

COMMISSION IMPLEMENTING REGULATION (EU) 2021/414**of 8 March 2021****on technical arrangements for developing, maintaining and employing electronic systems for the exchange and storage of information under Regulation (EU) No 952/2013 of the European Parliament and of the Council**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 952/2013 of the European Parliament and the Council of 9 October 2013 laying down the Union Customs Code ⁽¹⁾, and in particular Articles 8(1)(b) and 17 thereof,

Whereas:

- (1) Article 6(1) of Regulation (EU) No 952/2013 ('the Code') requires that all exchanges of information, such as declarations, applications or decisions, between customs authorities of the Member States and between economic operators and customs authorities of the Member States, and the storage of that information, as required under the customs legislation, be made by using electronic data-processing techniques.
- (2) Commission Implementing Decision (EU) 2019/2151 ⁽²⁾ establishes the Work Programme for the implementation of the electronic systems required for the application of the Code, which are to be developed through projects listed in section II of the Annex to that Implementing Decision.
- (3) Important technical arrangements for the functioning of the electronic systems should be specified, such as arrangements for development, testing and deployment as well as for maintenance and for changes to be introduced in the electronic systems. Further arrangements should be specified concerning data protection, updating of data, limitation of data processing and systems ownership and security.
- (4) In order to safeguard the rights and interests of the Union, Member States and economic operators, it is important to lay down the procedural rules and provide for alternative solutions to be implemented in the event of a temporary failure of the electronic systems.
- (5) The EU Customs Trader Portal, as initially developed through the UCC Authorised Economic Operator (AEO), European Binding Tariff Information (EBTI) and Information Sheets (INF) for Special Procedures project (INF SP) projects, aims at providing a unique access point for economic operators and other persons, and to access each of the Specific Trader Portals, developed for their related systems.
- (6) The Customs Decisions system, developed through the UCC Customs Decisions project referred to in Implementing Decision (EU) 2019/2151, pursues the objective of harmonising the processes for the application for a customs decision, for the decision taking and the decision management in the whole of the Union using only electronic data-processing techniques. It is therefore necessary to lay down the rules governing that electronic system. The scope of the system should be determined by reference to the customs decisions which are to be applied for, taken and managed using that system. Detailed rules should be set out for the system's common components (EU trader portal, central customs decisions management system and customer reference services) and national components (national trader portal and national customs decisions management system), by specifying their functions and their interconnections.

⁽¹⁾ OJ L 269, 10.10.2013, p. 1.

⁽²⁾ Commission Implementing Decision (EU) 2019/2151 of 13 December 2019 establishing the work programme relating to the development and deployment of the electronic systems provided for in the Union Customs Code (OJ L 325, 16.12.2019, p. 168).

- (7) The Uniform User Management and Digital Signature system, developed through the Direct Trader Access to the European Information Systems (Uniform User Management & Digital Signature) project referred to in Implementing Decision (EU) 2019/2151, is to manage the authentication and access verification process for economic operators and other persons. Detailed rules need to be set out regarding the scope and characteristics of the system by defining the different components (common and national components) of the system, their functions and interconnections. However, the 'Digital Signature' functionality is not yet available as part of the Uniform User Management and Digital Signature system. No detailed rules could therefore be laid down regarding that functionality in this Regulation.
- (8) The European Binding Tariff Information (EBTI) system, as upgraded through the UCC Binding Tariff Information (BTI) project referred to in Implementing Decision (EU) 2019/2151, is aimed at aligning the processes for applying for, taking and managing BTI decisions with the requirements of the Code using only electronic data-processing techniques. It is therefore necessary to lay down rules governing that system. Detailed rules should be laid down for the system's common components (EU trader portal, central EBTI system and BTI usage monitoring) and national components (national trader portal and national BTI system), by specifying their functions and interconnections. Moreover, the project aims to facilitate the monitoring of compulsory BTI usage and the monitoring and management of BTI extended usage.
- (9) The Economic Operator Registration and Identification (EORI) system, as upgraded through the UCC Economic Operator Registration and Identification system (EORI 2) project referred to in Implementing Decision (EU) 2019/2151, is aimed at upgrading the existing trans-European EORI system, which enables the registration and identification of economic operators of the Union and of third country economic operators and other persons for the purposes of applying the customs legislation of the Union. It is therefore necessary to lay down rules governing the system by specifying the components (central EORI system and national EORI systems) and the use of the EORI system.
- (10) The Authorised Economic Operator (AEO) system, as upgraded through the UCC Authorised Economic Operator (AEO) project referred to in Implementing Decision (EU) 2019/2151, is aimed at improving the business processes relating to AEO applications and authorisations and their management. The system is also aimed at implementing the electronic form to be used for AEO applications and decisions, and providing economic operators with an EU Customs Trader Portal through which to submit AEO applications and receive AEO decisions electronically. Detailed rules should be laid down for the system's common components.
- (11) The Import Control System 2 (ICS2), as developed through the ICS2 project referred to in Implementing Decision (EU) 2019/2151 is aimed at strengthening safety and security of goods entering the Union. The system supports the collection of entry summary declaration (ENS) data from different economic operators and other persons acting in the international supply chains for goods. It is aimed at supporting all exchanges of information related to fulfilment of the ENS requirements between the customs authorities of the Member States and economic operators and other persons through a Harmonised Trader Interface developed either as a common or as a national application. It is also aimed at supporting via a common repository and related processes, the real-time collaborative implementation of security and safety risk analysis by the customs offices of first entry and exchange of risk analysis results among the customs authorities of the Member States, prior to goods departure from third countries and/or prior to their arrival in the customs territory of the Union. The system supports customs measures to address safety and security risks identified following risk analysis, including customs controls and the exchange of results of controls, and, where relevant, notifications to economic operators and other persons regarding certain measures which they need to take to mitigate risks. The system supports monitoring and evaluation by the Commission and Member States' customs authorities of the implementation of the common safety and security risk criteria and standards and of the control measures and priority control areas referred to in the Code.
- (12) The Automated Export System, as upgraded through the UCC Automated Export System (AES) project referred to in Implementing Decision (EU) 2019/2151, is aimed at upgrading the existing Export Control System to be aligned with the new business and data requirements laid down in the Code. The system is also aimed at offering all the required functionalities and at covering the necessary interfaces with supporting systems, namely the New

Computerised Transit System and the Excise Movement Control System. In addition, AES supports the implementation of the centralised clearance at export functionalities. As AES is a decentralised trans-European system, it is necessary to lay down rules by specifying the components and the use of the system.

- (13) The New Computerised Transit System, as upgraded through the UCC New Computerised Transit System (NCTS) project referred to in Implementing Decision (EU) 2019/2151, is aimed at upgrading the existing NCTS Phase 4 to be aligned with the new business and data requirements laid down in the Code. The system is also aimed at offering new functionalities referred to in the Code and at covering the necessary interfaces with supporting systems and AES. As NCTS is a decentralised trans-European system, it is necessary to lay down rules by specifying the components and the use of the system.
- (14) The INF SP system, developed through the UCC Information Sheets (INF) for Special Procedures project referred to in Implementing Decision (EU) 2019/2151, aims at developing a new trans-European system to support and streamline the processes of INF data management and the electronic handling of INF data in the domain of Special Procedures. Detailed rules should be laid down to specify the system's components and its usage.
- (15) The customs risk management system referred to in Article 36 of Commission Implementing Regulation (EU) 2015/2447 ⁽³⁾ aims at supporting the exchange of risk information between Member States' customs authorities and between them and the Commission with a view to supporting the implementation of the common risk management framework.
- (16) The Centralised Clearance for Import system, as developed through UCC Centralised Clearance for Import (CCI) project referred to in Implementing Decision (EU) 2019/2151 aims at allowing for goods to be placed under a customs procedure using centralised clearance, thereby allowing economic operators to centralise their business from a customs viewpoint. The processing of the customs declaration and the physical release of the goods should be coordinated between the customs offices involved. As CCI is a decentralised trans-European system, it is necessary to lay down rules by specifying the components and the use of the system.
- (17) Commission Implementing Regulation (EU) 2019/1026 ⁽⁴⁾ sets out technical arrangements for developing, maintaining and employing electronic systems for the exchange of information and for the storage of such information under the Code. Given the number of changes to that Regulation that would be necessary in order to take account of the fact that EUCTP, INF SP, ICS2, AES, NCTS, CRMS and CCI have now or will become operational, and for reasons of clarity, Implementing Regulation (EU) 2019/1026 should be repealed.
- (18) This Regulation respects the fundamental rights and observes the principles recognised by the Charter of Fundamental Rights of the European Union, and notably the right to protection of personal data. Where for the purposes of the application of the customs legislation of the Union it is necessary to process personal data in the electronic systems, those data must be processed in accordance with Regulations (EU) 2016/679 ⁽⁵⁾ and (EU) 2018/1725 of the European Parliament and of the Council ⁽⁶⁾. The personal data of economic operators and other

