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**ECONOMIC COMMISSION FOR EUROPE**

INLAND TRANSPORT COMMITTEE

Administrative Committee for the

TIR Convention, 1975

(Thirty-fifth session, 25-26 September 2003,  
agenda item 9 (a))

**Other proposals for amendments to the Convention**

Draft amendments on the introduction of a control system for TIR Carnets

**Note by the secretariat\***

**A. INTRODUCTION**

1. At its one-hundredth-and third session, the Working Party considered the amendment proposals transmitted by Latvia concerning the introduction in the Convention of a control system for TIR Carnets (TRANS/WP.30/2003/5 - TRANS/WP.30/AC.2/2003/5).

2. The Working Party, in general, considered that the proposal would contribute to improving the exchange of information between Customs authorities and guaranteeing associations and international organizations issuing TIR Carnets and would strengthen the security of the TIR system. The Working Party considered that the Convention should only make a generic reference to the international organization (and its control system) authorized to print and guarantee TIR Carnets. The Working Party invited Contracting Parties to submit their amendment proposals to the

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\* The UNECE Transport Division has submitted the present document after the official documentation deadline due to resource constraints.

secretariat as soon as possible, with the aim that the secretariat could prepare an amended proposal for the forthcoming session of the Working Party (TRANS/WP.30/206, para. 36).

3. At its one-hundred-and-fourth session, the Working Party continued its discussion on the Latvian proposal. The Working Party considered proposals for further improvement of the text of the amendment proposal, submitted by Estonia and the European Community, as reflected in the secretariat's document TRANS/WP.30/2003/8.

4. The Working Party endorsed the assessment, made by the secretariat regarding these improvements and requested it to prepare a document for discussion and possible adoption at the thirty-fifth session of the TIR Administrative Committee in September 2003, based on the Latvian proposal, and taking into account the textual improvements and addressing the issue of the introduction of a control system in a generic way, without making specific reference to the international organization and its control system contained in the above-mentioned amendment proposals (TRANS/WP.30/208, paras. 33-34).

5. In line with the request by the Working Party, underlying document contains draft amendments on the introduction of a control system for TIR Carnets, for discussion and, possibly, adoption by the Administrative Committee.

## **B. PROPOSALS**

6. Introduction of a new Article 42 ter to read as follows:

### “Article 42 ter

Contracting Parties shall, as appropriate, provide authorized associations with information that they require to fulfill the undertaking given in accordance with Annex 9, part 1, Article 1 (f) (iii).

Annex 10 set out the information to be provided in particular cases.”

7. Amendment of the heading and text of Article 60, paragraph 1, to take account of a new Annex 10:

“Article 60

Special procedure for amending Annexes 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10

1. Any proposed amendment to Annexes 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 considered in accordance with paragraphs 1 and 2 of Article 59 shall come into force on a date to be determined by the Administrative Committee at the time of its adoption, unless by a prior date determined by the Administrative Committee at the same time, one-fifth or five of the States which are Contracting Parties, whichever number is less, notify the Secretary-General of the United Nations of their objection to the amendment. Determination by the Administrative Committee of dates referred to in this paragraph shall be by a two-thirds majority of those present and voting.”

8. Introduction of a new Annex 10 to read as follows:

“Annex 10

INFORMATION TO BE PROVIDED BY AUTHORIZED ASSOCIATIONS AND  
AN INTERNATIONAL ORGANIZATION UNDER ARTICLE 42 TER

By virtue of Article 6, paragraph 1 and Annex 9, Part I, paragraph 1 (f) (iii) of this Convention, authorized associations are required to give an undertaking that they shall verify continuously that persons authorized to have access to the TIR procedure [fulfill the minimum conditions and requirements as laid down in Annex 9, Part II of the Convention]<sup>1</sup>.

