# Impact Analysis Report/ RFC-Applied

**Section 1: Meta-data**

|  |  |
| --- | --- |
| **RFC ID** | **RFC-List.43\_RFC\_NCTS\_0306\_CSRD2-CL019** |
| **Related Incident ID** | **IM552552, IM546649, IM731861** |
| **RFC Initiator / Organization** | **NA-LU, NA-LV** |
| **CI** | 1. **CS/RD2 PROD for NCTS-P5** 2. **CS/RD2 CONF for NCTS-P5 and NCTS-P6** 3. **DDNTA-5.15.2-v2.00** 4. **DDNTA-6.4.0-v2.00** 5. **FTSS-5.30** |
| **Type of Change** | **Standard  Emergency** |
| **Nature of Change** | Justification for Evolutive   |  | | --- | |  | |
| **RFC Source** | |  |  | | --- | --- | | **Legal & Policy Change**  **Organisational Changes** | **Business Change**  **IT Change** | |
| **Review by Business User recommended?** | **Yes**  **No** |

***Change Summary***

|  |
| --- |
| **Changes to CL019 (IncidentCode).**  **CS/RD2 PROD and CONF:**   1. New entry ‘7’ with description "*Seals were replaced, added or removed by the customs authorities*" will be added to the ‘Explicit\_Include’ with NCTS-P5 and NCTS-P6 applicability. 2. New entry ‘8’ with description "*The transshipped goods were not presented to the customs authorities in accordance with Article 305(3) of UCC/IA*" will be added to the ‘Explicit\_Include’ with NCTS-P5 and NCTS-P6 applicability. 3. Minor correction of ‘Description’ for the entries '1' and '5'.   **In CS/RD2 CONF only:**   1. Correction of the current applicability policy (from ‘Include\_All’ to‘Explicit\_Include’, as it is already correctly defined in CS/RD2 PROD).   **In DDNTA-5.15.2-v2.00 and DDNTA-6.4.0-v2.00:**  Update of C0240 and C0396, to consider the two new codes.  **Business Statistics for NCTS:**  Update of the CuBuS Specifications for NCTS and update of CL057 in CS/RD2 (to cover the two new codes). |
| **This version 2.10 of the RFC-Proposal also includes information about the FTSS of NCTS-P5:**  Minor changes need to be applied to the following two documents   * FSS-UCC NCTS Section I-BUSINESS PROCESS THREADS FOR CORE BUSINESS-SfA-v5.30.docx published on CIRCABC at <https://circabc.europa.eu/ui/group/74357351-7c61-4729-8f4b-cd92c213ba34/library/79a587b7-6d68-4b55-954c-31363057a227/details>; * NCTS-P5\_L4\_EQC203\_EU Customs Functional Requirements BPM Report.pdf published on CIRCABC at <https://circabc.europa.eu/ui/group/74357351-7c61-4729-8f4b-cd92c213ba34/library/059ae1d6-2415-4603-9fff-c554c3fc68e2/details>. |
| **This version 2.20 includes IMPLEMENTATION DETAILS:**   * The **DDNTA-6.4.1-v1.00 Main Document** also includes additional explanations regarding the sequence of the actions by the Customs Office acting with incident registration and with standard transit process (see page 7-8 below). DDNTA-5.15.2-v2.00 Main Document was left unchanged. |