⁽³⁾ Commission Implementing Regulation (EU) 2015/2447 of 24 November 2015 laying down detailed rules for implementing certain provisions of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code (OJ L 343, 29.12.2015, p. 558).

⁽⁴⁾ Commission Implementing Regulation (EU) 2019/1026 of 21 June 2019 on technical arrangements for developing, maintaining and employing electronic systems for the exchange of information and for the storage of such information under the Union Customs Code (OJ L 167, 24.6.2019, p. 3).

⁽⁵⁾ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1).

⁽⁶⁾ Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).

persons processed by the electronic systems are restricted to the dataset as defined in Annex A, Title I, Chapter 1, Group 3 – Parties; Annex A, Title I, Chapter 2, Group 3 – Parties; Annex B, Title I, Chapter 3, Group 3 – Parties; Annex B, Title II, Group 3 – Parties; and Annex 12-01 to Commission Delegated Regulation (EU) 2015/2446 ⁽⁷⁾.

- (19) The European Data Protection Supervisor was consulted in accordance with Article 42 of Regulation (EU) 2018/1725.
- (20) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

CHAPTER I

GENERAL PROVISIONS

Article 1

Scope

1. This Regulation shall apply to the following electronic systems as developed or upgraded through the following projects referred to in the Annex to Implementing Decision (EU) 2019/2151:

- (a) the Customs Decisions system (CDS), as developed through the UCC Customs Decisions project;
- (b) the Uniform User Management and Digital Signature (UUM&DS) system, as developed through the Direct trader access to the European Information Systems (Uniform User Management & Digital Signature) project;
- (c) the European Binding Tariff Information (EBTI) system, as upgraded through the UCC Binding Tariff Information (BTI) project;
- (d) the Economic Operator Registration and Identification (EORI) system, as upgraded in line with the requirements of Regulation (EU) No 952/2013 ('the Code') through the EORI 2 project;
- (e) the Authorised Economic Operator (AEO) system, as upgraded in line with the requirements of the Code through the AEO upgrade project;
- (f) the Import Control System 2 (ICS2), as developed through the ICS2 project;
- (g) the Automated Export System (AES), as developed in line with the requirements of the Code through the AES project;
- (h) the New Computerised Transit System (NCTS), as upgraded in line with the requirements of the Code through the NCTS upgrade project;

⁽⁷⁾ Commission Delegated Regulation (EU) 2015/2446 of 28 July 2015 supplementing Regulation (EU) No 952/2013 of the European Parliament and of the Council as regards detailed rules concerning certain provisions of the Union Customs Code (OJ L 343, 29.12.2015, p. 1).

- (i) the INF SP system, as developed through the UCC Information Sheets (INF) for Special Procedures project;
 - (j) the Centralised Clearance for Import System (CCI), as developed through the UCC CCI project.
2. This Regulation shall also apply to the following electronic systems:
- (a) the European Union Customs Trader Portal;
 - (b) the customs risk management system (CRMS) referred to in Article 36 of Implementing Regulation (EU) 2015/2447.

Article 2

Definitions

For the purposes of this Regulation, the following definitions shall apply:

- (1) 'common component' means a component of the electronic systems developed at Union level, which is available for all Member States or identified as common by the Commission for reasons of efficiency, security and rationalisation;
- (2) 'national component' means a component of the electronic systems developed at national level, which is available in the Member State that created such component or contributed to its joint creation;
- (3) 'decentralised system' means a trans-European system consisting of common and national components based on common specifications;
- (4) 'trans-European system' means a collection of collaborating systems with responsibilities distributed across the national administrations and the Commission, and developed in cooperation with the Commission.

Article 3

Contact points for the electronic systems

The Commission and the Member States shall designate contact points for each of the electronic systems referred to in Article 1, for the purposes of exchanging information to ensure a coordinated development, operation and maintenance of those electronic systems.

They shall communicate the details of those contact points to each other and inform each other immediately of any changes to those details.

CHAPTER II

EU CUSTOMS TRADER PORTAL

Article 4

Objective and structure of the EU Customs Trader Portal

The EU Customs Trader Portal shall provide a unique entry point for economic operators and other persons to access the Specific Trader Portals of the trans-European systems referred to in Article 6(1).

Article 5

Authentication and access to the EU Customs Trader Portal

- 1. The authentication and access verification of economic operators and other persons for the purposes of access to the EU Customs trader portal (EUCTP) shall be effected using the UUM&DS system.

For customs representatives to be authenticated and be able to access the EUCTP, their empowerment to act in that capacity shall be registered in the UUM&DS system or in an identity and access management system set up by a Member State pursuant to Article 20.

2. The authentication and access verification of Member States' customs authorities for the purposes of access to the EUCTP shall be effected using the network services provided by the Commission.
3. The authentication and access verification of the Commission's staff for the purposes of access to the EUCTP shall be effected using the UUM&DS system or the network services provided by the Commission.

Article 6

Use of the EUCTP

1. The EUCTP shall provide access to the Specific Trader Portals of the trans-Europeans systems EBTI, AEO, and INF referred to in Article 24, Article 38 and Article 67, respectively, as well as to the Shared Trader Interface for ICS2 referred to in Article 45.
2. The EUCTP shall be used for the exchange of information between customs authorities of the Member States and economic operators and other persons, on the requests, applications, authorisations and decisions related to EBTI, AEO, and INF.
3. The EUCTP may be used for the exchange of information between customs authorities of the Member States and economic operators and other persons, on entry summary declarations and where applicable, on their amendments, issued referrals and invalidation related to ICS2.

CHAPTER III

CUSTOMS DECISIONS SYSTEM

Article 7

Objective and structure of the CDS

1. The CDS shall enable communication between the Commission, customs authorities of the Member States, economic operators and other persons for the purposes of submitting and processing applications and decisions referred to in Article 8(1), as well as the management of decisions related to the authorisations, namely, amendments, revocations, annulments and suspensions.
2. The CDS shall consist of the following common components:
 - (a) an EU trader portal;
 - (b) a central customs decisions management system ('central CDMS');
 - (c) customer reference services (CRS).
3. Member States may create the following national components:
 - (a) a national trader portal;
 - (b) a national customs decisions management system ('national CDMS').

