



SCREENING CHAPTER 29 CUSTOMS UNION

AGENDA ITEM 6: CUSTOMS STATUS OF GOODS / TRANSIT

**Country Session: The Republic of TURKEY
13-14 March 2006**



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- **Customs Status**
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CUSTOMS STATUS

Customs Law No. 4458 (CL)

Art. 3 (6); goods released for free circulation

Art. 3 (7); customs status of goods

Art. 78; goods having lost customs status

Implementing Regulation of Customs Law (IRCL)

Art. 3(2)(c); goods released for free circulation

Art. 3(2)(d); customs status of goods

Art. 229; goods having lost customs status

Definition of Customs Status (1/2)

goods in free circulation (Art. 3(6) CL, Art. 3(2)(c) IRCL)

- obtained in the Customs Territory of Turkey
- released for free circulation in the Customs Territory of Turkey
- obtained in the Customs Territory of Turkey from goods of 1st and/or 2nd indents

customs status of goods (Art. 3(7) CL, Art. 3(2)(d) IRCL)

- released for free circulation in the Customs Territory of Turkey or not



Definition of Customs Status (2/2)

goods having lost customs status (Art. 78 CL, Art. 229 IRCL)

- invalidation of customs declaration for free circulation
- repayment and remission of import duties paid on the importation of goods :
 - under inward processing procedure (when it is exported)
 - rejected by the importers because they are defective or not complying with the terms of the contract



TRANSIT

legal framework

- CL: Art. 84-92
- Law No. 6183 on Collection Procedures of Public Receivables
- IRCL: Art. 230-270
- International Conventions : TIR, ATA, İSTANBUL, NATO

definition

- movement of goods not in free circulation
- movement of export goods (customs formalities have been completed in an inland customs office)

scope

movement of goods in the Customs Territory of Turkey from;

- a foreign country to a foreign country
- a foreign country to Turkey
- Turkey to a foreign country
- an inland customs office to another inland customs office



Transit Procedure

- transit declaration
- responsibilities of the principal
- guarantee system
- identification measures / sealing
- accompanied by customs officials
- end and discharge / customs debt and recovery



Forms of Declaration

- transit declaration (copies 1, 4, 5)
- TIR carnet
- ATA carnet
- NATO form 302
- post (copies 1, 4, 5)
- summary declaration for goods carried out by sea or air from a Turkish port to another Turkish port or to a port outside the Customs Territory of Turkey



Responsibilities of the Principal

- presentation of goods intact and without any deficiency
- presentation of documents
- transit within the prescribed time limit and route
- compliance with identification measures
- observance of other transit provisions



Guarantee System (1/4)

the guarantee shall cover the full amount of customs debt (duties and other charges)

- types of guarantee in Article 10 of the Law No. 6183
 - covers a single transit operation
- comprehensive guarantee
 - covers a number of transit operation
- global guarantee
 - covers a number of transit operation



Guarantee System (2/4)

types of guarantee for a single transit operation

Article 10 of the Law No. 6183

- New Turkish Liras in cash
- letter of guarantee issued by a bank or private financial institutions
- treasury bills and bonds
- foreign currencies



Guarantee System (3/4)

comprehensive guarantee for transit operations at the same customs office

- Circular No. 2000/29 of Directorate General of Customs
- guarantee amount determined by the Regional Directorate
- a letter of guarantee required



Guarantee System (4/4)

global guarantee for transit operations within a year

- Decree No. 2000/69 (OG No. 23955, dated 5.2.2000)
- guarantee amount determined by the Directorate General of Customs
- a letter of guarantee required
- guarantee amount updated annually



Formalities at Departure

- presentation, acceptance, registration of transit declaration
- control of documents
- inspection of goods
- identification measures/seals
- time limit and route for destination
- release of goods
- discharge of transit procedure after receiving information from destination



Formalities en Route

- presentation of documents on request
- in case of unforeseeable circumstances or 'force majeure', the nearest customs office shall be informed without delay



Formalities at Destination

- presentation of documents and goods
- registration
- customs control
- completion of the transit operation
- return of copy 5 to the office of departure



Simplifications

modes of transport

air : summary declaration as transit declaration

sea : summary declaration or supplementary document as
transit declaration

accepting summary declaration as transit declaration is the regular
procedure in CL



TIR Carnet

- Turkey is a party to the TIR Convention and ranks first with regard to the number of TIR Carnets issued
- IRCL Art. 234
- Communiqué on implementing provisions of TIR (OG No. 24649, dated 23.02.2002)
- TIR/Transit Tracking Program in BİLGE



