# Revoke a Decision

## Stakeholders involved in the Process

* Trader;
* Decision-taking customs authority;
* Involved member states.

## Business

Once the authorisation is granted, either the trader or the customs officer can request a revocation of the decision. The revocation of the decision can also result from the Re-assess decision process, Suspend process, or Annul decision process in the following manners:

* During the re-assessment process the customs officer investigates if the conditions and criteria are still fulfilled. If the conditions and criteria are not met anymore, the revoke process can be initiated;
* If there are sufficient reasons to believe, that the decision is to be revoked, but the customs officer does not have all the needed information yet, the decision can be suspended before the revocation;
* If the decision is annulled, it cannot be revoked. However, if the decision is not annulled during the annulment process, it still can be revoked.

It is worth noting that the system will not allow the authorisation status to change more than once a day. Therefore, the revocation process can be *started* as soon as the authorisation is granted but the system will prevent the user to confirm the status change to "Revoked" if the authorisation validity start date is on the same day or if the status of the authorisation has already changed on the same day. A warning will ask the user to proceed on the next day at the earliest.

In our high-level view of the Customs Decisions process (Figure 1), the revocation is part of the Manage Authorisation process, as depicted in Figure 2.

Figure 1 Authorisation management process, as part of the Customs Decisions process

Figure 2 Revoke decision, as part of the Manage Authorisation process

Figure 3 presents the high-level overview of the Revocation process.

Figure 3 High level overview of the Revocation process

The revocation process is started by the revocation need, which originates from different stakeholders. Table 1 lists all the reasons for revocation with the highlighted originator.

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| --- | --- |
| Reason for revocation  | Originator  |
| Holder of decision requests the revocation of the decision | Trader |
| Holder is no longer registered in accordance with Art. 9(1) UCC and EORI number is invalid | Customs officer |
| Holder of decision fails to take, within the prescribed period of time, necessary measures to fulfil the conditions laid down for the decision or to comply with the obligations imposed under that decision | Customs officer |
| The decision does not conform with the legislation in force | Customs officer |
| One or more conditions were not or are no longer fulfilled  | Customs officer |
| 'Re-assess Decision', 'Suspend Decision' or 'Annul Decision' process ends and revocation is required  | Customs Decisions system |

Table 1 Reasons for revocation of the authorisation

When the above listed reasons for revocation apply, the customs officer has to investigate if the trader should still be entitled for the specific authorisation. The customs officer establishes if a revocation is required. If the revocation is required, the customs officer registers the intention to revoke the authorisation. The customs officer registers as well the reason for which he intends to revoke a decision.

If the revocation request does not originate from the trader and the decision is not suspended, the process continues with the Right to be Heard process in order to allow the trader to express his point of view. The customs officer then has to register if the decision is still to be revoked or not. If no revocation is required, the trader is notified that the decision will not be revoked. If the decision is to be revoked, the customs officer registers the effective date of the revocation.

When the legitimate interests of the trader so require, the customs officer can defer the date on which the revocation takes effect up to one year. In other cases, the revocation is effective immediately.

Once the decision is revoked, it cannot be managed anymore. The trader is automatically notified about the revocation. If more than one member state is involved into the decision, they will also be automatically informed about the revocation.



There is a similarity between the Revoke and the Annul process. The difference between them is that after the revocation, the decision is not valid anymore, whilst after the annulment, the decision is like if it had never existed.

Once the authorisation is revoked, the trader cannot apply for the same decision for one year if the reason for revocation was that the trader failed to fulfil an obligation imposed during that decision.