Article 8

Use of the CDS

1. The CDS shall be used for the purposes of submitting and processing applications for the following authorisations, as well as the management of decisions related to the applications or authorisations:
 - (a) authorisation for the simplification of the determination of amounts being part of the customs value of the goods, as referred to in Article 73 of the Code;

- (b) authorisation for the provision of a comprehensive guarantee, including possible reduction or waiver, as referred to in Article 95 of the Code;
- (c) authorisation of deferment of the payment of the duty payable, as far as the permission is not granted in relation to a single operation, as referred to in Article 110 of the Code;
- (d) authorisation for the operation of temporary storage facilities, as referred to in Article 148 of the Code;
- (e) authorisation to establish regular shipping services, as referred to in Article 120 of Delegated Regulation (EU) 2015/2446;
- (f) authorisation for the status of authorised issuer, as referred to in Article 128 of Delegated Regulation (EU) 2015/2446;
- (g) authorisation for the regular use of a simplified declaration, as referred to in Article 166(2) of the Code;
- (h) authorisation for centralised clearance, as referred to in Article 179 of the Code;
- (i) authorisation to lodge a customs declaration through an entry of data in the declarant's records, including for the export procedure, as referred to in Article 182 of the Code;
- (j) authorisation for self-assessment, as referred to in Article 185 of the Code;
- (k) authorisation for the status of an authorised weigher of bananas, as referred to in Article 155 of Delegated Regulation (EU) 2015/2446;
- (l) authorisation for the use of the inward processing procedure, as referred to in Article 211(1)(a) of the Code;
- (m) authorisation for the use of the outward processing procedure, as referred to in Article 211(1)(a) of the Code;
- (n) authorisation for the use of the end-use procedure, as referred to in Article 211(1)(a) of the Code;
- (o) authorisation for the use of the temporary admission procedure, as referred to in Article 211(1)(a) of the Code;
- (p) authorisation for the operation of storage facilities for customs warehousing of goods, as referred to in Article 211(1)(b) of the Code;
- (q) authorisation for the status of an authorised consignee for TIR operation, as referred to in Article 230 of the Code;
- (r) authorisation for the status of an authorised consignor for Union transit, as referred to in Article 233(4)(a) of the Code;
- (s) authorisation for the status of an authorised consignee for Union transit, as referred to in Article 233(4)(b) of the Code;
- (t) authorisation for the use of seals of a special type, as referred to in Article 233(4)(c) of the Code;
- (u) authorisation to use a transit declaration with reduced data requirements, as referred to in Article 233(4)(d) of the Code;
- (v) authorisation for the use of an electronic transport document as a customs declaration, as referred to in Article 233(4)(e) of the Code.

2. The common components of the CDS shall be used with respect to applications and authorisations referred to in paragraph 1, as well as the management of decisions related to those applications and authorisations, where those authorisations or decisions may have an impact in more than one Member State.

3. A Member State may decide that the common components of the CDS may be used with respect to applications and authorisations referred to in paragraph 1, as well as the management of decisions related to those applications and authorisations, where those authorisations or decisions have an impact only in that Member State.

4. The CDS shall not be used with respect to applications, authorisations or decisions other than those listed in paragraph 1.

*Article 9***Authentication and access to the CDS**

1. The authentication and access verification of economic operators and other persons for the purposes of access to the common components of the CDS shall be effected using the UUM&DS system.

For customs representatives to be authenticated and be able to access the common components of the CDS, their empowerment to act in that capacity shall be registered in the UUM&DS system or in an identity and access management system set up by a Member State pursuant to Article 20.

2. The authentication and access verification of Member States' customs authorities for the purposes of access to the common components of the CDS shall be effected using the network services provided by the Commission.

3. The authentication and access verification of the Commission's staff for the purposes of access to the common components of the CDS shall be effected using the UUM&DS system or the network services provided by the Commission.

*Article 10***EU trader portal**

1. The EU trader portal shall be an entry point to the CDS for economic operators and other persons.

2. The EU trader portal shall interoperate with the central CDMS as well as with national CDMS where created by Member States.

3. The EU trader portal shall be used for applications and authorisations referred to in Article 8(1), as well as the management of decisions related to those applications and authorisations, where those authorisations or decisions may have an impact in more than one Member State.

4. A Member State may decide that the EU trader portal may be used for applications and authorisations referred to in Article 8(1), as well as the management of decisions related to those applications and authorisations, where those authorisations or decisions have an impact only in that Member State.

Where a Member State takes a decision to use the EU trader portal for authorisations or decisions that have an impact only in that Member State, it shall inform the Commission thereof.

*Article 11***Central CDMS**

1. The central CDMS shall be used by the customs authorities of the Member States for the processing of the applications and authorisations referred to in Article 8(1), as well as the management of decisions related to those applications and authorisations for the purposes of verifying whether the conditions for the acceptance of an application and for taking a decision are fulfilled.

2. The central CDMS shall interoperate with the EU trader portal, the customer reference services referred to in Article 13, and the national CDMS, where created by the Member States.

*Article 12***Consultation between the customs authorities of the Member States using the CDMS**

A customs authority of a Member State shall use the central CDMS when it needs to consult a customs authority of another Member State before taking a decision regarding the applications or authorisations referred to in Article 8(1).

*Article 13***Customer reference services**

1. The customer reference services shall be used for the central storage of data relating to the authorisations referred to in Article 8(1), as well as decisions related to those authorisations, and shall enable the consultation, replication and validation of those authorisations by other electronic systems established for the purposes of Article 16 of the Code.
2. The customer reference services shall be used to store data from Registered Exporter (REX) referred to in Article 80(1) of Implementing Regulation (EU) 2015/2447, EORI and AEO systems.

*Article 14***National trader portal**

1. The national trader portal, where created, shall be an additional entry point to the CDS for economic operators and other persons.
2. With respect to applications and authorisations referred to in Article 8(1), as well as the management of decisions related to those applications and authorisations where those authorisations or decisions may have an impact in more than one Member State, economic operators and other persons may choose to use the national trader portal, where created, or the EU trader portal.
3. The national trader portal shall interoperate with the national CDMS, where created.
4. Where a Member State creates a national trader portal, it shall inform the Commission thereof.

*Article 15***National CDMS**

1. A national CDMS, where created, shall be used by the customs authority of the Member State which created it for processing the applications and authorisations referred to in Article 8(1), as well as the management of decisions related to those applications and authorisations for the purposes of verifying whether the conditions for the acceptance of an application and for taking a decision are fulfilled.
2. The national CDMS shall interoperate with the central CDMS for the purposes of consultation between the customs authorities of the Member States as referred to in Article 12.

CHAPTER IV

UNIFORM USER MANAGEMENT AND DIGITAL SIGNATURE SYSTEM*Article 16***Objective and structure of the UUM&DS system**

1. The UUM&DS system shall enable the communication between the Commission and the Member States' identity and access management systems referred to in Article 20 for the purposes of providing secure authorised access to the electronic systems to the Commission's staff, economic operators and other persons.
2. The UUM&DS system shall consist of the following common components:
 - (a) an access management system;
 - (b) an administration management system.
3. A Member State shall create an identity and access management system as a national component of the UUM&DS system.

*Article 17***Use of the UUM&DS system**

The UUM&DS system shall be used to ensure the authentication and access verification of:

- (a) economic operators and other persons for the purposes of having access to the EUCTP, the common components of the CDS, the EBTI system, the AEO system, the INF SP system and ICS2;
- (b) the Commission's staff for the purposes of having access to the EUCTP, the common components of the CDS, the EBTI system, the EORI system, AEO system, ICS2, AES, NCTS, CRMS, CCI and INF SP system for the purposes of maintenance and management of the UUM&DS system.

*Article 18***Access management system**

The Commission shall set up the access management system to validate the access requests submitted by economic operators and other persons within the UUM&DS system by interoperating with the Member States' identity and access management systems referred to in Article 20.

*Article 19***Administration management system**

The Commission shall set up the administration management system to manage the authentication and authorisation rules for validating the identification data of economic operators and other persons for the purposes of allowing access to the electronic systems.

*Article 20***Member States' identity and access management systems**

The Member States shall set up an identity and access management system to ensure:

- (a) a secure registration and storage of identification data of economic operators and other persons;
- (b) a secure exchange of signed and encrypted identification data of economic operators and other persons.

