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ECONOMIC COMMISSION FOR EUROPE

INLAND TRANSPORT COMMITTEE

Working Party on Customs Questions
affecting Transport

Informal ad hoc Expert Group on the Conceptual and Technical
Aspects of Computerization of the TIR procedure
(26-27 October 2004)

ACTIVITIES OF THE INFORMAL AD HOC EXPERT GROUP

Reference Model of the TIR Procedure

Follow up to decisions ExG/77

Note by the secretariat

A. BACKGROUND

1. At its fourth session, on 1 and 2 March 2004, the Informal ad hoc Expert Group (hereafter called the Expert Group) decided to use the written consultation procedure in order to review Requirements 1-19 of Annex 1 (referring to the requirements contained in the high level diagram) and Annex 2 (Glossary) of the eTIR Project Reference Model (Decision 59).
2. The secretariat distributed document ExG/COMP/2004/11, in which the participants in the Expert Group were requested to provide the secretariat with their comments on the text of Annexes 1 and 2.

3. At its fifth session, on 28 and 29 June 2004, the Expert Group reviewed Annexes 1 and 2 of the Reference Model. In the course of the discussions the Expert group validated the majority of the requirements of Annex 1 but made some amendments, in particular with regard to the roles performed by the associations. Requirements dealing with the terms “TIR consignment” and “TIR consignment element” were put on hold. The Expert Group also reviewed Annex 2 in the light of remarks made with regard to Annex 1. In addition, it decided to come back to a number of terms related to the terms “office of departure” and “office of destination” at its forthcoming meeting (ExG/COMP/2004/18, paras. 11-12).

4. Underlying document contains an updated version of the Requirements list and the TIR Glossary, for further review by the Expert Group

Annex 1 – Requirements list

The requirements list contains all measurable business requirements and constraints. Since new requirements and constraints may be discovered in the course of the modelling process, the list will be amended regularly.

Note: Each requirement used in any specific diagram should be listed in the box “requirements covered” of its corresponding description table. In parallel, the place where any requirement has been used should be indicated in the Requirements list under “status”.

Req. #	Statement	Source	Date	Status
1	The international organization organizes and ensures the proper functioning of the guarantee chain for a TIR transport. A TIR transport can be associated to one and only one international organization. The international organization can represent the guarantee chain for an unlimited number of transports.	ExG Warsaw	28-29 June 2004	Used in 1.6
2	The international organization has member associations. The membership is associated to at least one country. An association has to be member of at least one international organization. An international organization can have any number of member associations. A membership can be associated to various countries (e.g. FEBETRA–IRU has a membership valid for Belgium but also for Luxembourg) and one country can be covered by various memberships.	ExG Warsaw	28-29 June 2004	Used in 1.6
3	An association has two roles represented by the subdivision of the association into its issuing role (issuing association), responsible for the issuance of the TIR Carnet to the holders of TIR Carnets, and its guaranteeing role (guaranteeing association), representing the guarantee chain in its national territory. Both roles cannot be disconnected.	ExG Warsaw	28-29 June 2004	Used in 1.6
4	The issuing association issues TIR Carnets for TIR transports. One and only one issuing association is issuing the TIR Carnet for a TIR transport. The issuing association can issue TIR Carnets for numerous TIR transports.	ExG Warsaw	28-29 June 2004	Used in 1.6
5	Deleted			

