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ECONOMIC COMMISSION FOR EUROPE

INLAND TRANSPORT COMMITTEE

Working Party on Customs Questions
affecting Transport

Informal ad hoc Expert Group on the
Computerization of the TIR procedure

Updates of the Reference Model of the TIR Procedure

Follow up to decision ExG/58 (1.4 Elaboration of the use cases)

Transmitted by the secretariat

A. BACKGROUND

1. At its third session on 1 and 2 September 2003 in Budapest, the Informal ad hoc Expert Group (hereafter called the Expert Group) mandated the secretariat to compile the work of the working groups which were requested to verify and complement the use cases in Chapter 1.4 of the Reference Model (ExG/COMP/2004/1, Decision No. 34).
2. At its fourth session on 1 and 2 March 2004 in Geneva, the Expert Group extensively discussed the contributions, submitted by the various 'homework groups' containing full descriptions of the various use cases (ExG/COMP/2004/2) and requested the secretariat to prepare a new working document, taking account of all observations submitted by the Expert Group at the session for discussion and, possibly, validation at its forthcoming session ExG/COMP/2004/10, Decision No. 58.

3. Underlying document contains an amended version of the use cases, as drafted by the secretariat on the basis of the observations by the Expert Group and with the aim to align their presentation. However, in the course of its work, the secretariat realized that full alignment was impossible because of the fundamentally different approaches taken by the various homework groups. Therefore, the secretariat has taken the liberty of drafting a separate working document (Informal document ExG/2004/5) which contains a proposal for a consistent and integrated approach of the use cases, for discussion by the Expert Group.

Annex 1**Use case 1.4.1. : Distribution and issuance of TIR Carnets**

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| Name | Distribution and issuance use case |
| Description | In the course of this use case, the TIR Carnet is produced (printed, stored), distributed and finally issued to authorized transport operators. |
| Actors | AC.2, international organization, issuing association, holder of TIR Carnet, TIRExB |
| Performance Goals | To issue TIR Carnets with limited validity period to authorized TIR Carnet holders. The TIR Carnet will be used as a Customs declaration to place goods under TIR procedure and will represent an internationally recognized financial guarantee to Customs Authorities of Contracting Parties with which a TIR operation can be established, in accordance with the provisions of the TIR Convention |
| Preconditions | <p>The international organization is authorized by AC.2 to centrally print and distribute TIR Carnets in accordance with Art. 6.2bis of the TIR Convention and Annex 8, Article 10 (b) of the TIR Convention under the supervision of TIR Executive Board</p> <p>The national association is authorized by its national Customs Authorities, according to Art. 6.1 of the TIR Convention and Annex 9, Part I of TIR Convention, to issue TIR Carnets and to act as guarantor. The national association should be affiliated to an international organization.</p> <p>Transport operators have to be authorized by competent Customs Authorities, according to Art 6.4 and 6.5 of the TIR Convention and Annex 9, Part II of TIR Convention, in order to obtain TIR Carnets from their issuing association and to utilize TIR Carnets, according to Art. 6.3.</p> |
| Postconditions | The TIR Carnet holder has to start the TIR transport (viz. the transport of goods from a Customs office of departure to a Customs office of destination under the TIR procedure) before the TIR Carnet's validity date has expired; otherwise the TIR Carnet will have to be returned unused to the issuing association. |
| Scenario | <p>While respecting the design, elaborated under the auspices of the United Nations Economic Commission for Europe and endorsed by AC.2, the international organization is responsible for printing TIR Carnets. The TIR Carnets may then be stored temporarily before being distributed by the international organization to its affiliated national issuing associations.</p> <p>Finally, after possibly another storage period, the issuing association fills-in fields 1 to 4 of the TIR Carnet cover page and issues the TIR Carnet to authorized TIR Carnets holders, according to Art.6.3 of the TIR Convention (to national or, in some situations, to foreign TIR Carnet holders, respecting, in such case, special requirements) within the quota fixed by the association.</p> <p>The TIRExB supervises the centralized printing and distribution in accordance with Annex 8, Article 10 (b) of the TIR Convention.</p> |

