



Council of the
European Union

Brussels, 25 March 2019
(OR. en, de)

**Interinstitutional File:
2018/0040(COD)**

**7631/19
ADD 2**

**CODEC 702
UD 91**

'I/A' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
Subject:	Draft REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulation (EU) No 952/2013 to prolong the transitional use of means other than the electronic data-processing techniques provided for in the Union Customs Code (first reading) - Adoption of the legislative act - Statements

Joint statement by the Netherlands and Lithuania

The Netherlands and Lithuania recognize the importance of the abovementioned file and greatly appreciates the progress achieved during the negotiations on the file. However, the Netherlands and Lithuania remain concerned regarding the deadline of 2022 for the implementation of national IT-systems.

The final compromise text that will be submitted to Coreper on 14 February 2019 for confirmation with a view to agreement states that Trans European Systems (TES) may be used on a transitional base until 31 December 2025 whereas national systems may be used until 31 December 2022 at the latest. For the Netherlands and Lithuania the distinction between TES and national systems, with different deadlines applied, will lead to unnecessary extra costs for customs authorities. Since the national systems are strongly linked to the TES, the transitional period for the TES and the national systems should have therefore been the same in the final text.

The Netherlands expressed its concerns on this matter in a declaration submitted to the minutes of Coreper (14 November 2018; agenda item I-27).

It is therefore with regret that the Netherlands and Lithuania will have to abstain.

Statement by Germany

The Federal Republic of Germany attaches considerable importance to the further implementation of the Union Customs Code and recognises that exceptionally great efforts had to be made to achieve a compromise. We are only able to agree to the proposal against this background. As regards content, however, we continue to have reservations and these have repeatedly been voiced by other Member States in the course of the negotiations.

The proposal provides for a period up to 31 December 2025 for certain systems to be developed by the EU, while the Member States must already have completed their national systems by 31 December 2022. This distinction will most probably lead to unnecessary costs for economic operators and customs authorities, as numerous adjustments to the national systems are likely on account of the close connection between the EU's and national systems. For the reasons set out above, the fact that different deadlines apply entails the specific risk that the Member States may not be able to carry out the adaptation of the national systems in due time.