

eLearning module

# ICS2 Process and Data: Express

Course takeaways

This eLearning module will guide you through the EU's new advance cargo information system “**Import Control System 2 (ICS2)**” that supports the implementation of the EU new customs **safety** and **security** regulatory regime, aiming to better protect the EU single market and EU citizens. It provides an overall business overview of ICS2 business process for **express consignments** from the **economic operator** perspective.



This is a quick and handy summary of the most relevant course information:

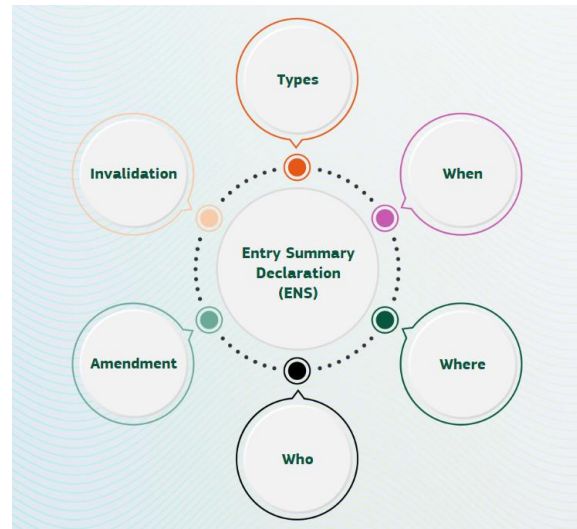
## 1 Did you Know?

The **European Union** is implementing a new customs pre-arrival security and safety programme, underpinned by a large-scale **advance cargo information system – the ICS2**. Norway, Switzerland and Northern Ireland also joined this security and safety programme and implemented ICS2. The programme is one of the main contributors towards establishing an integrated EU approach to reinforce customs risk management under the **common risk management framework**.

## 2 Legal Background

Goods **entering, transiting or transhipped** in the customs territory of the Union must be covered by an **Entry Summary Declaration** before the means of transport enter the Union, regardless of their final destination.

The Entry Summary Declaration contains **all the data elements necessary** for the cargo risk assessment for **security and safety** purposes and allows customs authorities to perform **risk analysis** and ensure that goods constituting a security or safety risk are **controlled** when entering the customs territory of the Union or even **before they are loaded** onto the means of transport.



### Entry Summary Declaration (ENS)

The **ENS** is **electronically** lodged in the **Import Control System 2 (ICS2)**, and it applies to **all goods entering, transiting or transhipped** in the customs territory of the Union.

### Types of ENS filings

To ensure that appropriate quality of data is provided to the customs authorities for **security and safety risk analysis**, the ENS can be lodged either in form of a **single ENS filing** or by **more than one** partial ENS filings. **Multiple ENS filing** is used where the carrier does not have all required particulars available for timely lodging of a complete ENS in a single filing.

**Several ENS filing types** are defined by the legislation per specific mode of transport or per specific business model:

#### Full ENS filing

A full ENS filing contains both the **master level consignment information** and the **house level consignment** information.

#### Partial ENS filing:

A partial ENS filing contains **either** the **master level consignment information** or the **house level consignment** information **only**. It can contain the **Pre-loading Advance Cargo Information (PLACI)**, which is the **minimum air pre-loading dataset**.

#### Complete ENS

An ENS containing **all required data** particulars per specific mode of transport or per specific business model. Complete ENS can be either represented by a single **complete ENS filing** or **partial ENS filings** that together contain all required data particulars. For **one master level** transport contract one complete **ENS** has to be filed.

## Who can lodge an ENS

The ENS shall be lodged by the **carrier**.

The **person filing** should be identified with an **Economic Operator Registration and Identification (EORI)** number that must be included in the ENS.

## Where is an ENS lodged

The ENS shall be lodged at the **customs office of first entry (COFE)** within a specific time-limit, before the goods are brought into the customs territory of the Union.

## When is an ENS lodged

The ENS shall be lodged at the customs office of first entry **within a specific time-limit**, before the goods are brought into the customs territory of the Union.

Where the goods are brought into the customs territory of the Union by **air**, the ENS shall be lodged **as early as possible**.

