

The said customs authorities shall compare this copy with the one in their possession and retain it in their official files.

Article 42

In the event of theft, loss or destruction of the original information sheet INF 3, the person concerned may ask the customs authorities which issued it for a duplicate. They shall comply with this request if the circumstances warrant it. A duplicate so issued shall bear one of the following indications:

ES	“DUPLICADO”
CS	“DUPLIKÁT”
DA	“DUPLIKAT”
DE	“DUPLIKAT”
ET	“DUPLIKAAT”
EL	“ΑΝΤΙΓΡΑΦΟ”
EN	“DUPLICATE”
FR	“DUPLICATA”
IT	“DUPLICATO”
LV	“DUBLIKĀTS”
LT	“DUBLIKATAS”
HU	“MÁSODLAT”
MT	“DUPLIKAT”
NL	“DUPLICAAT”
PL	“DUPLIKAT”
PT	“SEGUNDA VIA”
SL	“DVOJNIK”
SK	“DUPLIKÁT”
FI	“KAKSOISKAPPALE”
SV	“DUPLIKAT”
TR	“İKİNCİ NÜSHADİR”.

The customs authorities shall record on the copy of information sheet INF 3 in their possession that a duplicate has been issued.

Article 43

1. At the request of the customs authorities at the customs office of reimportation, the customs authorities at the customs office of exportation shall communicate to the former all the information at their disposal to enable them to determine whether the goods meet the conditions necessary to benefit from the provisions of this chapter.

2. Information sheet INF 3 may be used for the request and the transmission of the information referred to in paragraph 1.

CHAPTER 4

Establishment of proofs of preferential origin in parts of the customs union

Article 44

This Chapter lays down rules intended to facilitate:

- (a) the issue of movement certificates EUR.1 or EUR-MED and the making-out of invoice declarations or invoice declarations EUR-MED under the provisions of preferential trade agreements, concluded by both the Community and Turkey with countries, groups of countries or territories and providing for a system of cumulation of origin implying the application of identical rules of origin and of a prohibition of drawback of, or exemption from, customs duties;
- (b) the administrative cooperation between the customs authorities of the Member States of the Community and of Turkey for that purpose.

Article 45

1. For the implementation of Article 44(a), suppliers of goods in free circulation in the customs union to be delivered between the two parts of the customs union shall provide a declaration, hereinafter referred to as the ‘supplier’s declaration’, concerning the originating status of the goods supplied in relation to the rules of origin provided for in the preferential trade agreements concerned.

2. Supplier’s declarations shall be used by exporters as evidence, in particular in support of applications for the issue of movement certificates EUR.1 or EUR-MED or as a basis for making out invoice declarations or invoice declarations EUR-MED.

Article 46

Except in the cases provided for in Article 47, the supplier shall provide a separate declaration for each consignment of goods.

The supplier shall include that declaration on the commercial invoice relating to that consignment or on a delivery note or any other commercial document which describes the goods concerned in sufficient detail to enable them to be identified.

The supplier may provide the declaration at any time, even after the goods have been delivered.

Article 47

1. When a supplier regularly supplies a particular customer with goods whose originating status is expected to remain constant for considerable periods of time, he may provide a single supplier's declaration to cover subsequent shipments of those goods, hereinafter referred to as a 'long-term supplier's declaration'. A long-term supplier's declaration may be issued for a period of up to one year from the date of issue of the declaration.

2. A long-term supplier's declaration may be issued with retroactive effect. In such cases, its validity may not exceed the period of one year from the date on which it came into effect.

3. The supplier shall inform the buyer immediately when the long-term supplier's declaration is no longer valid in relation to the goods supplied.

Article 48

1. The supplier's declaration shall be given in the form prescribed in Annex V or, for long-term suppliers' declarations, in that prescribed in Annex VI.

2. The supplier's declaration shall bear the original signature of the supplier in manuscript and may be made out on a pre-printed form. However, where the invoice and supplier's declaration are drawn up by computer, the supplier's declaration need not be signed in manuscript provided that the supplier gives the client a written undertaking accepting complete responsibility for every supplier's declaration which identifies him as if it had been signed in manuscript by him.

