



TIR EXECUTIVE BOARD (TIRExB)

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Administrative Committee for the TIR Convention, 1975

TIR Executive Board (TIRExB)

Fifty-first session

Geneva, 8 October 2012

Agenda item 6bis

Issues raised by OFAE on the functioning of the TIR system in Greece

Below, the secretariat reproduces a communication from the Hellenic Federation of International Transporters (OFAE) for consideration by the Board.

Ref. No.: A13/5076

Athens, 12/09/2012

To:

1. TIR Executive Board

- General Secretary, Mr Konstantin Glukhenkiy
- Legal Officer, Mr Artur Bouten

2. UNECE

- Director, Transport Division, Ms Eva Molnar

3. European Commission

- Policy Officer Transit/TIR, Mr Michael Rathje

Subject: Restrictions imposed on OFAE by Greek Customs

Following the last W.P.30 session in June of this year, where the OFAE delegation presented the serious restrictions imposed by Greek customs authorities, in undertaking its role as the TIR guaranteeing association for Greece, we once again revert to the issues which continue to remain unresolved.

1. Unilateral setting of the distribution price of TIR carnets by Customs

Greece is the only one out of 68 TIR Contracting Parties where national legislation empowers the State to unilaterally determine the distribution price of TIR carnets in a free-market economy.

Decision of the Hellenic Ministry of Finance dated April 2008, Reference T.1861/34/B0019 states: **Article 5 "Pricing of TIR Carnets - Administrative and Financial Audit" point 1: The pricing of each TIR carnet is determined every year by a Decision of ours, after the following details have been submitted until 30 October at the latest: a) balance sheet and financial statement of TIR carnets management for the previous financial year; b) budget of incomings and outgoings of TIR carnet management, which is**

governed by the principals of clarity, accuracy and truth; c) an invoice of purchase of TIR carnets from the International Organisation (IRU).

Point 2: In order to verify both the correctness of the above mentioned details and the legal issuance of TIR carnets, as well as the observance of the conditions of the present, an annual regular administrative and financial audit is effected by Financial Inspectors from the customs sector and if needed an extraordinary one."

The OFAE delegation, represented by Ms. Helen Tsivranidis, Head of TIR Department, informed that the sharp decline in TIR issuance since 2005, to the extent of 70%, has presented difficulties in covering its own costs relating to its activities within the TIR system in Greece.

OFAE has referred to practices in other EU countries where it was clearly demonstrated that other competent authorities in contracting parties do not interfere in the set up of TIR carnet issuance prices and it is within the sole competence of other national associations to do so.

2. Reserve and Guarantees

OFAE is obliged to pay 20% of its annual revenue from TIR carnet issuance towards a reserve fund, which today represents the amount of EUR 1'356'000.

Decision of the Hellenic Ministry of Finance dated April 2008, Reference T.1861/34/B0019 states: **Article 8 "Disposal of collections from issuance of TIR carnets"** states *The collections from the issuance of TIR carnets, ... are disposed as follows: a) The 80% in favor of the authorized association to issue TIR carnets...; b) the 20% shall constitute a reserve fund, which is deposited by the authorized in a separate interest-bearing account at an established Greek Bank and any transfer can be effected only by a decision of the Minister of Finance. The reserve account , following a decision of the Minister of Finance, may be used to cover the duties and tax claims as set out in article 8 of the TIR Convention provided the authorized will restore the account within a period of 3 months.*

Point 2: The above quota may be altered by a decision of the Minister of Finance."

OFAE is also required to maintain a cash deposit of EUR 600'000 as a financial guarantee towards the Ministry of Finance. This critically impacts the functioning of OFAE and is not in line with the provisions of the TIR Convention.

In accordance with Article 6 and Annex 9 to the TIR Convention, the global insurance contract deposited with the United Nations is considered sufficient for the functioning of the TIR guarantee system in all TIR Contracting Parties.

