

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 2015 Nr. 78

A. TITEL

*Douaneverdrag inzake de tijdelijke invoer van particuliere wegvoertuigen;
(met Bijlagen)
New York, 4 juni 1954*

B. TEKST

De Engelse en de Franse tekst van het Douaneverdrag, met Bijlagen, zijn geplaatst in *Trb.* 1955, 123.

Voor de wijziging van 23 januari 1985, zie rubriek J van *Trb.* 1985, 42.

Voor de wijziging van 30 juli 1992, zie rubriek J van *Trb.* 1993, 3.

Voor de wijziging van 5 augustus 1999, zie rubriek J van *Trb.* 1999, 176.

In *Trb.* 1993, 3 dient in de Engelse tekst de volgende correctie te worden aangebracht.

Op blz. 6, artikel 21, onderdeel a, tweede regel, dient de zinsnede „...Contracting States...” by: „...Contracting Party...” te worden vervangen door „...Contracting State...” by: „...Contracting Party...”.

Op 1 januari 2015 is een wijziging van Bijlage 1 bij het Douaneverdrag aangenomen.
De Engelse en de Franse tekst¹⁾ van de wijziging luiden als volgt:

The first paragraph of Annex 1 shall be amended to read as follows:

„Carnet used for CPD operations within a specific region may be printed in other combinations of United Nations official languages on the condition that one of the two languages is English or French.”.

Le premier paragraphe de l'Annexe 1 sera amendé comme suit:

«Le carnet de passage en douane utilisé dans une région donnée peut être rédigé dans toutes autres langues officielles de l'ONU, l'anglais ou le français devant en être une.».

C. VERTALING

Zie *Trb.* 1956, 110.

D. PARLEMENT

Zie *Trb.* 1958, 87 en rubriek J van *Trb.* 1999, 176.

Voor Nederland (het Europese deel) behoeft de wijziging van 1 januari 2015 niet de goedkeuring van de Staten-Generaal, omdat zij een gebied (douanevervoer) bestrijkt waarop de Europese Unie (EU) bij uitsluiting bevoegd is.

Voor Nederland (het Caribische deel), Aruba, Curaçao en Sint Maarten behoeft de wijziging van 1 januari 2015 ingevolge artikel 7, onderdeel b, van de Rijkswet goedkeuring en bekendmaking verdragen, evenmin de goedkeuring van de Staten-Generaal.

¹⁾ De Chinese, de Russische en de Spaanse tekst zijn niet opgenomen.

E. PARTIJGEGEVENS

Zie rubriek E en rubriek F van *Trb.* 1955, 123.

Partij	Ondertekening	Voorlopige toepassing	Ratificatie	Type*	Inwerking	Opzegging	Buitenwerking
Albanië			05-09-2003	T	04-12-2003		
Algerije			31-10-1963	T	29-01-1964		
Argentinië	04-06-1954						
Australië			06-01-1967	T	06-04-1967		
Barbados			05-03-1971	VG	30-11-1966		
België	04-06-1954		21-02-1955	R	15-12-1957		
Bosnië en Herzegovina			01-09-1993	VG	06-03-1992		
Bulgarije			07-10-1959	T	05-01-1960		
Cambodja	04-06-1954						
Canada			01-06-1955	T	15-12-1957		
Centraal-Afrikaanse Republiek			15-10-1962	T	13-01-1963		
Chili			15-08-1974	T	13-11-1974		
China							
Costa Rica	20-07-1954		04-09-1963	R	03-12-1963		
Cuba	04-06-1954		20-11-1963	R	18-02-1964		
Cyprus			16-05-1963	VG	16-08-1960		
Denemarken			13-10-1955	T	15-12-1957		
Dominicaanse Republiek	04-06-1954						
Duitsland	04-06-1954		16-09-1957	R	15-12-1957		
Ecuador	04-06-1954		30-08-1962	R	28-11-1962		
Egypte	04-06-1954		04-04-1957	R	15-12-1957		
El Salvador			18-06-1958	T	16-09-1958		
EU (Europese Unie)			01-02-1996	T	01-05-1996		
Fiji			31-10-1972	VG	10-10-1970		
Filipijnen	04-06-1954		09-02-1960	R	09-05-1960		
Finland			21-06-1962	T	19-09-1962		
Frankrijk	04-06-1954		24-04-1959	R	23-07-1959		
Ghana			16-06-1958	T	14-09-1958		
Guatemala	04-06-1954						
Haiti	04-06-1954		12-02-1958	R	13-05-1958		
Heilige Stoel	04-06-1954						
Honduras	15-06-1954						
Hongarije			04-05-1983	T	02-08-1983		
Ierland			14-08-1967	T	12-11-1967		
India	04-06-1954		05-05-1958	R	03-08-1958		
Iran			03-04-1968	T	02-07-1968		
Israël			01-08-1957	T	15-12-1957		
Italië	04-06-1954		12-02-1958	R	13-05-1958		
Jamaica			11-11-1963	VG	06-08-1962		
Japan	02-12-1954		08-06-1964	R	06-09-1964		

