

Organisation and Functioning of the TIR Guarantee Chain

WP.30 Geneva, 12 October 2004



TIR Actors



IRU Union Internationale des Transports Routiers
CARNET TIR

1. Valable pour prise en charge par le bureau de douane de départ jusqu'au _____ inclus
Valid for the acceptance of goods by the Customs office of departure up to and including _____

2. Délivré par _____
Issued by _____

Association

4. Signature du délégué de l'association
et cachet de cette association:
Signature of authorized official of the
issuing association and stamp of that
association: _____

5. Signature du secrétaire
de l'organisation internationale:
Signature of the secretary of the international
organization: _____

6. Pays de départ
Country/Countries of departure (*) _____

7. Pays de destination
Country/Countries of destination (*) _____

8. No(s) d'immatriculation du (des) véhicule(s) routier(s) (*)
Registration No(s) of road vehicle(s) (*) _____

Holder

10. No(s) d'identification du (des) conteneur(s) (*)
Identification No(s) of container(s) (*) _____

11. Observations diverses
Remarks _____

12. Signature du titulaire du carnet:
Signature of the carnet holder: _____

(*) Biffer la mention inutile.
Strike out whichever does not apply.

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VOLET N° 1

1. **CARNET TIR** XC38000000

2. Bureau(s) de douane de départ

3. Nom de l'organisation internationale
IRU Union Internationale des Transports Routiers

4. Titulaire du carnet (nom, adresse, pays)

5. Pays de départ

6. Pays de destination

7. No(x) d'immatriculation du (des) véhicule(s) routier(s)

8. Documents joints au manifeste

MANIFESTE DE MARCHANDISES

9. a) Compartiment(s) de chargement ou conteneur
b) Marques et Nos des colis ou objets

10. Nombre et nature des colis ou objets; désignation des marchandises

11. Poids brut en kg

12. Total des colis figurant sur le manifeste Destination: _____

13. le certifié que les indications sous le No _____

17. Bureau de douane de départ
Signature de l'agent et timbre à date du bureau de douane

20. Délai de transit

23. Signature de l'agent et timbre à date du bureau de douane

VOLET N° 1 XC38000000 PAGE 1 du CARNET TIR

1. Bureau de douane de destination

2. Sous le No _____

3. Scelléments ou marques d'identification apposés

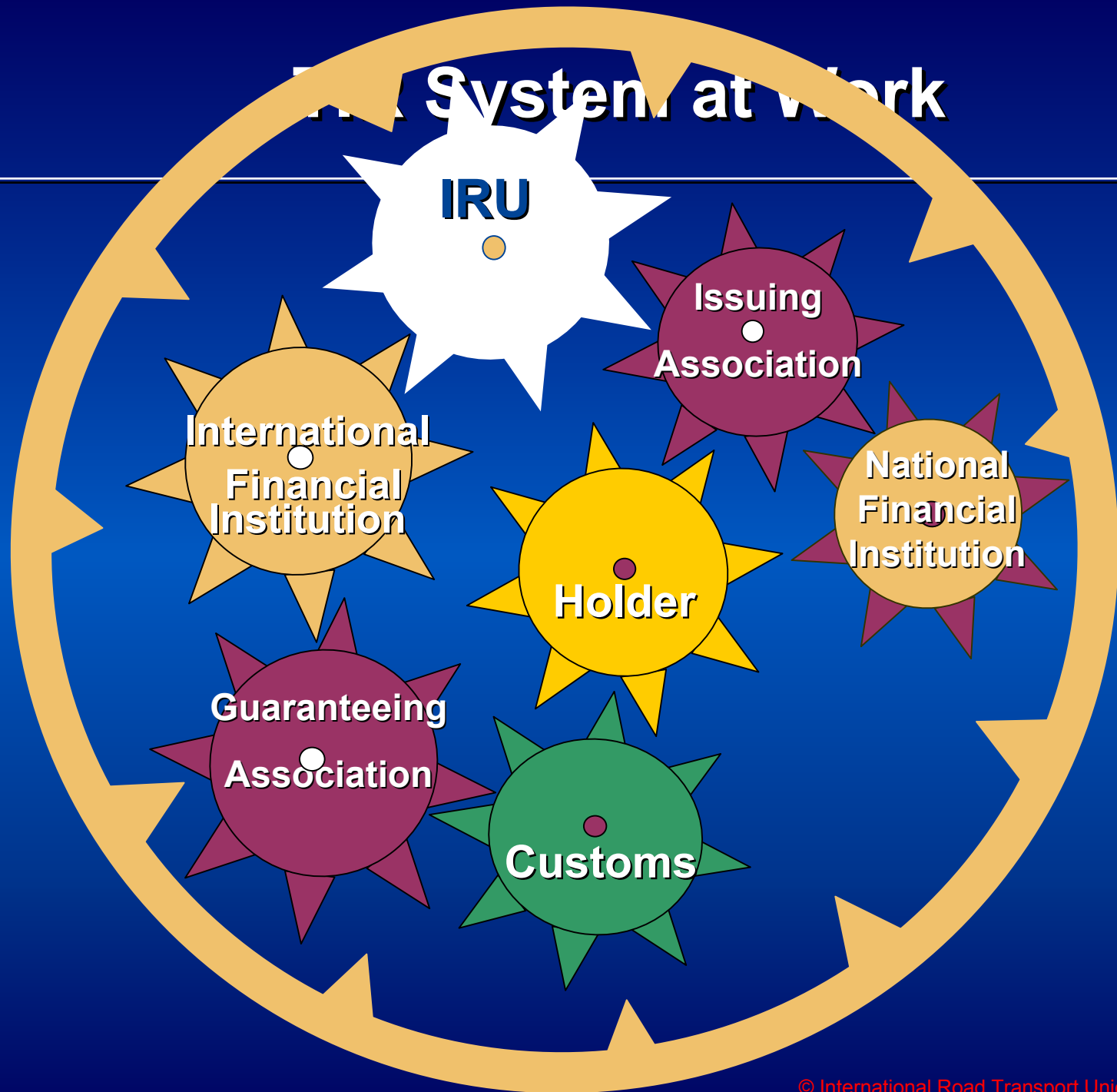
4. Scelléments ou marques d'identification reconnus intacts

