TSS User Guides

Tariffs on goods movements to Northern Ireland (NI)



Published: March 2025





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If there are any words or acronyms in this document that are unfamiliar, visit the Jargon Buster or use the search tool on the <u>Northern Ireland Customs and Trade Academy</u> (<u>NICTA</u>) to find a definition.¹

This guide includes information on the simplified processes for Internal Market Movements (SPIMM) as part of the Windsor Framework implementation, and enables traders to be prepared for when they take effect.

1 Introduction

Moving goods to Northern Ireland (NI) requires adherence to customs requirements introduced by the Windsor Framework. You need to be aware of the circumstances in which goods will be subject to customs duties for movements between:

- Great Britain (GB) and NI
- Rest of World excluding the European Union (RoW excluding EU) and NI

The Trader Support Service (TSS) is here to support you with understanding and adapting to new processes so that you can continue moving goods smoothly to NI.

This guide provides an overview on:

- What is a tariff and how to identify it
- Determining if goods movements to NI are liable for tariff payments and which tariff applies
- Instruments that may help reduce the payment of tariff duties

The content of this guide is relevant for TSS users who are:

- Assessing whether their goods are considered 'at risk' or 'not at risk' of entering the EU
- Determining if they can qualify to reduce EU duty payments (goods 'at risk') or UK duty payments (goods 'not at risk)
- Looking for guidance on how to introduce relevant data into declaration data fields for:
 - Declaring goods 'at risk' or 'not at risk'
 - Utilising instruments that can help reduce the payment of tariff duties

For further guidance on the new rules, refer to the guides, webinars, and policy updates on NICTA.

¹ Terms used in this guide refer to the terminology used on the TSS Portal. Note that these may not match the most recent terms used on GOV.UK, in HMRC's Customs Declaration Service or the Northern Ireland Online Tariff on GOV.UK.



2 Before you start

The guide structure follows the relevant steps that you need to follow when reviewing applicable tariffs for the movement of goods to NI from GB or RoW excluding EU.

- 1. Deciding if your goods are 'at risk' or 'not at risk'
- 2. Identifying the applicable tariff (NI or UK tariff)
- 3. Assessing if you can benefit from a trade instrument to reduce the payment of tariff duties when they apply to the commodity code that is associated with the goods

Rest of the World (Excluding EU) to NI movements

Risk status	Applicable tariff	*Potential ways to reduce duties
'at risk'	Northern Ireland Online Tariff (EU duties)	UK Internal Market Scheme (UKIMS) *If you are eligible and have not applied to obtain an UKIMS authorisation. Custom waiver (de minimis) EU Trade agreements (Different from UK-EU TCA) Reliefs (under EU regulation) Customs special procedures (under EU regulation)
'not at risk'	UK Integrated Online Tariff (UK duties)	UK Trade agreements (Different from UK-EU TCA) Reliefs (under UK regulation) Customs special procedures (under UK regulation)

^{*}Note: These are possibilities available to traders; however, the conditions associated with them must be met .

GB to NI movements

Risk status	Applicable tariff	*Potential ways to reduce duties
'at risk'	Northern Ireland Online Tariff (EU duties)	UK Internal Market Scheme (UKIMS) *If you are eligible and have not applied to obtain an UKIMS authorisation. UK-EU TCA Custom waiver (De minimis) Reliefs (under EU regulation) Customs special procedures (under EU regulation)
'not at risk'	UK Integrated Online Tariff (UK duties)	N/A *No need to reduce duties when goods are moving under UKIMS authorisation
*Note: These are possibilities available to traders; however, the conditions associated with them must be		

met.



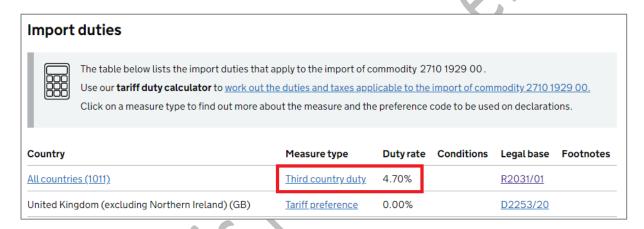
3 What is a tariff?

Tariffs are taxes imposed by governments on imported goods. Tariffs rates vary and are applied according to the type of good and the circumstances of the movement. Tariff rates can be identified under different measures.

3.1 Most Favoured Nation (MFN)

The **Most Favoured Nation (MFN)** rate is the tariff set on imports by members of the World Trade Organisation (WTO). The MFN is the duty that a WTO member will apply in their territory for imported goods from other WTO members (this is the duty that applies on import if a preferential rate, under a trade agreement, is not being claimed or granted). Further details are available in 'Principles of the trading system' on the <u>WTO</u> website.

In a tariff search, the **MFN** will appear as 'Third country duty'. For example:



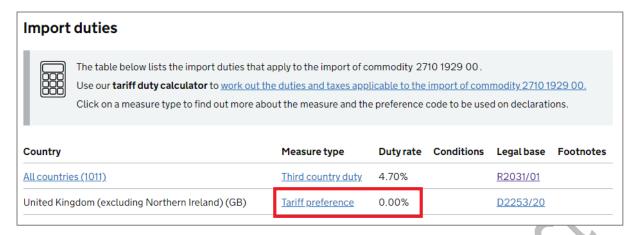
3.2 Preference

Traders may be able to benefit from preferential tariffs if there is a trade agreement in place that covers the flow of goods.

The **Preferential** rate is a reduced tariff (often zero) that could apply (instead of the MFN rate) when importing specific goods. The precise preferential tariff is determined by the relevant trade agreement, and traders can only take advantage of them if the trade agreement rules of origin are complied with. If the rules of origin are not satisfied, the MFN rate will apply.

In a tariff search, the **preference** rate will appear as '**Tariff preference**'. For example:

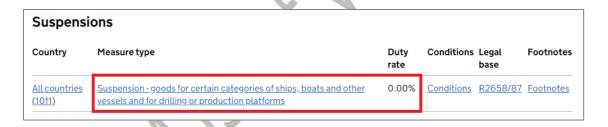




3.3 Duty suspension

A **duty suspension** applies only for specific imported goods. Importers need to comply with certain conditions set by legislation to be granted the suspension (and in some cases an authorisation may be required). Upon meeting these conditions, a trader can claim the suspension, instead of paying the 'third country duty' rate.

