Contents

under which goods are transported under Customs control from one Customs office to another The RKC Guidelines on Specific Annex E provide definitions of national Customs transit and international Customs transit, as follows.

³ 1 D W L R Q D O & X V W R P V W U D Q V L W When the transit procedure applies to one country or Customs territory only and the office of departure and the office of destination are in the same territory. Any security required relates only to the transit movements in the Customs territory concerned.

³ , Q W H U Q D W L R Q D O & X V W R P V W U D Q V L W When the transit movements are part of a single Customs transit operation during which one or more frontiers are crossed in accordance with a bilateral or multilateral agreement. This agreement generally sets out the form of the Goods declaration for Customs transit and, if required, a security acceptable in each of the administrations which are parties to this agreement.

According to Standard 2 of Chapter 1 of Specific Annex E to the RKC, national Customs transit can be divided into three types of transportation, as follows.

(1) Transit for importation (transportation from an office of entry to an inland Customs office),
(2) Transit for exportation (transportation from an inland Customs office to an office of exit),
(3) Internal transit (transportation from one inland Customs office to another inland Customs office).

Box 1. Three types of national Customs transit

This Transit Handbook deals with various aspects of the operation of Customs transit

and experiences of WCO Members. All of this information is categorized in accordance with the following key approaches.

(1) Effective information sharing
(2) Guarantee system
(3) Simplification of Customs formalities
(4) Risk Management
(5) Customs seals and other security measures
(6) Border infrastructure
(7) Coordinated Border Management
(8) Performance measurement

In particular, this Handbook will help developing and least-developed Members to assess the effectiveness of their transit schemes and identify any further improvements needed. The Handbook may help them to pinpoint bottlenecks in their transit systems and find the information required to solve them. They may also identify technical assistance and capacity building needs through the Handbook.

II. International Frameworks

1. WTO Trade Facilitation Agreement (TFA)

At the Ninth Ministerial Conference, held in Bali, Indonesia, from 3 to 7 December 2013, the World Trade Organization (WTO) adopted the Trade Facilitation Agreement (TFA). This constitutes an important milestone for the WTO and for global trade. In particular, the conclusion of the TFA has a great impact on effective transit procedures and may be beneficial for Landlocked Developing Countries (LLDCs). The TFA includes a specific Article on freedom of transit, and strengths the key principle of freedom of transit as defined by Article V of the General Agreement on Tariff and Trade (GATT).

Article V of the GATT states that there shall be freedom of transit through the territory of

Chapter 1 of RKC Specific Annex E focuses on Customs Transit. This Chapter provides for a transit system which is intended to achieve maximum facilitation for the movement of goods under Custom control in international transport, as well as providing transit countries with the requisite security and Customs guarantees. It outlines facilitative measures such as open transport supported by timely information (rather than requiring the sealing of the transport unit), and simplified procedures granted to authorized consignors and consignees. The essential elements required for a transit system are also reflected in this Chapter. For instance, it includes practical standards concerning responsible persons, authorised consignors and consignees, formalities at the office of departure, Customs seals and the time limit for transit.

Both the TFA and the RKC encourage the development of further cooperative arrangements to facilitate transit operations. Thus, paragraph 16 of Article 11 of the TFA requests WTO Members to cooperate and coordinate with one another. Cooperation may include an understanding on charges, formalities and legal requirements, and the practical operation of transit regimes. Such arrangements provide for the harmonization of Customs transit procedures, the exchange of information and common IT transit systems. The RKC recommends that Contracting Parties carefully consider the possibility of acceding to international agreements relating to Customs transit.

3. Other international agreements

(1) TIR Convention

The TIR Convention (Customs Convention on the International Transport of Goods under Cover of TIR Carnets (1975)) is a multilateral treaty which was concluded in Geneva on 14 November 1975

(3) International Convention on the Harmonization of Frontier Controls of Goods, 1982

Numerous studies and surveys show that logistics expenses borne by traders include not only transport fees but also procedural, documentary; en route and other expenses. The Harmonization Convention is aimed at creating a level playing field for the trade operators by harmonizing control and regulatory requirements at border crossings and through eliminating unnecessary barriers to trade, for example, in the form of lengthy and/or duplicative customs and border regulatory procedures, redundant documentation and other requirements, while at the same recognizing legitimate interests of state border agencies to ensure security, financial and fiscal interests of the state.

Besides basic provisions and principles on aligning and improving border crossings' procedures and infrastructure, the Convention contains two annexes specifically devoted to road transport and to international rail freight which provide concrete facilitation recommendations to governments that are consistent with the WTO Trade Facilitation Agreement. The Convention has currently 55 contracting parties, primarily from Europe, but also from Africa, Asia and Middle East.

4. Regional agreements/arrangements

The operational arrangements for transit regimes need to be developed at the regional or bilateral level, taking into account the routes followed by goods in transit. Therefore, in addition to the general principles defined by multilateral agreements such as the TFA and

x Bay of Bengal Initiative for Multi-

enter markets for goods which are sensitive to delay, such as perishable products or goods produced in global supply chains. Indeed, 16 of the 31 LLDCs are categorized as least-developed countries. According to a study by the United Nations Office of the High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States (UN-OHRLLS), the costs for exporting and importing from/to LLDCs are on average more than twice the costs for exporting and importing from/to transit developing countries[3]. These high costs have as

3. Almaty Programme of Action

In

5. Approaches for an effective transit system

The operation of transit procedures varies from country to country, and there are a number of good examples of effective and functional transit systems around the world. This Transit Handbook broadly classifies the possible approaches and facilitative measures as follows.

(1) Effective information sharing

Information sharing among Customs offices is essential for effective transit systems. If the Customs office where the transit declaration is lodged shares information about the transit goods with the other Customs offices on the transit route, the lodgement of another declaration and the resubmission of transport documents can be omitted. Information sharing also enhances risk management at borders and facilitates the smooth movement of low-risk transit goods.

(2) Guarantee system

A guarantee system ensures that the Customs duties and taxes which are at risk during a transit operation are covered at all times until the goods are presented to Customs at the office of destination. While the guarantee is an essential part of a transit operation, the process tends to be complicated because of the involvement of other stakeholders such as banks, insurance companies and private associations. A well-functioning guarantee system speeds up transit operations and allays the revenue concerns of transit countries.

(3) Simplification of Customs formalities

Customs transit systems traditionally placed onerous requirements on the transit operators as well as on Customs administrations in terms of producing documentation, and the goods, at every step in the transit operation. Modern Customs administrations have introduced simplified Customs formalities, and now accept electronic copies of transport documents. The simplification of document requirements significantly reduces the transit operator burden.

(4) Risk Management

The application of risk management in a transit scenario will result in high-risk goods being subjected to the appropriate level of control, while low-risk goods may be exempted from some of the requirements. The application of risk management can also result in the introduction of Authorized Economic Operator (AEO) programmes, which may provide operators who maintain high compliance and security management with facilitative benefits for transit operations. In addition, pre-arrival information which enables Customs administrations to assess the risk level of goods prior to their arrival may strengthen risk management and contribute to the smooth clearance of low-risk transit cargoes.

(5) Customs seals and other security measures

To ensure the security of goods during transit operations, Customs administrations usually affix Customs seals and fastenings to the goods and/or the transport unit. Customs may allow flexible and facilitative measures, such as acceptance of special seals affixed by transit operators. Many Members have recently introduced electronic seals/tracking devices which allow the status and/or location of transit goods to be monitored.

(6) Border infrastructure

(7) Coordinated Border Management

Transit operations inevitably

IV. Effective information sharing

1. Benefits of information exchange

Information sharing among Customs offices in a transit operation is essential for effective transit procedures. If the Customs office where the transit declaration is lodged shares information about the transit goods with the other Customs offices involved, the lodgement of another declaration and the resubmission of transport documents can be omitted.

Effective information sharing is helpful to Customs administrations because it enables them to assess the risk represented by transit goods prior to their arrival, and makes it easy to match the contents of transit cargoes with the declaration information. It may reduce the administrative burden imposed by risk management and allow Customs to devote its resources to more high-risk goods. Of course, information sharing is beneficial not only for Customs administrations but also for the transit operators, who need to lodge a Customs declaration and submit transport documents to Customs. Effective information sharing reduces the cost, for transit operators, of meeting the documentary requirements of regulatory agencies, as well as preventing unnecessary physical examinations at borders. It may contribute to the predictable and smooth transportation of transit goods crossing borders.

The exchange of data about transit operations between neighbouring countries should be based on a rigorous and realistic legal framework. The legal framework needs to cover data protection, limitations on the use of the data and electronic data exchange; the aim is to monitor the transit movement and, in particular, ascertain whether the goods have been correctly declared for transit and whether the transit procedure has been completed correctly,

The GNC Legal Toolbox is available on the following webpage[4]:

4. Robust IT infrastructure

Where there are frequent Internet blackouts or weak connections, effective and efficient information sharing is greatly hindered. In addition, a server capable of hosting the information exchange and/or data exchange interface is likely to be indispensable. Therefore a robust IT infrastructure is clearly essential for efficient information exchange, and Customs administrations need to work hard to acquire

New Computerized Transit System - European Union

- Creation of a more coherent system, which will speed up the processing of data and at the same time making the system more flexible.
- Harmonisation of operating criteria, which will do away with the plethora of subprocedures and divergent interpretations of how(l)5(l)5( )-4ck1(en)14(proced)-4(m)-3

New Computerized Transit System - European Union

New Computerized Transit System - European Union

Upon arrival, the goods must be presented at the office of destination (either indirectly via the authorised consignee or directly) together with the transit accompanying document and the list of items, if appropriate. Customs, having already received the anticipated arrival record will have full details about the operation and therefore will have had the possibility to decide beforehand what controls are necessary. When they enter the movement reference number into the system, it will automatically locate the corresponding anticipated arrival record, which will be used as a basis for any action or control, and send an arrival advice message to the office of departure.

After the relevant controls have been carried out, the office of destination will notify the office of departure of the control results by using a control results message, stating which, if any, irregularities have been detected.

The control results message with positive code is necessary to discharge the transit operation and free the guarantees that were used for it.

Office of transit

When the goods pass by an office of transit, the goods, the transit accompanying document and, where appropriate, the list of items have to be presented to customs. The anticipated transit record, already available in the system, will automatically be located when the movement reference number is entered and subsequently the movement may be approved for passage. A notification of crossing the frontier is sent to the office of departure.
Source: RKC Guidelines on RKC Specific Annex E ±Chapter 1

RADDEx ±Uganda

Uganda, as a member of the East African Community (EAC), has shared export/re-export

V. Guarantee system

1. General principles of guarantees for transit

A guarantee system ensures that the Customs duties and taxes which are at risk during a transit operation are covered at all times until the goods are presented to the Customs office of destination. At the same time, a guarantee system also serves another important function; it is the only available solution for increasing the likelihood that the goods will be presented to Customs at the office of destination as requested, and do not disappear en route.

