

Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code (recast)

TITLE IX

**ELECTRONIC SYSTEMS, SIMPLIFICATIONS, DELEGATION OF POWER, COMMITTEE PROCEDURE AND FINAL PROVISIONS**

CHAPTER I

*Development of electronic systems*

*[<sup>F1</sup> Article 278*

**Transitional measures**

1 Until 31 December 2020 at the latest, means for the exchange and storage of information, other than the electronic data-processing techniques referred to in Article 6(1), may be used on a transitional basis where the electronic systems which are necessary for the application of the provisions of the Code other than those referred to in paragraphs 2 and 3 of this Article are not yet operational.

2 Until 31 December 2022 at the latest, means other than the electronic data-processing techniques referred to in Article 6(1) may be used on a transitional basis, where the electronic systems which are necessary for the application of the following provisions of the Code are not yet operational:

- a the provisions on the notification of arrival, on presentation and on declarations of temporary storage laid down in Articles 133, 139, 145 and 146; and
- b the provisions related to the customs declaration for goods brought into the customs territory of the Union laid down in Articles 158, 162, 163, 166, 167, 170 to 174, 201, 240, 250, 254 and 256.

3 Until 31 December 2025 at the latest, means other than the electronic data-processing techniques referred to in Article 6(1) may be used on a transitional basis, where the electronic systems which are necessary for the application of the following provisions of the Code are not yet operational:

- a the provisions on guarantees for potential or existing customs debts laid down in point (b) of Article 89(2) and Article 89(6);
- b the provisions on entry summary declarations and risk analysis laid down in Articles 46, 47, 127, 128 and 129;
- c the provisions on the customs status of goods laid down in Article 153(2);
- d the provisions on centralised clearance laid down in Article 179;
- e the provisions on transit laid down in point (a) of Article 210, Article 215(2) and Articles 226, 227, 233 and 234; and
- f the provisions on outward processing, pre-departure declarations, formalities on exit of goods, export of Union goods, re-export of non-Union goods and exit summary declarations for taking goods out of the customs territory of the Union laid down in Articles 258, 259, 263, 267, 269, 270, 271, 272, 274 and 275.]

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**Changes to legislation:** There are currently no known outstanding effects for the Regulation (EU) No 952/2013 of the European Parliament and of the Council, TITLE IX. (See end of Document for details)

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#### Textual Amendments

- F1** Substituted by [Regulation \(EU\) 2019/632 of the European Parliament and of the Council of 17 April 2019 amending Regulation \(EU\) No 952/2013 to prolong the transitional use of means other than the electronic data-processing techniques provided for in the Union Customs Code.](#)

### *[<sup>F2</sup> Article 278a*

#### **Reporting obligations**

1 By 31 December 2019 and every year thereafter until the date on which the electronic systems referred to in Article 278 become fully operational, the Commission shall submit an annual report to the European Parliament and to the Council on progress in developing those electronic systems.

2 The annual report shall assess the progress of the Commission and the Member States in developing each of the electronic systems, taking particular account of the following milestones:

- a the date of publication of the technical specifications for the external communication of the electronic system;
- b the period of conformance testing with economic operators; and
- c the expected and actual dates of deployment of the electronic systems.

3 If the assessment shows that the progress is not satisfactory, the report shall also describe the mitigating actions to be taken to ensure the deployment of the electronic systems before the end of the applicable transitional period.

4 The Member States shall provide the Commission, twice per year, with an updated table on their own progress in developing and deploying the electronic systems. The Commission shall publish such updated information on its website.]

#### Textual Amendments

- F2** Inserted by [Regulation \(EU\) 2019/632 of the European Parliament and of the Council of 17 April 2019 amending Regulation \(EU\) No 952/2013 to prolong the transitional use of means other than the electronic data-processing techniques provided for in the Union Customs Code.](#)

### *[<sup>F1</sup> Article 279*

#### **Delegation of power**

The Commission shall be empowered to adopt delegated acts in accordance with Article 284 specifying the rules on the exchange and storage of data in the situations referred to in Article 278.]

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**Changes to legislation:** There are currently no known outstanding effects for the Regulation (EU) No 952/2013 of the European Parliament and of the Council, TITLE IX. (See end of Document for details)

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#### Textual Amendments

- F1** Substituted by [Regulation \(EU\) 2019/632 of the European Parliament and of the Council of 17 April 2019 amending Regulation \(EU\) No 952/2013 to prolong the transitional use of means other than the electronic data-processing techniques provided for in the Union Customs Code.](#)

### Article 280

#### Work programme

- 1 In order to support the development of the electronic systems referred to in Article 278 and govern the setting up of transitional periods, the Commission shall, by 1 May 2014, draw up a work programme relating to the development and deployment of the electronic systems referred to in Article 16(1).
- 2 The work programme referred to in paragraph 1 shall have the following priorities:
  - a the harmonised exchange of information on the basis of internationally accepted data models and message formats;
  - b the reengineering of customs and customs related processes in view of enhancing their efficiency, effectiveness and uniform application and reducing compliance costs; and
  - c the offering to economic operators of a wide range of electronic customs services, enabling them to interact in the same way with the customs authorities of any Member State.
- 3 The work programme referred to in paragraph 1 shall be updated regularly.