**Section 2: Problem statement**

|  |
| --- |
| 1. The issue was raised by NA-LU and later by other NAs.   In NCTS-P5 there is no possibility to notify other involved Customs Offices in case the **seals** are **replaced/added/removed** because of various reasons (e.g. unloading part of the goods or customs control).  In NCTS-P4 this information can be registered on TAD.  Usage of the existing process of the ‘incident en route’ has been identified by DG TAXUD as a solution for that. It was already approved by the EU-CTC Working Group on 26-04-2024.  This solution did not require any legal changes.    The customs office would act first as its original role, e.g. Office of Transit, then as Office of Incident Registration to handle the replacement or addition of seals, using the **new incident code ‘7’.**  More details can be found on CIRCABC in this file (presented and discussed by the EU-CTC Working Group): [How to notify change of seals en route within NCTS P5 - Working Document 2021\_03 (v.5)\_FINAL\_CLEAN.docx](https://circabc.europa.eu/ui/group/74357351-7c61-4729-8f4b-cd92c213ba34/library/6ff41ae0-0055-443d-88c1-92234ed65f61/details) (published on CIRCABC on 25.02.2025).  The Article 305 (3) of the UCC/IA mentions: “in case of an incident as referred to in paragraph 1(c), the customs authorities shall not require presentation of the goods together with the MRN of the transit declaration if all of the following conditions are fulfilled:  (a) the goods are transferred from a means of transport that is not sealed;  (b) the holder of the procedure or the carrier on behalf of the holder of the procedure provides relevant information concerning the transfer to the customs authority of the Member State in whose territory the means of transport is located [...]”  In this list, there is no appropriate incident code for case where goods are transferred from one means of transport to another means of transport, without the supervision of the customs authority. *(There isn’t an obligation for the carrier to receive the approval of customs for transfer prior to operation. The customs authority should be informed by the carrier after the transfer).*  A **new incident code ‘8’** should be added in CL019, to manage this case.   1. The current descriptions of codes '1' and '5' need to be slightly improved. 2. An inconsistency between CS/RD2 PROD and CS/RD2 CONF regarding the definition of the applicability filter has been identified. In CS/RD2 PROD, the **applicability policy** of CL019 is defined as 'Explicit\_Include' for NCTS-P5, while in CS/RD2 CONF it is defined as 'Include\_All' for both NCTS-P5 and NCTS-P6.   Consequently, the applicability policy **in CS/RD2 CONF should be aligned with the applicability definition in CS/RD2 PROD.**  **NOTE:**  The 191st EU-CTC WG meeting concluded on 26-04-2023 that “there should not be changes in the legal provisions”: |

