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ECONOMIC COMMISSION FOR EUROPE

Administrative Committee for the TIR Convention, 1975

Forty-fourth session
Geneva, 27 September 2007

PROVISIONAL AGENDA FOR THE FORTY-FOURTH SESSION

To be held at the Palais des Nations, Geneva,
starting at 10.00 hours on Thursday, 27 September 2007

Addendum

ANNOTATIONS TO THE PROVISIONAL AGENDA¹

Item 1. Adoption of the agenda

Documentation: **ECE/TRANS/WP.30/AC.2/90**

1. The Administrative Committee may wish to consider and adopt the agenda of its present session. The Committee will be informed that a quorum consisting of not less than one third of the States which are Contracting Parties is required for the purposes of taking decisions.

¹ The UNECE Transport Division has submitted the present document after the official documentation deadline.

Item 2. Status of the TIR Convention, 1975

2. The Committee will be informed about the number of Contracting Parties to the TIR Convention, 1975. More detailed information on the status of the Convention as well as on various Depository Notifications is available at the UNECE website.²

Item 3. Activities and administration of the TIR Executive Board (TIRExB)

(a) Activities of the TIRExB

(i) Report by the Chairman of the TIRExB

Documentation: ECE/TRANS/WP.30/AC.2/2007/4; ECE/TRANS/WP.30/AC.2/2007/5; ECE/TRANS/WP.30/AC.2/2007/6; ECE/TRANS/WP.30/AC.2/2007/7

3. In accordance with Annex 8, Article 11, paragraph 4 of the Convention and in line with the decision of the Administrative Committee (TRANS/WP.30/AC.2/55, paras. 14-15), the UNECE secretariat has reproduced the reports of the TIRExB of its twenty-ninth (May-June 2006), thirtieth (November 2006), thirty-first (January 2007) and thirty-second sessions (March 2007) for information and endorsement by the Administrative Committee.

4. More information about the recent activities of the TIRExB as well as about various considerations and decisions taken at its thirty-third session (June 2007) TIRExB will be provided by the Chairman of the TIRExB.

(ii) TIRExB's programme of work 2007-2008

Documentation: ECE/TRANS/WP.30/AC.2/2007/8

5. The Committee is invited to approve the Programme of Work of the TIRExB for the years 2007-2008 (ECE/TRANS/WP.30/AC.2/2007/8). The Administrative Committee may also wish to provide guidance on future activities and priorities of work of the TIRExB.

(iii) International TIR Data Bank (ITDB)

6. The Administrative Committee will be informed about the current operation of the ITDB and the on-line access of authorized Customs TIR Focal Points for inquiry procedures.

7. The Committee may wish to recall that it had decided to (a) open up the access to the ITDB to Customs officials other than the TIR Customs Focal Points provided that the national TIR Customs Focal point authorizes this and (b) provides information on exclusions in the ITDB (ECE/TRANS/WP.30/AC.2/89, para.18). The secretariat will inform the Committee of progress made in implementation.

8. The Committee may also wish to recall its earlier decision to mandate the secretariat to start the development of the so-called ITDB Online+ project aimed at enabling Customs authorities to update their "own" data online in ITDB (ECE/TRANS/WP.30/AC.2/81, para.20). The Committee will be informed of progress made to date.

(iv) On-line register of Customs sealing devices and Customs stamps

² <<http://tir.unece.org>>

9. The Administrative Committee may wish to recall that the secretariat has begun work to develop an on-line version of the present paper-based UNECE Register of Customs sealing devices and Customs stamps. To this end, the Committee requested the secretariat to send a written inquiry to all Contracting Parties (ECE/TRANS/WP.30/AC.2/89, para.16). The Committee will be informed of progress to date.

(v) National and regional TIR workshops and seminars

10. The Administrative Committee may wish to be informed about seminars conducted and/or planned.

(b) Financial administration of the TIRExB and the TIR secretariat

(i) Status report on the accounts for 2006 and 2007

Documentation: ECE/TRANS/WP.30/AC.2/2007/11; ECE/TRANS/WP.30/AC.2/2007/12

11. In accordance with Annex 8, Article 11, paragraph 4 of the Convention, the TIRExB shall submit audited accounts to the Administrative Committee at least once a year or at the request of the Administrative Committee. The report on the complete and final accounts for 2006 will be transmitted for approval by the Administrative Committee (ECE/TRANS/WP.30/AC.2/2007/11). The Committee may wish to take note of interim financial statements for 2007 contained in document ECE/TRANS/WP.30/AC.2/2007/12.

