

Z A K O N

O POTVRĐIVANJU IZMENA I DOPUNA 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34 I 35 CARINSKE KONVENCIJE O MEĐUNARODNOM PREVOZU ROBE NA OSNOVU ISPRAVE ZA MDP (KARNETA TIR) (KONVENCIJA TIR, 1975)

Član 1.

Potvrđuju se izmene i dopune 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34 i 35 Carinske konvencije o međunarodnom prevozu robe na osnovu isprave za MDP (Karneta TIR) (Konvencija TIR, 1975), usvojene 14. novembra 1975. godine u Ženevi, u originalu na engleskom, francuskom i ruskom jeziku.

Član 2.

Tekst izmena i dopuna 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34 i 35 Carinske konvencije o međunarodnom prevozu robe na osnovu isprave za MDP (Karneta TIR) (Konvencija TIR, 1975), u originalu na engleskom jeziku i u prevodu na srpski jezik, glasi:

Amendment 24

(Amendments which were adopted pursuant to Article 59 of the Convention and which entered into force on 19 September 2004)

AMENDMENT PROPOSAL TO THE TIR CONVENTION, 1975

adopted by
the Administrative Committee for the TIR Convention, 1975
on 26 October 2001

Article 26, paragraph 1:

Add a new sentence at the end of the paragraph to read as follows:

“Where the Customs seals have not remained intact, the Customs authorities may accept the TIR Carnet for resumption of the TIR transport under the provisions of Article 25.”

Amendment 25

(Amendments which were adopted pursuant to Article 59 of the Convention and which entered into force on 1 October 2005)

AMENDMENT PROPOSAL TO THE TIR CONVENTION, 1975

adopted by the Administrative Committee for the TIR Convention, 1975

on 15 October 2004

Annex 2, Article 3, paragraphs 9 and 10

Replace the first two paragraphs of Annex 2, Article 3, paragraph 9 by the following text:

“9 The following fastenings shall be used;

- (a) steel wire ropes of at least 3 mm diameter; or
- (b) ropes of hemp or sisal of at least 8 mm diameter encased in a transparent sheath of unstretchable plastic; or
- (c) ropes consisting of batches of fibre-optic lines inside a spirally wound steel housing encased in a transparent sheath of unstretchable plastic; or
- (d) ropes comprising a textile cord surrounded by at least four strands consisting solely of steel wire and completely covering the core, under the condition that the ropes (without taking into account the transparent sheath, if any) are not less than 3 mm in diameter.

Ropes in accordance with paragraph 9 (a) or (d) of this Article may have a transparent sheath of unstretchable plastic.”

Replace Annex 2, Article 3, paragraph 10 by the following text:

“10 Each type of rope shall be in one piece and shall have a hard metal end-piece at each end. Each metal end-piece shall allow the introduction of the thread or strap of the Customs seal. The fastener of each metal end-piece of ropes in accordance with the provisions of paragraph 9 (a), (b) and (d) of this Article shall include a hollow rivet passing through the rope so as to allow the introduction of the thread or strap of the Customs seal. The rope shall remain visible on either side of the hollow rivet so that it is possible to ensure that the rope is in one piece (see sketch No. 5 appended to these Regulations).”

Annex 7, Part I, Article 4, paragraphs 9 and 10

Replace the first two paragraphs of Annex 7, Part I, Article 4, paragraph 9 by the following text:

“9 The following fastenings shall be used;

- (a) steel wire ropes of at least 3 mm diameter; or
- (b) ropes of hemp or sisal of at least 8 mm diameter encased in a transparent sheath of unstretchable plastic; or

(c) ropes consisting of batches of fibre-optic lines inside a spirally wound steel housing encased in a transparent sheath of unstretchable plastic; or

(d) ropes comprising a textile cord surrounded by at least four strands consisting solely of steel wire and completely covering the core, under the condition that the ropes (without taking into account the transparent sheath, if any) are not less than 3 mm in diameter.

Ropes in accordance with paragraph 9 (a) or (d) of this Article may have a transparent sheath of unstretchable plastic.”

Replace Annex 7, Part I, Article 4, paragraph 10 by the following text:

“10 Each type of rope shall be in one piece and shall have a hard metal end-piece at each end. Each metal end-piece shall allow the introduction of the thread or strap of the Customs seal. The fastener of each metal end-piece of ropes in accordance with the provisions of paragraph 9 (a), (b) and (d) of this Article shall include a hollow rivet passing through the rope so as to allow the introduction of the thread or strap of the Customs seal. The rope shall remain visible on either side of the hollow rivet so that it is possible to ensure that the rope is in one piece (see sketch No. 5 appended to these Regulations).”

Amendment 26

(Amendments which were adopted pursuant to Article 59 of the Convention and which entered into force on 1 April 2006)

AMENDMENT PROPOSAL TO THE TIR CONVENTION, 1975

adopted by the Administrative Committee for the TIR Convention on 3 February 2005

Annex 1 of the Convention

Model of the TIR Carnet: VERSION 1 and VERSION 2 Amend

- Page 1 of cover, box 3 "(nom, adresse, pays/*name, address, country*)" to read as follows: "(numéro d'identification, nom, adresse, pays/*identification number, name, address, country*)"
- Voucher No. 1 and voucher No. 2, box 4 "(name, address and country)" to read as follows: "(identification number, name, address and country)"
- Certified report, box 5 "Holder of the carnet" to read as follows: "Holder of the carnet (identification number, name, address and country)"

Annex 9 of the Convention, Part II

Amend the Model Authorization Form (MAF), second paragraph, first indent below the table to read as follows:

- "- Individual and unique identification (ID) number assigned to the person by the guaranteeing association (in cooperation with the international organization to which it is affiliated) in accordance with a harmonized format. The format of an ID-number shall be determined by the Administrative Committee."

Amendment 27

(Amendments which were adopted pursuant to Article 59 of the Convention and which entered into force on 12 August 2006)

AMENDMENT PROPOSAL TO THE TIR CONVENTION, 1975

adopted by the Administrative Committee for the TIR Convention on 4 February 2005

New Article 42ter Add a new Article 42ter to read as follows:

“Article 42ter

The competent authorities of the Contracting Parties shall, as appropriate, provide authorized associations with information that they require to fulfil the undertaking given in accordance with Annex 9, Part I, Article 1 (f) (iii). Annex 10 sets out the information to be provided in particular cases.”

Article 60

Amend the heading of Article 60 as well as paragraph 1, to read as follows:

“Article 60

Special procedure for amending Annexes 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10

1. Any proposed amendment to Annexes 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 considered in accordance with paragraphs 1 and 2 of Article 59 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. Determination by the Administrative Committee of dates referred to in this paragraph shall be by a two-thirds majority of those present and voting.”

Add a new Annex 10 to the Convention to read as follows:

“Annex 10

INFORMATION TO BE PROVIDED BY CONTRACTING PARTIES TO AUTHORIZED ASSOCIATIONS (UNDER ARTICLE 42TER) AND AN INTERNATIONAL ORGANIZATION (UNDER ARTICLE 6.2BIS)

By virtue of Article 6, paragraph 1 and Annex 9, Part I, paragraph 1 (f) (iii) of this Convention, authorized associations are required to give an undertaking that they shall verify continuously that persons authorized to have access to the TIR procedure fulfil the minimum conditions and requirements as laid down in Annex 9, Part II of the Convention.

On behalf of its member associations and in fulfilment of its responsibilities as an international organization authorized under Article 6, paragraph 2bis, an international organization shall establish a control system for TIR Carnets to hold data, transmitted by Customs authorities and accessible by the associations and Customs administrations, about the termination of TIR operations at offices of destination. To enable the associations to fulfil their undertaking effectively, Contracting Parties shall provide information to the control system in accordance with the following procedure:

- (1) Customs authorities shall transmit to an international organization or to the national guaranteeing associations, if possible via central or regional offices, by the fastest available means of communication (fax, electronic mail, etc.) and if possible on a daily basis, at least the following information in a standard format in respect of all TIR Carnets presented at Customs offices of destination, as defined in Article 1 (l) of the Convention:
 - (a) TIR Carnet reference number;
 - (b) Date and record number in the Customs ledger;
 - (c) Name or number of Customs office of destination;
 - (d) Date and reference number indicated in the certificate of termination of the TIR operation (boxes 24-28 of voucher No. 2) at the Customs office of destination (if different from (b));
 - (e) Partial or final termination;
 - (f) Termination of the TIR operation certified with or without reservation at the Customs office of destination without prejudice to Articles 8 and 11 of the Convention;
 - (g) Other information or documents (optional);
 - (h) Page number.
- (2) The Model Reconciliation Form (MRF) contained in the Appendix may be addressed to Customs authorities by national associations or by an international organization:
 - (a) in case of discrepancies between the data transmitted and those on the counterfoils in the used TIR Carnet; or
 - (b) in case no data have been transmitted whereas the used TIR Carnet has been returned to the national association.
- (3) Customs authorities and national guaranteeing associations shall conclude an agreement, in line with national law, covering the above data exchange.
- (4) An international organization shall give Customs authorities access to the database of terminated TIR Carnets and to the database of invalidated TIR Carnets.

Appendix

Model Reconciliation Form (MRF)							
<i>To be filled-in by the initiator of the request for reconciliation</i>							
Destination:							
Regional Customs office (optional): Name: Customs office of destination: Name:							
Received on: Received on:							
Date: Stamp Date: Stamp							
Data to be confirmed Data source: <input type="checkbox"/> TIR Carnet <input type="checkbox"/> Control system data							
TIR Carnet Reference Number	Name or number of Customs office of destination*	Reference number indicated in the certificate of termination of the TIR operation (boxes 24-28 of voucher No. 2) at the Customs office of destination*	Date indicated in the certificate of termination of the TIR operation at the Customs office of destination*	Page number	Partial / final termination	Termination of the TIR operation certified with or without reservation at the Customs office of destination	Number of packages (optional)
Attachments: <input type="checkbox"/> Copy of TIR Carnet counterfoils Other: _____							
Response from Customs office of destination							
<input type="checkbox"/> Confirmation <input type="checkbox"/> Correction (please insert the corrections below) <input type="checkbox"/> No reference found on the termination of the TIR operation							
TIR Carnet Reference Number	Name or number of Customs office of destination*	Reference number indicated in the certificate of termination of the TIR operation (boxes 24-28 of voucher No. 2) at the Customs office of destination*	Date indicated in the certificate of termination of the TIR operation at the Customs office of destination*	Page number	Partial / final termination	Termination of the TIR operation certified with or without reservation at the Customs office of destination	Number of packages (optional)
Comments:							
Date: Stamp and signature of Customs office of destination:							
<i>Central Customs office (optional)</i>							
Comments:							
Date: Stamp and/or signature							

*Please note that these data refer to the Customs office of Destination where the TIR movement terminated.”

Amendment 28

(Amendments which were adopted pursuant to Article 59 of the Convention and which entered into force on 1 January 2009)

AMENDMENT PROPOSAL TO THE TIR CONVENTION, 1975

adopted by the Administrative Committee for the TIR Convention on 31 January 2008

Annex 8, Article 13, paragraph 1

Replace the existing text by

1. The operation of the TIR Executive Board and the TIR secretariat shall be financed, until such time as alternative sources of funding are obtained, through an amount per TIR Carnet distributed by the international organization as referred to in Article 6. This amount shall be approved by the Administrative Committee.

Annex 8, Article 13, paragraph 2

Replace the existing text by

2. The procedure to implement the financing of the operation of the TIR Executive Board and the TIR secretariat shall be approved by the Administrative Committee.

Amendment 29

(Amendments which were adopted pursuant to Article 60 of the Convention and which entered into force on 1 January 2012)

Amendment proposal to the TIR convention, 1975

adopted by the

Administrative Committee for the TIR Convention

on 3 February 2011

Annex 9, Part I, title

At the end of the title insert AND TO ACT AS GUARANTOR

Annex 9, Part I, subtitle

At the beginning of the subtitle delete Minimum

Annex 9, Part I, paragraph 1, first line

After The delete minimum

Annex 9, Part I, paragraph 1 (a)

For established association representing the interests of the transport sector read association established in the Contracting Party where the authorization is issued

Annex 9, Part I, paragraph 1 (b)

For it read the association

Annex 9, Part I, paragraph 1 (c)

Delete paragraph

Annex 9, Part I, paragraphs 1 (d), (e)

Renumber paragraph 1 (d) and (e) to become paragraph 1 (c) and (d)

Annex 9, Part I, new paragraph 1 (d)

For the existing text read

(d) Establishment of a written agreement or any other legal instrument between the association and the competent authorities of the Contracting Party in which it is established including the acceptance by the association of its duties as set out in paragraph 3.

Annex 9, Part I, new paragraph 1 (d)

After new paragraph 1 (d) insert a new paragraph 2 to read

2. A certified copy of the written agreement or any other legal instrument referred to under paragraph 1 (d) together, if necessary, with a certified translation into English, French or Russian, shall be deposited with the TIR Executive Board. Any changes shall be immediately brought to the attention of the TIR Executive Board.

Annex 9, Part I, paragraph 1 (f)

Replace the existing text of paragraph 1 (f) by new paragraphs 3 and 4 to read

3. The duties of the association are to:

- (i) comply with the obligations laid down in Article 8 of the Convention;
- (ii) accept the maximum sum per TIR Carnet determined by the Contracting Parties which may be claimed from the association in accordance with Article 8, paragraph 3 of the Convention;
- (iii) verify continuously and, in particular, before requesting authorization for access of persons to the TIR procedure, the fulfilment of the minimum conditions and requirements as laid down in Part II of this Annex;
- (iv) provide its guarantees for all liabilities incurred in the country in which it is established in connection with operations under cover of TIR Carnets issued by itself and by foreign associations affiliated to the same international organization as that to which it is itself affiliated;
- (v) cover its liabilities to the satisfaction of the competent authorities of the Contracting Party in which it is established with an insurance company, pool of insurers or financial institution. The insurance or financial guarantee contract(s) shall cover the totality of its liabilities in connection with operations under cover of TIR Carnets issued by itself and by foreign associations affiliated to the same international organization as that to which it is itself affiliated;

The time to give notice for the termination of the insurance or financial guarantee contract(s) shall be not less than the time to give notice for the termination of the written agreement or any other legal instrument as referred to in paragraph 1 (d). A certified copy of the insurance or financial contract(s) as well as all subsequent modifications thereto shall be deposited with the TIR Executive Board, including a certified translation, if necessary, into English, French or Russian;

- (vi) provide the TIR Executive Board, annually, as per 1 March, with the price of each type of TIR Carnets it issues;
- (vii) allow the competent authorities to verify all records and accounts kept relating to the administration of the TIR procedure;
- (viii) accept a procedure for settling efficiently disputes arising from the improper or fraudulent use of TIR Carnets, whenever possible without recourse to courts;
- (ix) comply strictly with the decisions of the competent authorities of the Contracting Party in which it is established concerning the revocation or withdrawal of the authorization in line with Article 6 of the Convention and Part II of this Annex or the exclusion of persons in line with Article 38 of the Convention;
- (x) agree to implement faithfully all decisions adopted by the Administrative Committee and the TIR Executive Board in as much as the competent authorities of the Contracting Party in which the association is established have accepted them.

4. When a guaranteeing association is asked, in accordance with the procedure set out in Article 11, to pay the sums referred to in Article 8, paragraphs 1 and 2, it shall, in accordance with the written agreement referred to in Explanatory Note 0.6.2bis-1 to Article 6, paragraph 2 bis, inform the international organization of the reception of the claim.

Annex 9, Part I, paragraphs 2, 3 and 4

Renumber the existing paragraphs 2, 3 and 4 to become paragraphs 5, 6 and 7

Annex 9, Part I, new paragraph 5

For the existing text read

5. The Contracting Party in which the association is established shall revoke the authorization to issue TIR Carnets and to act as guarantor in case of non-compliance with these conditions and requirements. Should a Contracting Party decide to revoke the authorization, the decision shall become effective at the earliest three (3) months after the date of revocation.

Annex 9, Part I, new paragraph 6

For Authorization read The authorization

Annex 9, Part I, new paragraph 7

After The delete minimum

Amendment 30

(Amendments which were adopted pursuant to Articles 59 and 60 of the Convention and which entered into force on 13 September 2012)

Amendment proposal to the TIR convention, 1975

adopted by the

Administrative Committee for the TIR Convention

on 3 February 2011

Article 1 (q), line 1

For approved read authorized

Article 1 (q)

After Article 1 (q) insert a new paragraph (r) to read:

(r) the term “international organization” shall mean an organization authorized by the Administrative Committee to take on responsibility for the effective organization and functioning of an international guarantee system.

Article 8, paragraph 1

Modify paragraph 1 to read:

1. The guaranteeing association shall undertake to pay up to the maximum of the guaranteed amount of the import and export duties and taxes together with any default interest due under the Customs laws and regulations of the Contracting Party in which an irregularity leading up to a claim against the guaranteeing association has been established in connection with a TIR operation. It shall be liable, jointly and severally with the persons from whom the sums mentioned above are due, for payment of such sums.

Article 8, paragraph 7

Delete the text of paragraph 7

Article 10, paragraph 2, line 1

For country read Contracting Party

Article 11, paragraph 1

Modify paragraph 1 to read:

1. Where a TIR operation has not been discharged, the competent authorities shall:

(a) notify the TIR Carnet holder at his address indicated in the TIR Carnet of the non-discharge;

(b) notify the guaranteeing association of the non-discharge.

The competent authorities shall notify the guaranteeing association with a maximum period of one year from the date of acceptance of the TIR Carnet by those authorities or two years when the certificate of termination of the TIR operation was falsified or obtained in an improper or fraudulent manner.

Article 11, paragraph 1

After paragraph 1 insert a new paragraph 2 to read:

2. Where the payment of the sums mentioned in Article 8, paragraphs 1 and 2 becomes due, the competent authorities shall, so far as possible, require payment from the person or persons liable for such payment before making a claim against the guaranteeing association.

Article 11, paragraph 2

Re-number paragraphs 2 and 3 to become paragraphs 3 and 4.

Article 11, new paragraph 3

Modify paragraph 3 to read:

3. The claim for payment of the sums referred to in Article 8, paragraphs 1 and 2 shall be made against the guaranteeing association at the earliest three months after the date on which the association was notified that the operation had not been discharged or that the certificate of termination of the TIR operation had been falsified or obtained in an improper or fraudulent manner and not more than two years after that date. However, in cases of TIR operations which, during the above-mentioned period of two years, become the subject of administrative or legal proceedings concerning the payment obligation of the person or persons referred to in paragraph 2 of this Article, any claim for payment shall be made within one year of the date on which the decision of the competent authorities or courts becomes enforceable.

Article 11, new paragraph 4

For the existing text read:

4. The guaranteeing association shall pay the amounts claimed within a period of three months from the date when a claim for payment is made against it.

5. The sums paid shall be reimbursed to the guaranteeing association if, within a two year period following the date on which the claim for payment was made against it, it has been established to the satisfaction of the competent authorities that no irregularity was committed in connection with the TIR operation in question. The two year time limit may be extended in accordance with national legislation.

Amendment 31

(Amendments which were adopted pursuant to Articles 59 and 60 of the Convention
and which entered into force on 10 October 2013)

Amendment proposal to the TIR convention, 1975

adopted by the

Administrative Committee for the TIR Convention
on 9 February 2012

Article 6, paragraph 2 bis

Modify paragraph 2 bis to read:

2 bis. An international organization shall be authorized by the Administrative Committee to take on responsibility for the effective organization and functioning of an international guarantee system. The authorization shall be granted as long as the organization fulfils the conditions and requirements laid down in Annex 9, Part III. The Administrative Committee may revoke the authorization if these conditions and requirements are no longer fulfilled.

Annex 9, new part III

Insert a new part III to read:

Authorization of an international organization, as referred to in Article 6, to take on the responsibility for the effective organization and functioning of an international guarantee system and to print and distribute TIR Carnets

Conditions and requirements

1. The conditions and requirements to be complied with by an international organization in order to be authorized, in accordance with Article 6.2 bis of the Convention, by the Administrative Committee to take on the responsibility for the effective organization and functioning of an international guarantee system and to print and distribute TIR Carnets are:

(a) Proof of sound professional competence and financial standing for the effective organization and functioning of an international guarantee system and the organizational capabilities to fulfil its obligations under the Convention by means of annual submissions of consolidated financial statements duly audited by internationally recognized independent auditors;

(b) Absence of serious or repeated offences against Customs or tax legislation.

