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**international business courses**

# **Junior Broker course**

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## About evofenedex

### Think global, act local

evofenedex represents the interests of some 15,000 companies in the Netherlands that export, import and transport goods on their own account or subcontract through a professional transport company. They come from all sectors of industry such as machinery, chemical and agricultural sectors, but also in the field of wholesale, retail and business services.

Our members are users of freight services across all modes of transport: deep sea shipping, short sea shipping, air transport, road transport, rail and inland waterways. They operate both within Europe and overseas. evofenedex voices the interests of its members to political decision-makers and public authorities in the Netherlands, Europe and on a global level.

We also convey the views of our members to carriers in all modes of transport, both directly and through their organizations.



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# 1. Customs in general

## 1.1 Customs Administration of the Netherlands

See presentation Annex 1 for the following topics:

- Mission
- Strategic goals
- Organisation
- National activities
- International activities
- Enforcement

## 1.2 Customs territory

### 1.2.1. EU countries

EU countries or EU member states are the countries that are members of the European Union. (To: Non-EU countries)

The EU countries are:

- Austria
- Belgium
- Bulgaria
- Croatia
- Cyprus
- Czech Republic
- Denmark
- Estonia
- Finland
- France
- Germany
- Greece
- Hungary
- Ireland
- Italy
- Latvia
- Lithuania
- Luxembourg
- Malta
- The Netherlands
- Poland
- Portugal
- Romania
- Slovenia
- Slovakia
- Spain
- Sweden

All other countries are considered by Customs to be a non-EU country.  
The areas listed below are also considered by Customs to be a non-EU country.

#### **1.2.2. Exceptional areas within the Union countries**

Certain areas which are part of the Union Customs territory, exceptional areas, are subject to special rules. These areas are:

- Aland Islands (Finland)
- Canary Islands (Spain)
- French overseas departments and territories, including Guadeloupe, French Guiana, Martinique, Mayotte and Reunion
- Mount Athos (Greece)

These areas are subject to special rules concerning excise duty and value added tax (VAT). Are goods entering the Union from one of these countries or territories? If so, the goods are subject to the same tax rules that would apply if they came from a non-EU country.

Detailed information about the EU countries and Customs policy, excise territory, VAT territory and exceptional areas can be found in the section: EU countries overview (only available in Dutch) or Customs Information Line.

#### **1.2.3. Non-Union countries**

Non-EU countries are all countries that are not members of the European Union.

#### **1.2.4. Links**

The easiest way to find out whether a country or area is part of the Union is to visit:

[https://www.belastingdienst.nl/wps/wcm/connect/bldcontenten/belastingdienst/customs/eu-efta/eu-efta-countries/list\\_of\\_eu\\_countries/list\\_of\\_eu\\_countries](https://www.belastingdienst.nl/wps/wcm/connect/bldcontenten/belastingdienst/customs/eu-efta/eu-efta-countries/list_of_eu_countries/list_of_eu_countries)

### **1.3. Authorised Economic Operator (AEO)**

The AEO concept is based on the Customs-to-Business partnership introduced by the World Customs Organisation (WCO). Traders which voluntarily meet a wide range of criteria work closely with Customs authorities to safeguard the common objective of supply chain security and are entitled to enjoy benefits throughout the EU.

Is your enterprise involved in international trade? If so, you may benefit from the status of Authorised Economic Operator (AEO). If you have the AEO status (i.e.: an authorized economic operator) you will be considered reliable in the whole of the European Union where it concerns customs transactions. You can apply to Customs for the AEO status.

If your organisation participates in international trade, you can apply for Authorised Economic Operator (AEO) status at Customs.

The AEO concept is based on the 'Customs-to-Business partnership' developed by the World Customs Organisation (WCO). The starting point for this is close cooperation between organisations and Customs. Their common goal is to increase the safety of the international logistics chain. Together with AEO, Customs also aims to improve the facilitation of legal trade flows.

For businesses in international trade, the AEO authorisation is increasingly a necessity. In addition, the AEO authorisation is becoming more and more important



as a quality label. In this way, organisations can demonstrate that they are part of a safe logistics chain.

There are two kinds of AEO authorisations

- the AEO Security and Safety authorisation (AEO-S)
- the AEO Customs Simplifications authorisation (AEO-C)

Within the EU, the AEO concept has existed since 2008. Since the introduction of the Union Customs Code (UCC) in 2016, there have been 2 AEO certificates. You can combine them and apply for both certificates. The AEO certificates are valid in all EU member states.

Advantages of having a AEO authorisation

Important advantages of an AEO authorisation include:

- reduced controls
- priority if you have been selected for an inspection
- a choice of the location of the inspection
- an advance notification upon selection for inspection
- mutual recognition in relation to third countries (in the event of the AEO-S)

The advantages differ per authorisation. The most suitable authorisation for your organisation depends, among other things, on:

- the nature of your organisation
- your organisation's goods package
- your role in the logistics chain

### 1.3.1 AEO Security and Safety authorisation (AEO-S)

In international trade the AEO authorisation is increasingly necessary. There are 2 AEO authorisations. AEO-S is the most extensive authorisation. This authorisation contributes towards the security and safety of the entire logistics chain.

When issuing this authorisation we examine the guarantees that your organisation already offers, such as security and safety systems. These may involve internal control measures, but also safety certificates of others such as the Royal Netherlands Marechaussee [Koninklijke Marechaussee] or Port Services. Examples of these certificates are: Recognised agent of Known consignor, ISPS-code, TAPA, ISO and recognition by the Dutch Controlling Authority for Milk and Dairy Products.

Organisations in possession of an AEO-S authorisation are entitled to a number of legal facilities and accompanying advantages.

*Advantages of AEO-S authorisation*

An AEO-S authorisation will offer you the following advantages:

- reduced physical and document inspections
- priority if your organisation is selected for an inspection
- on request, an inspection may be conducted at a specific location
- advanced notification of inspections
- recognition of the authorisation by other countries (outside the EU) in connection with mutual recognition (Mutual Recognition Agreement, MRA)

If you would like to make use of these facilities, state your EORI-number in your declaration of entry or your declaration of temporary storage.

*Notification of customs inspections*

Are you in possession of an AEO-S authorisation and have you submitted a declaration of entry or a declaration for temporary storage? In this case, we will send you advanced notification of a customs inspection when your goods enter.

If you are a handling agent (airside) or stevedore (maritime) you will also receive notification of an intended customs inspection.

If you are not in possession of an AEO-S authorisation you will only receive notification of a customs inspection when your goods are being unloaded.

### **1.3.2. AEO Customs Simplifications authorisation (AEO-C)**

In international trade the AEO authorisation is increasingly necessary. There are 2 AEO authorisations. The AEO-C authorisation is somewhat less extensive than the AEO-S authorisation.

When applying for other customs certificates you often have to comply with one or more requirements that we set for an AEO-C authorisation.

Organisations with an AEO-C authorisation are entitled to a number of legal facilities and accompanying advantages.

#### *Advantages of an AEO-C authorisation*

An AEO-C authorisation will offer you the following advantages:

- fewer physical and documentary checks
- priority for inspection if your company has been selected for this.
- on request, an inspection may be conducted at a specific location
- easier access to customs simplifications
- notification of customs inspections in connection with advanced declarations
- being able to re-use investigation data where the simplified procedures are used
- a reduced amount of guarantee

Notification of customs inspections in connection with priorlodged declarations

If you are in possession of an AEO-C authorisation and have you lodged a customs declaration prior to the presentation of the goods (article 171 UCC) we will give you notification of a customs control in advance.

If you do not have this AEO-C authorisation you will only receive notification of a customs control when the goods enter.

### **1.3.3. AEO self-assessment**

To apply for an AEO certificate you must carry out an AEO self-assessment. This will allow you to assess the quality of the organisation's internal control system yourself. Based on this assessment you will establish:

- your organisation's business risks
- the internal measures which these risks cover (procedures, instructions, inspections, etc.)

The standards that your organisation must meet to be granted an AEO status are 'open standards', this means they are not laid down in detail.

## 1.4 Cooperation between Dutch Customs and other organisations

### 1.4.1 National Chamber of Commerce (Kamer van Koophandel, now KVK)

What requirements need to be met to start a business in the Netherlands? What legal forms are there? What taxes do I have to pay? The Chamber of Commerce (KVKI) focuses on the most important aspects of successfully setting up a business in the Netherlands. Read more about starting a business

In the Netherlands, registration in the Business Register is compulsory for every company and almost every legal entity. Read more about the Business Register

The Chamber of Commerce operates independently and our international trade consultants can help you start your import or export activities. We can also advise you if you have years of experience in doing business abroad. Read more about international trade

When you start a business, you must be registered in the Business Register. Read more about how to register, deregister and report changes

### Netherlands Enterprise Agency (Rijksdienst voor Ondernemend Nederland)

Netherlands Enterprise Agency (RVO.nl) encourages entrepreneurs in sustainable, agrarian, innovative and international business. It helps with grants, finding business partners, know-how and compliance with laws and regulations.

The aim is to improve opportunities for entrepreneurs and strengthen their position. Netherlands Enterprise Agency is part of the Ministry of Economic Affairs and works at the instigation of Ministries and the European Union. Some activities of the Commodities Boards are also included. The Agency works in the Netherlands and abroad with governments, knowledge centres, international organisations and countless other partners.

### Netherlands Food and Consumer Product Safety Authority (Nederlandse Voedsel en Waren autoriteit)

The Netherlands Food and Consumer Product Safety Authority is an independent agency in the Ministry of Economic Affairs and a delivery agency for the Ministry of Health, Welfare and Sport.

The three main tasks of the Netherlands Food and Consumer Product Safety Authority are: supervision, risk assessment and risk communication. Other important activities are incident and crisis management and policy advice for the Minister of Economic Affairs. A significant part of its work involves liaising with other Ministries. Maintaining international contacts is also vitally important.

### Statistics Netherlands (Centraal Bureau voor de Statistiek)

Statistics Netherlands (CBS) enables people to have debates on social issues on the basis of reliable statistical information.

The mission of CBS is to publish reliable and coherent statistical information which responds to the needs of Dutch society. The responsibility of CBS is twofold: firstly, to compile (official) national statistics and secondly to compile European (community) statistics.

More up-to-date information on CBS can be accessed on the corporate news app (Dutch only). This web app includes articles about new services, new products, international developments and events organised by Statistics Netherlands (CBS).

The information published by CBS deals with subjects directly affecting the lives of Dutch citizens. These include economic growth, consumer prices and crime as well as leisure.

#### **1.4.2 International European Community**

The European Union is a unique economic and political union between 28 European countries that together cover much of the continent.

The EU was created in the aftermath of the Second World War. The first steps were to foster economic cooperation: the idea being that countries that trade with one another become economically interdependent and are thus more likely to avoid conflict.

The result was the European Economic Community (EEC), created in 1958, and initially promoting economic cooperation between six countries: Belgium, Germany, France, Italy, Luxembourg and the Netherlands. Since then, a huge single market has been created and continues to develop towards its full potential.

#### **From economic to political union**

What began as a purely economic union has evolved into an organisation spanning policy areas, from climate, environment and health to external relations and security, justice and migration. A name change from the European Economic Community (EEC) to the European Union (EU) in 1993 reflected this.

The EU is based on the rule of law: everything it does is founded on treaties, voluntarily and democratically agreed by its member countries.

The EU is also governed by the principle of representative democracy, with citizens directly represented at Union level in the European Parliament and Member States represented in the European Council and the Council of the EU.

#### **Mobility, growth, stability and a single currency**

The EU has delivered more than half a century of peace, stability and prosperity, helped raise living standards and launched a single European currency: the euro. In 2012, the EU was awarded the Nobel Peace Prize for advancing the causes of peace, reconciliation, democracy and human rights in Europe.

Thanks to the abolition of border controls between EU countries, people can travel freely throughout most of the continent. And it has become much easier to live, work and travel abroad in Europe.

The single or 'internal' market is the EU's main economic engine, enabling most goods, services, money and people to move freely. Another key objective is to develop this huge resource in other areas too, such as energy, knowledge and capital markets to ensure that Europeans can draw maximum benefit from it.

### Human rights and equality

One of the EU's main goals is to promote human rights both internally and around the world. Human dignity, freedom, democracy, equality, the rule of law and respect for human rights: these are the core values of the EU. Since the Lisbon Treaty came into force in 2009, the EU's Charter of Fundamental Rights brings all these rights together in a single document. The EU's institutions are legally bound to uphold them, as are EU governments whenever they apply EU law.

### Transparent and democratic institutions

The enlarged EU remains focused on making its governing institutions more transparent and democratic. More powers have been given to the directly elected European Parliament, while national parliaments play a greater role, working alongside the European institutions. In turn, European citizens have an increasing number of channels for taking part in the political process.

### The European Free Trade Association

The European Free Trade Association (EFTA) is an intergovernmental organisation set up for the promotion of free trade and economic integration to the benefit of its four Member States.

The Association is responsible for the management of:

- The EFTA Convention, which forms the legal basis of the organisation and governs free trade relations between the EFTA States.
- EFTA's worldwide network of free trade and partnership agreements and
- The European Economic Area (EEA) Agreement, which enables three of the four EFTA Member States (Iceland, Liechtenstein and Norway) to participate in the EU's Internal Market.

EFTA was founded in 1960 on the premise of free trade as a means of achieving growth and prosperity amongst its Member States as well as promoting closer economic cooperation between the Western European countries. Furthermore, the EFTA countries wished to contribute to the expansion of trade globally.

Based on these overall goals, EFTA today maintains the management of the EFTA Convention (intra-EFTA trade), the EEA Agreement (EFTA-EU relations), and the EFTA Free Trade Agreements (third country relations). The EFTA Convention and EFTA free trade agreements are managed by the Geneva office, and the EEA Agreement by the Brussels office.

EFTA was founded by the Stockholm Convention in 1960. The immediate aim of the Association was to provide a framework for the liberalisation of trade in goods amongst its Member States. At the same time, EFTA was established as an economic counterbalance to the more politically driven European Economic Community (EEC). Relations with the EEC, later the European Community (EC) and the European Union (EU), have been at the core of EFTA activities from the beginning. In the 1970s, the EFTA States concluded free trade agreements with the EC. In 1994 the EEA Agreement came into force. Since the early 1990s, EFTA has actively pursued trade relations with third countries in and beyond Europe. The first partners were the Central and Eastern European countries, followed by the countries around the Mediterranean. In recent years, EFTA's network of free trade agreements has extended across the Atlantic as well as into Asia.

EFTA was founded by the following seven countries: Austria, Denmark, Norway, Portugal, Sweden, Switzerland and the United Kingdom. Finland joined in 1961, Iceland in 1970 and Liechtenstein in 1991. In 1973, the United Kingdom and Denmark left EFTA to join the EC. They were followed by Portugal in 1986 and by Austria, Finland and Sweden in 1995. Today the EFTA Member States are Iceland, Liechtenstein, Norway and Switzerland.

## World Trade Organization

The World Trade Organization — the WTO — is the international organisation whose primary purpose is to open trade for the benefit of all.

The WTO provides a forum for negotiating agreements aimed at reducing obstacles to international trade and ensuring a level playing field for all, thus contributing to economic growth and development. The WTO also provides a legal and institutional framework for the implementation and monitoring of these agreements, as well as for settling disputes arising from their interpretation and application. The current body of trade agreements comprising the WTO consists of 16 different multilateral agreements (to which all WTO members are parties) and two different plurilateral agreements (to which only some WTO members are parties).

Over the past 60 years, the WTO, which was established in 1995, and its predecessor organisation the GATT have helped create a strong and prosperous international trading system, thereby contributing to unprecedented global economic growth. The WTO currently has 164 members, 117 of which are developing countries or separate Customs territories.

More specifically, the WTO's main activities are:

- negotiating the reduction or elimination of obstacles to trade (import tariffs, other barriers to trade) and agreeing on rules governing the conduct of international trade (e.g. antidumping, subsidies, product standards, etc.)
- administering and monitoring the application of the WTO's agreed rules for trade in goods, trade in services, and trade-related intellectual property rights
- monitoring and reviewing the trade policies of our members, as well as ensuring transparency of regional and bilateral trade agreements
- settling disputes among our members regarding the interpretation and application of the agreements
- building capacity of developing country government officials in international trade matters
- assisting the process of accession of some 30 countries which are not yet members of the organisation
- conducting economic research and collecting and disseminating trade data in support of the WTO's other main activities
- informing and educating the public about the WTO, its mission and its activities

The WTO's founding and guiding principles remain the pursuit of open borders, the guarantee of most-favoured-nation principle and non-discriminatory treatment by and among members, and a commitment to transparency in the conduct of its activities. The opening of national markets to international trade, with justifiable exceptions or with adequate flexibilities, will encourage and contribute to sustainable development, raise people's welfare, reduce poverty, and foster peace and stability. At the same time, such market opening must be accompanied by sound domestic and international policies that contribute to economic growth and development according to each member's needs and aspirations.

### The World Customs Organization (WCO)

The World Customs Organization (WCO), established in 1952 as the Customs Cooperation Council (CCC), is an independent intergovernmental body whose mission is to enhance the effectiveness and efficiency of Customs administrations.

Today, the WCO represents 180 Customs administrations across the globe that collectively process approximately 98% of world trade. As the global centre of Customs expertise, the WCO is the only international organisation with competence in Customs matters and can rightly call itself the voice of the international Customs community.

The WCO's governing body – the Council – relies on the competence and skills of a Secretariat and a range of technical and advisory committees to accomplish its mission. The Secretariat comprises over 100 international officials, technical experts and support staff of different nationalities.

As a forum for dialogue and exchange of experiences between national Customs delegates, the WCO offers its Members a range of Conventions and other international instruments, as well as technical assistance and training services provided either directly by the Secretariat or with its participation. The Secretariat also actively supports its Members in their endeavours to modernise and build capacity within their national Customs administrations.

Besides the vital role played by the WCO in stimulating the growth of legitimate international trade, its efforts to combat fraudulent activities are also recognised internationally. The partnership approach championed by the WCO is one of the keys to building bridges between Customs administrations and their partners. By promoting the emergence of an honest, transparent and predictable Customs environment, the WCO directly contributes to the economic and social well-being of its Members.

Finally, in an international environment characterised by instability and the ever-present threat of terrorist activity, the WCO's mission to enhance the protection of society and the national territory and to secure and facilitate international trade takes on its full meaning.

## 4.5. Legislation

### 4.5.1. EU legislation

The aims set out in the EU treaties are achieved by various types of legislation. Some are binding, others are not. Some apply to all EU countries, others to just a few.

#### Regulations

A 'regulation' is a binding legislative Act and must be applied in its entirety across the EU. For example, when the EU wanted to make sure that there were common safeguards on goods imported from outside the EU, the Council adopted a regulation.

#### Directives

A 'directive' is a legislative Act that sets out a goal that all EU countries must achieve. However, it is up to the individual countries to devise their own laws on how to reach these goals. One example is the EU consumer rights directive, which strengthens rights for consumers across the EU, for example by eliminating hidden charges and costs on the Internet, and extending the period under which consumers can withdraw from a sales contract.

#### Decisions

A 'decision' is binding on those to whom it is addressed (e.g. an EU country or an individual company) and is directly applicable. For example, the Commission issued a decision on the EU participating in the work of various counter-terrorism organisations. The decision related to these organisations only.

### 4.5.2. National legislation

For Customs purposes, EU legislation is the most important. National legislation only mentions topics which are specific to a country.

Dutch Customs legislation includes:

- General Custom Law (Algemene Douanewet)
- General Customs decision (Algemeen Douanebesluit)
- General Customs Rule (Algemene Douaneregeling)

Besides the official legislation, there is an explanation of all Customs legislation. This explanation is published in 'Handboek Douane' (only Dutch).



# Annex Territorial status of EU countries and certain territories

The tables below provide a list of the EU countries and certain territories where the EU rules regulating Customs, VAT and excise apply or not.

EU country / Territories related to EU countries	Territory of the EU	Customs rules apply	VAT rules apply	Excise rules apply
<b>Austria</b>	yes	yes	yes	yes
<b>Belgium</b>	yes	yes	yes	yes
<b>Bulgaria</b>	yes	yes	yes	yes
<b>Croatia</b>	yes	yes	yes	yes
<b>Cyprus<sup>1</sup></b>	yes	yes	yes	yes
<b>Czech Republic</b>	yes	yes	yes	yes
<b>Denmark</b>	yes	yes	yes	yes
<b>Denmark / Faroe Islands</b>	no	no	no	no
<b>Denmark / Greenland</b>	no	no	no	no
<b>Estonia</b>	yes	yes	yes	yes
<b>Finland</b>	yes	yes	yes	yes
<b>Finland / The Åland Islands</b>	yes	yes	no	no
<b>France</b>	yes	yes	yes	yes
<b>France / French overseas territories</b>	no	no	no	no
<b>France / Guadeloupe, French Guiana, Martinique, Réunion, Mayotte, Saint-Martin</b>	yes	yes	no	no
<b>Germany</b>	yes	yes	yes	yes
<b>Germany / The Island of Heligoland</b>	yes	no	no	no
<b>Germany / The territory of Büsingen</b>	yes	no	no	no
<b>Greece</b>	yes	yes	yes	yes

<b>Greece / Mount Athos</b>	yes	yes	no	no
<b>Hungary</b>	yes	yes	yes	yes
<b>Ireland</b>	yes	yes	yes	yes
<b>Italy</b>	yes	yes	yes	yes
<b>Italy / Livigno</b>	yes	no	no	no
<b>Italy / Campione d'Italia</b>	yes	no	no	no
<b>Italy / The Italian waters of Lake Lugano</b>	yes	no	no	no
<b>Latvia</b>	yes	yes	yes	yes
<b>Lithuania</b>	yes	yes	yes	yes
<b>Luxembourg</b>	yes	yes	yes	yes
<b>Malta</b>	yes	yes	yes	yes
<b>Netherlands</b>	yes	yes	yes	yes
<b>Netherlands / Netherlands Antilles</b>	no	no	no	no
<b>Poland</b>	yes	yes	yes	yes
<b>Portugal</b>	yes	yes	yes	yes
<b>Portugal / Azores</b>	yes	yes	yes	yes
<b>Portugal / Madeira</b>	yes	yes	yes	yes
<b>Romania</b>	yes	yes	yes	yes
<b>Slovakia</b>	yes	yes	yes	yes
<b>Slovenia</b>	yes	yes	yes	yes
<b>Spain</b>	yes	yes	yes	yes
<b>Spain / Ceuta</b>	yes	no	no	no
<b>Spain / Melilla</b>	yes	no	no	no
<b>Spain / Canary Islands</b>	yes	yes	no	no
<b>Sweden</b>	yes	yes	yes	yes

Other countries or territories	Specific rules	EU Treaties apply	Customs rules apply	VAT rules apply	Excise rules apply
<b>Monaco</b>	Treated as territory of France for Customs, VAT and excise purposes	no	yes	yes	yes
<b>San-Marino</b>	Treated as territory of Italy for Customs and excise purposes	no	yes	no	yes
<b>Gibraltar</b>	...	yes <sup>6</sup>	no	no	no

### Which VAT applies to goods arriving from EU territories not covered by EU VAT rules?

Goods in free circulation coming from these territories are subject to the import VAT of the EU country they arrive in.

This is because EU countries are obliged to treat goods from these territories in the same way as goods coming from outside the EU.

### Which VAT applies to goods leaving EU territories not covered by EU VAT rules?

Goods leaving these territories are subject to export formalities and for VAT purposes are considered as being transported outside EU territory.

### Which VAT rules apply in the territories not covered by EU rules?

In these territories, national rules apply: an EU country may choose not to apply any VAT, apply different VAT rates under different conditions than in the rest of its territory or apply the same VAT rates as in the rest of its territory.



## 2. Entry of goods

Customs checks and inspections promote the safety of goods traffic crossing the EU's external borders. It is the task of Customs to ensure that goods that constitute a safety risk enter the Netherlands or enter Europe via the Netherlands. Based on a risk analysis, containers are selected for inspection. Customs may extract containers from the logistics chain and inspect them.

### 2.1. Safety

The safety concept can be divided into social safety and product safety.

Social safety concerns matters such as:

- the entry of goods that may disrupt social life in connection with terrorism
- the protection of public health and the environment

Product safety concerns, for example:

- goods of inferior quality
- counterfeit goods

International trade has boomed in recent years. Ships and aircraft are becoming bigger all the time while goods flows are increasing. This puts pressure on the logistic chain, as does the phenomenon of 'just-in-time deliveries'.

For the Netherlands, a distribution country par excellence, it is essential that logistic delays are restricted to a minimum. This has major consequences for Customs. On the one hand, it must act swiftly to prevent delays in the logistic chain. On the other hand, it needs to carry out adequate checks and prevent high risk goods from entering the EU unchecked.

In order to minimise logistic delays, Customs uses the Customs Manifest (Customs entry) system. This system is used to receive and exchange electronic information about transport modalities and goods entering the EU. You communicate with the Tax and Customs Administration on the government transaction portal. Your electronic messages must comply with prescribed message specifications. A registration is required to send electronic reports.

The steps now in effect within the Customs entry process are found on the next pages.

## 2.2 Process steps in Customs Manifest

Here you will find the process steps for the entry of goods:

- Entry summary declaration (ENS)
- Declaration for temporary storage in a vessel
- Declaration for temporary storage (SAL)
- Electronic pre-notification/notification transport
- Risk analysis and selection on the entry summary declaration and the summary declaration for temporary storage
- Select a Customs destination
- Write-off against summary declaration

### 2.2.1 Entry summary declaration (ENS)

You must file an entry summary declaration (ENS) for goods that enter the first seaport or airport in EU Customs territory. The declaration applies to all goods on board a means of transport and must be filed before the means of transport enters the EU.

#### **Please note!**

Norway, Switzerland (including Lichtenstein) and Andorra are not members of the EU. However, they are members of the EU security area. You are not required to file an entry summary declaration for goods originating from these countries.

#### **Example**

- A ship sails from Shanghai (China) to Bergen (Norway) and then to Rotterdam. An entry summary declaration must be filed in Norway.
- A ship sails from Singapore to Rotterdam and then to Bergen. An entry summary declaration only has to be filed in Rotterdam.
- There is a flight from Cairo (Egypt) to Geneva (Switzerland) and then to Amsterdam. An entry summary declaration must be filed in Switzerland.

More information about the entry summary declaration for Norway and Switzerland is provided on these countries' Customs websites

You are not required to file an entry summary declaration for some goods. Examples include electrical power, goods that enter through a pipeline and goods that are included in the personal luggage of passengers.

The person who brings the goods into the EU Customs territory must file an entry summary declaration (ENS). The following people can file the declaration on that person's behalf:

- the person liable for the transportation in the EU Customs territory
- the person in whose name the person who enters, transports or trades the goods
- all persons capable of presenting or having the goods presented to Customs
- a representative of one of the above-mentioned people

Is a means of transport with an independent propulsion system being transported on another means of transport? In that case, the operator of the first means of transport must file a summary declaration.

### Example 1

A ferry transports a tractor and trailer. The lorry driver or his employer files a summary declaration for the goods in the trailer. If a ferry only transports the trailer, the shipping company files the return.

Are several parties sharing the cargo hold of an aircraft or vessel under a contract? In that case, the declaration is filed by the party which issued the bill of lading or the airbill for the actual transport of the goods.

### Example 2

Four shipping companies together provide a service and use one vessel for that purpose. All four shipping companies must file summary declarations for the goods for which they have issued a bill of lading. The carrier operating the vessel (the shipping company for the ship) must complete the other entry formalities.

You must submit the entry summary declaration to the first entry Customs office in the EU. This is the office with competent jurisdiction for the first seaport or airport that the ship or vessel calls at in the EU. This is subject to time periods. In the Netherlands, the Regional Office Customs Rotterdam Port processes the summary declarations for entry by sea. The Regional Office Customs Schiphol Cargo processes the summary declarations for entry by air. In a number of cases, the time periods do not apply, for example in a situation of force majeure.

Once an entry summary declaration has been submitted, it is given a Movement Reference Number (MRN). Customs passes on the MRN to you.

Was no entry summary declaration filed when the goods were presented to Customs? In that case, this must be done without delay.

There are two types of waivers from the obligation to lodge ENS:

- for goods carried by means of transport that only pass through the territorial waters or the airspace of the Customs territory of the Union without stopping within that territory, or
- in other cases which are duly justified by the type of goods or traffic, or where required by international agreements

In contrast to the rules preceding the UCC legal framework, those cases do not include categories of goods based on their value, such as goods of negligible economic importance or goods subject to Customs duty relief. Under the UCC legal framework, value is no longer a condition for waiving the obligation to lodge ENS for a certain category of goods, as it could not be a criterion for assessing the safety and security risk.

### 2.2.2 Time limits summary declaration up entry

Time periods for filing an entry summary declaration on arrival for maritime.

Type of cargo	Time period
Containers (unless they contain bulk/mixed cargo or goods being transported from special areas)	24 hours at the latest prior to loading in the port of departure
Bulk/mixed cargo goods	4 hours at the latest prior to arrival in the first port in the EU
<b>Special areas and countries:</b>	
For transport between Greenland, the Faeroe Islands, Ceuta, Melilla, Iceland or the ports of the Baltic, the North Sea, the Black Sea, the Mediterranean or all ports in Morocco and the EU	2 hours at the latest prior to arrival in the first port in the EU
For transport from outside the EU to the French overseas departments, the Azores, Madeira and the Canary Islands if travel time is less than 24 hours and if this does not relate to transport between Greenland, the Faeroe Islands, Ceuta, Melilla, Iceland or the ports of the Baltic, the North Sea, the Black Sea, the Mediterranean or all ports in Morocco and the EU	2 hours at the latest prior to arrival in the first port in the EU

Time periods for filing an entry summary declaration (ENS) on arrival for aviation:

Type of flight	Time period
Short flights (a flight of less than 4 hours from the last airport of departure in a third country to arrival at the first airport in the EU)	When the aircraft actually takes off at the latest.
Long flights (flights other than short flights)	4 hours at the latest prior to arrival in the first airport in the EU



## 2.3 Temporary storage of goods

All goods unloaded after entry into the EU must be stored in a space for temporary storage (STS). Examples of such a STS are the container terminals in the seaports and the storage sheds at an (international) airport.

In order to be able to store goods in an STS, a declaration must be made: the declaration for temporary storage (TSD). This declaration must be made at the latest when the goods arrive at the port or airport where they will be unloaded. However, the TSD may also be done (much) earlier. This has the advantage that customs can do the risk analysis earlier so that permission can be given more quickly to unload the goods. This permission can even be given if the goods have not yet arrived at the port or at the airport. In practice, this procedure is also usually applied.

With temporary storage non-Union goods are stored for a short period, awaiting placement under a customs procedure or re-export of the goods.

Temporary storage of goods is possible:

- after bringing non-Union goods into the customs area of the Union
- after terminating the customs transport scheme

### Space for temporary storage

The space for temporary storage (STS) offers the possibility to store goods that enter the customs area of the EU, awaiting a more specific customs procedure or until they are re-exported.

### Storage period

The period of storage is limited to 90 days. A longer period is not possible.

### Who can use a space for temporary storage?

In principle everyone can make use of an STS. In practice the temporary storage is mainly used by companies dealing with loading and unloading ships and aeroplanes in international traffic. The manager of the space is liable towards Customs for the stored goods. The storage space must have been approved by Customs.

A security deposit is required for the storage in an STS.

### Provisions

For provisions held in a ship, you will need to file a special declaration (ship provisions declaration) IMOFAL/3.

You should supply this information to Customs in digital form.

## 2.2.4 Goods description in the electronic entry summary declaration (ENS) and the declaration for temporary storage (TSD)

In the entry summary declaration and the declaration for temporary storage, you must also state the security details. You may not provide a general description of the goods, such as 'console', 'mixed cargo' or 'machine parts'. See

[https://ec.europa.eu/taxation\\_customs/system/files/2021-03/guidance\\_acceptable\\_goods\\_description\\_en.pdf](https://ec.europa.eu/taxation_customs/system/files/2021-03/guidance_acceptable_goods_description_en.pdf) with examples of the descriptions you may use.

If you fill in the 4-digit commodity code, you need not state the goods description.

### 2.2.5 Electronic pre-notification/notification transport

For all means of transport, you must submit an electronic pre-notification/notification. This pre-notification of means of transport should be submitted 2 hours prior to arrival at the latest. This also applies to empty means of transport and means of transport which only have passengers on board. The reason for this notification is that customs can carry out an inspection immediately after arrival.

When entering from the sea, you must electronically notify both the ship and the goods at the office of entry.

#### **Please note!**

When arriving by air, both the plane and the goods must already have been declared.

At the first port of entry, you received a movement reference number after you submitted an entry summary declaration. You must state this MRN in the declaration for temporary storage.

#### **Please note!**

You can file the entry summary declaration together with the arrival notification. This states the IMO number of the ship and a code (entry key) for the scheduled date of arrival in the port of entry. The IMO number and this code link all separate entry summary declarations to the ship. This link enables Customs to relate all submitted entry summary declarations and the entering ship.

### 2.2.6 Risk analysis and selection on the entry summary declaration and the declaration for temporary storage

The risk analysis and the selection of goods to be inspected are supported electronically by an advanced generic risk selection system. Customs uses this system (PRISMA) to carry out the risk analysis Safety & Security and Safety, Health, Economy and Environment on the means of transport pre-notification and the entry summary declaration and the risk analysis Safety, Health, Economy and Environment on the summary declaration for temporary storage. Customs can select shipments for inspection following this analysis.

The fact that Customs has details about the goods at an early stage makes it possible to select high risk shipments in a timely manner. That way Customs speeds up the selection and inspection process.

Specially trained selectors decide on the basis of counter-information whether goods are to be inspected.

Since the introduction of the CRMS (Common Risk Management System) in the EU, it has been possible for the entry Customs office to exchange information with the subsequent seaports and airports in other member states, before the goods arrive by sea or air. Are there any known safety risks with respect goods entering the EU, for example? In that case, the office of entry can pass on the information to subsequent seaports or airports in other EU member States.

### 2.2.7 Implications of the risk analysis

The outcome of the risk analysis can lead to:

- 'do not load' advice  
This advice can only be given for containers for which the entry summary declaration has to be filed 24 hours at the latest prior to loading in the port of departure. See also the table Time periods entry summary declaration
- an inspection of the goods in the seaport or airport of arrival
- an inspection of the goods in the seaport or airport of unloading

Customs informs companies with AEO status prior to arrival whether incoming goods will be inspected.

### 2.2.8 Select a Customs destination

Goods that have been presented to Customs have the status of 'goods in temporary storage' until the moment when a further Customs-approved treatment or use is assigned to them. In that case, the goods can only be kept at Customs-approved locations. The goods should be assigned a subsequent Customs-approved treatment or use. The formalities regarding this further Customs-approved treatment or use should be fulfilled within 90 days of receipt of the declaration for temporary storage.

The temporary storage should be terminated before the end of the 90-day period by placing the goods under a Customs procedure or re-exporting them.

A declaration will have to be filed for a Customs procedure. The following forms of Customs-approved treatment or use are available for non-Union goods:

- placement of goods under one of the following Customs procedures:
  - the procedure for release into free circulation,
  - the Customs transit procedure
  - the Customs warehousing procedure
  - the inward processing procedure
  - the temporary import procedure
- re-exportation of goods from the Customs territory of the Community

In addition, the following customs procedures are possible for Union goods:

- the outward processing procedure
- the export procedure

### 2.2.9 Write-off against declaration for temporary storage

The write-off against the declaration for temporary storage (TSD) is supported electronically by a link with the declaration systems Transit and AGS. In the event of a positive match, the TSD is written down whenever a declaration for a subsequent Customs procedure is submitted in AGS or Transit.

Which documents do you have to submit for goods you wish to unload?

- you must make the electronic TSD before or at the moment that you present the goods to Customs officers
- you must also present the ship stores declaration (IMO/FAL 3) for the provisions on board the vessel
- in addition to the summary declaration, other declarations must (usually) be enclosed
  - with regard to the crew's possessions, a completed form IMO FAL 4 should be present on board.

- a statement of navigation assistance should also be submitted. This is a declaration with which Customs, on behalf of the Ministry of Infrastructure and the Environment, determines and collects the charges for navigation assistance.
- in addition, other government services may demand the submission of other or supplementary declarations. These include declarations in respect of hazardous cargo, ship's waste and sea port dues, for example.

The FAL Convention includes in its Standard 2.1 a list of documents which public authorities can demand of a ship and recommends the maximum information and number of copies which should be required

(<https://www.imo.org/en/OurWork/Facilitation/Pages/FormsCertificates-default.aspx>) .

IMO developed Standardized Forms for seven of these documents:

- IMO General Declaration (FAL form 1)
- Ship's Stores Declaration (FAL form 3)
- Crew's Effects Declaration (FAL form 4)
- Crew List (FAL form 5)
- Passenger List (FAL form 6)
- Dangerous Goods (FAL form 7)

## 3. Import of goods

Goods entering the Customs area of the Union from a non-Union country are subject to a number of rules. The main rule is that these goods must be placed under a 'customs procedure' or re-export them.

There are various customs procedures.

### 3.1 Customs procedures non-Union goods

The following customs procedures are applied for non-union goods:

1. release into free circulation
2. transit procedure
3. customs warehouse procedure
4. inward processing
5. end-use procedure
6. temporary import (temporary admission)

#### 3.1.1 Customs procedure for release into free circulation

Goods entering the Union customs area must first be released into free circulation. After that they can be placed on the Union market.

Goods that enter the customs territory of the Union from a non-Union country are referred to as 'non-Union goods'. Before these goods can be marketed within the Union, they should first be released into free circulation. This means that:

- a declaration should be filed for the goods
- certain formalities should be fulfilled when the declaration is made, such as submitting invoices and keeping the goods available for inspection by Customs
- the import duties and/or other import taxes owed should be paid
- the declaration process involves a check as to whether the goods comply with the regulations in the area of safety, health, the economy and the environment. These regulations often prescribe the submission of a licence or certificate upon the import of goods (see the site section Safety, health, economy and environment on this site)

Once all these conditions have been satisfied, the non-Union goods will become Union goods. They will obtain the same status as goods that have been produced, harvested or mined within the Union. These goods may be transported, stored or offered for sale, for example, without being subject to customs formalities.

