

IMPORT CONTROL SYSTEM

GUIDANCE FOR THE UK ICS SYSTEM

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1. INTRODUCTION

1.1 Background to the Import Control System (ICS)

The European Commission had a vision to provide fully electronic customs on a level playing field across the European Union. The 10+ year plan to implement this Vision is called the MASP - The Multi Annual Strategic Plan. It requires a mixture of legal, procedural and technological systems to achieve this goal of which the Import Control System (ICS) is one. ICS Phase 1 is the first phase of the wider AIS (Automated Imports System).

ICS Phase 1 introduces the requirement for electronic pre-arrival information to be provided to the customs authorities on all goods entering or passing through the customs territory of the Community. This information will be submitted to the relevant customs administration via an electronic Entry Summary Declaration (ENS).

Using agreed EU wide common risk rules, the pre-arrival information will undergo risk analysis and any appropriate safety and security data will be passed to other Member States where they are identified as being included in the itinerary of the means of transport.

Data exchange of safety and security information between customs authorities will be carried out through information technology and computer network of each Member States' ICS system which will manage and control the receipt, risk analysis and exchange of pre-arrival information.

1.2 Scope of this document

This document provides details of the implementation of the Import Control System Phase 1 (ICS) in the UK. It covers:

- the legal requirements;
- the timetable;
- the IT systems; and
- the processes to be followed in the UK by traders/carriers; HMRC and UKBA staff.

NB As the UK has no inland water or road frontiers this document covers the entry of imports to the EU by air and sea only.

1.3 The Legislation

ICS is being introduced across the European Union (EU) as part of the safety and security amendment to the Customs Code set out in the European Parliament and Council Regulation (EC) No 648/2005 and the implementing provisions of Commission Regulation 1875/2006/EC.

The key articles in the Customs Code, Council Regulation 2913/92 (CC) and the Customs Code Implementing Regulation, Commission Regulation 2454/93 (CCIP) (as amended by 1875/06) relating to ICS are as follows:

- **Article 181b** (CCIP) Entry Summary Declarations (ENS) - Coverage

- **Article 181c** (CCIP) Entry Summary Declarations (ENS) - Exemptions
- **Article 183d(1)** (CCIP) - Diversions
- **Article 184a** (CCIP) - Deadlines for submitting an ENS
- **Article 36b(3 and 4)** (CC) - Responsibility for submitting an ENS
- **Article 36b(5)** (CC) - Amending an ENS
- **Annex 30A** (CCIP) - Data elements required for an ENS (by mode of transport and other classifications).

Many of the key articles are replicated in full in Appendix 1 to this document. The Annex 30A data elements can be found in the tables at Appendix 3.

1.4 Office of Lodgement (OoL)

After much consideration, the UK made a policy decision not to implement the functionality of OoL during this phase of ICS. When the idea was first mooted, it was for a MS offering OoL to act as a post-box for all other MS operating an OoL system and simply pass the information on. However, as the specifications emerged from the Commission, it became clear that the OoL would also be required to issue MRNs and, perhaps, perform the risk assessment. In situations where the UK acted as the OoFE we would therefore need to understand whether the ENS had come directly from the trader or via the OoL since in the latter validation would already have been undertaken and an MRN issued.

Discussions are continuing in Brussels to consider whether the OoL adds significant benefit to MS and trade, if it should, at least in part, be made mandatory and also whether it should be extended beyond just the ENS. All of this takes place in the context of centralised clearance but until the business processes are clarified the UK remains one of approximately 13 MS who are not offering the OoL facility. Where a Member State offers OoL functionality it should be noted that it can only connect with other Member States offering this functionality it cannot be used, for example, as a conduit to submit ENS's to the UK which does not have OoL functionality.

1.5 Connecting to other Member States' Systems

Where a Member State other than the UK is Office of First Entry, traders will need to connect to the ICS systems of those Member States. Specifications will be issued by each Member State and details for their implementation of ICS will be available on each administrations website.

1.6 Timetable for the implementation of ICS Phase 1

The legislation required ICS to be introduced across the EU on 1 July 2009. However, in recognition that its implementation date was not achievable by the majority of trade sectors and in a number of Member States (including the UK) a transition period to the end of December 2010 was agreed by the Commission.

The UK has informed the Commission that it intends to implement ICS Phase 1 on 2 November 2010 before the final, legal transition deadline of 1st January 2011 from when it will be mandatory for traders to provide customs authorities with advance information in the form of an ENS for all goods brought into the customs territory of the EU.

1.7 Timetable for trader testing in the UK

A separate trader testing system using Third Party Validation Service (TPVS) was made available on 29 April 2010. A [Trader Test Pack](#) is now available on the SDST website (please click the link).

2. ICS DECLARATIONS THE BASICS

2.1 General principles

The Safety and Security regulation makes the provision of pre-arrival information to the customs Office of First Entry (OoFE) mandatory for all consignments entering, or passing through, the EU. This will be facilitated by the lodgement of an Entry Summary Declaration (ENS) at the first point of entry into the EU where the information will be assessed against a set of common risk rules. ICS will also allow for messages to be passed on to the customs administrations in subsequent Member States about any positive risks identified at the first [air]port of entry into the EU.

The responsibility for ensuring that an ENS is submitted to the OoFE to the legal time limits lies legally with the **“operator of the active means of transport on or in which the goods are brought into the customs territory of the Community”**. They must also ensure that an Arrival Notification is submitted when the vessel/aircraft arrives at the port/airport and a Diversion Request is sent in certain circumstances. The operator is referred to by other terms in the Commission documentation such as the **“carrier”** or **“trader at entry”**. Most often, this UK document refers to the “carrier” as this is an acceptable term in the UK but there may be references to other terms where these have been taken direct from Commission Documentation such as the EU specifications or FTSS (EU Functional Specification).

2.2 Definition of key terms used in the ICS process

2.2.1 Entry Summary Declaration (ENS)

An ENS is an electronic declaration of goods being carried into the customs territory of the Community. For more detail on the information to be included in an ENS see Part 4 and Appendix 3 below.

2.2.2 Customs Office of First Entry (OoFE)

This is the customs office at the first point of entry into the customs territory of the Community where the ENS should be submitted.

2.2.3 Customs Office of Subsequent Entry (OoSE)

Where the vessel (aircraft) carrying goods into the EU will subsequently call at [air]ports in other Member States these are considered as Offices of Subsequent Entry. Positive results of risk analysis performed at the OoFE will be forwarded to all OoSE to inform them of the risk and also to limit the impact on the ICS process of vessel diversions.

2.2.4 Movement Reference Number (MRN)

The number issued by a Member State's ICS once the ENS has been successfully validated, accepted and registered. The MRN will be notified to the declarant and, where different, the carrier.

2.2.5 IE315 (or any other number)

IE stands for “Information Exchange”. All messages exchanged between ICS, traders and other Member States are allocated an IE number. For example the

message to submit an ENS (from trader to national ICS) is the IE315. A complete list of ICS messages and their definitions can be found in Part 3 below. Additionally, some message exchanges for certain scenarios can be found in Appendix 2 below.

2.2.6 “Operator of the active means of transport”

in the UK this is more commonly known as the “carrier”. Can also be referred to as the “Trader at Entry” (or “Lead carrier” – ie the person responsible for, for example, an Arrival Notification or a Diversion Request to be submitted where there are a number of “carriers” in a vessel share arrangement).

2.2.7 “Arrival Notification” for the active means of transport

To be lodged at the moment of arrival of the means of transport in the UK. An Arrival Notification should be submitted to the UK ICS when the UK is an OoFE or an OoSE on the ENS. For further information on the Arrival Notification and who is responsible please see Part 7.

2.2.8 Diversion Request

Where the active means of transport is to be diverted to a Member State (MS) different from the MS where the declared OoFE is located and also different from where any of the declared Offices of Subsequent Entry are located, the operator of the active means of transport must lodge a Diversion Request. See Part 6 below for more detail.

2.2.9 “Do Not Load” (DNL) Message

The DNL message only applies to deep sea containerised cargo for which an ENS must be submitted 24 hours before loading. This is to allow time for customs to perform risk assessment and decide if a consignment causes such a threat to the EU that a DNL message needs to be issued. See Part 4 below for more detail.

2.3 Specific functionality requirements for ICS Phase 1

For ICS Phase 1, the UK is implementing the following functionality:

- The lodgement and processing of an Entry Summary Declaration (ENS) for all goods brought into the Customs territory of the Community;
- The security and safety aspects of AIS which include the exchange of positive risk analysis results either for Offices of Subsequent Entry or upon request of a customs office in another Member State;
- The Arrival Notification for the active means of transport when it reaches an [air]port in the UK; and
- The Diversion process (in case the active means of transport is diverted to an Actual customs OoFE located in a Member State that was not declared on the original ENS).

