



EU's 24-Hour Advance Security Manifest Maritime Shipments



***Hong Kong
October 21st 2010***

European Union vs. Europe



27 EU Member States

■ Austria	■ Latvia
■ Belgium	■ Lithuania
■ Bulgaria	■ Luxembourg
■ Cyprus	■ Malta
■ Czech Republic	■ Netherlands
■ Denmark	■ Poland
■ Estonia	■ Portugal
■ Finland	■ Romania
■ France	■ Slovakia
■ Germany	■ Slovenia
■ Greece	■ Spain
■ Hungary	■ Sweden
■ Ireland	■ United Kingdom
■ Italy	



Background (1)

Changes to EU Customs Code 2005

- Security risk assessment before goods arrive in or are brought out of the EU
- Electronic submissions by a single filer
- Uniform data set
- Risk assessment done by a single Member State (MS) for all goods, irrespective of port of discharge, based on common criteria to be accepted by all other MS.

Background (2)

Information exchanges to and between Member States and with the Commission:

- Traders to provide customs with information on goods prior to import to or export from the EU
- Providing reliable traders with trade facilitation measures (Authorised Economic Operators)
- Uniform Community risk-selection criteria for controls for goods brought into, or out of, the EU customs territory
- Introducing EORI; **E**conomic **O**perators **R**egistration and **I**dentification number

*Any economic operator established in the EU needs to have an EORI number. Economic operators **established outside the EU** only have to be assigned an EORI number if they lodge a customs declaration, an Entry or an Exit Summary Declaration.*

Background (3)

Implementation

- AEO: 01 January 2008
- EORI: 01 January 2009 (effective 01 July 2010)
- EU export goods: 01 July 2009
- Entry Summary Declarations (ENS) & Exit Summary Declarations (EXS)
Scheduled for 01 January 2011

Summary

- Changes to EU Customs Code 2005 are scheduled to become effective January 1, 2011.
- Changes will require earlier submission of cargo manifest information by ocean Carriers.
- Shippers need to provide cargo data elements by Carriers' Shipping Instruction "cut-off."
- Do-Not-Load or other controls may be ordered.
- Penalties may be imposed.

Entry Summary Declarations

Basic principles:

- (1) An ENS must be lodged for all goods that are to arrive in the EU.
 - To be **imported** or **transshipped** in the EU
 - To be **re-loaded** in an EU port for transit
 - Remaining on Board (**FROB**).
- (2) Filing deadlines*
 - For deep sea containerized shipments: no later than **24 hours before vessel loading** in each foreign load port.
- (3) The ENS must be lodged at the Customs office of first entry in the EU.

** Other filing deadlines apply for other modes*

ENS data elements (1)

ENS Data Elements:

- Number of items contained in the ENS
- Unique consignment reference number assigned to the goods
- Transport document number
- Consignor (*EORI number if available*)
- Person lodging the ENS
- Consignee (*EORI number if available*)
- Carrier
- Notify party (*mandatory for “To order B/L”*)
- Identity and nationality of active means of transport entering the EU
- Conveyance reference number

ENS data elements (2)

- Code for the first place of arrival in the EU
- Date and time of arrival at the first place in the EU
- Code(s) for the country(ies) of routing (including the countries of departure and destination) to the extent known
- Mode of transport at the border
- Code for the place of unloading
- Acceptable goods description (not necessary if the 4 digits HS code is provided) *Because of national language and other issues, 6 digit HS Code is recommended*
- Code for the type of packages
- Number of packages
- Shipping marks for packaged goods (not necessary for containerised goods)

ENS data elements (3)

- Container identification marks
- Number of the item in relation to the total number of items
- 4 digit HS code (not necessary if a goods description is provided) .
- Gross mass (kg)
- UN code for dangerous goods
- Seal number
- Code for the method of payment for transport charges (*to be provided where available*)
- Declaration date
- Signature/authentication
- Code for special circumstances (postal/express consignment, ship/aircraft supplies, road/rail transport, AEO) if applicable

Customs Office of First Entry

Responsibilities of Customs Office of First Entry (OoFE)

- Register and validate the ENS.
- Issue Movement Reference Number (MRN) to declarant and, if different, also to ocean Carrier.
- Perform security risk analysis for **all** ENS.
- Forward positive risk results, if any, to subsequent ports Office of First Entry (OoSE) on vessel's itinerary
- May impose penalties (per national law) for example:
 - Inaccurate ENS
 - Filing deadline not met
 - No ENS

Risk Types

Risk Analysis performed by the Office of 1st entry and communicated to customs of subsequent ports.

