



DG TAXUD

# ICS2 Operational guidance for air cargo general

## ICS2

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## General disclaimer

This guidance document is of an explanatory and illustrative nature. Customs legislation takes precedence over the content of this document and should always be consulted. The authentic texts of the EU legal acts are those published in the Official Journal of the European Union. There may also be national instructions.

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# 1 INTRODUCTION

## 1.1 Purpose

All general cargo transported by air entering or transiting the EU, Switzerland, Norway and Northern Ireland must be covered by an Entry Summary declaration (ENS) to be lodged in two phases:

a minimum set of pre-loading data (PLACI) lodged in ICS2 system before the goods are loaded on means of transport, and

a complete ENS, lodged before the arrival of the goods.

This document provides operational guidance to the involved stakeholders for entry processes implemented within the ICS2 system.

This guidance also forms an integral part of the overall ICS2 implementation guidance compendium. It will be updated when new operational scenarios appear, or additional explanations need to be provided.

## 1.2 Scope

This document provides an operational guidance for the air cargo general carriers and the house filers, and other parties on the processes implemented within the ICS2 and operational environment of the involved stakeholders.

This guidance covers:

- explanation of legal basis and requirements for entry process;
- description of roles and responsibilities of customs and economic operator stakeholders;
- explanations of business process and data requirements.

The guidance does not cover the referral process, which is described in detail in the EU guidance on air cargo security referral protocols [R07] and ICS2 Pre-arrival referral guidance [R14], and business continuity, which is defined in the ICS2 Business continuity plan [R02R02].

## 1.3 Target Audience

The intended audience for this document is:

- the representatives of the Member States,
- the representatives of economic operators (air carriers, freight forwarders, express operators, postal operators, importers, etc.);
- any person involved in the ICS2 project;
- Any person being practically involved in the customs formality for the entry of goods for consignments transported on air cargo general.

## 1.4 Structure of this document

The present document contains the following chapters:

- **Chapter 0 – Introduction:** describes the scope and the purpose of the document;
- **Chapter Chyba! Nenašiel sa žiaden zdroj odkazov. – Legal provisions governing the formalities for entry of the goods into the EU:** the legal background of ICS2 R2 for the air cargo general;
- **Chapter 2 – Roles and responsibilities:** describes actors involved and their roles and responsibilities;
- **Chapter 3 – ICS2 Process description:** describes all the steps of the ICS2 process from the perspective of the air carriers;
- **Chapter 3.3.1 – Air cargo scenarios:** lists example scenarios applicable to air cargo general;
- **Chapter 4.2 – Data requirements:** elaborates details for completion of certain data elements, values and data quality;

- **Chapter 7.4 – Process handling in ICS2 system:** lists the EO notifications to be configured in the STI STP, elaborates the aspects of the gradual connection of the air cargo general carriers to ICS2, provides reference to the document specifying the procedures to be followed in case of detected unavailability.



## 1.5 Reference and applicable documents

Ref.	Title	Reference	Version	Date
R01	ICS2 Harmonised Trader Interface Specifications	ICS2-HTI	2.02	23/05/2022
R02	ICS2 Business Continuity Plan	ICS2 BCP	1.10	10/06/2022
R03	REGULATION (EU) No 952/2013 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 9 October 2013 laying down the Union Customs Code	UCC		
R04	COMMISSION DELEGATED REGULATION (EU) 2015/2446 of 28 July 2015 supplementing Regulation (EU) No 952/2013 of the European Parliament and of the Council as regards detailed rules concerning certain provisions of the Union Customs Code	UCC-DA		
R05	COMMISSION IMPLEMENTING REGULATION (EU) 2015/2447 of 24 November 2015 laying down detailed rules for implementing certain provisions of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code	UCC-IA		
R07	EU guidance on air cargo security referral protocols for ICS2		1.15	24/01/2020
R08	EO Message guidance			[under construction]
R09	Guidance document on customs formalities on entry and import into the European union			2018
R10	COMMISSION IMPLEMENTING DECISION (EU) 2019/2151	UCC Work Programme		13/12/2019
R11	WCO SAFE Framework of standards	SAFE Framework		June 2005
R12	Vienna Convention on diplomatic relations of 18 April 1961			18/04/1961
R13	Vienna Convention on consular relations of 24 April 1963			24/04/1963
R14	ICS2 Pre-arrival referral guidance		1.0	21/11/2022
R15	ICS2 Address Processing Guidance		1.0	10/07/2020
R16	ICS2 R2 Operational guidance for postal consignments		1.10	13/09/2022
R17	ICS2 Release 2 Operational guidance for express consignments		1.10	13/09/2022

Table 1: Reference documents

## 1.6 Abbreviations and Acronyms

Abbreviation/Acronym	Definition
AC	Assessment Complete
AEO(S)	Authorised Economic Operator authorised for security and safety
COFE	Customs Office of First Entry
DNL	Do Not Load
ENS	Entry Summary Declaration
EO	Economic operator
EORI	Economic Operators Registration and Identification number

ETOE	Extraterritorial Office of Exchange
EU	European Union
HAWB	House air waybill
HC	House consignment
HRCM	High Risk Cargo and Mail
HTI	Harmonised Trader Interface
ICS1	Import Control System Phase 1
ICS2	Import Control System 2
IE	Information exchange
IED	Improvised explosive device
IID	Improvised incendiary device
LRN	Local Reference Number
MAWB	Master air waybill
MRN	Master Reference Number
MS	Member State
PLACI	Pre-loading advance cargo information
RFI	Request for Information
RFS	Request for Screening
UCC	Union Customs Code [Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code]
UCC-DA	Commission Delegated Regulation (EU) 2015/2446 of 28 July 2015 supplementing UCC as regards detailed rules concerning certain provisions of the UCC
UCC-IA	Commission Implementing Regulation (EU) 2015/2447 of 24 November 2015 laying down detailed rules for implementing certain provisions of the UCC
UN/LOCODE	United Nations / Location Code for trade and transport
UPU	Universal Postal Union
WCO	World Customs Organisation

Table 2: Abbreviations and acronyms

## 1.7 Definitions

Term	Definition
AEO(S)	Authorised Economic Operator authorised for security and safety. Authorized economic operator is a status granted to an EO as a concept that is based on a partnership between customs and business. It is granted by one MS and recognised by customs authorities in all MS.
Air pre-loading risk analysis	Air pre-loading risk analysis is a limited security risk analysis by the customs aimed to identify potential risk of (improvised) explosive device entering into the air cargo supply chain posing threat to the civil aviation (aka 'bomb-in-a-box' risk assessment).
Arrival notification / AN	Arrival notification is a notification used to notify the arrival of the means of transport to Customs office of first entry.
Common repository / CR	The ICS2 Common Repository is a system component of ICS2 managing the ENS lifecycle, the risk analysis processes and the analytical services.
Complete ENS	Complete ENS means an ENS containing all data particulars required by the legislation per specific mode of transport or business model. Complete ENS can be lodged either by a full ENS filing or all necessary partial ENS filings that together contain all required data particulars.

Entry declaration	Summary	Entry Summary Declaration (ENS) means the act whereby a person informs the customs authorities, in the prescribed form and manner and within a specific time limit that goods are to be brought into the customs territory of the Union.
ENS filing		ENS filing means either partial or full ENS data set required by the legislation per specific mode of transport or business model.
ENS lifecycle		The ENS lifecycle is a term used to reference to the end-to-end process of the ENS statuses, from its filing until the final state of presentation, and where relevant performance of customs controls and documentation of results.
Extraterritorial Office of Exchange		An extraterritorial office of exchange (ETOE) is as an office or facility operated by or in connection with a postal operator outside its national territory, on the territory of another country. In the postal supply chain the recognition of ETOE's consignments origin is based on this IMPC code, which is part of the receptacle identification number.
Goods item		Goods items (articles in items) which are to be classified under different HS codes.
Harmonized System (HS)		Harmonized System for the Classification of Goods of the World Customs Organization
House air waybill (HAWB)		A house air waybill (HAWB) is a form of an air waybill that is issued by a freight forwarder, express operator or an agent to its customer.
House consignment		In ICS2 this term refers to an entity based on the information about a consignment from a house level transport contract issued by a freight forwarder, non-vessel operating common carrier or agent to its direct contracting party (customer).
House consignment item		Items of a House consignment which require an own House consignment goods item declaration.
House consignment goods item		The House consignment goods item level is a sub-level to the House consignment level for the declaration of the different goods contained in the House consignment. Goods items which are to be classified under different HS codes require a separate goods item declaration within the House consignment declaration of an ENS filing. The data elements of the House consignment item level contain information that originate from different positions in the transport document referred to in the current House consignment.
High Risk Cargo and Mail Screening (HRCM screening)		High Risk Cargo and Mail Screening (HRCM screening) is a notification communicated by the customs authority of the RMS to the person filing (and the carrier under certain conditions) that the goods concerned shall need to be screened as a high risk cargo and mail, in accordance with the point 6.7.3 of the Annex to Commission Decision C (2010) 774 of 13 April 2010, before being loaded on board of an aircraft bound to the customs territory of the EU.
ICS2 countries		These are the countries which are part of the ICS2 project (applying EU customs legislation in the context of entry formalities and ICS2) including the EU Member States, Switzerland, Norway and Northern Ireland (as part of the implementation of the Northern Ireland protocol).
Master Air Waybill (MAWB)		Master air waybill (MAWB) is a form of an air waybill that is issued by the carrier to its direct contractual party (customer).
Master consignment		In ICS2 this term refers to an ENS entity based on the information about a consignment from a master level transport contract issued by a carrier to its direct contracting party.
Master level ENS filing		This is a partial filing, which contains information derived from a MAWB.
Master Reference Number		Master Reference Number means the registration number allocated by the competent customs authority to declarations or notifications. The MRN is assigned for each ENS filing registered by the customs authorities and communicated back to the person filing.
PLACI data		Pre-loading advance cargo information (PLACI)/Minimum data set comprise consignor name and address, consignee name and address,

	number of packages, gross weight, goods description and transport reference number (HAWB/MAWB).
PLACI risk analysis	In the case of air cargo pre-loading, the risk analysis process is triggered at the moment of receipt of the required minimum 7+1 PLACI data. The process is only focused on the detection of an immediate risk to aviation posed by an assembled improvised explosive device (IED) or improvised incendiary device (IID) aka 'bomb in the box' introduced on board an aircraft that could lead to the destruction of the plane and/or the loss of lives. The PLACI analysis is therefore not intended to assess or confirm the effectiveness of aviation security measures applied by the supply chain actors nor measure the compliance with these regulations or duplicate them. In the case of air transport (general cargo, postal consignments, express consignments), the pre-loading risk analysis may identify security and safety risks other than the one described above. While this result is taken into account in the further process of risk analysis at the pre-arrival stage, it does not stop the goods to be loaded on the plane at the point of departure into the EU.
Pre-arrival risk analysis	Security and safety risk analysis performed prior to the arrival of the goods into the territory of the ICS2 countries.
Presentation	Presentation to customs means notifying to customs that goods under customs supervision have arrived and are physically available for a (potential) control at the customs office of presentation.

*Table 3: Definitions*

## 2 LEGAL PROVISIONS GOVERNING THE FORMALITIES FOR ENTRY OF THE GOODS INTO THE EU

All cargo transported by air entering or transiting (FROB) the EU, must be covered by an Entry Summary declaration (ENS). At least a minimum set of pre-loading data (PLACI) must be lodged in ICS2 system before the goods are loaded on means of transport, and a complete ENS must be lodged before the arrival of the goods.

The main legal provisions governing the entry formalities are laid down in the Union Customs Code (UCC) – Regulation of the European Parliament and of the Council (EU) No 952/2013 and its Implementing and Delegated Acts ([R04], [R05], [R06]).

The legal base for the requirement to lodge an ENS is defined in Article 127 of the UCC [R04]. The purpose of this customs formality is to obtain cargo information in advance (before the goods are loaded and enter the customs territory of the EU), for safety and security risk analysis performed by the competent customs authority.

### 2.1 Party responsible to lodge an ENS

The obligation to lodge an ENS is, in general, with the carrier responsible for the transport of the goods into the territory of the EU. The ENS can instead be 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 [Article 127 (4) UCC] [**Chyba! Nenašiel sa žiaden zdroj odkazov.**].

In cases, where not all particulars required for an ENS are provided to the carrier, other persons holding those particulars are required to provide those particulars to customs [Article 127 (6) UCC] [**Chyba! Nenašiel sa žiaden zdroj odkazov.**]. If the person issuing the air waybill does not make the particulars available to the carrier who issues an air waybill to him or to his contractual partner with whom he concluded a goods co-loading arrangement, the person who does not make the required particulars available must provide those particulars to the customs office of first entry [Article 113 UCC DA]. The same rules apply to 1) the express operators [Article 113a (3) UCC DA], 2) postal operators established in the EU for the postal consignments destined to the EU or transported in postal transit via EU [Article 113a (2) UCC DA], 3) origin postal operators for postal consignments transhipped in the EU [Article 113a (4) UCC DA].

Where ENS is lodged by multiple parties each party is responsible for completeness and accuracy of the data it had filed [Article 113a (1) UCC DA].

### 2.2 Place to lodge an ENS

In general, the ENS shall be lodged at the customs office of first entry [Article 127 (3) UCC] [**Chyba! Nenašiel sa žiaden zdroj odkazov.**].

The pre-loading (PLACI) ENS filing shall be lodged to the MS where the goods most likely arrive first to the customs territory of the EU.

### 2.3 Single / multiple filing

Only one ENS can be lodged per MAWB/Master level transport contract issued by the carrier. One ENS cannot cover multiple MAWBs or consignments mixed from different MAWBs.

The ENS can be lodged either in the form of a single ENS filing, containing all required ENS particulars, or by more than one ENS filing. The latter one applies where the party, legally responsible to lodge an ENS, does not have all required particulars available to timely lodge a complete ENS in a single file.

The detailed requirements for all ENS filing types are available in ICS2 HTI Information Exchange Specifications [R01].

### 2.4 Time limits to lodge an ENS

In case of transport by air, the pre-loading ENS data shall be lodged as early as possible as per Article 106 (1) UCC DA [**Chyba! Nenašiel sa žiaden zdroj odkazov.**]. The term 'as early as possible' means that the ENS is to be lodged as soon as all required particulars of the ENS are available to the person filing at the latest prior to loading.

The complete pre-arrival ENS shall be lodged within the time limits defined in the UCC:

- For flights with a duration less than four hours from the last airport outside of the customs territory of the EU – at the latest at the time the aircraft takes off;
- For flights with a duration of four hours or more – at the latest four hours prior to arrival of the aircraft at the first airport in the territory of the EU.

The timelines do not apply in case of *force majeure* (Article 111, UCC DA).

If the required ENS data have not been submitted to ICS2, the ENS will have to be submitted at the latest at the presentation of the goods. The goods will not be released for any subsequent customs procedure before the entry formalities are completed. The customs authority can decide to impose penalties to the economic operators for not completing the ENS formalities within the legally defined deadlines.

More details can be found in 'Guidance document on customs formalities on entry and import into the European union' [R09]. The document is available [here](#).