3. SUBMITTING ICS DECLARATIONS TO UK CUSTOMS

3.1 ICS Messages (Information Exchange (IE)) To be handled

All messages exchanged between ICS, traders and other Member States for import control are allocated an IE number. For example the message to submit an ENS (from trader to national ICS) is the IE315. A complete list of ICS messages and their definitions can be found in the table below. Additionally, Appendix 2 to this document includes tables which outline the series of expected messages for certain ICS scenarios.

ICS message reference numbers

IE Message Number	IE Message Name	Description of message	Message exchange
IE315	Entry Summary Declaration / Replacement Entry Summary Declaration	ENS/Replacement ENS sent by the person lodging the ENS to the OoFE.	Trader/carrier to UK ICS
IE328	Entry Summary Declaration Acknowledgement	Acknowledgement of valid ENS sent by OoFE to the person lodging the ENS. MRN communicated to person lodging the ENS. NB An MRN is only allocated to an ENS that is accepted by ICS after validation.	UK ICS to trader/carrier
IE316	Entry Summary Declaration rejected	Notice of rejection of invalid ENS sent by OoFE to the person lodging the ENS. NB If an ENS is rejected no MRN is allocated and a second IE315 should be submitted with the correct data.	UK ICS to trader/carrier
IE313	Entry Summary Declaration amendment	ENS amendment request sent from the person lodging the ENS to the OoFE using the original MRN number.	Trader/carrier to UK ICS
IE304	Entry Summary Declaration Amendment Acceptance	Amendment request acceptance notification sent from the OoFE to the person lodging the amendment to the ENS.	UK ICS to trader/carrier
IE305	Entry Summary Declaration Amendment rejection	Amendment request rejection sent from the OoFE to the person lodging the ENS.	UK ICS to trader/carrier
IE319	Transmission to Subsequent Office of Entry	ENS data and common safety and security risk analysis results sent by OoFE to each OoSE. NB this message is sent after the ENS has been accepted and risk assessed by the OoFE.	UK ICS to Other Member States (OMS) ICS
IE 347	Arrival Notification	Notification of arrival of the vessel (aircraft) sent by Trader at Entry (Carrier) to Actual OoFE (and or UK as OoSE).	Carrier to UK ICS

IE 348	Arrival Notification Validation	Response to a valid Arrival Notification sent by Office of Entry to Trader at Entry (Carrier).	UK ICS to carrier
IE 349	Arrival Item Rejection	Notice of presented item rejected at Actual OoFE sent by OoFE to Trader at Entry (Carrier).	UK ICS to trader/carrier
IE323	Diversion Request	Notice of diversion sent from trader notifying diversion (carrier) to Declared OoFE. This message must be sent to the declared office before the vessel/craft reaches the Actual OoFE following the diversion.	Trader/carrier to UK ICS
IE324	Diversion Request Rejected	Notice of rejection of invalid diversion request sent by Declared OoFE to trader notifying diversion.	UK ICS to trader/carrier
IE325	Diversion Request Acknowledgement	Acknowledgement of valid diversion request sent by Declared OoFE to trader notifying diversion.	UK ICS to trader/carrier
IE302	Declaration request Import	A declaration request sent from Actual OoFE if a diversion occurs and the ENS is not available at that office. The request is sent to the "declared" Office of First Entry who will then supply the required ENS data.	One Member State's (MS)ICS to another MS ICS
IE303	Entry Summary Declaration response	Response to an IE302 request. The declared OoFE sends response to the Actual OoFE.	MS ICS to MS ICS
IE351	Advanced Intervention Notification Do Not Load (DNL) message	Preventive/Prohibitive measures/controls notified by OoFE to person lodging the ENS. In the UK this message will be used only as a "Do Not Load Message" for the deep-sea maritime containerised sector.	UK ICS to trader/carrier

3.2 Connecting to ICS in the UK

HM Revenue and Customs is building an ICS system to the specifications laid down by the EU Commission. However, please note that HMRC are **not** developing a web interface to UK ICS, i.e. no screen into which data can be manually input.

Any trader wishing to adapt their IT system to interface with UK ICS will need to refer to the UK Technical Interface Specification (TIS). The TIS and other relevant documents are available on the [SDST web page](#).

Some Community Systems Providers (CSPs) and customs software providers are currently engaged in building interfaces to the UK ICS. Traders may want to consult with their current software provider or CSP to establish whether they will be able to use their current system to access ICS or whether they will need to adapt their own systems to interface from 1 January 2011.

Message exchanges with the UK ICS for the submission of ENS's and other transactions will be either via the [Government Gateway](#) or through one of the channels being provided by some [Community System Providers](#) (CSPs).

Information on registration for ICS via the Government Gateway will be available on the ICS webpage nearer the go-live date of 2nd November 2010.

3.3 Receiving MRN details for ENS submitted by third parties

Carriers who intend to delegate the submission of ENS's to other agents or freight forwarders and who wish to receive the "unsolicited messages" that allow them to monitor the ENS's:

- submitted by agents;
- amended by agents, and
- those submitted by agents that result in a DNL message, etc

will be able to submit an application for this facility to Live Operations in HMRC. Details on how to do this will be made available on the ICS webpage nearer the go-live date for ICS.

3.4 Submitting Declarations to UK ICS

The ENS should be submitted to the UK ICS as an XML message (an IE (Information Exchange) 315). An example of an IE315 can be found in the [TIS](#).

ICS then carries out a series of validations before accepting the message and issuing an MRN. These include validations of the structure and content of the message and, also, some fields are validated against reference data held either within the ICS system (for example Customs Offices Lists (COL) and other code lists down-loaded from the EU CSR system) or other systems such as the UK EORI/AEO system (CEO).

4. ENTRY SUMMARY DECLARATIONS

4.1 Responsibility for submitting the ENS

An Entry Summary Declaration (ENS) is an electronic declaration of goods being carried into the customs territory of the EU, submitted primarily for safety and security purposes. The declaration(s) is/are made to the customs OoFE and will be required for all goods, with the exception of those listed in Appendix 1, carried on-board the means of transport, including goods destined for subsequent EU [air]ports and [air]ports outside of the EU. Once the ENS is received, the customs administration will perform risk analysis and take appropriate action and/or forward positive risk assessment information to subsequent Member States.

The legal responsibility for ensuring an ENS is submitted lies with the carrier or “operator of the active means of transport on or in which the goods are brought into the customs territory of the Community”. The operator is the person who brings, or who assumes responsibility for the carriage of the goods, into the customs territory of the Community and who issues the bill of lading/air waybill for the actual carriage of the goods on the vessel/aircraft. In the case of **maritime or air traffic involving vessel sharing** or similar contracting agreements between the involved carriers, the obligation to file an ENS lies with that carrier who has contracted, and issued a bill of lading or an air waybill, for the carriage of the goods into the customs territory of the Community on the vessel or aircraft subject to the arrangement.

in the case of “**combined transport**” (e.g. a truck carried on a ferry) where the means of transport entering the customs territory of the Community (the ferry) is only transporting another means of transport which, after entry into the customs territory of the Community, will move by itself as an active means of transport (the truck), the obligation to file an ENS lies with the operator of that other active means of transport (the trucking company).

4.2 Who else may submit the ENS?

Someone other than the carrier may lodge an ENS. However, as it is the carrier’s responsibility to ensure that it is submitted within the legal time limits, it must only be done by a representative or third party with the carrier’s **knowledge and consent**. Where a third party is authorised by the carrier to submit ENS’s on his behalf, he must include, precisely, certain data provided by the carrier (e.g. Identity of the vessel and the date of arrival at first port of entry as notified by the carrier). Replication by third parties of certain data elements to exactly match that laid down by the carrier will enable him (the carrier) to fulfil his role in the ‘diversion’ and ‘arrival’ of all MRNs on the vessel (aircraft) should the situation arise. Please see Parts 6 and 7 for more detail on the Diversion and Arrival processes.

Arranging for such an alternative third party ENS filing may involve the third party declarant and the carrier making a contractual agreement that the third party is to file the ENS instead of the carrier. How the carrier’s consent to the third party ENS filing is to be evidenced and under which conditions and terms, e.g. time for submission of the ENS, the shipments involved, and the duration of the filing arrangement, are subject to contractual agreement between the commercial parties. Except where there is evidence to the contrary, the customs authorities may assume that the carrier

has given its consent under contractual arrangements and that the third party's lodging of the ENS is made with the carrier's knowledge and consent.

Once the third party, with the carrier's knowledge and consent, undertakes the responsibility of making the ENS filing, the **content, accuracy and completeness** of the ENS filing is the **third party's responsibility**.

4.3 Where should the ENS be submitted?

The declaration is made to the customs OoFE in the EU and should cover **all** goods carried on-board the means of transport, including: goods to be discharged at [air]ports in the EU and freight remaining on board (FROB) and destined for [air]ports outside of the EU.

The Community legislation applies the principle that the customs OoFE shall undertake the cargo risk assessment for all shipments including FROB, carried on a conveyance due to arrive in the Community and **initiate** any preventative action against identified risk.