Different risk types and consequences

- A: No load notification to be sent (*will be communicated back to lodging party and Carrier, if different*)
 - **within 24 hour window after receipt of the ENS**
- B: Common risk analysis result for which an immediate action is required at the Office of First Entry (*may be communicated back to lodging party & Carrier but only if AEO certified*)
- C: Common risk analysis result to be communicated to the Office(s) of Subsequent Entry in other EU Member States *

** = Only communicated amongst Member States, not to lodging party and/or Carrier*

Responsibilities (1)

- The "Carrier" is legally responsible for lodging the ENS within the deadline. No dual Carrier/NVOCC filing requirement!
- **Carrier**
The person who brings or assumes responsibility for bringing the goods into the EU.
- **VSA or similar contracting agreements, e.g. space or slot charter, to provide regular, scheduled service in to the EU.**
Bill of lading issuing Carrier is responsible

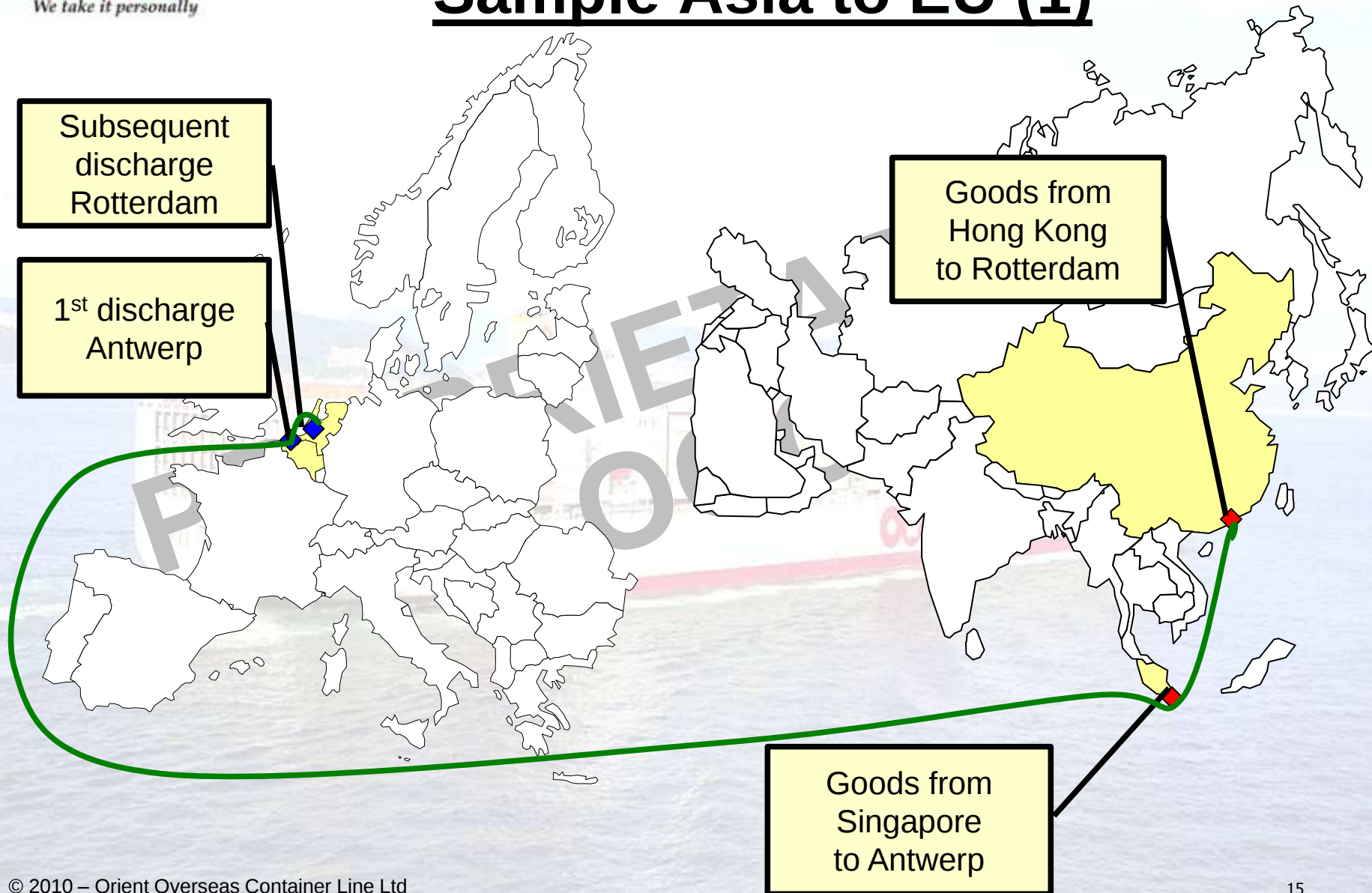
Responsibilities (2)

