# Consult Involved Member States (Standard Process, Transit and RSS)

## Stakeholders involved in the Process

* Decision-taking customs authority;
* Consulted customs authorities.

## Business

The Consult Involved Member States process is part of the decision-taking process. Figure 1 depicts the high-level overview of the decision-taking process. The Consult Involved Member States process is one of the Auxiliary Activities.

All references to Consult Involved MS in this section refers to the standard procedure of consultation of involved member states.

This process is used to give an overview of the standard way of consulting one or several member states, even though no consultation is possible for authorisation types in the “Other applications (Standard process)” group (authorisation for the provision of a comprehensive guarantee, including possible reduction or waiver, authorisation of deferment of the payment, authorisation for the simplification of the determination of amounts being part of the customs value of goods).

Henceforth, the consultation here mentioned is only applicable for the authorisations in transit and RSS groups.



Figure 1 High level overview of the Take Decision Process

When there are one or more member states involved into the customs decision (in addition to the DTCA), the customs officer may consult the conditions and criteria to be verified with the involved member states. The involved member states are the ones defined by the applicant, in the customs decision application under data element “Geographical Validity”. For Transit-related authorisations, the member states to be consulted need to be selected by the customs officer amongst the list of involved member states. For Regular Shipping Service authorisation, all involved member states are automatically consulted.

The consultation request contains a list of conditions and criteria to be verified and the related time limit to provide the consultation result. For ETD, the time limit is legally fixed to 45 days. For RSS, the time limit is fixed to 15 days.

Figure 2 presents the high-level overview of the Consult Involved Member States process.



Figure 2 High level overview of the Consult Involved Member States process

The process starts during the decision-taking process, when the customs officer needs to consult the conditions and criteria with an involved member state. The consultation request sent to the customs officer of the involved member state contains the following:

* Application reference number to which the consultation result is to be provided;
* Conditions and criteria to be verified;
* Time limit for completion of the consultation.

Once the request is received, the customs officer of the consulted customs authority starts checking the relevant conditions and criteria.

There are two possible outcomes from this verification:

* The conditions and criteria are met;
* At least one of the conditions and criteria is not met.

Once the verification is finished, the consultation result – containing the verification of all required checks - is automatically sent back to the customs officer of the decision-taking customs authority.

When all the consultations are completed, the customs officer will register the consultation final result (positive or negative) together with a justification. He will then be able to continue the verification of conditions and criteria, supported by the consultation individual results.

If, while checking the conditions and criteria, the consulted authorities realise that the proposed time limit is not sufficient for verification, the customs officer of the consulted customs authority can request an extension of the time limit to the decision-taking customs authority. The customs officer of the DTCA will be notified of such a request upon which he will either approve or reject it.

The customs officer of the consulted customs authority can request several extensions of the time limit if he deems it necessary.

If the customs officer approves the time limit extension request, the Customs Decisions system automatically extends the time limit to consult the member state. The customs officer of the consulted member state will then be notified about the result of the time limit extension request. The notification can be one of the following:

* The time limit extension request is approved. The notification also contains information on the extension (number of days) and the new expiry date for the consultation process;
* The time limit extension request is rejected. The notification also depicts the reason of rejection.

When no consultation result has been sent by the consulted member state within the time limit, the conditions and criteria are deemed fulfilled within this consulted MS.