



European Commission  
Taxation and Customs Union



*HLG of Independent Stakeholders on Administrative  
Burdens*  
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**Implementation of the  
Modernised Customs Code  
(MCCIP)**

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# *Implementation of the Modernised Customs Code General Overview*



## ***MCC Implementation: WHAT?***

Reminder of the changes introduced by the MCC :

- Streamlining of the legal framework and the customs rules resulting in fewer customs procedures
- Greater standardisation of customs rules and procedures (e.g: harmonisation of economic operator's rights and obligation in particular with regard to decisions, simplifications and guarantees)
- Simplification of customs procedures through the use of ICT
- Computerisation of customs declarations and data
- Basis for the introduction of new facilities for economic operators (e.g. self assessment by operators and Single Window one stop shop)



## ***MCC Implementation: WHEN?***

- **30.11.2005**: Commission's proposals for a Modernised Customs Code (**MCC**) and a *e-Customs Decision*
- **15.01.2008**: adoption of the *e-Customs Decision* No 70/2008/EC by EP and Council (OJ L 23, 26.1.2008)
- **23.04.2008**: adoption of the **MCC - Regulation** No 450/2008 by EP and Council (OJ L 145, 4.6.2008).
- **24.06.2008**: entry into force of the MCC, which will be applicable only when its implementing provisions (**MCCIP**) will be applicable but not earlier than 24.06.2009 and not later than 24.06.2013 (in the meantime the Community Customs Code - Reg. 2913/92 and its IP remain applicable)

