

SITPRO

Simplifying International Trade

Review of Port Procedures Response Form

This form is intended to collect responses to SITPRO's Review of Ports Procedures Consultative Document. The consultation document can be downloaded from the SITPRO website at <http://www.sitpro.org.uk/questionnaires/ports08.html> as a PDF document and should be read before completion of this response form.

This response form is also available from the SITPRO website in MS Word or PDF format to be completed electronically or manually. Completed forms should be emailed or posted to:

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**Responses should be sent so as to be received by SITPRO no later than
Tuesday 31 March 2009**

Respondent Details

Name of person responding:

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Position:

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Type of organisation (eg port operator, port user, importer, exporter, shipping line, freight forwarder, transport operator trade association or other representative body etc.):

Seafish is a Non-Departmental Public Body representing the seafood sector

Please indicate if you are responding in a personal capacity or on behalf of others, eg the membership of an association

On behalf of the Seafish Legislation Expert Group, a cross-sector group representing the various trade organisations of the UK seafood industry.

It is possible that we may wish to contact you about your response. If you would prefer us not to do so please put a cross in the box to the right.

☐

SITPRO will not make individual responses publicly available but it is likely that the aggregated results will be published by SITPRO. In some cases we may want to refer publicly to particular responses to particular questions. If you prefer your answers to be kept confidential please put a cross in the box to the right.

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Responses to the 2009 Review of Ports Procedures

The National Environment

HMRC Procedures

a) The Customs and Excise Management Act (CEMA)

1. How is your business affected by CEMA?

-

2. What issues with CEMA would you like to be addressed during the overhaul?

-

b) Decision-making at a local collection level within HM Customs

3. Based on your experience, what kind of benefits has the creation of HMRC given international traders in the UK?

-

4. Based on your experience has the creation of HMRC led to increased burdens for international traders in the UK? Please give examples.

-

5. Is the creation of the NCH meeting your business needs?

-

6. With regard to procedures remaining at the frontier, have you experienced variations between one location and another? Please give examples and state the impact, if any, on your business operations.

-

7. Where would you go to obtain advice on Customs matters?

-

8. Do you think that when you contact HMRC your requirements are fully understood and you receive a satisfactory service? Please give examples of the type of issues about which you have contacted HMRC and the time spent reaching a satisfactory conclusion.

-

9. What are your concerns with regard to the future of customs and international work within the organisation of HMRC?

-

c) Audit-based controls at traders' premises

10. How do you anticipate the introduction of ICS will affect the use of CFSP?

-

11. Based on your experience, what comments do you have on the technical competence of visiting HMRC staff to carry out audits?

-

12. What changes if any have you had to make to your systems to allow Customs access to additional data that they previously could not see?

-

13. What is your experience of hosting post audit controls and what are the issues for a trader?

-

14. What changes if any have you had to make to your business procedures in order to comply with the conditions of the auditor as a result of the findings of the audit?

-

DEFRA Procedures

a) Port Health Procedures (products of animal origin and live animals)

15. What will be the direct impact on your operations when the TRACES-CHIEF link is in place?

-

16. What are your current concerns, if any, with regard to PHA procedures?

My concerns relate to inconsistencies in veterinary check procedures carried out at border inspection posts in the UK and throughout the EU. I have described these in the replies to questions 89–91.

b) Plant Health Procedures

17. What will be the direct impact on your operations when the PEACH-CHIEF link is in place?

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18. What are you current concerns, if any, with regard to PHSI and HMI procedures?

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Forestry Commission Procedures

19. What concerns, if any, do you have with regard to Forestry Commission procedures?

-

Other Procedures

a) Dangerous Goods

20. What do you consider to be the chief benefits of further alignment of regulatory requirements for the movement of dangerous goods between the different modes of transport?

-

21. Do you use the SITPRO Dangerous Goods Note? How many per annum do you need to generate on average?

-

22. Do you produce the document electronically to plain paper using a software system purchased from a SITPRO licensee?

-

23. Do you print to a pre-printed document purchased from one of SITPRO's licensed printers? If yes, how do you complete the document – by hand, using a typewriter, using your own Word/Excel-type template, other?