### 3.1.2. Transit procedure

If you transfer goods from A to B under the supervision of Customs, this is known as customs transit. If goods are introduced into the Netherlands from a non-Union country, they will be under customs supervision. In most cases you will need a transport document for customs transit. Which document you need depends on the actual situation.

Many of the goods are subsequently transported from the Netherlands to another Union country or to a non-Union country. For this subsequent transport from the Netherlands you have to use the customs transit procedure. If you wish to use the customs transit procedure, you are compelled to file a declaration. You file this declaration by using the Transit-NCTS system. You need an electronic filing registration to file the declaration.

### 3.1.3. Customs warehouse procedure

There are various options in the Netherlands for the storage of goods in a customs context.

Goods that enter the customs territory of the Union from outside the Union may be stored under the supervision of Customs. This is known as storage under customs control. When goods are stored in this manner, no import duties and other import taxes are due. Furthermore, certain trade policy and agricultural policy measures, import bans and import restrictions are not applied.

There are various options for the storage of goods under customs control in the Netherlands. However, a licence is always required.

### 3.1.4. Customs procedure for inward processing

Are you planning to bring non-Union goods with an import tax exemption into the Netherlands or another Union country? And subsequently have those goods processed and then taken back outside of the Union? Read here about the procedures.

Inward processing is one of the special customs procedures. By using this procedure it is possible, under an exemption from import duties, other import taxes and trade policy and agricultural policy measures:

- to introduce non-Union goods into the Netherlands or another Union country, in order subsequently
- to have these goods treated (undergo a processing operation) in the Netherlands or elsewhere in the Union, and finally
- to re-export the treated goods (the compensating products) and remove them from the Union

The following are regarded as processing operations:

- the working of goods, including mounting, assembly and adjustment to other goods
- the processing of goods
- the repair of goods, including overhaul and tuning
- the use of certain goods that do not appear in the compensating products, but that facilitate or simplify the production of these products - even if they completely or partly disappear during use. Catalytic agents in chemical processes are an example of such goods

Since 1 May 2016 there is another procedure possible with inward processing. Until that it was called: 'processing under customs control'. By using this procedure, it is possible, under an exemption from import duties, other import taxes and trade policy and agricultural policy measures:

- to introduce non-Union goods into the Union from a non-Union country, in order subsequently
- to have these goods undergo certain processing within the Union, and finally
- to release the processed goods into free circulation or assign them a different customs-approved treatment or use

The processing under customs control procedure may, for example, offer a solution if the raw materials of a certain product are subject to a higher rate than the product itself. In addition, this procedure can be used if goods should first be adjusted to technical requirements in the area of safety, health and the environment, before being released into free circulation.

### 3.1.5. Particular end use

In a number of situations, the working tariff provides for a lower import duty (or a 0 rate) with respect to certain goods. After importation, these goods should:

- be given a destination specified in the working tariff
- undergo a particular treatment
- be assigned a use specified in the working tariff

Examples: batteries used in electric bicycles or palm oil used for purposes other than human consumption.

### 3.1.6. Customs procedure for temporary admission (temporary import)

Are you planning to bring non-community goods from a non-Union country with an import tax exemption for import into the Netherlands or another Union country? And to use the goods in the Union for a certain purpose and then export them again to that or another non-Union country? Read here about the procedures. Temporary import is one of the customs procedures. This procedure makes it possible, under an exemption from import duties, other import taxes and trade policy and agricultural policy measures:

- to introduce non-Union goods into the Union from a non-Union country, and subsequently
- to use the goods within the Union for a specific purpose, in order finally
- to re-export the goods to a (different) non-Union country

This is subject to the condition that the goods temporarily imported do not change during their stay in the EU and retain the condition in which they were placed under the customs procedure.

The customs procedure for temporary import can be used in a large number of situations. Instead of temporary import, the name temporary admission is also used.

### Examples

A lorry carrying goods enters the Union from a non-Union country. The lorry unloads its goods in Rotterdam, whereupon it leaves again for the country of origin outside the Union. The temporary import procedure is possible here in order to let the lorry stay temporarily in the Union under an exemption from import duties and/or taxes.

A traveller comes to the Netherlands on holiday from a non-Union country. His travel luggage can be placed under the temporary import procedure and be

imported under an exemption. The traveller will have to take this luggage back with him/her at the end of the holiday.

## **3.2 Customs procedures Union goods**

The following customs procedures are applied for non-union goods:

- outward processing procedure
- export

### **3.2.1. Customs procedure for outward processing**

Are you planning to transfer Union goods from the Netherlands or another Union country to a country outside of the Union? And to have those goods processed there (refinement) and import them back into the Union with a full or partial exemption from import tax? Read [here](#) about the procedures.

Outward processing is one of the customs procedures. By using this procedure, it is possible:

- to transfer Union goods from the Netherlands or another Union country to a country outside the Union, in order subsequently
- to have the goods treated (undergo a processing operation) in the country outside the Union, and finally
- to release the treated goods (the compensating products) into free circulation in the Union under a full or partial exemption of duties

The following are classified as processing operations:

- the working of goods, including mounting, assembly and adjustment to other goods
- the processing of goods
- the repair of goods, including overhaul and tuning

Exemption from VAT, excise duty and consumption taxes.

Under the outward processing procedure, no exemption can be granted from the excise duty and consumption taxes owed upon the import of the compensating products. An exemption from VAT can only be granted if the goods temporarily exported were exported from the Netherlands. The trade policy or agricultural policy measures should be applied in any case.

### **3.2.2. Export**

If Union goods are intended to be taken outside the customs territory of the Union, these goods must be placed under the export procedure. This is not necessary if the goods are taken outside the Union for outward processing or if the goods are transported via a country outside the Union between 2 places in the Union. For example, when transporting from the Netherlands to Ireland via the United Kingdom.



## 4. Completing a customs declaration

There are various ways of making Customs declarations: electronic, written or 'by other means'.

### 4.1. The types of declaration

Customs offers various ways of making declarations.

Customs distinguishes various ways in which declarations can be made:

- the [electronic declaration](#), with the possibility of [simplified procedures](#)
- the [written declaration](#), with the possibility of [simplified procedures](#)
- the [verbal declaration](#)
- the [declaration by a \(different\) act](#)

#### 4.1.1. Electronic declaration

Electronic declaration is the official way of lodging a customs declaration.

Filing electronic declarations has a number of advantages for you:

- the declaration is swiftly dispatched and swiftly processed
- completing the declaration is simple and efficient
- filing electronic declarations saves time
- when filing electronic declarations, various data can be recorded more easily and can be checked more efficiently in retrospect

Which of these advantages apply to you will depend on your specific situation.

How exactly the electronic declaration procedure works depends on your situation. In general, you enter the declaration in your computer system. Subsequently, you send your declaration to Customs via your computer. You can even submit documentation electronically. Customs will check your data and subsequently send you an electronic notification about your declaration. This notification will state, for example, that you may remove the goods or that Customs wants to carry out a further inspection of the goods. This notification will also show the amount of duties and levies you have to pay for these goods.

You file electronic declarations by using EDI messages, whereby EDI stands for Electronic Data Interchange. This is an electronic message made up in a standardised format. In this way, your computer system can communicate with that of the Tax Administration.

If you want to file electronic declarations, we recommend that you first contact the National Customs Helpdesk. This service desk can help you on your way with an information and registration pack, or refer you to specific contact points within Customs.

In order to file electronic declarations, you will need a suitable software package and, depending on the type of package, a subscription to a network service. The costs of filing electronic declarations depend on your software package, the type of

declaration and the number of declarations you file. In order to file electronic declarations, you will need the registration. Which registrations you need depends on your situation and the type of declaration you file. Information about these registrations can be obtained from the customs office that is competent for your business.

Once you have obtained the registrations, installed the software and - where applicable - taken out a subscription to a network service, you may carry out a test. In this test, you dispatch trial declarations which are subsequently processed by Customs. If everything works properly, you can start filing electronic declarations with Customs.

#### 4.1.2. Written declaration

Written declarations are only permitted as an emergency procedure or when using specific documents such as a TIR carnet or ATA carnet.

You can use 'Enig document' to submit a written application to place goods under a customs procedure.

By using the form Single Administrative Document, you can file a written declaration for placing the goods under a customs procedure. You submit a Single Administrative Document at the Customs declaration point where the goods are located.

#### 4.1.3. Verbal declaration

There are certain cases where you can declare goods without a trade designation verbally. Examples include travel luggage or recurring goods.

You may file a verbal declaration if you:

- want to release goods into free circulation
- want to import goods temporarily, or
- want to export goods

In most cases, this will involve consignments of a non-commercial nature.

Examples are passengers' [luggage](#) and returned goods.

Commercial goods can sometimes be declared verbally as well. In that case, the goods should satisfy the following **conditions**:

- the value of the consignment should not exceed € 1,000
- the weight of the consignment should not exceed 1,000 kilograms
- they should not be part of a regular series of consignments
- they should not be carried by independent transport companies (in other words, this should involve own transport)

#### 4.1.4. The declaration by a different act

In some cases you can file a Customs declaration by performing a certain act. Eg by leaving the airport using the 'green' or 'red' channel.

Sometimes you can make a declaration to Customs by performing a particular act.

An example of this is the two-channel system used by Customs at most airports.

Under this system, you can leave the airport via a 'green' channel or a 'red' channel. By opting for the green channel, you indicate that you have nothing to declare. This means that you are not bringing in any goods on which you have to pay import taxes or to which restrictive measures apply. Opting for the red channel means that you want to make a declaration.

Not all customs authorities apply separate channels. Sometimes you make a declaration by passing through Customs.

## **4.2. Declaration procedure**

The explanation of the declaration procedure will be done on the basis of an electronic declaration. When making an electronic declaration, the following steps must be followed:

1. lodge the declaration
2. acceptance of the declaration by Customs
3. write off former procedure
4. select for control
5. control
6. release of the goods
7. check afterwards

### **4.2.1. Lodge a declaration**

The explanation of the declaration procedure will take place on the basis of an electronic declaration. In principle, this procedure also applies to the other procedures.

In order to be able to submit an electronic declaration, the declarant must be registered with customs as an electronic declarant. Special software will also have to be used to be able to send the declaration.

### **4.2.2. Acceptance of the declaration by Customs**

A customs declaration will only be processed by customs if it meets all the conditions. To check whether all conditions are met, the customs and acceptance checks are carried out. In order to be able to accept the declaration, it must meet 4 conditions:

- the declaration must be completed in full. This will be explained in more detail below
- the declarant must have all necessary documents in his possession. He indicates this in the declaration by stating the document codes of those documents. Customs can of course always check whether the declarant actually has these documents in his possession
- the declarant must be entitled to make the declaration. If a declaration contains a special obligation, the declaration must be made by the person who has to fulfill this obligation or by his representative. Some examples of a declaration with a special obligation are:
  - customs warehouse: the declarant must ensure that the goods remain in storage until a new procedure is chosen
  - transit: the declarant must ensure that the goods are transferred to the customs office of destination
  - export: the declarant must ensure that the goods are actually taken outside the Union
  - only the release for free circulation is a customs procedure without any special obligation
- the goods must be presented at the place indicated in the declaration (box 30, Place of goods). This is necessary because customs must be able to check the goods

### **4.2.3. Write off former procedure**

Goods can only be located under 1 procedure. If a declaration has been made for goods and this declaration has been accepted, the prior arrangement must be written off. This prevents the goods from being placed under multiple arrangements. As an example: if goods are released for free circulation after storage in a customs warehouse, the customs warehouse procedure must be written off after acceptance of the declaration for release for free circulation.

### **4.2.4. Select for control**

All declarations are electronically selected for verification by the declaration system. This is done on the basis of selection profiles that are included in the declaration system. These selection profiles have been determined on the basis of risk analyses. This prevents checks from taking place when there is no risk and only shipments with a risk are checked.

With this selection, it is determined for each declaration how it must be checked.

Three types of checks are possible:

- physical check: the goods are actually checked. Checking the goods can mean that the goods are counted or weighed (quantity), examined by a customs officer or a sample is taken for laboratory research
- document control: the documents that belong to the declaration are checked. This usually happens afterwards.
- administrative processing: the declaration is not checked, but administratively settled

#### 4.2.5. Control

If the declaration has been selected for a check, then the customs will carry out that check. It has already been indicated which checks are possible.

#### 4.2.6. Release of the goods

This is the last step of the official declaration procedure. Release of the goods means that the goods can follow their destination for which the declaration has been made. This does not mean that the goods are then always in free circulation. For example, if a declaration has been made for the transit procedure, release means that the transport can be started.

Because the goods have often already been removed, this will not be a check of the goods themselves, but a check of the documents or the administration of the declarant. In particular, checks of documents often take place afterwards. This also applies to the customs value check.

### 4.3. Filling in a customs declaration

At present, a customs declaration is completed using the procedure that was already established for the written declaration. To add structure to this procedure, this procedure is divided into 4 steps:

1. step 1: find the letter
2. step 2: consult the national matrix
3. step 3: consult Title II
4. step 4: find the code

The different steps are briefly explained below. In order to be able to apply these steps, use must be made of the separate appendix for completing the declaration.

#### 4.3.1. Find the letter

In the separate appendix, step 1 indicates in a table which letter belongs to a certain procedure or group of procedures. Use this table to determine which letter applies to the procedure for which you want to file the declaration.

#### 4.3.2. Consult the national matrix

In the national matrix, the different boxes and subdivisions are indicated in the first column. At the top of all other columns is a letter. These letters are the same as in step 1. This means that if the letter H (release for free circulation) has been chosen in step 1, it must be checked in the national matrix in column H whether a data must be stated in a certain box. . There are 3 possibilities:

- there is a letter A next to a box, then this box must be filled in
- there is a letter B next to a box, then the filling in is optional
- if there is no entry next to a box field, it does not need to be filled in.

Note: Footnotes may also apply. These are then added as numbers to the entry A or B. The footnotes are included after the matrix.

#### 4.3.3. Consult Title II

Title II of the Manual for completing the customs declaration specifies which information must be entered in a particular box. Reference is also made to a code (Union code).

Please note: Title II consists of 3 parts, part A, B and C. Depending on the procedure for which the declaration is made, a certain part must be consulted. The title of each part shows to which regulations the part applies. In the separate appendix, step 1 indicates in a table which letter belongs to a

#### 4.3.4. Find the code

The majority of all data in a declaration must be indicated by means of a code. These codes are included in the last part of the special appendix for completing the declaration.

Please note: this list does not include all codes, only the most important ones.

#### 4.4. Simplified procedures

Do you not yet have all the details or the documents you need for an import declaration? In that case there is a simplified procedure you can follow under certain conditions.

It may happen that you do not yet possess all the required details or documents at the moment when you want to file an import declaration. Provided that certain conditions are fulfilled, you may then follow a simplified procedure. Simplified procedures may also be helpful in filing the declarations more efficiently. Customs distinguishes the following simplified procedures with respect to the import declaration:

- the simplified (incomplete) declaration
- the local clearance procedure

In order to apply the local clearance procedure, you will need an authorisation from Customs.

#### 4.4.1. The simplified (incomplete) declaration

A declaration is incomplete if:

- not all the required details have been filled in, or
- not all the required documents have been enclosed

Customs may still take up an incomplete declaration if there is a valid reason for the incomplete declaration. This will be the case, for instance, if the origin documents with which you want to import the goods under a preferential rate cannot yet be submitted, because they are on their way by post or courier. In such cases, Customs can nevertheless take up your declaration for consideration.

#### 4.4.2. The local clearance procedure

By using the local clearance procedure, you place the goods under a customs procedure without immediately having to file a declaration with Customs. There are several local clearance procedures for placing goods under the various customs procedures.

Under the local clearance procedure for release into free circulation, for example, you enter the goods you wish to release for free circulation in your accounts. This means that you are not required to file a separate declaration or present the goods to Customs at that moment. Instead, you use a system of notifications: you report the arrival of the goods on your business premises to Customs. Customs will then decide whether or not it wants to carry out an inspection.

At regular intervals, you file supplementary declarations as regards the goods you placed under a customs procedure by using the local clearance procedure. The authorisation will specify the length of these intervals, for instance monthly.

Together, the entry in your accounts, the notification to Customs of the arrival of the goods and the supplementary declaration are regarded as the declaration for placing the goods under the customs procedure.

An authorisation is required for the use of the local clearance procedure.





## 5. Customs procedure for release into free circulation

Goods that enter the Customs territory of the Union from a non-Union country are referred to as 'non-Union goods'. Before these goods can be marketed within the Union, they should first be released into free circulation. This means that:

- a declaration must be filed for the goods
- certain formalities should be fulfilled when the declaration is made, such as submitting invoices and keeping the goods available for inspection by Customs
- the import duties and/or other import taxes owed must be paid
- the declaration process involves a check as to whether the goods comply with the regulations with respect to safety, health, the economy and the environment (SHEE). These regulations often prescribe the submission of a licence or certificate upon the import of goods

Once all these conditions have been satisfied, the non-Union goods become Union goods. They will obtain the same status as goods that have been produced, harvested or mined within the Union. These goods may be transported, stored or offered for sale, for example, without being subject to Customs formalities.

### 5.1 Filing a declaration

You release non-Union goods into free circulation by filing a declaration. Normally, this is done by electronic declaration. The various ways of filing a declaration are discussed under 'The declaration procedure'.

### 5.2. Determining the tariff code

Goods that are released into free circulation, for example, are assigned a tariff code based on classification rules agreed at global level. This code should be stated in the declaration. With the aid of this tariff code, Customs will be able to check the declaration for the correct application of fiscal and non-fiscal measures.

A fiscal measure is the levy of import taxes. By using the tariff code, Customs decides whether you have applied the correct import tax percentage and whether you are paying the correct amount in taxes.

Examples of non-fiscal measures include:

- measures with respect to safety, health and the environment
- trade or agro-economic measures (such as the obligation to submit an import licence)

The tariff code is based on an international standard, the Harmonised System. The Harmonised System has been elaborated in a European standard, the Combined Nomenclature. As a result, all EU countries use the same tariff codes when goods are declared.

You can find the tariff code to be stated in your declaration in the Tariff-system you can find in the internetpages of Dutch Customs. Here you will also find:

- the corresponding goods description
- the duties and/or other import taxes you have to pay, and
- any special obligations and formalities you should take into account upon import

#### **5.2.1. Binding tariff information (BTI)**

Sometimes you want to know which tariff code applies before you release your goods into free circulation. In that case, you can calculate the import duties owed in advance. If you want to determine the tariff codes in advance, you can ask Customs to issue binding tariff information (BTI).

The BTI specifies which tariff code applies to the goods described in the BTI. The Customs authorities of other Member States will subsequently be bound by that classification. For example, a BTI issued by the Italian Customs authorities will also be binding for Customs in the Netherlands.

#### **Applying for a BTI**

Any natural person or legal entity residing or based within the Union can apply for a BTI. If you want to apply for a BTI, you should use a prescribed application form.

In the Netherlands, BTIs are issued by the Tax Administration/Customs at the following address:

Douane Breda  
Team Bindende Tariefinlichtingen  
Postbus 3070  
6401 DN HEERLEN  
The Netherlands

#### **Validity**

A BTI is valid for a three year period. A BTI will lose its validity prematurely if, for example:

- the tariff code is changed
- the Union, by regulation, prescribes a different classification
- the European Court rules differently in a decision

The European Commission stores all the BTIs issued within the EU in a database. The Customs authorities and interested parties may consult the database:

[European Binding Tariff Information](#)

Here you will find the application form for binding tariff information (BTI)

### **5.3. Import duties**

When importing goods into the Union, you usually have to pay import duties. You pay the import duties on a 'basis of assessment'. This amount is the same for all Union countries. It therefore makes no difference whether you import a good into the Netherlands or into France; in both cases, you pay the same amount in import duties. The other import taxes (such as VAT or excise duties) differ from one Member State to another.

#### **5.3.1. Ad valorem duties**

The import duties can be calculated on the Customs value. In that case, you pay a percentage of the Customs value as import duties. The level of that percentage depends on the kind of product you are importing. The Tariff-system lists all the percentages.

When the import duties are calculated in this manner, they are called 'ad valorem duties'. The Customs value is the price paid for the export of the goods to the Union.

### 5.3.2. Specific duties

In a number of situations, the Tariff-system provides for specific duties. In that case, the level of the import duties may be calculated on the basis of:

- the quantity (expressed in kilograms, litres, etc.)
- the content (such as the alcoholic strength by volume or the fat content)
- the number of square metres

Combinations of ad valorem duties and specific duties are also possible. Sometimes you pay a reduced duty or a zero duty instead of the general Customs duties. See Special import procedures.

## 5.4 Special import procedures

When importing certain goods or importing goods from certain countries, you pay less import duty (a reduced duty) or no duty at all (a zero duty) in some cases.

This will be the case in the event of:

- a tariff suspension or tariff quota
- a particular end use
- a preferential rate

### 5.4.1. Tariff suspensions and tariff quotas

Sometimes a reduced duty or zero duty may be levied upon the import of certain raw materials and semi-finished products. This usually concerns raw materials and semi-finished products that are in short supply in the Union.

A tariff suspension is involved if a reduced duty or zero duty applies **temporarily** to certain goods. If you import goods that come under a reduced duty or zero duty during this period, you will therefore pay less or no import duty.

A tariff quota is involved if a reduced duty or zero duty applies to the import of certain goods into the EU up to a **particular quantity**. You will have to pay the normal rate on the quantity you import in excess of that particular quantity.

### 5.4.2. Particular end use

In a number of situations, the working tariff provides for a lower import duty with respect to certain goods. After importation, these goods should:

- be given a destination specified in the working tariff
- undergo a particular treatment
- be assigned a use specified in the working tariff

### 5.4.3. Preferential rate

The Union has concluded trade agreements with many non-Union countries. These agreements contain arrangements for a zero duty or a reduced duty to be levied on the import of designated goods originating from those countries. Such arrangements may also take the form of a tariff quota.

These trade agreements also stipulate how Customs should determine whether goods originate from those countries. As a main rule, goods originate from a particular country if:

- the goods were manufactured in that country from the basic product stage
- the goods were not manufactured from the basic product stage, but were sufficiently worked or processed in that country

The Union also applies a reduced duty or zero duty with respect to designated goods originating from a number of developing countries. These preferential duties are based on the 'General System of Preferences'.

If you want to claim a preferential rate, you will have to prove that the goods satisfy the relevant conditions. This could mean that you have to demonstrate the origin of the goods you want to import by means of a so-called origin document. If you fail to submit this origin document, or fail to do so in time, the normal import duty rate will be applied.

### **Proof of origin**

Normally, you have to present Customs with a specific origin document at the moment of import in order to claim the reduced duty or zero duty. The following may be used as origin documents:

- movement certificates EUR.1
- invoice statements
- certificates of origin Form A of a Statement on origin made out by a Registered Exporter

### **Binding origin information**

Binding origin information (BOI) is a written statement from Customs specifying the origin of the product described in the BOI. In this way, you will know in advance what origin rules are applied by Customs.

Among other things, the description includes information about the nature and composition of the product, the production method, the value ratios between the different materials and the tariff codes of the materials used. The exact information required depends on the origin rules applicable. An application for a BOI that you want to use when importing goods into the Netherlands should be made to the Tax Administration/Customs at the following address:

Douane Arnhem  
Afdeling Oorsprongszaken  
Postbus 3070  
6401 DN HEERLEN  
The Netherlands

Once you have filed your application, you will receive an overview of the information you need to provide.

If you intend to export goods and you want a BOI for the import of these goods into other countries, the application should be made to:

- the KVK where you are registered, or
- if you are not registered with a KVK: the KVK in Amsterdam or Rotterdam

A BOI is binding for all the Member States of the European Union for a period of 3 years after its issue.

### 5.5. Exemption from import duty

In addition to situations where a reduced rate or zero rate can be used, it is also possible to obtain an exemption from import duties. It sets out the cases in which relief from import and measures adopted is granted when goods are imported into the Union.

Below are some of the options where exemption from import duty is possible.

#### 5.5.1. Personal property:

- personal property of people transferring their normal place of residence from a non-EU country to an EU country, provided that the place of residence had been outside of the EU for at least 12 consecutive months
- goods imported on the occasion of a marriage, provided that the person concerned has been resident outside the EU for at least 12 consecutive months and can provide proof of marriage
- personal property inherited by an EU resident
- clothing, study materials and furniture of students coming to study in the EU

#### 5.5.2. Goods of negligible value, non-commercial goods, capital goods and goods contained in travellers' personal luggage:

- goods of negligible value
- goods of a non-commercial nature, sent directly from one private individual in a non-EU country to another in the EU
- capital goods and other equipment belonging to an undertaking that has definitively terminated its activities in a non-EU country and has moved to the EU
- VAT-exempt goods contained in the personal luggage of travellers arriving from outside the EU

#### 5.5.3. Agricultural, biological, chemical, pharmaceutical and medical products:

- agricultural, stock-farming, bee-keeping, horticultural and forestry products from properties in adjoining non-EU countries operated by EU farmers
- seeds, fertilisers and products for treatment of soil and crops imported by agricultural producers from non-EU countries, but intended for use in the adjoining EU countries
- laboratory animals and biological or chemical substances intended for research
- therapeutic substances of human origin and blood-grouping and tissue-typing reagents
- instruments and apparatus used in medical research, diagnosis or treatment
- reference substances for the quality control of medicinal products
- pharmaceutical products used at international sports events

#### 5.5.4. Other categories:

- educational, scientific and cultural materials and scientific instruments and apparatus
- goods for charitable or philanthropic organisations
- honorary decorations or awards, gifts received in the context of international relations and goods to be used by monarchs or heads of state
- goods imported for trade promotion purposes
- trademarks, patterns or designs sent to organisations protecting copyrights or industrial and commercial patent rights
- tourist information literature
- ancillary materials used for the stowage and protection of goods during their transport
- litter, fodder and foodstuffs accompanying animals during their transport;
- fuel and lubricants contained in motor vehicles and motor cycles entering the EU
- materials for the construction or maintenance of war memorials;
- coffins containing bodies, funerary urns containing ashes, and ornamental funerary articles

Where relief from import duties is subject to the goods being put to a particular use, the person concerned is responsible for providing the competent authority with proof that these conditions have been met. In this situation, only the competent authorities of the EU country concerned may grant this relief.

#### 5.6. Returned goods

If Union goods leave the Union and return later, they are regarded as returned goods. Because Union goods that leave the Union lose their customs status as Union goods, these goods must be released for free circulation again upon return. In that situation, exemption from import duty is possible if the following conditions are met:

- the goods came back unchanged
- the goods came back within 3 years
- the declarant can demonstrate that the goods have previously been removed from the Union as Union goods

## 6. Rules of origin

Origin is the 'economic' nationality of goods traded in commerce.

The nationality, the value and the tariff classification (Combined Nomenclature) of goods must be determined in order to know which duties and charges apply to them, as well as any Customs restrictions or special requirements.

There are two different types of Rules of Origin: **preferential** and **non-preferential**.

### 6.1. EU preferential Rules of origin

They are the instruments used to determine whether a product exported from a beneficiary or partner country may be considered as sufficiently linked to that country and therefore originating there for the purposes of receiving from the Union the tariff preference granted to that country.

If you intend to import into the Union a product from a beneficiary or partner country under a preferential regime, it is not enough that the product is exported from that country. The product must originate in that country. The rules of origin will tell you if your product may be regarded as originating in that particular country and therefore receive the preference.

***For the implementation of the preferential arrangements, only the Preferential Rules of Origin are relevant.***

Remember that the rules of origin applied to each beneficiary or partner country are not identical in all cases. Each preferential regime has a specific set of rules of origin attached.

### General concepts of Rules of origin

Even if there is a specific set of rules of origin for each beneficiary or donor country, the same basic principles and structure applies to all of them. Here are the most relevant elements to be considered:

- wholly obtained/ sufficiently transformed goods
- minimal operations
- cumulation
- direct transport or non-manipulation rule

### 6.1.1. Wholly obtained/sufficiently transformed goods

#### **Goods wholly obtained in a non-EU country**

These are goods whose production has no relationship with any other country than the beneficiary or partner country - i.e. the product is obtained by processing carried out only in the beneficiary country and without incorporating materials of any other country.

This is the case for **plants, minerals or live animals**, for example.

In these cases, it is understood that:

- vegetables originate in a country if they were harvested there
- animals originate in a country if they were born and raised there
- minerals originate in a country if they were extracted there
- In the case of fish products, the EU rules of origin make a distinction between:
  - fish captured within the territorial seas of the beneficiary/partner country will be considered as originating without additional conditions
  - fish captured beyond the territorial seas of the beneficiary/partner country will be considered as originating only if it was captured by a vessel of the beneficiary/partner country.

For a complete list, see the rules of origin attached to each preferential agreement or preferential regime.

#### **Goods sufficiently transformed in a non-EU country**

This refers to any product whose production involved more than the beneficiary/partner country, i.e. the product was produced using materials from other countries or was partially processed abroad.

There are **three basic criteria** used in these lists to determine whether a product was sufficiently transformed in the beneficiary/partner country:

- **value added rule.** You may find a rule drafted as *manufacture in which the value of all the materials used does not exceed [X]% of the ex work price of the product.*  
In this case, you must compare the Customs value of all the non-originating materials used in the production of your product with the ex-work price of your product. The rule is satisfied if the value of the materials does not exceed the threshold fixed by the rule
- **change of tariff classification.** You may find a rule drafted as *manufacture from materials of any heading except that of the product*  
In this case, you must compare the tariff classification of the non-originating materials used (4 digits) with the tariff classification of your good. The rule is satisfied if the tariff classification of both is not the same.
- you may find that a rule is drafted as *manufacture from [yarn] [meat], etc.*  
In these cases, the rules permit you to use the quoted non-originating material, i.e. you may import yarn, you may also import the material in a previous state of production, i.e. you may import fibres, but you may not import a material in a later state of production i.e. you may not import fabric.



### 6.1.2. Minimal operations

In all the sets on rules of origin, there is a provision listing a series of operations (i.e. packaging, simple cutting, simple assembling, simple mixing, etc.).

If the production carried out in your country is one of those listed and nothing else was made there (i.e. no material was produced or transformed), then the product cannot be considered as originating even if the rule of origin attributed to your product was satisfied.

### 6.1.3. Cumulation

Cumulation is a mechanism that permits you to consider non-originating materials used or processing carried out in another country as originating in your country or carried out in your country.

### 6.1.4. Direct transport or non-manipulation rule

Even if your product is originating (i.e. satisfies the Basic rules and its provisions), you still need to verify that the product was sent from the 'originating' country and arrived in the EU without being manipulated in another country, apart from the operations required to keep the product in good condition.

You must verify the specific conditions on this issue and documents should provide proof of fulfilment of this rule contained in the relevant set of rules of origin.

See also: your product is wholly obtained or sufficiently transformed by considering the elements specified in 'wholly obtained/sufficiently transformed goods' section, 'minimal operations' section,.

### 6.1.5. Proofs of origin

Even if your product originates in a certain country (i.e. your product is wholly obtained or sufficiently transformed by considering the elements specified in Basic rules section) and other conditions are also met (see Direct transport or non-manipulation rule section), you must provide proof before it reaches the EU Customs. Only then can you claim the tariff preference.

There are different types of proof of origin depending on the arrangement you benefit from.

In general terms, you may prove the originating status of the goods by:

- Certificate issued by the Customs administration or public authority of a beneficiary country/partner country. In order to get this certificate, the exporter must contact the Customs administration or public authority of the beneficiary country/partner country applying for one of these certificates:
  - Form A or a Statement on origin made out by a Registered Exporter for GSP regime
  - EUR 1 for all other cases.

Invoice declarations issued by the exporter in the beneficiary country/partner country. This may be the case for consignments up to 6000 Euros. In some cases, invoice declarations may be issued by the exporter in the beneficiary country/partner country for consignments beyond 6000 Euros, but only by 'approved' exporters.

An approved exporter (Registered Exporter, REX) is an exporter who has met certain conditions imposed by the Customs authorities and who is allowed to make out invoice declarations. Just as the Customs authorities can grant that status, they can also withdraw it if the exporter misuses or abuses the authorisation. The procedures attached to granting 'approved exporter' status depend on national provisions.

## 6.2. EU non-preferential Rules of origin

Nevertheless, you have to know that other rules exist: *the Non-preferential rules of origin*. These rules are used for establishing the origin of the goods for different purposes (tariffs when there is no preferential agreement, statistics, implementation of non-preferential quotas, trade defence measures...).

The interpretation of what is a substantial transformation may vary from one country to the other. For that reason, non-preferential rules may also differ from country to country and the same product may have a different origin depending on which country's scheme is applied.

At import to the EU, the non-preferential origin would be indicated on the import declaration but no specific proof of origin would be required.

### Summary:

*Non-preferential rules are used for all kinds of commercial policy measures, such as anti-dumping duties and countervailing duties, trade embargoes, safeguard and retaliation measures, quantitative restrictions, but also for some tariff quotas, for trade statistics, for public tenders, for origin marking, and so on. In addition, the EU's export refunds in the framework of the Common Agricultural Policy are often based on non-preferential origin.*

### 6.2.1. General aspects of non-preferential origin

Non-preferential rules are used for all kinds of commercial policy measures, such as anti-dumping duties and countervailing duties, trade embargoes, safeguard and retaliation measures, quantitative restrictions, but also for some tariff quotas, for trade statistics, for public tenders, for origin marking, and so on. In addition, the EU's export refunds in the framework of the Common Agricultural Policy are often based on non-preferential origin.

There are two basic concepts to determine the origin of goods, namely 'wholly obtained' products and products having undergone a 'last substantial transformation'.

If only one country is involved, the 'wholly obtained' concept will be applied. In practice, this will be restricted mostly to products obtained in their natural state and products derived from wholly obtained products.

If two or more countries are involved in the production of goods, the concept of 'last, substantial transformation' determines the origin of the goods.

In general, the criterion of last substantial transformation is expressed in three ways:


1. by a rule requiring a change of tariff (sub) heading in the HS nomenclature
2. by a list of manufacturing or processing operations that do or do not confer on the goods the origin of the country in which these operations were carried out
3. by a value added rule, where the increase of value due to assembly operations and incorporation of originating materials represents a specified level of the ex-works price of the product

### 6.2.2. Determination of the origin of a product

- products wholly obtained in a single country
- goods wholly obtained in a single country originate in this country
- other products





When two or more countries are involved in the production of a good, the origin of the good must be determined in accordance with the following rule: 'Goods whose production involved more than one country shall be deemed to originate in the country where they underwent their last, substantial, economically justified processing or working in an undertaking equipped for that purpose and resulting in the manufacture of a new product or representing an important stage of manufacture'.

### 6.3. Binding origin information (BOI)

Origin information may be made binding on the Customs authorities of all EU countries. To obtain a binding origin information decision (normally valid for **3 years**), you must apply to the competent authorities in the EU country where the BOI will be used (or in the EU country where you are established). .

## 6.4. List of countries with a Free Trade Agreement

### Europe

- Kosovo  - Stabilisation and Association Agreement, 01 April 2016
- Bosnia and Herzegovina  - Stabilisation and Association Agreement, 01 June 2015
- Serbia  - Stabilisation and Association Agreement, 01 September 2013
- Ukraine  - 27 June 2014
- Montenegro  - Stabilisation and Association Agreement, 01 May 2010
- Albania  - Stabilisation and Association Agreement, 01 April 2009
- The former Yugoslav Republic of Macedonia  - Stabilisation and Association Agreement, 01 May 2004
- Faroe Islands  - 01 January 1997
- Norway  - 01 July 1973
- Iceland  - 01 April 1973
- Switzerland  - 01 January 1973

### Mediterranean

- Algeria  - Association Agreement, 01 September 2005
- Egypt  - Association Agreement, 01 June 2004
- Israel  - Association Agreement, 01 June 2000
- Jordan  - Association Agreement, 01 May 2002
- Lebanon  - Interim Agreement, 01 March 2003
- Morocco  - Association Agreement, 01 March 2000
- Palestinian Authority  - Association Agreement, 01 July 1997
- Syria  - Co-operation Agreement, 01 July 1977
- Tunisia  - Association Agreement, 01 M

### Other countries

- Chile - Association Agreement and Additional Protocol, 01 February 2003 (trade)  / 01 March 2005 (full agreement) 
- Mexico  - Economic Partnership, Political Coordination and Cooperation Agreement, 01 July 2000
- South Africa  - Trade, Development and Co-operation Agreement, 01 January 2000
- CARIFORUM States  - Economic Partnership Agreement, Provisionally applied
- Ivory Coast  - Interim Economic Partnership Agreement, Pending
- Cameroon  - Interim Economic Partnership Agreement, Pending

- Korea - New Generation Free Trade Agreement, signed 06 October 2010
- Central America - Association Agreement, initialled 22 March 2011
- Peru - Colombia - Free Trade Agreement, initialled 23 March 2011

## Customs unions

- Andorra - 01 July 1991
- Turkey - 31 December 1995
- San Marino - 01 December 1992

### 5.6. GSP countries

See “Mededeling 25”:

[https://www.belastingdienst.nl/bibliotheek/handboeken/html/boeken/HDU/images/14646\\_1.0.pdf](https://www.belastingdienst.nl/bibliotheek/handboeken/html/boeken/HDU/images/14646_1.0.pdf)

Mededeling 25 is a list of GPS countries. Unfortunately only available in Dutch.



## 7. Customs valuation

Customs valuation is used to determine the value of goods when they are being entered into the various Customs procedures e.g. bringing into freed circulation, export, warehousing and processing under Customs control. The Customs value is essential to determine the correct amount of any Customs duty to be paid on imported goods.

In the majority of cases, Customs duty is charged as a percentage of the value of the goods being imported – ‘ad valorem duty’. In order to calculate the amount of duty payable the Customs value must first be established.

Details of all Customs duty types are set out in the Combined Nomenclature (CN) of the European Union. Once the correct CN code has been established for the goods, the type of duty applicable to that code can be checked in the CN.

