



The Italian Customs protection system of UE own resources

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EU own resources

- These are means of autonomous and independent financing, collected by the Member States, that **belong as of right to the European Union.**
- Own resources consist, among others, of customs duties, contributions and other duties provided for within the framework of the common organization of the markets in the sugar's sector.
- **The reference legislation of traditional own resources is:**
 - ❖ Regulation no. 1150/2000: regulates the financial relations between the Member States and the European Union as to Own Resources of the Union, as amended by
 - ❖ Regulation no.608/2014
 - ❖ Regulation no. 609/2014
 - ❖ Council Decision no.335/2014.
 - ❖ Regulations nos. 2913/1992 and 2454/1993 – Community Customs Code and the relevant implementing provisions: They regulate the relations between the EU Member States and the economic operators – citizens as to the field of Traditional own Resources (ToR), replaced by
 - ❖ Regulation no.952/14 and the relevant implementing acts that will enter into force on 1 June 2016

EU Traditional own Resources – The national context

- **The action area of the Italian Customs and Monopolies Agency consist of**
 - **More than 560.000** businesses performing non-EU trade (2 million at EU level);
 - **More than 300.000** businesses performing intra-EU trade;
 - **More than 120.000** subjects working in the excise field;
 - **15/16 million customs declarations** electronically processed (paper declarations account for about 0,1%), one every two seconds: 80% of which under a simplified procedure and the remaining 20% under the normal procedure;
 - **About 43 million intra-Community trade** (goods and services) declared in the INTRA summary lists;
 - **More than 1,5 million declarations** in the excise field;
 - **96% of customs declarations** is checked and the relating goods released, based on automated controls performed in a time-frame between 12 seconds and 5 minutes (90,96% for declarations under the normal procedure and 96,94% for declarations under a local clearance procedure).
- The Customs and Monopolies Agency is competent for the assessment, entry in the accounts, collection and communication of the established amounts to the General State Accounting Department for them to be paid to the European Union.

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EU Traditional own Resources – The national context

- The assessment at customs is a direct assessment, carried out in an analytical way on the declaration presented by the taxpayer together with the supporting documents, and it is based on four elements: **quality, origin, value and quantity**
- At the time of entry of the customs declarations in the system, the latter are checked for **admissibility** by the information system of the Customs Agency that, based on a complex risk analysis system, called **customs control circuit**, issues the type of control to be performed:
 - CA: automated control
 - CD: documentary control
 - CS: scanner's control
 - VM: physical control

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EU Traditional own Resources – actions to ensure collection

- **Organisational and procedural measures** to monitor and, therefore, to improve the process/activity to assess, enter in the accounts and collect the concerned resources.
 - **Goals:** minimise the risk of loss of own resources as a result of mistakes, negligence, etc..
 - **Tools:** internal and external actions.
- **GUIDELINES OF THE ACTIONS TO ENSURE COLLECTION OF TRADITIONAL OWN RESOURCES**
 - ❖ **INTERNAL FRONT**
 - Sound and efficient system to check, enter in the accounts and collect
 - Monitoring and coordination of the activities of the customs offices, also by performing inspections throughout the territory
 - Audit actions– Task Force joint Audit

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EU Traditional own Resources –actions to ensure collection

- **GUIDELINES OF THE ACTIONS TO ENSURE COLLECTION OF TRADITIONAL OWN RESOURCES**
 - ❖ **EXTERNAL FRONT – PREVENTION AND REPRESSION OF OFFENCES**
 - **Actions within the national borders:** autonomous controls and controls performed together with the other law-enforcement agencies and national administrations involved in the clearance process.
 - **Actions outside the national borders:** controls performed with other MSs, the European Commission and/or Third Countries with which legal cooperation instruments are in place, joint customs operations, collaboration with OLAF

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EU Traditional own Resources – Results of enforcement actions

CONTROLS: about 1.500.000 each year, about 9.000 of which in 2014 to combat undervaluation (with 54% of irregularities being detected)