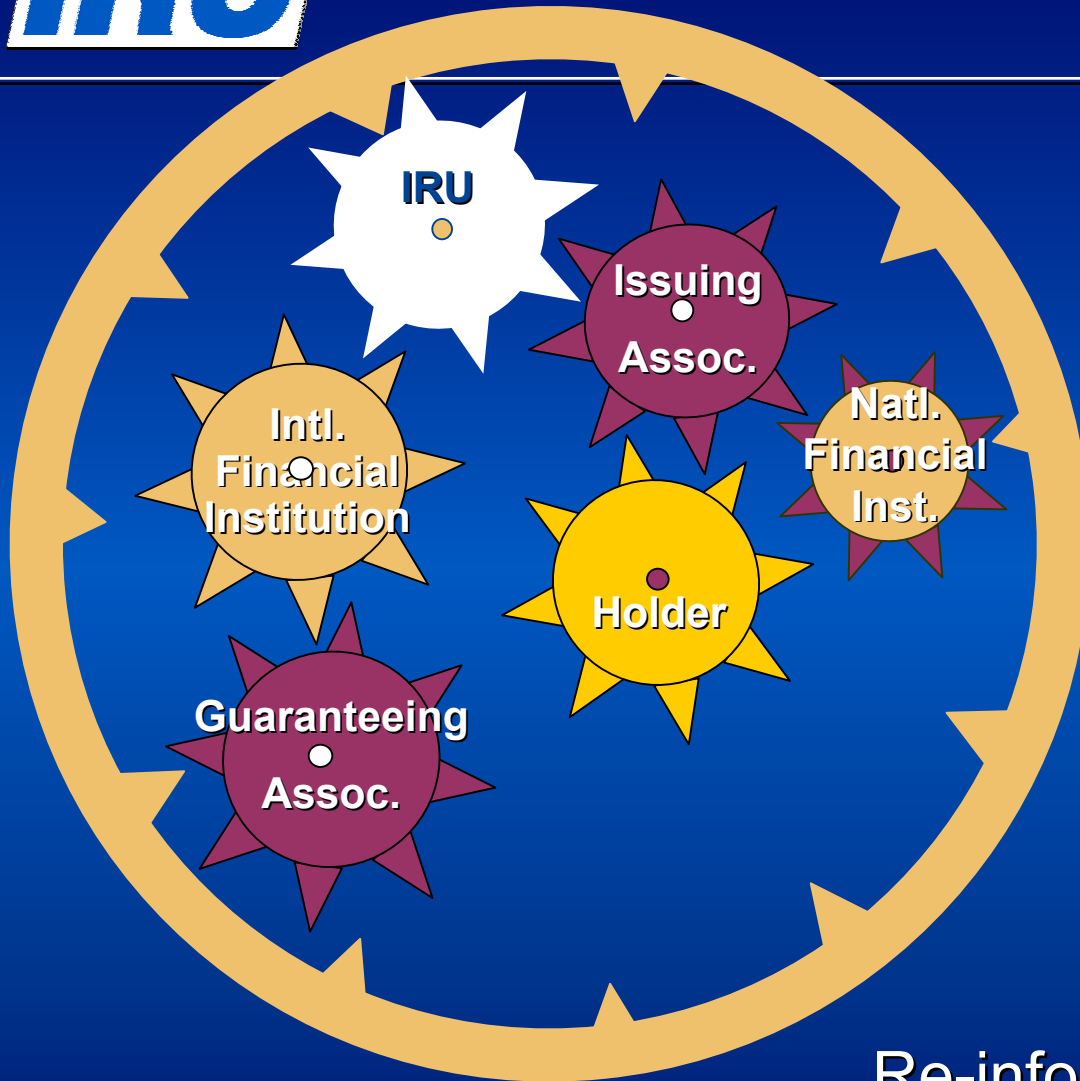
5. Divers (timbreaine fax, bureau où le transport doit être présenté, etc.)

6. Signature de l'agent et timbre à date du bureau de douane

Holder →

Customs →





IRU is authorised by the Administrative Committee to take on responsibility for the effective organisation and functioning of an international guarantee system (article 6.2 bis)

“A Credible, Reliable & Solid financial back-up”

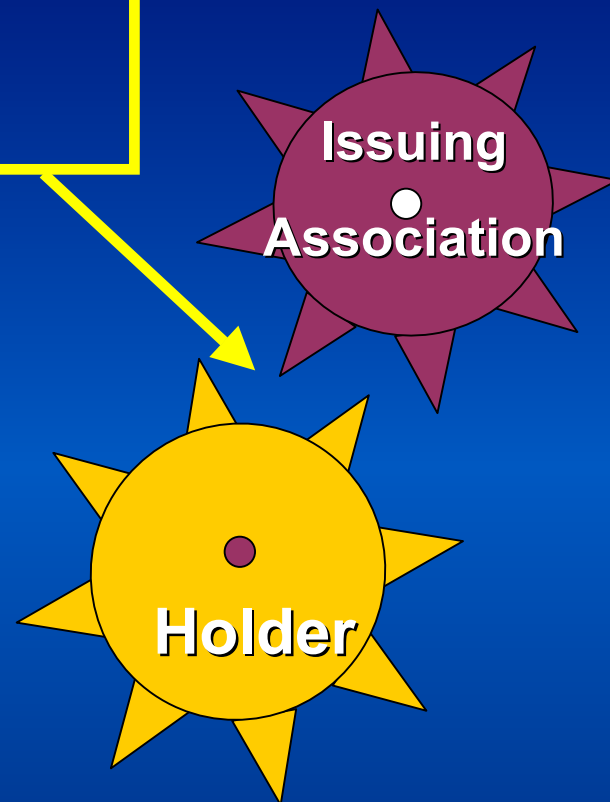
Re-inforced with...

