

Frequently Asked Questions

Import Control System 2.0 (ICS2)

Following the joint CLECAT-DG TAXUD workshop, organised on 6 July 2022 in Brussels, the below summarises the questions posed by the freight forwarders who joined the event, and answers provided by DG TAXUD during the workshop.

Please note that an extensive FAQ page by DG TAXUD can be found [here](#). More information on ICS2 is available [here](#), including dedicated information on [Release 2](#) and [Release 3](#), as well as [technical documentation](#).

Scope

- Do I need to file ENS data when importing from Switzerland or Norway?
 - No, for the purposes of ICS2, there is no need to file ENS data when importing from Switzerland and Norway. Switzerland and Norway have agreed to apply the same security and safety measures in force in the EU, including being part of ICS2, and therefore trade between these countries and the EU will be exempt from the requirement to lodge entry and exit summary declarations.
 - Both countries apply ICS2, meaning that they are treated as an EU Member State and receive data from the ICS2 Shared Trader Interface (STI) Common Repository (CR) This also means that when importing from a third country into Switzerland or Norway, EOs will have to file Entry Summary Declaration (ENS) data to ICS2.
- Do I need to file ENS data when importing from the United Kingdom?
 - Yes, the United Kingdom has no special arrangement and is thus treated as any other third country for which the ENS filing obligations apply. An exception is in place solely for when goods are transported into the EU directly from Northern Ireland.

Basic requirements

- Which party is obliged to file?
 - Generally, the filing obligation under ICS2 lies with the carrier (Article 127(4) UCC DA).
- To file in ICS2, Economic Operators (EOs) need an EORI. Is it possible to use a central EORI of the organisation's HQ for filing in ICS2, or is it necessary to use multiple EORIs?
 - This depends on the business model applied by the EO. If the business is set-up to file centrally through the HQ, this EORI is sufficient. If the business wants to file in a decentralised manner through each representation, it will need an EORI for each of the entities filing.

Shared Trader Interface - Shared Trader Portal (STI-STP)

- Who can use the STI-STP?
 - Any EO can use the STI-STP. It can be used as sole option for filing, or as an alternative and/or fallback procedure to a system-to-system connection.
- Which filings does the STI-STP support?
 - The STI-STP supports all filings.

Multiple filing

- What is multiple filing?
 - Multiple filing splits the Entry Summary Declaration (ENS) into different parts, allowing multiple parties to file information to ICS2. In the Common Repository, these partial filings are linked.
 - Thereby, freight forwarders can opt to file house-level information themselves rather than submitting the data to the carrier.
- Can I choose for multiple filing?
 - Yes, relevant EOs, including freight forwarders, have the right to file. The legal basis is laid down in Article 127(6) of the UCC DA.
- What and when can I file as a freight forwarder?
 - Freight forwarders have the possibility to file house-level information for the ENS under multiple filing (Article 127(6) UCC DA).
 - Alternatively, there is also the option for the freight forwarder to opt for full filing, which would include Master-level information. This also requires however to notify any changes to master-level information, e.g. a deviation in the ETA or the flight-routing.
- When and how do I take the decision for multiple filing?
 - Arrangements for multiple filing should be concluded between the freight forwarders and carriers. Parties should clarify this as soon as possible.
- Is there a required sequence for filing ENS data?
 - No, there is no set sequence for filing, provided the filing time limits are respected.
- Is the carrier informed about whether a house-level filer has filed?
 - Yes, the carrier will always be informed on what filing has been lodged. He can choose within the STI to automatically receive such a notification.
- Are there legal obligations on the filing parties to inform each other?
 - No, there is no legal obligation to inform the other party.

Risk Analysis Process incl. Referrals

- How is the risk-analysis carried out?
 - The risk-analysis is carried out in two stages: Pre-Loading and Pre-Arrival.
- What is the final outcome of the Risk Analysis?
 - Assessment Complete (AC) or Do Not Load (DNL).

- Do I receive an Assessment Complete message per stage?
 - Yes, as the risk analysis is carried out in two stages, there is an Assessment Complete message per stage.
- What referrals can I receive?
 - Following the risk analysis, the following referrals can occur:
 - Request for Information (RFI)
 - Request for Screening (RFS)
 - Do Not Load (DNL)
 - Whilst all three referrals can occur during the Pre-Loading Phase, only the RFI can be triggered in the Pre-Arrival Phase.
- How do I communicate information in response to a referral?
 - ICS2 offers the possibility for a binary response message, including the possibility for an attachment.
- What happens to the time-limits if a freight forwarder receives a Request for Screening (RFS), but is located in a country which has not implemented a secure supply chain regime and thus cannot screen the goods himself (i.e. the process will take some time)?
 - The time-limit no longer applies as the result of the Risk-Analysis needs to be awaited.
- What does a filer need to do in case of a Do-Not-Load (DNL) referral?
 - All EOs should have an emergency response plan that gets triggered in case of a DNL, with an emergency response desk operating 24/7. Simultaneously, Customs is responsible to ensure, together with the Competent Aviation Authority (CAA), that an adequate imminent response is taken on the regulators' side.

System Readiness

- Can the Shared Trader Interface (STI) be tested already?
 - At the time of the workshop (06.07.2022), the STI existed in a preliminary version, which was not yet ready for Conformance Testing. However, it would be deployed in the coming days.
- What happens if a Member State is not ready by 1 March 2023?
 - EOs will have to file ENS data to ICS2 nonetheless, as ICS2 as such, including the STI and the CR, will be ready.