



Economic Commission for Europe**Administrative Committee for the TIR Convention, 1975****Eighty-first session**

Geneva, 11 October 2023

Item 5 (b) of the provisional agenda

Revision of the Convention**Amendment proposals to the Convention transmitted by the TIR Executive Board****Note by the secretariat****I. Mandate and background**

1. The Committee, at its session in February 2021, requested the TIR Executive Board (TIRExB) to study the proposals contained in paras. 1–4 of Informal document WP.30/AC.2 (2021) No. 6, submitted by the Romanian customs administration, with the aim to assess whether they could be reformulated as legal provisions of the TIR Convention and, if so, prepare proposals to that extent and submit its assessment to the Committee for further consideration and, possibly, adoption (ECE/TRANS/WP.30/AC.2/150, paras. 34 and 35).

2. After extensive considerations, at its ninety-fourth session, TIRExB approved an improved wording of a new Explanatory Note 8.10 (e) and of the amendment to Explanatory Note 0.6.2 bis-1 and requested the secretariat to transmit them to the Committee. These amendments proposals are presented in chapters II.1 and II.2 below.

3. Furthermore, at its ninety-first session, TIRExB considered several amendment proposals, submitted by IRU, aimed at increasing the competitiveness of the TIR system and adapting to changing business needs. Following extensive discussions at the ninety-second, ninety-third and ninety-fourth session, TIRExB requested the secretariat to submit to the Committee the amendment proposals presented in chapters II.3 and II.4 below.

II. Amendment proposals**1. Explanatory Note 8.10 (e)**

Insert a new Explanatory Note 8.10 (e) to read

8.10 (e) In case of disputes, potentially impacting the functioning of the guarantee chain, between the international organization, a national association or customs administration and which could lead to the termination of any of the agreements between the parties involved, they shall inform each other without delay. The parties shall initiate negotiations for settling the dispute in order to ensure the uninterrupted guarantee coverage in the customs territory concerned.

At any point in time, any of the parties may officially inform the TIR Executive Board and request its assistance to facilitate the settlement of the dispute.

2. Explanatory Note 0.6.2 bis-1

Modify Explanatory Note 0.6.2 bis-1 to read:

0.6.2 bis-1 The relationship between an international organization and its member associations shall be defined in written agreements on the functioning of the international guarantee system. The agreements can be terminated by either party with a prior notice of at least six (6) months, except in case of an earlier revocation of either authorization.

4. At its ninety-fourth session, TIRExB also stated that the first amendment proposal to Explanatory Note 0.6.2 bis-1 it had considered, while less clear, was also acceptable and requested the secretariat to include it in the document to be transmitted to AC.2. This alternative amendment proposal reads as follows:

Modify Explanatory Note 0.6.2 bis-1 to read:

0.6.2 bis-1 The relationship between an international organization and its member associations shall be defined in written agreements on the functioning of the international guarantee system. Should any of the parties decide to terminate the agreement, without a preceding revocation of authorization, the decision will become effective at the earliest three (3) months after the date of termination.”

3. Prolongation of the validity of the certificate of approval

5. The proposed amendments to Annex 3, paragraph 4 and Annex 4, Model Certificate of Approval of a Road Vehicle, page 4, paragraph 3, are aimed at prolonging the validity of the certificate of approval from two to three years.

(a) Annex 3, Paragraph 4

For two years substitute three years.

(b) Annex 4, Model Certificate of Approval of a Road Vehicle, page 4, paragraph 3

For two years substitute three years.

4. Acceptance of the certificate of approval until the last date of validity

6. The proposed inclusion of a new paragraph 6 in Annex 4, Model Certificate of Approval of a Road Vehicle (page 4), is aimed at ensuring that the certificate of approval should be accepted until the last date of validity and remain valid until the end of any transport started before or on that date.

Annex 4, Model Certificate of Approval of a Road Vehicle, page 4, new paragraph 6

Add a new paragraph 6 to read as follows:

6. Provided that a TIR transport has begun before or on the final date of validity of the certificate of approval, the certificate of approval shall remain valid until the end of the TIR transport at the customs office of final destination.

III. Considerations by the Committee

7. The Committee is invited to consider and, possibly, endorse the various amendment proposals.