

SECTION C – FINAL PROVISIONS

ARTICLE 3.28 – Ceuta and Melilla

1. For the purpose of this Chapter, the term "Party" when referring to the Union does not include Ceuta and Melilla.
2. Products originating in Australia, when imported into Ceuta and Melilla, shall in all respects be subject to the same customs regime, including preferential tariff treatment, as that which is applied to products originating in the customs territory of the Union under Protocol 2 concerning the Canary Islands and Ceuta and Melilla of the 1985 Act of Accession.¹ Australia shall apply to imports of products covered by this Agreement and originating in Ceuta and Melilla the same customs regime, including preferential tariff treatment, as that which is applied to products imported from and originating in the Union.
3. The rules of origin applicable to Australia under this Chapter shall apply in determining the origin of products exported from Australia to Ceuta and Melilla. The rules of origin applicable to the Union under this Chapter shall apply in determining the origin of products exported from Ceuta and Melilla to Australia.
4. Ceuta and Melilla shall be considered as a single territory.
5. The Spanish customs authorities shall be responsible for the application of this Chapter in Ceuta and Melilla.

ARTICLE 3.29 – Committee on Customs

1. The Committee on Customs is established pursuant to Article 22.5(1) (Specialised committees).
2. In addition to the functions specified in Article 22.6 (Functions of the specialised committees), the Committee on Customs shall, with respect to this Chapter, have the following functions:
 - (a) considering possible amendments to this Chapter and its Annexes, including those arising from the review of the Harmonized System;
 - (b) adopting, by decisions, explanatory notes to facilitate the implementation of this Chapter; and
 - (c) adopting a decision to establish the consultation procedure referred to in Article 3.25(4)

¹ OJ EU L 302, 15.11.1985, p. 9.

(Denial of preferential tariff treatment).

ARTICLE 3.30 – Transitional provisions for products in transit or storage

1. Each Party shall apply the provisions of this Agreement to an originating product that:
 - (a) on the date of entry into force of this Agreement:
 - (i) is in transit from the exporting Party to the importing Party; or
 - (ii) has not been cleared for home use in the importing Party; and
 - (b) otherwise complies with the provisions of this Chapter.
2. The application of paragraph 1 is subject to an importer making a claim for preferential tariff treatment as referred to in Article 3.16 (Claim for preferential tariff treatment) within 12 months after the date of entry into force of this Agreement.