## 2.5 Specific waivers from the obligation to lodge an ENS

The detailed provisions of the EU customs legislation related to waivers and exceptions are provided in the UCC and the related acts [**Chyba! Nenašiel sa žiaden zdroj odkazov.**], [**Chyba! Nenašiel sa žiaden zdroj odkazov.**], [**Chyba! Nenašiel sa žiaden zdroj odkazov.**].

The ENS waiver for consignments with an intrinsic value not exceeding 22 Euros does not apply anymore. Hence, it follows that all consignments where no other waiver applies have to be covered by an ENS.

### 2.5.1 Territories for which an ENS is not required

Whether there is an obligation to lodge an ENS or a waiver from the obligation applies depends on two factors:

1. The goods are not entering the customs territory of the Union from outside (obligation to lodge an ENS from Article 127 (1) UCC does not apply at all) or are entering the customs territory of the Union from a country that has entered a bilateral agreement with the Union (Switzerland and Norway). In those cases, either Article 127 (1) UCC does not apply, or the obligation is directly waived in accordance with Article 127 (2) UCC.
2. Specific goods (i.e. electrical energy) or goods fulfilling specific requirements (i.e. personal baggage of a traveller) in accordance with Article 104 UCC-DA.

When goods arrive from the territories, which are classified as part of the territory of the EU, to the mainland Union territory without stopping in 3<sup>rd</sup> country territory, then no ENS is required. Respectively, when goods arrive from 3<sup>rd</sup> countries to these territories, then ENS must be provided (Article 127 (1) UCC applies).

Article 4, UCC lists all countries and territories considered as part of the Union customs territory. The Canary Islands, Aland Islands, Mount Athos, Azores and Madeira are part of the Union customs territory and an ENS is therefore not required when goods arrive from there since Article 127 (1) UCC does not apply when no stop in a third country was made in between. Respectively, when goods arrive from 3<sup>rd</sup> countries there an ENS must be filed.

Parts of France that are also parts of the Union customs territory are defined in UCC Article 4 10<sup>th</sup> indent. The UCC refers to Part 4 of the Treaty of the Functioning of the EU (TFEU) to elaborate which parts of the French territory are excluded. The following are excluded from the Union customs territory and transport from there into the EU requires generally an ENS where no other waiver depending on the goods applies:

- New Caledonia and Dependencies
- French Polynesia
- French Southern and Antarctic Territories
- Wallis and Futuna Islands
- Saint Pierre and Miquelon
- Saint-Barthélemy

All other territories of the French Republic are part of the customs territory of the Union and an ENS is therefore not required since Article 127 (1) UCC does not apply when no stop in a third country was made in between.

## 2.5.2 Items of correspondence

The items of correspondence do not require to be covered by an ENS. The term 'items of correspondence' covers letters, postcards, braille letters and printed matter, containing only documents and not containing any goods and not liable to any customs duties. The explanation of the term 'items of correspondence' is defined in Article 1 (24, 26) UCC DA [**Chyba! Nenašiel sa žiaden zdroj odkazov.**]. Any letter post item containing goods needs to be covered by an ENS.

## 2.5.3 Goods on all means of transport passing through the territorial waters or the airspace of the customs territory of the EU

No ENS is required for goods on all means of transport which are passing through the territorial waters or the airspace of the territory of the EU without stopping within this territory.

## 2.5.4 Movement of military goods

The waiver from the obligation to lodge an ENS applies:

- when the goods are covered by a valid EU or NATO form 302 issued by or on behalf of a competent military authority of an EU Member State or according to the NATO Status of their forces agreement (NATO SOFA, signed on 19 June 1951) member or of a Member State entitled to use the form 302 (Article 104(1)(h) UCC-DA);
- OR
- where weapons or military equipment are brought into the customs territory of the Union, AND those weapons or military equipment are moved:
    - a) by the authorities in charge of the military defence of a Member State, AND
    - b) in military transport or on a transport operated for the sole use of the military authorities (Article 104(1)(i) UCC-DA).

## 2.5.5 Diplomatic mail

The waiver from the obligation to lodge an ENS also applies for the goods which are pursuant to the Vienna Convention on diplomatic relations of 18 April 1961 [**Chyba! Nenašiel sa žiaden zdroj odkazov.**], the Vienna Convention on consular relations of 24 April 1963 [**Chyba! Nenašiel sa žiaden zdroj odkazov.**], other consular conventions or the New York Convention of 16 December 1969 [R09] on special missions.

## 2.6 Registration of the economic operators and use of EORI number

Each economic operator performing customs formalities, e.g., lodging an ENS, arrival notification, acting as declarant, representative, etc. needs to be registered with customs for the purpose of their identification. The registered EO is assigned an EORI number.

In the ENS the EORI number of the following parties must be declared:

- Declarant;
- Representative;
- Carrier;
- Consignee, where this party has been assigned an EORI number.

EORI number is also required in the Arrival notification for:

- Person notifying the arrival;
- Notify party (for the arrival purpose), if this party is declared in the AN.

At a technical level, a sender of the messages, if it is different from the declarant or representative (e.g., ITSP), also needs to have an EORI number.

The economic operators, established in the EU countries, need to apply for EORI registration in the MS of establishment. The economic operators, established in a third country (including Switzerland and Norway), should apply for it in the EU Member State where they first take up business operations or where they intend to operate the relevant facilities. One legal entity can apply for one EORI number only. EORI guidance is available [here](#).



## 3 ROLES AND RESPONSIBILITIES

### 3.1 Economic operator roles

Each economic operator involved in the entry formalities may have one or several roles in the end-to-end process and responsibilities associated with these roles.

#### 3.1.1 Declarant

The declarant in this context is the person lodging an ENS or particular ENS filings in his or her own name or the person in whose name an ENS or particular ENS filing is lodged. The declarant is legally responsible for the timely lodgement within the legal deadlines and the accuracy of the content of the ENS or particular ENS filing.

The declarant is also responsible to act and respond to the risk mitigating referrals that customs authority might issue during the pre-loading and pre-arrival risk assessment.

#### 3.1.2 Representative

As per Art. 18 UCC any person can appoint a representative to create and lodge the ENS or particular ENS filing 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). In case of direct representation, the declarant is held legally responsible as if he had lodged the ENS or particular ENS filing himself as above. The direct representative is liable with regard to his declarant but not regarding the customs authorities.

As a rule, a representative may be any person referred to in Art. 5 (4) of the Union Customs Code. The representative may be in particular customs broker, freight forwarder, carrier etc.

In other terms, when the customs broker of an operator operates under direct customs representation, the liability is wholly and only on the shoulders of the operator while in the case of indirect representation the liability is shared.

#### 3.1.3 Carrier

Carrier in the context of entry, is the person who brings the goods/items/consignments, or who assumes responsibility for the carriage of the goods/items/consignments, into the customs territory of the Union. However,

- in the case of combined transportation, 'carrier' means the person who operates the means of transport which, once brought into the customs territory of the Union, moves by itself as an active means of transport;
- in the case of maritime or air traffic under a vessel- sharing or contracting arrangement, 'carrier' means the person who concludes a contract and issues a bill of lading or air waybill for the actual carriage of the goods into the customs territory of the Union.

Carrier is the main responsible party to lodge an ENS for the goods that will enter the customs territory of the EU. To comply with the requirement to lodge an ENS, the carrier will act as a declarant, if he lodges the ENS particulars himself, or will appoint a representative to act on his behalf.

Air carrier acting as a declarant is responsible to ensure that when referrals are issued, the necessary actions are taken (e.g., HRCM screening) and response to those referrals is provided. In case of the Do Not Load request the air carrier ensures that the goods are not loaded on an aircraft.

In case where all the necessary ENS particulars are not provided to the carrier and the ENS is lodged by multiple filing, other person, other than carrier, that have the legal obligation to file, will be indicated in the carrier filing as supplementary declarant.

When ENS was filed by several parties, and in case the goods may still be a subject to an open referral issued to another party (e.g., postal operator), the air carrier decides, whether to transport the goods to the EU in non-compliance with the EU customs (UCC and its Implementing Regulation (EU) 2015/2447) and EU Civil Aviation Security legislation (Implementing Regulation (EU) 2021/255 and provisions in its corresponding Annex).

### 3.1.4 Supplementary declarant/House filer

In cases, where not all particulars required for an ENS are provided to the carrier, other persons holding those particulars may be required to provide those particulars to customs.

Supplementary declarant is a party which is indicated in the carrier/other house filer ENS filing as a party having a legal obligation to lodge the missing ENS particulars at the level of the lowest house air waybill. This role can be attributed to parties like freight forwarders, ground handling agents, importers. This party can also be referred to as **house filer** in ICS2 documentation (this is equivalent to the **self-filer** in the air cargo sector).

Carrier in his filing will indicate one supplementary declarant. However, this party can have any type of contractual arrangement with relations with the other supply chain actors for co-loading or transportation of the goods. This supplementary declarant will indicate one or more other supplementary declarants that will have to file their respective ENS particulars, if these particulars are not shared with the first supplementary declarant.

Supplementary declarant/House filer, lodging the ENS particulars will act as a declarant, if he lodges the ENS particulars himself, or will appoint a representative to act on his behalf.

### 3.1.5 Person notifying the arrival

Person notifying the arrival is, normally, the operator of the active means of transport entering the ICS2 customs territory of the EU and submitting the Arrival notification.

### 3.1.6 Notify party

In the context of the arrival process, the carrier may indicate in his Arrival notification a notify party, which is a person that has an agreement with and represents the air carrier for the formalities upon the arrival. This person can, for example, be a freight forwarder, a ground handling agent, etc. The notify party will be notified about the controls and the need to present the goods at customs office of first entry in case a high risk is identified, and immediate action is required upon arrival.

### 3.1.7 Person filing

It is a person that has created and lodged an ENS filing. It either is the declarant or, in case of representation, the representative.

### 3.1.8 IT service provider

IT service provider is a person operating an access point to ICS2 and technically submitting and receiving electronic messages for the person filing. It is considered to be a sender of the messages but not the declarant. A declarant who is operating its own access point to ICS2 for own submissions without providing services to other declarants/representatives is not considered to be an IT service provider.

## 3.2 Member State roles

### 3.2.1 Addressed Member State (AMS)

Addressed Member State is the country of the Customs office of first entry to the best of the knowledge of the person filing at the time of lodgement of the ENS filing.

### 3.2.2 Responsible Member State (RMS)

Responsible Member State is a country that has the legal responsibility to ensure that the risk analysis is carried out and finalized primarily for security and safety purposes and responsible to make a decision in terms of the necessary measures to be taken to mitigate an identified risk. RMS role is assigned to the country where it is anticipated that consignment will actually enter customs territory of the EU (determined from customs office of the first entry declared in the ENS) or where the PLACI data set for pre-loading is lodged.

### 3.2.3 Involved Member State (IMS)

Involved member State is a country that is referenced in the ENS data and that is contributing to the risk assessment. IMS will be determined on the basis of information provided in ENS, e.g., country of consignor, consignee, carrier, routing of means of transports and consignments and other.

### 3.2.4 Member State of Control

The Member State of control has the final decision on whether to actually control the goods or not, taking into account the results of risk analysis and any control recommendations of the RMS, and performing those controls.

## 3.3 Customs office roles

### 3.3.1 Customs office of first entry (COFE)

This is the customs office competent for the place where border transport means carrying the goods will arrive first in the customs territory of the EU.

The **actual customs office of first entry** refers to the actual place (and competent customs office) where the means of transport carrying the goods entered for the first time the customs territory of the EU coming from a 3<sup>rd</sup> country.

### 3.3.2 Customs office of unloading

This is the customs office competent for the place of unloading, e.g., seaport, airport, freight terminal, rail station or any place where the goods are unloaded from the means of transport having been used for their carriage.

### 3.3.3 Customs office of presentation

The customs office competent for the approved place of presentation of the goods to customs.

## 4 ICS2 PROCESS DESCRIPTION

### 4.1 General process description

ENS particulars for any cargo arriving into the customs territory of the EU by air have to be lodged in two phases – pre-loading and pre-arrival. In each phase this data will be risk assessed with a specific purpose:

- The air pre-loading risk assessment focuses only on the aviation security risks (a.k.a. the bomb-in-the-box);
- The pre-arrival risk assessment, unlike the air pre-loading risk analysis, which strictly covers aviation security risks, assesses safety and security threats, which reflect a wider range of risks. Safety and security risks are threats that can have serious implications for the security, health and wellbeing of people and/or the environment. They can be linked to both, misdeclarations or illicit activities (e.g., negligence, criminal organisations, terrorism, etc.).

During the risk assessment process, the customs authority may issue referral request to the declarant. In case the ENS was filed via multiple filings, the referrals may be addressed to one or several declarants, depending on which part of the ENS data needs to be supplemented with additional information or amended, or which consignments need to be screened in accordance with the applicable requirements for high risk cargo and mail (HRCM).

The outcome of the risk assessment process is communicated to the declarant(s) in the form of the Assessment complete notification. In circumstances, where a cargo is identified as posing severe aviation security risks, customs authorities will issue a Do not load request to the declarant and the carrier.

Finally, once the means of transport carrying the goods arrive to the customs office of first entry, the arrival notification has to be lodged. This will trigger further processing of the ENSs with regard to possible controls. If a consignment was identified as posing high risk, it will be controlled immediately at the COFE, if not it may be controlled as the customs office of unloading. The goods, once unloaded from the aircraft, must be presented to customs by lodging a presentation notification.

### 4.2 ENS data structure

A complete ENS, irrespective if it was filed via single or multiple ENS filings, always has the same structure: declaration level, master consignment level, and house consignment level. Master and house consignment levels contain underlying goods items and other relevant information.



Figure 1 Levels of complete ENS<sup>1</sup>

<sup>1</sup> Goods shipment level is not applicable to air transport.

Minimum PLACI data set is always composed of the house consignment level and underlying goods items only.

In case of the direct air waybill there is no underlying house air waybill, however, the ENS maintains the standard structure where information about the underlying goods items is filed at house consignment level.

### 4.2.1 ENS filing types and their combinations

An ENS can be lodged using single ENS filing that contains all required data particulars or multiple ENS filings each containing a different data set – minimum (PLACI), master or house level data particulars. There is a number of ENS filing types that can be used for this purpose:

F20 – full data set lodged in pre-loading phase, used for pre-loading and pre-arrival RA;

F21 – partial master level data set lodged in pre-arrival phase, used for pre-arrival RA;

F22 – partial house level data set lodged in pre-arrival phase, used for pre-arrival RA;

F23 – minimum data set lodged in pre-loading phase, used for pre-loading RA;

F24 – minimum data set lodged in pre-loading phase, used for pre-loading RA;

F25 – minimum data (MAWB number only) set lodged in pre-loading phase, used for pre-loading RA (always with F23);

F26 – partial house level data set lodged in pre-loading phase, used for pre-loading and pre-arrival RA;

F27 – full data set lodged in pre-arrival phase, used for pre-arrival RA;

F28 – full data set lodged in pre-loading phase, used for pre-loading and pre-arrival RA (direct air waybill);

F29 – full data set lodged in pre-arrival phase, used for pre-arrival RA (direct air waybill);

F31 – full data set lodged in pre-arrival phase, used for pre-arrival RA (express consignments on air cargo general);

F33 – partial house level data set lodged in pre-arrival phase, used for pre-arrival RA (express consignments on air cargo general);

F42 – partial master level data set lodged in pre-arrival phase, used for pre-arrival RA (postal consignments).