- The Carrier, when it is the declarant, is responsible for the accuracy and completeness of the ENS.
- The Carrier is “only obliged to provide the information known to him” at time of filing.
- “Known to him”: Carrier is entitled to use data provided by its shipper customer and as set out in the (master) bill of lading.
- The Carrier is not required to “ascertain the accuracy of the data provided to him”.

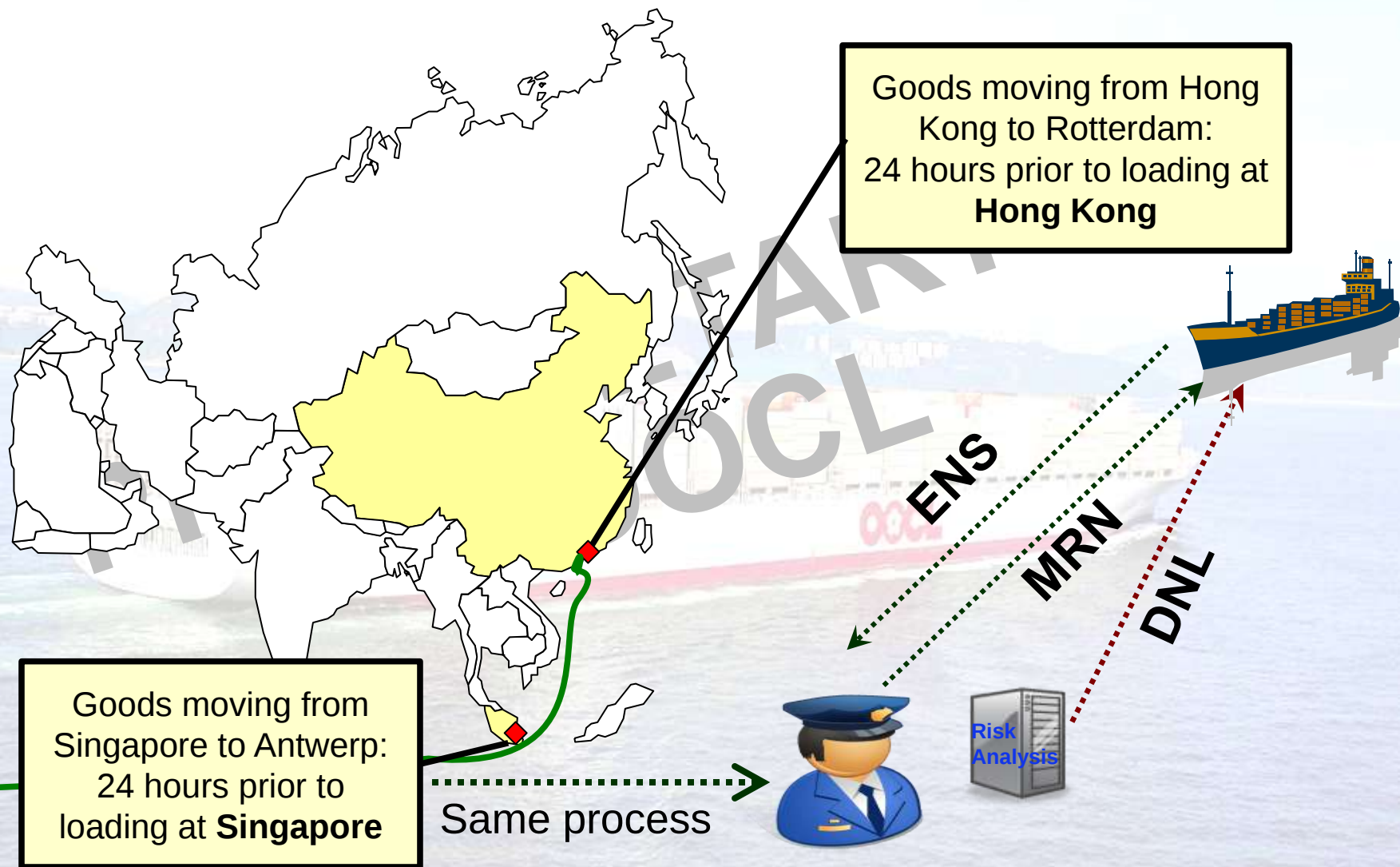


We take it personally

Sample Asia to EU (1)



Sample Asia to EU (2)





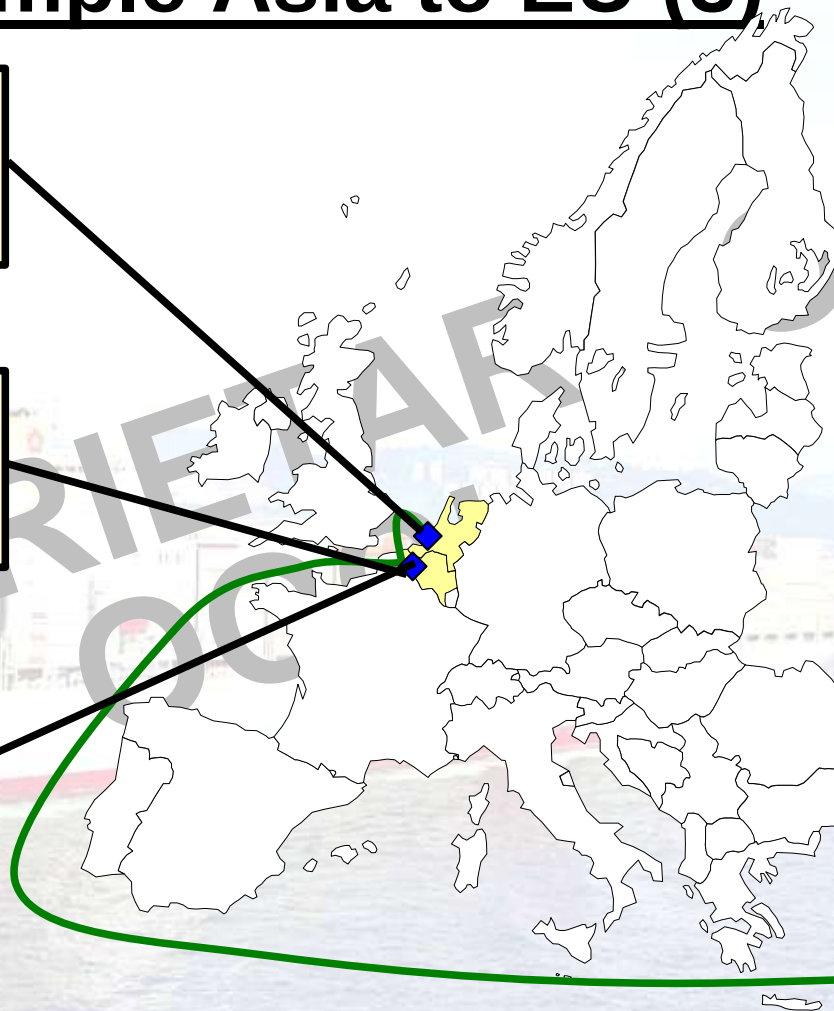
We take it personally

Sample Asia to EU (3)