The minimum dataset of the ENS shall be lodged at the latest **before** the goods **are loaded** onto the aircraft on which they are to be brought into the customs territory of the Union.

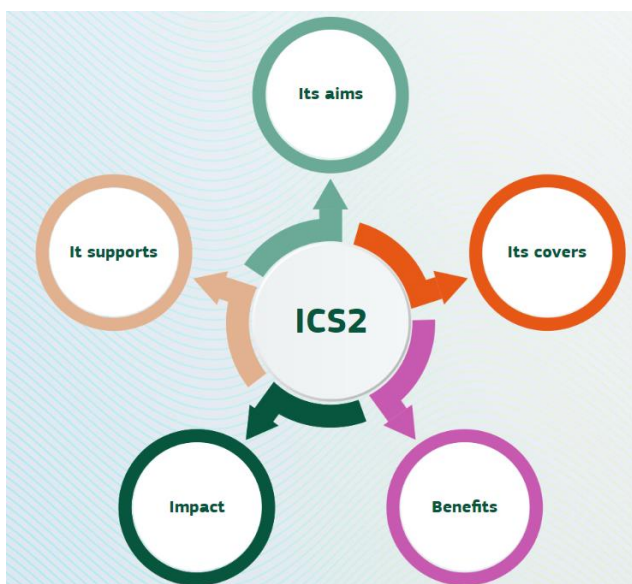
## Arrival and Presentation of Goods

The operator of an aircraft entering the customs territory of the Union shall **notify the arrival** to the customs office of first entry via the **Shared Trader Interface (STI)** or the **National Arrival System (NAS)**.

Goods brought into the customs territory of the Union shall be **presented to customs** when the goods are **unloaded** from the means of transport, immediately upon their arrival at the designated customs office or any other place designated or approved by the customs authorities or in the free zone. Freight remaining on board (FROB) can be requested to be unloaded for customs controls at customs office of first entry in case of **high risk** identified.

## 3 The ICS2 System

### 3.1 ICS2 Background What is ICS2



The **Import Control System 2** is a new EU customs advance cargo information system. Economic operators have to declare **safety and security data** to ICS2, through the ENS about all goods destined to enter or to transit via the EU **prior to their arrival**.

ICS2 gathers these data on all goods before they reach the EU's external borders. Advance cargo information and risk analysis enable **early identification of threats** and help customs authorities to **intervene at the most appropriate point** in the supply chain.

#### The aim of ICS2

**Customs action** at the external EU border plays an **essential role** in protecting citizens and the internal market against **safety and**

**security threats. Advance cargo information and risk analysis** enable **early identification of threats** and help customs to **intervene** at the **most appropriate place** in the supply chain. For customs purposes, **security and safety risks** cover a range of issues including explosives in air cargo, narcotics, precursors, dangerous fake medicines, dangerous toys or electronics, contaminated foods, weapons, and all types of organised smuggling.

#### What ICS2 supports

ICS2 is a **large-scale EU information system** supporting the following processes:

- **lodging** of the ENS (advance cargo information) to customs;
- **security and safety risk analysis** by customs;
- **arrival of means of transport**;
- **presentation of goods** to customs authorities; and
- **control** of goods performed by the customs authorities, wherever necessary.

ICS2 is **not an import system** and it is **not used to process** the customs declarations for release into free circulation.

#### What ICS2 covers - How it fits into the customs domain

**Entry of the goods** into the customs territory of the Union is a **5-step process**, consisting of:

- **Lodging** of the ENS;
- Notification of the **arrival of the means of transport**;
- **Presentation of goods**;
- **Temporary storage** of goods; and
- **Placing** the goods under a **customs procedure**.

The scope of the ICS2 business processes covers **three** steps out of five: **lodging** the ENS, the notification of the **arrival of the means of transport** and to a limited extent the **presentation of goods**.

#### Who is affected by ICS2

ICS2 has a **direct impact** on **all economic operators** involved in the dispatch, transport and handling of international freight, express or postal consignments.

### 3.2 Get Ready

If you are shipping goods to or through the **European Union, Switzerland, Norway** and **Northern Ireland**, make sure you know how to comply with the new rules under ICS2.