There

In certain cases, such as transit goods that are classified under different tariff headings and liable to different rates of duty, Customs can also determine the amount of the security on the basis of an average single rate for the duties and taxes. This single rate method of calculation can be applied for a number of Customs procedures, and offers advantages to Customs and Trade alike.

Table 2: Principles of guarantees

Principles	TFA (Article 11)	RKC General Annex, Chapter 5
Limitation of guarantees	11. Where a Member requires a guarantee in the form of a surety, deposit or other appropriate monetary or non-monetary* instrument for traffic in transit, such guarantee shall be limited to ensuring that requirements arising from such traffic in transit are fulfilled. *Nothing in this provision shall preclude a Member from maintaining existing procedures whereby the means of transport can be used as a guarantee for traffic in transit.	5.6. **Standard** Where security is required, the amount of security to be provided shall be as low as possible and, in respect of the payment of duties and taxes, shall not exceed the amount potentially chargeable.
Discharge without delay	12. Once the Member has	

2. International guarantee systems

(1) TIR Convention

The TIR Convention (Customs Convention on the International Transport of Goods under Cover of TIR Carnets (1975)) is a multilateral treaty that was concluded at Geneva on 14 November 1975 to simplify and harmonize the administrative formalities of international road transport. The Convention was adopted under the auspices of the United Nations Economic Commission for Europe (UNECE).). A feature of the TIR Convention is that the international transit operation is covered by a single transi

Convpliio6(,t)6(r)-3(e( )6(T)-8(l)-4(R)5( )-4(C)5(oB

State Insurance Company - Ghana

In Ghana, the State Insurance Company has granted a transit guarantee since 2006 and the formula for calculating the guarantee fee was changed from 0.5 percent of the value of the cargo to 0.5 percent of the taxes and duties at risk. The State Insurance Company is now connected to the customs management system and has real-time access to the data needed to verify and release transit guarantees. Most transit bonds are now promptly released, and customs staff are being trained to enter all information at border crossings.

intended to be a first step towards
at a 2006 conference attended by most transit guarantors in West Africa.

Source: Ghana leads West Africa in transit reform, no. 10. Trade logistics. World Bank. (Wulf, Luc De 2010)

VI. Simplification of formalities

1. General principles in the TFA and RKC

Customs transit systems traditionally placed onerous requirements on the trader in terms of producing documentation, and the goods, at every step in the transit process. Modern Customs administrations have introduced simplified Customs formalities, and now accept electronic copies of supporting

Regular review

Paragraph 1 of Article 10 of the TFA requires the regular review of formalities and documentation requirements, with a view to minimizing the incidence and complexity of import, export and transit formalities and simplifying their documentation requirements.

Acceptance of copies

According to paragraph 2 of Article 10 of the TFA, WTO Members shall endeavour to accept paper or electronic copies of supporting documents for transit formalities. Chapter 3 of the General Annex to the Revised Kyoto Convention contains a series of standards on the clearance of goods and other Customs formalities, including standards concerning documents required in support of the Goods declaration.

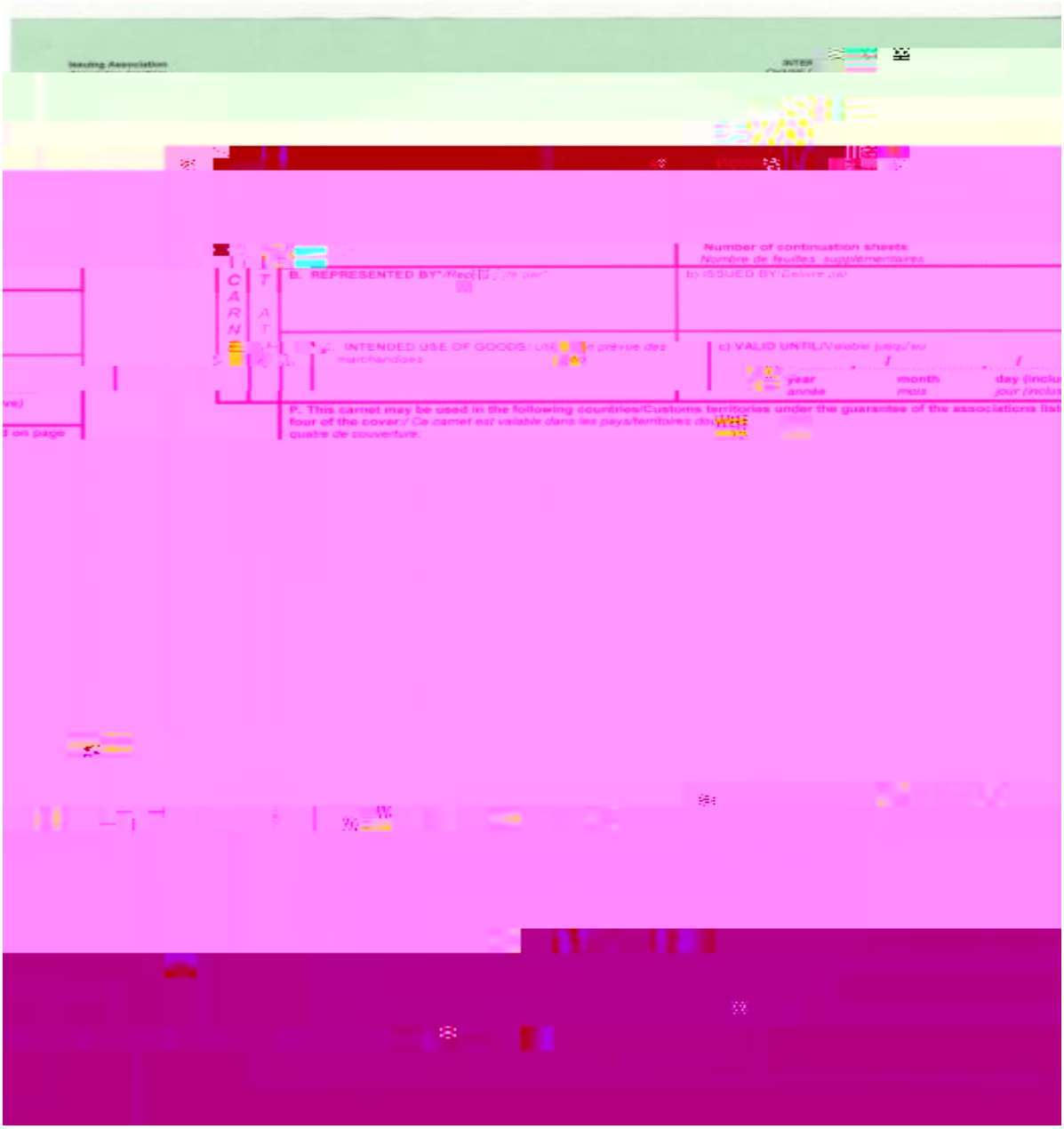
Aiming to promote paperless transactions for Customs clearance as an alternative to paper-based documentary requirements, in 2012 the WCO adopted a Recommendation on the dematerialization of supporting documents. This WCO Recommendation recommends that Members identify the supporting documents normally required to accompany the cargo and Goods declaration, and examine the need for those documents with a view to eliminating them.

2. International Customs documents ±TIR Carnet and ATA Carnet

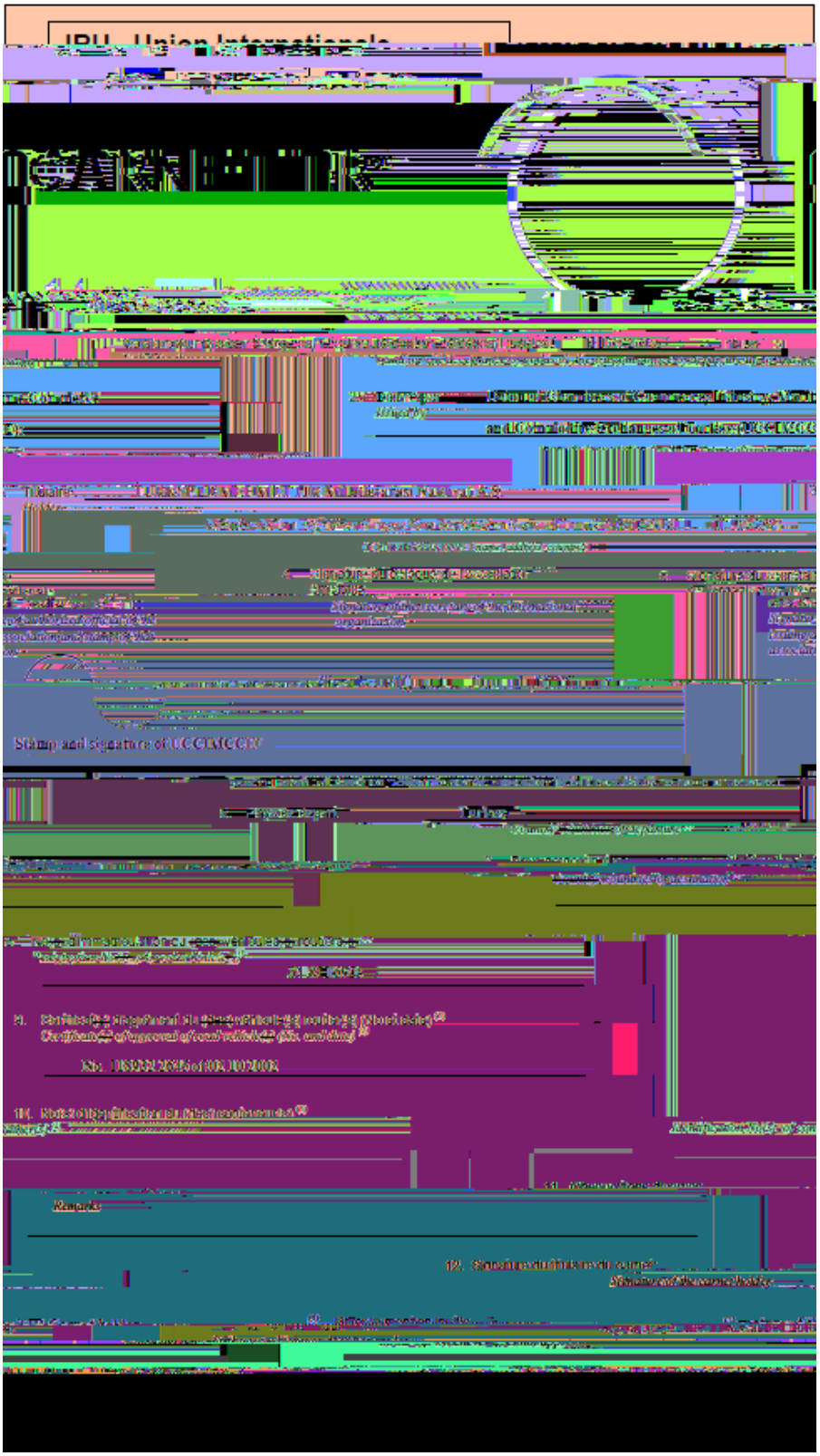
International Customs documents such as the TIR Carnet and ATA Carnet are widely used for transit declarations in lieu of national declaration forms. Under the TIR and ATA systems, transit operators may enjoy the benefits of the simplification of Customs formalities. These Carnets are issued by national associations which are involved in the international valid guarantee chain.