Global International Financial Institution

National Financial Institution

DECLARATION OF ENGAGEMENT SIGNED

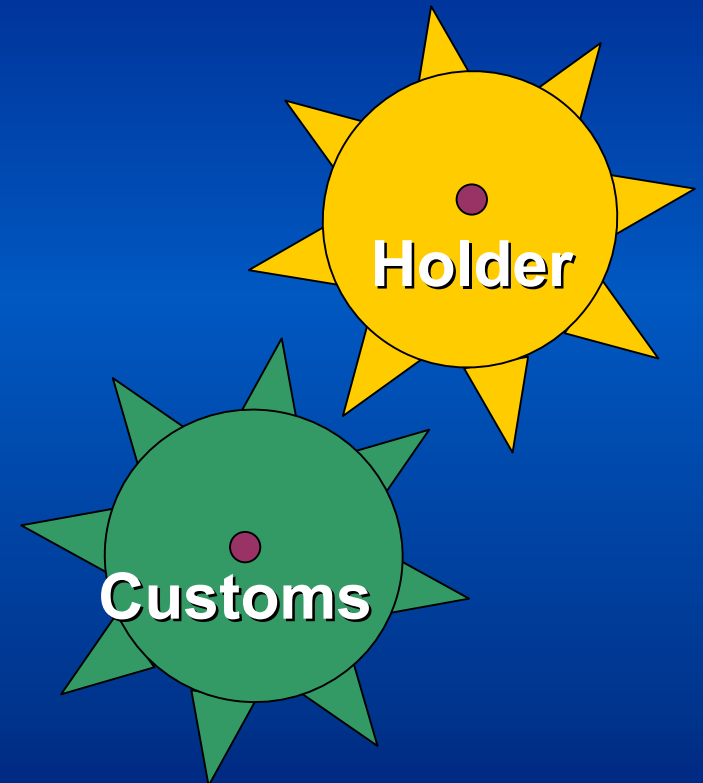
- Association submits Holder's application to National Customs
- Holder lodges an Admission Guarantee of minimum \$5'000
- A quota of TIR Carnets is allocated to each Holder



The Declaration of Engagement includes a written undertaking by the Holder to comply with Customs rules.

The Holder, as the Customs Declarant ...

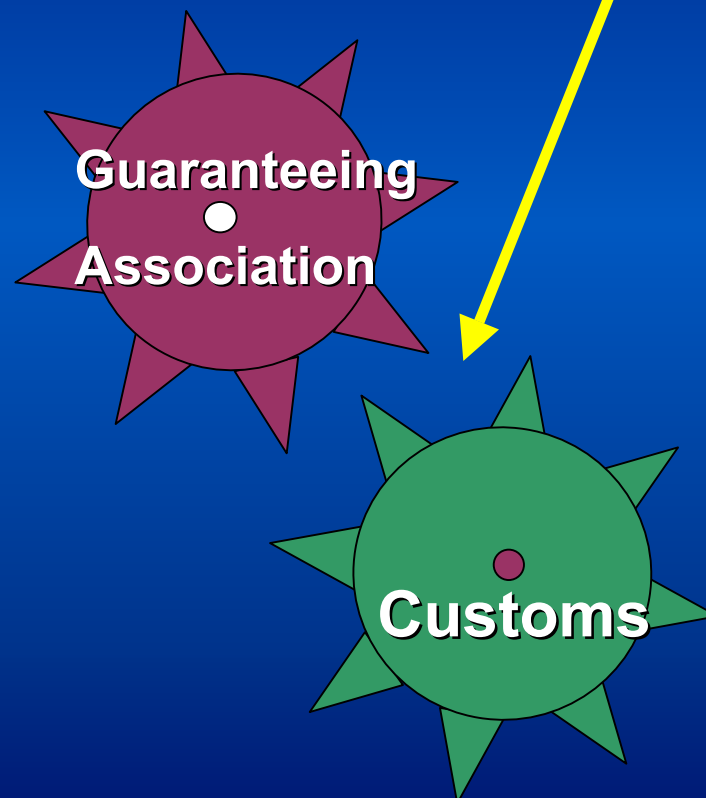
- presents TIR Carnet, goods and vehicle to Customs
- alerts Customs in case of incidents
- assists with enquiries and identification of “Person(s) Directly Liable”.



Article 1.q :TIR Convention:

- A Guaranteeing Association is approved by the Customs authorities of a Contracting Party to act as surety for persons using the TIR procedure.

**DEED of
GUARANTEE (Surety)**



Current Global Contract (Zurich)

- Territorial limit
- Maximum coverage of carnets as defined in the Deed of Guarantee at national level in each country. Annual aggregate indemnity limit = CHF 300'000'000
- No arbitration clause
- Claims handling
- National layer
 - covers responsibility of Holder to the guarantee chain (clause 31)
- Risk Management & SafeTIR
- Annual Certificate of cover.

International Financial Institution GLOBAL CONTRACT

backing-up the surety provided by the Guarantee chain to Customs

ASSOCIATION

DEED OF ENGAGEMENT

IRU

backing-up the surety provided by the association to Customs

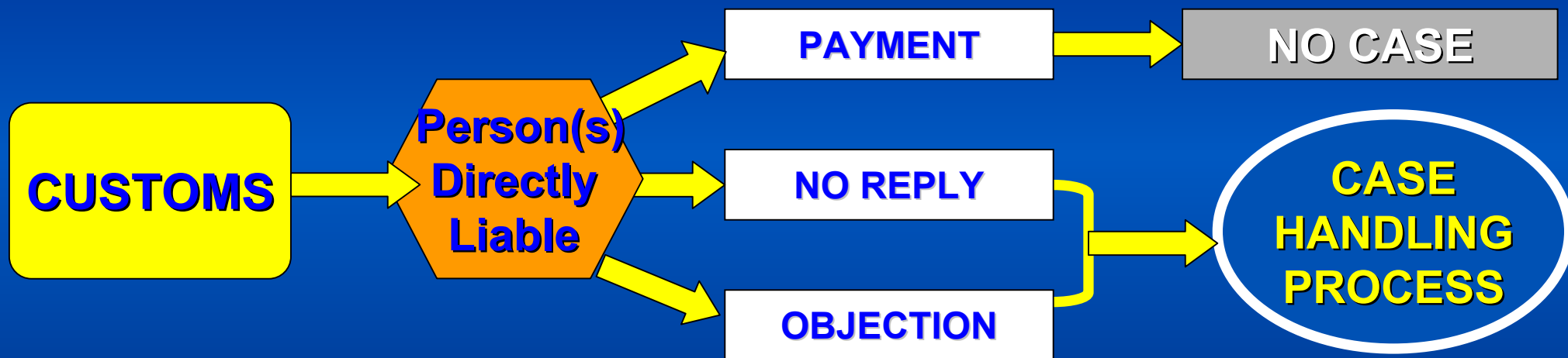
**Natl. Fin. Inst.
/ Holder**

ASSOCIATION

DEED OF GUARANTEE (SURETY)

