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Customs Convention on the International Transport of Goods
under Cover of TIR Carnets (TIR Convention, 1975) – application
of the Convention: other matters

Proposal to amend the Customs Convention on the International Transport of Goods under Cover of TIR Carnets (TIR Convention, 1975)

Proposal to introduce a Code system to report defects in load compartments of vehicles used for the TIR procedure

Transmitted by the European Union

I. Introduction

1. One of the principles of the TIR customs transit regime is that goods shall be carried in load compartments which are constructed in a such way that there shall be no access to the interior when secured by a customs seal and that any tampering will be clearly visible.
2. This principle is developed in Article 12 of the TIR Convention which stipulates that every road vehicle must, as regards its construction and equipment, fulfil the conditions set out in Annex 2 of the TIR Convention and must have been approved according to the procedure laid down in Annex 3 of the TIR Convention. If the conditions are fulfilled, competent national authorities issue a Certificate of Approval (conforming to the specimen reproduced in Annex 4) for the road vehicle. In principle, this certificate shall be recognized in all Contracting Parties to the TIR Convention.
3. Article 14 of the TIR Convention reserves the right of a Contracting Party to refuse recognizing the validity of the approval in the case a road vehicle (or container) does not meet the requirements and before the road vehicle in question can be used again for the

transport of goods under a customs seal it shall be either restored to its original state or presented for re-approval.

4. The procedure for endorsement of the Certificate of Approval (Annex 3, paragraph 19) provides that when an approved vehicle carrying goods under cover of a TIR carnet is found to have major defects, the competent authorities of the Contracting Party may either refuse to allow the vehicle, to continue its journey on its territory or take the necessary security precautions. In accordance with Annex 3, paragraph 20 the customs authorities shall make an appropriate endorsement in item No. 10 of the Certificate of Approval. When the vehicle has been restored to a condition which justifies approval, it shall be presented to the competent authorities of a Contracting Party that shall revalidate the Certificate by adding an endorsement in item No. 11 cancelling the earlier observations recorded in item No. 10.

II. Existing difficulties

5. Currently, the rules do not specify any uniform system or codes to record a defect remark in the Certificate of Approval. In practice, the customs authorities use their own national language and handwriting to report a defect remark. As the space reserved for the text is rather limited, the defect is not always properly described.

6. The experience gained has shown that when the vehicle is presented for re-approval in a Contracting Party other than the one recording the defect the competent authorities of that Contracting Party or the carrier may not be able to read what part or place of the load compartment the reported defect in question concerns.

III. Possible solution

7. A replacement of handwritten defect remarks with common codes indicating the exact place and type of defect that has been recorded in the Certificate of Approval would effectively solve the problem. This system code, if introduced in the Convention, would be recognized in all Contracting Parties.

8. This would facilitate trade and standardise the process of informing carriers, customs authorities in different Contracting Parties and other bodies involved in the TIR system of any defects of vehicles.

IV. Code system to be used to report defect remarks in the certificate of approval

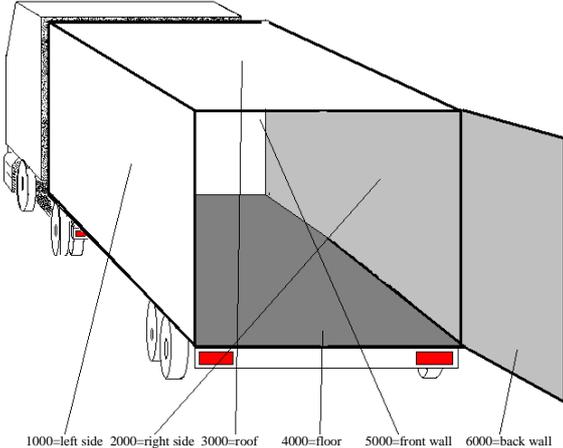
9. The uniform system to be implemented could consist of four (4) digits code.

10. The code could divide the load compartment into six separate sections: left side, right side, floor, roof, front wall and back wall. In addition, the load compartment could be divided into three separate parts longitudinally (direction of motion): front, centre, back. It is considered not necessarily to divide front wall and back wall into separate parts since the area to be examined is quite small.

