



TIR EXECUTIVE BOARD (TIRExB)

Distr.: General

COMMISSION DE CONTROLE TIR (TIRExB)

19 September 2012

ИСПОЛНИТЕЛЬНЫЙ СОВЕТ МДП (ИСМДП)

Original: English

Administrative Committee for the TIR Convention, 1975

TIR Executive Board (TIRExB)

Fifty-first session

Geneva, 8 October 2012

Agenda item 11

Other matters

Below, the secretariat reproduces a communication from the Association of International Road Transport Carriers in Poland (ZMPD), together with summary background information, for consideration by the Board. The complete file will be available for consultation at the session.



ROK ZAŁOŻENIA 1957

ZRZESZENIE MIĘDZYNARODOWYCH PRZEWOŹNIKÓW DROGOWYCH W POLSCE
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Członek: INTERNATIONAL ROAD TRANSPORT UNION - IRU GENEVA
Member:

Zarejestrowane pod nr KRS 0000109043 w Sądzie Rejonowym dla m.st. Warszawy w Warszawie, XII Wydział Gospodarczy Krajowego Rejestru Sądowego

Wasz znak:
Votre ref.

Nasz znak:
Notre ref.

12/01969/DTIR/EPE

Warszawa dnia 31.08.2012.

TIR Executive Board (TIRExB)

TIR Secretary

In 2010 the IRU carried out the audit in ZMPD. The result of the audit was to implement its recommendations. One of these recommendations concerned a stricter compliance with the so-called "quota", i.e. a number of TIR Carnets which may be issued to the carrier, after the previously taken TIR Carnets are returned to ZMPD.

The audit found that a lot of carriers are not able to take the new TIR Carnets, because they cannot account for the transit pass which has been finished in Turkey. The hauliers informed us, that the TIR Carnets were retained by Turkish Customs Authorities. It turned out that according to these statements, the problem is that after correct termination of the transit procedure and its successful termination, the TIR Carnets are not returned to the drivers. The Customs officers inform the drivers that they will have to wait from 3 to 5 days (depending on the customs office) for returning their TIR Carnets. The costs of such stops are huge and the long wait often causes delays in the implementation of other transports, which leads to a loss of other commissions. Therefore, many hauliers decide to leave Turkey without a TIR Carnet, hoping that the next truck will be able to pick it up. Unfortunately, it often happens that after returning to Turkey, the TIR Carnet is gone, because it has been given to someone else. Or that the Carnet is not being prepared yet.

According to the Manual for the TIR Carnet Holders, the haulier should settle accounts in a 15 days from the date of return of the driver with the TIR Carnet certified by the last customs office of destination as properly terminated (maximum 15 days after its expiry term). The Manual states that if the TIR Carnet cannot be returned within this period, the holder shall submit a written statement to the Association of lost Carnet, where the reason of the loss must be given (if it has been lost, stolen, destroyed, or detained by customs authorities). If the Carnet is retained by the customs authorities, the haulier is expected to present perforated section of the back of the TIR Carnet or other evidence (e.g. protocol) to the Association of the Carrier in order to prove that the customs authorities have detained the Carnet. As one of the solutions we propose the Turkish customs authorities to keep a record of the Carnets returned to drivers. Such a register would contain the

following information as number of the TIR Carnet, the date of return, the name of the Carnet holder, the name of the driver receiving the Carnet, his signature and the number of his passport.

Another solution suggested by the IRU, is to give the drivers the perforated back of the TIR Carnet as a proof that the Carnet remained in the customs office and has not been given to a driver.

In 2011, the Polish carriers reported 154 TIR Carnets as lost. The 42 of them have been found, and 25 (nearly 60%) of which were detained in Turkey . Each of them required additional action by the association. Each TIR Carnet has a separate file, each had to be photocopied and sent separately by courier to the IRU; which generated additional costs on our side, and forced us to do a great deal of unnecessary work.

None of the Polish transport operators engaged in transit operations in Turkey, could not meet the obligatory deadline. After this period, there were power locks in our computer programs which prevent from receiving sequent TIR Carnets by such hauliers. As a result of this fact the carriers are not able to do their work, which has placed many of them in the face of loss of earning chances.

