



HM Revenue
& Customs

Customs Information Paper 44 (2015)

Special Procedures under the Union Customs Code (UCC).

Who should read: Any economic operator, agent, authorised company and anyone involved in importing goods to special procedures after 30 April 2016.

What is it about: Main changes to special procedures following the implementation of the UCC.

When effective On publication.

Extant until/ Expires Until further notice.

1. Introduction.

Following the adoption by the Commission of the Union Customs Code (UCC) Delegated Act and the publication of the final text of the Implementing Act this paper gives guidance on the major changes to special procedures under the UCC which will take effect on the 1 May 2016.

2. Major changes.

Authorisations

You may continue to use your authorisation until it expires or is renewed/reassessed by HMRC until 1 May 2019 at the latest.

However, goods entered to:

Inward processing suspension
Customs warehouse types A, C, or E
End use or
Processing under customs control (PCC)

on or before 30 April 2016, which have not been released to free circulation or discharged by 1 May 2016, must be ended or discharged under the new UCC rules.

For example, goods entered to End Use relief will require the submission of a Bill of Discharge.

Goods entered to:

Customs warehousing type D (CW D)
Inward processing drawback (IP D)
Temporary admission or
Outward processing

on or before 30 April 2016, which have not been released to free circulation or discharged by 1 May 2016, must be ended or discharged under the current Community Customs Code rules. For example you may continue to continue to discharge goods under the type D rules of assessment until 31 December 2018.

After 1 January 2019 you will need to discharge all remaining goods under UCC rules of assessment.

You cannot enter goods to IP D, PCC or CW D after the 30 April 2016.

You cannot use integrated authorisations after 1 May 2016.

From October 2015, if you require an authorisation under the UCC you must apply for authorisation on the following forms

SP1-End Use relief
SP2-Customs Warehousing
SP3-Inward processing
SP4-Outward Processing relief
SP5-Temporary Admission

You may apply at any time, but your authorisation will only be valid from 1 May 2016.

Please remember that for an authorisation to be valid on 1 May 2016 you need to apply at the latest by 1 March 2016 for a Customs warehouse authorisation and 1 April 2016 for all other authorisations.

Due to the expected volume of applications and the resources available it is recommended you apply as soon as possible.

These forms should be available on www.gov.uk early in 2016.

Period of validity

You may request up to five years for the period of validity of an authorisation. However, five years should not be seen as a standard and you will be required to justify the period you request. Customs warehouse authorisations remain open ended.

Authorisation numbers

The current prefixes of IP, OP, EU, TA, will continue. Once you have been reauthorised / reassessed under the UCC rules, your customs warehousing number will change to either R-Public type 1(ex Type A) or U-Private (ex Types C,D,E). These will be the only two types of customs warehouse that will operate in the UK.

Simplified authorisations for IP, End Use, TA and OP

These will be renamed 'authorisation by declaration'.

You should only use this type of authorisation a maximum of three times per year.

Goods over £500,000 or in CN codes 93 or 97 may not be entered to these procedures under IP or End Use.

You will be required to put a guarantee in place on import from 1 May 2016. You should note this cannot be a cash deposit so you should ensure you have the guarantee in place prior to your import. You will be asked to provide details of the guarantee at the time of import.

This guarantee will only be released upon receipt of the Bill of Discharge.

Transfer of Rights and Obligations. (TORO)

If you wish to pass your rights and obligations to another person, you must have approval from your supervising office. They will lay down the conditions for the TORO. You should note that if approved, this does not discharge your liability. You therefore need to ensure that you receive evidence of discharge from the person who you have transferred the rights or obligations to that the liability has been discharged.

Under End Use you may only transfer the obligations as the right to duty relief has already been claimed at import. You should ensure that you have adequate evidence of assignment to end use to enable the guarantees for the actual and potential debts to be released.

Entry in Declarants records (EIDR)

You may not use EIDR if you also require an INF form.

In order to use EIDR to move from one special procedure to another the authorisation holders of the two procedures must be the same, the declaration for the first special procedure must have been made by a C88 or supplementary declaration and other than end use and Inward Processing, the first procedure is discharged by entry to the second procedure by an entry in the records.

Movements of goods

Goods may be moved within the same authorisation or between authorisation holders, in the same or different Member States without formalities apart from the location of the goods being annotated in your records. This applies to all procedures apart from Customs Warehousing.

Under Customs Warehousing, if the warehouses are not under the same authorisation both the dispatching and the receiving warehousekeepers will require a declaration removing and entering the goods to the warehouse. Your liability will only be discharged upon you retaining adequate evidence that the second warehouse keeper has made a declaration entering the goods into their warehouse.

Guarantees.

Guarantees are required for all special procedures unless you qualify for a waiver/ reduction. You will be required to put in place guarantee arrangements from 1 May 2016 for authorisation by declaration and from the date your authorisation is re authorised / reassessed for full authorisations.

The amounts must cover actual debts such as charges at import for goods being entered to end use plus any potential debt. A potential debt is usually the amount suspended at import. This will include customs duty and import VAT in any of the following circumstances:

where the economic operator is not established in the EU

where the authorisation involves more than one Member State

where an authorisation by declaration is being used or

where non- compliance has been identified

Under End Use, the potential debt ,which is in addition to the actual debt will need to cover the difference between the end use rate claimed at import and the non- End Use rate. This potential debt will be released upon the submission of your bill of discharge.

End Use

Military End Use -Council Regulation 150/2003.

With effect from 1 May 2016, sub-contractors using the above scheme should begin changing to use IP.

You will not be reauthorised under Council Regulation 150/2003 once your authorisation has expired and you apply for a UCC authorisation.

Only the military force of the Member State may import goods under this Regulation once existing authorisations have expired.

Bill of Discharge

With effect from 1 May 2016, irrespective of the type of authorisation you hold, you will be required to submit a bill of discharge for Inward Processing and End Use relief.

Public Notice

A new notice for the UCC will shortly be available on www.gov.uk you should enter Notice 3001 in the search box.

Forms

New forms allowing you to apply for authorisations under the UCC will be available on www.gov.uk early in 2016.

3. Contacts

If you have any queries please use the online contact form at <https://www.gov.uk/government/organisations/hm-revenue-customs>,

Alternatively, write to:

HMRC
CITEX Written Enquiries Team
PO Box 30001
Glasgow
G67 9EX.

If you are a large business trader contact your International Trade specialist.

Re-issued on the **21 December 2015** by Customs Directorate, HMRC.

Your Charter explains what you can expect from us and what we expect from you. For more information go to: [Your Charter](#)