CUSTOMS

- subject to national legislation
- sets the maximum amount of surety
- national and foreign holders



Customs debt defined



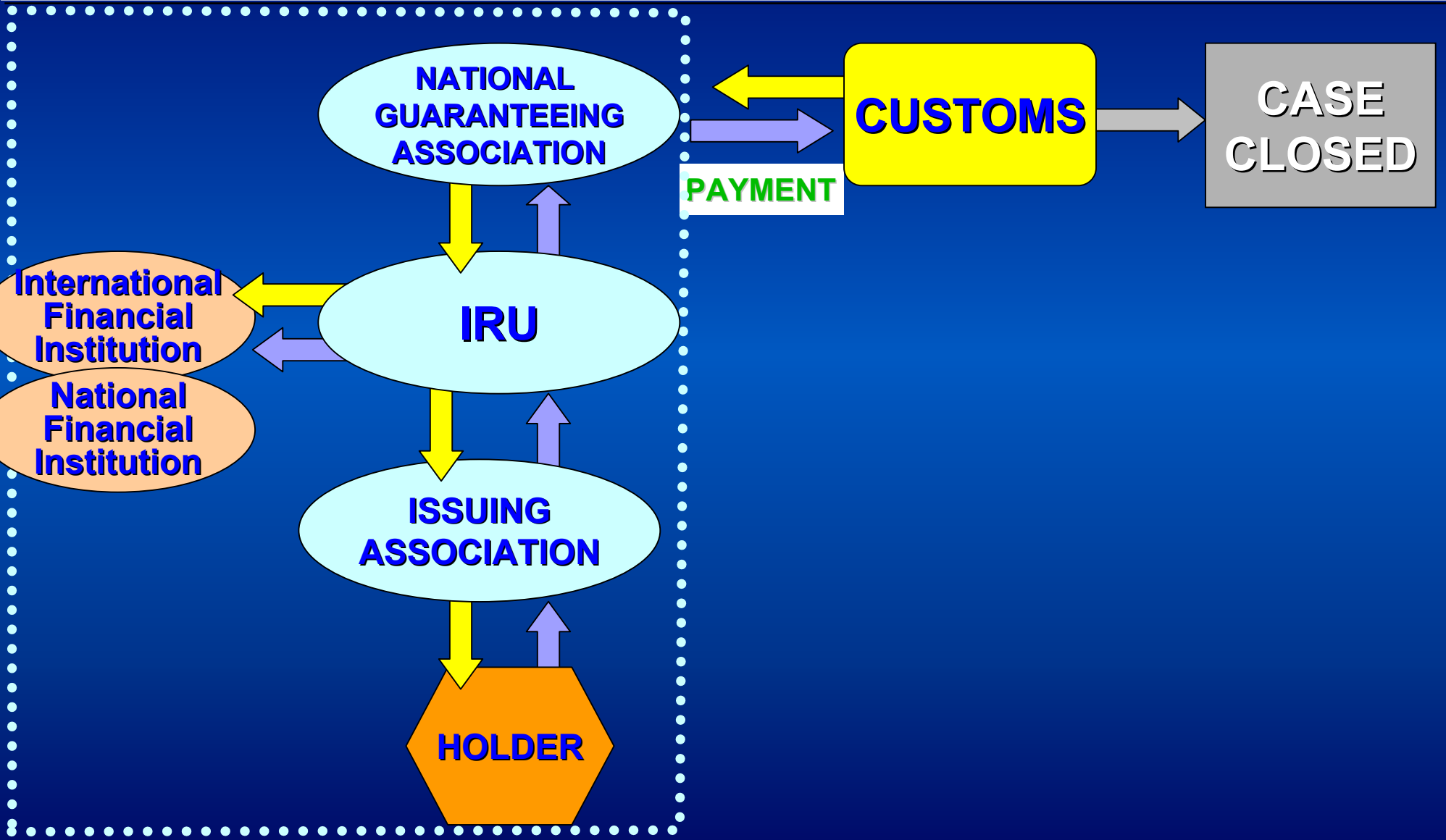
Surety provider

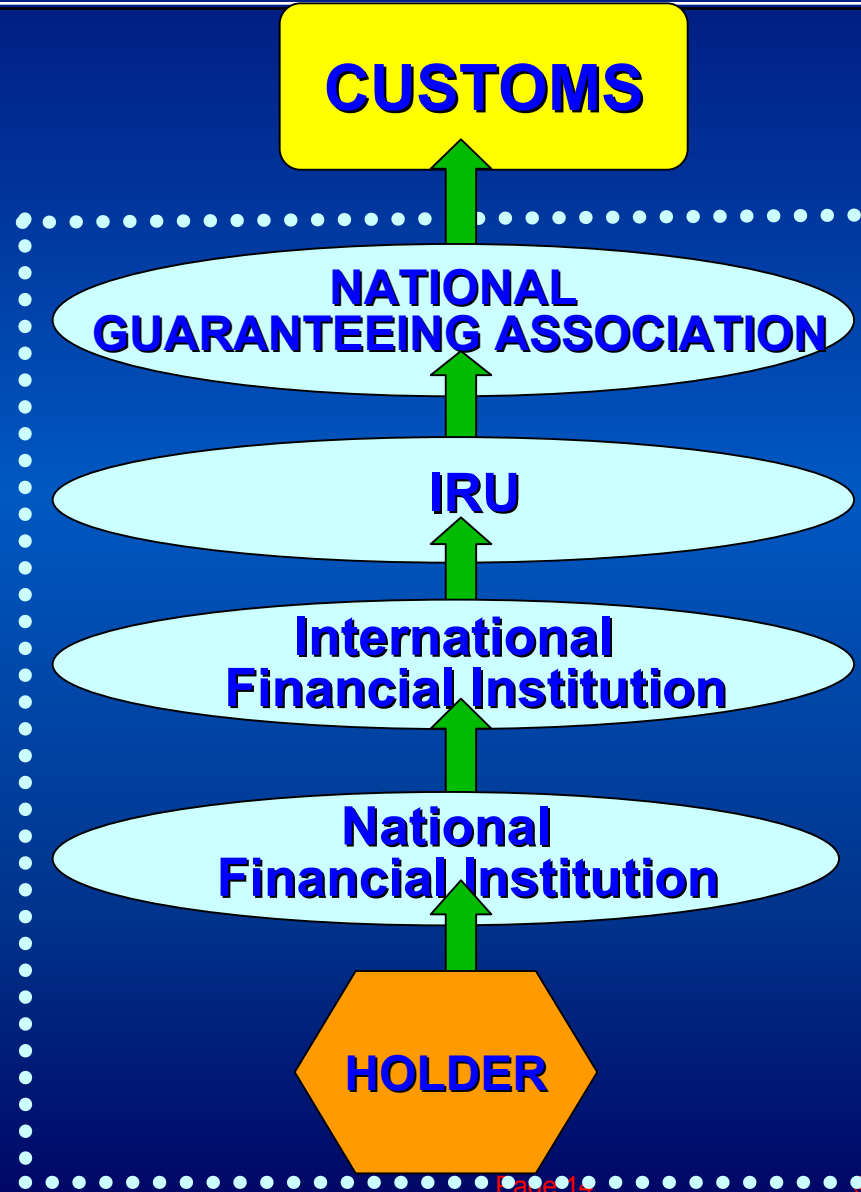
Customs debtor identified

