

**ANNEX 9**

**ADDITIONAL DEFINITIONS**

<b>“Additional MI”</b>	has the meaning set out in Paragraph 4.6.1(i) of Part 3 to Schedule 2.1 (Services Description);
<b>“Agreed Datasets”</b>	means the data structures and data referred in the documents listed in Annex 7 as applicable to each API ;
<b>“Arrived”</b>	means, when goods have arrived at their physical point of destination;
<b>“At Risk Goods”</b>	means goods brought into Northern Ireland from outside the European Union, which does not meet the criteria in Law to be considered not at risk of onward movement to the European Union;
<b>“Authorised Consignor”</b>	means a person authorised by HM Revenue & Customs to carry out transit discharge operations without presenting the goods at the Office of Departure;
<b>“Baseline Volumes”</b>	shall have the meaning given to it in Annex 2 to Schedule 2.1;
<b>“Border Force”</b>	means the UK Government law enforcement command response for border control operations including customs control in the UK;
<b>“Bulk Upload”</b>	Means an application programming interface (API) provided by the Supplier to enable Declarants to submit multiple Declarations to the Authority via the Services without the need to enter data manually into the TSS Portal;
<b>“Carrier”</b>	means a commercial entity that physically transports goods to or from Northern Ireland and includes Hauliers and Fast Parcel Operators. In order for a Carrier to use the Services they must also be a User;
<b>“Case Management System” or “CMS”</b>	means, the ServiceNow Customer Service Management configured features and components that agents and managers use to create and resolve cases;
<b>“CDS” or “CDS System”</b>	means the Authority’s UCC compliant system for import, and export of freight as referred to in Annex 7 and known as the “Customs Declaration Service”;
<b>“CFSP”</b>	means the Customs Freight Simplified Procedures as defined in customs legislation and guidance;

<b>“CHIEF”</b>	means the Authority’s Customs Handling of Import and Export Freight (CHIEF) System which is being replaced by CDS;
<b>“Cleo Harmony”</b>	means, the messaging and integration platform, provided by EORI UK Ltd, with Electronic Data Interchange (EDI) and non-EDI capabilities with any-to-any transformation and integration, which is industry certified and provides support for current communications standards and protocols;
<b>“Client Account”</b>	shall have the meaning given to it in paragraph 1.5(d) of Annex 8 to this Schedule 2.1;
<b>“CMS Record”</b>	means a single data record in the Case Management System to which all process activity relating to the declaration process for a specific Goods Movement is stored;
<b>“Community System Provider” or “CSP”</b>	means commercial entities that provide customs services include recording and tracking the movement of goods and directly interface with Authority Systems including CDS;
<b>“Contact Centre”</b>	means a multi-channel interaction point, as described in part 3 of Schedule 2.1 (Service Description) which Users can contact to receive support relating to the Services;
<b>“Contact Centre Agent”</b>	means a person with a level of customs knowledge and experience, as appropriate to their role in delivering the Services, who handles telephone and written queries as part of the Contact Centre;
<b>“Contingency Process”</b>	Shall have the meaning given to it in paragraph 3.2.6 of the introduction to Schedule 2.1;
<b>“Customs Declaration”</b>	Means a Declaration that provides details of goods that are being imported, exported or transited based on the agreed customs procedure;
<b>“Customs Intermediary”</b>	means a commercial entity that help other businesses to import and export their goods by ensuring the necessary declarations and related paperwork has been completed. This typically includes Fast Parcel Operators. In order for a Customs Intermediary to use the Services they must also be a User;
<b>“Customs Risk Control Process”</b>	means the approach used by the Authority to specifically identify Customs Declarations subject to Border Force and HMRC controls in accordance with the NI Protocol;
<b>“Customs Territory”</b>	means a geographic territory with uniform customs regulations;