Using international Customs documents means that transit operators need not concern themselves with minor differences in the documentary requirements of transit countries. Therefore, for a transit operation involving several border crossing

(ATA Carnet Cover page)



(TIR Carnet)



Transit formalities applicable to goods transported by rail - Lithuania

The Member States of the EU apply an internal and external transit procedure as set out in Article 91 and Article 163 of the Community Customs Code (Regulation (EEC) No 2913/92 of 12 October 1992). Within this concept, international conventions dealing with the transit of goods are applied, such as the TIR and ATA Conventions. The EU also applies the Convention of May 1987 on a common transit procedure with EFTA countries and Turkey.

Lithuania applies national transit simplifications for goods transported by rail (Agreement on International Goods Transport by Rail (SMGS) consignment notes), when both the office of departure and the office of destination are located in Lithuania. These simplifications have been introduced on the basis of Article 97(2)(b) of the Community Customs Code by Government Resolution No. 507 of 28 April 2004 on Simplified Application of the Community Transit Procedure for Goods Transported by Rail under Cover of SMGS Consignment Notes, with further amendments. Detailed rules on the use of the above-mentioned simplifications are established by order of the Director General of the Customs Department, under the Ministry of Finance of Lithuania.

The simplification system is very similar to that applied for goods transported by rail under cover of CIM consignment notes in accordance with Articles 412 to 425 of the Implementing Provisions of the Community Customs Code (Regulation (EEC) No 2454/93): the SMGS consignment note is treated as equivalent to a Community transit declaration, the authorised railway company, which accepts goods for carriage under cover of an SMGS consignment note, is treated as the principal in the corresponding transit operation, and no formalities apart from the stamping of the SMGS consignment note need to be carried out at border Customs offices.

The authorised railway company is obliged to make the records held at its accounting office available to the Customs authorities for purposes of control. The authorised railway company is also granted a guarantee waiver in relation to the above-mentioned transit horiti

Authorized consignor and authorized consignee - Switzerland

out impromptu controls.

- Information in the Goods declaration
- Methods of identification of gods

In the Customs transit procedure, the status of authorized consignor or consignee requires certain additional information when drawing up or discharging the Goods declaration.

- Responsibility

The persons responsible as well as their responsibilities shall be defined. Authorized consignors/consignees will ensure that their staff is familiar with Customs requirements.

- Customs controls

In addition to the controls notified during the intervention period and impromptu controls, the person will authorize Customs to examine the data management and commercial documents where required to ensure that the procedures laid down are being observed.

- Time limit for retaining supporting documents.

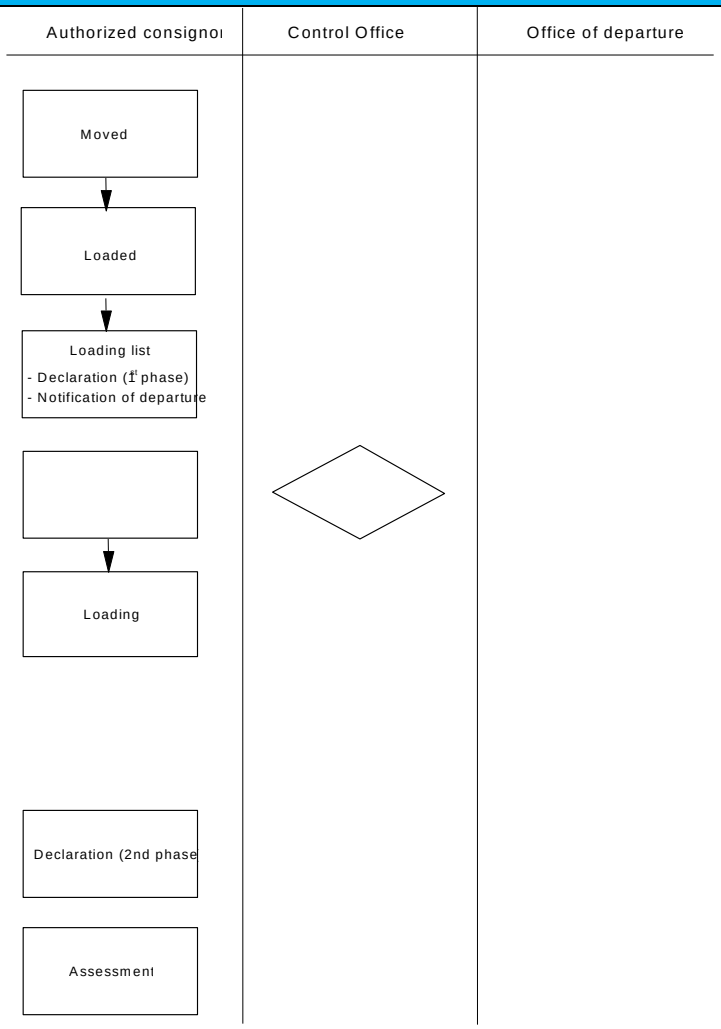
Authorized consignor

General

The authorized consignor procedure applies to goods in free circulation for which the authorized consignor is deemed subject to Customs requirements and also applies to goods under Customs control.

This may relate to all transit procedures (national transit; international transit).

Authorized consignor and authorized consignee - Switzerland



1. Partners

- Authorized consignor :
- Authorized consignor indicated in the authorization.
- Customs office :
- The Customs control office named in the authorization to ensure that the procedure takes place at the authorized consignor's premises.
- Office of exit :
- The Customs office situated at the frontier of the country of departure.

2. Moved

The goods coming from free circulation are moved to the authorized consignor for Customs processing. Should Customs carry out a control, the authorized consignor must be able to justify where they came from.

3. Loading

Loading in the transport-unit can already begin before the loading list is sent (4) or not until after the time limit for intervention has elapsed or after Customs controls (5).

The goods can also be left in the means of transport of arrival or be transhipped to another means of transport.

Goods from the authorized consignor can also consist of additional goods already in the

means of transport (e.g. goods already placed under a Customs procedure by another authorized consignor).

4. Loading list (first phase declaration and notification)

The loading list has two functions :

(a) It is the binding simplified export declaration in the first phase of the declaration procedure and

(b) It is also a notice of departure and will also contain the transport data.

The loading list is generally sent to the control office by electronic data transmission.

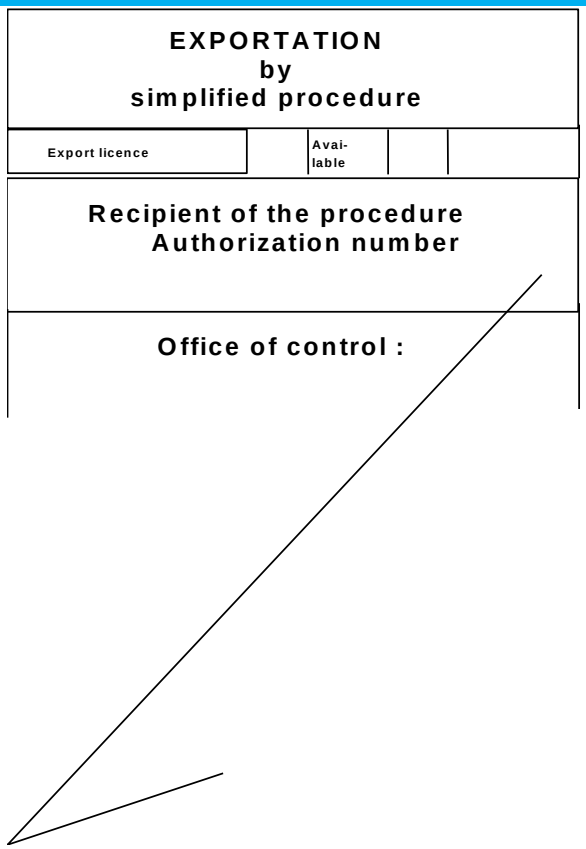
Contents of the loading list :

(a) for **general transport** (vehicle, container, etc.)

- Consignor's name (authorized consignor)
- Date and time of departure
-

Authorized consignor and authorized consignee -

Authorized consignor and authorized consignee - Switzerland



The original of the transit document is sent with the consignment and, once signed by the office of destination, is returned to the office of issue. This simplified transit document is valid only for clearance in national transit.

Customs clearance in international transit procedures

Basic procedure

The goods to be placed under the transit procedure are not presented at the Customs office and the formalities take place on the premises of the authorized consignor. As the authorized consignor carries out certain functions delegated by the office of departure (his control office), in addition to the data normally required he shall complete the Goods declaration (e.p451.75 a0769.444oms h.38 reW* nBT1 0 0 1 81.864 264.02 Tm0 75 66h753

provisions and must be made under Customs seal. ATA Carnets (transit counterfoils) are processed in a similar way.

Transit in rail traffic

If the railways are under State control, they have a control function insomuch as the consignment will be forwarded in accordance with the transport order (consignment note) to an office of destination. The place of loading or preparation for consignment will be decided upon between the authorized consignor and the Customs control office, on a case-by-case basis and depending on the type of rail transport (authorized consignor with rail links, free loading at the station of dispatch, etc.).

Customs does not require the Goods declaration to be presented. Instead it is replaced by an international consignment note or a transfer note for a container, containing the

procedure following transit. Depending on the transit procedure applied, discharge of the Goods declaration can be either fully or partially entrusted to the authorized consignor (e.g. stating the date of arrival and the result of the goods examination, and, where applicable, seals), unless the transit procedure (e.g. TIR Carnets) or Customs otherwise requires.

