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LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: Draft AMENDMENTS to the TIR Customs Convention on the international transport of goods under cover of TIR carnets (TIR Convention)

DRAFT

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

Amendments as regards 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 as regards 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 as regards 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