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| Alternative Scenario | In case of stolen or lost TIR Carnets the following scenario's are possible: <ol style="list-style-type: none">1. The TIR Carnet is lost/stolen while still stored at the premises of the international organization;2. The TIR Carnet is lost/stolen during transport between the international organization and the national association;3. The TIR Carnet is lost/stolen, while in possession of the national association, before being issued;4. The TIR Carnet is lost/stolen after having been issued to the authorized TIR Carnet holder |
| Special requirements | Data on authorized TIR Carnet holders are stored in the International TIR Database (ITDB) maintained by the TIR Executive Board and TIR Secretariat. Data on lost/stolen TIR Carnets is maintained by the IRU in CUTEwise. |
| Extension Points | The following step is the TIR transport. |
| Requirements Covered | 4, 20-22, 31 |

Annex 2**Use case 1.4.2. : TIR transport**

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| Name | TIR Transport Use Case |
| Description | This use case describes the transport of goods from a Customs office of departure to a Customs office of destination under the TIR procedure. |
| Actors | Customs authorities, national association, TIR Carnet holder |
| Performance Goals | A TIR transport is the transport of goods without intermediate reloading, in road vehicles, combinations of vehicles or in containers, across one or more frontiers between a Customs office of departure of one Contracting party and a Customs office of destination of another or of the same Contracting Party provided that some portion of the journey between the beginning and the end of the TIR transport is made by road |
| Preconditions | <p>The authorized TIR Carnet holder must be issued with a valid TIR Carnet to start the transport. The applicability of the Carnet may depend on the type of the goods to be shipped (e.g. tobacco and alcohol require “Tobacco and Alcohol” TIR Carnets). For the transport of heavy or bulky goods, the TIR Carnet should bear the relevant inscription.</p> <p>The TIR transport has to be performed with an approved vehicle and container unless heavy or bulky goods are transported.</p> <p>The TIR transport must be guaranteed by associations approved in accordance with the provisions of Article 6 of the Convention.</p> |
| Postconditions | <p>An electronic confirmation of the TIR transport termination at the Customs office of destination should be sent systematically by Customs authorities to an international control system. Subsequently the goods are transferred to another Customs regime.</p> <p>After the transport, the Carnet has to be returned to the holder who returns it to the issuing association.</p> <p>Finally, the issuing association returns the TIR Carnet to the international organization.</p> |
| Scenario | <p>Because the TIR transport is a sequence of TIR operations, the scenario of a TIR transport is represented here as a succession of TIR operations, each one being described in two steps. Each step 1-step 2 sequence constitutes a single TIR operation.</p> <p><u>Step 1</u>: Start of the TIR operation at the first Customs office of departure. The Customs officers check the conformity of the TIR Carnet, the goods, the loading compartment, as well as the approval certificates for vehicle and/or container and the commercial and transport documents. Seals are affixed to the loading compartment. The Customs officer fills-in and stamps all the relevant parts of the TIR Carnet pages including counterfoil No. 1 (Note by the secretariat: this part should be amended). Upon acceptance of the TIR Carnet the first Customs office of departure, the guarantee is activated (Art. 8, 4).</p> <p><u>Step 2</u>: termination of the TIR operation at the Customs office of exit <u>en route</u>. The Customs officer stamps counterfoil No. 2, takes out voucher No. 2 and sends it to the Customs office of departure.</p> <p>Steps 1 and 2 are repeated if there are several Customs offices of departure (maximum 3 in one or several countries. In such case, in every consecutive Contracting Party <u>en route</u> transited by the TIR transport, steps 1 and 2 are repeated with the following differences: the Customs office</p> |