Decision of the Hellenic Ministry of Finance dated April 2008, Reference T.1861/34/B0019 states: ***“Article 1 ‘Conditions and requirements for granting the right of issuance of TIR carnets’ point 18: The Association must submit a bank guarantee in favor of the Hellenic State to the amount of EUR 600,000 to be used as a security against eventual claims from the State arising from infringements in the conditions of the present.”***

No legal provisions in the TIR Convention or in the EU legislation foresee, either directly or indirectly, the need for any additional guarantee or security to be deposited at national level by TIR guaranteeing associations to their Authorities.

A certificate of insurance confirming the financial coverage of all obligations linked to TIR operations involving TIR carnets issued by OFAE, but also those issued by all member associations, are annually sent to all TIR guaranteeing associations, including OFAE. Any additional guarantee is contrary to the purpose and spirit of the TIR convention. By analogy, according to Article 4 of the TIR Convention, “goods carried under the TIR procedure shall not be subjected to the payment or deposit of import or export duties and taxes at Customs offices en route”.

Hence, the deposits requested by Greek Customs are not justified in practice. OFAE acts as a guarantor for many years to the satisfaction of all parties to the TIR guarantee chain, and to the customs authorities. It has been proven that the deposits required by OFAE had no use since 1999, all these years.

OF AE is authorized by the competent Greek authorities to act as a guaranteeing association in the framework of the TIR system. Such authorization presupposes the recognition by the Greek authorities of OFAE’s solid financial standing. And its long term engagement as a TIR issuing association has proven OFAE’s reliability.

Having clearly stated all of the above, we arrive at the conclusion that there is no legal reason, nor any practical use for maintaining the imposition of financial constraints on OFAE. It only creates enormous, unnecessary and discriminatory costs for us and the Greek road transport industry, especially in the current period where the international and domestic economic crisis threatens the transport industry each and every day.

Therefore, we rely on your effective influence to pressure the Hellenic Authorities to take the necessary steps to cancel these discriminatory provisions and restrictions, in order to allow the prosperity of the Greek road transport industry for the benefit of the Greek economy as a whole.

For OFAE

The President



Apostolos Kenanidis



The Secretary General



Ioannis Georgakas

Cc:

1. International Road Transport Union (IRU)

- Head, TIR Department, Mr Marek Retelski
- Head, TIR Relations, Mr Muratbek Azymbakiev

No. T. 1861/34/B0019

Terms and conditions for assignment of the right to issue and grant TIR carnets to authorised associations and manners by which this right is managed

**THE DEPUTY MINISTER
OF ECONOMY AND FINANCE**

Having regard:

1. To the provisions laid down in the second article of Hellenic Law 1020/1980 (Hellenic Government Gazette 32/A/5.2 1980) on the "Ratification of the Customs Convention on the international transport of goods via TIR carnets (the TIR Convention)", which allow the Minister of Economy and Finance to authorise an association, which, pursuant to this Convention, shall issue and grant TIR carnets and act as guarantor.
2. To the provisions laid down in articles 6 and 8 of the Customs Convention "on the international transport of goods via TIR carnets (the TIR Convention)" that was signed in Geneva on 14 November 1975, which was ratified with Hellenic Law 1020/1980 (Hellenic Government Gazette 32/A/5.2.1980).

3. To the provisions amending the TIR Convention that were adopted in Geneva on 27 June 1997 and 4 February 2005 by the TIR Administrative Committee, documents (a) TRANS/WP.30/AC.2/47 and TRANS/WP.30/AC.2/47/Corr.1 and TRANS/WP.30/AC.2/47/Corr.2 thereof and (b) TRANS/WP.30/AC.2/77 of the United Nations Economic Commission for Europe.
4. To the need to harmonise the terms and conditions for granting the right to issue TIR carnets with the provisions amending the Convention and, in particular, with the first part (Part I) of Annex 9 and with Annex 10, and for managing this right in accordance with the international standards, as these are set out in the Administrative arrangement on the "approval of guaranteeing associations" that was adopted by the European Commission (document TAXUD/1958/2003 rev.2/28.1.2004).
5. To the provisions laid down in article 215 of Council Regulation (EEC) No. 2913/1992 establishing the Community Customs Code, as it has been amended and as it is in force today.
6. To the provisions laid down in articles 451 to 457b of Commission Regulation (EEC) No. 2454/93 laying down provisions for the implementation of Council Regulation (EEC) No. 2913/92 establishing the Community Customs Code as it has been amended with Commission Regulation (EC) 883/2005 and as it is in force today.
7. To the provisions laid down in Hellenic Law 2960/2001 (Hellenic Government Gazette 265/A/22.11.2001) on the "National Customs Code", as it has been amended and as it is in force today.
8. To decision No. 42362/Y252/28.9.2007 of the Prime Minister and of the Minister of Economy and Finance on the "Establishment of the competencies of the Deputy Ministers of Economy and Finance" (Hellenic Government Gazette 1948/B/3.10.2007).
9. To the fact that the provisions laid down herein do not burden the state budget with any expense, hereby decides:

Article 1

Terms and conditions for assigning the right to issue and grant TIR carnets and providing a guarantee

The authorised association, hereinafter the "Association", in order to be able to issue and grant TIR carnets and to act as guarantor, in accordance with articles 6 and 8 and Part I of

Annex 9 of the Convention on the 'international transport of goods via TIR carnets' of 14 November 1975, must state in writing that it accepts and that it complies with the terms and conditions set out below, submitting, concurrently, the required supporting documents:

1. The Association must have obtained and must maintain the relative approval of the International Organisation, which, today, is the International Road Transport Union (IRU), which is seated in Geneva, as this approval is stipulated in article 6.2 of the Convention. Required supporting document: attestation of the International Organisation.
2. The Association must be operating, for at least three years, as an organisation that represents the interests of the transport sector. Required supporting document: ratified copy of the articles of association or instrument of incorporation.
3. The Association must prove that it has a sound financial standing. Required supporting document: balance sheet and income statement (profit and loss statement) of the last administrative period accompanied by an audit report of a certified auditor accountant.
4. The Association must have an administrative structure, organisation and staffing so as to be able to fulfil the obligations that emanate from the Convention and from the present decision. Required supporting document: organisational chart, which must note, in detail, the operating departments and the permanent personnel who staff these departments, as well as the cognitive level of said personnel. Specifically, at least one employee of the Secretariat, one employee of the Department of Procedures and Legal Aid and one employee of the Department of International Cooperation must hold a degree from an Institute of Higher Education with proven knowledge of the English or French language. The Director of the Department of Finance (accounting department) must hold a relative vocational licence issued by the Economic Chamber of Greece. The organisational chart, which must be signed by a person who, according to the articles of association, represents the Association, must also note which of the permanent employees shall represent the Association in international meetings and conferences that shall be held within the framework of the United Nations Economic Commission for Europe or of the International Road Transport Union (IRU) and the matters of the agenda of which concern the TIR Convention. Any changes to the organisational chart in terms of the structure or staffing of the departments must be communicated to the competent Directorate of the Hellenic Ministry of Economy and Finance (Directorate 19 – Department B').
5. The Association must take steps as regards and must ensure the appropriate training of its personnel in the proper application of the Convention and in the proper fulfilment

of the obligations thereof that emanate from the present decision. Within this framework, the Association shall be responsible for training its personnel with programmes proposed by the competent Service of the Hellenic Ministry of Economy and Finance (Directorate 19 – Department B').

6. The Association must keep the unused and used TIR carnets in appropriate and secure areas until it returns said carnets to the International Organisation.
7. The Association must submit copies of the criminal records of all of the members of the Board of Directors according to which said members have not committed any serious or repeated violations of the Tax and Customs Legislation. The Association, when the composition of the Board of Directors, for any reason whatsoever, changes, must communicate said changes to the competent Service of the Hellenic Ministry of Economy and Finance (Directorate 19 – Department B'), noting the full name, father's name and mother's name, date of birth and place of birth thereof, so that the ex officio search for the corresponding criminal records may be possible.
8. The Association must accept, in accordance with article 8 of the Convention, that it shall be liable, jointly and severally, with the person from whom the payment of the amounts noted in this article shall be requested and must comply with the obligations that emanate from said article of the TIR Convention, provided the provisions laid down in article 11 thereof have been complied with.
9. The Association must accept the amount of sixty thousand (60.000) Euro as the maximum amount that it may claim for each TIR carnet.
10. The Association must fulfil the obligations against the Hellenic Customs Authorities that arise from transports that are carried out under the cover of both the TIR carnets that it has issued and those that have been issued by other guaranteeing associations that are affiliated with the International Road Transport Union (IRU). The Association is obligated to claim the amounts that it pays from the competent authorities.
11. The Association must undertake the obligation to pay the amounts claimed whenever the conditions set out in article 457 3 of the provisions for application of the Community Customs Code [Commission Regulation (EEC) No 2454/93] concur and to implement the provisions laid down in article 215 of the Community Customs Code [Council Regulation (EEC) 2913/92] for the establishment of the customs administration of the European Union that is competent for the collection of the debts required.
12. The Association must cover its liabilities to the satisfaction of the competent customs authorities with an international insurance contract, as this is stipulated in clause (v) of point (f) of paragraph 1 of Part I of Annex 9 of the Convention