Action will be based on three separate outputs of risk analysis:

- for deep sea containerised shipments where the ENS must be submitted at least 24 hours before loading (Article 184a(1)a CCIP) where a very serious threat to safety and security is identified, a "Do Not Load" message will be issued to the declarant and, if different, the carrier;
- in cases not covered by Article 184a(1)a where a serious risk is identified, the customs OoFE will take action against the goods upon arrival at the first port of entry and also inform the customs Offices of Subsequent Entry of the risks identified;
- in other cases, the customs OoFE will inform the customs Offices of Subsequent Entry of the risks identified so that the results can be considered along with the national risk analysis undertaken where the goods are discharged.

4.4 Time Limits for submission of the ENS

EU legislation requires that an electronic ENS must be lodged before **arrival** at the OoFE and, additionally, in the case of maritime deep sea containerised shipments, **before loading** onto the vessel that will carry the goods into the customs territory of the Community. The time limits for submitting an ENS to the OoFE can be found in Appendix 4 attached to this document.

The national ICS system will validate the message structure and data received in the ENS and, if the message is accepted, the ENS will be registered and a **Movement Reference Number** (MRN) will be issued. The MRN will be notified to the declarant and, where different, the carrier via the IE328 message.

4.5 Information Requirements for an ENS (IE315)

The data to be provided on an ENS for risk assessment at the OoFE includes information on:

- the vessel/conveyance bringing the goods into the EU;

- the route the conveyance takes to enter and move through the EU;
- the persons/companies involved in the transaction (ie consignor, consignee, carrier, agent etc); and
- the goods being brought into the EU.

The data elements required for an ENS are set out in the tables in Appendix 3 to this document. The information is derived from Annex 30A of Commission Regulation 1875 and also from the ICS specifications issued by the EU (on which the UK TIS is based). It should be noted that there are a number of discrepancies in the names of some data fields between the two documents so the information in the tables in Appendix 3 includes, for clarity, both the data field descriptions used in the TIS and those used in Annex 30A where this might be helpful.

Information submitted in the ENS will then be subjected to various levels of validation (on the structure and content of the information) before an MRN is issued. The MRN is sent to the submitting trader and also to the carrier (where different).

Although the carrier has the responsibility to ensure the submission of the ENS, some of the data required may be held by other parties such as freight forwarders or individual traders. It is, therefore, for the carrier to decide who should submit the ENS for individual shipments. If a carrier decides to allow a third party to submit an ENS on their behalf, they will need to arrange to pass the relevant conveyance and routing information to that third party.

If a carrier decides to submit all ENS's themselves then they may need to gather the required, more detailed, data on the goods and persons involved in the movement from other sources (such as freight forwarders or individual traders) further down the supply chain.

Where a carrier decides to allow a third party to submit the information he will need to advise the third party to include some information on all ENS's submitted on his behalf including:

- The EORI number of the carrier;
- The vessel/aircraft identification number;
- The date and time of the first place of arrival in the EU.

Provision of the first data element above, the EORI number of the carrier, enables HMRC to notify the carrier, as well as the declarant, of:

- acceptance of an ENS submitted by a third party;
- any amendments to ENS's submitted by the third party;
- any "Do not Load" messages issued to the third party
- any diversion requests submitted by the third party.

The latter two data items above, along with the "Mode of Transport at the Border" code, allow the carrier to use an "**Entry Key**" to submit an Arrival Notification and/or a "Diversion Request" where necessary. For further information on the Diversion Request and Arrival Notification and the actions and responsibilities of the carrier please see Parts 6 and 7 of this document.

The data elements for an ENS are set out in Annex 30A CCIP but in all circumstances the carrier's EORI number and the carrier's transportation document number (e.g. for maritime - ocean (master) bill of lading if known (or the booking reference number supplied by the carrier) or, for air - (master) air waybill number) must **always** be included in any **third party ENS filings**.

Among other required data elements are several that the third party would need to obtain from the carrier prior to lodging the ENS. These include:

- mode of transport at the border;
- expected date and time at first place of arrival/entry in the Community;
- first place of arrival/entry code;
- country code of the declared first office of arrival/entry;
- the IMO vessel number (in the case of maritime shipments); the flight number (for air);
- the nationality of the active means of transport entering the customs territory;
- voyage or trip number: in the case of code-share arrangements in air transport, the code-share partners' flight numbers (this data element is not required for road transport),
- subsequent ports of call in the Community.

The carrier will need to make such data elements available to the third party declarant preferably at the time of booking or as logically required for a timely submission of that party's ENS filing.

4.6 The “Entry Key”

The carrier may use an “Entry Key” at a customs Office of Entry to arrive and/or divert all MRNs carried on the vessel (aircraft) regardless of whether they were input by him or an authorised third party. It is, however, essential that relevant data items such as the IMO or IATA number and the expected date of arrival at the first [air]port of entry into the EU match precisely on all ENS's submitted for the vessel (aircraft). This is why it is important for all third parties to obtain and use the precise data acquired from the carrier. For further information on the data elements required to use the “Entry Key” see Section 6 below.

4.7 Accuracy and completeness of the ENS filing

Customs authorities and economic operators must be able to identify the person (or persons) responsible for compliance with this requirement.

The declarant is obliged to provide the information known to him at the time of lodgement of the ENS. Thus, the declarant is entitled to base his ENS filing on data provided by its trading or contracting parties.

All the data elements prescribed in Annex 30A CCIP must be contained in the ENS filing and the filing must be completed in accordance with the Explanatory Notes in Annex 30A.

If the declarant learns later that one or more particulars contained in the ENS filing have been incorrectly declared, the provisions on amendments will apply. For more details amending an ENS please see Part 5 of this document.

4.7.1 Legal obligations and provisions of EU Law

Without prejudice to the possible application of any sanction, the lodging of a declaration, signed by the declarant or his representative, shall make him responsible under the provisions in EU law:

- the accuracy of the information given in the declaration,
- the authenticity of the documents attached, and

- the compliance with all the obligations relating to the entry of the goods in question.

4.8 Issue of MRNs

Once the ENS (IE315 message) has passed all levels of validation, an MRN is issued to the person who submitted the ENS and the carrier (if different). In the case of third party filings, the customs authorities shall notify both the carrier and the third party declarant of the MRN so long as the carrier is electronically connected to the Customs authorities, and has been identified by its EORI number in the third party ENS filing. Information on how a carrier can register with HMRC to receive these “unsolicited notifications” from ICS will be available on the ICS web page shortly.

In the case of third party filings, the notification to the carrier of the MRN also includes a reference to its transportation document number which will provide evidence and assurance for the carrier that an ENS has been submitted, validated and accepted by customs and that the carrier’s obligation under Article 36b(3) CC has been met.

4.9 Unintentional Dual Filing of an ENS

If the carrier has contractually agreed that a third party will file the ENS instead of it, the carrier should not make his own ENS filing for that same shipment. Similarly a third party may not file without the carrier’s prior knowledge and contractual agreement.

In cases where dual filings for the same shipment nonetheless occur, i.e. the carrier and a third party both file an ENS for the same shipment, customs authorities may decide to use both filings for their safety and security risk analysis. Otherwise, they will consider that the ENS lodged by the carrier takes precedence.

Dual filings do not affect compliance with the legal requirement that an ENS is made, and within the specified time limits but they should be avoided if at all possible.

4.10 Issuing of a Do Not Load Decision (IE351)

4.10.1 Risk Assessment

Once the ENS has been validated, accepted and an MRN issued it will be risk assessed against a common set of EU risk rules. The results of the risk assessment will then be used by the UK Border Agency to:

- identify shipments they wish to prevent being loaded onto the vessel entering the EU;
- identify imports that they may wish to control on entering the EU; and/or
- identify risk results they may need to pass on to customs Offices of Subsequent Entry.

4.10.2 Do Not Load (DNL) message

For deep-sea containerised shipments only, a Do Not Load (DNL) message, the IE351, may be issued. This will be sent to the person submitting the declaration and, if different, the carrier.

There are a number of steps which must be followed to ensure that the carrier will be made aware that a DNL has been issued where a third party (eg a freight forwarder) has made the ENS filing:

- the freight forwarder may only file the ENS with the ocean carrier's **knowledge and consent**;
- in its ENS filing, the freight forwarder must identify the ocean carrier with the **ocean carrier's EORI number**;
- the freight forwarder must also include both the **container number(s)** and the **ocean carrier's transport document number (ie the master bill of lading number/booking reference number)** in addition to its own (house) bill of lading number in its ENS filing.

Provided these data elements are included in the ENS, and provided that the ocean carrier is IT-connected to the customs OoFE (which is the only customs office that may issue an DNL message) the ocean carrier would automatically be notified not only of the MRN for the forwarder filing (which will serve as proof that the carrier's obligation that an ENS is filed has been met) but also of any DNL messages.

Based on the container and transportation document numbers included in the DNL message, the ocean carrier would be able to identify the containerised shipment that may not be loaded. Moreover it is not unrealistic to expect that if a Customs Administration believed that a consignment posed such a serious threat that a DNL is appropriate then they would not simply rely on the sending of an electronic message to interested parties.