6	A road vehicle can serve in numerous TIR transports. A TIR transport is performed by means of one or many road vehicles.	ExG Warsaw	28-29 June 2004	Used in 1.6
7	A road vehicle is composed of zero or many load compartments. A load compartment is part of a single road vehicle.	ExG Warsaw	28-29 June 2004	Used in 1.6
8	A sealed loading unit is a generalization of a container and a load compartment of a road vehicle.	ExG Warsaw	28-29 June 2004	Used in 1.6
9	<u>For discussion:</u> A sealed loading unit can have numerous loads, called TIR consignments elements. A TIR consignment element is contained in one and only one sealed loading unit. In case of heavy and bulky goods (HBG), the TIR consignment element might not be contained in a sealed loading unit.	Art. 17 & Expl.note 0.17-1		Used in 1.6
<p><u>Proposal:</u> Delete: A TIR consignment element is contained in one and only one sealed loading unit (Timmer and Jacobs).</p> <p><u>Comment by the secretariat:</u> Alternative proposal: "A TIR consignment is contained in a sealed loading unit, unless heavy or bulky goods (HBG) are transported, in which case the TIR consignment may not be contained in a sealed loading unit."</p> <p><u>Proposal:</u> A sealed loading unit can have numerous loads. In case of heavy and bulky goods (HBG), the load might not be contained in a sealed loading unit (Indeed, the TIR Convention does not use the term <i>TIR consignment element</i>. It only uses the terms <i>goods, load, content</i> or <i>consignment</i>) (IRU)</p> <p><u>Comment by secretariat:</u> The aim of the high level diagram and its corresponding requirements is to give an accurate description of the day-to-day implementation of the TIR procedure in words. In this context, it seems justified to introduce new terms in situations where the TIR Convention (which only creates a framework, leaving the practical implementation to national authorities) does not provide them.</p> <p>With regard to the use of the terms, see document ExG/COMP/2004/22 for discussion by the Expert Group.</p>				

10	A TIR transport is composed of TIR operations. The number of TIR operations within a TIR transport is at the moment limited to 10 with the current paper system and has a minimum of 2 (these limitations should be extensible; therefore, two to many is more advisable). A TIR operation is part of one and only one TIR transport.	ExG Warsaw	28-29 June 2004	Used in 1.6
11	<u>For discussion:</u> A TIR consignment is associated to one and only one TIR transport. A TIR transport can carry from one to many TIR consignments.			Used in 1.6
	<u>Proposal:</u> A consignment transported under cover of a TIR Carnet is associated to one and only one TIR transport. A TIR transport can carry from one to three consignments (IRU). <u>Comment by secretariat:</u> Under the current definition, where the term TIR consignment is used for goods having a common destination, a TIR transport can, indeed, maximally carry three consignments.			
12	A TIR transport is performed by one and only one TIR Carnet holder. A TIR Carnet holder can perform any number of TIR transports.	ExG Warsaw	28-29 June 2004	Used in 1.6
13	The TIR operation is started at one and only one Customs office and terminated at one and only one Customs office. A Customs office can start and terminate any number of TIR operations.	ExG Warsaw	28-29 June 2004	Used in 1.6
14	<u>For discussion:</u> A TIR consignment is composed of one to many TIR consignment elements. A TIR consignment element is part of one and only one TIR consignment.			Used in 1.6
	<u>Proposal:</u> The TIR Convention does not use the term <i>TIR consignments element</i> . It only uses the terms <i>goods, load, content, or consignment</i> . Therefore, this Requirement is not accurate (IRU) <u>Comment by secretariat:</u> See under Requirement 9.			
15	<u>For discussion:</u> A TIR consignment has one and only one destination Customs office. A Customs office can be the destination of numerous TIR consignments.			Used in 1.6

	<p><u>Proposal:</u> The definition may work well for describing the current system (so, I agree), but for any electronic system we should either change the definition or define a “split en route” operation for the consignments. The reason: the driver starts from “A” with a consignment, heading to “B”. He gets a call en route to make a partial unload at “C” before unload the remainder at “B”. He started with one consignment (originally the consignment was treated as one), ended with two (without any further loading). Alternatively, we can treat the remainder (i.e. the shipment from B to C) as a brand new consignment (Gaizer).</p> <p><u>Comment by secretariat:</u> The case described above would require updating the TIR Carnet in the course of the TIR transport. This is done by any Customs office <u>en route</u> or at any intermediate Customs office of destination, where the Customs officer will update the TIR Carnet and will validate and stamp the changes.</p> <p><u>Proposal:</u> A consignment transported under cover of a TIR Carnet has one and only one Customs office of destination. A Customs office can be the destination of numerous consignments (IRU).</p> <p><u>Comment by secretariat:</u> See under Requirement 9.</p>			
16	<p><u>For discussion:</u> The TIR consignment element is composed of a single good type.</p>			Used in 1.6
	<p><u>Proposal:</u> The TIR Convention does not use the term <i>TIR consignments element</i>. It only uses the terms <i>goods, load, content, or consignment</i>. Therefore, this Requirement is not accurate (IRU).</p> <p><u>Comment by secretariat:</u> See under Requirement 9.</p>			
17	<p><u>For discussion:</u> A TIR consignment element is loaded at a single Customs office, called the origin. A Customs office can be the origin for any number of TIR consignment elements.</p>			Used in 1.6
	<p><u>Proposal:</u> The TIR Convention does not use the term <i>TIR consignments element</i>. It only uses the terms <i>goods, load, content, or consignment</i>. Therefore, this Requirement is not accurate (IRU)</p> <p><u>Comment by secretariat:</u> See under Requirement 9.</p>			