CHAPTER V

EUROPEAN BINDING TARIFF INFORMATION SYSTEM*Article 21***Objective and structure of the EBTI system**

1. The EBTI system shall in accordance with Articles 33 and 34 of the Code, enable the following:
 - (a) communication between the Commission, customs authorities of the Member States, economic operators and other persons for the purposes of submitting and processing BTI applications and BTI decisions;
 - (b) the management of any subsequent event which may affect the original application or decision;
 - (c) the monitoring of the compulsory use of BTI decisions;
 - (d) the monitoring and management of the extended use of BTI decisions.
2. The EBTI system shall consist of the following common components:
 - (a) an EU Specific Trader Portal for EBTI;
 - (b) a central EBTI system;
 - (c) capability to monitor the usage of BTI decisions.

3. Member States may create, as a national component, a national binding tariff information system ('national BTI system') together with a national trader portal.

Article 22

Use of the EBTI system

1. The EBTI system shall be used for the submission, processing, exchange and storage of information pertaining to applications and decisions related to BTI or to any subsequent event which may affect the original application or decision as referred to in Article 21(1) of Implementing Regulation (EU) 2015/2447.
2. The EBTI system shall be used to support the monitoring by the customs authorities of the Member States of the compliance with the obligations resulting from the BTI in accordance with Article 21(3) of Implementing Regulation (EU) 2015/2447.
3. The EBTI system shall be used by the Commission to inform the Member States, pursuant to the third subparagraph of Article 22(2) of Implementing Regulation (EU) 2015/2447, as soon as the quantities of goods that may be cleared during a period of extended use have been reached.

Article 23

Authentication and access to the EBTI system

1. The authentication and access verification of economic operators and other persons for the purposes of access to the common components of the EBTI system shall be effected using the UUM&DS system.

For customs representatives to be authenticated and be able to access the common components of the EBTI system, their empowerment to act in that capacity shall be registered in the UUM&DS system or in an identity and access management system set up by a Member State pursuant to Article 20.

2. The authentication and access verification of Member States' customs authorities for the purposes of access to the common components of the EBTI system shall be effected using the network services provided by the Commission.
3. The authentication and access verification of the Commission's staff for the purposes of access to the common components of the EBTI system shall be effected using the UUM&DS system or the network services provided by the Commission.

Article 24

EU Specific Trader Portal for EBTI

1. The EU Specific Trader Portal for EBTI shall communicate with the EUCTP, where the latter shall be an entry point to the EBTI system for economic operators and other persons.
2. The EU Specific Trader Portal for EBTI shall interoperate with the central EBTI system and offer redirection to national trader portals where national BTI systems have been created by Member States.
3. The EU Specific Trader Portal for EBTI shall be used for submitting and exchanging information pertaining to applications and decisions related to BTI or to any subsequent event which may affect the original application or decision.

Article 25

Central EBTI system

1. The central EBTI system shall be used by the customs authorities of the Member States to process, exchange and store information pertaining to applications and decisions related to BTI or to any subsequent event which may affect the original application or decision, for the purposes of verifying whether the conditions for the acceptance of an application, and for taking a decision, are fulfilled.

2. The central EBTI system shall be used by the customs authorities of the Member States for the purposes of consultation, processing, exchange and storage of information as referred to in Article 16(4), Article 17 and Article 21(2)(b) and (5) of Implementing Regulation (EU) 2015/2447.
3. The central EBTI system shall interoperate with the EU Specific Trader Portal for EBTI, and with the national BTI systems, where created.

Article 26

Consultation between the customs authorities of the Member States using the central EBTI system

A customs authority of a Member State shall use the central EBTI system for the purposes of consulting a customs authority of another Member State in order to ensure compliance with Article 16(1) of Implementing Regulation (EU) 2015/2447.

Article 27

Monitoring of the usage of BTI decisions

The capability to monitor the usage of BTI decisions shall be used for the purposes of Article 21(3) and of the third subparagraph of Article 22(2) of Implementing Regulation (EU) 2015/2447.

Article 28

National trader portal

1. Where a Member State has created a national BTI system in accordance with Article 21(3), the national trader portal shall be the main entry point to the national BTI system for economic operators and other persons.
2. Economic operators and other persons shall use the national trader portal, where created, with respect to applications and decisions related to BTI or to any subsequent event which may affect the original application or decision.
3. The national trader portal shall interoperate with the national BTI system, where created.
4. The national trader portal shall facilitate processes equivalent to those facilitated by the EU Specific Trader Portal for EBTI.
5. Where a Member State creates a national trader portal, it shall inform the Commission thereof. The Commission shall ensure that the national trader portal can be accessed directly from the EU Specific Trader Portal for EBTI.

Article 29

National BTI system

1. A national BTI system, where created, shall be used by the customs authority of the Member State which created it to process, exchange and store information pertaining to applications and decisions related to BTI or to any subsequent event which may affect the original application or decision, for the purposes of verifying whether the conditions for the acceptance of an application or for taking a decision are fulfilled.
2. The customs authority of a Member State shall use its national BTI system for the purposes of consultation, processing, exchange and storage of information as referred to in Article 16(4), Article 17 and Article 21(2)(b) and (5) of Implementing Regulation (EU) 2015/2447, unless it uses the central EBTI system for those purposes.
3. The national BTI system shall interoperate with the national trader portal and with the central EBTI system.

CHAPTER VI

ECONOMIC OPERATOR REGISTRATION AND IDENTIFICATION SYSTEM*Article 30***Objective and structure of the EORI system**

The EORI system shall enable a unique registration and identification, at Union level, of economic operators and other persons.

The EORI system shall consist of the following components:

- (a) a central EORI system;
- (b) national EORI systems, where created by the Member States.

*Article 31***Use of the EORI system**

1. The EORI system shall be used for the following purposes:
 - (a) to receive the data for the registration of economic operators and other persons as referred to in Annex 12-01 to Delegated Regulation (EU) 2015/2446 ('EORI data') provided by the Member States;
 - (b) to centrally store EORI data pertaining to the registration and identification of economic operators and other persons;
 - (c) to make available EORI data to the Member States.
2. The EORI system shall enable, to the customs authorities of the Member States, online access to the EORI data stored at central system level.
3. The EORI system shall interoperate with all the other electronic systems where the EORI number is used.

*Article 32***Authentication and access to the central EORI system**

1. The authentication and access verification of Member States' customs authorities for the purposes of access to the common components of the EORI system shall be effected using the network services provided by the Commission.
2. The authentication and access verification of the Commission's staff for the purposes of access to the common components of the EORI system shall be effected using the UUM&DS system or the network services provided by the Commission.

*Article 33***Central EORI system**

1. The central EORI system shall be used by the customs authorities of the Member States for the purposes of Article 7 of Implementing Regulation (EU) 2015/2447.
2. The central EORI system shall interoperate with the national EORI systems, where created.

*Article 34***National EORI system**

1. A national EORI system, where created, shall be used by the customs authority of the Member State which created it to exchange and store EORI data.
2. A national EORI system shall interoperate with the central EORI system.

CHAPTER VII

AUTHORISED ECONOMIC OPERATOR SYSTEM*Article 35***Objective and structure of the AEO system**

1. The AEO system shall enable communication between the Commission, customs authorities of the Member States, economic operators and other persons for the purposes of submitting and processing AEO applications and granting of AEO authorisations as well as the management of any subsequent event which may affect the original decision as referred to in Article 30(1) of Implementing Regulation (EU) 2015/2447.
2. The AEO system shall consist of the following common components:
 - (a) an EU Specific Trader Portal for AEO;
 - (b) a central AEO system.
3. Member States may create the following national components:
 - (a) a national trader portal;
 - (b) a national Authorised Economic Operator system ('national AEO system').