Discharge cargo in
Rotterdam
National risk assessment &
control

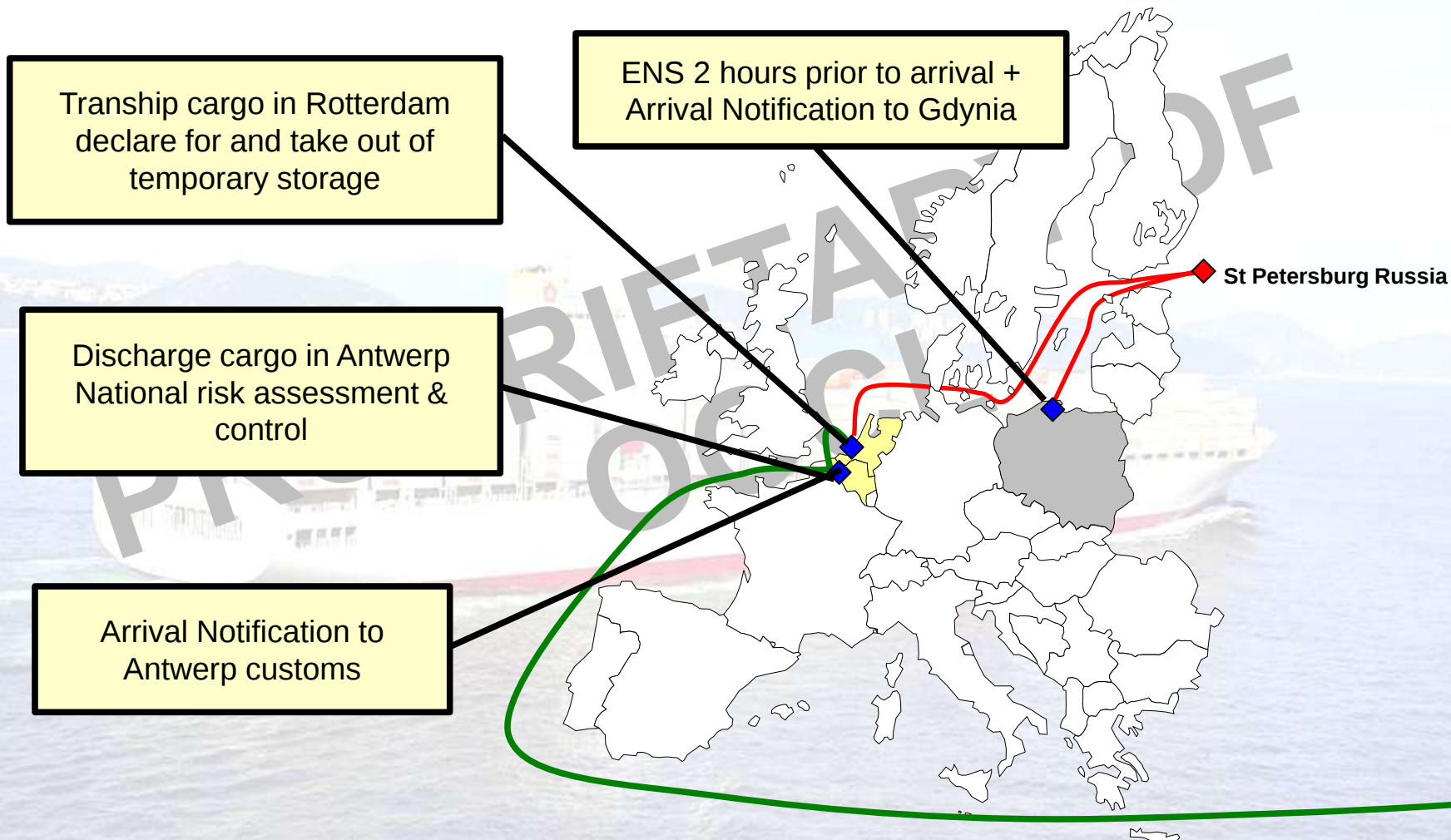
Discharge cargo in Antwerp
National risk assessment &
control

Arrival Notification to
Antwerp customs



Sample scenario

Destination Gdynia, transshipment at Rotterdam



Submission deadlines

- Shipping Instruction cut-off times will be similar to those for US Advance Manifest
- Details will be published:
 - in our sailing schedule via oocl.com
 - In our booking acknowledgement