In the European Union, the Customs value is required:

- for import duties
- for VAT purposes
- for import statistics
- for some tariff quotas
- for some rules of origin

### 7.1. Methods of calculating Customs value

There are 6 methods for calculating the Customs value of goods. However, the normal method of valuation is method 1 – the transaction value method. The transaction value is defined as the price actually paid or payable to the seller for the goods being imported when they are sold for export to the Customs territory of the Community.

Method 1 must be employed before proceeding to Method 2 and so on. Details of how and when to use the other methods are provided in chapters 2, 3 and 4.

Customs may request documentation and information regarding any importation and the valuation methods employed.

The six methods of valuation applicable to all goods are:

1. The transaction value of the imported goods
2. The transaction value of identical goods
3. The transaction value of similar goods
4. The deductive method
5. The computed method, and
6. The residual valuation provision

The methods listed above must be applied in sequence. However, importers may opt to reverse the order of application of methods (4) and (5).

The most common method of valuation is the transaction value of the imported goods, which uses the invoice price. Wherever possible this is the method to be used.

Only when the transaction value of the imported goods method cannot be used should the other methods be considered. In such cases, the Customs value is determined by proceeding sequentially through the other methods.

It is only when the value cannot be determined under the provisions of an earlier method in the sequence that the provisions of the next method are invoked.

## **7.2. Method 1 – Transaction Value of the imported goods method**

The transaction value is defined as the price actually paid or payable to the seller, for the goods being imported, when they are sold for export to the Customs territory of the Community.

This is provided that:

- there are no restrictions regarding the disposal or use of the goods by the buyer other than restrictions which:
  - are imposed or required by law or by the public authorities e.g. an import licence;
  - limit the geographical area in which the goods may be resold; or
  - do not substantially affect the value of the goods
- the sale or price is not subject to some condition or consideration for which a value cannot be determined with respect to the goods being valued
- no part of the proceeds of any subsequent resale, disposal or use of the goods will accrue directly or indirectly to the seller, unless an adjustment can be, and
- the buyer and seller are not related, see paragraph 7.2.2.

### **7.2.1. The price paid**

The price actually paid or payable is the total payment made or to be made by the buyer to, or for the benefit of, the seller for the imported goods. It includes all payments made or to be made as a condition of sale of the imported goods by the buyer to the seller. It may also include payments made by the buyer to a third party to satisfy an obligation of the seller. Payment does not necessarily need to take the form of a transfer of money. Payment may be made by way of letters of credit or negotiable instrument. It may be made directly or indirectly. An example of an indirect payment would be the settlement by the buyer of a debt owed by the seller.



### 7.2.2. Definition of 'Related'?

For the purposes of paragraph 7.2., the valuation system regards buyer and seller as related only if:

- they are officers or directors of each other's businesses
- they are legally recognised partners in business
- they are employer and employee
- any person who directly or indirectly owns, controls or holds 5% or more of the outstanding voting stock or shares of both businesses
- one of them directly or indirectly controls the other
- both of them are directly or indirectly controlled by a third person
- together they directly or indirectly control a third person; or
- they are members of the same family

For the purposes of the valuation system, persons, whether natural or legal, may be associated in business with each other, for example one is the sole agent of the other. They will only be deemed to be related if they fall within one of the relationships outlined above.

The fact that the buyer and the seller are related within the terms of this paragraph is not in itself grounds for regarding the transaction value as unacceptable. It is only where the relationship has influenced the price that the transaction value method of valuation may not be used. It is open to the importer to demonstrate that the transaction value was not influenced by the relationship.

### 7.2.3. Elements which must be added to the price actually paid or payable

The following must be added to the price payable (unless they are already included):

- delivery costs: the cost of transport, insurance loading or handling associated with delivering the goods to the EU border
- commissions: certain payments of commission and brokerage, including selling commission. See 9.7 for further details. Buying commission is excluded if it is shown separately from the price paid or payable for the goods
- royalties and licence fees relating to the goods being valued that the buyer must pay, either directly or indirectly, as a condition of sale of the goods being valued
- containers and packing. The following, to the extent that they are incurred by the buyer and not included in the price actually paid or payable:
  - the cost of containers, which are treated as being one, for Customs purposes, with the goods in question. These would include, inter alia, camera cases, musical instrument cases, or other cases specially shaped or fitted to contain a specific article or set of articles. They should be suitable for long-term use and presented with the articles for which they are intended. Where containers are the subject of repeated importation, their cost should, at the request of the importer, be apportioned as appropriate;
  - the cost of packing, comprising the cost of both labour and materials

- assists: items sometimes known as assists may be supplied by the buyer, directly or indirectly and free or at a reduced cost, for use in the production and sale of the goods. It is necessary to establish that the value of such assists has not been included in the price actually paid or payable. In such circumstances, the value of the following, apportioned as appropriate, must be included:
  - materials, components, parts and similar items incorporated in the imported goods
  - tools, dies, moulds and similar items used in the production of imported goods
  - materials consumed in the production of the imported goods; and
  - engineering, development, artwork, design work and plans and sketches (other than research and preliminary design sketches) carried out elsewhere than in the Community and necessary for the production of the imported goods
- Note: this is not the complete list.

#### 7.2.4. Deductions allowable from the Customs value

Where the value is based on the invoice price, certain deductions are normally allowable provided that the deductions are clearly highlighted in the documents produced.

- Discounts. These may only be omitted where they relate to the imported goods being valued and there is a valid contractual entitlement to the discount at the material time for valuation. Discounts (such as contingency or retroactive discounts) related to previous importations may not be claimed in full on the current importation.
- Quantity or trade discounts. The trader may omit these discounts where earned. In other words, the price paid or payable net of these discounts is acceptable. If the trader is related to the seller, the discounts will also be allowed if that relationship has not affected the price of the goods.
- Cash and early settlement discounts. The trader may also omit these discounts on the following basis:
  - when the payment reflecting the discount has been made at the time of entry to free circulation;
  - if the payment has not been made at the time of entry to free circulation, it will be allowed at the level declared, provided it is a discount generally accepted within the trade sector concerned;
  - if the discount is higher than is generally accepted within the trade sector concerned, it will only be accepted if you can demonstrate, where required, that the goods are actually sold at the price declared as the price actually paid or payable and that the discount is still available at the time of entry to free circulation.
- Particular care should be exercised where discounts other than these are shown on the invoice. Instances may occur where the term 'discount' is used in a special sense or in respect of special considerations, e.g., compensation for defects in fulfilling earlier orders. In such cases and in all cases where a discount of a non-straightforward nature is claimed, the rationale underlying the discount should be examined.
- Delivery costs within the EC. If the seller's or carrier's charge covers delivery beyond the EU border, the additional charges may be deducted for such delivery, provided they are shown separately from the price paid or payable for the goods.
- EC Duties or Taxes: Customs duty or other taxes may be deducted from the price paid to calculate the Customs value if they are included.

- Post importation work. Charges for the following may be excluded:
  - construction work
  - erecting
  - assembling
  - maintaining or
  - giving technical help
  - for goods such as industrial plant, machinery or heavy equipment. The work may be carried out before or after importation, as long as it is carried out as part of the installation of the imported goods and the charge must be shown separately from the price paid or payable for the goods.
- Note: this is not the complete list.

### 7.3 Other Methods of Valuation

The majority of importations will be valued by the transaction value of the imported goods method. However, where consignments are imported on other terms and there is no price actually paid or payable, then the transaction value cannot be used. The next sequential method of valuation must then be used, i.e. the 'identical goods' method.

#### 7.3.1. Method 2 – Identical Goods Method

This method is defined as the transaction value of identical goods sold for export to the Community and exported at or about the same time as the goods being valued. In establishing the Customs value under the identical goods method, a sale at the same commercial level and in substantially the same quantity should be used to establish the Customs value.

#### 7.3.2. Method 3 – Similar Goods Method

This method is defined as the transaction value of similar goods sold for export to the Community and exported at or about the same time as the goods being valued. The provisions of paragraph 6.3.1. also apply to this valuation method. The difference here is that similar rather than identical goods are used.

#### 7.3.3. Method 4 – Deductive Method

Using the deductive method, the Customs value is calculated on the basis of the unit price at which the goods are sold in the Community. The unit price used can be for the imported goods or identical or similar imported goods. They must be sold in the condition as imported and in the greatest aggregate quantity. The buyer and seller may not be related.

#### 7.3.4. Method 5 – Computed Method

The computed method is used where the seller is the actual producer of the goods and has access to all information relating to the production of the imported goods. The Customs value is determined by calculating the sum of the following elements:

- the cost or value of materials and fabrication or other processing employed in producing the imported goods
- an amount for profit and general expenses and
- the cost of transport and insurance of the imported goods

#### 7.3.5. Method 6 – Residual Valuation Provision

In exceptional circumstances, it may not be possible to determine the Customs value of imported goods under any of the foregoing valuation methods. In such an event, the value may be determined by applying, in a flexible manner, whichever of those methods most readily enables calculation of the Customs value.

#### **7.4. Place of Entry**

For the purposes of establishing the transport, handling and insurance charges to be included in the Customs value, the place of entry into the Community is defined, inter alia, as follows:

- sea: the first port in the Union where the ship arrives
- air: the place of introduction is the point where the EU border is first crossed during the air journey

#### **7.5 Transport Charges**

##### **7.5.1. General**

The cost of transporting the goods to the place of entry (see paragraph 6.4) may already be included in the Customs value. In circumstances where the transport is free or provided by the buyer to the place of entry, a calculated transport cost is to be included in the Customs value.

In cases where the actual freight charge is known at the time of preparing the Customs declaration, such charge should be used when calculating the value of the consignment for Customs purposes. The transport cost incurred after arrival in the Customs territory of the Community shall not be included in the Customs value, provided that such cost is distinct from the total charge, i.e. the split is provided. In cases where the actual freight charge is not known at the time of Customs clearance, the equivalent of that charge will apply (as ascertained from the tariff of the carrier in question for the same journey or reverse journey and for the same type of consignment).

##### **7.5.2. Air freight charges**

Where goods are transported by air on the same means of transport to a point beyond the place of introduction, transport costs must be assessed in proportion to the distance covered outside and inside the Customs territory of the Community.

## 8. Classifications of goods

### 8.1. Harmonised System

The Nomenclature governed by the Convention on the Harmonized Commodity Description and Coding System, commonly known as 'HS Nomenclature', is an international multipurpose nomenclature which was elaborated under the auspices of the World Customs Organization (WCO).

At present there are 160 Contracting Parties to this Convention. However, it is applied by more than 200 administrations worldwide, mostly to set up their national Customs tariff and for the collection of economic statistical data. The European Union and its member states together represent a block of 27 Contracting Parties to the aforementioned Convention.

The HS Nomenclature comprises about 5,000 commodity groups which are identified by a 6-digit code and arranged according to a legal and logical structure based on fixed rules. The Combined Nomenclature of the European Union (EU) integrates the HS Nomenclature and comprises additional 8-digit subdivisions and legal notes specifically created to address the needs of the Community.

The official interpretation of the HS which provides for its uniform interpretation worldwide is ensured by the HS Committee which comprises representatives from the Contracting Parties to the HS Convention. Other administrations, international organisations, international commerce and industry are represented as observers. The HS Convention provides for two types of decisions taken by the HS Committee:

1. Decisions which amend the Convention including its nomenclature (procedure under Article 16), and
2. Decisions which 'manage or interpret' the Convention and which normally take the form of Classification Decisions, Explanatory Notes or Classification opinions (procedure under Article 8). For the latest amendments to the HS Explanatory Notes and Classification Opinions, see the WCO website.

In both cases, the EU and its member states, together, only have a single vote only. The Contracting Parties may lodge a 'reservation' against both types of decisions. A 'reservation' against an amendment of the Convention (Article 16 procedure) annuls the decision that was taken. On the other hand, the legal effect of a 'reservation' in the framework of an Article 8 procedure of the Convention is limited to a suspension of the decision which must be re-examined at a later meeting of the Committee. In practice, this simply means that the definitive decision is delayed by 6 to 12 months.

Generally, the amendments to the HS Convention become binding for all Contracting Parties two years after they are notified by the Secretary General of the WCO. However, the decisions concerning the management and interpretation of the Convention are generally deemed to have been accepted by all Contracting Parties two months after the decision by the HS Committee.

For further information, visit the website of the WCO.

## 8.2 Combined Nomenclature

The term '**tariff classification of goods**' is defined in Article 57 of the **Union Customs Code (UCC)**.

It means determining the **subheadings** or **further subdivisions** of the **Combined Nomenclature (CN)** under which the goods will be classified.

Classification is not just used to determine the **Customs duty rate** for a specific subheading.

It is also used to apply *non-tariff* measures.

Thus even if all goods were zero-rated for Customs purposes, classifications might still be necessary if you need to:

- apply for an import or export licence
- find out whether import or export restrictions apply
- issue a certificate of origin
- claim an export refund or similar
- determine whether or not a product is liable to excise duty

### 8.2.1. The Combined Nomenclature, 8 digits coding

When declared to Customs in the Community, goods must generally be classified according to the Combined nomenclature or CN. Imported and exported goods must be declared stating which subheading of the nomenclature they fall. This determines what rate of Customs duty applies and how the goods are treated for statistical purposes.

The CN is a method for designating goods and merchandise which was established to meet the requirements of both the Common Customs Tariff and of the external trade statistics of the Community. The CN is also used in intra-Community trade statistics.

The CN is comprised of the Harmonized System (HS) nomenclature with further Community subdivisions. The Harmonized system is operated by the World Customs Organisation (WCO). This systematic list of commodities forms the basis for international trade negotiations, and is applied by most trading nations. The CN also includes preliminary provisions, additional section or chapter notes and footnotes relating to CN subdivisions. Each CN subdivision has an 8-digit code number, the CN code, followed by a description.

The basic regulation is Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff. An updated version of the Annex I to the Combined Nomenclature Regulation is published as a Commission Regulation every year.

### 8.2.2. TARIC

TARIC, the integrated Tariff of the European Union, is a multilingual database which incorporates all measures relating to EU Customs tariff, commercial and agricultural legislation. By integrating and coding these measures, the TARIC secures their uniform application by all Member States and gives economic operators a clear view of all the measures to be undertaken when importing into the EU or exporting goods from the EU. It also makes it possible to collect EU-wide statistics for the measures concerned.

The TARIC contains for example the following main categories of measures:

- Tariff measures:
- Agricultural measures:
  - Agricultural components
  - Additional duties on sugar, on sugar content and on flour content
- Trade Defence instruments:
  - Antidumping duties and countervailing duties.
- Prohibitions and restrictions on imports and exports:
  - Import and/or export prohibition of certain goods (e.g.: ozone-depleting substances, certain products originating in or exported to some countries like Myanmar, Bolivia, North Korea, etc.)
  - Quantitative limits

### 8.3. Binding Tariff Information (BTI)

Customs duties payable on imports/exports and other related provisions

The rate that must be paid – and any related requirements, such as import/export certificates – depends on the tariff classification applicable to the product.

In order to have legal certainty in advance that you are applying the correct classification to your goods, you should apply for a Binding Tariff Information (BTI) decision.

Features of a BTI

- Issued by national Customs authorities in the EU
- Generally valid for 3 years throughout the EU, regardless of where it is issued
- Binding on:
  - all EU Customs administrations and
  - the holder

#### Viewing current BTI decisions

You can view all currently valid BTI decisions in the public BTI database:

[http://ec.europa.eu/taxation\\_Customs/dds2/ebti/ebti\\_consultation.jsp?Lang=en](http://ec.europa.eu/taxation_Customs/dds2/ebti/ebti_consultation.jsp?Lang=en)

The decisions are made public for transparency reasons, but all confidential information is protected.





# Annex General rules for the interpretation of the Combined Nomenclature

Classification of goods in the Combined Nomenclature shall be governed by the following principles:

1. The titles of sections, chapters and sub-chapters are provided for ease of reference only. For legal purposes, classification shall be determined according to
  - a. the terms of the headings and any relative
  - b. section notes or
  - c. chapter notes, and
  - d. provided that such headings or notes do not otherwise require, according to the following provisions.
2.
  - a. Any reference in a heading to an article shall be taken to include a reference to that article incomplete or unfinished. It shall also be taken to include a reference to that article complete or finished (or falling to be classified as complete or finished by virtue of this rule), presented unassembled or disassembled.
  - b. Any reference in a heading to a material or substance shall be taken to include a reference to mixtures or combinations of that material or substance with other materials or substances. The classification of goods consisting of more than one material or substance shall be according to the principles of rule 3.
3. When, by application of rule 2(b) or for any other reason, goods are prima facie classifiable under two or more headings, classification shall be effected as follows:
  - a. the heading which provides the most specific description shall be preferred to headings providing a more general description.
  - b. mixtures, composite goods consisting of different materials or made up of different components, and goods available in sets for retail sale shall be classified as if they consisted of the material or component which gives them their essential character, insofar as this criterion is applicable;

- c. when goods cannot be classified by reference to 3(a) or (b), they shall be classified under the heading which occurs last in numerical order among those which equally merit consideration.
- 4. Goods which cannot be classified in accordance with the above rules shall be classified under the heading appropriate to the goods to which they are most akin.
- 5. In addition to the foregoing provisions, the following rules shall apply in respect of the goods referred to therein:
  - a. camera cases, musical instrument cases, gun cases, drawing instrument cases, necklace cases and similar containers shall be classified with such articles when of a kind normally sold therewith.
  - b. packing materials and packing containers (1) presented with the goods therein shall be classified with the goods if they are of a kind normally used for packing such goods.
- 6. For legal purposes, the classification of goods in the subheadings of a heading shall be determined according to the terms of those subheadings and any related subheading notes and, mutatis mutandis, to the above rules, on the understanding that only subheadings at the same level are comparable.

*(1) The terms 'packing materials' and 'packing containers' mean any external or internal containers, holders, wrappings or supports other than transport devices (for example, transport containers), tarpaulins, tackle or ancillary transport equipment. The term 'packing containers' does not cover the containers referred to in general rule 5(a).*

## 9. Safety, health, economy, environment

### 9.1 Introduction safety, health, economy and environment

Customs monitors the import, export and transport of goods. Customs also monitors compliance with the rules concerning safety, health, economy and environment (abbreviated as SHEE).

#### 9.1.1. Safety, health, economy, environment

In all its activities, Customs also verifies whether goods movements meet the standards of safety, health, economy and environment (abbreviated as SHEE). Under this heading you will find information about the tasks performed by Customs.

The Netherlands Customs Administration has different tasks and responsibilities in the field of safety, health, economy and environment (abbreviated as 'SHEE'). For example, Dutch Customs officers monitor the import, export and transportation of goods. For this purpose, Customs checks whether taxes due at the time of import are paid and whether goods meet the requirements at the time of export. Customs also supervises compliance with SHEE legislation. This legislation stipulates that importing, exporting or transporting certain goods within the Netherlands and/or the European Union is prohibited or is only permitted if (strict) conditions are met, or if the goods meet certain requirements. On account of its SHEE responsibilities, Customs carries out numerous inspection, observation and investigation tasks at the request of various Ministries.

#### General Customs Act

The (inspection) powers of Customs are regulated in the General Customs Act. The Annex to the General Customs Act lists special acts to which the General Customs Act applies. Customs monitors compliance with the SHEE acts and regulations using powers based on the General Customs Act. In addition, Customs officials are often appointed as special investigators. Customs uses this investigative power if it encounters violations or records punishable offences in the performance of its inspection tasks.

The extent of Customs involvement in monitoring and supervising compliance with SHEE legislation is regulated in a covenant or framework agreement in consultation with the Ministry in question.

#### 9.1.2. Summary of Customs tasks and the relevant ministries

The following list shows which Ministries are responsible for the laws and regulations in which Customs fulfils a task and which goods, traffic or events Customs inspects in connection with each task.

## Area Safety

Ministry of ...	Goods
<b><u>Justice and Security</u></b>	Weapons and ammunition
<b>Finance</b>	€ 10,000 or more worth in cash or securities
<b>Foreign Affairs</b>	Export prohibitions in connection with sanctions
<b>Health, Welfare and Sport</b>	<ul style="list-style-type: none"> <li>• <a href="#">Opium Act (Drugs)</a></li> <li>• <a href="#">Drugprecursors</a></li> <li>• <a href="#">Medicines (for business users only)</a></li> </ul>

## Area Health

Ministry of ...	Goods
<b>Economic Affairs and Climate Policy and Health, Welfare and Sport</b>	Product safety
<b><u>Economic Affairs and Climate Policy</u></b>	<ul style="list-style-type: none"> <li>• <a href="#">Live animals and animal products</a></li> <li>• <a href="#">Plants, flowers, fruit and vegetables</a></li> <li>• <a href="#">Endangered species</a></li> </ul>

## Area Economy

Ministry of ...	Goods
<b><u>Economic Affairs and Climate Policy</u></b>	<ul style="list-style-type: none"> <li>• <a href="#">Animal food</a></li> <li>• <a href="#">Counterfeit goods</a></li> </ul>
<b>Foreign Affairs</b>	Strategic goods
<b>Infrastructure and Water Management</b>	<ul style="list-style-type: none"> <li>• <a href="#">Traffic control charges</a></li> <li>• <a href="#">Transport of dangerous substances</a></li> </ul>
<b>Education, Culture and Science</b>	Cultural goods

## Area Environment

Ministry of ...	Goods
<b>Infrastructure and Water Management</b>	<ul style="list-style-type: none"> <li>• <a href="#">Waste materials</a></li> <li>• <a href="#">Environmentally hazardous substances</a></li> <li>• <a href="#">Imports and exports of radioactive substances and nuclear materials</a></li> </ul>

## 9.2 Safety

What are the tasks of Customs regarding security in the European Union? This information is given in this part of the website.

### 9.2.1. Weapons and ammunition

The Arms and Ammunition Act regulates the possession of weapons and ammunition in the Netherlands. This law prohibits:

- manufacture
- trade
- entering into the territory of the Netherlands
- leaving the territory of the Netherlands with the destination being another EU Member State or a country outside the EU
- transit (entry followed by exit)
- possessing and carrying

#### Inspection

Customs inspects whether there is a licence for the entry and exit of weapons and ammunition to and from the Netherlands on grounds of the Weapons and Ammunition Act. Included under this Act are firearms, knuckledusters, nunchakus, catapults, airsoft equipment, tear gas and alarm pistols.

You don't possess a licence or exemption, even though one is required? Then you are committing a criminal offence. In such cases Customs will compile an official report and confiscate the weapons and ammunition.

#### Please note!

Toy weapons and fake weapons that look like real weapons are prohibited. These products fall under the Weapons and Ammunition Act.

#### Travellers

For travellers (private or otherwise): go to the sections on this website listed under Individuals, Abroad and Customs, Luggage, from a non-EU country, Special products and pets, part [Weapons and ammunition, toy guns and fake weapons](#).

The Weapons and Ammunition Act sets out to counter the illegal possession of weapons and ammunition in the Netherlands. This law therefore prohibits many activities involving weapons and ammunition.

#### Sanctions

The export of certain goods to certain countries is prohibited or requires a licence. This is a result of national and/or international sanction measures.

### 9.2.2. Opium act (drugs)

You are not allowed to bring narcotics (goods falling under the [Opium act](#) - only available in English) across the Dutch border. It is allowed, as an exception, if you have a licence. The Minister of Health, Welfare and Sport grants these licences for the Netherlands.

Customs checks at the European external borders if you have a licence.

Goods falling under the Opium act include:

- hashish
- cannabis
- heroin
- cocaine
- XTC

On behalf of the ministry of Health

<https://www.rijksoverheid.nl/ministeries/ministerie-van-volksgezondheid-welzijn-en-sport> (only partly in English) may grant licences for importing narcotics.

### 9.2.3. Drug precursors

Certain chemicals may be used for producing narcotics. These chemicals are also called drug precursors.

If you bring drug precursors into the European Union, trade, store or transport them, you must have a licence. Customs checks whether these licences are present. If a licence is missing, Customs may intercept the shipment. You also run the risk of committing an offence.

### 9.2.4. Medicines

The Dutch government does not want medicines to be brought into the market which can be a health hazard, or whose effectiveness is not certain. In order to achieve this goal, the Medicines Act (Geneesmiddelenwet, only available in Dutch) prohibits bringing into Dutch territory:

- medicines without a licence, and
- active substances for the manufacture of medicines without a registration

On behalf of the ministry of Health grants licences and registers businesses for bringing medicines and active substances into Dutch territory.

Medicines and active substances intended for medicines that enter the Netherlands without a licence or registration are intercepted by Customs. Customs notifies the Netherlands Healthcare Inspectorate. Customs then follows the directions of the Healthcare Inspectorate concerning the manner in which the shipment must be handled.

## 9.3. Health

What are the tasks of Customs regarding the health of people in the European Union? That information is given in this part of the website.

### 9.3.1. Product safety

Numerous goods are subject to conditions upon import into the Netherlands or the EU. Particularly foodstuffs, medicines and veterinary medicines and toys must meet certain standards. Some of those standards can be found in the Dutch Commodities Act ('Warenwet') and the regulations based on that Act.

The European Commission has developed a [guideline](#) for performing controls of goods related to product safety.

The controls focus on product requirements that ensure a high level of protection of public interests, for example:

- health and safety in general
- health and safety at the workplace
- protection of consumers
- protection of the environment
- security

One of the tasks of Customs is to identify irregularities. If Customs suspects any irregularities, we will notify the organisation conducting the supervision of the product requirements.

In the Netherlands, the (physical) supervision of the product requirements is conducted by:

- the Radiocommunications Agency (Agentschap Telecom or AT)
- the Living Environment and Transport Inspectorate (Inspectie voor de Leefomgeving en Transport or ILT)
- the Social Affairs and Employment Inspectorate (Inspectie Sociale Zaken en Werkgelegenheid or SZW Inspectorate)
- the Healthcare Inspectorate (Inspectie voor de Gezondheidszorg or IGZ)
- the Netherlands Food and Consumer Product Safety Authority (Nederlandse Voedsel- en Warenautoriteit or NVWA)
- the Government Road Transport Agency (Rijksdienst voor het Wegverkeer or RDW)
- Verispec

In other Member States of the European Union, the Customs authorities of the relevant Member State may perform the controls. However, the controls may also be performed by other designated organisations in this Member State.

The European Union (EU) has provided for Product Safety in Regulation (EC) No. 765/2008.

### **9.3.2. Live animals and animal products**

Importing veterinary products from outside the EU is subject to strict requirements. These standards concern the health and wellbeing of people and animals.

Examples of veterinary products include:

- live animals
- meat and meat products
- eggs
- fish and fish products
- milk and milk products

These standards not only concern the health and well-being of animals, but also public health, because people can become seriously ill from eating contaminated meat or eggs. However, Dutch livestock can also be contaminated if it comes into contact with contaminated animals from countries outside the EU. For that reason, the Netherlands Food and Consumer Product Safety Authority (Nederlandse Voedsel- en Warenautoriteit - NVWA) strictly monitors the health standards that livestock and animal products have to meet.

Customs fulfils an important task within this veterinary inspection process: it notifies the NVWA of any irregularities it encounters when goods enter the country.

### **9.3.3. Plants, flowers, fruit and vegetables**

Importing phytosanitary products is subject to strict requirements. The requirements for these products concern the protection of plants and products of vegetable origin against harmful organisms.

Examples of phytosanitary products include:

- plants and parts of plants
- radical tubers and bulbs
- cut flowers
- certain types of fruit and vegetables

The requirements for these products concern the protection of plants and products of vegetable origin from harmful organisms. Phytosanitary inspection is performed by the Phytopathological Department of the Ministry of Agriculture, Nature and



Food Quality ('Plantenziektenkundige Dienst'). Customs fulfils an important task within this phytosanitary inspection process: it passes on any irregularities to the Phytopathological Department when goods enter the country.

#### 9.3.4. Endangered species

Many animal and plant species have died out as a result of intensive commercial trade in those species. Even more rare species will become extinct if this trade is not stopped. It is the intention to tackle the trade in endangered species of fauna through laws and regulations at global level.

In 1975, the Washington Convention was organised. The official name of that convention was the Convention on International Trade in Endangered Species of wild fauna and flora, or 'CITES'. CITES forms the basis for international cooperation in tackling international commercial trade in endangered species. The convention adopted rules for protecting species threatened with extinction. The severity of those rules depends on the degree to which a particular species is endangered. Trading in seriously endangered species is banned. Trade in less endangered species is only permitted if the governments involved in that trade have issued special CITES documents.

Dutch national regulations concerning the protection of endangered species are set out in the Flora and Fauna Act ('Flora- en fauna wet'). This Act stipulates, among other things, what domestic and foreign species of fauna and flora are considered to be endangered and includes a ban on possessing, transporting and trading in those species. Furthermore, the Flora and Fauna Act states that an exemption may be granted from this ban in some situations. The Minister of Economic Affairs grants these exemptions.

Customs' supervision primarily concerns endangered domestic and foreign species of animals and plants, as well as products thereof that are brought into or taken out of Dutch territory. Examples include ivory and coral objects. This supervision is conducted mainly at the external frontier, when the goods enter the Netherlands, but also at other places in the Netherlands.

#### 9.3.5. Inspection of animal food

Importing animal food from countries outside the EU is subject to strict requirements. These standards concern the protection of the health and wellbeing of people and animals.

Examples of animal food include:

- livestock fodder in bulk, such as grain and tapioca
- additives to animal fodder, such as antibiotics and flavourings

These requirements concern the protection of the health of humans and animals. Animal food is inspected by the Netherlands Food and Consumer Product Safety Authority (Nederlandse Voedsel- en Warenautoriteit - NVWA). Customs fulfils an important task within this process of inspecting animal fodder: it passes on any irregularities to the NVWA when goods enter the country.

## 9.4. Economy

What are the tasks of Customs in the area of the economy? That information is given in this part of the website.

### 9.4.1. Strategic goods

Strategic goods are goods whose export, import and transit to certain countries is prohibited or only allowed under certain conditions. This is for reasons of security and international agreements.

This concerns specific goods that:

- can be used for military purposes
- can be used for both civil and military purposes
- can be used for manufacturing weapons of mass destruction and/or for manufacturing carriers for such weapons

The export, import and transit of strategic goods is strictly governed by rules. The basic principle is that import, export or transit requires a licence or must be reported.

The Dutch Tax & Customs Administration/Customs North/Central Import and Export Service (CDIU):

- provides information on the licence application procedure or on submitting a report
- deals with your application
- issues the licences
- draws up reports on licences issued

### 9.4.2. Counterfeit goods

If you own an intellectual property right to a product, nobody may copy that product unless you have given your explicit permission for that to be done. If you suspect that your intellectual property right is being or will be infringed upon in the Netherlands or in another Member State of the EU, you may ask Customs to take measures to stop that infringement.

It is prohibited to import counterfeit goods.

#### **For owners of an intellectual property right**

If you own an intellectual property right to a product, nobody may copy that product unless you have given your explicit permission. If you suspect that your intellectual property right is being or will be infringed upon in the Netherlands or in another Member State of the EU, you may ask Customs to take measures to stop that infringement.

If Customs approves your request and Customs encounters the goods that you describe in your request during an inspection, Customs will stop those goods. You will then be notified of the event, to allow you to determine whether or not your intellectual property right is indeed being infringed. If it is, you may instigate legal proceedings.

Another possibility is that Customs notes a possible infringement on intellectual property rights in the course of an inspection, without the trademark proprietor having submitted a request beforehand. In such cases, Customs will contact the trademark proprietor, who may then take measures to protect his rights.

#### **Travellers**

Some minor exemptions apply to (private) travellers: see on this site the part Individuals, Abroad and Customs, Luggage, From a non-EU country, Special products and pets, part [Counterfeit products](#).

### 9.4.3. Traffic control fee for seagoing vessels entering the Netherlands

Pursuant to a covenant between the Ministry of Finance and the Ministry of Infrastructure and the Environment, Customs charges seagoing vessels a traffic control fee.

The traffic control fee is a levy to cover the charges that the government incurs with the traffic control system (shore radar).

The traffic control fee is only levied in the following tariff areas:

- Westerschelde
- Nieuwe Waterweg
- Noordzeekanaal
- Den Helder
- Eems

### 9.4.4. Import and export of cultural goods

Exporting cultural goods (such as arts and antiques) is subject to strict rules. In most cases, it requires a licence. For exports of cultural goods, Customs checks that those goods are accompanied by such a licence. If not, the export will be stopped. Customs also monitors the import of cultural goods, focusing on cultural goods that might have been stolen or that have been exported illegally from a non-EU country.

Export licences are issued by the State Inspectorate for Cultural Heritage of the Ministry of Education, Culture and Science. Whether or not a licence is required depends on the value and the age per category of cultural good. For drawings, for example, a minimum threshold value of € 15,000 has been adopted, and a minimum age threshold of 50 years.

If a drawing exceeds both these thresholds, an export licence will generally be required.

Application forms for export licences can be obtained from:

Customs Administration of the Netherlands  
Groningen/team Centrale Dienst voor In- en Uitvoer  
Kempkensberg 12  
9722 TB Groningen  
The Netherlands

## **9.5. Environment**

What are the tasks of Customs in the area of the Environment? That information is given in this part of the website.

### **9.5.1. Imports and exports of radioactive substances and nuclear materials**

The import, export and transport of radioactive substances and nuclear materials are subject to strict rules. Customs monitors whether imports, exports and transports comply with those rules. This primarily concerns checking licences for import, export or transit as issued by the Ministry of Infrastructure and the Environment.

If the required licences are absent, the transport will immediately be stopped and the Ministry of Infrastructure and the Environment will be notified.

### **9.5.2. Transport of dangerous substances**

Transporting dangerous substances is subject to national and international rules. Customs carries out a supervisory task in this respect, which includes ensuring compliance with the rules for transporting such substances.

### **9.5.3. Environmentally hazardous substances**

The Dutch Chemical Substances Act ('Wet milieugevaarlijke stoffen') sets out its own rules to protect humans and the environment from hazardous substances and preparations.

Examples include:

- substances that deplete the ozone layer
- cadmium-containing products
- certain mineral oils
- fireworks

The Ministry of Infrastructure and the Environment and the Ministry of Finance have signed agreements about the task that Customs fulfils regarding these goods. The responsibilities range from inspecting licences for substances that deplete the ozone layer to reporting consignments of fireworks entering the Netherlands to taking samples to inspect the cadmium content of goods.

### **9.5.4. Waste materials**

The role of Customs in the transport of waste materials primarily focuses on monitoring international transport of waste materials. The rules for transporting waste are laid down in a European Regulation (the European Regulation on the Supervision and Control of Shipments of Waste within, into and out of the European Community, or 'Waste Shipment Regulation'). The basis of this Regulation is that designated waste materials may only be shipped internationally with the permission of all environmental authorities involved.

Planned shipments of waste materials must be reported to the competent authority in advance. In the Netherlands, this is:

<https://english.ilent.nl/>

(in Dutch: Inspectie Leefomgeving en Transport). Based on the report, Human Environment and Transport Inspectorate will determine whether or not permission can be granted for the waste shipment. If permission is granted, a document will be created for the shipment of the waste materials. This document must accompany the goods during shipment.

Whether waste may shipped, and if so under what conditions, depends on a number of circumstances, including:

- the process by which the waste material originated
- the type of waste material
- the area in which the waste material originated
- the destination of the waste material
- the possibilities to process it in the area of origin, and
- the possibilities for reuse

The Waste Shipment Regulation categorises waste materials by green and amber lists of waste materials. Specific rules for international shipment are attached to each list, with the strictest rules applying to waste materials on the amber list.

## 9.6. Central Import and Export Office (CDIU)

The export, import and transit of strategic goods and strategic services are strictly bound by rules. In many cases, you require a licence or you must submit a notification.

### 9.6.1. Central Import and Export Office (CDIU) - General

The Central Office for Import and Export (CDIU) of Customs is responsible for the information on and issuing licences for import and export of these goods and services.

Customs monitors the import and export of goods, checks whether the due taxes have been paid and whether goods comply with the regulations at the time of export.

The export, import and transit of strategic goods and strategic services are strictly bound by rules. In many cases, you require a licence or you must submit a notification. Sanctions apply to certain countries. This means that you may not - or not without reason - import or export certain goods or services from or to these countries.

### Central Import and Export Office

The Customs Central Import and Export Office (CDIU) is responsible for providing information about and issuing licences for the import and export of these goods and services. The CDIU:

- provides information about the licence application procedure or about submitting the notification
- deals with your application
- issues the licences
- draws up reports on licences issued



## 10. Transit of goods

Are you planning to transport goods in the European Union (EU of Union) for which you have not yet paid import duties? This is only allowed if the goods are under Customs control.

Under this heading you will find information about the options, the procedures and the fact that you must file the declaration using the automated system Transit-NCTS.

If you take goods from A to B under the supervision of Customs, this is known as Customs transit. If goods are introduced into the Netherlands from a non-EU country, they will be under Customs supervision. In most cases you will need a transport document for Customs transit. Which document you need depends on the actual situation.

### Customs transit procedure

Many of the goods are subsequently transported from the Netherlands to another EU country or to a non-EU country. For this subsequent transport from the Netherlands, you must use the Customs transit procedure. If you wish to use the Customs transit procedure, you are required to file a declaration. This is done using the Transit-NCTS system. You need an electronic filing registration to file the declaration.

#### 10.1 External Customs transit

Customs distinguishes between internal and external Customs transit. External Customs transit involves the transport of non-Union goods. Non-Union goods are goods which are not yet in free circulation in the EU. This means that the import duties with respect to these goods are still to be paid.

The term 'external' therefore has nothing to do with the area within which you transport the goods, but about the status of the goods: the goods concerned are non-Union goods.

The external Customs transit procedure applies to the transport of non-Union goods, where such goods are carried from one location in the EU Customs territory to another location in the Customs territory. Union goods to which special measures apply will also come under the external Customs transit procedure.

External Customs transit can take place under:

- External Union transit procedure
- TIR transport
- ATA carnet
- Rhine navigation
- Military consignments
- Postal procedure

### 10.1.1. External Union transit

Customs refers to external Union transit if non-Union goods are transported from one location in the EU to another location in the EU.

#### Example

You are transporting non-Union goods from the Netherlands to Belgium. Even if non-Union goods are transported via a non-EU country, Customs still talks about external Union transit.

#### Example

You are transporting non-Union goods from the Netherlands, via Switzerland, to Italy.