-

24. Do the current means of producing the DGN meet your business needs?

-

25. Are there any comments you would like to make either on the document or on the completion guide?

-

b) Export/Import licensing process

26. What has been your experience of the BERR/ECO/SPIRE licence application process?

-

27. What has been your experience of Customs export clearance of controlled goods?

-

28. What issues or concerns do you have, if any, with regard to the import licensing regime?

-

29. What issues or concerns do you have, if any, with regard to the CAP licensing regime?

-

Border agency co-ordination

30. In what ways has your business been affected since the creation of UKBA?

-

31. What comments do you have on the progress to date of the development of UKBA?

-

Direct Trader Inputs

32. Do you see any benefit in inter-system connectivity?

-

33. Given that the CSPs need to generate sufficient revenue each year, do you see any benefit in reducing the revenue derived from multiple badges and replacing it with increased through-put (i.e. transaction) charges?

-

34. Is there any benefit in allowing occasional users to clear goods by paying a higher fee, rather than retaining the current system where locally based agents act on behalf of other agents at different locations?

-

35. Is there any benefit to either CSPs or the trade in de-linking customs reporting from the physical goods handling of the inventory?

-

36. Is there any benefit to be derived from the CSPs offering reporting and data management services as well as goods control services (i.e. ICS and ECS entries via their systems)?

-

The International Trade Single Window

37. What to you see as the main reasons for having an International Trade Single Window?

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38. What do you see as the benefits of an ITSW? Give examples of how you might use it.

-

39. If you are a user of UK port community systems, how would you see the CSP system and ITSW interacting?

-

40. How would you calculate the cost savings to your business from being able to submit international trade data online to UK Government border agencies?

-

41. What comments do have on the progress to date of the UK's International Trade Single Window?

Seafood importers have not perceived any improvements so far from the ITSW development project. In its Single Window Report of February 2005 (*International Trade Single Window and Potential Benefits to UK Business*), SITPRO mentioned a number of important underlying requirements for the success of an ITSW project (pp9–10). These included commitment from the highest levels within government to break down adherence to ingrained practices, and the ITSW as a catalyst for a complete review of international trade procedures.

Seafish is concerned that these two important requirements for the success of the ITSW are being ignored. For example, is the recently proposed work^{*} to allow electronic forwarding of CVEDs to HMRC really a step towards the ITSW? A more radical step would be an overhaul of “ingrained practices” so that Port Health approval of CVEDs is in itself sufficient, without a requirement for HMRC to have sight of them. While improved communication, electronic or otherwise, between government bodies is laudable, what is really needed is more work at dovetailing practices and the avoidance of duplication not only of data entry but also of effort.

^{*}See Defra's ITSW Update presentation to the SITPRO/Port and Borders Group meeting 23 January 2009.

The European Dimension

Issues from the 1997 Review

a) Immigration requirements for intra-Community freight service

42. If you are a port operator please advise of any issues you have with regard to immigration controls for intra-EU passengers and freight drivers and to trader provided facilities.

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43. If you are a port user please advise of any concerns or issues you have with regard to immigration controls at the UK border with the EU.

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b) Border Inspection Post Procedures for intra-EU movements

44. What concerns do you have with regard to either the operating or the use of BIPs?

-

c) National checks at the border

45. What examples can you give of purely national controls being undertaken at the frontier?

Seafood importers could not give examples of any purely national controls being undertaken.

46. What impact do these controls have on your operations?

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The new EU agenda

a) National Transit Simplifications

47. What impact would the loss of national transit simplifications have on your business operations?

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b) NCTS

48. What do you think of NCTS?

-

49. What would you see as the benefits of NCTS?

-

50. What do you see as the problems with NCTS?

-

c) EORI

51. What do you think of the EORI scheme?

-

52. What would you see as the benefits of EORI?

-

53. What facilitation benefits do you anticipate that an EORI number will provide you with?

-

d) AEO

54. Do you intend to have or do you already have AEO status?

-

55. What would you consider the burdens of applying for AEO status?

-

56. What would you see as benefits of AEO status?

-

57. Where would you go to obtain advice on AEO?

-

58. In the future, do you think the AEO criteria will get harder or easier to achieve?

-

e) ECS

59. Based on your experience, what are your initial thoughts on ECS?

-

60. Are you happy that you have sufficient understanding of how information will be provided to ECS?

-

61. What problems to you anticipate with the programme?

-

62. What costs are you likely to incur as a direct result of the ECS programme being introduced?

-

f) ICS

63. Based on your experience, what are your initial thoughts on ICS?

-

64. Are you happy that you have sufficient understanding of how information will be provided to ICS?

-

65. What problems to you anticipate with the programme?

-

66. What costs are you likely to incur as a direct result of the ICS programme being introduced?

-

g) Self Assessment

67. Based on your experience, what are your initial thoughts on Self Assessment?

-

68. What benefits do you see with the scheme?

-

69. What costs are you likely to incur to facilitate Self Assessment?

-

h) Single Authorisation

70. Based on your experience, what are your initial thoughts on Single Authorisation?

-

71. What benefits do you see with the scheme?

-

72. With your experience, what problems do you anticipate with Single Authorisation?

-

Border and supply chain security

WCO's Framework of standards to Secure and Facilitate Global Trade (SAFE)

