

PART 4:

TRADER MANAGEMENT

The table(s) below set out the Authority Requirements, how those requirements are met including any further expansion on or description of the Authority Requirements and associated boundaries, and where applicable, the Trader Journeys to which they relate.

In each table, row 1 of the table is the heading; row 2 is the Authority Requirement; and row 3 includes the relevant elements of the Supplier Solution and describes in full what is required of the Supplier in order to comply with the Authority Requirement together with any dependencies or Authority Responsibilities, in each case to be performed by the Authority, that are particularly associated with the Authority Requirement. In addition to the specific Authority Responsibilities where referenced in the tables below, the general Authority Responsibilities apply as set out in Schedule 3.

1. TRADER MANAGEMENT

1.1 TRADER IDENTIFICATION

1.1.1 Trader Management
The Supplier must be able to independently identify and advertise the Services to Traders who move goods between GB and NI and import to NI from the RoW as part of their business activities. This may be through providing a mechanism by which these Traders could self-identify or as part of registering for the Service.
<p>1.1.1(a) To comply with requirement 1.1.1 the Supplier shall undertake the activities and tasks set out in paragraph 1.1.1(b) below and the Authority confirms that this requirement has been fully met for the period up to the date of signature of this Agreement.</p> <p>1.1.1(b) Supplier tasks and activities:</p> <p>The Supplier shall identify Traders by leveraging the Suppliers applicable trade contacts in NI via the UK Customs Academy to include Traders that have registered their interest in TSS via the HMRC website. The Supplier shall advertise the availability of the Service through an advertising campaign using email marketing. Marketing emails will be sent to Users of the Service that have consented to receive such marketing including Carriers, ports, airports, CSPs and Customs Intermediaries in addition to organisations that directly buy, sell and transfer goods between GB and NI. The Supplier shall work with existing organisations they have close links with, such as certain trade representative organisations and industry groups including the Federation of Small Business (NI) and ACITA, to reach the trader community via their own networks. The Supplier will support the Authority with the creation of advertising message and content; however the Supplier shall not be responsible for, and shall not be obliged to, commission any advertising via broadcast media (including radio, TV and print media). This requirement 1.1.1 shall apply for the</p>

period prior to 1 January 2021 and shall apply thereafter at a lower level to the extent agreed between the Parties from time to time for the duration of the Implementation Services.

1.1.1(c) In addition to any general Authority Responsibilities referred to in Schedule 3, the Authority shall perform the following Authority Responsibilities set out in Schedule 3:

- AR10
- AR11

1.1.2 Trader Management

The Supplier must be able to independently identify and advertise the Services to Carriers who move goods between GB and NI and move goods into NI from the RoW. This may be through providing a mechanism by which these Carriers could self-identify.

1.1.2(a) To comply with requirement 1.1.2 the Supplier shall undertake the activities and tasks set out in 1.1.2(b) below and the Authority confirms that this requirement has been fully met for the period up to the date of signature of this Agreement.

1.1.2(b) The Supplier shall identify Carriers by leveraging the Supplier's existing trade contacts in NI via the UK Customs Academy to include Carriers that have registered their interest in TSS via the HMRC website. The Supplier shall advertise the availability of the Service through an advertising campaign using email marketing. Marketing emails will be sent to Users of the Service and have consented to receive such marketing including Carriers, ports, airports, CSPs and Customs Intermediaries in addition to organisations that directly buy, sell and transfer goods between GB and NI. The Supplier shall work with existing organisations they have close links with, such as certain trade representative organisations and industry groups including the Federation of Small Business (NI) and ACITA, to reach the trader community via their own networks. For the avoidance of doubt, the Supplier shall not be responsible for and shall not be obliged to do any advertising via broadcast media (including radio, TV and print media). This requirement 1.1.2 shall apply for the period prior to 1 January 2021 and shall apply thereafter at a lower level to the extent agreed between the parties from time to time for the duration of the Implementation Services.

1.1.2(c) In addition to any general Authority Responsibilities referred to in Schedule 3, the Authority shall perform the following Authority Responsibilities set out in Schedule 3:

- AR10
- AR11

1.2 TRADER REGISTRATION

1.2.1 Trader Management

Once the Supplier has identified Users moving goods, the Supplier must initiate contact to educate Users about their customs, VAT and Excise Duty obligations and changes in business processes at the end of the Transition Period. The level of support provided to must be equivalent to or greater than:

- Introductory email containing links to relevant training and guidance
- Follow-up email to determine whether the User requires any additional guidance
- An on-boarding phone call if the User expresses interest for the Services to advise on their customs obligations

1.2.1(a) To comply with requirement 1.2.1 the Supplier shall undertake the activities and tasks set out in 1.2.1(b).

1.2.1(b) Supplier tasks and activities:

The Supplier will attempt to initiate contact with Users using the contact details they provided, to offer the training support available through the Services. This will comprise:

1. the Supplier within a reasonable time sending an introductory email containing links to the training and guidance available on the NICTA Portal;
2. the Supplier sending follow-up emails within a reasonable time asking the trader to confirm whether the trader requires additional guidance;
3. the Supplier making available online a series of educational webinars on the NICTA Portal in accordance with Annex 4 ; and
4. the Supplier undertaking the Ready to Trade Process.

The Supplier shall provide the Contact Centre, which shall provide further guidance on customs obligations and the Registration Process where contacted by a Trader.

1.2.2 Trader Management

The Supplier must capture feedback from Users on the utility of the Service and report this back to the Authority. The Supplier must be able to improve their offering based on the provided feedback following review with the Authority, where required.

1.2.2(a) To comply with requirement 1.2.2 the Supplier shall undertake the activities and tasks set out in 1.2.2(b) below.