18	A Customs Office is located in one and only one Contracting Party. A Contracting Party can have any number of Customs offices.	ExG Warsaw	28-29 June 2004	Used in 1.6
19	A transport operator is established in one and only one Contracting Party. A Contracting Party can be the residence of numerous transport operators.	ExG Warsaw	28-29 June 2004	Used in 1.6
NOT YET DISCUSSED				
20	The printing and distribution of TIR Carnets can only be performed by an agreed international organization.	Art. 6.2 <u>bis</u> Annex 8 Art.10(b)		Used in 1.2.1
21	Only an authorized association can issue TIR Carnets.	Art. 6.1		Used in 1.2.1
22	TIR Carnets shall be issued only to authorized persons.	Art. 6.3, Annex 9, Part II		Used in 1.2.1
23	A TIR transport can only be performed with an approved vehicle or container.	Art. 3.a.(i)		Used in 1.2.1
24	A TIR transport must be performed under cover of a TIR Carnet.	Art. 3.b		Used in 1.2.1
25	A TIR transport must be guaranteed by approved associations.	Art. 3.b		Used in 1.2.1
26	Customs authorities can use national and international risk analysis data to asses risk during the TIR Transport.			Used in 1.2.1
27	When the TIR transport is completed, the TIR Carnet is returned to the holder, then to the association and finally to the international organization.			Used in 1.2.1
28	The international organization uses the control system for TIR Carnets to check returned TIR Carnets.			Used in 1.2.1
29	Risk analysis can be performed with data stored in the repository.			Used in 1.2.1
30	Risk analysis can be performed with data from the control system for TIR Carnets.			Used in 1.2.1
31	The control system for TIR Carnets stores the data regarding the distribution of TIR Carnets.			Used in 1.2.1
32	The control system for TIR Carnets stores data on the termination of TIR operations at Customs offices of destination.			Used in 1.2.1
33	The TIR procedure is defined by the TIR Convention.			Used in 1.2.1

Annex 2 – TIR glossary

The TIR glossary contains all terms and acronyms which may be useful to the reader in order to understand the TIR procedure domain. The glossary is maintained in a running list by the secretariat throughout the modelling process and may be amended at any time.

Term	Definition	Source	Date
Container	An article of transport equipment (liftvan, movable tank or similar structure): <ol style="list-style-type: none"> 1. fully or partially enclosed to constitute a compartment intended for containing goods; 2. of a permanent character and accordingly strong enough to be suitable for repeated use; 3. specially designed to facilitate the transport of goods by one or more modes of transport without intermediate reloading; 4. designed for ready handling, particularly when being transferred from one mode of transport to another; 5. designed to be easy to fill and to empty, and having an internal volume of one cubic metre or more. 	Art. 1 (j)	28-29 June 2004
Customs office	Any Customs office approved for accomplishing TIR operations of a Contracting Party	Art. 45	28-29 June 2004
Customs office of departure	Any Customs office of a Contracting Party where the TIR transport of a load or part load of goods begins.	Art. 1 (k)	28-29 June 2004
Customs office of destination	Any Customs office of a Contracting Party where the TIR transport of a load or part load of goods ends.	Art. 1 (l)	28-29 June 2004
Good	Commodity, merchandise	Webster	28-29 June 2004
Guarantee chain (International guarantee system)	System covering the liabilities of national associations, authorized to act as surety for TIR Carnets issued by them as well as for liabilities incurred by them in connection with operations under cover of TIR Carnets issued by foreign associations affiliated to the same international organization at that to which they are themselves affiliated.	ExG Warsaw	28-29 June 2004
Guaranteeing Association	An association approved by the Customs authorities of a Contracting Party to act as surety for persons using the TIR procedure.	Art. 1 (q)	28-29 June 2004
International Organization	International organization, that is authorized by the TIR Administrative Committee to print and distribute TIR Carnets, as referred to in Annex 8, Article 10 (b), and to take on responsibility for the effective organization and functioning of an international guarantee system provided that it accepts this responsibility, as referred to in Article 6, paragraph 2.	Art. 6, 2 bis Annex 8, Article 10 (b)	28-29 June 2004
Issuing Association	An association approved by the Customs authorities of a Contracting Party to issue TIR Carnets	Secretariat	28-29 June 2004

