

# TIR CARNET HOLDER'S MANUAL

The present Manual has been elaborated to assist persons who use TIR Carnets. In the case of eventual discrepancies between the text of this Manual on one hand and, on the other hand, the provisions of the "Declaration of Engagement by the Transport Company for Admission to the TIR Customs System and Authorization to Use Ordinary TIR Carnets" or those of the TIR Convention, the latter Declaration and Convention shall prevail.

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## SECTION 1 INTRODUCTION AND GENERAL RULES

1. This Manual has been produced to assist those involved in the use of TIR Carnets, particularly Holders, their managers, administrative staff and drivers, by explaining the system and giving operational guidance.
2. By using a TIR Carnet the Holder assumes responsibility for presenting the goods to the Customs Authorities at destination or for paying all duties, taxes, fines and penalties relating to the load if the TIR Carnet is not certified as terminated correctly. Whilst it is true that the vast majority of TIR Carnets are used without any problems there are financial risks for the Holder and it is therefore essential that all staff involved in TIR transport are made aware of the importance of following correct procedures and of keeping and retaining accurate journey records.
3. Each section of the Manual covers a particular aspect of TIR operations and sections are cross-referenced for easy use. Where a procedure relates directly to the TIR Convention the relevant Article number is given in brackets at the end of the paragraph e.g. (ART 9). The Manual also needs to be read in conjunction with the Declaration of Engagement which you signed on joining the TIR Scheme and where appropriate there are cross-references to the relevant clauses in the Declaration.
4. The loose-leaf format has been adapted so that the Manual can be up-dated quickly and easily. When changes occur new or replacement pages will be sent to you by your Association.
5. Every copy of the Manual contains 11 sections applicable to all TIR Carnet Holders. Section 20 has been reserved to give you information from your own National Association – please make sure you read this Section.
6. Although every effort has been taken to make this Manual a comprehensive and accurate guide to all aspects of the TIR scheme if you have any suggestions for improvements or additional information please tell your Association.
7. The aim is to ensure your TIR operations are trouble free – before, during and after the journey – the following general rules should help achieve this goal.

## 1. POGLAVJE UVOD IN SPLOŠNA PRAVILA

1. Ta priročnik je narejen za pomoč vsem ki imajo opravka z zvezki TIR, posebno imetniki, njihovi direktorji, administrativno osebje in vozniki, z razlago sestava in danimi smernicami za delo.
2. Imetnik prevzema z uporabo zvezka TIR odgovornost za dostavo blaga na namembno carino, za plačilo vseh dajatev, taks in kazni, glede na blago, če zvezek TIR ni potrjen kot pravilno razdolžen. Res je, da je velik del zvezkov TIR porabljenih brez vseh težav. So pa finančna tveganja za imetnika in pomembno je, da se vse vpleteni v prevoze z jamstvom TIR zavedajo pomembnosti pravih postopkov hranjenja natančnih podatkov o prevozu.
3. Vsak del priročnika obravnava postopek TIR iz posebnega stališča in za lažjo uporabo usmerja na druge dele (poglavja). Kjer postopek zadeva Sporazum TIR neposredno, je na koncu odstavka v oklepaju navedena številka člena n.pr. (9. čl.). Priročnik je treba brati skupaj z uporabnikovo Izjavo o sprejemanju obveznosti, ki ste jo podpisali ob pristopu v sestav TIR. Kadar je primerno, je zraven usmeritev na odgovarjajoči člen v uporabnikovi izjavi.
4. Nevezana oblika priročnika je bila sprejeta, da ga je mogoče hitro in lahko posodobiti. Če pride do nove spremembe ali zamenjave, vam bo vaše združenje poslalo nove strani.
5. Vsak izvod priročnika ima 11 delov, uporabnih za vse imetnike zvezkov TIR. 20. del je bil zadržan za sporočilo vašega domačega združenja – prosimo, preberite ga.
6. Velik trud je bil vložen zato, da je ta priročnik razumljiv in natančen vodnik z vseh vidikov sistema tir. Če imate predloge za izboljšanje ali dodatna obvestila, prosimo, povejte so svojemu združenju.
7. Namen je zagotoviti, da bodo vaši postopki TIR brez težav – pred, med in po prevozu – upoštevanje splošnih pravil naj bi pomagalo doseči ta namen.

## General Rules

- Keep a detailed record of all journeys on which you use a TIR Carnet and retain all documents, particularly those which prove the goods were delivered to the Customs office of destination, properly imported or placed under another Customs regime (**see Section 2**).
- Check the front cover of the TIR Carnet to see that your name and address has been filled in correctly (**see Section 5**).
- Use only experienced and reliable drivers – subject to National Laws checks should be made to ensure they do not have a relevant criminal record.
- Before presenting a TIR Carnet to Customs at the start of a journey make sure the validity date has not expired (**see Section 7**).
- Instruct drivers only to go to the Customs office of destination and to ensure that the TIR Carnet is only presented to a Customs officer. They should never give the TIR Carnet to the Principal or Consignee. Remember the TIR Carnet remains the responsibility of the Holder at all times.
- Return all used and unused TIR Carnets as quickly as possible and, in any case, within the required deadlines (**see Section 9**).
- Advise your Association immediately if you receive any correspondence from a Customs Authority regarding the possible mis-use of a TIR Carnet issued to you, including notifications of an irregularity or a payment demand.
- Always contact your Association if you have any problems en route or at destination, or if you require information about using a TIR Carnet. The Association is there to help you.

## Splošna pravila

- Hranite podrobne podatke o vseh prevozih, za katere ste uporabili jamstvo zvezka TIR. Posebno pa listine, ki dokazujejo dostavo blaga na namembni carinski urad, pravilno uvozno ocarinjenje ali prenos na drug carinski režim. (Glej 2. poglavje).
- Preverite na prvi strani platnic zvezka TIR, če je pravilno napisano vaše ime in naslov. Glej 5. poglavje).
- Zaposlite samo izkušene in zanesljive voznike ter se v skladu z domačimi predpisi prepričajte o njihovi poštenosti (nekaznovanju).
- Preverite da je zvezek TIR še veljaven, preden ga predložite na odhodni carinarnici. (Glej 7. poglavje).
- Naročite vozniku, da gre v namebnem kraju najprej na carino in izroči TIR zvezek neposredno cariniku. Zvezka TIR ne sme nikoli izročiti naročniku ali prejemniku. Imetnik sam je in ostane vselej odgovoren za zvezek TIR.
- Vrnite porabljene ali neporabljene zvezke TIR kakor hitro je mogoče, vendar najkasneje v predpisanih rokih. (Glej 9. poglavje).
- Nemudoma obvestite svoje združenje, če bi prejeli kakršnokoli pismo carinskih oblasti, v katerem je najavljena možnost zlorabe vašega zvezka TIR. Posebno še, če gre za ugotovljeno nepravilnost ali zahtevek za plačilo.
- Vedno se posvetujte z svojim združenjem, če imate težave med potjo, v namembnem kraju ali če potrebujete dopolnilna pojasnila o uporabi zvezka TIR. Združenje vam bo pomagalo.

## SECTION 2 ADMINISTRATIVE PROCEDURES

1. As a Holder you must keep a record of all TIR Carnets issued to you and details of all journeys on which a TIR Carnet is used. The record should include at least:
  - the serial number of the TIR Carnet(s);
  - the date the TIR Carnet was received;
  - the vehicle registration number;
  - the name of the driver(s);
  - the date(s) and place(s) where loading took place;
  - the route;
  - the goods transported;
  - the name(s) and address(s) of the Customs office(s) of destination where the certificate(s) of termination of the TIR operation(s) was (were) obtained;
  - the date(s) of termination;
  - the name and address of the consignee(s);
  - the date on which the TIR Carnet was returned to the Association and the method used, i.e. post, courier, by hand, etc.

You are also recommended to retain carefully copies of all relevant documents relating to a TIR journey e.g. CMR notes duly stamped by the consignee(s), orders for transport, invoices, tickets of entry into a country or Customs area and certificates of discharge and delivery if the destination is a country where these documents are applicable. All relevant documents must be made available to your Association on request if there is a query about the use of a TIR Carnet.

2. If a certificate of termination of the TIR operation has not been obtained you should follow the procedures set out in **Section 8**. If you are unable to return a TIR Carnet for any reason please follow the instructions given in **Section 9**.

## 2. POGlavJE UPRAVNI POSTOPKI

1. Imetnik mora hraniti razvid zvezkov TIR, ki so mu bili izdani in podatke o vseh prevozih za katere so bili zvezki porabljeni. Podatki morajo imeti najmanj:
  - serijsko številko zvezka(ov) TIR
  - datum prejema zvezka TIR
  - registrsko številko vozila
  - ime voznika
  - datum in kraj naklaadnja
  - pot
  - prevažano blago
  - ime in naslov carine, ki je potrdila, da je postopek TIR končan
  - datum, ko je bil postopek končan
  - ime in naslov prejemnika
  - datum, ko je bil zvezek TIR vrnjen združenju in uporabljen način npr. po pošti, po kurirju, osebno, idr.

Imetnik mora pazljivo hraniti vse kopije listin za prevoz z jamstvom zvezka TIR: CMR, ki ga je prejemnik potrdil, nalog za prevoz, račune, potrdila o vstopu v državo ali na področje carine, potrdilo o razdolžitvi carine, potrdilo o razdolžitvi in izročitvi, če je namemben kraj v državi, kjer se take listine uporablja. Na zahtevo združenja, če se pojavi dvom v pravilno uporabo zvezka TIR, mora imetnik omogočiti združenju vpogled v ustrezne listine.

2. Če potrdila o končanem postopku TIR ni, bo sledila obravnava, določena v 8. delu. Če imetnik zvezka TIR iz kakršnegakoli vzroka ne more vrniti, bodo upoštevana navodila iz 9. dela.

**SECTION 3**  
**TIR CARNETS USED FOR TRANSPORTING**  
**HEAVY OR BULKY GOODS**

1. Heavy or bulky goods are defined in the TIR Convention as "any heavy or bulky objects which because of its weight, size or nature is not normally carried in a closed vehicle or closed container".
2. Customs Authorities at the office of departure have the discretion to permit heavy or bulky goods to be carried by means of non-sealed vehicles or containers. You do not require a certificate of approval for road vehicles or containers used for the carriage of heavy or bulky goods (**ART 29**).
3. If you intend to transport heavy or bulky goods which cannot be carried in a closed vehicle or closed container you should advise your Association when ordering TIR Carnets for these type of journeys. They will then issue you with a TIR Carnet endorsed in bold letters on the cover and all "volets" with the words "Heavy or Bulky Goods" in English or "Marchandises Pondéreuses ou Volumineuses" in French. TIR Carnets so endorsed are sometimes referred to as "open TIR Carnets".
4. There are no other special procedures, guarantee or insurance requirements relating to the issue of TIR Carnets for the carriage of heavy or bulky goods.

