



Economic and Social Council

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Economic Commission for Europe

Administrative Committee for the TIR Convention, 1975

Sixty-sixth session

Geneva, 12 October 2017

Item 4(e) of the provisional agenda

Revision of the Convention:

Accepted amendment proposals to the Convention
pending formal adoption

Amendments to the TIR Convention

Note by the secretariat

I. Introduction

1. At its sixty-fifth session, the Committee came to agreement with various amendment proposals to the main body of the TIR Convention, as well as to its Annexes (see ECE/TRANS/WP.30/AC.2/133, para. 44).
2. The proposals for amendments to the main body of the Convention fall under the procedure specified in Article 59 of the TIR Convention and are listed in Annex I of the present document.
3. The proposals for amendments to the Annexes of the TIR Convention fall under the procedure as specified in Article 60 of the TIR Convention and are listed in Annex II of the present document.

II Considerations by the Committee

4. The Committee is invited to formally adopt the proposals and to instruct the secretariat to transmit them to the depositary in line with the relevant amendment procedures in Articles 59 and 60 of the TIR Convention, respectively.
5. The Committee may wish to determine the timeframe for the notification and entry into force of the amendments in Annex II, as per the provisions of Article 60 of the TIR Convention.

Annex I

Amendments to the main body of the TIR Convention, subject to the amendment procedure of Article 59

Article 1, paragraph (q)

After customs authorities *add* or other competent authorities.

Article 3, paragraph (b)

For approved *read* authorized.

Article 6, paragraph 2

For approved *read* authorized.

Article 11, paragraph 3

For three months *read* one month.

Article 38

For the existing text *read*

Each of the Contracting Parties shall have the right to exclude temporarily or permanently from the operation of this Convention any person guilty of a serious or repeated offence against the customs laws or regulations applicable to the international transport of goods. The conditions in which the offence against the customs laws or regulations is considered to be serious shall be decided by the Contracting Party.

Annex II

Amendments to the Annexes of the TIR Convention, subject to the amendment procedure of Article 60

Annex 6, Explanatory Note 0.8.3

For US\$ 50,000 read 100,000 Euros

Annex 6, Explanatory Note 8.1 bis.6

Add a new Explanatory Note 8.1 bis.6 to read

The Committee may ask the competent United Nations services to perform the additional examination. The Committee may, alternatively, decide to engage an independent external auditor and mandate the TIR Executive Board to prepare the terms of reference of the audit, based on the object and purpose of the audit as determined by the Committee. The terms of reference shall be approved by the Committee. The additional examination by an external independent auditor shall result in a report and a management letter that shall be submitted to the Committee. In such a case, the financial cost of engaging an independent external auditor, including the related procurement procedure, shall be incurred by the budget of the TIR Executive Board.

Annex 8, Article 1 bis

After the existing text insert new paragraphs 4, 5 and 6 to read

4. The Committee shall receive and examine the annual audited financial statements and audit report(s) submitted by the international organization pursuant to the obligations under Annex 9, Part III. In the course and within the scope of its examination, the Committee may request that additional information, clarifications or documents be provided by the international organization or the independent external auditor.

5. Without prejudice to the examination mentioned in paragraph 4, the Committee shall, on the basis of a risk assessment, have the right to request additional examinations to be carried out. The Committee shall mandate the TIR Executive Board or request the competent United Nations services to carry out the risk assessment.

The scope of additional examinations shall be determined by the Committee, taking into account the risk assessment of the TIR Executive Board or of the competent United Nations services.

The results of all examinations referred to in this article shall be kept by the TIR Executive Board and provided to all Contracting Parties for due consideration.

6. The procedure for undertaking the additional examinations shall be approved by the Committee.

Annex 9, Part I, subtitle

Before conditions and requirements add Minimum

Annex 9, Part I, paragraph 1 (first line)

After The *add* minimum

Annex 9, Part I, paragraph 7

For Contracting Parties *read* that each Contracting Party

Annex 9, Part II, Procedure, Model Authorization Form, paragraph 1

For approved *read* authorized

Annex 9, Part III, paragraph 2

After subparagraph (n) *insert* new subparagraphs (o), (p) and (q) to *read*

(o) maintain separate records and accounts containing information and documentation which pertain to the organization and functioning of an international guarantee system and the printing and distribution of TIR Carnets;

(p) provide its full and timely cooperation, including, but not limited to, allowing access to the above records and accounts to the competent United Nations services or to any other duly authorized competent entity and, at all times, facilitating additional inspections and audits performed by them on behalf of Contracting Parties, pursuant to Annex 8, Article 1 bis, paragraphs 5 and 6.

(q) engage an independent external auditor to conduct annual audits of the records and accounts mentioned under subparagraph (o). The external audit shall be performed in accordance with International Standards on Auditing (ISA) and shall result in an annual audit report and a management letter which shall be submitted to the Administrative Committee.
