



Tax&Legal Highlights

Romania

Implementation of the New Customs Code - European Commission's conclusions

In a report published at the end of January on the implementation of the new Customs Code, the European Commission announced, among other things, the amendment of the exporter's definition from the customs legislation's perspective.

On 22 January 2018, the European Commission issued a report to European Parliament and European Council on how the provisions of the Union Customs Code, that came into force on 1 May 2016, were implemented, and how has exercised its powers to adopt delegated acts, in the period elapsed since the Code entry into force.

The report describes how the deadlines for implementing the IT systems defined in the Union Customs Code have been met and a summary on the amendments brought to the new customs legislative package since its entry into force until now.

The European Commission reminds that, by 2020, the exchange of information between economic operators and customs authorities will be entirely electronic. To achieve this goal, a total of 17 electronic systems are

currently being developed (e.g. to obtain the AEO status or to issue proof on the customs status of goods).

According to the report, the following amendments are to be made to the European customs legislative package:

- The amendment of the exporter's definition provided for in Article 1 (19) of the Delegated Regulation;
- The extension of the one-day period during which goods may be temporarily stored in places other than temporary storage facilities;
- Amendment to the rules of origin so that a preferential tariff treatment can be granted to processed products that have been obtained from imported goods that themselves qualified for preferential tariff treatment under the inward processing procedure.

The electronic transport document can be used as a transit declaration

The electronic transport document can be used as a transit declaration for air transport is one of the main changes to the EU Convention on the Common Transit Procedure.

Decision no. 1/2017 of the EU-EFTA Joint Committee on Common Transit brings a number of amendments to the Convention of 20 May 1987 on the Common Transit Procedure concluded between the Member States of the European Union and the EFTA States (Switzerland, Iceland, Liechtenstein and Norway).

Among the amendments, the most important are:

- Possibility to use the electronic transport document as a transit declaration for air transport (provisions applicable from 1 May 2018 at the latest);
- Possibility to submit a transit declaration before the estimated date for presentation of the goods at the customs office of departure (applicable from the moment of the NCTS modernization installation as set out in the Annex to Implementing Decision (EU) 2016/578);
- The possibility of using a customs declaration with reduced data requirements for placing goods under the common transit procedure, applicable to the carriage of goods by rail and to the carriage of goods by air, if an electronic transport document is not used as a transit declaration.

What does this means for the economic operators?

We recommend that you review the amendments to the Convention on the Common Transit System in order to identify the benefits that it can bring to your supply chain.

Contacts Details

Pieter Wessel

Partner

Tel: +40 21 2075 242

Email: pwessel@deloitteCE.com

Mihai Petre

Senior Manager

Tel: +40 21 2075 344

Email: mipetre@deloitteCE.com

The companies intending to import, export or produce controlled substances that deplete the ozone layer must register before 8 May 2018

Companies which, in 2019, intend to import or export ozone-depleting substances or which intend to produce or import these substances for essential laboratory and analytical uses, must obtain a license, according to the Notice issued by the European Commission.

The European Commission issued a Notice, published in the Official Journal of the European Union under No. 57 / 15.02.2018, addressed to companies that are subject to Regulation (EC) No. 1005/2009 on substances that deplete the ozone layer, and which intends to import or export to or from the European Union substances listed in Annex I to the Regulation, or to produce or import these substances for essential laboratory and analytical uses.

Following the withdrawal of the United Kingdom from the European Union on 29 March 2019, companies situated in one of the other 27 Member States will need a license to import controlled substances from the United Kingdom or to export controlled substances to the United Kingdom.

Furthermore, companies in the United Kingdom, which intend to carry out these activities before the withdrawal of the United Kingdom from the European Union, continue to need licenses until the 29 March 2019.

According to the Notice, the following activities are to be subject to quantitative limits:

- Production and import for laboratory and analytical uses;
- Import for free circulation in the European Union for critical uses (halons);
- Import for free circulation in the European Union for feedstock uses;
- Import for free circulation in the European Union for process agent uses.

In order to carry out import or export operations for such substances, companies must register in the ODS Licensing System (<https://webgate.ec.europa.eu/ods2>) before 8 May 2018, the license form and the quota application form will be available online as part of the licensing system from that date.

Contacts Details

Vlad Boeriu

Partner

Tel: +40 21 2075 341

Email: vboeriu@deloitteCE.com

Mihai Petre

Senior Manager

Tel: +40 21 2075 344

Email: mipetre@deloitteCE.com

Deloitte refers to one or more of Deloitte Touche Tohmatsu Limited, a UK private company limited by guarantee ("DTTL"), its network of member firms, and their related entities. DTTL and each of its member firms are legally separate and independent entities. DTTL (also referred to as "Deloitte Global") does not provide services to clients. Please see www.deloitte.com/about to learn more about our global network of member firms.

Deloitte provides audit, consulting, financial advisory, risk advisory, tax and related services to public and private clients spanning multiple industries. Deloitte serves four out of five Fortune Global 500® companies through a globally connected network of member firms in more than 150 countries and territories bringing world-class capabilities, insights, and high-quality service to address clients' most complex business challenges. To learn more about how Deloitte's approximately 245,000 professionals make an impact that matters, please connect with us on [Facebook](#), [LinkedIn](#), or [Twitter](#).

Deloitte Central Europe is a regional organization of entities organized under the umbrella of Deloitte Central Europe Holdings Limited, the member firm in Central Europe of Deloitte Touche Tohmatsu Limited. Services are provided by the subsidiaries and affiliates of Deloitte Central Europe Holdings Limited, which are separate and independent legal entities.

The subsidiaries and affiliates of Deloitte Central Europe Holdings Limited are among the region's leading professional services firms, providing services through nearly 6,000 people in 44 offices in 18 countries.

This communication contains general information only, and none of Deloitte Touche Tohmatsu Limited, its member firms, or their related entities (collectively, the "Deloitte Network") is, by means of this communication, rendering professional advice or services. Before making any decision or taking any action that may affect your finances or your business, you should consult a qualified professional adviser. No entity in the Deloitte Network shall be responsible for any loss whatsoever sustained by any person who relies on this communication.

© 2018. For information, contact Deloitte Central Europe