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European Union

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LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL DECISION on the position to be taken on behalf of the European Union within the Administrative Committee for the Customs Convention on the International Transport of Goods under Cover of TIR Carnets (TIR Convention) as regards proposed amendments to the TIR Convention

COUNCIL DECISION (EU) 2019/...

of ...

**on the position to be taken on behalf of the European Union
within the Administrative Committee for the Customs Convention
on the International Transport of Goods under Cover of TIR Carnets (TIR Convention)
as regards proposed amendments to the TIR Convention**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 207
in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Customs Convention on the International Transport of Goods under Cover of TIR Carnets (TIR Convention) was approved on behalf of the Union by means of Council Regulation (EEC) No 2112/78¹ and entered into force in the Union on 20 June 1983².
- (2) In accordance with the TIR Convention, the Administrative Committee is able to adopt amendments to the TIR Convention, including its Annexes, by a two-thirds majority of the members present and voting.
- (3) At its extraordinary session in June 2019, the Administrative Committee is to adopt several amendments to the TIR Convention and to the Annexes thereto.
- (4) It is appropriate to establish the position to be taken on the Union's behalf at the extraordinary session of the Administrative Committee, as the amendments to the TIR Convention and to the Annexes thereto will be binding on the Union.

¹ Council Regulation (EEC) No 2112/78 of 25 July 1978 concerning the conclusion of the Customs Convention on the international transport of goods under cover of TIR carnets (TIR Convention) of 14 November 1975 at Geneva (OJ L 252, 14.9.1978, p. 1).

² OJ L 31, 2.2.1983, p. 13.

- (5) In order to reflect the different administrative arrangements that exist in various Contracting Parties, it is necessary to: broaden the scope of Article 6 of the TIR Convention and the corresponding Explanatory Note with regard to the authorities able to authorise associations to issue TIR carnets; and amend Annex 9 to the TIR Convention so as to allow authorities other than customs authorities to authorise an association to act as guarantor for persons using the TIR procedure.
- (6) In order to facilitate the application of the TIR Convention by the logistics chain and to improve the competitiveness of international transport concerned by the TIR Convention, it is necessary to amend Article 18 so as to increase the number of customs offices of departure and destination which may be involved in a TIR transport. At the same time, the possibility is provided for customs authorities to limit the number of such customs offices in the territory of a Contracting Party, provided that the Contracting Parties inform the public and the TIR Executive Board of such limitation,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on the Union's behalf within the Administrative Committee for the Customs Convention on the International Transport of Goods under Cover of TIR Carnets (TIR Convention) at its seventieth session or one of the following sessions shall be based on the proposed amendments to the TIR Convention and to the Annexes thereto as set out in the Annex to this Decision.

Article 2

Editorial changes to the position referred to in Article 1 may be agreed upon without a further decision of the Council.

Article 3

This Decision shall enter into force on the date of its adoption.

Done at ...,

For the Council

The President

ANNEX

AMENDMENTS TO THE CUSTOMS CONVENTION
ON THE INTERNATIONAL TRANSPORT OF GOODS
UNDER COVER OF TIR CARNETS (TIR CONVENTION)

I Amendments to the main body of the TIR Convention, subject to the amendment procedure of Article 59:

Article 6, paragraph 1

For Each substitute The customs authorities or other competent authorities of a

Article 18, line 3

For four substitute eight

Add a new paragraph to read Customs authorities may limit the maximum number of customs offices of departure (or destination) on their territory to less than seven but not less than three.

II Amendments to the Annexes of the TIR Convention, subject to the amendment procedure of Article 60:

Annex 6, Explanatory Note to Article 6, paragraph 2

For country may approve substitute Contracting Party may authorize

Annex 6, new Explanatory Note to Article 18

0.18.3 Contracting Parties shall make information on such limitations publicly available and inform the TIR Executive Board, including by means of the proper use of electronic applications developed to this end by the TIR secretariat under the supervision of the TIR Executive Board.

Annex 9, Part I, paragraph 1

For Contracting Parties substitute customs authorities or other competent authorities of a Contracting Party