As a first step you should gain understanding of the **new requirements** and eventually start preparing to **update your IT system** and adapt your business processes.

You will have to provide data in the format of the **electronic ENS**.

Make sure you provide **training support** to your staff. Accurate and complete data is very important to be declared in the ENS.

This is to help **detect threats** to aviation security.

You must always provide complete and precise information on:

- the **type of product**,
- the **sender** and the **receiver**, and
- other **mandatory data**.

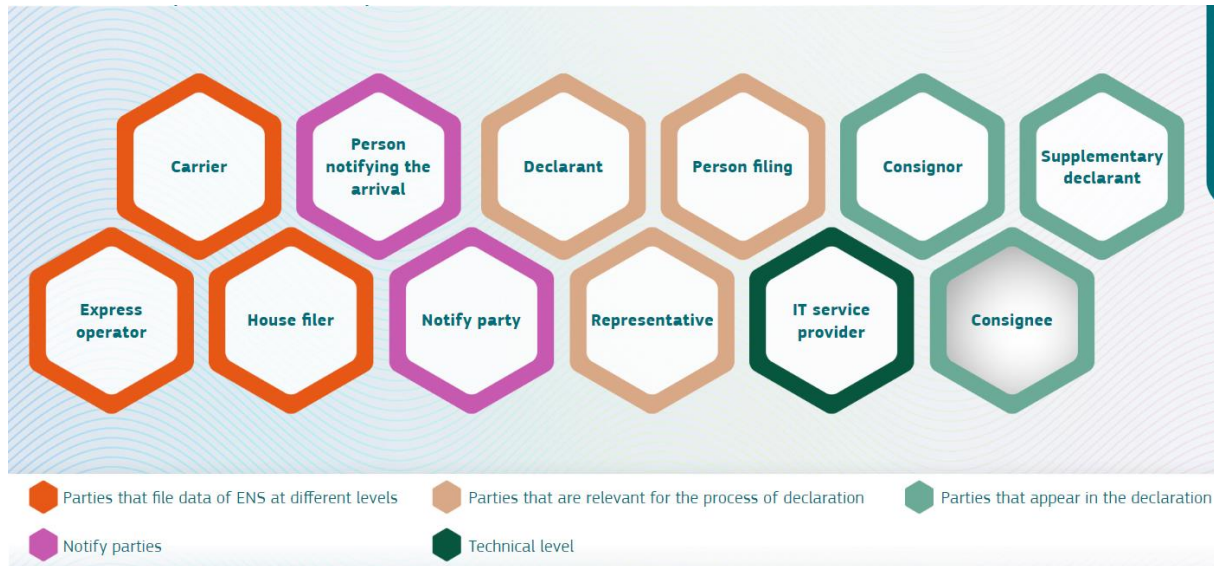
Complete data improves the efficiency of the **risk assessment**, creating a **smoother journey** for your goods.



## 4 The Business Process

### 4.1 Economic Operators' Roles and Responsibilities

The obligation to lodge the ENS lies in general with the **carrier** being responsible for the transport of the goods into the **EU customs territory**. The declaration can be also lodged by the **importer** or **consignee** of the goods **or by any person** who is able to present or has presented the goods to customs. When **not all particulars** required for an ENS can be obtained from the carrier, **other persons** holding those particulars may be required to provide them to customs.



#### Carrier

The carrier is the **person who brings the goods**, or who assumes **responsibility** for the carriage of the goods, into the customs **territory of the Union**.

#### Express operator

[Pop-up text 1] An operator providing integrated services of **expedited/time-definite collection, transport, customs clearance** and **delivery** of parcels whilst tracking the location of, and maintaining control over, such items throughout the supply of the service. This economic operator is **authorised** to perform a **customs clearance procedure**. Any party that is only partially involved in the provision of such integrated services is not considered an express operator but a **party** providing freight forwarding services.

#### House filer

The house filer is an entity **handling house consignments** (HC) and/or person(s) having at their disposal all the **necessary data** elements to **lodge ENS** filings. The house filer could be the freight forwarder, ground handling agent, the importer.

#### Person notifying the arrival

A person notifying the arrival is a **carrier** that operates the means of transportation and submits the **arrival notification**.

