



Economic Commission for Europe**Inland Transport Committee****Working Party on Customs Questions affecting Transport****157th session**

Geneva, 9 and 10 June 2021

Item 3 (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 156th session (February 2021), the Working Party considered and adopted the following comments contained in Annex I of document ECE/TRANS/WP.30/2021/1: (i) comment to Annex 6, Explanatory Note 0.8.3; (ii) comment to Annex 6, Explanatory Note 0.49 and (iii) comment to Annex 9, Part II “Model Authorization Form (MAF) and requested the secretariat to transmit them to AC.2 for endorsement. With regard to the comment “Possibilities of increasing the total number of loading and unloading places to more than four in exceptional cases” to Article 18, in Annex II of the said document, the Working Party tentatively agreed that it could be adjusted to accommodate maximally 16 places of loading and unloading, subject to further assessment at the next session. From the side of the private sector, the International Road Transport Union (IRU) requested, at least for now, to keep the existing comment as long as the current model of the TIR Carnet with maximum four places of loading and unloading is still in circulation (see ECE/TRANS/WP.30/312, para. 12).

2. Further to this request, the secretariat received more detailed clarifications from IRU about the needs of the private sector with respect to the practical application of the comment to Article 18 “Possibilities of increasing the total number of loading and unloading places to more than four in exceptional cases”.

II. Elaboration of scenarios

3. With regard to the application of the comment “Possibilities of increasing the total number of loading and unloading places to more than four in exceptional cases” to Article 18, various scenarios could be envisaged:

(a) keep the comment, at least transitionally, as it stands (see Annex I of this document);

- (b) keep the existing comment as well as the adjusted comment (Annex I and II of this document);
- (c) adjust the comment in line with the new provision of Article 18 (Annex II of this document);
- (d) see if it is possible to reformulate the comment so that it becomes generically applicable under the current and new text of Article 18 (Annex III of this document);
- (e) delete the comment altogether, bearing in mind that there is also a comment to Article 28 “possibility of using two TIR Carnets for a single TIR transport (Annex IV of this document).

III. Considerations by the Working Party

4. Bearing in mind that the amendment to Article 18 will not enter into force before mid-2022, the Working Party is invited to consider the various options, elaborated in Annexes 1–4 and provide guidance to the secretariat how it wishes to proceed.

Annex I

Comment to Article 18 (existing text)

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}

Annex II

Comment to Article 18 (amended proposal)

Possibilities of increasing the total number of loading and unloading points to more than eight 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 eight 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 8 Customs offices of departure and destination. After its completion and termination at the eighth 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 seven 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 fifteen 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 eight 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.

Annex III

Comment to Article 18 (generic proposal)

Possibilities of increasing the total number of loading and unloading points

In order to increase, occasionally, 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". After the completion and termination of the first TIR Carnet, 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 of the second TIR Carnet. 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. 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. 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.

Annex IV

Comment to Article 28

Possibility of using two TIR Carnets for a single TIR transport

Occasionally, the number of vouchers in the TIR Carnet are not sufficient to carry out a total TIR transport. In these cases, the first part of a TIR transport has to be ended in accordance with Articles 27 and 28 of the Convention and new Carnet has to be accepted by the same customs office having certified the termination of the previous TIR operation and used for the remainder of the TIR transport. Proper inscription shall be made in both TIR Carnets to reflect this fact.