**Section 3:** **Description of proposed solution**

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **A/**  **Proposed changes in CS/RD2 PROD and CS/RD2 CONF for CL019 (IncidentCode).**  **Only in CS/RD2 CONF:**   1. The current NCTS-P5 (and NCTS-P6) applicability policy “Include\_All” will be changed to “Explicit\_Include”.   **Both CS/RD2 CONF&PROD**   1. A new incident code ‘7’ with description "***Seals were replaced, added or removed by the customs authorities***“ will be added to CL019. The new entry ‘7’ will be included in the “Explicit\_Include” applicability filter. 2. A new incident code ‘8’ with description "***Without the supervision of the customs authority, goods were transferred from one means of transport to another means of transport, in accordance with Article 305(3) of UCC/IA.***" will be added to CL019. The new entry ‘8’ will be included in the “Explicit\_Include” applicability filter. 3. The descriptions of incident codes ‘1’ and ‘5’ will be corrected as follows (addition of **text highlighted in yellow** – removal of ~~text with strikethrough~~ ):  |  |  | | --- | --- | | 1 | The carrier is obliged to deviate from the itinerary prescribed in accordance with Article 298 of UCC/IA Regulation due to circumstances beyond ~~his~~ the carrier's control. | | 2 | Seals are broken or tampered within the course of a transport operation for reasons beyond the carrier's control. | | 3 | Under the supervision of the customs authority, goods are transferred from one means of transport to another means of transport. | | 4 | Imminent danger necessitates immediate partial or total unloading of the sealed means of transport. | | 5 | There is an incident which may affect the ability of the Holder of the procedure or the carrier to comply with ~~his~~ their obligations. | | 6 | Any of the elements constituting a single means of transport as referred to in Article 296(2) UCC/IA is changed. | | 7 | Seals were replaced, added or removed by the customs authorities. | | 8 | Without the supervision of the customs authority, goods were transferred from one means of transport to another means of transport, in accordance with Article 305(3) of UCC/IA. |   The changes will be applied in **CS/RD2 CONFORMANCE for CL019, as follows** (both NCTS-P5 and NCTS-P6)**:**   * addition of code ‘7’ and ‘8’ and corrections for codes ‘1’ and ‘5’ will be applied on **24.01.2025** with validity date **25.01.2025**.   The changes will be applied in **CS/RD2 PRODUCTION** **for CL019, as follows** (NCTS-P5 only, for NCTS-P6 together with all PROD update for NCTS-P6)**:**   * addition of code ‘7’ and ‘8’ and corrections for codes ‘1’ and ‘5’ will be applied on **27.01.2025** with validity date **04.03.2025**.   The change of the applicability policy in CS/RD2 CONF will be applied once a *clean* technical solution – i.e. transparent for the National teams – can be applied.  **B/**  **Proposed changes in DDNTA-5.15.2-v2.00:**  1. We need to ensure that the following D.G. and D.I. become Required in case of incident code=7:  - TRANSPORT EQUIPMENT  - TRANSPORT EQUIPMENT/Number of seals  - TRANSPORT EQUIPMENT/SEAL  The **C0240** applied in CC043C, CC182C, CD003C, CD038C, CD115C, CD165C, CD180C, CD181C will be reworded as follows:    **C0240**  IF /\*/Consignment/Incident/code is in SET {2, 4**, 7**}  THEN (/\*/Consignment/Incident/TransportEquipment = "R" AND  /\*/Consignment/Incident/Transhipment = "N" )  ELSE IF /\*/Consignment/Incident/code is in SET {3, 6**, 8**}  THEN (/\*/Consignment/Incident/TransportEquipment = "O" AND  /\*/Consignment/Incident/Transhipment = "R")  ELSE (/\*/Consignment/Incident/TransportEquipment = "N" AND  /\*/Consignment/Incident/Transhipment = "N")  The **C0396** applied in CC043C, CC182C, CD003C, CD038C, CD115C, CD165C, CD180C, CD181C will be reworded as follows:    **C0396**  IF /\*/Consignment/Incident/code is ~~EQUAL to ‘2’~~ **in SET {2, 7}**  THEN /\*/Consignment/Incident/TransportEquipment/numberOfSeals = "R"  ELSE /\*/Consignment/Incident/TransportEquipment/numberOfSeals = "O"  Those conditions can be implemented in NTA and deployed \***before**\* TPendDate. There is no risk of rejection in such case because the codes will become valid only on TPendDate, for all countries at the same time.  **C/**  **Proposed changes in document *FSS-UCC NCTS Section I-BUSINESS PROCESS THREADS FOR CORE BUSINESS-SfA-v5.30.docx***  **Page 119 – Process: L4-TRA-01-11**  **Description :**  The process is triggered when an En-route incident occurs to a Transit movement. Such an incident can be:  (a) the carrier is obliged to deviate from the itinerary prescribed in accordance with Article 298 of UCC/IA Regulation due to circumstances beyond ~~his~~ the carrier's control;  (b) seals are broken or tampered with in the course of a transport operation for reasons beyond the carrier's control;  (c) under the supervision of the customs authority, goods are transferred from one means of transport to another means of transport;  (d) imminent danger necessitates immediate partial or total unloading of the sealed means of transport;  (e) there is an incident which may affect the ability of the holder of the procedure or the carrier to comply with ~~his~~ their obligations;  (f) any of the elements constituting a single means of transport as referred to in Article 296(2) UCC/IA is changed;  (g) seals were replaced, added or removed by the customs authorities;  (h) without the supervision of the customs authority, goods were transferred from one means of transport to another means of transport, in accordance with Article 305(3) of UCC/IA.  **Similar changes will be applied in document *NCTS-P5\_L4\_EQC203\_EU Customs Functional Requirements BPM Report.pdf***  **5.34. Process L4-TRA-01-03-Process Arrival,  -  Task Process Incident page 333**    **5.39. Process L4-TRA-01-04-Process Movement at Customs Office of Transit - Task Process Incident page 375**  **5.70. Process L4-TRA-01-12-01 Handle Incident Information - Task Process Incident page 572**  **5.71. Process L4-TRA-01-12-Process Incidents En Route - Task Process Incident page 580, 588**  **5.76. Process L4-TRA-01-13-Process Formalities Prior To Exit of Goods at Customs Office of Exit for Transit - Task Process Incident page 618**  **D/**  **Proposed changes in ‘CS/MIS2 Specifications for Business Statistics for NCTS-P6 (SBS)-1.0.0’ and in CS/RD2 CL057 (StatisticsType):**  The codes ‘UUAG’ and ‘UUAH’ are added, to enable the reporting of the codes ‘7’ and ‘8’ in the message CD411D, applicable to NCTS-P5 and NCTS-P6.   |  |  |  | | --- | --- | --- | | **ID** | **UUAG** | **UUAH** | | **Aggregation** | - | - | | **Used for CUP (Customs Union Performance)** | N | N | | **Used for Risk management** | N | N | | **New Statistics type introduced for NCTS-P6** | N | N | | **Statistics type Usage period** | During TP & After TP | During TP & After TP | | **Functional Cluster** | Mandatory Existing processes | Mandatory Existing processes | | **Process category** | Core Business – Specific Scenarios for Incidents “En Route” | Core Business – Specific Scenarios for Incidents “En Route” | | **Applicable Phase** | NCTS-P6 | NCTS-P6 | | **Statistics type** | Number of incidents of type '7' (Seals added at Office of Transit as per National regulation.) notified to departure | Number of incidents of type '8' (Without supervision of customs, goods were transferred to other means of transport - Art.305(3) of UCC/IA.) notified to departure | | **Year** | X | x | | **Month** | X | x | | **Country code of Office of  Departure** | SC | SC | | **Country code of Office of  Destination** |  |  | | **Country code of Country of Dispatch** |  |  | | **Country code of Country of Destination** |  |  | | **Country of Guarantee** |  |  | | **Country code of Office of Incident Registration** | OC | OC | | **Country code of Office of Enquiry** |  |  | | **Country code of Office of Recovery** |  |  | | **Definition** | Number of Incidents en route registered at departure (IE180 received) for which the Data Item 'Incident code' is '7'. Split per country of incident. | Number of Incidents en route registered at departure (IE180 received) for which the Data Item 'Incident code' is '8'. Split per country of incident. | | **Triggering event** | Allocation of operation state "Movement released", "Arrived", "Enquiry recommended", "Under enquiry procedure" or "Movement under resolution" | Allocation of operation state "Movement released", "Arrived", "Enquiry recommended", "Under enquiry procedure" or "Movement under resolution" | | **Technical definition** | Number of transit movements that are in the state, which is in SET {"Movement released", "Arrived", "Enquiry recommended", "Under enquiry procedure" or "Movement under resolution"} with IE180 exchanged, for which: /IE180/TransitOperation/incidentNotificationDateAndTime is included in the Reporting Period AND /IE180/Consignment/Incident/code is EQUAL to '7'. Split per country of the Office of Incident Registration (the first two characters of the /IE180/CustomsOfficeOfIncidentRegistration/referenceNumber). | Number of transit movements that are in the state, which is in SET {"Movement released", "Arrived", "Enquiry recommended", "Under enquiry procedure" or "Movement under resolution"} with IE180 exchanged, for which: /IE180/TransitOperation/incidentNotificationDateAndTime is included in the Reporting Period AND /IE180/Consignment/Incident/code is EQUAL to '8'. Split per country of the Office of Incident Registration (the first two characters of the /IE180/CustomsOfficeOfIncidentRegistration/referenceNumber). | | **Country Profile Applicability** | Member State or CTC country | Member State or CTC country | | **Consistency Check** | - | - | | **Status** | New | New |   The exact timing for the sending by NAs of the modified CD411D will be defined in the context of the CuBuS for CS/MIS2 update.  IMPLEMENTATION DETAILS  The **DDNTA-6.4.1-v0.10 Main Document** wasupdated as follows (addition of **text highlighted in yellow** – removal of ~~text with strikethrough~~):   1. **The following updates was performed in section III.II.5.5 Specific Scenarios for Incidents “En Route” (INC):**   It should be noted that if the nearest Customs Office for the registration of incident(s) is also involved in the movement as Customs Office of Transit or as Customs Office of Exit for Transit or as Customs Office of Destination, then **- in most cases -** this Customs Office **acts first** as a Customs Office of Incident Registration **and then** as involved Customs Office of the movement. The main reason is that there should be a proper ordering of the actions performed when an involved office acts as Office of Incident Registration as well. In ~~this~~ **most** case**s**, the incident registration takes precedence over the normal transit formalities of the involved office.  **But another sequencing is also possible. For example, the Customs Office sends the ‘Anticipated Transit Record Request’ C\_ATR\_REQ (IE114), receives the ‘Anticipated Transit Record Response’ C\_ATR\_RSP (IE115), acting (first) as the Office of Transit. During the control, the seals are removed and replaced. This means that this same Customs Office should also act as Office of Incident Registration to register an incident code ‘7’ (Seals were replaced, added or removed by the customs authorities).**  **The following examples illustrate the possible diversity of the sequencing of IE118/IE180:**   * **Movement from Slovenia (SI) to Serbia (RS) via Croatia (HR):**   **The Office of Transit in Serbia (after crossing the HR/RS border) decides to replace the seals following a control:**   * **‘Notification Crossing Frontier’ C\_NCF\_NOT (IE118) is sent by NTA.RS to NTA.SI;** * **Then, ‘Incident Notification’ C\_INC\_NOT (IE180) is sent by NTA.RS to NTA.SI.** * **Movement from Slovenia (SI) to Serbia (RS) via Croatia (HR):**   **The Office of Transit in Serbia confirms the border crossing. The truck continues toward Belgrade but, after 5 km, a minor accident occurs, damaging the goods. The carrier drives back to the same Customs Office:**   * **‘Notification Crossing Frontier’ C\_NCF\_NOT (IE118) message has been sent by NTA.RS to NTA.SI;** * **One hour later, ‘Incident Notification’ C\_INC\_NOT (IE180) is sent by NTA.RS (with the same Office of Transit also acting as the Office of Incident Registration) to NTA.SI.** * **Movement from Slovenia (SI) to Serbia (RS) via Croatia (HR) and Bosnia and Herzegovina (BA) (assuming Bosnia and Herzegovina is a third country and not yet a Contracting Party to CTC):**   **The Office of Transit in Croatia (before crossing the HR/BA border) needs to register an incident:**   * **‘Incident Notification’ C\_INC\_NOT (IE180) is sent by NTA.HR to NTA.SI;** * **Then, ‘Notification Crossing Frontier’ C\_NCF\_NOT (IE118) is sent by NTA.HR to NTA.SI.**   {…}   1. **The following update was performed in section III.II.5.5.1 T-TRA-INC-M-001-Capturing movement information at Office of Incident Registration:**   As per **[Step 1]** of Figure 55, ~~even if the Office of Incident Registration is involved in the transit movement and thus the movement information may already be available, it always~~ **~~acts first~~** ~~as Office of Incident Registration.~~**when the Office of Incident Registration is acting *before* the Office of Transit (i.e. the movement information may already be available),** the Office of Incident Registration always requests the movement information from the Office of Departure by sending the ‘Movement Query’ C\_MVT\_QUE (IE027) message in order to be informed about the latest status and details of the transit movement by the Office of Departure.  **IMPACT ASSESSMENT:**  The impact of additional entries in CL019 may impact the NTA.P5.  National Teams are invited to verify the complexity of the update of their NTA.  The documentation of the procedure for ‘incident en route’ might need to be adapted accordingly.  Risks if one NA can add the codes ‘7’ and ‘8’ but is not able to modify the R&C by 04/03/2025:   1. Those codes can be used by that country for incidents occurring in that country. But it might perhaps be used *incorrectly*, violating the R&C by mistake (the probability seems to be low because the business logic applied in those two conditions is simple). In such case, after the rejection, the incident-related information could be corrected, and the modified message resent. The impact would be very limited. 2. If the codes are used by other NAs, the Common Domain messages will be incorrectly **rejected** because the (unchanged) conditions are **in contradiction with the new conditions**. The impact on traders and other NAs for those (few?) movements will be **significant** (e.g. if CD003C is rejected, the exchanges of CD006C and CD018C might be problematic as well). 3. **The workaround to be applied** by those NAs is to de-activate the two conditions until they are correctly updated, tested and deployed.   Risk if one NA is not able to add the codes ‘7’ and ‘8’ neither able to modify the R&C:   1. Those codes will not be used by that country for incidents occurring in that country. Another code, less precise would be used as ‘temporary workaround’. Limited impact on traders and on other NAs. 2. If used by other NAs, the Common Domain messages will be rejected because the codes are **erroneously considered as violating the codelist CL019**. The impact on traders and other NAs will be significant for those (few?) movements (e.g. if CD115C is rejected, the exchange of CD118C will be problematic as well). 3. **No workaround is identified in such case. => At minimum, all NAs must be able to accept the new codes.**     **Impacted CIs:**  **• CS/RD2 PROD & CS/RD2 CONF • FSS-UCC NCTS Section I-BUSINESS PROCESS THREADS FOR CORE BUSINESS-SfA-v5.30.docx**  **• NCTS-P5\_L4\_EQC203\_EU Customs Functional Requirements BPM Report.pdf**  **• DDNTA-5.15.2-v2.00** (DG TAXUD will not republish a new DDNTA-5.15.x for this change)  **• DDNTA-6.4.0-v2.00** (DDNTA-6.4.0-v2.00 will be adapted accordingly, to offer compatibility)  **• CS/MIS2 Specifications for Business Statistics for NCTS-P6 (SBS)-1.0.0**  **• NTAs (Phase 5 & Phase 6)** |