4.10.3 Forwarding risk results to customs OoSE in other Member States (IE 303 message)

Where a "positive risk" has been identified (i.e. a risk that is above a certain level identified by the Commission's common set of risk rules) UK ICS will forward these results to all Member States listed as customs OoSE using an IE 303 message. Other Member States will take into account any action taken at the OoFE when deciding whether to intervene further on arrival at the OoSE.

5. SUBMITTING AN AMENDMENT TO AN ENS (IE313)

The legal requirement is that the ENS is complete and accurate. There are a number of principles regarding what can be amended in the ENS and when the amendment can take place. From a legal point of view, there is no restriction in the Customs Code or the Customs Code Implementing Provisions, however, the particulars concerning:

- the person lodging the ENS;
- the representative; and
- the customs OoFE;

should **not** be amended in order to avoid technical problems.

Amendments may be lodged by the same person that lodged the original ENS or his representative. However, amendments can only be lodged at the customs OoFE so the filer – or his representative – would need to be IT connected to that office.

An amendment can be made up until the Arrival Notification is received at the OoFE. If an Arrival Notification has already been received for the MRN then ICS will reject the amendment by responding to the IE313 with an IE305.

Additionally, an amendment request cannot be accepted by customs if one of the following conditions is met:

- the person lodging the original ENS has been informed that the customs OoFE intend to examine the goods;
- the customs authorities have established that the particulars in question are incorrect;
- the customs OoFE, upon presentation of the goods, has allowed their removal;
- after a Diversion Notification has been acknowledged by the originally declared customs OoFE.

The time limits for the lodging of the ENS do not start again after the amendment since, legally, it is the initial declaration that sets them.

Risk analysis is performed on each ENS. Where an amendment is made, risk analysis is performed again with regard to the amended particulars. This will have an impact on the release of the goods only where the amendment is made so shortly before the arrival of the goods, that the customs authorities need additional time for their risk analysis.

There is no cancellation message for ICS. ENS's submitted can be amended but not cancelled. An amendment contains all the data of the original ENS plus any amendment made and overwrites the first entry. Where goods are no longer to be shipped it is not necessary to inform the ICS system. ENS's that are finalised (by submitting an Arrival Notification) are moved from ICS to an archive system and stored for a number of years. ENS's which are never finalised are automatically purged after 215 days.

6. SUBMITTING A DIVERSION REQUEST (IE323)

Where the active means of transport is to be diverted to a new customs OoFE in a Member State different from:

- where the declared OoFE is located and; also
- different from where any of the declared Offices of Subsequent Entry are located;

the operator of the active means of transport must (Article 183d CCIP) lodge a "Diversion Request". This should be submitted to the "declared" OoFE. The declared OoFE will then notify the "actual" OoFE of the diversion and forward any positive risk results. Submitting a Diversion Request will remove the need for the carrier to re-submit all the ENS aboard the vessel (aircraft) to the actual OoFE..

If the new customs OoFE is in a Member State already declared on the original itinerary in the ENS then a "Diversion request" is not necessary as the Member State responsible for the new, actual customs OoFE will have already received details of any positive risks identified (Articles 183d, 184e CCIP).

There is no time limit for submitting a Diversion Request but it should be submitted as soon as a decision to divert the vessel (aircraft) has been made and certainly before the vessel has arrived in the new actual customs OoFE.

There are two ways of making the diversion request:

- the first makes use of the so-called "**Entry Key**" data elements: Mode of transport at the border; identification of the means of transport crossing the border, i.e. the IMO vessel identification number or the IATA flight number for air; expected date of arrival at first place of arrival in the customs territory of the Community (as declared in the original ENS); country code of the declared first office of entry; declared first place of arrival code; and actual first place of arrival code; and
- the second contains a complete list of the MRNs for all the ENS for all shipments carried on board the vessel (aircraft) and must be lodged together with the following data elements:
 - mode of transport at the border;
 - country code of declared first office of entry;
 - declared first place of arrival code and
 - actual first place of arrival code.

Where the latter option is used to divert ENS's on the vessel/aircraft, a maximum of 9999 MRN's can be submitted in one IE323 diversion request message.

6.1 Diversion under Vessel sharing arrangements

In vessel sharing (VSA) or similar contracting arrangements, the vessel operator or his representative must make the diversion request but would not typically have all the MRNs for its VSA partners' ENS filings (including the MRNs for any third party filings the VSA partners may have agreed to). It is therefore assumed that liner shipping companies would typically use the first version of the diversion request which uses the **Entry Key**.

6.2 Cargo diversion

Quite often goods may be discharged at a [air]port different to that originally declared. Such cargo diversion may, for example, happen if the goods are sold in transit or simply that an importer may direct that the goods be discharged in another [air]port.

In such circumstances the ENS may be amended and therefore a diversion notification would not need to be submitted. The amendment process would be the same as that described in Part 5 above.

6.3 Data elements for a Diversion Request (IE323)

The data elements required for a Diversion Request (extracted from Annex 30A and the UK TIS) can be found in the Table at Appendix 5 to this document and further details of the structure of an IE323 are available in the [UK TIS](#).

7. SUBMITTING AN ARRIVAL NOTIFICATION (IE347)

7.1 ICS Arrival Notification

The ICS Arrival Notification should not be confused with the current “Arrival” usually made on the [air]port system or inventory. This practice will continue in the UK, the ICS arrival does not supercede this. The ICS arrival must, for the foreseeable future, be done separately on the UK ICS system. Some Community System Providers (CSPs) may decide to offer a service to submit Arrival Notifications to ICS at the same time as they make the usual customs Import Summary Declaration arrival on present systems but carriers are advised not to assume that a CSP will provide this service and so should consult their CSP to see if they are likely to offer this service when ICS goes live. If not, the carrier will need to arrange for the Arrival Notification to be submitted, either by themselves or a representative at the [air]port of first arrival.

7.2 Submitting an ICS Arrival Notification

Upon arrival at the UK [air]port, regardless of whether the UK is an OoFE or OoSE , the “operator of the active means of transport” (carrier) entering the customs territory of the Community (or his representative) must submit an “Arrival Notification” allowing customs to identify all the ENS’s that were previously submitted for the cargo carried on the vessel (aircraft). If at all possible, dual filing of an Arrival Notification should be avoided, but, where it occurs, does not affect compliance with the requirement in the UK to submit an Arrival Notification.

The purpose of the process is to make customs aware of the arrival of the means of transport, to enable it to check the availability of positive security and safety risk analysis results, to initiate controls where required and to finalise processing of the ENS.

The Arrival Notification must cover all ENS’s on the vessel even if the goods are remaining on board or destined for discharge at either subsequent EU [air]ports or [air]ports outside of the EU. This identifying information can take the form of either an “**Entry Key**” (i.e. mode of transport at the border, vessel/craft number (IMO or IATA number etc) and the **expected** date of arrival at the first place of arrival in the Community as declared on the ENS’s) or a list of all the MRNs for all the ENS’s on board.

7.3 Using the Entry Key to arrive consignments on ICS

The Entry Key can be used to arrive all ENS’s on the vessel/aircraft. Alternatively a complete list of MRN’s to be arrived can be submitted in the IE347 Arrival Notification. However, please note that, where the latter option is used to arrive ENS’s on the vessel/aircraft, a maximum of 9999 MRN’s can be submitted in one IE347 Arrival Notification message.

More information on the “Entry Key” is included in Section 6 (Diversion Request) above.

7.4 Data elements for an Arrival Notification (IE347)

The data elements that should be included in an Arrival Notification are listed in the table at Appendix 6. Full details of the IE347 can also be found in the TIS.

Further, detailed information on the arrival process in the UK for ICS is being prepared and will be made available shortly.

8. MISCELLANEOUS ICS/ENS MATTERS

8.1 Do I need to make any changes to my usual CHIEF import declaration when ICS is implemented?

To enable cross referencing for audit purposes, it would be helpful if the MRN (Movement Reference Number), where known, were to be included in Box 44 of the CHIEF Import declaration.

8.2 What is the position with shipments that have entered the EU, then called at a port outside the EU and then re-entered the EU?

The first port of entry is the first port in the Community at which the vessel is scheduled to call when coming from a port outside the Community. Subsequent port(s) mean any port in the Community on the vessel's itinerary that the vessel will call at after its call at the first port in the Community without an intervening call at any port outside the Community.

If the vessel calls at any port outside the Community in between Community ports then the vessel has left the Community and a subsequent arrival at a Community port makes that port the first port of entry, not a subsequent port; a new ENS must be lodged prior to arrival, within the prescribed time limits, for all of the cargo carried.

8.3 Penalties relating to ICS

Article 184c paragraph 2 of Commission Regulation 1875/2006 provides that: "If an economic operator lodges the [ENS] after the deadlines provided for in Article 184a, this shall not preclude the application of the penalties laid down in the national legislation". Any such penalties would be imposed according to the national customs legislation of the Member State in which the customs OoFE is located.