In a tariff search, the **suspension** rate will appear as **'Suspension**' alongside a brief description of the conditions (see example in the screenshot):



3.4 Trade remedies, safeguards and retaliatory duties

Additional duties can be applied by countries to certain imported goods to protect their national industry. This is an extra duty. It is charged in addition to the 'Third country duty' (or 'Tariff preference' or 'Suspension tariff' if applicable). Some examples are discussed below.

3.4.1 Countervailing duties (CVD)

A countervailing duty is often granted for goods that have benefited from specific government subsidies in their country of origin which impact domestic industry. As the foreign subsidy given to the goods can result in pricing substantially below the market price/rate, a countervailing duty acts as a protective measure against these significantly lower prices, where the affected industry can show causation and damage.



These charges are generally introduced following a complaint by domestic industry against the introduction of subsidies that benefit the foreign exporter. They offset the effects of an unfair subsidy by a trade partner.

In a tariff search, the countervailing rate will appear as 'Definitive countervailing duty':



3.4.2 Anti-Dumping Duties (ADD)

Anti-Dumping Duties are introduced to protect national industries from the possible damage caused by the dumping of low-priced imported goods on the domestic market. Dumping occurs when a company exports a product at a lower price than the product's normal value in its home market. This normal value could be the domestic price of the product, or the cost of production. These charges are generally introduced following a complaint against the dumping of goods.

In a tariff search, the anti-dumping rate will appear as 'Definitive anti-dumping duty':



3.5 Tariff-rate quotas (TRQ)

A quota allows a particular tariff rate (sometimes zero) to apply for a certain volume of imports over a particular period. For imports above the level of the quota, the MFN and any other tariff measures at the time of import are applied.

Note: If your goods are 'at risk,' to claim the lower tariff you must first check the quota period availability using the respective commodity code and find the quota order number in the <u>TARIC</u> (if there is no availability for the period, then the TRQ cannot be used).



Example: HS code: 7219310090 from India



4 Determining if goods are liable for tariff payments

Traders moving goods from GB to NI or from the Rest of the World (Excluding EU) to NI must determine whether those goods are 'at risk' or 'not at risk' of entering the EU (for example Ireland) after their arrival in NI.

There may be EU or UK duties due, depending on whether the goods are 'at risk' or 'not at risk' of onward movement to the EU. To identify the applicable tariff (and potential duties on it), you need to first define if your goods are 'at risk'.

4.1 Goods 'at risk'

'At risk' applies to goods that meet the following criteria:

- Enter NI but may later be sold or consumed within the EU (for example, Ireland)
- Are moved into NI for commercial processing (unless they can be classified in one of the approved purposes listed on GOV.UK)
- Are not eligible for UKIMS authorisation (see GOV.UK)

Further information is available on GOV.UK.

4.1.1 Tariff duties – goods 'at risk'

'At risk' goods will be charged the applicable EU duty.

Using the commodity code associated to the goods, check the respective tariff at the Northern Ireland Online Tariff:

∰ GOV.UK	Northern Ireland Online Tariff	
	Search Browse A-Z Tools News Help	

Example Stainless steel bars and rods, not further worked than

cold-formed or cold-finished; Of circular cross-section; Of

a diameter of 25 mm or more, but less than 80 mm,

containing by weight; 2,5% or more of nickel

Movement: GB (free circulation) – NI ('at risk')





Commodity Code: 7222202100

Goods origin: United Kingdom (excluding Northern Ireland) (GB)

https://www.trade-tariff.service.gov.uk/xi/commodities/7222202100?country=GB#

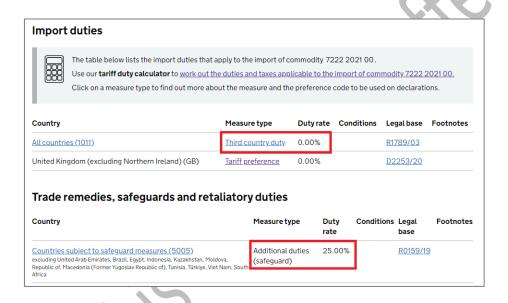
Goods customs value: £100.00

EU duties associated to the commodity code 7222202100

Third country duty 0.00%

Additional duties (safeguard) 25%

See their location in the screenshot below:



Expected payment

Third country duty = $0.00\% \times (goods' custom value)$

 $= 0.00\% \times (£100.00)$

= £0.00

Additional duties (safeguard) = 25% × (goods' custom value)

= 25% × (£100)

£25.00

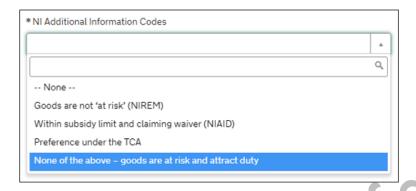
Total expected payment = £25.00

4.1.2 Relevant steps when declaring goods 'at risk'

Navigate to the Goods Records tab at the item level, and for the relevant item



Populate the NI Additional Information Codes field with: 'None of the above – goods are at risk and attract duty'



Claiming a zero tariff when EU duty is zero

Follow the steps given above. Note that whilst your goods attract duty, the 'Third country duty' that the EU charges on these goods will be 0.00%, due to the commodity code you have inputted. This must be done for each item that you wish to claim the zero tariff on (if the EU 'Third country duty' at the Northern Ireland Online Tariff is zero).

If there is a trade remedy in place (for example, safeguards, quotas, anti-dumping duty), the respective rate will be charged as part of the EU Additional Duties. This duty will need to be paid after you submit the declaration.

Trade remedies protect domestic industries against effects of unfair trade practice or unexpected increases in imports. For more information, see <u>GOV.UK</u>.

Note: If you are unsure what your commodity code is, you can use the link to the HMRC tariff tool located in the **Commodity Code** field (within the declaration) and look up the respective tariff associated to the commodity code.



For information on how to complete other fields in your declaration, visit the <u>Data guide: TSS</u> <u>declaration data requirements</u> on NICTA.

4.2 Goods 'not at risk'

The term 'not at risk' applies to goods that meet the following criteria:

Are not subject to EU trade remedies





- Can be classified in one of the approved purposes of commercial processing
 - If you move goods that will be subject to processing in NI, then you will need to meet additional criteria to be able to declare these goods '**not at risk**', beyond those set out above. These include:
 - Small processor exemption: Businesses that fall below the turnover threshold (£2 million for UKIMS) may declare goods 'not at risk' under the UKIMS
 - Approved processing sector: The following sectors are exempt from the general rule that commercial processing means a goods movement is automatically 'at risk':
 - > Sale of food to consumers in the UK
 - > Construction in NI by the importer or one subsequent entity
 - Direct provision of goods for health or care services by the importer or one subsequent entity
 - > Not-for-profit activities by the importer or one subsequent entity
 - > Final use of animal feed on premises in NI by the importer or one subsequent entity

Further information for additional requirements for processing is available on GOV.UK.

