



# Economic and Social Council

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## Economic Commission for Europe

### Administrative Committee for the TIR Convention, 1975

#### Sixty-third session

Geneva, 10–11 February 2016

Item 7 (b) of the provisional agenda

#### Revision of the Convention:

**Amendment proposals to the Convention prepared  
by the TIR Executive Board**

## Proposals for a new Explanatory Note and accompanying comment to Article 49 of the Convention

### Assessment of questions from the Committee and contributions from Contracting Parties

#### Addendum

##### Note by the secretariat

Add after paragraph 12 the following paragraphs 13 and 14:

13. In a letter of 13 November 2015, the Federal Customs Administration (FCA) of Switzerland informed the secretariat that trade and customs facilitations are common instruments in Switzerland. Almost 80 per cent of all customs clearances are handled by authorized consignors/consignees in Switzerland. The main advantages for the traders/agent forwarders are:

- (a) faster release of the goods;
- (b) more flexibility in the release of goods (possible outside the regular opening hours of a customs office);
- (c) independently of the location of the customs office (usually at the location of the authorized consignee/consignor);
- (d) bypassing traffic jams at customs office of entry.

On the other hand, the most important requirements for the traders/agent forwarders are:

- (a) regular and a minimum volume of trade in goods;
- (b) electronic data transmission; in particular, all customs declarations must be sent electronically;

- (c) (self)-education of the persons dealing with the facilitation;
- (d) establishing trade and customs relevant procedures and guidelines regarding the local situation and the needs of the responsible customs office;
- (e) for each customs clearance one file with all relevant documents must be created, meaning that full traceability must be granted;
- (f) unaccompanied right of access at any time for customs authorities;
- (g) sufficient guarantee for the customs debt;
- (h) no serious offences against customs law;
- (j) The customs authorities have, at any time, the right to revoke the authorization.

14. As is stipulated in Article 49 of the Convention, all facilitations must be in the line with all the provisions in the TIR-Convention. The text of an Explanatory Note should not contradict the TIR-Convention. In this context, FCA questions the reference to the application en route of a facilitation which is granted by, for example, the customs authorities of departure. The customs authorities en route are not in a position to know what possible allowed facilitation en route for an authorized consignor might be. To avoid further discussions, FCA proposes to delete the wording "en route" in the Explanatory Note. FCA is interested to hear more arguments from those opposing the proposals, as outlined ECE/TRANS/WP.30/AC.2/127, para. 27.

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