*Article 36***Use of the AEO system**

1. The AEO system shall be used for the submission, exchange, processing and storage of information pertaining to AEO applications and decisions or to any subsequent event which may affect the original decision as referred to in Article 30(1) and Article 31(1) and (4) of Implementing Regulation (EU) 2015/2447.
2. Customs authorities of the Member States shall use the AEO system to fulfil their obligations under Article 31(1) and (4) of Implementing Regulation (EU) 2015/2447 and to keep record of the relevant consultations.

*Article 37***Authentication and access to the central AEO system**

1. The authentication and access verification of economic operators and other persons for the purposes of access to the common components of the AEO system shall be effected using the UUM&DS system.

For customs representatives to be authenticated and be able to access the common components of the AEO system, their empowerment to act in that capacity shall be registered in the UUM&DS system or in an identity and access management system set up by a Member State pursuant to Article 20.

2. The authentication and access verification of Member States' customs authorities for the purposes of access to the common components of the AEO system shall be effected using the network services provided by the Commission.
3. The authentication and access verification of the Commission's staff for the purposes of access to the common components of the AEO system shall be effected using the UUM&DS system or the network services provided by the Commission.

*Article 38***EU Specific Trader Portal for AEO**

1. The EU Specific Trader Portal for AEO shall communicate with the EUCTP, where the latter shall be an entry point to the AEO system for economic operators and other persons.

2. The EU Specific Trader Portal for AEO shall interoperate with the central AEO system and offer redirection to the national trader portal, where created.
3. The EU Specific Trader Portal for AEO shall be used for submitting and exchanging information pertaining to AEO applications and decisions or to any subsequent event which may affect the original decision.

Article 39

Central AEO system

1. The central AEO system shall be used by the customs authorities of the Member States to exchange and store information pertaining to AEO applications and decisions or to any subsequent event which may affect the original decision.
2. The customs authorities of the Member States shall use the central AEO system for the purposes of the exchange and storage of information, consultation and the management of decisions as referred to in Articles 30 and 31 of Implementing Regulation (EU) 2015/2447.
3. The central AEO system shall interoperate with the EU trader portal and with the national AEO systems, where created.

Article 40

National trader portal

1. The national trader portal, where created, shall allow the exchange of information pertaining to AEO applications and decisions.
2. Economic operators and other persons shall use the national trader portal, where created, to exchange information with the customs authorities of the Member States with respect to AEO applications and decisions.
3. The national trader portal shall interoperate with the national AEO system.

Article 41

National AEO system

1. A national AEO system, where created, shall be used by the customs authority of the Member State which created it to exchange and store information pertaining to AEO applications and decisions or to any subsequent event which may affect the original decision.
2. The national AEO system shall interoperate with the national trader portal, where created, and with the central AEO system.

CHAPTER VIII

IMPORT CONTROL SYSTEM 2

Article 42

Objective and structure of the ICS2

1. The ICS2 shall support communication between customs authorities of the Member States, and between economic operators and other persons and the customs authorities of the Member States, for the following purposes:
 - (a) fulfilment of entry summary declaration requirements;
 - (b) risk analysis by customs authorities of the Member States primarily for security and safety purposes and for customs measures aimed at mitigating relevant risks including customs controls;
 - (c) communication between customs authorities of the Member States for the purpose of fulfilment of entry summary declaration requirements.

2. The ICS2 shall consist of the following common components:
 - (a) a shared trader interface;
 - (b) a common repository.
3. Each Member State shall create its national entry system as a national component.
4. A Member State may create its national trader interface as a national component.

Article 43

Use of the ICS2

1. The ICS2 shall be used for the following purposes:
 - (a) submitting, processing and storing the particulars of entry summary declarations, requests for amendments and invalidations referred to in Articles 127 and 129 of the Code;
 - (b) receiving, processing and storing the particulars of entry summary declarations extracted from declarations as referred to in Article 130 of the Code;
 - (c) submitting, processing and storing of information regarding notifications of arrival of a sea-going vessel or an aircraft as referred to in Article 133 of the Code;
 - (d) receiving, processing and storing of information regarding presentation of goods to customs as referred to in Article 139 of the Code;
 - (e) receiving, processing and storing of information regarding risk analysis requests and results, control recommendations, decisions on controls, and control results as referred to in Articles 46(3) and (5) and 47(2) of the Code;
 - (f) receiving, processing, storing and communicating of the notifications and information to economic operators or other persons as referred to in Article 186(2)(e), (3), (4), (5) and (6) of Implementing Regulation (EU) 2015/2447 and Article 24(2) of Delegated Regulation (EU) 2015/2446;
 - (g) submitting, processing and storing of information by the economic operators or other persons requested by customs authorities of the Member States pursuant to Article 186(3) and (4) of Implementing Regulation (EU) 2015/2447.
2. The ICS2 shall be used to support the monitoring and evaluating by the Commission and the Member States of the implementation of the common safety and security risk criteria and standards and of the control measures and priority control areas referred to in Article 46(3) of the Code.

Article 44

Authentication and access to the ICS2

1. The authentication and access verification of economic operators and other persons for the purposes of access to the common components of the ICS2 shall be effected using the UUM&DS system.
2. The authentication and access verification of Member States' customs authorities for the purposes of access to the common components of the ICS2 shall be effected using the network services provided by the Commission.
3. The authentication and access verification of the Commission's staff for the purposes of access to the common components of the ICS2 shall be effected using the UUM&DS system or the network services provided by the Commission.

Article 45

Shared trader interface

1. The shared trader interface shall be an entry point to the ICS2 for economic operators and other persons for the purpose of Article 182 (1a) of Implementing Regulation (EU) 2015/2447.
2. The shared trader interface shall interoperate with the ICS2 common repository referred to in Article 46.

3. The shared trader interface shall be used for submissions, requests for amendments, requests for invalidations, processing and storage of the particulars of the entry summary declarations and notifications of arrival, as well as exchange of information between the customs authorities of the Member States and economic operators and other persons.

Article 46

ICS2 common repository

1. The ICS2 common repository shall be used by the customs authorities of the Member States for the processing of the particulars of entry summary declarations, requests for amendment, requests for invalidation, notifications of arrival, information regarding presentation of goods, information regarding risk analysis requests and results, control recommendations, control decisions, and control results and information exchanged with economic operators or other persons.

2. The ICS2 common repository shall be used by the Commission and the Member States for the purpose of statistics and evaluation, and for the exchange of entry summary declaration information between Member States.

3. The ICS2 common repository shall interoperate with the shared trader interface, national trader interfaces where created by the Member States, and with the national entry systems.

Article 47

Exchange of information between customs authorities of the Member States using the ICS2 common repository

A customs authority of a Member State shall use the ICS2 common repository to exchange information with a customs authority of another Member State in accordance with Article 186(2)(a) of Implementing Regulation (EU) 2015/2447 before completing the risk analysis primarily for security and safety purposes.

A customs authority of a Member State shall also use the ICS2 common repository to exchange information with a customs authority of another Member State on the recommended controls, decisions taken with regard to recommended controls and on the results of customs controls in accordance with Article 186(7) and (7a) of Implementing Regulation (EU) 2015/2447.

Article 48

National trader interface

1. The national trader interface, where created by the Member States, shall be an entry point to the ICS2 for economic operators and other persons in accordance with Article 182 (1a) of Implementing Regulation (EU) 2015/2447 where the submission is addressed to the Member State operating the national trader interface.

2. With respect to submissions, amendments, invalidation, processing, storage of the particulars of the entry summary declarations and notifications of arrival, as well as exchange of information between the custom authorities and economic operators and other persons, economic operators and other persons may choose to use the national trader interface, where created, or the shared trader interface.

3. The national trader interface, where created, shall interoperate with the ICS2 common repository.

4. Where a Member State creates a national trader interface, it shall inform the Commission thereof.

Article 49

National Entry System

1. A national entry system shall be used by the customs authority of the relevant Member State for the following purposes:

(a) exchange of entry summary declaration particulars extracted from the declarations referred in Article 130 of the Code;

- (b) exchange of information and notifications with the ICS2 common repository for information regarding arrival of sea-going vessel or an aircraft;
- (c) exchange of information regarding presentation of goods;
- (d) processing of risk analysis requests, exchange and processing of information regarding risk analysis results, of control recommendations, of control decisions and of control results.