- Are covered under UKIMS authorisation (see GOV.UK)
- Will be for sale to or final use by end-consumers located in the UK which includes NI

Further information is available on GOV UK.

Note: UKIMS authorised traders can not only claim the benefit of non-EU duty payment but also have the option to submit a simplified dataset of information (**for movements between GB and NI only**) under the **simplified processes for Internal Market Movements** when the Windsor Framework is implemented. Further information about the simplified processes is available on the <u>Simplified processes for Internal Market Movements – Introduction Guide</u> on NICTA.

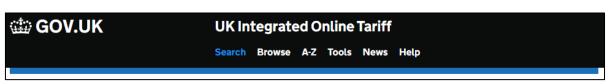
4.2.1 Tariff duties – goods 'not at risk'

Goods that are 'not at risk' will be charged:

- No duty if entering NI from free circulation in Great Britain
- UK duty if entering NI from Great Britain and the goods were not in free circulation in GB, for example, entering NI from RoW
- **UK duty** if entering NI from outside of both the EU and the UK

Using the commodity code associated to the goods, check the respective tariff on the 'UK Integrated Online Tariff' page on GOV.UK.





Example: Stainless steel bars and rods, not further worked than cold-formed or cold-finished; Of circular cross-section; Of a diameter of 25 mm or more, but less than 80 mm, containing by weight; 2,5% or more of nickel

Movement: RoW (Taiwan) – NI ('not at risk')

Commodity code: 7222202100

https://www.trade-tariff.service.gov.uk/commodities/7222202100?country=TW#

Goods' custom value: £100.00

UK duties associated to the commodity code: 7222202100

Third country duty 0.00%

See their location in the screenshot below:



Expected payment

Third country duty = $0.00\% \times (goods' custom value)$

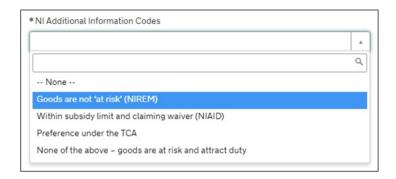
 $= 0.00\% \times (£100.00)$

Total expected payment = £0.00

4.2.2 Relevant steps when declaring goods 'not at risk'

- 1. Navigate to the Goods Records tab at the item level and for the relevant item
- Populate the NI Additional Information Codes field with: 'Goods are 'not at risk' (NIREM)'





This must be done for each item that you wish to declare '**not at risk**'. Review the field (also labelled 'DE 2/2') in the Data guide: TSS declaration data requirements on NICTA.

Note, if you have a mix of 'at risk' and 'not at risk' goods, you can still use the UKIMS for your 'not at risk' goods. However, you will need to show evidence that you have control (a tracking system) over the goods movements that you declared 'not at risk'.

Remember: in order to declare goods 'not at risk', you must:

1. Be authorised under the UKIMS (see GOV.UK)

Ensure you have uploaded your UKIMS authorisation letter into the TSS Company Profile (see the <u>Upload your UKIMS authorisation in the TSS Company Profile</u> section of this guide).

Note: Ensure that the Importer's EORI is the same EORI linked to the UKIMS authorisation. If there is a mismatch of EORI references, the Customs Declaration Service (CDS) will fail to apply the duty exemption claimed under 'NIREM' in your declaration.

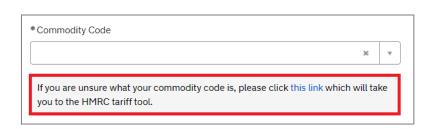
- 2. **Maintain evidence** that goods entered NI for the purpose of either:
 - Sale to consumers in UK territories, including NI, (for example a sale in a retail store)
 - Business use in UK territories, including NI (for example, a business purchasing stationery, or a farmer purchasing a tractor, for their own use)

If you cannot provide evidence to support either of the above, you must declare your goods 'at risk' when completing a Supplementary Declaration or Full Frontier Declaration.

You cannot use the simplified processes for Internal Market Movements if goods are 'at risk'.

Note: If you are unsure what your commodity code is, you can also use the link to the HMRC tariff tool located in the **Commodity Code** field (within the declaration) and look up the respective tariff associated to the commodity code.





For information on how to complete other fields in your declaration, visit the <u>Data guide: TSS</u> <u>declaration data requirements</u> on NICTA.

5 Instruments that could help to reduce the payment of EU duties

When goods are moving from GB to NI or RoW Excluding EU to NI, they are 'at risk' of moving into the EU customs territory (for example, Ireland); therefore, goods are considered to be 'at risk' unless the contrary is proved. Consequently, they are subject to the applicable EU duty.

In this scenario, you have the option to consider the use of one of the following instruments that potentially could reduce the charge of the applicable EU duties (subject to meeting their terms and conditions).

5.1 Customs duty waiver

UK traders moving goods into NI can claim a customs duty waiver (**de minimis aid**) when the goods movement is deemed 'at risk'.

Claiming a customs duty waiver might be the best option if you:

- Do not move significant volumes of goods into NI
- Are not eligible to apply for the UKIMS authorisation
- Move goods that do not meet rules of origin requirements
- Cannot prove that your goods are 'not at risk' or you know that they are 'at risk' of entering the EU via Ireland

If you are a small business owner, claiming a customs duty waiver could be the best way for you to reduce the duty you may need to pay. You do not need to register for the UKIMS authorisation to claim it. The waiver is provided as de minimis aid up to a maximum of the allowance for the sector in which the business operates. More information on customs duty waivers can be found on GOV.UK.

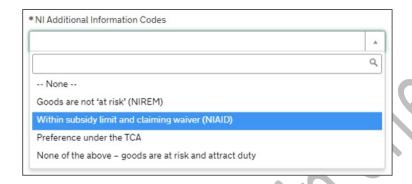
If you are interested in claiming this aid, refer to the <u>How to claim a customs duty waiver</u> guide on NICTA.



