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Working Party on Customs Questions affecting Transport

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Item 4 (c) (i) of the provisional agenda

Customs Convention on the International Transport of Goods under Cover of TIR Carnets (TIR Convention, 1975): Application of the Convention

Comments to the Convention

Note by the secretariat

I. Background and mandate

1. At its seventy-third session (October 2020), the TIR Administrative Committee adopted various amendment proposals to the body and annexes of the TIR Convention, as contained in document ECE/TRANS/WP.30/AC.2/2020/20. Various amendment proposals are accompanied by new comments, others require existing comments to be adjusted.

II. New comments to various provisions of the Convention

2. Although not legally binding for contracting parties of the TIR Convention, comments are important for the interpretation and harmonized application of the Convention, as they reflect the opinion of the Working Party and, ultimately, of the TIR Administrative Committee (AC.2), as indicated in connection with each comment.

3. Therefore, the Working Party is invited to recall, under this agenda item, that, further to the adoption of various amendment proposals to the provisions of the Convention, there are certain (new or updated) comments that need to be adopted by the Working Party and, consequently, endorsed by the Committee. These concern: (i) comments to Article 18; (ii) comment to Annex 6, Explanatory Note 0.8.3; (iii) comment to Annex 6, Explanatory Note 0.49 and (iv) comment to Annex 9, Part II “Model Authorization Form (MAF)”.

III. Considerations by the Working Party

4. The Working Party is invited to consider and, possibly, adopt the comments contained in Annex I of document ECE/TRANS/WP.30/2021/1. In Annex II, the secretariat lists separately the comment “Possibilities of increasing the total number of loading and unloading places to more than four in exceptional cases” to Article 18 as it may require more in-depth considerations by the Working Party before its possible transmittal to AC.2 for endorsement.



Annex I

1. Comment to Article 18 “Several customs offices of departure and/or destination”, fourth line

For four substitute eight

2. Comment to Annex 6, Explanatory Note 0.8.3

For \$US 50,000 substitute 100,000 euro

3. Comment to Annex 6, Explanatory Note 0.49

Contracting Parties are recommended to grant greater facilities, such as authorized consignors and authorized consignees, as extensively as possible when they are satisfied that the prescribed conditions laid down in national legislation are met.

4. Comment to Annex 9, Part II “Model Authorization Form (MAF)”

For the existing text substitute Comment to Part II, paragraph 4

Annex II

Comment to Article 18

Possibilities of increasing the total number of loading and unloading points to more than four in exceptional cases

According to Article 18 and No.5 of the Rules regarding the use of the TIR Carnet (Annex 1), one TIR transport may not involve more than four points of loading and unloading. In order to increase the total number of loading and unloading points in the course of one transport operation, a road vehicle or a combination of vehicles or containers may perform several TIR transports consecutively or at a time, each under cover of a separate TIR Carnet. To this end, the following options may be used:

- (i) *Consecutive use of two TIR Carnets for one transport operation in accordance with the comment to Article 28 "Possibility of using two TIR Carnets for a single TIR transport". The first TIR Carnet may include up to 4 Customs offices of departure and destination. After its completion and termination at the fourth Customs office, a new TIR Carnet may be opened and used for the remainder of the transport operation. A proper inscription shall be made in both TIR Carnets to reflect this fact. Thus, the last Customs office of destination covered by the first TIR Carnet becomes the office of departure for the second TIR Carnet which may include up to three Customs offices of destination. In the first TIR Carnet, all goods bound for Customs offices of destination of the second TIR Carnet should be indicated as intended for the last Customs office of destination. Such a procedure may cover up to seven Customs offices of departure and destination. To fulfil the conditions laid down in Article 2 of the Convention, it is essential that both TIR transports be carried out across at least one border. Since two TIR Carnets are used one after another, only one TIR guarantee exists at a time;*
- (ii) *Simultaneous use of several road vehicles (e.g., a combination of vehicles) or several containers. In line with Article 17, paragraph 1 of the TIR Convention, for each road vehicle or container a separate TIR Carnet may be issued. Each TIR Carnet may cover up to four points of loading and unloading. The Customs office(s) of departure should indicate all reference numbers of these TIR Carnets in box "For official use" on all vouchers of each TIR Carnet accepted.*

Whatever alternative is used, consignments to be unloaded at different unloading points should be separated from each other, as stipulated in Explanatory Note 0.18-2, paragraph 1.

{TRANS/WP.30/208, paragraph 28 and Annex; TRANS/WP.30/AC.2/71, paragraph 71 and Annex 3}