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**Economic Commission for Europe****Administrative Committee for the TIR Convention, 1975****Seventy-third session**

Geneva, 14 and 15 October 2020

Item 5 (c) of the provisional agenda

**Revision of the Convention****Accepted amendment proposals to the Convention pending formal adoption****I. Background and mandate**

1. At its seventy-second session (February 2020), the TIR Administrative Committee (AC.2) requested the secretariat to prepare, for final adoption, a document containing all accepted amendment proposals pending formal adoption so far, proposing, where possible, a sub-grouping of the package, in order to streamline the process of their transmission to the depositary (see ECE/TRANS/WP.30/AC.2/147, para. 35).

2. In addition to the above, the Committee may wish to recall, that at its seventy-first session (October 2019), it already officially adopted proposals contained in Annex I of document ECE/TRANS/WP.30/AC.2/2019/6/Rev.1.

3. Further to the request from the Committee, the secretariat presents in Annex I of the document, for the sake of transparency, the already adopted proposals. Annex II contains all outstanding accepted amendment proposals pending formal adoption. Annexes III, IV and V contain proposed groupings of all amendment proposals, in view of the applicable provisions of the TIR Convention (Article 59 or 60) or their interdependence. Finally, Annex VI contains related comments to the various amendment proposals for adoption or endorsement by the Committee.

**II. Considerations by the Committee**

4. The Committee is invited to formally adopt the amendment proposals contained in Annex II of this document, as well as provide guidance on the composition of the various packages in Annexes III, IV and V and VI and when they are to be sent to the depositary. Regarding the comments in Annex VI, the Committee may wish to decide that they will only become applicable if or when the corresponding provision or Explanatory Note will enter into force.



## Annex I

### Formally adopted amendment proposals<sup>1</sup>

**1. Article 6, paragraph 1**

*For Each substitute* The customs authorities or other competent authorities of a Contracting Party may

**2. Article 18, line 3**

*For four substitute* eight

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

**3. Annex 1, Model of the TIR Carnet Version 1 and Version 2, No. 5 of the Rules regarding the use of the TIR Carnet**

*For four substitute* eight

**4. Annex 6, Explanatory Note to Article 6, paragraph 2**

*For country may approve substitute* Contracting Party may authorize

**5. Annex 6, new Explanatory Note to Article 18**

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

**6. Annex 9, Part I, paragraph 1**

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

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<sup>1</sup> Please refer to ECE/TRANS/WP.30/AC.2/147, para. 47 and ECE/TRANS/WP.30/AC.2/2019/6/Rev.1, Annex I

## Annex II

### Accepted amendment proposals pending formal adoption

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

For within one week *substitute* without delay

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

For \$US 200,000 *substitute* 400,000 euros

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

For is deemed to *substitute* shall

**5. Annex 6, Explanatory Notes to Article 45**

Add a new Explanatory Note 0.45-1 to Article 45 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.

*Renumber* existing Explanatory Note 0.45-1 to *become* 0.45-2

**6. Annex 6, Explanatory Note to Article 49**

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.

**7. 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

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

For within one week *substitute* without delay

**9. Annex 9, Part II, paragraph 4, end of 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).

**10. 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.

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

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

## Annex III

### Package 1, following the amendment procedure of Article 59

#### 1. Article 6, paragraph 1

*For Each substitute* The customs authorities or other competent authorities of a Contracting Party may

#### 2. 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

#### 3. Annex 6, Explanatory Note to Article 6, paragraph 2

*For country may approve substitute* Contracting Party may authorize

#### 4. Annex 6, Explanatory Note to Article 8, paragraph 3, end of paragraph

*For \$US 200,000 substitute* 400,000 euros

#### 5. Annex 6, Explanatory Notes to Article 45

*Add* a new Explanatory Note 0.45-1 to Article 45 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.

*Renumber* existing Explanatory Note 0.45-1 to *become* 0.45-2

#### 6. Annex 9, Part I, paragraph 1

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

## **Annex IV**

### **Package 2, following the amendment procedure of Article 60**

#### **1. Annex 6, Explanatory Note to Article 49**

*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.

## Annex V

### **Package 3 (on hold), following the amendment procedure of Article 59**

**1. Article 18, line 3**

*For four substitute eight*

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

**2. Annex 1, Model of the TIR Carnet Version 1 and Version 2, No. 5 of the Rules regarding the use of the TIR Carnet**

*For four substitute eight*

**3. Annex I, Model of the TIR Carnet Version 1 and Version 2**

[New layout still under discussion]

**4. Annex 6, new Explanatory Note to Article 18**

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

## Annex VI

### **Package 4 (on hold), following the amendment procedure of Article 59<sup>2</sup>**

**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 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.

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<sup>2</sup> Please refer to ECE/TRANS/WP.30/AC.2/147, paras. 27–29.



## Annex VI

### Comments for adoption or endorsement by the Committee

**1. Comment to Article 18 “Several customs offices of departure and/or destination”, fourth line**

*For four substitute eight*

**2. Comment to Annex 6, Explanatory Note 0.8.3**

*For \$US 50,000 substitute 100,000 euros*

**3. Comment to Annex 6, Explanatory Note 0.49**

Contracting Parties are recommended to grant greater facilities, such as authorized consignors and authorized consignees, as extensively as possible when they are satisfied that the prescribed conditions laid down in national legislation are met.

**4. Comment to Annex 9, Part II “Model Authorization Form (MAF)”**

*For the existing text substitute Comment to Part II, paragraph 4*

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