### 4.2.2 Choosing an ENS filing type

The choice of the ENS filing(s) depends on a number of factors:

- the type of cargo (air cargo general, postal, express on air cargo general),
- the arrangement between the supply chain actors on who will file and ENS (single or multiple filing),
- the role of the party that is lodging the ENS (carrier, house filer),
- the time when the data is available (prior to loading, prior to arrival), and
- what data is available at the time of filing (minimum, partial or complete data set).

**Single ENS filing:** if the arrangement is for the e.g., freight forwarder to transmit all the data from the house air waybill and for the carrier to file a complete ENS data set, then ENS filings that contain full data set should be used. Next step is to determine, when the full data set will be available – prior to loading or only prior to arrival of the goods. Finally, the ENS filing type will depend on the type of the transport contract – consolidate cargo or direct air waybill.

If complete data set is available prior to loading, then the declarant can choose to file F20 for consolidated cargo or F28 for direct air waybill. If the complete data set is not available prior to loading, then the minimum data set (PLACI) can be lodged either by using F24 or combination of F23 and F25 (the latter is when the MAWB number is not available at the moment of filing of the PLACI data set). Then the pre-arrival ENS is lodged using the F27 for consolidated cargo or F29 for direct air waybill.

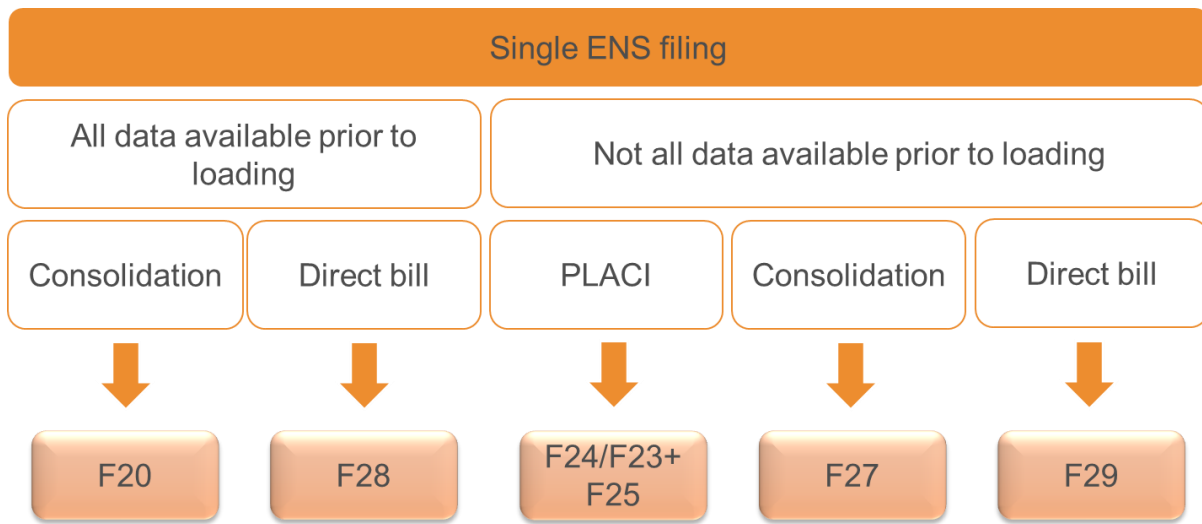


Figure 2 ENS filing type selection algorithm (single ENS filing)

**Multiple ENS filings:** if the arrangement of the supply chain actors is to file an ENS via multiple filings, then each party will file their respective partial ENS filing. The choice of the filings for each actor to lodge depends on when the data is available – prior to loading or prior to arrival.

If the house level filer has all the necessary data for his filing prior to loading, he can file F26 ENS filing, which will be complemented by the carrier filing F21 in the pre-arrival phase. The F26 filing will be used for both pre-loading and pre-arrival risk assessment. The minimum data (PLACI) set will be extracted from F26 for pre-loading risk assessment.

If the house filer does not have all the necessary data for his filing, then he can file the minimum data (PLACI) set using either F24 or combination of F23 and F25 ENS filings in the pre-loading phase. Then, in the pre-arrival phase the house filer will file F22, and the carrier will file F21 ENS filings.

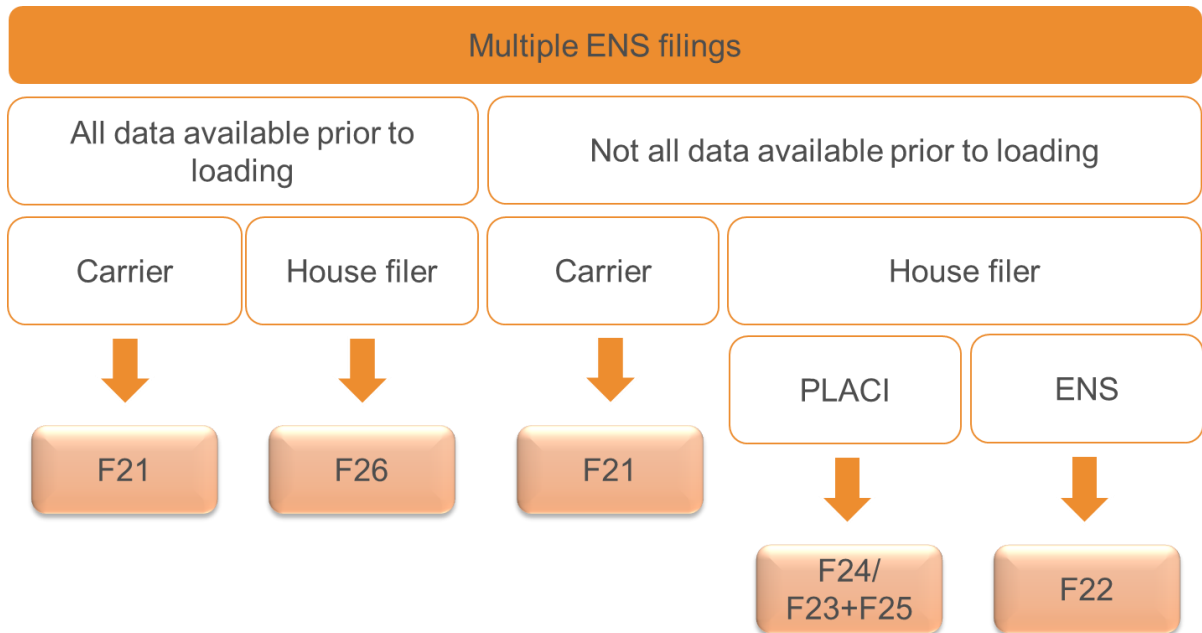


Figure 3 ENS filing type selection algorithm (multiple ENS filings)

Postal and express consignments on air cargo general have their own ENS filing types.

**Postal consignments:** the ENS for postal consignments transported under UPU rules is always filed using multiple filings. The postal operator lodges F43 and F44 filings in pre-loading phase, which then are complemented by the carrier F42 filing in the pre-arrival phase.

Postal items from the ETOEs, that are not transported under UPU postal business model, are subject to rules applicable to air cargo general and respective ENS filings have to be used.

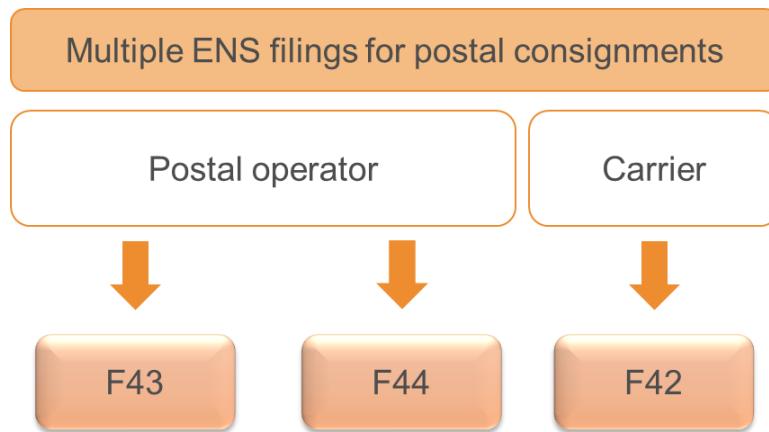


Figure 4 ENS filing type selection algorithm (postal consignments)

**Express consignments on air cargo general:** for this type of cargo the pre-loading ENS filing F32 will always be lodged by the express carrier. The pre-arrival filing can be filed as a single or multiple filings. The carrier and express carrier can arrange how they will file. If the single ENS filing is used, then either carrier or express carrier lodges F31 in the pre-arrival phase. If multiple filings are used, then carrier lodges F21 and the express carrier – F33.

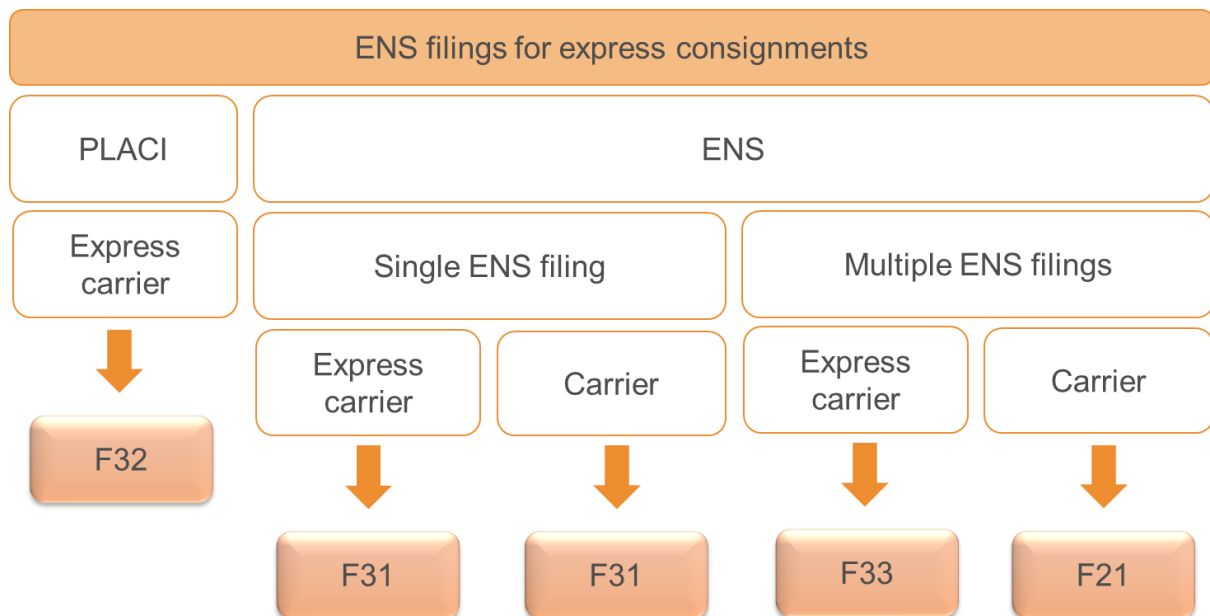


Figure 5 ENS filing type selection algorithm (express consignments on air cargo general)

The process of postal and express consignments will not be depicted in this guidance. Please refer to [R16] and [R17].

<p><i>What happens if both carrier and house filer file the same</i></p>	<p>In pre-loading phase this would result in two pre-loading PLACI data sets. They would both be accepted, and risk assessed independently. For forwarder and carrier filing house level information the process will be as usual, meaning:</p> <ul style="list-style-type: none"> <li>- ENS will be validated;</li> </ul>
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<p><i>ENS filing (double filing)?</i></p>	<ul style="list-style-type: none"> <li>- if there is no error in the filing it will be accepted and MRN will be assigned (each ENS filing will have its own MRN);</li> <li>- pre-loading risk analysis will be performed;</li> <li>- assessment complete or Do Not Load message will be sent to person filing and carrier indicated in corresponding ENS filing.</li> </ul> <p>In pre-arrival phase only one ENS per master level transport contract can be lodged.</p> <p>If both parties lodge a master level or full ENS filing (e.g., F21 or F20), then the first ENS filing will be accepted and the second will be rejected.</p> <p>If both parties lodge a house level ENS filing (e.g., F22 or F26), then one or both of these ENS filings will be linked with the master level ENS filing (provided that the supplementary declarant in the master level filing is the same as declarant of the house level filing). In case both house level ENS filings are linked with the master level filing, the ENS will have duplicate house consignments, which is not correct in terms of data accuracy. One of the house level ENS filings should be invalidated.</p>
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### 4.3 Pre-loading phase

In this phase aviation security risk is assessed based on the minimum ENS data set that needs to be lodged prior to loading of the goods on the means of transport that will carry them into the customs territory of the EU.

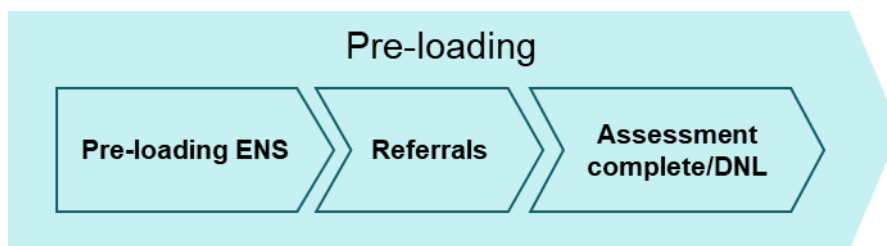


Figure 6 Steps of the pre-loading phase

#### 4.3.1 Lodgement of the ENS

Pre-loading minimum data (PLACI) set can be lodged using the ENS filings F20, F23+F25, F24, F26, F28. Irrespective what type of filing is used, only the minimum data set will be used for the aviation security risk assessment. The PLACI data set consists of consignor and consignee data, description and weight of the goods, number of packages, house and master air waybill numbers.

The ENS has to be lodged as early as possible, always prior to the loading of the goods on the means of transport.

The ENS filings F23+F25, F24, F26 need to be filed to the Addressed Member State (see 3.2.1) whereas filings F20 and F28 have to be filed at the customs office of first entry (COFE) (see 3.3.1).

Each successfully validated ENS filing is registered with an MRN. This number is communicated back (IE3R01) to the declarant and the carrier, if the latter is different from the declarant, connected to the system and has set his preference to receive this notification.

If ENS filing does not pass the validation, it is rejected, and an error notification (IE3N99) is returned to the declarant. The declarant then has to amend the filing and re-submit it.

<p><i>Why is my ENS rejected? What shall I do?</i></p>	<p>ICS2 performs syntactical, semantical and lifecycle validation of the received ENS filing (IE3Fxx):</p> <ul style="list-style-type: none"> <li>- IE3Fxx is stored and further processed by the ICS2, and the declarant receives an ENS registration acceptance response IE3R01 with the MRN assigned by ICS2 to the filing, or</li> <li>- Error messages IE3N99 or IE3N01 are sent to the person filing in case lodged IE3Fxx did not pass the validation.</li> </ul>
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If error notification IE3N99 was received, the IE3Fxx failed the syntactical and/or semantical validation and was therefore rejected by ICS2. In this case it will not be further processed. The declarant has to lodge a new corrected IE3Fxx. The correction needs to address all errors that were indicated in the IE3N99 error message in order to pass the syntactical/semantical validation.