(ii) Budget and cost plan for 2008

Documentation: ECE/TRANS/WP.30/AC.2/2007/13

12. The Administrative Committee will be informed of and may wish to approve the budget and cost plan for the operation of the TIRExB and the TIR secretariat for the year 2008 (ECE/TRANS/WP.30/AC.2/2007/13).

(iii) Audit of the UN Board of Auditors and OIOS

13. The Committee may wish to be informed about any new developments with regard to the recommendations by the UN Board of Auditors and Office of Internal Oversight Services.

Item 4. Proposals for amendments to the Convention

Amendment(s) to the Convention with regard to the financing of the operation of the TIRExB and the TIR secretariat

14. The Committee may wish to recall its considerations of proposals contained in document ECE/TRANS/WP.30/AC.2/2007/3/Rev.1 outlining a procedure for the collection and transfer of the amount per TIR Carnet and a proposal for amendment of Annex 8. While the Committee has approved the procedure for the collection and transfer of the amount per TIR Carnet, Contracting Parties have not been in a position to adopt the text amending Annex 8 and decided to postpone its approval.

15. The Administrative Committee may wish to consider and approve the following amendments to Annex 8:

Replace the existing text of Annex 8, Article 13, paragraph 1 by:

“1. The operation of the TIR Executive Board and the TIR Secretariat shall be financed, until such time as alternative sources of funding are obtained, through an amount per TIR Carnet distributed by the international organization as referred to in Article 6. This amount shall be approved by the Administrative Committee.”

Add a new Explanatory Note:

“8.13.1-3 Amount

The amount referred to in paragraph 1 shall be based on (a) the budget and cost plan of the TIR Executive Board and TIR secretariat as approved by the Administrative Committee and (b) the forecast of the number of TIR Carnets to be distributed as established by the international organization.”

Replace the existing text of Annex 8, Article 13, paragraph 2 by:

“2. The procedure to implement the financing of the operation of the TIR Executive Board and the TIR Secretariat shall be approved by the Administrative Committee.”

Add a New Explanatory Note:

“8.13.2 Following consultation with the international organization as referred in Article 6, the procedure referred to in paragraph 2 shall be reflected in the Agreement between the UNECE, as mandated by and acting on behalf of the Contracting Parties, and the international organization as referred to in Article 6. The Agreement shall be approved by the Administrative Committee.”

Item 5. Authorization for printing and distribution of TIR Carnets and the organization and functioning of the guarantee system

16. The Committee may wish to recall that, at its thirty-eighth session, it had, in view of its adoption of the revised Agreement between the UNECE and the IRU, authorized the IRU to centrally print and distribute TIR Carnets and to organize the functioning of the guarantee system for the period 2006-2010 inclusive (TRANS/WP.30/AC.2/77, para. 37).

Item 6. Authorization for the conclusion of an Agreement between the UNECE and the IRU

Documentation: ECE/TRANS/WP.30/AC.2/14

17. The Committee, in the context of its discussions under agenda item 5, concerning the financing of the TIRExB and the TIR secretariat, may wish to provide the secretariat with the mandate to modify and conclude the UNECE-IRU Agreement and to continue it with a view to receiving the transfer of an amount from the IRU to finance the operation of the TIRExB and the TIR secretariat for the year 2008.

Item 7. Revision of the Convention

Documentation: ECE/TRANS/WP.30/AC.2/15

(a) Phase III of the TIR revision process – computerization of the TIR procedure

18. The Committee may wish to be informed about the latest developments with regard to the computerization of the TIR system. In this context, the Committee may wish to endorse document ECE/TRANS/WP.30/AC.2/15.

(b) Other proposals for amendments to the Convention

19. The Committee may wish to consider a proposal by the TIRExB for a new Explanatory Note to Article 3 (a) (iii) of the Convention limiting the possibility of transporting passenger cars on their own wheels under cover of TIR Carnets, as the extension of the TIR procedure to such goods could lead to a number of negative consequences and a higher risk of fraud.

20. The Committee may wish to consider and possibly adopt the following proposal:

"0.3 (a) (iii) The provisions of Article 3 (a) (iii) do not cover passenger cars (HS-codes 8702 and 8703) travelling by their own means."