Number of TIR Carnets Used by Years

	Import	Export	Transit	Total
2003	295 059	340 839	88 193	724 091
2004	348 648	398 448	112 959	860 055
2005	376 729	448 702	119 173	944 604



ATA Carnet

Turkey is a party to the ATA Convention / İstanbul Convention

IRCL Art. 232(c)

(accepts ATA Carnet as a transit declaration)



NATO Form 302

Turkey is a party to the NATO Convention

IRCL Art. 245

(accepts NATO Form 302 as a transit declaration)



Postal Consignments (incl. parcel post)

Turkey is a party to the Universal Postal Convention

IRCL Art. 246 and 593



Transit Procedure in BİLGE



Goods entering the Customs Territory of Turkey by road and carried to an inland or another border customs office at border customs office (departure/entry):

goods are declared via BİLGE and transit declaration is printed (copies 1, 4, 5 of customs declaration form)



at inland customs office (destination):

transit declaration (copies 4, 5)

summary declaration is given by the transport agency or its representative; then a confirmation is sent to border customs office electronically via BİLGE



at border customs office (destination/exit):

transit declaration (copies 4, 5)

transit declaration data are entered by the customs official into TIR/Transit Tracking Program; then, a confirmation is sent to border customs office electronically via BİLGE



Goods entering Customs Territory of Turkey by sea or air and carried to an inland or another border customs office

at border customs (departure/entry):

summary declaration is given by the transport agency or its representative

goods are declared via BİLGE and transit declaration is printed (copies 1, 4, 5 of customs declaration form)



at inland customs (destination):

transit declaration (copies 4, 5)

summary declaration is given by the transport agency or its representative; then a confirmation is sent to border customs office electronically via BİLGE

at border customs (destination/exit):

transit declaration (copies 4, 5)

transit declaration data are entered by the customs official into TIR/Transit Tracking Program; then, a confirmation is sent to border customs office electronically via BİLGE



Goods, export formalities of which have been completed in an inland customs office carried to a border customs office

at inland customs office (departure):

goods are declared via BİLGE and transit declaration is printed (copies 1, 4, 5 of customs declaration form)



at border customs (destination/exit):

transit declaration (copies 4, 5)

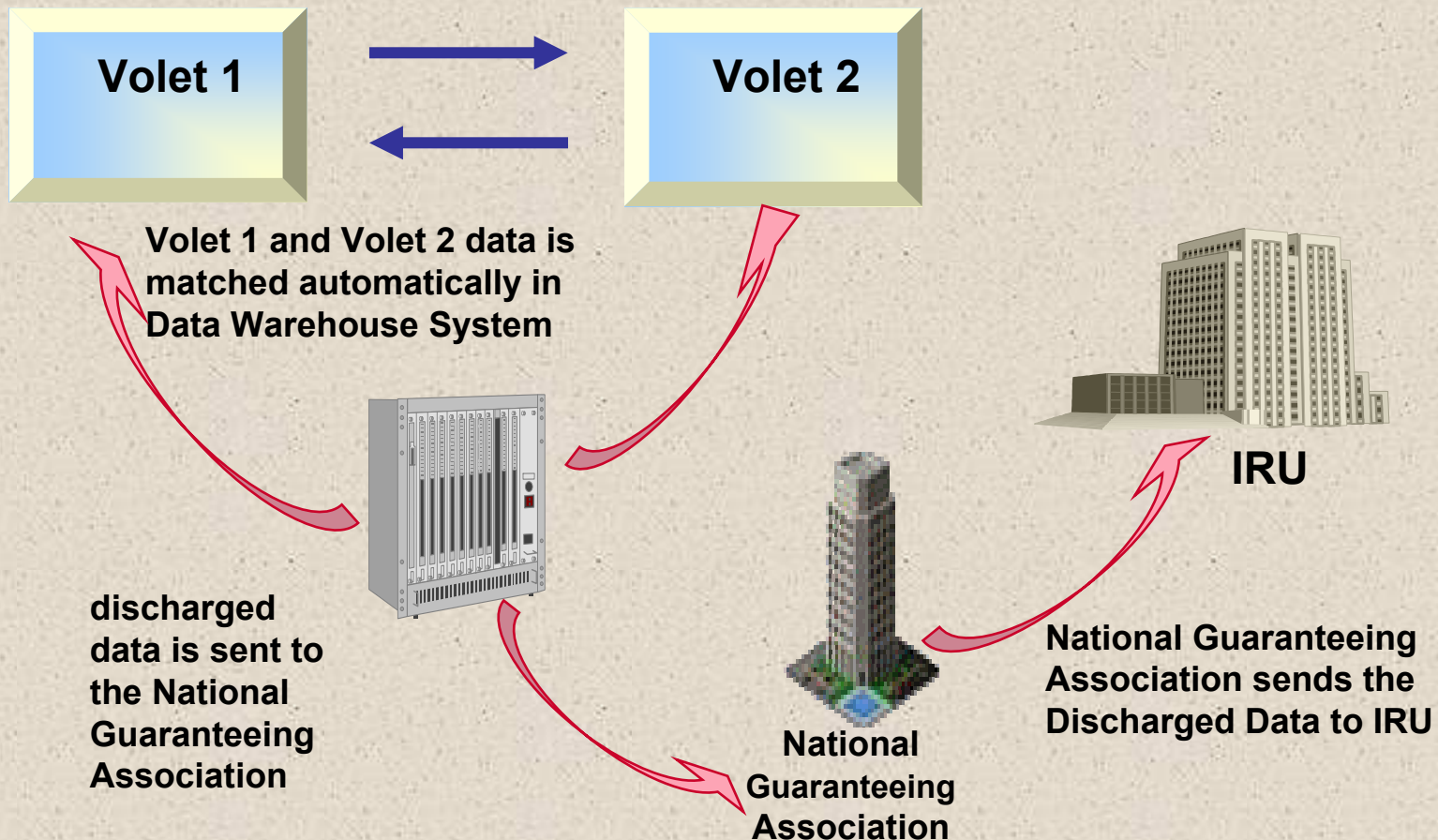
transit declaration data is entered by the customs official into TIR/Transit Tracking Program; then, a confirmation is sent to border customs office electronically via BİLGE



