Union Customs Code: prolonging the transitional use of means other than the electronic data-processing techniques

2018/0040(COD) - 02/03/2018 - Legislative proposal

PURPOSE: to prolong the transitional use of means other than the electronic data-processing techniques provided for in the Union Customs Code.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: Regulation (EU) No 952/2013 of the European Parliament and of the Council establishing the Union Customs Code provides that all exchanges of information between customs authorities and between economic operators and customs authorities, and the storage of such information, are to be made using electronic data-processing techniques.

The Work Programme established by Commission Implementing Decision (EU) 2016/578 contains a list of **17 electronic systems** divided into two categories: (i) fourteen trans-European systems including some systems that have national components for development by the Member States and (ii) three national systems that have to be developed or upgraded by the Member States alone.

The Customs Code provides that until all the new electronic systems under the Code are operational, **existing electronic and paper-based systems can continue to be used for customs procedures**, but only **until 31 December 2020 at the latest**.

While most systems will be deployed by 2020, others will only be partially completed by that date. After consulting the Member States and the economic operators, the Commission considers it necessary to provide for a later date (**2025 at the latest**) for full completion of work on some of the systems. This target date will ensure the smooth implementation by 2020 of the majority of the systems and the later implementation of the remaining systems, in proper sequence, on dates between 2021 and 2025.

CONTENT: the Commission proposes to **amend Article 278 of the Code** so that transitional arrangements for the exchange and storage of customs information (i.e. existing electronic and paper-based systems) can continue to be used after 2020 for the customs procedures covered by the electronic systems that will not be operational by 2020.

The proposed amendment maintains the 2020 deadline in Article 278 while providing for **an extension to 2025** for the customs processes concerned by the aforementioned electronic systems that will not be operational by 2020.

The possibility of using means other than electronic data processing methods and until 31 December 2025 at the latest concerns two groups of systems:

- **a first group** consists of existing electronic systems that must be upgraded to take account of certain requirements of the Code, such as the harmonisation of the requirements on data to be input into the systems. This group consists of **three transEuropean systems** (the system dealing with

Entry Summary Declarations, the system dealing with external and internal transit and the system dealing with goods taken out of the customs territory of the Union) as well as the National Export System (including the **export** component of the national Special Procedures System);

- **the second group** consists of three new trans-European electronic systems (the systems concerning guarantees for a potential or existing customs debt, the customs status of goods and centralised clearance).

The proposed delay in implementation of a small number of systems will help to focus attention on ensuring the effective delivery of the other systems by 2020.