Load compartment	Part of an approved vehicle intended for containing goods	Secretariat	28-29 June 2004
National Association	An association approved by the Customs authorities of a Contracting Party to issue TIR Carnets and/or to act as surety for persons using the TIR procedure	Secretariat	28-29 June 2004
Road Vehicle	Not only any power-driven road vehicle but also any trailer or semi-trailer designed to be coupled thereto	Art. 1 (g)	28-29 June 2004
Sealed loading unit	Any part of a container or load compartment suited for sealing under the conditions stipulated by the TIR Convention	Secretariat	28-29 June 2004
TIR consignment	<u>For discussion:</u> Goods carried under cover of a TIR Carnet having a common destination	Secretariat	
	<u>Proposal:</u> Abbreviation for 'consignment transported under cover of a TIR Carnet', designating goods carried under cover of a TIR Carnet having a common Customs office of destination (IRU). <u>Comment by secretariat:</u> For discussion. See Informal document 4 (2004).		
TIR consignment element	<u>For discussion:</u> Part of a TIR consignment, composed of a single good type and having a common loading place	Secretariat	
	<u>Proposal:</u> The TIR convention does not use terms like <i>TIR consignment element</i> and <i>goods type</i> . It only used the terms <i>goods</i> , <i>load</i> , <i>content</i> or <i>consignment</i> . More specifically, when providing instructions on how to fill-in the Goods manifest (goods description in the goods manifest, Annex 1, 1, 10)), the TIR Convention states that the ' <i>usual commercial description of goods is necessary</i> '. The terms <i>TIR consignment element</i> and <i>goods type</i> would be new concepts, that are not part of the TIR Convention and do not describe the current practice (IRU). <u>Comment by secretariat:</u> The aim of the glossary is to simplify the understanding of the TIR Procedure domain. To that end, it contains all terms which may be in need of clarification. The TIR Procedure Reference Model has introduced a number of new terms to accommodate the description of the TIR Procedure, as the existing terminology did not suffice to reflect all possibilities that can exist. These terms should reflect the current practice, but are clearly not yet contained in the TIR Convention. See Informal document 4 (2004).		
TIR operation	The part of a TIR transport that is carried out in a Contracting Party from a Customs office of departure or entry (<u>en route</u>) to a Customs office of destination or exit (<u>en route</u>)	Art. 1 (b)	28-29 June 2004
TIR transport	The transport of goods from a Customs office of departure to a Customs office of destination under the procedure, called the TIR procedure, laid down in the TIR Convention	Art. 1 (a)	28-29 June 2004
TIR Carnet holder	The person to whom a TIR Carnet has been issued in accordance with the relevant provisions of the TIR Convention and on whose behalf a Customs declaration has	Article 1 (o)	28-29 June 2004