13. The Association must carry out, within the framework of the application of the Convention, the procedures for the efficient settling of disputes arising from the improper use of TIR carnets, as said procedures are set by the competent Service of the Hellenic Ministry of Economy and Finance.
14. The Association must inquire into and verify that the minimum conditions and requirements that are set out in Part II of Annex 9 of the Convention for accessing the TIR procedure both before the approval is issued and after the issue thereof are fulfilled.
15. The Association must forward, electronically, to the International Organisation, on a daily basis, the information that it receives from the customs offices of destination as regards the termination of the TIR transport. The Association must distribute, immediately and to and from all interested parties, the verification forms that it receives from the International Organisation and that are addressed to the customs offices, so that they may respond thereto.
16. The Association must fulfil all of the obligations that emanate from the Convention and must implement the decisions of the TIR Administrative Committee and TIR Executive Board (TIRExB).
17. The Association must take any and all expedient measures so as to ensure the sound transit of the goods that are transported under the cover of a TIR carnet and so as to facilitate Greece's exporting activities. Any and all measures that shall be taken shall be communicated to the competent Service of the Hellenic Ministry of Economy and Finance (Directorate 19 – Department B').
18. The Association must submit a bank guarantee in favour of the Hellenic State in the amount of six hundred thousand (600,000) Euro, which shall be used as a security against possible claims that the Hellenic State may have from possible violations of the terms of the present decision.
19. The Association must take steps, within the framework of its activities, so as to ensure compliance with the International Conventions that Greece or the European Union has or shall ratify as regards international transports by trucks or containers.

Article 2

Granting TIR carnets

1. The Association grants TIR carnets for the performance of international road haulage with public-use or private-use vehicles (trailers, semi-trailers, tractor vehicles,

containers, etc.) or containers that have been issued a certificate of approval of road vehicles or containers for the transport of goods under customs seal, in accordance with annexes 3, 4 and 7 of the TIR Convention, to natural or legal persons who fulfil the conditions set out below:

- (a) The natural or legal person has received, from the competent authorities, AUTHORISATION to access the TIR procedure, in accordance with Part II of Annex 9 of the Convention, and a corresponding unique identification number.
- (b) The natural or legal person has submitted an insurance guarantee contract or monetary or bank guarantee so as to safeguard the Association from claims for duties, taxes and default interest that may arise as a result of violations of the customs laws or other infringements that it or persons who it employs commit.

2. Instead of drawing up individual guarantee contracts, the Association may conclude a single contract with a recognised insurance company on behalf of the liable persons, securing terms that are more favourable for said persons.

The insurance company shall undertake the obligation to pay the customs duties – tax charges and any default charges in the case of irregularities up to the amount of sixty thousand (60,000) Euro. In such a case, the holder of the TIR carnet shall continue to be fully liable against the customs authorities for any additional difference.

In the case in which a single contract is concluded, a copy of said contract must be filed with the competent Service of the Hellenic Ministry of Economy and Finance (Directorate 19 – Department B’).

3. In the case in which a monetary or bank guarantee is submitted, the amount of the guarantees shall be set with the approval of the Minister of Economy and Finance following a proposal of the Association.

