Council Decision (EU) 2020/1494 of 12 October 2020 on the position to be taken on behalf of the European Union within the Administrative Committee established by the Customs Convention on the international transport of goods under cover of TIR carnets (TIR Convention) as regards certain amendments to that Convention

COUNCIL DECISION (EU) 2020/1494

of 12 October 2020

on the position to be taken on behalf of the European Union within the Administrative Committee established by the Customs Convention on the international transport of goods under cover of TIR carnets (TIR Convention) as regards certain amendments to that Convention

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular the first subparagraph of Article 207(4) in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

(1) The Customs Convention on the international transport of goods under cover of TIR carnets (TIR Convention) of 14 November 1975 (the 'TIR Convention') was approved on behalf of the European Economic Community by means of Council Regulation (EEC) No 2112/78[(1)] and entered into force in the Community on 20 June 1983[(2)].

(2) By means of Council Decision 2009/477/EC[(3)], a consolidated text of the TIR Convention was published. In accordance with the second paragraph of Article 1 of that Decision the Commission is to publish future amendments to the TIR Convention in the *Official Journal of the European Union* indicating their date of entry into force.

(3) The Administrative Committee established by the TIR Convention (the 'Administrative Committee') is able to amend the TIR Convention in accordance with Articles 59 and 60 of the TIR Convention.

(4) During its 73rd session on 15 October 2020 or a subsequent session, the Administrative Committee is to adopt certain amendments to the TIR Convention.

(5) It is appropriate to establish the position to be taken on the Union's behalf within the Administrative Committee as regards the amendments to the TIR Convention, as those amendments will be binding on the Union.

(6) In order to accelerate the modernisation of the TIR regime, it is necessary to introduce mandatory electronic transmission of data by the competent authorities to the TIR Executive Board established by the Administrative Committee concerning TIR carnet holders' authorisations and withdrawals of such authorisations and to create a reliable online international database of Customs offices that accept TIR movements by

Changes to legislation: *There are currently no known outstanding effects for the Council Decision (EU) 2020/1494. (See end of Document for details)*

amending Article 38 of the TIR Convention and Annex 9 to the TIR Convention and by creating a new Explanatory Note to Article 45 of the TIR Convention.

(7) In order to enhance the attractiveness of the TIR Convention for both economic operators and Customs authorities, it is necessary to allow the Contracting Parties to grant greater facilities to duly authorised persons in the application of the TIR Convention by creating a new Explanatory Note to Article 49 of the TIR Convention.

(8) In order to clarify the TIR Convention, it is necessary to specify the use of a prescribed route within customs unions by amending Article 20 of the TIR Convention and to increase the recommended maximum amount that can be claimed from the guaranteeing associations for tobacco and alcohol TIR carnets by amending the Explanatory Note to Article 8 of the TIR Convention.

(9) The position of the Union within the Administrative Committee should therefore be based on the draft amendments to the TIR Convention.

(10) The position of the Union should be expressed by the Commission.

(11) When a formal vote is to be taken within the Administrative Committee, the position of the Union should be expressed by the Member States of the Union acting jointly in the interest of the Union,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on the Union's behalf during the 73rd session or a subsequent session of the Administrative Committee established by the Customs Convention on the international transport of goods under cover of TIR carnets (TIR Convention) of 14 November 1975 (the 'TIR Convention') shall be based on the draft amendments to the TIR Convention[4].

Article 2

1 The Commission shall express the position referred to in Article 1.

2 The Member States of the Union shall express the position of the Union when a formal vote is to be taken within the Administrative Committee, acting jointly in the interest of the Union.

Article 3

Minor technical changes to the position referred to in Article 1 may be agreed upon by the representatives of the Union without a further decision of the Council.

Article 4

This Decision shall enter into force on the date of its adoption.