1.2.2(b) Supplier tasks and activities:

To the extent that Users are willing to provide feedback and have provided the Supplier with contact details, the Supplier will provide Users with the opportunity to provide feedback through one of:

1. Sending Users who speak to Contact Centre Agents with a customer satisfaction survey;
2. online surveys of Users; or
3. Training course post-course feedback.

The Supplier will review feedback received in order to identify new or potential improvements to the Services in accordance with Clause 8 New or potential improvements to the Services shall be identified and reported on at the Programme Board.

1.2.3 Trader Management

Once the Supplier has identified Carriers to be supported by the Service, the Supplier must initiate contact with them to educate them about their customs, VAT and Excise Duty obligations and changes in business process at the end of the Transition Period. The level of support provided to must be equivalent to or greater than:

- Introductory email containing links to relevant training and guidance
- Follow-up email to determine whether the Carrier requires any additional guidance
- An on-boarding phone call if the Carrier expresses interest for the Service to advise on their customs obligations.

1.2.3(a) To comply with requirement 1.2.3 the Supplier shall undertake the activities and tasks set out in 1.2.3(b) below.

1.2.3(b) Supplier tasks and activities:

The Supplier will initiate contact with Carriers who have registered to use the Service using the contact details provided by those entities, including Carriers and intermediaries, to offer the training support available through the Services. This will comprise:

1. the Supplier within a reasonable time sending an introductory email containing links to the training and guidance available on the NICTA Portal;
2. the Supplier sending follow-up emails within a reasonable time asking the trader to confirm whether the trader requires additional guidance;
3. the Supplier making available online a series of educational webinars on the NICTA Portal in accordance with Annex 4;
4. the Supplier offering to discuss education that may be relevant to that User; and
5. the Supplier undertaking the Registered to Trade Process.

The Supplier shall provide the Contact Centre, which shall provide further guidance on customs obligations and the Registration Process where contacted by a Trader.

1.2.4 Trader Management
The Supplier must be able to register entities who have expressed interest in the Service directly with the Authority between August 1 2020 and the Operational Service Commencement Date
<p>1.2.4(a) To comply with requirement 1.2.4 the Supplier shall undertake the activities and tasks set out in 1.2.4(b) below.</p> <p>1.2.4(b) Supplier tasks and activities:</p> <p>The Supplier will initiate contact with the entities who expressed an interest in the Service directly to the Authority via the gov.uk website between 1 August 2020 and 1 November 2020 to seek to offer support for registration by that entity for the Services including providing them with a link to the TSS Portal to enable them to complete their registration. The Supplier will only be required to accept a Trader who has uploaded the electronic data onto the TSS Portal and has accepted the TSS Service Terms and Conditions and otherwise complied with the pre-requisites identified by the Supplier to accept the entity into the Service.</p> <p>1.2.4(c) In addition to any general Authority Responsibilities referred to in Schedule 3, the Authority shall perform the following Authority Responsibilities set out in Schedule 3:</p> <ul style="list-style-type: none"> • AR12

1.2.6 Trader Management
The Supplier must process a registration request and respond to the requestor with a success message or a demand for more information within 24 hours.
<p>1.2.6(a) To comply with requirement 1.2.6 the Supplier shall undertake the activities and tasks set out in 1.2.6(b) below.</p> <p>1.2.6(b) Supplier tasks and activities:</p> <p>Registration of applicants will be processed through an online registration process completed by the applicant on the TSS Portal.</p> <p>The Supplier shall provide the Contact Centre which, where upon request by the applicant, will provide guidance on the Registration Process and the Ready to Trade Process. Where requested by the applicant, the Supplier shall talk the applicant through the elements of completion of the applicable process.</p> <p>Subject to the Trader agreeing to the TSS Service Terms and Conditions and providing the data required by the Registration Process, confirmation of successful registration or a request for additional data will be sent via email within 24 hours.</p>

In exceptional situations where the Supplier reasonably considers it appropriate, the Contact Centre shall enter the information onto the TSS Portal on behalf of the User and, for the avoidance of doubt, the Parties agree that the User remains entirely responsible for all the data input and the decisions made in relation to it.

1.2.7 Trader Management

The Service must allow a Trader, Carrier or Customs Intermediary to register for the Service at any time during the Term.

1.2.7(a) To comply with requirement 1.2.7 the Supplier shall undertake the activities and tasks set out in 1.2.7(b) below.

1.2.7(b) Supplier tasks and activities:

The TSS Portal shall be capable of accepting registrations of Traders, Carriers and Customs Intermediaries (as described in Authority Requirement 1.2.6(b) of this Schedule 2.1 (Services Description)) during the hours of operation set out in Annex 3 (Hours of Cover) from and including the TSS Portal Go-Live Date until expiry or earlier termination of the Agreement.

1.2.8 Trader Management

Under exceptional circumstances, the Supplier must be able to submit Declarations to clear goods where the Trader has not registered for the Service in advance.

1.2.8(a) To comply with requirement 1.2.8 the Supplier shall undertake the activities and tasks set out in 1.2.8(b) below.

1.2.8(b) Supplier tasks and activities:

The Supplier shall perform the Expedited Registration Process:

- advise the Trader how to submit an application to <https://www.gov.uk/eori> to secure a GB and XI EORI;
- advise the Trader how to submit an application to the Authority to establish a GVMS account on gov.uk;
- help the Trader to establish a TSS account and capture the required data set to enable TSS to satisfy the Ready to Trade status being set for the account; and

- provide advice and guidance by email and telephone to the Trader to explain the declaration process for the goods the User is seeking to move.

In addition to the Expedited Registration Process, the Supplier shall provide advice and guidance on how the Trader can find and access relevant training and education on the TSS NICTA portal.

