

Subject: Input on the consultation on CBAM – establishment of CBAM Registry

The European Express Association (EEA) is pleased to submit its feedback on the consultation regarding the establishment of CBAM registry:

Definition of a CBAM applicant

As per Art.2(3) of the Draft Implementing Regulation an ‘applicant’ means an importer, or indirect customs representative, who applies for the status of authorised CBAM declarant. In previous opportunities, EEA Members via a joint industry letter recommended the introduction of a CBAM ‘Authorised Representative,’ arguing that mandating the indirect customs representative as the only possible alternative declarant, especially for EU-based importers, will deter both indirect customs representatives and third-party industry experts from taking on CBAM declarant responsibilities. At the time, we received a response from the Commission indicating that there was no intention to amend the legislation to accommodate our proposal. However, based in our gained experience during the transitional period, it is evident that EU-based importers are content with retaining responsibilities themselves, while still needing assistance with the technical completion of CBAM reports. We also see that some experts are willing to take on full CBAM reporting responsibilities as ‘Authorised Representatives’ but lack the customs expertise to become indirect customs representatives simultaneously. The EEA wishes to inquire whether the Commission, recognizing the clear demand for these alternatives and having encouraged a direct representative-type reporting construct in their own FAQ, plans to amend the CBAM regulation to better reflect this market situation for the full implementation.

Technical readiness of CBAM Registry

The CBAM Registry is set to apply from 31 December 2024, as stipulated in the CBAM Main Regulation and aligned with Article 24 of this draft implementing Regulation. The EEA emphasizes the critical importance of ensuring that the CBAM Registry is fully operational and that the 31 December 2024 deadline is strictly adhered to. This timeline provides a crucial legal window of one full year, allowing traders ample time to submit their initial CBAM applications and fulfill related obligations well in advance of the 1 January 2026 deadline. This is particularly vital given the extended assessment periods for CBAM applications by competent authorities, as outlined in the Draft Regulation.

EEA Members remain available should there be questions or requests for clarification. Please kindly provide your feedback to our Secretariat’s functional email tfc@euroexpress.org at your earliest convenience.

The European Express Association (EEA) is the representative organisation for the express industry in Europe. The industry specialises in time-definite, reliable transportation services for documents, parcels, and freight. It allows European business to rely on predictable, expeditious delivery of supplies, thereby enabling them to attain and maintain global competitiveness.

The express industry employs over 330,000 people across the EU and supports a further 410,000 indirect jobs in Europe through the supply-chain. The express industry's employees are widely spread across EU member states.

The express industry is a truly intermodal sector. Air-road and air-rail operations form an integral part of the industry's hub and spoke system. Our members use the most efficient transport mode to ensure the timely delivery of our customers' goods. This includes the use of aircraft, but also road vehicles and rail where possible.