#### Notify party

A notify party is an entity who has an **agreement** with and **represents an air carrier** or person presenting the goods, e.g., freight forwarder, ground handling agent etc. The notify party tag field is indicated in the **arrival notification** and is part of the arrival notification process.

### Declarant

The declarant in this context is the **person lodging an ENS** or particular ENS filings in their own name or the person in whose name an ENS or particular ENS filing is lodged.

### Representative

Any person can **appoint** a representative to **create and lodge the ENS** or particular ENS filings in the name and on behalf of the declarant (**direct representation**) or in the representative's name but on behalf of the declarant (**indirect representation**).

### Person filing

The person who has **created and lodged an ENS** filing. It's either the **declarant** or, in case of representation, the **representative**.

### IT service provider

The IT service provider is the person operating an **access point to ICS2** who technically submits and receives **electronic messages** for declarants and representatives.

### Consignor

The consignor is the **sender** of the consignment.

### Consignee

The consignee is the **recipient** of the consignment.

### Supplementary declarant

In the context of a complete ENS **composed of partial ENS filings** this is a party which is indicated in the master or house-level ENS filing as **expected to lodge** an **additional** ENS filing either at house or sub-house level.

## 4.2 Overview



There are **four main phases** of the ICS2 processes:

1. the **pre-loading phase**, in which **pre-loading data** are lodged and assessed; referrals could be sent to request additional information, amendment of data, high-risk cargo and mail screening, or Do Not Load request;
2. the **pre-arrival phase**, in which **pre-arrival details** are provided with a **complete ENS**, and complete safety and security risk analysis is carried out; in rare cases referrals could be sent to request additional information;
3. the **arrival phase**, in which the **arrival notification** is lodged to the customs office of first entry;

- the **presentation phase**, in which the person presenting the goods needs to lodge a **presentation notification** in the national presentation system of the country where the goods are presented.

#### 4.3 Amendment

ENS filing can be amended at any time until the **presentation of goods** to customs or until a **notification** from customs that the goods will be **controlled** is received. Amendment can be done upon **initiative of the declarant** or upon **request from the customs** authority. The latter happens when ENS data is of **inadequate** or unacceptable **quality** for risk analysis. After the ENS filing is amended, the **risk analysis process** restarts.