PART 5:
SERVICE OPERATIONS

The table(s) below set out the Authority Requirements, how those requirements are met including any further expansion on or description of the Authority Requirements and associated boundaries and where applicable, the Trader Journeys to which they relate.

In each table, row 1 of the table is the heading; row 2 is the Authority Requirement; and row 3 includes the relevant elements of the Supplier Solution and describes in full what is required of the Supplier in order to comply with the Authority Requirement together with any dependencies or Authority Responsibilities, in each case to be performed by the Authority, that are particularly associated with the Authority Requirement. In addition to the specific Authority Responsibilities where referenced in the tables below, the general Authority Responsibilities apply as set out in Schedule 3.

2. SERVICE OPERATIONS

2.1 SERVICE SET UP

2.1.1 Service Operations
The Supplier must comply with UCC Article 170 and Article 5 (31) and be established in Northern Ireland or the territory of the European Union. If established in the European Union, a presence is also required in the UK.
2.1.1(a) To comply with requirement 2.1.1 is met by the Supplier procuring that the relevant Key Sub-contractor (initially EORI UK Ltd) is established in Northern Ireland or the territory of the European Union and, if established in the European Union, that the relevant Key Sub-contractor also has a registered business address in the UK.

2.1.2 Service Operations
The Supplier must hold an EORI of its own in order to be able to carry out customs obligations on behalf of a User
2.1.2(a) To comply with requirement 2.1.2 the Supplier or its Sub-contractor (as applicable) shall have a GB EORI number and an XI EORI number.

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2.1.3 Service Operations

The Supplier must hold CFSP-EIDR and CFSP-SDP authorisations and have the pre-requisites to be able to use these authorisations by January 1 2021. If the Supplier does not hold CFSP-EIDR and CFSP-SDP authorisations at the time of approval, the Supplier must have the ability to obtain these authorisations and their pre-requisites in order to use these authorisations by January 1 2021.

The Supplier must be able to use these authorisations to facilitate Goods Movement on behalf of a User in an Indirect Representative capacity.

2.1.3(a) To comply with requirement 2.1.3 the Supplier or its Sub-contractor (as applicable) shall hold the following authorisations and/or guarantees: 1. SDP and EIDR known as CFSP ; and 2. CCG (Customs Comprehensive Guarantee) for the Term.

2.1.3(b) Notwithstanding the scope of paragraph 2.1.3 above, neither the Supplier nor its Sub-contractor is required to hold EIDR authorisations nor to facilitate the movement of goods on behalf of a Trader in an indirect representative capacity except as express stated in Annex 8 and subject always to Clause 26 of the Agreement.

2.1.4 Service Operations

The Supplier must hold at least one Duty Deferment Account that is able to support the volume of movements in scope in an Indirect Representation capacity.

2.1.4(a) Subject to Annex 8, to comply with requirement 2.1.4 the Supplier or its Sub-contractor (as applicable) shall hold a Duty Deferment Account.

2.1.4(b) Neither the Supplier nor its Sub-contractor shall be required to act in an Indirect Representation capacity except as expressly stated in Annex 8 and subject always to Clause 25 of the Agreement.

2.1.5 Service Operations

The Supplier must be able to act in an Indirect Representative capacity.

2.1.5(a) To comply with requirement 2.1.5, which shall only apply to the Agreed Trader Journeys the Supplier or its Sub-contractor (as applicable) shall be capable of representing Users who are eligible for Indirect Representation (as determined in accordance

with Annex 8 (Indirect and Direct Representation and DDA) via Indirect Representation to the extent expressly stated in that Annex 8 and subject always to Clause 25 of this Agreement.

2.1.5(b) In addition to any general Authority Responsibilities referred to in Schedule 3, the Authority shall perform the following Authority Responsibilities set out in Schedule 3:

- AR18
- AR19

2.1.6 Service Operations

The Supplier can act in a Direct Representation capacity in the following scenarios:

1. At the request of a User where Supplier is satisfied that the decision is informed and User can credibly comply with their customs obligations.
2. Under a specific set of scenarios agreed between the Supplier and the Authority in accordance with requirement 2.1.7.

2.1.6(a) To comply with requirement 2.1.6 the Supplier itself or its Sub-contractor (as applicable) shall be capable of directly representing Users that have completed the Ready to Trade Process and that are eligible for Direct Representation, in accordance with Annex 8 (Indirect and Direct Representation and DDA).

2.1.6(b) The Supplier shall act, in accordance with Annex 8, in a Direct Representation capacity for any User who has confirmed with the Supplier that they have a CFSP (EIDR/SDP) authorisation and have populated their TSS account with a valid Deferment Approval Number and whose account has completed the Ready To Trade process.

2.1.7 Service Operations

The Supplier must be able to define a set of scenarios in which it would have to operate in a Direct Representation capacity and to agree those scenarios with the Authority. The Supplier must notify the Authority of any User for whom it wishes to operate in a direct capacity before commencing doing so.

2.1.7(a) The Supplier shall act, in accordance with Annex 8, in a Direct Representation capacity for any Trader who has confirmed with the Service that they have a CFSP authorised Trader and have populated their TSS account with a valid Deferment Approval Number and whose account has secured Ready To Trade status..

2.1.8 Service Operations

The Duty Deferment Account set up by the Supplier for customs obligations must be a separate bank account to that used for the Supplier's other business operations.
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2.1.8(a) Subject always to Annex 8, to comply with requirement 2.1.8 the Supplier shall provide (or procure that its Sub-contractor provides) a separate Duty Deferment Account to be used in connection with the Agreed Trader Journeys to the bank account used by the Supplier or Sub-contractor (as applicable) in connection with other business operations.