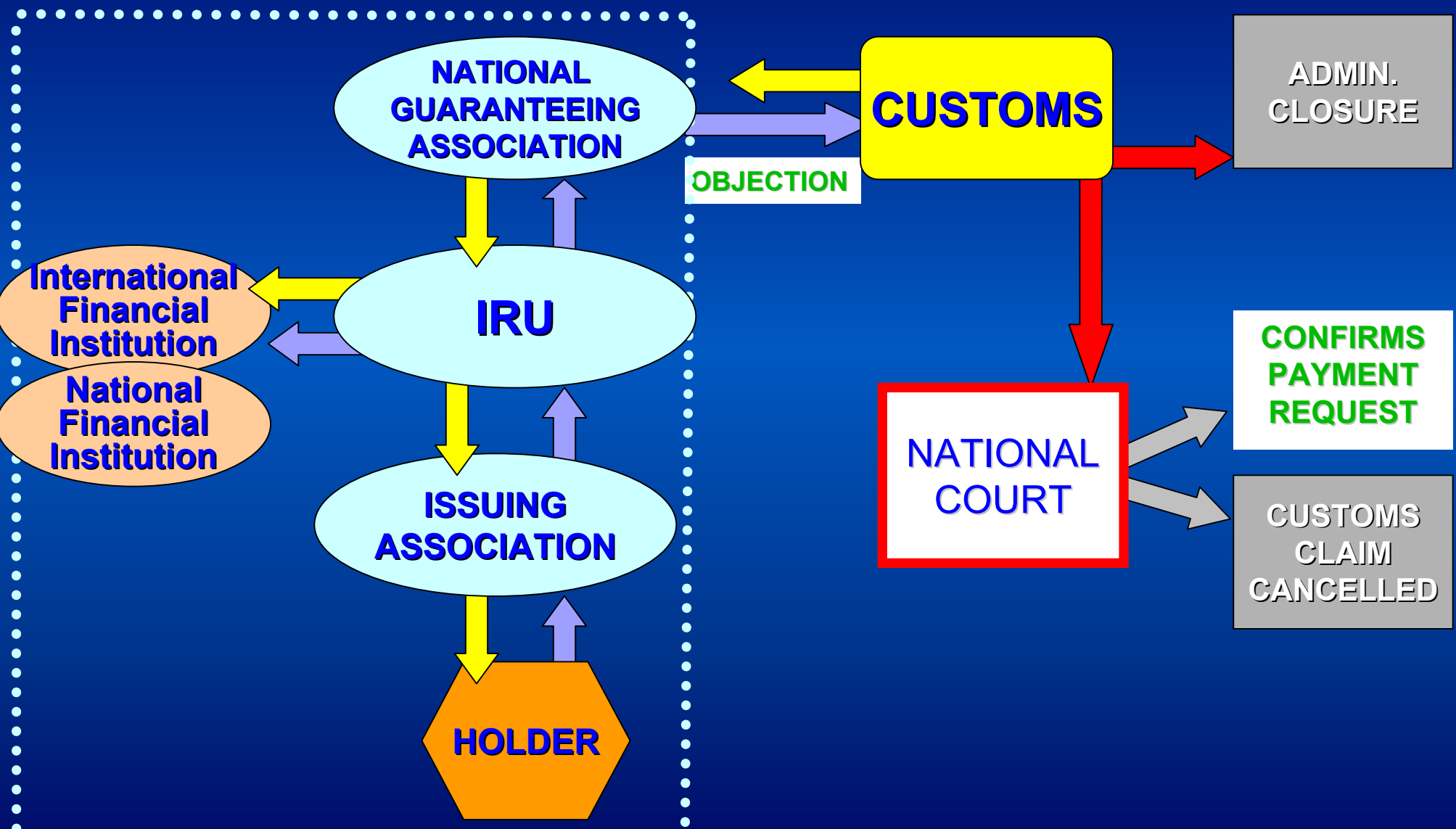
→ **Person directly liable**

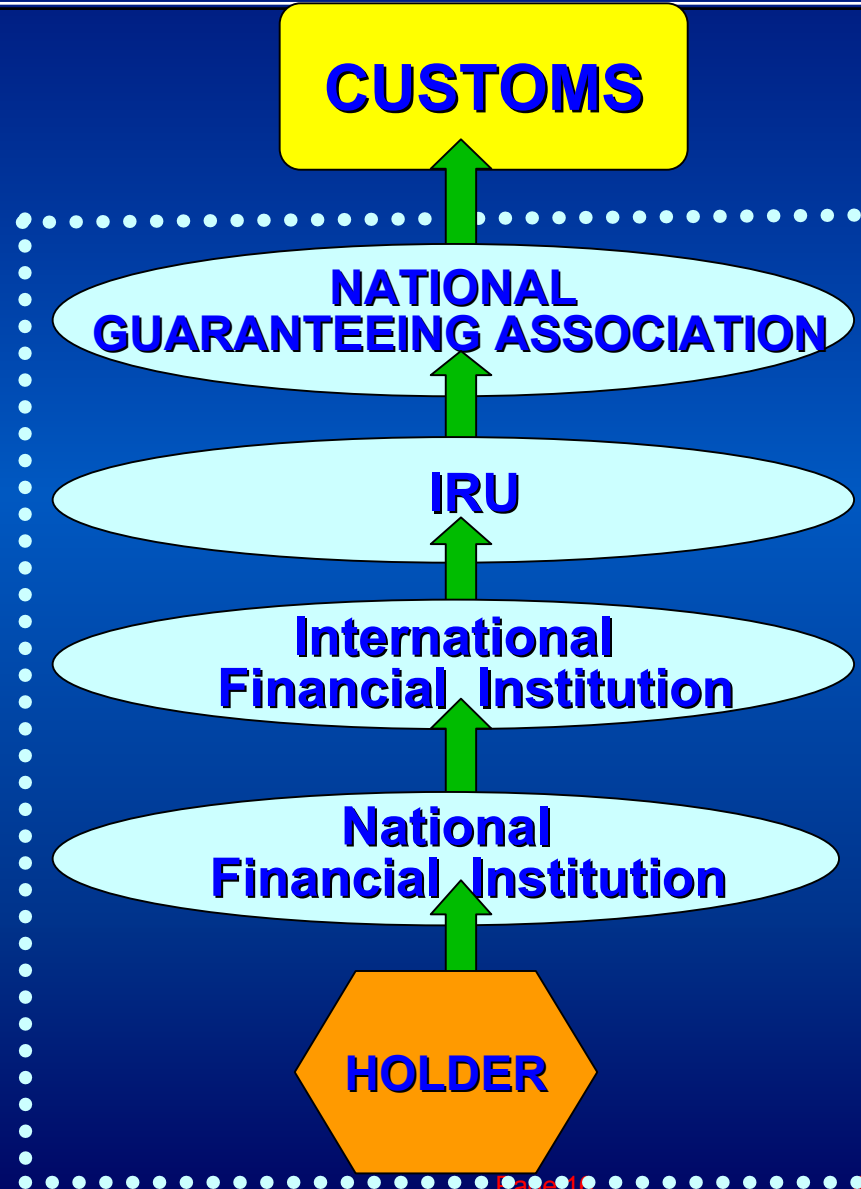
- Same rights as Customs debtor
- Own rights based on guarantee documents (national legislation)

- Goods in possession
- Introduced the goods
- Customs declarant
