

Regulation (EU) 2015/1525

1. Background

Regulation (EU) 2015/1525 was adopted on 9 September 2015 with a view to improving the framework governing the mutual assistance in the area of customs (Regulation 515/97). It advances the available tools for detecting and investigating customs fraud at EU and national level.

In particular, it provides for the creation of centralised databases containing information on container movements and on the goods entering, leaving and transiting the EU. The amendment is expected to strengthen the analytical capabilities of both OLAF and national customs authorities in detecting fraudulent operations.

2. Main elements

The core elements of the amendment can be summarised as follows:

- a) creation of a Container Status Messages directory (“CSM directory”) – containing the so-called CSMs (messages recording physical movements of containers by maritime vessel); the scope of data on containers leaving the EU customs territory is limited to excisable products (tobacco, alcohol and energy products);
- b) creation of an “Import, export and transit directory” – containing data on goods entering, leaving and transiting the EU; the scope of data on exports is limited to excisable products (tobacco, alcohol and energy products);
- c) improving the framework for using information obtained on the basis of mutual assistance as evidence in judicial proceedings – subject to non-opposition of the Member State providing information;
- d) speeding-up OLAF investigations by setting out deadlines for the Member States to provide investigation-related documents (i.e. supporting documents).

3. Next steps

The provisions of Regulation (EU) 2015/1525 will start applying from 1 September 2016. The preparation for receiving voluminous data and creating the necessary IT infrastructure is ongoing.

In addition, according to new Article 43b of Regulation (EC) 515/97, the Commission is obliged to publish a report, by 9 October 2017, assessing the necessity of expanding the two new directories to

export data not limited to sensitive goods and explore the feasibility of enlarging the project to include transportation by land and air.