Partij	Ondertekening	Voorlopige toepassing	Ratificatie	Type*	Inwerking	Opzegging	Buitenwerking
Joegoslavië (< 25-06-1991)			10-07-1958	T	08-10-1958		
Jordanië			18-12-1957	T	18-03-1958		
Kroatië			31-08-1994	VG	08-10-1991		
Liberia			16-09-2005	T	15-12-2005		
Litouwen			03-01-2003	T	03-04-2003		
Luxemburg	06-12-1954		21-11-1956	R	15-12-1957		
Macedonië, de voormalige Joegoslavische Republiek			20-12-1999	VG	17-11-1991		
Maleisië			07-05-1958	VG	31-08-1957		
Mali			12-06-1974	T	10-09-1974		
Malta			03-01-1966	VG	21-09-1964		
Marokko			25-09-1957	T	24-12-1957		
Mauritius			18-07-1969	VG	12-03-1968		
Mexico	04-06-1954		13-06-1957	R	15-12-1957		
Monaco	04-06-1954						
Montenegro			23-10-2006	VG	03-06-2006		
Nederlanden, het Koninkrijk der	04-06-1954		07-03-1958	R	05-06-1958		
Nepal			21-09-1960	T	20-12-1960		
Nieuw-Zeeland			17-08-1962	T	15-11-1962		
Nigeria			26-06-1961	VG	01-10-1960		
Noorwegen			10-10-1961	T	08-01-1962		
Oostenrijk	04-06-1954		30-03-1956	R	15-12-1957		
Panama	04-06-1954						
Peru			16-01-1959	T	16-04-1959		
Polen			16-03-1960	T	14-06-1960		
Portugal	04-06-1954		18-09-1958	R	17-12-1958		
Roemenië			26-01-1961	T	26-04-1961		
Russische Federatie			17-08-1959	T	15-11-1959		
Rwanda			01-12-1964	VG	01-07-1962		
Salomonseilanden			03-09-1981	VG	07-07-1978		
Saudi-Arabië			23-01-2003	T	23-04-2003		
Senegal			19-04-1972	T	18-07-1972		
Servië			12-03-2001	VG	27-04-1992		
Sierra Leone			13-03-1962	VG	27-04-1961		
Singapore			15-08-1966	VG	09-08-1965		
Slovenië			06-07-1992	VG	25-06-1991		
Spanje	04-06-1954		18-08-1958	R	16-11-1958		
Sri Lanka	04-06-1954		28-11-1955	R	15-12-1957		
Sudan			16-10-2003	T	14-01-2004		
Syrië			26-03-1959	T	24-06-1959		
Tanzania			28-11-1962	T	26-02-1963		
Tonga			11-11-1977	VG	04-06-1970		
Trinidad en Tobago			11-04-1966	VG	31-08-1962		

