

**CLECAT comments to the public consultation on the Commission Draft Implementing Regulation laying down rules for the conditions and procedures related to the status of authorised CBAM declarant (Ares (2024)7706795)**

CLECAT, the European association of freight forwarders and customs agents, appreciates the Commission's efforts to provide industry with clear guidelines through the draft Implementing Regulation. We offer the following recommendations to support a harmonised and efficient implementation across the EU:

**Authorisation Process**

**Shortened Timelines:** We recommend significantly reducing the timelines for granting applications. Uniform deadlines for processing applications, including extensions, should be established for all Member States, e.g., 15 + 15 days, in line with Article 17(1) of Regulation (EU) 2023/956.

**To support a more efficient authorisation process, we propose the following trade facilitation measures:**

- **Automatic Approval for Trusted Operators:** Automatically grant CBAM declarant status to businesses holding trusted trader certifications (e.g., AEO status) and/or with proven compliance records during the transitional period.
- **Exemption for Low-Volume Importers:** Exempt importers with very low volumes (e.g., under 1 ton of emissions per year) or import values below a defined financial threshold.
- **Document-Based Checklist:** Implement a pre-set documentary checklist to allow for fast or automated approval for applicants meeting eligibility criteria.
- **Provisional Authorisation:** For complex cases, grant provisional authorisation valid for six months, allowing imports while completing the full authorisation/consultation process.
- **Simplified Renewal Process:** Enable automatic renewal based on self-certification for existing CBAM declarants with strong compliance records, removing the need for a full re-application.

**Further Recommendations for Trade Facilitation and SME Support**

- **Flat Rate Guarantee Option for SMEs:** Instead of calculating guarantees based on estimated imports, provide a flat rate guarantee option for low-volume importers and SMEs, subject to periodic review.

**Further clarification is required on the following issues:**

- **Application process and authorisation coverage** for intermediaries, e.g. indirect customs representatives acting as CBAM declarants with several clients in multiple Member States.
- **Calculation of the €500,000 threshold** for such intermediaries (Article 11(4) of the proposal).
- **Article 10 on serious or repeated infringements:** A more detailed definition of the terminology used in this article is requested to ensure harmonised implementation across Member States. For example, clarification is needed on the practical meaning of terms such as "administrative and judiciary proceedings" and "serious infringements."

We thank the European Commission for the opportunity to contribute to this public consultation and remain at its disposal for any further clarification or assistance.