Regional TIR Seminar
Sarajevo, 29 and 30 March 2011

Controlled access to the TIR procedure

Maria Rosaria Ceccarelli
Project Management Expert
United Nations
Economic Commission for Europe
Controlled access to the TIR procedure

Actors
Authorization and control by Customs authorities
Supervision by TIR Executive Board (TIRExB)

Regulations
Minimum conditions for national associations
(Annex 9, Part I of the Convention)
Minimum conditions for TIR transport operators
(Annex 9, Part II)
Controlled access to the TIR procedure

Minimum conditions for national associations

- Existence for at least one year
- Sound financial standing
- Knowledge of staff in the application of the Convention
- Absence of offences against Customs or tax law
- Establishment of a written agreement or any other legal instrument with the competent authorities (example agreement by TIRExB)
- (Insurance) coverage of all liabilities vis-à-vis Customs
Controller access to the TIR procedure

Minimum conditions for transport operators

- Capability to engage in regular international transport
- Sound financial standing
- Knowledge in the application of the Convention
- Absence of offences against Customs or tax legislation
- Undertaking in a written declaration of commitment to the association to comply with the provisions of the TIR Convention, including possible liabilities
Controlled access to the TIR procedure

Other principles

- Additional and more restrictive criteria may be introduced by the competent authorities and by the associations.
- Authorization for access to the TIR procedure does not constitute in itself a right to obtain TIR Carnets from the associations.
- Authorization must be revoked if the fulfilment of the criteria is no longer ensured.
- Authorized persons should regularly be checked, not only when the initial authorization is granted.
Controlled access to the TIR procedure

Exclusions according to Article 38

- Person guilty of a serious offence against Customs laws or regulations applicable to international transport of goods
- Temporary or permanent exclusion
- Reported to the TIRExB, local guaranteeing association and to the Customs authorities which authorized the excluded person
- Those Customs authorities are to consider whether the authorization should be withdrawn
Controlled access to the TIR procedure

Exclusions Article 38 vs withdrawal of authorization

- **Exclusions according to Article 38:**
  - Only in case of Customs infringements
  - Applicable just in one country (EU is an exception)
  - Should apply against foreign operators only
  - Reported to TIRExB within a week

- **Withdrawal (revocation) of authorization:**
  - Not only for Customs infringements, but also for non-observance of other minimum conditions
  - Complete ban for TIR transports in all countries
  - Applies against domestic operators
  - Reported to TIRExB within a week
International Customs control measures based on the International TIR Data Base (ITDB) in Geneva

- Background and objectives
- What is the ITDB?
- Flow charts
- Data structure
- Terminology
- ITDB 2001
- ITDB Online
- ITDBonline+ project
Background and objectives

- Monitor the controlled access of transport operators to the TIR system.
- Collection of data on authorized transport operators from all Customs authorities and associations in a central secured database (ITDB)
- Secured and limited consultation by TIR Customs Focal Points for enquiry procedures only (at present)
What is the ITDB?

- International TIR Database
- Database containing information on all transport operators authorized to use the TIR procedure
- Filled in by Customs authorities in collaboration with transport associations
- Consulted by Customs authorities
- Contains more than 35’000 authorised companies
Flow chart - data collection

TIR Executive Board (TIR secretariat)

Association

Customs authorities

Country X

Association

Customs authorities

Country Y

Authorization

Exclusion

Withdrawal

Permanent withdrawal
Data structure

- ID Number (CCC / AAA / XXXXXXXXXXX)
- Name and address of person or enterprise
- Contact point (Name, tel, fax and e-mail)
- Commercial registration No.
- Authorization information
  - Authorization date
  - Permanent / temporary withdrawal (dates, reason)
  - Exclusion (Article 38) (dates, reason)
  - End of Activity
**Terminology**

- **Withdrawal**: revocation of authorization of a transport operator in his country of residence during a certain period.
- **Permanent Withdrawal**: permanent revocation of authorization of a transport operator in his country of residence.
- **Exclusion** (Art. 38): revocation of authorization of a transport operator in a country X different from his country of residence during a certain period.
- **End of activity**: decision of the transport operator to stop his activity or to use the TIR system.
Consequences

- **Withdrawal** ⇒ NO TIR TRANSPORT FROM … TO…
- **Permanent Withdrawal** ⇒ NO MORE TIR TRANSPORT
- **Exclusion** (Art. 38) ⇒ NO TIR TRANSPORT IN COUNTRY X FROM … TO…
- **End of activity** ⇒ NO MORE TIR TRANSPORT
Content of the ITDB

- More than 64'000 records
- Updated daily
  - Customs authorities are requested to send weekly updates
- And revised annually
  - Associations are requested to prepare annually a revised list of authorized transport operators (to be checked and forwarded by Customs authorities)
ITDB 2001

**Motivations**
- Facilitate the national and international management of data on authorized TIR transport operators
- Accelerate and secure the exchange of data

**Included features**
- National data management (national database)
- International data management of the central ITDB
- Electronic and secured data exchange
- Security
ITDB Online

The ITDB online provides

- Restricted access to the ITDB to TIR Customs Focal Points and authorised Customs Officers

- A secure platform to avoid unauthorized access or possible modification of data
ITDB online

- User name
- Password
- Scratch list number

Disclaimer:
In accordance with the provisions of the TIR Convention, 1975, Contracting Parties to the TIR Convention are responsible for the collection and transmission of information to the TIREx and the ITDB. Thus, the UNECE TIR Secretariat cannot be held responsible for any omissions. The UNECE TIR Secretariat maintains the ITDB on behalf of the TIREx, pursuant to a mandate of the TIR Secretariat under the Convention and the Terms of Reference of the TIREx. Contracting Parties and their designated TIR officials are the sole intended users of the information contained in the ITDB. No other person, or entity, shall have any rights whatsoever, relating to the information contained in the ITDB.
Query page

- Search by:
  - Country
  - TIR Carnet holder ID
  - Name
ITDBonline+

Customs Authorities
Writer

Customs Authorities
Reader

Internet

ITDB System

National Association
Reader

National Association
Writer

Regional TIR Seminar, Sarajevo, 29-30 March 2011
ITDBonline+

ITDB SYSTEM

INTERNET

UNECE TIR secretariat
VERIFY DATA

CUSTOMS AUTHORITIES
WRITER

CUSTOMS AUTHORITIES
READER

NATIONAL ASSOCIATION
READER

NATIONAL ASSOCIATION
WRITER

INTERNATIONAL
ASSOCIATION
WRITER

INTERNATIONAL
ASSOCIATION
READER
UNECE/TIR SECRETARIAT

8-14, Avenue de la Paix
CH-1211 Geneva 10
Switzerland
Phone: +41 22 917 24 55
Fax: +41 22 917 06 14
Email address: tirexb@unece.org
http://tir.unece.org
THANK YOU