Partij	Ondertekening	Voorlopige toepassing	Ratificatie	Type*	Inwerking	Opzegging	Buitenwerking
Tunesië			20-06-1974	T	18-09-1974		
Turkije			26-04-1983	T	25-07-1983		
Uganda			15-04-1965	T	14-07-1965		
Uruguay	04-06-1954						
Verenigd Koninkrijk	04-06-1954		27-02-1956	R	15-12-1957		
Verenigde Arabische Emiraten			10-01-2007	T	10-04-2007		
Verenigde Staten van Amerika	04-06-1954		25-07-1956	R	15-12-1957		
Vietnam			31-01-1956	T	15-12-1957		
Zweden	04-06-1954		11-06-1957	R	15-12-1957		
Zwitserland	04-06-1954		23-05-1956	R	15-12-1957		

* O=Ondertekening zonder voorbehoud of vereiste van ratificatie, R=Bekrachtiging, aanvaarding, goedkeuring of kennisgeving, T=Toetreding, VG=Voortgezette gebondenheid, NB=Niet bekend

Uitbreidingen

België

Uitgebreid tot	In werking	Buiten werking
Belgisch Congo (<30-06-1960)	15-12-1957	30-06-1960
Ruanda-Urundi (< 01-07-1962)	15-12-1957	01-07-1962

China

Uitgebreid tot	In werking	Buiten werking
Hongkong SAR	01-07-1997	

Nederlanden, het Koninkrijk der

Uitgebreid tot	In werking	Buiten werking
Suriname (< 25-11-1975)	05-06-1958	25-11-1975

Nieuw-Zeeland

Uitgebreid tot	In werking	Buiten werking
Cookeilanden	19-08-1963	
Niue	19-08-1963	

Portugal

Uitgebreid tot	In werking	Buiten werking
Angola (< 11-11-1975)	17-12-1958	11-11-1975
Kaapverdië (< 05-07-1974)	17-12-1958	05-07-1974
Macau (<20-12-1999)	17-12-1958	20-12-1999
Mozambique (< 25-06-1975)	17-12-1958	25-06-1975
Oost-Timor (< 28-11-1975)	17-12-1958	28-11-1975
Portugees Guinea (< 24-09-1973)	17-12-1958	24-09-1973

Verenigd Koninkrijk

Uitgebreid tot	In werking	Buiten werking
Anguilla	09-04-1961	
Antigua en Barbuda (< 01-11-1981)	14-04-1958	01-11-1981

Uitgebreid tot	In werking	Buiten werking
Barbados (< 30-11-1966)	14-09-1959	30-11-1966
Belize (< 21-09-1981)	11-12-1960	21-09-1981
Brits Noord Borneo (< 16-09-1963)	15-12-1957	16-09-1963
Brits Somaliland (< 26-06-1960)	15-12-1957	26-06-1960
Britse Maagdeneilanden	14-04-1958	
Brunei (< 01-01-1984)	14-04-1958	01-01-1984
Cyprus (< 16-08-1960)	15-12-1957	16-08-1960
Dominica (< 03-11-1978)	14-04-1958	03-11-1978
Fiji-eilanden (< 10-10-1970)	15-12-1957	10-10-1970
Gambia (< 18-02-1965)	14-04-1958	18-02-1965
Gibraltar	14-04-1958	
Grenada (< 07-02-1974)	14-04-1958	07-02-1974
Guyana (< 26-05-1966)	06-05-1962	26-05-1966
Hongkong (< 01-07-1997)	09-02-1961	01-07-1997
Jamaica (< 06-08-1962)	15-12-1957	06-08-1962
Kenia (< 12-12-1963)	14-04-1958	12-12-1963
Maleise Federatie (< 31-08-1957)	15-12-1957	31-08-1957
Malta (< 21-09-1964)	15-12-1957	21-09-1964
Mauritius (< 12-03-1968)	14-04-1958	12-03-1968
Montserrat	14-04-1958	
Nigeria (< 01-10-1960)	14-04-1958	01-10-1960
Saint Kitts en Nevis (< 19-11-1983)	09-04-1961	19-11-1983
Saint Vincent en de Grenadines (<27-10-1979)	14-04-1958	27-10-1979
Salomonseilanden (< 07-07-1978)	14-04-1958	07-07-1978
Sarawak (< 16-09-1963)	14-04-1958	16-09-1963
Seychelles (< 29-06-1976)	15-12-1957	29-06-1976
Sierra Leone (< 27-04-1961)	15-12-1957	27-04-1961
Singapore (< 16-09-1963)	15-12-1957	16-09-1963
Sint-Helena, Ascension en Tristan da Cunha	14-04-1958	
Tanganika (< 09-12-1961)	14-04-1958	09-12-1961
Tonga (< 04-06-1970)	15-12-1957	04-06-1970
Trinidad en Tobago (< 31-08-1962)	14-12-1961	31-08-1962
Uganda (< 09-10-1962)	14-04-1958	09-10-1962
Zanzibar (< 26-04-1964)	15-12-1957	26-04-1964

