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**Legislative Decree No. (13) of 2001 on Accession to the Convention Establishing a Customs Co-operation Council (World Customs Organization)**

We Hamad bin Isa Al Khalifa King of the Kingdom of Bahrain.

Having reviewed the Constitution,

Emiri Order No. (4) of 1975;

Convention Establishing a Customs Co-operation Council (World Customs Organization) signed in Brussels on 15 December 1950

Upon the submission of the Minister of Finance and National Economy;

And after the approval of the Council of Ministers,

**Hereby Decree the following Law:**

**Article One**

Bahrain's accession to the Convention Establishing a Customs Co-operation Council (World Customs Organization) signed in Brussels on 15 December 1950, has been approved, and is annexed to this Law.

**Article Two**

The ministers - each within his jurisdiction- shall implement this Law and it shall come into force upon its publication in the Official Gazette.

**Amir of the State of Bahrain**

**Hamad bin Isa Al Khalifa**

Issued at Riffa Palace:

On: 4 Dhu Al-Hijjah 1421 H.

Corresponding to: 27 February 2021

**World Customs Organization (World Customs Organization) General Secretariat - Original Text June 1995 Convention Establishing a Customs Co-operation Council signed in Brussels on 15 December 1950 came into force on 4 November 1952**

**------------------------------**

The Governments signatory to the present Convention,

Considering it advisable to secure the highest degree of harmony and uniformity in their Customs systems and especially to study the problems inherent in the development and improvement of Customs technique and Customs legislation in connection therewith,Convinced that it will be in the interest of international trade to promote co-operation between Governments in these matters, bearing in mind the economic and technical factors involved therein,

Have agreed as follows:

**Article (1)**

A Customs Co-operation Council (hereinafter referred to as "the Council") is hereby set up.

**Article (2)**

(a) The Members of the Council shall be:

(1) the Contracting Parties to the present Convention;

(2) the Government of any separate Customs territory which is proposed by a Contracting Party having responsibility for the formal conduct of its diplomatic relations, which is autonomous in the conduct of its external commercial relations and whose admission as a separate Member is approved by the Council.

(b) Any Government of any separate Customs territory, which is a Member of the Council under paragraph (a) (ii) above, shall cease to be a Member on notification to the Council of the withdrawal of its membership by the Contracting Party having responsibility for the formal conduct of its diplomatic relations.

(c) Each Member shall nominate one delegate and one or more alternates to be its representatives on the Council. These representatives may be assisted by advisers.

**Article (3)**

The functions of the Council shall be: -

(a) to study all questions relating to co-operation in Customs matters which the Contracting Parties agree to promote in conformity with the general purposes of the present Convention;

(b) to examine the technical aspects, as well as the economic factors related thereto, of Customs systems with a view to proposing to its Members practical means of attaining the highest possible degree of harmony and uniformity;

(c) to prepare draft Conventions and amendments to Conventions and to recommend their adoption by interested Governments;

(d) to make recommendations to ensure the uniform interpretation and application of the Conventions concluded as a result of its work as well as those concerning the Nomenclature for the Classification of Goods in Customs Tariffs and the Valuation of Goods for Customs Purposes prepared by the European Customs Union Study Group and, to this end, to perform such functions as may be expressly assigned to it in those Conventions in accordance with the provisions thereof;

(e) to make recommendations, in a conciliatory capacity, for the settlement of disputes concerning the interpretation or application of the Conventions referred to in paragraph (d) above in accordance with the provisions of those Conventions; the parties in dispute may agree in advance to accept the recommendations of the Council as binding;

(f) to ensure the circulation of information regarding Customs regulations and procedures;

(g) on its own initiative or on request, to furnish to interested Governments information or advice on Customs matters within the general purposes of the present Convention and to make recommendations thereon;

(h) to co-operate with other inter-governmental organizations as regards matters within its competence.

**Article (4)**

The Members of the Council shall supply to the Council any information and documentation requested by it which is necessary for the execution of its functions provided that no Member shall be required to divulge confidential information, the disclosure of which would impede the enforcement of its laws, or which would otherwise be contrary to the public interest or prejudice the legitimate commercial interests of any enterprise, public or private.

**Article (5)**

The Council shall be assisted by a Permanent Technical Committee and a General Secretariat.

**Article (6)**

(a) The Council shall elect annually, from among the delegates of Members, a Chairman and not less than two Vice-Chairmen.

(b) It shall establish its own Rules of Procedure by a majority of not less than two-thirds of its Members.

(c) It shall establish a Nomenclature Committee as provided in the Convention on Nomenclature for the Classification of Goods in Customs Tariffs and a Valuation Committee as provided in the Convention on the Valuation of Goods for Customs Purposes. It shall also establish such other committees as may be desirable for the purposes of the Conventions referred to in Article III (d) or for any other purposes within its competence.

(d) It shall determine the tasks to be assigned to the Permanent Technical Committee and the powers to be delegated to it.

(e) It shall approve its annual budget, control its expenditure and give such directions as it may consider desirable regarding its finances to the General Secretariat.

**Article (7)**

(a) The Headquarters of the Council shall be in Brussels.

(b) The Council, the Permanent Technical Committee and any committees established by the Council may meet elsewhere than at the Headquarters of the Council, if the Council so decides.