**3. POGLAVJE**  
**UPORABA ZVEZKOV TIR ZA PREVAŽANJE**  
**TEŽKEGA IN OBSEŽNEGA BLAGA**

1. Teško ali obsežno blago je v sporazumu TIR določeno kot « vsi težki ali obsežni predmeti, ki jih zaradi njihove teže, velikosti ali lastnosti ni mogoče prevažati niti v zaprtih vozilih niti v zaprtih vsebovalnikih .
2. Carinske oblasti v odhodni carinanrni lahko dovolijo prevoz težkega ali obsežnega blaga brez carinskih obeležij. Za tako prevažanje ne potrebujete potrdila o primernosti vozila (certifikat). ( 29. člen).
3. Če nameravate prevažati težko ali obsežno blago, ki ne gre v zaprti prostor vozila ali vsebovalnika in če je za tak prevoz predpisan zvezek TIR, obvestite o tem združenje. Združenje odtisne na prvo stran platnic in na vse notranje liste zvezka TIR pečat : « Heavy or bulky goods » v angleščini ali « Marchandises pondereuses ou volumineuses » v francoščini. Takim zvezkom včasih pravimo « odprti zvezki TIR .
4. Za prevažanje težkega ali obsežnega blaga z jamstvom zvezka TIR ni drugih posebnih postopkov ali pogojev glede poročila ali posebnega zavarovanja.

SECTION 4  
PROHIBITED AND HIGH RISK GOODS

1. The carriage of certain goods is completely prohibited under TIR Carnet, other goods are designated "High Risk" and can only be transported under strict rules and procedures. The details are set out below.
- (a) Goods prohibited from transport under TIR Carnets in all contracting countries irrespective of the quantities carried or the Duty values:
- (i) alcohol and derived products except for beer or wine. HS Codes 22.07.10 and 22.08;
- (ii) tobacco and derived products except for raw tobacco. HS Codes 24.02.10, 24.02.20 and 24.03.10.
- (b) Goods prohibited from transport under TIR Carnets only in EU Member States irrespective of the quantities carried or the Duty values:

4. POGLAVJE  
PREPOVEDANO IN ZA TIHOTAPLJENJE  
PRIMAMLJIVO BLAGO

1. Z jamstvom zvezke TIR je prevoz določenega blaga v celoti prepovedan. Drugo blago, imenovano "za tihotapljenje primamljivo blago" pa je mogoče prevažati po strogih pravilih in postopkih. Podrobnosti so navedene spodaj:
- a) Blago, ki ga je prepovedano prevažati z jamstvom zvezke TIR v vseh državah pogodbenicah, neodvisno od njegove količine in carinske vrednosti:
- i) alkohol in njegovi derivati, razen piva in vina HS 22.07.10 in 22.08;
- ii) tobak in izdelki iz njega, razen surovega tobaka HS 24.02.10, 24.02.20 in 24.03.10
- b) Blago, ki ga je prepovedano prevažati z jamstvom zvezke TIR samo v državah članicah EZ, neodvisno od njegove količine ali carinske vrednosti:

HS Code	Description	HS Koda	Opis
02.02	- 10 - 20 - 30 Meat of bovine animals, frozen	02.02	- 10 - 20 - 30 meso, goveje zmrznjeno
04.02	- 10 - 21 - 29 - 91 - 99 Milk and cream, concentrated or containing added sugar or other sweetening matter	04.02	- 10 - 21 - 29 - 91 - 99 mleko in smetana, koncentrirana ali z dodatkom sladkorja ali drugih sladil
04.05	- 10 - 90 Butter and other fats and oils derived from milk	04.05	- 10 - 90 maslo in druge maščobe in olja, dobljeni iz mleka
Ex 08.03	- 00 Bananas, excluding plantains	Ex 08.03	- 00 banana, brez rajskih smokev
17.01	- 11 - 12 - 91 - 99 Cane or beet sugar and chemically pure sucrose, in solid form	17.01	- 11 - 12 - 91 - 99 sladkor in kemično čista cukroza, netekoča

Ex means part of the HS Code number

Ex pomeni del številčne HS Code

<p>(c) Goods currently designated "High Risk" under IRU rules:</p> <ul style="list-style-type: none"> <li>– meats of any type and origin, including livestock;</li> <li>– milk, powdered milk including powdered milk for infants;</li> <li>– butter and margarine;</li> <li>– sugar.</li> </ul> <p>For all the full 4 HS Codes relating to the above goods <b>see page 10.</b></p>	<p>c) za tihotapljenje primamljivo blago po pravilih IRU</p> <ul style="list-style-type: none"> <li>– meso vseh vrst in porekla, vključno živina</li> <li>– mleko, mleko v prahu, vključno z mlekom v prahu za otroke</li> <li>– maslo in margarina</li> <li>– sladkor</li> </ul> <p>Za vse štiri zgoraj navedene vrste blaga glej številke iz usklajene carinske tarife na strani 9.</p>
<p>2. The rules relating to "High Risk" goods listed under (c) above apply where these constitute more than 10% of the load carrying capacity of the vehicle by weight.</p> <p>3. You may transport "High Risk" goods under ordinary TIR Carnets only if you have lodged an additional guarantee for a sum equal to USD 50,000 (bank guarantee, insurance policy, cash or other surety) with the Association which issues your TIR Carnets (<b>see Section 10</b>).</p> <p>4. When ordering TIR Carnets you must tell your Association how many are required for the carriage of "High Risk" goods, these TIR Carnets will then be issued with the letters MHR/HVG stamped on the yellow manifest.</p> <p>5. If, due to unforeseen operational requirements, you need to use a TIR Carnets which has not previously been endorsed MHR/HVG you may use it to carry "High Risk" goods provided you notify the Association of the TIR Carnet number and ensure it can easily be identified when it is returned to the Association. If you wish you can endorse the TIR Carnet yourself but only on the yellow manifest.</p> <p>6. In no circumstances can "High Risk" goods be transported without the additional guarantee in place.</p> <p>7. Additionally, you must observe the following precautions when transporting "High Risk" goods.</p> <p>(a) Never accept any instruction to change the itinerary or Customs office of destination. In the event of any difficulty the driver should be instructed to return to the place of loading or place the goods under Customs control.</p> <p>(b) When returning the TIR Carnet to the Association include copies of all documents (including the CMR or an equivalent document for own account operators) which show the goods have been properly delivered and discharged.</p> <p>Failure to observe these requirements can lead to claims and possible exclusion from the TIR scheme. If you are in any doubt about the status of the goods you are intending to carry please check with your Association.</p>	<p>2. Pravila, ki se nanašajo na "za tihotapljenje primamljivo blago" navedeno pod c) je treba upoštevati, kadar teža takega blaga presega 10 % nosilnosti vozila.</p> <p>3. Za tihotapljanje primamljivo blago lahko prevažate z običajnim zvezkom TIR samo, če položite dodatno jamstvo ki ustreza znesku 50.000.- am. dolar. (bančno jamstvo, zavarovalno polico, gotovino ali drugo poroštvo) združenju, ki vam izdaja zvezke TIR (gl. 10. poglavje).</p> <p>4. Ko naročate zvezke TIR je treba združenje opozoriti, da boste prevažali za tihotapljenje primamljivo blago. Ob izdaji zvezka TIR bo združenje odtisnilo na prvi rumeni list žig MHR/HVG.</p> <p>5. Če potrebujete zvezek TIR za prevažanje "za tihotapljenje primamljivega" blaga, pa ta ob izdaji ni bil tako označen, bo to mogoče le, če boste o svoji nameri predhodno obvestili združenje. Če želite, lahko zvezek na rumeni strani najave blaga označite tudi sami.</p> <p>6. Brez pologa dodatnega jamstva prevažanje "za tihotapljenje primamljivega blaga" z jamstvom zvezka TIR ni mogoče.</p> <p>7. Pri prevažanju "za tihotapljenje primamljivega blaga" morate upoštevati naslednje varnostne ukrepe:</p> <p>a) Nikoli ne sprejmite navodil, ki spreminjajo prevozno pot ali namembno carinarnico. V slučaju kakršnihkoli težav se mora voznik vrniti v kraj nakladanja ali dati blago pod carinski nadzor.</p> <p>b) Dvojniki vseh listin, ki dokazujejo, da je bilo blago pravilno dostavljeno in TIR razdolžen (vključno CMR ali drugo ustrezno listino) morajo biti pripeti v zvezek TIR, ko ga vrnete združenju.</p> <p>Neupoštevanje teh pogojev lahko pripelje do pritožb in izključitve iz sestava TIR. Če dvomite v vrsto blaga, ki vam je ponujeno v prevažanje, stopite v stik s svojim združenjem.</p>



HS Code	Description	HS Koda	Opis
0101	Live horses, asses, mules and hinnies	0101	Konji, osli, mezge, mule, živi
0102	Live bovine animals	0102	Žive živali, vrste goved
0103	Live swine	0103	Prašiči, živi
0104	Live sheep and goats	0104	Ovce in koze, žive
0105	Live poultry, that is to say, fowls of a species Gallus domesticus, ducks, geese, turkeys and guinea fowls	0105	Domača perutnina, živa (kokoši, race, gosi, purani in pegatke)
0106	Other live animals	0106	Druge živali, žive
0201	Meat of bovine animals, fresh or chilled	0201	Meso, goveje, sveže in ohlajeno
0202	Meat of bovine animals, frozen	0202	Meso, goveje, zmrznjeno
0203	Meat of swine, fresh, chilled or frozen	0203	Meso, svinjsko, sveže, ohlajeno ali zmrznjeno
0204	Meat of sheep, goats, fresh, chilled or frozen	0204	Meso, ovčje ali kozje, sveže, ohlajeno ali zmrznjeno
0205	Meat of horses, asses, mules or hinnies, fresh, chilled or frozen	0205	Meso konj, oslov ali mul in mezgov, sveže, ohlajeno ali zmrznjeno
0206	Edible offal of bovine animals, swine, sheep, goats, horses, asses, mules or hinnies, fresh, chilled or frozen	0206	Drugi užitni klavnični proizvodi iz govejega, svinjskega, ovčjega, kozjega ali konjskega mesa in mesa oslov ali mesa mul in mezgov, sveži, ohlajeni ali zmrznjeni
0207	Meat and edible offal of the poultry of heading No 0105, fresh, chilled or frozen	0207	Meso in užitni odpadki od perutnine iz tar. št. 0105, sveže, ohlajeno ali zmrznjeno
0208	Other edible meat offal, fresh, chilled or frozen	0208	Drugo meso in drugi užitni mesni klavnični proizvodi, sveže, ohlajeno ali zmrznjeno
0209	Pig fat free of lean meat and poultry fat (not rendered), fresh, chilled, frozen, salted, in brine, dried or smoked	0209	Svinjska slanina in salo, očiščena mesa, in perutninsko salo (netopljeno), sveži, ohlajeni, zmrznjeni, nesoljeni, razsoljeni, sušeni ali prekajeni
0210	Meat and edible offal, salted, in brine, dried or smoked; edible flours and meals of meat and meat offal	0210	Meso in užitni mesni in drugi klavnični proizvodi, nasoljeni, razsoljeni, sušeni ali prekajeni; užitna moka in zdrob iz mesa ali iz drugih klavničnih proizvodov
0402	Milk and cream, concentrated or containing added sugar or other sweetening matter	0402	Mleko in smetana, koncentrirana ali z dodatkom sladkorja ali drugih sladil
0403	Buttermilk, curdled milk and cream, yoghurt, kefir and other fermented or acidified milk and cream, whether or not concentrated or containing added sugar or other sweetening matter or flavoured or containing added fruit, nuts or cocoa	0403	Posneto mleko, kislo mleko, kislja smetana, jogurt, kefir in drugo fermentirano ali skisano mleko in smetana, koncentrirana ali ne z dodatkom sladkorja ali drugih sladil, aromatizirana ali z dodanim sadjem ali kakavom
0404	Whey, whether or not concentrated or containing sugar or other sweetening matter; products consisting of natural milk constituents, whether or not containing added sugar or other sweetening matter, not elsewhere specified or included	0404	Sirotko, koncentrirana ali ne, z dodatkom sladkorja ali drugih sladil; izdelki iz naravnih mlečnih sestavin z dodatkom sladkorja ali drugih sladil ali brez njih, ki niso omenjeni in ne zajeti na drugem mestu
0405	Butter and other fats and oils derived from milk	0405	Maslo in druge maščobe in olja, dobljeni iz mleka
1516	Animal and vegetable fats and oils and their fractions, partly or wholly hydrogenated, inter-esterified, re-esterified or elaidinized, whether or not refined, but not further prepared	1516	Masti in olja živalskega ali rastlinskega izvora in njihove frakcije, deloma ali v celoti hidrogenirani, interesterificirani, reesterificirani ali eleidinirani, rafinirani ali nerefinirani, toda nadalje nepredelani
1517	Margarine; edible mixtures or preparations of animal or vegetable fats or oils of this chapter, other than edible fats or oils or their fractions of heading No 1516	1517	Margarina; mešanica in preparati iz masti in olj živalskega ali rastlinskega izvora ali frakcij različnih masti ali olj iz tega poglavja, primerni za prehrano, razen jedilnih masti ali olj in njihovih frakcij iz tar. št. 1516
1701	Cane or beet sugar and chemically pure sucrose, in solid form	1701	Sladkor iz sladkornega trsa in sladkorne pese ter kemično čista saharoza, v trdem stanju
1702	Other sugars, including chemically pure lactose, maltose, glucose and fructose, in solid form; sugar syrups not containing added flavouring or colouring matter; artificial honey, whether or not mixed with natural honey; caramel	1702	Drugi sladkorji, všteti kemično čisto laktozo, maltozo, glukozo ali fruktozo v trdem stanju; sladkor in sirup brez dodatkov za aromatiziranje ali barvil; umetni med ali mešanice naravnega in umetnega medu; karamel sladkor
1703	Molasses resulting from the extraction or refining of sugar	1703	Melase, dobljene pri ekstrakciji ali rafiniranju sladkorja
1704	Sugar confectionery (including white chocolate), not containing cocoa	1704	Sladkor in proizvodi (všteti belo čokolado) brez kakava