On behalf of its member associations and in fulfilment of its responsibilities as an international organization authorized under Article 6, paragraph 2 bis, [an international organization shall establish a control system for TIR Carnets] to hold data, transmitted by Customs authorities and accessible by the associations and Customs administrations, about the termination of TIR operations at offices of destination. To enable the associations to fulfil their undertaking effectively, Contracting Parties shall provide information to the [control] system in accordance with the following procedure:

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<sup>1</sup> Proposal by the secretariat, taking account of its assessment in document TRANS/WP.30/2003/8, para. 7 that the original Latvian proposal may give rise to confusion and that, therefore, the Working Party may wish to find a more neutral wording.

- (1) Customs authorities shall transmit to [an international organization] or to the national guaranteeing associations, if possible via central or regional offices, by the fastest available means of communication (fax, electronic mail, etc.) and if possible on a daily basis, at least the following information in a standard format in respect of all TIR Carnets presented at Customs offices of destination, as defined in Article 1 (l) of the Convention:
  - (a) TIR Carnet reference number;
  - (b) Date and record number in the Customs ledger;
  - (c) Name or number of Customs office of destination;
  - (d) Date and reference number indicated in the certificate of termination of the TIR operation (boxes 24-28 of voucher No. 2) at the Customs office of destination (if different from (b));
  - (e) Partial or final termination;
  - (f) Termination of the TIR operation certified with or without reservation at the Customs office of destination without prejudice to Articles 8 and 11 of the Convention;
  - (g) Other information or documents (optional);
  - (h) Page number.
  
- (2) The annexed Model Reconciliation Form (MRF) may be addressed to Customs authorities by national associations or by [an international organization]
  - (a) in case of discrepancies between the data transmitted and those on the counterfoils in the used TIR Carnet; or
  - (b) in case no data have been transmitted whereas the used TIR Carnet has been returned to the national association.

Customs authorities shall reply to the reconciliation requests if possible by returning the duly filled-in MRF as soon as possible.

- (3) Customs authorities and national guaranteeing associations shall conclude an agreement, in line with national law, covering the above data exchange.
  
  - (4) [An international organization] shall give Customs authorities access to the database of terminated TIR Carnets and to the database of invalidated TIR Carnets.
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Annex

<b>Model Reconciliation Form (MRF)</b>							
<i>To be filled-in by the initiator of the request for reconciliation</i>							
<b>Destination:</b>							
<b>Regional Customs office (optional):</b>				<b>Customs office of destination:</b>			
Name:				Name:			
<b>Received on:</b>				<b>Received on:</b>			
Date:				Date:			
Stamp				Stamp			
<b>Data to be confirmed</b>							
Data source: <input type="checkbox"/> TIR Carnet <input type="checkbox"/> [Control system] data							
<u>TIR Carnet Reference Number</u>	Name or number of Customs office of destination*	Reference number indicated in the certificate of termination of the TIR operation (boxes 24-28 of voucher No. 2) at the Customs office of destination*	Date indicated in the certificate of termination of the TIR operation at the Customs office of destination*	Page number	Partial / final termination	Termination of the TIR operation certified with or without reservation at the Customs office of destination	Number of packages (optional)
Attachments: <input type="checkbox"/> Copy of TIR Carnet counterfoils <input type="checkbox"/> Other: _____							
<b>Response from Customs office of destination</b>							
<input type="checkbox"/> <b>Confirmation</b> <input type="checkbox"/> <b>Correction</b> <input type="checkbox"/> <b>No reference found</b>							
(please insert the corrections below) on the termination of the TIR operation							
<u>TIR Carnet Reference Number</u>	Name or number of Customs office of destination*	Reference number indicated in the certificate of termination of the TIR operation (boxes 24-28 of voucher No. 2) at the Customs office of destination*	Date indicated in the certificate of termination of the TIR operation at the Customs office of destination*	Page number	Partial / final termination	Termination of the TIR operation certified with or without reservation at the Customs office of destination	Number of packages (optional)
<b>Comments:</b>							
<b>Date:</b>				<b>Stamp and signature of Customs office of destination:</b>			
<i>Central Customs office (optional)</i>							
<b>Comments:</b>							
<b>Date:</b>				<b>Stamp and/or signature</b>			

\* Please note that these data refer to the Customs office of Destination where the TIR movement terminated.”