A. First number indicates the part in question of the load compartment

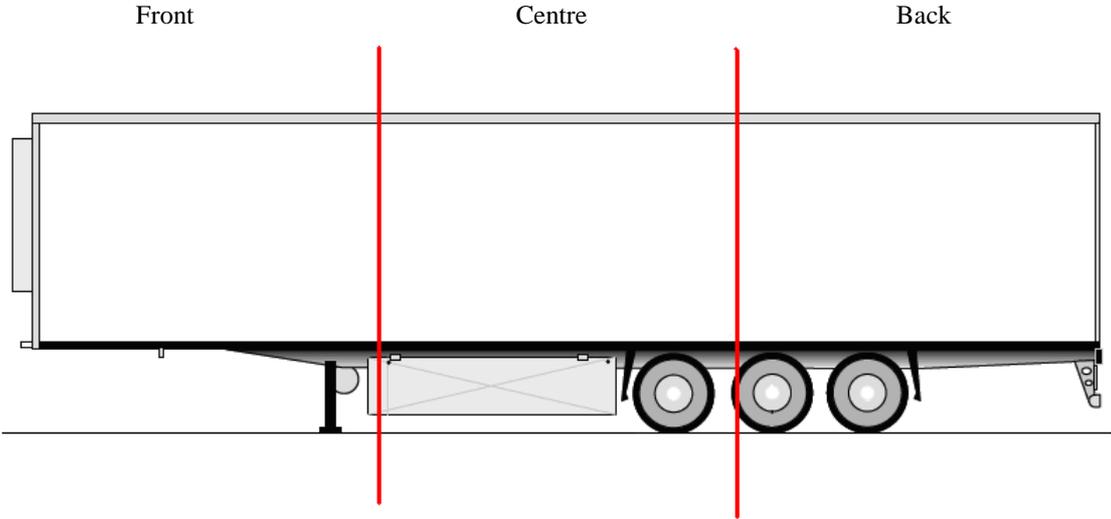
- 1000 Left side
- 2000 Right side

- 3000 Roof
- 4000 Floor
- 5000 Front wall
- 6000 Back wall
- 7000 The defect in question concerns the load compartment as a whole (e.g. a TIR plate is missing)



II. Second number indicates the part in question longitudinally

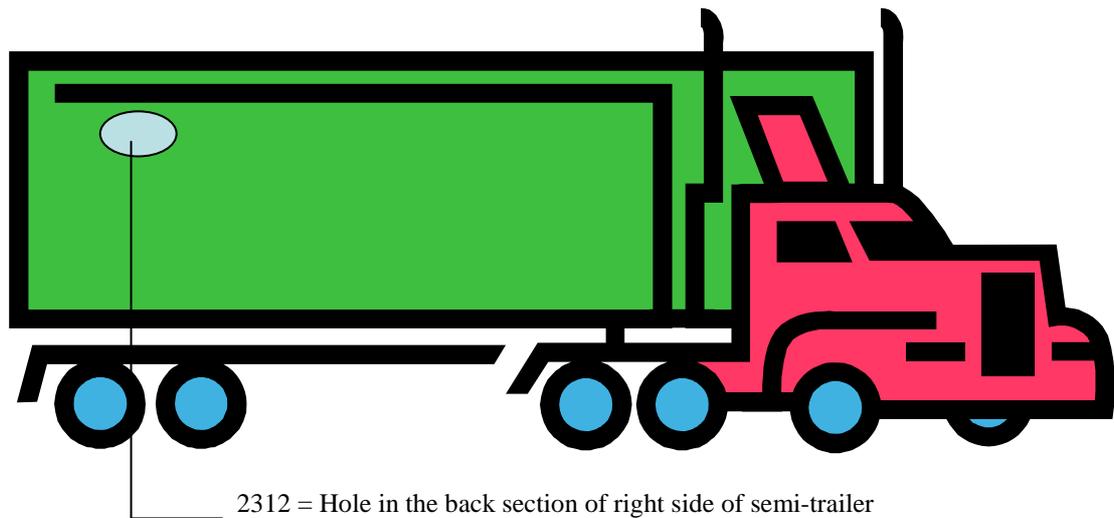
- 0100 Front (e.g. 1100 = left side, front)
- 0200 Centre
- 0300 Back



III. Last two numbers indicate the defect itself

11. The following are the most common defects detected in practice:

- 02 End-piece of the sealing wire to be replaced
- 03 Space between securing rings/eyelets is too long
- 04 Reinforcement of the securing ring missing/to be patched up
- 05 Securing ring to be fastened from inside
- 06 Securing ring to be replaced
- 07 Thong to be replaced
- 08 Fastening of the thong to be repaired
- 09 Securing ring/eyelet missing
- 10 Eyelet model used at the upright incorrect
- 11 Floor fastening to be made from inside
- 12 Hole
- 13 Sliding sheet, fastening of the guidance bar insufficient
- 14 Sliding sheet, fastening insufficient
- 15 Strap/hinge fastening insufficient/to be secured
- 16 Locking device insufficient/to be secured
- 17 Sealing not possible
- 18 Stopcock/valve/flange/manhole-cover (sealing not possible)
- 19 Apertures for ventilation and drainage device not secured
- 20 Certificate of approval shall be renewed
- 21 Vehicle cannot be identified from the Certificate of Approval
- 22 Sheet to be repaired from inside/accordingly
- 23 Overlapping of the sheets insufficient
- 24 Sheet to be tightened accordingly
- 25 Securing ring fastened in impermanent way
- 26 Not allowed "blind" rivet used
- 27 Customs rope broken/worn through/too short/too long
- 28 Other defects