HMRC is currently developing the assurance processes and responsibilities for ICS and also the penalty regime in accordance with the legislation. The European Commission are actively seeking confirmation from the MS that this activity is on-going and will be in force for January 2011.

9. Appendices

9.1 Appendix 1 – The Law – Key articles in full

Extracts from Council Regulation 2913/92 – Customs Code (CC)

Responsibility for lodging an Entry Summary Declaration (ENS)

CC Article 36b(3) states that: The summary declaration shall be lodged by the person who brings the goods, or who assumes responsibility for the carriage of the goods into the customs territory of the Community.

CC Article 36b(4) states: Notwithstanding the obligation of the person referred to in paragraph 3, the summary declaration may be lodged instead by :

- a) the person in whose name the person referred to in paragraph 3 acts; or
- b) any person who is able to present the goods in question or to have them presented to the competent customs authority; or
- c) a representative of one of the persons referred to in paragraph 3 or points (a) or (b).

Amending an ENS

CC Article 36b(5) states that: The person referred to in paragraphs 3 and 4 shall, at his request, be authorised to amend one or more particulars of the summary declaration after it has been lodged. However, no amendment shall be possible after the customs authorities:

- a) have informed the person who lodged the summary declaration that they intend to examine the goods, or
- b) have established that the particulars in question are incorrect, or
- c) have allowed the removal of the goods.

Extracts from Commission Regulation 2454/93 – Customs Code Implementing Regulation (CCIP)

Exceptions

CCIP Article 181b states that: Except where otherwise provided for [in this regulation] all goods brought into the customs territory of the Community shall be covered by a summary declaration in accordance with Article 36a of the Code, hereinafter referred to as an “entry summary declaration.

CCIP Article 181c states that: An Entry Summary Declaration shall not be required for the following goods:

- (a) electrical energy;
- (b) goods entering by pipeline;
- (c) letters, postcards and printed matter, including on electronic medium;
- (d) goods moved under the rules of the Universal Postal Union Convention;
- (e) goods for which a customs declaration made by any other act is permitted in accordance with Articles 230, 232 and 233; with the exception of, if carried under a transport contract, household effects as defined in Article 2(1) (d) of Council Regulation (EC) No 1186/2009, pallets, containers, and means of road, rail, air, sea and inland waterway transport;
- (f) goods contained in travellers’ personal luggage;

- (g) goods for which an oral declaration is permitted, in accordance with Articles 225, 227 and 229(1) with the exception of, if carried under a transport contract, household effects as defined in Article 2(1) (d) of Council Regulation (EC) No 1186/2009, pallets, containers, and means of road, rail, air, sea and inland waterway transport;
- (h) goods covered by ATA and CPD Carnets;
- (i) goods moved under cover of the form 302 provided for in the Convention between the Parties to the North Atlantic Treaty regarding the Status of their Forces, signed in London on 19 June 1951;
- (j) goods carried on board vessels of regular shipping services, duly certified in accordance with Article 313b, and goods on vessels or aircraft which are carried between Community ports or airports without calling at any port or airport outside the customs territory of the Community;
- (k) goods entitled to relief pursuant to the Vienna Convention on diplomatic relations of 18 April 1961, the Vienna Convention on consular relations of 24 April 1963 or other consular convention, or the New York Convention of 16 December 1969 on special missions;
- (l) weapons and military equipment brought into the customs territory of the Community by the authorities in charge of the military defence of the Member State, in military transport or transport operated for the sole use of the military authorities;
- (m) the following goods brought into the customs territory of the Community directly from drilling or production platforms or wind turbines operated by a person established in the customs territory of the Community:
- (i) goods which were incorporated in such platforms or wind turbines, for the purposes of their construction, repair, maintenance or conversion;
 - (ii) goods which were used to fit to or to equip the said platforms or wind turbines;
 - (iii) other provisions used or consumed on the said platforms or wind turbines; and
 - (iv) non hazardous waste products from the said platforms or wind turbines.
- (n) goods in a consignment the intrinsic value of which does not exceed 22 EUR provided that the customs authorities accept, with the agreement of the economic operator, to carry out risk analysis using the information contained in, or provided by the system used by the economic operator.
- (o) goods brought from territories within the customs territory of the Community where Council Directive 2006/112/EC or Council Directive 2008/118/EC does not apply, and goods brought from Helgoland, the Republic of San Marino and the Vatican City State to the customs territory of the community.

Note: In cases covered by points (e), (f) and (g), an entry summary declaration shall be required where the goods are to be placed in temporary storage.

Diversions

CCIP Article 183d (1) states that: Where an active means of transport entering the customs territory of the Community is to arrive first at a customs office located in a Member State that was not declared in the entry summary declaration, the operator of this means of transport or his representative shall inform the declared customs office of entry by way of a "diversion request" message. This message shall contain the particulars laid down in annex 30A and shall be completed in accordance with the explanatory notes in that annex.

CCIP Article 183d (2) states that: The declared customs office of entry shall immediately notify the actual customs office of entry of the diversion and of the results of the safety and security risk analysis.

Deadlines for lodging an ENS – see Appendix 4**ENS and risk analysis for security and safety purposes**

CCIP Article 184e states: Where a vessel or aircraft is to call at more than one port or airport in the customs territory of the Community, provided that it moves between those ports without calling at any port or airport outside the customs territory of the Community, an entry summary declaration shall be lodged at the first Community port or airport for all the goods carried. The customs authorities at this first port or airport of entry shall carry out the risk analysis for security and safety purposes for all the goods carried. Additional risk analysis may be carried out for those goods at the port or airport at which they are discharged.

Where a risk is identified, the customs office of the first port or airport of entry shall take prohibitive action in the case of consignments identified as posing a threat of such a serious nature that immediate intervention is required, and, in any case, pass on the results of the risk analysis to the subsequent ports or airports.

At subsequent ports or airports in the customs territory of the Community, Article 186 [summary declaration for temporary storage] shall apply for goods presented to customs at that port or airport.

9.2 Appendix 2 – ICS Message Exchanges - Scenarios

Scenario 1 - ENS submitted, validated, accepted and arrived in the UK

ICS - The ENS relates to an air consignment where a UK airport is Office of First Entry (OoFE) and the ENS includes two Offices of Subsequent Entry (OoSE) in the EU.

Event	IE Message Number	IE Message Name
ENS identifying a UK airport as OoFE is submitted to UK ICS. The aircraft will call subsequently in Belgium and the Netherlands.	IE315 sent from trader/carrier to UK ICS.	Entry Summary Declaration / Replacement Entry Summary Declaration
ENS is validated, accepted and registered on UK ICS.	IE328 sent from UK ICS to trader/carrier. The message includes the allocated MRN.	Entry Summary Declaration Acknowledgement NB An MRN is only allocated to an ENS that is accepted by ICS after validation.
Following validation and acceptance by the OoFE, the ENS is risk assessed and a positive risk is identified. The positive risk results are sent to OoSE.	IE319 is sent from UK ICS to Belgian and Dutch ICS systems.	Transmission to Subsequent Office of Entry. ENS data and common safety and security risk analysis results sent by the Office of First Entry to each Office of Subsequent Entry.
The goods arrive at Heathrow (the OoFE named on the ENS).	IE 347 is sent by the Trader at Entry (Carrier) to UK ICS.	Arrival Notification The carrier may use the "Entry Key" to arrive all ENS's carried on the vessel. The use of certain data elements will pick up every ENS on the flight so long as the data elements are an exact match to those used by the carrier. If the "Entry Key" is not used then all MRNs on the vessel will need to be arrived separately.
Arrival Notification is validated and accepted by ICS at OoFE.	IE 348 message is sent from UK ICS to the person submitting the Arrival Notification confirming the acceptance of the Arrival message.	Arrival Notification Validation NB This Response message can either be an acceptance or a rejection of an arrival notification sent by the Trader at Entry (Carrier).

Scenario 2 - ENS submitted and accepted and then a diversion of the vessel occurs

- The ENS relates to a maritime deep-sea containerised consignment where a UK port is to be the OoFE. The ENS includes two OoSE in the EU (Belgium and Netherlands) but the vessel is diverted to a Member State not named in the original ENS as either an OoFE or an OoSE (Germany).