Article 49

1. For the implementation of Article 44(b) the customs authorities of the Member States of the Community and of Turkey shall assist each other in checking the accuracy of the information given in suppliers' declarations.

2. To verify the accuracy or authenticity of a supplier's declaration, the customs authorities of the State, where the proof of the originating status is issued or made out, may call upon the exporter to obtain from the supplier an information certificate INF 4. Information certificate INF 4 shall be made out on forms which conform to the specimen set out in Annex V of Council Regulation (EC) No 1207/2001⁽¹⁾, when it

⁽¹⁾ Council Regulation (EC) No 1207/2001 of 11 June 2001 on procedures to facilitate the issue of movement certificates EUR.1, the making-out of invoice declarations and forms EUR.2 and the issue of certain approved exporter authorisations under the provisions governing preferential trade between the European Community and certain countries and repealing Regulation (EEC) No 3351/83 (OJ L 165, 21.6.2001, p. 1. Annex V of the Regulation as corrected by OJ L 170, 29.6.2002, p. 88).

is issued in the Community and to the specimen set out *mutatis mutandis* in the Turkish Customs Law on the basis of that Annex, when it is issued in Turkey. The form shall be completed in one of the official languages of the Community or in the Turkish language. The customs authorities of the State, which must provide the information or which requires it, may request a translation of the information set out in the documents presented to them into the official language or languages of that State.

3. The information certificate INF 4 shall be issued by the customs authorities of the State in which the supplier is established. The said authorities shall have the right to call for any evidence and to carry out any inspection of the supplier's accounts or any other check that they consider necessary.

4. The customs authorities of the State in which the supplier is established shall issue the information certificate INF 4 within three months of receipt of the application submitted to them by the suppliers, indicating whether or not the declaration given by the supplier was correct.

5. The completed certificate shall be given to the supplier to forward to the exporter for transmission to the customs authority of the State where the proof of the originating status is issued or made out.

Article 50

1. A supplier who makes out a supplier's declaration shall keep all the documentary evidence proving the correctness of the declaration for at least three years.

2. A customs authority to which an application for the issue of an information certificate INF 4 has been made shall keep the application form for at least three years.

Article 51

1. Where an exporter is unable to present an information certificate INF 4 within four months of the request of the customs authorities of the State where the proof of the originating status is issued or made out, these authorities may directly ask the customs authorities of the State in which the supplier is established to confirm the originating status of the products concerned in respect of the rules of origin provided for in the preferential trade agreements concerned.

2. For the purposes of paragraph 1, the customs authorities requesting the verification shall send the customs authorities of the State in which the supplier is established all information available to them and give the reasons of form or substance for their enquiry.

In support of their request, they shall provide all documents or information they have obtained, which suggest that the supplier's declaration is inaccurate.

3. When carrying out the verification, the customs authorities of the State in which the supplier is established may call for any evidence, carry out any inspection of the producer's

accounts or conduct any other verification considered appropriate.

4. The customs authorities requesting the verification shall be informed of the results as soon as possible by means of the information certificate INF 4.

5. Where there is no reply within five months of the date of the verification request or where the reply does not contain sufficient information to demonstrate the real origin of the products, the customs authorities of the State, where the proof of the originating status is issued or made out, shall declare invalid that proof on the basis of the documents in question.

TITLE IV

FINAL PROVISIONS

Article 52

Decisions No 1/1999, No 1/2000 and No 1/2001 are hereby repealed. References to provisions of the repealed Decisions shall be construed as references being made to the corresponding provisions of this Decision. Supplier's declarations, including long term supplier's declaration, made before the date of entry into force of this Decision shall remain valid.

Supplier's declarations conforming to the forms in Decision No 1/1999 may continue to be made out for a period of 12 months from the entry into force of this Decision, except where they shall be used by exporters as evidence in support of applications for the issue of movement certificates EUR-MED or as a basis for making out invoice declarations EUR-MED.

This Decision shall enter into force the day following its adoption.

Done at Ankara, 26 September 2006.

For the Customs Cooperation Committee

The President

P. FAUCHERAND