	been made in the form of a TIR Carnet indicating a wish to place goods under the TIR procedure at the Customs office of departure. He shall be responsible for the presentation of the road vehicle, combination of vehicles or the container together with the load and the TIR Carnet relating thereto at the Customs office of departure, the Customs office <u>en route</u> and the Customs office of destination and for due observance of the other relevant provisions of the TIR Convention.		
Transport operator	Person actually transporting the goods or in charge of or responsible for the operation of the means of transport on behalf of the TIR Carnet holder	ExG Warsaw	28-29 June 2004
Driver	Natural person operating the means of transport on behalf of the TIR Carnet holder	ExG Warsaw	28-29 June 2004
Forwarder	Person performing services (such as receiving, transshipping or delivering), designed to assure and facilitate the passage of goods to their destination on behalf of the TIR Carnet holder...	ExG Warsaw	28-29 June 2004
Consignor	Person consigning goods on behalf of the TIR Carnet holder	ExG Warsaw	28-29 June 2004
Consignee	Person receiving goods	ExG Warsaw	28-29 June 2004
NOT YET DISCUSSED:			
First Customs office of departure	Any Customs office of a Contracting Party where the TIR transport begins	Secretariat	
Intermediate Customs office of departure	Any Customs office of a Contracting Party where the TIR transport of a part load of goods begins, other than the first Customs office of departure.	Secretariat Art. 1 (b) (c)	
	<p><u>Proposal:</u> Replace 'transport' by 'operation' (Timmer and Jacobs)</p> <p><u>Comment by secretariat:</u> Considering the fact that the term TIR transport refers to the international aspect of the transport, whereas TIR operation only refers to the national leg, the word 'transport' seems to be more appropriate.</p>		
Intermediate Customs office of destination	Any Customs office of a Contracting Party other than the final Customs office of destination where the TIR transport of a part load of goods ends	Secretariat Art. 1 (b) (d)	
	<p><u>Proposal:</u> Replace 'transport' by 'operation' (Timmer and Jacobs)</p> <p><u>Comment by secretariat:</u> Considering the fact that the term TIR transport refers to the international aspect of the transport, whereas TIR operation only refers to the national leg, the word 'transport' seems to be more appropriate</p>		
Final Customs	Any Customs office of a Contracting Party where the TIR	Secretariat	

office of destination	transport ends	
Customs office of entry <u>en route</u>	Any Customs office of a Contracting Party through which a road vehicle, combination of vehicles or containers enters this Contracting Party in the course of a TIR transport	Article 1 (m)
	<p><u>Proposal:</u> Replace term by “Customs office <u>en route</u>” and add, in the description after enters: or leaves” (Ivanova and Vrabcheck)</p> <p><u>Comment by secretariat:</u> This change does not seem to add clarification, as a Customs office <u>en route</u> can refer to any Customs office, not just to the offices of entry and exit. It seems, however, logical to amend the glossary with the term “Customs office of exit <u>en route</u>”</p>	
Customs office of exit <u>en route</u>	<p><u>Proposal by the secretariat:</u> “Any Customs office of a Contracting party through which a road vehicle, combination of vehicles or container leaves this Contracting Party in the course of a TIR Transport”</p>	
Start of a TIR operation	<p><u>Proposal:</u> Art. 1 (c) (Ivanova and Vrabcheck)</p> <p><u>Comment by secretariat:</u> “The road vehicle, the combination of vehicles or the container have been presented for purposes of control to the Customs office of departure or entry (<u>en route</u>) together with the load and the TIR Carnet relating thereto and that the TIR Carnet has been accepted by the Customs office”</p>	
Termination of a TIR operation	<p><u>Proposal:</u> Art. 1 (d) (Ivanova and Vrabcheck)</p> <p><u>Comment by secretariat:</u> “The road vehicle, the combination of vehicles or the container have been presented for purposes of control to the Customs office of destination or of exit (<u>en route</u>) together with the load and the TIR Carnet relating thereto”</p>	
TIR transport	<p><u>Proposal:</u> Art. 1 (a) (Ivanova and Vrabcheck)</p> <p><u>Comment by secretariat:</u> “The transport of goods from a Customs office of departure to a Customs office of destination under the procedure, called the TIR procedure, laid down in the TIR Convention”</p>	
TIR operation	<p>Art. 1 (b) The part of a TIR transport that is carried out in a Contracting Party from a Customs office of departure or entry (<u>en route</u>) to a Customs office of destination or exit (<u>en route</u>)</p>	
Discharge of a TIR operation	<p>Art. 1 (e) The recognition by Customs authorities that the TIR operation has been terminated correctly in a Contracting Party. This is established by the Customs authorities on the basis of a comparison of the data or information available at the Customs office of destination or exit (<u>en route</u>) and that available at the Customs office of departure or entry (<u>en route</u>)</p>	

Import or export duties and taxes	Art. 1 (f) Customs duties and all other duties, taxes, fees and other charges which are collected on, or in connection with, the import or export of goods, but not including fees and charges limited in amount to the approximate cost of services rendered
Person	Art. 1 (n) Natural and legal person
Heavy or bulky goods	Art. 1 (p) Any heavy or bulky object which because of its weight, size or nature is not normally carried in a closed road vehicle or closed container