Event	IE Message Number	IE Message Name
ENS(s) identifying a UK port as OoFE are submitted to UK IC. Subsequent ports of call in Belgium and the Netherlands are also identified on the ENS(s).	IE315 sent from trader/carrier to UK ICS.	Entry Summary Declaration / Replacement Entry Summary Declaration
ENS(s) validated, accepted and registered on UK ICS.	IE328 sent from UK ICS to trader/carrier. The message includes the allocated MRN.	Entry Summary Declaration Acknowledgement NB An MRN is only allocated to an ENS that is accepted by ICS after validation.
Following validation and acceptance by the Office of First Entry, the ENS is risk assessed and a positive risk is identified.	IE319 is sent from UK ICS to both OoSE (ie to the ICS systems of both Belgium and Netherlands).	Transmission to Subsequent Office of Entry. ENS data and common safety and security risk analysis results sent by the OoFE to each OoSE.
The vessel is diverted from the UK to a German port which was not listed as an OoSE.	IE323 is sent from the trader notifying the "Declared" OoFE (ie the UK port) of the diversion to a German port.	Diversion Request Import This message must be sent to the "Declared" Office of First Entry (ie UK) before the vessel/craft reaches the "Actual" Office of First Entry (ie Germany) following the diversion.
Diversion request is validated and accepted by UK ICS.	IE325 Acknowledgement of valid diversion request sent by "Declared" Office of First Entry (UK) to the trader notifying the diversion.	Diversion request Acknowledgement
UK ICS, as originally "Declared" OoFE notifies German ICS as "Actual" OoFE of the diversion and of any MRNs previously assessed with a positive risk.	IE303 sent from UK ICS to German ICS.	Entry Summary Declaration Response

Scenario 3 - ENS submitted and accepted but following risk assessment it is decided to issue a “Do Not Load” message - The ENS relates to a maritime deep-sea containerised consignment where a UK port is to be OoFE. The ENS includes two OoSE in the EU.

Please note – a “Do Not Load” message is only used in the deep sea maritime environment there is no equivalent for the air sector.

Event	IE Message Number	IE Message Name
ENS(s) submitted to UK as OoFE.	IE315 sent from trader/carrier to UK ICS.	Entry Summary Declaration / Replacement Entry Summary Declaration
ENS(s) validated, accepted and registered on UK ICS.	IE328 sent from UK ICS to trader/carrier. The message includes the allocated MRN.	Entry Summary Declaration Acknowledgement NB An MRN is only allocated to an ENS that is accepted by ICS after validation.
The ENS is risk assessed and a major positive risk is identified which leads to the decision to issue a “Do Not Load” message.	IE351 is sent from UK ICS to the person lodging the ENS and the carrier (if different). And an IE319 is sent from UK ICS to other Member States' ICS in both of the SoOE named on the ENS.	Advanced Intervention notification.

Scenario 4 - ENS submitted and accepted but, following risk assessment, an amendment to the ENS is submitted. The amendment is submitted before the “Arrival” message has been received. The ENS relates to an air consignment and the ENS includes two OoSE in the EU.

Event	IE Message Number	IE Message Name
ENS identifying UK airport as OoFE is submitted to UK ICS. Subsequent ports of call in Belgium and the Netherlands are also identified on the ENS.	IE315 sent from trader/carrier to UK ICS.	Entry Summary Declaration / Replacement Entry Summary Declaration
ENS is validated, accepted and registered on UK ICS.	<p>IE328 sent from UK ICS to trader/carrier.</p> <p>The message includes the allocated MRN.</p>	<p>Entry Summary Declaration Acknowledgement</p> <p>NB An MRN is only allocated to an ENS that is accepted by ICS after validation.</p>
Following validation and acceptance by the OoFE, the ENS is risk assessed and a positive risk is identified.	IE319 is sent from UK ICS to both OoSE in Belgium and Netherlands. This contains details of the positive risks identified.	<p>Transmission to Subsequent Office of Entry.</p> <p>ENS data and common safety and security risk analysis results sent by the Office of First Entry to each Office of Subsequent Entry.</p>
An amendment to the ENS is received.	IE313 is sent from trader/carrier to UK ICS.	Entry Summary Declaration Amendment
Amendment arrives before the “Arrival Notification” has been submitted and is validated and accepted by UK ICS. An acknowledgment is returned to the trader/carrier.	IE 304 is sent from UK ICS to trader/carrier.	Entry Summary Declaration Amendment Acceptance.
The amended ENS is run back through the risk engine – no positive risks are identified so no further information is forwarded to OoSE.	No message sent	
The goods arrive at Heathrow (the OoFE).	IE 347 is sent by the Trader at Entry (Carrier) to UK ICS.	<p>Arrival Notification</p> <p>The carrier may use the “Entry Key” to arrive all ENS’s carried on the vessel. The use of these 2 data elements will pick up every ENS so long as the data elements are an exact match.</p> <p>If the “Entry Key” is not used then all MRNs on the air craft will need to be arrived separately.</p>
Arrival Notification validated and accepted by ICS at OoFE.	IE 348 is sent from UK ICS to the person submitting the Arrival Notification confirming the acceptance of the Arrival message.	<p>Arrival Notification Validation</p> <p>NB This Response message can either be an acceptance or a rejection of an arrival notification sent by the Trader at Entry (Carrier).</p>

9.3 Appendix 3 – Entry Summary Declaration Data Elements

Table 1 - Entry Summary Declaration - Data elements for air, sea, inland waterways.

Information extracted from Annex 30A to Commission Regulation 1875/2006 and the UK TIS.

ENTRY SUMMARY DECLARATION DATA ITEMS Air, sea, inland waterways		
(*Data item name in Annex 30A) <i>Data item name in TIS (where different)</i>	Header (H) and/or item (I) level or Conveyance (C) level	Notes and further info (Includes extracts from notes to the articles in Annex 30A of Regulation 1875/2006 and also to rules and conditions in the UK TIS)
<i>Reference Number (LRN)</i>		An..22 This is the number/identifier allocated by the sending trader for a specific transaction (ENS, Arrival Notification, Diversion request etc). It must be unique per trader sending the transaction. Once an ENS is accepted a Movement Reference Number (MRN) is issued. In the UK we will be able to search UK ICS by either the MRN or the traders original LRN.
(*Number of items) <i>Total number of items (n..5)</i>	H	Total number of items declared in the Entry Summary Declaration
(*Unique Consignment Reference Number) <i>Commercial Reference Number</i>	H/I	Alpha numeric up to 70 characters. (an...70) Unique number assigned to goods, for entry, import, exit and export. WCO (ISO15459) codes or equivalent shall be used. Please see the note below this table on the use of UCRs in the UK and other countries.
(*Transport document number) <i>Produced Documents /Certificates</i> - <i>Document type (an..4)</i> - <i>Document reference (an..35)</i>	H/I	Reference of the transport document that covers the transport of the goods into the EU. Where the person lodging the declaration is different from the carrier the transport document number of the carrier shall also be provided. Document type code list – see TIS App C code list 13.
(*Consignor) <i>(Consignor) Trader</i>	H/I	This information takes the form of the consignor EORI number whenever this is available to the person lodging the ENS. Please note that in the TIS the “TIN” field is the EORI number. Alternatively include name, street and number, Postal code, City and Country Code.
(*Person lodging the summary declaration) <i>(Lodging Summary Declaration) Person</i>	H	Declare the EORI number of the person lodging the ENS.
(*Consignee) <i>(Consignee) Trader</i>	H/I	EU consignees’ declared on the ENS, should normally be identified by their EORI number (if this is available). Consignees outside the EU with no EORI number (and those EU consignees where the EORI number is not available) should be identified by their name and address.
(*Carrier) <i>(Entry Carrier) Trader</i>	C	This information should be provided if the carrier is different from the person lodging the ENS. The person lodging the ENS must have the carrier’s “knowledge and consent”. The carrier must be identified by an EORI number.
(*Country(ies) of routing codes) <i>Itinerary</i> - <i>Country of routing code</i>	H	Alpha..2 (country codes to be taken from TIS App C code list 8). Identification in chronological order of the countries through which goods are routed between the country of original departure and final destination. It should include the countries of departure and destination.
Notify party	H/I	Party to be notified at entry of the arrival of the goods. This information needs to be provided where applicable. Where