V. Example of the Certificate of Approval

12. Annex I contains an example of the Certificate of Approval where defects are entered in writing using the current practice and below that is shown how the same defects could be presented using a code system. The example proves that the space reserved for defect remarks in box No. 10 is not sufficient in the case the vehicle has several defects (affecting secure sealing or description of the defect requires a lot of (technical) words). Also the space reserved for a customs stamp is not always suited to the size of the stamp and handwriting is not always easy to read even if the Contracting Party re-approving the vehicle is the same one notifying the defect.

VI. Legal adaptations

13. There would be a need to establish a legal basis for the code system reporting defect remarks.

14. Pending the legal amendments process one may consider to include the code system in the “best practices” section. This would temporarily solve the problem, until appropriate legal process is concluded and finalized.

15. However, the proposal for a legal amendment would concern point 20 of Annex 3 to the TIR Convention which has to be changed as follows:

"Annex 3

Procedure for the approval of road vehicles complying with the technical conditions set forth in the regulations contained in Annex 2

(...)

Procedure for endorsement of the Certificate of Approval

(...)

20. In each of these cases the Customs authorities shall make an appropriate endorsement in item No. 10 of the Certificate of Approval of the Vehicle **using the codes in Appendix.**¹ When the vehicle has been restored to a condition which justifies approval, it shall be presented to the competent authorities of a Contracting Party who shall revalidate the Certificate of Approval by adding an endorsement to item No. 11 cancelling the earlier observations. No vehicle, the Certificate of which has been endorsed at item No. 10 under the provisions of the preceding paragraph, may again be used for the transport of goods under a TIR carnet until it has been restored to a satisfactory condition and until the endorsement in item No. 10 has been cancelled as stated above.

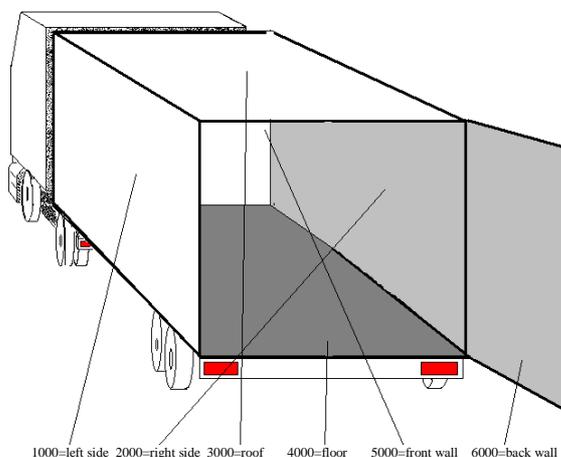
(...)

Appendix

List of codes to report defect remarks in the Certificate of Approval:

I. First number indicates the part in question of the load compartment

- **1000 Left side**
- **2000 Right side**
- **3000 Roof**
- **4000 Floor**
- **5000 Front wall**
- **6000 Back wall**
- **7000 The defect in question concerns the load compartment as a whole (e.g. a TIR plate is missing)**