<b>“Dashboard Provisions”</b>	means, the provisions set out in Paragraph 4.6.1 of Part 3 to Schedule 2.1 (Services Description);
<b>“Declaration Management Service”</b>	means, the declaration management service set out in Paragraph 6 of Schedule 2.1 (Services Description);
<b>“Descartes Global Logistics Network” or “GLN”</b>	means, the platform provided by Descartes that manages the real-time flow of logistics, customs and product information, that provides the ability to submit Declarations to the Authority Systems and CSPs;
<b>“Designated Trader Journey”</b>	Shall have the meaning given to it in Paragraph 3.4 of Part 1 of Schedule 2.1;
<b>“DDP” or “Delivery Duty Paid”</b>	means the delivery agreement whereby the seller assumes all of the responsibility, risk, and costs associated with transporting goods until the buyer receives or transfers them at the destination port;
<b>“Declaration”</b>	means any or all of the following Simplified Frontier Declaration, Supplementary Declaration, Final Supplementary Declaration, Full Frontier Declaration, Entry Summary Declaration, Transit Declaration, Export Declaration or Exit Summary declaration;
<b>“Declarant”</b>	means the User making the Declaration;
<b>“Direct Trading List”</b>	means the list of businesses that the Authority agrees that the Supplier should provide the Services through direct representation only;
<b>“Duty Deferment Account”</b>	means an account approved by HMRC which enable an entity to defer payment of custom and Excise Duties which are due until the end of a payment period which is normally the 4 <sup>th</sup> working day of the month following the Tax Point;
<b>“EAD” or “Export Accompanying Document”</b>	means the document acting as proof an export Customs Declaration has been made, required for customs clearance;
<b>“Early Service Period”</b>	Shall have the meaning given to it in paragraph 3.2 of Annex 8 to this Schedule 2.1;
<b>“e-Customs”</b>	Means the software interface provided by Descartes as defined in Paragraph 7.2.1 of Part 3 to Schedule 2.1 (Services Description);
<b>“EIDR” or “Entry In Declarant's Records procedure”</b>	means the following two stage customs procedure that can only be used under a relevant authorisation, held by either the Supplier or the User: i) Customs Declaration made into Users records rather than directly to the Authority which allows movement through frontier; and

	<p>ii) User later submits a Supplementary Declaration to the Authority with detailed information;</p> <p>The EIDR requires the same dataset of information as would be required for a SFD;</p>
<b>“ENS” or “Entry Summary Declaration”</b>	means the Safety & Security Declaration required for all cargo entering the EU which the Carrier or their delegated representative is responsible for submitting ahead of Goods Movement;
<b>“EORI”</b>	means the “Economic Operators Registration and Identification” number which is a unique identification number for businesses involved in the movement of goods;
<b>“EORI UK Platform”</b>	means, the platform that provides the processing capability, provided by EORI UK Ltd, to create the Declarations each as are identified in the Trader Journey Processes ;
<b>“Temporary Storage Facility”</b>	means storage facilities approved by the Authority where goods can be temporarily stored for up to 90 days without paying duties / taxes, until placed under a customs procedure / re-exported;
<b>“Excluded Trader Journey”</b>	Shall have the meaning given to it in Paragraph 3.3 of Part 1 of Schedule 2.1;
<b>“Express Operator” or “Fast Parcel Operators” or “FPO”</b>	means a commercial entity such as couriers, who move high volume of typically time critical smaller packages of goods. Express Operators typically also act as Customs Intermediaries for their customers. In order for a FPO to use the Services they must also be a User;
<b>“Export Declaration” or “EXD”</b>	means a combined Customs Declaration and Safety & Security Declaration or Exit Summary Declaration which allows for the control of the movement of goods as they exit the external border of the UK;
<b>“EXS” or “Exit Summary declaration”</b>	means the safety and security information required for cargo derived from the Customs Declaration which is required ahead of Goods Movement;
<b>“Full Frontier Declaration” or “FFD”</b>	means a Customs Declaration which includes all the necessary data elements to allow the goods to be discharged to a customs procedure at the point of arrival and is required for all goods that are not moving under a customs procedure that removes the need for the FFD;
<b>“Final Supplementary Declaration Process” or “FSD”</b>	means a Customs Declaration which enables reconciliation of all Simplified Frontier Declarations and Supplementary Declarations for a User within a monthly reporting period and transmitted to the Authority’