**Estimated impact on National Project**

|  |  |
| --- | --- |
| Cosmetic  Low  Medium  High  Very High  Short description   |  | | --- | | To limit the risk for NCTS-P5, the changes are applied in two steps: first in CS/RD2 CONF, then in CS/RD2 PROD. | |

| **Document History** | | | |
| --- | --- | --- | --- |
| **Version** | **Status** | **Date** | ***Comment*** |
| v2.00 | SfA to NPM | 23.01.2025 | *Submitted for acceptance to NPM*  ***If accepted, it will be considered as being part of the updated version of the DDNTA\_RFC-List.41 (which includes one change for CD018C(CC044C) and one change for Georgia’s accession.*** |
| v2.10 | DDNTA\_RFC ACCEPTED by NPM | 03.03.2025 | *Based on the feedback received by NPMs, the implementation date in CS/RD2 is postponed, with* ***validity date 04.03.2025****.*  *For clarity about the timing, this RFC is defined as* ***part of the new DDNTA\_RFC-List.43****:*  *Page 1:*  *This RFC is part of RFC-List.43, applicable for NCTS-P5 and NCTS-P6 (only 1 change)*  ***RFC-List.43\_****RFC\_NCTS\_0306\_CSRD2-CL019*  *Information added about the changes in FTSS.*  *Page 2: Note added about the legal basis.*  *Page 4: CC007C removed on page 4, as suggested by NA-CZ.*  *Pages 5-6: Information added about the changes in FTSS.*  *Page 6&7: Information added about the content of CL057 (StatisticsType) and ‘CS/MIS2 Specifications for Business Statistics for NCTS-P6 (SBS)-1.0.0’.* |
| v2.20 | DDNTA\_RFC ACCEPTED by NPM + implementation details | 12.06.2025 | *Additional details included, to trace precisely the change applied for the DDNTA Main Document, to avoid any possible confusion about the sequence of actions.*  *(see Page 7-8-9)* |