5.1.1 Relevant steps to claim a waiver on 'at risk' goods

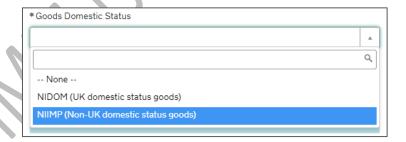
To claim a waiver on 'at risk' goods, you must:

- Navigate to the Goods Records tab at item level
- Populate the NI Additional Information Codes field, for the relevant item, selecting the option 'Within subsidy limit and claiming waiver (NIAID)'



This must be done for each item that you wish to claim the waiver for. Review the field (also labelled 'DE 2/2') in the <u>Data guide: TSS declaration data requirements guide</u> on NICTA for further details.

Note: If you are moving goods from RoW excluding EU countries to NI, you will have the option to use the NI Additional Information code 'NIAID' (which indicates customs duty waiver). However, you will also need to select the code 'NIIMP (Non-UK domestic status goods)' in the Goods Domestic Status field (the code you will enter for RoW excluding EU movements to NI and goods not in free circulation within GB) at the consignment level.



For movements from RoW excluding EU to NI, the customs duty waiver will cover the difference between the UK and EU tariff (where the UK tariff is lower than the EU tariff).

For information on how to complete other fields in your declaration, visit the <u>Data guide: TSS</u> <u>declaration data requirements</u> on NICTA.

Note: Ensure that the Importer's EORI is the same EORI linked to the UKIMS authorisation. If there is a mismatch of EORI references, the CDS system will fail to apply the duty exemption claimed under 'NIREM' in your declaration.



5.2 UK Internal Market Scheme (UKIMS)

If the movements of your goods are inside the UK customs territory, which includes NI, and are intended for sale or final use in the UK customs territory, you may qualify for the UKIMS.

Having a UKIMS authorisation ensures that you will not be required to pay customs duties.

Traders authorised for the UKIMS, whose goods meet the scheme's conditions, will not be required to pay a tariff for these movements.

5.2.1 Criteria to apply for the UK Internal Market Scheme (UKIMS)

It is essential that you register for UKIMS if you wish to move goods 'not at risk'. To qualify for UKIMS you must be established in the UK. You must also meet all of the following criteria:

- Compliance requirements (see GOV.UK)
- Records, systems, controls and evidence requirements (see GQV.UK)
- Additional processing requirements if you move goods into NI to be processed and want to declare these goods 'not at risk' (see GOV.UK)

You can find further guidance on all the requirements for the scheme on GOV.UK.

5.2.2 Upload your UKIMS authorisation in the TSS Company Profile

Once you have received the UKIMS authorisation letter from HMRC, you need to enter the UKIMS authorisation reference and upload a copy of the document into the TSS Company Profile.

Click **Company Profile** in the TSS Portal banner and follow the steps in the 'Adding UKIMS Authorisation to your Company Profile' section of the <u>How to use the TSS Portal</u> guide on NICTA



The above steps should be implemented as part of your compliance for the 'not at risk' claims.

Note: Ensure that the Importer's EORI is the same EORI linked to the UKIMS authorisation. If there is a mismatch of EORI references, the CDS system will fail to apply the duty exemption claimed under 'NIREM' in your declaration.

5.3 The UK-EU Trade and Cooperation Agreement (TCA)

Claiming the EU 'Tariff preference' makes the applicable EU 'Third country duty' zero.





If you are moving goods that can be proved to be of UK origin under the UK-EU Trade Cooperation Agreement (TCA) you could claim EU 'Tariff preference' if the following criteria are met.

5.3.1 Criteria to claim EU 'Tariff preference' under the UK-EU TCA

The goods are moved directly from GB (free circulation) to NI

AND

2. The UK origin claim over the goods is meeting the general and specific rules of origin (RoO) under the TCA

In general, the following products are considered as originating in United Kingdom:

- Products wholly obtained in the United Kingdom
 - Your goods are treated as 'wholly obtained' if they're exclusively produced in the UK, without incorporating materials from any other country.
- Products that incorporate materials originating from different countries that are sufficiently worked or processed in the UK according to the rules laid out in the UK/EU Trade and Co-operation Agreement

AND

3. The respective supporting evidence is available to prove the UK origin under the TCA rules of origin

In this scenario, prior to the declaration of the goods' movement, you need to:

A) Identify first the rules of origin (RoO) for each commodity code associated to the goods that are claiming UK origin under the TCA

AND

B) Check that the goods satisfy the respective (RoO) criteria

The following sources explain in detail how to interpret the TCA rules of origin:

- General rules to determine the origin of your products for trade between the UK and EU (see GOV.UK)
- Checking the origin of your goods using product specific rules when trading between the UK and EU (see GOV.UK)

Help to identify rules of origin (RoO)

The Northern Ireland Online Tariff provides a tool that supports users to identify the rules of origin associated to a commodity code under the UK-EU TCA.



Example Live trout (Salmo trutta, Oncorhynchus mykiss, Oncorhynchus clarki,

Oncorhynchus aguabonita, Oncorhynchus gilae, Oncorhynchus

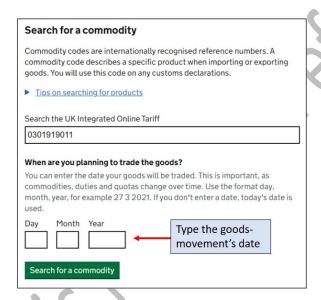
apache and Oncorhynchus chrysogaster); Of the species Oncorhynchus mykiss; Weighing 1.2 kg or less each.

Movement: GB (free circulation) – NI ('at risk')

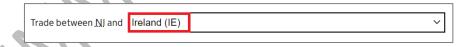
Commodity code: 0301919011

https://www.trade-tariff.service.gov.uk/xi/commodities/0301919011

 Access the <u>Northern Ireland Online Tariff</u> and type the commodity code (for example, 0301919011) and the date of movement and then press the <u>Search for a commodity</u> button



Select any EU member state (for example, Ireland) in the field Trade between NI and

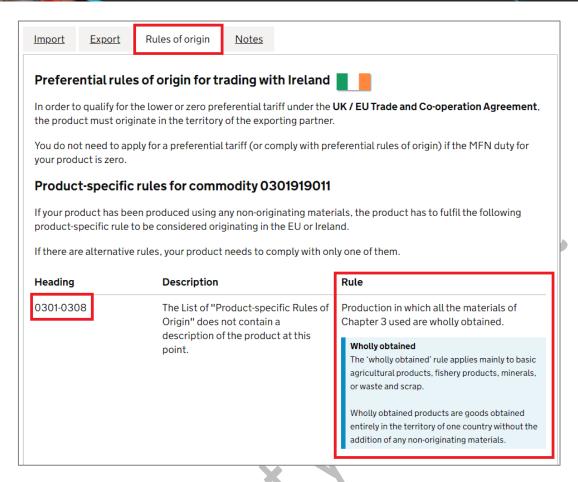


Scroll down and click the Rules of origin tab



 Identify, on the bottom-right of the window, the rule of origin applying to the commodity code