The guarantees shall be kept by the Association, with the exception of monetary guarantees, which must be deposited immediately or, the latest, on the next business day, together with the due interest, in a special account that shall be opened with a recognised Hellenic bank. These guarantees shall be returned to the beneficiaries in two (2) years following the return, duly settled, of the last TIR carnet that was granted thereto.

The guarantees shall be given to the Association unconditionally and shall be forfeited, in part or in whole, depending on the amount of the claims due to violations. In such a case, the holder of the TIR carnet shall continue to be fully liable for any additional difference.

Any and all amounts that shall be withdrawn from the aforementioned account so as to be paid by the Association to similar Organisations of foreign States or to the competent Customs Authorities of Greece due to claims from violations shall be re-deposited in the account immediately once the Association collects said amounts from the holder of the TIR carnet. In such a case, the driver of the vehicle shall be jointly and severally liable.

Partial or entire forfeiture of the guarantee shall incur the termination of the TIR carnet for all vehicles that perform transports under the cover of the guarantee until said guarantee is replaced in full.

Article 3

Refusal to grant TIR carnets

The Association shall refuse to grant a TIR carnet to persons who have authorisation to access the TIR procedure in the following cases:

- (a) If said persons no longer fulfil the conditions and requirements on the basis of which the AUTHORISATION was granted thereto or when said authorisation has been revoked
- (b) If said persons have been excluded from the TIR procedure, in accordance with article 38 of the Convention
- (c) If said persons refuse to pay the Association the amounts that have been paid on their behalf, in accordance with article 8 of the Convention.
- (d) When the conditions laid down in the Annexes of the Convention are not fulfilled
- (e) When said persons have not returned, duly settled, the TIR carnets, which have been granted thereto, for which the transport operation has been terminated.
- (f) When said persons have not returned the unused TIR carnets, the valid term of which has expired.

Article 4

Granting TIR carnets via branches

In order to facilitate the export trade and persons using the TIR procedure, the Association may grant TIR carnets from its offices, which are located at its seat, or via branches that employ persons properly trained for the application of the Convention and who have knowledge of the English or French language, communicating to the competent Service of the Hellenic Ministry of Economy and Finance (Directorate 19 – Department B') a list of its

branches. The Association shall also communicate to the competent Directorate of the Hellenic Ministry of Economy and Finance (Directorate 19 – Department B') any and all changes to the aforementioned list of branches.

Article 5

Setting the prices of TIR carnets – Administrative and Financial Audit

1. The Association, at the time TIR carnets are issued and granted, in order to cover its operating and relative expenses from the general management of the TIR carnets, shall proceed in the collection of fees for every TIR carnet.
The price of each TIR carnet, as well as of each individual guarantee title of community/common transit, shall be set every year with our Decision, after the following information has been submitted to us the latest by 30 October.
 - (a) Balance sheet and income statement (profit and loss statement) relative to the management of TIR carnets and individual guarantee titles of the previous fiscal year, accompanied by a relative audit report of a certified auditor accountant.
 - (b) Budget of income – expenses relative to the management of TIR carnets and individual guarantee titles, which (budget) is governed by the principles of transparency, accuracy and truth and which must be prepared and signed by the Director of the Department of Finance (accounting department), as stipulated in paragraph 4 of article 1 of the present decision.
 - (c) The invoice with which the TIR carnets were purchased from the International Organisation (IRU).
2. For verification of both the accuracy of the above information and the lawful distribution of the TIR carnets, as well as of compliance, in general, with the terms set out in the present decision, financial inspectors of the customs sector shall conduct an annual ordinary administrative and financial audit and an extraordinary audit whenever this is deemed necessary by the Hellenic Ministry of Economy and Finance.

Article 6

Book keeping

The Association shall keep separate accounting records for the management of the TIR procedure and community/common transit.

The Association shall keep the following accounting books, which, before being used, must be ratified by the Customs Office of Athens:

- (a) General Logbook
- (b) General Ledger
- (c) Book of Inventory and Balance Sheet
- (d) Stock Book
- (e) Book of Materials

These books must be updated in such a manner so as to include income and expenses that concern, exclusively and solely, the TIR procedure and community/common transit so that the audit noted in the previous article may be performed without difficulties and so that the result of the year from the management of TIR Carnets may be derived.