After subsequent presentation of the Goods declaration at the Customs control office, the latter will authenticate the discharge statements (unless the discharge procedure is solely under Customs competence, e.g. as for TIR Carnets). This authentication does not mean that Customs has checked the data, but rather that it has accepted it. If the discharged Goods declaration has to be returned to a Customs office in another Customs territory (e.g. because the Customs office manages the security), this authentication is required as the office of departure does not generally control authorized consignees resident in another Customs territory.

The Customs office is solely responsible for releasing the Customs transit security, unless the transit procedure (e.g. TIR Carnet) otherwise requires.

Goods intended for another transit procedure

Goods intended for subsequent transit must be named as such in the inventory list. They

Authorized consignor and authorized consignee - Switzerland

1 Partners

- Customs office of entry :
- Any competent Customs office situated at the border or inland.
- Authorized consignee :
- Authorized consignee indicated in the authorization.
- Control office :
- Customs office named in the authorization supervising the procedure at the authorized consignee.

2 Transit

All types of Customs clearance in transit for all types of traffic are possible.
Customs determines the types of traffic for which the Goods declaration can be waived (e.g. when the international rail consignment note, the air waybill or the manifest serves as a Goods declaration).

3 Notification

notification, by electronic data transmission, shall contain the following data :

- Consignee (authorized consignee)
- Date and time of arrival
- Number of the goods list
- File number
- Identification of the vehicle or container
- Number of packages
- Weight of the load (gross weight)
- Number and type of Goods declarations
- Where applicable, the number and type of Customs seals

The procedure is settled with each authorized consignee subject to local conditions.

Advance notice, i.e. notice before the arrival of the goods at the authorized consignee, is acceptable. For frequent consignments this may take the form of a general notification. The Customs office must be informed immediately when the goods actually arrive; if circumstances so permit (frequent transports practically according to a timetable of specified goods), the authorized consignee merely has to give notification that a consignment has been cancelled or delayed in good time.

4/5 Loading control

If the control office plans to check the consignment at the authorized consignee's premises, it so notifies the consignee during the intervention period agreed, otherwise the authorized consignee is permitted to remove any Customs seals and unload the goods. The intervention period is generally half an hour and is only applicable during the Customs office opening hours. The time at which the data is electronically transmitted to the Customs office is decisive. When local conditions so permit, shorter intervention periods can be agreed. Customs must decide whether or not to check the load during the intervention period. However, the check can be carried out later, but still within a reasonable time period. The time period set does not adversely affect the Customs right to carry out impromptu checks.

6 Unloading

At the end of the intervention period or on completion of the loading control by the Customs office, the authorized consignee can unload the goods and place them in the premises named in the authorization. He can, however, also leave the goods on the

Authorized consignor and authorized consignee - Switzerland

means of transport of arrival or tranship them.

All the goods, including those which remain on the means of transport of arrival or are transhipped, must be listed. The form of inventory is set out in agreement with the authorized consignee.

The authorized consignee is required to notify the Customs office immediately of any missing or surplus goods, switched goods or other irregularities.

Special conditions are laid down for certain goods, such as those subject to controls

take account of local conditions (separate warehousing, transit at the destination of the competent Customs office, for example).

7-10 Customs clearance, inspection and release

These operations in principle belong to the procedure following transit.

Switzerland is the Contracting Party of the Convention on common transit procedure (signed between the EU and EFTA countries), so the rules of authorised consignor and authorised consignee for transit are similar to those applicable in the EU.

Simplified procedures for authorised consignors and consignees - EU

Within the framework of the NCTS, authorised consignors and consignees may carry out all the procedures at their own premises and exchanging information with customs electronically is clearly the most rapid, comfortable, secure and economic way of p-4(he)3( )

Simplified procedures for authorised consignors and consignees - EU

receive and send subsequent messages concerning permission to unload goods and the notification of the results of the unloading to customs electronically.

Source:Transit brochure 'New customs transit systems for Europe' (European Commission, 2001)

Air Cargo Advance Screening (ACAS) - The United States

In October 2010, the global counterterrorism community disrupted a potential terrorist attack when concealed explosive devices were discovered in cargo on board aircraft destined for the United States. This incident not only demonstrated the significance of advance information in identifying and disrupting the attempts of terrorists to exploit the global supply chain, but also that existing manifest submission requirements were insufficient in preventing explosives from being loaded on aircraft bound for the United States. In response, CBP, TSA, and the private sector quickly came together as partners with an urgent purpose to protect air cargo shipments destined for the United States.

This partnership became the ACAS pilot which was launched in December 2010. The objective has been to enhance cargo security without unduly burdening the private sector by identifying strategies to strengthen air cargo supply chain security, including developing a mechanism to collect cargo information prior to the loading of cargo and at the earliest point practicable in the supply chain. Through the pilot, CBP is now receiving advance air cargo information from all air cargo stakeholders, and targeting and mitigating high-risk shipments prior to the loading of aircraft no later than the last foreign port of departure to the United States.

While the ACAS pilot is still underway, the pilot has demonstrated that select data elements are available early in the supply chain, at least prior to the loading of an aircraft at the last foreign port of departure, for international inbound air cargo. Moreover, the value of understanding the business practices of various Trade stakeholders has facilitated the implementation of a cargo regime that does not unduly disrupt the flow of air cargo.

Source : US CBP (submitted as an innovative practice for the ECP in 2013)

Single Automated Management System and Target Centre - Customs Service of Azerbaijan

Deployed in 2009 by the State Customs Committee of the Republic of Azerbaijan, the Single Automated Management System of the Customs Service (SAMS) is an integrated tool for customs management. As a complement to Customs reforms, SAMS is an integral part of Customs modernization and stands at the core of customs business process. It

VIII. Customs seals and other security measures

1. Integrity of the consignment

In principle, goods presented at the start of a transit operation should leave the transit countries in the same quantity and state. To ensure the security of goods in transit operations, Customs administrations usually affix Customs seals and fastenings to the goods and/or the transport

Box 9. Minimum requirements to be met by Customs seals and fastenings
(Appendix to Chapter 1 of Specific Annex E to the RKC)

A. Customs seals and fastenings shall meet the following minimum requirements :

1. General requirements in respect of seals and fastenings :

The seals and fastenings shall :

(a) be strong and durable;
(b) be capable of being affixed easily and quickly;
(c) be capable of being readily checked and identified;
(d) not permit removal or undoing without breaking or tampering without leaving traces;
(e) not permit use more than once, except seals intended for multiple use (e.g. electronic seals);
(f) be made as difficult as possible to copy or counterfeit.

2. Physical specification of seals :

(a) the shape and size of the seal shall be such that any identifying marks are readily distinguishable;
(b) each eyelet in a seal shall be of a size corresponding to that of the fastening used, and shall be positioned so that the fastening will be held firmly in place when the seal is closed;
(c) the material used shall be sufficiently strong to prevent accidental breakage, early

ensure compliance with Revenue requirements without unnecessary delays, which would only complicate the next part of the operation.

In some groups of administrations where there is a transit agreement, when the office of departure has found it necessary to specify a time limit, the other administrations party to the agreement should accept that time limit and not impose another one. When Customs fix a time limit for Customs transit, it should take into account any special regulations to which carriers are subject, particularly regulations concerning working hours and mandatory rest periods for drivers of road vehicles.

4. Customs escort and convoy

In exceptional circumstances only, the office of departure may require transit goods to be transported under Customs escort or convoy. However, Customs escorts or convoys may encourage an environment of corruption and cause a considerable burden for transit operators, as well as time delays. They should therefore be avoided.

Paragraph 15 of Article 11 of the TFA indicates Each Member may require the use of customs convoys or customs escorts for traffic in transit only in circumstances presenting high risks or when compliance with customs laws and regulations cannot be ensured through the use of guarantees According to RKC Specific Annex E, Chapter 1, Customs may require goods to be transported under Customs escort only when they consider such a measure to be indispensable.

There should be no obligation to have goods transported under Customs escort or convoy unless Customs, exceptionally, judges these special measures to be vital, for example because of a high risk. However it should be noted that Customs and, by extension, the Customs escort or convoy, is not responsible for guaranteeing the physical safety of goods, but rather for ensurin

checkpoints and optimize the transit regime. Reducing corruption and road checkpoints is essential for effective transit operations. Serious efforts to reduce them have been made by each corridor projects. For instance, the council of Ministers of UEMOA adopted a decision to limit to no more than three the number of controls of transit goods along each corridor.

Another report developed by the USAID also pointed out that corruption at road checkpoints represents only 14% of total informal payments on import and 34% on export . [9] Transit operations are vulnerable to corruption because of long distances and extended period of time. However, anti-corruption policies should not be limited to transit operations.

6. 0 H P E H U V ¶ 3sU D F W L F H

Inter-modal Transhipment Facilitation (ITFS) ±58

Electronic Transit Monitoring and Facilitation System - Jordan

locate the position of the monitored trucks, GPRS/SMS Technology for communications between the tracking units and the control room, and digital maps (vector and raster) to provide a graphical interface to the user to enable him to follow up the movements of trucks. MIS/CIS are used to provide the necessary statistics and reporting, and to interface with other existing computerized applications to avoid duplication in data entry; wireless networks and PDAs are used at the Customs houses to initiate and terminate transit trips.

The tracking operation starts at the Customs centre of entry; after the transit truck has completed all Customs procedures, it moves to the electronic tracking yard which is located just before the exit gate. A tracking unit and electronic seals are configured and installed on the truck. The transit route which the truck will follow is assigned at this stage. The unit is identified by the system at the control room and the truck appears on the main monitoring screen.

computerized risk analysis system, the intervals can be short for high risk shipments, and long for low risk shipments. Any violation committed during the trip is reported immediately to the control room.

When the truck reaches the Customs centre of exit, a trip report is issued by the system, showing the route that has been followed by the truck and identifying any violations committed during the trip. The report is analyzed by the Customs officer, who will terminate the transit trip and remove the tracking unit and electronic seals. The tracking unit is then recharged to be used on another trip in the opposite direction.

This system has contributed to the security and facilitation of the international supply chain, as it reduces the transit time across Jordan by more than 50%, and contributed to reducing the smuggling of valuable goods and dangerous materials via transit trade.

Source : Jordan Customs (submitted as an innovative practice for the ECP in 2013)

X. Coordinated Border Management

3. Members ¶Practices

Chirundu (Zambia/Zimbabwe) in Southern Africa

The Common Market for Eastern and Southern Africa (COMESA) and the Southern African Development Community (SADC) decided in 2005 that they would pilot the OSBP concept at Chirundu on the North South Corridor border between Zimbabwe and Zambia. Implementation of the project began in earnest in 2007 and the OSBP began its operation in 2009.