## SECTION 5 PROCEDURES PRIOR TO OPENING A TIR CARNET

1. On receiving a TIR Carnet from the Issuing Association check the front cover to ensure your name and address have been correctly entered, the validity date is right and the TIR Carnet has sufficient "volets" for your needs.
2. Immediately after receiving the TIR Carnet, complete box 4 on each "volet" including the yellow manifest and box 5 of the Procès-verbal de constat by indicating your name, unique number, address and country.
3. Do not in any circumstances:
  - remove or detach any "volets" from the TIR Carnet;
  - change the validity date yourself.
4. Before commencing the journey you must:
  - complete boxes 6 to 10 (and box 11 when necessary) on the front cover and ensure box 12 has been signed;
  - complete legibly boxes 2-12 and sign and date boxes 14 and 15 on all "volets" including the yellow manifest.
5. Where it is reasonably practical checks should be made to ensure that the goods specified in the TIR Carnet manifest accurately describes the goods actually loaded on the vehicle. It is advisable to obtain translations of the goods manifest to avoid delays at Customs offices. Remember, the goods manifest is a Customs declaration and must be completed accurately as it is used to assess your liability.
6. Except where a TIR Carnet is being used for the transport of heavy or bulky goods (**see Section 3**) TIR journeys can only be made using approved vehicles. You must ensure that the original and valid Certificate of Approval accompanies the vehicle. To avoid possible problems en route it is recommended that the Certificate of Approval should be valid for the duration of the journey not just at its commencement.
7. You must also affix to the vehicle official TIR plates 250 x 400mm, white against a blue background bearing the letters TIR in Latin capitals at a height of 200mm and with a thickness of not less than 20mm. One plate must be fixed to the front of the vehicle and the second identical plate at the rear of the vehicle or combination. Plates must be placed so they are clearly visible and can be removed.

## 5. POGLAVJE POSTOPKI PRED ODPIRANJEM ZVEZKA TIR

1. Pri prevzemu zvezkov TIR morate preveriti, da je pravilno napisano vaše ime, razpoznavna številka in naslov (oz. ste odtisnili vaš žig), da je na prvi ovojni strani odtisnjen datum veljavnosti, da ste prejeli zvezek TIR, ki ima dovolj listov za vaše potrebe
2. Takoj ob prevzemu zvezka TIR izpolnite polje 4 na vseh notranjih listih zvezka TIR, vključno z rumeno najavo blaga in polje 5 Zapisnika o ugotovitvi z imenom, razpoznavno številko, naslovom in državo.
3. V nobenem primeru ne smete:
  - odstraniti ali iztrgati iz zvezka TIR nobenega lista
  - sami spremeniti datuma veljavnosti
4. Pred začetkom prevažanja morate:
  - izpolniti polja 6 do 10 na prvi ovojni strani zvezka TIR (če je potrebno tudi polje 11) in preveriti, da je polje 12 podpisano (in požigosano),
  - čitljivo izpolniti podatke v poljih 2 – 12, na vseh listih v zvezku TIR, vključno z rumeno najavo blaga, v poljih 14 in 15 pa vpisati datum, podpisati in odtisniti žig.
5. Če je le mogoče preverite ali je v zvezku TIR v najavi blaga opisano tisto blago, ki je dejansko naloženo na vozilu. Priporočljivo je zagotoviti prevod najave blaga za potrebe carinskih oblasti. Zapomnite si, da je najava blaga carinska izjava. Izpolniti jo je treba torej pravilno, za kar ste odgovorni.
6. Razen če je zvezek TIR uporabljen za prevoz težkega ali obsežnega blaga (gl. 3. poglavje), ga je mogoče uporabiti za prevažanje le, če ima vozilo potrdilo o primernosti (certifikat). Zagotoviti morate, da je veljavno potrdilo o primernosti vedno v vozilu. Potrdilo o primernosti vozila mora biti veljavno ves čas prevoza, ne samo na začetku.
7. Na vozilo morate pritrčiti tablice TIR velikosti 250 x 400 mm. Na modri podlagi je z belimi, velikimi (latinskimi) tiskanimi črkami napisano TIR. Eno tablico pritrčite spredaj, drugo, enako, pa na zadnjo stran vozila ali skupine vozil. Tablici morata biti pritrjeni tako, da sta jasno vidni in ju je mogoče odstraniti.

## SECTION 6 USING A TIR CARNET

1. As the Holder of a TIR Carnet you have the responsibility to ensure that all Customs formalities relating to the TIR transport are properly completed at the Customs offices of departure, transit and destination.
2. Remember - the TIR Carnet must be presented to a Customs officer at the start of a TIR transport. The driver should check the TIR Carnet to ensure that the officer has:
  - completed, dated, stamped and signed "souche" number 1 page 1;
  - completed, dated and stamped boxes 18-22 of "volet" 2 page 2;
  - signed box 23 of "volet" 2 page 2;
  - completed, dated, stamped and signed boxes 16-17 on each "volet".
3. The road vehicle or combination of vehicles or the container together with the goods and the TIR Carnet must also be presented at each Customs office en route (entry and exit) and at the Customs office of destination.
4. The Holder of the TIR Carnet remains liable to the Customs Authorities for the duties and taxes on the load from the point where the TIR Carnet is accepted (opened) by the Customs office(s) of departure until he discharges his obligations by presenting the TIR Carnet and the load to the Customs office(s) of destination thereby ending the TIR transport.
5. Discharge takes place either when the goods are cleared for home use i.e. all duty and tax has been paid in the country of destination, or when they move from being in transit under the TIR system to transit under another system e.g. T Regime or national procedures or they are placed under Customs control e.g. in a bonded warehouse.
6. In all the above cases the liability of the Holder is ended when the goods and the accompanying documentation, including the TIR Carnet, is presented to the Customs Authorities at destination. It is essential, therefore, that you, or your driver or agent, ensure that box 6 of final "souche" 2 is date stamped and signed by the Customs Authority carrying out the termination procedure. The Customs officer should also mark in box 3 the number of packages discharged, this is particularly important where there is more than one Customs office of destination.
7. Provided the goods are placed under another system of Customs control, or are cleared for home use, termination of the TIR operation should be certified and return of the TIR Carnet to the driver should take place without delay (**ART 28**).
8. The Customs Authorities stamps on the TIR Carnet should be sufficient evidence to prove that the TIR operation has been terminated correctly. However, the Customs Authorities may nevertheless require you to provide additional evidence of termination.

## 6. POGLAVJE UPORABA ZVEZKA TIR

1. Imetnikova odgovornost je, da zagotovi pravilno izpolnitev vseh carinskih formalnosti na odhodnih, prevoznih in namembnih carinah, kadar gre za prevoze z jamstvom TIR.
2. Zapomnite si – zvezek TIR morate predložiti cariniku na začetku prvoza. Voznik mora preveriti zvezek TIR, da se prepriča, da je carinik:
  - 1. odrezek 1. strani potrdil, odtisnil datum in žig in podpisal,
  - potrdil, odtisnil datum in žig v poljih 18 – 22 na 2. listu,
  - podpisal polje 23 na 2. listu,
  - izpolnil na vsakem listu polji 16 in 17, odtisnil datum in žig ter se podpisal.
3. Cestno vozilo, vrsta vozil ali vsebovalnikov, skupaj z blagom in zvezkom TIR morajo biti predloženi na vsaki medpotni carinarnici (vstopni in izstopni) in na namembni carinarnici.
4. Imetnik zvezka TIR je odgovoren carini za carinske dajatve in takse ves čas prevoza, od odpreme do namembne carine, kjer se prevoz z jamstvom TIR konča.
5. Razdolžitev se izvrši v namembni državi, ko so za blago plačane vse carinske dajatve in takse, če je blago v prevozu dano pod drug carinski režim, npr. T – jamstvo ali če je razloženo v carinsko skladišče.
6. V vseh zgoraj opisanih primerih se odgovornost imetnika konča, ko je blago in spremljajoče listine, skupaj z zvezkom TIR, predloženo carini v namembnem kraju. Pomembno je, da imetnik, njegov voznik ali zastopnik zagotovi, da carina, ki je končala postopek, potrdi to na zadnjem odrezku št. 2 ("souche 2"), v polju 6 z žigom, datumom in podpisom. Carinik naj bi označil v polju 3 število razdolženih paketov, posebno kadar je več namembnih carin.
7. Zvezek TIR mora carina vrniti vozniku takoj, ko je blago dano pod drugi carinski nadzor. Ko je blago razdolženo in je potrjen končan postopek TIR (28. člen).
8. Carinski žigi v zvezku TIR naj bi bili zadosten dokaz, da je bil carinski postopek pravilno končan. Vendar lahko carina kljub temu zahteva dopolnilne dokaze o zaključku.

