

Development of the Pilot Scheme: Next Steps

Legal and Regulatory Issues

by

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Next Steps (1a): Formulation of International Agreement (Specific)

- Formulation of an international agreement (which could be in the form of an MOU) among the participating countries addressing specific issues, e.g.:
- General Provisions and Procedures (e.g., obligations of the principal, sealing)
- Use of Information and Communications Technology (application of electronic data exchange)
- Guarantees (single, multiple/comprehensive, liability of the guarantor, cancellation and revocation of the guarantee)

Next Steps (1b): Formulation of International Agreement (Specific)

- Authorized Transit Traders (general criteria; applications for and decisions on authorized transit traders; amendment, surrender, or revocation of authorizations)
- Simplified Procedures (e.g., exemption from the presentation of goods at the customs office of departure)
- Transit Operations and Procedures (e.g., procedures, incidents, termination of the transit operation, fallback procedures)
- Port Transit Procedures (e.g., enquiry procedure to establish correct termination of a transit operation, customs debt and recovery, administrative assistance)
- Miscellaneous Provisions (e.g., minor discrepancies, exclusion)

Next Steps (2): Alignment of Domestic Laws and Regulations with the International Agreement, as Necessary

- Implementation of changes in the legal and regulatory framework that may be required to implement the proposed regional transit guarantee scheme, even in monist systems:
 - primary laws
 - secondary laws (e.g., regulations, decrees, resolutions)

Next Steps (3): Formulation of International Agreement (General)

- Formulation of an international agreement to address overall requirements of a regional transit regime, e.g.:
 - exemption of transit traffic from non-cost related charges
 - facilitation of road vehicle crew entry
 - facilitation of road vehicle and container entry
 - permission of foreign transport operator activity
 - non-discrimination and national treatment

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Attention