2.1.9 Service Operations

This Requirement is no longer valid

2.1.10 Service Operations

This Requirement is no longer valid

2.1.11 Service Operations

The Service must remain compliant with the Supplier Solution for the duration of the Term

2.1.11(a) The Supplier agrees that Parts 1 & 3 of this Schedule 2.1 shall continue to comply with Parts 4 to 9 of this Schedule 2.1.
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2.1.12 Service Operations

The Supplier must establish operational processes and service levels with Users to minimise the burden on them of carrying out their additional customs obligations. The processes and service levels must take into consideration and support the operational realities of these businesses and of the movement of goods.

2.1.12(a) To comply with requirement 2.1.12 the Supplier shall support the Trader Journeys and undertake the associated Trader Journey Processes in accordance with Parts 1, 3 and Annex 5 of this Schedule 2.1 and in accordance with the Performance Indicators.

2.1.13 Service Operations

The Supplier must support the existing NI Customs Intermediary market to maintain their business.

2.1.13(a) To comply with requirement 2.1.13 the Supplier shall undertake the activities and tasks set out in 2.1.13(b) below.

2.1.13(b) Supplier tasks and activities:

The Supplier shall make the Service available to Customs Intermediaries in the same way as Traders (and to no greater extent).

The Supplier will target NI Customs Intermediaries and direct them to the TSS Portal where training options and customs qualifications will be made available via the Northern Ireland Customs & Trade Academy (NICTA) training platform.

Where the Supplier considers that Users would benefit from the value added services of Customs Intermediaries which complement or exceed the Services, the Supplier shall provide information to Traders regarding the availability of such third party services.

2.1.14 Service Operations

The Supplier must provide dedicated engagement and processes to support Customs Intermediaries who serve those businesses moving goods between GB and NI and/or importing from RoW into NI.

2.1.14(a) To comply with requirement 2.1.14 the Supplier shall undertake the activities and tasks set out in 2.1.14(b) below.

2.1.14(b) Supplier tasks and activities:

The Supplier shall make the Services available to Customs Intermediaries in the same way as other Users (and to no greater extent).

Bulk uploads will be available as described in Part 3 of this Schedule 2.1 to the extent provided in relation to a Trader Journey as set out in Table 1 of Part 1 of this Schedule 2.1.

The Supplier will direct Customs Intermediaries to the TSS Portal where training options and customs qualifications will be made available via the Northern Ireland Customs & Trade Academy (NICTA) training platform.

2.1.15 Service Operations

The Service must be scalable in line with the requirements in Annex 10 (ITT Metrics).

2.1.15(a) To comply with requirement 2.1.15 is met by the Supplier complying with its obligations set out in Schedule 7.1 (Charges and Invoicing) of this Agreement.

The Services have been designed to be scalable up or down around the Baseline Volumes in Annex 2 subject always to: (a) agreement of any changes associated with such scaling and the implications all in accordance with the Change Control Procedure; and (b) the scalability and the associated change to this Agreement taking into account any obligations owed by the Supplier to the Sub-contractors (including but not limited to fixed or minimum or maximum charges or limits or caps on services); and (c) the process regulating the number of Contact Centre Agents set out in Schedule 7.1 being applied in relation to any such scaling.

2.1.16. Welsh Language To Be Supported

1. Supplier shall provide the Contact Centre, TSS Portal and NICTA Portal elements of the Service in both English and Welsh languages

2. The Supplier shall send outgoing User communications in either English or Welsh languages as per the Users preference

3. The Supplier shall provide all outgoing mass User communications (i.e. mailshots and communication campaigns under TSS control) in both English and Welsh languages

4. For clarity training and guidance materials are only required to be provided in English language. Should a User require Welsh language variations then, where possible, the Authority will provide a translation

2.1.16(a) To comply with requirement 2.1.16 the Supplier shall undertake the activities and tasks set out in 2.1.16(b) below.

2.1.16(b) Supplier tasks and activities:

The Supplier shall provide both English and Welsh language support via the Contact Centre service to the extent described below in this paragraph 2.1.16(b). Welsh language telephony calls will be routed by the IVR to a Welsh speaking Contact Centre Agent or an English speaking Contact Centre Agent who will invoke a three party conference with a Welsh translation service agent to provide the required Welsh language support.

The Supplier shall make available a language option on the TSS Portal and NICTA Portal to allow access to the Service in Welsh. Individual outgoing User communications will be based on the User's preference chosen on the portal.

Outgoing mass User communications involving mailshots and communication campaigns under TSS control shall be provided in English and, where the translation into Welsh has been provided by the Authority, in Welsh.

The Supplier shall only provide training material in English. Where Users require training and guidance material in Welsh, this shall be handled as an exception and provided where the Authority has translated the relevant material into Welsh.

2.1.16(c) In addition to any general Authority Responsibilities referred to in Schedule 3, the Authority shall perform the following Authority Responsibilities set out in Schedule 3:

- AR22

2B.1.1 Service Operations

This Requirement is no longer valid

2.2 Reporting to HMRC

2.2.1 Service Operations

The Supplier must provide a report to the Authority at least every week, continuing until January 1 2021 and containing the following information:

- Total number of Users
- Details of Users (including but not limited to place of establishment and size of business)
- The number of Users who have been provided support by the Service (including but not limited to; total number of Users who have interacted with the Service, the average frequency of contact per Users and the total number of registration calls made)
- An assessment of Users' perceptions of readiness based on engagement with Users and self-reported results.
- Progress against Implementation Plan

2.2.1(a) To comply with requirement 2.2.1 the Supplier shall provide agreed reports and attend agreed meetings between the Parties from time to time during the period from the Effective Date until 1 January 2021 and the Authority confirms that this requirement has been fully met for the period up to the date of signature of this Agreement.