The expenses for the TIR procedure include:

- expenses for maintaining the building facilities of both the offices of the seat and the branches.
- the insurance premiums for said building facilities.
- the telephone bills, electricity bills and water bills for said building facilities.
- the fees and employer contributions of the personnel who are employed in monitoring the TIR procedure and in distributing the TIR carnets and individual guarantee titles of community transit. In the case in which persons of said personnel are concurrently employed in activities other than those relating to the TIR procedure and community/common transit, 90% of the fees and employer contributions that correspond thereto shall be accounted for as expenses.
- expenses for the electronic equipment that is necessary for the operation of the TIR procedure or community/common transit, as well as the purchase of furniture, material and stationery.
- amounts that are paid to third persons, if said persons, provenly, are employed in matters concerning the TIR procedure or community/common transit.
- travelling and accommodation expenses of the permanent personnel who are noted as representatives in the organisational chart for the participation of said personnel in international meetings and conferences that are held within the framework the of United Nations Economic Commission for Europe or of the International Organisation (IRU) or of the European Commission and whose items on the agenda of which include the TIR Convention or community/common transit.
- travelling and accommodation expenses of the members of the Board of Directors for the participation of said members, as representatives, in international meetings and conferences that are held within the framework of the International Organisation (IRU)

or of the European Commission and whose items on the agenda of which include the TIR Convention or community/common transit.

- travelling and accommodation expenses of permanent personnel or of members of the Board of Directors for the performance of on-site visits to the customs offices of Greece or of other States or to the branches of the Association for the purpose of resolving problems that, provenly, have arisen and that concern the TIR procedure or community/common transit.
- expenses for public relations that concern the TIR procedure or community/common transit.
- subscriptions, contributions and publications that concern the TIR procedure or community/common transit.

The expenses set out below may not, in any case, be accounted for as expenses for the TIR procedure or community/common transit:

- the ordinary or extraordinary fees of the members of the Board of Directors of the Association.
- expenses that the members of the Board of Directors of the Association incur for travelling to and from and residing in any region in Greece or abroad for purposes other than those that concern the TIR procedure or community/common transit.

Article 7

Deposit of amounts collected

1. Income earned from the granting of TIR carnets and individual guarantee titles of community/common transit must be deposited immediately and not later than five (5) days from the day of collection thereof in a recognised Hellenic bank in a special interest-bearing account different to the guarantee and reserve accounts.
2. Amounts provided by the International Organisation (IRU) due to any reason must be deposited in the same account on the same day whereas they constitute TIR income.

Article 8

Allocation of amounts collected from the sale of TIR carnets

1. Amounts collected from the sale of TIR carnets, after the amount that was paid for the purchase of the carnets and the expenses that were incurred for the delivery thereof

from and to the International Organisation (IRU) are subtracted, shall be allocated as follows:

- (a) 80% shall be allocated to the Association in order to be used to cover the operating and other expenses that were incurred for the management of the TIR carnets and the application of the present decision.
 - (b) 20% shall constitute a reserve, which the Association shall deposit in a special interest-bearing account that shall be opened with a recognised Hellenic bank and which the Association shall use solely following a decision of the Minister of Economy and Finance. The reserve account, following a decision of the Minister of Economy and Finance, may be used to cover the duties and taxes set out in article 8 of the TIR Convention and which the Association must restore within three (3) months.
2. The above percentages may be increased – decreased with a decision of the Minister of Economy and Finance.

Article 9

Liability

The members of the Board of Directors and the administrators of the Association shall have joint civil and criminal liability for any and all violations or infringements, intentional or due to negligence, of the terms set out in the present decision.

Article 10

Infringement of obligations

Any and all infringements, intentional or due to negligence, of the obligations of the Association that emanate from International Conventions and from the provisions of Laws, Decrees, etc. relative thereto, as well as any and all violations, intentional or due to gross negligence, of the provisions laid down in the present decision shall incur, beyond the liabilities noted in the previous article, the withdrawal of the authorisation with a unilateral act of the Minister of Economy and Finance, which shall be communicated to the Association three (3) months prior to the date of expiry of the authorisation noted therein.