2. Pursuant to the authorization, the international organization shall:

(a) provide the Contracting Parties of the TIR Convention via the national associations affiliated to the international organization with certified copies of the global guarantee contract and proof of guarantee coverage;

(b) provide the competent bodies of the TIR Convention with information on the rules and procedures set out for the issue of TIR Carnets by national associations;

(c) provide the competent bodies of the TIR Convention, on a yearly basis, with data on claims lodged, pending, paid or settled without payment;

(d) provide the competent bodies of the TIR Convention with full and complete information on the functioning of the TIR system, in particular, but not limited to, timely and well founded information on trends in the number of non-terminated TIR operations, claims lodged, pending, paid or settled without payment that might give

rise to concerns with regard to the proper functioning of the TIR system or that could lead to difficulties for the continued operation of its international guarantee system;

(e) provide the competent bodies of the TIR Convention with statistical data on the number of TIR Carnets distributed to each Contracting Party, broken down by type;

(f) provide the TIR Executive Board with details of the distribution price by the international organization of each type of TIR Carnet;

(g) take all possible steps to reduce the risk of counterfeiting TIR Carnets;

(h) take the appropriate corrective action in cases where faults or deficiencies with the TIR Carnet have been detected and report these to the TIR Executive Board;

(j) fully participate in cases where the TIR Executive Board is called upon to facilitate the settlement of disputes;

(k) ensure that any problem involving fraudulent activities or other difficulties with regard to the application of the TIR Convention is immediately brought to the attention of the TIR Executive Board;

(l) manage the control system for TIR Carnets, provided for in Annex 10 of the Convention, together with national guaranteeing associations affiliated to the international organization and the Customs authorities and inform the Contracting Parties and the competent bodies of the Convention of problems encountered in the system;

(m) provide the competent bodies of the TIR Convention with statistics and data on the performance of Contracting Parties with regard to the control system provided for in Annex 10;

(n) conclude, not less than two months before the provisional date of entry into force or renewal of the authorization granted in accordance with Article 6.2 bis of the Convention, a written agreement with the United Nations Economic Commission for Europe secretariat, mandated by and acting on behalf of the Administrative Committee, which shall include the acceptance by the international organization of its duties set out in this paragraph.

3. When the international organization is informed by a guaranteeing association of a claim for payment, it shall, within a period of three (3) months inform the guaranteeing association of its position concerning the claim.

4. All information acquired, directly or indirectly, by the international organization under the Convention, which is by nature confidential or which is provided on a confidential basis, shall be covered by the obligation of professional secrecy and shall not be used or processed neither for any commercial purpose nor for any other purpose than for which it has been provided or disclosed to any third party without the express permission of the person or authority that provided it. Such information may, however, be disclosed without permission to competent authorities of Contracting Parties to this Convention, where there is an authorization or obligation to do so pursuant to provisions of national or international law or in connection with legal proceedings. The disclosure or communication of information shall take place in full compliance with data-protection provisions in force.

5. The Administrative Committee shall have the right to revoke the authorization granted in accordance with Article 6.2bis in case of non-compliance with the above conditions and requirements. Should the Administrative Committee decide to revoke the authorization, the decision will become effective at the earliest six (6) months after the date of revocation.

6. The authorization of an international organization under the terms set out above shall be without prejudice to that organization's responsibilities and liabilities under the Convention.

Amendment 32

(Amendments which were adopted pursuant to Article 60 of the Convention and which entered into force on 1 January 2015)

Amendment proposal to the TIR convention, 1975

adopted by the

Administrative Committee for the TIR Convention

on 6 February 2014 and 12 June 2014

Annex 1, page 11, point (5)

For HS code: 24.03.10 read HS code: 24.03.11 and 24.03.19

Annex 9, Part I, paragraph 3 (vi)

For the existing text read

(vi) provide the TIR Executive Board, annually, before 1 March with the price of each type of TIR Carnet it issues;

Amendment 33

(Amendments which were adopted pursuant to Article 60 of the Convention and which entered into force on 1 January 2017)

Amendment proposal to the TIR convention, 1975

adopted by the

Administrative Committee for the TIR Convention

on 10-11 February 2016

Annex 2, Article 4, paragraph 2, (i)

For the existing text substitute

(i) The sliding sheets, floor, doors and all other constituent parts of the load compartment shall be assembled either by means of devices which cannot be removed and replaced from the outside without leaving obvious traces, or by such methods as will produce a structure which cannot be modified without leaving obvious traces.

Annex 2, Article 4, paragraph 2, (iii)

For the existing text substitute

(iii) The sliding sheet guidance, sliding sheet tension devices and other movable parts shall be assembled in such a way that when closed, and Customs sealed, doors and other movable parts cannot be opened or closed from the outside without leaving obvious traces. The sliding sheet guidance, sliding sheet tension devices and other movable parts shall be assembled in such a way that it is impossible to gain access to the load compartment without leaving obvious traces once the closing devices have been secured. An example of such a system of construction is given in sketch No. 9 appended to these Regulations.

Annex 2, new Article 5

After the modified Article 4 insert

Article 5

Vehicles with a sheeted sliding roof

1. Where applicable, the provisions of Articles 1, 2, 3 and 4 of these Regulations shall apply to vehicles with a sheeted sliding roof. In addition, these vehicles shall conform to the provisions of this Article.
2. The sheeted sliding roof shall fulfil the requirements set out in (i) to (iii) below.
 - (i) The sheeted sliding roof shall be assembled either by means of devices which cannot be removed and replaced from the outside without leaving obvious traces, or by such methods as will produce a structure which cannot be modified without leaving obvious traces.
 - (ii) The sliding roof sheet shall overlap with the solid part of the roof at the front side of the load compartment, so that the roof sheet cannot be pulled over the top edge of the upper cantrail. In the length of the load compartment, at both sides, in the hem of the roof sheet, a pre-stressed steel cable shall be inserted in such a way that it cannot be removed and re-inserted without leaving obvious traces. The roof sheet shall be secured to the sliding carriage

in such a way that it cannot be removed and re-secured without leaving obvious traces.

- (iii) The sliding roof guidance, the sliding roof tension devices and other movable parts shall be assembled in such a way that when closed, and Customs sealed, doors, roof and other movable parts cannot be opened or closed from the outside without leaving obvious traces. The sliding roof guidance, sliding roof tension devices and other movable parts shall be assembled in such a way that it is impossible to gain access to the load compartment without leaving obvious traces once the closing devices have been secured.

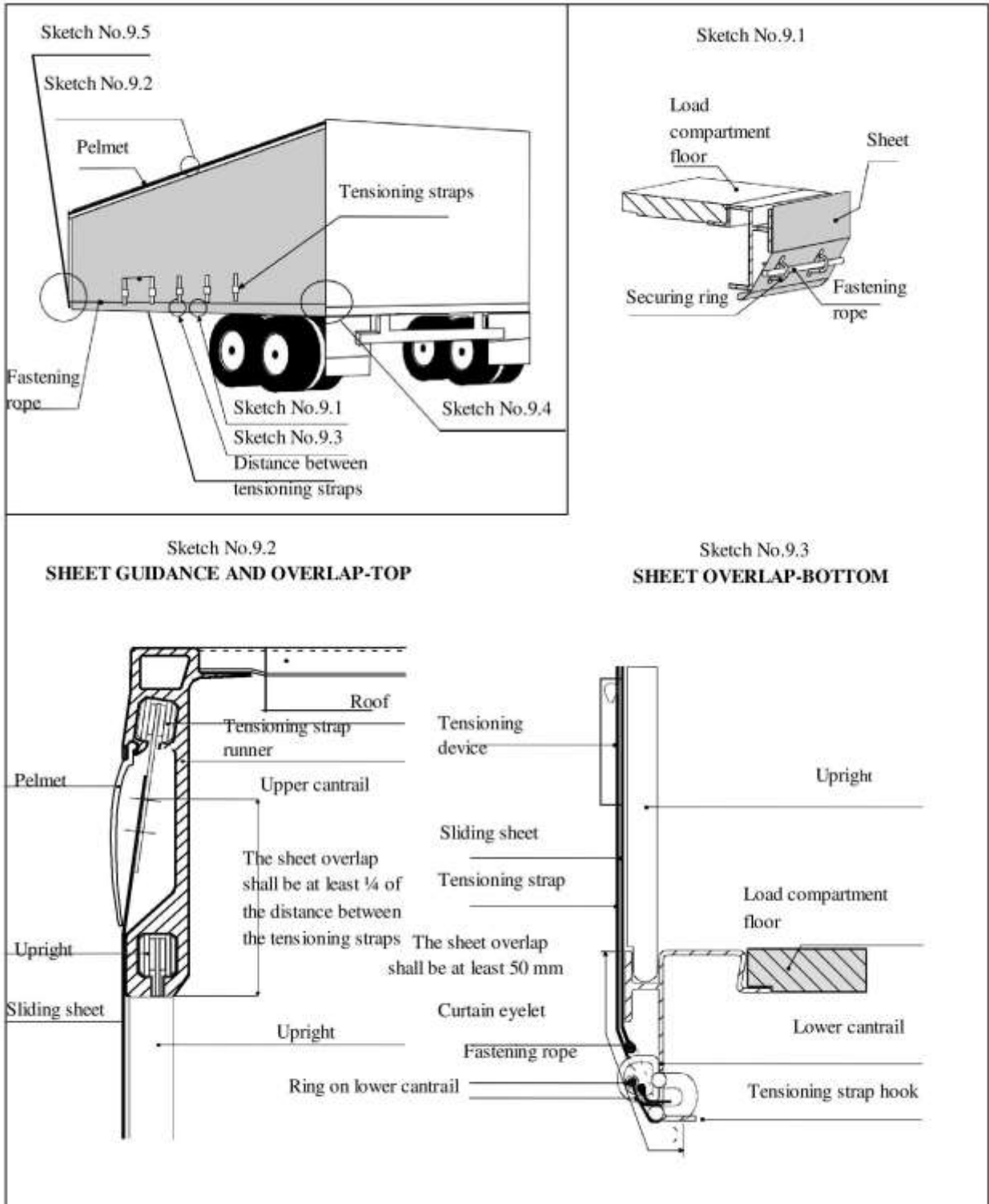
An example of a possible system of construction is shown in sketch No.10, appended to these Regulations.

Annex 2, Sketch No. 9

For the existing Sketch No. 9 *substitute*

Sketch No. 9

EXAMPLE OF A CONSTRUCTION OF A VEHICLE WITH SLIDING SHEETS

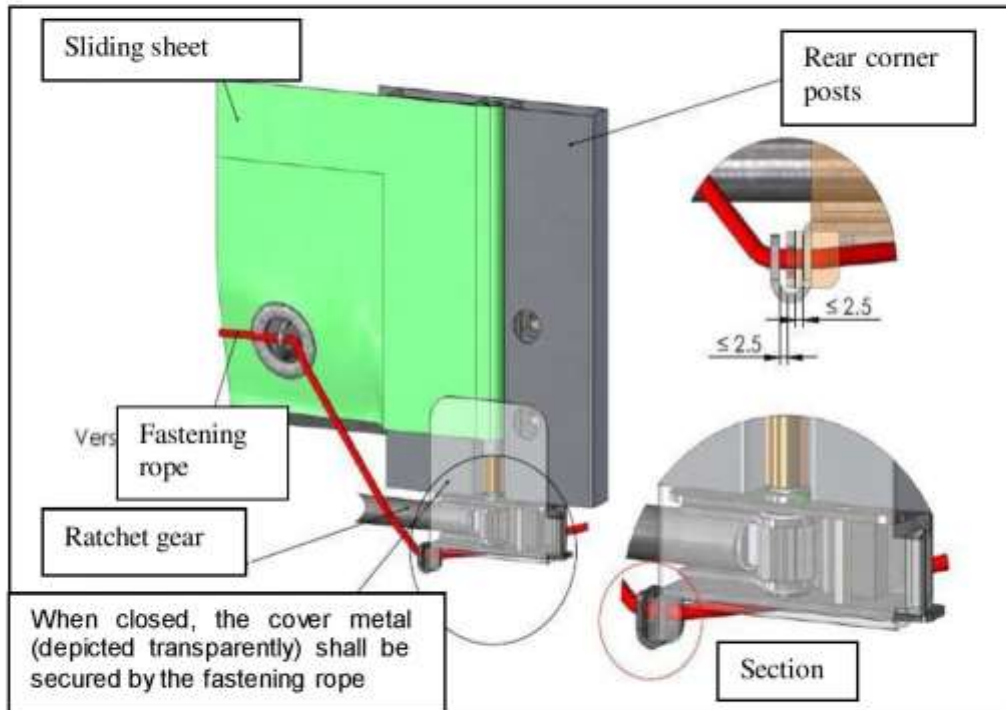


Sketch No. 9 continued

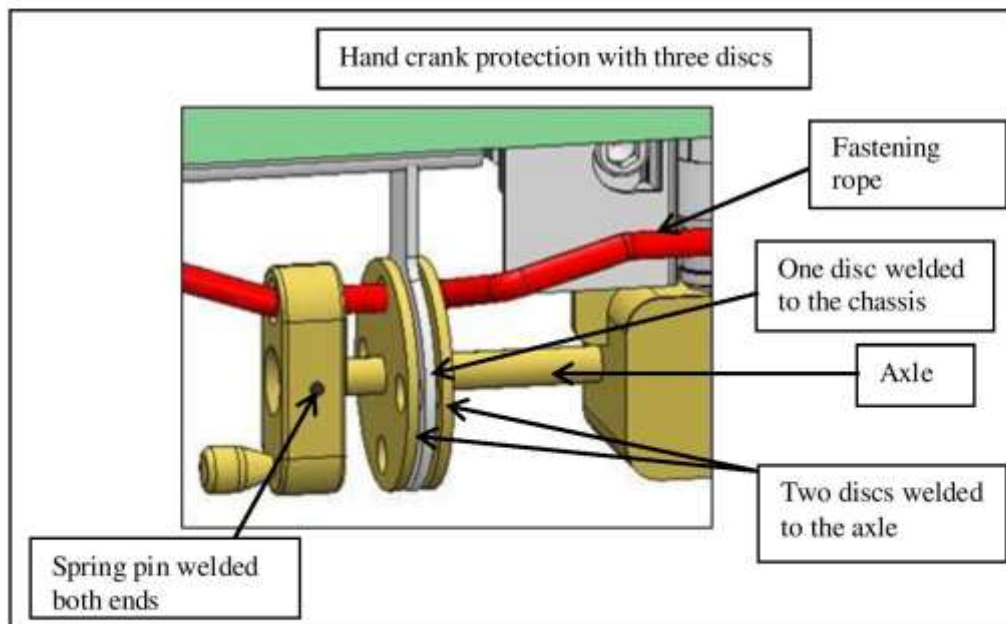
Sketch No. 9.4

To tighten the sliding sheets in the horizontal direction, a ratchet gear is used (normally at the rear end of the vehicle). This sketch shows two examples, (a) and (b), of how the ratchet or gearbox may be secured.

(a) Ratchet securing



(b) Gearbox securing

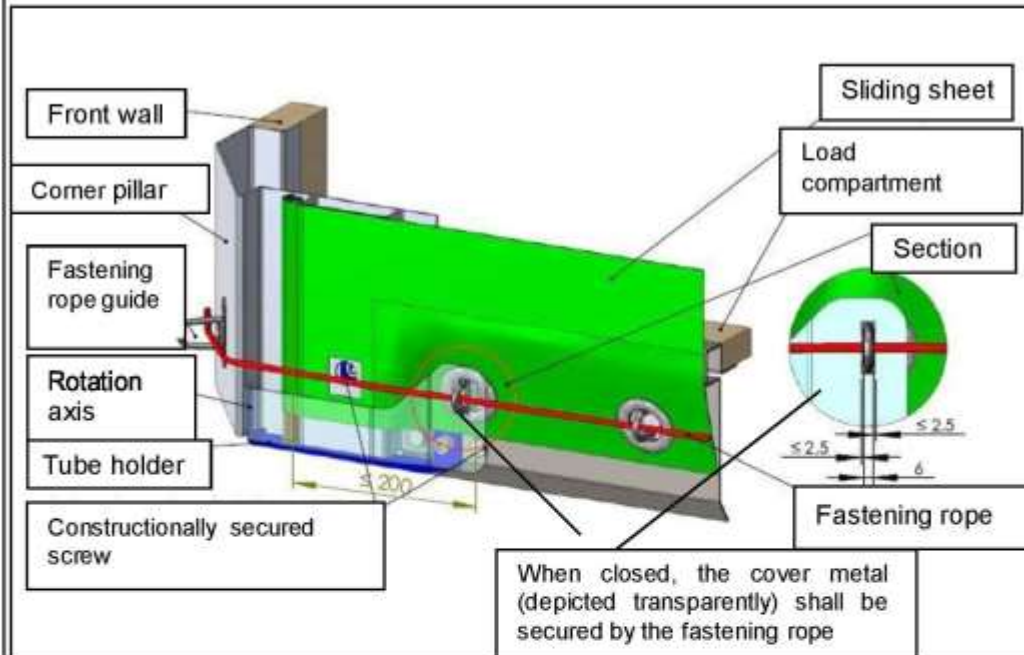


Sketch No. 9 continued

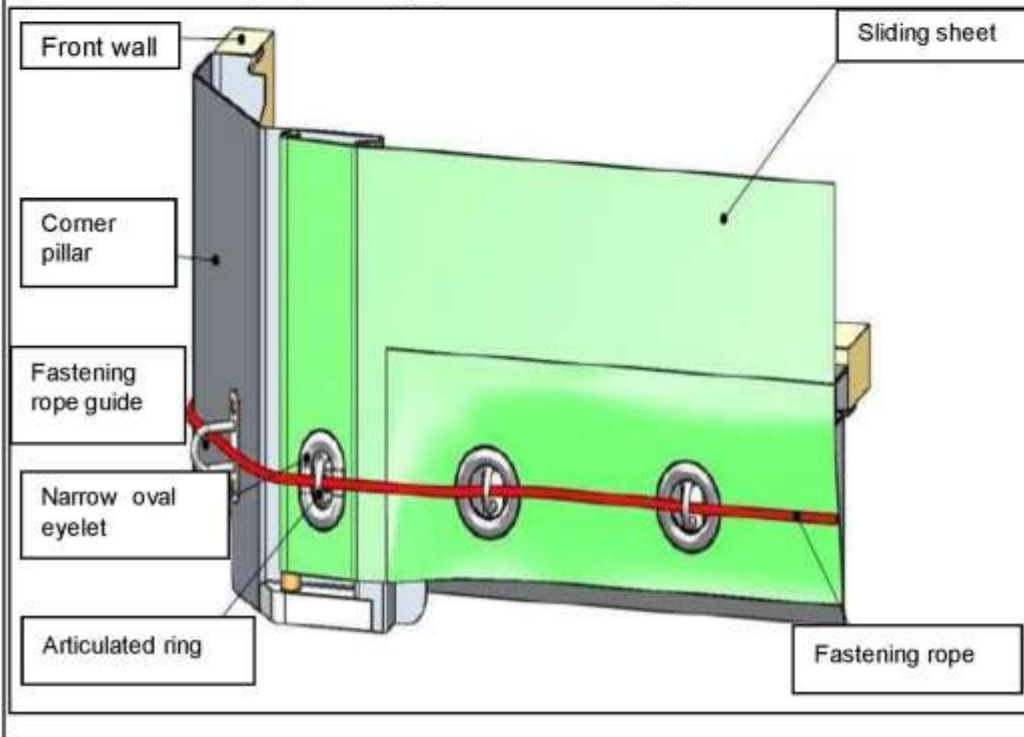
Sketch No. 9.5

To fix the sliding sheet on the other side (normally the front of the vehicle), the following systems, (a) or (b), may be used.

(a) Cover metal

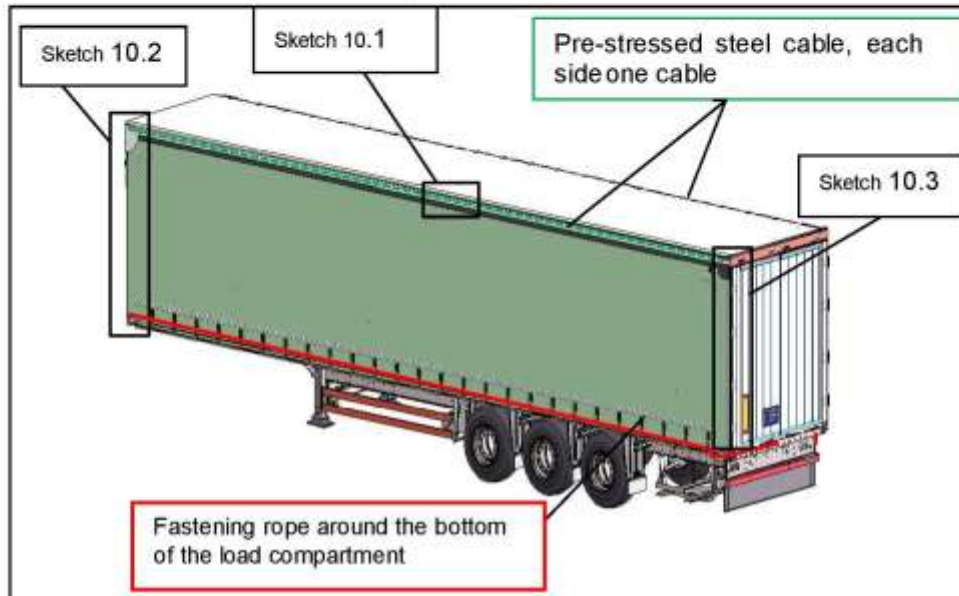


(b) Narrow oval eyelet, anti-lifting system for the tensioning tube

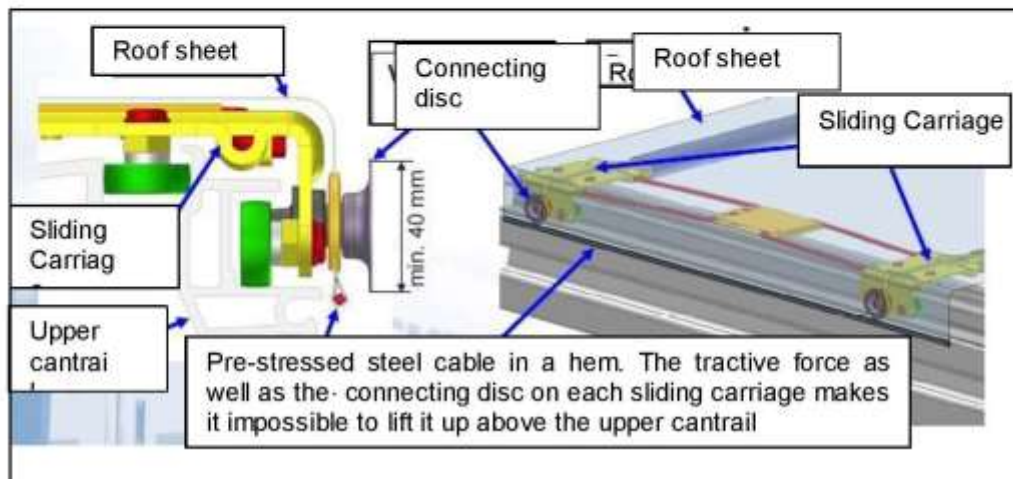


Annex 2, new Sketch No. 10*After new Sketch No. 9 insert*Sketch No. 10**EXAMPLE OF A CONSTRUCTION OF A VEHICLE WITH A SHEETED SLIDING ROOF**

This sketch shows an example of a vehicle and the important requirements described in Article 5 of these Regulations.

