

# Modernized Customs Code – Annex to Impact Assessment

## Questionnaire for traders, national administrations and other parties interested in the modernized Customs Code

During July and August 2004, DG Taxation and Customs Union conducted a consultation on Revision 3 of the draft modernized Customs Code on the internet. The comments received have been taken into account for the next version of the Customs Code. However, in order to give all interested parties a final opportunity to submit comments on how the implementation of the modernized Customs Code will impact your business, the following documents have been added to the website: the current version of the draft modernized Customs Code, the Multi-annual Strategic Plan for electronic Customs and this questionnaire.

### PLEASE READ THE FOLLOWING INSTRUCTIONS CAREFULLY

Please answer all the questions on which you would like to express a view. If the space provided for the answer to a particular question is not sufficient, please set out your answers in full in a separate text file. Please then attach the text file to this questionnaire, making clear reference to the question on this form to which the answer relates.

The quality of the analysis and the usefulness of this exercise depend upon the quality of the answers given. Whilst every attempt has been made to ask the questions as narrowly and concisely as possible, some questions may require free-form responses, in which case please provide focused but complete answers to the questions asked, if necessary in a separate, but attached, text file.

Once all questions have been answered, **please save the form and any additional text file using the NAME OF YOUR ENTERPRISE, ASSOCIATION OR ADMINISTRATION AS THE FILENAME** and return it to the Commission **BY E-MAIL** to the following e-mail address:

**[Taxud-C3@cec.eu.int](mailto:Taxud-C3@cec.eu.int)**

Please, where possible, provide your answers in English, French or German as this will help to speed up the process of evaluation.

**The deadline for the comments is 15 January 2005.**

Please provide contact details in the event that it becomes necessary to follow-up on individual issues, or in the event that further clarification of the answers given on the form is required.

Name:

E-mail:

1	<p>What are the current priorities of your business/administration for changing the Customs Code? Please indicate which of the issues below applies to you by marking the box provided (left margin). Where more than one issue is relevant, please mark the box provided with a number, indicating the order of priority which you attribute to each answer (where number "1" indicates the issue which concerns you the most).</p>
<input type="checkbox"/>	Simplification and rationalisation of rules and procedures (please specify if there are any particular rules that you have in mind)
<input type="checkbox"/>	Harmonization of data across the EU
<input type="checkbox"/>	Harmonization of customs-trader interfaces across the EU
<input type="checkbox"/>	Common Customs Information Portal (information needed for customs transactions in all Member States)
<input type="checkbox"/>	Single Access Point for customs transactions (e.g. customs declarations)
<input type="checkbox"/>	"single window" interface with each EU customs administration for all services linked to import/export transactions, even if they are provided by other authorities and agencies than customs
<input type="checkbox"/>	"one stop shop", for goods to be controlled by different competent authorities at the same time and at the same place
<input type="checkbox"/>	Other (Please specify)
<p><u>Explanations</u></p>	

2	<p>Would you consider it to be sufficient if the current customs procedures should be handled under national automated systems without any changes being made to the Customs Code? Please give reasons for your answer.</p>
<input type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input type="checkbox"/>	I don't know.

3	<p>Would you consider it to be sufficient if for each customs procedure, a national automated system existed which would not be interoperable with other Member States' systems? Please give reasons for your answers.</p>
<input type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input type="checkbox"/>	I don't know.