**SECTION 7  
VALIDITY OF TIR CARNETS – OBTAINING A TIR  
CARNET FROM A FOREIGN ASSOCIATION**

**7. POGLAVJE  
VELJAVNOST ZVEZKOV TIR – PRIDOBITEV  
ZVEZKA TIR OD TUJEGA ZDRUŽENJA**

**Validity of TIR Carnets**

1. All TIR Carnets are issued with last day on which the TIR Carnet can be presented to the Customs of departure indicated in box 1 of the front cover (validity date).
2. The validity date will be fixed and inserted by your Association. The period of validity will never exceed 60 days, counting from the date the TIR Carnet was issued. The date of validity cannot be prolonged.
3. The TIR Carnet may not be presented for acceptance at a Customs office of departure after the validity date has expired.
4. Provided the validity date has not expired when the TIR Carnet is accepted by the Customs office of departure the TIR Carnet will remain valid throughout the journey until the termination of the TIR transport at the Customs office of destination even if the validity date is passed during the journey (**ART 9 of the TIR Convention**).
5. Alteration of the validity date is strictly forbidden.
6. In exceptional circumstances you can request, in writing, your Association to authorise another Association to issue a TIR Carnet in your name.
7. Your Association will require the vehicle registration number and full details of the person collecting the TIR Carnet on your behalf – driver, agent etc. You will be asked to provide the person's passport or identity card number so the Association can be certain that the TIR Carnet is only issued to your genuine representative.
8. Once your Association has reached agreement with the Foreign Association for the issue of the TIR Carnet you will be advised of where and when it can be collected and which documents your driver or representative will need to produce. You will also be advised of the price of the TIR Carnet as this will probably be different from the price you normally pay to your own Association. The driver or representative will usually be expected to pay for the TIR Carnet in cash in the local currency.
9. The validity of a TIR Carnet issued by a foreign Association may not exceed 10 days. No prolongation is allowed for this TIR Carnet.
10. You should return the TIR Carnet to your Association in the normal way.

**Veljavnost zvezkov TIR**

1. Vsi zvezki TIR so izdani z datumom – t.j. zadnji dan, ko zvezek TIR še sme biti predložen odpremi carini – v 1. polju na platnicah (datum veljavnosti).
2. Datum veljavnosti določi in odtisne združenje. Veljavnost ne sme biti nikoli daljša kot 60 dni, računajoč od dne, ko je bil zvezek TIR izdan. Datuma izdaje se ne sme podaljšati.
3. Po izteku datuma veljavnosti zvezek TIR ne sme biti predložen odpremi carini.
4. Če je carina v odpremnem kraju zvezek TIR sprejela pred iztekom veljavnosti, bo zvezek veljaven do konca prevoza z jamstvom TIR, v namembni carini, četudi bi veljavnost med potjo potekla (9. člen Sporazuma TIR).
5. Sprememba veljavnosti je strogo prepovedana.
6. Imetnik lahko v izjemnih slučajih pisno zaprosi svoje združenje, da pooblasti tuje združenje za izdajo zvezka TIR na njegovo ime.
7. Združenje bo zahtevalo registrsko številko vozila, podatke o osebi, ki bo prevzela zvezek TIR – voznik, zastopnik, številko potnega lista ali osebne izkaznice, da bo zvezek TIR izdan samo pravemu predstavniku
8. Ko se bo vaše združenje sporazumelo s tujim za izdajo zvezka TIR, boste obveščeni o tem kje, kdaj in s katerimi listinami lahko vaš pooblaščenec prevzame zvezek TIR. Seznanjeni boste tudi s ceno zvezka TIR, ki bo verjetno drugačna od tiste, ki jo običajno plačate svojemu združenju. Razume se, da voznik ali pooblaščenec plačata zvezek TIR v gotovini in v domači valuti te države.
9. Veljavnost zvezka TIR, ki ga izda tuje združenje ne more biti daljša od 10 dni. Za tak zvezek TIR podaljšanje ni dovoljeno !!
10. Tak zvezek TIR vrnite svojemu združenju po običajni poti.

**SECTION 8**  
**DEALING WITH IRREGULARITIES, PROBLEMS EN ROUTE, FAILURE TO OBTAIN CERTIFICATE OF TERMINATION FOR THE TIR OPERATION**

1. Where problems occur you, as the Holder, not only have an obligation under the Declaration to take action to regularise matters but, as the person directly liable if any claims arise, it is in your own interests to act quickly and effectively. Difficulties which can arise and the procedures to be followed when they do are set out below. In all cases, you must keep your Association fully advised, this will also enable it and IRU to give you assistance in dealing with the problem.
2. If the goods are damaged or destroyed by accident en route or the Customs seals get broken the driver must contact the Customs Authorities or any competent public authority of the country where the incident occurred. They should make an official report of the incident on the last yellow page ("procès-verbal de constat") of the TIR Carnet.
3. If due to accident or breakdown the goods have to be transferred to another vehicle or container this transfer must take place in presence of the Customs Authorities. Once the transfer is complete new seals will be attached to the vehicle or container and the Customs Authorities undertaking this work will officially amend the TIR Carnet so that it is clear to the other Authorities en route what has happened.
4. Further guidance on the procedures to be followed when incidents and accidents occur is given in notes 13-17 on the inside page of the TIR Carnets back cover.
5. Where it is reasonably practical a check should be made at the commencement of a journey to ensure the goods specified on the TIR Carnet Manifest match those actually on the vehicle.
6. Under the provisions of the TIR Convention discrepancies between the details on the manifest and the actual contents of the vehicle will not be considered as infringements provided you can show that the differences are not intentional or due to negligence. Nor will you be held responsible for any differences discovered by the Customs Authorities in either the country of departure or destination if, in fact, these differences relate to Customs procedures which preceded or followed a TIR transport provided you were not involved in these other procedures (**ARTS 39 and 40**).
7. However, if despite all precautions the Customs Authorities do discover a difference between the load on the vehicle and the details given on the TIR Carnet manifest the following procedures will apply depending on whether the discovery is made en route or during termination of the TIR operation.

**8. POGLAVJE**  
**RAVNANJE PRI NEPRAVILNOSTIH, TEŽAVE MED POTJO, NEZAGOTOVITEV POTRDILA O KONČANEM POSTOPKU TIR**

1. Kjer pride do težav, je imetnikova obveza iz "Uporabnikove izjave", da uredi zadevo in njegova neposredna odgovornost, če pride do zahtevka in tudi njegov lastni interes, da dela hitro in učinkovito. Težave in postopki za njihovo reševanje so opisani spodaj. O vseh primerih je treba obveščati združenje. Tako bosta oba, združenje in IRU, lahko pomagala pri reševanju težav.
2. Če je blago poškodovano ali uničeno zaradi nesreče na poti, če so poškodovane carinske zalivke, mora voznik obvestiti carinske oblasti ali vse druge pristojne oblasti v državi, kjer je do nesreče prišlo. O nesreči naj bi napisali zapisnik na zadnjo rumeno stran v zvezku TIR (zapisnik o ugotovitvi).
3. Če je poškodovano blago potrebno preložiti na drugi vozilo ali vsebovalnik je treba to storiti v prisotnosti carine. Ko je blago preloženo, bodo na vozilo ali vsebovalnik pritrjene nove zalivke, carina bo to uradno popravila v zvezku TIR, da bo jasno tudi drugim oblastem na poti, kaj se je zgodilo.
4. Ostala navodila za postopke v primeru nezgode ali nesreče so opisana v odstavkih 13 – 17 na notranji strani platnic (v slovenščini na hrbtni strani najave blaga).
5. Kadar bo utemeljeno, bo praktičen pregled blaga narejen pred začetkom prevoza, da se zagotovi, da vpis v najavi blaga v zvezku TIR ustreza dejanskemu stanju.
6. Po predpisih Sporazuma TIR, se razlika med vpisom v najavi blaga in dejanskim blagom na vozilu, ne bo smatrala za prestopok, če imetnik lahko dokaže, da razlike niso namerne ali povzročene iz malomarnosti. Imetnik tudi ne bo odgovoren za razlike, ki bi jih odkrila carina v odpremni državi ali v namembni, če dejansko te razlike zadevajo carinske postopke pred ali po prevozu TIR, računajoč, da imetnik v te postopke ni vpleten (39. in 49. člen).
7. Če carina kljub vsem varnostnim ukrepom odkrije razliko med tovorom na vozilu in vpisom v najavi blaga, bodo uporabljeni postopki odvisni od tega, če je do odkritja prišlo med potjo, med zaključevanjem postopka TIR.

8. If the difference is discovered en route the Customs Authorities should:
- stamp "souche" number 2 as normal,
  - make a note on the "souche" of the accurate description,
  - note on each remaining "volet" that they have broken the seal. This is done by crossing out the original entries and putting in details of the new seal. The new entries will be certified as official by the stamp of the Customs office concerned,
  - amend each remaining "volet" with the correct description and authenticate the amendment with the offices stamp.
9. If the difference is discovered during a termination procedure, partial or final, the Customs Authorities should:
- stamp the relevant "souche" as normal,
  - in addition stamp the relevant "souche" with the letter R and enter the correct information.
10. If, for any reason, it is not possible to obtain a certificate of termination for the TIR operation, i.e. the stamp of the Customs Authority and signature of Customs officer on "volet" and "souche" 2, you must request a Customs officer to complete and authenticate the report page ("procès-verbal de constat") in the TIR Carnet - last yellow page.
11. If the Customs officer enters a reservation on the TIR Carnet this indicates the TIR operation is regarded as terminated with reservations and in these circumstances you must request the Customs Authority to give you a written explanation of why the reservation has been entered. This will assist you to defend yourself against any claims which may arise.
12. If the TIR Carnet is retained by a Customs officer you must request a receipt including, if possible, a written explanation and a copy of the TIR Carnet. This information is important and can be helpful if, at a later date, the Customs Authority concerned lodges a claim.
- You should also ask the Customs Officer to provide you with the tear-off slip from the back of the TIR Carnet duly stamped. This should be returned to the Association. However, the slip is not equal to the return of the TIR Carnet itself and you should also follow the procedures relating to used non-returned TIR Carnets, **see Section 9.**
8. Če je razlika odkrita med potjo, bo carina:
- potrdila "odrezek" št. 2, kot običajno
  - ugotovitev zabeležila na odrezek
  - vpisala na vse preostale liste, da je odstranila zalivko; prečrtala bo prvoten vpis in vpisala novo zalivko (plombo) in vpis potrdila z žigom zadevnega carinskega urada.
  - popravila vse ostale liste s pravilnim opisom in popravek potrdila z uradnim žigom.
9. Če je razlika odkrita pri končnem postopku, delnem ali dokončnem, bo carina:
- požigosala ustrezni odrezek kot običajno
  - razen tega bo na odrezek vpisala veliko črko "R" in vpisala pravo informacijo
10. Če iz kakršnega koli vzroka ni mogoče zagotoviti potrdila o končanem postopku TIR, t.j. žig carine in podpis carinika na 2. listu in odrezku, mora imetnik zahtevati od carinika, da izpolni in overi zapisnik o ugotovitvi v zvezku TIR – zadnja rumena stran.
11. Če carinik vpiše zadržek v zvezek TIR, pomeni to, da se postopek TIR smatra kot končan z zadržkom. V takem slučaju mora imetnik na zahtevo carine, dati pisno pojasnilo, zakaj je bil zadržek vpisan. To bo služilo za pomoč pri imetnikovem zagovoru proti vsem zahtevkom, do katerih bi lahko prišlo.
12. Če carinik zvezek TIR zadrži, mora imetnik zahtevati potrdilo o prejemu in, če je mogoče, pisno razlago in kopijo zvezka TIR. To sporočilo je pomembno in bo koristilo kasneje, ko bo carina vložila zahtevek.
- Imetnik bi moral prositi carinika tudi za potrditev talona z zadnje strani platnic zvezka TIR. Tega bo vrnil združenju. Talon ni isto kot vračilo zvezka TIR samega in imetnik mora spremljati postopke za rabljene nevrnjene zvezke TIR, gl. 9. del.