Sketch No. 10.1

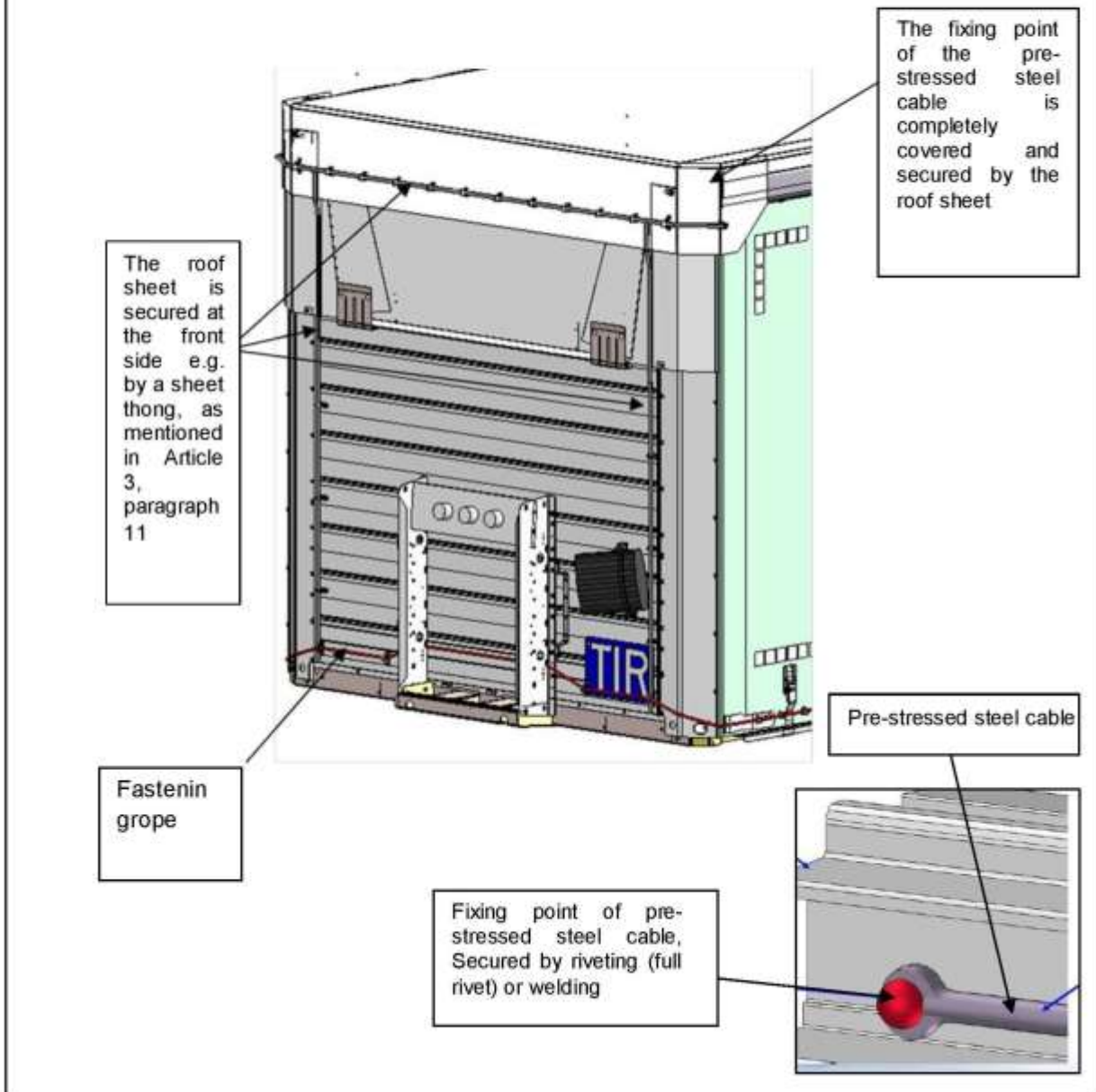
Two pre-stressed steel cables, embedded in a hem, are fixed on each side of the load compartment. This pre-stressed steel cable is fixed to the front (see sketch 10.2) and rear of the body (see sketch 10.3). The tractive force as well as the connecting disc on each sliding carriage makes it impossible to lift up the hem with the pre-stressed steel cable above the upper cantrail.



Sketch No. 10 continued

Sketch No.10.2

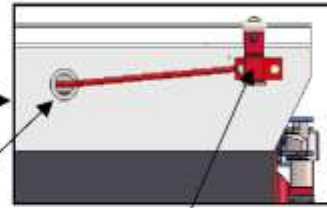
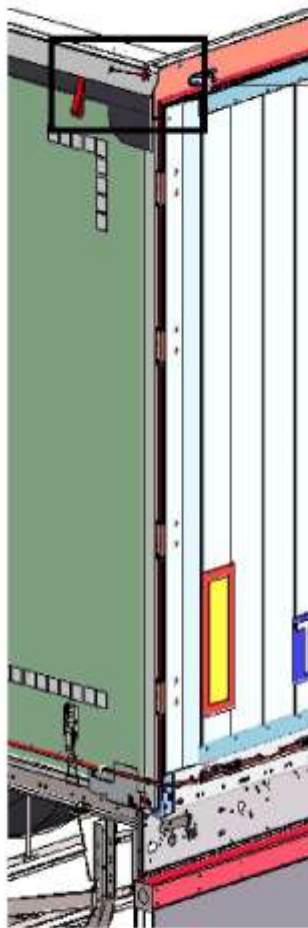
The sliding roof sheet shall overlap with the solid part of the roof at the front side of the load compartment, so that the roof sheet cannot be pulled over the top edge of the upper cantrail.



Sketch No. 10 continued

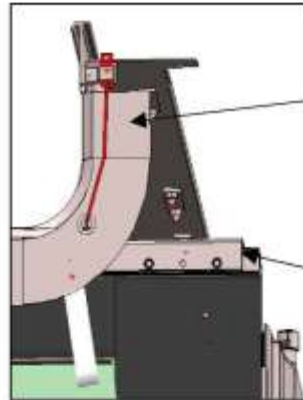
Sketch No.10.3

At the rear, a special device, such as a baffle plate, is fitted to the roof, preventing access to the load compartment, without leaving obvious traces when the doors are closed and sealed.



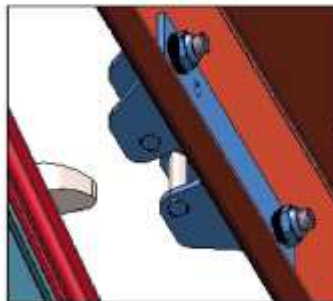
Pre-stressed cable goes in a hem

The fixing point of the pre-stressed steel cable is completely covered, and the metal cover is secured by welding or riveting (full rivet)



Tensioning device on the lever mechanism. By folding down the part of the roof with the tensioning device, the pre-stressed steel cable will be under tension

Sliding carriage from the roof sheet (closed) with lock system (inside)



By closing and sealing the doors, the systems are custom secure.

Annex 7, Part I, Article 5, paragraph 2, (i)

For the existing text substitute

(i) The sliding sheets, floor, doors and all other constituent parts of the container shall be assembled either by means of devices which cannot be removed and replaced from the outside without leaving obvious traces, or by such methods as will produce a structure which cannot be modified without leaving obvious traces.

Annex 7, Part I, Article 5, paragraph 2,

(iii) For the existing text substitute (iii) The sliding sheet guidance, sliding sheet tension devices and other movable parts shall be assembled in such a way that when closed, and Customs sealed, doors and other movable parts cannot be opened or closed from the outside without leaving obvious traces. The sliding sheet guidance, sliding sheet tension devices and other movable parts shall be assembled in such a way that it is impossible to gain access to the container without leaving obvious traces once the closing devices has been secured. An example of such a system of construction is given in sketch No. 9 appended to these Regulations.”

Annex 7, Part I, new Article 6

After the modified Article 5 insert

Article 6**Containers with a sheeted sliding roof**

1. Where applicable, the provisions of Articles 1, 2, 3, 4 and 5 of these Regulations shall apply to containers with a sheeted sliding roof. In addition, these containers shall conform to the provisions of this Article.
2. The sheeted sliding roof shall fulfil the requirements set out in (i) to (iii) below.
 - (i) The sheeted sliding roof shall be assembled either by means of devices which cannot be removed and replaced from the outside without leaving obvious traces, or by such methods as will produce a structure which cannot be modified without leaving obvious traces.
 - (ii) The sliding roof sheet shall overlap with the solid part of the roof at the front side of the container, so that the roof sheet cannot be pulled over the top edge of the upper cantrail. In the length of the container, at both sides, in the hem of the roof sheet, a pre-stressed steel cable shall be inserted in such a way that it cannot be removed and re-inserted without leaving obvious traces. The roof sheet shall be secured to the sliding carriage in such a way that it cannot be removed and resecured without leaving obvious traces.
 - (iii) The sliding roof guidance, the sliding roof tension devices and other movable parts shall be assembled in such a way that when closed, and Customs sealed, doors, roof and other movable parts cannot be opened or closed from the outside without leaving obvious traces. The sliding roof guidance, sliding roof tension devices and other movable parts shall be assembled in such a way that it is impossible to gain access to the container without leaving obvious traces once the closing devices have been secured.

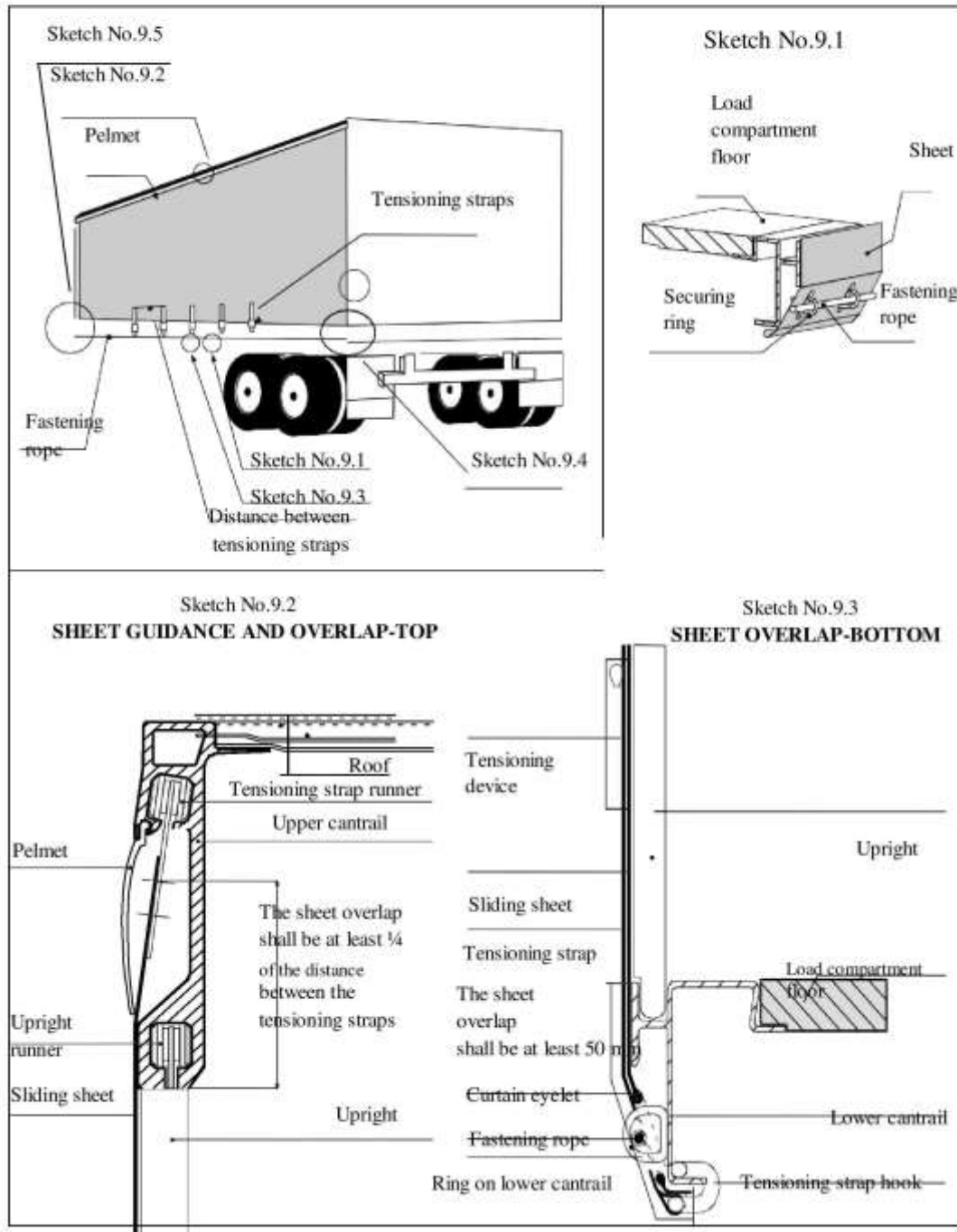
An example of a possible system of construction is shown in sketch No. 10, appended to these Regulations.

Annex 7, Part I, Sketch No. 9

For the existing Sketch No. 9 substitute

Sketch No. 9

EXAMPLE OF A CONSTRUCTION OF A CONTAINER WITH SLIDING SHEETS

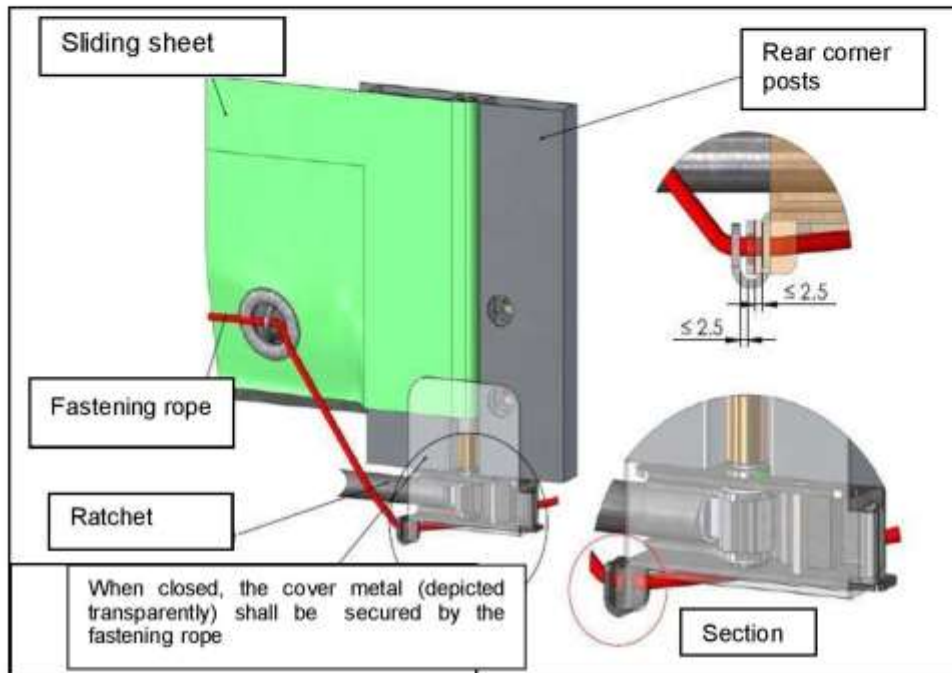


Sketch No. 9 continued

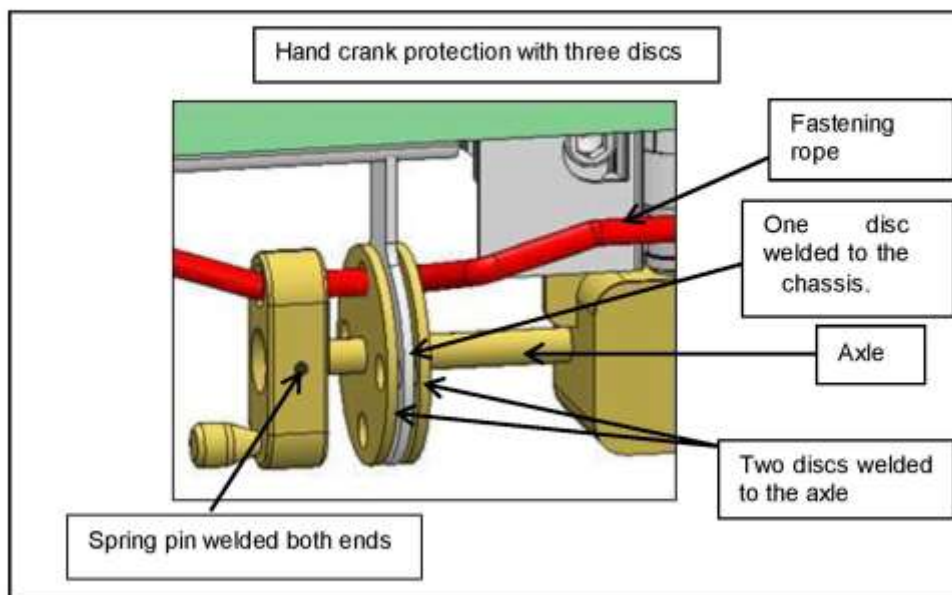
Sketch No. 9.4

To tighten the sliding sheets in the horizontal direction, a ratchet gear is used (normally at the rear end of the container). This sketch shows two examples, (a) and (b), of how the ratchet or gearbox may be secured.