It shall also be used in the cases where a customs authority requests further information from the economic operators and other persons and receives information from them.

- 2. The national entry system shall interoperate with the ICS2 common repository.
- 3. The national entry system shall interoperate with systems developed at national level for the purpose of retrieving information referred to in paragraph 1.

CHAPTER IX

AUTOMATED EXPORT SYSTEM

Article 50

Objective and structure of the AES

- 1. The decentralised system AES shall enable communication between customs authorities of the Member States, and between customs authorities of the Member States and economic operators and other persons for the purposes of submitting and processing export and re-export declarations where goods are taken out of the customs territory of the Union. The AES may also enable communication between customs authorities of the Member States for the purposes of transmitting the exit summary declarations particulars in the situations referred to in the second subparagraph of Article 271(1) of the Code.
- 2. The AES shall consist of the following common components:
 - (a) a common communication network;
 - (b) central services.
- 3. Member States shall create the following national components:
 - (a) a national trader portal;
 - (b) a national export system ('national AES');
 - (c) a common interface between AES and NCTS at national level;
 - (d) a common interface between AES and the Excise Movement Control System (EMCS) at national level.

Article 51

Use of the AES

The AES shall be used for the following purposes where goods are taken out of the customs territory of the Union or moved to or out of special fiscal territories:

- (a) to ensure the implementation of formalities at export and exit determined by the Code;
- (b) to submit and process export and re-export declarations;
- (c) to handle message exchanges between the customs office of export and customs office of exit and, in case of Centralised Clearance at Export, between the supervising customs office and customs office of presentation;
- (d) to handle message exchanges between the customs office of lodgement and customs office of exit in the situations referred to in the second subparagraph of Article 271(1) of the Code.

Article 52

Authentication and access to the AES

- 1. Economic operators and other persons shall have access only to the national AES via the national trader portal. The authentication and access verification shall be determined by the Member States.

2. The authentication and access verification of Member States' customs authorities for the purposes of access to the common components of the AES system shall be effected using the network services provided by the Commission.
3. The authentication and access verification of the Commission's staff for the purposes of access to the common components of the AES system shall be effected using the UUM&DS or the network services provided by the Commission.

Article 53

Common communication network of AES

1. The common communication network shall ensure the electronic communication among Member States' national AES.
2. The customs authorities of the Member States shall use the common communication network for the exchange of information as referred to in points (c) and (d) of Article 51.

Article 54

National trader portal

1. The national trader portal shall allow the exchange of information between economic operators or other persons, and the national AES of the customs authority of the Member States.
2. The national trader portal shall interoperate with the national AES.

Article 55

National Export System

1. The national AES interoperates with the national trader portal and shall be used by the customs authority of the Member State to process export and re-export declarations.
2. The national AESs of the Member States shall communicate with each other electronically via the common communication network and shall process export and exit information received from other Member States.
3. The Member States shall provide and maintain an interface at national level between their national AES and EMCS for the purposes of Article 280 of the Code and Articles 21 and 25 of Council Directive (EU) 2020/262 ⁽⁸⁾.
4. The Member States shall provide and maintain an interface at national level between their national AES and NCTS for the purposes of Article 280 of the Code, Article 329(5), (6) and Article 333(2)(b) and (c) of Implementing Regulation (EU) 2015/2447.

Article 56

IT transition

1. During the deployment window as defined in Implementing Decision (EU) 2019/2151, the Commission shall provide the Member States with additional common components, transitional rules and supporting mechanisms to establish an operational environment where the Member States which have not yet deployed the new system may continue on a temporary basis to interoperate with the Member States which have already deployed the new system.
2. The Commission shall offer a common component in the form of a central convertor for the exchange of messages over the common communication network. A Member State may decide to implement this at national level.
3. In case of a gradual connectivity of economic operators and other persons, a Member State may offer a national convertor for the exchange of messages between the economic operator and other persons and the customs authority.

⁽⁸⁾ Council Directive (EU) 2020/262 of 19 December 2019 laying down the general arrangements for excise duty (OJ L 58, 27.2.2020, p. 4).

4. The Commission, in collaboration with the Member States, shall draw up the technical rules to be applied during the transition period and which are of a business and technical nature to enable mapping and interoperability between information exchange requirements defined in Commission Delegated Regulation (EU) 2016/341⁽⁹⁾ and Delegated Regulation (EU) 2015/2446 together with Implementing Regulation (EU) 2015/2447.

CHAPTER X

NEW COMPUTERISED TRANSIT SYSTEM

Article 57

Objective and structure of the NCTS

1. The decentralised system NCTS shall enable communication between the customs authorities of the Member States, and between the customs authorities of the Member States and economic operators and other persons, for the purposes of submitting and processing customs declaration and notification where goods are placed under the transit procedure.
2. The NCTS shall consist of the following common components:
 - (a) common communication network;
 - (b) central services.
3. Member States shall create the following national components:
 - (a) a national trader portal;
 - (b) a national transit system ('national NCTS');
 - (c) a common interface between NCTS and AES at national level.

Article 58

Use of the NCTS

The NCTS shall be used for the following purposes where goods are moved under a transit procedure:

- (a) to ensure the formalities of transit determined by the Code;
- (b) to ensure the formalities of the Convention on a Common Transit Procedure⁽¹⁰⁾;
- (c) to lodge and process transit declarations;
- (d) to lodge a transit declaration containing the particulars necessary for risk analysis for safety and security purposes in accordance with Article 263(4) of the Code;
- (e) to lodge a transit declaration instead of an entry summary declaration as referred to in Article 130(1) of the Code.

Article 59

Authentication and access to the NCTS

1. Economic operators have access only to the national transit system via a national trader portal. The authentication and access verification shall be determined by the Member States.
2. The authentication and access verification of Member States' customs authorities for the purposes of access to the common components of the NCTS shall be effected using the network services provided by the Commission.
3. The authentication and access verification of the Commission's staff for the purposes of access to the common components of the NCTS shall be effected using the UUM&DS or the network services provided by the Commission.

⁽⁹⁾ Commission Delegated Regulation (EU) 2016/341 of 17 December 2015 supplementing Regulation (EU) No 952/2013 of the European Parliament and of the Council as regards transitional rules for certain provisions of the Code where the relevant electronic systems are not yet operational and amending Delegated Regulation (EU) 2015/2446 (OJ L 69, 15.3.2016, p. 1).

⁽¹⁰⁾ OJ L 226, 13.8.1987, p. 2.

*Article 60***Common communication network of the NCTS**

1. The common communication network shall ensure the electronic communication among the national NCTS of Member States and Contracting Parties of the Convention on a Common Transit Procedure.
2. The customs authorities of the Member States shall use the common communication network for the exchange of information related to transit formalities.

*Article 61***National trader portal**

1. The national trader portal shall allow the exchange of information between the economic operators and other persons, and the national NCTS of the customs authorities of the Member States.
2. The national trader portal shall interoperate with the national NCTS.

*Article 62***National Transit System**

1. The national NCTS shall interoperate with the national trader portal and shall be used by the customs authority of the Member State or Common Transit Convention country to submit and process the transit declaration.
2. The national NCTS shall communicate electronically via the common communication network with all national transit applications of Member States and Contracting Parties to the Convention on a Common Transit Procedure and shall process transit information received from other Member States and Contracting Parties of the Convention on a Common Transit Procedure.
3. The Member States shall provide and maintain an interface between their national NCTS and AES systems for the purpose of Article 329(5) and (6) of Implementing Regulation (EU) 2015/2447.