Implementation of Transit Procedure (TIR)



Current Automated TIR Carnet System (TIR/Transit Tracking)





Goods Carried from Kapıkule to Habur





Goods carried under cover TIR Carnet from Kapıkule to Habur

at the border customs office-entry (Kapıkule):

- submission of the TIR carnet
- entering data of the TIR carnet (Volet 1)
- registration of the TIR carnet
- external control of the vehicle and control of seals
- prescribe the time and route according to the office of exit
- release of goods (vehicle)
- keep the TIR carnet Volet 1



Goods carried under cover TIR Carnet from Kapıkule to Habur

operations at the office of exit (Habur)

- submission of the TIR carnet
- entering data of the TIR carnet (Volet 2)
- registration of the TIR carnet
- external control of the vehicle and control of seals
- allowing the vehicle to exit from Turkey
(if no irregularities or suspicion)
- keep the TIR carnet Volet 2



Goods to be imported in Ankara coming from Kapıkule





Goods to be imported in Ankara coming from Kapıkule

operations at the office of departure (Kapıkule):

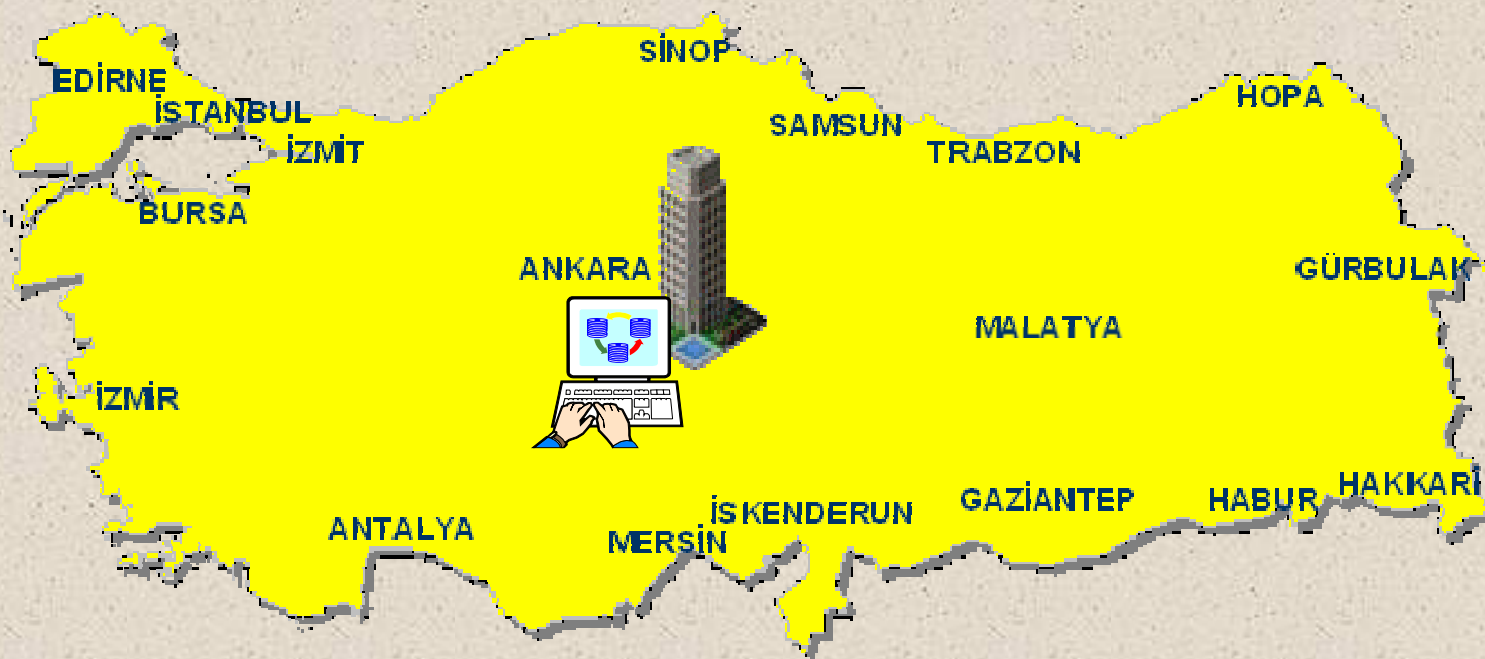
same operations on slide 34

operations at the office of destination (Ankara):

- entering data of the TIR carnet (Volet 2)
- summary declaration and registration number
- recording the registration number on the TIR carnet
- external control of the vehicle and control of seals
- inspection of goods and other formalities
- keep TIR carnet Volet 2



Centralized Control of TIR System





Centralized Control of TIR System

at the Directorate General of Customs Control

- tracing, tracking and inquiring data in the TIR/Transit Tracking Program through the Customs Data Warehousing System (GÜVAS)
- entry of data of TIR carnets treated in non-computerized customs offices
- notify the carrier and the guarantee association if there is customs debt
- recovery of the customs debt if no proof of delivery or exit of the goods



COMMON TRANSIT

becoming a contracting party to the Convention on Single Administrative Document and Convention on Common Transit depends on invitation

Requirements for invitation;

- legal issues
- national implementation
- computerization (NCTS)



Application of Turkey following the Decision No. 1/95

- official application on 10.05.1995
- acceptance of application in November 1995