(a) Ratchet securing



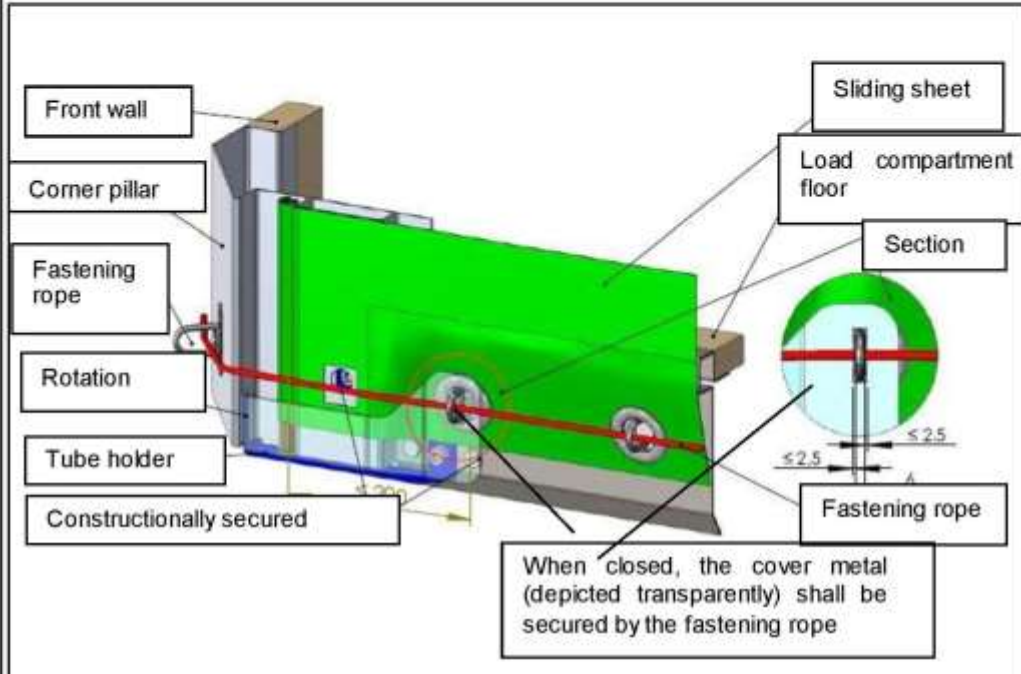
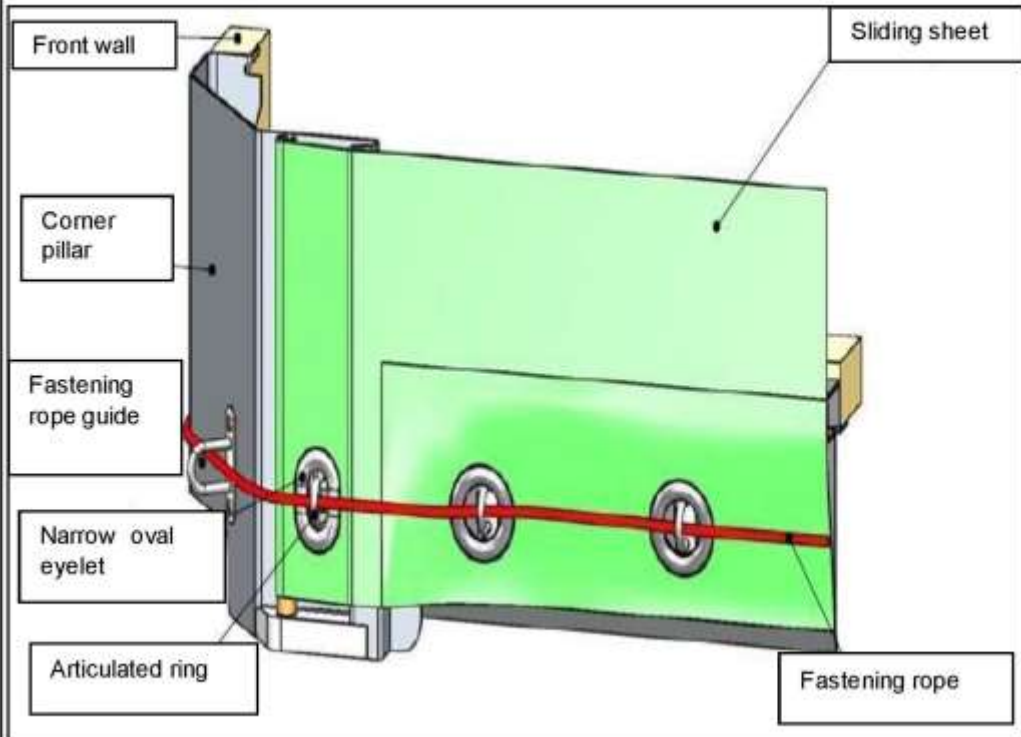
(b) Gearbox securing



Sketch No. 9 continued

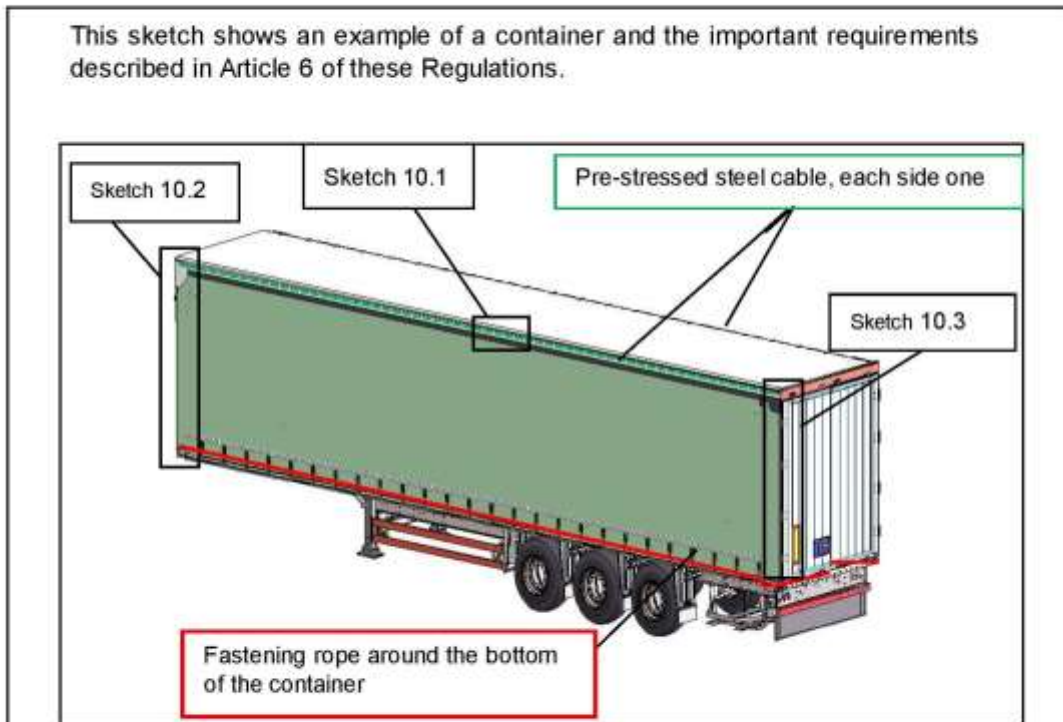
Sketch No. 9.5

To fix the sliding sheet on the other side (normally the front of the container), the following systems, (a) or (b), may be used.

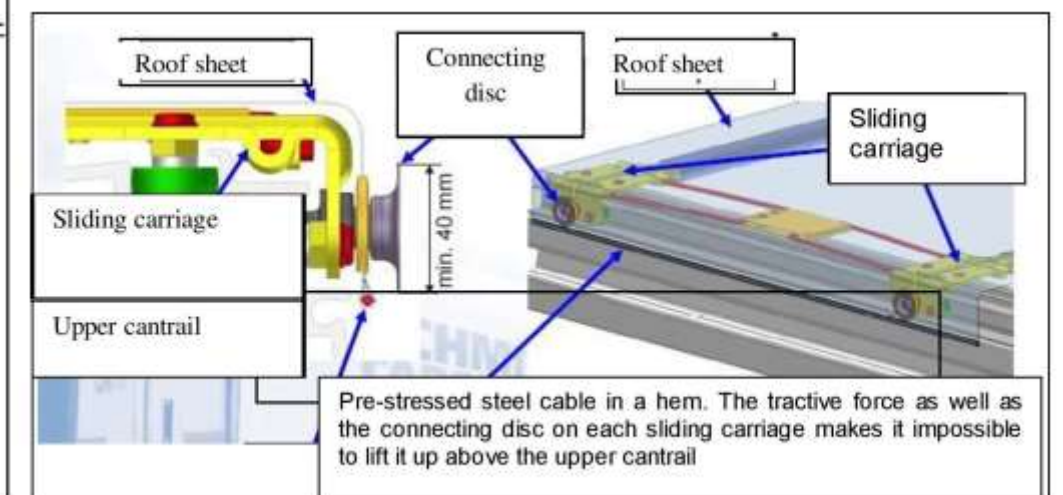
(a) Cover metal**(b) Narrow oval eyelet, anti-lifting system for the tensioning tube**

Annex 7, Part I, new Sketch No. 10*After new Sketch No. 9 insert*

Sketch No. 10

**EXAMPLE OF A CONSTRUCTION OF A CONTAINER WITH A SHEETED
SLIDING ROOF****Sketch No. 10.1**

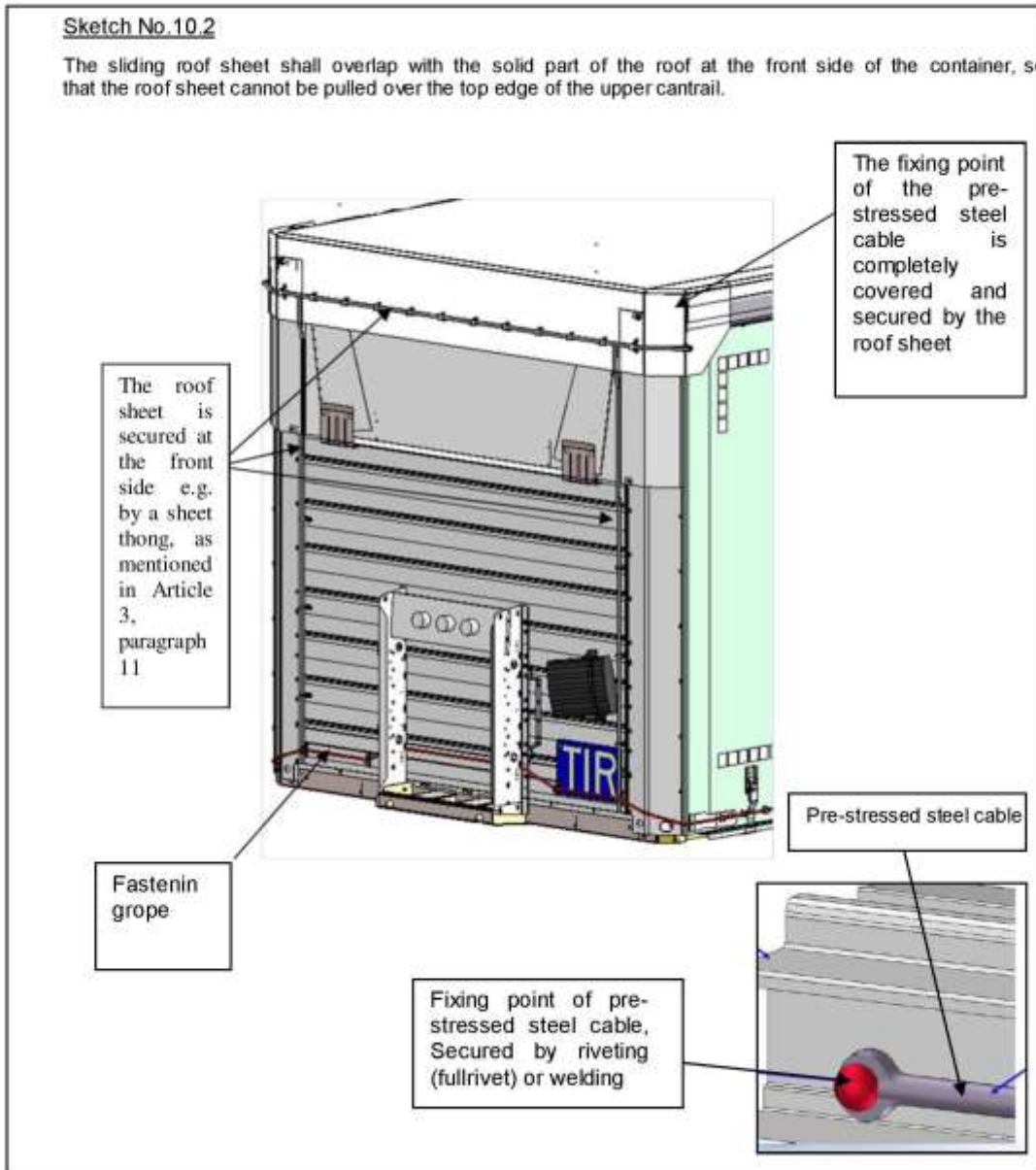
Two pre-stressed steel cables, embedded in a hem, are fixed on each side of the container. This pre-stressed steel cable is fixed to the front (see sketch 10.2) and rear of the body (see sketch 10.3). The tractive force as well as the connecting disc on each sliding carriage makes it impossible to lift up the hem with the pre-stressed steel cable above the upper cantrail.



Sketch No. 10 continued

Sketch No.10.2

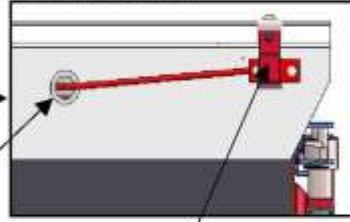
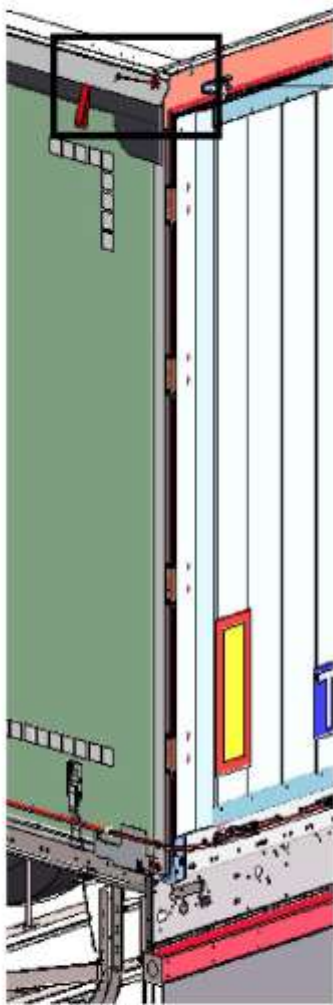
The sliding roof sheet shall overlap with the solid part of the roof at the front side of the container, so that the roof sheet cannot be pulled over the top edge of the upper cantrail.



Sketch No. 10 continued

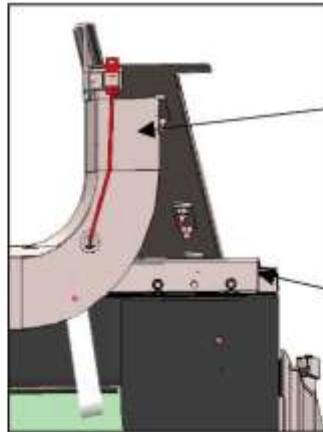
Sketch No.10.3

At the rear, a special device, such as a baffle plate, is fitted to the roof, preventing access to the container, without leaving obvious traces when the doors are closed and sealed.



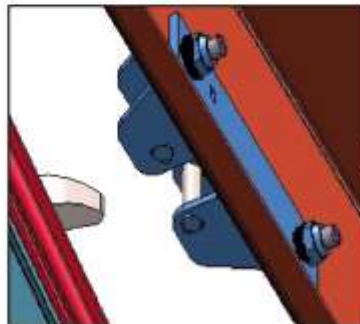
Pre-stressed cable goes in a hem

The fixing point of the pre-stressed steel cable is completely covered, and the metal cover is secured by welding or riveting (full rivet)



Tensioning device on the lever mechanism. By folding down the part of the roof with the tensioning device, the pre-stressed steel cable will be under tension

Sliding carriage from the roof sheet (closed) with lock system (inside)



By closing and sealing the doors, the systems are customs secure

Amendment 34

(Amendments which were adopted pursuant to Article 60 of the Convention and which entered into force on 1 July 2018)

Amendment proposal to the TIR convention, 1975
adopted by the
Administrative Committee for the TIR Convention
on 12 October 2017

Annex 8, Article 1 bis

After the existing text insert new paragraphs 4, 5 and 6 to read

4. The Committee shall receive and examine the annual audited financial statements and audit report(s) submitted by the international organization pursuant to the obligations under Annex 9, Part III. In the course and within the scope of its examination, the Committee may request that additional information, clarifications or documents be provided by the international organization or the independent external auditor.

5. Without prejudice to the examination mentioned in paragraph 4, the Committee shall, on the basis of a risk assessment, have the right to request additional examinations to be carried out. The Committee shall mandate the TIR Executive Board or request the competent United Nations services to carry out the risk assessment.

The scope of additional examinations shall be determined by the Committee, taking into account the risk assessment of the TIR Executive Board or of the competent United Nations services.

The results of all examinations referred to in this article shall be kept by the TIR Executive Board and provided to all Contracting Parties for due consideration.

6. The procedure for undertaking the additional examinations shall be approved by the Committee.

Annex 9, Part I, subtitle

Before conditions and requirements add Minimum

Annex 9, Part I, paragraph 1 (first line)

After The add minimum

Annex 9, Part I, paragraph 7

For Contracting Parties read that each Contracting Party

Annex 9, Part II, Procedure, Model Authorization Form, paragraph 1

For approved read authorized

Annex 9, Part III, paragraph 2

After subparagraph (n) insert new subparagraphs (o), (p) and (q) to read

(o) maintain separate records and accounts containing information and documentation which pertain to the organization and functioning of an international guarantee system and the printing and distribution of TIR Carnets;

(p) provide its full and timely cooperation, including, but not limited to, allowing access to the above records and accounts to the competent United Nations

services or to any other duly authorized competent entity and, at all times, facilitating additional inspections and audits performed by them on behalf of Contracting Parties, pursuant to Annex 8, Article 1 bis, paragraphs 5 and 6;

(q) engage an independent external auditor to conduct annual audits of the records and accounts mentioned under subparagraph (o). The external audit shall be performed in accordance with International Standards on Auditing (ISA) and shall result in an annual audit report and a management letter which shall be submitted to the Administrative Committee.

Amendment 35

(Amendments which were adopted pursuant to Article 60 of the Convention and which entered into force on 3 February 2019)

Amendment proposal to the TIR convention, 1975

adopted by the

Administrative Committee for the TIR Convention
on 12 October 2017

Article 1, paragraph (q)

After customs authorities add or other competent authorities

Article 3, paragraph (b)

For approved read authorized

Article 6, paragraph 2

For approved read authorized

Article 11, paragraph 3

For three months read one month

Article 38, paragraph 1

For the existing text read

Each of the Contracting Parties shall have the right to exclude temporarily or permanently from the operation of this Convention any person guilty of a serious or repeated offence against the customs laws or regulations applicable to the international transport of goods. The conditions in which the offence against the customs laws or regulations is considered to be serious shall be decided by the Contracting Party.

Dopuna 24

(Dopuna koja je usvojena u skladu sa članom 59.
Konvencije i koja je stupila na snagu 19. septembra 2004.)

PREDLOG DOPUNE TIR KONVENCIJE iz 1975. godine

Usvojen od strane
Administrativnog komiteta za Konvenciju TIR iz 1975.godine
26. oktobar 2001. godine

U članu 26, stav 1:

na kraju stava dodaje se:

„Ako su carinska obeležja oštećena, carinski organi mogu prihvatiti ispravu za MDP (karnet TIR) radi ponovnog započinjanja posla MDP u skladu sa odredbama člana 25.”

Izmene 25

(Izmene koje su usvojene u skladu sa članom 59.
Konvencije i koje su stupile na snagu 1. oktobra 2005.)

PREDLOG IZMENA TIR KONVENCIJE, 1975

usvojen od strane
Administrativnog komiteta za TIR Konvenciju iz 1975
15. oktobra 2003

Prilog 2, član 3, stav 9, tačka 1. i 2, menjaju se i glase:

- „9. Mogu se koristiti sledeća sredstva za pričvršćivanje;
- (a) užad od čelične žice prečnika od najmanje 3mm; ili
 - (b) užad od konoplje ili sisala prečnika od najmanje 8 mm upakovana u providan omot od nerastegljive plastike; ili
 - (c) užad koja se sastoje od nizova fiber optičkih linija unutar spiralno uvijenog čeličnog omotača upakovana u providan omot od nerastegljive plastike; ili
 - (d) užad koja se sastoje od tekstilnih konopaca obmotanih uz najmanje četiri struka koji se sastoje isključivo od čelične žice i koji potpuno pokrivaju sredinu, pod uslovom da užad (ne uzimajući u obzir providan omot, ukoliko postoji) nemaju prečnik manji od 3 mm.

Užad u skladu sa stavom 9 (a) ili (d) ovog člana mogu imati providan omot od nerastegljive plastike.”

Prilog 2, član 3, stav 10, menja se i glasi:

„10. Svaka vrsta užadi biće u jednom komadu i imaće komad od čvrstog metala na oba kraja. Kroz svaki metalni deo na kraju biće moguće provući konac ili traku za carinski žig. Kopča svakog metalnog dela na užadima u skladu sa odredbama stava 9 (a), (b) i (d) ovog člana uključivaće šuplju nitnu koja je provučena kroz uže da bi omogućila provlačenje niti ili trake za carinski žig. Uže će ostati vidljivo na obe strane šuplje nitne tako da je moguće obezbediti da uže bude u jednom komadu (vidite crtež br. 5 u dodatku ovih propisa).”

Prilog 7, Deo I, član 4. stav 9, tačke 1. i 2, menjaju se i glase:

- „9. Mogu se koristiti sledeća sredstva za pričvršćivanje;
- (a) užad od čelične žice prečnika od najmanje 3mm; ili
 - (b) užad od konoplje ili sisala prečnika od najmanje 8 mm upakovana u providan omot od nerastegljive plastike; ili
 - (c) užad koja se sastoje od nizova fiber optičkih linija unutar spiralno uvijenog čeličnog omotača upakovana u providan omot od nerastegljive plastike; ili
 - (d) užad koja se sastoje od tekstilnih konopaca obmotanih uz najmanje četiri struka koji se sastoje isključivo od čelične žice i koji potpuno pokrivaju sredinu, pod uslovom da užad (ne uzimajući u obzir providan omot, ukoliko postoji) nemaju prečnik manji od 3 mm.

Užad u skladu sa stavom 9 (a) ili (d) ovog člana mogu imati providan omot od nerastegljive plastike.”

Prilog 7, Deo I, član 4. stav 10, menja se glasi:

„10. Svaka vrsta užadi biće u jednom komadu i imaće komad od čvrstog metala na oba kraja. Kroz svaki metalni deo na kraju biće moguće provući konac ili traku za carinski žig. Kopča svakog metalnog dela na užadima u skladu sa odredbama stava 9 (a), (b) i (d) ovog člana uključivaće šuplju nitnu koja je provučena kroz uže da bi omogućila provlačenje niti ili trake za carinski žig. Uže će ostati vidljivo na obe strane šuplje nitne tako da je moguće obezbediti da uže bude u jednom komadu (vidite crtež br. 5 u dodatku ovih propisa).”

Izmene 26

(Izmene koje su usvojene u skladu sa članom 59.
Konvencije i koje su stupile na snagu 1. aprila 2006. god.)

PREDLOG IZMENA TIR KONVENCIJE, 1975

usvojen od strane

Administrativnog komiteta za TIR Konvenciju iz 1975. god.

3. februara 2005.

Prilog 1 Konvencije

Model TIR karneta VERZIJA 1 i VERZIJA 2, menjaju se i glase:

- Strana 1 korica, rubrika 3 „(ime, adresa i zemlja)” menja se i glasi: „(identifikacioni broj, ime, adresa i zemlja)”
- Kupon (Voucher) br.1 i kupon br.2, rubrika 4 „(ime, adresa i zemlja)” menja se i glasi: „(identifikacioni broj, ime, adresa i zemlja)”
- Proces of verbal /Zapisnik o nalazu, rubrika 5 „držalac karneta” menja se i glasi: „držalac karneta (identifikacioni broj, ime, adresa i zemlja)”

Prilog 9 Konvencije, deo II,

Obrazac odobrenja (MAF), stav 2, tačka 1, ispod tabele, menja se i glasi:

„ – pojedinačni i jedinstveni identifikacioni (ID) broj koji je udruženje garant (u saradnji sa međunarodnom organizacijom u kojoj je učlanjeno) dodelilo tom licu u skladu sa usklađenim formatom. Format ID broja određuje Administrativni komitet.”

Izmene i dopuna 27

(Izmene i dopuna koje su usvojene u skladu sa članom 59. Konvencije i koje su stupile na snagu 12. avgusta 2006.)

PREDLOG IZMENA I DOPUNE KONVENCIJE TIR, 1975

usvojen od strane
Administrativnog komiteta za Konvenciju TIR
04. februar 2005.

Dodaje se novi član 42.ter koji glasi:

„Član 42.ter

Nadležni organi strana ugovornica, dostavljajući ovlašćenim udruženjima, kada je to moguće, podatke koje oni zahtevaju da bi ispunili obavezu koju su preuzeli u skladu sa Prilogom 9 Deo I stav 3. (iii).

U Prilogu 10. navode se podaci koje treba dostaviti u posebnim slučajevima.”

Član 60.

Menja se naziv člana 60. kao i tačka 1. i glase:

„Član 60.

Poseban postupak za izmene i dopune Priloga 1, 2, 3, 4, 5, 6, 7, 8, 9 i 10

1. Svaka predložena izmena i dopuna Priloga 1, 2, 3, 4, 5, 6, 7, 8, 9 i 10 koja je razmatrana u skladu članom 59. tačke 1. i 2. stupiće na snagu na dan koji utvrdi Administrativni komitet u vreme njenog usvajanja, osim ukoliko do nekog ranijeg datuma, koji je istovremeno odredio Administrativni komitet, jedna petina ili pet država koje su strane ugovornice, zavisno koji je broj manji, ne obavesti Generalnog sekretara Ujedinjenih nacija da imaju prigovor na tu izmenu i dopunu. Odlučivanje u Administrativnom komitetu u pogledu datuma o kojima je reč u ovoj tački vršiće se dvotrećinskom većinom prisutnih koji glasaju.”

Dodaje se novi Prilog 10 Konvenciji, koji glasi:

„Prilog 10.

PODACI KOJE STRANA UGOVORNICA TREBA DA DOSTAVI OVLAŠĆENIM UDRUŽENJIMA (SHODNO ČLANU 42. TER) I MEĐUNARODNOJ ORGANIZACIJI (SAGLASNO ČLANU 6. TAČKA 2. BIS)

U skladu sa članom 6. stav 1. i Prilogom 9 Deo I stav 3. (iii) ove konvencije od ovlašćenih udruženja se zahteva da prihvate obavezu da će stalno vršiti kontrolu da li lica, koja imaju odobrenje da mogu da pristupe poslovima TIR ispunjavaju minimum uslova i zahteva koji su propisani u Prilogu 9 Delu II ove Konvencije.

U ime članova a u cilju ispunjavanja svojih obaveza kao ovlašćene međunarodne organizacije u skladu sa članom 6. stav 2 bis, međunarodna organizacija će uspostaviti sistem kontrole čuvanja podataka o TIR karnetima,

dobijenih od carinskih organa i koja su dostupna udruženjima i carinskim administracijama, o okončanju TIR poslova u odredišnim carinarnicama. Kako bi se udruženjima omogućilo da efikasno ispune svoje obaveze, strane ugovornice će obezbediti podatke kontrolnom sistemu u skladu sa sledećim postupkom:

- (1) Carinski organi će nekoj međunarodnoj organizaciji ili domaćim udruženjima garantima, dostavljati, po mogućstvu preko glavnog ili regionalnog ureda, najbržim raspoloživim sredstvima veze (faks, elektronska pošta itd), po mogućnosti svakodnevno, barem sledeće podatke, u standardnom formatu, o svim ispravama za TIR karnet, koji su prijavljeni u odredišnoj carinarnici, shodno definiciji iz člana 1 (I) Konvencije:
 - (a) broj TIR karneta;
 - (b) datum i broj upisa u carinski kontrolnik;
 - (c) naziv i broj odredišne carinarnice;
 - (d) datum i broj koji je naveden u potvrdi o okončanju TIR posla u odredišnoj carinarnici (rubrike 24-28 kupona 2) (ukoliko se taj podatak razlikuje od podatka pod (b));
 - (e) delimično i konačno okončanje;
 - (f) okončanje TIR poslova u odredišnoj carinarnici, uz rezervu ili bez rezerve, bez obzira na odredbe člana 8. i 11. Konvencije;
 - (g) drugi podaci i dokumenta (nije obavezno);
 - (h) broj strane.
- (2) Domaća udruženja ili međunarodna organizacija mogu da dostave carinskim organima Uzorak obrasca za sravnjivanje podataka (MRF-Model Reconciliation Form) koji se nalazi u prilogu:
 - (a) u slučaju da dođe do neslaganja između podataka koji su dostavljeni i podataka koji su uneti u talone karneta TIR koji se koristi;
 - (b) u slučaju da nisu dostavljeni nikakvi podaci, a iskorišćen TIR karnet je vraćen domaćem udruženju.
- (3) Carinski organi i domaća udruženja garanti će zaključiti ugovor u skladu sa nacionalnim propisima, kojim se uređuje napred navedena razmena podataka.
- (4) Međunarodna organizacija omogućiće carinskim organima pristup datotekama koje sadrže podatke o TIR karnetima koji su okončani i datotekama koje sadrže podatke o TIR karnetima, koji su nevažeći.

DODATAK

Uzorak obrasca za sravnjivanje podataka (MRF)							
<i>Popunjava lice koje zahteva sravnjivanje podataka</i>							
Odredište:							
Regionalna carinarnica (opciono):				Odredišna carinarnica:			
Naziv:				Naziv:			
Primljeno:				Primljeno:			
Datum:				Datum:			
Pečat				Pečat			
Podaci koji trebaju da se potvrde							
Izvor podataka		<input type="checkbox"/> Isprava za MDP (TIR Karnet)			<input type="checkbox"/> Safe TIR podaci:		
Broj isprave za MDP (karneta TIR)	Naziv ili šifra odredišne carinarnice*	Broj koji je naveden u potvrdi o okončanju posla MPD u odredišnoj carinarnici (rub.24-28 kupona br.2)*	Datum koji je naveden u potvrdi o okončanju posla MDP u odredišnoj carinarnici*	Broj strane	Delimično /konačno okončanje	Okončanje poslova MDP u odredišnoj carinarnici, uz rezervu / bez rezerve	Broj pakovanja (opciono)
Prilozi:				Kopija talona isprave za MDP (karneta TIR)		Drugo: _____	
Odgovor odredišne carinarnice							
<input type="checkbox"/> Potvrda		<input type="checkbox"/> Ispravka (unesite ispravke u donja polja)			<input type="checkbox"/> Nema podataka o razduženju isprave za MDP (TIR karneta)		
Broj isprave za MDP (TIR Karneta)	Naziv ili šifra odredišne carinarnice*	Broj koji je naveden u potvrdi o okončanju posla MPD u odredišnoj carinarnici (rub.24-28 kupona br.2)*	Datum koji je naveden u potvrdi o okončanju posla MDP u odredišnoj carinarnici*	Broj strane	Delimično/ konačno razduženje	Okončanje poslova MDP u odredišnoj carinarnici, uz rezervu / bez rezerve	Broj pakovanja (opciono)
Komentari:							
Datum:		Pečat i potpis odredišne carinarnice:					
<i>Centrala Uprave carina (opciono)</i>							
Komentari:							
Datum:		Pečat i/ili potpis					

* Ovi podaci odnose na odredišnu carinarnicu gde je okončan posao MDP**

Izmene 28

(Izmene koje su usvojene u skladu sa članom 59.
Konvencije i koje su stupile na snagu 1. januara 2009.)

PREDLOG IZMENA KONVENCIJE TIR, 1975

usvojen od strane

Administrativnog komiteta za Konvenciju TIR

31. januara 2008

Prilog 8, član 13, stav 1, menja se i glasi:

„1. Rad Izvršnog odbora TIR-a i Sekretarijata TIR -a finansiraće se, dok se ne obezbede alternativni izvori za finansiranje, iz sredstava koja su dobijena naplatom naknade za svaku ispravu za MDP (karnet TIR), čiju raspodelu vrši međunarodna organizacija navedenu u članu 6. Ovaj iznos će biti odobren od strane Administrativnog komiteta.”

Prilog 8, član 13, stav 2, menja se i glasi:

„2. Proceduru za sprovođenje finansiranja rada Izvršnog odbora TIR-a i Sekretarijata TIR-a odobrava Administrativni komitet.”

Izmene i dopune 29

(Izmene i dopune koje su usvojene u skladu sa članom 60 Konvencije i koje su stupile na snagu 1. januara 2012. god.)

PREDLOG IZMENA I DOPUNA KONVENCIJE TIR, 1975

usvojen od strane
Administrativnog komiteta za Konvenciju TIR
3. februara 2011. god.

Prilog 9, Deo I

Na kraju naslova posle reči (karnete TIR), dodaju se reči „I DA DELUJU KAO GARANTI”

Prilog 9 Deo I u podnaslovu

Brisati reč „Minimum”

Prilog 9 Deo I u stavu 1.

Brisati reč „Minimum” ispred reči „uslovi”

Prilog 9 Deo I stav 1. tačka (a)

Reči „registrovano udruženje koje zastupa interese transportnog sektora” zamenjuju se rečima „udruženje registrovano u ugovornoj strani gde je izdato ovlašćenje”

Prilog 9 Deo I stav 1. (b)

Reč „it” čitati kao udruženje.

Prilog 9 Deo I stav 1. tačka (c)

Briše se

Prilog 9, Deo I, stav 1. tačke (d) i (e)

Postaju tačke (c) i (d)

Prilog 9 Deo I stav 1. tačka (d)

Menja se i glasi:

„Zaključenje pisanog sporazuma ili drugog pravnog instrumenta između udruženja i nadležnih organa strane ugovornice na čijem je području udruženje osnovano uključujući da to udruženje prihvati svoje obaveze iz stava 3.”

Prilog 9 Deo I stav 1. posle tačke (d)

Dodaje se stav 2, koji glasi:

„Overen primerak pisanog sporazuma ili drugog pravnog instrumenta, iz stava 1. tačka (d) zajedno, ukoliko je potrebno, sa overenim prevodom na engleskom, francuskom ili ruskom jeziku, biće deponovan kod Izvršnog odbora TIR. O svim izmenama pisanog sporazuma ili drugog pravnog instrumenta odmah će se obavestiti Izvršni odbor TIR.”

Prilog 9 Deo I stav 1. tačka (f)

Zamenjuje se stavovima 3. i 4. koji glase:

„3. Obaveze udruženja su da:

- (i) ispunjava obaveze iz člana 8. Konvencije;
- (ii) prihvati najveći iznos po karnetu TIR, koji utvrdi strana ugovornica i koji može da se zatraži od udruženja, a u skladu sa članom 8. stav 3. Konvencije;
- (iii) stalno vrši kontrolu, a posebno pre nego što zatraži odobrenje da lica mogu da pristupe postupku TIR da ta lica ispunjavaju minimum uslova i zahteva koji su propisani u delu II ovog Priloga;
- (iv) Obezbedi obezbeđenje za sve finansijske obaveze nastale u zemlji u kojoj je udruženje osnovano, a u vezi sa poslovanjem sa karnetima TIR, koje ono izdaje, kao i sa ispravama koje su izdala strana udruženja učlanjena u istu međunarodnu organizaciju u koju je učlanjeno i to udruženje;
- (v) izmiri svoje finansijske obaveze, na zadovoljstvo nadležnih organa strana ugovornica u kojima su osnovana, sa osiguravajućim društvom, pulom osiguravatelja ili finansijskom institucijom. Ugovor o osiguranju ili ugovor o finansijskoj garanciji pokriće u potpunosti finansijske obaveze udruženja nastale u vezi sa poslovanjem sa karnetom TIR koje je izdalo to udruženje ili koje su izdala strana udruženja učlanjena u istu međunarodnu organizaciju u koju je učlanjeno i to udruženje.

Rok za pismeno otkazivanje ugovora o osiguranju ili o finansijskoj garanciji ne može da bude kraći od roka koji je utvrđen za pisano otkazivanje pisanog sporazuma ili drugog pravnog instrumenta iz stava 1. tačka (d). Overen primerak ugovora o osiguranju ili o finansijskoj garanciji, kao i primerci svih njegovih naknadnih izmena i dopuna deponovaće se kod Izvršnog odbora TIR, uključujući i njegov overen prevod, ukoliko je potrebno, na engleskom, francuskom ili ruskom jeziku;

- (vi) dostavi Izvršnom odboru TIR, jednom godišnje, 1. marta, cenu svih vrsta TIR karneta koje ono izdaje;
- (vii) dozvoli nadležnim organima da vrše kontrolu svih evidencija, uključujući i knjigovodstvene evidencije koje se odnose na poslovanje i sprovođenje postupka TIR;
- (viii) prihvati postupak za efikasno rešavanje sporova koji nastanu zbog nepravilnog ili nepropisnog korišćenja karneta TIR, kad god je to moguće bez traženja pomoći sudova;
- (ix) dosledno poštuje odluke koje su doneli nadležni organi strana ugovornica u kojima su udruženja osnovana, a odnose se na poništavanje ili povlačenje ovlašćenja u skladu sa članom 6. Konvencije ili Delom II ovog Priloga ili isključivanje lica u skladu sa članom 38. Konvencije;
- (x) saglasi se da će dosledno sprovoditi sve odluke koje je usvojio Administrativni komitet i Izvršni odbor TIR u onoj meri u kojoj su te odluke prihvatili nadležni organi strana ugovornica u kojima su udruženja osnovana.

4. Kada se od udruženja garanta zahteva da, u skladu s postupkom iz člana 11. uplati sumu iz člana 8. stavovi 1. i 2, udruženje garant će, u skladu sa pisanim sporazumom iz Objašnjenja 0.6.2bis-1 do člana 6, stav 2 bis, obavestiti međunarodnu organizaciju o prijemu zahteva.”

Prilog 9 Deo I

Stavovi 2, 3 i 4 postaju stavovi 5, 6 i 7.

Prilog 9 Deo I stav 5.

Menja se i glasi:

„5. Ugovorna strana u kojoj je udruženje osnovano ukinuće ovlašćenje za izdavanje TIR karneta i da deluje kao garant u slučaju nepoštovanja ovih uslova i zahteva. Ako ugovorna strana odluči da ukine ovlašćenje, odluka stupa na snagu najranije tri (3) meseca od dana ukidanja.”

Prilog 9 Deo I

U stavu stav 7. briše se reč „Minimum” ispred reči „uslovi”

Izmene i dopune 30

(Izmene i dopune koje su usvojene u skladu sa članovima 59 i 60 Konvencije i koje su stupile na snagu 13. septembra 2012. god.)

PREDLOG IZMENA I DOPUNA KONVENCIJE TIR, 1975

usvojen od strane
Administrativnog komiteta za Konvenciju TIR
3. februara 2011. god.

Član 1. stav 1. tačka (q) red 1.

Zamenjuje se reč „odobreno” sa rečju „ovlašćeno”

Član 1. stav 1.

Posle tačke (q), dodaje se nova tačka (r) koja glasi:

„(r) pojam „međunarodna organizacija” označava organizaciju koju je Administrativni komitet ovlastio da preuzme odgovornost za efikasnu organizaciju i funkcionisanje međunarodnog sistema garancija.”

Član 8. stav 1.

Menja se i glasi:

„1. Udruženje garant obavezuje se da će uplatiti do maksimalnog iznosa garantovane sume uvoznih i izvoznih dažbina i poreza, kao i sve zatezne kamate koje se zahtevaju na osnovu carinskih zakona i propisa ugovorne strane u kojoj je uočena nepravilnost prouzrokovala podnošenje zahteva protiv udruženja garanta u vezi sa poslovima TIR. Udruženje se obavezuje da će uplatiti napred navedene iznose, zajedno i solidarno s licem koje duguje te iznose.”

Član 8. stav 7.

Briše se.

Član 10. stavu 2.

Reč „zemlja” zamenjuje se rečima „ugovorna strana”

Član 11. stav 1.

Menja se i glasi:

„1. Ako posao TIR nije razdužen, nadležni organi će:

(a) obavestiti držaoca TIR karneta, na njegovoj adresi navedenoj u TIR karnetu, da TIR karnet nije razdužen

(b) obavestiti garantno udruženje da TIR karnet nije razdužen.

Nadležni organi će obavestiti udruženje garanta u roku od najviše godinu dana od dana prihvatanja TIR karneta od strane tih organa ili dve godine u slučaju kada je dokaz o razduženju posla TIR falsifikovan ili dobijen protivzakonito ili prevarom.”

Član 11. stav 1.

Posle stava 1. dodaje se novi stav 2. koji glasi:

„2. Kada iznosi iz člana 8. st. 1. i 2. dospeju na naplatu, nadležni organi će pre nego što upute zahtev udruženju garantu, zatražiti, ukoliko je to moguće, da uplatu izvrše neposredno odgovorna lica.”

Član 11. stav 2.

Stavovi 2. i 3, postaju stavovi 3. i 4.

Član 11. stav 3.

Menja se i glasi:

„3. Zahtev za plaćanja iznosa iz člana 8. stavovi 1. i 2. dostaviće se udruženju garantu najranije tri meseca po isteku datuma kada je to udruženje obavješteno da isprava nije razdužena ili da je dokaz o razduženju posla TIR dobijen protivzakonito ili prevarom, a najkasnije dve godine po isteku tog datuma. Međutim, u slučajevima koji, u toku gore naznačenog roka od dve godine, postanu predmet upravnog ili sudskog postupka, zahtev za plaćanje licu ili licima iz stava 2. ovog člana, podnosi se u roku od jedne godine od dana kada odluka nadležnih organa ili sudska odluka postane izvršna.”

Član 11. stav 4.

Menja se i glasi:

„4. Udruženje garant će imati rok od tri meseca, računajući od datuma kada je podnet zahtev za plaćanje, u kom treba da uplati tražene iznose.

5. Uplaćeni iznosi biće vraćeni udruženju, ako se u roku od dve godine od dana podnošenja zahteva za plaćanje, nadležnim organima dostave uverljivi dokazi da, nije bilo nepravilnosti u vezi sa određenim TIR poslom. Rok od dve godine može se produžiti u skladu sa nacionalnim zakonodavstvom.”

Izmena i dopuna 31

(Izmena i dopuna koje su usvojene u skladu sa članovima 59. i 60.
Konvencije i koje su stupile na snagu 10. oktobra 2013. god.)

PREDLOG IZMENE I DOPUNE KONVENCIJE TIR, 1975

usvojen od strane
Administrativnog komiteta za Konvenciju TIR
9. februara 2012. god.

Član 6. stav 2. bis

Menja se i glasi:

„2 bis. Administrativni komitet će ovlastiti međunarodnu organizaciju da preuzme odgovornost za efikasno organizovanje i funkcionisanje međunarodnog sistema garancija. Ovlašćenje se daje organizaciji sve dok ispunjava uslove i zahteve utvrđene

Prilogom 9. Deo III. Administrativni komitet može ukinuti ovlašćenje ako ovi uslovi i zahtevi više nisu ispunjeni.”

Prilog 9

Posle Dela II, dodaje se Deo III, koji glasi:

„Ovlašćenje međunarodne organizacije, kako je navedeno u članu 6, da preuzme odgovornost za efikasnu organizaciju i funkcionisanje međunarodnog sistema garancija i da štampa i distribuira TIR karnete

Uslovi i zahtevi

1. Uslovi i zahtevi koje treba da ispunjava međunarodna organizacija da bi je Administrativni komitet ovlastio da preuzme odgovornost za efikasno organizovanje i funkcionisanje međunarodnog sistema garancija i za štampanje i distribuciju TIR karneta, u skladu sa članom 6.2 bis Konvencije, su:

(a) dokaz o solidnoj profesionalnoj osposobljenosti i finansijskom stanju za efikasno organizovanje i funkcionisanje međunarodnog sistema garancija i organizacione sposobnosti za ispunjavanje obaveza iz Konvencije putem godišnjeg podnošenja konsolidovanih finansijskih izveštaja kontrolisanih od međunarodno priznatih nezavisnih revizora;

(b) da nije izvršila ozbiljan prekršaj carinskih ili poreskih propisa, odnosno da se ti propisi ne krše učestalo.

2. U skladu sa ovlašćenjem, međunarodna organizacija će:

(a) obezbediti ugovornim stranama TIR Konvencije, preko nacionalnih asocijacija članica međunarodne organizacije, overene kopije globalnog ugovora o garancijama i dokaz o pokriću garancije;

(b) pružiti nadležnim organima TIR Konvencije informacije o pravilima i postupcima utvrđenim za izdavanje TIR karneta od strane nacionalnih asocijacija;

(c) jednom godišnje dostavljati nadležnim organima TIR Konvencije podatke o podnetim, nerešenim, naplaćenim ili zahtevima rešenim bez naplate;

(d) pružiti nadležnim organima TIR Konvencije sveobuhvatne i potpune informacije o funkcionisanju TIR sistema, a posebno, blagovremene i verodostojne informacije o tendencijama u broju nezavršenih TIR poslova, podnetim, nerešenim, naplaćenim ili zahtevima rešenim bez naplate, koje bi mogle izazvati zabrinutost u pogledu ispravnog funkcionisanja TIR sistema ili dovesti do poteškoća za nastavak rada njegovog međunarodnog sistema garancija;

(e) dostaviti nadležnim organima TIR Konvencije statističke podatke o broju TIR karneta, po vrstama, raspodeljenih svakoj ugovornoj strani;

(f) Izvršnom odboru TIR-a dostaviti podatke o ceni distribucije međunarodne organizacije, po vrsti TIR karneta;

(g) preduzeti sve moguće mere za smanjenje rizika od falsifikovanja TIR karneta;

(h) preduzeti odgovarajuće korektivne mere u slučajevima kada su uočene greške ili nedostaci u TIR karnetima i o tome izvestiti Izvršni odbor TIR-a;

(j) na poziv Izvršnog odbora TIR-a, uzeti učešće za olakšavanje rešavanja sporova;

(k) osigurati pravovremeno obaveštavanje Izvršnog odbora TIR-a o svim poteškoćama koje uključuju postupke prevare ili druge poteškoće u vezi sa primenom Konvencije TIR;

(l) upravljati sistemom kontrole TIR karneta u skladu sa Prilogom 10 Konvencije, zajedno sa nacionalnim garantnim udruženjima članicama međunarodne organizacije i carinskim organima i obaveštavati ugovorne strane i nadležna tela Konvencije o problemima u funkcionisanju sistema;

(m) dostaviti nadležnim organima Konvencije TIR statistiku i podatke o učinku ugovornih strana u pogledu sistema kontrole predviđenom u Aneksu 10;

(n) zaključiti, najmanje dva meseca pre propisanog datuma stupanja na snagu ili obnavljanja ovlašćenja datog u skladu sa članom 6.2 bis Konvencije, pisani sporazum sa Sekretarijatom UNECE, koji je ovlašćen i koji deluje u ime Administrativnog komiteta, što uključuje i prihvatanje, od strane međunarodne organizacije, njenih dužnosti iz ovog stava.

3. Kada garantno udruženje obavesti međunarodnu organizaciju o zahtevu za plaćanje, ona će, u roku od tri (3) meseca, obavestiti garantno udruženje o svom stavu u vezi sa zahtevom.

4. Sve informacije, dobijene direktno ili indirektno od međunarodne organizacije u skladu sa Konvencijom, a koje su poverljive, obuhvaćene su obavezom čuvanja profesionalne tajne i neće se koristiti u komercijalne svrhe ili u bilo koje druge svrhe, ili davati trećim licima, bez odobrenja lica ili organa koji ih je dostavilo. Takve informacije se, međutim, mogu davati, bez odobrenja, nadležnim organima ugovornih strana ove konvencije, ako za to postoji ovlašćenje ili obaveza prema odredbama nacionalnog ili međunarodnog prava ili u vezi sa pravnim postupkom. Otkrivanje ili saopštavanje informacija odvijace se u potpunosti u skladu sa važećim odredbama o zaštiti podataka.

5. Administrativni komitet imaće pravo da ukine ovlašćenje izdato u skladu sa članom 6.2 bis u slučaju nepoštovanja napred navedenih uslova i zahteva. Ukoliko Administrativni komitet odluči da ukine ovlašćenje, odluka stupa na snagu najranije šest (6) meseci od dana ukidanja.

6. Ovlašćenje međunarodne organizacije pod navedenim uslovima ne dovodi u

pitanje obaveze i odgovornosti te organizacije prema Konvenciji.”

Izmene 32

(Izmene koje su usvojene u skladu sa članom 60.
Konvencije i koje su stupile na snagu 1. januara 2015. god.)

PREDLOG IZMENA KONVENCIJE TIR, 1975

usvojen od strane

Administrativnog komiteta za Konvenciju TIR iz 1975. god.

6. februar 2014. godine i 12. jun 2014.godine

Prilog 1 strana 11 tačka (5)

Izraz HS tarifna oznaka: 24.03.10 zamenjuje se izrazom HS tarifna oznaka: 24.03.11
i 24.03.19

Prilog 9 deo I stav 3. tačka (vi)

Menja se i glasi:

„ (vi) dostavlja TIR Izvšnom odboru, godišnje, do 1. marta tekuće godine, cene po
vrstama izdatih TIR karneta.”

Izmene i dopune 33

(Izmene i dopune koje su usvojene u skladu sa članom 60.
Konvencije i koje su stupile na snagu 1. januara 2017. god.)

Predlog izmena i dopuna Konvencije TIR iz 1975

usvojen od strane
Administrativnog komiteta za Konvenciju TIR
10-11 februar 2016.godine

Prilog 2 član 4. stav 2. tačka (i)

Menja se i glasi:

„ (i) Pokretne cirade, pod, vrata i svi ostali sastavni delovi odeljka za robu, moraju da budu spojeni pomoću mehanizama na takav način da se ne mogu ukloniti i zameniti spolja bez ostavljanja vidljivih tragova, ili na takav način da nastala konstrukcija ne može biti izmenjena bez ostavljanja vidljivih tragova. ”

Prilog 2 član 4. stav 2. tačka (iii)

Menja se i glasi:

„(iii) Vođica pokretne cirade, mehanizmi za zatezanje pokretne cirade i ostali pokretni delovi, moraju da budu spojeni na takav način, da se vrata, koja su zatvorena i na koja je stavljeno carinsko obeležje, i ostali pokretni delovi, ne mogu otvoriti ili zatvoriti sa spoljne strane bez ostavljanja vidljivih tragova. Vođica pokretne cirade, uređaji za zatezanje pokretne cirade i ostali pokretni delovi moraju da budu spojeni na takav način da je nemoguće pristupiti odeljku za robu bez ostavljanja vidljivih tragova.

Opis ovog sistema konstrukcije dat je u crtežu br.9 priloženom ovim propisima.”

Prilog 2 posle člana 4. dodaje se novi član 5. koji glasi:

„Član 5.

Vozila sa krovnim pokretnim ciradama

1. Gde god je to primenjivo, odredbe članova 1, 2, 3. i 4. ovih propisa će se odnositi na vozila sa krovnim pokretnim ciradama. Osim toga, ova vozila će se pridržavati odredbi ovog člana.

2. Krovne pokretne cirade moraju ispunjavati zahteve navedne u tačkama (i) do (iii) u nastavku.

- (i) Krovne pokretne cirade moraju biti spojene pomoću uređaja na takav način da se ne mogu ukloniti i zameniti spolja bez ostavljanja vidljivih tragova, ili na takav način da nastala konstrukcija ne može biti izmenjena bez ostavljanja vidljivih tragova.
- (ii) Krovne pokretne cirade preklapaju se sa čvrstim delom krova na prednjoj strani tovarnog prostora tako da krovnu ciradu nije moguće prevući preko ivice gornje vođice. Sa obe strane tovarnog porostora celom dužinom u porub krovne cirade umeće se prenapregnuta čelična sajla na takav način da je nije moguće ukloniti i ponovo umetnuti bez ostavljanja vidljivih tragova. Krovna cirada mora biti pričvršćena na klizne nosače na takav način da je

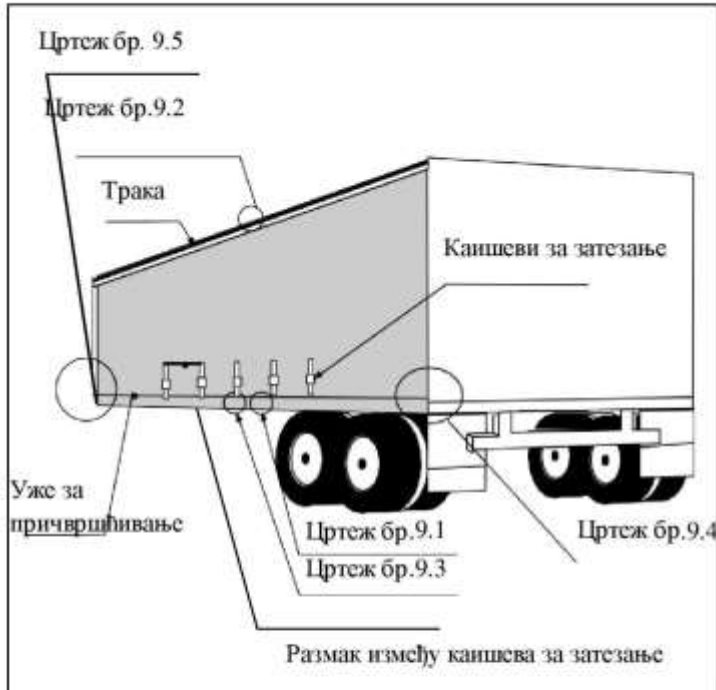
nije moguće ukloniti i ponovo učvrstiti bez ostavljanja vidljivih tragova.

- (iii) Vođica za krovne pokretne cirade, uređaji za zatezanje krovne pokretne cirade i ostali pokretni delovi, moraju da budu spojeni na takav način, da kada su zatvoreni i na njih stavljeno carinsko obeležje, ne mogu se otvoriti ili zatvoriti sa spoljne strane bez ostavljanja vidljivih tragova. Vođica za krovne pokretne cirade, uređaji za zatezanje pokretne krovne cirade i ostali pokretni delovi moraju da budu spojeni na takav načina da posle stavljanja uređaja za zatvaranje nije moguće pristupiti odeljku za robu bez ostavljanja vidljivih tragova.

Primer mogućeg sistema konstrukcije prikazan je u crtežu br.10 priloženog ovim propisima.”

Prilog 2, crtež br. 9

Postojeći crtež br. 9 zamenjuje se

Цртеж бр. 9**ПРИМЕР КОНСТРУКЦИЈЕ ВОЗИЛА СА ПОКРЕТНИМ ЦИРАДАМА**

Цртеж бр. 9.2
ВОЋИЦА ЦИРАДЕ И ПРЕКЛОП НА ВРХУ ВОЗИЛА



Цртеж бр.9.3
ПРЕКЛОП ЦИРАДЕ НА ДНУ ВОЗИЛА

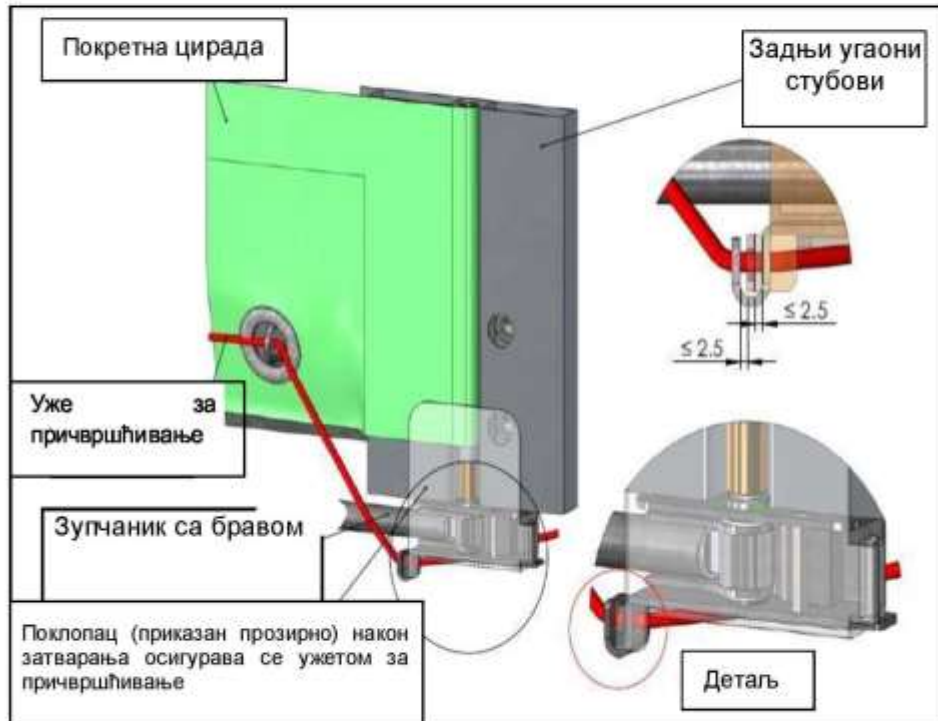


Цртеж бр. 9 наставак

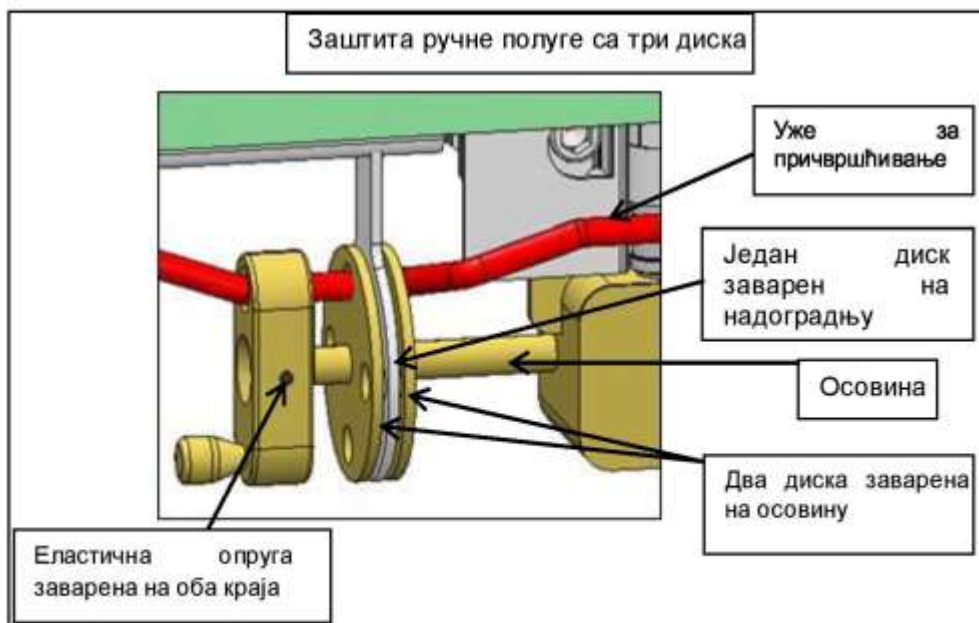
Цртеж бр. 9.4

У водоравном смеру покретне цираде се затежу зугчаником са бравом (обично на задњем делу возила). На цртежу су приказана два примера, (а) и (б), како се могу осигурати зугчаник са бравом или механизам зугчаника.

(а) Осигуравање зугчаника са бравом



(б) Осигуравање механизма зугчаника

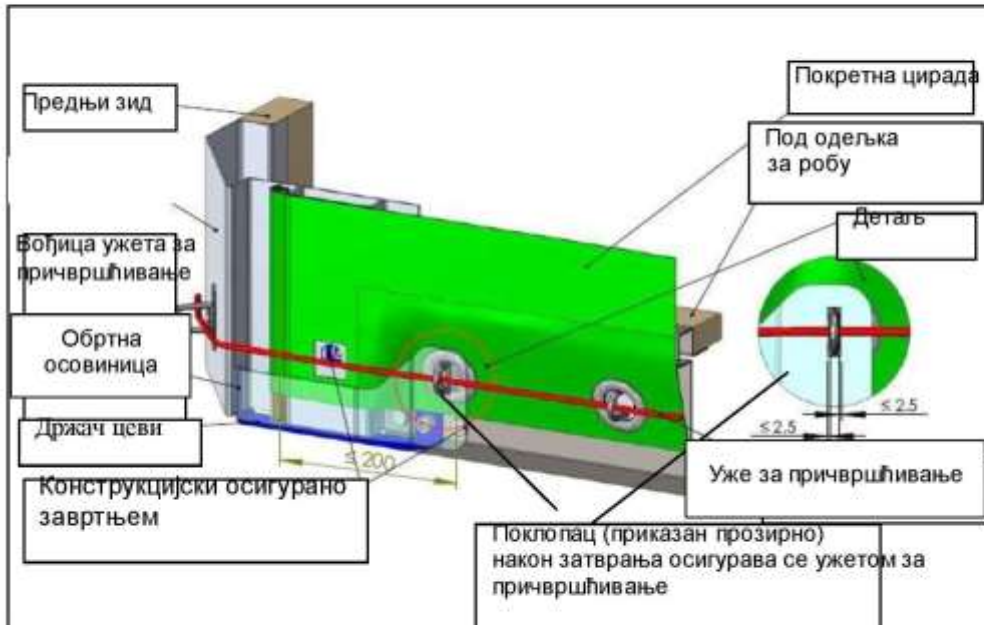


Цртеж бр. 9 наставак

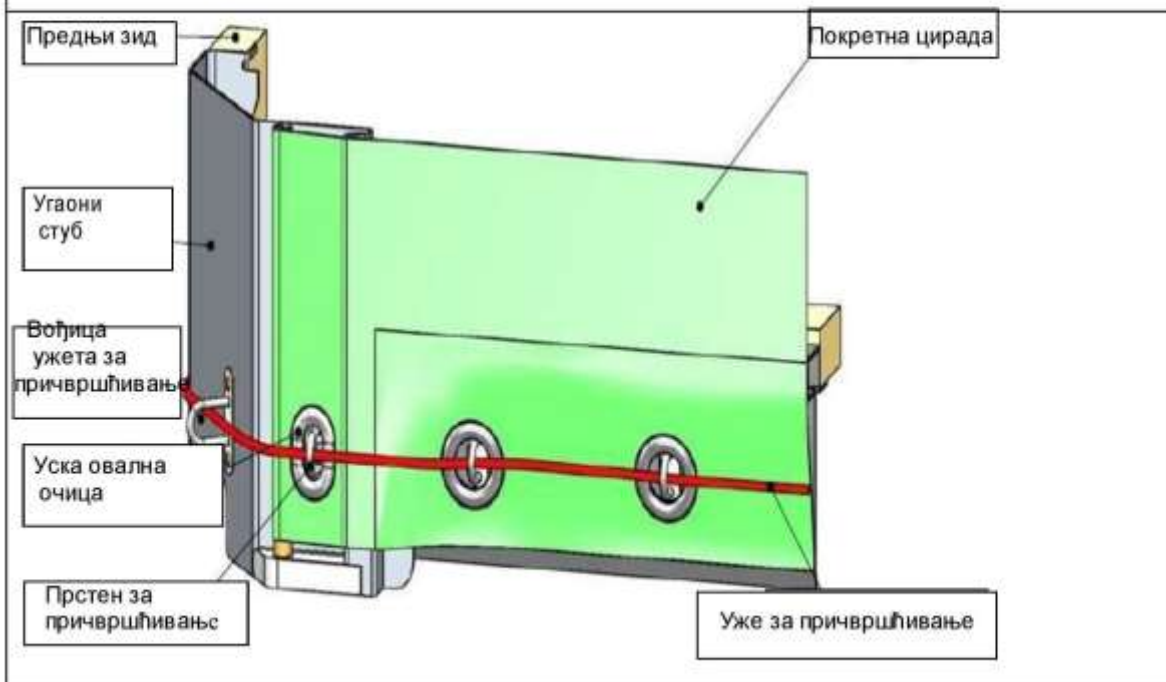
Цртеж бр. 9.5

За учвршћивање покретне цираде на другу страну (обично на предњој страни возила), могу се употребити следећа два система, (а) или (б).

а) Поклопац

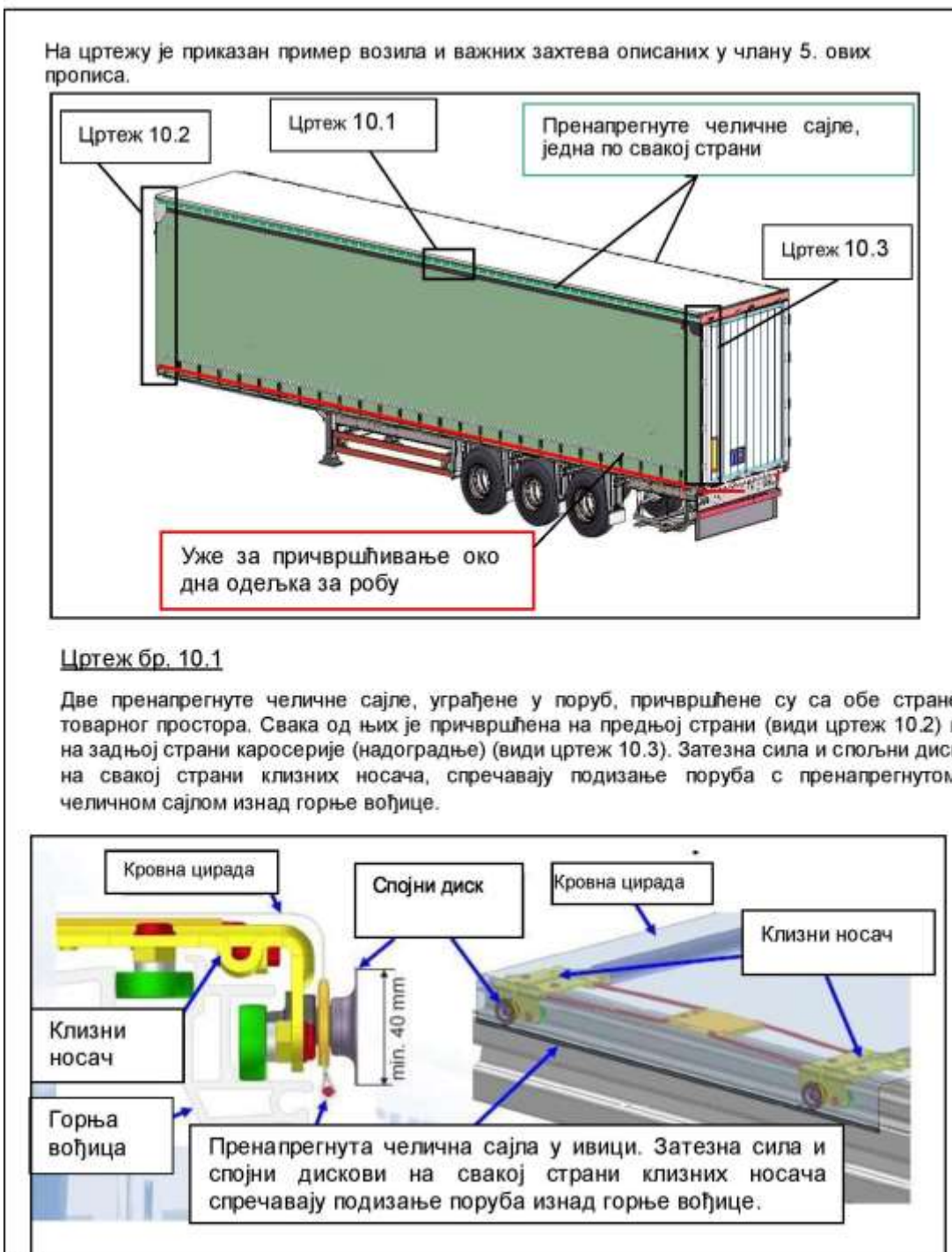


б) Уска овална очица, систем против подизања за механизам за затезање



Prilog 2, novi crtež br. 10
 Posle crteža br. 9 dodaje se

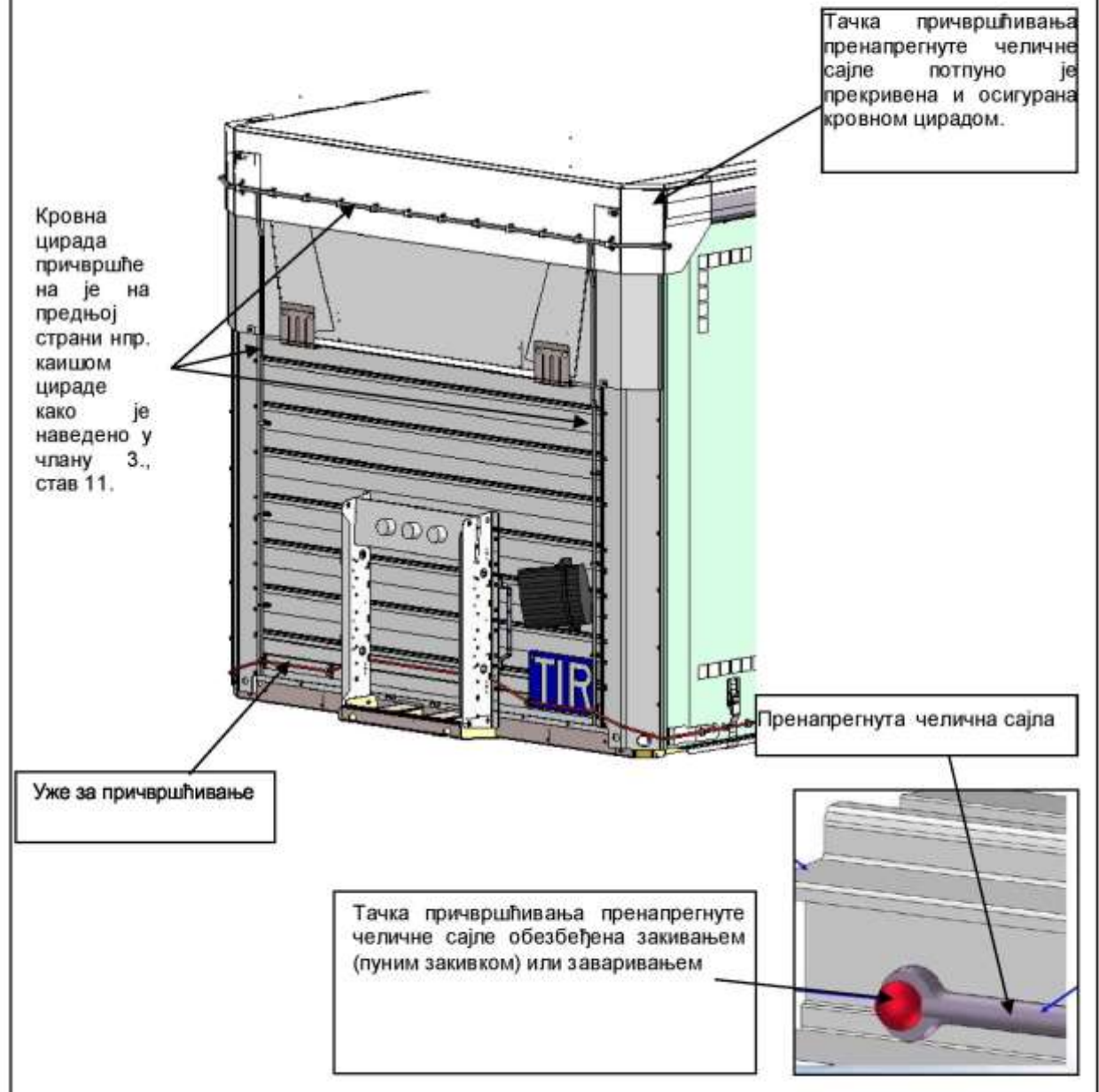
Crtež br. 10
PRIMER KONSTRUKCIJE VOZILA SA POKRETNIM KROVNIM
CIRADAMA



Цртеж бр. 10 наставак

Цртеж бр.10.2

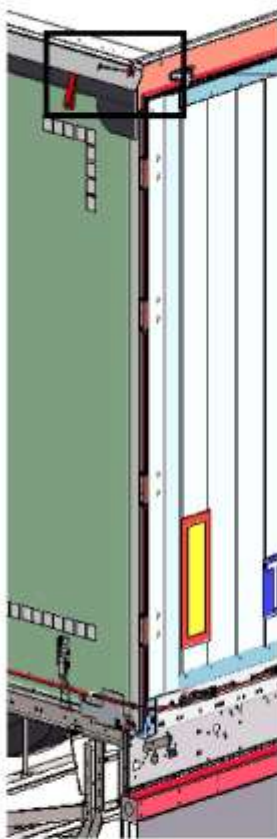
Покретна кровна цирада прекрива чврсти део крова на предњој страни товарног простора, те на тај начин спречава подизање кровне цираде преко ивице горње вођице.



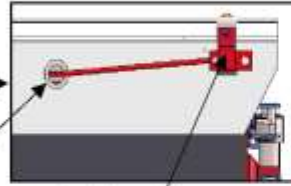
Цртеж бр. 10 наставкак

Цртеж бр. 10.3

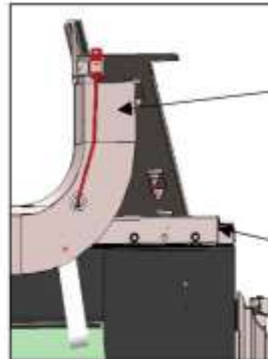
На задњој страни крова уграђује се посебан уређај, попут преградне плоче, којим се након затварања и осигуравања врата, спречава приступ товарном простору без остављања видљивих трагова.



Пренапегнута
челична сајла
убачена у поруб
цираде

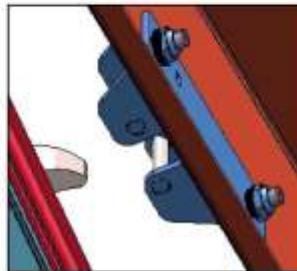


Тачка причвршћивања
пренапегнуте челичне сајле
потпуно је затворена, а
метални поклопац је фиксиран
заваривањем или закивањем
(пуним закивком)



Уређај за затезање на
механизму полуге. Преклапањем
дела крова са уређајем за
затезање затеже се
пренапегнута челична сајла

Клизни кровни носач
цираде (затворен) са
системом закључавања
(изнутра)



Након затварања и
осигуравања врата
системи су царински
обезбеђени

Prilog 7, Deo I, član 5, stav 2, tačka (i)

Menja se i glasi:

„(i) Pokretne cirade, pod, vrata i svi ostali sastavni delovi kontejnera, moraju da budu spojeni pomoću mehanizama na takav način da se ne mogu ukloniti i zameniti spolja bez ostavljanja vidljivih tragova, ili na takav način da nastala konstrukcija ne može biti izmenjena bez ostavljanja vidljivih tragova.”

Prilog 7, Deo I, član 5, stav 2, tačka (iii)

Menja se i glasi:

„(iii) Vođica pokretne cirade, mehanizmi za zatezanje pokretne cirade i ostali pokretni delovi, moraju da budu spojeni na takav način, da se vrata, koja su zatvorena i na koja je stavljeno carinsko obeležje, i ostali pokretni delovi, ne mogu otvoriti ili zatvoriti sa spoljne strane bez ostavljanja vidljivih tragova. Vođica pokretne cirade, mehanizmi za zatezanje pokretne cirade i ostali pokretni delovi moraju da budu spojeni na takav način da nije moguće pristupiti odeljku za robu bez ostavljanja vidljivih tragova. Opis ovog sistema konstrukcije dat je u crtežu br.9 priloženom ovim propisima.”

Prilog 7, Deo I

Posle izmenjenog člana 5. dodaje se novi član 6, koji glasi:

„Član 6.

KONTEJNERI SA KROVNIM POKRETNIM CIRADAMA

1. Gde god je to primenjivo, odredbe članova 1, 2, 3. i 4. ovih propisa će se odnositi na kontejnere sa krovnim pokretnim ciradama. Osim toga, ovi kontejneri će se pridržavati odredbi ovog člana.

2. Krovne pokretne cirade moraju ispunjavati zahteve navedne u tačkama (i) do (iii) u nastavku.

(i) Krovne pokretne cirade moraju biti spojene pomoću uređaja na takav način da se ne mogu ukloniti i zameniti spolja bez ostavljanja vidljivih tragova, ili na takav način da nastala konstrukcija ne može biti izmenjena bez ostavljanja vidljivih tragova.

(ii) Krovne pokretne cirade preklapaju se sa čvrstim delom krova na prednjoj strani kontejnera tako da krovnu ciradu nije moguće prevući preko ivice gornje vođice. Sa obe strane kontejnera celom dužinom u porub krovne cirade umeće se prenapregnuta čelična sajla na takav način da je nije moguće ukloniti i ponovo umetnuti bez ostavljanja vidljivih tragova. Krovna cirada mora biti pričvršćena na klizne nosače na takav način da je nije moguće ukloniti i ponovo učvrstiti bez ostavljanja vidljivih tragova.

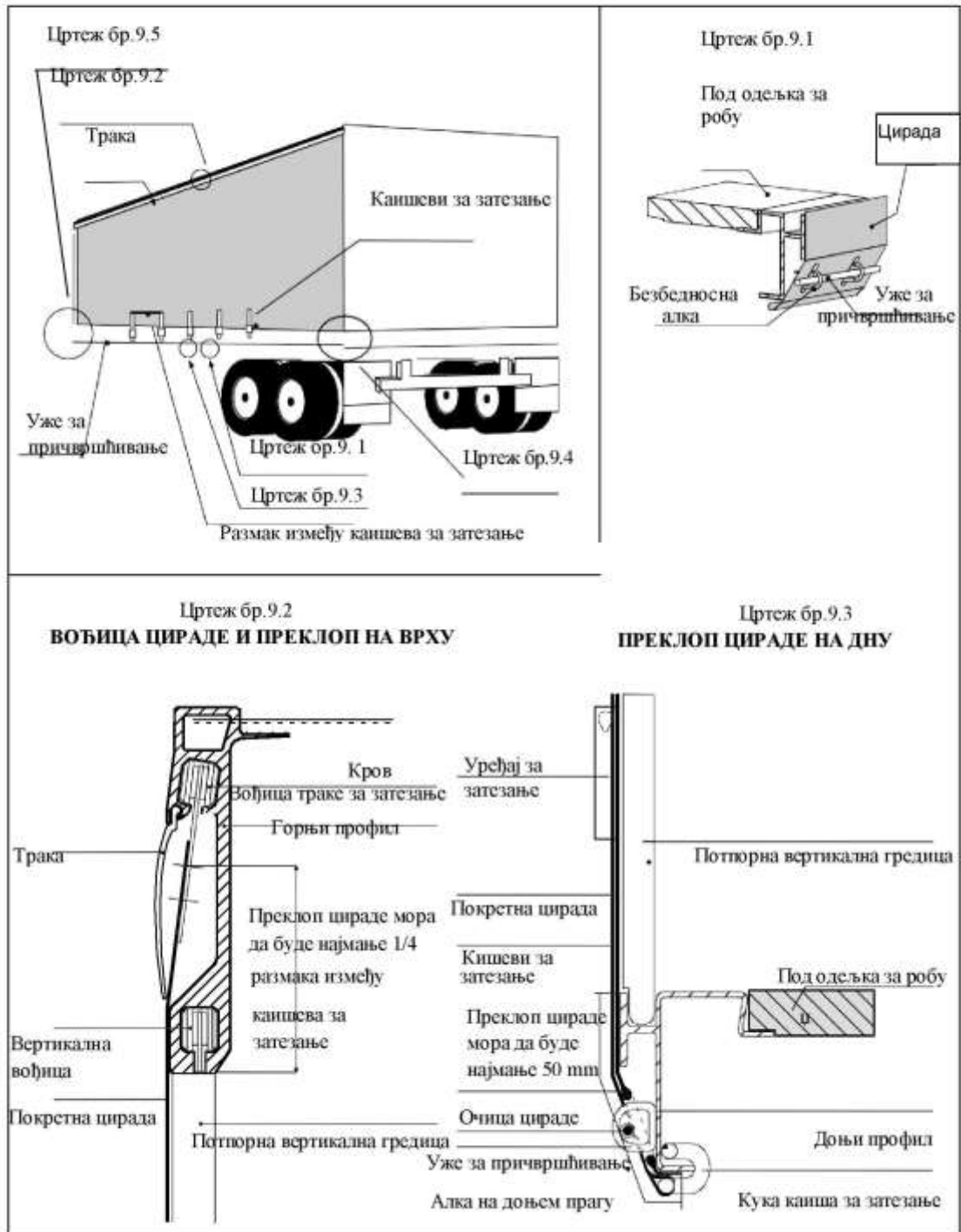
(iii) Vođica za krovne pokretne cirade, uređaji za zatezanje krovne pokretne cirade i ostali pokretni delovi, moraju da budu spojeni na takav način, da kada su zatvoreni i na njih stavljeno carinsko obeležje, ne mogu se otvoriti ili zatvoriti sa spoljne strane bez ostavljanja vidljivih tragova. Vođica za krovne pokretne cirade, mehanizmi za zatezanje pokretne krovne cirade i ostali pokretni delovi moraju da budu spojeni na takav način da je posle stavljanja mehanizma za zatvaranje nemoguće pristupiti odeljku za robu bez ostavljanja vidljivih tragova.

Primer mogućeg sistema konstrukcije prikazan je u crtežu br.10 priloženog ovim propisima.”

Prilog 7, Deo I, crtež br. 9
Postojeći crtež br. 9 zamenjuje se

Цртеж бр. 9

ПРИМЕР КОНСТРУКЦИЈЕ КОНТЕЈНЕРА СА ПОКРЕТНИМ ЦИРАДАМА

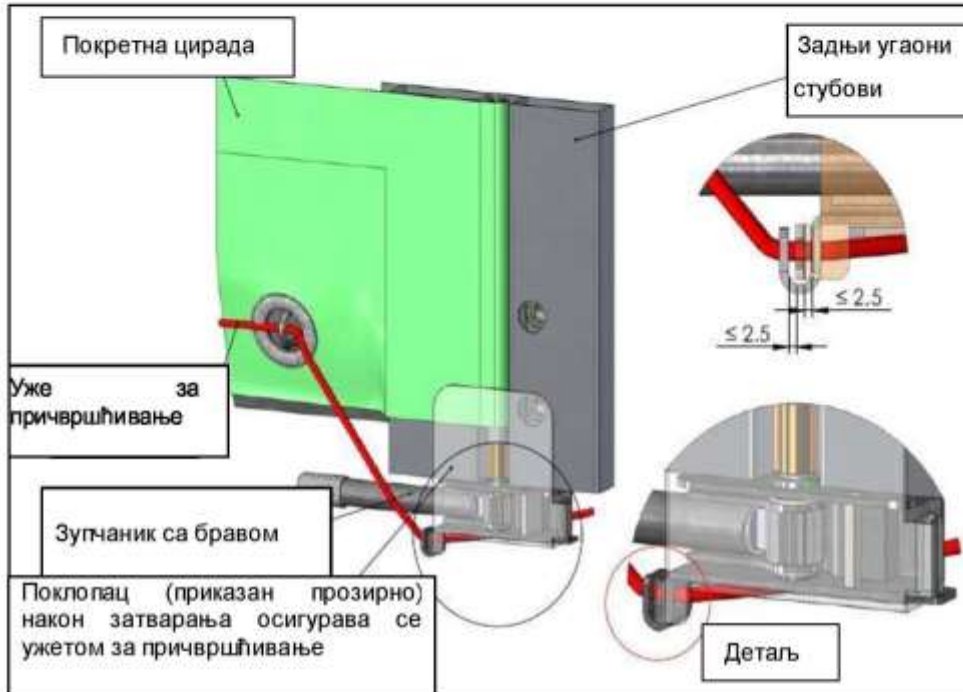


Цртеж бр. 9 наставак

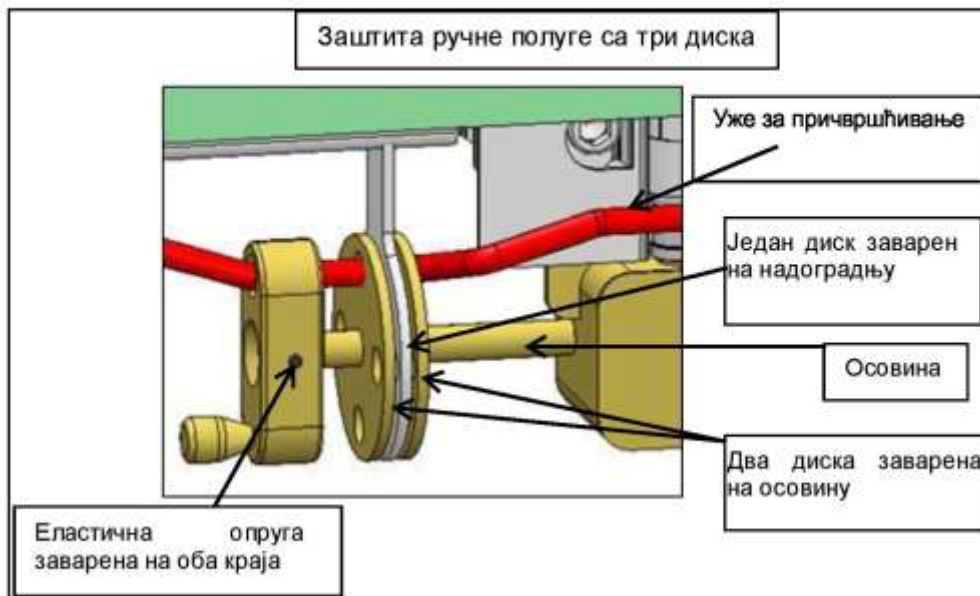
Цртеж бр. 9.4

У водоравном смеру покретне цираде се затежу зупчаником са бравом (обично на задњем делу контејнера). На цртежу су приказана два примера, (а) и (б), како се могу осигурати зупчаник са бравом или механизам зупчаника.

(а) Осигуравање зупчаника са бравом



(б) Осигуравање механизма зупчаника

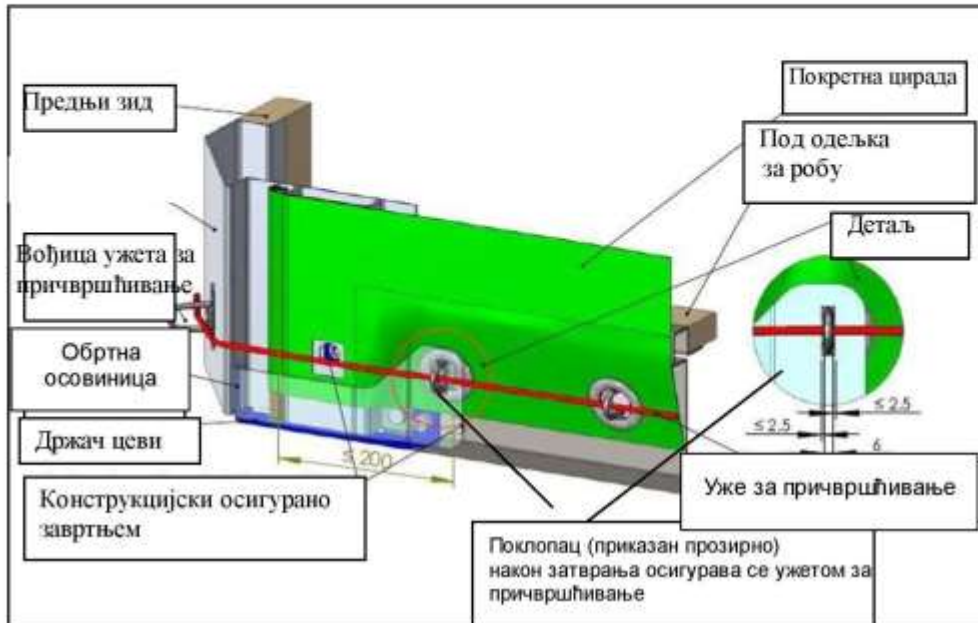


Crtež br. 9 nastavak

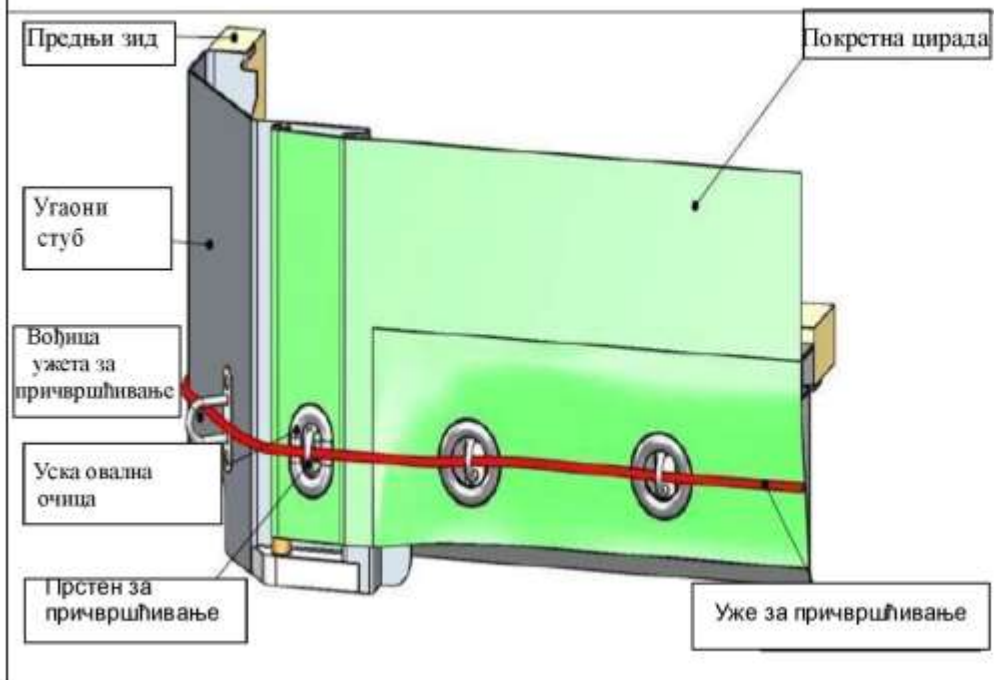
Crtež br. 9.5

За учвршћивање покретне циrade на другу страну (обично на предњој страни возила), могу се употребити следећа два система, (а) или (б).

а) Поклопац



б) Уска овална очица, систем против подизања за механизам за затезање



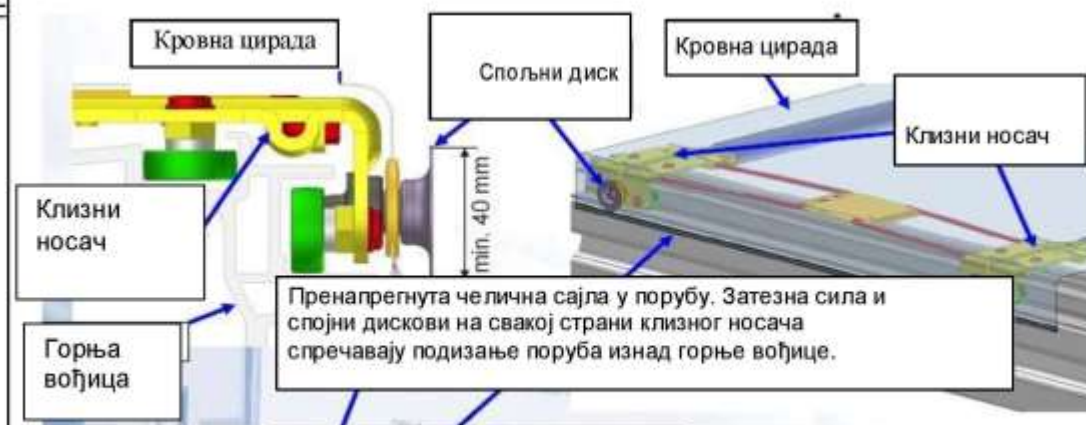
Prilog 7, Deo I, novi crtež br. 10
Posle crteža br. 9 dodaje se

Цртеж бр. 10
ПРИМЕР КОНСТРУКЦИЈЕ КОНТЕЈНЕРА СА ПОКРЕТНИМ КРОВНИМ
ЦИРАДАМА



Цртеж бр. 10.1

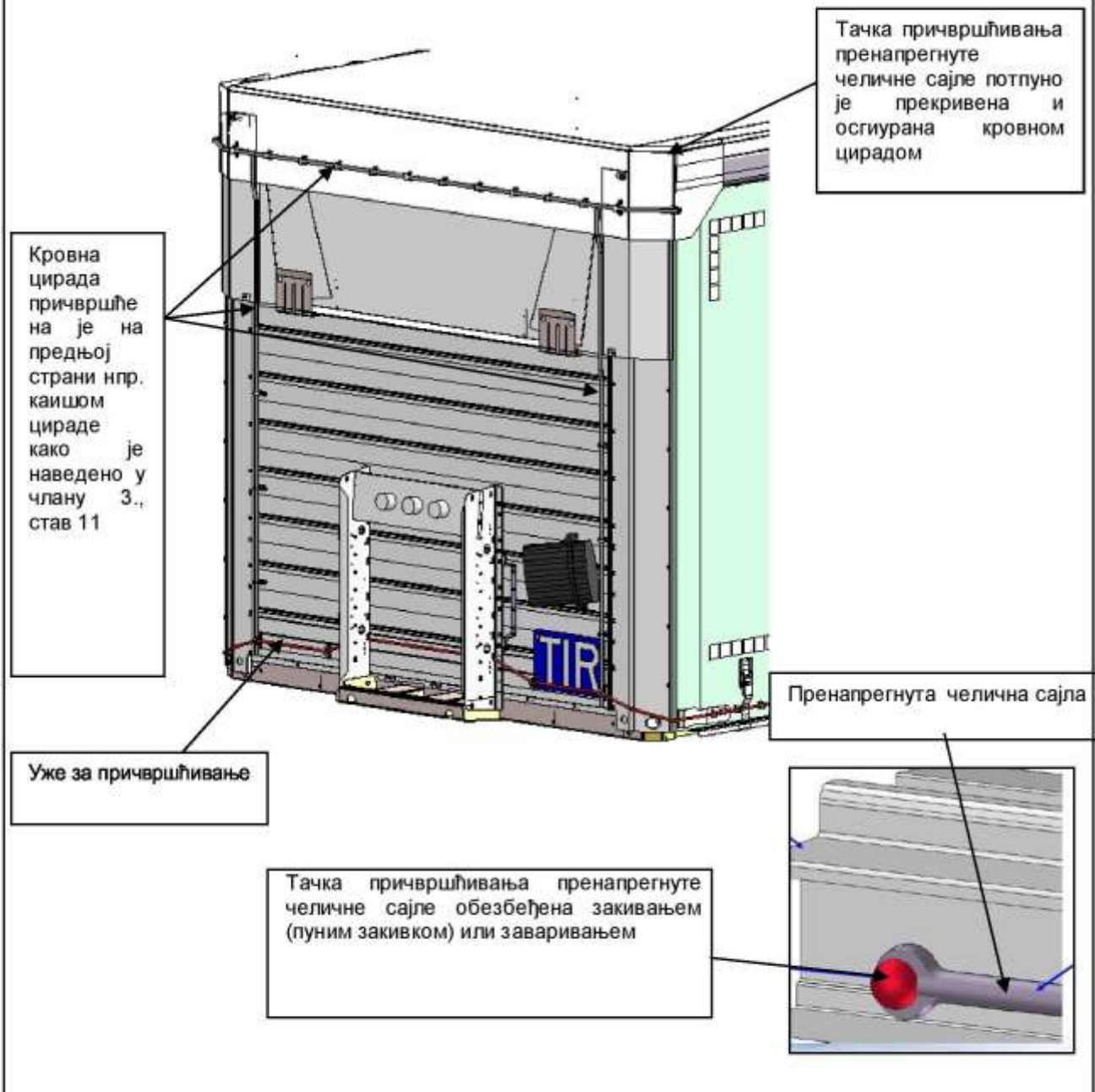
Две пренапрегнуте челичне сајле, уграђене у поруб, причвршћене су са обе стране контејнера. Свака од њих је причвршћена на предњој страни (види цртеж 10.2) и на задњој страни каросерије (види цртеж 10.3). Затезна сила и спојни дискови на клизним носачима, спречавају подизање поруба с пренапрегнутом челичном сајлом изнад горње вођице.



Цртеж бр. 10 наставак

Цртеж бр.10.2

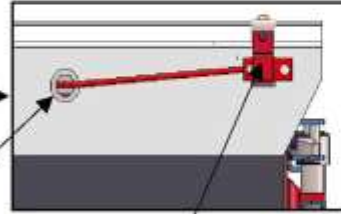
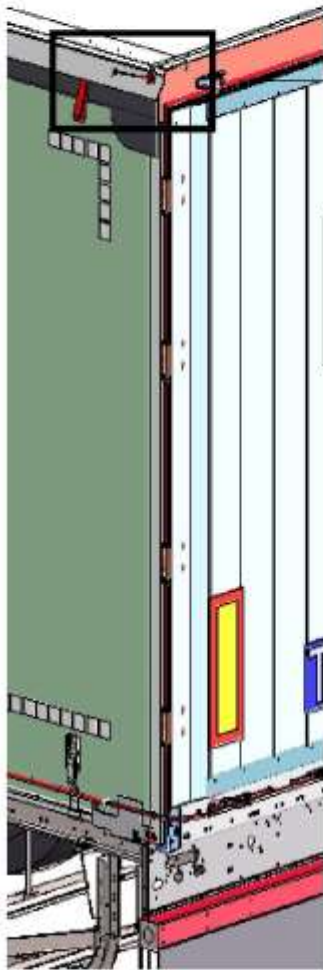
Покретна кровна цирада прекрива чврсти део крова на предњој страни контејнера, те на тај начин спречава подизање кровне цираде преко ивице горње вођице.



Цртеж бр. 10 наставак

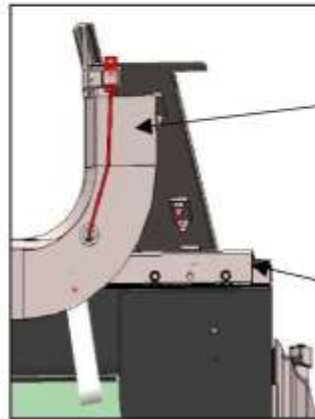
Цртеж бр.10.3

На задњој страни крова уграђује се посебан уређај, полут преградне плоче, којим се након затварања и осигуравања врата, спречава приступ товарном простору без остављања видљивих трагова.



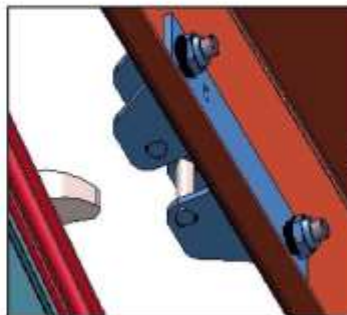
Пренапегнута челична сајла убачена у поруб цираде

Тачка причвршћивања пренапегнуте челичне сајле потпуно је затворена, а метални поклопац је фиксиран заваривањем или закивањем (пуним закивком)



Уређај за затезање на механизму полуге. Преклапањем дела крова са уређајем за затезање затеже се пренапегнута челична сајла

Клизни кровни носач цираде (затворен) са системом закључавања (изнутра)



Након затварања и осигуравања врата системи су царински обезбеђени

Izmene i dopune 34

(Izmene i dopune koje su usvojene u skladu sa članom 60. Konvencije i koja je stupila na snagu 1. jula 2018.)

PREDLOG IZMENA I DOPUNA KONVENCIJE TIR, 1975

usvojen od strane
Administrativnog komiteta za Konvenciju TIR
12. oktobra 2017.

Prilog 8 član 1a bis

Posle stava 3. dodaju se stavovi 4, 5. i 6. koji glase:

„4. Komitetu se podnosi i isti proverava godišnje konsilodovane finansijske izveštaje i revizorski izveštaj (e) koje je međunarodna organizacija podnela u skladu sa obavezama iz Priloga 9, Deo III. Kao deo provera i u okviru svojih ovlašćenja, Komitet može zatražiti dodatne informacije, pojašnjenja ili dokumenta obezbeđena od međunarodne organizacije ili međunarodno priznatog nezavisnog revizora.

5. Ne dovodeći u pitanje provere iz stava 4, Komitet će, na osnovu procene rizika, zatražiti da se izvrše dodatne provere. Komitet ovlašćuje Izvršni odbor TIR-a ili nadležne službe Ujedinjenih nacija da sprovedu procenu rizika.

Obim dodatnih provera utvrđuje Komitet, uzimajući u obzir procenu rizika Izvršnog odbora TIR-a ili nadležnih službi Ujedinjenih nacija.

Rezultate svih provera navedenih u ovom članu, čuva Izvršni odbor TIR-a i biće dostupan svim ugovornim stranama na razmatranje.

6. Proceduru sprovođenja dodatnih provera odobrava Komitet.”

Prilog 9 deo I

U podnaslovu ispred reči „uslova i zahteva” dodaje se reč „Minimum”

Prilog 9 deo I stav 1.

Ispred reči „uslova i zahteva”, dodaje se reč „Minimum”

Prilog 9 deo I stav 7

Reči „strane ugovornice” zamenjuju se rečima „svaka strana ugovornica”.

Prilog 9 deo II Postupak, Uzorak obrasca odobrenja stav 1.

Reči „odobreno udruženje” zamenjuju se rečima „ovlašćeno udruženje”.

Prilog 9 deo III stav 2.

Posle tačke (n), dodaju se nove tačke (o), (p) i (q) koje glase:

„(o) voditi odvojene izveštaje i račune, koji sadrže informacije i dokumentaciju koja se odnosi na organizaciju i funkcionisanje međunarodnog sistem garancija i štampanje i distribuciju karneta TIR;

(p) obezbediti potpunu i blagovremenu saradnju, uključujući neograničen pristup napred navedenim izveštajima i računima nadležnim službama Ujedinjenih

nacija ili bilo kom drugom ovlašćenom telu i, u svakom trenutku, olakšati dodatne provere i naknadne kontrole koje obavljaju u ime ugovornih strana, u skladu sa Prilogom 8, član 1 bis, stavovi 5. i 6;

(q) angažovati međunarodno priznatog nezavisnog revizora za vršenje godišnjih revizija izveštaja i računa navedenih u stavu (o). Međunarodno priznati nezavisni revizor vrši kontrole u skladu sa Međunarodnim revizorskim standardima (ISA) i rezultat kontrole navodi u godišnjim revizorskim izveštaju i pismu upravi koji se dostavlja Komitetu.”

Izmene i dopuna 35

(Izmene i dopuna koje su usvojene u skladu sa članom 60 Konvencije i koje su stupile na snagu 3. februara 2019. god.)

PREDLOG IZMENA I DOPUNE KONVENCIJE TIR, 1975

usvojen od strane

Administrativnog komiteta za Konvenciju TIR

12. oktobra 2017. godine

Član 1. stav (q)

Posle izraza „carinski organi”, dodaje se izraz „ili drugi nadležni organi”

Član 3. stav (b)

Zamenjuje se reč „odobreni”, se sa rečju: „ovlašćeni”.

U članu 6. stavu 2.

Zamenjuje se reč „odobreno” sa rečju: „ovlašćeno”.

Član 11. stavu 3.

Zamenjuju se reči „tri meseca” sa rečima: „jedan mesec”.

Član 38. stav 1.

Menja se i glasi:

„Svaka strana ugovornica ima pravo da privremeno ili trajno liši prava korišćenja odredbi ove konvencije svako lice koje je okrivljeno za tešku ili ponovljenu povredu carinskih propisa ili propisa koji se primenjuju prilikom međunarodnog prevoza robe. Uslove za tešku povredu carinskih propisa propisuje svaka strana ugovornica.”

Član 3.

O prihvatanju izmena i dopuna tehničkih propisa koji su sastavni deo Carinske konvencije o međunarodnom prevozu robe na osnovu isprava za MDP (Karneta TIR) (Konvencija TIR, 1975) i njihovoj primeni u Republici Srbiji odlučuje Vlada.

O objavljivanju tehničkih propisa iz stava 1. ovog člana stara se ministarstvo nadležno za poslove finansija.

Član 4.

Ovaj zakon stupa na snagu osmog dana od dana objavljivanja u „Službenom glasniku Republike Srbije – Međunarodni ugovori”.

OBRAZLOŽENJE

I. USTAVNI OSNOV ZA DONOŠENJE ZAKONA

Ustavni osnov za donošenje Zakona o potvrđivanju izmena i dopuna 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34. i 35. Carinske konvencije o međunarodnom prevozu robe na osnovu isprave MDP (Karnet TIR) (Konvencija TIR, 1975), usvojene 14. novembra 1975. godine u Ženevi sadržan je u članu 99. stav 1. tačka 4. Ustava Republike Srbije, prema kojem Narodna skupština potvrđuje međunarodne ugovore kad je zakonom predviđena obaveza njihovog potvrđivanja.

II. RAZLOZI ZBOG KOJIH SE PREDLAŽE PRIHVATANJE IZMENA I DOPUNA 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34. I 35. CARINSKE KONVENCIJE O MEĐUNARODNOM PREVOZU ROBE NA OSNOVU ISPRAVE MDP (KARNET TIR) (KONVENCIJA TIR, 1975)

Na sednici održanoj 22. aprila 2021. godine Vlada je donela Zaključak o utvrđivanju Osnove za prihvatanje izmena i dopuna 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34. i 35. Carinske konvencije o međunarodnom prevozu robe na osnovu isprave MDP (Karnet TIR) (Konvencija TIR, 1975) (Zaključak 05 Broj: 337-3626/2021).

Predlog zakona o potvrđivanju izmena i dopuna 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34. i 35. Carinske konvencije o međunarodnom prevozu robe na osnovu isprave MDP (karnet TIR) (Konvencija TIR, 1975) pripremljen je imajući u vidu da shodno članu 14. stav 1. Zakona o zaključivanju i izvršavanju međunarodnih ugovora („Službeni glasnik RS“, broj 32/13) Narodna skupština potvrđuje međunarodne ugovore vojne, političke i ekonomske prirode, ugovore kojima se stvaraju finansijske obaveze za Republiku Srbiju, ugovore koji zahtevaju donošenje novih ili izmenu važećih zakona i ugovore kojima se odstupa od postojećih zakonskih rešenja.

Izmene i dopune 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34. i 35. Carinske konvencije o međunarodnom prevozu robe na osnovu isprave MDP (Karnet TIR) (Konvencija TIR, 1975) stupile su na snagu i primenjuju se u 77 članica Konvencije TIR s obzirom da na tekst izmena i dopuna 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34. i 35. Carinske konvencije o međunarodnom prevozu robe na osnovu isprave MDP (Karnet TIR) (Konvencija TIR, 1975) nijedna članica Konvencije nije stavila rezervu na tekst tih izmena i dopuna.

Ove izmene i dopune su tehničke prirode. Naime radi praćenja brzog napretka tehnologije neophodno je stalno ažurirati, odnosno prilagođavati konvenciju savremenim zahtevima i privatnog i javnog sektora.

III. STVARANJE FINANSIJSKIH OBAVEZA ZA REPUBLIKU SRBIJU IZVRŠAVANJEM IZMENA I DOPUNA 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34. I 35. CARINSKE KONVENCIJE O MEĐUNARODNOM PREVOZU ROBE NA OSNOVU ISPRAVE MDP (KARNET TIR) (KONVENCIJA TIR, 1975)

Izvršavanjem izmena i dopuna 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34. i 35. Carinske konvencije o međunarodnom prevozu robe na osnovu isprave MDP (Karnet TIR) (Konvencija TIR, 1975) ne stvaraju se finansijske obaveze za Republiku Srbiju.

IV. PROCENA FINANSIJSKIH SREDSTAVA POTREBNIH ZA IZVRŠAVANJE IZMENA I DOPUNA 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34. I 35. CARINSKE KONVENCIJE O MEĐUNARODNOM PREVOZU ROBE NA OSNOVU ISPRAVE MDP (KARNET TIR) (KONVENCIJA TIR, 1975)

Za izvršavanje izmena i dopuna 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34. i 35. Carinske konvencije o međunarodnom prevozu robe na osnovu isprave MDP (Karnet TIR) (Konvencija TIR, 1975) nisu potrebna finansijska sredstva iz budžeta Republike Srbije.