



#### T.C.





#### TİCARET BAKANLIĞI

#### Uluslararası Anlaşmalar ve Avrupa Birliği Genel Müdürlüğü

Sayı : E-16934678-724.01.02-00095748843 Konu : İthalat Kontrol Sistemi 2 (ICS2) Sürüm 3

Webinarı

#### DAĞITIM YERLERİNE

İlgi : a) 21.09.2022 tarihli ve 78389364 sayılı yazımız.

- b) 10.10.2022 tarihli ve 78949415 sayılı yazımız.
- c) 03.11.2023 tarihli ve 90632213 sayılı yazımız.
- c) 16.01.2024 tarihli ve 92808617 sayılı yazımız.
- d) 19.02.2024 tarihli ve 94119930 sayılı yazımız.
- e) 22.03.2024 tarihli ve 95267483 sayılı yazımız.
- f) YASED'e iletilen 29.03.2024 tarihli ve 95515098 sayılı yazımız.

İlgide kayıtlı yazılarda, Avrupa Birliği'nin (AB) İthalat Kontrol Sistemi-2 (Import Control System-ICS2) isimli elektronik gümrük sisteminin 3 Haziran 2024 tarihi itibarıyla operasyonel sürecinin başlaması planlanan üçüncü sürümüne ilişkin bilgi verilmekte ve anılan sürüme ilişkin Avrupa Komisyonu tarafından Türk ticaret erbaplarına yönelik 4 Nisan 2024 tarihinde bir bilgilendirme webinarının gerçekleştirileceği belirtilmektedir.

Bu kapsamda, bahse konu webinarda Avrupa Komisyonu tarafından yapılan sunumun bir nüshası internet sitenizde ve sosyal medya mecralarında (instagram dahil) yayımlanmamak kaydıyla, söz konusu sürümden etkilenmesi muhtemel tüm faydalanıcılar ile paylaşılmasını teminen ekte iletilmektedir.

Bilgileri ile gereğini arz/rica ederim.

Hüsnü DİLEMRE Bakan a. Genel Müdür

Ek: ICS2 Sürüm 3 Sunumu.

Bu belge güvenli elektronik imza ile imzalanmıştır.

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Dağıtım:

#### Gereği:

- Vapur Donatanları ve Acenteleri Derneği

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- Mersin Vapur Donatanları ve Acenteleri Derneği

https://www.mersinvda.org.tr/iletisim/#footerm

- Uluslararası Taşımacılık Lojistik Hizmet Üretenleri Derneğine (UTİKAD)

Gayrettepe Mahallesi, Barbaros Bulvarı Dr. Orhan Birman İş Merkezi No:149/6 Beşiktaş 34349 İstanbul

- İstanbul ve Marmara, Ege, Akdeniz, Karadeniz Bölgeleri (İMEAK) Deniz Ticaret Odası **KEP**
- Uluslararası Nakliyeciler Derneği (UND)

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- Uluslararası Yatırımcılar Derneği (YASED)

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- Mersin Deniz Ticaret Odası

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#### Bilgi:

- İhracat Genel Müdürlüğüne
- Uluslararası Kara Yolu ile Yük Taşımacıları ve Acenteleri Derneğine (UKAT)

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Türkiye Dış Ticaret Derneğine (TÜRKTRADE)

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Dış Ekonomik İlişkiler Kurulu (DEİK)

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- Türkiye Odalar ve Borsalar Birliği (TOBB) Başkanlığı

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Kargo, Kurye, Lojistik İşletmecileri Derneğine (KARİD)

Fulya Mahallesi, Garaj Sk. Cennet Han, D:7/6, 34394 Şişli/İstanbul

Türk Hava Yolları A.O. (THY)

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## ICS2 requirements for maritime sector



ICS2 webinar for Turkish authorities and economic operators

2024-04-04

#### ICS2 purpose

- ICS2 is the EU's new advance cargo information system supporting the implementation of the new customs safety and security pre-arrival programme and regulatory regime.
- It performs risk analysis to protect public security, health and safety based on ENS data about all goods entering or transiting the EU prior to their arrival.
- Allows to address risks at the most appropriate time and place in the global supply chain



ICS2 is **not used** to process customs **import declarations** for release into free circulation! These declarations are lodged to national import systems.



## Economic operators affected by ICS2



POSTAL OPERATORS INSIDE AND OUTSIDE THE EU



EXPRESS CARRIERS



AIR CARGO CARRIERS



SEA, RAIL AND ROAD TRANSPORT





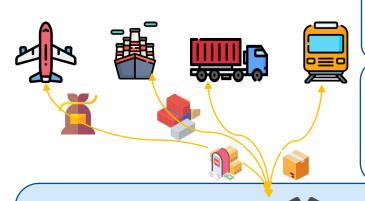
FINAL CONSIGNEE ESTABLISHED IN THE EU



REPRESENTATIVES OF ALL AFFECTED EOs



#### ICS2 – how does it work?



Carriers, freight forwarders, postal operators, express carriers and couriers, ultimate consignees..

#### send ENS data on:

- Transport means
- Individual consignment (who sends what to whom)

ICS2
Shared Trader
Interface



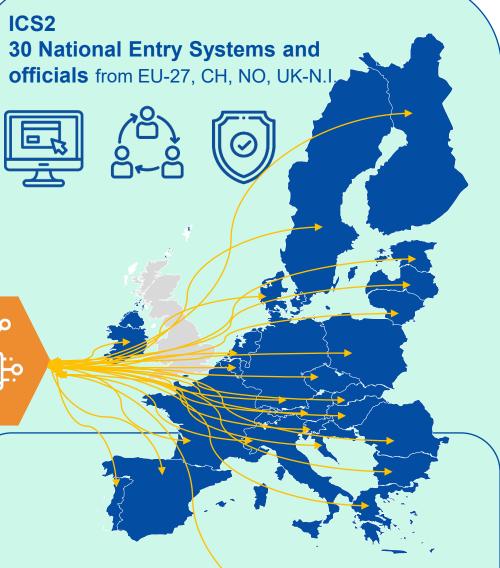
ICS2
Common Repository



Single access point for trade Validates, reject, accept ENS filings and other messages

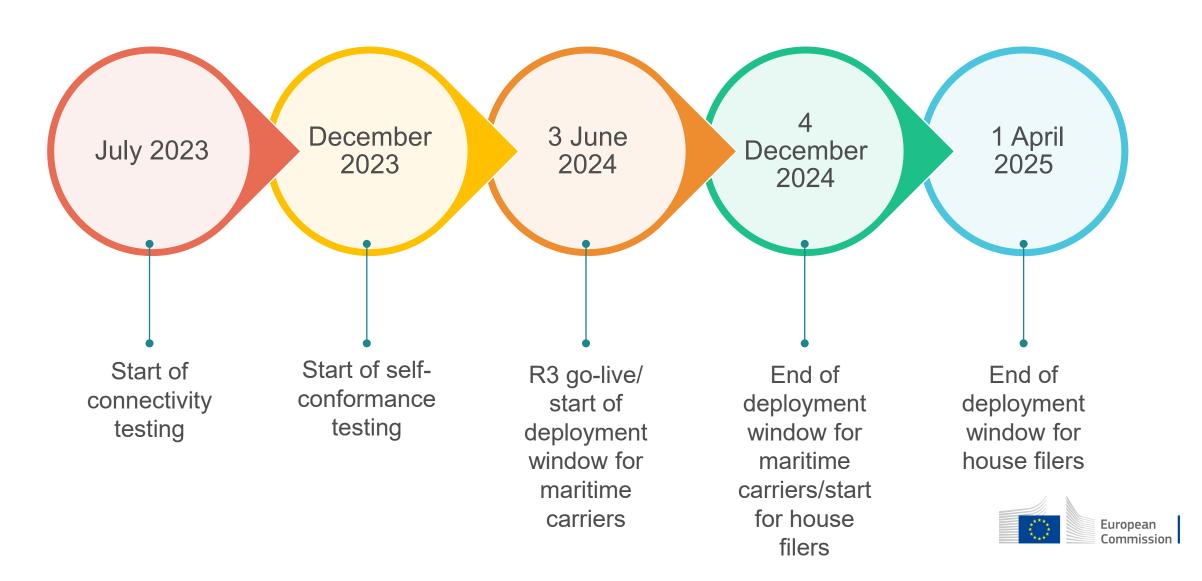
#### **Central component**

Validates, orchestrates realtime collaboration among MS, provides state-of-art analytics for MS and COM use



Perform and co-ordinate risk analysis, allocate controls, process presentation, perform and record controls

## Key dates

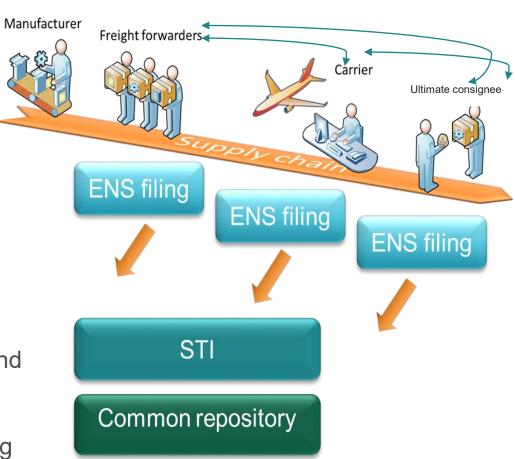


## Responsible parties



#### ICS2 stakeholders

- ENS is mandatory for all goods delivered into or transiting the EU
- Carrier is the main responsible party to lodge an ENS for the goods that will enter the customs territory of the EU.
- To comply with the requirement to lodge an ENS, the carrier will act as a declarant, if he/she lodges the ENS particulars himself, or will appoint a representative to act on his behalf.
- If ENS particulars are not provided to the carrier and the ENS is lodged by multiple filing, the other person, other than carrier, that has the legal obligation to file, will be indicated in the carrier filing as a supplementary declarant (house filer).





#### Roles and responsibilities

# Carrier Freight forwarder Ultimate consignee Responsible to file an ENS Responsible to file an ENS Responsible to lodge an arrival notification Responsible to lodge a partial ENS if does not provide the house level filer Responsible to lodge a partial ENS if does not provide data to the carrier Responsible to lodge a partial ENS if does not provide data to the house level filer



#### Responsibilities of the parties

- Each party is responsible to act as a declarant and file their one partial ENS filing if they have arranged among themselves not to share the data but to file ENS via multiple filings. Carrier will be notified, if the house level filer failed to comply with the requirement to file. Same will apply to any sub-house level filer/co-loading party.
- Each house level filer that is indicated by the carrier as party having an obligation to file a partial ENS will be reminded, if they failed to do so on time.
- Each declarant is responsible for the completeness and accuracy of the data filed.
- Each declarant can appoint a representative.
- ITSP is acting as a sender but is neither a declarant nor a representative.



## Entry process

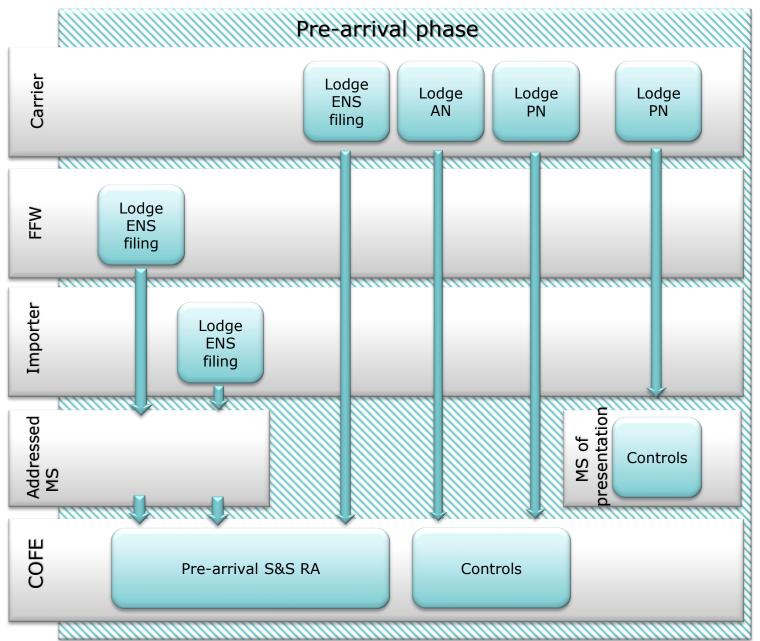


#### Steps of the entry process

- Pre-arrival risk analysis (including risk mitigating referrals):
  - assesses safety and security threats, which reflect a wider range of risks. Safety and security risks are threats that can have serious implications for the security, health and wellbeing of people and/or the environment. They can be linked to both, misdeclarations or illicit activities (some examples may be: negligence, criminal organisations, terrorism, etc.)
- Once the goods are brought into the EU, the carrier has an obligation to lodge an Arrival notification (AN) to the Customs office of first entry (COFE).
- Once the goods are unloaded, they have to be presented to customs by lodging a
  Presentation notification (PN) to the presentation system of the MS customs for control
  purpose and release for subsequent customs procedure (temporary storage, release for free
  circulation)



## ICS2 process overview for maritime





## Filing an ENS

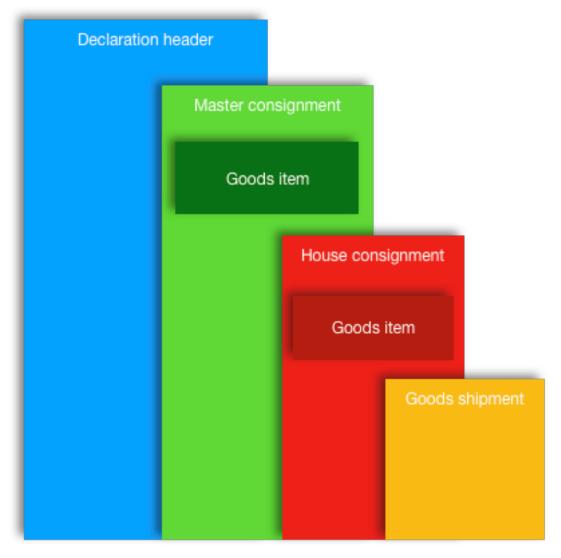


#### Filing an ENS

- ENS can be filed in a single or multiple filings, one master level ENS filing (one master bill of lading) = one ENS
- Each ENS is composed of master level, house level and goods shipment level. There can be several house level ENS filings linked to one master
- Master level contains information from master bill of lading
- House level contains information from underlying house bill(s) of lading
- Goods shipment contains buyer and seller information for each house consignment



#### Structure of an ENS





## Filing an ENS – single filing

- F10 full ENS for straight bill of lading cases only
  - Even though such bill of lading does not have the underlying house bill(s) of lading, all information about the goods is filed at a house level to maintain the same structure of an ENS
- F11 full ENS
  - Contains all information at master, house and goods shipment (where relevant) level



## Filing an ENS – multiple filings, straight bill

- F13 –for straight bill of lading cases, master and house consignment level data only
- F17 —shipment level data only for straight bill of lading cases
  - F17 needs to be lodged for all cargo except for FROB



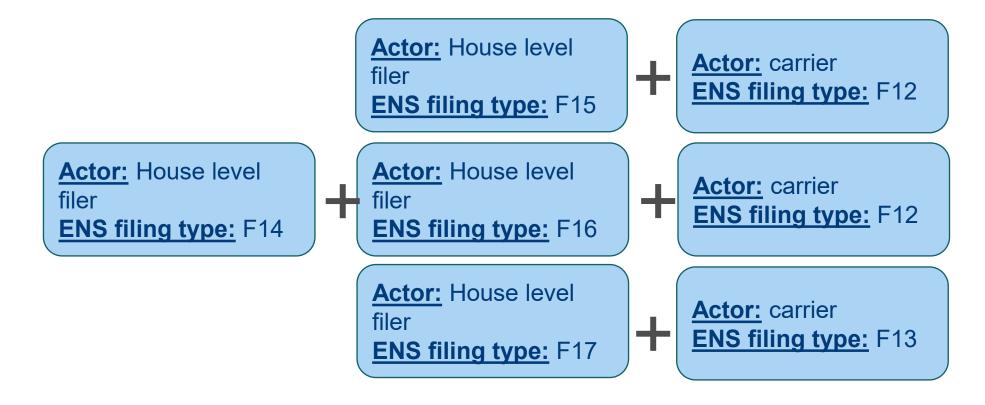
#### Filing an ENS – multiple filings

- F12 master level data only
- F14 house consignment level data only
- F16 goods shipment level data only

- F12 master level data only
- F15 house consignment and shipment level data

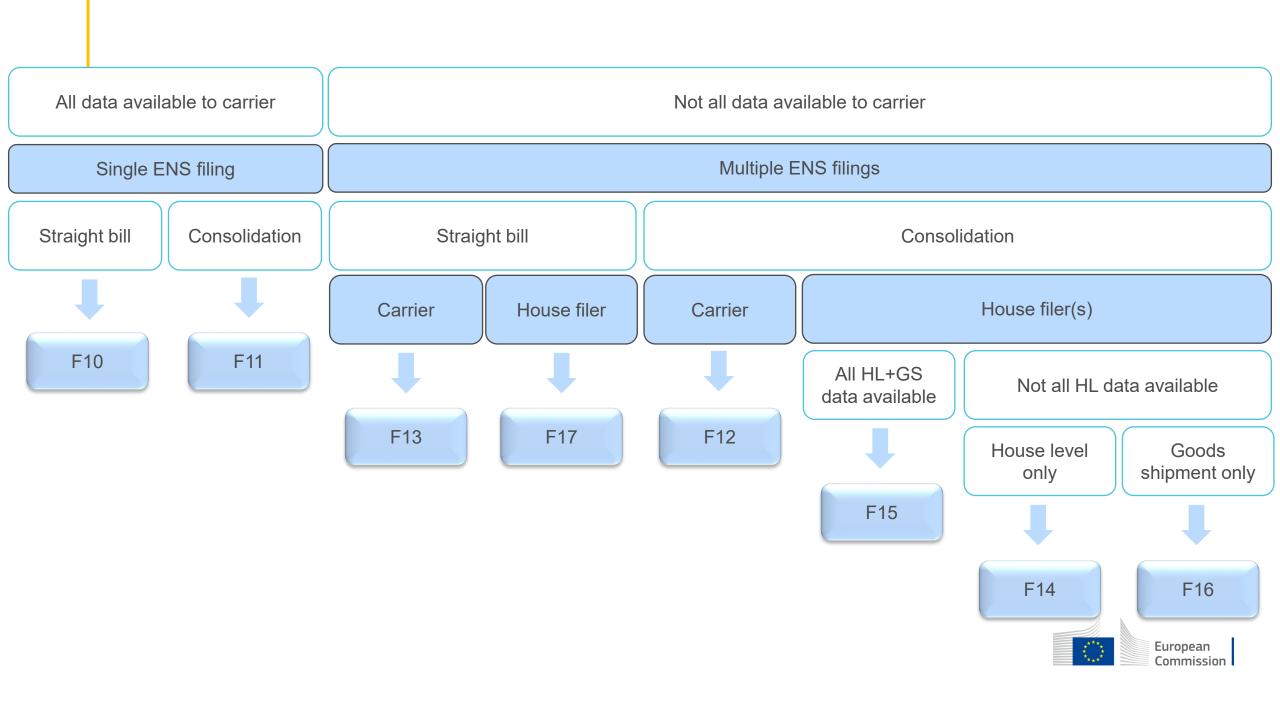


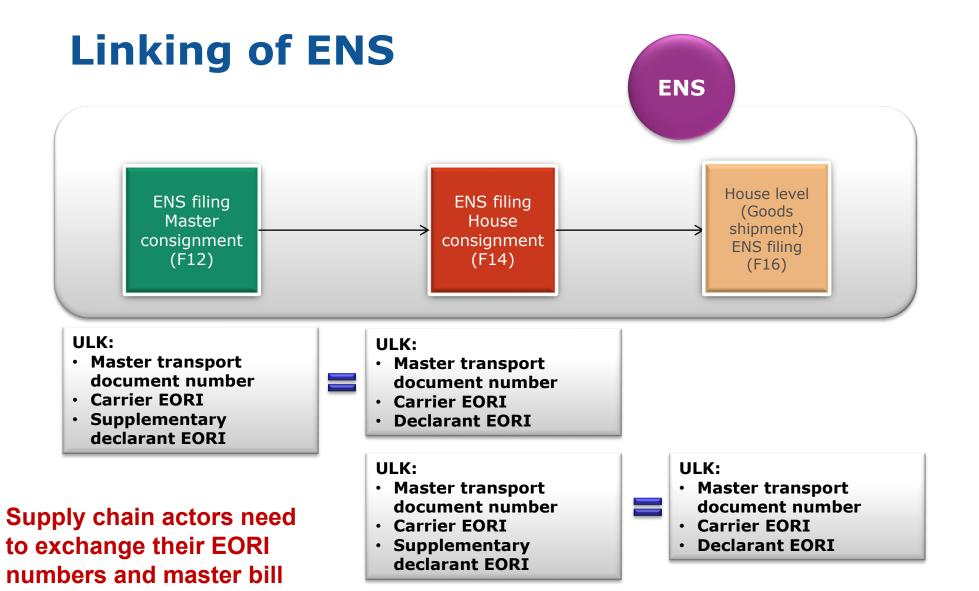
#### ENS filing type combinations



One master level ENS filing (one master bill of lading) = one ENS There can be several house level ENS filings linked to one master







of lading number



#### ENS filing requirements – postal model

- House level filing/Receptacles (F43+F44):
  - for postal consignments delivered into the EU the postal operator established in the EU is responsible to lodge
  - for postal consignments transhipped in the EU either the carrier or the postal operator at origin is responsible to lodge
- Master level ENS filing (F45):
  - Carrier responsibility
  - Contains transport related information, parties and list of receptacles
- ETOE consignments are moved as air cargo general, postal model rules do not apply

### ENS filing type combinations (postal)

Actor: postal operator ENS filing type: F43

Actor: postal operator ENS filing type: F44

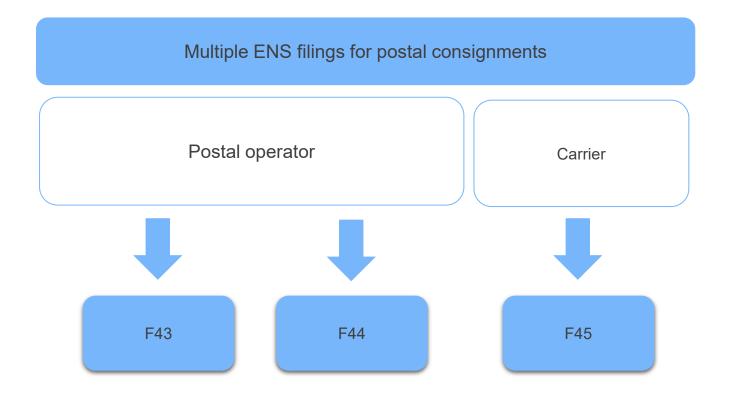
+

**Actor:** carrier

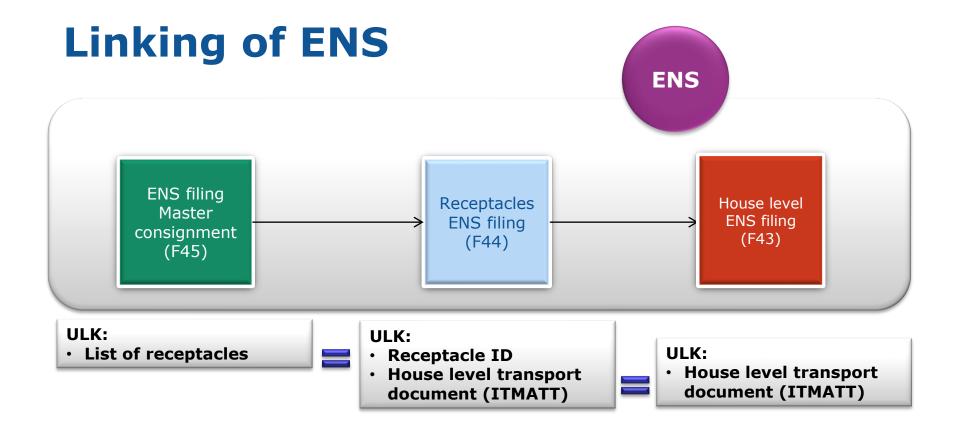
ENS filing type: F45



## ENS filing type combination (postal)









# Multimodal and combined transport



#### Multimodal transport

- The transport units without any self-propelling capacity are multimodal transport units – containers, swap bodies, semi-trailers, unaccompanied trailers, unaccompanied units, etc.
- The entry formalities to be completed are a responsibility of the operator of the active border transport means – maritime/inland waterways carrier.
  - For example, in case of a semi-trailer on a ferry, the ferry operator submits the ENS details.
- Maritime ENS filing to be lodged (single or multiple filing)
- Time limits of maritime mode of transport apply



#### Combined transport

- Combined transportation rules are applicable when passive border transport means are transported on an active border transport means during the border crossing, which, once unloaded from the active border transport means, immediately continue their journey due their self-propelling capabilities
  - For example, a truck on a vessel/ferry
- The entry formalities to be completed are a responsibility of the operator of the passive border transport means road/rail carrier.
- Road/rail ENS to be lodged (single filing only)
- Time limits of maritime apply



## Referrals



#### Risk analysis process

- Customs authorities can issue risk mitigating referrals during the risk assessment process
- Referrals:
  - Request for Information/amendment (RfI)
  - Do not load (DNL)

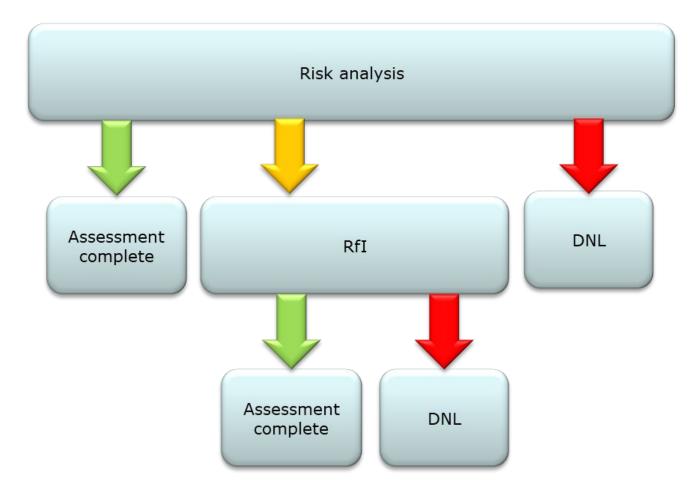


#### Referrals

- Referral is issued to a Declarant or the Representative that has filed the ENS filing:
- If the Carrier is different from the Declarant, he might be notified about the referrals, if:
  - He is known (Carrier data available in the ENS filing)
  - He is connected to the system
  - Requested to be informed (applies only to Rfl and RfS, DNL is always notified)
- The party to which the referral is issued is legally obliged to respond to it



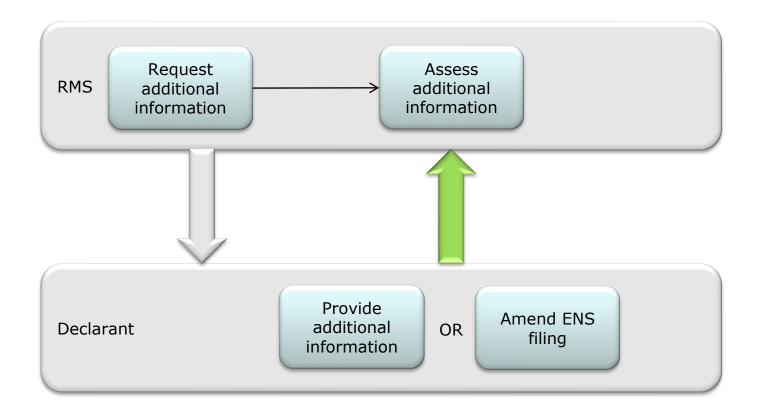
#### Referrals



- DNL can only be issued for containerised deep see cargo
- Within 24 hours after lodgement of the ENS (if lodged on time)



#### Request for information



#### RFI can be:

 Request to provide additional information

#### and/or

 Request to amend certain elements of an ENS



## Assessment complete

- Assessment complete message is sent to the Declarant or Representative if he requested to receive it
- Carrier may also receive the Assessment complete message, if:
  - He is known (Carrier data available in the ENS filing)
  - He is different from Declarant
  - He requested to receive this message
- AC is issued per house consignment in pre-loading and per ENS in prearrival

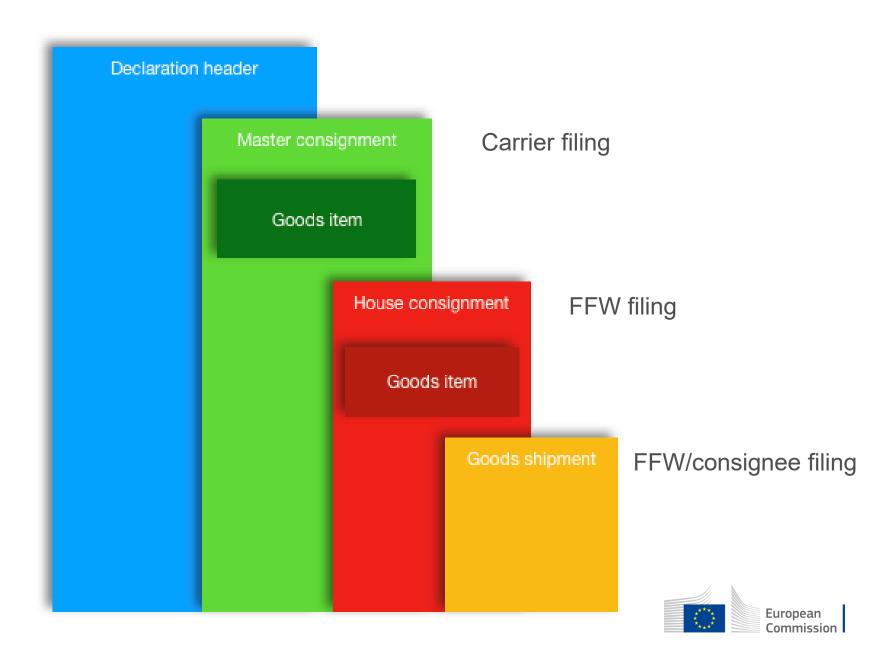


## Data requirements



### **ENS** levels

 ENS data is provided at both Master and House level as indicated in the transport documents (e.g. MBoL, BoL,) and sales contract (buyer/seller)



### **ENS** data

## Parties (legal and natural persons) – names & address (+ contact)

 Consignor (sender), consignee (receiver), carrier, notify party, seller, buyer, declarant, representative, other supply chain parties

#### **Locations and routing**

Place of acceptance (dispatch),
 place of loading, countries of routing, first customs office of entry, place of unloading, place of delivery

#### Goods

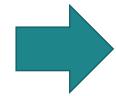
 Description, HS6 code, gross weight, UNDG, CUS code, number and type of packages, shipping marks

#### **Means of transport**

 Container (size, type, status), ID number, nationality and identity of active & passive means of transport, vessel IMO Nr, receptacle Nr

#### Other

 Estimated date and time of arrival, supporting documents.





## What's changing from ICS1: example Parties

- Name
- Identification number
  - EORI for carrier, declarant, representative, supplementary declarant, consignee in EU - mandatory
- Type of person
  - For consignor, consignee, notify party natural, legal person, group of people

- Address
  - Street name 1
  - Street name 2
  - Number
  - P.O. Box
  - City
  - Postcode
  - Sub-division
  - Country
- Communication
  - Type
  - Identifier



## What's changing from ICS1: example Goods

- Goods item number
- Supplementary documents
- Additional information
- Additional supply chain actor
- Commodity
  - Goods description
  - CUS code
  - Commodity code (HS6)
  - Dangerous goods
- Weight
- Packaging
- Transport equipment



## What's changing from ICS1: example Master level transport & location data

- Border transport means
  - Mode of transport
  - Identification number
  - Type of identification
  - Conveyance number
  - Estimated date and time of departure
  - Actual date and time of departure
  - Estimated date and time of arrival
  - Countries of routing of means of transport

- Place of acceptance
- Place of delivery
- Place of loading
- Place of unloading



## What's changing from ICS1: example House level location data

- Place of acceptance
- Place of delivery
- Countries of routing of the consignment



## Transition from R2 to R3

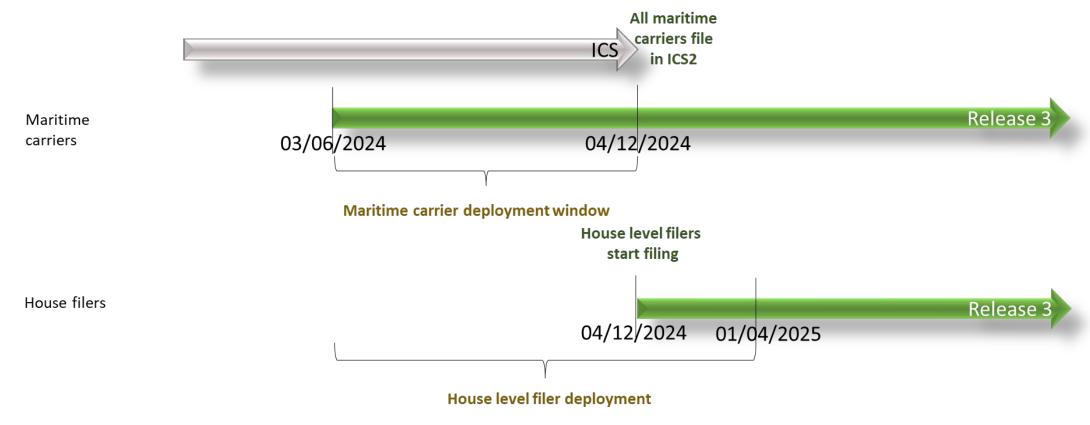


## Transition from R2 to R3 strategy

- Main principle of the transition orderly and synchronised connection of the EOs to the system based on their role. Carriers need to be connected first and to start filing before the house level filers.
- Transition to Release 3 is done during the deployment window, which is planned to last until 1
   September 2025 organised in 3 steps for different modes of transport/roles:
  - Maritime carriers 03/06/2024-04/12/2024
  - Maritime house level filers 04/12/2024-01/04/2025
  - Road/rail 01/04/2025- 01/09/2025
- Document can be found here <a href="https://circabc.europa.eu/ui/group/617eb8f3-5946-4fe5-a01f-42974a83b29c/library/46a5c2ba-401e-4013-bbb3-1cfc3f4b741b?p=1&n=10&sort=modified DESC">https://circabc.europa.eu/ui/group/617eb8f3-5946-4fe5-a01f-42974a83b29c/library/46a5c2ba-401e-4013-bbb3-1cfc3f4b741b?p=1&n=10&sort=modified DESC</a>



## Transition from R2 to R3 strategy (maritime)



<sup>\*</sup>House level filer = freight forwarder, consolidator, importer, etc.



## Granting of Deployment window

- Deployment window is granted to each EO by the MS where the EO is registered by customs authority (EORI).
- Deployment window issued by one MS is applicable across the EU (and CH, NO, XI)
- Each MS determines the procedure and ways to request for the DW
- Duration of the DW and planned go-live date of the EO is shared between the MS
- More information is provided in the ICS2 R3 Go-live procedure document



## Sources of information



## ICS2 – applicable legislation & links

- Regulation (EU) 952/2013 of the European Parliament and of the Council Union Customs Code
  - https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:02013R0952-20200101
- Commission Implementing Decision (EU) 2019/2151 UCC Work Programme
  - https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1583245779608&uri=CELEX:32019D2151
- Commission Delegated & Implementing Regulation 2015/2446 & 2015/2447 ENS data requirements:
  - https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ:L:2021:063:TOC
- Commission Implementing Regulation (EU) 2015/2447 EO obligations vis-à-vis EU customs authorities regarding customs risk mitigation referrals Rfl, DNL (Art 186):
  - https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ:L:2021:063:TOC



## ICS2 guidance documents

- The following guidance is available for the economic operators:
  - Guidance document on customs formalities on entry and import into the European union
  - Guidance on the acceptable and non-acceptable terms for the description of goods
  - ICS2 Release 2 Operational guidance for postal consignments
  - ICS2 Address Processing Guidance



## Preparation for ICS2 R3



## Key steps

CFSS/CTSS
Specification

EO Construction

Conformance

PROD



## **EORI** requirements

- EORI becomes mandatory for several parties in the ENS:
  - Declarant
  - Representative
  - Carrier both in the master level and house level ENS filings, even if carrier is not filing the ENS himself
  - Consignee in the EU if EORI is issued to the consignee, it must be declared
  - IT Service provider
- Supply chain actors need to exchange their EORI numbers to be able to do the multiple filing: Carrier needs to indicate the FFW\* that will file the house level ENS filing, FFW needs to indicate Carrier for the multiple filings to be linked into an ENS

\*

FFW term is used to indicate any other filing party e.g. FFW, ETOE, postal operator, express courier or express carrier



### EORI – how to obtain it?

- EU based operators obtain EORI in the EU MS where they are registered
- Non-EU operators can obtain EORI in the EU MS where they will file ENS first

More information: Economic Operators Registration and Identification number (EORI)
 (europa.eu)



## Functional and technical specifications

#### Trade Interface (HTI) (CIRCABC library)

#### **Common Functional System Specification 2.02**

- ICS2 Main document
- ICS2 Definitions
- ICS2 Business Process Description
- ICS2 HTI BPM L4 Process Description
- ICS2 HTI Information Exchange Specification document
- ICS2 HTI IEs (xls and rtf formats)
- ICS2 HTI Rules and Conditions
- ICS2 HTI Code Lists

### **Common Technical System Specification September Version**

- HTI Interface Control Document
- Service Specifications (SSD) package
- Technical Service Contracts (TSC) package



## ICS2 Release 3 – EO CT prerequisites

- Please read through the documents published by DG TAXUD through the Europa page
  - Key documents are <u>Conformance Test Organization Document</u> Roles and Responsibilities, Planning milestones, testing process, Communication channel, process to setting up AS4 AP, explanation on UUMS use, summary of test specification, Operations Checklist
  - and <u>Conformance Testing specification</u> list all testing scenarios connectivity and functional, Carriers, House filers and Person Notifying Arrival



## ICS2 Release 3 – EO CT prerequisites

- provide responsible MS National Service Desk a plan for EO Self-Conformance Testing;
- Define an EO SPOC as a focal point in the coordination with the National Customs Authority;
- Obtain ICS2 message sealing Certificate, it must be provided by Certificate Authority from EU Trust Services Dashboard, as defined in Interface Control Document
- Obtain the TLS certificate or verify that the owned by EO is listed in the list provided in CTOD
- register the digital sealing certificate in <u>UUM&DS</u>





## Thank you

ICS2 page on Europa website:

https://ec.europa.eu/taxation\_customs/general-information-customs/customs-security/ics2\_en



## ENS data



## Declaration header (Master filing)

- LRN
- Document issue date
- Specific circumstance indicator
- Declarant
- Representative
- Customs office of first entry
- Re-entry indicator
- Split consignment

- Border transport means
  - Mode of transport
  - Identification number
  - Type of identification
  - Conveyance number
  - Actual date and time of departure
  - Estimated date and time of arrival
  - Countries of routing of means of transport



## Master consignment

- Container indicator
- Total gross mass
- Place of acceptance
- Supporting documents
- Additional information
- Additional supply chain actor
- Carrier
- Consignee
- Goods item
- Consignor
- Transport charges
- Place of delivery

- Place of loading
- Notify party
- Supplementary declarant
  - Identification number
  - Supplementary filing type
- Transport document (Master level)
- Transport equipment
- UCR
- Place of unloading



## Goods item

- Goods item number
- Supplementary documents
- Additional information
- Additional supply chain actor
- Commodity
  - Goods description
  - CUS code
  - Commodity code (HS6)
  - Dangerous goods

- Weight
- Packaging
- Transport equipment
- UCR



## Declaration header (house consignment)

- LRN
- Document issue date
- Specific circumstance indicator
- Declarant
- Representative
- Addressed Member State
- Border transport means
  - Mode of transport



## House consignment

- Container indicator
- Total gross mass
- Place of acceptance
- Supporting documents
- Additional information
- Additional supply chain actor
- Transport document (Master level)
- Carrier
- Consignee
- Goods item
- Consignor

- Transport charges
- Place of delivery
- Countries of routing of the consignment
- Notify party
- Supplementary declarant
  - Identification number
  - Supplementary filing type
- Transport document (House level)
- Transport equipment
- UCR



## Goods item

- Goods item number
- Supplementary documents
- Additional information
- Additional supply chain actor
- Commodity
  - Goods description
  - CUS code
  - Commodity code (HS6)
  - Dangerous goods

- Weight
- Packaging
- Transport equipment
- UCR



### **Parties**

- Name
- Identification number
  - EORI for Carrier, declarant, representative, supplementary declarant - mandatory
- Type of person
  - For consignor, consignee, notify party natural, legal person, group of people

#### Address

- Street name 1
- Street name 2
- Number
- City
- Sub-division
- Postcode
- Country

#### Communication

- Type
- Identifier



## Goods shipment

- Contains buyer and seller information
- Not required for FROB



# Re-entry and split consignments

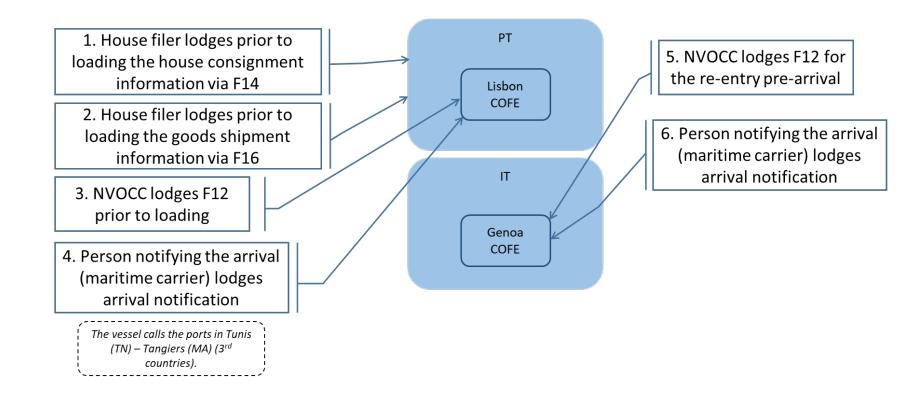


## Re-entry

- Re-entry covers scenarios where the goods enter the EU, leave and re-enter under the same master bill of lading.
- Each time consignment enters the EU an ENS needs to be lodged.
- Full ENS or master level ENS with re-entry flag ('1') needs to be lodged by the carrier for the second and any subsequent entry into the EU. This will prevent the ENS failing a uniqueness validation error (master bill of lading number must be unique for 12 months).
- House level ENS filings do not need to be lodged again.



## Re-entry example





## Split consignment

- Covers cases where the goods under one bill of lading cannot be transported at the same time and consignment needs to be split after an ENS has been lodged.
- First ENS lodged will cover entire consignment. Once it is found out that the consignment needs to be split, the ENS does not need to be amended to reflect the actual amount of the goods that were loaded on the vessel.
- New ENS for the remaining goods needs to be lodged with the new master bill of lading, the MRN of the previous ENS indicated under "Previous MRN", the Split consignment indicator (value '1') and
  - In case the ENS was filed using F10, F11 or F45 filings, information at the house level needs to be filed as in the original ENS filing, and updated information at the master level related to the means of transport, dates and times, and routing of the means of transport needs to be filed, or
  - In case the ENS was filed using F12 or F13 filing, the house filer does not need to file new F14, F15, F16 or F17 filings, and the carrier needs to file updated F12, F13 or F45 filing.