		<p>the goods are carried under a negotiable bill of lading that is “to order blank endorsed”, in which case the consignee is not mentioned and special mentions code 10600 (see TIS App C code list 39) is entered, the Notify Party shall always be provided.</p> <p>EORI number should be used where available.</p>
<p>(*Mode of transport at the border) <i>Transport mode at border</i> Codes: 1 Sea 2 Rail 3 Road 4 Air 5 Postal consignment 7 Fixed transport installations 8 Inland waterway transport 9 Own propulsion</p>	C	<p>n1 The mode of transport corresponding to the active means of transport in which the goods are expected to enter the customs territory of the Community. Where air cargo is transported on modes of transport other than air, the other mode of transport shall be declared.</p> <p>There are separate rules on combined transportation.</p>
<p>(*Identity and nationality of active means of transport crossing the border)</p> <p>A number of data fields in the TIS make up this data requirement as follows: - <i>Identity of means of transport crossing border</i> (an..27) - <i>Nationality of means of transport crossing border</i> (a..2)</p> <p>These fields are used in conjunction with the “Mode of Transport at the border” field above.</p>	C	<p>Where sea transport is concerned, the IMO ship identification number shall be declared.</p> <p>Not to be used for air – the IATA flight number should be included in the data field “Conveyance Reference number”.</p> <p>NB Accurate completion of these fields on all ENS’s is essential when the carrier (or his representative) intend to use the Entry Key to Arrive or Divert all consignments on a vessel.</p>
<p>Conveyance reference number</p>	C	<p>An..35 Identification of the journey of the means of transport for example voyage, train or flight number etc.</p> <p>For air – the IATA number should be in this field.</p> <p>NB Accurate completion of this field on all ENS’s is essential when the carrier (or his representative) intend to use the Entry Key to Arrive or Divert all consignments on a plane.</p>
<p>(*First place of arrival code) <i>(First Entry) Customs Office</i> - <i>Reference number</i></p>	C	<p>an8 Identification of the customs Office of First Entry (OoFE) in the EU. an..8 codes structured as follows: - the first 2 characters (a2) serve to identify the country by means of the country code of the EU Member State - the next 6 characters (an..6) stand for the office concerned in that country.</p> <p>Codes will be set up for the Identification of all potential customs Offices of First Entry (OoFE). These will be uploaded by all Member States to a central COL (Customs Office List). These will be available on the EUROPA website.</p>
<p>(*Date and time of arrival at first place of arrival in the Customs territory) <i>(First Entry) Customs Office</i> - <i>Expected date and time of arrival</i></p> <p>NB As a general rule, this field once set by the carrier should <u>not</u> be amended. See note on Arriving and Diverting consignments using the Entry Key in Notes column.</p>	C	<p>n..12 (CCYYMMDDHHMM) shall be used. Local time of first place of arrival shall be used.</p> <p><u>Scheduled</u> date and time of arrival of means of transport at (for air) first airport (land) arrival at first border post and (sea) arrival at first port.</p> <p>It is particularly important, where a carrier intends to use the Entry Key to Arrive or Divert all consignments on a vessel/aircraft, that the scheduled date and time of arrival is a static reference point. It should be the same on all ENS’s submitted for consignments on that vessel/aircraft regardless of whether they are submitted by the carrier or by representatives on his behalf. Representatives should, therefore, obtain this information from the carrier and should not amend the expected date and time of arrival unless the carrier instructs him to do so.</p>
<p>(*Subsequent customs office(s) of entry code) <i>(Subsequent Entry) Customs Office</i> - <i>Reference number</i></p>		<p>an8 Identification of all known customs Office(s) of Subsequent Entry (OoSE) in the EU.</p> <p>See notes on the structure of codes to be used above in the</p>

		Notes column to the OoFE field.
Place of loading	H/I	an..35 The first 2 digits of the place of loading shall be the Country Code. Name of seaport, airport, freight terminal, rail station or other place at which goods are loaded onto the means of transport being used for their carriage, including the country where it is located.
(*Place of unloading code) <i>Place of unloading</i>	H/I	an..35 The first 2 digits of the place of unloading shall be the Country code. Name of seaport, airport, freight terminal, rail station or other place at which goods are unloaded onto the means of transport being used for their carriage, including the country where it is located.
Goods description	I	This is a plain language description precise enough for customs to be able to identify the goods. General terms such as “consolidated”, “general cargo” or “parts” cannot be accepted. A list of other inappropriate descriptions has been published by the Commission. It is not necessary to provide this information where a commodity code is used.
(*Type of packages (code)) <i>Kind of packages</i>	I	An..2 List of codes available in the TIS App C code list 17.
<i>Total number of packages</i>	H	n..7 NB Rule 105 applies as follows: ‘The total number of packages is equal to the sum of all “Number of packages” + all “Number of pieces” + a value of “1” for each declared “bulk”.’
Number of packages	I	n..5 Number of individual items packaged in such a way that they cannot be divided without first undoing the packing; or number of pieces if unpackaged. This information does not need to be provided where goods are in bulk.
<i>Number of pieces</i>		n..5
(*Shipping marks) <i>Marks and numbers of packages (long)</i>	H/I	an..140 Free form description of the marks and numbers on transport units or packages. This information shall only be provided for packaged goods where applicable. Where goods are containerised, the container number can replace the shipping marks, which can however be provided by the trader where available. A UCR or the references in the transport document that allows for the unambiguous identification of all packages in the consignment may replace the shipping marks.
(*Equipment identification number, if containerised) <i>Containers</i> - <i>Container Number</i>	H/I	an..17 Marks (letters and/or numbers) which identify the container. Where goods are containerised the container number can replace the “shipping marks”.
(*Goods item number) <i>Goods item</i> - <i>Item Number</i>	I	n..5 The number of the item in relation to the total number of items contained in the declaration, the summary declaration or the diversion request.
(*Commodity code) <i>Code (Commodity)</i> - <i>Combined Nomenclature</i>	I	an..8 Commodity Codes list is available in Part 2 of the UK Tariff (and on-line). For ENS, the first 4 digits of the 8 digit commodity code may be used. It is not necessary to provide this information if a goods description is provided.
(*Gross mass (kg)) <i>Gross mass (n..11,3)</i> NB this means up to 11 digits then 3 following the decimal point.	H/I	Weight (mass) of goods including packaging but excluding the carrier's equipment for the declaration. Where possible, the trader should provide data at item level.
UN Dangerous Goods code UNDG code list is available in the TIS App C code list 101.	I	n4 The United Nations Dangerous Goods Identifier (UNDG) is a unique serial number (n4) assigned within the United Nations to dangerous substances and articles. This element

(*Seal number) <i>Seals ID</i> <i>- Seals identity</i>	H/I	shall be provided where it is relevant. The identification numbers of the seals affixed to the transport equipment, where applicable.
Transport charges method of payment code <i>Transport charges/ Method of Payment (a1)</i>	H/I	Codes to be used: A Payment in cash B Payment by credit card C Payment by cheque D Other H Electronic credit transfer Y Account holder with carrier Z Not pre-paid
(*Other specific circumstance indicator) <i>Specific Circumstance Indicator</i>	H	a1 A Postal and express consignments C road mode of transport D Rail mode of transport E Authorised Economic Operators
<i>Special Mentions</i> <i>- Additional information coded</i>		an..5 See TIS App C code list for available codes.
(*Declaration date) <i>Declaration date and time</i>	H	Date at which the respective declarations were issued and when appropriate, signed or otherwise authenticated.
<i>Declaration place</i>		an..35 Text describing where the declaration was completed (office address etc).
Signature/Authentication	H	

Key

An = Alpha Numeric

A = Alpha

N = Numeric

A2 = 2 characters only (NB there is usually a code list to go with these)

An..7 = up to 7 characters etc.

A note on the “Office of Lodgement” data fields

There are two data fields in the TIS that relate to Office of Lodgement:

- (Lodgement) Customs Office; and
- (Representative) Trader.

As the UK is not an Office of Lodgement neither of these fields should be completed for ENS's submitted to the UK ICS system.

A note on the use of a Unique Consignment Reference Number (UCR)

The EU law states, in Annex 30A to Commission Directive 1875 (safety and security amendment) that:

“Unique number assigned to goods, for entry, exit and export. WCO (ISO15459) code or equivalent should be used”.

The WCO structure for a UCR referred to in EU law is a “recommendation” from the World Customs Organisation. It has not, to date, been fully adopted in the EU or in other countries but some, e.g. South Korea, do follow the WCO recommendation in the structure etc of a UCR. China is also believed to be looking at use of a WCO structured UCR. Such UCRs are issued by the **exporter of the goods** and include that company's national identity number and also the commercial purchase order or contract reference.

So, where an importer in the UK is trading with, say, South Korea they might wish to provide this UCR in this field for the ICS declaration from January 2011 if this were made available by the exporter of the goods.

The EU has, to date, not specified a set structure for this data field so, at present, we have some latitude in how it is completed on an ICS declaration. Traders may be aware that we have, in the UK, used UCRs (in some form) for some years on CHIEF import and export declarations. However, the structure we use in the UK (which is available in the Tariff) is not fully in step with the recommended ISO15459 structure mentioned in Annex 30A.

For the foreseeable future, until such time as we receive further guidance from the EU commission, UK traders may, if they wish continue to use the structure of a UCR as outlined in the UK Tariff where a “real” UCR has not been issued by the exporting nation. Alternatively, the only rule surrounding a UCR is that it is unique so traders may use a different structure if they wish.

The recommended structure (as outlined in the UK Tariff) is as follows:

- Year (2 digits)
- EORI number (which includes a Country Code prefix); and then
- Other commercial refs such as Air Waybill or Bill of Lading number, invoice number (or other info relevant to the importer) etc.

NB – The Commercial Reference (UCR) field on the Entry Summary Declaration (ENS) allows up to 70 digits and, if completed, removes the requirement to also supply transport document numbers (such as the Bill of Lading or Air Waybill numbers) in the “Transport Documents” field of the ENS. Some carriers have informed us that they will be using the Bill of Lading/Air Waybill Number but they will not necessarily include an EORI number in the UCR.

Table 2 - Entry Summary Declaration - data elements for other situations and modes of transport not referred to in Table 1 above.

