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CUSTOMS



Treaty Series No. 10 (1986) ✓

Additional Protocol

to the Agreement on the Temporary Importation, Free of Duty, of Medical, Surgical and Laboratory Equipment for Use on Free Loan in Hospitals and other Medical Institutions for Purposes of Diagnosis or Treatment

Strasbourg, 29 September 1982

[The Additional Protocol entered into force on 1 January 1985]

*Presented to Parliament
by the Secretary of State for Foreign and Commonwealth Affairs
by Command of Her Majesty
February 1986*

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**ADDITIONAL PROTOCOL
TO THE AGREEMENT ON THE TEMPORARY IMPORTATION,
FREE OF DUTY, OF MEDICAL, SURGICAL AND LABORATORY
EQUIPMENT FOR USE ON FREE LOAN IN HOSPITALS AND
OTHER MEDICAL INSTITUTIONS FOR PURPOSES OF DIAGNOSIS
OR TREATMENT**

The member States of the Council of Europe, Contracting Parties to the Agreement of 28 April 1960⁽¹⁾ on the temporary importation, free of duty, of medical, surgical and laboratory equipment for use on free loan in hospitals and other medical institutions for purposes of diagnosis or treatment (hereinafter called "the Agreement")

Having regard to the provisions of Articles 1 and 2 of the Agreement, according to which such equipment shall, under certain conditions, benefit from a system of temporary importation free of duty;

Considering that so far as the member States of the European Economic Community are concerned, the granting of such an exemption must in particular take account of the existence of the Common Customs Tariff established by these States and that any derogation from the Common Customs Tariff falls within the competence of the European Economic Community, which possesses the necessary powers in this respect by virtue of the Treaty which instituted it;

Considering therefore that for the purposes of the implementation of Articles 1 and 2 of the Agreement, it is necessary for the European Economic Community to be able to become a Contracting Party to the Agreement,

Have agreed as follows:

ARTICLE 1

The European Economic Community may become a Contracting Party to the Agreement by signing it. In respect of the Community, the Agreement shall enter into force on the first day of the month following such signature.

ARTICLE 2

1. This Additional Protocol shall be open for acceptance by the Contracting Parties to the Agreement. It shall enter into force on the first day of the month following the date on which the last of the Contracting Parties has deposited its instrument of acceptance with the Secretary General of the Council of Europe.

2. However, this Additional Protocol shall enter into force on the expiration of a period of two years from the date on which it has been opened for acceptance, unless one of the Contracting Parties has notified an objection

⁽¹⁾ Treaty Series No. 52 (1960), Cmnd. 1136.

to the entry into force⁽²⁾. If such an objection has been notified, paragraph 1 of this Article shall apply.

ARTICLE 3

From the date of its entry into force, this Additional Protocol shall form an integral part of the Agreement. From that date, no State may become a Contracting Party to the Agreement without at the same time becoming a Contracting Party to the Additional Protocol.

ARTICLE 4

The Secretary General of the Council of Europe shall notify the member States of the Council of Europe, any State having acceded to the Agreement and the European Economic Community of any acceptance or objection made under Article 2 and of the date of entry into force of this Additional Protocol in accordance with Article 2.

The Secretary General shall also notify the European Economic Community of any act, notification or communication relating to the Agreement.

Done at Strasbourg, the 29th day of September 1982, in English and in French, and opened for acceptance the 1st day of January 1983. Both texts are equally authentic and shall be deposited in a single copy in the archives of the Council of Europe. The Secretary General of the Council of Europe shall transmit certified copies to each member State of the Council of Europe, to any State invited to accede to the Agreement and to the European Economic Community.

(²) The Additional Protocol entered into force on 1 January 1985 for the following States parties to the main Agreement: Austria, Belgium, Cyprus, Denmark, France, Federal Republic of Germany, Greece, Iceland, Republic of Ireland, Italy, Luxembourg, Malta, Netherlands (for Kingdom in Europe), Norway, Portugal, Spain, Sweden, Switzerland, Turkey and the United Kingdom.