Passengers cross the border in 15 minutes in passenger cars and less than an hour in buses. Final cargo clearance into Zambia, which used to average 3 days, now takes one day. At a fixed daily truck cost of US$250-500, this represents a saving of US$500-1,000. Therefore the impact on time and cost is significant. Efficiency is also demonstrated by the fact that the commercial terminal, which cleared 150 trucks a day when Chirundu OSBP openenow 0y.q85.824 c]TJETQ0 G[5(r)-3(un)3(du)3( )-4(O)-4(S)4

Malaba (Uganda/Kenya) in East Africa

An OSBP Act for the five Partner States of the East African Community (EAC: Burundi, Kenya, Rwanda, Tanzania and Uganda) establishes operating principles for the EAC Partner States. In addition to transforming most borders on major transport corridors to OSBP operation, the EAC is now operationalizing the single customs territory. The overall impact will foster greater intra-regional trade within the Community by minimizing cross border controls.

In East Africa, border facilities were generally built by individual agencies, making interagency coordination difficult. Many are old and inadequate to the rapidly growing

built for most of the 23 OSBPs being implemented.

The flagship project is Malaba on the Northern Corridor between Kenya and Uganda. OSBP operations have been introduced incrementally. At the beginning of 2012, the Malaba border post achieved a significant reduction in crossing time. Trucks loaded with goods that had been routinely taking over 48 hours dropped to less than six hours, and average border-crossing time dropped from 24 hours to 4 hours, resulting in total savings generated by the improvement of the situation amounting to approximately US$ 70 million per year (World Bank, 2013).

Determinants of Success
Malaba achieved the significant reduction by following soft component measures:
1)Joint operation across both border agencies enabled by EAC law;

Juxtaposed office in the country of import: Swiss-French border

Box 13. Three phases of TRS

Phase 1 Preparation of the Study

- x Establishment of a Working Group
- x Determination of Scope and Design of the Study
- x Planning and Methodology
- x Detailed Drawing Plan
- x Sampling
- x Form
- x Simplified Form
- x Test-Run

Phase 2 -

CPMM provides four trade facilitation indicators (TFIs) which are (1) Time to Clear a Border Crossing (hours), (2) Costs incurred at a border crossing clearance, (3) Costs incurred to travel a corridor section and (4)Average Travelling Speed. CAREC has produced a CPMM Annual Report to observe trends, and CPMM continues to provide policy makers and the private sector with critical information on the causes of delays and unnecessary costs of moving goods along the six CAREC corridors.

Furthermore, the OECD has developed Trade Facilitation Indicators (TFIs) based on 16 indicators and 98 variables. The OECD draws the value of its variables from publically available data, with facts checked with the government concerned. The TFIs includes 4 indicators focusing on transit operations.

Box 15. TFI - Transit-specific Indicators

Indicator (M) -

Single Automated Management System and Target Centre -

Annex I

11.

Annex II Revised Kyoto Convention

General Annex CHAPTER 5
SECURITY

5.1. Standard
National legislation shall enumerate the cases in which security is required and shall specify the forms in which security is to be provided.

5.2. Standard
The Customs shall determine the amount of security.

5.3. Standard
Any person required to provide security shall be allowed to choose any form of security provided that it is acceptable to the Customs.

5.4. Standard
Where national legislation provides, the Customs shall not require security when they are satisfied that an obligation to the Customs will be fulfilled.

5.5. Standard
When security is required to ensure that the obligations arising from a Customs procedure will be fulfilled, the Customs shall accept a general security, in particular from declarants who regularly declare goods at different offices in the Customs territory.

5.6. Standard
Where security is required, the amount of security to be provided shall be as low as possible and, in respect of the payment of duties and taxes, shall not exceed the amount potentially chargeable.

5.7. Standard
Where security has been furnished, it shall be discharged as soon as possible after the Customs are satisfied that the obligations under which the security was required have been duly fulfilled.

Specific Annex E Chapter 1
Customs transit
Definitions

For the purposes of this Chapter :

"authorized consignee" means a person empowered by the Customs to receive goods directly at his premises without having to present them at the office of destination;

"authorized consignor" means a person empowered by the Customs to send goods directly from his premises without having to present them at the office of departure;

"control office" means the Customs office responsible for one or more "authorized consignors" or "authorized consignees" and, in this respect, performing a special control function for all Customs transit operations;

"Customs transit" means the Customs procedure under which goods are transported under Customs control from one Customs office to another;

"Customs transit operation" means the transport of goods from an office of departure to an office of destination under Customs transit;

office of departure
commences;

transport-unit
containers having an internal volume of one-cubic metre or more, including demountable bodies;
road vehicles, including trailers and semi-trailers;
railway coaches or wagons;
lighters, barges and other vessels; and
aircraft.

Principle

1. Standard
Customs transit shall be governed by the provisions of this Chapter and, insofar as applicable, by the provisions of the General Annex.

Field of application

2. Standard
The Customs shall allow goods to be transported under Customs transit in their territory :
from an office of entry to an office of exit;
from an office of entry to an inland Customs office;
from an inland Customs office to an office of exit; and
from one inland Customs office to another inland Customs office.

3. Standard
Goods being carried under Customs transit shall not be subject to the payment of duties and taxes, provided the conditions laid down by the Customs are complied with and that any security required has been furnished.

4. Standard
National legislation shall specify the persons who shall be responsible to the Customs for compliance with the obligations incurred under Customs transit, in particular for ensuring that the goods are produced intact at the office of destination in accordance with the conditions imposed by the Customs.

5. Recommended Practice
The Customs should approve persons as au thorized consignors and authorized consignees when they are satisfied that the prescribed conditions laid down by the Customs are met.

Formalities at the office of departure

(a) Goods declaration for Customs transit

6. Standard
Any commercial or transport document setting out clearly the necessary particulars shall be accepted as the descriptive part of the Goods declaration for Customs transit and this acceptance shall be noted on the document.

7. Recommended Practice

12. Standard

If a consignment is, in principle, to be conveyed under Customs seal and the transport-unit cannot be effectively sealed, identification shall be assured and unauthorized interference rendered readily detectable by :

- full examination of the goods and recording the res ults thereof on the transit document;
- affixing Customs seals or fastenings to individual packages;
- a precise description of the goods by reference to samples, plans, sketches, photographs, or similar means, to be attached to the transit document;
- stipulation of a strict routing and strict time limits; or
- Customs escort.

The decision to waive sealing of the transport-unit shall, however, be the prerogative of the Customs alone.

13. Standard

When the Customs fix a time limit for Custom s transit, it shall be sufficient for the purposes of the transit operation.

14. Recommended Practice

Customs authorization, provided that any Customs seals or fastenings are not broken or interfered with.

21. Recommended Practice
The Customs should allow goods to be transported under Customs transit in a transport-unit carrying other goods at the same time, provided that they are satisfied that the goods under Customs transit can be identified and the other Customs requirements will be met.

22. Recommended Practice
The Customs should require the person concerned to report accidents or other unforeseen events directly affecting the Customs transit operation promptly to the nearest Customs office or other competent authorities.

Termination of Customs transit

23. Standard
National legislation shall not, in respect of the termination of a Customs transit operation, require more than that the goods and the relevant Goods declaration be presented at the office of destination within any time limit fixed, without the goods having undergone any change and without having been used, and with Customs seals, fastenings or identification marks intact.

24. Standard
As soon as the goods are under its control, the office of destination shall arrange without delay for the termination of the Customs transit operation after having satisfied itself that all conditions have been met.

25. Recommended Practice
Failure to follow a prescribed itinerary or to comply with a prescribed time limit should not entail the collection of any duties and taxes potentially chargeable, provided the Customs are satisfied that all other requirements have been met.

International agreements relating to Customs transit

26. Recommended Practice
Contracting Parties should give car eful consideration to the possibility of acceding to international instruments relating to Customs transit. When they are not in a position to accede to such international instruments they should, when drawing up bilateral or multilateral agreements with a view to setting up an international Customs transit procedure, take account therein of Standards and Recommended Practices in the present Chapter.

Annex III TIR Convention

BODY OF THE TIR CONVENTION, 1975
(Unofficial consolidated version as of 10 Octobber 2013)

(A complete version of the TIR Convention, 1975, including its Annexes, as contained in the TIR handbook that can be downloaded from the UNECE website at tir.unece.org)

CUSTOMS CONVENTION ON THE INTERNATIONAL
TRANSPORT OF GOODS UNDER COVER OF TIR CARNETS
(TIR CONVENTION, 1975)

THE CONTRACTING PARTIES,

DESIRING to facilitate the international carriage of goods by road vehicle,

CONSIDERING that the improvement of the conditions of transport constitutes one of the factors essential to the development of co-operation among them,

DECLARING themselves in favour of a simplification and a harmonization of administrative formalities in the field of international transport, in particular at frontiers,

HAVE AGREED as follows:

Chapter I

GENERAL

(a) DEFINITIONS

Article 1

For the purposes of this Convention:

(a) The term "TIR transport" shall mean the transport of goods from a Customs office of departure to a Customs office of destination under the procedure, called the TIR procedure, laid down in this Convention;

(b) The term "TIR operation" shall mean the part of the TIR transport which is carried out between one Contracting Party from a Customs office of departure or entry (en route) to a Customs office of destination or exit (en route);

(c) The term "TIR Carnet" shall mean a valid international document which certifies that the vehicles or the container have been presented for purposes of control to the Customs office of departure or entry (en route) together with the load and the TIR Carnet relating

(m) the term "Customs office en route" shall mean any Customs office of a Contracting Party through which a road vehicle, combination of vehicles or container enters or leaves this Contracting Party in the course of a TIR transport;

(iii) by road vehicles or special vehicles such as buses, cranes, sweepers, concrete-laying machines, etc. exported and therefore themselves considered as goods travelling by their own means from a Customs office of departure to a Customs office of destination under the conditions set forth in Chapter III (c). In case such vehicles are carrying other goods, the conditions as referred to under (i) or (ii) above shall apply accordingly;

(b) the transport operations must be guaranteed by associations approved in accordance with the provisions of Article 6 and must be performed under cover of a TIR Carnet, which shall conform to the model reproduced in Annex 11 to this Convention.

(c) PRINCIPLES

Article 4

Goods carried under the TIR procedure shall not be subjected to the payment or deposit of import or export duties and taxes at Customs offices en route.

transported under the TIR procedure, this liability shall commence at the time when the goods enter these countries or, where the TIR transport has been suspended under Article 26, paragraphs 1 and 2, at the time when the TIR Carnet is accepted by the Customs office where the TIR transport is resumed.