## TERMINATION PROCEDURES

### Notification of incidents/problems

13. Wherever there is an incident which prevents the full and proper termination of the TIR operation you must:

## KONČNI POSTOPKI

### Poročilo o nesreči / težavah

13. Kadarkoli pride do slučaja, ki preprečuje polno in pravilno končanje postopka TIR, mora imetnik:

- Immediately inform the Customs Authorities and the Association which issued the TIR Carnet. The driver can also contact the Guaranteeing Association in the country where the incident occurred for assistance - the latter's name and address can be obtained from your own Association, IRU or the Customs Authorities.
- Work in co-operation with your Association and IRU to obtain regularisation of the TIR operation from the Customs Authority concerned.
- Remember, it is the Holders responsibility to obtain regularisation of the TIR Carnet, failure to do so will lead to liability for payment of any claims which arise (**see Section 11**).
- If you need assistance or advice do not hesitate to contact your Association.
- nemudoma obvestiti carino in združenje, ki je izdalo zvezek TIR. Voznik se za pomoč lahko obrne na jamstveno združenje v državi, kjer je do nesreče prišlo. Ime in naslov lahko dobi od domačega združenja, IRU ali carine.
- sodelovati s svojim združenjem in IRU, da zagotovi ureditev postopka TIR od pristojne (zadevne) carine.
- ne sme pozabiti, da je njegova obveznosti zagotoviti ureditev zvezka TIR, neupoštevanje bo pripeljalo do odgovornosti za plačilo vseh prigovorov (zahtevkov), ki nastanejo (gl. 11. del).
- prositi za pomoč ali nasvet svoje združenje.

## SECTION 9 RETURN OF TIR CARNETS TO THE ASSOCIATION

1. The TIR Carnet is a financial instrument which remains the property of IRU and all used and unused TIR Carnets must be returned to the Association within the time limits specified below. The Association will return the TIR Carnet to IRU after checking to ensure it has been used correctly.

### Used TIR Carnets

2. Used TIR Carnets must be returned to the Association no later than 90 days from the date the TIR Carnet was issued. If you cannot return the TIR Carnet within this deadline you must notify your Association. If you neither return the TIR Carnets on time nor notify the Association of the situation the procedures set out in **paragraph 4 below** will apply.

As a guide you should return TIR Carnets as quickly as possible and, in any case, no later than 15 days after the driver has returned with the TIR Carnet certified as properly terminated by the Customs office of last destination. As you have a quota, it is in your interests to return the TIR Carnets as soon as possible.

### Unused TIR Carnets

3. Unused TIR Carnets must be returned to the Association no later than 15 days after the validity date expires.

TIR Carnets are considered to be unused provided:

- (a) the cover (from box six onwards), the yellow manifest, the "volets" (except box 4) and the "souches" are blank

or

- (b) the cover (from box six onwards) and the yellow manifest are filled in but the "souches" and the "volets" are not stamped (taken under Customs control).

Do not in any circumstances remove any "volets" from the TIR Carnets. TIR Carnets with "volets" missing will be treated as used.

Please refer to **Section 20** for your own Association's advice regarding return of TIR Carnets.

## 9. POGLAVJE VRAČILO ZVEZKOV TIR ZRUŽENJU

1. Zvezek TIR je finančni vrednostni papir, ki ostane v lasti IRU. Vse porabljene in neporabljene zvezke TIR je treba vrniti združenju v rokih, ki so določeni spodaj. Združenje bo vrnilo zvezke TIR IRU potem, ko jih bo preverilo, če so bili pravilno uporabljeni.

### Porabljeni zvezki TIR

2. Združenju je treba vrniti porabljene zvezke TIR najkasneje v 90 dneh od dne, ko so bili izdani. Če imetnik zvezka TIR v tem roku ne more vrniti, mora obvestiti svoje združenje. Če imetnik zvezka TIR niti ne vrne, niti o stanju ne obvesti združenja, bodo uporabljeni postopki, določeni v 4. členu.

Imetnik naj bi vrnil zvezek TIR kakor hitro je mogoče, ne kasneje kot v 15 dneh po voznikovi vrnitvi, z zvezkom TIR, ki ga je namembna carina potrdila kot pravilno zaključenega. Ker ima imetnik določeno količino zvezkov TIR v obtoku (kvoto) je tudi v njegovem interesu, da zvezke TIR čimprej vrne.

### Neuporabljeni zvezki TIR

3. Neuporabljene zvezke TIR je treba vrniti združenju najpozneje v 15 dneh, ko jim je potekel rok veljavnosti.

Zvezke TIR se smatra za neuporabljene, če:

- a) so platnice (od polja 6 dalje), rumena najava blaga, listi (razen polja 4) in odrezki prazni (neizpolnjeni),

ali

- b) so platnice (od polja 6 dalje) in rumena najava blaga izpolnjeni, toda odrezki in listi so nepotrjeni (zv. ni pod carinskim nadzorom).

Imetnik ne sme iz zvezka TIR iztrgati nobenega lista! Zvezek TIR z manjkajočimi listi, se smatra za uporabljenega.

Obvestila združenja glede vračanja zvezkov TIR so v 20. delu.



**Failure to return TIR Carnets**

4. If a TIR Carnet cannot be returned because it has been lost, stolen, destroyed or retained by an official body, i.e. Customs, Police, you must immediately notify the Association and complete a "Loss Declaration Form", a copy of which, together with checklists, is given **at the end of this Section (pages 22, 23, 24 and 25)**. Your Association will supply you with "Loss Declarations" on request. Please also note that:
- (a) A correctly completed "Declaration of Loss" has to be submitted immediately when an used or unused TIR Carnet is known to be missing.
  - (b) If a properly completed Loss Declaration is not received by the due date you will be sent, by registered post, notice of your suspension from the TIR scheme. Suspension will take effect 14 days from the date of posting and will continue until the TIR Carnet concerned has been found and returned or a properly completed Loss Declaration lodged **(but see paragraph (c) below)**.
  - (c) If you are not able to complete a Loss Declaration immediately or if the Association is not satisfied with the explanation given you may be allowed, at the Association's discretion, the option of providing a guarantee equivalent to (at least) USD 2,000 to cover each missing used TIR Carnet, as an alternative to being suspended from the scheme **(see Section 10)**.
  - (d) A guarantee for each missing TIR Carnet will always be required in all cases where the missing TIR Carnet(s) are unused.
  - (e) Guarantees will be released
    - (i) when the missing TIR Carnet is returned,
    - or
    - (ii) when verification of the certificate of termination by the Customs office(s) of destination is in the IRU SAFETIR System
    - or
    - (iii) in all cases after 27 months from the date the TIR Carnet was issued provided no claim relating to the missing TIR Carnet is outstanding.

**Nevračilo zvezkov TIR**

4. Če zvezka TIR ni mogoče vrniti, ker je bil zgubljen, ukraden, uničen ali zadržan n.pr. s strani carine ali policije, mora imetnik o tem nemudoma obvestiti združenje in izpolniti "Izjavo o izgubi", katere vzorec, skupaj z listom za preverjanje, je na koncu tega dela (stran 18, 19, 20 in 21). Izjavo o izgubi bo združenje poslalo imetniku na zahtevo. Imetnik mora upoštevati:

Pravilno izpolnjeno Izjavo o izgubi je treba poslati takoj, ko se ugotovi, da je pogrešan porabljen ali neporabljen zvezek TIR.

- b) Imetnik bo prejel s priporočeno pošto, sporočilo o začasni izključitvi iz sestava TIR, če ne bo pravočasno poslal pravilno izpolnjene Izjave o izgubi. Začasna izključitev bo začela veljati v 14 dneh od dne, ko je bila pošta poslana in bo veljala, dokler zadevni zvezek ne bo najden in vrnjen ali ne bo predložena pravilno izpolnjena izjava o izgubi (gl. c, spodaj).
- c) Če imetnik Izjave o izgubi ne more vrniti takoj ali če združenje z danim pojasnilom ni zadovoljno, lahko združenje po svoji presoji izbere možnost, da imetnik položi jamstvo za vsak pogrešan zvezek TIR v protivrednosti (najmanj) USD 2.000, kot drugo možnost, namesto začasne izključitve iz sestava (gl. 10. del).
- d) Jamstvo za vsak pogrešan zvezek TIR bo zahtevano vedno, kadar bo pogrešani zvezek (1) TIR neporabljen (1).
- e) Jamstva bodo sproščena:
  - i) ko bo pogrešani zvezek TIR vrnjen
  - ali
  - ii) ko je v IRU programu SAFETIR potrjeno namembne carine, da je postopek končan.
  - ali
  - iii) v vseh primerih, po 27 mesecih od dne, ko je bil zvezek TIR izdan in ni vložen zahtevek za pogrešani zvezek TIR.

## DECLARATION TO BE FILLED IN BY THE HOLDER / IZJAVA, KI JO IZPOLNI IMETNIK

1. This declaration is addressed to the Association: 1. Ta izjava je naslovljena na združenje:		2. Name, unique number and address of the Holder: 2. Ime, razpoznavna številka in naslov imetnika:			
3. Number of TIR Carnet: 3. Številka zvezka TIR		4. Date of issuance: 4. Datum izdaje:		5. Date of validity: 5. Datum veljavnosti:	
6. Number of volets: 6. Število listov:					
7. Date and place of the disappearance: 7. Datum in kraj izginotja (pogrešanja):					
7.1. Cause of the disappearance 7.1. Vzrok pogrešanja		Lost <input type="checkbox"/> * Izguba <input type="checkbox"/>	Stolen <input type="checkbox"/> * Kraja <input type="checkbox"/>	Destroyed <input type="checkbox"/> * Uničenje <input type="checkbox"/>	Retained <input type="checkbox"/> * Zadržanje <input type="checkbox"/>
8. State of the TIR Carnet 8. Zvezek TIR je bil:		8.1. Used (If yes fill in fields 10/11/12/13) <input type="checkbox"/> * 8.1. Uporabljen (če da, izpolnite polja 10/11/12/13) <input type="checkbox"/> *			
		8.2. Unused (If yes fill in only field 13) <input type="checkbox"/> * 8.2. Neuporabljen (če da, izpolni samo polje 13) <input type="checkbox"/> *			
		8.3. Carnet MHR/HVG yes <input type="checkbox"/> * no <input type="checkbox"/> * 8.3. Zvezek MHR/HVG/TPB da <input type="checkbox"/> * ne <input type="checkbox"/> *			
9. Lost/stolen/destroyed/retained TIR Carnet 9. Izgubljen/ukraden/uničen/zadržan zvezek TIR		9.1. With the goods <input type="checkbox"/> * 9.1. Z blagom (pošiljko)b <input type="checkbox"/> *			
		9.2. Without any goods <input type="checkbox"/> * 9.2. Brez blaga <input type="checkbox"/> *			
10. TIR Carnet used for a transport operation 10. Zvezek TIR je bil porabljen za prevoz					
10.1. Departure from: 10.1. Odpremi kraj:		10.2. Destination: 10.2. Namembni kraj:			
10.3. Last taking into charge: 10.3. Zadnja potrditev:		10.4. Registration (of vehicle and trailer): 10.4. Registrska oznaka (vozilo in prikolica):			
11. Used TIR Carnet was: 11. Uporabljen zvezek TIR je bil:					
11.1. Certified terminated without any reservation by (date, country, Customs Office): 11.1. Razrešen brez vsakega zadržka (datum, država, carinski urad):					
11.2. Certified terminated with reservation by (date, country, Customs Office): 11.2. Razrešen z zadržkom (datum, država, carinski urad):					
11.3. Not certified terminated: 11.3. Nerazrešen		On exit <input type="checkbox"/> * Pri izstopu <input type="checkbox"/>	En route <input type="checkbox"/> * Med potjo <input type="checkbox"/>	Destination <input type="checkbox"/> * V namemb. kraju <input type="checkbox"/>	Country: Država:
12. Description of the transported/stolen goods (additional information herewith: yes <input type="checkbox"/> * no <input type="checkbox"/> * ) 12. Opis pravažanega/ukradenega blaga (dopolni podatki o tem: da <input type="checkbox"/> * ne <input type="checkbox"/> *)		(Products, quantities, weight, other) (Blago, količina teža, drugo)			
13. Loss/theft/destruction/retention observed on: 13. Izguba/kraja/uničenje/zadržanje ugotovljeno:					
13.1. At the enterprise (addressee) office of: 13.1. V prejemnikovem uradu (naslov v):					
13.2. At the Customs Office of: 13.2. Na carinskem uradu v:					
13.3. During transport at: 13.3. Med prevozom:					
13.4. At the return of the vehicle at: 13.4. Pri povratku vozila:					
13.5. The official report (police, Customs, other) of _____ indicating the dates and place is joined to the present declaration yes <input type="checkbox"/> * no <input type="checkbox"/> * 13.5. Uradni zapisnik (policije, carine, drugo) _____ o času in kraju dogodka je priložen tej tej izjavi da <input type="checkbox"/> * ne <input type="checkbox"/> *					
14. Observations (additional information herewith: yes <input type="checkbox"/> * no <input type="checkbox"/> *) 14. Pripombe (dopolnilni podatki o tem): da <input type="checkbox"/> * ne <input type="checkbox"/> *)					
Date / Datum: _____ Stamp of the Association/Žig združenja		*Please tick the headings which correspond to the right answer. *Prosimo, označite ustrezen odgovor			

