



INFOSESSIE: ICS2 R3

FAQ – VERSIE 2

05/2024

[Deze FAQ is een aanvulling op de presentatie die gegeven werd op 02/05/2024 \(website Nationaal Forum\).](#)

General

1. Basic overview (preferably schematic) of what ICS2 will entail and useful difference compared to the current process (cf. decartes) → with sufficient attention to multiple filing.
 - ⇒ *In brief, a range of mandatory and more detailed information about the goods being transported will need to be electronically submitted in a EU data Hub. ENS are now filled on a national level*
 - *6 digit HS-code*
 - *Master ó House*
 - *A complete and accurate commercial description*
 - *Additional details of parties involved (for instance, seller, buyer, ..)*
 - *The EORI numbers of the parties involved (if any)*
 - ⇒ *Multiple Filing: A multiple filing means that an ENS is composed of two or more partial ENS filings (i.e. two or more prescribed data sets), which together form an ENS declaration.*

Timing

2. For containers, there is also pre-departure information. The principle is "Declarants will receive various notifications depending on the progress of the business process, i.e. Registration response (with MRN) or Error notification (in case of unsuccessful validation), Assessment complete notification (when risk analysis was performed and 'Do not load' was not issued) or 'Do not load request' (when serious risk was identified)." However, customs sometimes speak of 'arrival with incomplete ENS'. Is this possible for containers? Is it allowed to load a container for which no "assessment complete notification" has been received? If so, what are the consequences if the ENS was not submitted / completed on time by the house filer?

*In the scenarios **the carrier is acting as person** filing (by lodging F10, F11, F12 and F13 or air F20, F21, F27, F28, F29), then they will receive the notifications related to the messages filed (when applicable).*

However, the economic operator (EO) will have to setup its default communication path and notification preferences via the Shared Trader Portal (STP). Then they will receive the notification via S2S or U2S, depending on what channel they used in the configured default communication path.

The following messages will always be sent to the person filing, when applicable:

- *IE3R01 (ENS Registration Response);*
- *IE3R07 (Invalidation Acceptance Response);*
- *IE3R08 (ENS Consultation results);*
- *IE3N01 (ENS lifecycle validation error notification);*

- IE3N02 (ENS not complete notification);
- IE3N03 (Assessment complete);
- IE3N07 (House consignment in incorrect state notification) – as of ICS2 Release 3 (applicable only to maritime);
- IE3N08 (Control notification) – as of ICS2 Release 3 (applicable only to maritime);
- IE3N09 (Authorized Economic Operator control notification);
- IE3N10 (Amendment Notification);
- IE3N99 (Error notification);
- IE3Q01 (Do Not Load request); not present yet for maritime only for air sector
- IE3Q02 (Additional information request);
- IE3Q03 (High Risk Cargo & Mail screening request)

Source: [Website Taxud](#)

On the 'arrival with incomplete ENS'?

For the pre-departure information, The goods can be loaded at any time after the sending of the pre-departure information as long as the DNL is not received. . If it is still loaded while a DNL was sent the goods won't be accepted at discharge, penalties & fines may be applicable. If a DNL is issued after the loading it must be removed.

3. Can an ENS update still be sent while the container has already been loaded? If so, until when? Are there any consequences or conditions attached to such an update?

Amending: an ENS may be amended after lodging, except where:

- *the Customs Authority has informed the declarant that they intend to examine the goods;*
- *the Customs Authority has noticed that the particulars of the ENS are incorrect;*
- *the goods have already been presented to customs.*

When an amendment has been lodged, the Customs Authority will perform a new risk analysis. Invalidating: when the goods for which an ENS has been lodged are not brought into the customs territory of the Union, the Customs Authority will invalidate the ENS upon application by the declarant or within 200 days after the lodgement of the ENS

Source: [Website Europe.eu](#)

4. Selection and notification of controls based on ENS in the port of discharge. How long before arrival are these communicated to the agent in the port of discharge? Is there a difference in this regard for AEO/non-AEO certified carrier and/or agent?

For control at first entry:

AEO & Non AEO operators will receive control at first entry notification at the same time

For control at destination:

- *AEO operators will receive the control notification as soon as the risk analysis is done, before the arrival of the goods.*
- *NON-AEO operators will receive the control notification upon presentation of the goods to the customs (PN or combined TSD sent)*

5. In case of selection and control based on ENS regarding a shipment with ENS dual filing, is the control also notified to the house filer (since he is also the declarant)?