Usually the Holder









Dec.1994 - Sept. 2004

Closed without payment 1'527

Cases paid 4'167

Claims under dispute 4'536

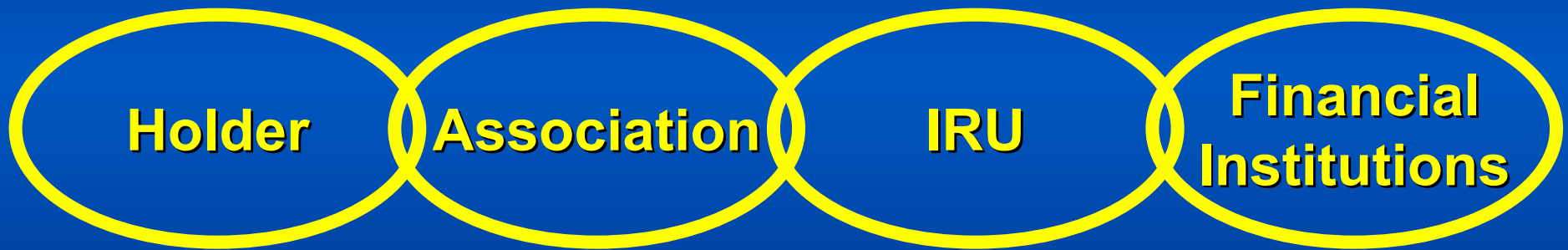
Total Cases handled 10'230

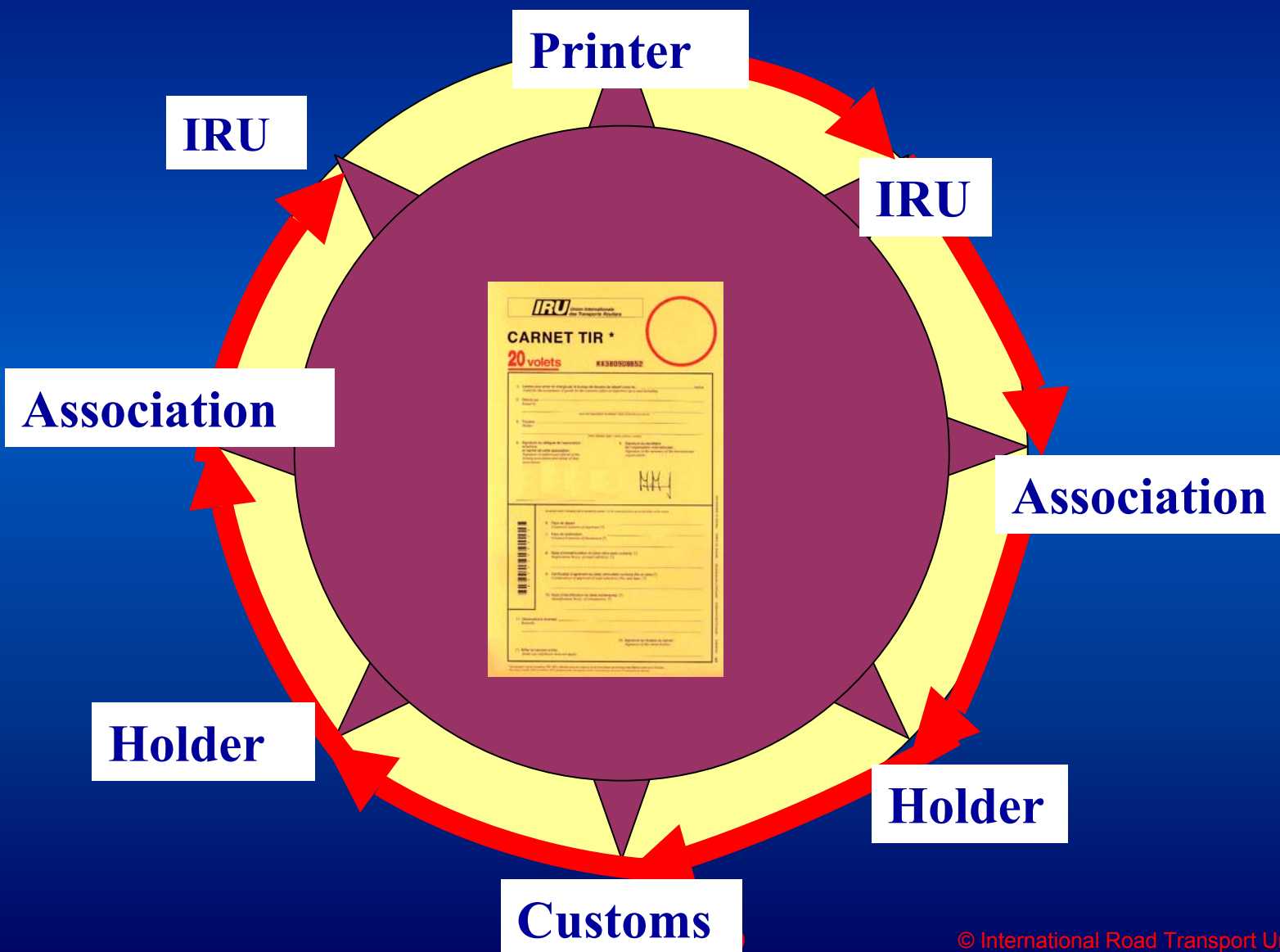
In this period 26'000'000 TIR Carnets were issued