(by Joint Committee on Common Transit)



Harmonization Work on Common Transit (1/2)

- technical assistance from EU (Eurocustoms)
- harmonization studies
 - translation of the common transit legislation
 - translation of the related provisions of CCIP
 - amendment of Annex 20 to the IRCL
 - Implementing Regulation on Common Transit
 - Common Transit Program in BİLGE
 - launch of NCTS studies



Harmonization Work on Common Transit (2/2)

Annex 20 of the IRCL:

- published in the OG No. 24771 bis dated, 31.05.2002
- entered into force on 01.07.2002

Implementing Regulation on Common Transit (National):

- published in the OG No. 25182, dated 28.07.2003
- entered into force on 29.09.2003



Implementing Regulation on Common Transit (1/2)

- **general provisions**
- **common transit procedure**
- **guarantee**
- **simplified procedures**
 - comprehensive guarantee and guarantee waiver
 - special loading lists
 - use of special type of seals
 - authorized consignor status
 - authorized consignee status
 - carriage by railways
 - carriage by airways
 - carriage by pipelines



Implementing Regulation on Common Transit (2/2)

- **customs debt and debtor**
- **formalities at the customs office**
 - office of guarantee
 - office of departure
 - formalities during transportation
 - office of destination
 - central office
 - office of authorization
- **arrangements relating to NCTS**

(133 articles and 40 annexes)



Common Transit Implementation (National)

started between two customs offices
by using Common Transit Program in BİLGE

- Ankara TIR Directorate of Customs
- İzmir Directorate of Customs



NCTS

EU funded projects

- consultancy for full legislative harmonization to become a party to the Common Transit Convention
- Twinning - 2006



Preparation for NCTS - 2004

- study in the transit area;
- the envisaged accession of Turkey to the Common Transit Convention (CTC)

analysis and comparison of current national legislation, including secondary legislation and internal administrative procedures in terms of compliance with the CTC requirements



NCTS Development - 2006

- identification of user requirements
- development & production platforms
- integration of NCTS transit module into BILGE
- full integration
- implementation
- organisation
- operation



THANK YOU FOR YOUR ATTENTION