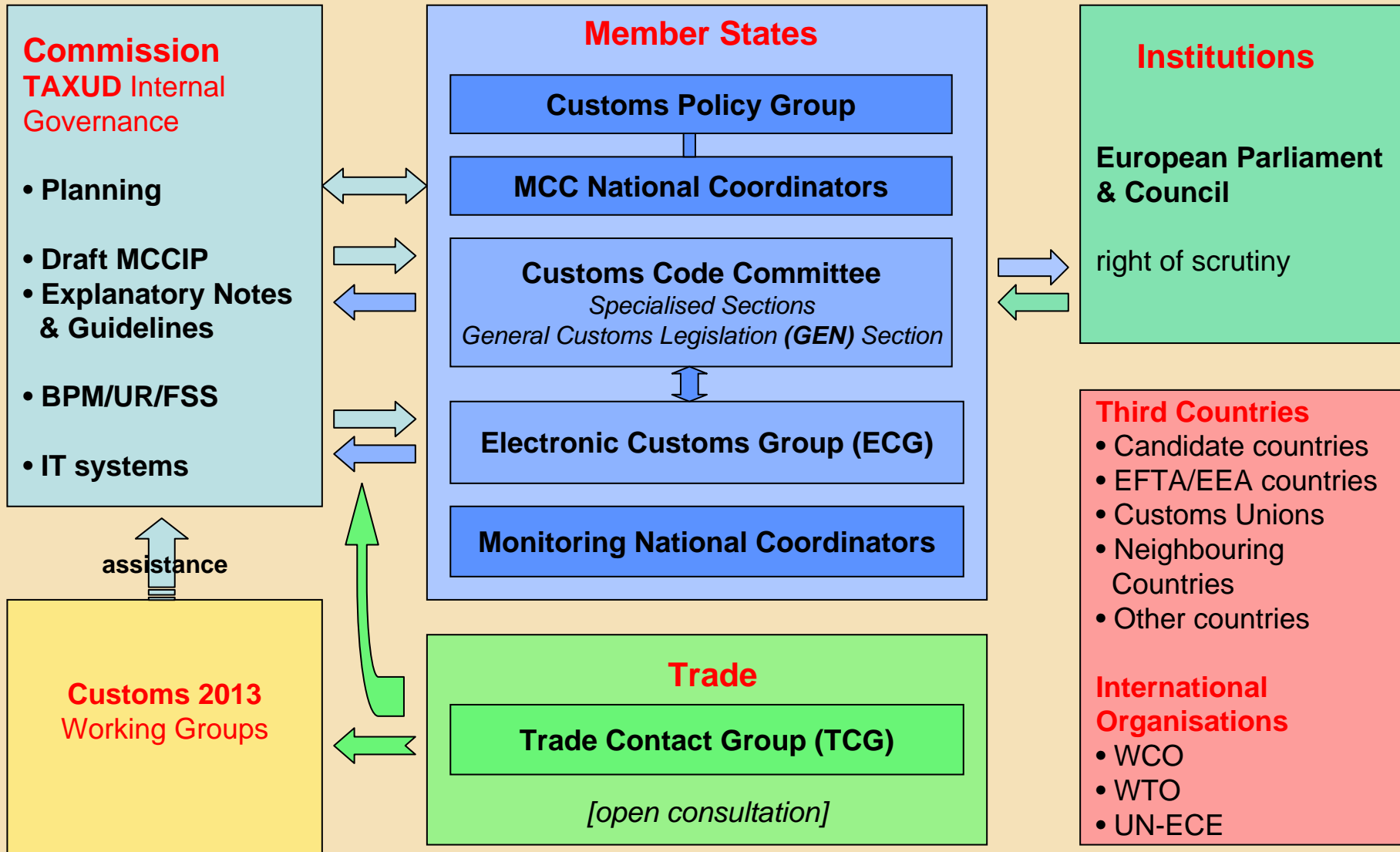


## ***MCC Implementation: How?***

- MCC Implementation requires an important number of activities in different areas to be developed in parallel in order to reach the objective
- These activities turn around some major areas:
  - modelling of **business processes** to be implemented through legal provisions and IT systems
  - development of **legislation** and the necessary explanatory notes and guidelines
  - development of necessary **IT projects** by Commission and Member States and their deployment, including traders' connexions
  - **training, information** and **communication** activities



# MCC Governance





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# ***Process of preparation and adoption of the Implementing Provisions of the MCC (MCCIP)***



## *Preparatory phase*

**Result to be delivered: production of Commission's draft Regulation laying down the MCCIP**

### **Operations included:**

- The consultation of trade (TCG)
- The completion of preparatory work on the preliminary draft in the respective sections of the CCC
- The consolidation of the results in a final preliminary draft MCCIP
- The interservices consultation within the Commission

**TIMELINE: ongoing until beginning 2011**



## ***Adoption phase***

### **Result to be delivered: adoption of Commission Regulation laying down the MCCIP**

#### **Operations included:**

- The translation of the draft MCCIP
- The examination by CCC-GEN Section on the draft MCCIP
- The vote by CCC-GEN Section on the draft MCCIP
- The scrutiny by the Parliament and the Council on the voted draft MCCIP (3 months)
- The adoption of the MCCIP Commission Regulation
- The publication and the entry in to force of the MCCIP Commission regulation
- The application of MCC and MCCIP: at the latest on 24 June 2013

**TIMELINE: from beginning 2011 until mid/end 2011**



# Cooperation with trade

## *Scope and duration, framework and milestones*

- **Scope and duration:** Process of consultation with trade on the implementation of the Modernised Customs Code, under all its aspects relevant for trade, until its application
- **Framework:** TCG (in various configurations) as the main forum for consultation, in accordance with its terms of reference
- **Milestones** in the process of consultation, to be ensured **before:**
  - Endorsement of BPM/Users' Requirements (Q4 2010)
  - Submission of draft MCCIP (as resulting from interservice consultation) to CCC-GEN (Q1 2011)
  - Vote on draft MCCIP by CCC-GEN (Q2 2011)
  - Endorsement of Functional System Specifications (trader interface) by ECG (Q3 2011)



## **Framework**

### ***Enhance the existing working structure***

- **Working sessions with TAXUD**
  - Quarterly TCG plenary meetings (next: 1 July)
  - Special TCG meetings, where appropriate
  - Ad Hoc TCG Workshops on specific issues
- **Working sessions with Member States**
  - joint meetings of TCG with CCC and/or ECG, in particular in relation to milestones
  - invitation to TCG experts to talk and assist on particular matters in CCC meetings



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# ***Main issues for further consideration***



## ***Purpose***

- **Provisional list of issues which deserve:**
  - further clarification with trade (in **blue**)
  - or
  - further discussions with the objective to agree on the content (in **red**)
- **Source of information:**
  - Outcome of TCG workshops of end March 2010
  - Letters received from trade representatives
- **Usage to be made of the list:**
  - Targeting further work in *ad hoc* workshops and/or invitation to participate in CCC or ECG
  - Ensure effective consultation and results



## *List of proposed issues by area of legislation*

- **General issues**
  - Guidelines versus legally binding provisions
- **Customs Decisions**
  - Right to be heard for BTI & BOI
- **AEO**
  - Access to simplification, facilitation, reduction or waiver by having AEO status without further application (automatic allocation)
  - Application for AEO status by a group instead of each legal entity
  - Appointment by an AEO of a second contact person on safety and security issues
  - Scope of the concept of “tax requirements” in the context of the AEO criterion regarding “record of compliance”
  - Definition of the AEO criterion of “practical standards of competence or professional qualification”



- **Customs debt and guarantees**
  - Ensure actual EU wide guarantee
  - Provide for “integrated” guarantee covering several procedures
- **Customs status and transit**
  - Simplified transit procedure for air and sea
- **Data requirements**
  - “Goods description” and/or “Commodity Code”
  - “Buyer” and “seller” data elements in entry and exit summary declarations
  - Valuation data set (ex-DV1)



- **Customs declaration**
  - Entry into the declarant's records
  - Self assessment