VEHICLE IS
EXAMINED.

N.B. CE CERTIFICAT DOIT ÊTRE REMPLI SOIT PAR UNE AUTORITÉ CONSULAIRE
DU PAYS OÙ LE TITRE D'IMPORTATION TEMPORAIRE AURAIT DÙ ÊTRE
DECHARGÉ, SOIT PAR UNE AUTORITÉ OFFICIELLE (DOUANE, POLICE, MAIRE,
HUISSIER, ETC.) DU PAYS OÙ LE VÉHICULE A ÉTÉ PRÉSENTÉ.