In this case, the carriers were powerless in relation to the practices of the Turkish customs authorities. The ZMPD, on the basis of the statements of the carriers, addressed the request for aid to the IRU and in parallel with this, we asked Turkish Association for help (a copy of it is attached). Unfortunately, the answer we received from the Turkish customs authorities (copy of informal translation attached) is completely unsatisfactory and does not explain the reasons why the driver, at the end of the TIR procedure is not able to receive a completed and properly terminated TIR Carnet offhand.

In several cases, the Turkish customs authorities stated that TIR Carnets have been returned to the drivers. (A copy of response of the Turkish customs authorities to our letter is attached.) Unfortunately, there was no information when this fact took place. Bearing in mind the date when the TIR Carnet was returned to ZMPD, it was a few months later.

In this situation, we were forced to ask the carriers' for statements about the "loss declaration of TIR Carnets", if all possible dates of return has been exceeded. Since the beginning of January to 15/05/2012 over 60 cases have been reported, of which 30 concerned Turkey. Of these thirty, 8 TIR Carnets, identified as lost, have been returned by carriers. We are still waiting for the remaining ones.

We want to emphasize that we will be grateful for any help in solving this problem.

We only wish that after the TIR Carnet is properly terminated, completed, and stamped by the customs authorities, it will be returned to the drivers without delay. However, this fact seems to be irresolvable in Turkey.

Yours faithfully,

Dyrektor Departamentu TIR

mgr Ewa Suszyńska

TIR Carnet number	Date of termination confirmation of the TIR transport in Cute-Wise	Turkish Customs Office in Destination	Return of the TIR Carnet to the Association	Explanations received from Turkish Customs Authorities
XC 66 355 734	16.06.2011	Halkalı Gümruk	03.01.2012	The Customs Office of Halkalı has investigated the procedures which were executed for the TIR Carnets DX 66 303 254, XB 67 566 353, XC 67 572 112 and XC 66 355 734. According to the records of BILGE System, there were no delays.
YX 66 872 373	21.10.2011	Adana	15.11.2011	The TIR Carnet YX 66 872 373 has processed at the Customs Office of Adana on 21.10.2011. Controlling procedures have been completed; voucher 2 has been picked off and accepted on 01.11.2011. Then it has been sent to the Customs Office of Kapikule. Afterwards, a.m. Carnet has been handed over to the driver of the truck at the same day. Consequently all the customs transactions have been completed in time.
SX 66 872 371	24.10.2011	Adana	15.11.2012	The TIR Carnet SX 66 872 371 has processed at the Customs Office of Adana on 24.10.2011. Controlling procedures have been completed; voucher 2 has been picked off and accepted on 31.10.2011. Then it has been sent to the Customs Office of Kapikule. Afterwards, a.m. Carnet has been handed over to the driver of the truck at the same day. Consequently all the customs transactions have been completed in time.
PX 66 872 370	10.10.2011	Ankara	15.11.2013	According to the procedures such as preparing the conformity certificates of the animals, referring the animals to quarantine field etc., it took longer to terminate the TIR Carnets. However, based on the survey of the BILGE System these TIR Carnets have been terminated properly and the Carnets have been handed over to the drivers of the trucks.
VX 66 872 372	17.10.2011	Adana	15.11.2014	The TIR Carnet VX 66 872 372 has processed at the Customs Office of Adana on 14.10.2011. Controlling procedures have been completed; voucher 2 has been picked off and accepted on 17.10.2011. Then it has been sent to the Customs Office of Kapikule. Afterwards, a.m. Carnet has been handed over to the driver of the truck at the same day. Consequently all the customs transactions have been completed in time.
AX 63 669 638	16.05.2011	Ankara	12.10.2011	According to the procedures such as preparing the conformity certificates of the animals, referring the animals to quarantine field etc., it took longer to terminate the TIR Carnets. However, based on the survey of the BILGE System these TIR Carnets have been terminated properly and the Carnets have been handed over to the drivers of the trucks.
UX 63 669 015	16.05.2011	Ankara	12.10.2012	According to the procedures such as preparing the conformity certificates of the animals, referring the animals to quarantine field etc., it took longer to terminate the TIR Carnets. However, based on the survey of the BILGE System these TIR Carnets have been terminated properly and the Carnets have been handed over to the drivers of the trucks.
SX 66 314 253	11.08.2011	Ankara	07.11.2011	According to the procedures such as preparing the conformity certificates of the animals, referring the animals to quarantine field etc., it took longer to terminate the TIR Carnets. However, based on the survey of the BILGE System these TIR Carnets have been terminated properly and the Carnets have been handed over to the drivers of the trucks.
XE 66 842 843	28.07.2011	Ankara	lost	According to the procedures such as preparing the conformity certificates of the animals, referring the animals to quarantine field etc., it took longer to terminate the TIR Carnets. However, based on the survey of the BILGE System these TIR Carnets have been terminated properly and the Carnets have been handed over to the drivers of the trucks.