Verenigde Staten van Amerika

Uitgebreid tot	In werking	Buiten werking
Alaska (< 03-01-1959)	15-12-1957	03-01-1959
Amerikaanse Maagdeneilanden	15-12-1957	
Hawaii (< 21-08-1959)	15-12-1957	21-08-1959
Puerto Rico	15-12-1957	

Verklaringen, voorbehouden en bezwaren

Algerije, 31 oktober 1963

The Democratic and Popular Republic of Algeria does not consider itself bound by article 40 of the said Convention and declares that a dispute may be submitted to arbitration only with the agreement of all the parties.

België, 21 februari 1955

With regard to the application to the Territory of the Belgian Congo and to the Trust Territory of Ruanda-Urundi of the Customs Convention on the Temporary Importation of Private Road Vehicles, concluded at New York on 4 June 1954, the Belgian Government considers that in present circumstances the system of free international circulation of motor vehicles should not be extended to legal persons. Temporary admittance without payment should not be granted in respect of component parts imported for the repair of a vehicle covered by free circulation papers. The latter restriction does not, of course, apply to component parts accompanying vehicles when they are listed in the counterfoil of the international circulation document.

Cuba, 20 november 1963

The Revolutionary Government of the Republic of Cuba does not consider itself bound by the provisions of paragraphs 2 and 3 of article 40 of the Convention. At the same time it states that, if this reservation is rejected by more than two-thirds of the Parties to the Convention, it will consider that the Convention has not been ratified by the Revolutionary Government of Cuba, in accordance with the provisions of paragraph 3 of article 39.

El Salvador, 18 juni 1958

In connexion with article 4, El Salvador reserves its rights with respect to the temporary importation of component parts for the repair of motor vehicles in view of the fact that such component parts may be difficult to identify when taken out of the country; it therefore considers that payment of the taxes prescribed by the law should be made in such cases. The same reservation is made in connexion with other articles of the Convention which refer to component parts for repairs.

EU (Europese Unie), 1 februari 1996

The instrument contained a notification by which the European Community accepts the resolution of the United Nations of 2 July 1993 on the applicability of carnets de passage en douane and CPD carnets to private road vehicles.

Guatemala, 4 juni 1954

The Guatemalan Government reserves its right:

- (1) To consider that the provisions of the Convention shall apply solely to natural persons and not to legal persons and bodies corporate as provided in chapter I, article 1;
- (2) To consider that article 4 shall not be applicable to Guatemala;
- (3) Not to accept the provisions of article 38 in respect of territories in dispute which are under the de facto administration of another State.

Hongarije, 4 mei 1983

Article 38 of the Convention is at variance with the United Nations General Assembly resolution 1514 (XV) of 16 December 1960 on the Granting of Independence to Colonial Countries and Peoples.

The Hungarian People's Republic does not consider itself bound by the provisions contained in paragraph 2 of article 40 of the Convention.