See the following links for more information on rules of origin:

- Check that your goods meet the rules of origin (see <u>GOV.UK</u>)
- Rules of origin for goods moving between the UK and EU (see GOV.UK)
- Apply for a Binding Origin Information decision (see <u>GOV.UK</u>)

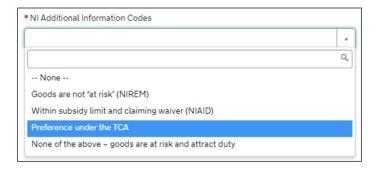
Note: Declaring goods into **free circulation** within GB does not mean that they acquire UK origin. **Free circulation** means that goods are customs cleared (no excise or VAT/import duty is due on them); therefore, the goods are free to circulate, be sold or used by consumers in the domestic market.

There is further guidance on GOV.UK.

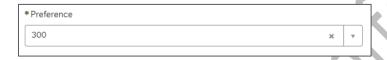
5.3.2 Relevant steps to claim 'Preferential tariff' under the TCA

- Navigate to the Goods Records tab at item level, and for the relevant item
- 2. Populate the NI Additional Information Codes field with 'Preference under the TCA'





 Populate the Preference field with a preference code in the format three digits beginning with a 3 (for example, '300')



The list of preference codes can be found on <u>GOV.UK</u>. Review the field (also labelled 'DE 4/17') in the <u>Data guide: TSS declaration data requirements</u> on NICTA for further details.

4. Populate the Country of Preferential Origin field with the country that the goods originate from (for example, United Kingdom)

In this case, you should leave the **Country of Origin** field blank.

Review the field (also labelled 'DE 5/16') in the <u>Data guide: TSS declaration data</u> requirements on NICTA for more details.



5. Locate the **Document Reference** tab at the bottom of the page and click the **New** button



Review the section Document Reference (also labelled DE 2/3) in the <u>Data guide: TSS</u> <u>declaration data requirements</u> on NICTA for more details on any of the following steps:

- Populate, as appropriate, the **Document Code** field with one of these codes:
 - 'U110': if the claim is based on a 'statement on origin' for a single shipment



- 'U111': if the claim is based on a 'statement on origin' for multiple shipments of identical products to cover a 12-month period
- 'U112': if the claim is based on the importer's knowledge
- Populate the Document Reference field

Input the **commercial document reference number** (if 'U110' or 'U111' has been introduced as the **Document Code**).

- Populate, as appropriate, the Document Status field with one of the following codes:
 - If 'U110' or 'U111' is used: AE, AF, AG, AP, AS, AT, GE, GP, HP, JE, JP, LE, LP, UA, UE, UP, US, XA, XB
 - If 'U112' is used: JP

Descriptions of **Document Status** codes can be found on GOV.UK

For more details on claiming preference, see **GOV.UK**.

Note: If you claim a preferential rate of duty which applies in the **UK Integrated Online Tariff** (see <u>GOV.UK</u>) but not the **Northern Ireland Online Tariff** (see <u>GOV.UK</u>), or vice versa, or there is a difference in code used to apply the preference, you will need to complete your declaration differently.

For further information, refer to the following sources to obtain guidance on completion instructions for your declaration:

- EUPRF Preference mismatch on Northern Ireland declarations on GOV.UK
- Additional Information (AI) Statement Codes for Data Element 2/2 of the Customs Declaration Service (CDS) on GOV.UK

For information on how to complete other fields in your declaration, visit the <u>Data guide: TSS</u> declaration data requirements on NICTA.

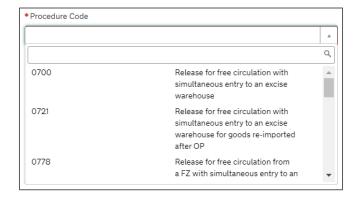
5.4 Reliefs, customs special procedures

Entering your goods into a specific customs procedure may provide relief from customs duties, import VAT and/or excise.

The customs procedure is declared in two parts:

 The Procedure Code (four-digits) used on the customs declaration reflects the requested procedure the goods are entering in to. For example:





 The Additional Procedure Code (three-digits) is used in combination with the Procedure Code to provide relief from customs duties, import VAT and/or excise. For example:



Subject to meeting the respective criteria, there are specific **Procedure Codes** and **Additional Procedure Codes** that allow you to claim relief or suspension of EU duties due when goods are considered to be 'at risk'.

Example:

Relief	Custom Special Procedure
Onward Supply Relief (Series 42)	Authorised Use (Series 44)
Return Goods Relief (Series 61)	Inward Processing (Series 51)
Other Reliefs (Additional procedures	Temporary Admission (Series 53)
codes – Series C)	Custom Warehousing (Series 71)

For further information on reliefs and custom special procedures supported by TSS refer to the <u>Reliefs and Duty Suspension: Overview and considerations for data input in TSS</u> <u>declarations</u> guide on NICTA.

Note: If your goods are 'at risk' and none of the instruments described above can be used, EU duties will be applicable, and their payment will be due on the respective declaration.



6 Instruments that could help to reduce the payment of UK duties when importing from Rest of World (ROW)

If the goods are considered to be 'not at risk', they are subject to the applicable **UK** duty.

In this scenario, you have the option to consider the use of one of the following instruments that potentially could reduce the charge of the applicable UK duties (subject to meeting their terms and conditions).

6.1 UK Trade agreements

Claiming the UK 'Tariff preference' makes the applicable UK 'Third country duty' either reduced, or in some circumstances, zero.

Where it can be proved that the '**not at risk**' goods being imported to NI are meeting the origin criteria set in a trade agreement established between the UK and a foreign country, or a bloc of nations, these goods could claim UK 'Tariff preference' under the respective trade agreement.

You need to ensure the following criteria are met.