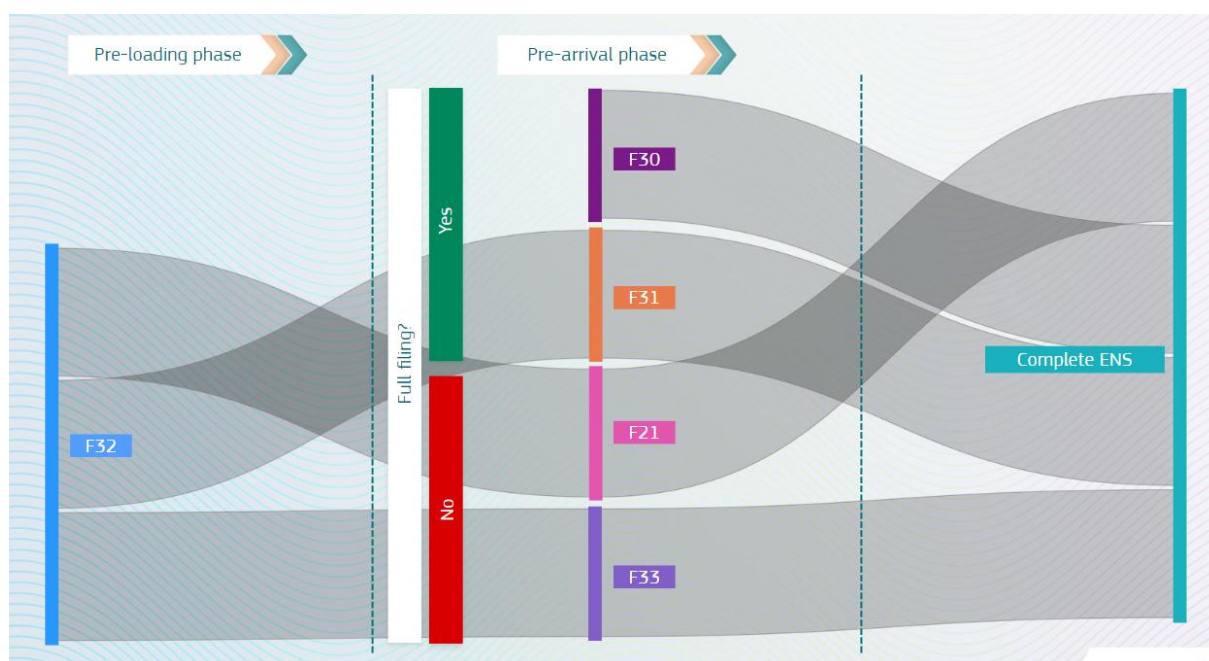
#### 4.4 Invalidation

ENS filing can be **invalidated** at any time until the goods or part of them are presented to customs or until **notification** from customs that the goods will be **controlled** is received. ENS filing can be invalidated:

- upon **invalidation request** from the economic operator, or
- after 200 days** from the registration date of the ENS filing in case the goods have not arrived and/or have not been presented to customs.

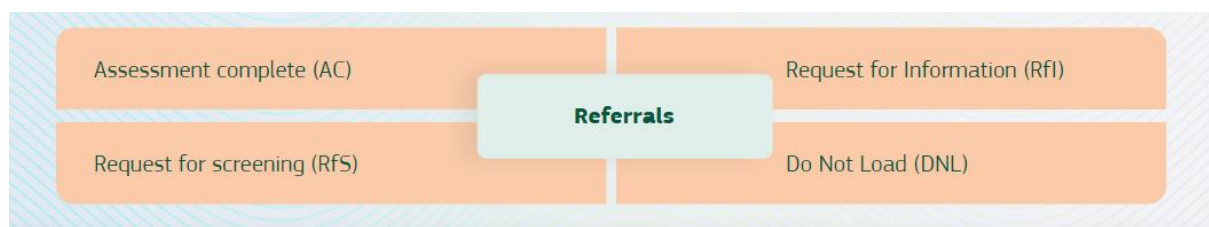
## 5 Express ENS Filing Types

These are the ENS filing types used for express consignments.



## 6 Referrals

During both the pre-loading phase and the pre-arrival phase, persons filing the ENS may receive **referrals** requests if a **potential security risk** arises.





Customs authorities may issue a request for additional information, or amendment of an ENS filing (**Rfi**).

During the pre-loading phase, also request for screening (**Rfs**) for high-risk cargo and mail (HRCM) and Do Not Load (**DNL**) requests can be issued.

- **Assessment complete (AC): PLACI/ENS** risk analysis is successfully completed. No further action required for risk analysis.
- **Request for Information (Rfi):** Data is not sufficient. Additional information is requested for the risk assessment completion.
- **Request for screening (Rfs):** There is a potential security risk. The declarant is requested to perform screening.
- **Do Not Load (DNL):** High security risk threat is identified. The consignment should not be loaded on the aircraft!

## 7 Split Consignment and Re-Entry

### 7.1 Split Consignment

In the case in which the goods, for which one ENS was lodged, **cannot be all loaded** on the same aircraft **as initially planned**, the consignment is split.

The originally submitted ENS **should not** be amended. When the remaining part of the consignments is ready to be shipped, a **new ENS** has to be lodged and the party submitting the master level ENS filing must indicate that the **new ENS** concerns **split consignment**.

In case of **multiple filing**, it is not needed for the house filers to lodge again their partial house level ENS filings.

### 7.2 Re-Entry

In case in which an aircraft arrives to the EU, leaves and then **re-enters** the EU, a **separate ENS** is required for both arrival and **re-entry** for the goods on board of the aircraft.

If the goods are re-entering with the **same master air waybill** the second ENS has to indicate this is a **re-entry**.

In case of **multiple filing**, it is **not needed** for the house filers to lodge again their partial house level ENS filings.

*Remember, this is a quick and handy summary of the most relevant course information. Only the European Union legislation published in the Official Journal of the European Union is deemed authentic. The Commission accepts no responsibility or liability whatsoever with regard to the training.*