4	Which of the following changes of the modernized Customs Code do you anticipate will save costs to your business/administration or will simplify the way that you conduct your business after the change-over period? Please tick each box below that applies. If you expect increased costs after the change-over period, please specify what you anticipate these costs to be.	
<input type="checkbox"/>	General use of IT procedures and interoperability (Art. 5, 6, 162)	
<input type="checkbox"/>	Harmonization of data across the Community (Art. 5)	
<input type="checkbox"/>	Abolition of monopolies for customs representation; providing for common quality standards (Art. 9)	
<input type="checkbox"/>	Community-wide simplifications for Authorised Economic Operators (Art. 10, 104)	
<input type="checkbox"/>	Stricter deadlines for decisions and appeals, extension of the right to be heard before a negative decision is taken (Art. 11, 17, 59)	
<input type="checkbox"/>	Extension of binding information to other areas, such as valuation (Art. 14)	
<input type="checkbox"/>	Common rules on administrative penalties (Art. 19)	
<input type="checkbox"/>	Harmonization and limitation of customs fees (Art. 22)	
<input type="checkbox"/>	Community-wide guarantees and rules for comprehensive guarantees (Art. 35 – 43)	
<input type="checkbox"/>	Improved rules on the incurrence and extinction of the customs debt in case of non-compliance (Art. 46, 72)	
<input type="checkbox"/>	Simplification of the rules for the determination of the customs debt (Art. 52, 53)	
<input type="checkbox"/>	Centralisation of the place of the incurrence of the customs debt (Art. 54, 104, 114)	
<input type="checkbox"/>	Better aligned rules on repayment/remission (Art. 67-71)	
<input type="checkbox"/>	Pre-arrival declarations bringing forward risk-analysis and opening the way for pre-selection for controls, so that Customs resources can be better planned and deployed, with the consequence not only of better security, the primary objective, but also of instant release of innocent goods upon their arrival at offices of entry (Art. 73-75)	
<input type="checkbox"/>	Disassociation of the customs declaration from the presentation /location of the goods, allowing, where authorized, immediate release without using transit (Art 92, 102)	
<input type="checkbox"/>	Simplification of rules for amendment/ invalidation of declarations (Art 94, 95)	
<input type="checkbox"/>	Simplification and alignment of special procedures (Art. 113 - 153)	
<input type="checkbox"/>	Extension of usual forms of handling (Art. 119)	
<input type="checkbox"/>	Extension of the principle of equivalence (Art. 120)	

<input type="checkbox"/>	More flexible changes of the customs rules; more wide spread use of guidelines and explanatory notes; imposition of an obligation to resolve problems resulting from a divergent application of the customs rules (Art. 162)	
<input type="checkbox"/>	Pre-departure declarations based on existing export declarations or notifications (Art. 154)	
<input type="checkbox"/>	Summary prior declarations for goods leaving the Community for which neither an export declaration or re-export declaration is required, e.g. direct transshipments in free zone	
<input type="checkbox"/>	Other (please specify)	

5	Do you anticipate that the proposed changes in the modernized Customs Code, taken as whole, will save costs to your business/administration or will simplify the way that you conduct your business after the transitional period?	
<input type="checkbox"/>	Yes	
<input type="checkbox"/>	No (please specify)	

6	Which of the proposed changes are, in your view, not radical enough and which additional changes to the current Customs Code should be made? Please tick the relevant boxes and give reasons for your answers.	
<input type="checkbox"/>	General use of IT by traders and administrations (Art. 5)	
<input type="checkbox"/>	Merging customs regimes	
<input type="checkbox"/>	Merging simplified declaration systems	
<input type="checkbox"/>	Community-wide simplifications for Authorised Economic Operators (Art. 10, 104)	
<input type="checkbox"/>	Common rules on decisions and administrative appeals (Art. 11, 17)	
<input type="checkbox"/>	Common rules on administrative penalties (Art. 19)	
<input type="checkbox"/>	Guarantee requirements (Art. 35-43)	
<input type="checkbox"/>	Incurrence and extinction of the customs debt (Art. 46, 72)	
<input type="checkbox"/>	Repayment/remission (Art. 67-71)	
<input type="checkbox"/>	General provisions on special procedures (Art. 114-121)	
<input type="checkbox"/>	Storage (Art. 126-130)	
<input type="checkbox"/>	Processing (Art. 145-153)	
<input type="checkbox"/>	Other (please specify)	