73. Are you fully aware of the principles of SAFE?

-

74. Based on your experience, what are your initial thoughts on SAFE?

-

75. What problems do you anticipate with the programme?

-

76. What costs are you likely to incur as a direct result of the SAFE programme being introduced?

-

EU initiatives

77. What value do you think the EU initiatives will add to the supply chain?

-

78. Do you consider the EU initiative to be “over burdensome”? If yes, give details.

-

US initiatives

a) Customs-Trade Partnership Against Terrorism (C-TPAT)

79. To what extent have you been affected by the introduction of C-TPAT?

-

80. What problems to you anticipate with the programme?

-

b) 100% scanning and 10 + 2

81. Based on your experience, what are your initial thoughts on 100% scanning?

-

82. What problems to you anticipate with the programme?

-

83. What costs are you likely to incur as a direct result of the 100% scanning on US bound cargoes?

-

84. Based on your experience, what are your initial thoughts on the introduction of the 10 + 2 programme?

-

85. What problems to you anticipate with the programme?

-

86. What costs are you likely to incur as a direct result of the +5 programme being introduced? Were you even aware of it?

-

Collaboration with ESPO

Questions on these issues from the UK perspective

a) With reference to procedures in the United Kingdom

87. Are there any issues with regard to customs clearance procedures that have not been covered elsewhere in this document that you would like to highlight?

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88. What is your experience on the ground with regard to the co-ordination of checks and interventions by different government departments and agencies? Where do you encounter most problems?

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89. Are you able to provide examples of instances of where inadequate staffing, lack of equipment or inflexible office hours have led to delay and congestion?

Importers have experienced problems at most ports because of the difficulty of having goods cleared in the weekend. Therefore goods arriving on a Friday often remain in storage, incurring demurrage, until goods are attended to on Monday. In addition, hauliers are unable to make arrangements for uplift of the goods until Monday, causing additional delay and demurrage.

b) With reference to European Union regulations

90. Are you aware of any instances where the implementation in the UK of EU regulations differs from that of other Member States? What are the consequences of these differences for port/airport operators and users?

There are differences in the application of veterinary checks by Port Health officers because of the flexibility that is inherent in the veterinary check legislation. There are differences in:

- 1) the frequency of physical checks (dependent on locally held information, and sometimes following guidance from the Food Standards Agency or Defra)
- 2) the type of physical check (again dependent on advice from the Food Standards Agency, Defra or local policy)
- 3) the action taken following a failed check, in particular whether a consignment is destroyed or repatriated. Also, Article 24 of Directive 97/78, on reinforced checks following a serious or repeated infringement, is not uniformly enforced by Member States.

The consequence of these differences is that importers will preferentially use certain non-UK ports rather than UK ports when they feel this gives them a better chance of a fast, trouble-free consignment clearance.

91. Can you cite any examples of instances where EU regulatory checks and interventions are carried out more rigorously in the UK than in other Member States? What are the consequences for UK trade?

Yes, Article 24 of Directive 97/78, on reinforced checks following a serious or repeated infringement, is enforced in the UK more rigorously than in other Member States.

For example, in the UK reinforced checks involve in practice 10 consecutive physical checks at the Border Inspection Post (BIP) where the infringement was detected. BIPs in other Member States count checks at other BIPs within the Member State when tallying the 10 checks.

The consequence is that importers will sometimes choose to import goods via a port in another Member State rather than a UK port.

Any other comments

Legislation on Illegal, Unregulated and Unreported Fishing will require, from 1 January 2010, that all seafood imports be accompanied by a Catch Certificate. This is another document that will have to be checked by border enforcers (likely to be Port Health in the UK). It is important that procedures are in place by January 2010 to ensure that this extra certificate is dealt with efficiently.