<b>“GB”</b>	means Great Britain;
<b>“GMR” or “Goods Movement Reference”</b>	means the single reference per shipment that a Haulier may use at a frontier to prove goods have the necessary pre-lodged Customs Declarations;
<b>“Goods Movement”</b>	means the process of moving goods from one Customs Territory to another Customs Territory;
<b>“GVMS” or “Goods Vehicle Movement Service”</b>	means the new UK Goods Vehicle Movement Service provided by the Authority which will allow Carriers to declare goods ahead of reaching UK borders and link movements and Customs Declarations together;
<b>“Haulier”</b>	means a commercial entity that transports goods to or from Northern Ireland as a business. In order for a Haulier to use the Services they must also be a User;
<b>“ICS” or “Import Control System”</b>	means the Authority System for reporting safety and security entry (ENS) in relation to Northern Ireland or Great Britain as referred to in Annex 7;
<b>“Indirect Exports”</b>	means an export movement which starts in one EU member state but covers the movement of the goods up to the external EU border where the goods exit the EU;
<b>“Initial Release Trader Journey”</b>	shall have the meaning given to it in Paragraph 3.2 of Part 1 of Schedule 2.1;
<b>“Interactive Voice Response” or “IVR”</b>	means the technology that allows humans to interact with a computer operated phone system through the use of Dual-Tone Multi-Frequency (DTMF) tones input via a keypad.
<b>“IPAFFS” or “Import of Products, Animals, Food and Feed System”</b>	means the system entities must use to notify UK Government Animal and Plant Health Agency (APHA) of live animal and germinal products Good Movements;
<b>“Knowledge Base”</b>	means, part of the ServiceNow Knowledge Management application, the Knowledge Base contains articles that provide Users with information, in particular for the Contact Centre Agents to assist the Users;
<b>“Large Trader”</b>	Shall have the meaning given to it in paragraph 2.3 of Annex 8 to this Schedule 2.1;
<b>“Measured Declaration”</b>	Shall have the meaning given to it in paragraph 1 of Annex 2 to this Schedule 2.1;
<b>“MI dashboard”</b>	has the meaning set out in Paragraph 4.6.1 of Part 3 to Schedule 2.1 (Services Description);
<b>“MRN” or “Movement Reference Number”</b>	means a unique, number which identifies a specific consignment;

<b>“NCTS” or “New Computerised Transit System”</b>	means the Authority’s New Computerised Transit System in relation to Northern Ireland or Great Britain which processes Transit Declarations, which if authorised then produces the required Transit Accompanying Document and unique Movement Reference Number as referred to in Annex 7;
<b>“Inventory Linked Port”</b>	means any port that is using a commercial inventory linking IT system, provide by a CSP, to control the movements of goods through the port;
<b>“Maximum Discount Sum”</b>	Has the meaning given to it in paragraph 4.7 of Part 1 of Schedule 2.1;
<b>“NI Protocol” or “NIP”</b>	means the part of the Withdrawal Agreement that sets out the specific arrangements that will apply in respect of Northern Ireland following the UK’s exit from the EU;
<b>“NI”</b>	means Northern Ireland;
<b>“NICTA Portal Go-Live Date”</b>	means the date that the NICTA Portal was published online, 28 <sup>th</sup> September 2020;
<b>“NICTA Portal”</b>	means the Supplier’s online platform for delivering Institute of Export and International Trade (IOE&IT) accredited training;
<b>“NICTA”</b>	means, Northern Ireland Customs Training Academy, a new online learning platform designed to prepare Traders, Hauliers, Carriers and Customs Intermediaries for moving goods under the Norther Ireland Protocol (NIP);
<b>“NICTA Level 3”</b>	Means, an industry accepted level of training for customs specialists, within TSS used specifically for a qualification which is being prepared for upskilling Contact Centre Agents;
<b>“NICTA Training”</b>	means, the set of training courses given by the IOE&IT trainers to the Users as defined in Annex 4 of Schedule 2.1;
<b>“Office of Departure”</b>	means any customs office at which a transit movement commences;
<b>“Pentant”</b>	means the Community System Provider (CSP) owned by Descartes and used to submit certain Declarations from the Descartes e-Customs software to the Authority Systems defined in Schedule 2.1 Annex 7;
<b>“Privacy Policy”</b>	means, the Supplier’s privacy policy as notified to Users from time to time;