6.1.1 Criteria to claim UK 'Tariff preference' under an UK trade agreement

- 1. The goods are moved directly from a foreign (non-EU) country to NI
- 2. There is a trade agreement established between the foreign country, or bloc of countries, and the UK

Here are the types of trade agreements that the UK has in place with foreign countries:

- Bilateral (an agreement between two countries to trade equally with each other): UK trade agreements in effect on GOV.UK
- Multilateral (trading with a bloc of nations): UK trade agreements in effect on GOV.UK

For example, The Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP). The UK joined this trade agreement on 15 December 2024, giving traders the opportunity to claim preferential duties on qualifying goods exported to and imported from the countries involved. For more information on this Free Trade Agreement and how to use it, see GOV.UK.

- Unilateral: For example, the UK Developing Countries Trading Scheme (DCTS) on GOV.UK
- 3. The foreign origin claim over the goods is meeting the **general** and **specific** rules of **origin** (RoO) under the respective trade agreement

In general, goods are considered as originating in a foreign country if they are:



- Products wholly obtained in the foreign country your goods are treated as 'wholly obtained' if they're exclusively produced in the foreign country, without incorporating materials from any other country
- Products that incorporate materials originating from different countries that are sufficiently worked or processed in the foreign country according to the rules laid out in the respective trade agreement between the UK and the foreign country
- 4. The respective supporting evidence is available to prove the foreign origin of the goods under the rules of origin (set in the respective trade agreement between the UK and the foreign country)

In this scenario, prior to declaring the goods' movement, for each commodity code associated to the goods that are claiming foreign origin, you need to:

A) Identify first the rules of origin (RoO) covering the commodity code under the trade agreement

AND

B) Check that the goods satisfy the respective (RoO) criteria.

The following information explains in detail how to interpret rules of origin for UK trade agreements:

- Check your goods meet the rules of origin see GOV.UK
- Check your goods meet the Developing Countries Trading Scheme rules of origin see GOV.UK

Help to identify rules of origin (RoO)

The <u>UK Integrated Online Tariff</u> provides a tool that supports users to identify the rules of origin associated to a commodity code under a UK trade agreement.

Example

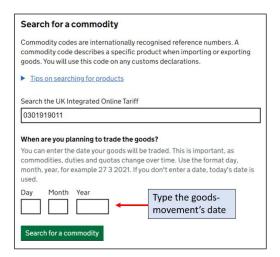
Movement: RoW (Canada) – NI ('not at risk')

Commodity code: 0301919011

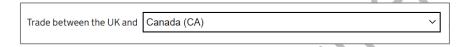
https://www.trade-tariff.service.gov.uk/commodities/0301919011?country=CA#import

 Access the <u>UK Integrated Online Tariff</u> and type the commodity code (for example, 0301919011) and date of goods' movement and then press the <u>Search for a commodity</u> button





2. Select the foreign country in the field Trade between the UK and



3. Scroll down and click the Rules of origin tab



4. Scroll down and identify the rule of origin applying to the commodity code in the **Product-specific rules - trade with...** section



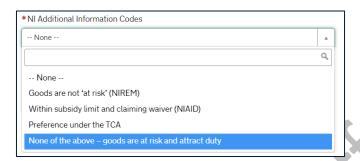
See the following links for more information on rules of origin:

- Check that your goods meet the rules of origin see GOV.UK
- Guidance for preferential rates of duty and rules of origin see GOV.UK
- Apply for a Binding Origin Information decision see GOV.UK



6.1.2 Relevant steps to claim 'Preferential tariff' under UK trade agreements

- Navigate to the Goods Records tab at item level, and for the relevant item
- Populate the NI Additional Information Codes field with: 'None of the above goods are at risk and attract duty'



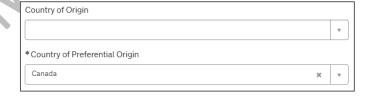
3. Populate the **Preference** field with a preference code in the format three digits beginning with a 3 (for example, '300')



A list of preference codes can be found on <u>GOV.UK</u>. Review the field (also labelled 'DE 4/17') in the <u>Data guide: TSS declaration data requirements</u> on NICTA for further details.

4. Populate the Country of Preferential Origin field with the country that the goods originate from (for example, Canada). In this case, you should leave the Country of Origin field blank (unless using electronic licensing, in which case, populate the field with the country of origin that is on the licence)

Review the field (also labelled 'DE 5/16') in the <u>Data guide: TSS declaration data</u> requirements on NICTA for more details.



5. Locate the **Document Reference** tab at the bottom of the page and click the **New** button







Review the section Document Reference (also labelled 'DE 2/3') in the <u>Data guide: TSS</u> declaration data requirements on NICTA for more details on any of the following steps:

- Populate, as appropriate, the <u>Document Code</u> field select the applicable <u>code</u> from the list indicated by the 'Data Element 2/3 Documents and Other Reference Codes (National) of the Customs Declaration Service (CDS)' on <u>GOV.UK</u>
- Populate the <u>Document Reference</u> field input the <u>document reference</u> requested for the selected <u>document code</u> in the 'Data Element 2/3 Documents and Other Reference Codes (National) of the Customs Declaration Service (CDS)' on <u>GOV.UK</u>
- Populate, as appropriate, the <u>Document Status</u> field check the options in the 'Status Code(s)' column code in the 'Data Element 2/3 Documents and Other Reference Codes (National) of the Customs Declaration Service (CDS)' on <u>GOV.UK</u> and select the applicable code

Descriptions of **Document Status** codes can be found on GOVJUK

For more details on claiming preference, see GOV.UK.

Note: If you claim a preferential rate of duty that applies in the **UK Integrated Online Tariff** (see <u>GOV.UK)</u>, but not the **Northern Ireland Online** Tariff (see <u>GOV.UK)</u>, or vice versa, or there is a difference in code used to apply the preference, you will need to complete your declaration differently.

For further information, refer to the following sources to obtain guidance on completion instructions for your declaration:

- EUPRF Preference mismatch on Northern Ireland declarations on GOV.UK
- Additional Information (AI) Statement Codes for Data Element 2/2 of the Customs Declaration Service (CDS) on GOV.UK

For information on how to complete other fields in your declaration, visit the following guides on NICTA:

- Data guide: TSS declaration data requirements
- Full Frontier Declaration: Step-by-step guide
- Inventory-Linked Ports

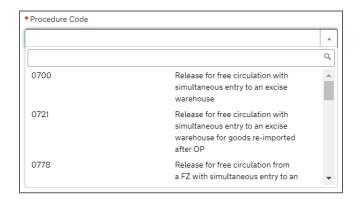
6.2 Reliefs, customs special procedures

Entering your goods into a specific customs procedure may provide relief from customs duties, import VAT and/or excise.

