



**ADMINISTRATIVE COMMITTEE
FOR THE TIR CONVENTION, 1975**

TIR Executive Board (TIRExB)

(Thirtieth session, 29 and 30 November 2006,
agenda item 11)

FILLING-IN OF BOX 8 OF THE TIR CARNET

Transmitted by the Customs Administration of Finland

Note: The TIR secretariat reproduces below the communication which the Customs Administration of Finland sent to the European Commission.

National Board of Customs - Finland
Foreign Trade Department

21 October 2005

Mrs. Maria-Manuela Cabral
Directorate-General for Taxation and Customs Union
MO/51 DG TAXUD Unit C 4
European Commission
B-1049 Brussels, BELGIUM

Dear Mrs. Cabral,

The Finnish Customs considers the situation in the Community unsatisfactory as several TIR carnet users have complained that it depends on the Contracting Party how the TIR carnet should be filled. We've been told that some data needs to be added to the TIR carnet en route. Usually the aforesaid data is the number of the invoice and / or CMR. The aforesaid Parties require this data to be added to the field "8" of the TIR carnet, even in case where the mentioned documents are not attached to the TIR carnet. As we all know, in this particular field should be indicated only the data necessary to identify the documents attached to the carnet. Attachment should be done by staples and it should be endorsed by stamp by the customs office of departure.

We have asked from other countries about their instructions and found out that the interpretation of instructions is different in different countries, even inside the Community. As mentioned in the first paragraph, the main problem seems to be field "8" (Documents attached to the manifest). Not all Parties to the TIR Convention know how to interpret the word "attach". Some of them believe it is a synonym for word "additional". We think the minimum requirement on data to be indicated in this field is that all Parties to the Convention have a common interpretation of the particulars to be given on the TIR carnet. This interpretation should be confirmed by the AC.2 (Administrative Committee of the TIR Convention). TIR secretariat has published the TIR Handbook, but it has its own shortcomings. For example there are no detailed explanations for different "fields" of the TIR carnet. We asked about this from the TIR secretariat and the secretariat's reply is enclosed to this letter.

The opinion of the Finnish Customs is that articles and instructions of the Convention should be applied as strictly as possible, which would ensure that all Contracting Parties and the TIR carnet holders can rely on that they will be treated according to the provisions of the Convention without creating unnecessary obstacles to them en route. If we want to standardize this procedure, the Finnish Customs proposes to proceed in the following way:

1st – Community shall take this issue to the table on the next WP.30 and propose to prepare a working document on the instructions (field by field) on how to fill the TIR carnet in an appropriate manner. This document could be done by the Community (see next proposal).

2nd – An administrative arrangement will be created in the Community showing how the TIR carnet should be duly filled, field by field. In this context, it should be

considered what documents shall be mentioned on field "8". This arrangement should also be included to the Transit Manual.

When considering the first proposal, this could be the right moment for it as there are also some revisions on the table, such as holder's ID-number and HS-code on the TIR carnet.

We hope the Commission would pay attention to this matter and that, in the future, we will have a Convention applied uniformly in all Parties.

Faithfully yours

Jarkko Saksa
Director

Enclosure: Exchange of emails between Mr. Lindström and TIR secretariat.

>Dear Mr. Lindström,

>

>I am sorry for the delay in replying to your message, due to the vacation period.

>

>In line with No. 10 (c) or No. 11 of the Rules regarding the Use of the TIR Carnet
>and the comment "Method of affixing additional documents", it may be concluded
>that documents mentioned in box 8 should be attached to the TIR Carnet by means
>of staples or other devices and by stamping them in such a way that their removal
>would leave obvious traces on the Carnet.

>

>Thus, I share the view that, if a CMR consignment note is referred to in box 8 of the
>manifest, it should be stapled to the TIR Carnet. Mentioning CMR Nos. in case they
>are not physically attached to the Carnet may create confusion among Customs
>authorities of other countries en route.

>

>As you correctly pointed out, in practice a CMR consignment note is not so often
>stapled to the TIR Carnet. Nevertheless, some countries may wish to and actually
>do so, thanks to a plenty of pages that a CMR note consists of.

>

>In our example of the TIR Carnet duly filled in (2005 TIR Handbook) we tried to
>cover as many practical situations as possible. However, the example should not be
>regarded as a "TIR Bible", in particular if some options are not relevant.

>

>Finally, let me thank you for drawing our attention to this matter. It is our intention
>to clarify this issue in the next edition of the TIR Handbook.

>

>Best regards,

>

>Konstantin Glukhenkiy

>TIR secretariat

>

>

>>Henrik Lindström wrote 30/08/2005 08:23:

>>

>>To: konstantin.glukhenkiy@unece.org , artur.bouten@unece.org

>>cc: rolf.boxstrom@tulli.fi

>>

>>Subject: Tiny question for you

>>

>>Dear Mr. Glukhenkiy & Mr. Bouten (cc. Mr. Boxström),

>>

>>

>>we will update our "How to fill TIR carnet" instructions. It is quite an easy
>>exercise but in spite of that I do have a tiny question for secretariat. If you look at
>>the yellow page (not for customs use) of the carnet and box 8 in it, you will find
>>the text "Documents attached to the manifest". We understand word "attach" so

>>that you fasten or staple documents to the carnet so that they (attached documents
>>and carnet) are as one document. However if you look at the new TIR handbook
>>(pages 280 – 291), you can find the numbers of CMRs in box “8” but usually
>>CMR is not stapled to the carnet. So we wonder if it is possible also write the
>>numbers of CMRs even in case that those mentioned documents are not stapled to
>>the carnet.

>>

>>I would be grateful if you could clarify this situation for us. Our instructions will
>>take effect on 1st September, so could you please return as soon as possible.
>>Yesterday I sent this same mail to Mr. Hansen and as the time is running out, I
>>will send this also to you.

>>

>>Kind regards

>>

>>Henrik Lindström

>>Transit Co-ordinator of Finnish Customs