### Article 281

#### Conferral of implementing powers

The Commission shall adopt, by means of implementing acts, the work programme referred to in Article 280.

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 285(4).

[<sup>X1</sup>Where the committee delivers no opinion, the Commission shall not adopt the implementing acts referred to in the first paragraph of this Article, and the third subparagraph of Article 5(4) of Regulation (EU) No 182/2011 shall apply.]

#### Editorial Information

- X1** Substituted by [Corrigendum to Regulation \(EU\) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code \(Official Journal of the European Union L 269 of 10 October 2013\).](#)

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## CHAPTER 2

### ***Simplifications in the application of the customs legislation***

#### *Article 282*

##### **Tests**

The Commission may authorise one or more Member States, upon application, to test for a limited period of time simplifications in the application of the customs legislation, especially when IT-related. The test shall not affect the application of the customs legislation in those Member States that are not participating in such test and shall be evaluated periodically.

#### *Article 283*

##### **Conferral of implementing powers**

The Commission shall adopt, by means of implementing act, the decisions referred to in Article 282.

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 285(4).

## CHAPTER 3

### ***Delegation of power and committee procedure***

#### *Article 284*

##### **Exercise of the delegation**

1 The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2 The power to adopt delegated acts referred to in Articles 2, 7, 10, 20, 24, 31, 36, 40, 62, 65, 75, 88, 99, 106, 115, 122, 126, 131, 142, 151, 156, 160, 164, 168, 175, 180, 183, 186, 196, 206, 212, [X<sup>1</sup>216], 221, 224, 231, 235, 253, 265, and 279 shall be conferred on the Commission for a period of five years from 30 October 2013. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

3 The delegation of power referred to in Articles 2, 7, 10, 20, 24, 31, 36, 40, 62, 65, 75, 88, 99, 106, 115, 122, 126, 131, 142, 151, 156, 160, 164, 168, 175, 180, 183, 186, 196, 206, 212, [X<sup>1</sup>216], 221, 224, 231, 235, 253, 265, and 279 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4 As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

5 A delegated act adopted pursuant to Articles 2, 7, 10, 20, 24, 31, 36, 40, 62, 65, 75, 88, 99, 106, 115, 122, 126, 131, 142, 151, 156, 160, 164, 168, 175, 180, 183, 186, 196, 206, 212, [X<sup>1</sup>216], 221, 224, 231, 235, 253, 265, or 279 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

#### **Editorial Information**

**X1** Substituted by [Corrigendum to Regulation \(EU\) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code \(Official Journal of the European Union L 269 of 10 October 2013\)](#).

### *Article 285*

#### **Committee procedure**

1 The Commission shall be assisted by the Customs Code Committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.

2 Where reference is made to this paragraph, Article 4 of Regulation (EU) No 182/2011 shall apply.

3 Where reference is made to this paragraph, Article 8 of Regulation (EU) No 182/2011 in conjunction with Article 4 thereof shall apply.

4 Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

5 Where reference is made to this paragraph, Article 8 of Regulation (EU) No 182/2011 in conjunction with Article 5 thereof shall apply.

6 Where the opinion of the committee is to be obtained by written procedure and reference is made to this paragraph, that procedure shall be terminated without result only when, within the time-limit for delivery of the opinion, the chair of the committee so decides.

### *CHAPTER 4*

#### **Final provisions**

### *Article 286*

#### **Repeal and amendment of legislation in force**

1 Regulation (EC) No 450/2008 is repealed.

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2 Regulation (EEC) No 3925/91, Regulation (EEC) No 2913/92 and Regulation (EC) No 1207/2001 are repealed from the date referred to in Article 288(2).

3 References to the repealed Regulations shall be construed as references to this Regulation and shall be read in accordance with the correlation tables set out in the Annex.

4 In the sixth indent of Article 3(1) of Regulation (EEC) No 2913/92, the phrase 'and Mayotte' is deleted as from 1 January 2014.

5 The first indent of point (a) of Article 9(1) of Regulation (EEC) No 2658/87 is deleted from the date referred to in Article 288(2).

#### *Article 287*

#### **Entry into force**

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

#### *Article 288*

#### **Application**

1 Articles 2, 7, 8, 10, 11, 17, 20, 21, 24, 25, 31, 32, 36, 37, 40, 41, 50, 52, 54, 58, 62, 63, 65, 66, 68, 75, 76, 88, 99, 100, 106, 107, 115, 122, 123, 126, 131, 132, 138, 142, 143, 151, 152, 156, 157, 160, 161, 164, 165, 168, 169, 175, 176, 178, 180, 181, 183, 184, 186, 187, 193, 196, 200, 206, 207, 209, 212, 213, 216, 217, 221, 222, 224, 225, 231, 232, 235, 236, 239, 253, 265, 266, 268, 273, 276, 279, 280, 281, 283, 284, 285 and 286 shall apply as from 30 October 2013.

[<sup>x2</sup>2 Articles other than those referred to in paragraph 1 shall apply as from 1 May 2016.]

#### **Editorial Information**

**X2** Substituted by [Corrigendum to Regulation \(EU\) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code \(Official Journal of the European Union L 269 of 10 October 2013, p. 1\)](#).

**Changes to legislation:**

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