The procedure is compulsory for the transport within the EU of:

- non-Union goods
- Union goods to which special measures apply (see 9.1.6.)

#### 'T1 transit procedure'

In order to place the goods under the external Union transit procedure, you must file a T1 declaration with Customs. For this reason, the external Union transit procedure is also known as the T1 transit procedure.

Your declaration must specify, amongst other things, an office of departure and an office of destination. The Customs offices that have access to NCTS can be found on the European Commission's List of Customs offices.

### 10.1.2. TIR transport

The letters TIR stand for Transports Internationaux Routiers. The 'TIR convention' applies to the transport of goods between a Customs office of departure in one country and the Customs office of destination in another country. The countries involved should be associated with the TIR convention.

This transport of goods crosses one or more borders. Following the abolition of border formalities, the EU is regarded as one country. This means that a TIR carnet cannot be used exclusively for transports from one EU location to another. The TIR procedure does apply to transports of goods that begin or end in an EFTA country. The TIR procedure may also be applied to transports of goods from one EU country to another EU country, via a non-EU country with which no agreement for the application of common Customs transit has been concluded.

In addition, the following conditions apply:

- the goods should be transported under cover of a TIR carnet
- the goods should be transported in approved containers or means of transport
- the means of transport or container must be sealed by customs
- the goods should be transported subject to security provided by the organisations designated in the TIR convention
- part of the transport should be carried out by road
- holders of a TIR carnet are required to file the declaration for the Customs transit procedure with a TIR carnet electronically using the Transit system

#### Associated countries

Apart from the EU countries, it is mainly the countries in Central Europe, Eastern Europe and Asia that are associated with the TIR convention.



## Application

If you transport goods under the TIR procedure, only one document to be discharged (the TIR carnet) will be required for the route between the office of departure and the office of destination.

## Inspection certificate

Goods may only be transported under cover of a TIR carnet if they are carried in means of transport or containers that have been approved by a competent authority. In the Netherlands, Customs is the competent authority. For this purpose, inspection offices have been designated. After approval, Customs will issue a 'certificate of approval':

### 10.1.3. ATA carnet

The letters ATA stand for: Admission Temporaire - Temporary Admission. There are a number of simplifications of the ATA procedure with respect to the temporary import and temporary export of goods. Temporary import presumes a subsequent re-exportation, while temporary export presumes a subsequent re-importation. When it regards temporary import, temporary export, re-importation and re-exportation, the carnet serves as a declaration of the goods to which it relates.

## Issue

In the Netherlands, Chambers of Commerce (in Dutch: Kamer van Koophandel) are authorised to issue ATA carnets. An ATA carnet is issued at the request of the party involved. To this end, the party involved should complete an ATA Carnet application form.

### 10.1.4. Postal procedure

You are not required to file a declaration for postal consignments that enter, leave or are transported, as long as they are 'under the responsibility of the postal service'. This also includes the transport phase from the point of entry to the post sorting or storage location. The Customs procedures and formalities are fulfilled by the postal and courier companies. These companies file the Customs declarations and cooperate with Customs regarding the verification activities, such as inspection of parcels sent by post and courier.

Only the postal items that are carried in compliance with the Postal Convention fall 'under the responsibility of the postal service'. This does not extend to the parcels you dispatch by courier.

### 10.1.5. Rhine navigation

The river Rhine is one of the main traffic arteries of Western Europe. The Netherlands, Germany and France have concluded the so-called Convention for the Navigation of the Rhine. This convention guarantees an unimpeded passage on the Rhine between these countries.

Under the Convention for the Navigation of the Rhine, Customs transit on the Rhine and the Rhine waterways can take place without the provision of security.

### 10.1.6. Military consignments

The Netherlands is a member of the North Atlantic Treaty Organisation (NATO). The basis on which Customs exemptions can be granted to NATO headquarters and units and foreign forces has been laid down in international treaties. An important treaty is the Treaty of London between the states that are party to the North Atlantic Treaty. This NATO status treaty has been elaborated in bilateral treaties. In these bilateral treaties, the rights and obligations are further specified.

Customs legislation prescribes special forms for the transport of military goods of the NATO countries across the territory of NATO partner countries. The military unit for which the goods are intended will issue the forms.

If the goods are intended for the Dutch army, the form will be issued by the Customs Affairs Product Group of the Materiel Department of the Royal Netherlands Army in The Hague.

## **10.2. Internal Customs transit**

Customs operates internal and external Customs transport. Internal Customs transport is about the transport of Union goods.

The term 'internal' therefore has nothing to do with the area within which you transport the goods, but about the status of the goods: the goods concerned are Union goods.

### **10.2.1. Internal Union transit**

Customs refers to internal Union transit if Union goods are transported. The internal Union transit procedure is used for the transport of Union goods:

- from, to and between the areas not belonging to the fiscal territory of the EU
- from one EU country to another EU country, via the territory of a country that is neither an EU country nor an EFTA country

### **Declaration**

In order to transport the goods under the internal Union transit procedure, you must file a T2 declaration. In those cases where you transport Union goods from, to and between areas that do not belong to the fiscal territory of the EU, you must file a declaration T2F.

Your declaration must specify, amongst other things, an office of departure and an office of destination. The Customs offices that have access to NCTS can be found on the European Commission's List of Customs offices.

### **Internal Customs transit procedure**

You can transport Union goods without Customs supervision from one location within the EU to another. However, the internal Customs transit procedure enables you to transport Union goods from one location within the EU Customs territory to another location within the EU Customs territory, via the territory of a non-EU country, without this changing their Customs status. Internal Customs transit can take place in compliance with the internal Union transit procedure.

## **10.3. Common Customs transit**

The joint Customs transport procedure makes it possible to transport goods between the EU and 8 other countries (Switzerland, Liechtenstein, Norway and Iceland (EFTA), Turkey, North Macedonia, Serbia and the United Kingdom) using a single document.

Two situations can be distinguished with respect to Union transit:

- internal Union transit
- external Union transit

In both cases, goods are transported from one location in the EU to another location in the EU. The difference between the two concerns the type of good you are transporting.

For a large part, the internal Union transit procedure is identical to the external Union transit procedure. The difference is that:

- the internal procedure applies to the transport of Union goods
- the external procedure applies to the transport of non-Union goods

Under the Union transit procedure, the Customs transit declaration is filed by means of the [Transit-NCTS](#) system. A written declaration can only be filed in the following case:

- under the emergency procedure in Transit, if no electronic data interchange is possible because of technical malfunction

#### 10.4. Simplified procedures in relation to Customs transit

Customs has 5 simplified procedures for the Union and joint Customs transport procedures. You must meet certain conditions and be in possession of a permit for this purpose.

##### 10.4.1. Simplified procedures in relation to Customs transit

Customs allows a number of simplifications of the Union transit and common Customs transit procedures:

- Comprehensive guarantee or guarantee waiver
- Authorised consignor
- Use of seals of a special model
- Authorised consignee

In order to take advantage of these simplifications of the Customs transit procedure, you will need an authorisation. To be eligible for an authorisation, you must satisfy general and special conditions. This means that you should file a separate application for each simplification.

##### 10.4.2. Comprehensive guarantee or guarantee waiver

As the declarant, you must 'furnish security' before the goods that have been declared for Union and joint Customs transport can be transported. Before goods that have been declared for union and Common transit can be transported, you as the declarant must 'provide a guarantee'. This guarantee will safeguard the payment of the Customs debt and other tax debts that are liable to be incurred if the goods fail to reach the specified destination. The latter is known as non-discharge.

#### Standard procedure

The guarantee you are providing may be an individual guarantee. In that case, the guarantee will relate to 1 transit declaration. As soon as the specified destination has been reached, the office of departure will repay the guarantee.

#### Simplified procedure

If you regularly lodge transit declarations with a Customs office, you can apply for an authorisation allowing you to provide a comprehensive guarantee. This is a simplification of the standard procedure. You can apply for this authorisation by completing an application form.

In relation to the transit procedure, the comprehensive guarantee can be used for various declarations. This guarantee can be provided only via a guarantor that has received permission from Customs to do so.

To manage the guarantee, we use the Guarantee Management System (GMS). The amount to be covered by the comprehensive guarantee depends on the number of consignments and the tax amounts that may be incurred in respect of these consignments. If certain conditions are fulfilled, Customs may allow a reduction of the amount by 50% or 30% of the amount calculated. In some cases, Customs may grant you a guarantee waiver after a certain period.

#### **10.4.3. Authorised consignor**

The Authorised Consignor authorisation has a number of simplifications for the formalities to be fulfilled at the office of departure in respect of the Customs transit procedure. The authorised consignor procedure offers businesses the following possibilities:

- businesses can submit Union transit declarations themselves, without the intervention of Customs. To this end, they should use the Transit system (NCTS). Within Transit, the submission of a declaration will trigger an electronic message to Customs
- businesses can seal means of transport or packages themselves
- businesses can dispatch goods without having to present them, and the corresponding declaration, at the office of departure

In order to apply for the authorised consignor procedure, you will need an authorisation.

This simplification applies both to Union transit and to common Customs transit.

#### **10.4.4. Use of seals of a special model**

Goods that are placed under the Customs transit procedure or the means of transport used for these goods are sealed during transport. This is done in order to maintain the identity of the goods and prevent the goods from being substituted or withdrawn from Customs supervision. It is normally the Customs authorities who affix the seals.

Under the 'Authorisation to use seals of a special model', you can use seals of a special model that deviate from the ordinary seals used by the Customs authorities. These deviating seals are also known as company seals.

#### **10.4.5. Authorised consignee**

The Authorized Consignee procedure gives the permit holder various alternatives.

- The authorisation holder can receive goods that have been placed under the Customs transit procedure directly into his business. There is no need to present the goods and the corresponding declarations beforehand to the Customs office of destination.
- The authorisation holder can report the arrival of the goods in the Transit system.
- The authorisation holder may himself remove any seals affixed.

In order to apply the authorised consignee procedure, you will need an authorisation.

This simplification applies both to Union transit and to common Customs transit.

## 10.5. Simplifications for various transport methods

Under certain conditions, the Union Customs transport procedure features simplifications for transport modalities such as air, sea, pipeline and rail. This section takes a closer look at each mode of transport. In order to take advantage of the simplifications in respect of the transport modalities air, sea and rail, you will have to apply for an authorisation.

## 10.6. Other regulations

### 10.6.1. The declaration

If you want to use the Customs transit procedure, you will have to 'place' the goods under this Customs procedure. To this end, you are obliged to file a declaration.

#### Compulsory electronic declaration

Customs processes the electronic transit declaration by means of the Transit system, short for the New Computerised Transit System (NCTS). In Transit, filing a declaration comes down to sending an electronic message to Customs

#### Verification of declaration

Customs verifies an electronic declaration in the same manner as a written declaration. The rules with regard to completion, acceptance, verification and release, for example, are the same in both cases.

To manage the Guarantee in transit, we use the Guarantee Management System (GMS) in Transit.

#### Transit accompanying document

If you are transporting goods while applying the Customs transport procedure, Customs will provide you with a Customs transit document after the goods have been declared and the declaration has been checked: the TAD (Transit Accompanying Document) or TSAD (Transit Security Accompanying Document). This document must always accompany the goods that are being transported. There is a barcode on the document. With this code, Customs can consult the declaration of the goods in the Transit system.

It depends on the details that you have filled out in the declaration for a Customs transport whether you receive a TAD or a TSAD. If you are only filling out the standard details in the declaration, you will receive a TAD. If, in addition to the standard details, you are also filling out the security details in the declaration, you will receive a TSAD.

In other words, you determine whether you receive a TAD or TSAD from Customs. You could also use a TSAD when you are transporting goods to a place within the EU Customs territory while applying the Customs transport procedure if the goods will leave the EU Customs territory from there.

Upon exit, you would have to submit a summary declaration at the office from where the goods are leaving the EU Customs territory. However, if you have also filled out the security details with the declaration for Customs transport and have therefore received a TSAD with the goods, this document can be used as a summary declaration upon exit. You will not need to submit a separate declaration.

### 10.6.2. Discharge

Customs has set up a verification system for the transit declarations and the corresponding documents. With the aid of this system, Customs establishes that all the goods mentioned in a certain declaration have reached or left the specified destination in a regular manner. This verification system is known as the discharge of declarations and documents.

A person who files a declaration states in that declaration that he wants to give the destination specified in the declaration to the goods concerned. He states, for example, that he wants to transport a consignment of 10,000 kilos of butter from Rotterdam to Marseilles, without paying the import duties owed on import into the EU. The discharge obligation entails that the person who stated in the declaration that he wanted to give the goods the specified destination to the goods, should ensure that the goods actually go to that destination. He should do so in the prescribed manner, i.e. with due observance of the formalities. Customs subsequently checks whether the goods effectively reached this destination. In this example, Dutch Customs is notified by the French Customs authorities that the consignment of 10,000 kilos of butter arrived at the Customs office in Marseilles. Thereby the Customs transit declaration is classified as 'discharged' (cleared). If the declarant fails to demonstrate, or to demonstrate sufficiently, that the Customs transit procedure has been completed, the declarant will receive a summons to pay the duties owed. In addition, an administrative penalty will be imposed on the party that did not fulfil its obligation to terminate the Customs transit procedure. This is known as 'non-discharge' of a document. If the declarant is not prepared to pay, the duties payable can be recovered from the security provided.

# 11. Storage of goods under Customs control

There are various options in the Netherlands for the storage of goods in a Customs context. Those options are set out in this part of the website.

Goods entering the Customs territory of the European Union (EU) from outside the EU may be stored under Customs control. When goods are stored in this manner, no import duties and other import taxes are due. Furthermore, certain trade policy and agricultural policy measures, import bans and import restrictions are not applied.

There are various options for the storage of goods under Customs control in the Netherlands. However, a licence is always required.

## 11.1 Options for storage under Customs control

In the Netherlands, there are the following options for storing goods under Customs control:

Type of storage	Description
<b>Storage in a Space for temporary storage (STS)</b>	This form of storage is intended for storing goods under Customs control for a short period of time.
<b>Storage in Customs warehouse</b>	This form of storage is intended for the long-term storage of goods under Customs control. Depending on the type of Customs warehouse, the physical control by Customs may be partly replaced by an audit of the warehouse keeper's accounts.

The option you choose depends on a number of factors, such as the purpose for which you want to store the goods under Customs control, the place where your business is based, the nature of your business, etc.

Because the storage in an STS has already been treated before, only the storage in a customs warehouse is treated.

## 11.2. Filing a declaration

If you want to store goods in a customs warehouse you will have to file a declaration. By submitting this declaration, the goods are placed under the Customs warehousing system. These declarations should be made to the Customs office specified in the authorisation.

The declaration should be made by the person wanting to store or remove the goods and in which he declares himself prepared to fulfil the obligations applicable to these goods.

### 11.2.1. Simplified procedures

In a number of cases, a simplified declaration procedure may be followed, depending on the degree of reliability offered by the administrator's (warehouse keeper's) accounts. This will require a separate authorisation from Customs. The simplification that is possible at a customs warehouse is the local clearance procedure. This means that an authorisation will be granted after Customs has checked the warehouse keeper's accounts. In that case, the goods can be deposited in the Customs warehouse directly, without the intervention of Customs. The warehouse keeper should enter the deposit of the goods in his accounts. A local clearance procedure is not possible with regard to a public Customs warehouse.

### 11.2.2. Filing a declaration with AGS

You can use AGS to make storage declarations for goods to be placed in either a public or private warehouse. These are the IM A of EU A declarations with procedure code 71 XX.

In the Netherlands, there are the following options for the storage of goods in a customs warehouse:

- Public Customs warehouse Type II
- Private Customs warehouse

## 11.3 Treatment of the goods

You may arrange for the goods to undergo certain treatments while they are stored in warehouses. This will be allowed if it involves:

- preserving goods in good condition
- improving the presentation and commercial quality of the goods
- preparing the distribution or resale of the goods

These may be treatments such as repairing packaging, airing, drying, cooling, freezing, adding preservatives, smoking, sulphuration, greasing, anti-corrosion treatments, cleaning, removing damaged parts, removing decaying goods, sorting, sifting, mechanical purification, filtering, transferring to a different package, affixing trademarks, mixing goods, repacking or packaging goods, etc.

## 11.4. Public Customs warehouse

A public Customs warehouse means that the administrator (warehouse keeper) can make the premises available to anyone wanting to store goods under Customs control.

### 11.4.1. Duration of storage

In a public Customs warehouse, goods may be stored for an unlimited period of time.



#### 11.4.2. Who can use a Public customs warehouse?

The public Customs warehouse is particularly intended for businesses engaged in so-called 'transit warehousing', whereby the transit of goods is interrupted and the goods are stored temporarily whilst awaiting a further Customs-approved treatment or use (such as distribution to the buyers of the goods). The person that deposits the goods in the Customs warehouse (depositor) should file a declaration in this respect. The depositor is also the person who is responsible to Customs for the goods.

He must provide security for the deposit of those goods.

#### 11.4.3. Where can the public Customs warehouse be established?

Because the public Customs warehouse requires a lot of physical supervision by Customs, a public Customs warehouse can only be established at locations situated near a Customs office.

#### 11.4.4. Supervision

Customs exercises supervision by being present at the deposit, during storage and at the removal.

#### 11.5. Private Customs warehouse

A private Customs warehouse means that only the administrator of the Customs warehouse (warehouse keeper) can store goods in it. These goods do not have to be his property, for that matter: he can also store goods on behalf of others. In that case as well, the warehouse keeper will remain responsible to Customs for the goods kept in storage. The warehouse keeper is also the person who has to provide security to Customs.

##### 11.5.1. Duration of storage

In a private Customs warehouse, goods may be stored for an unlimited period of time.

##### 11.5.2. Who can use a Private Customs warehouse?

Only the administrator may store goods in a private Customs warehouse. This does not mean that the administrator cannot store goods on behalf of others. However, the administrator remains responsible towards Customs for the goods kept in storage. In this respect it is irrelevant whether or not he is the owner of the goods. The administrator is also the person who should provide security to Customs.

##### 11.5.3. Where can a private Customs warehouse be established?

Because physical control is supplementary in the case of these Customs warehouses, these Customs warehouses may be established anywhere in the Netherlands.

##### 11.5.4. Supervision

Customs exercises both physical and administrative supervision with respect to a private Customs warehouse. The degree of reliability offered by the stock accounts determines which form of supervision will be exercised. To the extent that the stock accounts offer more guarantees, a greater degree of administrative supervision will be exercised and the goods movements will be followed mainly on paper. If the stock accounts offer fewer guarantees, the supervision will be mainly physical.

#### **11.5.5. Stock accounts**

In the case of a private Customs warehouse, the administrator must keep stock accounts. All deposits and removals should be entered in the stock accounts.

The point of departure for the private Customs warehouse is that the entries in the stock accounts should be such that physical supervision by Customs can be limited and will mainly be supplementary in nature. Customs will mainly exercise administrative control.

## 12. Customs procedure for temporary admission

### 12.1. Use of temporary admission

Temporary admission (temporary import) import is one of the Customs procedures. By using this procedure, under an exemption from import duties, other import taxes and trade policy and agricultural policy measures, it is possible:

1. to introduce non-Union goods into the Union from a non-EU country, and subsequently
2. to use the goods within the Union for a specific purpose, in order finally
3. to re-export the goods to a (different) non-EU country

This is subject to the condition that the goods temporarily imported do not undergo any changes during their stay in the Union and retain the condition in which they were placed under the Customs procedure.

The Customs procedure for temporary import can be used in a numerous situations.

#### Examples

- A lorry carrying goods enters the Union from a non-EU country. The lorry unloads its goods in Rotterdam, whereupon it leaves again for the country of origin outside the EU. The temporary import procedure is possible here in order to allow the lorry to stay temporarily in the Union under an exemption from import duties and/or taxes.
- A traveller comes to the Netherlands on holiday from a non-EU country. His travel baggage can be placed under the temporary import procedure and be imported under an exemption. The traveller will have to take this baggage back with him/her at the end of the holiday.
- Goods are exhibited at an exhibition.
- A mechanic from a third country comes to the EU to carry out a repair and brings his own tools. After the repair, this tool will leave the Union again.

### 12.2. Stock accounts

Temporary admission is a customs procedure. This means that a declaration must be made. For goods brought by a traveler, this can be an oral declaration or a declaration by any act. for commercial goods an electronic declaration will have to be made. In the case of the temporary importation procedure, in many cases an ATA carnet can also be used to make the declaration.

### 12.3. Re-export deadline

The normal period within which the non-Union goods placed under the temporary admission procedure must be re-exported is a maximum of 24 months. In the case of means of transport, this period is shorter and is often the time needed to unload or load goods in the Union or to pick up or drop off passengers.



## 13. Customs procedure for inward processing

Inward processing is one of the Customs procedures. By using this procedure, under an exemption from import duties, other import taxes and trade policy and agricultural policy measures, it is possible:

1. to introduce non-Union goods into the Netherlands or another EU country, in order subsequently
2. to have these goods treated (undergo a processing operation) in the Netherlands or elsewhere in the EU, and finally
3. to re-export the treated goods (the compensating products) and remove them from the EU or
4. to bring them under a Customs procedure e.g. bring into free circulation.

### 13.1. Processing operations

The following are regarded as processing operations:

- the working of goods, including mounting, assembly and adjustment to other goods
- the processing of goods
- the repair of goods, including overhaul and tuning
- the use of certain goods that do not appear in the compensating products, but that facilitate or simplify the production of these products - even if they completely or partly disappear during use. Catalytic agents in chemical processes are an example of such goods
- the destruction of goods.

### 13.2. Inward processing authorisations

In order to use the Customs procedure for inward processing, you will need an authorisation from Customs. The application for an authorisation can be made by the natural person or legal entity:

- that is based in the EU and performs the processing operations himself/itself, or
- that has the processing operations performed

For a once-only consignment that you want to have processed, you can also apply for the inward processing authorisation on the declaration that you file with Customs. In that case you will not be required to apply for an authorisation in advance. However, the declaration does not include all the data required by Customs.



## 14. Customs procedure for outward processing

Outward processing is one of the Customs procedures. By using this procedure, it is possible:

- to transfer Union goods from the Netherlands or another EU country to a country outside the Union, in order subsequently to have the goods treated (undergo a processing operation) in the country outside the EU, and finally
- to release the treated goods (the compensating products) into free circulation in the EU under a full or partial exemption of duties

### 14.1. Processing operations

The following are classified as processing operations:

- the working of goods, including mounting, assembly and adjustment to other goods
- the processing of goods
- the repair of goods, including overhaul and tuning

### 14.2. Exemption from VAT, excise duty and consumption taxes

Under the outward processing procedure, no exemption can be granted from the excise duty and consumption taxes owed upon the import of the compensating products. An exemption from VAT can only be granted if the goods temporarily exported were exported from the Netherlands. The trade policy or agricultural policy measures should be applied in any case.

### 14.3. Outward processing authorisation and declaration

If you want to use the Customs procedure of outward processing, then you are required to apply to Customs for an authorisation. The Application for Authorisation can be filed by the natural person or legal entity who is based in the EU and who will be having the processing treatments carried out outside the EU.

If you want to have a once-only consignment processed, then you can also apply for the authorisation for outward processing on the statement of import or export. In that case you will not be required to apply for an authorisation in advance.

Following the processing operations outside the EU, the compensating products return to the EU in order to be re-released into free circulation. At this point, there are 2 possibilities:

- You are granted a full exemption; you do not pay any import duties. A full exemption from import duties will be granted if the processing operation comprised a free repair of the exported goods. Repairs made under a guarantee scheme are an example of this.
- You are granted a partial exemption; you pay part of the import duties. A partial exemption from import duties will be granted in cases other than that described above.

In special cases, the import duties can be calculated on the basis of the price that was paid for the processing operation outside the EU.



## 15. Export and exit

The activities of the Customs Administration are not limited to inspecting imported goods. It also inspects goods that are exported.

This means that if you export goods, you will also be dealing with Customs. For Union goods leaving the EU Customs territory, you must complete an export declaration and file it with Customs. Union goods are goods that are in free circulation in the EU, for example because the import duties on those goods have been paid or because the goods were produced, harvested or mined in the EU. In order to be allowed to export Community goods, the exporter must file an 'export declaration'. There are certain requirements that you must meet for tax purposes. You must also observe a number of rules concerning SHEE.

### **Please note!**

Exporting refers to the moving of Union goods outside the EU Customs territory. Moving Union goods from the Netherlands to another EU country does not constitute export, but rather an intra-Community transaction, for which you do not need to file an export declaration with Customs.

Some areas and other EU countries belong to the EU's territory without being part of the EU Customs territory. Moving Community goods from the Netherlands to such an area qualifies as export. For a list of areas within the EU that are not part of the EU Customs territory, please refer to the list of EU countries.

This also applies to areas that are included as part of the Customs territory, but not of the VAT territory.

### **15.1. Procedure for exporting goods**

You must file an export declaration for community goods leaving the Customs territory of the European Union.

#### **15.1.1. Who files the export declaration?**

The export declaration must be filed by the exporter. The exporter is the party who owns the goods to be exported at the moment that the export declaration is filed with Customs, or who possesses the goods at that moment.

An export declaration is a declaration to which special obligations apply. For this reason, only the exporter may file the declaration or pay another to file the declaration on his behalf (representation).

It is possible that the exporter is not domiciled in the EU. In such cases, the law regards the party dealing with the goods within the EU as the exporter.

As an exporter, you may have an intermediary represent you, for example a Customs agent.

### 15.1.2. Location of the declaration

You may not file the export declaration at just any Customs office. You must file the declaration at a Customs office that is competent for the jurisdiction in which:

- the exporter is domiciled
- the goods were packaged
- the goods were loaded for the purpose of the export

### 15.1.3. Presentation of the goods

Customs may not take your export declaration into consideration until you have 'presented' the goods at the Customs office of export and completed the declaration. Presenting goods to Customs means that you must inform Customs that the goods have arrived at the Customs office or at a location designated by Customs. Such a designated location might be a warehouse at Schiphol Airport, for example, where the goods are stored awaiting export. Presenting goods also means that you ensure that the goods are available there for inspection by Customs.

Customs inspects the goods where they are located. If the goods are already at a location designated by Customs, they will generally not have to be taken to the Customs office: Customs will carry out its inspection at the designated location.

## 15.2. Customs office of export

The Customs office where you present the goods for export and where you file the declaration is called the 'Customs office of export'. The officials at that office will assess the accuracy and completeness of your declaration. Customs may inspect the declaration, the accompanying official documents and the goods if there are any suspicions of inaccuracies. You may not remove the goods until you receive permission from the Customs officials. This is called 'release of the goods for export'.

Goods are released for export on the stipulation that the goods leave the EU Customs territory in the same condition as when Customs accepted the export declaration.

The goods that you have declared for export will remain under Customs supervision from the moment that the export declaration is accepted until the goods actually leave the EU Customs territory, or until Customs declares the export declaration null and void. The goods are moved from the Customs office of export, together with the export declaration, to the 'Customs office of exit'. This transport takes place under cover of an export accompanying document (EAD).

### 15.2.1. Customs office of export sends message to the Customs office of exit

The Customs Office of Export will send notification to the Customs office of exit, giving a limited number of the details that are included in the export declaration.

## 15.3. Customs office of exit

Goods that have been released for the export procedure must be presented to the Customs office of exit. The interested party does this by reporting the arrival electronically to the Customs office of exit. Afterwards, the goods can be stored in the seaport or airport pending the actual departure from EU territory. Before the goods can leave the EU on board a vessel or aircraft, the formalities must be performed upon clearance.

### 15.3.1. Formalities at Customs office of exit

Before goods can leave the EU Customs territory, a number of formalities must be carried out. The term 'goods' refers to both a means of transport and the goods it contains.

The goods must be brought to a Customs office of exit before they can leave the EU Customs territory. As soon as the goods have arrived at the Customs office of exit, 'clearance' will need to take place.

Clearance must take place at the exit office. This is done by means of the electronic clearance declaration. The clearance declaration is the Customs manifest at export. This also contains the details of the aircraft or vessel.

#### **Please note!**

All goods are subject to clearance. You may therefore be required to submit several Customs manifests for export.

The Customs manifest at exit must be submitted within three calendar days after the departure of the outbound transport.

The Customs legislation stipulates that goods departing the EU Customs territory from the Netherlands by sea must do so via designated fairways and waterways.

With regard to goods departing the EU Customs territory by air, following clearance, the aircraft carrying them may only make stopovers at an international airport within the EU before leaving EU airspace.

Before the goods can leave the Customs office of exit, a clearance declaration must have been made for both the (air)craft and for all goods on board. Customs must have granted approval for departure. Customs uses the clearance declaration to verify whether the required Customs declaration(s) has/have been submitted for the goods. Customs also check whether the goods actually leave the EU.

### 15.3.2. Clearance declaration

The clearance declaration is an electronic notification in which the details of the shipment are recorded. The clearance declaration includes the details of the vessel or aircraft as well as the goods present thereon or therein.

You can send an update message once the initial Customs manifest at export has been sent.

The exit office checks the details and whether an electronic arrival report has been made. Have the formalities been completed? If so, the exit office sends confirmation of export to the export office. This confirmation states:

- the date on which the exit was registered
- the exit office at which the goods left the EU
- whether any findings have been registered

#### **Please note!**

You must include all loaded goods in the Customs manifest at export, including community goods destined for another Member State. There is one exception to this: if the goods are transported on board a vessel that holds a certificate for regular scheduled service and does not have a permit for simplified Customs transport by sea.

Are you not required to submit a Customs manifest at export (e.g. because no goods have been loaded)? In that case you must electronically submit a 'Pre-notification outgoing means of transport' (electronic IMO/FAL 1 for departure). This also applies to empty means of transport and means of transport only carrying passengers.

You may also send an update message.

As a result of the notification, which the Customs office of export sends to the Customs office of exit, this latter office may carry out an inspection. This inspection will particularly be to check that the goods brought in are the same as the declared goods.

#### **15.4. Proof of export**

The Customs office of exit records the actual departure of the goods from the EU. Have all goods left the Customs territory of the EU? If so, the Customs office of exit will notify the Customs office of export. The office of export will then send the exporter notification that the goods have left. This is the so-called Confirmation of Exit. Only once you have received this notification will you have complied with all the obligations arising from filing an export declaration.

Once that departure has been recorded, the goods have been exported from the EU and Customs' task is done. Sometimes Customs may consult certain registers afterwards, such as the shipping company's registers, to determine whether the exported goods were on board a particular ship and whether that ship actually left the EU. In this manner, the export of the goods can be verified at other places and by other officials than those of the Customs office of exit.

#### **15.5. Exit of goods actively monitored**

By filing an export declaration, exporters/declarants undertake a special obligation. They must ensure that the shipment of goods actually leaves the territory of the European Union within 150 days after acceptance of the export declaration. Customs actively monitors this. 45 days and 90 days after acceptance, Customs will send a report if the goods have not yet left the EU. If the goods have not left the EU within 150 days, Customs will render the export declaration invalid.

##### **15.5.1. Exit from the EU within 150 days**

The AGS and ECS Customs systems monitor this 150-day period. If no confirmation of exit has been received after 150 days, Customs will automatically render the export declaration invalid.

##### **15.5.2. Customs report now also 45 days after acceptance of export declaration**

To enable the business community to take prompt action if no confirmation of exit is received for a shipment, an omission notification will be sent to exporters/declarants 45 days after the acceptance date.

##### **15.5.3. 2nd Customs report 90 days after acceptance of export declaration**

If necessary, Customs will send a second omission notification 125 days after the acceptance date. This gives exporters/declarants the opportunity to take measures. In this way, we want to prevent exporters/declarants from being wrongly burdened with additional administrative work. If the exit is not sufficiently demonstrated, we will render an export declaration invalid 150 days after acceptance.

##### **15.5.4. Implications of rendering an export declaration invalid**

What are the possible implications of rendering an export declaration invalid? If it is established that exporters/declarants have not met the special obligation, this could be considered a violation of Customs legislation.

Where excise goods are concerned, this may have implications for the EMCS procedures. In that case, shipments could be left open in EMCS and the declarant will have to pay the excise duties.

If the client has an AEO or comparable certificate, Customs may question the extent to which the certificate holder controls internal procedures.

The invalidation of an export declaration does not have any direct turnover tax implications because the exit can also be demonstrated through other administrative records. The fact that an export declaration is automatically

rendered invalid could, however, be a reason for the Tax and Customs Administration to pay extra attention to turnover tax audits.

### 15.6. Re-exportation

Re-exportation is when non-Union goods that have been brought into the Customs territory of the EU leave the territory again with the same status.

#### 15.6.1. Introduction re-exportation

What Customs defines as re-exportation is when goods which were previously entered into the EU Customs territory, but have not yet been assigned the status of Union goods, are exported from the EU Customs territory.

Only the following instances constitute re-exportation:

- the goods have entered the EU, but have not yet been assigned a Customs procedure
- the goods have entered the EU and have been placed under one of the following Customs procedures:
  - external Customs transport
  - Customs warehouse
  - temporary import
  - inward processing

Customs considers re-exportation to be a form of export. This means that the rules of the Customs Export Regulation also apply to re-exportation.

#### 15.6.2. Manner of declaring re-exportations

There are 2 ways to declare the goods for re-exportation:

- by filing a re-exportation declaration
- by notifying Customs of the re-exportation

A re-exportation declaration is required if the goods were subject to a special Customs procedure during their stay in the EU.

These procedures are:

- customs warehouse
- temporary import
- inward processing

The provisions for export declarations also apply to re-exportation declarations. In those instances where you can file a simplified export declaration, you can therefore also file a simplified re-exportation declaration.

If you enter goods using an ATA carnet and they are subject to the 'temporary admission' Customs procedure, you may also re-export the goods by submitting the ATA carnet to an office of exit as a re-exportation declaration.

## 15.7. Temporary export

Union goods are temporarily taken outside of the EU. They then re-enter the Customs territory of the EU to be given a new Customs designation.

### 15.7.1. Temporary export

Temporary export means that Union goods are temporarily removed from the EU and are subsequently re-entered into that Customs territory to be assigned a new Customs-approved treatment.

Only Union goods may be temporarily exported. Union goods are goods that are in free circulation in the EU, for example because the import duties on those goods have been paid or because the goods were produced, harvested or mined within the EU.

Customs qualifies temporary export of goods as a form of export. This means that the rules of the Customs Export Procedures also apply to temporary exports.

Union goods that you import back into free circulation in the EU within 3 years after the temporary export are exempt from import duties. However, the goods must be entered into free circulation in **unchanged** condition, although you may treat the goods during this three year period in order to maintain them in the original condition.

