



Council of the  
European Union

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**ADD 1**

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**TRANS 338**

## **PROPOSAL**

From:	Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
date of receipt:	7 August 2020
To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union
No. Cion doc.:	COM(2020) 361 final
Subject:	ANNEX to the Proposal for a Council Decision on the position to be taken on behalf of the European Union in the Administrative Committee for the Customs Convention on the international transport of goods under cover of TIR Carnets as regards the proposal to amend the Convention

Delegations will find attached document COM(2020) 361 final.

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Encl.: COM(2020) 361 final



EUROPEAN  
COMMISSION

Brussels, 7.8.2020  
COM(2020) 361 final

ANNEX

ANNEX

to the

**Proposal for a Council Decision**

**on the position to be taken on behalf of the European Union in the Administrative  
Committee for the Customs Convention on the international transport of goods under  
cover of TIR Carnets as regards the proposal to amend the Convention**

## **ATTACHMENT**

### **AMENDMENTS TO THE TIR CONVENTION**

#### **Amendments on the mandatory use of the International TIR Data Bank (ITDB)**

**1. Article 38, paragraph 2, first line**

*For* within one week *substitute* without delay

**2. Annex 6, Explanatory Note to Article 38, paragraph 2, third line**

*For* is deemed to *substitute* shall

**3. Annex 6, Explanatory Note to Annex 9, Part II, paragraph 4**

*For* The legal requirements for data submission, as set out in paragraph 4, are deemed to be fulfilled *substitute* Data, as set out in paragraph 4, shall be transmitted

**4. Annex 9, Part II, paragraph 4, first line**

*For* within one week *substitute* without delay

**5. Annex 9, Part II, paragraph 4, end of the paragraph**

*For* in conformity with the specimen authorization attached (MAF). *substitute*, including:

- (a) Individual and unique identification (ID) number assigned to the person by the guaranteeing association, in cooperation with the international organization to which it is affiliated, in accordance with the harmonized format determined by the Administrative Committee;
- (b) Name(s) and address(es) of the person(s) or enterprise, for a business association, also the names of responsible managers;
- (c) Contact person with complete contact information; and
- (d) Commercial registration number or international transport licence number or other (if available).

**6. Annex 9, Part II, paragraph 5**

*For* the existing text *substitute* The associations shall transmit any change in the particulars of authorized persons without delay from the moment they become aware of it to the competent authorities and the TIR Executive Board.

**7. Annex 9, Part II, Model Authorization Form (MAF)**

*Remove* MAF attached to Annex 9 Part II and the accompanying text

#### **Amendments on the mandatory publication of the list of the Customs offices approved for accomplishing TIR operations in ITDB**

### **1. Annex 6, new Explanatory Note 0.45**

*Add* a new Explanatory Note 0.45-1 to Article 45 of the TIR Convention to *read* as follows:

“0.45-1 The legal provision to publish the list of the Customs offices of departure, Customs offices en route and Customs offices of destination approved for accomplishing TIR operations is also deemed to be fulfilled 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.”

### **2. Annex 6, Explanatory Note 0.45**

*Renumber* existing Explanatory Note 0.45 to *become* 0.45-2.

## **Amendment on greater facilities that contracting parties may grant to transport operators**

*Add* a new Explanatory Note to Article 49 to *read* as follows:

0.49 Contracting Parties may grant, in line with national legislation, duly authorized persons greater facilities in the application of the provisions of the Convention. The conditions prescribed by the competent authorities upon granting such facilities should, at least, include the application of information and communication technologies to ensure the good conduct of the TIR procedure, the exemption to produce goods, road vehicle, the combination of vehicles or the container with the TIR Carnet at the Customs offices of departure or destination, as well as instructions for duly authorized persons to perform specific duties entrusted pursuant to the TIR Convention to customs authorities, such as, in particular, the filling in and stamping of the TIR Carnet and the affixing or checking of customs seals. Duly authorized persons who have been granted any greater facility should put in place a system of record-keeping, enabling customs authorities to carry out effective customs control as well as to supervise the procedure and carry out random controls. Greater facilities should be granted without prejudice to the liability of TIR Carnet holders as stipulated by Article 11, paragraph 2 of the Convention.

## **Other amendments**

### **1. Article 20, line 1**

*For* the existing text *substitute* For journeys in the territory of a Contracting Party or several Contracting Parties forming a customs or economic union, the competent customs authorities

### **2. Annex 6, Explanatory Note to Article 8, paragraph 3, end of first paragraph**

*For* \$US 200,000 *substitute* 400.000 euros