If ENS lifecycle validation error notification IE3N01 was received, one or more HCs covered by the ENS filing IE3Fxx was/were a duplicate. In case of a duplicate the person filing needs to investigate what the reason was. Three cases are to be differentiated:

- It was indeed a redundant duplicate. No follow up action is required.
- The person filing wanted to amend an existing HC already declared. The amendment information needs to be sent as ENS filing amendment IE3Axx instead of IE3Fxx.
- HC reference was erroneously captured. The HC reference needs to be corrected and the ENS filing IE3Fxx with corrected information to be re-sent.

### 4.3.2 Risk assessment and referrals

Risk assessment in the pre-loading phase will be triggered as soon as the ENS filing is registered. The risk assessment is performed on each house consignment individually.

During the risk assessment process, the customs authority may decide to issue risk mitigating referrals to the declarant. The carrier may also be informed about the issued referrals if he is known and has indicated his preference to receive such notification. The types of referrals and the operational process is described in detail in EU guidance on air cargo security referral protocols [R07].

### 4.3.3 Assessment complete/DNL

Risk assessment outcome is communicated to the declarant via Assessment complete notification (IE3N0). This notification can also be sent to the carrier if he has indicated his preference to receive it.

Assessment complete is issued for each house consignment individually, irrespectively how many house consignments were filed in one ENS filing. The declarant might receive these notifications at different time depending on how much time was needed for risk assessment of each house consignment.

The principles of issuing and the content of the Assessment complete notification are depicted below:

IE3N03	Pre-loading risk analysis										
	F20	F21	F22	F23	F24	F25	F26	F27	F28	F29	F42
	Per HC	-	-	Per HC	Per HC	-	Per HC	-	Per HC	-	-
MRN	F20 MRN	-	-	F23 MRN	F24 MRN	-	F26 MRN	-	F28 MRN	-	-
Completion Date	X	-	-	X	X	-	X	-	X	-	-
Assessment Complete/transport document (house level)	X	-	-	X	X	-	X	-	X	-	-
Responsible Member State	X	-	-	X	X	-	X	-	X	-	-
Representative	X	-	-	X	X	-	X	-	X	-	-
Transport Document Master Level	X	-	-	-	X	-	-	-	X	-	-
Carrier	X	-	-	X	X	-	X	-	X	-	-
Declarant	X	-	-	X	X	-	X	-	X	-	-

Table 4 Assessment complete notification content for air pre-loading

In case the consignment is identified as posing severe security risks for aviation, a Do not load request (IE3Q01) will be issued. This request is issued for a specific house consignment. If several house consignments were filed

in the same ENS filing, the other house consignments, that are not risky will receive an Assessment complete notification. Handling of the DNL is described in detail EU guidance on air cargo security referral protocols [R07].

<p><i>I have not received AC but I need to load the goods? Can I lodge an ENS for pre-arrival?</i></p>	<p>Absence of the AC means that the risk analysis process is still ongoing. During this process the customs authority might issue a risk mitigating referral. In case of DNL, the goods shall not be loaded on the means of transport. In case of other referrals, the referrals should be closed before they are loaded, however, it is a commercial decision of the carrier whether to transport the goods to the EU in non-compliance with the EU customs (UCC and its Implementing Regulation (EU) 2015/2447) and non-compliance with the EU Civil Aviation Security legislation (Implementing Regulation (EU) 2021/255 and provisions in its corresponding Annex).</p> <p>Lodgment of a pre-arrival ENS is possible, however, it will not be risk assessed as long as the pre-loading risk analysis is not completed (including closing of the referrals).</p>
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## 4.4 Pre-arrival phase

In this phase security and safety risks are assessed based on a complete ENS data set that needs to be lodged prior to arrival of the goods into the customs territory of the EU.

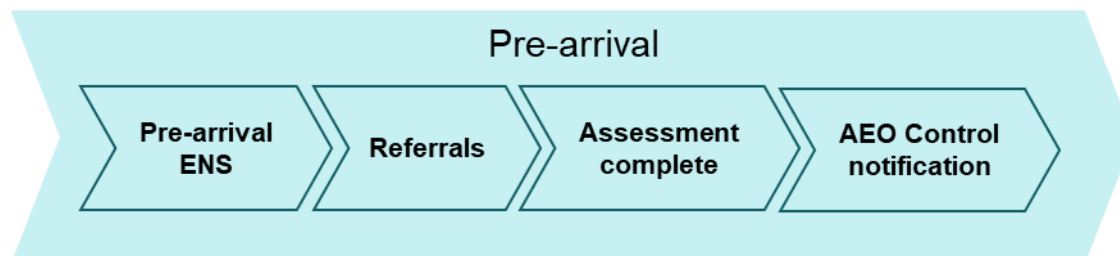


Figure 7 Steps of the pre-arrival phase

### 4.4.1 Lodgement of the ENS

Pre-arrival ENS can be lodged using ENS filings F20, F21, F22, F26, F27, F28, and F29. ENS filings F20, F26 and F28 are lodged already in the pre-loading phase. Filings F20, F27, F28, and F29 contain full ENS particulars, whereas F21 contains master level, and F22 and F26 contain house level ENS particulars.

The ENS has to be lodged as soon as possible and in any case within the following time limits:

- for flights with a duration of less than four hours, at the latest by the time of the actual departure of the aircraft;
- for other flights, at the latest four hours before the arrival of the aircraft at the first airport in the customs territory of the Union.

The ENS filings F22 and F26 need to be filed to the Addressed Member State (see 3.2.1) whereas filings F20, F21, F27, F28 and F29 have to be filed at the customs office of first entry (COFE) (see 3.3.1).

Each successfully validated ENS filing is registered with an MRN. This number is communicated back (IE3R01) to the declarant and the carrier, if the latter is different from the declarant, connected to the system and has set his preference to receive this notification.

In case of the ENS filed via multiple ENS filings, the MRN of the master level ENS filing (F21) will be used as the MRN of the complete ENS.

For validation of the ENS filings see 4.3.1

### 4.4.2 Linking of the ENS filings

When partial ENS filings are lodged to form a complete ENS, the linking of those filings into an ENS and verification of completeness of it is done using a **unique linking key**. The unique linking key (ULK) is composed of the following data elements:

- Carrier EORI number
- Transport document (Master level) reference number
- Supplementary declarant EORI number/Declarant EORI number

<i>Example</i>	<p>The ENS if filed using F21 (filed by the carrier) and two F22 (filed by house filers). Linking of the ENS filings starts when the carrier files F21 filing. From the data elements found in the filing, ICS2 CR identifies that there should be a filing from Supplementary declarant 'Declarant 2' with the Carrier EORI 'Carrier ID' and master level transport document 'ABC123'. F22 filing with these parameters is found and linked with the F21 filing.</p>
	<p><b>F21</b>  Declarant = Air carrier A  Transport document (Master level)  - Reference = <b>ABC123</b>  - Type = N741 /Master airway bill/  Carrier  - Identification number = <b>Carrier ID</b>  - Name = Air carrier A  Supplementary declarant  - Identification number = <b>Declarant 2</b>  - Supplementary filing type – 1 /House level filing/</p>
	<p><b>F22 (1)</b>  Declarant = <b>Declarant 2</b>  Transport document (Master level)  - Reference = <b>ABC123</b>  - Type = N741 /Master airway bill/  Carrier  - Identification number = <b>Carrier ID</b>  - Name = Air carrier A  Supplementary declarant  - Identification number = <b>Declarant 3</b>  - Supplementary filing type – 2 /Sub-house level filing/</p>
	<p>From the data elements of the F22(1) filing ICS2 CR identifies, that there should be another ENS filing lodged by a Supplementary declarant 'Declarant. Once this filing is found based on the Carrier EORI 'Carrier ID' and master level transport document 'ABC123', it is linked with the F21. This F22(2) does not have any other Supplementary declarant indicated, which means that there are no other ENS filings that have to be linked to this ENS. The ENS is considered complete at this point.</p>
	<p><b>F22 (2)</b>  Declarant = <b>Declarant 3</b>  Transport document (Master level)  - Reference = <b>ABC123</b>  - Type = N741 /Master airway bill/  Carrier  - Identification number = <b>Carrier ID</b>  - Name = Air carrier A</p>

Linking of the ENS filings mechanism requires the exchange of the Carrier EORI number, the reference of the master level transport contract and the EORI number of the supplementary /house filer between the parties that have arranged to file partial ENS filings with their respective data.

<i>What happens if wrong EORI number is declared?</i>	If EORI number of the carrier is wrongly declared in the house level ENS filing, then the house level filing will not be linked with the master level filing. If wrong EORI number of Supplementary declarant is declared, the ENS will not be complete (see 4.4.4)
<i>What happens if wrong MAWB number is declared?</i>	If wrong number of MAWB is declared in the house level filing, the ENS filing will not be linked and the ENS will not be complete.

### 4.4.3 Linking expiration timer

Risk assessment of an ENS starts once a complete ENS is available. In case of the ENS filed via multiple ENS filings, the risk assessment process starts once the master level ENS filing is received and house level ENS filings are linked to it. Since there is no predefined sequence in which the ENS filings have to be lodged, there is a time limit allocated for completion of the filing process after the reception of the master level ENS filing. When F21 is lodged, a 'linking expiration timer' starts. This timer indicates the waiting time for the lodgement of the house level ENS filing(s). Once the timer expires, the ENS completeness is checked and, if the ENS is complete, the pre-arrival risk analysis is triggered. In case there are missing ENS filings, declarant and supplementary declarant are notified about missing ENS filings.

The 'linking expiration timer' does not impact the legally defined timelines for completion of the pre-arrival risk analysis.

### 4.4.4 ENS not complete notification and ENS pending notification

In case not all expected house/sub-house ENS filings are lodged, the filer of an ENS filing which contains a supplementary declarant who has not filed is notified via IE3N02 'ENS not complete notification' indicating which supplementary declarant has not filed. While the declarant that filed an ENS has complied with the legal obligations, the absence of the data for complete ENS from other parties might result in delays upon the arrival of the goods or in penalties for the parties that did not file.

The supplementary declarant, which was indicated in the ENS filing of another party as having a legal obligation to file an ENS, but has not yet filed, is also notified via IE3N11 'ENS pending notification'. Person that receives such notification, must immediately file their respective ENS filing.

### 4.4.5 Split consignment

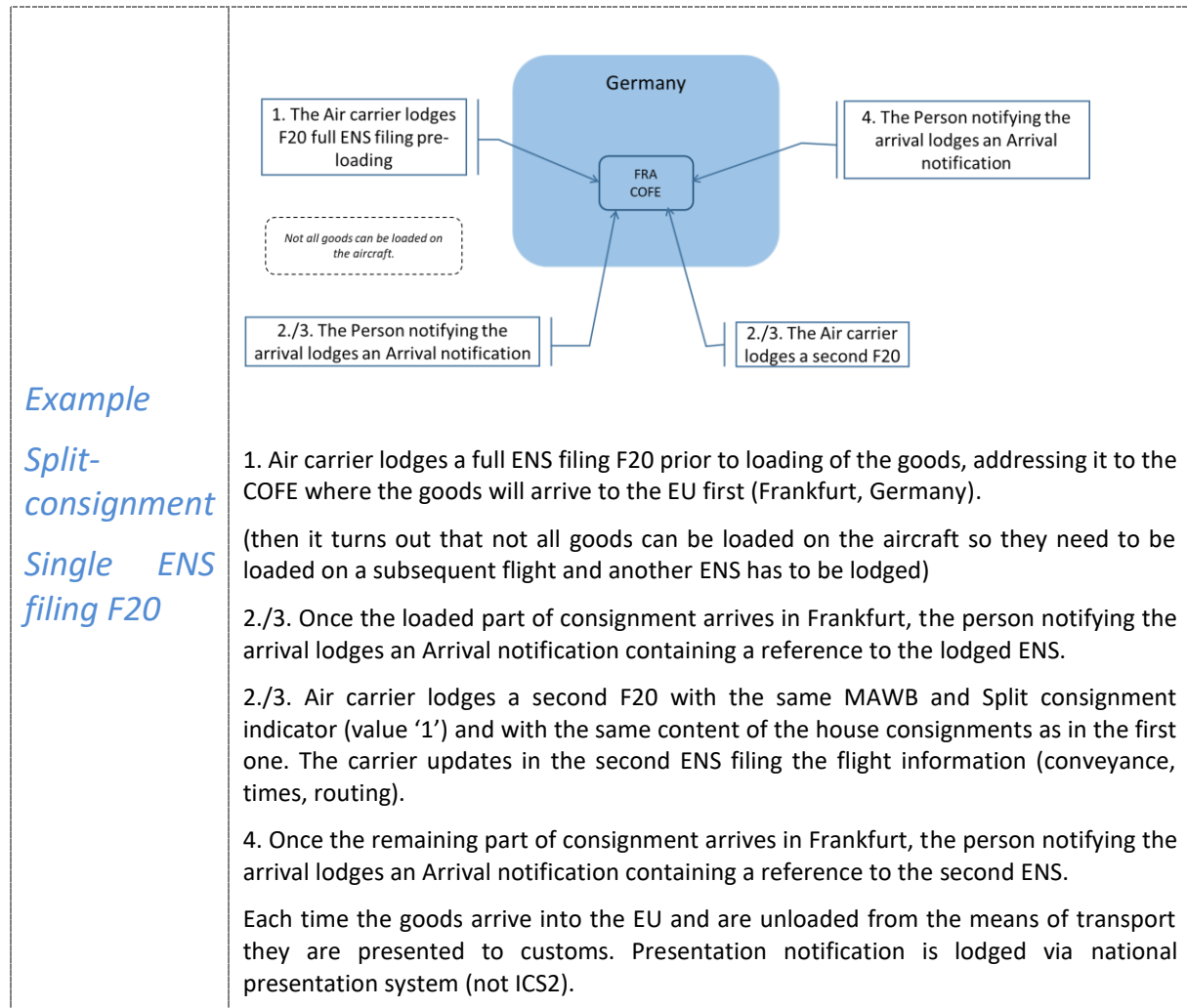
During the loading of the goods, it can be established, that not all goods covered by an ENS can be loaded on the same flight. The remaining part of the goods will be loaded onto another flight (e.g., the same or next day). These remaining goods need to be covered by a new pre-arrival ENS. If the remaining goods are transported under the same MAWB, the filing of the ENS is done in the following way:

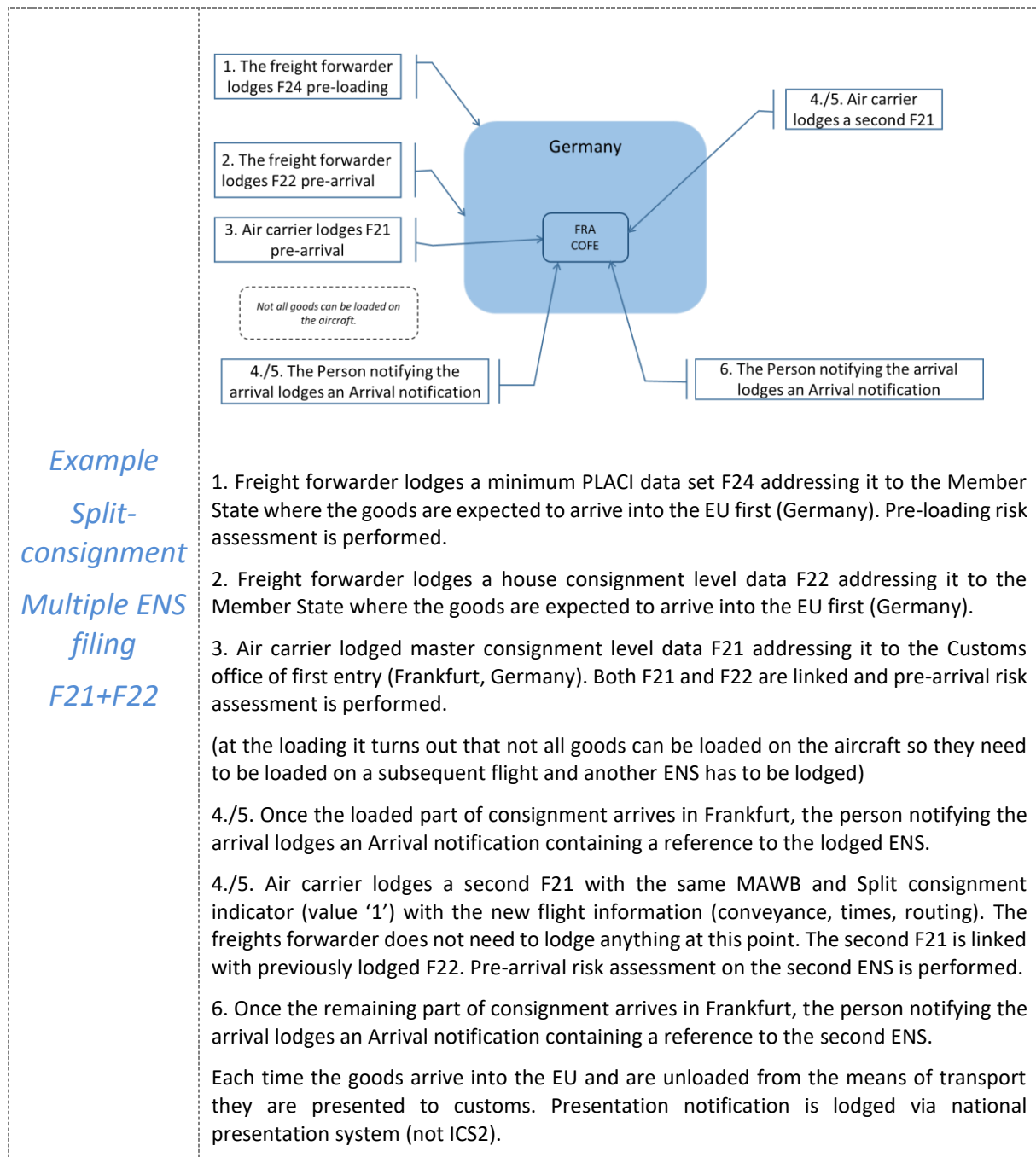
- The ENS that was lodged for the full consignment does not need to be amended to reflect the actual amount of the goods that were loaded on the aircraft.
- New ENS for the remaining goods needs to be lodged with the same MAWB and Split consignment indicator (value '1') and
  - In case the ENS was filed using F20, F27, F28 and F29 filings, information at the house level needs to be filed as in the original ENS filing, and updated information at the master level related to the means of transport, dates and times, and routing of the means of transport needs to be filed, or
  - In case the ENS was filed using F21 filing, the house filer does not need to file new the F22 or F26 filings, and the carrier needs to file updated F21 filing.

If the goods are transported under a new MAWB, then new ENS with actual information at master and house level needs to be filed.

The purpose of the Split consignment is to accommodate the unplanned split of the consignment. If the consignment is planned to be split to enter the EU via different route/different COFE, then separate ENSs have to be lodged.

The house consignments that have actually arrived are known only after the presentation of the house consignments.





## 4.4.6 Re-entry

In cases where the means of transport carrying the consignments into the EU enters, leaves and re-enters the EU, a pre-arrival ENS has to be lodged for all the goods on board of means of transport for each entry. Since only one ENS can be lodged with the same MAWB number, a re-entry indicator has to be used for the second and all subsequent ENSs.

The filing of the ENS is done in the following way:

- The first ENS is lodged for all the goods covered by a MAWB with Re-entry indicator value '0'.
- New ENS for re-entry needs to be lodged with the same MAWB and Re-entry indicator (value '1') and
  - In case the ENS was filed using F20, F27, F28 and F29 filings, information at the house level needs to be filed as in the original ENS filing, and updated information at the master level related to the means of transport, dates and times, and routing of the means of transport needs to be filed, or

- In case the ENS was filed using F21 filing, the house filer does not need to file new the F22 or F26 filings, and the carrier needs to file updated F21 filing.

If the goods are transported under a new MAWB, then new ENS with actual information at master and house level needs to be filed.

In exceptional cases it can happen that the goods are unloaded and transhipped in the 3<sup>rd</sup> country – however, if the MAWB stays the same, the new ENS with the re-entry indicator can be lodged.

### Re-entry example

Carrier lodges an F20 filing for goods arriving from China to Germany via Greece and Turkey. The F20 is lodged with COFE in Greece since the plane enters the EU in this country first. All countries of routing until final destination are indicated in the ENS. An Arrival notification is lodged for the means of transport arriving to Greece. Once arrived, the goods are not unloaded and the flight continues to Turkey. Then the aircraft heads towards Germany. Since Turkey is not an ICS2 country, the goods arriving from there to Germany need to be covered by an ENS. Another F20 with re-entry indicator (value '1') is lodged. Then another Arrival notification is lodged for this ENS upon the arrival of means of transport in Germany.

## 4.4.7 Risk assessment and referrals

Risk assessment in the pre-arrival phase will be triggered as soon as the ENS is complete. The risk assessment is performed on the entire ENS.

During the risk assessment process, the customs authority may decide to issue risk mitigating referrals (RFI) to the declarant. The carrier, if different from declarant, may also be informed about the issued referrals if he has indicated his preference to receive such notification. The types of referrals and the operational process is described in detail in ICS2 Pre-arrival referral guidance [R14].

Risk assessment is performed within the time limits prescribed in the legislation, except where a risk is identified, which requires risk mitigating referrals to be issued. If the cargo arrives before the completion of the risk assessment, it will not be released for subsequent customs formality until risk assessment on ENS is finalised and decision is made.

## 4.4.8 Assessment complete

After the pre-arrival risk analysis, the Assessment complete notification is sent to the economic operator per ENS, not per house consignment. The principles of issuing and the content of the Assessment complete notification are depicted below:

IE3N03	Pre-arrival risk analysis										
	F20	F21	F22	F23	F24	F25	F26	F27	F28	F29	F42
	Per ENS	Per ENS	Per ENS	-	-	-	Per ENS	Per ENS	Per ENS	Per ENS	Per ENS
MRN	F20 MRN	F21 MRN	F22 MRN	-	-	-	F26 MRN	F27 MRN	F28 MRN	F29 MRN	F42 MRN
Completion Date	X	X	X	-	-	-	X	X	X	X	X
Assessment Complete/receptacle	-	-	-	-	-	-	-	-	-	-	X
Assessment Complete/transport document (house level)	x* <sup>2</sup>	-	x*	-	-	-	x*	x*	-	x*	-
Responsible Member State	X	X	X	-	-	-	X	X	X	X	X
Representative	X	X	X	-	-	-	X	X	X	X	X
Transport Document Master Level	X	X	X	-	-	-	X	X	X	X	X

<sup>2</sup> x\* The list of transport documents at house level is returned only where a DNL was issued for one or several of the consignments and the assessment complete is issued not for entire ENS but only for some of the house consignments.

Carrier	X	X	X	-	-	-	X	X	X	X	X
Declarant	X	X	X	-	-	-	X	X	X	X	X

Table 5 Assessment complete notifications content for air pre-arrival

#### 4.4.9 AEO control notification

If declarant and/or carrier hold an AEO(S) status, they can be informed about the controls, if any, in advance. The AEO advance control notification can be sent after the customs authority finalises the pre-arrival risk assessment. AEO advance control notification will be sent upon decision of the Member State of Control to all the parties holding the status. If ENS is filed by several parties and one or more of them do not hold the AEO(S) status, those parties will not be informed about the controls in advance.

### 4.5 Arrival and presentation

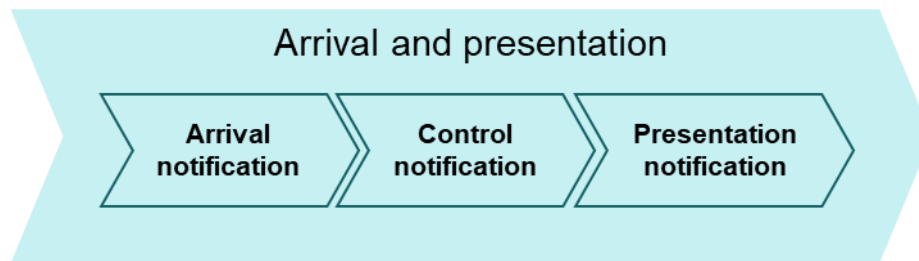


Figure 8 Steps of the arrival and presentation phase

#### 4.5.1 Lodgement of Arrival notification

Operator of an aircraft entering the customs territory of the EU must notify the arrival to the customs office of first entry upon arrival of the means of transport. The person notifying the arrival can decide where to lodge the Arrival notification – either via the ICS2 STI or the National Arrival System.

The person notifying the arrival has to provide a reference to all the ENSs that are lodged for the goods on board of the aircraft. There are three ways to do this but only one can be used per AN:

- 1) The list of the MRNs (the MRN of the ENS filing containing the master level transport information – F20, F21, F27, F28, F29, F31, F42).
- 2) The list of the MAWB numbers and the estimated date and time of arrival.
- 3) The entry key composed of flight number and the estimated date and time of arrival. Relevant ENSs will be retrieved based on the presence of these data elements. If this method is used, the estimated date and time of arrival cannot be modified and has to be the same in the ENSs and AN, even if it changes, e.g., the flight is delayed.

The Arrival notification can contain a list of notify parties that are authorised by the carrier to receive the follow up communication from COFE, e.g., ‘Arrival registration response’ with the assigned MRN and control notification.

In case the Arrival notification contains references to ENSs which are already presented or controlled elsewhere, the ‘House consignment in incorrect state notification’ listing the ENSs and the relevant house consignments in incorrect state will be communicated to the person notifying the arrival. In case the house consignments were part of re-entry/split, then no ‘House consignment in incorrect state notification’ is communicated back to the EO. If such a notification is received, it is expected from the person notifying the arrival to further investigate what is the reason for goods already presented/controlled to be indicated for arrival. This could be an indication of some misalignment in the steps of the supply chain or incorrect reference to the ENSs in the Arrival notification.

In case there is high risk identified and an immediate action is required upon the arrival of the aircraft, a ‘Control notification’ (IE3N08) is sent to the person notifying the arrival and notify party(s). If such notification is received, the goods indicated in it must be immediately presented to customs for controls, even if those goods were FROB.



The control notifications for the regular cases (not high risk cargo) are handled outside ICS2 via the national presentation systems.

## 4.5.2 Diversion

In case of a diversion of the means of transport from one COFE to another COFE there is no need to inform the declared COFE of this, it is sufficient to lodge an Arrival notification to the actual COFE (no amendment or invalidation of the ENS is needed). The relevant ENSs will be retrieved by the actual COFE based on the reference provided in the Arrival notification.

There are several diversion scenarios which determine the requirements for lodgement of an ENS or its amendment as well as arrival notification and presentation to be done by the carrier or any other relevant party.

### 4.5.2.1 Diversion to a COFE in the same country

<i>Diversion to a COFE in the same country</i>	
An aircraft is scheduled to fly from JFK (New York, US) to AMS (Amsterdam, NL). The aircraft departs as planned.	In this scenario the PALCI data is lodged to the Netherlands, as this is the country in which the goods are planned to enter the EU. The pre-arrival ENS is lodged to the COFE in Amsterdam.
Due to fog at AMS, the aircraft is diverted to land at RTM (Rotterdam, NL) instead.	Since the aircraft lands in Rotterdam, the Arrival notification is lodged to the COFE in Rotterdam. Customs retrieve related ENSs.
After landing in RTM the freight remains on board on aircraft, nothing is unloaded. After the weather clears, the aircraft continues to fly to its original destination AMS.	The cargo remains on board, thus there is no presentation to the customs at Rotterdam. In case there would be a high risk identified, the customs at Rotterdam would request the cargo to be unloaded and presented to customs for controls. Otherwise, the cargo will be flown to Amsterdam, and unloaded and presented to customs there.
After landing in RTM the aircraft is unloaded and cargo is delivered locally (into customers custody) at RTM.	The cargo is unloaded and must be presented to customs in Rotterdam. Customs controls, if any, will be performed there.
After landing in RTM the freight is unloaded from aircraft and cargo is transported to destination AMS on a different transport (aircraft or RFS).	The cargo is unloaded and must be presented to customs in Rotterdam. Customs controls, if any, will be performed there.

### 4.5.2.2 Diversion to a COFE in different country

<i>Diversion to a COFE in different country</i>	
An aircraft is scheduled to fly from JFK (New York, US) to AMS (Amsterdam, NL). The aircraft departs as planned.	In this scenario the PLACI data is lodged to the Netherlands, as this is the country in which the goods are planned to enter the EU. The pre-arrival ENS is lodged to the COFE in Amsterdam.
Due to technical problems with aircraft, the aircraft is diverted to land at BRU (Brussels, BE) instead.	Since the aircraft lands in Brussels, the Arrival notification is lodged to the COFE in Brussels. Customs retrieve related ENSs.
After landing in BRU, the freight remains on board on aircraft, nothing is unloaded. After the technical issues are resolved, the aircraft continues to fly to its original destination AMS.	The cargo remains on board, thus there is no presentation to the customs in Brussels. In case there would be a high risk identified, the customs in Brussels would request the cargo to be unloaded and presented to customs for controls. Otherwise, the cargo will be flown to Amsterdam, and unloaded and presented to customs there.

After landing in BRU, the aircraft is unloaded, and cargo is delivered locally (into customers custody) at BRU.	The cargo is unloaded and must be presented to customs in Brussels. Customs controls, if any, will be performed there.
After landing in BRU, the freight is unloaded from aircraft, and cargo is transported to destination AMS on a different transport (aircraft or RFS).	The cargo is unloaded and must be presented to customs in Brussels. Customs controls, if any, will be performed there.