Data to be supplied by shippers

- Consignor – full name address/postal code (*or EORI number if available*)
- Consignee full name address/postal code (*or EORI number if available*)
- Notify party (*mandatory for “To order B/L”*)
- Container number
- Number of packages
- Code for the type of packages
- Acceptable goods description (*not necessary if the 4 digits HS code is provided*) 6 digit HS Code is recommended
- Gross mass (kg)
- Shipping marks for packaged goods (*non containerised goods*)
- Number of the item in relation to the total number of items
- 4 digit HS code (see above) .
- UN code for dangerous goods
- Seal number
- Transport charges method of payment (*only where available*)

OOCL Solutions

- **OOCL Solutions for our Customers ensuring security and compliance of your supply chain:**
 - Ongoing involvement with the legislative bodies within the EU and the Member States
 - Self development of connections & message exchange with all Office of First Entry
 - Early testing and participation in “pilot production” where available
 - Visibility of customs submission status for external parties through MOC (My OOCL Center)

OOCL Development Status

OOCL currently has 8 Offices of First Entry

- Netherlands – in pilot production
- Belgium – Testing completed
- United Kingdom – Testing completed
- Poland – Testing completed
- Romania – Testing completed
- Finland – Testing completed
- Germany – Testing in progress
- Italy – Testing in progress

Status as per 22 Oct 2010



ENS “pilot” production status

**Up till the end of September 2010
approx. 5,258* ENS’ were sent to EU
customs production environments:**

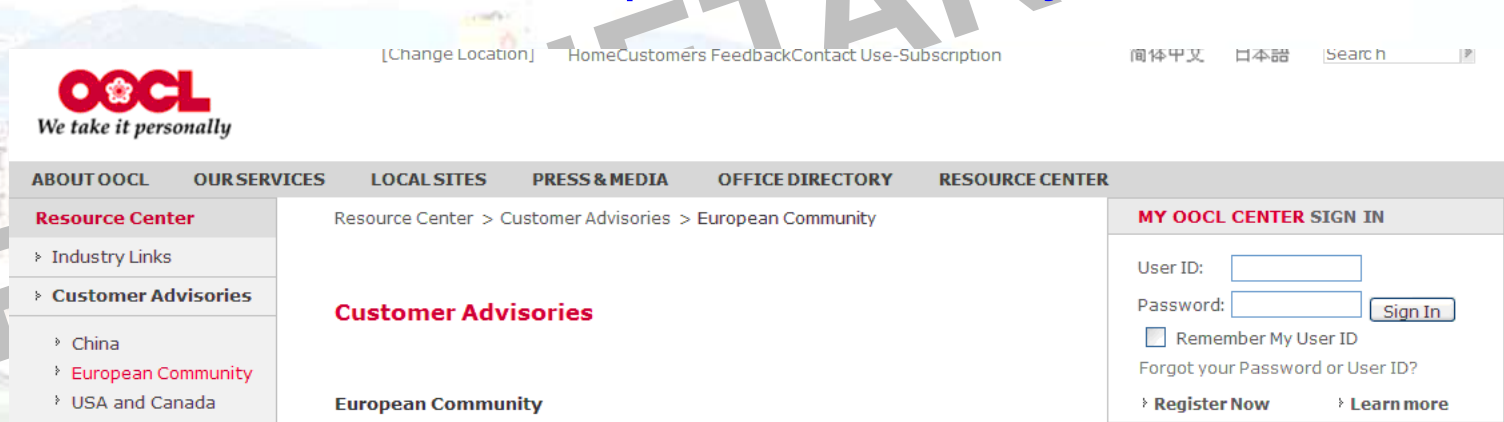
- Netherlands – 4,343* (mode sea & air).**
 - Mode sea – only OOCL; 2,015 ENS’
- Estonia – 877* (mode road)**
- Other Member States - 38**

*** Source: Taxud**

More Information

o OOCL.COM - Customer Advisories

<http://www.oocl.com/eng/resourcecenter/customeradvisories/europeancommunity/>



o The official European Commission website http://ec.europa.eu/ecip/index_en.htm