(c) The Council shall meet at least twice a year. Its first meeting shall take place not later than three months after the entry into force of the present Convention.

**Article (8)**

(a) Each Member of the Council shall have one vote except that a Member shall not have a vote on any question relating to the interpretation, application or amendment of any of the Conventions referred to in Article (3)(d) which is in force and which does not apply to that Member.

(b) Except as provided in Article (6)(b) the decisions of the Council shall be taken by a majority of two -thirds of the Members present and entitled to vote. The Council shall not take a decision on any matter unless more than half of the Members entitled to vote on that matter are present.

**Article (9)**

(a) The Council shall establish such relations with the United Nations, its principal organs, subsidiary bodies and specialized agencies, and any other inter-governmental organizations, as may best assure collaboration in the achievement of their respective tasks.

(b) The Council may make arrangements necessary to facilitate consultation and co- operation with non-governmental organizations interested in matters within its competence.

**Article (10)**

(a) The Permanent Technical Committee shall be composed of representatives of the Members of the Council. Each Member of the Council may nominate one delegate and one or more alternates to be its representatives on the Committee. Representatives shall be officials specialized in technical Customs matters. They may be assisted by experts.

(b) The Permanent Technical Committee shall meet not less than four times a year.

**Article (11)**

(a) The Council shall appoint a Secretary General and a Deputy Secretary General whose functions, duties, conditions of service and terms of office shall be determined by the Council.

(b) The Secretary General shall appoint the staff of the General Secretariat. The establishment and staff regulations shall be approved by the Council.

**Article (12)**

(a) Each Member shall bear the expenses of its own delegation to the Council, to the Permanent Technical Committee and to any committees of the Council.

(b) The expenses of the Council shall be borne by its Members in accordance with a scale to be determined by the Council.

(c) The Council may deprive of its voting rights any Member which does not pay its contribution within three months of being notified of the amount thereof.

(d) Each Member shall pay its full annual contribution for the financial year during which it becomes a Member of the Council and for the financial year during which its notice of withdrawal becomes effective.

**Article (13)**

(a) The Council shall enjoy, in the territory of each of its Members, such legal capacity, as defined in the Annex to the present Convention, as may be necessary for the exercise of its functions.

(b) The Council, the representatives of Members, the advisers and experts appointed to assist them, and the officials of the Council shall enjoy the privileges and immunities specified in the Annex to the present Convention.

(c) The Annex to the present Convention shall form an integral part thereof, and any reference to the Convention shall be deemed to include a reference to the Annex.

**Article (14)**

The Contracting Parties accept the provisions of the Protocol concerning the European Customs Union Study Group opened for signature at Brussels on the same date as the present Convention. In determining the scale of contributions provided for in Article XII (b), the Council shall take into consideration membership of the Study Group.

**Article (15)**

The present Convention shall be open for signature until 31 March, 1951.

**Article (16)**

(a) The present Convention shall be subject to ratification.

(b) Instruments of ratification shall be deposited with the Belgian Ministry of Foreign Affairs, which shall notify all signatory and acceding Governments and the Secretary General of each such deposit.

**Article (17)**

(a) When instruments of ratification have been deposited by seven of the signatory Governments, the present Convention shall come into force between them.

(b) For each signatory Government ratifying thereafter the present Convention shall come into force upon deposit of its instrument of ratification.

**Article (18)**

(a) The Government of any State which is not a signatory to the present Convention may accede thereto as from 1 April, 1951.

(b) Instruments of accession shall be deposited with the Belgian Ministry of Foreign Affairs, which shall notify all signatory and acceding Governments and the Secretary General of each such deposit.

(c) The present Convention shall come into force for any acceding Government on the deposit of its instrument of accession, but not before it comes into force in accordance with paragraph (a) of Article (17).

**Article (19)**

The present Convention is of unlimited duration, but at any time after the expiry of five years from its entry into force under paragraph (a) of Article XVII, any Contracting Party may withdraw therefrom. Withdrawal shall take effect one year after the date of receipt by the Belgian Ministry of Foreign Affairs of the notification of withdrawal. The Belgian Ministry of Foreign Affairs shall notify each withdrawal to all signatory and acceding Governments and to the Secretary General.

**Article (20)**

(a) The Council may recommend amendments to the present Convention to the Contracting Parties.

(b) Any Contracting Party accepting an amendment shall notify the Belgian Ministry of Foreign Affairs in writing of its acceptance and the Belgian Ministry of Foreign Affairs shall notify all signatory and acceding Governments and the Secretary General of the receipt of the notice of acceptance.

(c) An amendment shall come into force three months after receipt by the Belgian Ministry of Foreign Affairs of notice of acceptance by all the Contracting Parties. When any amendment has been accepted by all the Contracting Parties the Belgian Ministry of Foreign Affairs shall notify all signatory and acceding Governments and the Secretary General of such acceptance and of the date on which the amendment will come into force.

(d) After an amendment has come into force, no Government may ratify or accede to the present Convention unless it also accepts the amendment.

In witness whereof the undersigned, having been duly authorized thereto by their respective Governments, have signed the present Convention.

Done at Brussels on the fifteenth day of December, nineteen hundred and fifty (December 15, 1950) in the English and French languages, both texts being equally authentic, in a single original, which shall be deposited in the archives of the Government of Belgium which shall transmit certified copies thereof to each signatory and acceding Government.