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| | <p>which carries out step 1 is called Customs office of entry <u>en route</u>. It checks the seals, the loading compartment and fills-in the relevant fields of vouchers and counterfoils No. 1 and 2. Step 2 is equal to the previous step 2 at the Customs office of exit <u>en route</u>.</p> <p>In the country of destination, step 1 is identical to previous step 1 at Customs office of entry <u>en route</u>. The Customs office which carries out step 2 is called the Customs office of destination. In step 2, Customs officers take off the seals, stamp counterfoil No. 2, take out voucher No. 2 and send it to the Customs office of entry <u>en route</u>. Step 2 is constituted by the termination of the TIR operation for his country together with the termination of the TIR transport.</p> <p>The validity of the TIR Carnet can be checked by any Customs Office of departure, exit <u>en route</u>, entry <u>en route</u> and of destination, using, for example, CUTE-Wise. All Customs offices have the right to remove the seals and to check the goods. In such case, new seals have to be affixed and the appropriate fields of the TIR Carnet have to be filled-in accordingly (box 16, box 3 of counterfoil 1 or box 4 of counterfoil 2).</p> |
| Alternative Scenario | <ol style="list-style-type: none"> 1) TIR transport by means of a lost or stolen TIR Carnet; 2) A TIR transport with heavy and bulky goods. 3) Falsified acceptance of a TIR Carnet by the Customs office of departure: fraudsters may attempt to falsify the acceptance of a genuine TIR Carnet at the Customs office of departure by using false Customs stamps and seals. 4) Non-termination of a TIR transport: in case a TIR transport does not arrive at the Customs office of final destination, the voucher No. 1, taken out by the Customs office of entry <u>en route</u> will remain outstanding, because no matching voucher No. 2 is returned by a Customs office of destination. In such case, the Customs office of entry <u>en route</u> will start an inquiry procedure; 5) Reservation: Any Customs Office of destination may make reservations when terminating a TIR operation; 6) Incident or accident <u>en route</u>: in such case, the so-called “certified report” should be filled-in by the competent authorities. In case the vehicle can no longer be used, the goods may be reloaded on a different truck and a new TIR Carnet is opened. If the goods are destroyed, competent authorities should state this fact. In this case, the TIR transport cannot be terminated at the intended Customs office(s) of destination. 7) Suspension of a TIR transport |
| Special requirements | |
| Extension Points | The following step is the “return and repository” use case. |
| Requirements Covered | 10, 12, 13, 23, 24, 25, 26, 27, 30, 31, 33. |

Annex 3**Use case 1.4.3. : Return and repository of TIR Carnets**

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| Name | Return and repository use case |
| Description | The TIR Carnet is sent back by the TIR Carnet holder to his national association which checks it before returning it to the IRU. National associations should also return to the IRU TIR Carnets it did not issue. The IRU archives all the TIR Carnets returned. |
| Actors | TIR Carnet holder, national association, international organization. |
| Performance Goals | Store the evidence of the termination for the duration of the liability of the international guaranteeing chain. |
| Preconditions | The TIR Carnet was issued to a TIR Carnet holder, who used it for a TIR transport. |
| Postconditions | |
| Scenario | The TIR Carnet holder returns the TIR Carnet within the deadline fixed by his issuing association. The national association checks whether the TIR Carnet was used properly and whether it was terminated (check of stamps against SafeTIR). The national association returns the TIR Carnets to the IRU. The IRU archives the TIR Carnets. All returned TIR Carnets are physically stored at the IRU at least for the period during which its liability can be invoked according to the TIR Convention. |
| Alternative Scenario | The holder does not return the TIR Carnet to his national association because it was lost or stolen. In this case, the holder immediately informs the national association in order to allow the TIR Carnet's invalidation by the IRU. The updated status of the TIR is displayed in CUTE-Wise. It may happen that the TIR Carnet is kept by the Customs authorities and not returned to the TIR Carnet holder. In such case, Customs are encouraged to provide the TIR Carnet holder with the return slip; Return of unused TIR Carnets to the national association.. |
| Special requirements | Returned TIR Carnets are stored at the IRU. |
| Extension Points | |
| Requirements Covered | 27, 28 |