Legal Signature of the Holder / Uraden podpis imetnika  
(The Association confirms only the information specified in fields 1 to 6)  
(Združenje potrdi samo navedbe v poljih od 1 do 6)

**CHECK-LIST TO THE ATTENTION OF THE HOLDER OF TIR CARNETS****IZJAVA, KI JO IZPOLNI IMETNIK ZVEZKA TIR**

In the three following circumstances the Holder of TIR Carnets has to:

V naslednjih treh primerih se mora imetnik zvezkov TIR vprašati:

**I. When a TIR Carnet is stolen, lost or destroyed, unused and still valid or already expired?****Kadar je zvezek TIR ukraden, zgubljen, ali uničen, neporabljen in še vedno veljaven ali je veljavnost že potekla ?**

(a) Inform immediately – but at the latest on the very day the driver goes back to his base – the issuing Association by fax (using the annexed form) and indicate:

a) nemudoma – vendar najkasneje, ko se voznik vrne domov obvestiti izdajateljsko združenje (po faksu in uporabite priložen obrazec) in navedite

Check-List of the points to fill in	Fields to fill in on the declaration	Izpolnite točke opomnika	V poljih
1. the name of Holder	Field 2	1. ime imetnika	polje2
2. the number of the TIR Carnet	Field 3	2. številka zvezka TIR	polje 3
3. the date of issuing of the TIR Carnet*	Field 4	3. datum izdaje zvezka TIR	polje 4
4. the date of validity*	Field 5	4. datum veljavnosti	polje 5
5. the number of volets*	Field 6	5. število listov*	polje 6
6. the date and place of theft/loss/destruction	Field 7	6. datum in mesto kraje, izgube, uničenja	polje 7
7. if the TIR Carnet was lost, stolen or destroyed	Field 7.1	7. če je bil izgubljen, ukraden, uničen	polje 7.1
8. the specification that the TIR Carnet is unused	Field 8.2	8. vpis, da je zvezek TIR neuporabljen	polje 8.2
9. TIR Carnet MHR / HVG	Field 8.3	9. zvezek TIR MHR/HVG (TPB)	polje 8.3

\*: to be completed and verified by the Association.

\* dopolni ali potrdi združenje

(b) Send as soon as possible to the issuing Association the appendix, the possible official reports as well as a brief summary of the circumstances of the disappearance or any other appropriate document.

b) Kakor hitro je mogoče, pošljite združenju priloge, po možnosti uradne zapisnike, opis okoliščin o izginotju in ruge ustrezne listine.

**II. When a TIR Carnet is stolen, lost, destroyed or retained by a third party and already used (filled in) by the Holder, whether or not the TIR Carnet is certified as terminated?**

- (a) Inform immediately – but at the latest on the very day the driver goes back to his base – the issuing Association by fax (using the annexed form) and indicate:

**II. Če je zvezek TIR ukraden, zgubljen, uničen ali zadržan od nekoga tretjega, ko ga je imetnik že porabil (izpolnil), na vsak način je zvezek TIR potrjen kot zaključen?**

- a) Takoj obvestiti združenje, vendar najkasneje takrat, ko se voznik vrne, s priloženim obrazcem, po faksu, o:

Check-List of the points to fill in	Fields to fill in on the declaration	Izpolnite točke opomnika	v poljih:
1. the name of the Holder	Field 2	1. imetnikovo ime	polj 2
2. the number of the TIR Carnet	Field 3	2. številka zvezka TIR	polje 3
3. the date of issuing of the TIR Carnet*	Field 4	3. datum izdaje zvezka TIR	polje 4
4. the date of validity*	Field 5	4. datum veljavnosti*	polje 5
5. the number of volets*	Field 6	5. število listov *	polje 6
6. the date and place of loss / theft / destruction	Field 7	6. kraj, datum izgube / kraje / uničenja	polje 7
7. if the TIR Carnet was lost, stolen, destroyed or retained	Field 7.1	7. je bil zvezek TIR izgubljen, ukraden, uničen ali zadržan	polje 7.1
8. the specification that the TIR Carnet is used	Field 8.1	8. podroben opis, da je zvezek TIR porabljen	polje 8.1
9. TIR Carnet MHR / HVG	Field 8.3	9. zvezek TIR TPB (MHR/HGV)	polje 8.3
10. if the TIR Carnet was lost, stolen, destroyed or retained without the goods	Field 9.2	10. če je bil zvezek TIR izgubljen, ukraden, uničen ali zadržan brez blaga	polje 9.2
11. information when a TIR Carnet is used for a transport operation	Fields 10, 10.1, 10.2, 10.3, 10.4	11. podatki, če je zvezek TIR porabljen za prevoz	polja 10, 10.1, 10.2, 10.3, 10.4
12. TIR Carnet certified as terminated, or not, by the Customs Administration	Fields 11, 11.1, 11.2, 11.3	12. je carina zvezek TIR potrdila, da je zaključen ali ne	polja 11, 11.1, 11.2, 11.3
13. the summary of the transported goods	Field 12	13. povzetek prevažanega blaga	polje 12
14. the mention or the name and address by whom the TIR Carnet was retained	Fields 13, 13.1, 13.2, 13.3, 13.4, 13.5	14. navedba ali ime in naslov tistega, ki je zvezek TIR zaržal	polja 13, 13.1, 13.2, 13.3, 13.4, 13.5

\*: to be completed or verified by the Association

\* izpolni in preveri združenje

- (b) Send as soon as possible to the issuing Association the possible official reports as well as a brief summary of the circumstances of the disappearance or any other appropriate document (CMR, invoices, etc).

- b) Kar najhitreje pošlji združenju morebitni uradni zapisnik, kratak povzetek okoliščin o izginotju ali ruغو primerno listino (CMR, račun itd).

**III. When a TIR Carnet in its possession is stolen, lost, destroyed or retained, simultaneously with the goods under cover of this TIR Carnet?**

- (a) Inform immediately – but at the latest on the very day the driver goes back to his base – the issuing Association by fax (using the annexed form) and indicate:

**III. Če je zvezek TIR v imetnikovi posesti ukraden, izgubljen, uničen ali zadržan, skupaj z blagom**

- a) Takoj obvestiti združenje, vendar najkasneje takrat, ko se voznik vrne, s priloženim obrazcem, po faksu, o :

Check-List of the points to fill in	Fields to fill in on the declaration	Izpolnite točke opomnika	v poljih:
1. the name of the Holder	Field 2	1. imetnikovem imenu	polje 2
2. the number of the TIR Carnet	Field 3	2. številki zvezka TIR	polje 3
3. the date of issuing of the TIR Carnet*	Field 4	3. datumu izdaje zvezka TIR	polje 4
4. the date of the validity*	Field 5	4. datumu veljavnosti*	polje 5
5. the number of volets*	Field 6	5. številu listov	polj 6
6. the date and place of loss / theft / destruction	Field 7	6. datumu in kraju izgube / kraje / uničenja	polje 7
7. if the TIR Carnet was lost, stolen, destroyed or retained	Field 7.1	7. tem, če je bil zvezek TIR izgubljen, ukraden, uničen ali zadržan	polje 7.1
8. the specification that the TIR Carnets used with the goods	Field 8.1 Field 9.1	8. podrobnem opisu za zvezek TIR porabljen z blagom	polje 8.1, 9.1
9. TIR Carnet MHR / HVG	Field 8.3	9. zvezku TIR TPB (MHR/GVG)	polje 8.3
10. information when the TIR Carnet is used for a transport operation	Fields 10, 10.1, 10.2, 10.3, 10.4	10. tem, če je bil zvezek TIR porabljen za prvoz	polja 10, 10.1, 10.2, 10.3, 10.4
11. TIR Carnet certified as terminated, or not, by the Customs Administration	Fields 11, 11.1, 11.2, 11.3	11. tem, če je carina zvezek TIR potrdila ali ne	polja 11, 11.1, 11.2, 11.3
12. a summary of the goods transported / stolen	Field 12	12. povzetku prevažanega blaga / kraja	polje 12

\*: to complete or verify by the Association

\* izpolni in potrdi združenje

- (b) Send as soon as possible to the issuing Association the possible official reports, all the commercial documents at disposal (value of goods) as well as a brief summary of the circumstances of the theft.

- Inform his insurance transport (CMR).
- Wait for the instructions or recommendations from the TIR Department of the Association.

The Holder has to notify as soon as possible the disappearance of the TIR Carnet in his possession and provide the documents certifying the facts.

- b) Združenju kar najhitreje poslati možne uradne zapisnike, vse trgovske listine, ki so na voljo (vrdnost blaga), kratek povzetek okoliščin o kraji blaga.

- obvestiti svojevavarovanje prvoza (CMR)
- počakati na navodila ali priporočila oddelka v TIR združenju.

Imetnik mora o izginulem zvezku TIR kar najhitreje poslati obvestilo in preskrbeti listine, ki dokazujejo ugotovitev.

