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INLAND TRANSPORT COMMITTEE

Working Party on Customs Questions
affecting Transport

Ad hoc Group of Experts
on Phase II of the TIR revision process
(Fourth session, 21-24 June 1999,
agenda items 4(c) and 4(e))

**PROPOSALS FOR AMENDMENTS TO THE TIR CONVENTION, 1975 -
PHASE II OF THE TIR REVISION PROCESS**

Recommended procedure for the termination of a TIR operation

Recommended inquiry procedure

Transmitted by the European Commission (EC)

Note: The content of the proposals contained below has been reproduced by the secretariat as received from the European Commission.

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A. RECOMMENDED PROCEDURE FOR THE TERMINATION OF A TIR OPERATION

1. The goods and the TIR Carnet relating thereto shall be produced to the Customs office of destination or exit (en route) during the days and hours appointed for opening. However, the said office may, at the request and expense of the party concerned, allow the documents to be produced outside the appointed days and hours. Similarly, at the request and expense of the party concerned, the office of destination or exit (en route) may also allow the goods and the TIR Carnet to be produced in any other place.
2. The office of destination or exit (en route) shall:
 - carry out appropriate controls;
 - register the TIR Carnet;
 - provide a certificate of termination by completion of boxes 24 to 28 of voucher No. 2 of the TIR Carnet;
 - complete the counterfoil to voucher No. 2 and remove it from the TIR Carnet;
 - return the TIR Carnet to the person presenting it.
3. The office of destination or exit (en route) shall issue a receipt on request to the person presenting the TIR Carnet. The receipt shall conform to the specimen (to be produced). It shall be completed in advance by the person concerned. It may not be used as proof of the operation having been terminated.

Remarks:

(A) The last sentence of paragraph 1 is intended to address the situation (increasingly common in some Contracting Parties) where the Customs office is at a different place from the place where the goods are produced.

(B) Operators often have difficulty in resolving inquiries sent to them by Customs about the non-discharge of TIR operations. The Community transit procedure provides for the issue of a receipt similar to that proposed in paragraph 3. Such a receipt is not acceptable in Community transit as proof of termination, but it has been useful in helping to resolve enquiries. Under the TIR procedure, the operator is given the counterfoil to voucher No. 2, but he then sends it to the national association and may therefore have no documentation that he can produce in the event of inquiries being made. It is for consideration whether the issue of a receipt would be of value under the TIR procedure.

B. RECOMMENDED INQUIRY PROCEDURE

4. The table below shows in a succinct way the recommended inquiry procedures to be undertaken by the Customs offices of departure or entry (en route) if the voucher No. 2 is not returned by the Customs office of destination or exit (en route). Depending on national practices other as well as supplementary procedures may also apply and could be added.

Action by Customs office of departure or entry (<u>en route</u>)	Non-sensitive goods	Sensitive goods
(1) Send request for information to office of destination or exit (<u>en route</u>)	voucher No. 2 not returned after 3 months	voucher No. 2 not returned after 1 month
(2) Inform national guaranteeing association of possible non-termination (pre-notification)	same time as above	same time as above
(3) Send a reminder to the supervisory authority for the Customs office of destination or exit (<u>en route</u>)	3 months after (1)	1 month after (1)
(4) Notify the guaranteeing association and, if possible, the TIR Carnet holder of non-termination or conditional termination	3 months after (3)	1 month after (3)
(5) Request payment, as far as possible, from person(s) directly liable	3 months after (4)	3 months after (4)
(6) Send request for payment to the guaranteeing association.	1 month after (5)	1 month after (5)

5. A possible specimen inquiry notice form as well as a reminder letter to be recommended for use by Customs authorities are contained below.

Specimen inquiry notice**TIR Carnet - Inquiry notice**

I. To be completed by the Customs office of departure/office of entry (<u>en route</u>)		
A. TIR Carnet No. Copy of voucher No. 1 attached	B. Customs office of destination/exit (<u>en route</u>)	
C. Customs office of departure/entry (<u>en route</u>) (name and full address)	D. Vehicle registration number or name of vessel, if known	
E. According to information available to this Customs office, the consignment was		
G 1. Produced to on _ _ _ _ D M Y		
G 2. Delivered to on _ _ _ _ D M Y (name and address of person or firm)		
3. The Carnet holder is unable to give any information about the whereabouts of the goods		
Place and date:	Signature:	Stamp:
II. To be completed by the Customs office of destination/exit (<u>en route</u>) Request for additional information		
In order to carry out inquiries the Customs office of departure/entry (<u>en route</u>) is requested to send:		
G 1. a precise description of the goods		
G 2. a copy of the CMR consignment note		
G 3. the following documents or information:		
Place and date:	Signature:	Stamp:
III. To be completed by the Customs office of departure/entry (<u>en route</u>) Reply to the request for additional information		
G 1. The information, copies or documents requested are annexed		
G 2. The information, copies or documents referred to under numbers are not available _ _ _ _		
Place and date:	Signature:	Stamp:
IV. To be completed by the Customs office of destination/exit (<u>en route</u>)		
G 1. Voucher No. 1 was returned on _ _ _ _ ; the duly endorsed copy of Voucher No. 1 is attached D M Y		
G 2. The duly endorsed Voucher No. 2 is attached to this inquiry notice		
G 3. Inquiries are being made and Voucher No. 2 or a copy of Voucher No. 1 will be returned as soon as possible		
G 4. The consignment was produced here without the relative document		
G 5. Neither the consignment nor the TIR Carnet were produced here and no information about these can be obtained		
Place and date:	Signature:	Stamp:

Specimen reminder letter
TIR Carnet - Reminder letter

I. Customs office of departure/entry (<u>en route</u>) (name and address)	II. Authority to which addressed (name and address)
III. Reference/No.	
IV. TIR Carnet (No. and date)	
V. Inquiry notice (No. and date)	
VI. Any details concerning the Customs office of destinations/exit (<u>en route</u>)	
VII. Any other information	
- Continued overleaf -	
VIII. I have not yet received any answer to the above-mentioned inquiry notice. Would you please inform me on the present position of inquiries carried out.	
IX. Reply to the authority addressed	
- Continued overleaf -	
At,	Stamp
Signature	

Annexes: A copy of voucher No. 1 of the TIR Carnet
A copy of the inquiry notice
