

Brussels, 11.04.2019
Taxud.a.5(2019)3533961

Minutes

CUSTOMS 2020 CASH CONTROLS EXPERT GROUP¹

SUBGROUP II (RISK)

Brussels, 14 March 2019

1. Approval of the agenda

The draft agenda was approved.

2. Nature of the meeting

Non-public meeting

3. List of points discussed

Rules of Procedure of the Cash controls expert group

The rules of procedure of the Cash Controls expert group were explained and all documents concerning this group (invitations, minutes of the meetings, presentations, etc.) will be uploaded in PICS, to which all participants should have access.

The administrative modalities that the Cash controls expert group entails were then explained, namely that the agenda and minutes of the meetings will be inserted in the register managed by the Commission's Secretariat General for expert groups, which is accessible to EU institutions and has also a public area.

Overview / Planning of the implementing act(s) to be drafted

DG TAXUD has already requested the opinion of the Legal Service on the number of implementing acts to be adopted. In order to allow sufficient testing on CIS there is a need to have a stable document on CIS to be ready by the end of the year. A relevant questionnaire on how the MS intend to link their system with CIS has already been sent.

Presentation of the results of the questionnaire addressed to the MS on Risk

The Commission made a presentation giving an analysis of the results on the questionnaire addressed to the MS on risk.

Presentation by MS of the current practices on cash controls

Floor was given to MSs to present their current practices in the field of cash controls.

¹ Published in the Register of Commission Expert Groups and Other Similar Entities, code number **E03112**

Presentation of ICS2

Commission made a presentation of ICS2. It was further explained that ICS2 will offer a lot of possibilities and the crucial part is to find out how the MS can use it. ICS2 developments should be taken into account in order to perform risk analysis on cash being sent by post or freight.

Discussion with the MSs on possible risk criteria and how to implement them

A presentation was made by the Commission on possible risk criteria and their implementation. MSs have access to different information sources under national law and their national competencies. It was further clarified that the new Regulation clearly mentions that risk analysis will have to take into account the risk assessments produced by the FIUs. This is a new field for risk analysis, that should be developed based on the experience of the MSs.

One MS made reference to the Financial Risk Criteria Decision, where all MS have the same information and the Commission explained that the situation here is different since MS may have access to different information sources. At national level, customs should have access to the various database to facilitate the work. MS further asked whether the elaboration of a guidance document is planned on Commission side. COM clarified that at this stage the priority lies in the implementing acts to be prepared but such guidelines could be envisaged in the future.

Another MS stated that as a group, they have to understand the risk criteria used by other MSs and it could be useful to develop a questionnaire to evaluate past results. The Commission clarified that there is an analysis of the statistics received the last years to a certain extent. In the future, the data linked to declaration and infringements identified will be available in CIS and decisions should be taken by the group on what statistics are needed.

One MS stated that although datamining analysis is of high value, the behavioural part, which is equally important, cannot be foreseen by datamining and therefore both aspects should be taken into account.

COM explained that a document will be prepared in order to define the different parameters for risk and it will be sent to the MSs by the end of April for their comments. In the meantime, any contribution to this effect could be sent by email or through PICS.

AOB

Meeting of subgroups I (FORMS) and III (CIS) - 21.02.2019

The Commission explained that during the joint meeting of 21.2.2019 of subgroups I (Forms) and III (CIS) a presentation of the different forms was made. A new format of the cash declaration and disclosure declaration were presented as a basis for discussion. Based on the comments and suggestions expressed by MSs during the meeting new drafts were prepared and sent to MS for further comments. As the forms include information, which is also necessary for risk purposes, the draft forms will be circulated to the MSs participating in subgroup II for their suggestions and comments. Regarding the template for the transmission of the anonymised risk information and risk analysis results between the MS customs authorities, COM will also ask MS to define the type of information they identify as the ones to be transmitted as well as the preferred structure .

4. Conclusions/recommendations/opinions

COM reminded that all the presentations will be uploaded in PICS, and informed MS that a document on risk will be sent by end of April and a request to provide comments and suggestions on the templates for the forms will be sent on the week following the meeting.

5. Next steps

MS should provide feedback on major constraints they may face regarding the dates for scheduled meetings. MS should provide their comments and suggestions on the relevant document on risk as well as on the templates for the forms.

6. Next meeting

The chair informed that future meetings are scheduled for 20 May, 16 July and 25 September 2019 respectively. The first meeting of the Cash Controls Committee will be held in the week of 11-15 November 2019.

7. List of participants

Commission: TAXUD A.5, A.3, ICS2 team

Member States: BE, CZ, DE, EL, FR, IT, CY, HU, MT, PL, SK