

Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code (repealed)

PART I

GENERAL IMPLEMENTING PROVISIONS

TITLE VI

INTRODUCTION OF GOODS INTO THE CUSTOMS TERRITORY

[^{F1}CHAPTER 1

Entry summary declaration]

[^{F1}Section 2

Lodging of an entry summary declaration]

[^{F1}Article 183

1 The entry summary declaration shall be made electronically. It shall contain the particulars laid down for such declaration in Annex 30A and shall be completed in accordance with the explanatory notes in that Annex.

The entry summary declaration shall be authenticated by the person making it.

Article 199(1) shall apply *mutatis mutandis*.

2 [^{F2}The customs authorities shall allow the *lodging* of a paper-based entry summary declaration, or any other procedure replacing it as agreed between the customs authorities, only in one of the following circumstances:]

- a the customs authorities' computerised system is not functioning;
- b the electronic application of the person lodging the entry summary declaration is not functioning.

[^{F3}In the cases referred to in points (a) and (b) of the first subparagraph, the paper-based entry summary declaration shall be made using the Security and Safety Document form, corresponding to the specimen set out in Annex 45i. Where the consignment for which an entry summary declaration is made consists of more than one item of goods, the Security and Safety Document shall be supplemented by a list of items corresponding to the specimen set out in Annex 45j. The list of items shall form an integral part of the Security and Safety Document.]

[^{F4}In the cases referred to in points (a) and (b) of the first subparagraph, the customs authorities may allow the Security and Safety Document to be replaced by, or complemented by, commercial documents provided the documents submitted to the

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customs authorities contain the particulars laid down for entry summary declarations in Annex 30A.]

3 The customs authorities shall establish, in agreement with each other, the procedure to be followed in the cases referred to in point (a) of the first subparagraph of paragraph 2.

4 The use of a paper-based entry summary declaration referred to in point (b) of the first subparagraph of paragraph 2 shall be subject to the approval of the customs authorities.

The paper-based entry summary declaration shall be signed by the person making it.

5 Entry summary declarations shall be registered by the customs authorities immediately upon their receipt.

[^{F5}6 The customs authorities shall notify immediately the person who lodged the entry summary declaration of its registration. Where the entry summary declaration is lodged by a person referred to in Article 36b(4) of the Code, the customs authorities shall also notify the carrier of the registration, provided that the carrier is connected to the customs system.

7 Where an entry summary declaration is lodged by a person referred to in Article 36b(4) of the Code, the customs authorities may assume, except where there is evidence to the contrary, that the carrier has given his consent under contractual arrangements and that the lodging has been made with his knowledge.

8 The customs authorities shall notify immediately the person who lodged amendments to the entry summary declaration of the registration of such amendments. Where the amendments to the entry summary declaration are lodged by a person referred to in Article 36b(4) of the Code, the customs authorities shall also notify the carrier, provided that the carrier has requested the customs authorities to send such notifications and is connected to the customs system.

9 Where, after a period of 200 days from the date of lodging an entry summary declaration, the arrival of the means of transport has not been notified to customs in accordance with Article 184g or the goods have not been presented to customs in accordance with Article 186, the entry summary declaration shall be deemed not to have been lodged.]]

Textual Amendments

- F2** Substituted by Commission Regulation (EC) No 312/2009 of 16 April 2009 amending Regulation (EEC) No 2454/93 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code.
- F3** Substituted by Commission Regulation (EC) No 414/2009 of 30 April 2009 amending Regulation (EEC) No 2454/93 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code (Text with EEA relevance).
- F4** Inserted by Commission Regulation (EC) No 414/2009 of 30 April 2009 amending Regulation (EEC) No 2454/93 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code (Text with EEA relevance).
- F5** Inserted by Commission Regulation (EC) No 312/2009 of 16 April 2009 amending Regulation (EEC) No 2454/93 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code.

[^{F6} Article 183a

1 The data provided under a transit procedure may be used as an entry summary declaration if the following conditions are met:

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- a the goods are brought into the customs territory of the Community under a transit procedure;
- b the transit data is exchanged using information technology and computer networks;
- c the data comprises all of the particulars required for an entry summary declaration.

2 Provided the transit data containing the required particulars is exchanged by the relevant time limit laid down in Article 184a, the requirements of Article 183 shall be deemed to have been met, even where the goods have been released for transit outside the customs territory of the Community.

Textual Amendments

- F6** Inserted by [Commission Regulation \(EC\) No 1875/2006 of 18 December 2006 amending Regulation \(EEC\) No 2454/93 laying down provisions for the implementation of Council Regulation \(EEC\) No 2913/92 establishing the Community Customs Code \(Text with EEA relevance\)](#).

[^{F2}Article 183b

In the case of combined transportation, where the active means of transport entering the customs territory of the Community 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 obligation to lodge the entry summary declaration shall lie with the operator of that other means of transport.

The time limit for lodging the entry summary declaration shall correspond to the time limit applicable to the active means of transport entering the customs territory of the Community, as specified in Article 184a.]

Textual Amendments

- F2** Substituted by [Commission Regulation \(EC\) No 312/2009 of 16 April 2009 amending Regulation \(EEC\) No 2454/93 laying down provisions for the implementation of Council Regulation \(EEC\) No 2913/92 establishing the Community Customs Code](#).
- F6** Inserted by [Commission Regulation \(EC\) No 1875/2006 of 18 December 2006 amending Regulation \(EEC\) No 2454/93 laying down provisions for the implementation of Council Regulation \(EEC\) No 2913/92 establishing the Community Customs Code \(Text with EEA relevance\)](#).

Article 183c

In the case of maritime or air traffic where a vessel sharing or contracting arrangement is in place, the obligation to lodge the entry summary declaration shall lie with the person who has undertaken a contract, and issued a bill of lading or air waybill, for the actual carriage of the goods on the vessel or aircraft subject to the arrangement.

Textual Amendments

- F6** Inserted by [Commission Regulation \(EC\) No 1875/2006 of 18 December 2006 amending Regulation \(EEC\) No 2454/93 laying down provisions for the implementation of Council Regulation \(EEC\) No 2913/92 establishing the Community Customs Code \(Text with EEA relevance\)](#).

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[^{F2}Article 183d

1 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. This paragraph shall not apply in the cases referred to in Article 183a.

2 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.]]

Textual Amendments

- F2** Substituted by [Commission Regulation \(EC\) No 312/2009 of 16 April 2009 amending Regulation \(EEC\) No 2454/93 laying down provisions for the implementation of Council Regulation \(EEC\) No 2913/92 establishing the Community Customs Code.](#)
- F6** Inserted by [Commission Regulation \(EC\) No 1875/2006 of 18 December 2006 amending Regulation \(EEC\) No 2454/93 laying down provisions for the implementation of Council Regulation \(EEC\) No 2913/92 establishing the Community Customs Code \(Text with EEA relevance\).](#)

Article 184

1 Goods covered by a summary declaration which have not been unloaded from the means of transport carrying them shall be re-presented intact by the person referred to in [^{F1}Article 183(1) and (2)] whenever the customs authorities so require, until such time as the goods in question are assigned a customs-approved treatment or use.

2 Any person who holds goods after they have been unloaded in order to move or store them shall become responsible for compliance with the obligation to re-present all the goods intact at the request of the customs authorities.

Textual Amendments

- F1** Substituted by [Commission Regulation \(EC\) No 1875/2006 of 18 December 2006 amending Regulation \(EEC\) No 2454/93 laying down provisions for the implementation of Council Regulation \(EEC\) No 2913/92 establishing the Community Customs Code \(Text with EEA relevance\).](#)

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