2.2.2 Service Operations

The Supplier must be able to adapt the reports provided to the Authority (described in requirement 2.2.1) to include additional parameters upon request from the Authority as part of an operational change process.

2.2.2(a) To comply with requirement 2.2.2 the Supplier shall undertake to impact assess and reasonably agree to changes to such reports in accordance with the Change Control Procedure during the period prior to 1 January 2021 and the Authority confirms that this requirement has been fully met for the period up to the date of signature of this Agreement.

2.2.3 Service Operations

From January 1 2021, the Supplier must provide a report to the Authority as a minimum once every week for the remaining duration of the Term (including for the avoidance of doubt any Extension Period), containing the following information:

- The total number of declarations submitted by the Supplier on behalf of Users
- The number of repayment claims submitted by the Supplier on behalf of Users
- The total amount of any subsidies which have been claimed by each Trader for not At Risk Goods by providing a statement on the declaration
- The total number of businesses which interact with the Supplier at least once every 7 working days and utilise the Services (including but not limited to education & guidance and declaration submission)

2.2.3(a) To comply with requirement 2.2.3 is met by the Supplier making available a MI Dashboard reporting tool enabling access to the measurement of agreed elements of the Services as set out in Part 3 of this Schedule 2.1.

2.2.4 Service Operations

The Supplier must be able to adapt the reports provided to the Authority (described in requirement 2.2.3) to include additional parameters upon request from the Authority as part of an operational change process.

2.2.4(a) To comply with requirement 2.2.4 the Supplier shall make such adaptations to the reports provided to the Authority referred to in 2.2.3(a) above as are set out in Part 3 of this Schedule 2.1 and for any other adaptations or other changes the Supplier shall undertake to impact assess and reasonably agree to changes to such reports in accordance with the Change Control Procedure .

2.2.5 Service Operations

The Supplier must keep an accurate record of the amount of State Aid Subsidy each Trader using the Service has received, including:

- The amount of any subsidy each Trader has received through services external to the Service
- The amount of any subsidy each Trader has claimed to offset their tariff liability

2.2.5(a) To comply with requirement 2.2.5 the Supplier shall:

- Follow the State Aid Subsidy process as set out in Part 1 of this Schedule 2.1 .
- Where the Supplier receives notification from the CDS System of any State Aid Subsidies that have been successfully authorised on a SD to offset duties, the Supplier shall record such State Aid Subsidies and add it to the User's Trader Subsidy Tally and notify the user of the value of the waiver authorised.

On a monthly basis, unless the Parties agree to a lesser frequency, Traders will be required to confirm whether they have claimed any State Aid Subsidies other than in connection with the Service, to offset liabilities for At Risk Goods, and to provide to the Supplier the details (including amounts) of any State Aid Subsidy which has been claimed.

2.2.5(b) In addition to any general Authority Responsibilities referred to in Schedule 3, the Authority shall perform the following Authority Responsibilities set out in Schedule 3:

- AR20

2.2.6 Service Operations

The Supplier must inform the User and the Authority within 24 hours of recording that the total subsidy claimed by the Trader is within 10% of their State Aid Subsidy limits across any three-year period

2.2.6(a) To comply with requirement 2.2.6 the Supplier shall undertake the activities and tasks set out in 2.2.6(b) below during the relevant hours of operation as set out in Annex 3 (Hours of Cover) for the Trader Journeys.

2.2.6(b) Supplier tasks and activities:

Subject to having received all information and data required to make the assessment from the Trader and the Authority, the Supplier shall follow the State Aid Subsidy process as set out in Part 1 of this Schedule 2.1 which includes sending automatic notifications by email to the User and to the Authority within 24 hours of the Trader having used 90% of the Trader Subsidy Tally

2.2.7 Service Operations

The Supplier must provide an annual report to the Authority on the amount of State Aid Subsidy each Trader using the Service from the agricultural or fishing sector has received.

2.2.7(a) To comply with requirement 2.2.7 the Supplier shall undertake the activities and tasks set out in 2.2.7(b) below.

2.2.7(b) Supplier tasks and activities:

The Supplier shall follow the State Aid Subsidy process as set out in Part 1 of this Schedule 2.1 and in addition the Supplier shall report to the Authority on the Trader Subsidy Tally for Users in the agricultural and fishing sectors annually.

The Supplier will determine from the User if they are operating a business in the agricultural or fishing sector and this will be the basis for determining their entitlement to claim the subsidy.

The Supplier will record accurately the data to which it has been provided by the Trader, but the Supplier shall not validate the self-reported data

2C.1.1 Service Operations
The Supplier may be able to meet with the Authority at least once every 60 days from 1st January 2021. These meetings are requested by the Authority to monitor the use of declaration types at NI ports and identify opportunities for improving trade flow and revenue.
2C1.1(a) To comply with requirement 2C1.1 the Supplier shall ensure an appropriate Supplier Personnel is available to meet with the Authority at least once every sixty (60) days to discuss the use of the Services and to aim to identify opportunities for improvement and the Parties agree that separate to this Requirement, the Supplier is obliged to comply with its obligations set out in Schedule 8.1 (Governance).

2.3 Pricing

2.3.1 Service Operations
<p>The Supplier must not charge Users for the following Services performed on their behalf:</p> <ul style="list-style-type: none"> - Completing Customs Declarations into CDS - Completing an Entry Summary Declaration - Completing Transit Declarations - Holding a guarantee - Paying for duties due on a declaration using the Supplier's Duty Deferment Account - Education, advice and guidance on new customs obligations - Any additional port movement or inventory related charges that are required to meet new customs obligations as a result of the NI Protocol. <p>If any additional services are requested by the Authority, a review must be undertaken with the Authority to confirm if these services should be free at the point of use.</p>
2.3.1(a) To comply with requirement 2.3.1 is met by the Supplier supporting the Agreed Trader Journeys and the Trader Journey Processes as described in Parts 1 and 3 of this Schedule 2.1 without charging Traders directly.