*Article 63***IT transition**

1. During the transition period as defined in Implementing Decision (EU) 2019/2151, the Commission shall provide the Member States with additional common components, transitional rules and supporting mechanisms to establish an operational environment where the Member States which have not yet deployed the new system may continue on a temporary basis to interoperate with the Member States which have already deployed the new system.
2. The Commission shall offer a common component in the form of a central convertor for the exchange of messages over the common communication network. A Member State may decide to implement this at national level.
3. In case of a gradual connectivity of economic operators and other persons, a Member State may offer a national convertor for the exchange of messages between the economic operator and other persons, and the customs authority.
4. The Commission, in collaboration with the Member States, shall draw up the technical rules to be applied during the transition period and which are of a business and technical nature to enable mapping and interoperability between old information exchange requirements (as defined in Delegated Regulation (EU) 2016/341) and new information exchange requirements (i.e. as defined in Delegated Regulation (EU) 2015/2446 and together with Implementing Regulation (EU) 2015/2447).

CHAPTER XI

INF SPECIAL PROCEDURES SYSTEM

Article 64

Objective and structure of the INF SP system

1. The INF SP system shall enable communication between the customs authorities of the Member States and the economic operators and other persons for the purpose of issuing and managing INF data in the domain of Special Procedures.
2. The INF SP system shall consist of the following common components:
 - (a) an EU Specific Trader Portal for INF;
 - (b) a central INF system.

Article 65

Use of the INF SP system

1. INF SP shall be used for economic operators and other persons to submit INF requests and follow up on their status and for customs authorities of the Member States to process such requests and manage INFs.
2. The INF SP shall allow the creation of INF by customs authorities of the Member States and communication between the customs authorities of Member States where needed.
3. INF SP shall allow the calculation of the amount of import duties to be made in accordance with Article 86(3) of the Code.

Article 66

Authentication and access to the central INF SP system

1. The authentication and access verification of economic operators and other persons for the purposes of accessing the common components of the INF SP system shall be effected using the UUM&DS system.

For customs representatives to be authenticated and be able to access the common components of the INF SP system, their empowerment to act in that capacity must be registered in the UUM&DS system or in an identity and access management system set up by a Member State pursuant to Article 20.

2. The authentication and access verification of Member States' customs authorities for the purposes of access to the common components of the INF SP system shall be effected using the network services provided by the Commission.
3. The authentication and access verification of the Commission's staff for the purposes of access to the common components of the INF SP system shall be effected using the UUM&DS system or the network services provided by the Commission.

Article 67

EU Specific Trader Portal for INF

1. The EU Customs Trader Portal shall provide access to the EU specific Trader Portal for INF as referred to in Article 6, where the EU Specific Trader Portal shall be an entry point to the INF SP system for economic operators and other persons.
2. The EU Specific Trader Portal for INF shall interoperate with the central INF SP system.

Article 68

Central INF SP system

1. The central INF SP system shall be used by the customs authorities of the Member States to exchange and store information pertaining to submitted INFs.
2. The central INF SP system shall interoperate with the EU Specific Trader Portal for INF.

CHAPTER XII

CUSTOMS RISK MANAGEMENT SYSTEM*Article 69***Objective and structure of the CRMS**

1. CRMS shall enable communication, storage and exchange of risk information between Member States and between Member States and the Commission to support the implementation of the common risk management framework.
2. Where created, a web service for national systems may be used, which allows the exchange of data with national systems through a web interface. CRMS shall interoperate with the ICS2 common components.

*Article 70***Use of the CRMS**

1. CRMS shall be used for the following purposes in line with Article 46(3) and 46(5) of the Code:
 - (a) the exchange of risk information between the Member States and between Member States and the Commission as referred to in Article 46(5) of the Code and in Article 36(1) of Implementing Regulation (EU) 2015/2447 and the storage and processing of such information;
 - (b) the communication between the Member States and between Member States and the Commission of the information related to the implementation of common risk criteria, priority control actions, crisis management as referred to in Article 36(2) of Implementing Regulation (EU) 2015/2447 and the submission, processing and storage of that information including the exchange of related-risk information and the analysis of the results of those actions;
 - (c) enabling Member States and the Commission to retrieve electronically from the system risk analysis reports on existing risks and new trends to feed in the common risk management framework and national risk management system.
2. Where transfer of data from CRMS to national systems and from national systems to CRMS can be automated, national systems shall be adapted to use the CRMS web service.

*Article 71***Authentication and access to the CRMS**

1. The authentication and access verification of Member States' customs authorities for the purposes of access to the common components of the CRMS shall be effected using the network services provided by the Commission.
2. The authentication and access verification of the Commission's staff for the purposes of access to the common components of CRMS shall be effected using the UUM&DS system or the network services provided by the Commission.

*Article 72***Common component of CRMS**

1. The CRMS shall provide for risk information forms and feedback forms on risk analysis and control results to be filled in on-line in the system, processed for reporting and stored in the system. Authorised users shall be able to retrieve the forms and use them for national risk management and control purposes.
2. The CRMS shall provide for communication mechanisms allowing users (individually or as part of an organisational unit) to provide and exchange risk information, to respond to specific requests from other users and to provide to the Commission facts and analysis of the results of their actions in the course of the implementation of common risk criteria, priority control actions and crisis management.

3. The CRMS shall provide for tools enabling analyse and aggregation of data from risk information forms stored in the systems.
4. The CRMS shall provide for a platform where information, including guides, detection technology information and data, and links to other databases, relevant for risk management and controls shall be stored and made available to authorised users for risk management and control purposes.

CHAPTER XIII

CENTRALISED CLEARANCE FOR IMPORT

Article 73

Objective and structure of the CCI

1. The decentralised system CCI shall enable communication between the customs authorities of the Member States, and between the customs authorities of the Member States and economic operators for the purposes of submitting and processing customs declarations in the context of centralised clearance for import where more than one Member State is involved.
2. The CCI shall consist of the following common components:
 - (a) common communication network;
 - (b) central services.
3. Member States shall ensure that their national import systems communicate through the common communication network for CCI with the national import systems of the other Member States and that it includes, at least, the following national components:
 - (a) a national trader portal;
 - (b) a national CCI application;
 - (c) an interface with EMCS/System for Exchange of Excise Data at national level.

Article 74

Use of the CCI

The CCI System shall be used for the following purposes:

- (a) to ensure the formalities of centralised clearance for import, where more than one Member State is involved, laid down in the Code;
- (b) to lodge and process standard customs declarations under the centralised clearance for import;
- (c) to lodge and process simplified customs declarations and the respective supplementary declarations under the centralised clearance for import;
- (d) to lodge and process the respective customs declarations and presentation notifications provided in the authorisation for entry in the declarant's records under the centralised clearance for import.

Article 75

Authentication and access to the CCI

1. Economic operators shall only have access to the national import systems via a national trader portal developed by the Member States. The authentication and access verification shall be determined by the Member States.
2. The authentication and access verification of Member States' customs authorities for the purposes of access to the common components of the CCI system shall be effected using the network services provided by the Commission.
3. The authentication and access verification of the Commission's staff for the purposes of access to the common components of the CCI system shall be effected using the UUM&DS or the network services provided by the Commission.

*Article 76***Common communication network of the CCI**

1. The common communication network shall ensure the electronic communication among Member States' national CCI applications.
2. The customs authorities of the Member States shall use the common communication network for the exchange of information relevant to CCI related import formalities.

*Article 77***National trader portal**

1. The national trader portal shall allow the exchange of information between the economic operators and the national import systems of the customs authorities of the Member States.
2. The national trader portal shall interoperate with the national CCI applications.

*Article 78***National CCI system**

1. The national CCI system shall be used by the customs authority of the Member State which created it for the purposes of processing customs declarations under the CCI.
2. The national CCI systems of the Member States shall communicate electronically via the common domain with each other and shall process import information received from other Member States.