Annex 4**Use case 1.4.4. : Discharge of a TIR operation**

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| Name | The discharge of a TIR operation |
| Description | Comparison of the data or information available at the Customs office of destination or exit (<u>en route</u>) and that available at the Customs office of departure or entry (<u>en route</u>). |
| Actors | Customs authorities |
| Performance Goals | The recognition by Customs authorities that the TIR operation has been terminated correctly in a Contracting Party |
| Preconditions | The regular termination of a TIR operation at a Customs office of destination or exit (<u>en route</u>). |
| Postconditions | Release the holder of his responsibilities and the national association of its guarantee, unless the certificate of termination of the TIR operation was obtained in an improper or fraudulent manner or no termination has taken place. |
| Scenario | Once the TIR operation has been terminated, the Customs office of destination or exit (<u>en route</u>) sends back voucher No. 2 to the Customs office of departure or entry (<u>en route</u>) or to a centralized Customs office. Customs authorities compare vouchers No. 1 and No. 2 in order to establish the discharge. |
| Alternative Scenario | Instead of sending No. 2 by post, an exchange of electronic messages between different Customs offices may take place; Non-discharge in case the comparison of vouchers No. 1 and 2 lead Customs to the conclusion that a Customs infringement has taken place and taxes and duties are due. |
| Special requirements | |
| Extension Points | Inquiry procedure in case discharge cannot be established. |
| Requirements Covered | 27, 28 |

Annex 5**Use case 1.4.5. : Start of a TIR operation**

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| Use Case Name | Start TIR operation use case |
| Use Case Description | The TIR Carnet is filled-in by the TIR Carnet holder and presented with the vehicle and goods to the Customs office of departure; in continuation, TIR Carnet, vehicle and goods have to be presented at intermediate Customs offices of departure and/or Customs offices of entry (<u>en route</u>). |
| Actors | TIR Carnet holder, Customs authorities. |
| Performance Goals | To perform part of a TIR transport in a given country. |
| Preconditions | Article 1 (3) |
| Postconditions | Termination of the TIR operation at the Customs office of exit (<u>en route</u>) or destination. |
| Scenario Customs office of Departure | An authorized TIR Carnet holder presents a valid and duly filled-in TIR Carnet, together with the goods and a TIR approved vehicle at the Customs office of departure. The Customs office of departure checks the data of the TIR Carnet and other accompanying documents with the load. The Customs office of departure seals the load compartment and validates the TIR Carnet by inserting the number and identification of the seals in field 16, and by applying the stamp, signature, date and name of the Customs office of departure in field 17 of all vouchers No. 1 and No. 2 of the TIR Carnet. The Customs officer completes fields 18 and 20 to 23 of the vouchers No. 1 and No. 2 corresponding to the TIR operation, completes counterfoil No. 1, removes voucher No. 1 and returns the TIR Carnet to the holder. |
| Scenario Customs office of entry | Upon presentation of the TIR Carnet by the holder, the Customs office of entry checks the seals and carries out a routine check of the truck and accompanying documents and may check the validity of the TIR Carnet in Cute-Wise. In exceptional cases, Customs authorities can require examination of road vehicle, combination of vehicles or containers and their load. The Customs officer validates the TIR Carnet by completing fields 18 to 23 of vouchers No. 1 and No. 2 corresponding to the TIR operation, completes counterfoil No. 1, removes voucher No. 1 and returns the TIR Carnet to the holder. |
| Scenario Intermediate Customs office of departure | The holder presents the TIR Carnet, together with the goods, already loaded at a previous Customs office of departure, at the intermediate Customs office(s) of departure which acts in the same way as the Customs office of departure: the Customs officer checks the data of the TIR Carnet and other accompanying documents with the load. He affixes new seals to the load compartment and validates the TIR Carnet by inscribing the number, identification of the seals in field 16, and by applying the stamp, signature, date and name of the intermediate Customs office of departure in field 17 of all vouchers No. 1 and No. 2 remaining in the TIR Carnet. He completes fields 18 and 20 to 23 of vouchers No. 1 and No. 2 corresponding to the TIR operation, completes counterfoil No. 1, removes voucher No. 1 and returns the TIR Carnet to the holder. |
| Alternative Scenario | Non validation of the TIR Carnet by Customs Falsified acceptance of the TIR Carnet Use of lost and stolen TIR Carnets |
| Special requirements | In case of heavy and bulky goods with own identification marks, sealing nor a TIR approved vehicle is required. Specific identification marks will be mentioned in the TIR Carnet. |
| Extension Points | |