2.4 Non-Functional Requirements

2.4.1 Service Operations
The Supplier must provide a continuous, uninterrupted Service through the year, with a maximum of 4 instances of Permitted Maintenance permitted per year. Each instance of Permitted Maintenance must not exceed 2 hours in length.
2.4.1(a) To comply with requirement 2.4.1 the Supplier shall undertake the activities and tasks set out in 2.4.1(b) below.
2.4.1(b) Supplier tasks and activities: The Supplier shall, other than for Permitted Maintenance and Emergency Maintenance as described in Annex 3, endeavour to provide a continuous, uninterrupted Service; however the Suppliers obligation is in accordance with the Performance Indicators. The Supplier shall comply with Schedule 8.6 (Service Continuity Plan and Corporate Resolution Planning). The Supplier shall plan for a maximum of 4 instances of Permitted Maintenance per year, each of a duration not more than 2 hours as described in Annex 3.

2.4.2 Service Operations
The Supplier must provide the Authority and the Users at least 20 days' notice of any planned downtime and during any agreed planned downtime, the Service must maintain skeleton functionality to ensure: <ul style="list-style-type: none"> • Users are still able to submit high priority Declarations through the Service; and • the Supplier is still able to resolve any control checks for any Goods Movement
2.4.2(a) To comply with requirement 2.4.2 the Supplier shall undertake the activities and tasks set out in 2.4.2(b) below.
2.4.2(b) Supplier tasks and activities: As more fully described in Annex 3, the Supplier shall notify the Authority and Users of any Permitted Maintenance at least 20 days before the work takes place. In the case of Emergency Maintenance, the Supplier shall provide as much notice as possible to the Authority and Users and will consult with the Authority before carrying out the Emergency Maintenance. High priority Declarations and resolution of control checks for any Goods Movement will be provided for through the continuity processes described elsewhere in this Schedule 2.1 or otherwise to be agreed between the Parties.

2.4.3 Service Operations

The Supplier must have a documented fall back and Disaster Recovery Service that must be agreed with the Authority in advance of the Agreement being signed

2.4.3(a) To comply with requirement 2.4.3 the Services have been designed for high availability and the continuity processes described in Part 1 of this Schedule 2.1 shall be available from the Operational Service Commencement Date.

The Supplier shall issue and present the high availability and disaster recovery principles included in the Supplier Solution to the Authority before the Operational Service Commencement Date.

The Supplier shall also comply with those of its obligations in Schedule 8.6 (Service Continuity Plan and Corporate Resolution Planning) related to disaster recovery.

For Descartes platform the Descartes Platinum DR Plan as summarised below will, be provided from 28 January 2021 until 28 July 2021. Unless there is a Change agreed under the Change Control Procedure to extend this period the Descartes Platinum DR Plan shall expire on 30 June 2021.



2.4.3(c) In addition to any general Authority Responsibilities referred to in Schedule 3, the Authority shall perform the following Authority Responsibilities set out in Schedule 3:

- AR23

PART 6:

PRE-GOODS MOVEMENT SUPPORT

The table(s) below set out the Authority Requirements, how those requirements are met including any further expansion on or description of the Authority Requirements and associated boundaries and where applicable, the Trader Journeys to which they relate.

In each table, row 1 of the table is the heading; row 2 is the Authority Requirement; and row 3 includes the relevant elements of the Supplier Solution and describes in full what is required of the Supplier in order to comply with the Authority Requirement together with any dependencies or Authority Responsibilities, in each case to be performed by the Authority, that are particularly associated with the Authority Requirement. In addition to the specific Authority Responsibilities where referenced in the tables below, the general Authority Responsibilities apply as set out in Schedule 3.

3. PRE-GOODS MOVEMENT SUPPORT

3.1 Customs Obligations

3.1.1 Pre-Goods Movement Support
The Supplier must be able to provide guidance to Users, and if applicable their Customs Intermediaries, on their roles and responsibilities to meet their customs, VAT and Excise Duty obligations.
<p>3.1.1(a) To comply with requirement 3.1.1 the Supplier shall undertake the activities and tasks set out in 3.1.1(b) below.</p> <p>3.1.1(b) Supplier tasks and activities:</p> <p>The Supplier shall undertake the Ready to Trade Process and shall make available to the Users:</p> <ul style="list-style-type: none">• the online, remote-learning training courses as set out in Annex 4; and• how-to guides (in a PDF, audio or video format), which aim to:<ol style="list-style-type: none">1. Educate Users on the NI Protocol, and the steps they must take to try to trade compliantly (for example getting an EORI number);2. Educate Users on the different Declaration types and their associated benefits;3. Help Users understand how to provide TSS with all the information it needs to submit declarations on their behalf (including, subject to 3.1.5(b) below, information on the At Risk Goods status); and

4. Advise Users on the additional documents/licences that they will need (e.g. when a permit is needed to import endangered species (CITES) goods).

The Supplier shall provide the Contact Centre, which shall provide further guidance on customs obligations.

3.1.2 Pre-Goods Movement Support

The Supplier must ensure that all Users registered with the Service have applied for the appropriate EORI. The Supplier is not expected to apply for an EORI on a Users behalf.

3.1.2(a) To comply with requirement 3.1.2 the Supplier shall undertake the activities and tasks set out in 3.1.2(b) below.