5. The liability of the guaranteeing association shall cover not only the goods which are enumerated in the TIR Carnet but also any goods which, though not enumerated therein, may be contained in the sealed section of the road vehicle or in the sealed container. It shall not extend to any other goods.

6. For the purpose of determining the duties and taxes mentioned in paragraphs 1 and 2 of this Article, the particulars of the goods as entered in the TIR Carnet shall, in the absence of evidence to the contrary, be assumed to be correct.

Article 9

1. The guaranteeing association shall fix the period of validity of the TIR Carnet by specifying a final date of validity after which the TIR Carnet may not be presented for acceptance at the Customs office of departure.

2. Provided that it has been accepted by the Customs office of departure on or before the final date of validity, as provided for in paragraph 1 of this Article, the Carnet shall remain valid until the termination of the TIR operation at the Customs office of destination.

Article 10

1. Discharge of a TIR operation has to take place without delay.

2. When the Customs authorities of a Contracting Party have discharged a TIR operation they can no longer claim from the guaranteeing association payment of the sums mentioned in Article 8, paragraphs 1 and 2, unless the certificate of termination of the TIR operation was obtained in an improper or fraudulent manner or no termination has taken place.

Article 11

1. Where a TIR operation has not been discharged, the competent authorities shall:

(a) notify the TIR Carnet holder at his address indicated in the TIR Carnet of the non-discharge;

(b) notify the guaranteeing association of the non-discharge.

The competent authorities shall notify the guaranteeing association with a maximum period of one year from the date of acceptance of the TIR Carnet by those authorities or two years when the certificate of termination of the TIR operation was falsified or obtained in an improper or fraudulent manner.

2. Where the payment of the sums mentioned in Article 8, paragraphs 1 and 2 becomes due, the competent authorities shall, so far as possible, require payment from the person or

Article 14

1. Each Contracting Party reserves the right to refuse to recognize the validity of approval of road vehicles or containers which do not meet the conditions set forth in Articles 12 and 13 above. Nevertheless, Contracting Parties shall avoid delaying traffic when the defects found are of minor importance and do not involve any risk of smuggling.

2. Before it is used again for the transport of goods under Customs seal, any road vehicle or container which no longer meets the conditions which justified its approval, shall be either restored to its original state, or presented for approval.

(b) PROCEDURE FOR TRANSPORT UNDER COVER OF A TIR CARNET

Article 15

1. No special Customs documents shall be required in respect of the temporary importation of a road vehicle, combination of vehicles or container carrying goods under cover of the TIR procedure. No guarantee shall be required for the road vehicle or combination of vehicles or container.

2. The provisions of paragraph 1 of this Article shall not prevent a Contracting Party from requiring the fulfilment at the Customs office of destination of the formalities laid down by its national regulations to ensure that, once the TIR operation has been completed, the road vehicle, the combination of vehicles or the container will be re-exported.

Article 16

When a road vehicle or combination of vehicles is carrying out a TIR transport, one rectangular plate bearing the inscription "TIR" and conforming to the specifications given in Annex 5 to this Convention, shall be affixed to the front and another to the rear of the road vehicle or combination of vehicles. These plates shall be so placed as to be clearly visible. They shall be removable or be fitted or designed in such a way that these plates can be reversed, covered, folded or indicate in any other manner that a TIR transport is not carried out.

Article 17

1. A single TIR Carnet shall be made out in respect of each

Article 18

2. In cases where the goods are placed under another Customs procedure or another system of Customs control, all irregularities that may be committed under that other Customs procedure or system of Customs control shall not be attributed to the TIR Carnet holder as such or any person acting on his behalf.

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(c) PROVISIONS CONCERNING TRANSPORT OF HEAVY OR BULKY GOODS

Article 29

1. The provisions of this section apply only to the transport of heavy or bulky goods as defined in Article 1, subparagraph (p), of this Convention.

2. Where the provisions of this section apply, heavy or bulky goods may, if the authorities at the Customs office of departure so decide, be carried by means of sealed vehicles or containers.

3. The provisions of this section shall apply only if, in the opinion of the authorities at the Customs office of departure, the heavy or bulky goods carried and any accessories carried with them can be easily identified by reference to the description given, or can be provided

Article 42 bis

The competent authorities, in close cooperation with the associations, shall take all necessary measures to ensure the proper use of TIR Carnets. To this effect they may take appropriate national and international control measures. National control measures taken in this context by the competent authorities shall be communicated immediately to the TIR Executive Board which will examine their conformity with the provisions of the Convention. International control measures shall be adopted by the Administrative Committee.

Article 42 ter

The competent authorities of the Contracting Parties shall, as appropriate, provide the authorized associations with information that they require to fulfil the undertaking given in accordance with Annex 9, Part I, para. 3(iii).
Annex 10 sets out the information to be provided in particular cases.

Chapter V

EXPLANATORY NOTES

Article 43

The Explanatory Notes set out in Annex 6 and Annex 7, Part III, interpret certain provisions of this Convention and its Annexes. They also describe certain recommended practices.

Chapter VI

MISCELLANEOUS PROVISIONS

Article 44

Each Contracting Party shall provide the guaranteeing associations concerned with facilities for:

(a) the transfer of the currency necessary for the sums claimed by the authorities of Contracting Parties by virtue of the provisions of Article 8 of this Convention; and

(b) the transfer of currency for payment for TIR Carnet forms sent to the guaranteeing associations by the corresponding foreign associations or by the international organizations.

Article 45

Chapter VII

FINAL CLAUSES

Article 52

Signature, ratification, acceptance, approval and accession

1. All States Members of the United Nations or members of any of the specialized agencies or of the International Atomic Energy Agency or Parties to the Statute of the International Court of Justice, and any other State invited by the General Assembly of the United Nations, may become Contracting Parties to this Convention:

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3. Any instrument of ratification, acceptance, approval or accession deposited after the entry into force of an amendment to this Convention shall be deemed to apply to this Convention as amended.

4. Any such instrument deposited after an amendment has been accepted but before it has entered into force shall be deemed to apply to this Convention as amended on the date when the amendment enters into force.

Article 54

Denunciation

1. Any Contracting Party may denounce this Convention by so notifying the Secretary-General of the United Nations.

2. Denunciation shall take effect fifteen months after the date of receipt by the Secretary-General of the notification of denunciation.

3. The validity of TIR Carnets accepted by the Customs office of departure before the date when the denunciation takes effect shall not be affected thereby and the guarantee of the guaranteeing association shall hold good in accordance with the provisions of this Convention.

Article 55

Termination

If, after the entry into force of this Convention, the number of States which are Contracting Parties is for any period of twelve consecutive months reduced to less than five, the Convention shall cease to have effect from the end of the twelve-month period.

Article 56

Termination of the operation of the TIR Convention, 1959

1. Upon its entry into force, this Convention shall terminate and replace, in relations between the Contracting Parties to this Convention, the TIR Convention, 1959.

2. Certificates of approval issued in respect of road vehicles and containers under the conditions of the TIR Convention, 1959, shall be accepted during the period of their validity or any extension thereof for the transport of goods under Customs seal by Contracting Parties to this Convention, provided that such vehicles and containers continue to fulfil the conditions under which they were originally approved.

Article 57

Settlement of disputes

1. Any dispute between two or more Contracting Parties concerning the interpretation or application of this Convention shall, so far as possible be settled by negotiation between them or other means of settlement.

2. Any dispute between two or more Contracting Parties concerning the interpretation or application of this Convention which cannot be settled by the means indicated in paragraph 1 of this Article shall, at the request of one of them, be referred to an arbitration tribunal composed as follows: each Party to the dispute shall appoint an arbitrator and these arbitrators shall appoint another arbitrator, who shall be chairman. If, three months after receipt of th.7all6orbitr555.67 12oncerning ns of settlement.

Article 58 bis

Administrative Committee

An Administrative Committee composed of all the Contracting Parties shall be established. Its composition, functions and rules of procedure are set out in Annex 8.

Article 58 ter

TIR Executive Board

The Administrative Committee shall establish a TIR Executive Board as a subsidiary body which will, on its behalf, fulfil the tasks entrusted to it by the Convention and by the Committee. Its composition, functions and rules of procedure are set out in Annex 9.

Article 59

Procedure for amending this Convention

1. This Convention, including its Annexes, may be amended upon the proposal of a Contracting Party by the procedure specified in this Article.

Administrative Committee of dates referred to in this paragraph shall be by a two-thirds majority of those present and voting.

2. On entry into force, any amendment adopted in accordance with the procedures set out in paragraph 1 above shall for all Contracting Parties replace and supersede any previous provisions to which the amendment refers.

Article 61

Requests, communications and objections

The Secretary-General of the United Nations shall inform all Contracting Parties and all States referred to in Article 52, paragraph 1, of this Convention of any request, communication or objection under Articles 59 and 60 above and of the date on which any amendment enters into force.

Article 62

Review Conference

1. Any State which is a Contracting Party may, by notification to the Secretary-General of the United Nations, request that a conference be convened for the purpose of reviewing this Convention.

2.

Article 63

Notifications

In addition to the notifications and communications provided for in Articles 61 and 62, the Secretary-General of the United Nations shall notify all the States referred to in Article 52 of the following:

(a) signatures, ratifications, acceptances, approvals and accessions under Article 52;

(b) the dates of entry into force of this Convention in accordance with Article 53;

(c) denunciations under Article 54;

(d) the termination of this Convention under Article 55;

(e) reservations under Article

Annex IV Istanbul Convention

CONVENTION on Temporary Admission (Istanbul, 26 June 1990)

Body of the Convention and Annexes A

(Unofficial consolidated version as of 3 November 2014)

CONVENTION ON TEMPORARY ADMISSION

PREAMBLE

THE CONTRACTING PARTIES to this Convention, established under the auspices of the Customs Co-operation Council,

NOTING that the present situation regarding the proliferation and dispersed nature of

General provisions

Definitions

Article 1

For the purposes of this Convention, the term :

(a) "temporary admission" means :

the Customs procedure under which certain goods (including means of transport) can be brought into a Customs territory conditionally relieved from payment of import duties and taxes and without application of import prohibitions or restrictions of economic character; such goods (including means of transport) must be imported for a specific purpose and must be intended for re-exportation within a specified period and without having undergone any change except normal depreciation due to the use made of them;

(b) "import duties and taxes" means :

Customs duties and all other duties, taxes, fees or other charges which are collected on or in connection with the importation of goods (including means of transport), but not including fees and charges which are limited in amount to the approximate cost of services rendered;

(c) "security" means :

that which ensures to the satisfaction of the Customs that an obligation to the Customs will be fulfilled. Security is described as "general" when it ensures that the obligations arising from several operations will be fulfilled;

(d) "temporary admission papers" means :

the international Customs document accepted as a Customs declaration which makes it possible to identify goods (inc

the Organization set up by the Convention establishing a Customs Co-operation Council, Brussels, 15 December 1950;

(h) "ratification" means

(a) subjected to the import duties and taxes to which they are liable at the time when

Article 17

The provisions of this Convention set out the minimum facilities to be accorded. They do not prevent the application of greater facilities which Contracting Parties grant or may grant in future by unilateral provisions or by virtue of bilateral or multilateral agreements.