ICS2 system needs to know the details of the EO (primarily, the partyID) to determine how to dispatch the messages or notifications and will use the channel used by the person filing to dispatch messages.

Meaning, ICS2 will dispatch the messages and notifications to the EO via S2S if that was the way the filing was lodged. Otherwise, will send the notifications via U2S if the U2S was the channel used by the person filing.

For notifications for EO that are not the person filing, the system will act depending on the preferences set by the actor via the STP)

By default, following notifications are sent both via U2S and S2S channel:

- *IE3Q01 (Do Not Load request);*
- *IE3Q02 (Additional information request);*
- *IE3Q03 (High Risk Cargo & Mail screening request).*

Source: [Website Europe.eu](http://Website.Europe.eu)

6. What about a master bill of lading made to order blank / goods being sold floating (by)? At pre-departure/ at the time of filing the ENS, no consignee-seller information is known? This must be able to be submitted later, until when can this be done (goods can still be sold at any time), and are there any consequences or conditions attached? In our opinion, this is a different question from 3, because it concerns data that are not known pre-departure, while 3 can also involve a correction.

There are two waivers to the obligation to fill the Buyer and Seller data

- *Not required for FROB (freight remaining on board)*
- *Or alternatively owner of the goods in the case consignment does not involve commercial transaction*

Liability

1. Who is responsible for the content of the ENS filing? Each of the submitting parties (house filer and master filer) for their part? (cf. smuggling cases with incorrect goods description)?

In general, the carrier bringing the goods into the customs territory of the European Union is obliged to lodge an ENS for those goods [Article 127 (4) UCC]. When the carrier does not have all legally required particulars of the ENS at its disposal, those particulars are to be filed by the person who holds those particulars and did not share them with the carrier. This will eventually enable the carrier to lodge a complete ENS [Article 127 (6) UCC; case of multiple filing].

Depending on the mode of transport, the ENS is to be filed within the following time limits:

Transport by sea:

- *At the latest two hours before the arrival of the vessel at the first port of entry into the Union in case of goods coming from Greenland, Faeroe Islands, Iceland, ports on the Baltic Sea, Black Sea, Mediterranean Sea or Morocco;*
- *The same two hours apply in cases where the goods are coming from other third country territories and enter the customs territory of the Union, the French overseas departments, the Azores, Madeira or the Canary Islands and the duration of the vessel's journey is less than 24 hours;*
- *At the latest four hours before the arrival of the vessel for bulk cargo in other cases than a) or b) above;*
- *For containerised cargo in other cases than a) and b) 24 hours before the goods are loaded onto the vessel which will bring them into the customs territory of the Union.*

Transport by inland waterways:

- *The ENS shall be lodged at the latest two hours before the goods arrive at the entry point of the Union.*

Transport by rail:

- When the train voyage takes less than two hours from the last train formation station outside the customs territory of the Union to the first point of entry into the customs territory, the ENS is to be lodged at the latest one hour before the train arrives at the border entry point of the Union;
- In other cases than those mentioned under h), the ENS is to be lodged at the latest two hours before the train arrives at the entry point of the Union.

Transport by road;

- The ENS shall be lodged at the latest one hour before the goods arrive at the entry point of the Union.

In case of multiple filing, each party responsible for the info it submits.

Source: [Website Europe.eu](http://Website.Europe.eu)

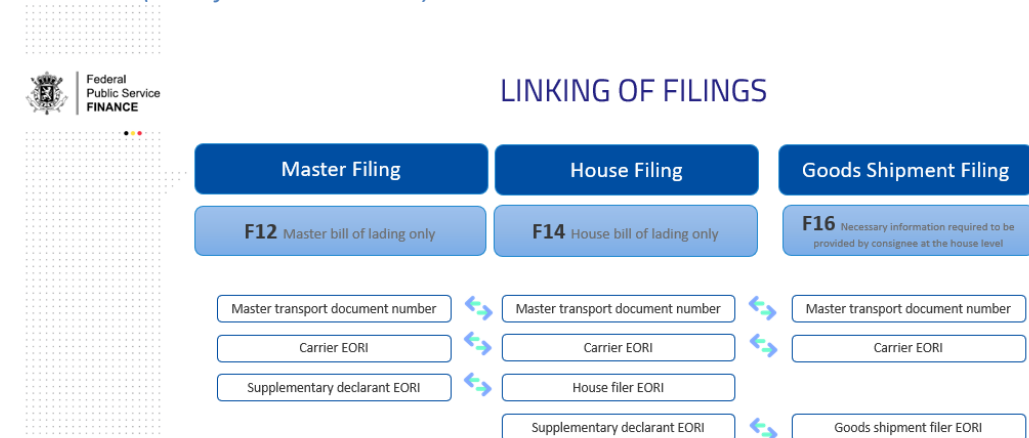
Operational

1. Can multiple house filers intervene for the ENS filing of the same shipment, for example, the shipper in the loading port, and the consignee in the port of discharge? Whereby they each provide part of the data?