The customs procedure is declared in two parts:

• The **Procedure Code** (four digits) used on the customs declaration reflects the requested procedure the goods are entering in to:





 The Additional Procedure Code (three digits) is used in combination with the procedure code to provide relief from customs duties, import VAT and/or excise:



Subject to meeting the respective criteria, there are specific **Procedure Codes** and **Additional Procedure Codes** that allow traders to claim relief or suspension of UK duties due when goods are considered to be 'not at risk'.

Example:

Relief	Custom Special Procedure
Return Goods Relief (Series 61)	Authorised Use (Series 44)
Other Reliefs (Additional Procedures	Inward Processing (Series 51)
codes – Series C)	Temporary Admission (Series 53)
	Custom Warehousing (Series 71)

For further information on reliefs and custom special procedures supported by TSS refer to the <u>Reliefs and Duty Suspension: Overview and considerations for data input in TSS declarations</u> guide on NICTA.

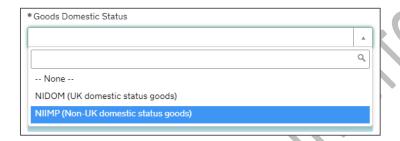
Note: If your goods are 'not at risk' and none of the instruments described above can be used, UK duties will be applicable, and their payment will be charged on the respective declaration.



7 Applicable tariff to goods movements from RoW excluding EU to NI

TSS currently supports goods importing to NI from RoW excluding EU that are travelling by air or by sea to inventory-linked locations (for goods traveling as freight) or by air to non-inventory linked airports (for goods traveling as merchandise in baggage) within NI.

For these goods movements that are not in free circulation within GB prior to importation into NI, the Goods Domestic Status must be declared as 'NIIMP (Non-UK domestic status goods)'.



Prior to the movement of goods, parties involved in the movement need to determine if the goods will be considered 'at risk' or 'not at risk' to move further to the EU (for example, Ireland) after the goods arrival in NI.

- Goods considered 'at risk' will be subject to EU duties (if applicable, following the Northern Ireland Online Tariff)
- Goods considered 'not at risk' will be subject to UK duties (if applicable, following the UK Integrated Online Tariff)

To determine if the goods meet the 'at risk' or 'not at risk' criteria, follow the guidance given in these sections of this guide:

- Goods 'at risk'
- Goods 'not at risk'

If you claim a preferential rate of duty that applies in the **UK Integrated Online Tariff** (see <u>GOV.UK</u>) but not the **Northern Ireland Online Tariff** (see <u>GOV.UK</u>), or vice versa, or there is a difference in code used to apply the preference, you will need to complete your declaration differently. For further information and support on data completion instructions refer to the Preference mismatch on Northern Ireland declarations on <u>GOV.UK</u>.



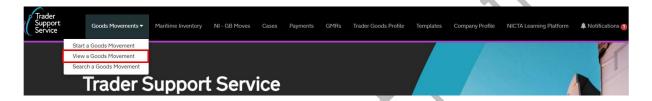
8 Reducing the goods' tariff payment on declarations under 'Pending Payment' status

8.1 Supplementary Declarations

If your Supplementary Declaration is in 'Pending Payment' status and you wish to use one of the instruments mentioned above, you can return your Supplementary Declaration to 'Draft' mode to make amendments.

To do this:

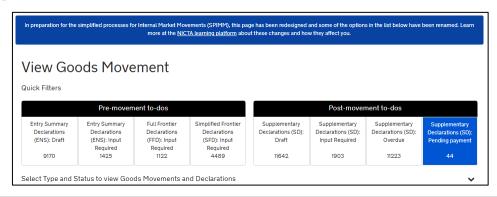
 Click on Goods Movements at the top of the TSS Portal home page and select the linkoption 'View a Goods Movement'



Find the Supplementary Declarations (by consignment) section on the left-hand side of the page



3. Find the Supplementary Declaration (SD) Pending Payment section within the Quick Filters menu:





4. From the list under the Local Reference Number column, select the Supplementary Declaration reference that you wish to amend

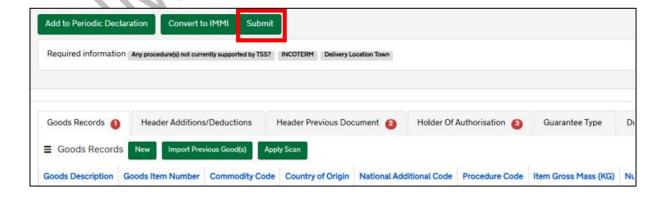


Scroll down to the bottom of the window and click on the Recall to Draft button in the Payment Summary section:



The Supplementary Declaration will be recalled to '**Draft**', and you will be able to edit fields again.

6. Once you are certain you have populated the fields correctly to use the relevant instrument to claim zero duties, submit the declaration by clicking **Submit** at the bottom of the consignment page

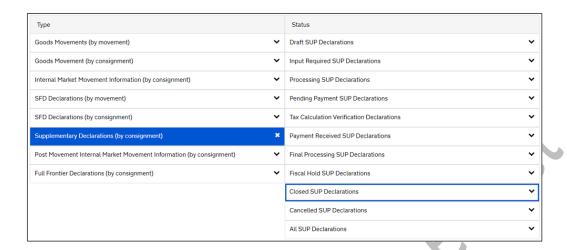


Duties will be calculated as part of the Supplementary Declaration submission.





You can confirm you have used an option to pay zero duties by going back to the **Supplementary Declarations (by consignment)** section and then finding the declaration in the sub-section **Closed SUP declarations**.



Note: Be aware that once you submit the Supplementary Declaration and it goes to '**Closed**' status, it will not be possible to recall it to '**Draft**' status. Monetary amendments after this stage need to be reported to HMRC directly.

