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GROUP OF EXPERTS ON TEMPORARY DUTY-FREE
IMPORTATION OF PACKING MATERIAL AND PROFESSIONAL EQUIPMENT

Suggestion concerning a General Convention covering all Types
of Professional Equipment

Even if it is agreed that, for practical reasons, film and television equipment should be dealt with in a special convention, the fact remains that it might be difficult to foresee at present what types of professional equipment would eventually be covered by a convention and, in any case, it would be open to question whether any practical definition might be found which would cover all such equipments and any all-embracing formula which would include whatever special documentation might be required to cover all particular cases. It might be in order to consider whether a general convention would not be a convenient solution; this convention might lay down the principle of allowing such equipment to be imported temporarily duty-free; the convention might provide for annexes which would list, as and when required, the types of professional equipment to which governments might agree, from time to time, to apply the treatment provided for in the body of the convention*.

Such a basic convention would have to contain the principle of permitting temporary importation, the security provisions and other general provisions. It would also contain procedural provisions for establishing annexes relating to the temporary importation of specified items in accordance with the terms of the basic convention. The annexes would become operative for any party to the convention, as soon as that party signs the annex, but no party would be under an obligation to extend the terms of the convention to a new batch of equipment, unless it wishes to do so.

Such a system appears to have the following advantages:

1. Only the basic convention would require formal acceptance; the annexes could be put into effect by signature.
2. It should be easier for many countries to accept the basic convention, if they know that they would be able to limit the scope of application of the principle in accordance with its particular interest.
3. The acceptance of such a general convention would provide a legal basis for the application of a general temporary importation procedure, which does

* Attention is drawn to the fact that the techniques of a basic convention the scope of which is expanded by the successive addition of annexes has already been applied with success by the ECE in its Convention on

not yet exist in a number of countries; the acceptance of the various annexes would then become a matter of administration.

4. It would also provide for a uniform treatment of the various types of professional equipment whereas, if the case of different types of equipment is discussed at various times and perhaps, by different organizations, unnecessary differences of treatment might emerge and complicate the task of the Customs Administrations.

5. The products on which agreement can already be reached at the time of drafting of the basic convention could be added in one or more annexes.

6. When ever agreement is reached that a new category of equipment should enjoy the privilege of temporary admission, all that would be required would be to list that equipment and include it in a new annex.

7. The system of annexes would not preclude the possibility of providing for special provisions or procedures appropriate to the case, such as the production of special import documents.

The basic convention might cover the following points:

1. Definition of temporary importation.
2. Undertaking to introduce a régime of temporary importation in accordance with this convention.
3. Limitation of the obligation on the part of a government party to the convention to permit temporary importation to the products specified in the annexes signed by it.

Each of the annexes would deal with a particular set of problems. Special provisions could be included in each of the annexes relating to the particular group of items, e.g. for a specific "carnet" system or for special security provisions. Such provisions should, however, be consistent with the general principles laid down in the basic convention.

4. Security provisions

Among other things, it might be provided that the individual security (if required) could be replaced by a general guarantee system. (This would allow the introduction of a general security carnet system as envisaged by the CCC.)

5. Maintenance of more liberal provisions

The convention would make it clear that parties to it would be free to maintain or introduce more liberal provisions; if so desired, it might contain a recommendation that the requirement of security should be waived, as far as practicable, for the importation of some **or** all equipment covered by the convention and its annexes.

6. Procedure for the inclusion of new annexes.

7. Settlement of disputes.

8. Ratification and deposit of the agreement.

9. Procedures for the entry into force of the annexes.

10. Accession and withdrawal.

11. Entry into force.

12. Territorial application.