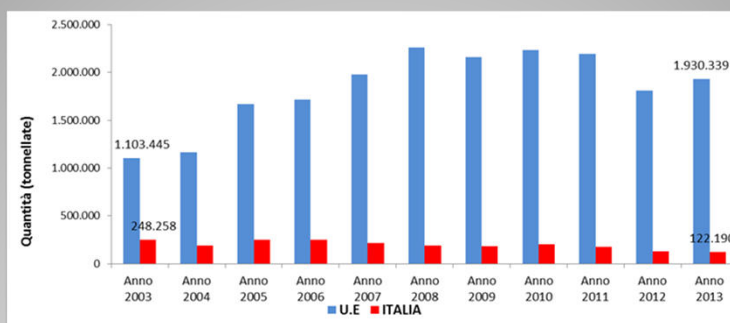
ADDITIONAL TAXES DUE (duties, VAT, excise duties) ARISING FROM POST AUDITS : about 1.700.000.000 in 2014

As to the fight against undervaluation:

- A massive control of the "value" stated in customs declarations for imported goods
- Detection of a large number of cases where this element of the customs assessment has been fraudulently underestimated (the so-called **smuggling by means of "undervaluation"**)
- Activation of investigations and controls at national and EU level, in view of the extent of the phenomenon and the type of involved subjects.

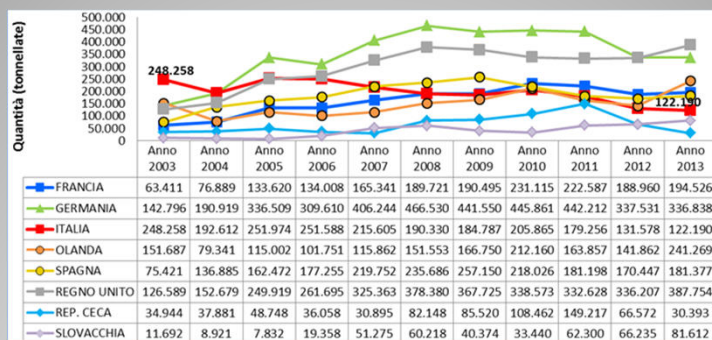
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Importations of Chinese origin to Italy and Europe. Garments and clothing accessories- Quantities (tons) - Year 2003 -> Year 2013.



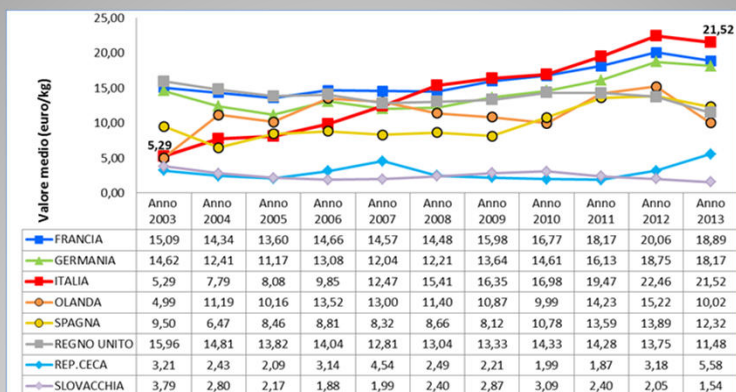
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Importations of Chinese origin of the major EU countries – Garments and clothing accessories (chapters 61 and 62) – Quantities (tons) – Year 2003 –> Year 2013



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Importations of Chinese origin of the major EU countries – Garments and clothing accessories (chapters 61 and 62) – Average value (euro/kg) – Year 2003 –> Year 2013



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EU traditional own resources – the system to manage irregularities and fraud

- For each irregularity, potentially affecting other Member States, there is a specific report in order to trigger the consequent controls (INF-AM) throughout the European Union.
- Each amount to be recovered as a result of an irregularity, if not guaranteed, is entered in specific accounts.
- Each case of irregularity exceeding the amount of 10,000 euro of traditional own resources is **specifically reported/entered in the OWNRES databank of the Community.**
- The forms of fraud and irregularities are the only analytical notification to the Commission of the single amounts still to be recovered by each Member State.

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EU traditional own resources – EU system of Controls

CONTROLS

BY THE EUROPEAN COMMISSION (Article 18 Reg.1150/2000)

1. CONTROLS ON THE CORRECT APPLICATION OF EU CUSTOMS LEGISLATION
2. CONTROLS ON THE PROPER KEEPING OF "A" AND "B" ACCOUNTS

BY THE EUROPEAN COURT OF AUDITORS (ECA)

1. RELIABILITY AUDIT'

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Thank you for your attention

For further information

please refer to our website:

www.agenziadogane.gov.it