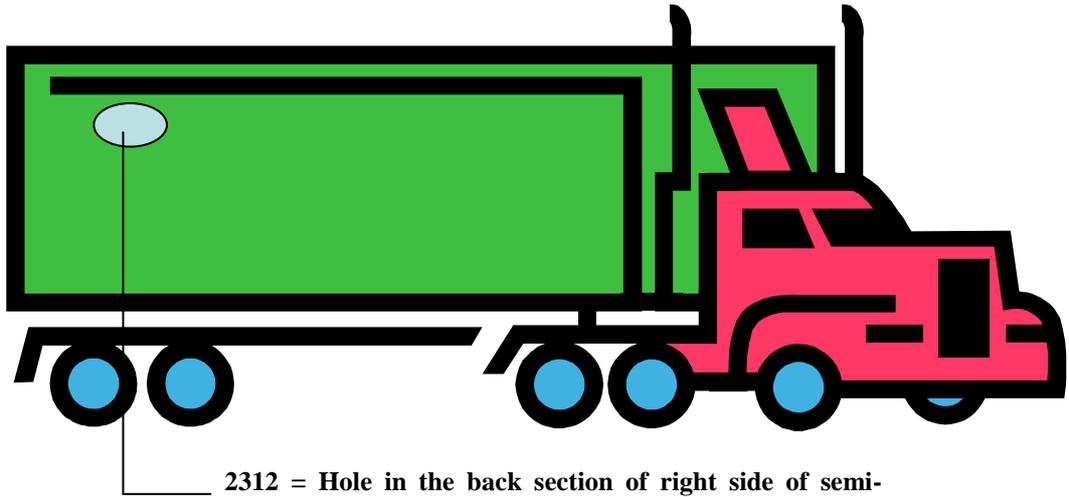


II. Second number indicates the part in question longitudinally

- **0100 Front (e.g. 1100 = left side, front)**
- **0200 Centre**
- **0300 Back**

¹ The modifications are marked in **bold** for new text.

- 23 Overlapping of the sheets insufficient
- 24 Sheet to be tightened accordingly
- 25 Securing ring fastened in impermanent way
- 26 Not allowed "blind" rivet used
- 27 Customs rope broken/worn through/too short/too long
- 28 Other defects

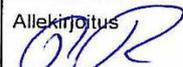
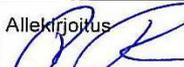


Annex I

Model Certificate of Approval of a Road Vehicle

I. Current practice

Maantiekulkuneuvon hyväksymistodistuksen malli (jatkuu)

HUOMAUTUKSIA (varattu toimivaltaisten viranomaisten käyttöön)		Hyväksymistodistus nro	
10. Havaitut puutteet LASTIVAKSIOON EUPOSSA LATTIAVAUERIT IRTL, KUMMITETTAVA ASIAKUNNOKSESTI		11. Puutteet korjattu PUUTTEET KORJATTU ?	
Viranomaisen TULLI LUJANEN	Leima 02-03-2009 FI TULLI TULLI LAPPEENRANTA	Viranomaisen TULLI LUJANEN	Leima 22-04-2009 FI TULLI TULLI LAPPEENRANTA
Allekirjoitus 		Allekirjoitus 	
10. Havaitut puutteet TIIR-VAIJERIN PÄÄ USITTAVA. OIKEALLA KESELLÄ RÄUGAS LUKKESIA IRTA EDESSÄ KULMA HIHNA USITTAVA ASIAKUNNOKSESTI		11. Puutteet korjattu OK ?	
Viranomaisen TULLI LUJANEN	Leima 6007-10-2009 FI TULLI TULLI LAPPEENRANTA	Viranomaisen TULLI LUJANEN	Leima 6007-09-2009 FI TULLI TULLI LAPPEENRANTA
Allekirjoitus 		Allekirjoitus 	
10. Havaitut puutteet		11. Puutteet korjattu	
Viranomaisen	Leima	Viranomaisen	Leima
Allekirjoitus		Allekirjoitus	
12. Muut huomautukset			

Katso sivulla 4 olevaa kohtaa "Tärkeä huomautus".
[sivu 3]

II. Using code system:

Maantiekulkuneuvon hyväksymistodistuksen malli (jatkuu)

HUOMAUTUKSIA (varattu toimivaltaisten viranomaisten käyttöön)				Hyväksymistodistus nro			
10. Havaitut puutteet		11. Puutteet korjattu					
4111		OK!					
Viranomaisen TULLI		Viranomaisen TULLI		Leima		Leima	
Allekirjoitus PERTTI OIKKONEN		Allekirjoitus PERTTI OIKKONEN		Leima		Leima	
Viranomaisen TULLI		Viranomaisen TULLI		Leima		Leima	
Allekirjoitus PERTTI OIKKONEN		Allekirjoitus PERTTI OIKKONEN		Leima		Leima	
10. Havaitut puutteet		11. Puutteet korjattu					
6002 2209 5007		OK!					
Viranomaisen TULLI		Viranomaisen TULLI		Leima		Leima	
Allekirjoitus PERTTI OIKKONEN		Allekirjoitus PERTTI OIKKONEN		Leima		Leima	
Viranomaisen TULLI		Viranomaisen TULLI		Leima		Leima	
Allekirjoitus PERTTI OIKKONEN		Allekirjoitus PERTTI OIKKONEN		Leima		Leima	
10. Havaitut puutteet		11. Puutteet korjattu					
Viranomaisen		Viranomaisen		Leima		Leima	
Allekirjoitus		Allekirjoitus		Leima		Leima	
12. Muut huomautukset							

Katso sivulla 4 olevaa kohtaa "Tärkeä huomautus".
[sivu 3]