


# Procedure file

Basic information		
CNS - Consultation procedure Decision	<a href="#">2007/0073(CNS)</a>	Procedure completed
Mutual assistance and cooperation between customs administrations: accession of Bulgaria and Romania to the Convention of 18 December 1997		
Subject 2.80 Cooperation between administrations 7.30.02 Customs cooperation		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>IMCO</b> Internal Market and Consumer Protection		16/07/2007
		ALDE <a href="#">TOMA Horia-Victor</a>	
	Committee for opinion	Rapporteur for opinion	Appointed
	<b>CONT</b> Budgetary Control	The committee decided not to give an opinion.	
Council of the European Union	Council configuration	Meeting	Date
	<a href="#">Justice and Home Affairs (JHA)</a>	<a href="#">2838</a>	06/12/2007
European Commission	Commission DG	Commissioner	
	<a href="#">Justice and Consumers</a>	FRATTINI Franco	

Key events			
25/04/2007	Legislative proposal published	<a href="#">COM(2007)0216</a>	Summary
19/06/2007	Committee referral announced in Parliament		
03/10/2007	Vote in committee		Summary
04/10/2007	Committee report tabled for plenary, 1st reading/single reading	<a href="#">A6-0352/2007</a>	
24/10/2007	Results of vote in Parliament		
24/10/2007	Decision by Parliament	<a href="#">T6-0466/2007</a>	Summary
06/12/2007	Act adopted by Council after consultation of Parliament		
06/12/2007	End of procedure in Parliament		
12/01/2008	Final act published in Official Journal		

Technical information	
Procedure reference	2007/0073(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Decision
Stage reached in procedure	Procedure completed
Committee dossier	IMCO/6/49156

Documentation gateway					
Legislative proposal		<a href="#">COM(2007)0216</a>	25/04/2007	EC	Summary
Committee draft report		<a href="#">PE393.978</a>	12/09/2007	EP	
Committee report tabled for plenary, 1st reading/single reading		<a href="#">A6-0352/2007</a>	04/10/2007	EP	
Text adopted by Parliament, 1st reading/single reading		<a href="#">T6-0466/2007</a>	24/10/2007	EP	Summary

Additional information	
National parliaments	<a href="#">IPEX</a>
European Commission	<a href="#">EUR-Lex</a>

Final act
<a href="#">Decision 2008/39</a> <a href="#">OJ L 009 12.01.2008, p. 0021</a> Summary

## Mutual assistance and cooperation between customs administrations: accession of Bulgaria and Romania to the Convention of 18 December 1997

**PURPOSE:** to enable Bulgaria and Romania to accede to the Convention of 18 December 1997 on mutual assistance and cooperation between customs administrations.

**PROPOSED ACT:** Council Decision.

**CONTENT:** the 2005 Act of accession of Bulgaria and Romania has introduced a simplified system for the accession of Bulgaria and Romania to the conventions (and protocols) concluded by the Member States on the basis of Art. 34 TEU (previously Art. K.3 TEU) or Art. 293 EC.

It is no longer necessary to negotiate and conclude specific accession protocols to these conventions (which would have implied ratification by 27 States): Article 3(3) of the Act provides simply that Bulgaria and Romania accede to these conventions and protocols by virtue of the Act of Accession.

Article 3(3) and 3(4) of the Act of Accession provide that, to that effect, the Council shall adopt a decision in order to determine the date on which these conventions shall enter into force for Bulgaria and Romania and to make all the necessary adjustments to these conventions required by reason of the accession of the two new Member States (which would include, in any event, the adoption of the conventions in the Bulgarian and Romanian languages, so that these versions can be "equally authentic"). The Council shall act on a recommendation of the Commission, after consulting the European Parliament.

Annex I to the Act of Accession gives the list of the seven conventions and protocols concerned in the Justice and Home Affairs area.

The list includes the Convention of 18 December 1997, drawn up on the basis of Article K.3 of the Treaty on European Union, on mutual assistance and cooperation between customs administrations.

The present draft Commission Recommendation is intended to make the adjustments required by reason of the accession of Bulgaria and Romania to the aforementioned Convention, in accordance with Article 3(4) of the Act of Accession.

## Mutual assistance and cooperation between customs administrations: accession of Bulgaria and Romania to the Convention of 18 December 1997

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The Committee on the Internal Market and Consumer Protection unanimously adopted the report by Horia-Victor TOMA (ALDE, RO), under the consultation procedure, on the recommendation for a Council decision concerning the accession of Bulgaria and Romania to the Convention of 18 December 1997, drawn up on the basis of Article K.3 of the treaty on European Union on mutual assistance and cooperation between customs administrations.

## Mutual assistance and cooperation between customs administrations: accession of Bulgaria and Romania to the Convention of 18 December 1997

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The European Parliament adopted a resolution drafted by Horia-Victor TOMA (ALDE, RO), and approved the Commission recommendation concerning the accession of Bulgaria and Romania to the Convention of 18 December 1997, drawn up on the basis of Article K.3 of the treaty on European Union on mutual assistance and cooperation between customs administrations.

## Mutual assistance and cooperation between customs administrations: accession of Bulgaria and Romania to the Convention of 18 December 1997

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**PURPOSE:** to enable Bulgaria and Romania to accede to the Convention on mutual assistance and cooperation between customs administrations.

**LEGISLATIVE ACT:** Council Decision 2008/39/JHA concerning the accession of Bulgaria and Romania to the Convention of 18 December 1997, drawn up on the basis of Article K.3 of the Treaty on European Union, on mutual assistance and cooperation between customs administrations.

**CONTENT:** the Convention drawn up on the basis of Article K.3 of the Treaty on European Union, on mutual assistance and cooperation between customs administrations (?the Convention?) was signed at Brussels on 18 December 1997 and will enter into force 90 days after the notification by the State, Member of the European Union at the time of adoption by the Council of the Act drawing up the Convention, which is last to complete that formality.

Until the Convention enters into force, any Member State may, when giving the required notification declare that as far as it is concerned the Convention, shall apply to its relations with Member States that have made the same declaration.

Following their accession to the European Union, the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Poland, Slovenia and Slovakia have deposited their instruments of accession to the Convention.

The Act of Accession provides that Bulgaria and Romania are to accede to the conventions and protocols concluded between the Member States and listed in Annex I to the Act of Accession, which includes, inter alia, the Convention on mutual assistance and cooperation between customs administrations. Those conventions and protocols are to enter into force in relation to Bulgaria and Romania on the date determined by the Council. The Council is to make all adjustments required by reason of accession to those conventions and protocols.

This Decision provides that the Convention, as amended by this Decision, shall enter into force for Bulgaria and Romania on the date of entry into force of the Convention.

It also provides that Article 31(1) of the Convention will be replaced by a clause stating that the Convention shall apply to the territories of the Member States comprised in the customs territory of the Community as well as, for Germany, the Island of Heligoland and the territory of Büsingen (within the framework of and pursuant to the Treaty of 23 November 1964 between the Federal Republic of Germany and the Swiss Confederation on the inclusion of the commune of Büsingen am Hochrhein in the customs territory of the Swiss Confederation, or the current version thereof) and, for the Italian Republic, the municipalities of Livigno and Campione d'Italia, and to the territorial waters, the inland maritime waters and the airspace of the territories of the Member States.

**DATE OF EFFECT :** 13/01/2008.