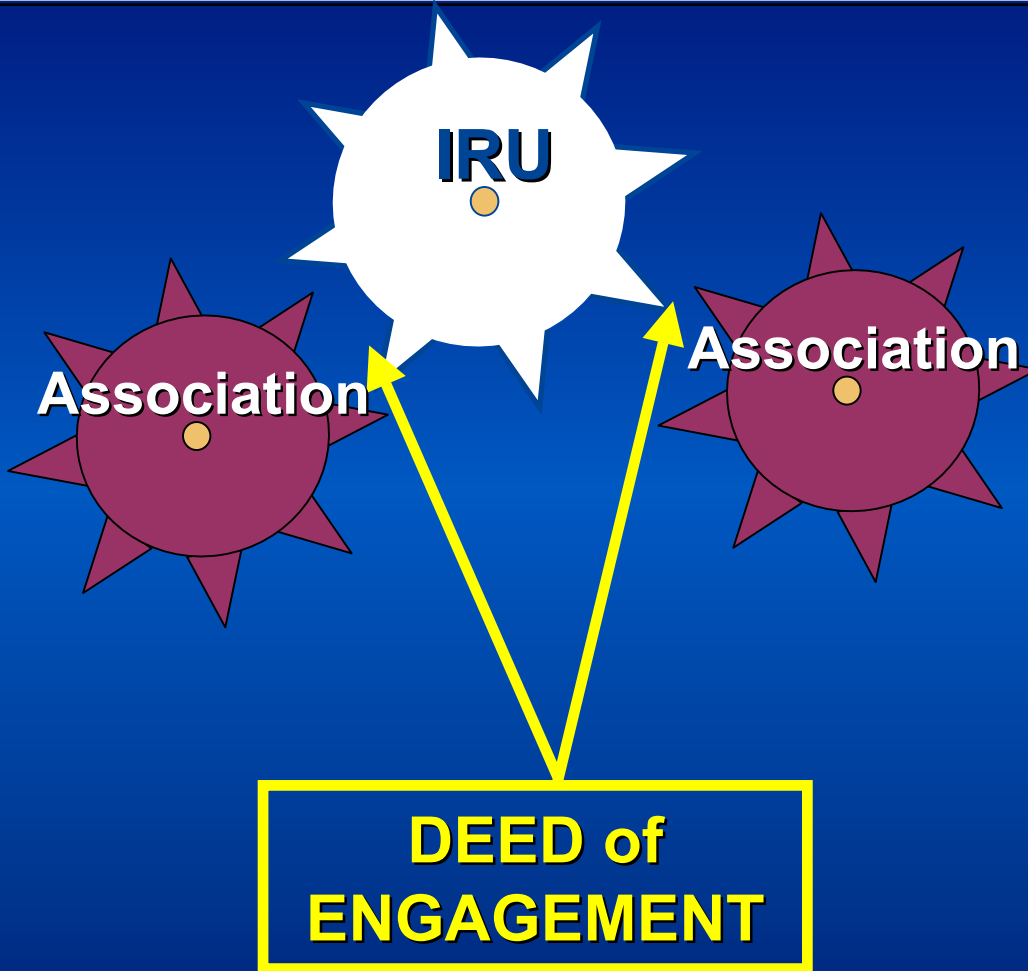


IRU performs its responsibilities with:

- **Equity**
- **Neutrality**
- **Independence**

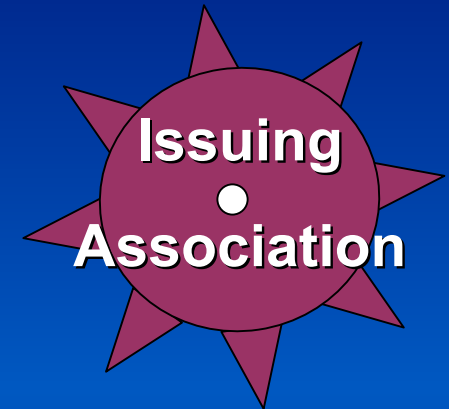






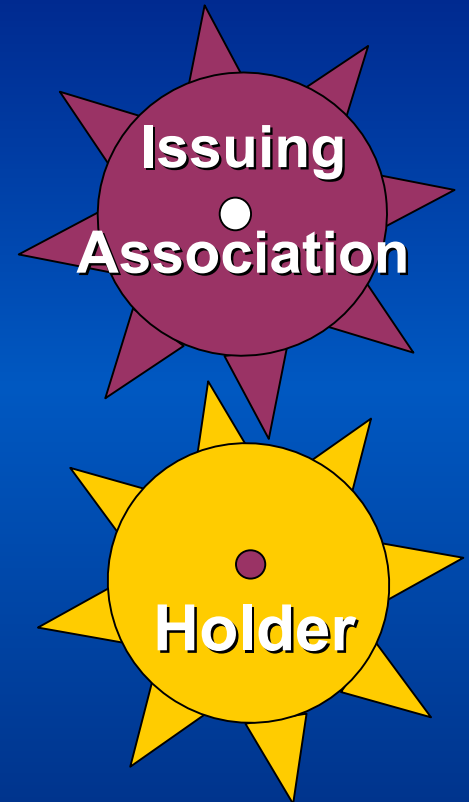
- Authorisation:
to print & distribute TIR Carnets,
plus 6.2 bis
- Admission of TIR Associations
 - **Selects Associations**
 - **Legal requirements**
 - **TIR Training**
 - **Technical requirements**
 - **SafeTIR**
- TIR Audit

- Selects reliable Holders and handles the admission procedures
- Issues TIR Carnets according to rules (quotas etc.)
- Reacts by revoking Holder status if Association or Customs rules are infringed
- Handles claims for national Customs
- Performs physical check of TIR Carnets and cross-check against SafeTIR data.



A Holder must have at ALL times:

- Proven capability to engage in international transport
- Be of sound financial standing
- Proven knowledge in the application of the TIR Convention
- Written undertaking to comply with Customs rules, to pay taxes that are due, & to assist with enquiries
- Absence of serious or repeated offences against Customs or tax legislation
- Acceptance by Customs.

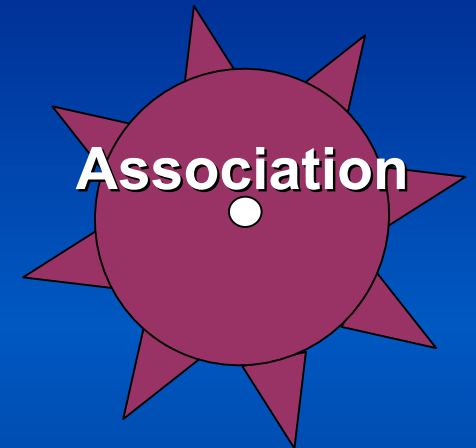


At all times, the Holder must be aware that..

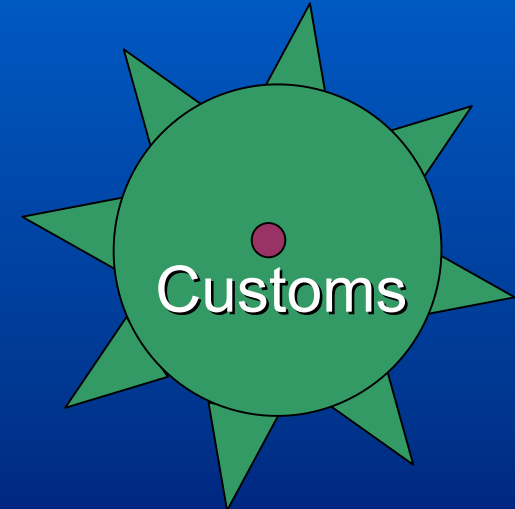
**Using the TIR System is a privilege
- NOT a right**

To become an authorised TIR Association:

- **Proven existence of representing the transport sector**
- **Proof of financial standing**
- **Absence of serious or repeated offences against Customs or tax legislation**
- **Proven staff knowledge in the proper application of the TIR Convention.**



- **Apply TIR procedures as defined in the TIR Convention**
- **Organise rapid discharge procedures (sending termination certificates)**
- **Send SafeTIR information on termination of all TIR operations (with unloading or partial unloading).**



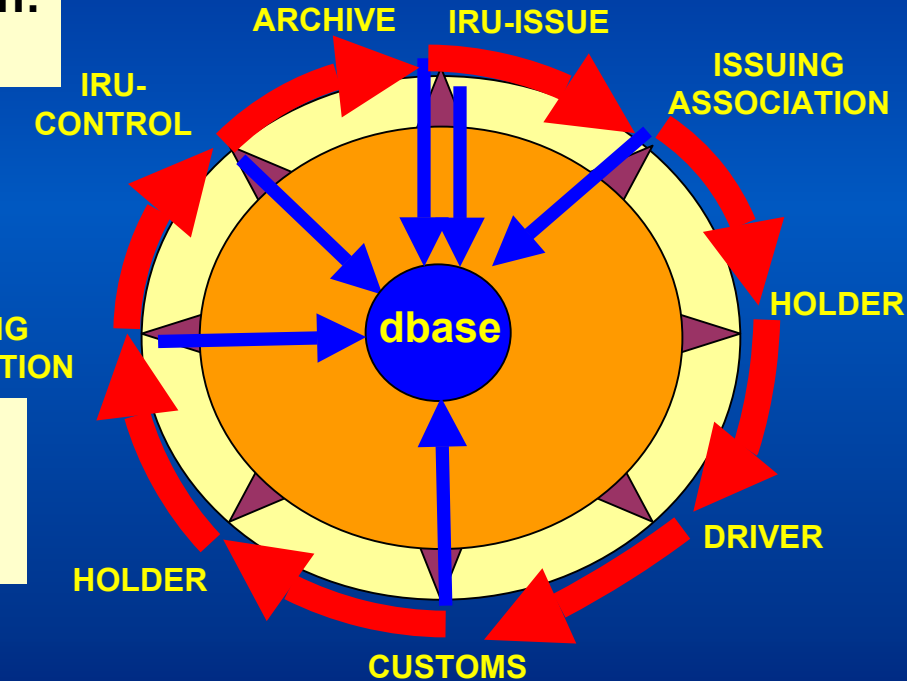
Archiving information

Initial issue data:
which Association; TIR Carnet;
type; language; status

Final check information:
status of TIR Carnet

Information on issue:
TIR Carnet; when;
to whom; HVG

Information on return:
TIR Carnet; by whom;
when; status



Termination information:
TIR Carnet; voucher page; when; where; reservations

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for a better future*



since 1948