<b>“Prohibited and Restricted Goods”</b>	means goods which due to their nature require additional controls to be performed at the point of importation and are excluded from EIDR;
<b>“Processing Services Supplier”</b>	Shall have the meaning given to it in paragraph 1.1(a) of Annex 8 to this Schedule 2.1;
<b>“Ready to Trade Process”</b>	Means the process set out in paragraph 5 of Part 1 of Schedule 2.1;
<b>“Registration Process”</b>	means the registration process that must be completed by any entity who wishes to use the Service as specified in Part 3 of Schedule 2.1, including agreement to the TSS Service Terms and Conditions;
<b>“Risking Process”</b>	means the approach used by the Authority to specifically identify Declarations subject to Border Force and HMRC controls in accordance with the NI Protocol;
<b>“Ro-Ro” or “Roll-on/Roll-off”</b>	means cargo ships designed to carry wheeled cargo (e.g., cars, trucks, railroad cars);
<b>“Route 1 Customs Procedure”</b>	means the customs control procedure for Customs Declarations where the documentation of goods are checked before the goods are cleared;
<b>“Route 2 Customs Procedure”</b>	means the customs control procedure for Customs Declarations where the goods are physically checked before they are cleared;
<b>“Route 3 Customs Procedure”</b>	means the customs control procedure for Customs Declarations where the goods are physically checked after they have cleared;
<b>“Route 6 Customs Procedure”</b>	means the customs control procedure for Customer Declarations deemed as acceptable to clear with no further checks;
<b>“RoW” or “Rest of World”</b>	means any country other than the UK and which is not within the European Customs Territory;
<b>“Safety &amp; Security Declaration”</b>	means the documentation to provide safety and security information to EU or UK about goods which are intended to travel through their Customs Territory including ENS and EXS;
<b>“SD Declaration Reminders”</b>	means a communication sent to a User to remind them to submit a Supplementary Declaration after a Goods Movement has Arrived;
<b>“SDP” or “Simplified Declaration Procedure”</b>	means the following two stage customs procedure that can only be used under a relevant authorisation, held by either the Supplier or the User:

	<p>i) User provides minimum consignment details at the frontier through submission of a Simplified Frontier Declaration; and</p> <p>ii) User submits Supplementary Frontier Declaration with supporting information before the 4th working day of following month;</p>
<b>“Service Elements”</b>	means, the service components listed in Paragraph 2.1 of Part 3 to Schedule 2.1 (Services Description);
<b>“ServiceNow”</b>	means the UK cloud computing platform provided by ServiceNow Inc to enable enterprise organisations to manage digital workflows which is used to host the TSS Portal, workflow, case management, and IT service management;
<b>“ServiceNow Now Platform”</b>	means, the ServiceNow software used as part of the Services as described in Paragraph 4 of Part 3 to Schedule 2.1 (Services Description);
<b>“SFD” or “Simplified Frontier Declaration”</b>	means the first stage of the Simplified Declaration Procedure two stage customs declaration procedure;
<b>“Special Procedures”</b>	means a customs procedures which allow goods to be placed in duty suspense prior to their importation for use within the UK or re-export;
<b>“State Aid Subsidy”</b>	means the state aid that a Trader is eligible to claim in Law (currently Commission Regulation (EU) No 1407/2013 of 18 December 2013 and Commission Regulation (EU) No 717/2014 of 27 June 2014, and Commission Regulation (EU) 1408/2013 of 18 December 2013) and which may be used to offset customs or excise duties for Goods At Risk under the Northern Ireland Protocol. The value of State Aid Subsidy is dependent on the Trader’s industry sector;
<b>“Supplementary Declaration” or “SD”</b>	means the Customs Declaration which is the second stage of the Simplified Declaration Procedure or Entry In Declarant’s Records procedure, two stage customs declaration procedure;
<b>“Supplier’s Duty Deferment Account”</b>	Means, subject always to Annex 8, the Duty Deferment Account of the Supplier or one of its Subcontractors;
<b>“Supplier DDA”</b>	Shall have the meaning given to it in paragraph 1.5(e) of Annex 8 to this Schedule 2.1;
<b>“TAD” or “Transit Accompanying Document”</b>	means the physical document that must accompany transiting shipments to allow customs clearance, which includes the unique movement reference number (MRN);
<b>“Tax Point”</b>	means the date and time when CDS accepts the Customs Declaration and calculates the duties and excise payable for the Customs Declaration;