3.1.2(b) Supplier tasks and activities:

The Service shall support Users to understand that they require an EORI number and to apply for the appropriate EORI (as necessary) by:

1. Requesting the Trader's EORI number during the registration process;
2. Performing the Ready to Trade Process;
3. Maintaining (in accordance with this Agreement) details of Traders' EORI numbers which have been provided in connection with the Services and, where an EORI is not provided by a Trader who has registered for the Service, sending an email to the relevant email address provided by the Trader which requests that the Trader applies for an EORI number and provides guidance on how to do this; and
4. Including a link to the "Get an EORI number" <https://www.gov.uk/eori> website in relevant email communications (as determined by the Supplier) relating to EORI numbers.

3.1.3 Pre-Goods Movement Support

The Supplier must be able to provide guidance to Users, and if applicable their Customs Intermediaries, on what data they will need to provide to the Supplier to allow submission of UCC compliant customs and safety and security declarations. This must include supporting the Users to identify the right commodity codes for usage.

3.1.3(a) To comply with requirement 3.1.3 the Supplier shall undertake the activities and tasks set out in 3.1.3(b) below.

3.1.3(b) Supplier tasks and activities:

The Supplier shall provide guidance, training and support (in each case to the extent described elsewhere in this Schedule 2.1) for Users in order to educate those entities as to the information they need to provide in connection with the Services, such as EORIs and commodity codes, in order for the Supplier (or its Sub-contractor) to support them to submit compliant customs and safety and security declarations.

The Supplier shall make available to Users the relevant services described in Part 3 of this Schedule 2.1 together with:

- the online, remote-learning training courses as set out in Annex 4; and
- how-to guides (in a PDF, audio or video format), which aim to:
 1. Educate Traders on the NI Protocol, and the steps they must take to try to trade compliantly (for example getting an economic operators registration and identification (EORI) number); and
 2. Help Traders understand how to provide TSS with all the information it needs to submit declarations on their behalf (including information on the “risk” status of goods); and
 3. Advise Traders on the additional documents/licences that they will need (e.g. when a permit is needed to import endangered species (CITES) goods);
 4. Make Traders aware of the HMRC guidance available on commodity codes at <https://www.gov.uk/trade-tariff>.

The TSS Portal will include help text/guidance on how to use commodity codes and will help Users search for appropriate commodity code(s) for the goods the User is declaring.

The Supplier shall provide the Contact Centre, which shall provide further guidance on customs obligations including commodity codes which may be relevant to the User, but the User is accountable for the commodity codes chosen for each Declaration.

3.1.4 Pre-Goods Movement Support

The Supplier must be able to provide guidance to Users and if applicable their Customs Intermediaries, on the Goods Movement process from NI to GB, and the scenarios in which an export declaration is required.

3.1.4(a) To comply with requirement 3.1.4 the Supplier shall undertake the activities and tasks set out in 3.1.4(b) below for the relevant NI to GB Trader Journeys identified in Part 1 (Trader Journeys) of this Schedule 2.1 (Services Description).

3.1.4(b) Supplier tasks and activities:

The Supplier shall make available to the Traders:

- the online, remote-learning training courses as set out in Annex 4; and
- how-to guides (in a PDF, audio or video format), which aim to:
 1. Educate Traders on the NI Protocol, and the steps they must take to try to trade compliantly (for example getting an economic operators registration and identification (EORI) number); and
 2. Help Traders understand how to provide TSS with all the information it needs to submit declarations on their behalf (including information on the “risk” status of goods); and
 3. Advise Traders on the additional documents/licences that they will need (e.g. when a permit is needed to import endangered species (CITES) goods).

The Supplier shall provide the Contact Centre, which shall provide further guidance on customs obligations. The Supplier will identify user trends and behaviours to enable proactive assistance and targeted training / support where it can be identified that support is required by or could benefit the User.

3.1.5 Pre-Goods Movement Support

The Supplier must be able to provide guidance to Users and if applicable their Customs Intermediaries, on the Goods Movement process from GB to NI, and how the User can declare that their goods are not At Risk Goods.

3.1.5(a) To comply with requirement 3.1.5 the Supplier shall undertake the activities and tasks set out in 3.1.5(b) below for GB to NI Trader Journeys identified in Table of Part 1 (Trader Journeys) of this Schedule 2.1 (Services Description).

3.1.5(b) Supplier tasks and activities:

The Supplier will make training and support set out in this 3.1.5(b) in respect of the determination of the status of At Risk Goods available to Traders and customs intermediaries.

The training and support to be provided in connection with the determination of the status of At Risk Goods shall be:

- the Supplier making available on the NICTA Portal online training materials (in accordance with Annex 4); and
- support provided by the Contact Centre which is designed to support Users to determine whether or not their goods movements are At Risk Goods or not, and by assisting Users where appropriate to identify where evidence can be captured at source.

The Supplier will identify user trends and behaviours to enable proactive assistance and targeted training / support where it can be identified that support is required by or could benefit the User.

3.1.6 Pre-Goods Movement Support

The Supplier must be able to support Users and, if applicable their Customs Intermediaries, to gather the necessary evidence to allow them to declare their goods as not At Risk Goods subject to negotiations with the EU.

3.1.6(a) To comply with requirement 3.1.6 the Supplier shall undertake the activities and tasks set out in 3.1.6(b) for GB to NI Trader Journeys identified in Part 1 (Trader Journeys) of this Schedule 2.1 (Services Description).

3.1.6(b) Supplier tasks and activities:

Subject to the application of paragraph 3.1.5(b) above to this paragraph 3.1.6 and completion by the Authority of its obligation set out in paragraph 3.1.5(c), the Supplier shall support Users and their representatives in connection with the Services (if applicable) to understand, subject to 3.1.5(b) above, the evidence required to declare their goods movements as not At Risk Goods (where applicable), by:

1. Providing the Users with information as to the documentation required (e.g. details of origin and destination) to try to ensure that Users understand the evidence which must be maintained; and
2. Making the online training set out in Annex 4 available on the NICTA Portal.