## SECTION 10 GUARANTEES

1. This Section provides a summary of the situations where a Holder can be required to lodge guarantee(s).
2. All Holders have to provide a guarantee before they can be accepted into the TIR scheme. This is described as an "admission" (or initial) guarantee. The three other occasions when further or additional guarantee(s) can be required are explained below. These are all special situations and will not apply to most TIR Carnet users. The four situations where guarantees can be required are:
  - On admission to the TIR Scheme. The amount of the guarantee will be notified by your Association and must be lodged prior to any TIR Carnet being issued.
  - For the carriage of "High Risk" goods as described in Section 4. If you intend to use TIR Carnets to carry these type of goods you must first notify your Association and lodge an additional guarantee amounting to USD 50,000 (see Section 4).
  - Special guarantee(s) to cover specific claims lodged against the guarantee chain (see clause 25 of the Declaration of Engagement).
  - Guarantee(s) to cover non returned TIR Carnets (see Section 9).

### "Admission" Guarantee

3. On admission to the TIR scheme and prior to the issue of the first TIR Carnet you will be required to lodge a financial guarantee for a sum set by your Association.

The guarantee can be in the form of a bank guarantee, surety, insurance policy or cash deposit. It must be lodged on terms which make it available to the Association on first request.

If there is a valid payment request the Association can freeze all or part of the guarantee you lodged on joining the scheme. If this happens and you wish to continue to receive TIR Carnets you will be required to lodge a new guarantee equivalent to the amount that has been frozen. Because of the time limits for notifying irregularities granted to Customs under the TIR Convention guarantees normally have to remain available for at least 27 months after the last TIR Carnet has been issued. However, where there has been a notification of an irregularity or there is a claim by a Customs Authority against one or more TIR Carnets issued to you, the guarantee will remain frozen pending the outcome.

## 10. POGLAVJE POROŠTVA

1. To poglavje povzema primere ko je od imetnika mogoče zahtevati polog kot jamstvo oz. poroštvo.
2. Vsi imetniki morajo zagotoviti jamstvo da lahko prevažajo v sestavu TIR. To je jamstvo za « Dopustiev » (ali začetno jamstvo). Trije drugi primeri, ko je mogoče zahtevati dopolnilno jamstvo, so opisani spodaj. To so posebni primeri in za večino uporabnikov zvezkov TIR ne bodo uporabljeni. Štirje primeri, ko je jamstvo mogoče zahtevati, so:
  - Pri dopustitvi v sestav TIR. Znesek jamstva bo določilo združenje in mora biti položeno pred izdajo zvezka TIR
  - Za prevoz za tihotapljenje primamljivega blaga kot je opisano v poglavju 4. če nameravate uporabiti zvezek TIR za prevoz te vrste blaga morate obvestiti vaše združenje in položiti dodatno jamstvo v znesku do 50.000.- USD (glej 4. poglavje).
  - Posebno jamstvo za kritje zahtevkov vloženih v jamstveni verigi (glej odstavek 25 uporabnikove izjave o sprejemanju obveznosti).
  - Jamstvo za pokritje nevrnjenih zvezkov TIR (glej 9. poglavje)

### « Dopustitveno » jamstvo

3. Za dopustitev v sestav TIR in pred izdajo prvega zvezka TIR bo združenje zahtevalo polog poroštva v višini, ki jo bo samo določilo

Poroštvo je lahko : bančno jamstvo, varščina, zavarovalna polica ali gotovinski polog. Položeno mora biti na način, da bo na razpolago združenju na prvi poziv.

Če obstaja zahtevek za plačilo, lahko združenje zamrzne jamstvo, ki je bilo položeno ob pridružitvi sestavu TIR, v celoti ali njegov del. Če se to zgodi, in vi želite še prejemati zvezke TIR, boste morali položiti novo jamstvo v znesku, ki bo enakovreden zamrznjenemu delu. zaradi dolgih rokov, za prijavo nepravilnosti, zagotovljenih carinskim oblastem po sporazumu TIR, mora jamstvo ostati veljavno najmanj 27 mesecev od zadnje izdaje zvezkov TIR. Kadar je prišlo do prijave nepravilnosti ali so carinske oblasti poslale zahtevek za plačilo za enega ali več zvezkov TIR, ki so vam bili izdani, ostane jamstvo zamrznjeno do prešitve zadev.

**Additional guarantees for "High Risk" goods**

4. If ordinary TIR Carnets are used to carry any of the following goods and they make up more than 10% of the load carrying capacity of the vehicle by weight then an additional guarantee amounting to USD 50,000 must be lodged with the Association before the first transport movement under TIR commences.

The goods concerned are:

- meat of any type and origin including livestock;
- milk, powdered milk including powdered milk for infants;
- butter and margarine;
- sugar.

For all the full four figure HS Codes relating to the above goods and a special procedure which must be followed when carrying them (see Section 4).

If you are in any doubt as to whether the load you are transporting consists of "High Risk" goods you must contact your Association for advice.

The wording and terms of the additional guarantee for "High Risk" goods is the same as for the admission guarantee, only the amount may be different.

If there is a valid payment request relating to a TIR Carnet issued to you which was used to transport "High Risk" goods as defined above the Association can freeze all or part of your additional "High Risk" guarantee(s).

Where all or part of the "High Risk" guarantee is frozen you will not be eligible to use a TIR Carnet to carry "High Risk" goods until you have lodged further guarantee(s) sufficient to restore the "High Risk" guarantee to its original value ie a sum amounting to USD 50,000.

"High Risk" guarantees are totally separate from admission guarantees and only relate to "High Risk" goods. Even if the "High Risk" guarantee is frozen or forfeited this action should have no effect on your admission guarantee or your right to carry ordinary goods provided you have not had your right to use the TIR scheme suspended or revoked.

**"Special" guarantees**

5. If, as the result of an alleged irregularity relating to a TIR Carnet issued to you a Customs Authority makes a claim against the guarantee chain and you have not:
- (a) been able to provide satisfactory evidence that the TIR Carnet was correctly discharged
- or
- (b) made a payment direct to the Customs Authorities to settle the claim.

**Dodatna jamstva za « za tihotapljenje primamljivo blago:**

Če so običajni zvezki TIR uporabljeni za prevoz katere vrste spodaj navedenega blaga in teža blaga presega več kot 10 % nosilnosti vozila, morate položiti dodatno jamstvo v znesku 50.000.- USD združenju, pred začetkom prvega prevoza

Tako blago je :

- meso vseh vrst in porekla, vključno goveda
- mleko, mleko v prahu vključno z mlekom v prahu za otroke
- maslo in margarina
- sladkor

Za vse v štirih številkah usklajene carinske tarife navedeno blago in za posebne postopke za prevoz tega blaga pogledajte v 4. poglavje.

Če ste v dvomih ali je blago, ki ga nameravate prevažati iz skupine za tihotapljenje primamljivega blaga, pokličite za nasvet združenje.

Besedilo in uporabljeni izrazi so v jamstvu »za tihotapljenje primamljivega blaga« isti, kot v »dopustitvenem« jamstvu – različni so lahko samo zneski.

Če obstaja zahtevek za plačilo za zvezek TIR, ki vam je bil izdan in ki je bil porabljen za prevoz za tihotapljenje primamljivega blaga, združenje lahko zamrzne del ali celotno dodatno jamstvo, kot je določeno zgoraj.

Če je del ali celotno dodatno jamstvo zamrznejo, zvezkov TIR za prevažanje za tihotapljenje primamljivega blaga ne boste mogli dobiti, dokler ne položite nadaljnjega jamstva, ki bo zadostovalo za vzpostavitev začetnega stanja t.j. zneska v višini 50.000. – USD.

Jamstva za »za tihotapljenje primamljivo blago« so povsem ločena od začetnih jamstev in so namenjena samo »za tihotapljenje primamljivemu blagu«. Čeprav je to jamstvo zamrznjeno ali porabljeno, ne vpliva na vaše začetno jamstvo ali na vašo pravico do prevažanja običajnega blaga in ob predvidevanju da vaša pravica uporabljati sestav TIR ni izključena ali preklicana.

**"Posebna" jamstva**

5. Če so carinske oblasti vložile zahtevek jamstveni verigi zaradi predpostavljenih nepravilnosti, storjenih z zvezkom TIR, ki vam je bil izdan in vi niste:
- a) mogli priskrbeti zadostnih dokazov da je bil zvezek TIR pravilno razdolžen
- ali
- b) niste plačali neposredno carinskim oblastem zneska iz zahtevka

Then, depending on the circumstances, your Association may require you to provide a separate guarantee over and above the one you lodged when joining the TIR scheme. The amount of this separate guarantee will be decided by the Association but will never exceed the amount being claimed by the Customs Authorities. It can only be in the form of a bank guarantee, cash or other surety.

If you do not provide this guarantee the Association will freeze your admission guarantee. You will also be suspended from the TIR scheme until such time as you provide the guarantee(s) asked for by your Association.

### Guarantees Relating to Unreturned TIR Carnets

6. Special procedures have to be followed where TIR Carnets cannot be returned (**see Section 9**). In all cases where the unreturned TIR Carnet was unused or where the TIR Carnet was used but the Association has not received, within the specified time limits, a satisfactory explanation ("Loss Declaration") as to why the TIR Carnet cannot be returned you will be notified by registered letter of your suspension from the TIR scheme unless you lodge a guarantee in respect of the missing TIR Carnet.

The amount of the guarantee is a matter to be determined by your Association but will never be less than the equivalent of USD 2,000 per TIR Carnet and will not exceed the equivalent of USD 50,000 per TIR Carnet. These guarantees are specific to each unreturned TIR Carnet and will be released when:

- (a) the TIR Carnet is found and returned
- or
- (b) when there is satisfactory evidence that the TIR Carnet has been properly discharged
- and
- (c) in every case after the expiry of 27 months from the date the TIR Carnet was issued provided no irregularities have been notified.

Guarantees which are required to cover unreturned TIR Carnets are separate from, and additional to, those listed under **paragraph 3, 4 and 5 above** and can only be in the form of a bank guarantee, cash or other surety. Guarantees relating to unreturned TIR Carnets must be in favour of the Association and will be retained by the Association to be disposed of at its discretion. Unlike the other guarantees, guarantees provided to cover non-returned TIR Carnets will not be available for any other party.

Združenje lahko zahteva, glede na okoliščine, posebno jamstvo, tako kot ste ga položili ob vstopu v sestav TIR. Znesek bo določilo združenje, vendar v nobenem primeru ne more presežati zneska, ki ga zahtevajo carinske oblasti. To jamstvo je lahko bančno poroštvo, gotovina ali druga varščina.

Če takega jamstva ne boste preskrbeli, bo združenje zamrznilo vaše pristopno jamstvo, iz sestava TIR pa boste izključeni tako dolgo, da boste položili jamstvo, ki ga zahteva združenje.

### Jamstvo za nevrnjene zvezke TIR

6. Kadar zvezek TIR ne more biti vrnjen, je potrebno uporabiti posebne postopke (glej 9. poglavje). Vedno, kadar zvezek TIR ni vrnjen, porabljen ali neporabljen, ali ga združenje ni prejelo v predpisanem roku, niti prejelo zadovoljive obrazložitve za njegovo nevrčilo ((izjavo o izgubi) boste prejeli priporočeno pismo o izključitvi iz sestava TIR, razen če boste položili jamstvo za pogrešan zvezek TIR.

Znesek jamstva določi vaše združenje, vendar ne bo nikoli nižji od protivrednosti 2.000.- USD in tudi ne bo presegel protivrednosti 50.000.- USD po zvezku TIR. Ta jamstva so posebna za vsak nevrnjen zvezek TIR in bodo sproščena, ko:

- a) bo zvezek TIR najden in vrnjen
- ali
- b) je mogoče na zadovoljiv način dokazati, da je bil zvezek TIR pravilno razdolen
- ali
- c) v vsakem primeru po preteku 27 mesecev od datuma izdaje zvezka TIR, pod pogojem, da ni bila prijavljena nobena nepravilnost.

Jamstva za pokritje nevrjenih zvezkov TIR so ločena od tistih, ki so navedena v poglavjih 3, 4 in 5 zgoraj in so lahko: bančno jamstvo, gotovina ali druga varščina. Jamstva za nevrnjene zvezke TIR morajo biti odobrena združenju in združenje razpolaga z njimi po lastnem preudarku. Nasprotno drugim vrstam poroštev, jamstvo za pokritje nevrjenih zvezkov TIR ni razpoložljivo za katerokoli tretjo osebo.



**SECTION 11  
MEETING LIABILITIES FROM THE USE OF TIR  
CARNETS**

**11. POGLAVJE  
KRITJE ODGOVORNOSTI POVEZANIH Z  
UPORABO ZVEZKOV TIR**

1. TIR Carnets allow the movement of goods across International borders with the payment of Duties and Taxes deferred until they reach the final destination. However, the person named on the TIR Carnet as the Holder will be held liable by Customs Authorities for payment of those Duties and Taxes if the goods are not satisfactorily discharged at the Customs office of destination.
  2. The TIR Carnet itself is both a transit document and a financial guarantee which entitles the Customs Authorities to seek reimbursement from the TIR Carnet Holder's guarantor if the former does not meet his obligations.
  3. As an authorised Holder of TIR Carnets you must be aware that:
    - (a) If goods transported under a TIR Carnet issued to you are not properly discharged Customs have the right to claim the full amount of Duties and Taxes including any interest direct from you. You can also be held liable for any related penalties or fines.
    - (b) If you do not pay a valid and justified claim Customs Authorities have the right to obtain payment from your guarantor but only up to the limit of the TIR Carnet guarantee. However, if any payments are made by the guarantor and/or the TIR schemes Insurers they have the right to seek reimbursement from you.
  4. It follows that irrespective of whether payment requests are made direct by the Customs Authorities to you or through the guarantee chain, the responsibility for settling these debts always rests with the TIR Carnet Holder. To preserve your rights you should immediately respond to any correspondence received from a Customs Authority and, simultaneously, advise your Association.
  5. To help Holders of TIR Carnets meet their responsibilities of being held liable by a Customs Authority for Duties and Taxes and any interest, or for any related liabilities to the Guarantee Chain, IRU and TIR Carnet Issuing Associations automatically provide a limited insurance package and related services. Full details of what is directly available from your own Issuing Association including the limits of the cover, assistance available, conditions and exclusions are given in the **National Association's Section (20)**.
  6. You are reminded that under **clause 28 of the Declaration of Engagement** the Holder is required to assign, on request, to the Association, to any other guaranteeing Association, to IRU, to the Insurers of the TIR system or whosoever is acting on their behalf, all rights of redress which he may have against any person(s) liable for the offence or irregularity which led to an action by the Customs Authority.
  7. Because of the financial implications it is essential that you immediately notify your Association of any incident which may lead to a claim. You must also notify them of any notification of an irregularity or any payment request sent direct to you. The Association can help you resolve the problem.
1. Zvezki TIR omogočajo olajšano prevažanje blaga preko mednarodnih meja, brez plačila carin in taks do prihoda v končni namembni kraj. Oseba, ki je navedena kot imetnik zvezka TIR je carinskim oblastem odgovorna za plačilo carin in taks, če blago ni zadovoljivo razdolženo v namembni carinarnici.
  2. Zvezki TIR sami so oboje : listina za prevoz (tranzit) in finančno jamstvo, ki daje carinskim oblastem pravico do povračila od imetnikovega poroka, če imetnik ni izpolnil svojih obveznosti.
  3. Kot pooblaščen imetnik zvezkov TIR, morate vedeti da :
    - a) če blago, prevažano z jamstvom zvezka TIR, ki vam je bil izdan, ni pravilno razdolženo, smejo carinske oblasti zahtevati plačilo vseh davkov in taks, skupaj z obrestmi, neposredno od vas. Odgovorni ste tudi za vse kazni ali globe v zvezi s tem.
    - b) Če ne plačate veljavnega in utemeljenega zahtevka, imajo carinske oblasti pravico zahtevati plačilo od vašega poroka vendar samo do višine jamstva zvezka TIR. Porok in/ali tisti, ki jamči v sestavu TIR, imata pravico zahtevati od vas povračilo vseh izvršenih plačil.
  4. Iz tega sledi, da ostaja obveznost za poravnavo dolgov vedno pri imetniku zvezka TIR, ne glede na to ali so carine poslane zahtevek neposredno vam, ali pa ste ga dobili preko jamstvene verige. Za zaščito vaših pravic morate nemudoma odgovoriti na vsako pismo carinskih oblasti in istočasno obvestiti svoje združenje, kjer ste kupili zvezek TIR.
  5. Da bi imetnikom zvezkov TIR pomagali upoštevati svoje obveznosti za plačilo carin in taks ter vseh obresti ali obveznosti do jamstvene verige, IRU in združenja, ki izdajajo zvezke TIR, samodejno ponujajo omejene zavarovalniške storitve. Vse podrobnosti o storitvah, ki so vam na voljo pri vašem izdajateljskem združenju glede zavarovanega kritja, nudenju pomoči, pogojih zavarovanja in o vzrokih za izključitev, so navedene v 20. poglavju priložnika za združenja.
  6. Opozorilo : V členu 28. uporabnikove izjave o sprejemanju obveznosti, se imetnik obvezuje odstopiti združenju, vsem ostalim jamstvenim združenjem, IRU, porokom sestava TIR ali vsem osebam, ki so delovale v njegovem imenu vse regresne pravice, ki bi jih lahko imel proti osebam odgovornim za prestopke ali nepravilnosti, ki so pripeljale do plačila zahtevkov carine.
  7. Zaradi finančnih posledic je bistveno, da nemudoma obvestite svoje združenje o dogodku, ki bi lahko povzročil zahtevek. Obvestite ga tudi o vseh nepravilnostih in o vseh zahtevkih za plačilo, ki so bili poslani vam neposredno. Združenje vam lahko pomaga pri razreševanju vprašanja.

**SECTION 20**  
**IN THIS EXAMPLE THE ASSOCIATION**  
**SUBSCRIBES TO THE R. L. DAVISON PACKAGE**  
**AND THE SECTION SETS OUT THE LIMITED**  
**INSURANCE COVER AND RELATED SERVICES**  
**THE HOLDER RECEIVES AUTOMATICALLY**  
**UNDER IT**

**20. POGLAVJE**  
**V TEM PRIMERU ZDRUŽENJE PRISTAJA NA**  
**PROGRAM R.L. DAVISON IN TA DEL DOLOČA**  
**OMEJENO ZAVAROVALNO POKRITJE IN**  
**PRIPADAJOČE STORITVE, KI JIH Z ZAVAROVANJEM**  
**DOBI IMETNIK SAMODEJNO**

1. The Association (name of Association) automatically provides members admitted to the scheme with a limited insurance package and other practical assistance to deal with payment demands from Customs Authorities where these arise from the use of TIR Carnets issued by the Association.

1. Združenje (ime) samodejno oskrbi člane, ki so sprejeti v sestav, s programom omejenega zavarovanja in z drugimi uporabnimi podporami pri poslovanju s plačilnimi zahtevki carin. Kadar so nastali pri uporabi zvezkov TIR, ki jih je izdalo združenje.

The insurance and assistance package consists of:

Zavarovanje in pomoč obsega

- (a) Cover for the TIR Carnet Holder's liability to the guarantee chain up to the maximum paid by the guarantee chain under the TIR guarantee;
- (b) In the specific cases detailed below – cover for the TIR Carnet Holders liability to the Customs Authorities;
- (c) Free legal assistance to Holders for claims that have been made direct to them by a Customs Authority under **Article 8.7 of the TIR Convention**.
2. The Holder is covered for claims from a Customs Authority for duty, taxes and interest where these arise from theft or armed robbery of goods being transported under a TIR Carnet provided that the Holder can demonstrate he exercised due caution and the theft or armed robbery was reported to the police and the Association without delay.
3. Where claims arise for other reasons e.g. alleged non-presentation of goods to the Customs Authority at destination, or the certificate of termination has been obtained in an improper or fraudulent manner the Insurer has a general right of recourse against the Holder. However, this right of recourse will normally be suspended provided the Holder assists in trying to identify the parties involved in any fraud and co-operates with the Insurer in obtaining their conviction in a criminal court and/or a judgement in a civil court for payment of the sums involved.
4. In order to obtain free legal assistance you must notify your Association immediately you receive a decision or a request for payment from a Customs Administration. You should send your Association a copy of the original correspondence and any evidence you have which you wish to use in contesting the claim. Your Association will then pass this information to IRU who, in turn, will arrange to appoint a lawyer to defend you against the claim in the country where the case has arisen. Obviously, you will be expected to cooperate fully in preparing a defence for the claim. The right to free legal defence will be withdrawn if it appears that you, as the Holder, have been deliberately or intentionally involved in the commission of any illicit act.
5. If you have any queries relating to this Section or wish to discuss the possibility of taking out additional insurance cover then please contact your Association.

- a) pokritje imetnikove odgovornosti do jamstvene verige za plačilo najvišjega zneska jamstva TIR,
- b) v posebnih, spodaj navedenih primerih, pokritje imetnikove odgovornosti do carinskih oblasti,
- c) brezplačna pravna pomoč imetnikom za zahtevke, ki so jih carinske oblasti poslale neposredno njim po členu 8.7.

2. Imetnik je pokrit za zahtevke carine za plačilo carinskih dajatev, taks in obresti, če so zahtevki posledica kraje ali oboroženega roba blaga, ki je bilo prevažano z jamstvom zvezka TIR, kadar imetnik lahko dokaže, da je pravilno postopa in da je krajo ali oboroženi rop nemudoma prijavil policiji in združenju.
3. Če zahtevki nastane zaradi drugih vzrokov n.pr. zaradi domnevne nedostave blaga na namembno carino, če je potrdilo o zaključku pridobljeno na nepravilen ali goljufiv način, ima zavarovatelj splošno pravico povračila od imetnika. Pravica do povračila bo razveljavljena, če imetnik sodeluje pri odkrivanju v prevaro vpletenih strani, sodeluje z zavarovateljem pri dokazovanju njihove krivde na kazenskem sodišču in / ali pri sojenju na civilnem so dišču za plačilo zahtevanih zneskov.
4. Za zagotovitev brezplačne pravne pomoči, morate obvestiti svoje združenje takoj ko prejmete od carine odločbo ali zahtevke za plačilo. Svojemu združenju morate poslati dvojnik dopisovanja in vse podatke, ki jih želite uporabiti za spodbijanje zahtevka. Združenje pošlje podatke IRU. Ta bo organiziral sestanek z odvetnikom za obrambo proti zahtevku za plačilo, v državi, kjer je prišlo do primera. Od vas se, razumljivo, pričakuje, da boste pri pripravi obrambe sodelovali. Pravica do brezplačne pravne pomoči vam bo odvzeta, če se izkaže, da ste bili kot imetnik premišljeno ali naklepno vpleteni v protizakonito dejanje.
5. Če imate kakšne pomisleke glede tega poglavja ali se želite pogovoriti o možnosti dopolnilnega zavarovanja, potem se prosimo, obrnite na svoje združenje.