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BEST PRACTICES

Transmitted by the State Customs Committee of the Republic of Belarus

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TRANSLATION

TIR Secretary
Border Crossing Facilitation Section
Transport Division
United Nations Economic
Commission for Europe
Konstantin Glukhenkiy
Office 401-3, Palais des Nations,
CH-1211 Geneva 10

SUBJECT: A draft comment to Article 1 (o) of the TIR Convention

Dear Mr. Glukhenkiy

The State Customs Committee of the Republic of Belarus presents its sincere compliments to the TIR Secretariat and referring to point 4 of the working document ECE/TRANS/WP.30/AC.2/2010/7 submits its suggestions on a draft comment to Article 1 (o) of the TIR Convention.

The proposed by the State Customs Committee of Belarus edition of the comment involves the use of the TIR Carnet by several holders when it is known that the transport will be made by several holders. In addition, this edition covers the situation when the need for other TIR holders occurs during transport.

We kindly ask you to publish the draft comment as an informal document for the consideration of this matter during the Administrative Committee session.

Yours sincerely,

Sergei Borisyuk

Deputy Chairman
State Customs Committee
of the Republic of Belarus

A draft comment to Article 1 (o) of the TIR Convention:

“Successive use of a TIR Carnet by several holders within one TIR transport

It is allowed to successive use a TIR Carnet by several TIR Carnet holders within one TIR transport. In such cases a guaranteeing association, issuing the TIR Carnet, indicates on the cover page of the TIR Carnet the following:

- (a) in Box 3 – the name of the first TIR Carnet holder;
- (b) in Box 11 – the name of the following TIR Carnet holder(s);
- (c) information specified in Box 11, shall be certified in the manner provided for Box 4 of the cover page of the TIR Carnet;
- (d) in Box 12 – signature of the first TIR Carnet holder.

When the need for the use of the following holder(s) arises in the course of a TIR transport, the first holder of the TIR Carnet must provide the Customs Authority en route with a written confirmation of the possibility of the following holder(s) issued by the guaranteeing association of the Contracting Party on which territory the TIR transport will be continued by the following holder(s) and the Customs Authorities of which will open the corresponding TIR operation. Here, the first holder must fill in Boxes 3 and 11 of the cover page of the TIR Carnet in the manner specified in the first part of this comment, and make changes in the relevant fields of volets 1 and 2 of the TIR Carnet and certifies the records by his signature. In this case the above mentioned written confirmation issued by the guaranteeing association (or its copy) must accompany the TIR Carnet.

Once the Customs office of departure has accepted the duly filled-in TIR Carnet, all other competent authorities en route and at the Customs office of destination involved in that TIR transport accept such TIR Carnet from persons specified as the TIR Carnet holders without further requirements.

In case of violation of the TIR procedure and the necessity of applying the provisions of the TIR Convention concerning the obligations to pay import or export customs duties and charges, including the application of Article 38 of the TIR Convention, the first and subsequent holder(s) bear the same responsibility as defined by the TIR Convention. ”.