### 15.7.2. Manner of declaring temporary export

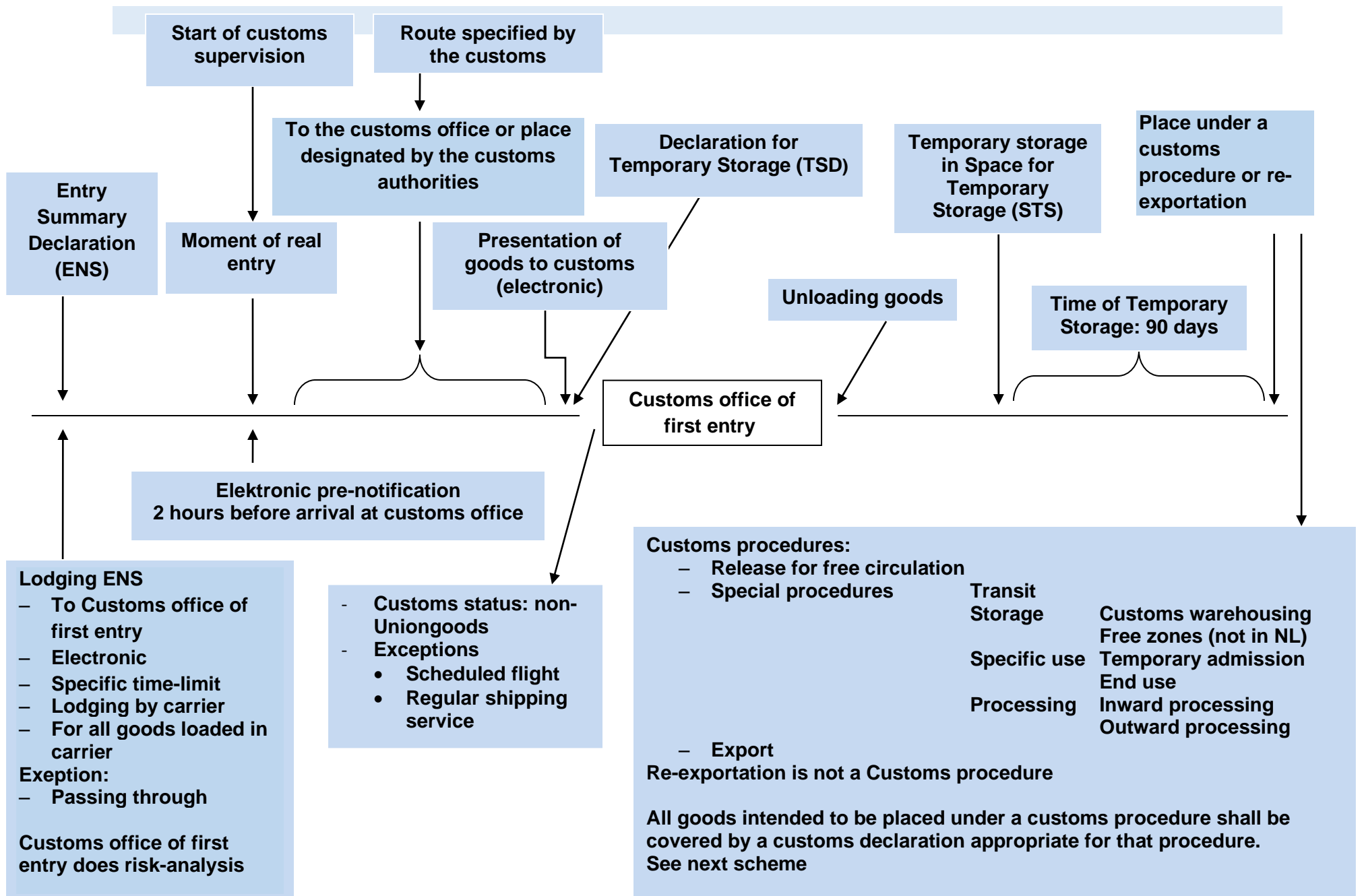
There are 2 ways of declaring goods for temporary export:

- by filing an export declaration
- by applying for an ATA carnet

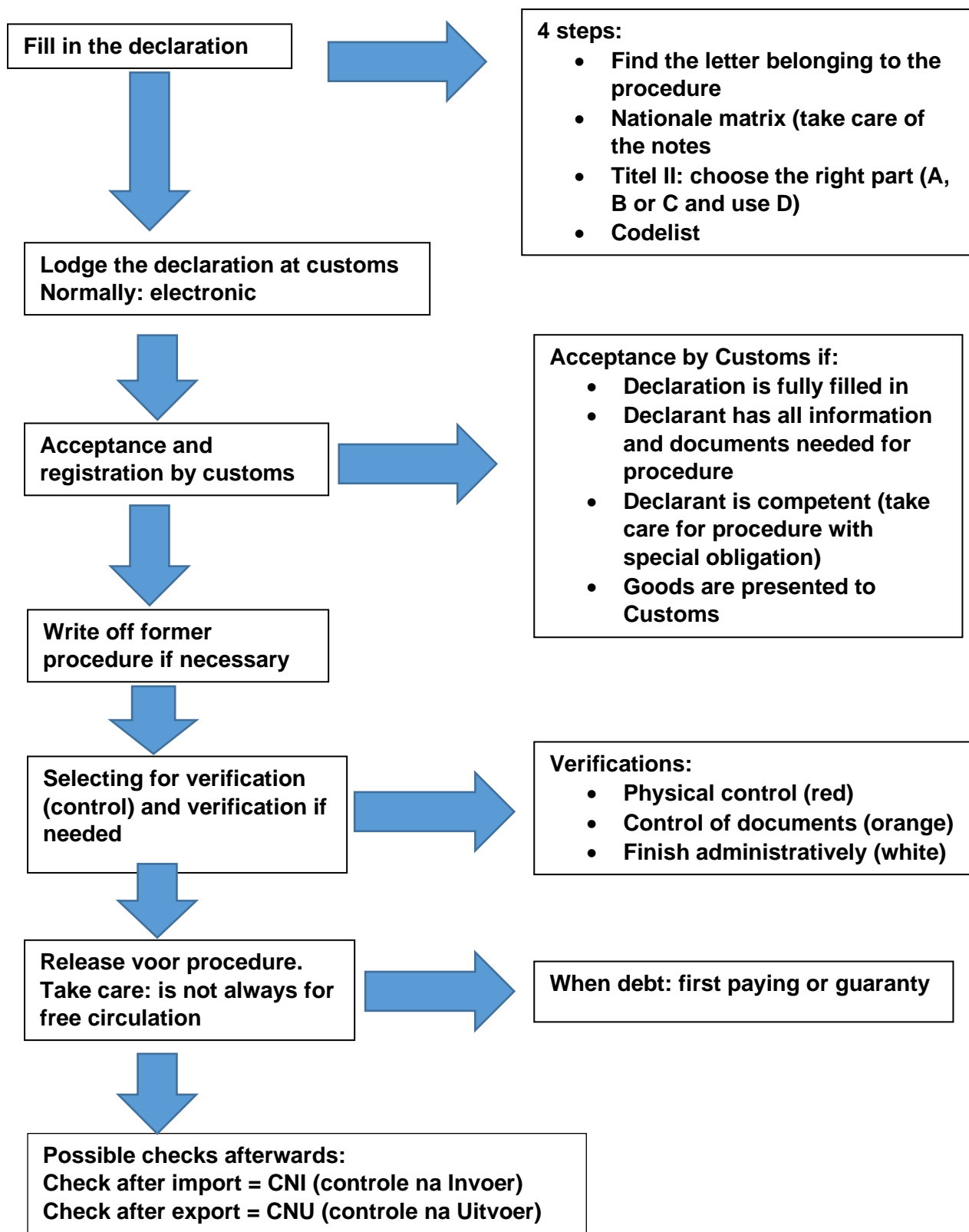
The provisions governing export declarations also apply to temporary export declarations, including the possibilities for non-standard declaration procedures.

### 15.7.3. ATA Carnet for temporary export

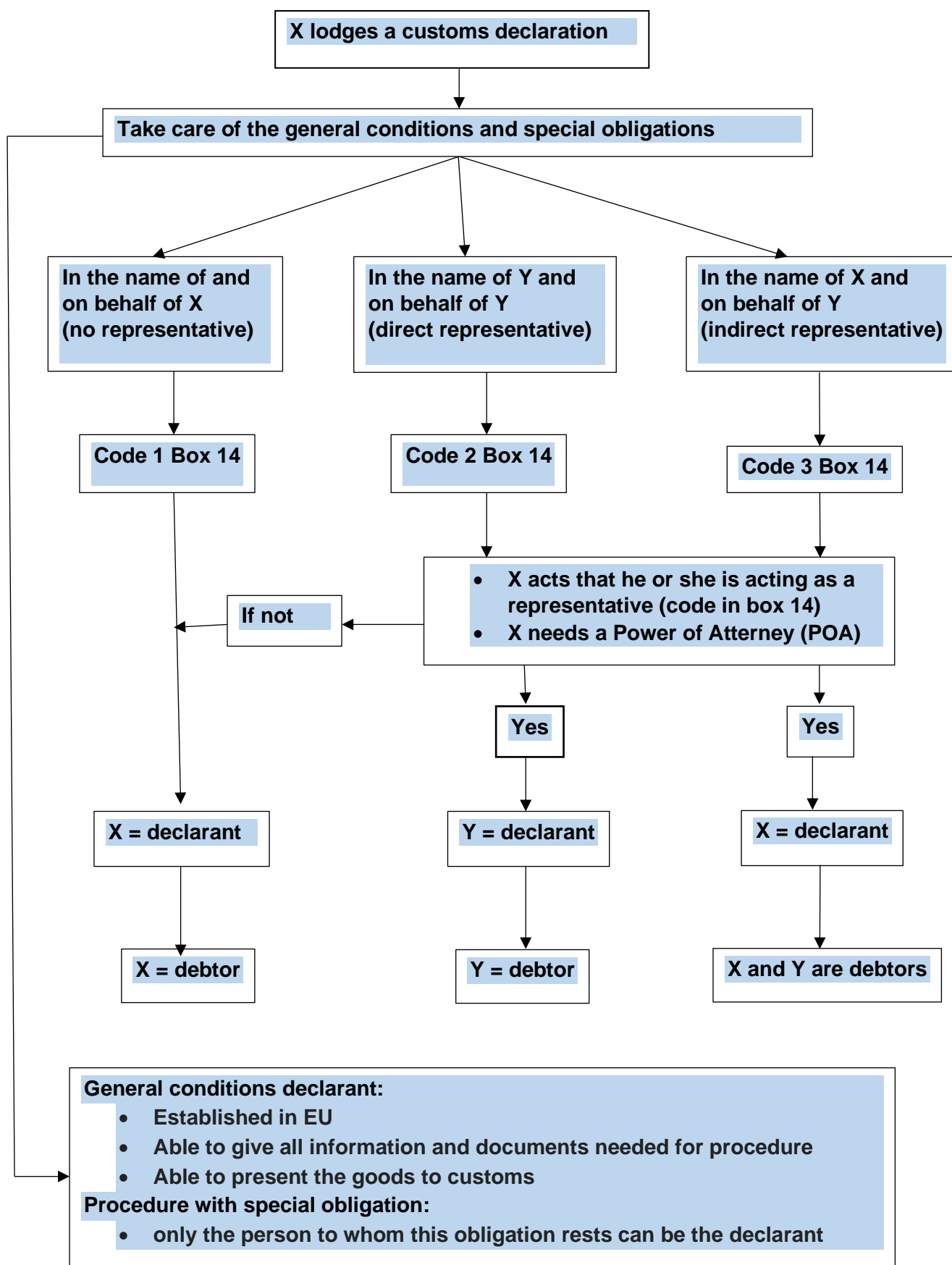
An ATA carnet is a form that is used in international trade in goods for temporary admission and temporary exports of goods. You can also use an ATA carnet as an export declaration, in which case you must submit an ATA carnet at an office of export and present the goods to Customs.



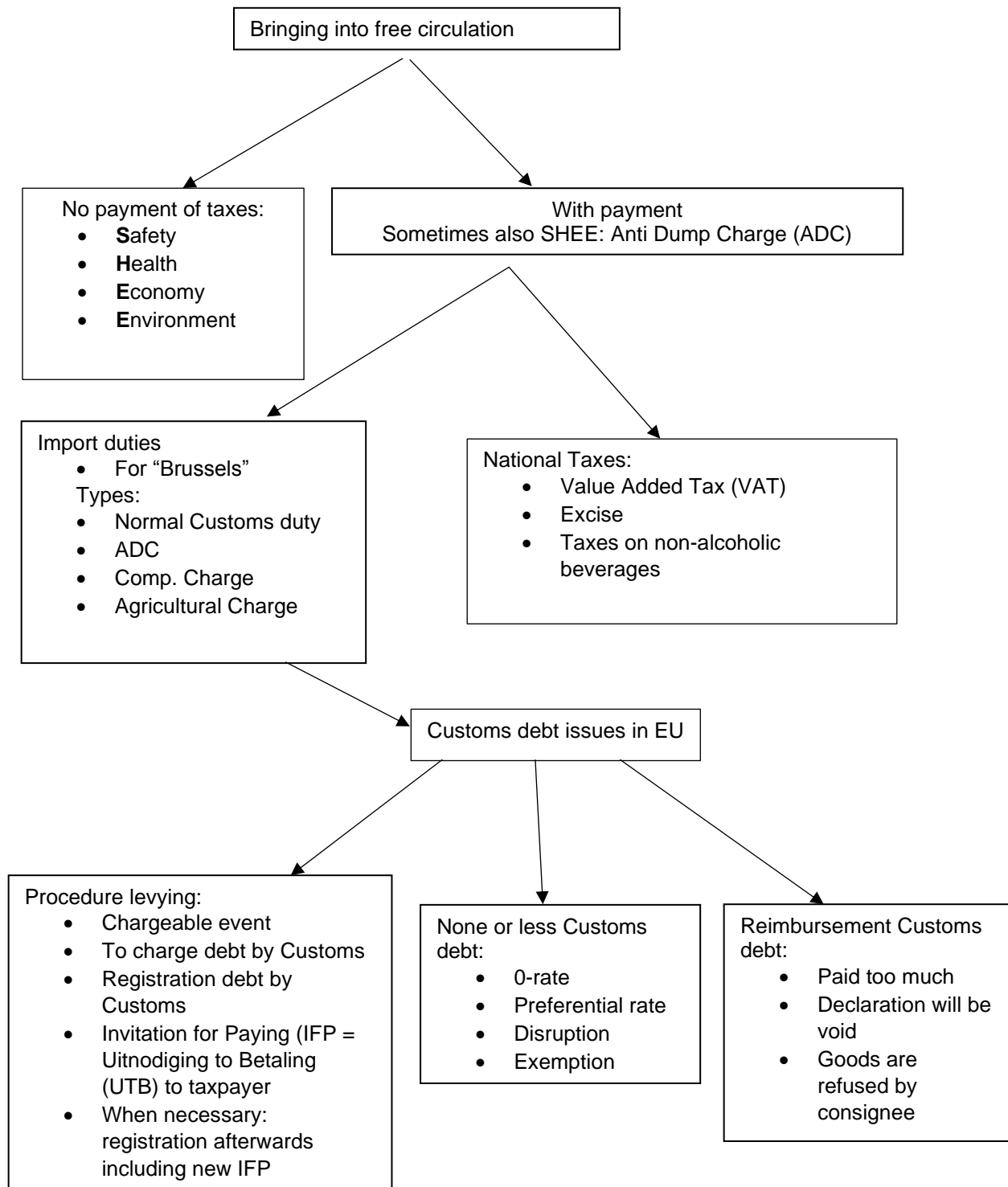
## Procedure customs declaration

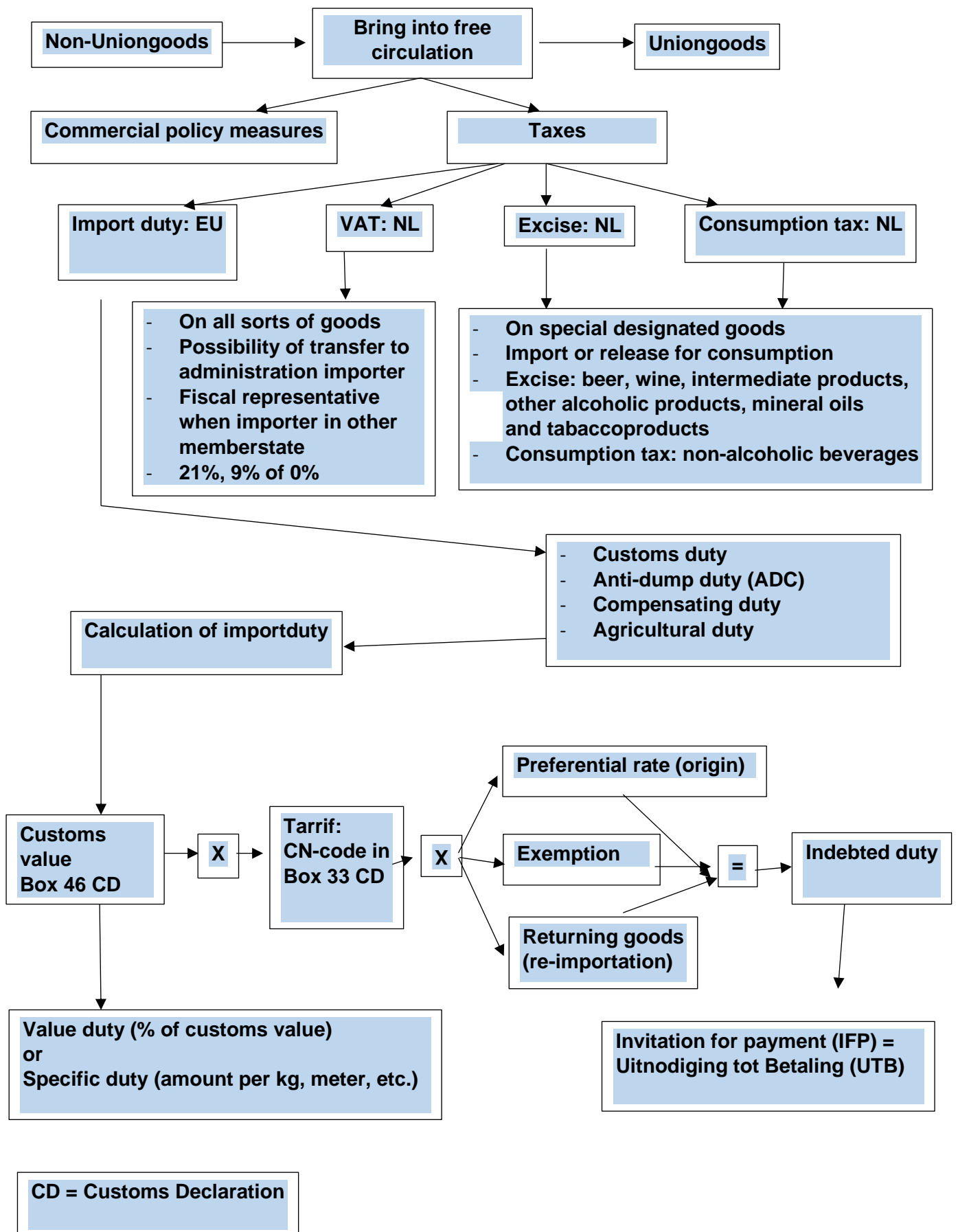


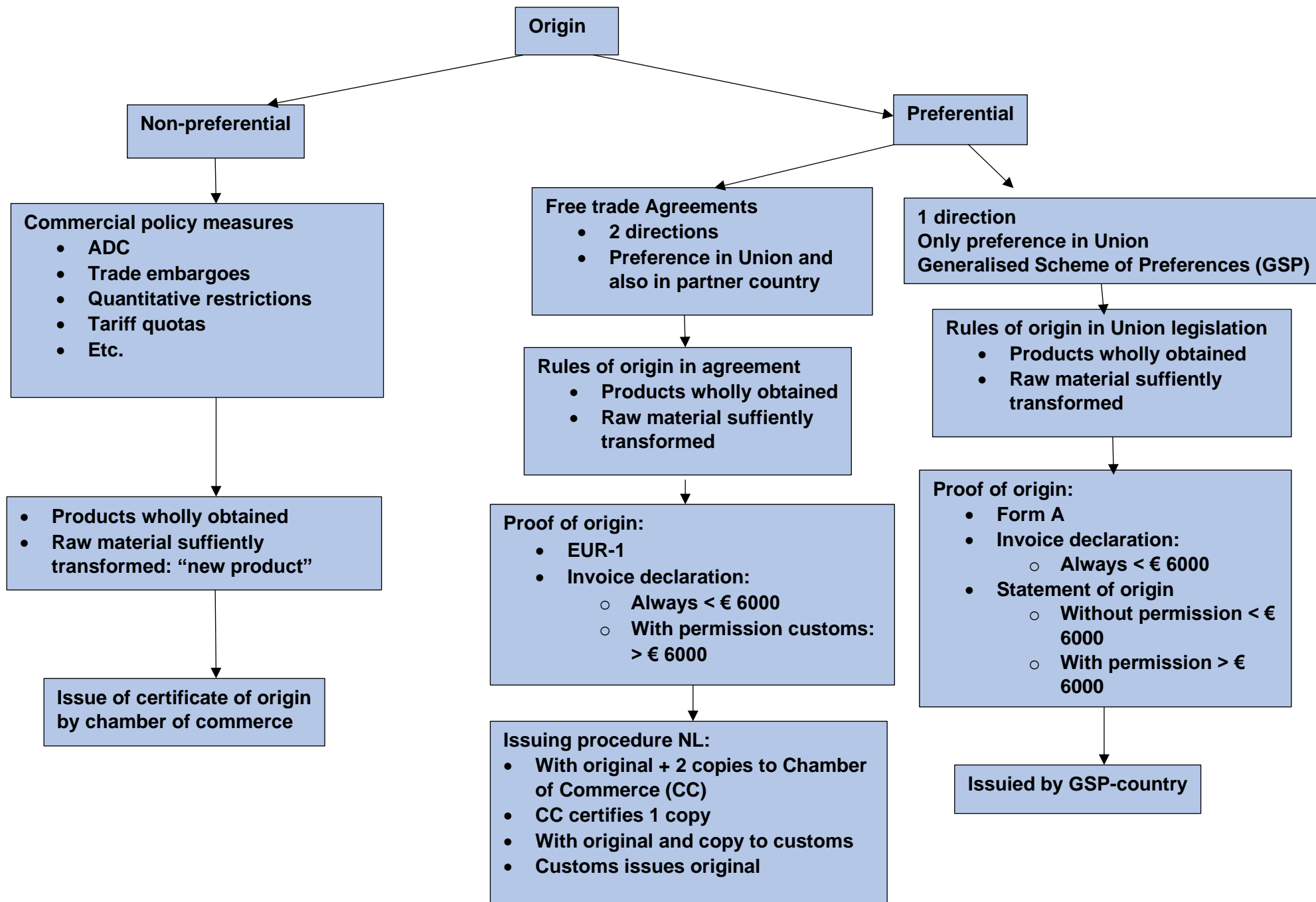




## Bringing into free circulation







#### Step 1

The primary basis for the customs value of goods shall be **the transaction value**, that is the price actually paid or payable for the goods when sold for export to the customs territory of the Union, adjusted, where necessary (**in general: the invoice price minus discounts**)

#### Step 2: Supplementing topics

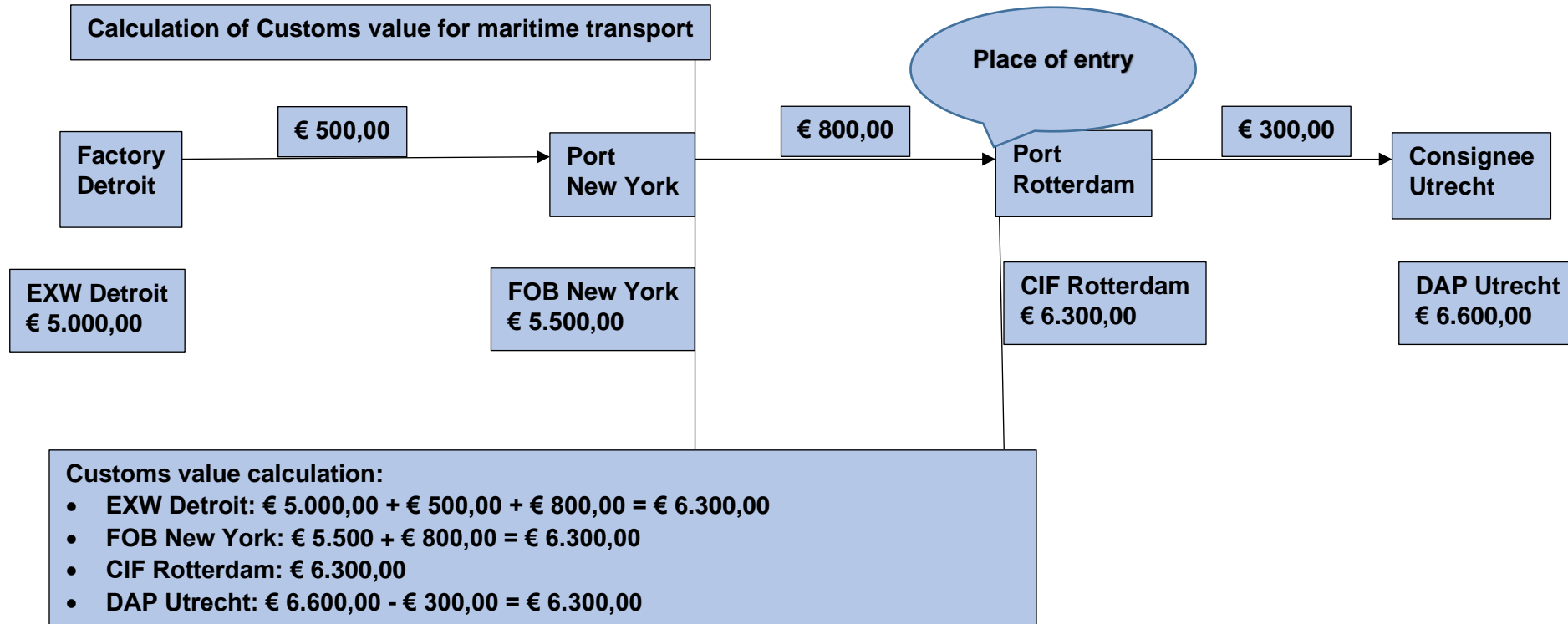
- commissions and brokerage, except buying commissions;
- the cost of packing, whether for labour or materials;
- the value, apportioned as appropriate, of the following goods and services where supplied directly or indirectly by the buyer free of charge or at reduced cost for use in connection with the production and sale for export of the imported goods, to the extent that such value has not been included in the price actually paid or payable:
- materials, components, parts and similar items incorporated into the imported goods;
- royalties and licence fees related to the goods being valued that the buyer must pay,
- the value of any part of the proceeds of any subsequent resale, disposal or use of the imported goods that accrues directly or indirectly to the seller
- the following costs up to the place where goods are brought into the customs territory of the Union:
- **the cost of transport and insurance of the imported goods; and**
- **loading and handling charges associated with the transport of the imported goods.**

#### Step 3: Reduce topics

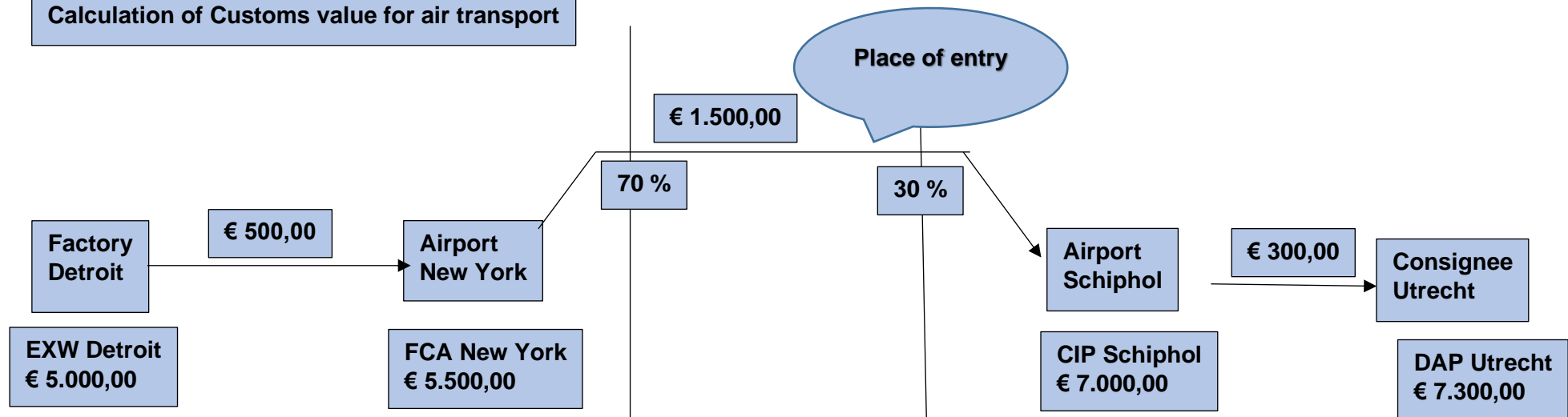
- **the cost of transport of the imported goods after their entry into the customs territory of the Union;**
- charges for construction, erection, assembly, maintenance or technical assistance, undertaken after the entry into the customs territory of the Union of the imported goods
- charges for the right to reproduce the imported goods in the Union;
- buying commissions;
- import duties or other charges payable in the Union by reason of the import or sale of the goods;

#### Step 4: Customs value

## Calculation of Customs value for maritime transport

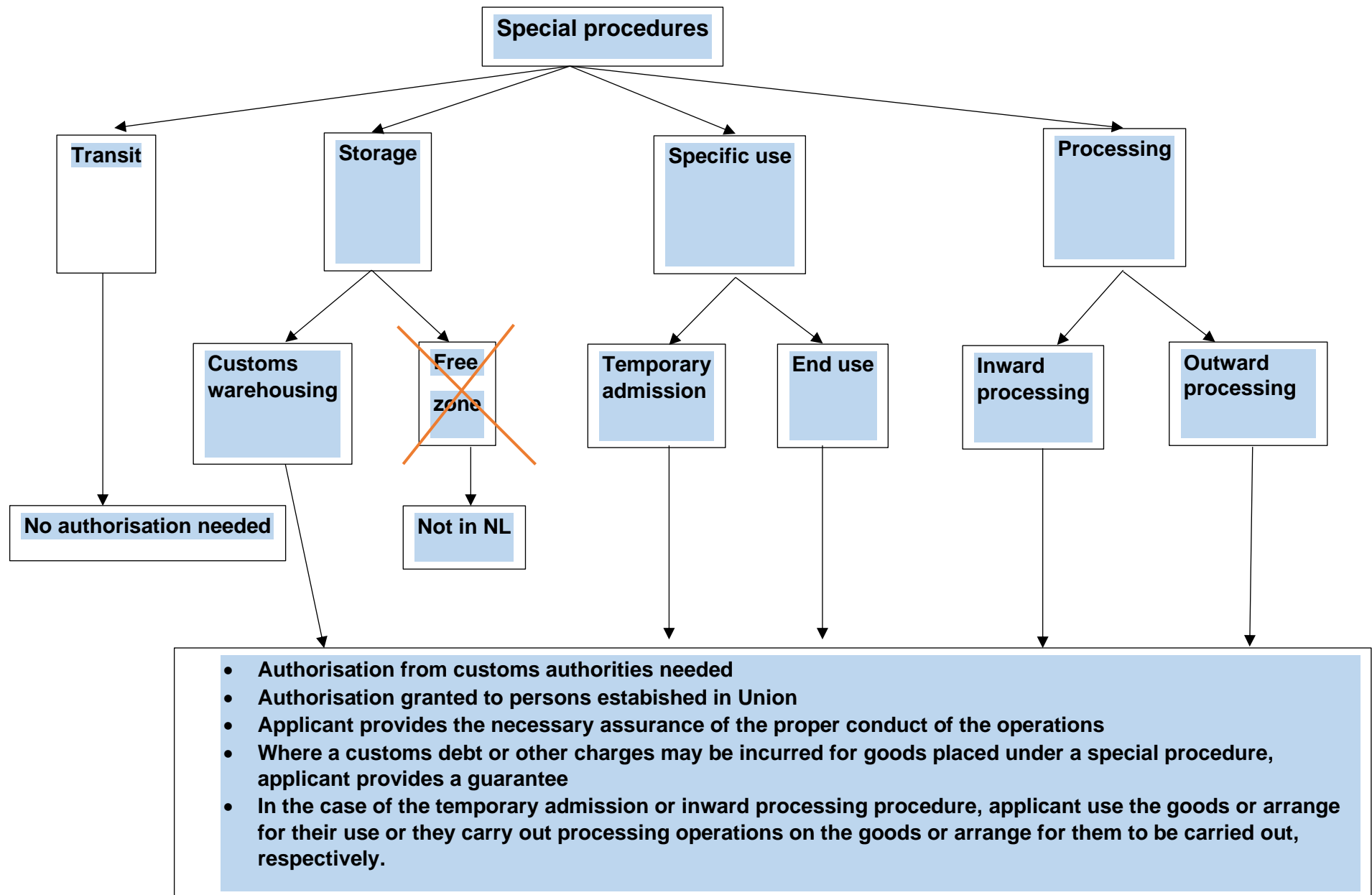


## Calculation of Customs value for air transport

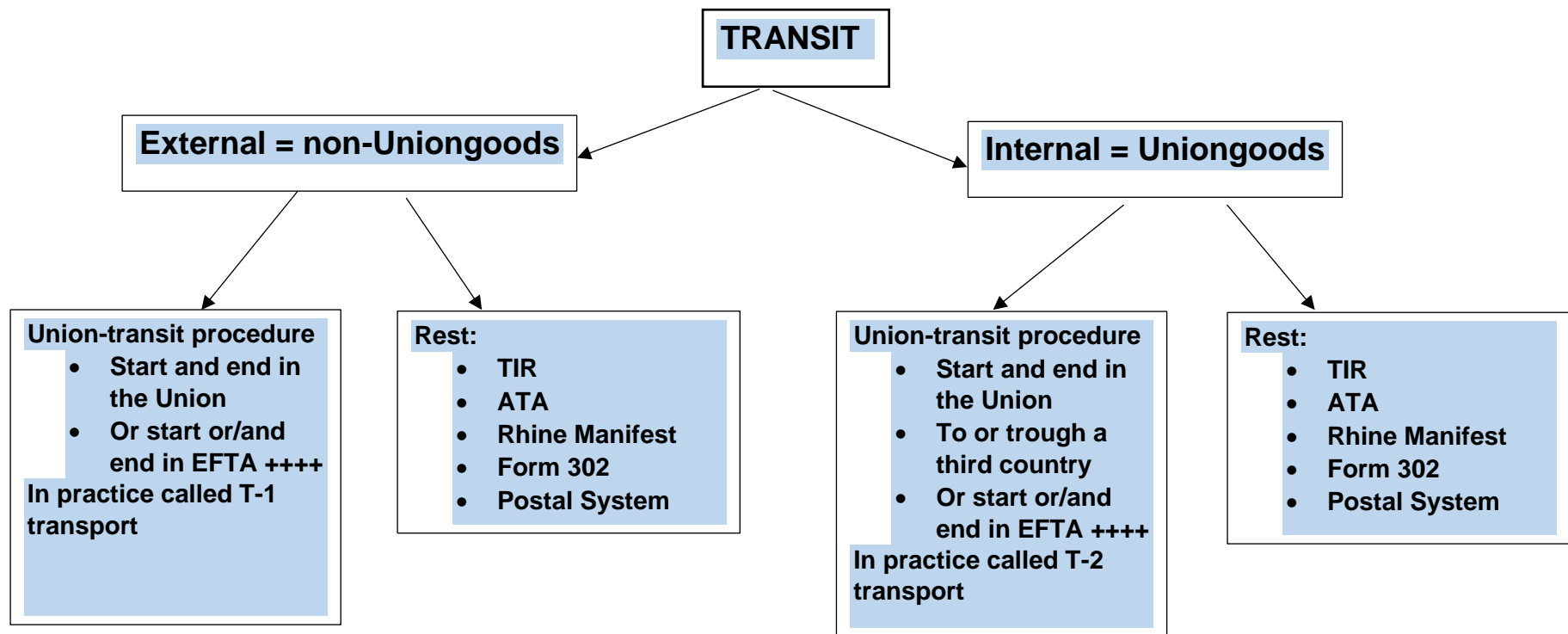


### Customs value calculation:

- EXW Detroit: € 5.000,00 + € 500,00 + (70% x € 1.500,00) = € 6.550,00
- FCA New York: € 5.500, (70% x € 1.500,00) = € 6.550,00
- CIP Schiphol: € 7.000,00 – (30 % van 1.500,00) = € 6.550,00
- DAP Utrecht: € 7.300,00 - € 300,00 – (€ 30 % van € 1.500,00) = € 6.550,00



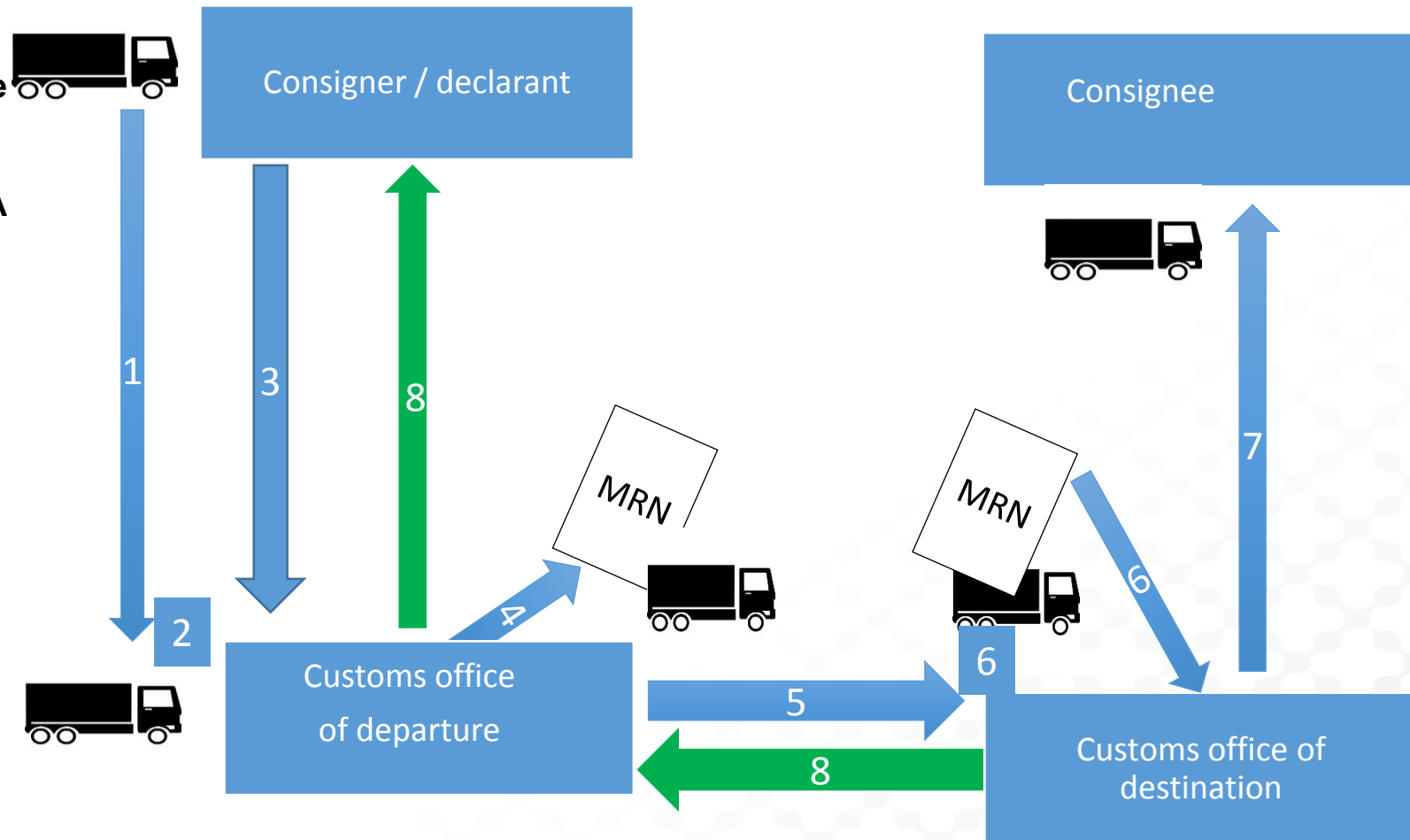




# Union Transit Procedure (T1 en T2) standard procedure

## TRANSIT DEPARTURE AND ARRIVAL

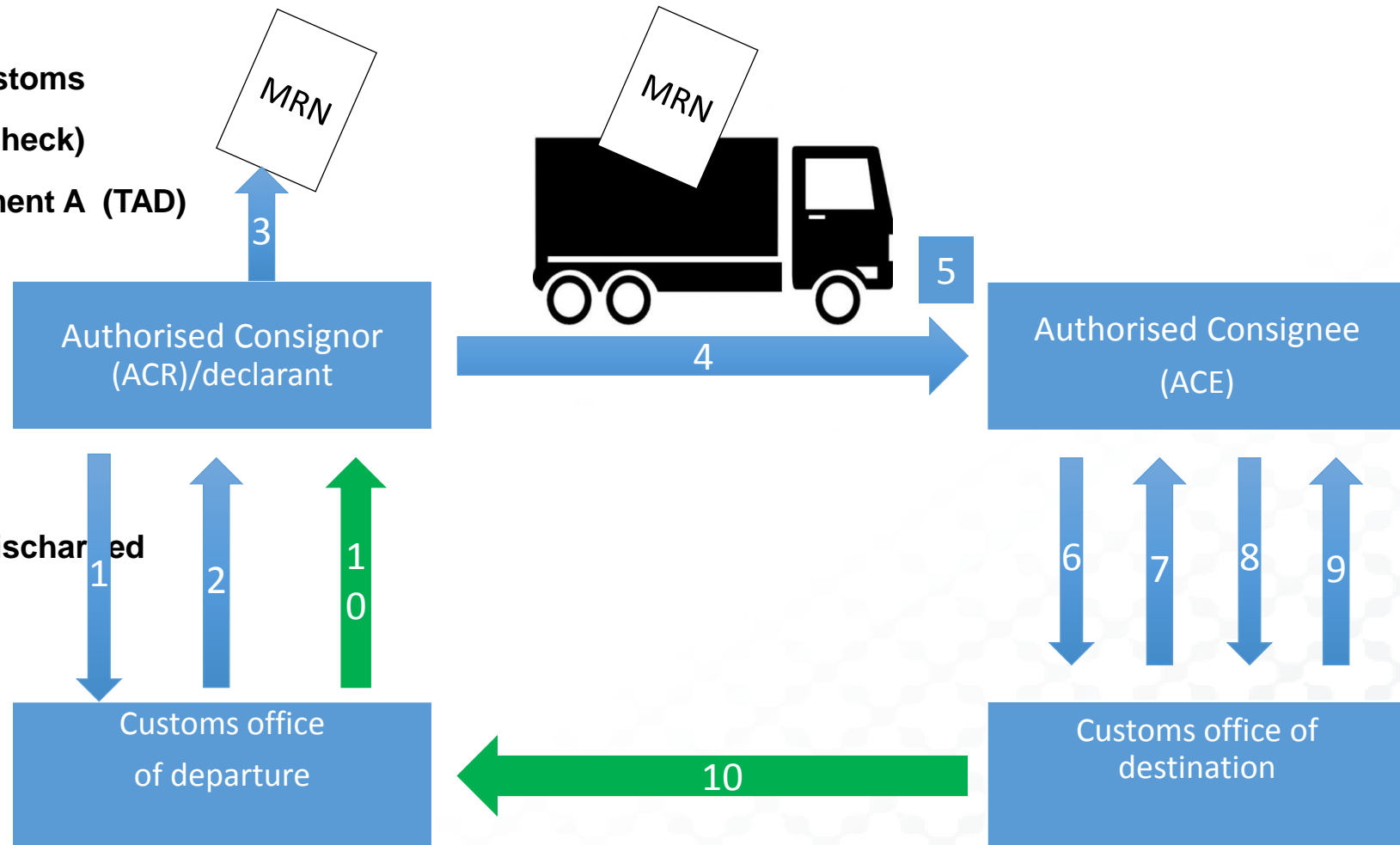
1. Transfer to customs office of departure
2. Presentation at customs office of departure
3. Electronic declaration to customs
4. Print Transport Accompanying Document A with MRN number by customs office of departure after check guarantee
5. Transfer to customs office of destination
6. Presentation to customs office of destination and hand over Transport Accompanying Document A to customs
7. After permission customs transfer the goods to the consignee
8. Clearing message

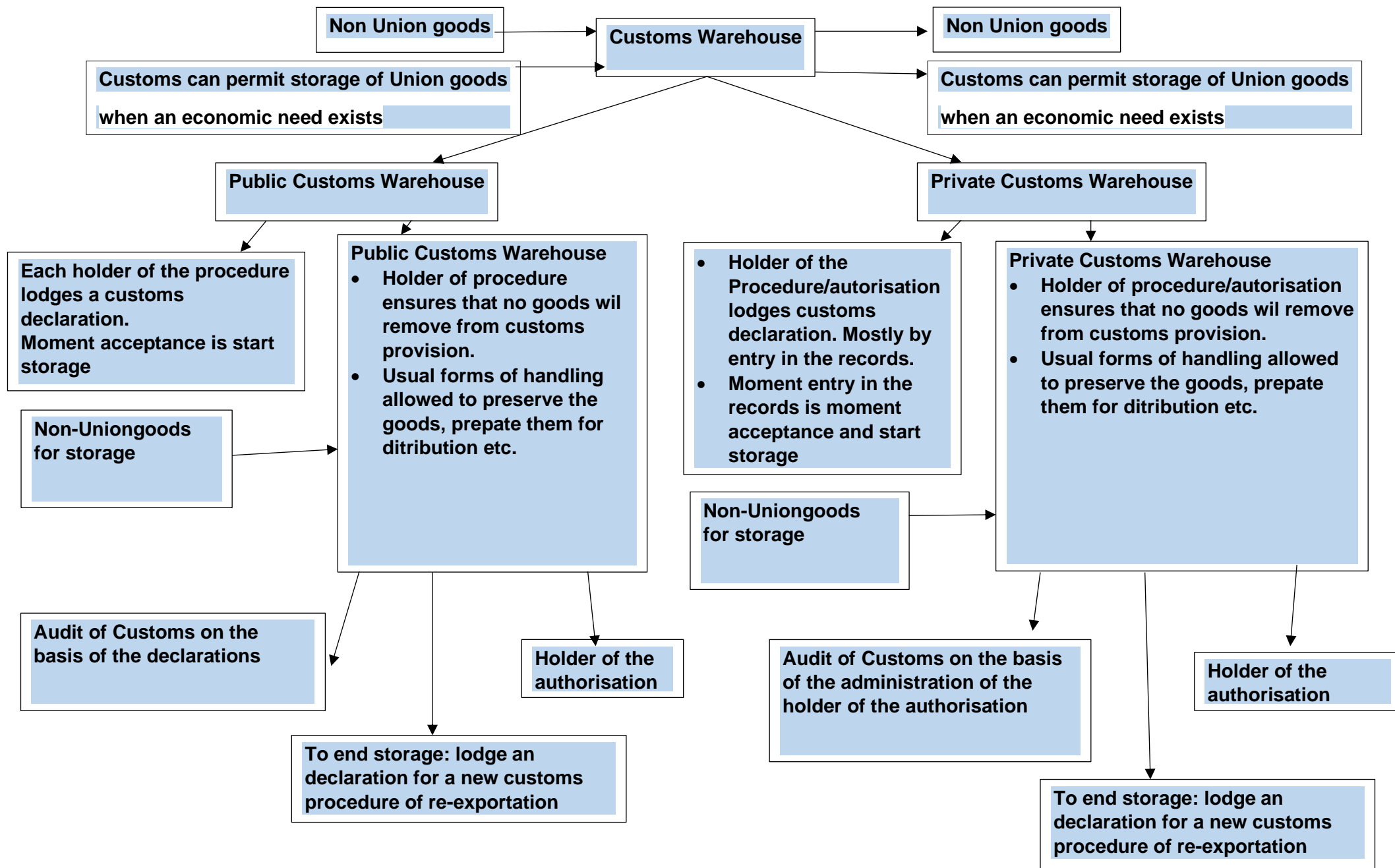


# Union Transit Procedure (T1 en T2) simplified procedure

## TRANSIT DEPARTURE AND ARRIVAL

1. Electronic TRANSIT declaration to customs
2. Permission to leave (after guarantee check)
3. Print Transport Accompanying Document A (TAD) with MRN number
4. Transport to consignee with TAD
5. Present goods to permit holder ACE
6. TRANSIT Report arrival
7. Permission to unload
8. Discharge notice with info of goods discharged
9. Message handling
10. Clearing message





## Temporary Admission (TA)

- Non-Union goods
- Intended for re-export
- Subject to specific use in the customs territory
- With total or partial relief from import duty
- And without policy measures

Period during which goods may remain under the temporary admission procedure:

- Main rule: max. 24 months
- Special: means of transport

### Examples:

- Means of transport
- Pallets
- Containers
- Sound-, image- or data-carrying media and publicity material
- Professional equipment
- Packings
- Goods for events or for sale in certain situations

### Customs declaration:

- Main rule: electronically
- Possible: ATA-carnet
- Oral: means of transport, medical equipment
- By act: personal goods (e.g. tourists)

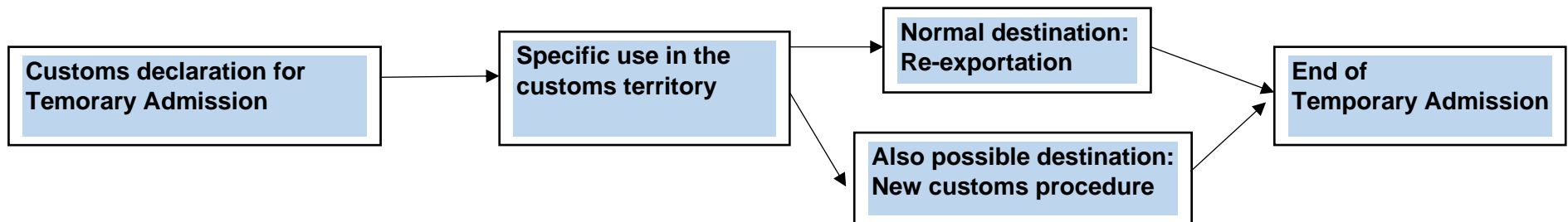
Customs declaration for Temporary Admission

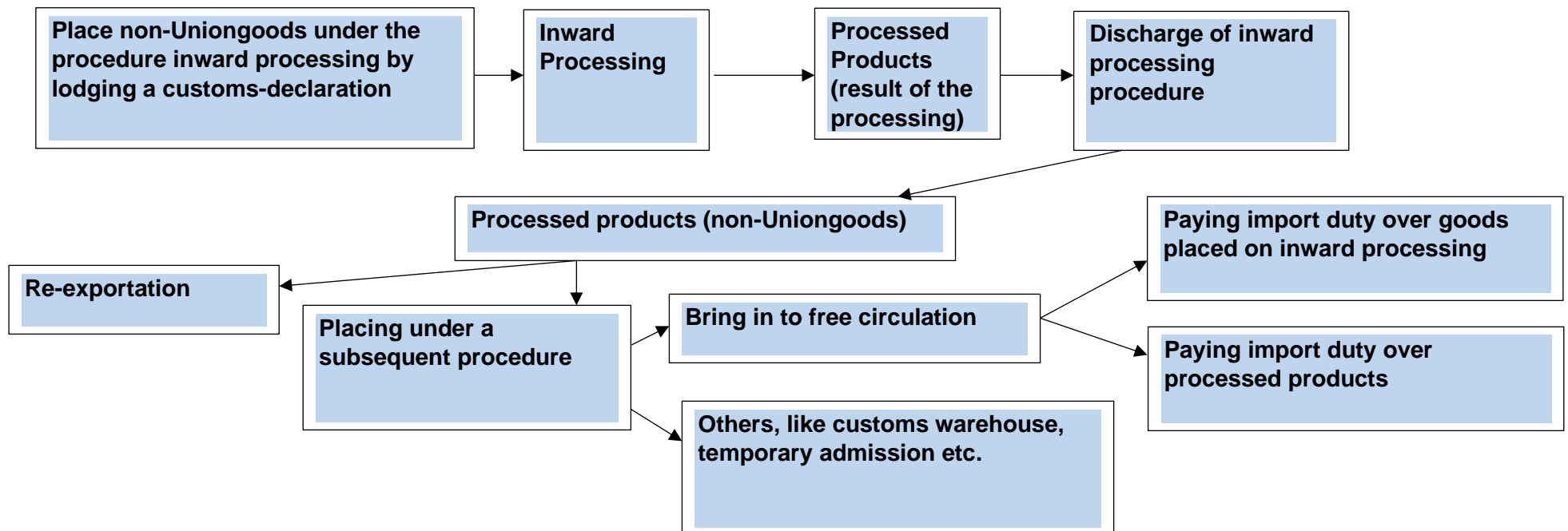
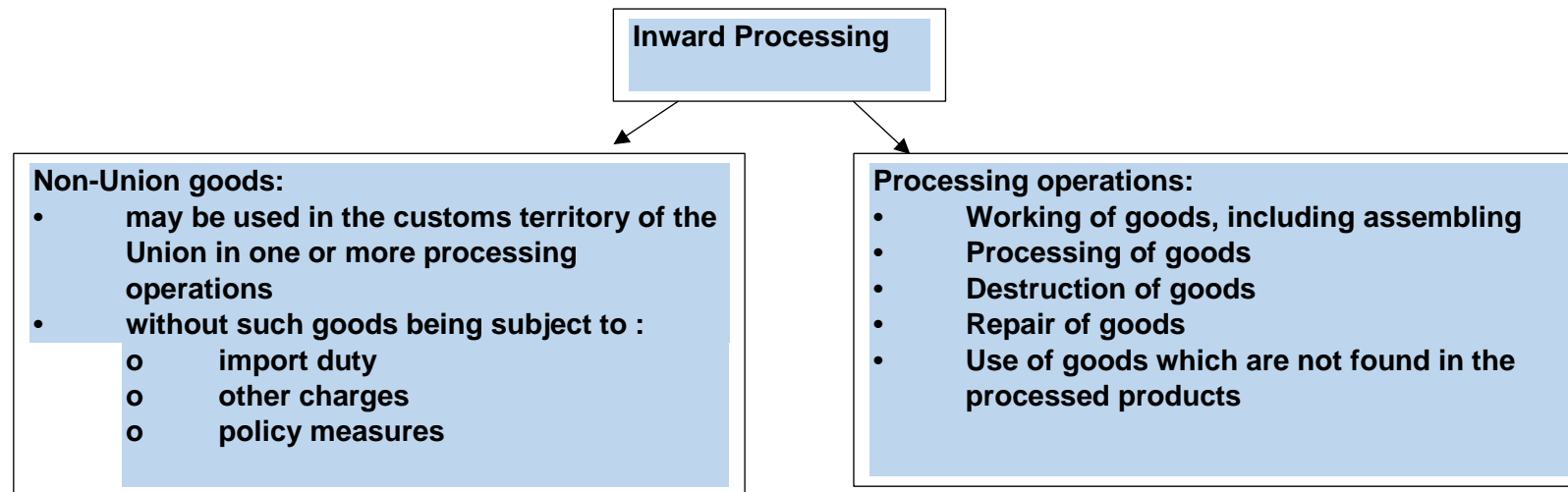
Specific use in the customs territory

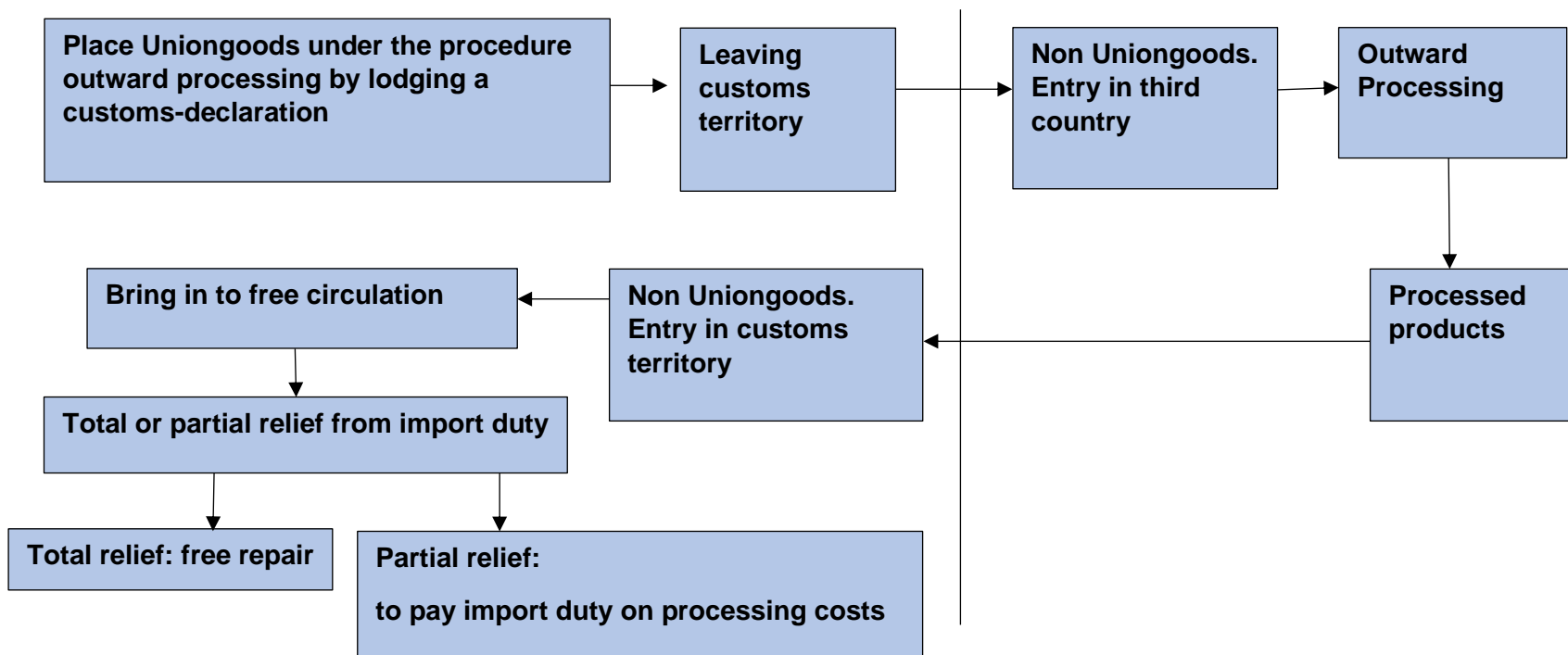
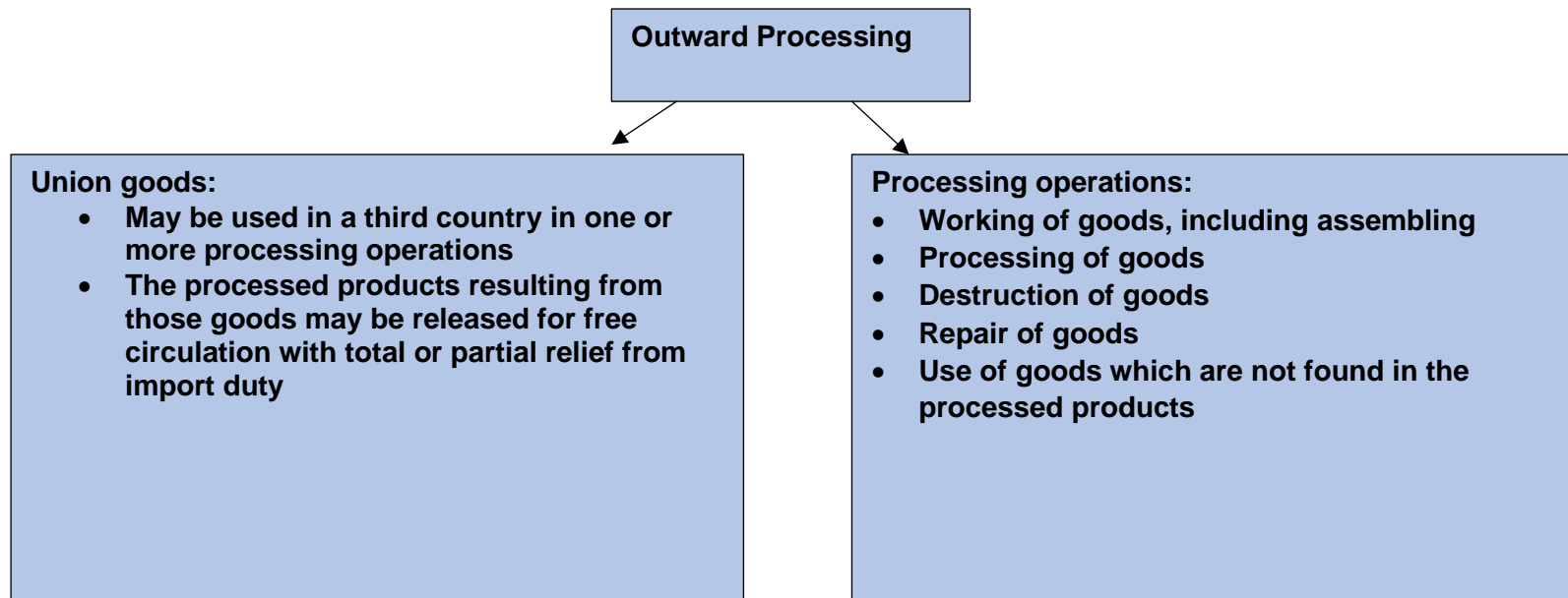
Normal destination:  
Re-exportation

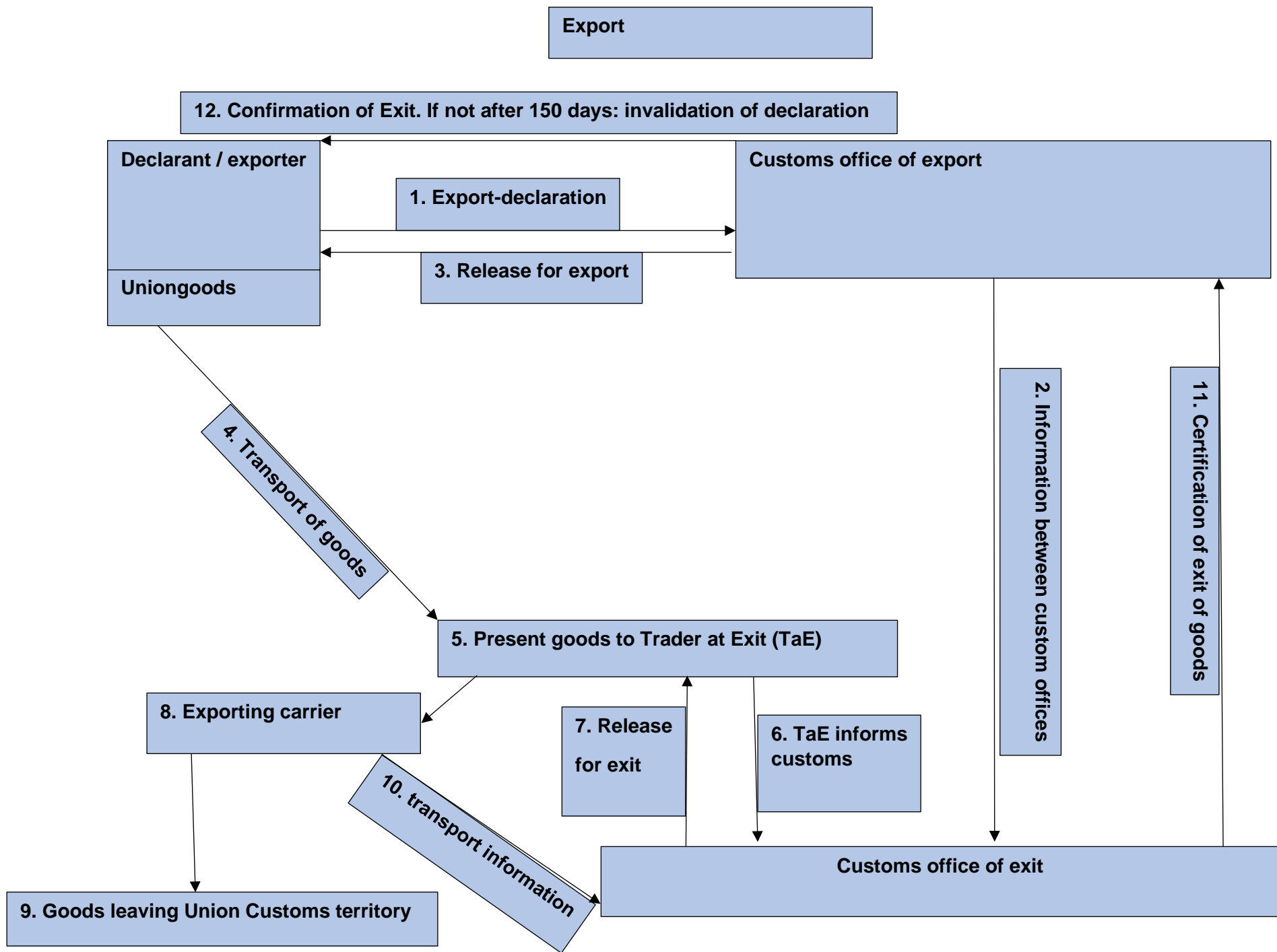
Also possible destination:  
New customs procedure

End of Temporary Admission











## Objection and appeal

**Customs decision**

- license application
- invitation to payment

The Netherlands is a constitutional state so that everyone has the right to defend his/her position or opinion and to have it tested by an independent judge.

Not agree

Agree

To lodge an objection to Customs within a period of 6 weeks after customs decision. (no costs)

Not agree

Customs decides: decision on objection.

Agree

The objector can appeal to the Court within 6 weeks after the decision on the objection. (court fee)

The interested party and customs can both make their point of view known

Customs matters: Court of Haarlem

Judge is ruling

Not agree

Customs and objector can both appeal (court fee)

Customs matters: Court of Amsterdam

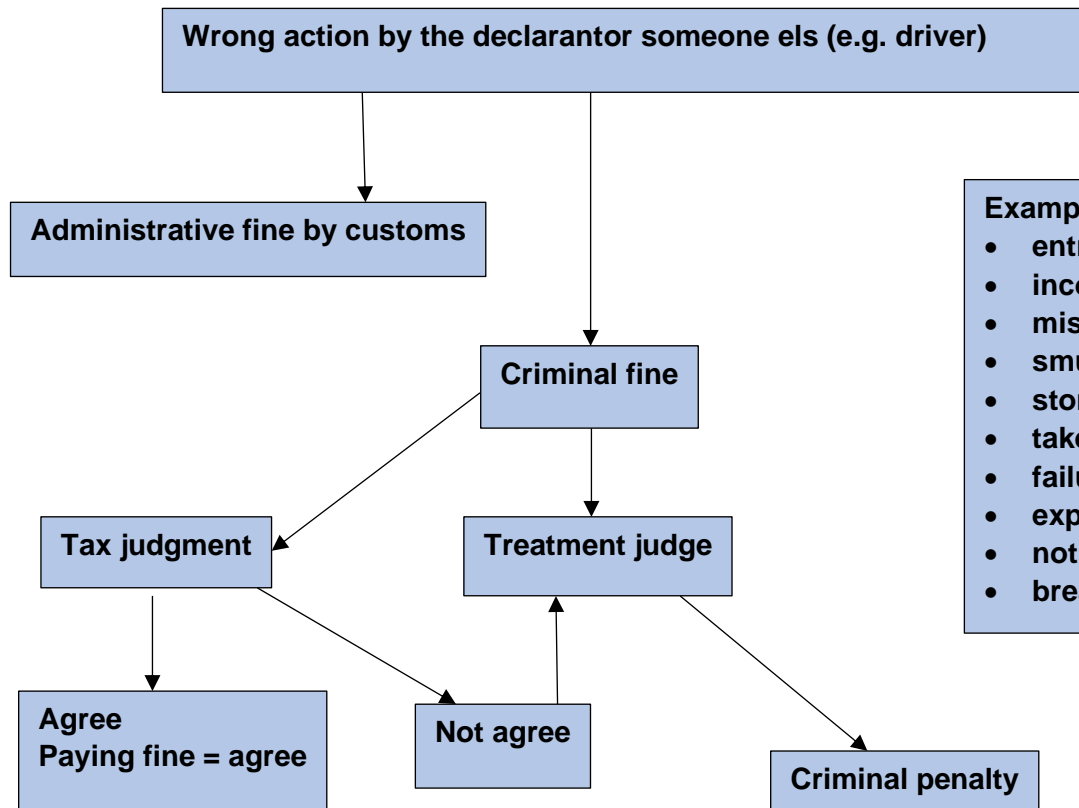
The interested party and customs can both make their point of view known

Judges are ruling

Customs and objector can both appeal (court fee). Against proceedings only

Supreme Court of the Netherlands

If EU legislation is important then an appeal can be made to the European Court of Justice in Luxembourg



**Examples:**

- entry without ENS
- incorrect declaration
- missing in customs warehouse
- smuggling
- storage after 90 days in STS
- take away without permission
- failure to comply with customs procedure obligation
- export without customs declaration
- not giving information to customs
- breaking customs seals

EUROPEAN COMMUNITY					A. OFFICE OF DESTINATION	
6	2 Consignor/Exporter				1 DECLARATION	
	3 Forms				4 Loading lists	
	5 Items				6 Total packages	
	7 Reference number					
	8 Consignee				9 Person responsible for financial settlement	
	10 Country last consigned				11 Trad./Prod. country	
	12 Value details				13 C.A.P.	
	14 Declarant/Representative				15 Country of dispatch/export	
	16 Country of origin				17 Country of destination	
	18 Identity and nationality of means of transport on arrival				19 Ctr.	
20 Delivery terms						
21 Identity and nationality of active means of transport crossing the border				22 Currency and total amount invoiced		
23 Exchange rate				24 Nature of transaction		
25 Mode of transport				26 Inland mode		
27 Place of unloading				28 Financial and banking data		
29 Office of entry				30 Location of goods		
31 Packages and description of goods				32 Item		
33 Commodity Code				34 Country origin Code		
35 Gross mass (kg)				36 Preference		
37 PROCEDURE				38 Net mass (kg)		
39 Quota				40 Summary declaration/Previous document		
41 Supplementary units				42 Item price		
43 V.M. Code				44 Adjustment		
45 Statistical value				46 Statistical value		
47 Calculation of taxes				48 Deferred payment		
49 Identification of warehouse				B. ACCOUNTING DETAILS		
50 Principal				Signature:		
51 Intended offices of transit (and country)				C. OFFICE OF DEPARTURE		
52 Guarantee not valid for				Code		
53 Office of destination (and country)				54 Place and date:		
J. CONTROL BY OFFICE OF DESTINATION				Signature and name of declarant/representative:		

**Step 1: Search the letter.**

	<i><b>Column headings</b></i>
A	Export/Dispatch
B	Customs warehousing procedure in order to obtain payment of special export refunds prior to exportation or manufacturing under customs supervision and under customs control prior to exportation and payment of export refunds. <b>Take care: not used at this moment</b>
C	Re-export after special procedure inward processing and temporary importation
D	Re-export after customs warehousing
E	Outward processing
F	Transit
G	Union-status of goods
H	Release for free circulation
I	Placing under a special procedure inward processing and temporary admission (temporary importation)
J	Placing under special procedure customs warehousing

## Step 2: National matrix

## B. PARTICULARS REQUIRED

The forms contain a number of boxes only some of which will be used, depending on the customs procedure(s) in question.

Without prejudice to the application of simplified procedures, the boxes which may be completed for each procedure are set out in the following table. The specific provisions concerning each box as they are described in Title II apply without prejudice to the status of the boxes as defined in the table.

### Symbols in the cells

A: Mandatory: Particulars required by every Member State

C: Optional for operators: Particulars which operators may decide to supply but which cannot be demanded by the Member States.

[illegible]

[illegible]

<b>36</b>								A	A [17]	
<b>37(1)</b>	A	A	A	A	A			A	A	A
<b>37(2)</b>	A	A	A	A	A			A	A	A
<b>38</b>	A	A	A	A	A	A [17]	A[17]	A [18]	A	A
<b>39</b>								A	A	
<b>40</b>	A	A	A	A	A	A	A	A	A	A
<b>41</b>	A	A	A	A	A			A	A	A
<b>42</b>								A	A	
<b>43</b>								A [26]	A [26]	
<b>44</b>	A	A	A	A	A	A [4]	A	A	A	A
<b>45</b>								A [26]	A [26]	
<b>46</b>	A	A	A	A	A			A	A	A
<b>47 (Type)</b>								A	A	
<b>47 (Tax base)</b>								A	A	
<b>47 (Rate)</b>								A	A	
<b>47 (Amount)</b>								A	A	
<b>47 (Total)</b>								A	A	
<b>47 (MP)</b>								A	A	
<b>48</b>										
<b>49</b>	A [23], [24]		A		A [23]			A [23]	A [23]	A
<b>50</b>	C		C]		C	A				
<b>51</b>						A [4]				
<b>52</b>						A				
<b>53</b>						A				
<b>54</b>	A	A	A	A	A		A	A	A	A
<b>55</b>						A				
<b>56</b>						A				

## **C. INSTRUCTIONS FOR USE OF THE FORM**

### **Footnotes**

- [1] This box is mandatory for agricultural products with export refunds.
- [2] This particular may only be required for non-computerised procedures.
- [3].If the declaration relates to only one item, this box is left blank.
- [4] This box is mandatory for the NCTS in the manner provided for in Annex 37a.
- [5] This particular may only be required for computerised procedures.
- [6].This box need not be completed if the consignee is neither established in the EU nor in an EFTA country.
- [7] Not for use in the case of postal consignments or carriage by fixed transport installations.
- [8] Not for use in the case of postal consignments or carriage by fixed transport installations or rail.
- [9] Not applicable in NL.
- [10] Do not fill in the 3rd subsection.
- [11] Fill in this information only in cases where an exception is made to the rules on the monthly determination of exchange rates laid down in Title V, Chapter 6.
- [12] This box must not be completed when export formalities are carried out at the point of exit from the Community.
- [13] This box must not be completed where the import formalities are carried out at the point of entry into the Community.
- [14] This box may be used in the NCTS in the manner provided for in Annex 37a.
- [15] Cancelled
- [16] This subdivision must be completed where:
  - the transit declaration is made by the same person at the same time as, or following, a customs declaration which includes a commodity code, or
  - where a transit declaration covers goods on the list in Annex 44c, or
  - where Community legislation so provides.
- [17] For completion only where Community legislation so provides.
- [18] Not applicable in NL.
- [19] Not applicable in NL.
- [20].Not applicable in NL.
- [21] Not applicable in NL.
- [22] Not applicable in NL.
- [23] This box is to be completed where the declaration of placing of goods under a customs procedure is used to discharge a customs warehousing procedure.
- [24] Not applicable in NL.
- [25] If a declaration is submitted by automated means, the mention of the name, address and place of residence is only permitted if no identification number is stated.
- [26] Only applicable for the supplementary declaration under the simplified procedures referred to in Article 182 of the UCC
- [27] This concerns the EORI number issued by the competent authority. In principle, no EORI number is issued to persons who make incidental declarations (such as private individuals, for example). In that case, it is sufficient to state only name and address details. If necessary, the citizen service number provided to this person may be stated, preceded by 'NL'.



[28] This information is mandatory when the export declaration also has to include the security data of Annex 9, Appendix A, of the Delegated Regulation on the Transitional Customs Code of the Union.

### **Step 3: What has to be entered in the boxes?**

#### **TITLE II**

#### **PARTICULARS TO BE ENTERED IN THE VARIOUS BOXES**

#### **A. FORMALITIES RELATING TO EXPORT/DISPATCH, RE-EXPORTATION, OUTWARD PROCESSING, UNIONTRANSIT AND/OR PROVING THE UNION-STATUS OF GOODS**

##### **Box 1: Declaration**

In the first subdivision, enter the relevant Union code

In the second subdivision, enter the type of declaration using the relevant Union code

In the third subdivision, enter the relevant Union code

##### **Box 2: Consignor/Exporter**

Enter the EORI number referred to in Article 1(16). Where the consignor/exporter does not have an EORI number, the customs administration may assign him an ad hoc number for the declaration concerned.

Enter the full name and address of the person concerned.

In the case of groupage consignments, the Member States may provide that the word various be entered in this box, and the list of consignors/exporters to be attached to the declaration.

##### **Box 3: Forms**

Enter the number of the subset in relation to the total number of subsets of forms and continuation forms used. For example, if there is one EX form and two EX/c forms, enter 1/3 on the EX form, 2/3 on the first EX/c form and 3/3 on the second EX/c form.

Where the declaration is made up from two sets of four copies instead of one set of eight copies, the two sets are to be treated as one for the purpose of establishing the number of forms.

##### **Box 4: Loading lists**

Enter in figures the number of any loading lists attached, or of commercial descriptive lists where these are authorised by the competent authority.

##### **Box 5: Items**

Enter in figures the total number of items declared by the person concerned in all the forms and continuation forms (or loading lists or commercial lists) used. The number of items must correspond to the number of boxes 31 to be completed.

##### **Box 6: Total packages**

Enter in figures the total number of packages making up the consignment in question.

##### **Box 7: Reference number**

This entry concerns the commercial reference number assigned by the person concerned to the consignment in question

**Box 8: Consignee**

Enter the full name and address of the person(s) to whom the goods are to be delivered. —

Where an identification number is required, enter the EORI number referred to in Article 1(16). If an EORI number has not been assigned to the consignee, enter the number required by the legislation of the Member State concerned.

In the case of groupage consignments, the Member States may provide that the word 'various' be entered in this box, and the list of consignees attached to the declaration.

**Box 14: Declarant/Representative**

Enter the EORI number referred to in Article 1(16). Where the declarant/representative does not have an EORI number, the customs administration may assign him an ad hoc number for the declaration concerned.

Enter the full name and address of the person concerned.

If the declarant and the exporter/consignor are the same person, enter 'exporter' or 'consignor'.

To designate the declarant or the status of the representative, use the relevant Union code..

**Box 15: Country of dispatch/export**

Enter in box 15a the relevant Union code. for the Member State of export/dispatch of the goods. In case of transit, enter in box 15 the Member State from where the goods are dispatched.

**Box 17: Country of destination**

Using the relevant Union code. Enter in box 17a the last country of destination of the goods to be exported as known at the time of export.

**Box 18: Identity and nationality of means of transport at departure**

Enter the identity of the means of transport on which the goods are directly loaded at the time of export or transit formalities, followed by the nationality of the means of transport (or that of the vehicle propelling the others if there are several means of transport) in the form of the relevant Union code . If a tractor and trailer with different registration numbers are used, enter the registration numbers of both the tractor and the trailer together with the nationality of the tractor.

Depending on the means of transport concerned, the following details concerning identity may be entered:

Means of transport	Method of identification
Sea and inland waterway transport	Name of vessel

Air transport	Number and date of flight (where there is no flight number, enter the aircraft's registration number)
Road transport	Vehicle registration number
Rail transport	Wagon number

#### **Box 19: Container (Ctr)**

Using the relevant Union code, enter the presumed situation when crossing the external Union frontier, based on the information available at the time of completion of the export formalities.