#### 4.5.2.3 Diversion with a stop in a 3rd country

<i>Diversion with a stop in a 3<sup>rd</sup> country</i>	
An aircraft is scheduled to fly from BKK (Bangkok, TH) to DUB (Dublin, IE). The aircraft departs as planned.	In this scenario the PLACI data is lodged to Ireland, as this is the country in which the goods are planned to enter the EU. The pre-arrival ENS is lodged to the COFE in Dublin.
Due to technical problems with aircraft, the aircraft is diverted to land at LHR (London, GB) instead.	-
After landing in LHR, the freight remains on board on aircraft, nothing is unloaded. After the technical issues are resolved, the aircraft continues to fly to its original destination DUB.	Since the stop in 3 <sup>rd</sup> country is due to technical reasons, and the cargo is not unloaded and will continue on the same means of transport, there is no need to amend the ENS. Arrival notification is lodged in Dublin. Once the goods are unloaded, they are presented to customs in Dublin.
After landing in LHR, the freight is unloaded from aircraft, and cargo is transported to destination DUB on a different transport (aircraft or RFS).	<p>Since the cargo is unloaded and will be transported by other means, a new ENS, corresponding to the mode of transport, needs to be lodged.</p> <p>If cargo continues on road, pre-arrival ENS for road mode of transport needs to be lodged to COFE where the truck will enter the EU (currently in ICS1). There is no need for Arrival notification. Goods will be presented to the COFE upon arrival.</p> <p>If the cargo continues on air, a new pre-arrival ENSs has to be lodged. The previous ENS has to be invalidated. If ENS was lodged using multiple filings, only master level (F21) ENS filing needs to be lodged anew.</p> <p>New PLACI is not needed. Once consignment is covered by PLACI and risk assessed with AC it should be transported to the EU, without additional PLACI at transshipment.</p> <p>Arrival notification will be lodged to COFE in Dublin. The cargo is unloaded and must be presented to customs in Dublin. Customs controls, if any, will be performed there.</p>

#### 4.5.2.4 Conveyance diversion (known before departure)

<i>Conveyance diversion (known before departure)</i>	
An aircraft is scheduled to fly from BKK (Bangkok, TH) to VIE (Vienna, AT).	In this scenario the PLACI data is lodged to Austria, as this is the country in which the goods are planned to enter the EU.

Before departure it becomes clear that the aircraft has to be diverted to land in MXP (Milan, IT) instead of VIE, due to VIE airport closure.	Since the COFE changes, the ENS should be lodged to COFE in Milan. The ENS must be lodged at the latest 4 hours prior to arrival there. Arrival notification is lodged to COFE in Milan.
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#### 4.5.2.5 Technical landing in the EU for cargo that was passing through EU air space

<i>Technical landing in the EU for cargo that was passing through EU air space</i>	
An aircraft is scheduled to fly from BKK (Bangkok, TH) to LHR (London, GB). It will be crossing the air space of the EU.	No PLACI nor ENS is lodged in this scenario, as the aircraft is only passing through the air space of the EU.
Due to technical problems with aircraft, the aircraft is diverted to land at BRU (Brussels, BE).	After landing, the ENS must be lodged. Due to force majeure, the time limits for lodgement of the ENS are no longer applicable. The ENS is lodged to COFE in Brussels. Arrival notification should also be lodged to COFE in Brussels.
After landing in BRU, the freight remains on board on aircraft, nothing is unloaded. After the technical issues are resolved, the aircraft continues to fly to its original destination at LHR (London, GB).	The cargo remains on board, thus there is no presentation to the customs in Brussels. In case there would be a high risk identified, the customs in Brussels would request the cargo to be unloaded and presented to customs for controls.  [Exit formalities may apply]

### 4.5.3 Presentation of goods to customs

The goods must be presented at the customs office where the goods are unloaded from the aircraft. The presentation notification needs to refer to the previously lodged ENS.

The presentation notification is to be lodged by the carrier or other relevant party directly to the national presentation system at the MS of Presentation.

For the access and requirements please consult the published information of the respective national customs administration.

### 4.5.4 Controls of goods by customs

The controls notified after the presentation of the goods are communicated via the national presentation/control systems of the MS of Presentation and not via ICS2. Member states can also communicate control results or release of goods from the procedure if they have implemented such functionality. Such information is not communicated via ICS2.

### 4.5.5 Subsequent customs procedure

The goods can be released for a subsequent procedure only if all entry formalities have been completed – there is a lodged ENS in the first place, open referrals are closed, goods are presented, the needed controls are performed.

## 4.6 Amendment of an ENS filing

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. After the ENS filing is amended, the risk analysis process restarts.

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.

When customs authorities issued an RFI requesting the declarant to amend the ENS filing, the referral request reference has to be inserted in the respective amendment message (IE3Axx). Else, the amendment will not be recognized as an answer to the original request by the customs authority.

An ENS filing IE3Fxx is amended by its respective amendment filing IE3Axx. This message has to contain entire content of originally lodged ENS filing with amended data elements. Already amended original filings can be further amended.

#### 4.6.1 Restrictions applicable to the amendment of an ENS filing

Amendments of ENS filings are possible until either:

- The goods covered by the ENS filing to be amended have been presented to customs, or
- Where the customs office has already notified a control for the goods covered by the ENS filing to be amended.

The amendment restrictions above apply to all house consignments contained in the original ENS filing. This means, if only one house consignment of the original ENS filing is presented, no house consignment contained in that ENS filing can be amended anymore. The same applies in case control was notified.

Certain data elements in the ENS filing cannot be amended (R3024 assigned in the message specifications [R01]).

Table below summarises the non-amendable ENS data elements per type of the ENS filing:

The data elements which are not allowed to be amended per ENS filing type										
Data element	ENS filing type									
	F20	F21	F22	F23	F24	F26	F27	F28	F29	F42
../Specific circumstance indicator	X	X	X	X	X	X	X	X	X	X
../Addressed Member State			X	X	X	X				
../Representative	X	X	X	X	X	X	X	X	X	X
../Representative / Identification number	X	X	X	X	X	X	X	X	X	X
../Active border transport means / Identity	X	X					X	X	X	
../Active border transport means / Mode of transport	X	X	X			X	X	X	X	X
../ Active border transport means / Conveyance reference number	X	X					X	X	X	X
../ Consignment (Master level) / Carrier / Identification number	X	X					X	X	X	X
../ Consignment (Master level) / Consignment (House level) / Carrier / Identification number			X		X	X				
../ Consignment (Master level) / Goods item / Goods item number	X	X					X	X	X	
../ Consignment (Master level) / Consignment (House level) / Goods item / Goods item number	X		X	X		X	X	X	X	
../Consignment (Master level) / Transport document (Master level) / Document number	X	X					X	X	X	X
../Consignment (Master level) / Consignment (House level) Transport document (Master level) / Document number			X		X	X				
../Consignment (Master level) / Consignment (House level) / Transport document (House level) / Document number	X		X	X	X	X	X			
../Declarant / Identification number	X	X	X	X	X	X	X	X	X	X
../Customs office of first entry / Reference number	X	X					X	X	X	X

Table 6 Non-amendable data elements

No new house consignments can be introduced, and no new goods items can be inserted in an amendment message. New house consignments have to be declared by filing an additional ENS filing. New goods items can be added only by invalidating the original ENS filing and lodging a new one with updated information. If house consignment needs to be removed from an ENS filing, an amendment without such HC should be submitted. The ICS2 CR will invalidate the house consignment that is no longer present in the amended ENS filing.

In case a non-amendable data element such as the conveyance needs to be changed, then the initially submitted ENS filing containing this information should be invalidated and a new one should be submitted.

### Example

What should be done in case one or more PLACI house consignments indicated for transportation under a specific master transport document during pre-loading are short shipped (will not be transported with the initially planned conveyance)?

Since the master transport document cannot be amended and it needs to be accurate for the pre-loading ENS filings to be associated with the pre-arrival ENS, new pre-loading ENS filings with new MAWB number must be lodged.

## 4.7 Invalidation of an ENS filing

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 sent 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.

Where declarant wishes to invalidate the ENS filing, he sends an invalidation request (IE3Q04 message) to ICS2. Once this request is accepted, the ENS filing will be invalidated, and the declarant will be informed (IE3R07). In case the ENS filing cannot be invalidated, an error notification (IE3N01) will be returned, indicating that the ENS is not in the right state permitting the invalidation.

The invalidation restrictions apply to all HCs contained in the original house level ENS filing. This means, if only one HC of the original ENS filing is presented, that ENS filing cannot be invalidated anymore. The same applies if customs informed about controls for a specific HC– the ENS filing cannot be invalidated.

In case a non-amendable data element such as the conveyance needs to be changed, then the initially submitted ENS filing containing this information should be invalidated and a new one should be submitted.

## 5 AIR CARGO SCENARIOS

In this section some sample scenarios are explained with the aim to describe the ENS filing requirements and the place where such ENS should be lodged. ENS filing types and their combinations are for illustration only. The actual ENS filing can be done using any valid ENS filing combination.

### 5.1 Freight remaining on board

**Scenario 1:** An aircraft is scheduled to fly Dublin, Ireland (DUB) - Manchester, GB (MAN) – Amsterdam, the Netherlands (AMS). In Dublin Union goods destined to MAN and AMS are loaded on the aircraft. At the intermediate point MAN, the shipments DUB-AMS remain on the aircraft as FROB. Shipments with destination MAN are unloaded and shipments MAN-AMS are loaded.

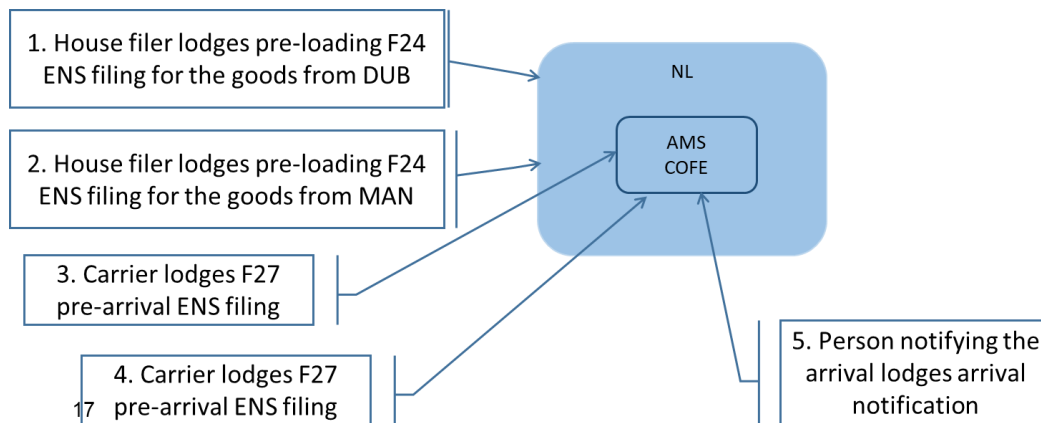


Figure 9 ENS filing for FROB

1. House level filer lodges a pre-loading F24 ENS filing to the country where the goods are expected to enter the EU (to the best of their knowledge) for the goods from DUB since they will stop in a 3<sup>rd</sup> country. The filing is lodged before loading in DUB. It is addressed to NL.

2. House level filer lodges a pre-loading F24 ENS filing to the country where the goods are expected to enter the EU (to the best of their knowledge) for the goods from MAN. The filing is lodged before loading in MAN. It is addressed to NL.

3./4. The carrier lodges a separate pre-arrival F27 ENS filing to the COFE for each consignment – the one from DUB and the one from MAN. The filing is lodged in MAN at the moment of departure. It is addressed to CODE in AMS.

5. An Arrival notification is lodged referencing the two F27 upon arrival of the aircraft in the airport of the COFE.

**Scenario 2:** An aircraft is scheduled to fly Mumbai/India (BOM) - Leipzig/DE (LEJ) - Milan/IT (MXP). In BOM goods destined to MXP are loaded on the aircraft. At the intermediate point LEJ, the shipments BOM-MXP remain on the aircraft as FROB. No shipments are loaded or unloaded at LEJ.

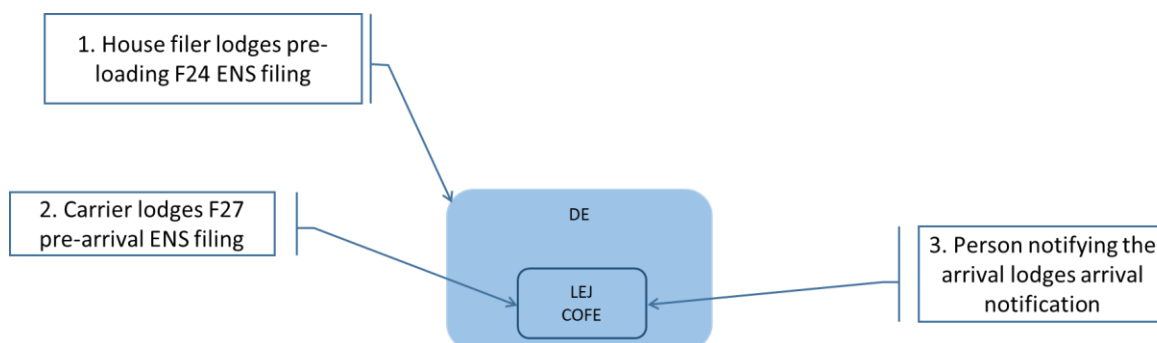


Figure 10 ENS filing for FROB (2)

1. House level filer lodges a pre-loading F24 ENS filing to the country where the goods are expected to enter the EU (to the best of their knowledge). The filing is lodged before loading in BOM. It is addressed to DE.
2. The carrier lodges a pre-arrival F27 ENS filing to the country of the Customs Office of First Entry (LEJ) in DE. This filing is lodged 4 hours prior to arrival in LEJ.
3. An Arrival notification is lodged after the arrival of the aircraft in the airport of the COFE.
4. A presentation notification (not via ICS2) is sent to the Customs where the goods are unloaded (MXP in this case).

## 5.2 Transshipment in a 3<sup>rd</sup> country

**Scenario 1:** A carrier intends to transport a shipment of Union goods from Dublin, Ireland (DUB) to Amsterdam, the Netherlands (AMS). These goods are transported on a flight F1 from DUB to MAN. There they are unloaded and transhipped, onto a flight F2 from MAN to AMS.

Also, on flight F2, the carrier loads goods originating in MAN and destined to AMS.

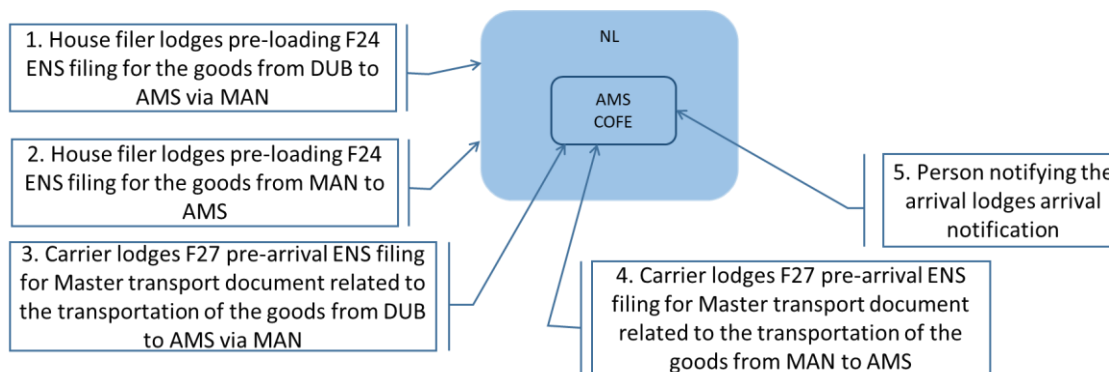


Figure 11 ENS filing for transhipped consignment

1. House level filer lodges a pre-loading F24 ENS filing to the country where the goods are expected to enter the EU (to the best of their knowledge) for the goods from DUB to AMS via MAN (since they have exited the EU). The filing is lodged before loading in DUB. It is addressed to NL.
2. House level filer lodges a pre-loading F24 ENS filing to the country where the goods are expected to enter the EU (to the best of their knowledge) for the goods from MAN to AMS. The filing is lodged before loading in MAN. It is addressed to NL.
3. The carrier lodges a pre-arrival F27 ENS filing to the COFE for the goods from DUB to AMS via MAN. The filing is lodged in MAN at the moment of departure of the aircraft. It is addressed to COFE (AMS) in NL.
4. The carrier lodges a pre-arrival F27 ENS filing to the COFE for the goods from MAN to AMS. The filing is lodged in MAN at the moment of departure of the aircraft. It is addressed to COFE (AMS) in NL.
5. An Arrival notification is lodged referencing the two F27 upon arrival of the aircraft in the airport of the COFE.