The Supplier will identify user trends and behaviours to enable proactive assistance and targeted training / support where it can be identified that support is required by or could benefit the User.

3B.1.1 Pre-Goods Movement Support

The Supplier should be able to provide guidance and support for NI transit Users on their roles and responsibilities.

3B.1.1(a) To comply with requirement 3B.1.1 the Supplier shall make available the online materials referred to in Annex 4 on the NICTA Portal and through the Contact Centre.

3.2 Authorisations & Licenses

3.2.2 Pre-Goods Movement Support

The Supplier must be able to provide guidance and advice to Users and, if applicable their Customs Intermediaries, on Prohibited and Restricted Goods, and the additional documents they will need for such goods.

3.2.2(a) To comply with requirement 3.2.2 the Supplier shall make available guidance online and through the Contact Centre as described in Annex 4 relating to Prohibited and Restricted Goods and relating to the documentation required for the movement of such goods.

The Supplier will identify user trends and behaviours to enable proactive assistance and targeted training / support where it can be identified that support is required by or could benefit the User.

3.2.3 Pre-Goods Movement Support

The Supplier must be able to support Users to apply for any required licenses and/or certificates following confirmation from the User as to the type of goods they expect to be declaring. The Supplier is not expected to apply for these licenses directly on behalf of the User

3.2.3(a) To comply with requirement 3.2.3 the Supplier shall undertake the activities and tasks set out in 3.2.3(b) below.

3.2.3(b) Supplier tasks and activities:

Provided always that the Supplier shall not nor shall it be expected to apply for any licenses or documentation on behalf of the User, the Supplier will support Users with licence and/or certificate applications in connection with goods declarations to be made by those Users. The Supplier will be making available the online materials in accordance with Annex 4 on the NICTA Portal and through the Contact Centre. The Supplier will identify user trends and behaviours to enable proactive assistance and targeted training / support where it can be identified that support is required by or could benefit the User.

3C.1.1 Pre-Goods Movement Support

The Supplier may be able to provide guidance to Users on any authorisations and associated prerequisites that may be required or are beneficial for their desired goods movement patterns.

The Supplier may be able to support Users to apply for any required authorisation but for the avoidance of doubt is not expected to apply for these authorisations directly on a User's behalf.

3C.1.1(a) To comply with requirement 3C.1.1 the Supplier shall undertake the activities and tasks set out in 3C.1.1 (b) below.

3C.1.1(b) Supplier tasks and activities:

The Service shall support Users and their representatives (if applicable) in connection with the Services by providing guidance on the authorisations and prerequisites that are required (which includes the adoption and benefits of the Direct Representation approach) for the relevant Users desired Goods Movement patterns through the Contact Centre and by making available on the NICTA Portal the online training materials set out in Annex 4. The Supplier will identify user trends and behaviours to enable proactive assistance and targeted training / support where it can be identified that support is required by or could benefit the User.

3.3 Supply Chain Engagement

3.3.1 Pre-Goods Movement Support

The Supplier must be able to offer guidance and support to Users who are new to Goods Movement enabling them to secure support to move their goods if needed.

For Users who carry out Goods Movements already (without customs obligations), the Supplier must provide guidance/advice as to how the Customer Intermediary actors are expected to carry out their new customs obligations.

3.3.1(a) To comply with requirement 3.3.1 the Supplier shall undertake the activities and tasks set out in 3.3.1(b) below.

3.3.1(b) Supplier tasks and activities:

The Service will provide guidance and support for Users regarding Goods Movement, both via NICTA Portal and through the Contact Centre service, by:

1. Making available the online learning materials set out in Annex 4 on the NICTA Portal; and
2. Providing support through the Contact Centre.

The Supplier will identify user trends and behaviours to enable proactive assistance and targeted training / support where it can be identified that support is required by or could benefit the User.

This guidance and support will include support for Traders who are new to goods movements, and those with new customs obligations.

3.3.2 Pre-Goods Movement Support

The Supplier must ensure that Users are not mandated to use other services provided by the Supplier or its Sub-Contractors in order to fully access the Service.

3.3.2(a) To comply with requirement 3.3.2 the Supplier shall agree that neither it nor its Sub-contractors shall mandate the use of any other services provided by the Supplier or its Sub-contractors by a User in order for that User to receive the Services.

3B.1.2 Pre-Goods Movement Support

The Supplier must be able to provide guidance and support to allow Users to identify the relevant information from their Customer Declarations and Goods Movement to share with their Carrier, allowing the Carrier to meet their own customs obligations and generate a Goods Movement Reference.

3B.1.2(a) To comply with requirement 3B.1.2 the Supplier shall undertake the activities and tasks set out in 3B.1.2(b) below.

3B.1.2(b) Supplier tasks and activities:

The Supplier will make available the online materials in accordance with Annex 4 on the NICTA Portal and through the Contact Centre which will be improved and updated in accordance with that Annex.

3C.2.1 Pre-Goods Movement Support

The Supplier may be able to provide guidance to Carriers to enable them to understand their expected interactions with Authority Systems and ensure the Carriers are able to appropriately Arrive and process declarations.

3C.2.1(a) To comply with requirement 3C.2.1 the Supplier shall undertake the activities and tasks set out in 3C.2.1(b) below.

3C.2.1(b) Supplier tasks and activities:

The Supplier will provide guidance and support for Carriers, both online and through the Contact Centre, to understand the interactions needed with Authority systems so that declarations can be appropriately arrived and processed, by:

1. Making available online reference materials and 'how to' guides; and
2. Making available of templates for carriers to use.

The Supplier will identify user trends and behaviours to enable proactive assistance and targeted training / support where it can be identified that support is required by or could benefit the User.