

Procedure file

Basic information		
CNS - Consultation procedure Directive	1994/0226(CNS)	Procedure completed
Uruguay Round: pre-shipment inspections for exports from the Community		
Subject 6.20.01 Agreements and relations in the context of the World Trade Organization (WTO)		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	RELA External Economic Relations		04/11/1994
		PSE RANDZIO-PLATH Christa	
	Committee for opinion	Rapporteur for opinion	Appointed
	BUDG Budgets		03/11/1994
		V MÜLLER Edith	
Council of the European Union	Council configuration	Meeting	Date
	Health	1823	22/12/1994
	General Affairs	1820	19/12/1994

Key events			
05/10/1994	Legislative proposal published	COM(1994)0414	Summary
14/11/1994	Committee referral announced in Parliament		
12/12/1994	Vote in committee		Summary
12/12/1994	Committee report tabled for plenary, 1st reading/single reading	A4-0108/1994	
14/12/1994	Debate in Parliament		
14/12/1994	Decision by Parliament	T4-0180/1994	Summary
22/12/1994	Act adopted by Council after consultation of Parliament		
22/12/1994	End of procedure in Parliament		
31/12/1994	Final act published in Official Journal		

Technical information

Procedure reference	1994/0226(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	International agreement
Legislative instrument	Directive
Legal basis	EC before Amsterdam E 113
Stage reached in procedure	Procedure completed

Documentation gateway

Legislative proposal		COM(1994)0414	05/10/1994	EC	Summary
Committee report tabled for plenary, 1st reading/single reading		A4-0108/1994 OJ C 018 23.01.1995, p. 0019	12/12/1994	EP	
Text adopted by Parliament, 1st reading/single reading		T4-0180/1994 OJ C 018 23.01.1995, p. 0053-0062	14/12/1994	EP	Summary

Final act

[Regulation 1994/3287](#)
[OJ L 349 31.12.1994, p. 0079](#) Summary

Uruguay Round: pre-shipment inspections for exports from the Community

This proposal for a directive related to pre-shipment inspections for exports from the Community. The directive was in response to an agreement reached at the Uruguay Round negotiations, to which the Community was committed. Indeed, a certain number of developing countries, which had no adequate customs infrastructure of their own, had entrusted private companies with the task of inspecting goods intended for export to the territory of these countries, this to include a check on price, quality and quantity. This practice ("pre-shipment inspection") had not been previously regulated by Community legislation. The directive therefore provided for a certain number of principles to be applied to the practices of inspection companies, such as non-discrimination and the need for transparency (based on a procedure for prior notification of the competent authorities in the Member States and exporters). It defined in precise terms the criteria to be applied to all aspects of the inspection activity prior to shipment and a dual system was established for settling disputes between private persons, of the one part, and governments which were members of GATT, of the other part. With regard to private persons, differences between inspection companies and exporters were to be resolved by binding arbitration. As regards the national governments' compliance with the provisions of the Agreement on pre-shipment inspections, the GATT procedure for the multilateral settlement of disputes would apply in full. ?

Uruguay Round: pre-shipment inspections for exports from the Community

Parliament approved the Commission's proposal subject to the three amendments it had introduced. These amendments: - called for the activities carried out by the pre-shipment inspection entities, which are the subject of the Directive, to include exchange-rate controls, financial conditions and customs classification; - called on the Commission and the Council to notify Parliament annually, on the basis of updated statistics, of the measures and modifications applied, together with the associated administrative costs. ?

Uruguay Round: pre-shipment inspections for exports from the Community

The Council of Ministers adopted the regulation, which the Commission had initially submitted in the form of a directive, on pre-shipment inspections for exports from the Community (Regulation (EC) No 3287/94). This Regulation was in response to an agreement reached at the Uruguay Round, to which the Community was committed. The situation was that a certain number of developing countries, which had no adequate customs infrastructure of their own, had entrusted private companies with the task of inspecting goods intended for export to the territory of these countries, this to include a check on price, quality and quantity. This so-called "pre-shipment inspection" was not previously regulated by Community legislation. The present Regulation therefore provided for a certain number of uniform principles to be applied to the practices of inspection companies operating on the customs territory of the European Community on behalf of the third countries concerned. These obligations related mainly to the requirement for transparency based on a procedure for prior notification of the Commission, which would then inform the Member States of the main provisions of contracts agreed with those governments for which the inspection programmes had been set up. The Regulation simplified the inspection procedures as far as possible, particularly with regard to price verification, and defined in precise terms the criteria to be applied to all aspects of the inspection activity prior to shipment. As regards the settlement of disagreements between exporters and inspection entities, a dual system was established for settling disputes between private persons, of the one part, and governments which are members of the WTO, of the other part. Differences between inspection companies and exporters were to be resolved by binding arbitration. As regards the national governments' compliance with the provisions of the WTO Agreement on

pre-shipment inspections, the WTO procedure for the multilateral settlement of disputes would apply in full. The Community and the Member States could, if requested, provide user countries with technical assistance designed to eliminate the circumstances which lead these countries to resort to pre-shipment inspection. The Regulation was to enter into force on 01.01.1995 and would be directly applicable in all Member States. Each country would appoint an agent to be responsible for matters relating to pre-shipment inspection, whose name was to be passed on to the Commission. ?