**Scenario 2:** Shipment AWB1 is transported from Singapore (SIN) to Frankfurt, DE (FRA) and is flown from Kerala, India (TRV) via Dubai, UAE (DXB) to Frankfurt, DE (FRA). Shipment AWB2 is transported from Seoul, Korea (ICN) to Frankfurt, DE (FRA) and is loaded on the same plane in Dubai, UAE (DXB) destined to FRA.

For PLACI filing in pre-loading there are two options:

- The PLACI is lodged prior to loading at the origin airport. Then at the intermediate airport they are either FROB (AWB1) or are transhipped (AWB2).
- The PLACI is lodged in the last airport where they are loaded on the aircraft that will bring them to the EU. For this filing the pre-loading information should be made available to the parties at this airport.

For the pre-arrival filing two separate ENSs should be lodged – one for each MAWB. ENS should be lodged before the last foreign airport before entering the EU. Estimated date and time of departure will be date and time when it is estimated that plain will leave the DXB – last foreign airport before entering the EU.



## 5.3 Postal consignments

Postal shipment from Mexico via US to Europe, the carrier from Mexico to US is Air Mexico, the carrier from US to Europe is Delta.

**Scenario 1:** Mexico Post creates consignment from Mexico to Europe and consigns it to both Air Mexico and Delta. The consignments are transported in open transit.

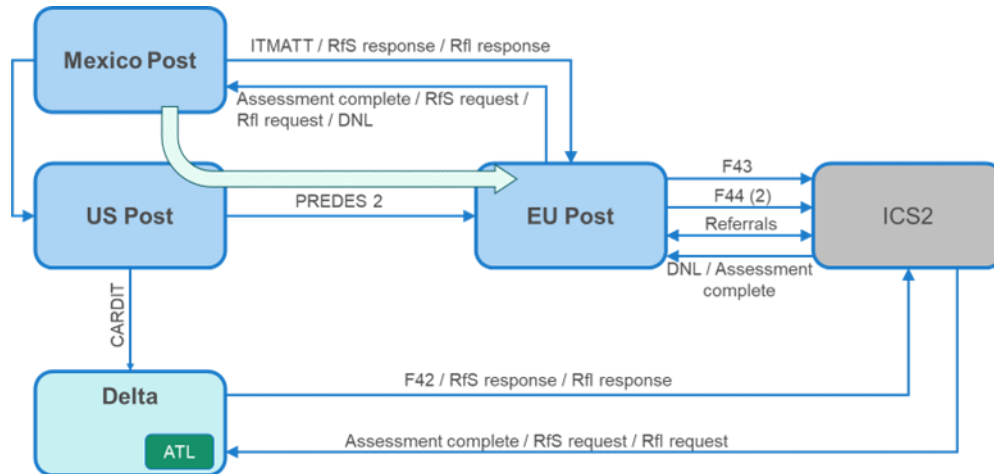


Figure 12 Open transit (Non-EU1 – non-EU2 – EU)

1. Origin (MX) postal operator sends ITMATT to destination (EU) postal operator. Origin (MX) postal operator send PREDES to the transit (US) postal operator (PREDES 1).
2. Destination (EU) postal operator lodges F43 filing based on received ITMATT to the EU MS of destination.
3. Transit postal operator opens the receptacles and makes new receptacles for destination postal operator and sends PREDES to destination (EU) postal operator (PREDES 2).
4. Destination (EU) postal operator lodges F44 filing based on PREDES 2 to the EU MS of destination.
5. Carrier in US lodges ENS (F42) to ICS2 addressing it to the COFE. It should be based on CARDIT from PO in US.

**Scenario 2:** Mexico Post creates consignment from Mexico to US where USPS picks it up and creates a consignment from US to Europe. The consignment is transported in closed transit.

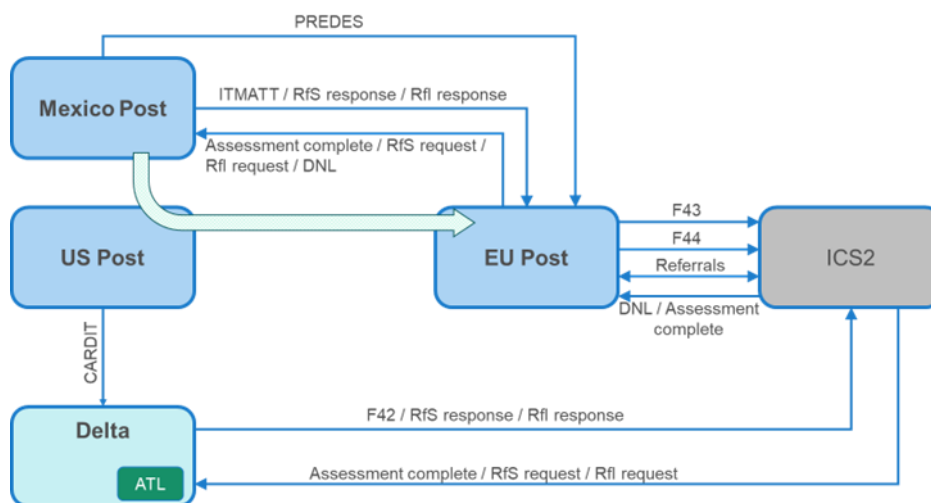


Figure 13 Closed transit (Non-EU1 – non-EU2 – EU)

1. Origin (MX) postal operator sends ITMATT and PREDES to destination (EU) postal operator.



2. Destination (EU) postal operator lodges F43 and F44 filings based on received ITMATT and PREDES to the EU MS of destination.

3. Carrier in US lodges ENS (F42) to ICS2 addressing it to the COFE. It should be based on CARDIT from PO in US who scans the received closed receptacles and creates the CARDIT.

## 5.4 Consignments sent by ETOEs

There are two possible models to be used for sending consignments from ETOEs:

1) **Postal business model** – when consignments are sent as postal consignments under the UPU rules. Such consignments can be sent to any EU based postal operator (EU DPO), the postal operator that is the owner of the ETOE and any other ETOE based in the EU.

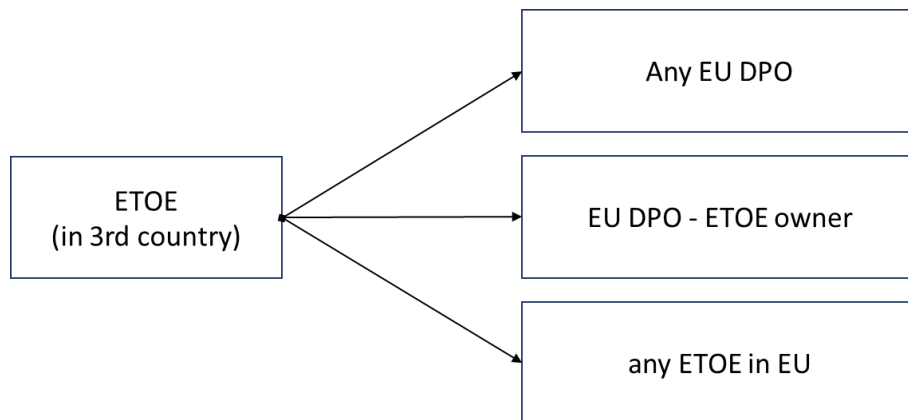


Figure 14 Sending of ETOE consignments as postal consignments

In this case the postal model applies in ICS2 where ENS is lodged using the postal operator ENS filings F43 and F44 in pre-loading and carrier filing F42 in pre-arrival phase. More detailed guidance is provide in the ICS2 R2 Operational guidance for postal consignments [R16].

2) **Air cargo general** – when consignments of ETEO are transported as air cargo general, not using postal documentation. Consignments can be transported to any logistics operator (carrier, freight forwarder, broker, etc.) or any other ETOE in the EU.

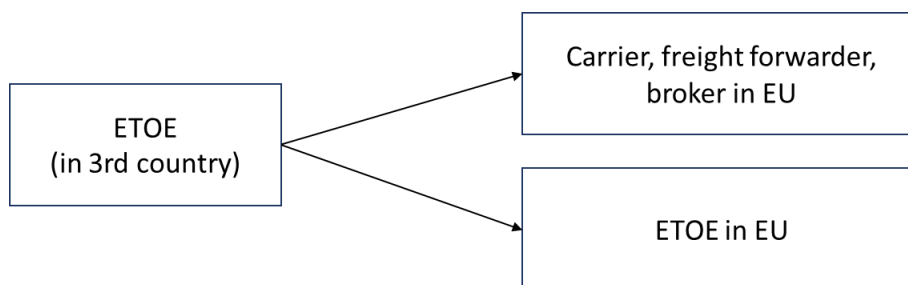


Figure 15 ETOE consignments sent as air cargo

In this case ENS requirements for air cargo general apply. At least PLACI data must be lodged for pre-loading and a complete ENS for pre-arrival. For ENS filing options see 4.2.1

In air cargo general postal receptacle is normally not considered as a transport equipment however the receptacles could be declared as such in air cargo filings in order to provide information where specific house consignments are transported and to facilitate their presentation in case of controls.

### Example

Postal consignments sent as cargo from ETOE located in US, the owner of the ETOE is French post and Italy is

Option 1: carrier and house filer (ETOE or FF, or agent etc.) file the ENS via multiple filings. The house filer files PLACI using F24 or F23+F25 ENS filing and F22 for pre-

	<p>final destination of the transport, direct flight.</p> <p>French Post owns ETOE in United States of America. Since EU destination country Italy (COFE is Milan) does not allow import/entry of ETOE flows as postal consignments, postal consignments in US-ETOE are transported as air cargo to Italy. In US-ETOE house consignments are equipped as postal items (CN22/23, ITMATT) and packed into receptacles. Receptacles are consolidated into cargo look-like formations.</p>	<p>arrival phase providing the data at the lowest HAWB level (real sender of the goods and real receiver).</p> <p>The carrier files F21 ENS filing in pre-arrival containing master level ENS data only.</p> <p>Option 2: I ETOE or FF, or agent etc. provide all the necessary data to the carrier. The air carrier lodges both pre-loading and pre-arrival ENS filings (any combination).</p>
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For the purpose of ICS2, either the cargo principle should be applied throughout the transport chain, from origin country to destination, until EU entry formalities are completed (at customs office of the first entry) or postal business model shall be used, from origin to destination. Hybrid scenarios, when UPU postal consignments become cargo or vice-versa, before ICS2 entry formalities are completed, are not allowed.

After ICS2 entry formalities are completed, the arrangements for further EU import formalities depend on the agreements between persons, who performed entry formalities and other involved actors in the supply chain (agents, freight forwarders, designated postal operators etc.).

## 6 DATA REQUIREMENTS

ENS data requirements for each ENS filing type, as well as the Arrival notification are defined in detail in the Annex B of the UCC DA [R04] and UCC IA [R05]. The Annex B also provides the data structures and formats that have to be followed.

Further guidelines for the structure and the content of the ENS filings will be provided in the ICS2 EO Message guidance [R08].[Under development]

Limited guidance on completion of the ENS data is provided below.

### 6.1 Data consolidation on master level

As described in section 4.2 the ENS is composed of master and house consignment levels each having its own underlying goods items. In case of consolidated cargo provision of same detailed information about the goods at both master and house consignment level is redundant. For this reason, in case of the ENS filings F20, F21, F27 and F31 where the cargo at master level is consolidated from many underlying house consignments, the data provided on the master consignment level can be declared as follows:

- Only one goods item should be declared.
- Description of goods at master level can be replaced by the statement 'Detailed goods description as provided from the house level', provided that the detailed information is filed on the house level. In case the detailed house level information is not provided, the carrier will be requested to amend the ENS filing and provide the missing information, e.g., via the referral process.
- Commodity code is a mandatory data element and must be declared. In the case of consolidation at master level only one commodity code should be provided (to be chosen from any of the valid commodity codes at house consignment level).
- Weight at goods item level must be the total gross mass of all transported house consignments under the particular master transport document.
- Packaging should indicate the total number of packages of all transported house consignments under the particular master transport document. The shipping marks can be replaced with 'Provided at the house level'.

At house consignment level all the above information must be declared for each goods item without any consolidation.

### 6.1 Completion of data elements

Data element name	Description
LRN	Unique reference assigned to the ENS filing by the declarant. It is used for mapping of the assigned MRN reference to that ENS filing. The data should fit the format an..35. Uniqueness period is not defined so it should always be unique.
Document issue date	This is a timestamp when ENS was generated and lodged. Date/time format is ISO8601 basic format for date/time. Time part is expressed in 'zulu time' and it corresponds to UTC time.
Re-entry indicator	This indicator is to be used when goods, for which ENS was already lodged upon their first entry into the territory of the EU, are re-entering under the same master transport document and on the same means of transport.
Split consignment	This indicator is to be used when not all the goods declared under one ENS could be loaded on means of transport and a second ENS needs to be lodged for the remaining part of the consignment.
Type of person	The type of person (CL729 – natural person, legal person, association of persons) is indicated for the relevant party in the ENS filing.
Countries of routing of the means of transport	All countries, where conveyance stops, on the route to the destination in the EU.
Countries of routing of consignment	The routing of the consignment can differ from the routing of the means of transport since before being transported with the latest conveyance entering the EU it can be previously transported via different countries.

Estimated date and time of departure	Estimated date and time of departure will be date and time when it is estimated that plain will leave last foreign airport before entering the EU. Estimated and scheduled date and time has the same meaning. Estimated date and time of departure should be indicated in UTC as any other date and time data element.
Estimated date and time of arrival	This is an Estimated date and time of arrival at COFE. Estimated and scheduled date and time has the same meaning. Estimated date and time of arrival should be indicated in UTC.
Container indicator	This data element is mandatory and the declarant needs to indicate (use code from code list CL708) whether: <ul style="list-style-type: none"> <li>• 0 - Goods not transported in containers;</li> <li>• 1 - Goods transported in containers.</li> </ul> In case of containerised cargo (in ULD) code list value '1' should be used together with the details on container used to transport consignment. In all other cases (lose load, bulk, pallets) the value '0' should be used.
Transport charges / Method of payment	The method of payment for the transport charges (CL116 – payment in cash, by credit card, electronic funds transfer, etc.)
Place of delivery	The place where the house consignment is to be delivered to the consignee. UN/LOCODE should be declared. Where UNLOCODE does not exist, a name of location and a country code is provided.
Place of acceptance	The place where the goods are accepted for the transportation. UN/LOCODE should be declared. Where UNLOCODE does not exist, a name of location and a country code is provided.
Transport equipment	The identification of the container where the goods are transported in case containers are used. In such case the 'Container indicator' should be filled in containing value '1'.
Total gross mass	The total mass of the goods with all packing materials. This information has to be provided at house consignment and at master consignment level. For consolidated cargo see 6.1
Supplementary declarant	Supplementary declarant is a party which is indicated in the carrier/other house filer ENS filing as a party having a legal obligation to lodge the missing ENS particulars at the level of the lowest house air waybill. In the case of carrier filing (F21), the carrier will indicate one Supplementary declarant. At house level filing (F22, F26) the declarant can indicate a supplementary declarant for each house consignment.
Reference number/UCR	Unique consignment reference number assigned by the express operator to the consignment. It is mandatory to be declared for express consignments on house consignment level and is used in combination with the transport document reference number to uniquely identify the house consignment.
Consignor	The party consigning goods as stipulated in the transport contract by the party ordering the transport. Party consigning goods as stipulated in the transport contract by the party ordering the transport must be provided at the master consignment level. Party consigning the goods as stipulated in the lowest House Air waybill must be provided at house consignment level. This person must be different from the carrier, freight forwarder, consolidator, postal operator, or customs agent.
Consignee	The party to whom goods are actually consigned. Party to whom the goods are actually consigned must be provided at the master consignment level. Party receiving the goods as stipulated in the lowest House Air waybill must be provided at house consignment level. This person must be different from the freight forwarder, (de)consolidator, postal operator, or customs agent.
Declarant/Communication	Contact details (e-mail and/or phone) of the 24/7 contact point for referrals should be declared in this data class.