India, 5 mei 1958

The Government of India reserves the right to exclude "legal" persons from the categories of persons to whom concessions envisaged in this Convention are applicable.

Notwithstanding the provisions of article 2 of this Convention, the Government of India reserves the right to exclude from the benefits of this article persons normally resident outside India who, on the occasion of a temporary visit to India, take up paid employment or any other form of gainful occupation.

Israël, 1 augustus 1957

Article 4, paragraph 1 The Government of Israel shall not be bound to admit without payment of import duties and import taxes the importation of component parts of the repair of vehicles temporarily imported; likewise, import prohibitions and restrictions in force at the time being in Israel may be applied to the importation of such component parts.

Article 24, paragraphs 1 and 2

In view of the fact that land frontiers with neighbouring States are closed at the present time and that, consequently, private road vehicles may not be re-exported except through an Israel port, the Government of Israel shall not be bound to accept as evidence of re-exportation of vehicles or component parts thereof, any of the documents referred to in paragraphs 1 and 2 of article 24.

Mexico, 13 juni 1957

The Delegation of Mexico, in accordance with the declaration duly made when the matter was under discussion in Working Party I, reserves its rights with regard to article 4, which authorizes the temporary importation of component parts for the repair of motor vehicles. The Delegation cannot agree to this article because the procedure in question is contrary to the legislation of its country, and because such spare parts do not usually have the specifications which would permit of their identification on exit. In the Delegation's opinion, this procedure would be prejudicial to the country's fiscal interests, because in this way it would be possible to import new spare parts without payment of duty by re-exporting old parts belonging to a vehicle not the tourist's own. It has therefore been considered more appropriate that in such cases the proper duty should be paid.

The same reservation is made with regard to other articles of this Convention which refer to component parts for making repairs.

Nieuw-Zeeland, 17 augustus 1962

[...] consistent with the constitutional status of Tokelau and taking into account the commitment of the Government of New Zealand to the development of self-government for Tokelau through an act of self-determination under the Charter of the United Nations, [the] accession [to this Convention] shall not extend to Tokelau unless and until a Declaration to this effect is lodged by the Government of New Zealand with the depository on the basis of appropriate consultation with that territory [...]

Roemenië, 26 januari 1961

The Romanian People's Republic does not consider itself bound by the provisions of article 40, paragraphs 2 and 3, of the Convention. The position of the Romanian People's Republic is that a dispute concerning the interpretation or application of the Convention may be submitted to arbitration only with the agreement of all the parties in dispute and that only persons nominated by unanimous agreement of the parties in dispute may act as arbitrators.

Bezwaar door Verenigde Staten van Amerika, 6 juli 1961

The Government of the United States of America has notified the Secretary-General that it has no objection to this reservation, but "considers that it may and hereby states that it will apply this reservation reciprocally with respect to Romania. 1D.

Bezwaar door Zwitserland, 6 juli 1961

The Government of Switzerland has notified the Secretary-General that it objects to this reservation.

Russische Federatie, 17 augustus 1959

The Government of the Union of Soviet Socialist Republics, considering that disputes concerning the interpretation or application of the Customs Convention on the Temporary Importation of Private Road Vehicles can be decided by arbitration, declares that a dispute may be submitted to arbitration only with the agreement of all the parties in dispute and that only persons nominated by unanimous agreement of the parties in dispute may act as arbitrators.

Bezwaar door Italië, 11 maart 1960

The Government of Italy notified the Secretary-General that it objects to this reservation.

Bezwaar door Verenigde Staten van Amerika, 11 maart 1960

The Government of the United States of America has notified the Secretary-General that it has no objection to this reservation, but "considers that it may, and hereby states that it will, apply the aforesaid reservation reciprocally with respect to the Soviet Union".

Bezwaar door Zwitserland, 11 maart 1960

The Government of Switzerland notified the Secretary-General that it objects to this reservation.