Yes, it is possible that there is more than one "house filer". These are not necessarily the named parties. Could also be the products or logistics service provider. This concerns agreements to be made in advance.

2. On the basis of which unique reference(s) is the house filing and the master filing linked in the system (the common repository)? There is talk of the importance of informing the local customs authorities which EORI number will submit which information. How does customs want to see this? How should it be indicated who does what?

The EORI number should be filled in for all parties involved. This info falls under group 13 - Parties of Data set F (identification numbert).



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3. Transition from ICS to ICS2? House filers can join 3 months later? Why was this decided?
Planning is provided by the EU. In general, if a Master Filer can't connect, a house filer can file information.
4. How does a deployment window work? How to apply for it?
A deployment window can be asked on national level (to be asked in the country that delivered the EORI) and once granted at national level it is valid in the entire EU.
5. Are deployment windows then also to be coordinated 1 on 1 between carrier and house filer, if so, there will be many possible startup scenarios?
Each operator must request its window, first Master filers, then house filers.
6. Is the information from the common repository always available to national customs, from the moment the ENS filing is submitted? How can customs monitor this, do they receive a copy of the ENS assessment complete notification for each shipment/container? Is the risk analysis and selection done centrally in Brussels or in the port of discharge?
fdeploCR can be accessed by our national selection services. Operationally, it is integrated into control systems.
7. What actions should operators (carriers and house filers) take NOW?
- FAMILIARISE yourself with the new requirements
 - DECIDE if you want to submit the complete ENS dataset to the ICS2 yourself, or instead, ARRANGE contractually with your clients that, as a carrier, you submit the master level data and they submit the necessary partial information to ICS2 under their responsibility and within the legal time limit.
 - OBTAIN an EORI number from one of the EU Member States' customs authorities
 - UPDATE your IT systems to connect directly with ICS2
 - REQUEST a deployment window from the Member State of EORI registration to connect to ICS2 within the legal timeframe.
 - Pass the EU CT
8. To which party the carrier must send the AN (Arrival Notification)
The AN in Belgium must be sent via the STI shared trader interface (Belgium has not implemented the optional national arrival notification system). This might be different in other countries.
9. What if the carrier has no EU entity --> EORI number of agent?
*EORI becomes mandatory for carrier (even if represented and not filing himself) Non-EU operators can obtain EORI in the EU MS where they will file ENS first (or be represented).
More info: [Economic Operators Registration and Identification number \(EORI\) - European Commission \(europa.eu\)](https://ec.europa.eu/economy_finance/eori/)*
10. Does the carrier, for maritime combined (in particular self-drivers), have the option of submitting the ENS as at present instead of leaving that to the road haulier?
Yes any party can be represented, responsibility is first to the road haulier but it can be represented
11. How detailed should the goods description be, for e.g. 990500 personal goods?
*More information can be found in the [Guide on acceptable and unacceptable terms for the description of goods \(Europe.eu\)](https://ec.europa.eu/economy_finance/eori/).
Generic, incorrect or unacceptable descriptions of goods make risk analysis more difficult, which can lead to a need for customs controls to determine the risk.*

12. Mandatory data includes both HS code and cargo details. So is HS code alone not sufficient?

Not anymore, both are requested in ICS2R3.

Link with other Systems

1. Is ICS2R mandatory when switching to pn/ts or can ENS still be temporarily registered in ics1 during a transition period?

There will be a transition period to switch to ICS2 R3 - once ENS are submitted in ICS2 R3, they can be closed by submitting a PN. You will need, among other things, the MRN of the ENS for this.

2. PoUS - PN needs to be registered in PoUS on arrival. How are we going to be able to do this in advance so that T2L cargo will not be included in the TSD?

TL2(F) documents can be requested in EU PoUS system, then the EO sends in a PN with reference to that T2L(F) document => the system can validate automatically. In that case there is no temporary storage declaratio