Table 7 Completion of data elements

## 6.2 Missing and incorrect data elements

In case the data of the submitted ENS filings are not valid as per the defined syntactic and semantic rules, the ENS filings are rejected via 'Error notification' (IE3N99). The ENS filing is in status 'Rejected' and is not considered

as registered/accepted by the customs authorities. The corrections to the ENS filing should be made and the ENS filing should be re-submitted within the expected time limits.

The possible reasons for the rejection could be a missing mandatory data, code list violation, format violation, etc. There are uniqueness checks performed for the used LRN, master transport document reference, the house consignment identifier, which can also result in the rejection of the ENS filing.

In case the ENS filing data is provided in an encoding different from Latin, Cyrillic or Greek, then it is automatically rejected.

## 6.3 Poor data quality

ICS2 checks data quality of the ENS filings, which can be rejected due to poor data quality, even if they are successfully validated for syntax and semantics.

Below are examples of inadequate data quality:

1. **Goods description** – unacceptable goods descriptions - terms too vague, not in line with the guidance such as 'not specified', 'goods description', etc.:

<i>Example</i>	<pre>[...] &lt;goodsItemNumber&gt;1&lt;/goodsItemNumber&gt; &lt;postalValue currency='GBP' value='0.00'/&gt; &lt;typeOfGoods&gt;11&lt;/typeOfGoods&gt; &lt;commodity&gt;   &lt;descriptionOfGoods&gt;<b>Not Specified</b>&lt;/descriptionOfGoods&gt; &lt;/commodity&gt; [...]</pre>
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2. **Party names** - 'Not Specified', 'Unknown', 'Consignee Name', 'Consignor name', 'N/A' etc.:

<i>Example</i>	<pre>[...] &lt;consignee&gt;   &lt;name&gt;<b>Consignee Name</b>&lt;/name&gt;   &lt;address&gt; [...]</pre>
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3. **Address:**

- Address/Number – if provided, the street number is submitted together with street name, in the street name line 1 field, while in the street number field is filed with '9999999999';

- In the absence of the number in the address, 'N/A' should be provided;

- When number is provided together with the street name, it should also be provided in the street number.

<i>Example</i>	<pre>[...] &lt;address&gt;   &lt;city&gt;KLAIP DA&lt;/city&gt;   &lt;country&gt;LT&lt;/country&gt;   &lt;subDivision&gt;KLAIP DA&lt;/subDivision&gt;   &lt;streetNameLine1&gt;<b>19-7 J. ZAUERVEINO GATV;KLAIP DA</b>&lt;/streetNameLine1&gt;   &lt;postCode&gt;92122&lt;/postCode&gt;   &lt;number&gt;<b>99999999999999999999999999999999</b>&lt;/number&gt; &lt;/address&gt; [...]</pre>
	<pre>[...] &lt;address&gt;   &lt;city&gt;Not Specified&lt;/city&gt;   &lt;country&gt;FR&lt;/country&gt;   &lt;subDivision&gt;Not Specified&lt;/subDivision&gt;   &lt;streetNameLine1&gt;LIEU PIT ST QUENTIN;Not Specified&lt;/streetNameLine1&gt;   &lt;postCode&gt;47330&lt;/postCode&gt;   &lt;number&gt;<b>99999999999999999999999999999999</b>&lt;/number&gt;</pre>

```
</address>  
[...]
```

Address processing guidance [R15] provides rules and examples for correct declaration of the address details in the ENS.

## 7 PROCESS HANDLING IN ICS2 SYSTEM

ICS2 system implements handling of the advance cargo information and communication between the customs authority and the economic operators. The ICS2 system supports the following core processes:

- Lodgement and validation of ENS filings;
- Generation of Assessment complete/DNL notifications;
- Handling of referrals (Request for Information (RFI), Request for Screening (RFS));
- Amendment of ENS filings;
- Invalidation of ENS filings;
- Lodgement of an arrival notification for the means of transport;
- Control notifications at arrival (including advanced control notification for authorized economic operators) by customs, if required;
- Consultation of an ENS filing and notifications.

Lodgement of the Presentation notification (PN) and control notification that follows are not supported by ICS2. These processes are implemented in national presentation systems. Customs authorities should be consulted on system specifications and operational process guidance/instructions.

The parties interacting with ICS2 can receive, during the different stages of the ICS2 process, the following notifications:

Message number	Message title	Description
IE3R01	ENS registration response	Contains the allocated MRN
IE3N01	ENS lifecycle validation error notification	Sent when the ENS filing is lodged as a duplicate
IE3N03	Assessment complete (AC) notification	Sent per house consignment during pre-loading and per ENS during pre-arrival
IE3Q01	DNL request	
IE3Q02	Additional information request	RFI request
IE3Q03	High Risk Cargo & Mail screening request	RFS request
IE3N02	ENS not complete notification	Full ENS can consist of one master level ENS filing and one or several house level ENS filings. Normally house level ENS filings are lodged before master level ENS filing is lodged. Nevertheless it can happen that e.g., one house level ENS filing is not lodged and ENS is not complete. In such case IE3N02 will be sent to master level ENS filer for information that ENS is not complete.
IE3N04	Additional information request notification	Sent to carriers (indicated in ENS) for information purposes only when RFI is issued to the house filer.
IE3N05	High risk cargo & mail screening request notification	Sent to carriers (indicated in ENS) for information purposes only when RFS is issued to house filer. Upon reception of such a notification carrier can plan its activities as well, e.g., make the goods available for HRCM screening if the goods are already handed over to the carrier.
IE3N07	House consignment in incorrect state notification	upon arrival carrier or person notifying arrival should lodge arrival notification (IE3N06) in the ICS2 or by using services provided by Member State where consignments has actually entered the customs territory of the EU. IE3N06 is registered and then validated. One of the validations applied is to check the state of house consignments (HC) from the related ENS. If HC is already in the state 'Presented' or 'Controlled' EO (person filing, person notifying arrival and notify party) will receive IE3N07 with description which HC is in incorrect state. For this HC it is not possible to change the state to 'Arrived'.

IE3N08	Control notification	Sent to person notifying the arrival and notify party after Arrival notification when high risk is identified and immediate intervention by customs is needed at COFE.
IE3N09	AEO control notification	Advance control notification for AEO(S) holder.
IE3N10	Amendment notification	Send once the amendment request is validated, accepted and the ENS filing is amended.
IE3N11	ENS pending notification	Full ENS can consist of one master level ENS filing and one or several house level ENS filings. Normally house level ENS filings are lodged before master level ENS filing is lodged. Nevertheless it can happen that e.g., one house level ENS filing is not lodged and ENS is not complete. In such case IE3N11 will be sent to person that has not filed yet as a reminder to lodge missing ENS filing. The person filing who has not filed yet is identified based on the supplementary declarant indicated in the upper level ENS filing.
IE3N99	Error notification	

## 7.1 Notification configuration

ICS2 system sends a number of notifications during the risk assessment to the person filing (master or house level ENS filing) and the carrier, if different from the person filing (e.g., for ENS filings that are lodged by house filer). Each economic operator, depending on their role, can configure, if they want, to receive those notifications that are optional for their role. If the carrier is the same as person filing, then the preferences of the person filing are taken into account.

Notification	Person filing	Carrier
ENS registration response notification (IE3R01)	Mandatory	Yes/No (Configurable by the EO)
Additional information request (IE3Q02)	Mandatory <sup>3</sup>	N/A
ENS not complete notification (IE3N02)	Yes/No (Configurable by the EO)	N/A
High Risk Cargo & Mail screening request (IE3Q03)	Mandatory <sup>4</sup>	N/A
Assessment complete notification (IE3N03)	Yes/No (Configurable by the EO)	Yes/No (Configurable by the EO)
Additional information request notification (IE3N04)	N/A	Yes/No (Configurable by the EO)
High risk cargo & mail screening request notification (IE3N05)	N/A	Yes/No (Configurable by the EO)

Table 8 Notification configuration

The 'DNL Request' (IE3Q01) is mandatory and is always communicated to both the person filing and the carrier, if different from the person filing. 'Assessment complete notification' is an optional notification, nevertheless, it is always generated by the system, but does not have to be received by the person filing. The goods may be loaded on the means of transport without the 'Assessment complete notification' at the responsibility of the carrier. For this reason, 'Assessment complete notification' might be required to be provided to carrier by house level filers, e.g., freight forwarders, postal operators.

<sup>3</sup> When the RFI Request is issued to the Person filing.

<sup>4</sup> When the RFS Request is issued to the Person filing.



## 7.2 Consult ENS

Each EO can make a request (IE3Q05) to retrieve a particular ENS filing information such as related notifications and entity states.

The returned information (IE3R08) corresponds to the access rights of the specific EO for the particular ENS filing. It is not possible to query information related to ENS filings which are not lodged by the requester. For example, the filer of a master level filing cannot request information related to an ENS filing submitted by a house level filer.

The returned information does not include the ENS filing content as such. The main purpose of ENS consultation request is to get information (e.g., entire history) what has happened with the particular ENS and what is its current state. ENS consultation can be triggered in case e.g., some notifications from ICS2 were lost and the declarant is not aware of current ENS state. ENS states are defined in code list CL744 State code and can be e.g., accepted, arrived, invalidated.

### Example

A master ENS filing F21 is submitted to ICS2. For some reason, the Declarant of F21 needs to retrieve the status of the processing of the ENS filing. In order to retrieve the history of the related in ICS2 information an ENS Consultation request (IE3Q05) is sent by the EO with the Transport document (Master level) reference and the related notifications requested. Then all related entities such as master consignment, ENS filing, and their states are returned. In addition, as per the request the related notifications are communicated back to the EO – IE3N01 ENS lifecycle validation error notification, IE3N02 ENS not complete notification, IE3N03 Assessment complete notification, IE3Q02 Additional information request, IE3N04 Additional information request notification, IE3N08 Control notification, IE3N09 AEO control notification, IE3N10 Amendment notification, IE3Q01 DNL, IE3R07 Invalidation acceptance response (whichever are applicable). Only the entities and the notifications related to the master ENS filing are retrieved and returned, the ones related to the linked house consignments are not returned.

## 7.3 Business continuity

In case of unavailability of:

- electronic system of the economic operator;
- electronic national customs application or supporting system;
- central component;

the declarant must apply the commonly agreed procedures elaborated in the ICS2 Business Continuity Plan [R02].

## 7.4 Connecting air carriers to ICS2

Connection of all parties filing ENSs for air cargo to ICS2 is done within a deployment window, which, according to the UCC Work Programme [R10], lasts between 1 March 2023 and 2 October 2023. Since the ENS can be filed using multiple ENS filings and it is only instantiated when the master level ENS filing is lodged by a carrier, the air carriers need to be connected to ICS2 and start filing before any other type of filer.

It should also be noted that the express and postal operators are already filing pre-loading ENSs and house level ENS filings (F43 and F44) in ICS2. However, these ENS filings need to be filed in new version of the messages adapted for R2 (these filings are linked and associated with the carrier filing) and for this reason the express and postal operators have to migrate their current filings into R2. This migration should only happen after air carriers are connected and filing into ICS2.

Since deployment window can be granted to any type of the economic operators, they need to be organised in a sequence. The duration of the deployment window for the air carriers is shorter in order to give time for the house filers to connect.

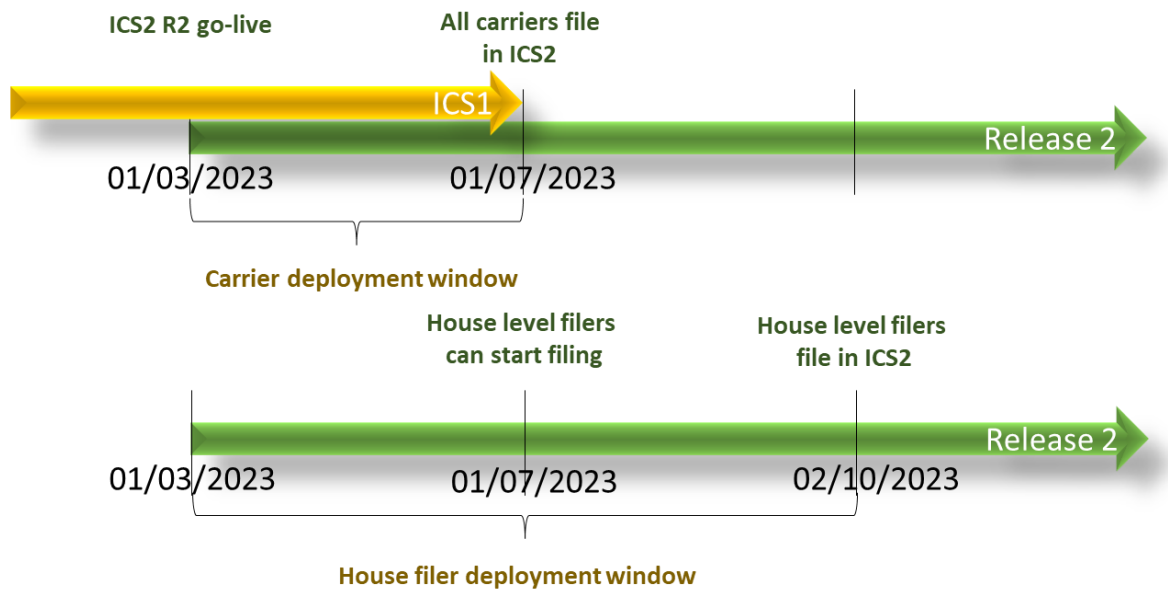


Figure 16 Air carrier and house filer deployment windows

As long as the air carriers are not connected to ICS2, they need to continue filing their ENSs in ICS1. All ENSs for air cargo general that were lodged into ICS1 must be finalised in ICS1 by lodging arrival and presentation notifications, if applicable, to that system. As soon as the carrier has started filing into ICS2, they can no longer continue filing new ENSs into ICS1.

House filers can start filing into ICS2 from 1 July 2023 (after air carriers have started filing) and must finish their deployment by the end of their deployment window, but not later than 2 October 2023.

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*End of document*