21. The TIRExB stressed that, where appropriate, the provisions of subparagraphs (a) (i) and (a) (ii) of Article 3 remain applicable to passenger cars transported as goods.

Item 8. Application of the Convention

(a) Comments adopted by WP.30

22. The Committee may wish to approve the following changes as adopted by WP.30 (ECE/TRANS/WP.30/232, Annex):

Annex 2, Article 3, paragraph 9, Explanatory Note 2.3.9, Comment "Nylon ropes"

Delete: "*, or the description in the above Explanatory Note*"

Annex 7, Article 4, paragraph 9, Comment "Fastening rope"

Delete: "*(see also comment to Explanatory Note 2.3.9)*"

(b) Comments adopted by the TIR Executive Board

23. The Committee may wish to endorse the following new comment to Article 15, paragraph 1 of the Convention as adopted by the TIRExB:

"Customs treatment of tractor units carrying out TIR transports

With a view to avoiding separate treatment for temporary admission of a foreign registered tractor unit, the holder of a TIR Carnet should indicate the tractor unit registration numbers on the cover page and vouchers of the TIR Carnet. Without prejudice to the application of other provisions of the TIR Convention, when the tractor unit is replaced in the course of a TIR transport, the holder should make the proper corrections in the TIR Carnet and, within the deadlines and according to the procedures established by national regulations, have them

endorsed by Customs authorities. The replaced tractor unit which no longer carries out a TIR transport should be treated according to national legislation."

Item 9. Best practices

(a) Application of Article 38

Documentation: **ECE/TRANS/WP.30/AC.2/2006/17/Rev.2**

24. At its forty-second session, the Committee considered document ECE/TRANS/WP.30/AC.2/2006/17 containing example of best practice with regard to the application of Article 38. The Committee noted that the Working Party had in principle adopted the document only suggesting minor changes (ECE/TRANS/WP.30/AC.2/85, para.18). In February 2007, the Working Party considered a revised proposal and provided additional comments concerning the recommendation to use registered mail (as provided for by national law) as well as flexibility to use languages other than the three official UNECE languages in correspondence. The Working Party requested the secretariat to make appropriate changes and submit the revised text to the forthcoming session of the TIR Administrative Committee for endorsement (ECE/TRANS/WP.30/230, para.36). The Committee may wish to consider and possibly approve the revised example of best practice as contained in document ECE/TRANS/WP.30/AC.2/2006/17/Rev.2.

(b) Application of Articles 39 and 40

Documentation: **ECE/TRANS/WP.30/AC.2/2007/9**

25. The Committee may wish to consider document ECE/TRANS/WP.30/AC.2/2007/9 prepared by the secretariat. It contains example of best practice developed by the TIRExB with regard to discrepancies between the particulars on the goods manifest of the TIR carnet and the actual content of load compartment.

(c) Application of Annex 9, part II

Documentation: **ECE/TRANS/WP.30/AC.2/2007/10**

26. At its thirty-ninth session, the Committee took note of results of the survey of Contracting Parties about the application of Annex 9, Part II of the TIR Convention on controlled access to the TIR procedure for natural and legal persons. The Committee believed that the survey's results gave rise to concerns about the proper application of the Convention and invited the TIRExB to elaborate a set of best practices (TRANS/WP.30/AC.2/79, para.15). Following this invitation, the TIRExB has prepared such example of best practice (ECE/TRANS/WP.30/AC.2/2007/10). The Committee may wish to consider this document.

Item 10. Other business

(a) Date of next session

27. The UNECE secretariat has made the necessary arrangements to hold the forty-fifth session of the Administrative Committee on 31 January 2008.

28. The Administrative Committee may wish to confirm the date of this forty-fifth session.

(b) Restriction on the distribution of documents

29. The Administrative Committee may wish to decide on whether there should be any restriction with respect to the distribution of documents issued in connection with its current session.

Item 11. Adoption of the report³

30. In accordance with Annex 8, Article 7 of the Convention, the Administrative Committee will adopt the report on its forty-fourth session on the basis of a draft prepared by the UNECE secretariat. Given the present resource restrictions with regard to translation facilities, parts of the final report may not be available at the end of the session for adoption in all working languages.

³ The reading of the report will take place on 28 September 2007.