

Committee on Technical Barriers to Trade

NOTIFICATION

The following notification is being circulated in accordance with Article 10.6.

1.	Member to Agreement notifying: <u>NETHERLANDS</u> If applicable, name of local government involved (Articles 3.2 and 7.2):
2.	Agency responsible: Ministry of Finance Agency or authority designated to handle comments regarding the notification can be indicated if different from above: National enquiry point
3.	Notified under Article 2.9.2 [X], 2.10.1 [], 5.6.2 [], 5.7.1 [], other:
4.	Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): Reserve motor vehicles and removal vans; motor vehicles which belong to a company vehicle fleet; police cars and fire engines
5.	Title, number of pages and language(s) of the notified document: Amendment to the 1994 Decree Implementing Motor Vehicle Tax
6.	<p>Description of content: The implementing Decree contains a further description of various categories of car so that each category may be assigned a given level of motor vehicle tax. According to the Dutch Government, the draft Regulation referred to in point 5 probably contains technical regulations within the meaning of the Agreement on Technical Barriers to Trade.</p> <p>An indicative summary of the technical regulations appears below. Article 6.1(a) specifies that the quarterly tax for a company motor vehicle which is used as a reserve motor vehicle, in cases where the company is not a vehicle hire or leasing agency, is applicable if the motor vehicle has a maximum permissible mass not exceeding 11,000 kg. or if Directive 93/89 does not apply to the vehicle and the use of the motor vehicle satisfies a few prescribed conditions. These conditions relating to a maximum permissible mass not exceeding 11,000 kg., for application of the quarterly tax for removal vans, are regulated in article 6.1(e). Article 7a, (b) contains conditions for obtaining a company vehicle fleet licence and for obtaining a partial tax rebate up to the EU minimum for trucks. One of these conditions stipulates that trailers within the company vehicle fleet must be fitted with a number plate which is designed and fitted in accordance with the rules laid down by the Ministerial Regulation, or, that a trailer registration number is quoted pursuant to the 1994 Road Traffic Act. Article 14.1(b) lays down the requirements which apply to police cars: two-tone horn, blue strobe or flashing light and police logo on both sides of the vehicle. Article 14.2(b) lays down the requirements which apply to fire engines: a two-tone horn, blue strobe or flashing light and fire department emblem or municipal coat of arms covering a minimum surface area of 314 cm² on both sides of the vehicle.</p>

7.	Objective and rationale: The Dutch Government considers that these measures are justified to ensure those duties which are carried out in the interests of general safety (policing, fire-fighting). With regard to the demarcation of the groups of vehicles to which this Regulation applies, this is in line with existing legislation relating to police cars and fire engines. The weight thresholds in Article 6 are dependent upon the scope of application of Directive 93/89/EEC of 25 October 1993 concerning <i>inter alia</i> the levy of motor vehicle tax for heavy trucks.
8.	Relevant documents: <ul style="list-style-type: none">- 1994 Act relating to motor vehicle tax;- 1994 Decree implementing motor vehicle tax.
9.	Proposed date of adoption: 28 October 1997 Proposed date of entry into force: 29 October 1997
10.	Final date for comments: 27 October 1997 The Netherlands will proceed to implement the proposed measure after 45 days if no comments or requests for extension of the time-limit have been received from other Members within that time.
11.	Texts available from: National enquiry point [X] or address and telefax number of other body: