



Webinar on Customs measures related to COVID-19

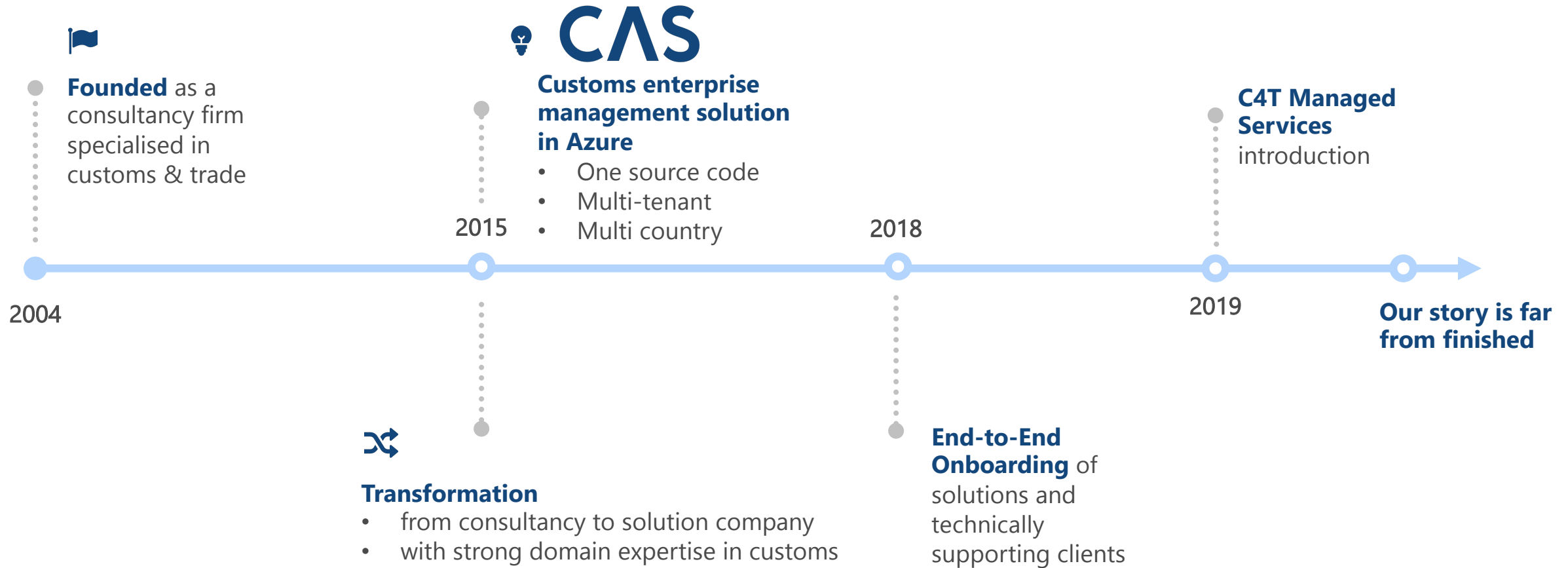
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What we do

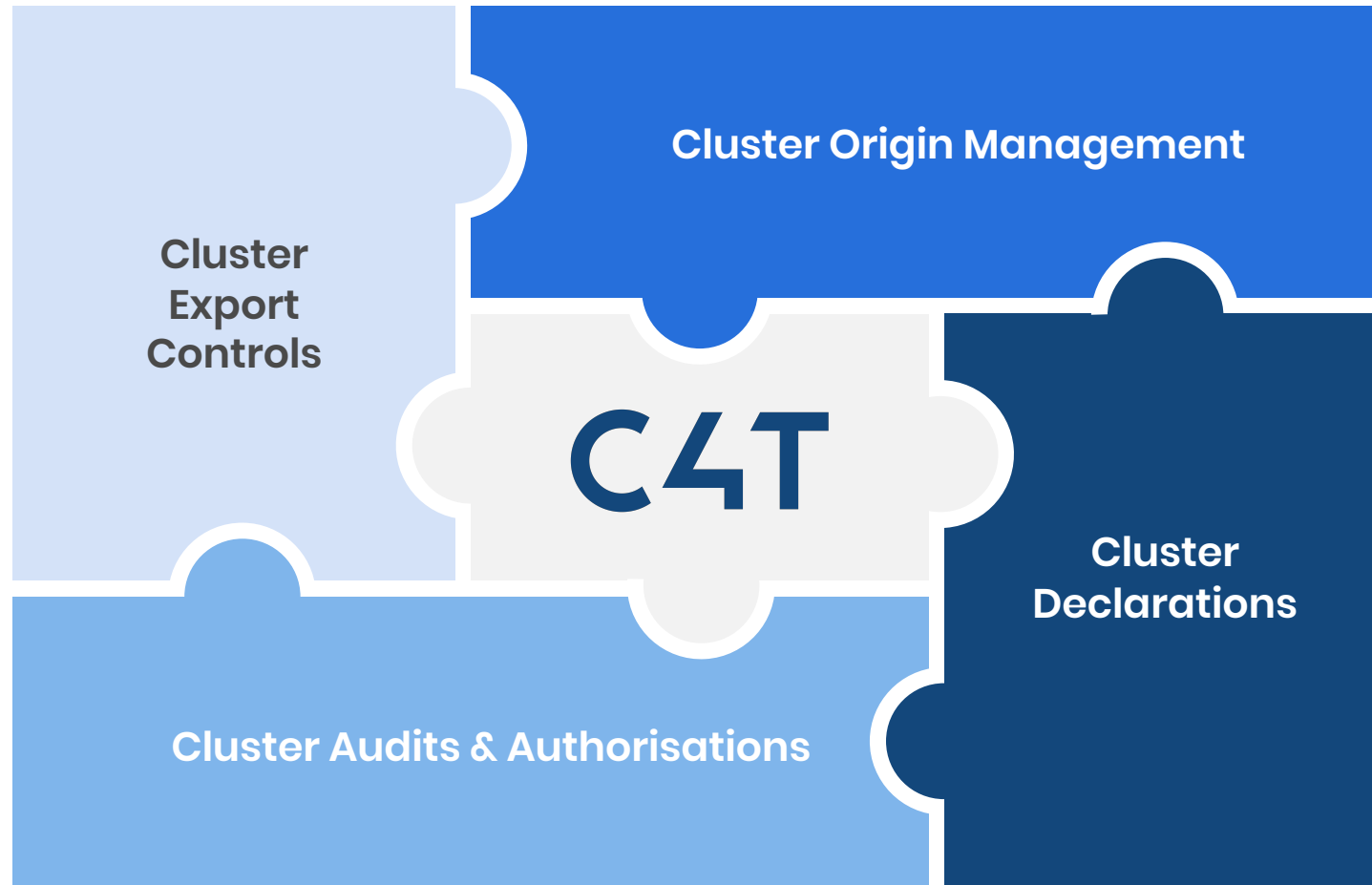
Provide your trade management teams the solution and services to run a global customs compliance centre.

Company Snapshot



Customs Jobs-to-be-done

Digital first approach combined with services



Agenda

- Customs decisions
- Entry of goods
- Transit
- Preferential origin
- Temporary storage
- Simplified declaration
- Export and re-export
- Submitting licences, certificates, authorizations
- Excise duties
- Special measures applicable to medical equipment

Customs decisions

- Difference between:
 - New applications
 - Under the current circumstances it is advisable that traders make available to customs as much as possible relevant information, in a remote manner, allowing them to desk-check the criteria for granting the required authorisations
 - Applications already submitted
 - General time limit: 120-day
 - UCC allows to request an extension of the time-limit to take a decision upon request of the applicant (e.g. In case where customs cannot enter and inspect the premises)

Entry of goods

- In order to speed and optimize customs controls at EU borders, economic operators are encouraged to use the
 - Union or Common transit procedure,
 - TIR or
 - pre-lodged customs declarations

Transit

- Wider use of the simplifications such as
 - authorised consignor and
 - authorised consignee
- Alternative identification measures to sealing may be accepted.
 - Instead, customs will rely on the description of the goods if these are sufficiently precise to permit an easy identification of the goods and states their quantity, nature and any special features
- BE customs temporarily tolerate, for companies experiencing difficulties related to the COVID-19 crisis, the notification to the customs office of destination of the results of the inspection of goods and of any irregularity, at the latest on the third day following the date to which he received the authorization to unload the goods and this whatever the period mentioned in his own authorization

Preferential origin

Proof of origin

- The Commission services have been informed about the impossibility of some EU Member States and EU preferential trade partners to provide origin certificates in due form (i.e. signed, stamped and in the right paper format), as in a number of countries contacts between customs and economic operators have been suspended due to the COVID-19 crisis
- Solution?
 - possibility of accepting copies of certificates
 - using approved exporter status

Preferential origin

Approved exporter

- In order to facilitate the task of operators who are not yet "approved exporters", the BE customs temporarily allows operators to obtain, under certain conditions, a (provisional) authorization from an approved exporter before the audit is normally compulsory
- Approved exporter ≠ registered exporter

Goods in temporary storage

- Maximum time limit is 90 days
- If the goods fail to be placed under a customs procedure or re-exported due to circumstances related to the spread of COVID-19 disease, the economic operator may invoke force majeure
- Another solution could be that the holder of the authorisation for temporary storage applies for an authorisation for customs warehousing for the same facilities

Use of simplified declarations without prior authorisation

- An authorisation is needed to use a simplified declaration (SD)
 - SD cover cases where some particulars (some data elements) or some documents (or both) of the declaration are omitted at the time of lodging the customs declaration
- Non-regular use:
 - the customs authorities may accept or not a declaration (166 UCC) omitting some particulars or required documents or both, on a case by case scenario without requiring an authorisation for lodging such a declaration

Export or the re-export declaration

- If the customs office of export has not received any information or evidence that the goods have left the customs territory of the EU within 150 days from the date of the release of the goods for the export, re-export or outward processing procedure, the customs office may invalidate the declaration concerned
- Considering the current exceptional circumstances, it is recommended that the customs office of export does not initiate such invalidation, unless it is explicitly requested by the declarant of the declaration concerned

Submitting licenses, certificates, authorisations, other info

- The certificates, authorizations and other documents which are initially issued on paper may be temporarily sent in digital form to the verifying agent. In case of compliance, the request will be accepted.
- When authorizations or certificates are presented in this way, the declarant must attach a declaration indicating that he is in possession of the original documents which will be archived within the framework of self-archiving.
- Exception to export: the documents which must be stamped by customs and which accompany the consignment (for example ATR, EUR1). Without this validation, these documents may not be accepted in the destination country.

Customs authorization

- Holders of an inward processing authorization, customs warehouses, temporary storage facilities or loading and unloading areas may request by e-mail the **temporary extension of their current authorization to other storage facilities**, provided that these storage facilities are located in Belgium and are used exclusively for the storage of goods which have not yet received a final customs destination

Specific measures in NL

- Definition of exporter (article 1, 19 DA):
 - established in the EU, and
 - has the power to determine and has determined that the goods are to be taken out of the customs territory of the EU
- Derogation to be ‘established in the EU’ principle (box 2)
 - Normally this derogation would end April 1st
 - Due to corona virus:
 - until the 15th of the month following the month in which government measures against corona stop

Excise duties

- Specific measures in respect of production of hydroalcoholic gels and hand sanitizer
 - Simplifications when delivered to operators active in the health care sector (Belgium) : may be undenatured alcohol, exemption from excise duties
- Pharmacists can produce this products without authorisation, but need to purchase from authorised warehousekeepers trading in alcohol and alcoholic products
 - Such authorised warehousekeepers may produce these products themselves (if specific biocide authorisation received) or supply the alcohol to operators with such a biocide authorisation

Delay of payment (BE)

- Delay of payment of excise duties, the contribution on packaging and import VAT on alcohol, alcoholic and non-alcoholic products
 - payment term from 1 to 4 weeks
 - administered automatically in PLDA
 - until 30 June 2020
- For operators that have a credit account : if balance of guarantee is not high enough, a fictitious raise can be obtained

Covid-19 medical equipment

- Commission Implementing Regulation (EU) 2020/402
 - essential medical goods can only be exported to non-EU countries with the explicit authorisation of member states' governments
- Other countries around the globe are taking similar measures (see [Global map of COVID-19 temporary trade measures](#))

Covid-19 medical equipment

- Commission Decision on relief from import duties and VAT exemption on importation granted for goods needed to combat the effects of the Covid-19 outbreak, applying to:
 - state organisations
 - state bodies, public bodies and other bodies governed by public law including hospitals, governmental organisations, communes/towns, regional governments, etc.)
 - charitable or philanthropic organisations approved by the competent authorities of the Member States
- Other countries around the globe are taking similar measures (see [WCO overview](#))

Covid-19 medical equipment

- The WCO HS classification reference for Covid-19 medical supplies
 - provides an indicative list with a view to facilitating the classification of COVID-19 medical supplies at the international level (6 digit of the HS)
 - can serve as the basis for applying contingent tariff and non-tariff relief policies, monitoring and combating falsified supplies, and taking responsive actions to address shortages

Thank you for your attention

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