Information extracted from Annex 30A to Commission Regulation 1875/2006.

Key

H = Header level

I = Item level

C – Conveyance level

ENTRY SUMMARY DECLARATION DATA ITEMS				
Data item name	Postal & express consignments	Road mode of transport	Rail mode of transport	Authorised Economic Operators – reduced data requirements for ENS
Number of items		H	H	
Unique consignment reference number		H/I	H/I	H/I
Transport document number		H/I	H/I	H/I
Consignor	H/I	H/I	H/I	H/I
Person lodging the summary declaration	H	H	H	H
Consignee	H/I	H/I	H/I	H/I
Carrier	C	C	C	C
Notify party				H/I
Identity and nationality of active means of transport crossing the border		C	C	C
Conveyance reference number			C	C
First place of arrival code		C	C	C
Date and time of arrival at first place of arrival in the Customs territory	C	C	C	C
Country(ies) of routing codes	H	H	H	H
Place of loading	H	H/I	H/I	H/I
Place of unloading code	H/I	H/I	H/I	
Goods description	I	I	I	I
Type of packages (code)		I	I	
Mode of transport at the border	C	C	C	C
Number of packages		I	I	I
Equipment identification number, if containerised		H/I	H/I	I

containerised				
Goods item number	I	I	I	I
Commodity code	I	I	I	I
Gross mass (kg)	H/I	H/I	H/I	
UN Dangerous Goods code	I	I	I	
Seal number		H/I	H/I	
Transport charges method of payment code	H/I	H/I	H/I	
Declaration date	H	H	H	H
Signature/Authentication	H	H	H	H
Other specific circumstance indicator	H	H	H	H

9.4 Appendix 4 – Time limits for lodging an Entry Summary Declaration

The table below (derived from Article 184a) sets out time limits for lodging an ENS.

TRANSPORTATION MODE	TIME LIMIT
Containerised maritime cargo (except short sea containerised shipping)	At least 24 hours before commencement of loading at the port of departure
Bulk/ break bulk maritime cargo (except short sea bulk/ break bulk shipping)	At least 4 hours before arrival at the first port in the Community
Short sea shipping (less than 24 hours): Movements between Greenland, Faeroe Islands, Ceuta, Melilla, Norway, Iceland, ports on the Baltic Sea, ports on the North Sea, ports on the Black Sea or ports on the Mediterranean, all ports of Morocco and The Community (except French overseas departments, Azores, Madeira and Canary Islands to which other rules apply – see below).	At least 2 hours before arrival at the first port in the Community
Movements between a territory outside the Community And French overseas departments, Azores, Madeira and Canary Islands where the duration is less than 24 hours	At least 2 hours before arrival at the first port in the Community
Short haul flights (less than 4 hours duration)	At least by the time of the actual take off of the aircraft
Long haul flights (more than 4 hours duration)	At least 4 hours before arrival at the first airport in the Community
Rail and inland waterways	At least 2 hours before arrival at the customs office of entry in the Community
Road traffic	At least 1 hour before arrival at the customs office of entry in the Community

9.5 Appendix 5 – Diversion Request (IE323) Data elements

DATA ITEMS FOR A DIVERSION REQUEST		
(*Data item name in Annex 30A) Data item name in TIS (where different)	Item (I) level or Conveyance (C) level	Notes (Includes extracts from some of the notes to the articles in Regulation 1875/2006)
(*Mode of transport at the border) <i>Transport mode at border</i>	C	Use the appropriate Mode of Transport code. Important field if Entry Key is to be used to divert all ENS's on the vessel/aircraft.
(*Country code of the declared first office of entry) <i>Country code of Office of First entry declared</i>	C	Use country codes listed in Annex 38 of Customs Code Implementing Regulations.
<i>Diversion Reference Number</i>		An..22 This is the number/identifier allocated by the sending trader (sometimes referred to as an LRN) for a specific transaction (ENS, Arrival Notification, Diversion request etc). It must be unique per trader sending the transaction.
(*Identification of means of transport crossing the border) <i>Identification of the means of transport</i>	C	This shall take the form of the IMO ship identification number, the ENI code or the IATA flight number for sea, inland waterways or air transport respectively. For air transport in situations where the operator of the aircraft transports goods under a code-share arrangement with partners, the code-share partners' flight numbers shall be used. Important field if Entry Key is to be used to divert all ENS's on the vessel/aircraft.
(*Date and time of arrival at first place of arrival in the Customs territory) <i>Expected date of arrival</i>	C	This information shall be limited to the date; 8 number code: CCYYMMDD. Important field if Entry Key is to be used to divert all ENS's on the vessel/aircraft. This field should be a fixed point in time - ie the original date of expected arrival at the originally intended customs OoFE specified on all the ENS's submitted for this vessel/aircraft.
(*First place of arrival code) <i>(First Entry) Customs Office</i>	C	The code of the declared Customs Office of First Entry (OoFE) must be provided. IE that declared on the original ENS. NB This is the office to which the Diversion Request should be submitted.
(*Actual first place of arrival code) <i>(Actual Office of Entry) Customs Office</i>	C	The actual Customs Office of First Entry is that office to which the vessel/craft is being diverted. On receipt of the Diversion Request, the declared OoFE (above) should send the ENS and risk result data relating to the diversion to the "actual" Office of First Entry.
(*Person requesting the diversion) <i>(Requesting Diversion) Trader</i>	C	The person making the request for the diversion at entry. This information takes the form of the EORI number of the person requesting the diversion.
(*MRN) <i>Import Operation</i> - MRN NB the current TIS contains <u>an error</u> , under Import Operation it says "Document/reference number". This field should read "MRN". The EU commission will be updating the DDNIA (EU Technical Specification) at some	H	The Movement Reference Number field is an alternative to using the "Entry Key" data elements to divert all the ENS's on the vessel/aircraft. If the Entry Key is not used then a list of all the MRNs to be diverted should be provided. NB A maximum of 9999 MRNs may be contained in one IE323 Diversion Request message.

(EU Technical Specification) at some point		
(*Goods item number) <i>Goods Item</i> <i>- Item number</i>	I	Where the MRN is provided and the diversion request does not concern all items of goods of an Entry Summary Declaration (ENS), the person requesting the diversion shall provide the relevant item numbers attributed to the goods in the original ENS.

9.6 Appendix 6 – Arrival Notification (IE347) Data elements

DATA ITEMS FOR AN ARRIVAL NOTIFICATION REQUEST		
Data item name (in TIS)	Item (I) level or Conveyance (C) level	Notes
Transport mode at border	C	n..2 Use the appropriate Mode of Transport code. Important field if Entry Key is to be used to arrive all ENS's on the vessel/aircraft.
Arrivals Reference Number		An..22 This is the number/identifier allocated by the sending trader (sometimes referred to as an LRN) for a specific transaction (ENS, Arrival Notification, Diversion request etc). It must be unique per trader sending the transaction.
Identification of the means of transport	C	an35 This shall take the form of the IMO ship identification number, the ENI code or the IATA flight number for sea, inland waterways or air transport respectively. For air transport in situations where the operator of the aircraft transports goods under a code-share arrangement with partners, the code-share partners' flight numbers shall be used. Important field if Entry Key is to be used to arrive all ENS's on the vessel/aircraft.
Expected date of arrival	C	This information shall be limited to the date; 8 number code: YYYYMMDD. Important field if Entry Key is to be used to arrive all ENS's on the vessel/aircraft. This field should be a fixed point in time - ie the original date of expected arrival at the originally intended customs OoFE specified on all the ENS's submitted for this vessel/aircraft.
Actual date of arrival		This information shall be limited to the date; 8 number code: YYYYMMDD.
(Customs Office of Arrival) - Reference Number	C	an8 The code of the actual Customs Office of Arrival. Please note traders should also complete the field below.
Intended First Office of Entry		a1 1 for Yes and 0 for No should be entered into this field. 1(Yes) if the Customs Office of Arrival was the intended Office of First Entry; and 0 (No) if the Customs Office of Arrival is different from the intended customs Office of First Entry.
Trader at Entry	C	an17 This information should take the form of the EORI number of the person submitting the Arrival Notification. Additionally, name and address etc is optional.
Import Operation - MRN	H	an18

		<p>The Movement Reference Number field is an alternative to using the "Entry Key" data elements to arrive all the ENS's on the vessel/aircraft. If the Entry Key is not used then a list of all the MRNs to be arrived should be provided.</p> <p>NB A maximum of 9999 MRNs may be contained in one IE347 Arrival Notification message.</p>
Country code of Office of First entry	C	<p>a2 Use country codes listed in Annex 38 of Customs Code Implementing Regulations.</p>
Goods Item - Item number	I	<p>n..5</p> <p>Where the MRN is provided and the Arrival Notification does not concern all items of goods of an Entry Summary Declaration (ENS), the person submitting the Arrival Notification shall provide the relevant item numbers attributed to the goods in the original ENS.</p>