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| Requirements Covered | 13, |
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Annex 6**Use case 1.4.6. : Termination of a TIR operation**

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| Name | Terminate TIR operation use case |
| Description | The road vehicle, the combination of vehicles or the container with the goods and the TIR Carnet are presented for purposes of control to the Customs office of exit (<u>en route</u>) (scenario 1) or of destination (scenario's 2 and 3) |
| Actors | TIR Carnet holder, Customs authorities. |
| Performance Goals | Terminate the TIR operation in a Contracting Party. |
| Preconditions | Start of the TIR operation in the Contracting Party. |
| Postconditions | Discharge of the TIR operation |
| Scenario 1 | <p>Terminate TIR operation at the Customs office of exit en route:</p> <p>The holder presents the road vehicle, the goods and the TIR Carnet to the Customs Office of exit (<u>en route</u>) for purposes of control. The Customs officer checks the validity of the TIR Carnet, checks the integrity of the sealing devices, seals and their number against the seal's number mentioned in the TIR Carnet.</p> <p>The Customs Officer may also examine all parts of the vehicle in addition to the sealed load compartment (Explanatory Note 0.21-1 to Article 21 of the TIR Convention).</p> <p>The Customs Officer may exceptionally carry out an examination of the goods, particularly when an irregularity is suspected (Art. 5 par. 2 of the TIR Convention). In case of examination of the load of a road vehicle, combination of vehicles or the container, the Customs Officer affixes new seals and records on the TIR Carnet vouchers used in that Contracting Party, on the corresponding counterfoils, and on the vouchers remaining in the TIR Carnet, particulars of the new seals affixed and of the controls carried out (Art. 24 of the TIR Convention).</p> <p>If the checks are not satisfactory to the Customs officer, because he notices any irregularity in connection with the TIR operation itself, he may certify the termination of this TIR operation with reservation. In this case, the Customs officer completes field 24 of the appropriate detachable green sheet of voucher No. 2 by inscribing the name of the Customs office of exit (<u>en route</u>), crosses out box 25 (or does not cross out box 25, if the reason for the reservation is that seals or identification marks were indeed not found to be intact), completes field 27 by placing an "R" and fills-in field 28 by putting a stamp, date and a signature. Then the Customs officer completes accordingly the corresponding green counterfoil namely by inscribing the name of the Customs office of exit (<u>en route</u>) in field 1, crossing out box 2 (or does not cross out box 2, if the reason for the reservation is that seals or identification marks were indeed not found to be intact), repeating "R" under item 5 inscribing the reason why the TIR operation is terminated with reservation, and completing field 6 by putting the Customs stamp, date and signature.</p> <p>If the checks are satisfactory to the Customs officer, he completes field 24 of the appropriate detachable green sheet of voucher No. 2 of the TIR Carnet by inscribing the name of the Customs office of exit (<u>en route</u>), crosses out box 25 and completes field 28 by putting a stamp, date and a signature. Then the Customs officer completes accordingly the corresponding green counterfoil namely by inscribing the name of the Customs office of exit (<u>en route</u>) in field 1, crossing out box 2 and completing field 6 by putting the Customs stamp, date and signature.</p> <p>After completing voucher and counterfoil number 2 with or without reservation, the Customs officer removes the green voucher number 2 of the TIR Carnet, and</p> |

