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## Economic Commission for Europe

### Administrative Committee for the TIR Convention, 1975

#### Fifty-fifth session

Geneva, 7 February 2013

Item 7 (a) of the provisional agenda

#### Revision of the Convention:

**Amendments to the Convention with regard to  
transmitting data to the International TIR Data Bank**

## Amendments to the Convention with regard to transmitting data to the International TIR Data Bank

### Note by the secretariat

#### I. Background

1. At its fifty-third session, the Committee took note that the International TIR Data Bank (ITDB) online+ web application had been successfully launched (ECE/TRANS/WP.30/AC.2/109, paragraph 11). The ITDB online+ web application facilitates the management of the national TIR Carnet holder's database, where Customs authorities manage data modifications and modifications requests submitted by national associations in the ITDB.

2. Some Customs authorities, who are using the ITDB online+ web application in interaction with their national association, informed the secretariat that their data in the ITDB is continually updated. In their view, the provisions of Annex 9, Part II, paragraph 4 and paragraph 5 of the TIR Convention have lost their relevance and, thus, should no longer apply in sensu stricto.

3. At its fifty-fourth session, the Committee agreed with the secretariat's view that using ITDB online+ to transmit to ITDB the required data on authorized TIR operators makes submission of such data in any other form, for example, on paper or by e-mail, redundant. To clarify this principle in the text of the Convention, the Committee advocated the introduction of two new Explanatory Notes into Annex 9, Part II, as proposed by the secretariat in Informal document No. 6 (2012). The secretariat was requested to submit this document as an official document in all working languages for consideration at the present session. The Committee also noted that, at some point in the future, the transmission of data into ITDB by electronic means could become mandatory. Finally, the Committee was of the view that provisionally, pending the entry into force of the two new Explanatory Notes, the

legal provisions for data submission, as set out in paragraphs 4 and 5 are deemed to be fulfilled by the Contracting Parties which are already correctly using ITDB online+ (ECE/TRANS/WP.30/AC.2/111, para. 15). In line with the above request, the secretariat has prepared the present document for consideration by the Committee.

## **II. Proposal by the secretariat**

4. The secretariat proposes, as a consequence of the introduction of ITDB online+ web application, to introduce two new Explanatory Notes to Annex 9, Part II, for inclusion in Annex 6:

### **Annex 6, New Explanatory Note 9.II.4**

*Add a new Explanatory Note to Annex 9, Part II, paragraph 4 to read*

#### Explanatory Note to paragraph 4

9.II.4 The legal provisions for data submission, as set out in paragraph 4 are deemed to be fulfilled by means of the proper use of electronic applications developed to this end by the TIR secretariat under the supervision of the TIR Executive Board.

### **Annex 6, New Explanatory Note 9.II.5**

*Add a new Explanatory Note to Annex 9, Part II, paragraph 5 to read*

#### Explanatory Note to paragraph 5

9.II.5 Explanatory Note 9.II.4 applies mutatis mutandis to paragraph 5.

## **III Considerations by the Administrative Committee**

5. In accordance with the provisions of Article 60, amendments to, inter alia, Annex 6 “shall come into force on a date to be determined by the Administrative Committee at the time of its adoption, unless by a prior date determined by the Administrative Committee at the same time, one-fifth or five of the States which are Contracting Parties, whichever number is less, notify the Secretary-General of the United Nations of their objection to the amendment.”

6. In order to avoid a lengthy legal and administrative procedure for this single amendment, Contracting Parties to the Convention may wish to postpone the above decision until further amendment proposals have been adopted by the Administrative Committee, so that a complete package of amendments can be submitted to the Secretary-General for circulation and issuance of depositary notifications. In the meantime, however, the Committee, may wish to decide that the above procedure shall apply provisionally, pending the entry into force of the provisions of Explanatory Notes 9.II.4 and 9.II.5.