Customs or Economic Unions

Article 18

1. For the purpose of this Convention, the territories of Contracting Parties which form a Customs or Economic Union may be taken to be a single territory.

2. Nothing in this Convention shall prevent Contracting Parties which form a Customs or Economic Union from enacting special provisions applicable to temporary admission operations in the territory of that Union, provided those provisions do not reduce the facilities provided for by this Convention.

Prohibitions and restrictions

Article 19

The provisions of this Convention shall not preclude the application of prohibitions or restrictions imposed under national laws and regulations on the basis of non-economic considerations such as considerations of public morality or order, public security and public hygiene or health, veterinary or phytosanitary considerations, considerations relating to the protection of endangered species of wild fauna and flora, or considerations relating to the protection of copyright and industrial property.

Offences

Article 20

1. Any breach of the provisions of this Convention shall render the offender liable in the territory of the Contracting Party where the offence was committed to the penalties prescribed by the legislation of that Contracting Party.

2. When it is not possible to establish in which territory an irregularity occurred, it shall be deemed to have been committed in the territory of the Contracting Party where it is detected.

Exchange of information

Article 21

7. On the decision of the Committee, taken by virtue of the provisions of paragraph 2 of this Article, the Council shall invite the competent administrations of the Members, States or Customs territories referred to in Article

2. This Convention shall be open for signature by the Members referred to in paragraph 1 of this Article, either at the Council Sessions at which it is adopted, or, thereafter at the Headquarters of the Council in Brussels until 30 June

(b)

3. Any Contracting Party which has entered reservations may withdraw them, in whole or in

2. The text of any amendment so recommended shall be communicated by the depositary to all Contracting Parties to this Convention, to the other signatories and to those Members of the Council that are not Contracting Parties to this Convention.

3. Any recommended amendment communicated in accordance with the preceding paragraph shall enter into force in respect of all Contracting Parties six months after the expiry of a period of twelve months following the date of communication of the recommended amendment if no objection to the recommended amendment has been notified during that period to the depositary by a Contracting Party.

4. If an objection to the recommended amendment has been notified to the depositary by a Contracting Party before the expiry of the period of twelve months specified in paragraph 3 of this Article, the amendment shall be deemed not to have been accepted and shall have no effect whatsoever.

5. For the purposes of notifying an objection, each Annex shall be taken to be a separate Convention.

Acceptance of amendments

CHAPTER III

Guarantee and issue of temporary admission papers

Article 4

1. Subject to such conditions and guarantees as it shall determine, each Contracting Party may authorize guaranteeing associations to act as guarantors and to issue temporary admission papers, either directly or through issuing associations.

2. A guaranteeing association shall not be approved by any Contracting Party unless its guarantee covers the liabilities incurred in that Contracting Party in connection with operations under cover of temporary admission papers issued by corresponding issuing associations.

Article 5

1. Issuing associations shall not issue temporary admission papers with a period of validity exceeding one year from the date of issue.

2. Any particulars inserted on temporary admission papers by the issuing associations may be altered only with the approval of the issuing or guaranteeing association. No alteration to those papers may be made after they have been accepted by the Customs authorities of the territory of temporary admission, except with the consent of those authorities.

3. Once an ATA carnet has been issued, no extra item shall be added to the list of goods enumerated on the reverse of the front cover of the carnet, or on any continuation sheets appended thereto (General list).

Article 6

The following particulars shall appear on the temporary admission papers :

- the name of the issuing association;
- the name of the international guaranteeing chain;
- the countries or Customs territories in

The period fixed for the re-

(b) If such proof is not furnished within the time allowed the guaranteeing association shall deposit, or pay provisionally, within a maximum period of three months the import duties and taxes payable. This deposit or payment shall become final after a period of one year from the date of the deposit or payment. During the latter period, the guaranteeing association may still furnish the proof referred to in subparagraph (a) of this paragraph with a view to recovery of the sums deposited or paid.

(c) For Contracting Parties whose laws and regulations do not provide for the deposit or provisional payment of import duties and taxes, payments made in conformity with the provisions of subparagraph (b) of this paragraph shall be regarded as final, but the sums paid shall be refunded if the proof referred to in subparagraph (a) of this paragraph is furnished within a year of the date of the payment.

Article 10

1.

temporary admission papers, for the recovery of the import duties and taxes and other sums payable and also for the imposition of any penalties to which such persons have rendered themselves liable. In such cases the associations shall lend their assistance to the Customs authorities.

Article 17

Temporary admission papers or parts thereof which have been issued or are intended to be issued in the territory into which they are imported and which are sent to an issuing association by a guaranteeing association, by an international organization or by the Customs authorities of a Contracting Party, shall be admitted free of import duties and taxes and free of any import prohibitions or restrictions. Corresponding facilities shall be granted at exportation.

Article 18

1. Each Contracting Party shall have the right to enter a reservation, in accordance with Article 29 of this Convention, in respect of the acceptance of ATA carnets for postal traffic.

2. No other reservation to this Annex shall be permitted.

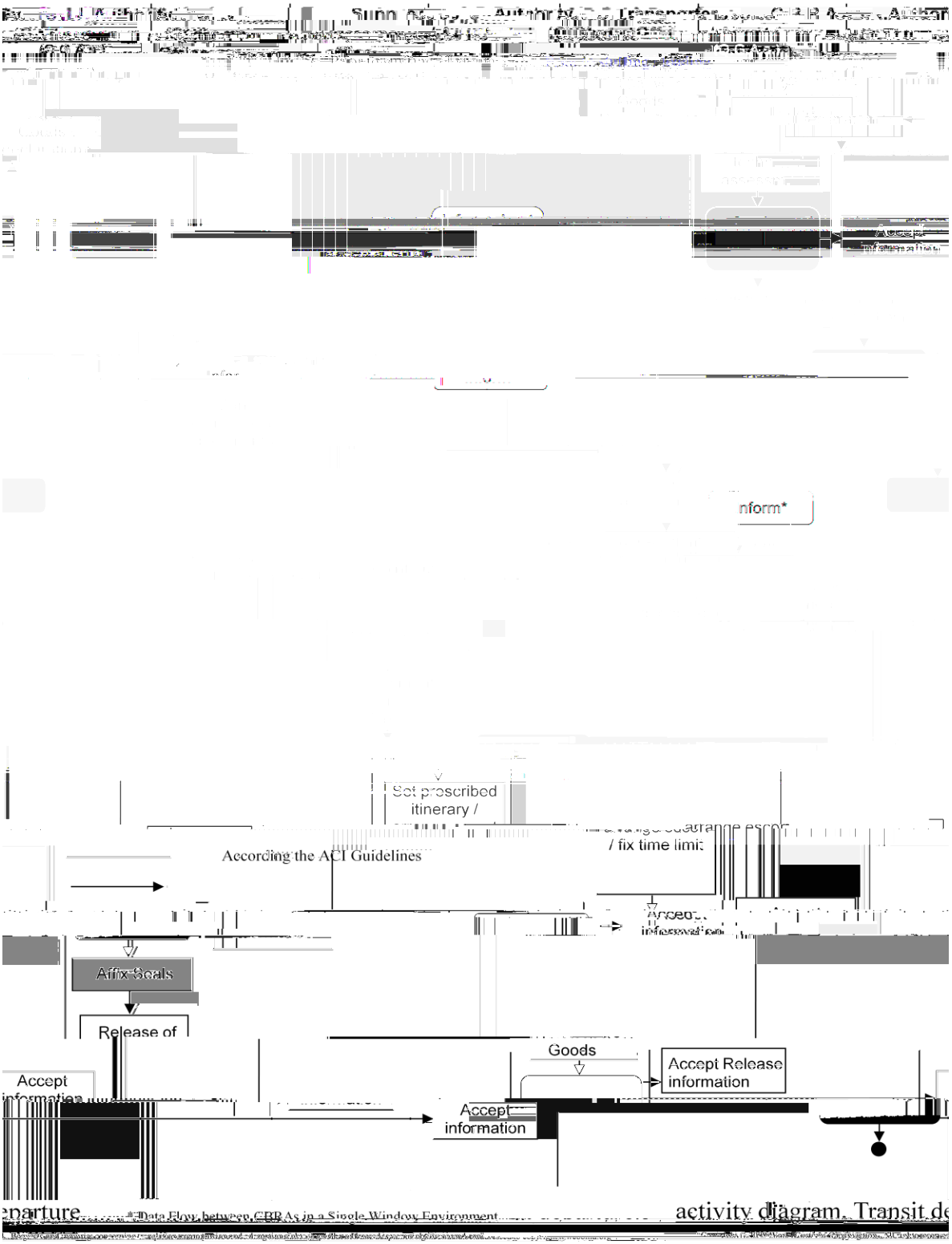
Article 19

1. Upon its entry into force this Annex shall, in accordance with Article 27 of this Convention, terminate and replace the Customs Convention on the ATA carnet for the temporary admission of goods, Brussels, 6 December 1961 (ATA Convention), in relations between the Contracting Parties which have accepted this Annex and are Contracting Parties to that Convention.

2. Notwithstanding the provisions of paragraph 1 of this Article, ATA carnets which have been issued under the terms of the ATA Convention prior to the entry into force of this Annex, shall be accepted until completion of the operations for which they were issued.