CHAPTER XIV

FUNCTIONING OF THE ELECTRONIC SYSTEMS AND TRAINING IN THE USE THEREOF*Article 79***Development, testing, deployment and management of the electronic systems**

1. The common components shall be developed, tested, deployed and managed by the Commission, and where needed they may be tested by the Member States. The national components shall be developed, tested, deployed and managed by the Member States.
2. Member States shall ensure that the national components are interoperable with the common components.
3. The Commission shall design and maintain the common specifications for the decentralised systems in close cooperation with the Member States.
4. The Member States shall develop, operate and maintain interfaces to provide the functionality of the decentralised systems necessary for the information exchanges with economic operators and other persons through national components and interfaces, and with other Member States through common components.

*Article 80***Maintenance of and changes to the electronic systems**

1. The Commission shall perform the maintenance of the common components and the Member States shall perform the maintenance of their national components.
2. The Commission and the Member States shall ensure uninterrupted operation of the electronic systems.
3. The Commission may change the common components of the electronic systems to correct malfunctions, to add new functionalities or alter existing ones.
4. The Commission shall inform the Member States of changes and updates to the common components.

5. Member States shall inform the Commission of changes and updates to the national components that may have repercussions on the functioning of the common components.
6. The Commission and the Member States shall make the information on the changes and updates to the electronic systems pursuant to paragraphs 4 and 5 publicly available.

Article 81

Temporary failure of the electronic systems

1. In case of a temporary failure of the electronic systems as referred to in Article 6(3)(b) of the Code, economic operators and other persons shall submit the information to fulfil the formalities concerned by the means determined by the Member States, including means other than electronic data processing techniques.
2. The customs authorities of the Member States shall make sure the information submitted in accordance with paragraph 1 is made available in the respective electronic systems within seven days of the respective electronic systems becoming available again.
3. By way of derogation from paragraph 1, in case of temporary failure of the ICS2, AES, CRMS or CCI, the business continuity plan determined by the Member States and the Commission shall apply.
4. By way of derogation from paragraph 1, in case of temporary failure of the NCTS system, the business continuity procedure shall apply as referred to in Annex 72-04 of Implementing Regulation (EU) 2015/2447.
5. The Commission and the Member States shall inform each other of the unavailability of the electronic systems resulting from a temporary failure.

Article 82

Training support on the use and functioning of the common components

The Commission shall support the Member States on the use and functioning of the common components of the electronic systems by providing the appropriate training material.

CHAPTER XV

DATA PROTECTION, DATA MANAGEMENT AND THE OWNERSHIP AND SECURITY OF THE ELECTRONIC SYSTEMS

Article 83

Personal data protection

1. The personal data registered in the electronic systems shall be processed for the purposes of implementing the customs legislation having regard to the specific objectives of each of the electronic systems as set out in Article 4, Article 7(1), Article 16(1), Article 21(1), Article 30, Article 35(1), Article 42(1), Article 50(1), Article 57(1), Article 64(1), Article 69(1), and Article 73(1) respectively.
2. The national supervisory authorities in the field of personal data protection and the European Data Protection Supervisor shall cooperate, in accordance with Article 62 of Regulation (EU) 2018/1725, to ensure coordinated supervision of the processing of personal data registered in the electronic systems.

Article 84

Updating of data in the electronic systems

1. Member States shall ensure that the data registered at national level corresponds to the data registered in the common components and is kept up to date.
2. By way of derogation of paragraph 1, in case of ICS2, Member States shall ensure that the following data corresponds to and is kept up to date with data in the ICS2 common repository:
 - (a) data registered at national level and communicated from the national entry system to the ICS2 common repository;
 - (b) data received from the ICS2 common repository to the national entry system.

*Article 85***Limitation of data access and data processing**

1. The data registered in the common components of the electronic systems by a Member State may be accessed or processed by that Member State. It may also be accessed and processed by another Member State where the latter is involved in the processing of an application or the management of a decision to which the data relates.
2. The data registered in the common components of the electronic systems by an economic operator or other person may be accessed or processed by that economic operator or that person. It may also be accessed and processed by a Member State involved in the processing of an application or the management of a decision to which the data relates.
3. The data in the ICS2 common component that is communicated to or registered in the shared trader interface by an economic operator or other person may be accessed or processed by that economic operator or that person.
4. The data registered in the central EBTI system by a Member State may be processed by that Member State. It may also be processed by another Member State where it is involved in the processing of an application to which the data relates, including by way of a consultation in accordance with Article 26. It may be accessed by all Member States in accordance with Article 25(2).
5. The data registered in the central EBTI system by an economic operator or other person may be accessed or processed by that economic operator or that person. It may be accessed by all Member States in accordance with Article 25(2).
6. The data in the ICS2 in the common components:
 - (a) communicated to a Member State by an economic operator or other person through shared trader interface into the ICS2 common repository may be accessed and processed by that Member State in the ICS2 common repository. Where needed, that Member State may also access this information registered in the shared trader interface;
 - (b) communicated to or registered in the ICS2 common repository by a Member State may be accessed or processed by that Member State;
 - (c) referred in the above points (a) and (b) may also be accessed and processed by another Member State where the latter is involved in the risk analysis and/or control process to which the data relates in accordance with Article 186(2)(a), (b) and (d), (5), (7) and (7a) and Article 189(3) and (4) of Implementing Regulation (EU) 2015/2447, with exception of data recorded in the system by customs authorities of other Member States in relation to information on security and safety risks as referred to in Article 186(2)(a) of Implementing Regulation (EU) 2015/2447;
 - (d) may be processed by the Commission in cooperation with the Member States for the purposes referred to in Article 43(2) of this Regulation and in Article 182(1)(c) of Implementing Regulation (EU) 2015/2447. The results of such processing may be accessed by the Commission and the Member States.
7. The data in the ICS2 common component that is registered in the ICS2 common repository by the Commission may be accessed and processed by the Commission and Member States.

*Article 86***System ownership**

1. The Commission shall be the system owner of the common components.
2. The Member States shall be the system owners of the national components.

*Article 87***System security**

1. The Commission shall ensure the security of the common components. The Member States shall ensure the security of the national components.

For those purposes, the Commission and Member States shall take, at least, the necessary measures to:

- (a) prevent any unauthorised person from having access to installations used for the processing of data;

- (b) prevent the entry of data and any consultation, modification or deletion of data by unauthorised persons;
 - (c) detect any of the activities referred to in points (a) and (b).
2. The Commission and the Member States shall inform each other of any activities that might result in a breach or a suspected breach of the security of the electronic systems.
 3. The Commission and the Member States shall establish security plans concerning all systems.

Article 88

Controller and Processor for the systems

For systems referred to in Article 1 in this Regulation and in relation to the processing of personal data:

- (a) the Member States shall act as controllers as defined in point 7 of Article 4 of Regulation (EU) 2016/679 and comply with the obligations in that Regulation;
- (b) the Commission shall act as processor as defined in point 12 of Article 3 of Regulation (EU) 2018/1725 and comply with the obligations in that Regulation;
- (c) by way of derogation from point (b), the Commission shall act as a joint controller together with the Member States in ICS2, where processing the data for monitoring and evaluating the implementation of the common security and safety risk criteria and standards and of the control measures and priority control in accordance with point (d) of Article 85(6), and in CRMS.

CHAPTER XVI

FINAL PROVISIONS

Article 89

Assessment of the electronic systems

The Commission and the Member States shall conduct assessments of the components they are responsible for and shall in particular analyse the security and integrity of the components and the confidentiality of data processed within those components.

The Commission and the Member States shall inform each other of the assessment results.

Article 90

Repeal

Implementing Regulation (EU) 2019/1026 is repealed. References to that Implementing Regulation shall be construed as references to this Regulation.

Article 91

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*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 8 March 2021.

For the Commission
The President
Ursula VON DER LEYEN
