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CUSTOMS FORMALITIES FOR THE TEMPORARY IMPORTATION  
OF PRIVATE VEHICLES AND FOR TOURISM

Supplementary note by the Secretary-General

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## I. INTRODUCTION

Since issuing documents E/CN.2/135 and E/CN.2/135/Add.1, the Secretary-General has received the views of the Government of Belgium on the points mentioned in resolution 379 D(XIII), adopted by the Economic and Social Council on 11 August 1951.<sup>1/</sup> The text of the reply containing these views is set out below.

It should be noted that the reply favours the conclusion of two customs conventions, to be prepared on the basis of the ECE draft International Customs Convention on Touring together with the OTA/IUOTO proposals. The reply contains also comments on some of the provisions of the OTA/IUOTO proposals and of the draft convention on tourism, submitted by the United Kingdom. It comments unfavourably on the introduction of a tourist card for baggage.

## II. ADDITIONAL VIEWS OF GOVERNMENTS COMMUNICATED IN REPLY TO THE SECRETARY-GENERAL'S NOTES OF 15 AND 25 FEBRUARY 1952

### Belgium

I am transmitting below the comments of my Government on the implementation by Belgium of resolution 379 D(XIII) of the Economic and Social Council. Your communications ECA 124/2/01 of 15 February 1952, ECA 124/2/02 of 25 February 1952 and ECA 124/2/01 of 25 November 1952 dealt with that resolution.

The matters to which these communications referred come under standard regulations applicable to the signatory countries of the Benelux Customs Convention.

Accordingly, they were submitted to the Conseil administratif des douanes (Customs Board) set up by that Convention.

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<sup>1/</sup> See document E/CN.2/135, pages 4 and 5.

The Board has issued the following statements regarding them:

I. Desirability of concluding conventions on a world-wide basis

It would seem desirable to consider the conclusion of the two proposed conventions.

II. Basis of discussion for preparing such conventions

The draft international customs convention on touring prepared by the Economic Commission for Europe in Geneva, together with the proposals of the World Touring and Automobile Organization (OTA) and the International Union of Official Travel Organizations (IUOTO) might be used as a basis of discussion for the preparation of the said conventions.

III. Draft convention on tourism submitted by the OTA and the IUOTO

Apart from the specific changes which shall be pointed out subsequently, the draft convention on tourism submitted by the OTA and the IUOTO suggests the following comments:

Article 1 - paragraph 1

This article says nothing concerning the formalities which would be required before the temporary free admission could be granted.

Does that mean that the Contracting States will no longer be entitled to require that certain articles should be subject to an authorization for temporary admission?

If so, the customs administrations of the Benelux countries would be unable to agree to the proposed text.

Article 4

(a) The quantity of cigars or cigarillos not subject to import duties has not been indicated.

Fifty cigars or 100 cigarillos might be allowed free of duty.

(b) It should be possible to deny the admission facilities provided in this article in the case of articles other than provisions for the journey not only to inhabitants of the frontier area but also to other persons who frequently cross the frontier and to travellers under seventeen years of age.

Article 1, paragraph 4 (page 6)

This article defines persons entitled to temporary admission facilities, but says nothing about persons entitled to the admission facilities provided in article 4.

The conclusion might be drawn that the latter facilities should be extended regardless of the traveller's country of residence. The Benelux countries, however, have no intention of granting those facilities to their own nationals. Accordingly, extension both of admission facilities and of temporary admission facilities should be restricted to persons residing abroad.

Nevertheless, as in most cases touring propaganda material (article 5, paragraph 2) will be imported by a tourist organization with headquarters in the importing country, an exception should be made for such material.

For those two reasons, the text of article 1, paragraph 4 of the draft convention should be amended as follows:

- (a) Replace the first sentence by the following text:

"The person entitled to admission facilities or temporary admission facilities must be the owner of the imported articles or have possession or control of them."

- (b) Add the following sentence at the end of the paragraph:

"This paragraph shall not be applicable to the touring propaganda material referred to in article 5."

IV. Draft convention on tourism submitted by the United Kingdom

The customs administrations of the Benelux countries also agree to use the draft submitted by the United Kingdom as a basis of discussion in the preparation of a convention on tourism.

That draft suggests, inter alia, the following observations:

Article III

1. The quantity of perfume should be limited to two bottles of a maximum capacity of 25 grammes each, of which one must be opened.
2. The provisions of this article should not apply to travellers under the age of seventeen.

Article VI

The words "including those published by private commercial enterprises" should be made more specific. In its present form, the text seems too broad in scope.

V. Establishment of a tourist card for baggage

The establishment of a tourist card does not seem likely to facilitate customs examination of the traveller's baggage. It should not be forgotten that the travellers will not always arrive at the frontier with the same articles as they had taken out of their country. In many cases, they will either have acquired other articles in the course of their trip, or used up or left behind some of the articles which they had when they started out.

VI. Temporary importation of vehicles

It has not been found advisable at this time to submit the amendments which should be made in the draft convention on the temporary importation of motor vehicles because, as, according to a communication from the OTA, the latter recently submitted a new draft convention on the subject of the United Nations Secretariat.

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