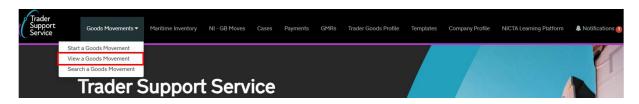
- If your Supplementary Declaration was not submitted correctly and you submit it using your own Duty Deferment Account, you may need to apply for a repayment or remission on any duties using a C285 form (see GOV.UK)
- Alternatively, if the declaration has a status of 'Closed' and you realise that you have underpaid, refer to the C2001 form (voluntary amendment) on GOV.UK
- If the TSS Portal continues to show that you need to pay duties, but you believe this is incorrect, call the TSS Contact Centre for support on 0800 060 8888

8.2 Full Frontier Declarations

When completing a Full Frontier Declaration, before the goods arrival, you will be asked to Confirm Duty Calculation. You will have the ability to Recall to Draft to check if the declaration can be amended to reduce or eliminate the duty, import VAT, and/or excise payable using one of the instruments explained in previous sections of this guide.

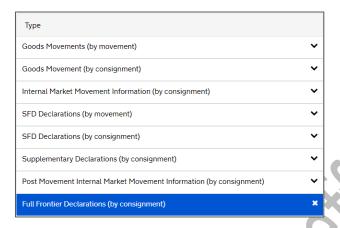
To do this:

 Click on Goods Movements at the top of the TSS Portal home page and select the View a Goods Movement link

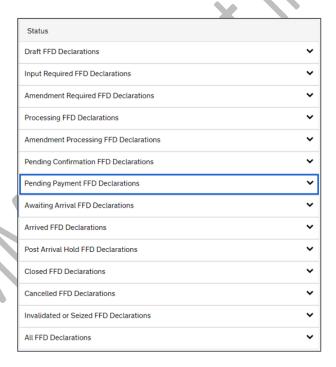




Find the Full Frontier Declarations (by consignment) section on the left-hand side of the page



3. Click on the **Pending Payments FFD Declarations** sub-section to show which Full Frontier Declarations you wish to edit

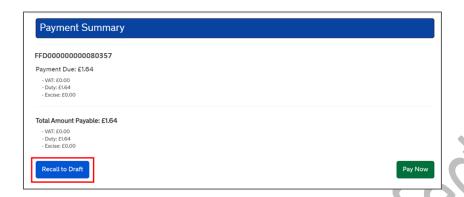


4. From the list under the Local Reference Number column, select the Full Frontier Declaration reference that you wish to amend





Scroll down to the bottom of the window and click on the Recall to Draft button in the Payment Summary section:



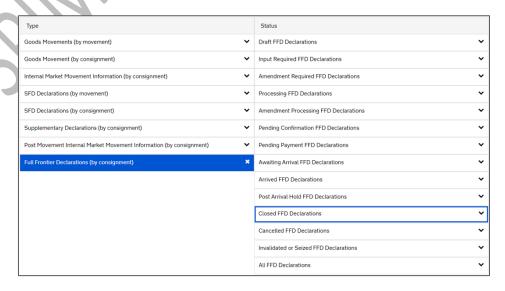
The Full Frontier Declaration will be recalled to '**Draft**', and you will be able to edit fields again.

6. Once you are certain you have populated the fields correctly to use the relevant instrument to claim zero duties, submit the declaration by clicking **Submit** at the bottom of the consignment page



Duties will be calculated as part of the Full Frontier Declaration submission, which should be payable at the time of submission to avoid any delays.

You can confirm you have used an option to pay zero duties by going back to the **Full Frontier Declarations** (by consignment) section and then finding the declaration in the subsection **Closed FFD Declarations**.





Note: Be aware that once you submit the Full Frontier Declaration and it goes to 'Closed' status, it will not be possible to recall it to 'Draft' status. Monetary amendments after this stage, need to be reported to HMRC directly.

- You may need to apply for a repayment or remission on any duties using a C285 form (see GOV.UK)
- Alternatively, if the declaration has a status of 'Closed' and you realise that you have underpaid, refer to the C2001 form (voluntary amendment) on GOV.UK
- If the TSS Portal continues to show that you need to pay duties, but you believe this is incorrect, call the TSS Contact Centre for support on 0800 060 8888

9 How to resolve an issue

9.1 Data validation

Concerning data validation, sometimes the system may report errors associated with the declaration of a tariff preferential rate (for example, authorisations, guarantees, document codes, references.).

For help with solving errors that may be related to data validation, refer to the <u>Resolving Error Codes</u> guidance on NICTA.

9.2 Preference mismatch

If you claim a preferential rate of duty which applies in the **UK Integrated Online Tariff** (see <u>GOV.UK)</u>, or vice versa, or there is a difference in the code used to apply the preference, this may generate system errors if data input is not followed correctly.

For further information and support on data completion instructions refer to the 'Preference mismatch on Northern Ireland declarations section' on GOV.UK.

10 I need to know more

There are additional guides available on NICTA to support you with trade into and out of NI:

- How to use the TSS Portal
- <u>Data guide: TSS declaration data requirements</u>
- Supplementary Declarations: Step-by-step guide
- Video: Supplementary Declarations GB-NI a step-by-step guide
- Guidance on Full Frontier Declarations





- Video: Tariff on goods movements into NI webinar
- Guidance on controlled goods and the Online Tariff Tool
- Guidance on resolution to common error codes for Supplementary and Full Frontier
 Declarations
- Part 2 CDS Declaration Completion Requirements for The Northern Ireland Protocol on GOV.UK
- Volume 3 for CDS Part of the UK Tariff on GOV.UK

You can also consult the TSS Contact Centre for support on 0800 060 8888.

11 Changes to guidance and policy

Last updated March 2025.

March 2025: Guide amended to reflect Windsor Framework updated terminologies on

screenshots / breadcrumbs, and in text.

January 2025: Updated to reflect changes in CDS.

March 2024: Guide amended with information relating to the use of using the correct

EORI number.

January 2024: Updated to reflect GOV.UK updates associated with UKIMS and EORI,

customs duty waiver allowance and TSS portal landing page changes.

October 2023: Updated to reflect current status of UKTS and UKIMS

September 2023: Updated to add the guide's name and link for Customs Duty Waiver.

July 2023: Updated to reflect UK Internal Market Scheme (UKIMS) changes.

June 2023: Guide re-structure as part of continuous improvement.

April 2023: Updated to reflect EUPRF Additional Information new code.

February 2023: Updated to reflect UCC change.

January 2023: Updates to Dual Tariff.

December 2022: General improvements to guide. Update to include new link to HMRC

Online Tariff Tool listed below commodity field.

October 2022: Updated screenshots to reflect new TSS Portal design.

July 2022: Addition of section on changes to guidance and policy.

June 2022: Updates for auto-generation of Final Supplementary Declaration as the

last step on TSS Simplified Procedure.





April 2022: General improvements to guide.

Published 2021.