TIR Carnet number	Date of termination confirmation of the TIR transport in Cute-Wise	Turkish Customs Office in Destination	Return of the TIR Carnet to the Association	Explanations received from Turkish Customs Authorities
RX 66 859 528	26.08.2011	Ambarly	01.12.2011	The TIR Carnet RX 66 859 528 has been transmitted from the Customs Office of Kapikule to the Customs Office of Ambarli on 22.08.2011 and has been controlled according to the yellow line criteria on 23.08.2011 at the Customs Office of Ambarli. Principle number of packages which were transmitted from the Customs Office of Kapikule was 252 however on the invoice it was written as 244. It took three days to fix the number of the packages and then the TIR Carnet has been terminated by the controlling officer on 26.08.2011.
PX 66 359.700	05.07.2011	Erenkoy	lost	The TIR Carnet PX 66 359 700 has processed on 04.07.2011 at the Customs office of Erenkoy. After the registration of the warehouse declarations which were given by those concerned at 04.07.2011 and 05.07.2011, the trucks have been unloaded by the Authorized Customs Broker on 05.07.2011. Afterwards, The Carnet has been terminated without delay. Therefore, there wasn't any delay concerning this Carnet.
JX 66 232 485	May 2011	Halkali Gumruk	lost	The TIR Carnet JX 66 232 485 has processed on 09.05.2011 at the Customs Office of Halkali. According to the records of the BILGE System, customs transactions have been completed in time at the same day and the truck has left the customs territory.
DX 66 303 254	04.07.2011	Halkali Gumruk	lost	The Customs Office of Halkali has investigated the procedures which were executed for the TIR Carnets DX 66 303 254, XB 67 566 353, XC 67 572 112 and XC 66 355 734. According to the records of BILGE System, there were no delays.
XB 67 566 353	09.08.2011	Halkali Gumruk	lost	The Customs Office of Halkali has investigated the procedures which were executed for the TIR Carnets DX 66 303 254, XB 67 566 353, XC 67 572 112 and XC 66 355 734. According to the records of BILGE System, there were no delays.
XC 67 572 112	09.08.2011	Halkali Gumruk	lost	The Customs Office of Halkali has investigated the procedures which were executed for the TIR Carnets DX 66 303 254, XB 67 566 353, XC 67 572 112 and XC 66 355 734. According to the records of BILGE System, there were no delays.
DX 67 814 492	13.12.2011	Edirne	lost	1. 74 units of well-fed cattle have been carried under cover of the TIR Carnet DX 67 814 492 and it has been transmitted to the Customs Office of Kapikule Gar and registered on 02.12.2011. However, one extra cattle has been captured in the truck which was registered on a.m. TIR Carnet with CB3438 U/CB 85141 license plate. Therefore, a notification of improper discharge has been sent to the holder named Skupi Sprzedaz Zwierzat Rzeznym. According to the Article 34 of the Customs General Regulation No. 1, a fine which is equal to the value of the extra cattle has been imposed to the holder because the concerned agent of the holder has not submitted any explanatory documents to the Customs Authorities in 3 months deadline.
XT 67 814 506	14.11.2011	Istambul	lost	According to the statement of Turkish Customs Authorities the TIR Carnet was terminated properly on 14.11.2011. But there is no information concerning the retruning TIR Carnet to the driver.
XN 67 814 504	04.11.2011	Ankara	lost	According to the statement of Turkish Customs Authorities the TIR Carnet was terminated properly (with BILGE system). But there is no information concerning the retruning TIR Carnet to the driver.
XH 67 814 502	04.11.2011	Ankara	lost	According to the statement of Turkish Customs Authorities the TIR Carnet was terminated properly (with BILGE system). But there is no information concerning the retruning TIR Carnet to the driver.
XE 67 814 501	04.11.2011	Ankara	lost	According to the statement of Turkish Customs Authorities the TIR Carnet was terminated properly (with BILGE system). But there is no information concerning the retruning TIR Carnet to the driver.