Article 11

Revocation of the authorisation – Waiver

1. The authorisation that is granted shall be revoked by the Minister of Economy and Finance, at any time whatsoever, in the case of serious or repeated non-compliance with the conditions and requirements set out in Part I of Annex 9 of the TIR Convention or infringement of the obligations that emanate from the present decision. The deed of revocation must be communicated at least three (3) months prior to date of expiry of the authorisation noted therein. The Hellenic State shall not be liable against the Association for the results of this revocation.

In such a case, if the Customs Authorities have claims against the Association, the guarantee set out in paragraph 18 of article 1 of the present decision shall be forfeited, after the amount of the reserve has been used for the payment of said claims and provided said reserve is not sufficient, up to the amount that is needed to complete and settle said claims.

2. The Association may waive the right that has been granted thereto to issue and grant TIR carnets with a written notification that it must submit to the Minister of Economy and Finance at least three (3) months in advance

Otherwise, apart from the aforementioned liabilities set out in article 9, the guarantee set out in paragraph 18 of article 1 that has been provided by the Association shall also be forfeited in favour of the Hellenic State without further proceedings.

Article 12

International Conferences and meetings

1. The Association is obligated to inform the competent Service of the Hellenic Ministry of Economy and Finance (Directorate 19 – Department B'), in due time, of the international conferences or meetings concerning the TIR procedure or community/common transit that are held by the United Nations Economic Commission for Europe or the International Road Transport Union (IRU), as well as of any and all matters that shall be discussed during said conferences and meetings.
2. Persons of the permanent personnel of the Association who have the qualifications and who meet the conditions set out in paragraph 4 of article 1 of the present decision and who have received approval to attend the aforementioned conferences with a decision of the Ministry of Economy and Finance may attend said conferences provided matters concerning the TIR procedure and community/common transit shall be discussed therein. A member of the Board of Directors, following the approval thereof, may attend the international conferences that are organised by the international Organisation (IRU)

or other International Bodies under the condition that a matter concerning the TIR procedure or community/common transit shall be discussed therein.

In the case in which matters of a specialised nature are discussed, a representation comprised of experts who do not have all of the qualifications set out in paragraph 4 of article 1 of the present decision may be approved for the specific conference.

3. The expenses relative to the participation of the representatives of the competent Directorate of the Hellenic Ministry of Economy and Finance in the aforementioned conferences may be covered by the Association following a decision of the Minister of Economy and Finance

The Association, in such a case, shall issue a money order for the expenses of the ticket and other travelling expenses of the representation at least one (1) day prior to the departure thereof

Article 13

Non-application of conflicting provisions of the articles of association

Any provision laid down in the articles of association of the Association that conflicts with the provisions laid down in the present decision as regards the management of TIR carnets and individual guarantee titles of community/common transit shall not have effect.

Article 14

Written acceptance of the terms of the present decision by the Hellenic Federation of Road Hauliers (OFAE)

The Hellenic Federation of Road Hauliers (OFAE), which has been authorised to issue and grant TIR carnets, in accordance with our decision No. T. 5553/70/B0019 (Hellenic Government Gazette 2097/B/30.11.1999), shall continue to manage said carnets, if it accepts, in writing, the terms set out in the present decision, submitting, concurrently, the guarantee stipulated in paragraph 18 of article 1 of the present decision and all supporting documents stipulated in article 1 of the present decision.

Article 15

With the entry into force of the present decision, decision No. T. 2620/31/B0019/14.5.1999 of the Minister of Economy and Finance (Hellenic Government Gazette 1044/B/4.6.1999), as it has been amended with decision Nos O. 202/14/B0019/24.5.2000 of the Minister of Economy and Finance (Hellenic Government Gazette 724/B/12.6.2000) and T.

4553/92/B0019/20 11 2003 of the Minister of Economy and Finance (Hellenic Government Gazette 1822/B/8.12.2003), shall be rendered null and void.

The application of the present decision shall not burden the state budget with any expenses

It is hereby ordered that the present decision be published in the Hellenic Government Gazette

Athens, 15 April 2008

THE DEPUTY MINISTER

ANTONIS BEZAS