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| | <p>returns the TIR Carnet to the holder. The TIR operation is now terminated (Art. 1 lit. d of the TIR Convention). The Customs officer further tears off the detachable green sheet of voucher No. 2 of the TIR Carnet.</p> |
| Scenario 2 | <p>Terminate TIR operation at the Customs office of destination:</p> <p>The holder presents the road vehicle, the goods and the TIR Carnet to the Customs Office of destination for purposes of control. The Customs officer checks the validity of the TIR Carnet, checks the integrity of the seals and their number against the seal's number mentioned in the TIR Carnet.</p> <p>The Customs Officer may also examine all parts of a vehicle in addition to the sealed load compartment (Explanatory Note 0.21-1 to Article 21 of the TIR Convention).</p> <p>The Customs Officer takes the seals off and checks the goods.</p> <p>If the checks are not satisfactory to the Customs Officer because he noticed some irregularities connected with the TIR operation itself, he may certify the termination of this TIR operation with reservation. In this case, the Customs officer completes field 24 of the appropriate detachable green sheet of voucher No. 2 of the TIR Carnet by inscribing the name of the Customs office of destination, crosses out box 25 (or does not cross out box 25, if the reason for the reservation is that seals or identification marks were indeed not found to be intact), inscribes the number of packages for which the termination of the TIR operation is certified in field 26, completes field 27 by placing an "R" and fills in field 28 by putting a stamp, date and a signature. Then the Customs officer completes accordingly the corresponding green counterfoil namely by inscribing the name of the Customs office of destination in field 1, crossing out box 2 (or does not cross out box 2, if the reason for the reservation is that seals or identification marks were indeed not found to be intact), inscribing the number of packages for which the termination of the TIR operation is certified in field number 3, repeating "R" under item 5 inscribing the reason why the TIR operation is terminated with Reservation, and completing field 6 by putting the Customs stamp, date and signature.</p> <p>If the checks are satisfactory to the Customs officer, he completes field 24 of the appropriate detachable green sheet of voucher No. 2 of the TIR Carnet by inscribing the name of the Customs office of destination, crosses out box 25, inscribes the number of packages for which the termination of the TIR operation is certified in field 26 and completes field 28 by putting a stamp, date and a signature. Then the Customs officer completes accordingly the corresponding green counterfoil namely by inscribing the name of the Customs office of destination in field 1, crossing out box 2, inscribing the number of packages for which the termination of the TIR operation is certified in field number 3, and completing field 6 by putting the Customs stamp, date and signature.</p> <p>After completing voucher and counterfoil No. 2 with or without reservation, the Customs officer removes the green voucher No. 2 of the TIR Carnet and returns the TIR Carnet to the holder. The Customs officer further tears off the detachable green sheet of voucher No. 2 of the TIR Carnet, keeps the upper part of the green voucher number 2 at the Customs office of destination.</p> <p>The TIR operation is now terminated (Art. 1(d) of the TIR Convention). The Customs office of destination sends the SafeTIR message confirming the correct termination of the TIR operation at the Customs office of destination to the competent national guaranteeing association.</p> <p>The Customs officer sends the detachable green sheet to the Customs office of entry (en route).</p> |

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| Scenario 3 | <p>Intermediate Customs office of destination</p> <p>In case a TIR transport consists of various part loads, one or two TIR operations will be terminated at intermediate Customs offices of destination. Such Customs office will play both the role of Customs office of destination (see scenario 2) as well as Customs office of departure (see also: Use Case 1.4.5.)</p> |
| Alternative Scenario | Incident or accident. See also Rules regarding the use of the TIR Carnet (Note by the secretariat: to be amended). |
| Special requirements | |
| Extension Points | <p>If the Customs office where the TIR operation was terminated is not the Customs office of destination, the extension point is: the opening of a TIR operation in the next Contracting party.</p> <p>If it is the Customs office of destination, the extension point is: the discharge of the TIR operation.</p> <p>After termination, the goods may be unloaded (or not). In any case those goods are no longer under the TIR regime: they are put under another Customs Regime.</p> |
| Requirements Covered | |