The Information Concerning The Polish and Bulgarian TIR Carnets

1. Live animals have been carried under cover of the TIR Carnets **AX 63 669 638**, **UX 63 669 015**, **XE 66 842 843**, **SX 66 314 253^Z** and **PX 66 872 370**. According to the procedures such as preparing the conformity certificates of the animals, referring the animals to quarantine field etc., it took longer to terminate the TIR Carnets. However, based on the survey of the BILGE System these TIR Carnets have been terminated properly and the Carnets have been handed over to the drivers of the trucks.
2. The TIR Carnet **XB 67 375 545** has been terminated on 19.08.2011 at the Customs office of Ankara. Therefore, there wasn't any delay concerning this Carnet.
3. The TIR Carnets **MX 66 800 149** and **PX 66 800 150** have been entered into the Customs Office of Uşak on 15.08.2011, terminated on 16.08.2011 according to the summary declaration which were given by the drivers and left the Customs territory at the same day. However, after unloading the goods to the receiver, the trucks have not been returned to the Customs Office of Uşak therefore, controlling officer has completed the procedures and closed the entry of the Carnet on 24.08.2011.
4. The TIR Carnet **XC 67 369 068** has processed on 08.07.2011 at the Customs Office of İzmir. After finishing fret alongside ship process, it has been terminated on 11.07.2011. Therefore, there wasn't any delay concerning this Carnet.
5. The TIR Carnets **UX 66 816 358**, **XH 65 859 272** and **XF 67 375 532** have been terminated through BILGE System. Counterfoils (Volet-2) have been transmitted to the concerned customs offices back in time.
6. The TIR Carnet **VX 66 872 372** has processed at the Customs Office of Adana on 14.10.2011. Controlling procedures have been completed; voucher 2 has been picked off and accepted on 17.10.2011. Then it has been sent to the Customs Office of Kapıkule. Afterwards, a.m. Carnet has been handed over to the driver of the truck at the same day. Consequently, all the customs transactions have been completed in time.
7. The TIR Carnet **YX 66 872 373** has processed at the Customs Office of Adana on 21.10.2011. Controlling procedures have been completed; voucher 2 has been picked off and accepted on 01.11.2011. Then it has been sent to the Customs Office of Kapıkule. Afterwards, a.m. Carnet has been handed over to the driver of the truck at the same day. Consequently, all the customs transactions have been completed in time.
8. The TIR Carnet **SX 66 872 371** has processed at the Customs Office of Adana on 24.10.2011. Controlling procedures have been completed; voucher 2 has been picked off and accepted on 31.10.2011. Then it has been sent to the Customs Office of Kapıkule. Afterwards, a.m. Carnet has been handed over to the driver of the truck at the same day. Consequently, all the customs transactions have been completed in time.
9. The TIR Carnet **JX 66 232 485** has processed on 09.05.2011 at the Customs Office of Halkalı. According to the records of the BILGE System, customs transactions have been completed in time at the same day and the truck has left the customs territory.
10. The TIR Carnet **PX 66 359 700** has processed on 04.07.2011 at the Customs office of Erenköy. After the registration of the warehouse declarations which were given by those concerned at 04.07.2011 and 05.07.2011, the trucks have been unloaded by the

Authorized Customs Broker on 05.07.2011. Afterwards, The Carnet has been terminated without delay. Therefore, there wasn't any delay concerning this Carnet.