#### **Box 20: Delivery terms**

Using the relevant Union codes, give particulars of the terms of the commercial contract.

#### **Box 21: Identity and nationality of active means of transport crossing the border**

Using the relevant Union code enter the nationality of the active means of transport crossing the Union's external frontier as known at the time of completion of formalities.

In the case of combined transport or where several means of transport are used, the active means of transport is the one which propels the whole combination. For example, in the case of a lorry on a sea-going vessel, the active means of transport is the ship. In the case of a tractor and trailer, the active means of transport is the tractor.

Depending on the means of transport concerned, the following details concerning identity may be entered:

<b>Means of transport</b>	<b>Method of identification</b>
Sea and inland waterway transport	Name of vessel
Air transport	Number and date of flight (where there is no flight number, enter the aircraft's registration number)
Road transport	Vehicle registration number
Rail transport	Wagon number

**Box 22: Currency and total amount invoiced**

Using the relevant code., enter in the first subdivision the currency in which the commercial invoice was drawn up.

Enter in the second subdivision the invoiced price for all goods declared.

**Box 23: Exchange rate**

This box contains the exchange rate in force between the invoice currency and the currency of the Member State concerned.

**Box 24: Nature of transaction**

Using the relevant codes , enter the type of the transaction concerned.

**Box 25: Mode of transport at the border**

Using the relevant Union code , enter the mode of transport corresponding to the active means of transport which it is expected will be used on exit from the customs territory of the Union.

**Box 26: Inland mode of transport**

Using the relevant Union code., enter the mode of transport upon departure.

**Box 27: Place of loading**

Using a code where required, enter the place, as known at the time of completion of formalities, at which the goods are to be loaded onto the active means of transport on which they are to cross the Union frontier.

**Box 29: Office of exit**

Using the relevant Union code., enter the customs office by which it is intended that the goods should leave the customs territory of the Union.

**Box 30: Location of goods**

Enter the precise location where the goods may be examined. In NL: Postal code + housenr.

**Box 31: Packages and description of goods; Marks and numbers — Container No(s) — Number and kind**

Enter the marks, numbers, quantity and kind of packages or, in the case of unpackaged goods, enter the number of such goods covered by the declaration together with the particulars needed to identify them.

The description of the goods means the normal trade description. Where box 33 Commodity Code is to be completed, the description must be precise enough to allow the goods to be classified. This box must also contain the particulars required by any specific legislation. Using the relevant Union code., enter the kind of the packages.

If containers are used, their identifying marks should also be entered in this box.

**Box 32: Item number**

Enter the number of the item in question in relation to the total number of items declared in the forms and continuation forms used, as described in the note to box 5.

**Box 33: Commodity Code**

Enter the code number corresponding to the item in question.

**Box 34: Country-of-origin code**

Operators completing box 34a should use the relevant Union code. Enter the country of origin, as defined in Title II of the Code.

Enter the region of dispatch or production of the goods in question in Box 34b.

**Box 35: Gross mass (kg)**

Enter the gross mass, expressed in kilograms, of the goods described in the relevant box 31. The gross mass is the aggregate mass of the goods with all their packing, excluding containers and other transport equipment.

Where a transit declaration covers several types of goods, the total gross mass needs only be entered in the first box 35, the remaining boxes 35 being left blank. Member States may extend this rule to all procedures referred to under columns A to E and G of the table in Title I, B.

Where a gross mass greater than 1 kg includes a fraction of a unit (kg), it may be rounded off in the following manner:

- from 0.001 to 0.499: rounding down to the nearest kg,
- from 0.5 to 0.999: rounding up to the nearest kg.

A gross mass of less than 1 kg should be entered as 0.xyz (e.g. 0.654 for a package of 654 grams).

**Box 37: Procedure**

Using the relevant Union code. Enter the procedure for which the goods are declared.

**Box 38: Net mass (kg)**

Enter the net mass, expressed in kilograms, of the goods described in the relevant box 31. The net mass is the mass of the goods without any packaging.

**Box 40: Summary declaration/Previous document**

Using the relevant Union codes. Enter the reference particulars of documents preceding export to a third country/dispatch to a Member State.

Where the declaration concerns goods re-exported following discharge of the customs warehousing procedure in a public customs warehouse, enter the reference particulars of the declaration entering goods for that procedure.

In the case of a declaration entering goods for the Union transit procedure, give the reference for the previous customs destination or corresponding customs documents. Where, in the case of non-computerised transit procedures, more than one reference has to be entered, the Member States may provide that the word 'various' be entered in this box and a list of the references concerned accompany the transit declaration.

**Box 41: Supplementary units**

Where necessary, enter the quantity of the item in question, expressed in the unit laid down in the goods nomenclature.

**Box 44: Additional information/Documents produced/Certificates and authorisations**

Using the relevant codes., enter the details required by any specific rules applicable together with reference particulars of the documents produced in support of the declaration.

The subdivision 'A.I. code' (Additional information code) must not be used.

Where a re-export declaration discharging the customs warehousing procedure is lodged with a customs office other than the supervising office, enter the name and full address of the supervising office.

Member States may provide that this indicator be entered only in box 44 for the first item of goods of the declaration. In this case, the information will be deemed valid for all the goods items of the declaration.

**Box 46: Statistical value**

Enter the statistical value expressed in the currency unit the code for which may appear in box 44, or, in the absence of such a code in box 44, in the currency of the Member State where the export formalities are completed, in accordance with the Union provisions in force.

**Box 47: Calculation of taxes**

Enter the tax base applicable (value, weight or other). Using, where necessary, the relevant Union codes., the following should be shown on each line:

- the type of tax (e.g. excise duties),
- the tax base,
- the rate of tax applicable,
- the amount of tax payable,
- the method of payment chosen (MP).

The amounts in this box must be expressed in the currency unit the code for which may appear in box 44, or, in the absence of such a code in box 44, in the currency of the Member State where the export formalities are completed.

**Box 48: Deferred payment**

Enter, where applicable, the reference particulars of the authorisation in question; deferred payment here refers both to deferred payment of customs duties and to tax credit.

**Box 49: Identification of warehouse**

Using the relevant Union code., enter the reference particulars of the warehouse.

**Box 50: Principal**

Enter the full name (person or company) and address of the principal, together with the EORI number referred to in Article 1(16). Where the EORI number is provided, Member States may waive the obligation to provide the full name (person or company) and address. ◀ Where appropriate, enter the full name (person or company) of the authorised representative signing on behalf of the principal.

Subject to specific provisions to be adopted with regard to the use of computerised systems, the original of the handwritten signature of the person concerned must be given on the copy which is to remain at the office of departure. Where the principal is a legal person, the signatory should add his capacity after his signature and full name.

For export operations, the declarant or his representative may enter the name and address of a person established in the district of the office of exit to whom copy 3 of the declaration endorsed by the said office may be given.

**Box 51: Intended offices of transit (and country)**

Enter the code for the intended office of entry into each EFTA country to be crossed and the office of entry by which the goods re-enter the customs territory of the Union after having crossed the territory of an EFTA country, or, where the shipment is to cross a territory other than that of the Union or of an EFTA country, the office of exit by which the transport leaves the Union and the office of entry by which it re-enters the Union.

Using the relevant Union code., enter the customs offices concerned.

**Box 52: Guarantee**

Using the relevant Union codes. Enter the type of guarantee or guarantee waiver used for the operation as well as, as appropriate, the number of the comprehensive guarantee certificate, the guarantee waiver certificate, or the individual guarantee voucher and the office of guarantee.

Where a comprehensive guarantee, guarantee waiver or individual guarantee is not valid for one or more of the following countries, add after 'not valid for' the codes. for the country or countries concerned:

- non-EU contracting parties to the Conventions on a common transit procedure and on the simplification of formalities in trade in goods,



- Andorra,
- San Marino.

Where an individual guarantee in the form of a cash deposit or by means of vouchers is used it shall be valid for all the contracting parties to the Conventions on a common transit procedure and on the simplification of formalities in trade in goods.

**Box 53: Office of destination (and country)**

Using the relevant Union code. Enter the office where the goods are to be presented in order to complete the Union transit operation.

**Box 54: Place and date, signature and name of the declarant or his representative**

Enter the place and date of completion of the declaration.

Subject to specific provisions to be adopted with regard to the use of computerised systems, the original of the handwritten signature of the person concerned must be given on the copy which is to remain at the office of export/dispatch, followed by the full name of that person. Where that person is a legal person, the signatory should add his capacity after his signature and full name.

## **B. FORMALITIES EN ROUTE**

Between the time when the goods leave the office of export and/or departure, and the time when they arrive at the office of destination, certain particulars may have to be entered on the copies of the Single Administrative Document accompanying the goods. These particulars concern the transport operation and are to be entered on the document in the course of the operation by the carrier responsible for the means of transport on which the goods are directly loaded. The particulars may be added legibly by hand; in this case, the form should be completed in ink in block capitals.

These particulars, which only appear on copies 4 and 5, concern the following boxes:

— Transhipment: Use box 55.

### **Box 55: Transhipments**

The first three lines of this box are to be completed by the carrier where, during the operation in question, the goods are transhipped from one means of transport to another or from one container to another.

The carrier may not tranship goods without the prior authorisation of the customs authorities of the Member State in whose territory the transhipment is to be made.

Where those authorities consider that the transit operation may continue in the normal way, they shall, once they have taken any steps that may be necessary, endorse copies 4 and 5 of the transit declaration.

— Other incidents: Use box 56.

### **Box 56: Other incidents during carriage**

Box to be completed in accordance with existing obligations under the Union transit procedure.

In addition, where the goods were loaded on a semi-trailer and only the tractor vehicle is changed during the journey (without the goods being handled or transhipped) enter in this box the registration number of the new tractor. In such cases endorsement by the competent authorities is not necessary.

## **C. FORMALITIES FOR RELEASE FOR FREE CIRCULATION, INWARD PROCESSING, TEMPORARY IMPORTATION AND CUSTOMS WAREHOUSING**

### **Box 1: Declaration**

In the first subdivision, enter the relevant Union code.

In the second subdivision, enter the type of declaration using the relevant Union code..

### **Box 2: Consignor/Exporter**

Enter the full name and address of the last seller of the goods prior to their importation into the Union.

Where an identification number is required, the Member States may waive provision of the full name and address of the person concerned.

Where an identification number is required, enter the EORI number referred to in Article 1(16). If an EORI number has not been assigned to the consignor/exporter, enter the number requested by the legislation of the Member State concerned.

In the case of groupage consignments, the Member States may provide that the word 'various' be entered in this box, and the list of consignors/exporters attached to the declaration.

### **Box 3: Forms**

Enter the number of the subset in relation to the total number of subsets of forms and continuation forms used. For example, if there is one IM form and two IM/c forms, enter '1/3' on the IM form, '2/3' on the first IM/c form and '3/3' on the second IM/c form.

### **Box 4: Loading lists**

Enter in figures the number of any loading lists attached, or of commercial descriptive lists where these are authorised by the competent authority.

### **Box 5: Items**

Enter in figures the total number of items declared by the person concerned in all the forms and continuation forms (or loading lists or commercial lists) used. The number of items must correspond to the number of boxes 31 to be completed.

### **Box 6: Total packages**

Enter in figures the total number of packages making up the consignment in question.

**Box 7: Reference number**

This entry concerns the commercial reference number assigned by the person concerned to the consignment in question. It may take the form of a Unique Consignment Reference Number (UCR) ([149](#)).

**Box 8: Consignee**

Enter the EORI number referred to in Article 1(16). Where the consignee does not have an EORI number, the customs administration may assign him an ad hoc number for the declaration concerned.

Enter the full name and address of the person concerned.

In the case of placing of goods under the customs warehousing procedure in a private warehouse, enter the full name and address of the depositor where he is not the declarant.

In the case of groupage consignments, the Member States may provide that the word 'various' be entered in this box, and the list of consignees attached to the declaration.

**Box 12: Value details**

Enter in this box information on value, e.g. a reference to the authorisation whereby the customs authorities waive the requirement to produce a DV1 form in support of each declaration or details of adjustments.

**Box 14: Declarant/Representative**

Enter the EORI number referred to in Article 1(16). Where the declarant/representative does not have an EORI number, the customs administration may assign him an ad hoc number for the declaration concerned.

Enter the full name and address of the person concerned.

If the declarant and the consignee are the same person, enter the word consignee.

To designate the declarant or the status of the representative, use the relevant Union code..

**Box 15: Country of dispatch/export**

If no stoppage or judicial action unrelated to transport has taken place in an intermediate country, enter in box 15a the relevant Union code. for the country from which the goods were initially dispatched to the Member State of import. If such stoppages or actions have taken place, the last intermediate country is to be considered the country of dispatch/export.

**Box 17: Country of destination**

Enter in box 17a the Union code. for the Member State of final destination of the goods, as known at the time of importation.

**Box 18: Identity and nationality of means of transport on arrival**

Enter the identity of the means of transport on which the goods are directly loaded at the time of presentation at the customs office where the destination formalities are completed. If a tractor and trailer with different registration numbers are used, enter the registration number of both the tractor and the trailer.

Depending on the means of transport concerned, the following details concerning identity may be entered:

Means of transport	Method of identification
Sea and inland waterway transport	Name of vessel
Air transport	Number and date of flight (where there is no flight number, enter the aircraft's registration number)
Road transport	Vehicle registration number
Rail transport	Wagon number

**Box 19: Container (Ctr)**

Using the relevant Union code. Enter the situation when crossing the external Union frontier.

**Box 20: Delivery terms**

Using the relevant Union codes and headings, give particulars of the terms of the commercial contract.

**Box 21: Identity and nationality of active means of transport crossing the border**

Using the relevant Union code. Enter the nationality of the active means of transport crossing the Union's external frontier.

In the case of combined transport or where several means of transport are used, the active means of transport is the one which propels the whole combination. For example, in the case of a lorry on a sea-going vessel, the active means of transport is the ship. In the case of a tractor and trailer, the active means of transport is the tractor.

**Box 22: Currency and total amount invoiced**

Using the relevant code., enter in the first subdivision the currency in which the commercial invoice was drawn up.

Enter in the second subdivision the invoiced price for all goods declared.

**Box 23: Exchange rate**

This box contains the exchange rate in force between the invoice currency and the currency of the Member State concerned.

**Box 24: Nature of transaction**

Using the relevant codes. Enter the type of the transaction concerned.

**Box 25: Mode of transport at the border**

Using the relevant Union code. Enter the mode of transport corresponding to the active means of transport with which the goods entered the customs territory of the Union.

**Box 26: Inland mode of transport**

Using the relevant Union code. Enter the mode of transport upon arrival.

**Box 29: Office of entry**

Using the relevant Union code. Enter the customs office by which the goods entered the customs territory of the Union.

**Box 30: Location of goods**

Enter the precise location where the goods may be examined.

**Box 31: Packages and description of goods; Marks and numbers — Container No(s) — Number and kind**

Enter the marks, numbers, quantity and kind of packages or, in the case of unpackaged goods, enter the number of such goods covered by the declaration, together with the particulars necessary to identify them.

The description of the goods means the normal trade description. Except for non-Union goods placed under the customs warehousing procedure, this description must be expressed in terms sufficiently precise to enable immediate and unambiguous identification and classification.

This box must also contain the particulars required by any specific rules (e.g. VAT, excise duties). Using the relevant Union code., enter the kind of the packages.

If containers are used, their identifying marks should also be entered in this box.

**Box 32: Item number**

Enter the number of the item in question in relation to the total number of items declared in the forms and continuation forms used, as described in the note to box 5.

**Box 33: Commodity Code**

Enter the code number corresponding to the item in question. The Member States may provide for entry of a specific nomenclature concerning excise duties in the fifth subdivision.

**Box 34: Country-of-origin code**

Enter in box 34a the relevant Union code. for the country of origin, as defined in Title II of the Code.

**Box 35: Gross mass (kg)**

Enter the gross mass, expressed in kilograms, of the goods described in the relevant box 31. The gross mass is the aggregate mass of the goods with all their packing, excluding containers and other transport equipment.

Where a declaration covers several types of goods, Member States may decide that, for the procedures referred to under columns H to K of the table in Title I, B, the total gross mass only be entered in the first box 35, the remaining boxes 35 being left blank.

Where a gross mass greater than 1 kg includes a fraction of a unit (kg), it may be rounded off in the following manner:

- from 0.001 to 0.499: rounding down to the nearest kg,
- from 0.5 to 0.999: rounding up to the nearest kg,
- a gross mass of less than 1 kg should be entered as 0.xyz (e.g. 0.654 for a package of 654 grams).

**Box 36: Preference**

This box contains information on the tariff treatment of the goods. Where its use is provided for in the matrix of Title I, section B, it must be used even when no tariff preferential treatment is requested. However, this box must not be used in the context of trade between parts of the customs territory of the Union in which the provisions of Directive 2006/112/EC are applicable and parts of that territory in which those provisions do not apply, or in the context of trade between the parts of that territory where those provisions do not apply. Enter the relevant Union code.

The Commission will publish at regular intervals in the C series of the *Official Journal of the European Union* the list of the combinations of codes usable together with examples and explanatory notes.

**Box 37: Procedure**

Using the relevant Union code. Enter the procedure for which the goods are declared.

**Box 38: Net mass (kg)**

Enter the net mass, expressed in kilograms, of the goods described in the relevant box 31. The net mass is the mass of the goods without any packaging.

**Box 39: Quota**

Enter the order number of the tariff quota for which the declarant is applying.

**Box 40: Summary declaration/Previous document**

Using the relevant Union codes. Enter the reference particulars of any summary declaration used in the Member State of import or of any previous document.

**Box 41: Supplementary units**

Where necessary, enter the quantity of the item in question, expressed in the unit laid down in the goods nomenclature.

**Box 42: Item price**

Enter the price of the item in question.

**Box 43: Valuation method**

Using the relevant Union code. Enter the valuation method used.

**Box 44: Additional information/Documents produced/Certificates and authorisations**

Using the relevant codes. Enter the details required by any specific rules applicable together with reference particulars of the documents produced in support of the declaration.

The subdivision 'A.I. code' must not be used.

**Box 45: Adjustment**

This box contains information of any adjustments when no DV1 form is produced in support of the declaration. Any amounts to be entered in this box are to be expressed in the currency unit the code for which may appear in box 44, or, in the absence of such a code in box 44, in the currency of the Member State where the import formalities are completed.

**Box 46: Statistical value**

Enter the statistical value expressed in the currency unit the code for which may appear in box 44, or, in the absence of such a code in box 44, in the currency of the Member State where the import formalities are completed, in accordance with the Union provisions in force.



**Box 47: Calculation of taxes**

Enter the tax base applicable (value, weight or other). Using, where necessary, the relevant Union codes., the following should be shown on each line:

- the type of tax (e.g. import duty, VAT),
- the tax base,
- the rate of tax applicable,
- the amount of tax payable,
- the method of payment chosen (MP).

The amounts in this box must be expressed in the currency unit the code for which may appear in box 44, or, in the absence of such a code in box 44, in the currency of the Member State where the import formalities are completed.

**Box 48: Deferred payment**

Enter, where applicable, the reference particulars of the authorisation in question; deferred payment here refers both to deferred payment of customs duties and to tax credit.

**Box 49: Identification of warehouse**

Using the relevant Union code. Enter the reference particulars of the warehouse.

**Box 54: Place and date, signature and name of the declarant or his representative**

Enter the place and date of the completion of the declaration.

Subject to specific provisions to be adopted with regard to the use of computerised systems, the original of the handwritten signature of the person concerned must be given on the copy which is to remain at the office of import, followed by the full name of that person. Where that person is a legal person, the signatory should add his capacity after his signature and full name.

## **CODES TO BE USED IN THE FORMS ( [150](#) ) ( [151](#) )**

### **TITLE I**

#### **GENERAL REMARKS**

This Annex contains only the specific basic requirements applicable when using paper forms. Where transit formalities are completed by the exchange of EDI messages, the instructions contained in this Annex apply unless Annexes 37a or 37c provide otherwise.

In some cases, the requirements for the type and length of entries are specified. The codes for the different types of data are:

- a            alphabetic
- n            numeric
- an           alphanumeric

The number after the code indicates the authorised length of the data entry. Two points before the indication of the length means that the data entry is not of a determined length, but that it may include a number of characters up to the number indicated.

### **TITLE II**

#### **CODES**

##### **Box 1: Declaration**

##### **First subdivision (A03)**

The codes applicable (a2) are given below:

EX	For trade with countries and territories situated outside of the customs territory of the Community other than the EFTA countries + Turkey, + Serbia, + North Macedonia + United Kingdom  For placing goods under a customs procedure referred to in columns A and E)  To confer on goods a customs-approved treatment or use referred to in columns C and D  For dispatch of non-Community goods in the context of trade between Member States
IM	For trade with countries and territories situated outside of the customs territory of the Community other than the EFTA + Turkey, + Serbia, + North Macedonia + United Kingdom  For placing goods under a customs procedure referred to in columns H to J  For placing non-Community goods under a customs procedure in the context of trade between Member States
EU	In the context of trade (import + export) with EFTA countries + Turkey, + Serbia, + North Macedonia + United Kingdom  For placing goods under a customs procedure referred to in columns A, E and H to J

	To confer on goods a customs-approved treatment or use referred to in columns C and D
CO _	Union goods destined for or originating (import + export) from a non-fiscal territory. A non-fiscal area is, for example, the Canary Islands, the DOM and Mount Athos. From a customs point of view, these do belong to the customs territory of the Union, but not from a VAT point of view.

### Second subdivision (A04)

The codes applicable (a1) are given below:

A	For a normal declaration (normal procedure )
B	For an simplified (incomplete) declaration (simplified procedure)
D	For lodging a normal declaration (such as referred to under code A) before the declarant is in a position to present the goods.
E	For lodging an incomplete declaration (such as referred to under code B) before the declarant is in a position to present the goods.
F	For lodging a simplified declaration (such as referred to under code C) before the declarant is in a position to present the goods.
X	for a supplementary declaration under a simplified procedure covered by B and E.
Z	for a supplementary declaration under a simplified procedure (entry of the goods in the records)

### Third subdivision (031 of TRANSIT)

The codes applicable (an..5) are given below:

T1	Goods required to move under the external Community transit procedure
T2 _	Goods required to move under the internal Community transit procedure in accordance with Article 163 or 165 of the Code, unless Article 340c(2) applies
T2F	Goods required to move under the internal Community transit procedure
T2L	Form establishing the Community status of goods
T2LF	Form establishing the Community status of goods consigned to, or from, a part of the customs territory of the Community where the provisions of Directive 77/388/EEC do not apply

### Box 2: Consignor/Exporter

Where an identification number is required, the EORI number shall be used. It is structured as follows:

**Box 8: Consignee**

Where an identification number is required, the EORI number, structured as specified in the description for box 2, shall be used.

Where an identification number is required and the declaration includes the particulars for an exit summary declaration as set out in Annex 30a, a third country unique identification number which has been made available to the Union by the third country concerned may be used.

**Box 14: Declarant/Representative (A81)**

(a) Insert one of the following codes (n1) before the full name and address to designate the declarant or the status of the representative:

1 ——— ◀ Declarant

2 ——— ◀ Representative (direct representation within the meaning of the first indent of Article 5(2) of the Code)

3 ——— ◀ Representative (indirect representation within the meaning of the second indent of Article 5(2) of the Code).

Where this data element is printed on a paper document, it will be in square brackets (Ex: [1], [2] or [3])

(b) Where an identification number is required, the EORI number, structured as specified in the description for box 2, shall be used. ◀

**Box 15a: Country of dispatch/export code (S01)**

Use the country codes entered in box 2.

**Box 17a: Country-of-destination code (S01)**

Use the country codes entered in box 2.

**Box 18: Nationality of means of transport at departure (S01)**

Use the country codes entered in box 2.

**Box 19: Container (Ctr)**

The relevant codes (n1) are given below:

0 Goods not transported in containers

1 Goods transported in containers.

**Box 20: Delivery terms (A14)**

The codes and statements to be entered, as appropriate, in the first two subdivisions of this box are as follows:

**Box 21: Nationality of active means of transport crossing the border (S01)**

Use the country codes entered in box 2.

**Box 22: Invoice currency (S10)**

The invoice currency is to be entered by means of the ISO alpha-3 currency code (Codes ISO 4217 for the representation of currencies and funds).

**Box 24: Nature of the transaction (A22)**

Column A	Column B
1 Transactions involving actual or intended transfer of ownership against payment or other consideration (other than the transactions listed under 2, 7 and 8 <a href="#">(1)</a> <a href="#">(2)</a> <a href="#">(3)</a> )	Final purchase/sale <a href="#">(2)</a>
2 Return of goods already recorded under code 1 <a href="#">(4)</a> ; replacement of goods free of charge <a href="#">(4)</a>	1 Return of goods 2 Replacement for returned goods 3 Replacement (e.g. under terms of guarantee) for goods not returned
3 Transactions (not temporary in nature) involving transfer of ownership but without consideration (financial or otherwise)	1 Deliveries of goods under programmes wholly or partly financed by the European Community
4 Transactions with a view to processing <a href="#">(5)</a> or contractor repair <a href="#">(6)</a> (other than the transactions recorded under 7)	1 Processing 2 Repair and maintenance against payment 3 Repair and maintenance free of charge
5 Transactions after processing <a href="#">(5)</a> or contractor repair <a href="#">(6)</a> (other than the transactions recorded under 7)	1 Processing 2 Repair and maintenance against payment 3 Repair and maintenance free of charge
6 .Transactions not involving transfer of ownership, e.g. hire, loan, operational leasing <a href="#">(7)</a> and other temporary uses <a href="#">(8)</a> , with the exception of processing under contract or repair (delivery and return)	1 Hire, loan, operational leasing 2 Other temporary uses
7 Transactions in connection with a joint defence programme or another intergovernmental production programme (e.g. Airbus)	
8 Delivery of building material and equipment in connection with construction	

or civil engineering activities constituting part of a general contract <a href="#">(9)</a>	
9 Other transactions	

**Box 25: Mode of transport at the border**

The codes applicable (n1) are given below:

Code	Description
1	Sea transport
2	Rail transport
3	Road transport
4	Air transport
5	Postal consignment
7	Fixed transport installations
8	Inland waterway transport
9	Own propulsion

**Box 26: Inland mode of transport**

The codes listed for box 25 are applicable.

**Box 29: Office of exit/entry (S20 General)**

**Box 31: Packages and description of goods; Marks and numbers — Container No(s) — Number and kind ((A25)**

*Kind of packages*

Use the following codes.

**PACKAGING CODES**

Aerosol	AE
Ampoule, non-protected	AM
Bag	BG
Bag, flexible container	FX
Bag, large	ZB

Bag, multiply	MB
Bag, paper	5M
Bag, plastic	EC
Bag, plastics film	XD
Bag, polybag	44
Bag, super bulk	43
Bag, textile	5L
Bag, textile, sift proof	XG
Bag, textile, water resistant	XH
Bag, woven plastic	5H
Bag, woven plastic, sift proof	XB
Bag, woven plastic, water resistant	XC
Bale, compressed	BL
Bale, non-compressed	BN
Ball	AL
Balloon, non-protected	BF
Balloon, protected	BP
Bar	BR
Barrel	BA
Barrel, wooden	2C
Barrel, wooden, bung type	QH
Bars, in bundle/bunch/truss	BZ
Basin	BM
Basket	BK
Basket, with handle, cardboard	HC
Basket, with handle, plastic	HA

Basket, with handle, wooden	HB
Belt	B4
Bin	BI
Block	OK
Board	BD
Board, in bundle/bunch/truss	BY
Bobbin	BB
Bolt	BT
Bottle, gas	GB
Box	BX
Box, aluminium	4B
Box, Commonwealth Handling Equipment Pool (CHEP), Eurobox	DH
Box, fibreboard	4G
Box, for liquids	BW
Box, natural wood	4C
Box, plastic	4H
Box, plastic, expanded	QR
Box, plastic, solid	QS
Box, steel	4A
Box, wooden, natural wood, ordinary	QP
Box, wooden, natural wood, with sift proof walls	QQ
Bucket	BJ
Bunch	BH
Bundle	BE
Bundle, wooden	8C
Butt	BU



Cage	CG
Cage, roll	CW
Can, cylindrical	CX
Can, rectangular	CA
Can, with handle and spout	CD
Canister	CI
Canvas	CZ
Capsule	AV
Carboy, non-protected	CO
Carboy, protected	CP
Card	CM
Cart, flatbed	FW
Carton	CT
Cartridge	CQ
Case	CS
Case, steel	SS
Case, with pallet base	ED
Case, with pallet base, cardboard	EF
Case, with pallet base, metal	EH
Case, with pallet base, plastic	EG
Case, with pallet base, wooden	EE
Case, wooden	7B
Coffin	CJ
Coil	CL
Composite packaging, plastic receptacle in steel drum	YA
Composite packaging, plastic receptacle in wooden box	YF

Cone	AJ
Container, flexible	1F
Container, gallon	GL
Container, metal	ME
Container, not otherwise specified as transport equipment	CN
Container, outer	OU
Cover	CV
Crate	CR
Crate, beer	CB
Crate, bulk, cardboard	DK
Crate, bulk, plastic	DL
Crate, bulk, wooden	DM
Crate, framed	FD
Crate, fruit	FC
Crate, metal	MA
Crate, milk	MC
Crate, multiple layer, cardboard	DC
Crate, multiple layer, plastic	DA
Crate, multiple layer, wooden	DB
Crate, shallow	SC
Crate, wooden	8B
Creel	CE
Cup	CU
Cylinder	CY
Dispenser	DN
Drum	DR

Drum, aluminium	1B
Drum, aluminium, non-removable head	QC
Drum, aluminium, removable head	QD
Drum, fibre	1G
Drum, iron	DI
Drum, plastic	IH
Drum, plastic, non-removable head	QF
Drum, plastic, removable head	QG
Drum, plywood	1D
Drum, steel	1A
Envelope, steel	SV
Filmpack	FP
Firkin	FI
Flask	FL
Flexibag	FB
Flexitank	FE
Foodtainer	FT
Footlocker	FO
Frame	FR
Intermediate bulk container	WA
Jar	JR
Jerrican, cylindrical	JY
Jerrican, plastic	3H
Jerrican, steel	3A
Jerrican, steel, non-removable head	QK
Jerrican, steel, removable head	QL

Jutebag	JT
Keg	KG
Kit	KI
Net	NT
Net, tube, plastic	NU
Net, tube, textile	NV
Not available	NA
Packet	PA
Pallet	PX
Pan	P2
Parcel	PC
Pen	PF
Piece	PP
Pipe	PI
Pipes, in bundle/bunch/truss	PV
Pitcher	PH
Plank	PN
Planks, in bundle/bunch/truss	PZ
Plate	PG
Plates, in bundle/bunch/truss	PY
Rack	RK
Rack, clothing hanger	RJ
Rednet	RT
Reel	RL
Ring	RG
Rod	RD

Rods, in bundle/bunch/truss	RZ
Roll	RO
Sack	SA
Sack, multi-wall	MS
Sea-chest	SE
Sheet	ST
Sleeve	SY
Slipsheet	SL
Spindle	SD
Spool	SO
Suitcase	SU
Tablet	T1
Tank container, generic	TG
Tray	PU
Trunk	TR
Tube	TU
Tube, collapsible	TD
Tyre	TE
Uncaged	UC
Unit	UN
Unpacked or unpackaged	NE
Vacuum-packed	VP
Vanpack	VK
Vat	VA
Vehicle	VN

**Box 33: Commodity Code**

**First subdivision (8 digits)**

To be completed using the headings of the Combined Nomenclature.

Where the form is used for Community transit procedure purposes, the commodity code made up of at least the six digits of the Harmonised Commodity Description and Coding System shall be entered in this subdivision. However, where Community legislation so requires, the Combined Nomenclature heading shall be used.

**Second subdivision (two characters)**

To be completed in accordance with the Taric code (two characters for the application of specific Community measures in respect of formalities to be completed at destination).

**Third subdivision (four characters)**

To be completed in accordance with the Taric code (first additional code).

**Fourth subdivision (four characters)**

To be completed in accordance with the Taric code (second additional code).

**Fifth subdivision (four characters)**

Codes to be adopted by the Member States concerned.

**Box 34a: Country-of-origin code (S01)**

Use the country codes entered in box 2.

**Box 36: Preference(T17)**

This box is for three-digit codes comprising a single-digit component from 1). and a two-digit component from 2).

**Box 37: Procedure (A35)****A. First subdivision**

The codes to be entered in this subdivision are four-digit codes, composed of a two-digit code representing the procedure requested, followed by a second two-digit code representing the previous procedure. The list of two-digit codes is given below.

‘Previous procedure’ means the procedure under which the goods were placed before being placed under the procedure requested.

It should be noted that where the previous procedure is a warehousing procedure or temporary importation, the relevant code should be used only where the goods have not been placed under a customs procedure with economic impact (inward processing, outward processing or processing under customs control).

For example: re-export of goods imported under the customs inward processing procedure (suspension system) and subsequently placed under the customs warehousing procedure = 3151 (not 3171). (First operation = 5100; second operation = 7151: re-export = 3151).

Similarly, where goods previously temporarily exported are re-imported, placing under one of the abovementioned suspensive procedures is to be regarded as simple importation under

that procedure. Indication of the 're-importation' aspect is to be given only when the goods are released for free circulation.

For example: entry for home use with simultaneous entry for free circulation of goods exported under the customs outward processing procedure and placed under a customs warehousing procedure on re-importation = 6121 (not 6171). (First operation: temporary export for outward processing = 2100; second operation: storage in customs warehouse = 7121; third operation: entry for home use + entry for free circulation = 6121).

The codes marked in the list below with the letter (a) cannot be used as the first two digits of the procedure code, but only to indicate the previous procedure.

For example: 4054 = entry for free circulation and home use of goods previously placed under the IP — suspension system in another Member State.

List of procedures for coding purposes

Two of these basic elements must be combined to produce a four-digit code.

00	This code is used to indicate that there is no previous procedure (a) or the previous procedure has not a code
10	Permanent export.  <b>Example:</b>  Normal export of Community goods to a third country, but also export of Community goods to parts of the customs territory of the Community to which the provisions of Council Directive 77/388/EEC do not apply (OJ L 145, 13.6.1977, p. 1).
21	Temporary export under the outward processing procedure.  <i>Example:</i> Explanation: Outward processing procedure under Articles 145 to 160 of the Code. See also code 22.
22	Temporary export other than that referred to under code 21.  <b>Example:</b>  The simultaneous application to textile products of the outward processing procedure and the economic outward processing procedure (Council Regulation (EC) No 3036/94).
23	Temporary export for return in the unaltered state.  <i>Example:</i> Temporary export for exhibitions of articles such as samples, professional equipment, etc.
31	Re-export.  <i>Explanation:</i> Re-export of non-Community goods following a suspensive arrangement with economic impact.  <i>Example:</i> Goods are placed under a customs warehousing procedure and subsequently declared for re-export. ◀
40	Simultaneous release for free circulation and home use of goods which are not the subject of a VAT-exempt supply.

	<i>Example:</i> Goods coming from a third country with payment of the customs duties and VAT.
45	<p>Release of goods for free circulation and home use for either VAT or excise duties and their placing under the tax warehouse procedure.</p> <p><i>Explanation:</i> VAT or excise exemption by placing the goods under a fiscal warehouse procedure.</p> <p><b>Examples:</b></p> <p>Cigarettes imported from a third country are released for free circulation and VAT has been paid. While the goods are in the tax warehouse or approved area, the payment of excise duties is suspended.</p> <p>Cigarettes imported from a third country are released for free circulation and excise duties are paid. While the goods are in the tax warehouse or approved area the payment of VAT is suspended.</p>
48	<p>Entry for home use with simultaneous release for free circulation of replacement goods under the customs outward processing procedure prior to the export of the temporary export goods.</p> <p><b>Explanation:</b></p> <p>Standard exchange system (IM-EX), prior importation in accordance with Article 154(4) of the Code.</p>
49	<p>Entry for home use of Community goods in the context of trade between parts of the customs territory of the Community in which the provisions of Directive 77/388/EEC are applicable and parts of that territory in which those provisions do not apply, or in the context of trade between the parts of that territory where these provisions do not apply.</p> <p>Entry for home use of goods in the context of trade between the Community and the countries with which it has formed a customs union.</p> <p><b>Explanation:</b></p> <p>Import with entry for home use of goods from parts of the Community to which the Sixth VAT Directive (77/388/EEC) does not apply. The use of the SAD is laid down in Article 206.</p> <p><b>Examples:</b></p> <p>Goods arriving from Martinique and entered for home use in Belgium.</p> <p>Goods coming from Andorra and entered for home use in Germany.</p>
51	<p>Inward processing procedure (suspension system).</p> <p><i>Explanation:</i> Inward processing (suspension system) in accordance with Article 114(1)(a) and (2)(a) of the Code.</p>
53	<p>Import under temporary import procedure.</p> <p><i>Example:</i> Temporary importation, e.g. for an exhibition.</p>



61	Re-importation with simultaneous release for free circulation and home use of goods which are not the subject of a VAT-exempt supply.
71	Placing of goods under the customs warehousing procedure.  <b>Explanation:</b>  Placing of goods under the customs warehousing procedure. This in no way precludes the simultaneous placement of goods in, say, an excise or VAT warehouse.
91	Placing of goods under processing under customs control.

## B. Second subdivision

1. Where this box is used to specify a Community procedure, a code composed of an alphabetic character followed by two alpha-numeric characters must be used, the first character of which identifies a category of measures in the following manner:

Inward processing	Axx
Outward processing	Bxx
Relief	Cxx
Temporary import	Dxx
Agricultural products	Exx
Other	Fxx

#### **Box 40: Summary declaration/Previous document (A80 + A28)**

This box is for alphanumeric (an..26) codes.

Each code has three components, which are separated by dashes (-). The first component (a1) consists of three different letters and is used to distinguish between the three categories mentioned below. The second component (an..3), which consists of a combination of digits and/or letters, serves to identify the type of document. The third component (an..20) represents the particulars needed to recognise the document, either its identification number or another recognisable reference.