Rwanda, 10 februari 1965

The Government of Rwanda, in relation to the succession, informed the Secretary-General that it did not intend to maintain any of the [...] reservations made by Belgium,

Senegal, 19 april 1972

1. Notwithstanding the provisions of article 2 of the said Convention, the Government of the Republic of Senegal reserves to itself the right to exclude from the benefits of the said article persons normally resident outside Senegal who, on the occasion of a temporary visit to Senegal, take up paid employment or any form of gainful occupation;
2. The Government of the Republic of Senegal reserves the right:
 - a) To consider that the provisions of the Convention shall apply solely to natural persons and not to legal persons and bodies corporate as provided in chapter 1, article 1;
 - b) To consider that article 4 shall not be applicable to its territory;

- c) Not to accept the provisions of article 38 in respect of territories in dispute which are under the de facto administration of another State.

Sri Lanka, 28 november 1955

Notwithstanding the provisions of article 2 of this Convention, the Government of Ceylon reserves to itself the right to exclude from the benefits of this article persons normally resident outside Ceylon who, on the occasion of a temporary visit to Ceylon, take up paid employment or any other form of gainful occupation.

Tunesië, 20 juni 1974

A dispute may be submitted to arbitration only with the agreement of all the parties in dispute.

Zwitserland, 16 juni 1975

The Government of Switzerland declared that the provisions of the Convention apply to the Principality of Liechtenstein so long as it is linked to Switzerland by a customs union treaty.

G. INWERKINGTREDING

Zie *Trb.* 1958, 87, *Trb.* 1993, 3 en *Trb.* 1999, 176.

De wijziging van 1 januari 2015 van Bijlage 1 bij het Douaneverdrag is ingevolge artikel 42, derde lid, van het Douaneverdrag op 1 april 2015 in werking getreden voor alle partijen bij het Douaneverdrag, waaronder het Koninkrijk der Nederlanden.

Wat betreft het Koninkrijk der Nederlanden, geldt de wijziging, evenals het Douaneverdrag, voor het gehele Koninkrijk.

Koninkrijk der Nederlanden

Land	Voorlopige toepassing	In werking	Terugwerkende kracht	Buiten werking
Nederland (in Europa)		05-06-1958		
Nederland (Bonaire)		10-10-2010		
Nederland (Sint Eustatius)		10-10-2010		
Nederland (Saba)		10-10-2010		
Aruba		01-01-1986		
Curaçao		10-10-2010		
Sint Maarten		10-10-2010		

Het Douaneverdrag, met Bijlagen, gold sinds 05-06-1958 voor de Nederlandse Antillen.

J. VERWIJZINGEN

Voor verwijzingen en overige verdragsgegevens, zie *Trb.* 1955, 123, *Trb.* 1956, 110, *Trb.* 1958, 87, *Trb.* 1963, 154, *Trb.* 1968, 36, *Trb.* 1985, 42 en *Trb.* 1993, 3.

Verbanden

Het Douaneverdrag is tussen partijen vervangen door:

Titel : Overeenkomst inzake tijdelijke invoer;
Istanbul, 26 juni 1990
Tekst : *Trb.* 1991, 182 (Frans, Engels en vertaling)
Laatste *Trb.* : *Trb.* 2015, 79

Overige verwijzingen

Titel : Verdrag inzake douanefaciliteiten ten behoeve van het toeristenverkeer;
New York, 4 juni 1954
Laatste *Trb.* : *Trb.* 1991, 113

In overeenstemming met artikel 19, tweede lid, van de Rijkswet goedkeuring en bekendmaking verdragen heeft de Minister van Buitenlandse Zaken bepaald dat de wijziging van 1 januari 2015 van Bijlage 1 bij het

Douaneverdrag zal zijn bekendgemaakt in het gehele Koninkrijk op de dag na de datum van uitgifte van dit Tractatenblad.

Uitgegeven de *eenentwintigste* mei 2015.

De Minister van Buitenlandse Zaken,

A.G. KOENDERS