11. The TIR Carnet **RX 66 859 528** has been transmitted from the Customs Office of Kapıkule to the Customs Office of Ambarlı on 22.08.2011 and it has been controlled according to the yellow line criteria on 23.08.2011 at the Customs Office of Ambarlı. Principle number of packages which were transmitted from the Customs Office of Kapıkule was 252 however on the invoice it was written as 244. It took three days to fix the number of the packages and then the TIR Carnet has been terminated by the controlling officer on 26.08.2011.
12. The Customs Office of Halkalı has investigated the procedures which were executed for the TIR Carnets **DX 66 303 254, XB 67 566 353, XC 67 572 112** and **XC 66 355 734**. According to the records of BILGE System, there were no delays.
13. The summary declaration of the TIR Carnet **XF 66 632 057** has been given on 17.05.2011 at the Customs Office of Halkalı and said Carnet has been terminated through BILGE System. The procedure of termination has been asked to the Authorized Customs Broker and according to his reply, the truck has entered the warehouse of Kuhne-Nagel on 17.05.2011 and based on the warehouse declaration dated 19.05.2011 it has been unloaded on 20.05.2011. Consequently, the delay has occurred by reason of late registration.
14. About the TIR Carnets **VX 67 369 123, XC 67 369 068, XF 66 636 266, XF 67 375 532, XK 67 363 197, XZ 66 636 264** and **XZ 67 803 215**; According to the Customs Regulations which were published at 28.05.2009 on Official Gazette (numbered 27241), the application of temporarily storing goods in the warehouses has been cancelled as of 01.07.2009. Within this context the goods carried under the cover of a.m. TIR Carnets have not been unloaded by Authorized Customs Broker in time because of the warehouse declarations of the TIR Carnets have not been registered in time by those concerned. This situation caused continuous delays at the customs transactions. However the TIR Carnets which were transmitted to the customs office of entrance (Erenköy) have been registered back in transit period. Therefore, no more delays after this stage.
15. The TIR Carnet **AX 65 850 521** has been transmitted from the Customs Office of Kapıkule to the Customs Office of Ambarlı on 11.05.2011. The goods carried under the cover a.m. TIR Carnet were products used as animal nourishment. The Carnet has been processed and it has been registered at the same day for warehouse dispatch, according to dispatch the TIR Carnet has been terminated by Authorized Customs Broker on 12.05.2011.

As a result, neither violation in customs regulations and transactions nor delays which caused by customs offices have been detected.

The Information Concerning The Polish and Bulgarian TIR Carnets

1. The TIR Carnet **XT 67 814 506** has been entered the territory of the Customs Office of Kapikule on 31.10.2011 and the entrance procedures has been completed on 02.11.2011. Said TIR Carnet has been transmitted to the Customs Office of Erenköy and on 03.11.2011 summary declaration has been registered and the goods have been counted on the truck. The empty truck has been weighed and the Carnet has been terminated on 14.11.2011.
2. Live animals have been carried under cover of the TIR Carnets **AX 67 814 491, DX 67 814 469, MX 67 814 472, PX 67 814 496, SX 67 814 497, UX 66 877 193, VX 67 814 475, XB 67 814 477, XE 67 814 478, XE 67 814 501, XH 67 814 502, XK 67 814 480, XN 67 814 504, XW 67 814 484, XZ 67 814 485 and YX 67 814 476**. According to the procedures such as preparing the conformity certificates of the animals, referring the animals to quarantine field etc., it took longer to terminate the TIR Carnets. However, based on the survey of the BILGE System these TIR Carnets have been terminated properly.
3. 74 units of well-fed cattle have been carried under cover of the TIR Carnet **DX 67 814 492** and it has been transmitted to the Customs Office of Kapikule Gar and registered on 02.12.2011. However, one extra cattle has been captured in the truck which was registered on a.m. TIR Carnet with CB3438 U/CB 85141 license plate. Therefore, a notification of improper discharge has been sent to the holder named Skupi Sprzedaz Zwierzat Rzeznym. According to the Article 34 of the Customs General Regulation No. 1, a fine which is equal to the value of the extra cattle has been imposed to the holder because the concerned agent of the holder has not submitted any explanatory documents to the Customs Authorities in 3 months deadline.

As a result, neither violation in customs regulations and transactions nor delays which caused by customs offices have been detected.