##### **1. The first component (a1):**

the summary declaration, represented by 'X',

the initial declaration, represented by 'Y'

the previous document, represented by 'Z',

##### **2. The second component (an..3):**

Choose the abbreviation for the document from the 'list of abbreviations for documents'.

This list includes the code 'CLE', which stands for 'date and reference of the entry of the goods in the records'. (Article 76(1)(c) of the Code). The date is coded as follows:   
yyyymmdd.

##### **3. The third component (an..20):**

The identification number or another recognisable reference of the document is inserted here.

Examples:

— The previous document is a T1 transit document to which the office of destination has assigned the number '238544'. The code will therefore be 'Z-821-238544'. ('Z' for previous document, '821' for the transit procedure and '238544' for the document's registration number (or the MRN for the NCTS operations)).

— A cargo manifest bearing the number '2222' is used as a summary declaration. The code will be 'X-785-2222'. ('X' for the summary declaration, '785' for the cargo manifest and '2222' for the manifest's identification number).

— Goods were entered in the records on 14 February 2002. The code will therefore be 'Y-CLE-20020214-5' ('Y' to show there was an initial declaration, 'CLE' for 'entry in the records', '20020214' for the date of entry, '2002' being the year, '02' the month, '14' the day and '5' for the reference of the entry in the records).

## List of abbreviations for documents

Container list	235
Loading list (delivery note)	270
Packing list	271
Proforma invoice	325
Commercial invoice	380
House waybill	703
Master bill of lading	704
Bill of lading	705
CIM consignment note (rail)	720
Road list SMGS	722
Road consignment note	730
Air waybill	740
Master air waybill	741
Despatch note (post parcels)	750
Multimodal/combined transport document	760
Cargo manifest	785
Bordereau	787
Community transit Declaration — Mixed consignments (T)	820
External Community transit Declaration (T1)	821
Internal Community transit Declaration (T2)	822
Control copy T5	823
TIR carnet	952
ATA carnet	955
Reference/date of entry of the goods in the records	CLE
Information sheet INF3	IF3

Information sheet INF8	IF8
Cargo manifest — simplified procedure	MNS
Internal Community transit Declaration — Article 340 c, 1)	T2F
T2M	T2M
Entry summary declaration	355
Summary declaration for temporary storage	337
Other	ZZZ

If the above document is drawn up using the SAD, the abbreviation will comprise the codes specified for the first subdivision of box 1. (IM, EX, CO and EU)

#### **Box 43: Valuation method**

The provisions used to determine the customs value of imported goods are to be coded as follows:

#### **Box 44: Additional information/Documents produced/Certificates and authorisations**

##### **1. Additional information (A12)**

A five-digit code is used to encode additional information of a customs nature. This code follows the additional information unless Community law provides for the code to be used in place of the text.

##### **Example:**

The declarant may indicate his wish to have Copy 3 returned to him by entering 'RET-EXP' or the code 30400 in Box 44 (Article 793a(2)).

Community law provides for certain additional information to be entered in boxes other than box 44. However, such additional information should be coded according to the same rules as the information to be specifically entered in box 44. Furthermore, where Community law fails to specify the box in which information is to be entered, that information is to be entered in box 44.

All types of additional information are listed at the end of this title.

Member States may provide for the use of national additional information provided that their codification presents a structure different to the codes for Community additional information.

##### **2. Documents produced, certificates and authorisations (T03)**

(a) Documents, certificates and Community or international authorisations or other references produced in support of the declaration must be entered in the form of a code composed of 4 alpha-numeric characters, and, where applicable, followed either by an identification number or another recognisable reference. The list of documents, certificates, authorisations and other references and their respective codes can be found in the TARIC database.

(b) National documents, certificates and authorisations produced in support of the declaration must be entered in the form of a code composed of an numeric character

followed by 3 alpha-numeric characters (Ex: 2123, 34d5), possibly followed either by an identification number or another recognisable reference. The four characters represent codes based on that Member State's own nomenclature.

**Box 47: Calculation of taxes**

**First column: Type of tax**

**Last column: Method of payment**

**Box 49: Identification of warehouse (A30)**

The code to be entered has the following three-part structure:

— the letter identifying the type of warehouse in accordance with the descriptions contained in Article 525 (a1). For warehouses other than those mentioned in Article 525, the following codes should be used:

**Box 50: Principal**

Where an identification number is required, the EORI number, structured as specified in the description for box 2, shall be used.

**Box 51: Intended offices of transit (and country))**

Use the codes entered in box 29.

**Box 52: Guarantee (051)**

Guarantee codes

**Box 53: Office of destination (and country)**

Use the codes entered in box 29.

Code tables of the codes for a customs declaration as applicable in the Netherlands. For tables, see the Customs codebook on the internet site of the Dutch Customs:

[https://www.belastingdienst.nl/codeboek\\_sagitta/huidig/html/onderdeel-codeboek%2C%20onderdeel%20aangiftebehandeling.html](https://www.belastingdienst.nl/codeboek_sagitta/huidig/html/onderdeel-codeboek%2C%20onderdeel%20aangiftebehandeling.html)

042 - CONTROL INDICATOR

047 - CHECK RESULT

058 - CUST.STATE TYPE

101 - UN DANGEROUS GOODS

116 – WAY OF PAYING TRANSPORT

A03 – DECLARATION SYMBOL

A04 - DECLARATION TYPE

A07 - REASON MESSAGE

A11 - VALUE TYPES

A12 - SPECIAL MENTION

A14 - DELIVERY CONDITIONS

A16 - MEDIUM CODE

A22 - TRANSACTION CODE

A25 - SRT PACKAGING

A27 - MODE OF TRANSPORT

A28 - DOCUMENT-SRT

A29 - SUPPLEMENTARY PROCEDURE CODE.

A30 - TYPE OF WAREHOUSE

A35 – PROCEDURE CODE

A57 - EXPLANATION

A58 - REQUEST

A80 – TYPES OF PREVIOUS DOCUMENTS

A81 - STATUS-REPRESENTATIVE

A89 - INCOT. LOC QUAL

A95 - SUPPLEMENT. INFO

A97 - STANDARD QUALIF

A99 - ERROR CD REPORT

B02 - CLASS ID

B03 - ATTRIBUTE ID

B31 - ALTERNATIVE PROOF

N09 - MESSAGE TYPE BIN

N10 - INDICATOR

N24 - LOCATION CODE NL

N43 - MESSAGE STATUS

S01 - COUNTRY TABLE

S03 - ORG. UNITS

S05 - REGIONS

S10 - CURRENCY COIN R

S20 - UN/LOCODE SIDE.

T03 - FILE CODE

T08 - MEASURE CODE

T17 - PREF CODE







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**Questions**

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Please note:

A number of question lines have not been filled in.

These are under construction and will follow later during the course.

# Organization of customs

1	How many Member States does the Union have?	
2	Is there a difference between the customs territory and the VAT-territory of the Union?	
3	What are the Union's two different borders?	
4	Which ministry does customs in the Netherlands belong to?	
5	How many regional customs offices are there in the Netherlands?	
6	What is meant by 'aankliktaken'?	
7	Which taxes does customs charge?	
8	What are the non-tax duties also called?	
9	What is a BTI?	
10	What is a BOI?	
11	What is an AEO?	
12	What are the benefits of an AEO permit for (declaration) procedures?	
13	What are the benefits of an AEO permit?	
14	Name an important task of the FIOD.	
15	What role does the Central Bureau of Statistics play?	
16	Which organization plays an important role in issuing certificates of origin?	
17	What three types of legislation does the Union make?	
18	What kind of Union legislation is most common in customs legislation?	
19	List some goals of the World Trade Organization (WTO)	
20	List some tasks of the World Customs Organization	
21	Which countries belong to the European Free Trade Association (EFTA)?	
22	List some of the characteristics of the Union.	





# Entry of goods

1	What are Union goods?	
2	What customs status is assumed for goods that are in the customs territory of the Union and of which the customs status is unknown?	
3	What are non-Union goods?	
4	What is the status of goods according to customs when they enter the Union?	
5	How long does this customs status (upon arrival) continue to exist?	
6	When does customs control take place?	
7	How are customs informed about which goods will be brought into the Union?	
8	Should customs be notified of all goods entering the Union or only of goods unloaded in the Union?	
9	When will customs be informed about which goods will be brought into the Union?	
10	At which customs office should customs be informed that goods are entering the Union? Choose one of the following answers: a. The customs office where the goods will be unloaded b. The customs office of first entry c. Any customs office d. The customs office of the country where the carrier is located.	
11	At which offices in the Netherlands can customs be notified that goods are entering the Union?	
12		

13	How does customs know the provisions a ship has on board and/or the belongings of the crew?	
14	How do customs know which goods will be unloaded after the ship or aircraft arrives? Choose one of the following answers: a. Entry summary declaration (ENS) b. The IMO / FAL 3 c. The IMO / FAL 4 d. The Declaration for Temporary Storage (TSD).	
15	What customs status does customs assume when goods are brought into the Union by air or sea?	
16	How will customs be informed at what time the ship or aircraft will actually arrive?	
17	What is meant by presentation of goods to customs?	
18	Can a ship sailing to the Union from a third country call at any Union port?	
19	At which customs office must a declaration for temporary storage (TSD) be made if goods have entered the Union by ship and are unloaded at different ports in the Union? Choose one of the following answers. a. At the customs office of first entry b. At the customs office of the country where the importer is located c. At the customs office where the goods will be unloaded d. At a customs office of your choice.	
20	When must a declaration for temporary storage be made? Choose one of the following answers: a. Always when the goods are presented b. At the latest when the goods are presented, but it is advised to do this earlier. c. At the latest when the goods are unloaded d. At the same time as the ENS.	
21	Why do customs want the temporary storage declaration as early as possible?	

22		
23	In which situations are goods entering the Union automatically classified as Union goods if the transport takes place between 2 places in the Union?	
24	What is a Space for Temporary Storage (STS) for?	
25	Are there any formalities required to start an STS? Choose one of the following options: a. Yes, to be able to start this must first be reported to customs b. No, no formality is required c. Only if there is no customs office nearby d. Yes, a permit from customs is required	
26	How long can goods be stored in a Space for Temporary Storage (STS)?	
27	Which declaration is required to store all unloaded goods in Temporary Storage?	
28	Should all goods in an Temporary Storage remain in exactly the same state during storage?	
29	Through which procedure or procedures can storage of goods in Temporary Storage be ended?	
30	Give a brief description of the procedure that releases goods into free circulation and specify whether this regulation applies to Union goods or non-Union goods.	
31	Give a brief description of the transit procedure and specify whether this regulation applies to Union goods or non-Union goods.	
32	Give a brief description of the customs warehouse procedure and specify whether this regulation applies to Union goods or non-Union goods.	
33	Give a brief description of the temporary admission (import) arrangement and specify whether this regulation applies to Union goods or non-Union goods.	
34	Give a brief description of the particular end use arrangement and specify whether this regulation applies to Union goods or non-Union goods.	
35	Give a brief description of the inward processing procedure and specify whether this regulation applies to Union goods or non-Union goods.	

36	Give a brief description of the outward processing procedure and specify whether this regulation applies to Union goods or non-Union goods.	
37	Give a brief description of the export procedure and specify whether this regulation applies to Union goods or non-Union goods.	

# Customs Declaration

1	What is a customs declaration for?	
2	What are the six components of the declaration procedure for a customs declaration?	
3	In which system are the import and export declarations registered?	
4	In which system are the transit declarations registered?	
5	Which four requirements must a customs declaration meet in order to be accepted by customs?	
6	What is the purpose of clearing the previous procedure?	
7	On what basis does customs select the declarations to be checked?	
8	What are the different types of control?	
9	What does release of goods mean?	
10	Is inspection by customs after the release of goods by customs still possible? Choose one of the answers below: a. No, never b. Only with the consent of the declarant c. Only in case of fraud d. Yes, that is always possible.	
11	Which simplified declaration procedures are possible (excluding transit)?	
12	Which aspects can be incomplete and the declaration still be accepted by customs?	
13	Should a declarant have a permit for the occasional application of a simplified declaration?	
14	In case of a simplified declaration, how does customs collect the missing data or documents?	
15	Within which period must the supplementary declaration be made after a simplified declaration?	
16	Can the simplified declaration be applied to all customs procedures?	
17	Which simplifications apply when making the declaration through Entry in the Declarant's Records?	
18	Can anyone make a declaration through Entry in the Declarant's Records?	

19	What plays an important role in the verification of declaration through Entry in the Declarant's Records?	
20	How does customs receive all the information about the goods that have been declared?	
21	Which two simplifications exist for the Transit procedure?	
22	Can anyone use both simplifications?	
23	In which four ways can a customs declaration be made?	
24	What choice does a declarant have about how a customs declaration can be made? Choose one of the following answers: <ul style="list-style-type: none"> <li>a. A declaration must always be made electronically</li> <li>b. A declaration must always be made electronically except in a number of special cases (for example in the case of passenger luggage, etc. it may also be made verbally or through an act)</li> <li>c. A declarant always has a free choice about the way in which a declaration is made</li> <li>d. The customs officer who will handle the declaration determines how this must be done.</li> </ul>	
25	For each method of making a customs declaration, specify the form(s) to be used.	

26	<p>Who is (generally) primarily responsible for the accuracy of a customs declaration? Choose one of the following answers:</p> <ul style="list-style-type: none"> <li>a. Always the person who submits the declaration to customs</li> <li>b. The owner of the goods</li> <li>c. That depends on the situation (role) in which the person submitting the declaration is acting</li> <li>d. Always the person who gives the order to make the declaration</li> </ul> <p>Motivate your choice of answer</p>	
27	<p>Which of the procedures below is not a customs procedure with a special obligation?</p> <ul style="list-style-type: none"> <li>a. Export</li> <li>b. Release for free circulation</li> <li>c. Inward processing</li> <li>d. Customs transit</li> </ul>	





# Completing a customs declaration

## Question 1

Which column (letter!) of the national matrix should you refer to if you need to fill in a declaration for the transit procedure?

## Question 2

Do you need to fill in the third subdivision of box 1 for an export procedure?

## Question 3

When filling in a declaration for release for free circulation, do the 1st and 2nd subdivision of box 1 need to be completed?

## Question 4

Does box 7 need to be filled in for a declaration for an outward processing customs procedure?

## Question 5

Should box 3 of an electronic declaration for the temporary admission procedure be completed if this declaration concerns only one item?

## Question 6

Which code is required in box 1 in the following situations?

- a) import declaration (normal procedure) of goods from China?
- b) import declaration (simplified procedure) of goods from Norway?
- c) export declaration (normal procedure) of goods destined for the USA?
- d) export declaration (normal procedure) of goods destined for the Canary Islands?
- e) import declaration (pre-declaration) of goods from Belarus?

**Question 7**

Which code is required in box 37 (1st subdivision) in the following situations?

- a) final exports to Japan?
- b) declaration for release for free circulation and home use (no turnover tax exemption) of goods stored in a customs warehouse?
- c) re-export after inward processing?

**Question 8**

Which country code should you enter in box 17 of an export declaration if you are exporting goods to the US?

# Export Case Study

To be exported for Jolly Jumper BV in Leimuiden is a jumping horse that has been sold to an American company called Jumping Fun.  
The horse needs to be transported from Leimuiden to Schiphol, from which it will be flown by KLM to New York, flight number KL-123.

The invoice value is € 150,000  
Terms of delivery is FCA Schiphol  
Transport costs Leimuiden - Schiphol € 250  
Transport by road on a Dutch lorry, registration number KL-MA-11

Exporter's address:  
Jolly Jumper BV  
Paardenweg 1  
1234 AA Leimuiden  
EORI number NL123456789

You are asked to make the declaration for Jolly Jumper.  
You are employed by VAKO Logistics  
Klaarweg 236, 9809 AJ Groningen  
EORI number NL0098765432

Fill in the following boxes.

Box no	Yes / No	What needs to be entered into the box, or what is the reason for leaving it blank?
1		
2		
2 no		
3		
5		
14		
14 no		
19		
20		
24		
25		
30		
31		
33		
37 first subdivision		



# Import Case Study

For De Spijkerbroekengigant BV in Hilversum, a shipment of cotton jeans for women is released for free circulation. The shipment was purchased from a Chinese company called Trowser inc. The goods are in De Spijkerbroekengigant's customs warehouse. It concerns 30,000 items packed in 250 cardboard boxes marked 1 - 250 in 1 container No. CTIU 45789103

The batch is transported by road from the factory in Shanghai to the port in China and from there it goes by ship to Rotterdam.

Incoterms is FOB Shanghai.

Importer's address:  
De Spijkerbroekengigant BV  
Textielweg 1  
1234 AA Hilversum  
EORI identification no. NL123456789

The declaration is made through direct representation by  
VAKO Logistics  
Klaarweg 236, 9809 AJ Groningen  
Customs / EORI number NL0098765432

The invoice-price of the shipment is € 145.000, 00 and the transport costs from Shanghai to Rotterdam are € 3.500,00.

You are asked to make the declaration on behalf of the Spijkerbroekengigant.

Box no	Yes / No	What needs to be entered into the box, or what is the reason for leaving it blank?
1		
3		
8 no		
8		
14 no		
20		
22		
24		
25		
30		
31		
33		
37		
46		



## Free circulation

1	What happens to the customs status of goods when they are released for free circulation?	
2	What does it mean for goods when they are released for free circulation?	
3	What are the consequences if non-Union goods are released for free circulation?	
4	Into which two groups can you divide the different taxes?	
5	What national taxes do customs levy?	
6	Who are the import duties collected for?	
7	Does value added tax (VAT) on import (release for free circulation) always have to be paid when making the customs declaration?	
8	Who will grant the permit for transferring the VAT to the accounts of the importer?	
9	How can a foreign entrepreneur avoid having to pay VAT in the Netherlands if the goods do not remain in the Netherlands?	
10	Can you name two levies of a non-fiscal nature?	
11	What is the name of the person who has to pay a customs debt?	
12	Name a situation in which a customs debt is incurred.	
13	How is a debtor told to pay a customs debt?	
14		
15	In which cases can import duty be refunded?	
16	Can import duty be refunded if a Certificate of Origin is submitted afterwards?	
17		
18	Are import duties always refunded if the goods are refused by the consignee (importer)?	
19		

20	What is a preferential rate?	
21	What is a tariff suspension?	
22	Give some examples of 'end use'	
23	What does it mean for the tariff if goods are eligible for the special 'end use' procedure?	
24	Into which two groups can you divide the exemptions?	
25	Give some examples of full exemption imports.	
26	What is the time limit for goods to be re-imported to qualify for returned goods relief?	
27	Are returning goods allowed to have been used in a third country?	



# Classification

1	What is the name of the goods classification system and information associated with commodity codes?	
2	List eight topics included in the Tariff System.	
3	Which of the following structure regarding the Harmonized System is correct? a. 21 chapters and 97 sections b. 21 chapters with 97 headings c. 21 sections with 97 chapters d. 21 divisions with 97 headings.	
4	How many positions does a HS heading and a HS code have?	
5	How many positions does a CN code and a TARIC code have?	
6	What is the difference between a 6-digit commodity code in the Union and a 6-digit code for the same product in the US?	
7	What is the difference between an 8-digit commodity code in the Union and an 8-digit code for the same product in the US?	

8	<p>Which order of action is best to find a commodity code?</p> <ol style="list-style-type: none"> <li>Immediately start searching for the item by looking at the wording (description) of the heading</li> <li>First find in which chapter a product should be classified and then search for the correct heading within that chapter</li> <li>First search for the section in which the product may have to be classified, then search for the chapter and then search for the heading within that chapter</li> <li>Enter the description or name of the product and then have the system search where that description is mentioned (search by description).</li> </ol>	
9	<p>The column 'Tariff' in the Tariff System contains the following information:</p> <ol style="list-style-type: none"> <li>Only the percentage of the normal import duty</li> <li>The percentage of normal and any preferential import duty</li> <li>The percentage of tax(es) that may be due</li> <li>The rate of taxes that may be due</li> </ol>	
10	What do a tariff quota, tariff preference and preferential tariff mean under a quota?	
11	What does the suspension of import duties mean?	
12	Which classification rule(s) do you apply to determine the 4-digit code of a live horse?	
13	Which classification rule(s) do you apply to determine the 8-digit code of a live horse?	
14	Which classification rule(s) do you apply to determine the 8-digit code of a vacuum cleaner if it is not yet equipped with attachments such as brushes, etc.	
15	Which classification rule(s) do you apply to determine the 8-digit code of a cabinet if it still has to be put together?	

16	A bag contains both liquorice (confectionery) and chocolate (cocoa products). It is a mixture. Please indicate how you classify this product when it is offered as a whole. Also indicate which classification rules apply. Do not determine a commodity code.	
17	A heavy glass vase has a wooden base. Please indicate how you classify this product if it is offered as one unit. Also indicate which classification rules apply. Do not determine a commodity code.	
18	<p>A cardboard box contains the following goods:</p> <ul style="list-style-type: none"> <li>• a brush</li> <li>• a dust cloth</li> <li>• a cleaning agent and</li> <li>• a plastic scraper to loosen stubborn dirt</li> </ul> <p>Please indicate how you classify this product if it is offered as a complete product. Also indicate which classification rules apply. Do not determine a commodity code.</p>	
19	Does the box of the goods described in question 18 still have to be classified separately? Indicate which classification rule you apply for classifying the box.	



## Non-fiscal subjects (SHEE)

1	Are the SHEE tasks that customs performs fiscal or non-fiscal tasks?	
2	Where is it documented which inspections, and how often, customs perform for SHEE tasks? Choose one of the answers below. a. Customs will determine this themselves b. This is determined by the Union in regulations c. This is laid down in covenants agreed with other ministries d. This is determined by the Minister of Justice and Security	
3	What do the letters SHEE stand for?	
4	Can medicines simply be released for free circulation? Motivate the answer.	
5	What is the purpose of sanctions?	
6	What are drug precursors?	
7	Which of the following should not be done with narcotics that are designated in the Opium Act, where customs have a duty of enforcement. Choose one of the answers below. a. Only release for free circulation b. Delivery within the Netherlands from Germany c. Producing in the Netherlands d. Exporting narcotics	

8	Which of the bans below based on the Weapons and Ammunition Act are controlled by customs? Choose one of the answers below. a. Manufacture of weapons and ammunition b. Having weapons and ammunition available in the Netherlands c. Bringing weapons and ammunition from a third country into Dutch territory d. Carrying weapons and ammunition	
9	To which products do the veterinary provisions apply?	
10	In addition to customs, which organization carries out veterinary checks? Choose one of the answers below: a. CDIU b. Police c. ILT d. NVWA	
11	To which goods do the phytosanitary provisions apply?	
12	Which agreement plays a major role in endangered animal and plant species?	
13	At which organization must a CITES permit be applied for in the Netherlands?	
14		
15	Which regulation plays a major role in waste?	
16	In which operations with waste do customs play a role?	
17	Which ministry is responsible for supervising environmentally hazardous substances? Choose one of the answers below. a. The Ministry of Infrastructure and Water Management b. The Ministry of Justice and Security c. The Ministry of Finance d. The Ministry of Economic Affairs and Climate	

## Special procedures

1	Which of the following procedures is not a special procedure? Choose one of the answers below. a. Transit b. Release for free circulation c. Customs warehouse d. Inward processing.	
2	Do all special procedures require customs authorization?	
3	Is an authorization for a special procedure only valid in the Member State where it was issued?	
4		
5	Which forms of customs storage do not exist in the Netherlands? Choose one of the answers below. a. Free zone b. Private bonded warehouse c. Public bonded warehouse d. Space for Temporary storage	
6	Which goods can be stored in a customs (bonded) warehouse? Choose one of the answers below. a. Non-Union goods only b. Union goods only c. Union and non-Union goods d. Excise goods only	

7	Which authorizations are often issued at the same time as an authorization for a private customs warehouse and why?	
8	Which procedure is not possible when the customs warehouse procedure for non-Union goods is ended. Choose one of the answers below. a. Export b. Re-export c. Free circulation d. Inward processing	
9	Which of the following actions may be taken with goods placed under the Temporary Admission procedure? Choose one of the answers below. a. Non-Union goods may be altered or processed in the Union without any import duties being due b. Non-Union goods may be repaired in the Union without any paying import duties c. Non-Union goods may be exhibited in the Union d. Union goods may be exhibited outside the Union	
10		
11	What is the time limit for applying the Temporary Admission procedure? Choose one of the answers below. a. 1 year b. 2 years c. 3 years d. 5 years	
12	When does the import duty exemption apply to Temporary Admission of means of transport? Choose one of the answers below. a. Only for means of transport used for private use b. Only for means of transport used for commercial use c. For means of transport that are used for both private and commercial purposes d. Only for means of transport used for private purposes by individuals resident in the Union	
13		
14	Name the five processing operations in Inward Processing.	



15	How is the identity of the products placed under the inward processing procedure usually maintained?	
16	How would an authorisation for Inward Processing usually be made when a machine from the USA is repaired in the Union, and this being an occasional matter?	
17	May producers of raw materials in the Union suffer from the use of raw materials from outside the Union through Inward Processing?	



# Transit

1	<p>What is the difference between internal and external transit? Choose one of the answers below.</p> <ul style="list-style-type: none"> <li>a. Internal transit operations take place within the Union and external transit operations operate outside the Union</li> <li>b. In internal transit, the transport concerns one company and in external transit more than one company is involved.</li> <li>c. Internal transit is the transit of non-Union goods and external transit is, essentially, the transit of Union goods</li> <li>d. Internal transit is the transit of Union goods and external transit is, essentially, the transit of non-Union goods.</li> </ul>	
2	<p>When can a customs declaration for Union transit be made? Choose one of the answers below.</p> <ul style="list-style-type: none"> <li>a. If the transport relates to Union goods</li> <li>b. If the transport only takes place across Union territory</li> <li>c. If the transport takes place in the territory of the Union and EFTA and 4 other countries</li> <li>d. If the transport is carried out by a means of transport registered in the Union</li> </ul>	
3	What does code T1 mean?	
4	What does code T2 mean?	
5	<p>Which system is used to submit a Union transit declaration? Choose one of the answers below.</p> <ul style="list-style-type: none"> <li>a. AGS</li> <li>b. NCTS</li> <li>c. EMCS</li> <li>d. ECS</li> </ul>	
6	Which parts of the declaration procedure, as previously discussed, also apply when making a transit declaration?	
7	Which additional steps apply to the procedure for making a customs transit declaration?	

8	Which of the statements below is correct? Explain your answer. a. The means of transport is always sealed during customs transit b. Transit seals can be omitted if the identity of the goods can be maintained in another way c. Whether sealing is required depends on the customs status of the goods. d. A seal is always affixed by customs	
9	What is the name of the customs office where the Union transit declaration is lodged?	
10	What is the name of the customs office where the Union transit operation ends?	
11	When does the Union transit procedure end?	
12	Which customs office in the Netherlands checks whether the transit has ended correctly?	
13	Name two benefits of an Authorized Consignor	
14	Name two benefits of an Authorized Consignee	
15		
16		
17	Common transit means (choose one of the answers below) a. Transport through several countries of the Union b. Transport using multiple types of transport c. Transport which takes place in an EFTA (or the 4 other countries) country by means of a Union transit procedure d. Transit operations beginning or ending outside the Union	

18	A declaration for TIR transport is made in the following way (choose one of the answers below and justify the answer): a. Electronic b. Written c. Oral d. By an act	
19	How many sheets are needed if TIR transport starts in the Union and ends in Belarus?	



## Customs Storage

1	Which forms of customs storage do not exist in the Netherlands? Choose one of the answers below. a. Free zone b. Private bonded warehouse c. Public bonded warehouse d. Space for Temporary storage	
2	Which goods can be stored in a customs warehouse? Choose one of the answers below. a. Non-Union goods only b. Union goods only c. Union and non-Union goods d. Excise goods only	
3	Which permits are often issued at the same time as a permit for a private customs warehouse and why?	
4	What procedure is not possible when the customs warehouse procedure for non-Union goods is ended. Choose one of the answers below. a. Export b. Re-export c. Free circulation d. Inward processing	





# Case study Clogs in Customs Storage

Klomp en Co (KC) is a manufacturer and trader in wooden clogs. KC originated from a traditional workshop and has become the market leader in clogs.

KC has now discovered that the production of clogs is a genuine Dutch affair and must also take place in the Netherlands. KC has therefore bought a warehouse on the Veluwe with ten clogs machines. Wood is also stored in that warehouse.

KC mainly uses wood that comes from the Veluwe itself. However, the problem is that this wood is very 'soft'. There is a demand for clogs made from tropical hardwood. KC has therefore purchased a shipment of hardwood from Indonesia.

When purchasing the hardwood, it is not immediately clear whether all the clogs made from this hardwood will also be sold within the Union. KC therefore wants to store the tropical hardwood in a bonded warehouse. KC would prefer to do that on its own company premises.

Answer the questions below with your own motivation.

## Question 1

Does KC have to ask customs for permission to use the warehouse for wood storage as a customs warehouse?

KC is granted permission to use his warehouse for wood also for the storage of the tropical hardwood.

## Question 2

For how long will the permission be valid?

## Question 3

How many types of customs warehouse do we know in the Netherlands?

**Question 4**

For what type of bonded warehouse or what types of bonded warehouse will KC be eligible for?

**Question 5**

Should KC divide the wood storage shed into two parts if both Dutch wood and tropical hardwood (under the customs warehouse procedure) will be stored?

The hardwood shipment that KC has purchased is a shipment of 10 containers. KC has this shipment stored in its customs warehouse for which customs has issued the permission. The wood arrives directly from Indonesia in the port of Antwerp and is transported by truck to KC's business on the Veluwe.

**Question 6**

When did the Antwerp customs authorities know that the wood was coming to the EU?

**Question 7**

For which customs procedure will a customs declaration have to be made in Antwerp in order to transport the ten containers of wood from Antwerp to KC?

**Question 8**

How long can the transport from Antwerp to KC take?

**Question 9**

How can KC prevent the ten containers with wood from have to (physically) be presented at a customs office?

The shipment of tropical hardwood arrives at the customs warehouse at KC's. KC wants to store the entire shipment in the customs warehouse and makes a customs declaration for this.

**Question 10**

Why does a customs declaration have to be made to store the wood in the customs warehouse?

**Question 11**

How will the customs declaration be made to store the wood in the bonded warehouse?

Shortly after the wood has been put into the bonded warehouse, customs want to come and see if all the wood is still there.

**Question 12**

Based on what information will customs check whether all the wood is still present in the customs warehouse?

**Question 13**

Is this inspection the same for all types of customs warehouse?

KC resells part of the hardwood (three containers) directly to a company in Belarus. These containers are transported by road to Belarus. Another two containers are sold to a company in Switzerland.

**Question 14**

How will KC terminate storage in the customs warehouse?

The hardwood stored in the bonded warehouse appears to contain woodworm in some places. KC wants to treat the wood against this worm so that the clogs made from that wood will not leak and the wearer of those clogs will not get wet feet.

**Question 15**

Can KC treat the hardwood stored in the bonded warehouse against woodworm?

KC does not only want to use hardwood from Indonesia for the production of clogs, but also Russian oak. This is very hard and is therefore mainly used for decorative clogs because of its beautiful wood grain. A lorry with oak wood comes directly from Russia to the KC company location.

**Question 16**

Under which customs procedure is the Russian lorry itself (not the cargo) placed when it enters the Union? Explain why (what is the advantage).

The wood from four containers from Indonesia is intended to make clogs. Some facts:

- When answering the questions, assume that the import duty of the wood is more than 0%;
- 70% of all wood used is waste wood. This waste wood is sold (as Union goods) to a wood pellet factory in the Union;
- Of the number of clogs made from the hardwood from the four containers, 40% remains in the Union, the rest is sold outside the Union;
- While 60% of the clogs are sold outside the Union, all the wood from the four containers is declared for inward processing.

The wood from the last container from Indonesia is immediately released for free circulation in the Union.

**Question 17**

Why will the wood for making the clogs be placed under the inward processing procedure?

**Question 18**

Can the inward processing procedure be applied for making clogs from the hardwood?

**Question 19**

Why does KC also need a permit to use the inward processing procedure?

**Question 20**

*Under construction*

After processing, the clogs and waste wood are given the destinations as indicated above in this case study.

**Question 21**

Which destination or destinations require a (customs) declaration? Also specify which declarations must be made for this/these destination(s).

**Question 22**

For which destination or destinations must import duties be paid and for which (Customs) value?



# Temporary Admission

1		
2	Name three forms for a permit for the special procedure of Temporary Admission	
3	What is the time limit for applying the Temporary Admission procedure? Choose one of the answers below. a. 1 year b. 2 years c. 3 years d. 5 years	
4	When does the import duty exemption apply to Temporary Admission of packaging materials? Choose one of the answers below. a. Only for empty packaging that also leaves empty b. Only for filled packaging that also leaves filled c. For filled packaging that leaves empty or filled a. For empty packaging that is filled in the Union and also emptied in the Union.	



# Inward processing

1	Name the five processing operations in Inward Processing.	
2		
3	How would an Inward Processing application usually be made when a machine from the USA is repaired in the Union, and this being an occasional matter?	





# Outward processing

1	Name the five processing operations under Outward Processing.	
2	<p>When is the declaration for outward processing done?</p> <p>Choose one of the answers below.</p> <ul style="list-style-type: none"> <li>a. When Union goods are shipped to the third country where processing will take place</li> <li>b. When the result of the processing is released for free circulation in a third country</li> <li>c. When the license for outward processing is applied for</li> <li>d. When paying the import duty after outward processing.</li> </ul>	
3	<p>What are the benefits of outward processing?</p> <p>Choose one of the answers below.</p> <ul style="list-style-type: none"> <li>a. When goods made in a third country with raw materials from the Union, a full exemption from import duty is granted when released for free circulation</li> <li>b. A preferential rate applies to goods made in a third country with raw materials from the Union</li> <li>c. Union raw materials used in a third country to manufacture a new product there keep their Union status</li> <li>d. When goods made in a third country with Union raw materials, total or partial relief may be granted when released for free circulation in the Union.</li> </ul>	
4		

## **Clogs Outward Processing Case Study**

KC is doing well with his production of clogs in the Netherlands. There is also a lot of demand for wooden clogs that KC had previously made in Indonesia. However, KC wants to continue producing the clogs in the Netherlands. Unfortunately, the Dutch are not good at woodcarving. KC decides to do the following: he sends a number of Dutch clogs to Indonesia to have them hand carved. When the clogs have returned, he creates a mould and uses it to carve the wood by machine. He actually copies the wood carvings.

According to good Dutch practice, KC does not want to pay a penny too much in import duty. Preferential rates do not apply. That is why KC wants to apply the outward processing procedure to the clogs that are sent to Indonesia to be hand carved there.

Answer the questions below and include your own motivation where possible.

### **Question 1**

Which customs status do we assume that the clogs have that are sent to Indonesia to be hand carved?

### **Question 2**

Can the outward processing procedure also be applied to non-Union goods?

### **Question 3**

Is it mandatory to apply for the outward processing procedure for clogs that have been carved in Indonesia?

### **Question 4**

Can the outward processing procedure be applied to clogs that are shipped to Indonesia?

A permit is required to be able to apply for the outward processing procedure.

### **Question 5**

How can or must a permit be applied for to use the outward processing procedure?

### **Question 6**

What customs status of the clogs is assumed if they are brought into the Netherlands after the outward processing procedure?

The production of clogs by KC in the Netherlands is going well. There is also interest in Dutch clogs from abroad.

KC produces clogs that are made from tropical hardwood that has been released for free circulation, and from wood that is cut on the Veluwe (Netherlands).

### **Question 7**

What is the customs status of all these clogs?

KC exports these clogs to a German company in Munich for the 'Oktoberfesten auf Holzschuhe'.

### **Question 8**

Which customs procedure requires a customs declaration to transfer the clogs to Munich?

KC also exports the clogs to the US, among others. These clogs are first transported to Germany by KC for packaging there. In Germany, the clogs are loaded into a container. The container is then shipped to the US via the port of Antwerp.

**Question 9**

Which customs procedure requires a customs declaration for this?

**Question 10**

Does this customs procedure require a permit from customs?

**Question 11**

How can or should this customs declaration be made?

**Question 12**

*Under construction*

**Question 13**

At which customs office can or should this customs declaration be made?

**Question 14**

What is the customs name of the office where the export declaration is lodged?

**Question 15**

*Under construction*

The carrier hired for transport from Germany to Antwerp is very busy and therefore stores the clogs in his warehouse for a short time, with the intention of transporting them again later. He 'forgets' the clogs and six months later they are still in his shed.

**Question 16**

How does the declarant of the export declaration know that the clogs have not arrived in Antwerp?



# Export

1	<p>What is the difference between export and re-export. Choose one of the answers below.</p> <ul style="list-style-type: none"> <li>a. Export relates to Union goods and re-exports to non-Union goods</li> <li>b. If Union goods that have been released for free circulation are brought outside the customs territory, it means they are re-exported</li> <li>c. There is no difference</li> <li>d. Re-export only takes place after Temporary Admission</li> </ul>	
2	<p>When exporting (choose one of the answers below):</p> <ul style="list-style-type: none"> <li>a. only statistical interests apply</li> <li>b. only tax interests apply</li> <li>c. only non-fiscal interests apply</li> <li>d. all interests mentioned under a to c above apply</li> </ul>	
3	<p>Which two customs offices are involved in the export procedure? Please also specify the role of these customs offices.</p>	
4	<p>Can any customs office be chosen as the customs office of export? Explain why or why not.</p>	
5	<p>Can an export declaration be lodged just before the ship or plane leaves for a third country?</p>	

6	Which form accompanies the shipment from the customs office of export to the customs office of exit (no use of transit). Choose one of the answers below. a. Electronic Administrative Document (e-AD) b. ATA carnet c. Export Accompanying Document (EAD) d. TIR carnet	
7	If Union goods are exported to Switzerland, the transport to the German-Swiss border is done: (choose one of the answers below) a. Always with an Export Accompanying Document (EAD) b. Always with a T2 c. No document are required d. This can be done with a EAD or a T2.	
8	What is the purpose of the exit procedure? Choose one of the answers below. a. Check whether goods will actually leave the Union b. Check whether an export declaration has been made c. Check the customs status of the goods d. Check that there is no smuggling	