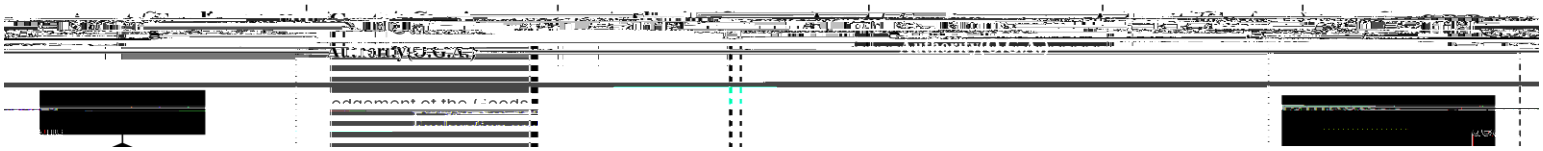
Annex V WCO Data Model

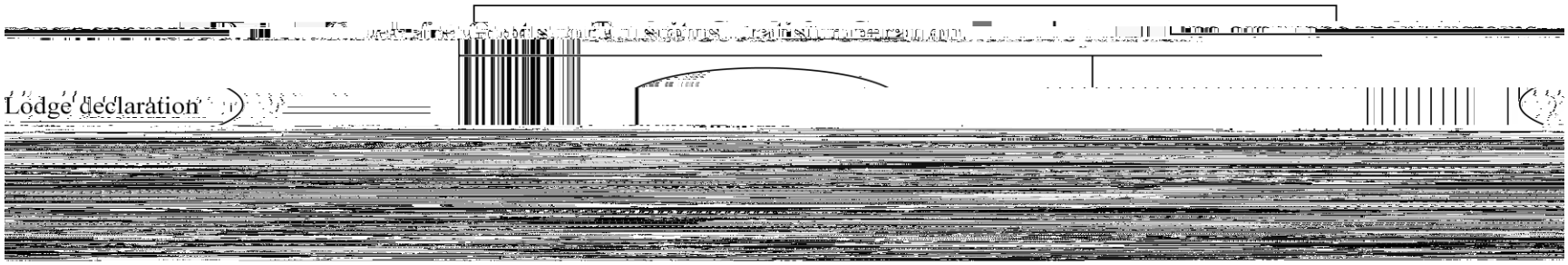
@ These step involves flow of data between CBRAs (Authority Customs & Authority OGA) in a Single Window Environment.



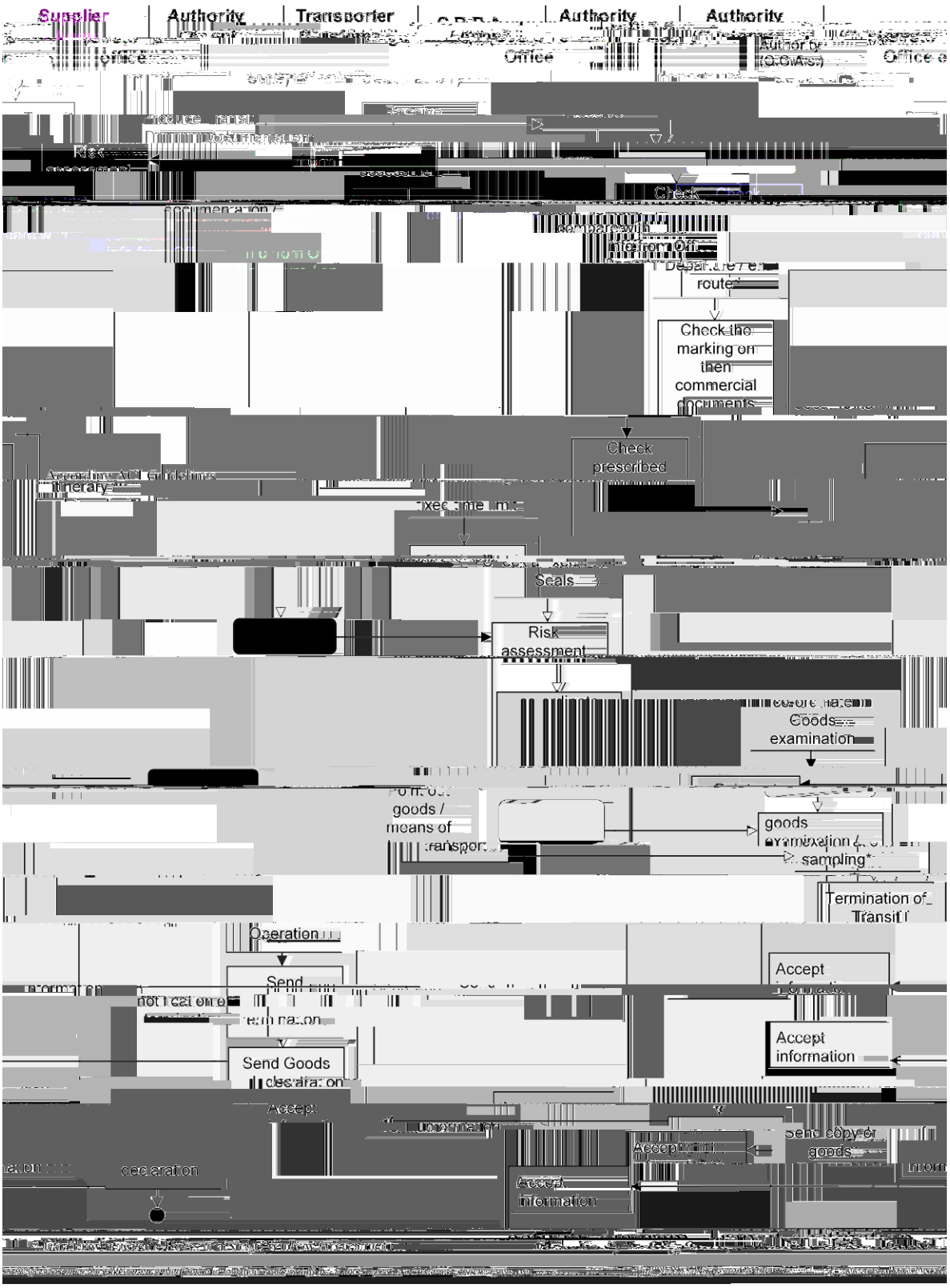
*Data Flow between CBRAs in a Single Window Environment

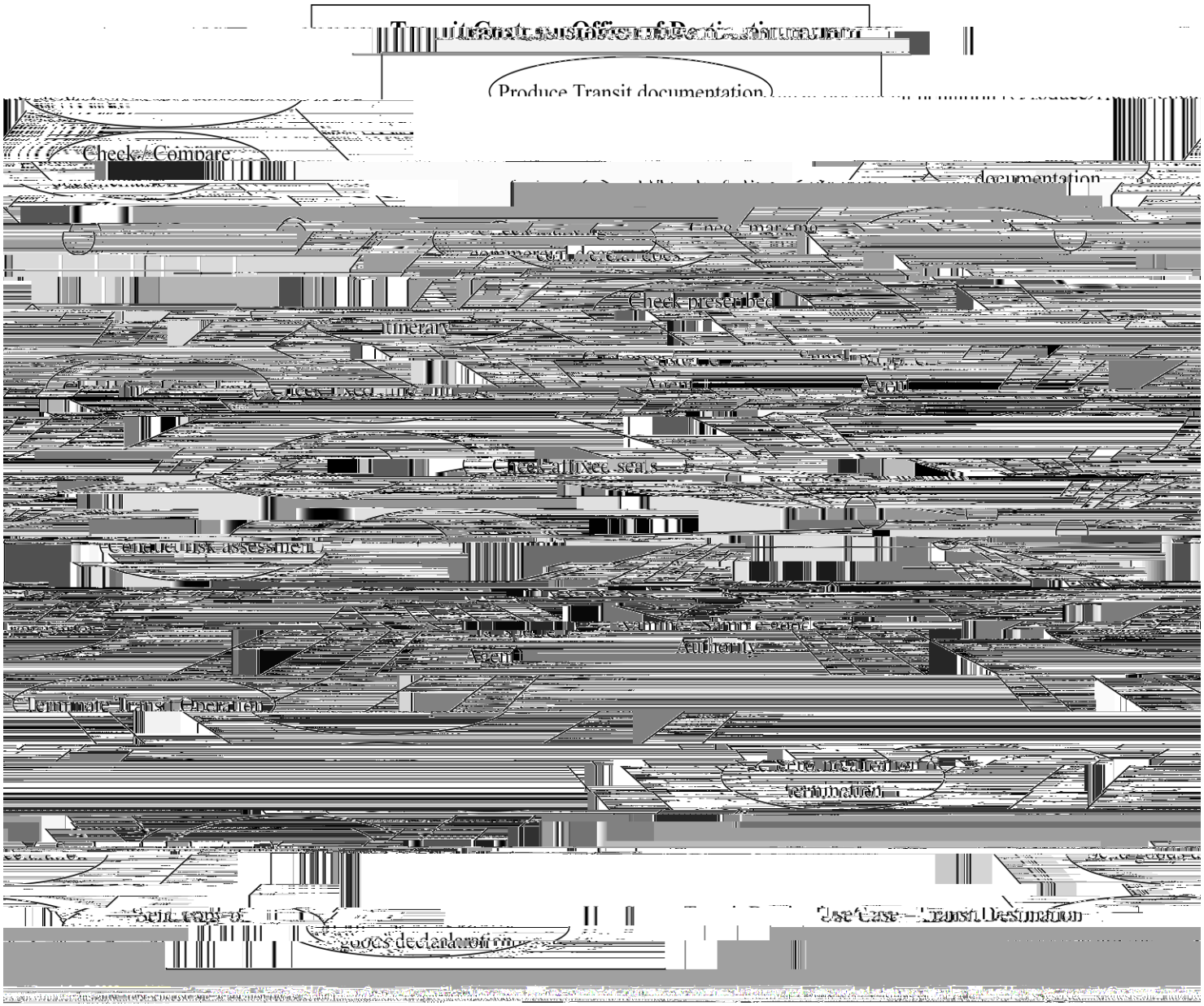
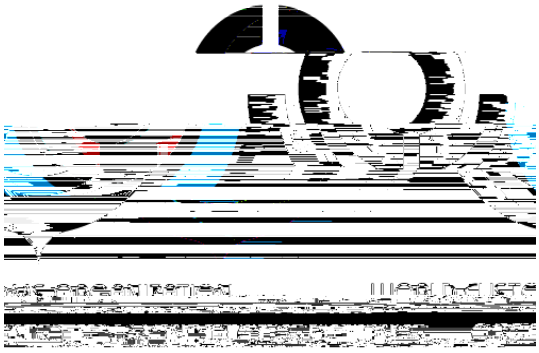
activity diagram. Transit de




Lodge declaration

Use Case Description
Name


Supplier
Authority
Transporter
Authority
Authority
Office
Office
Check
Check the marking on then commercial documents
Check prescribed
Seals
Risk assessment
Goods examination
goods
sampling*
Termination of Transit
Operation
Send
Send Goods
Accept
Accept information
Accept
Accept information
send copy of goods


Produce Transit documentation
Check / Compare
documentation
Check prescribed
itinerary
Check all fixed seals
Conduct risk assessment
Terminate Trans-I Operation
terminated
Use Case – Transit Destination
goods declaration