<b>“Tier 1 Customs Agent”</b>	means a Contact Centre Agent handling general Service enquiries and systems support/triage;
<b>“Tier 2 Customs Agent”</b>	means a Contact Centre Agent handling customs specific queries, case management and complaints resolution;
<b>“Tier 3 Customs Agent”</b>	means either a Tier 3a Customs Agent as described in paragraph 5.5.3 of Part 3 of Schedule 2.1 or a Tier 3b Customs Agent as described in paragraph 6.7 of Part 3 of Schedule 2.1;
<b>“TRACES” or “Trade Control and Expert System”</b>	means the EU system used to notify UK Government Animal and Plant Health Authority (AHPA) of the movement of live animals and animal products within the EU, which entities will no longer be required to continue using for imports from 1 <sup>st</sup> Jan 2021;
<b>“Trader”</b>	means the commercial entity who wishes to move goods into or out NI as part of their business activities and who is not a Carrier or Customs Intermediary or a FPO. In order for a Trader to use the Services they must also be a User;
<b>“Trader Journey”</b>	means a trader journey listed with a unique identifier in the column headed “TJ ID” in Table 1, Part 1 of Schedule 2.1, subject to the restrictions set out in Paragraphs 2 and 3 of Part 1 of Schedule 2.1, but excluding the Excluded Trader Journey and including each Designated Trader Journey once developed and implemented in accordance with Paragraph 4 of Part 1 of Schedule 2.1.
<b>“Trader Journey Processes”</b>	Means the processes described in Paragraph 2 of Part 1 of Schedule 2.1
<b>“Trader Support Service Baseline”</b>	Shall have the meaning given to it in paragraph 1 of Annex 7;
<b>“Trader Subsidy Tally”</b>	means the total amount of State Aid Subsidy that a User has claimed over a rolling three year tax period (commencing 6th April on each year). The Trader Subsidy Tally includes both the amount of State Aid Subsidy claimed by the Users via the Services and also the User’s self-assessed claim of any other State Aid Subsidies as notified to the Supplier;
<b>“Trader Support Service” or “TSS”</b>	means the Operational Services described in Schedule 2.1 of this Agreement;
<b>“Transit Declaration” or “TD”</b>	means the data submitted to NCTS to notify EU or UK that goods are transiting through their respective Customs Territory on route to their point of destination and for which no customs duties or other taxes are payable;

<b>“Transit Guarantee”</b>	means a guarantee provided by a person or entity to ensure payment of the customs duties and other charges if the transit obligations are not fulfilled;
<b>“Transition Period”</b>	means the period agreed in the UK-EU Withdrawal Agreement in which the UK is no longer a member of the EU but continues to be subject to EU Laws and remains a member of the single market and customs union. The Transition Period end on 31 December 2020;
<b>“TSS Account”</b>	means a unique and password protected identity on the Service that is created using the data provided by the User in the Registration Process;
<b>“TSS Portal Go-Live Date”</b>	means the date that the TSS Portal was published online, 2 <sup>nd</sup> November 2020;
<b>“TSS Portal”</b>	means the Supplier’s online platform as described in part 3 of Schedule 2.1 that: <ul style="list-style-type: none"> <li>• entities can use to register for the Service; and</li> <li>• Users can access the Services and submit Declarations;</li> </ul>
<b>“TSS Registered User” or “User”</b>	means any entity who has completed the Registration Process and been issued with a TSS Account;
<b>“TSS Service Terms and Conditions”</b>	means the terms and conditions made available on the TSS Portal from time to time;
<b>“UCC” or “Union Customs Code”</b>	means the legal framework for customs rules and procedures in the EU Customs Territory.